

LAND USE BY-LAW



2014

Town of Bridgewater

Approved by Bridgewater Town Council: November 10, 2014

Effective date: December 24, 2014

Contains amendments to: April 1, 2026

Amendments

Effective Date	Description
December 2, 2015	To allow residential conversions in the Comprehensive Residential (R3) Zone, of dwellings established before August 27, 1975, to a maximum of two dwelling units, subject to specific off-street parking requirements established in Section 3.1.25.
May 25, 2016	Map amendment to re-zone 150 Churchill Street from Special Commercial (C8) to Institutional (I1).
May 25, 2016	Map amendment to re-zone 324 Jubilee Road from Neighbourhood Commercial (C7) to Institutional (I1).
September 7, 2016	To add new section to enable sustainable energy systems that provide direct heat and/or power to a permitted institutional use by site plan approval criteria outlined in 8.1.1 and performance standards outlined in 8.2.4. Added new definitions.
September 14, 2016	Map amendment to re-zone 317, 321 and 325 King Street from Institutional (I1) to Downtown Residential (R4) and to Re-zone 307 King Street from Institutional (I1) to High Density Residential (R6).
March 29, 2017	Housekeeping amendments. Fifteen miscellaneous changes, primarily typographical and numbering errors.
May 3, 2017	To change (enlarge) signage permissions for Institutional (I1) properties adjacent to arterial or collector streets in Section 3.3.8 Ground Signs.
February 7, 2018	Housekeeping amendments. Nine changes to Permitted Uses of Commercial and Industrial Zones, as well as to the definitions section.
March 7, 2018	Map amendment to re-zone 20 Pearl Street from Special Commercial (C8) to Two Unit Residential (R2).
June 20, 2018	Amendment to Sections 5.5.2 and 5.5.3 in the Group Commercial (C4) Zone to increase the threshold for site plan approval to 5500m ² (60,008 sf)
June 20, 2018	Map amendment to re-zone 210 York Street from Special Commercial (C8) to Downtown Residential (R4).
October 2, 2018	Map amendment to rezone 75 Pinehurst Ave from Single Unit Residential (R1) to Two Unit Residential (R2) Zone.
October 31, 2018	Text amendments to Section 3.1.33 to increase requirements for outdoor furnaces.
March 6, 2019	Text amendments to the Neighbourhood Commercial (C7) Zone and map amendments to re-zone 144 Victoria Road from Institutional (I1) to Comprehensive Residential (R3); and, 126 Victoria Road and 229 York Street from Institutional (I1) to Neighbourhood Commercial (C7) Zone.
July 3, 2019	Text amendment to Section 3.1.6 to enable temporary commercial structures in the Downtown Commercial (C1) and LaHave Commercial (C2) Zones.
August 2, 2019	Site-specific text amendment to Section 5.5.2 to permit self-storage uses at 200 Dufferin Street by site plan approval.
June 3, 2020	Map amendment to rezone 12 Kensington Court from Single Unit Residential (R1) to Two Unit residential (R2).
August 5, 2020	Text amendments to Sections 3.1.7, 3.2.1 and 11 to enable accessory uses on adjacent Town-owned property through the Sidewalk Café By-law.

September 2, 2020	Map amendment to rezone 42 Riverview Drive from Single Unit Residential (R1) to two Unit Residential (R2).
March 3, 2021	Text amendments to the Recreation (REC) Zone to enable the use of properties zoned as recreation for the purpose of transit and parks facilities.
February 22, 2021	Text amendments to the Special Commercial (C8) Zone to enable additional uses by development agreement.
September 8, 2021	Text amendments to correct an inconsistent application of enabling policy in GFA thresholds related to the Development Agreement process and to enable residential conversions of existing single unit dwellings to two dwelling units.
September 8, 2021	Map Amendment to rezone 677 LaHave St. from General Commercial (C5) to Two Unit Residential (R2).
December 14, 2022	Map and text amendments to incorporate a new Highway Commercial (C9) zone into the Land Use Bylaw for the lands located north of Exit 12A in the proposed Bridgewater Business Park Expansion.
December 14, 2022	Text amendments to incorporate an incremental increase in the housing supply.
May 8, 2023	Text amendments to remove surface parking lots from the list of uses permitted on the west side of King Street within the Historic Downtown Commercial (C1) Zone.
March 20, 2024	Text amendments to add clarity to the definition of Affordable Housing to include the definitions provided by the Province of Nova Scotia or the Canadian Mortgage and Housing Corporation.
April 10, 2024	Text and map amendments to rezone four (4) Special Commercial (C8) properties to Neighbourhood Commercial (C7) and to expand permitted uses in the C7 Zone.
June 26, 2024	Text amendments to address development and wastewater capacity issues for as-of-right development
May 15, 2024	Map amendments to rezone Lot 200 (Glen Allan Drive) from Neighborhood Commercial (C7) to Comprehensive Residential (R3)
September 25, 2024	Housekeeping amendments. Text amendments to Minimum lot frontage for semi-detached dwelling (two units) on a separate lot within Comprehensive Residential (R3) Zone, and definitions for more inclusive regulation of Small Option Homes
December 10, 2024	Text amendments to exempt a change of use to the permitted uses of the zone from the zone from a development agreement process within the LaHave River Development Agreement Area.
December 30, 2024	Map amendment to rezone 44 North Park Street, PID 60023454, from an Industrial (M1) Zone to a Two Unit (R2) Zone
January 9, 2025	Text amendments to amend definitions of certain institutional uses and remove the permission for residential institutional uses to locate in the C1 and C2 Zones
January 29, 2025	Text amendments to reflect changes to commercial uses in C8 Zone, and to reflect a change in use within Table "T" from "Automobile Parts Sales and Services" to "Household Repair Services" for property at 76 Dominion Street. Changes to zoning map to re-zone several properties from the Special Commercial (C8) Zone to the Two Unit Residential (R2) Zone or the Comprehensive Residential (R3) Zone

April 9, 2025	Map amendments to rezone 169 Hollingsworth Drive, PID 60045176, and 34 Foley's Lane, PID 60020823, from Single Unit Residential (R1) to Two Unit Residential (R2)
May 12, 2025	Text amendments to Section 5.1.1 to clarify type and location of structures permitted in the abutting yard requirements for commercial zones.
June 4, 2025	Text amendments to Section 3, Section 4, Section 5, Section 7, and Section 8 to reflect updated flood risk information and recommendations. Map amendment to reflect changes to the LaHave River Development Agreement Area (LRDAA). Text amendments to Sections 5.2.1, 5.2.3, and 5.2.4 to allow for the construction a two-storey building containing a bar, a restaurant and a single-unit dwelling on the lands located at 440 King Street, PID 60042207.
October 1, 2025	Map and text amendments to reflect the intent of the Exit 12A Concept Development Plan, including changes to the C9 (Highway Service Commercial) Zone and the addition of the C10 (Highway Display Commercial) Zone.
October 28, 2025	Text amendments to expand the definition of "Residential Care Facility, Home for Special Care, Group Home or Small Option Homes" to include survivors of gender-based violence.
February 3, 2026	Zoning Map amendment to rezone 1233 King Street, PID 60020948, from a Single Unit Residential (R1) Zone to a Medium Density Residential (R5) Zone
March 24, 2026	Zoning Map amendment to rezone 40 Victoria Road from the Downtown Residential (R4) to the Medium Density Residential (R5) Zone
April 1, 2026	Zoning Map amendment to rezone 283 properties from Single Unit Residential (R1) to Two Unit Residential (R2)

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SECTION 1: ADMINISTRATION

1.1 Development Officer

- a. Town Council shall appoint a Development Officer pursuant to the provisions of the *Municipal Government Act*, who shall be responsible for the administration of the Land Use By-law and the issuance of development permits under this By-law; and
- b. In the absence or incapacity of the Development Officer, Town Council may appoint an acting Development Officer who shall carry out the duties of the Development Officer and make all decisions that he/she could have made.

1.2 Licences, Permits and Compliance with Other By-laws

- a. Nothing in this By-law shall exempt any person from complying with the requirements of other by-laws or regulations within the Town of Bridgewater or from obtaining any license, permission, permit, authority or approval required thereunder; and
- b. Where the provisions in this By-law conflict with those of any other municipal or provincial requirements, the higher or more stringent provisions shall prevail.

1.3 Development Permits

- a. No development shall be undertaken in the Town of Bridgewater unless a development permit has been received from the Town's Development Officer;
- b. No development permit shall be issued unless the provisions of this By-law have been complied with;
- c. Every development permit issued under this or any previous Land Use By-law shall expire within 12 months from the date issued if the development has not commenced;
- d. The Development Officer may revoke a development permit where the permit was issued on mistaken or false information. Any revocation shall be sent by registered mail and become effective 14 days after the mailing date; and
- e. If the Development Officer refuses to issue a development permit to a land owner or a duly authorized agent written notice shall be provided by registered mail.

1.4 No Development Permits

- a. Notwithstanding Section 1.3, no development permit is required in relation to a particular development when such an exception is clearly stated elsewhere in this By-law, or when the development consists only of interior changes to a use for which a development permit has been issued.

1.5 Application for Development Permits

- a. The application for a development permit shall be signed by the owner of the lot, or, with the written authorization of the owner, the agent of the owner of the lot; and
- b. The application shall be accompanied by a sketch or plan drawn to the appropriate scale and showing the following:
 - i. The true shape and dimension of the lot to be used, and upon which it is proposed to construct or locate any building or structure;
 - ii. The proposed location, height and dimensions of any building, structure or work in respect of which the permit is applied for, along with measurements of the lot frontage and front, side and rear yard setbacks;
 - iii. The location of every building or structure already constructed, or partly constructed, on such lot, and the location of every building or structure existing upon abutting lots;
 - iv. The proposed location and dimensions of parking areas, parking spaces, loading spaces, driveways, curbs, landscaping and fencing;
 - v. The location of natural features, such as watercourses, wetlands, slope by topography; and
 - vi. Such other information as may be necessary to determine whether or not the proposed development conforms with the requirements of this By-law;
- c. The application shall contain any other information the Development Officer deems necessary to determine whether the proposed development conforms to the requirements of this By-law; and
- d. 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 / she may require that the plans submitted under Section 1.5 b and c be based upon an actual survey by a licensed Nova Scotia Land Surveyor.

1.6 Application Fees

Every application for a development permit, subdivision, variance, site plan approval, Municipal Planning Strategy and/or Land Use By-law amendment(s), and development agreement shall be subject to the fees as established by Council, and in accordance with Town Policy 69 – Planning Application Fees.

1.7 Deviations

No developer shall deviate, or allow deviations to be made, from the description of the proposed development which is contained in the development permit.

1.8 Notification

- a. Where the Council has given notice of its intention to adopt an amendment to the Zoning Map, which is in direct response to a site specific development proposal, or has given notice of its intention either to enter into a development agreement or amend a development agreement, Council shall serve notice of the

proposed amendment or development agreement upon affected property owners whose property lies within 30m (98ft) of the property which is the subject of the proposed amendment or agreement. Such notice shall:

- i. Set forth a synopsis of the proposed amendment or development agreement;
 - ii. Set the date, time and place for the public participation meeting on the amendment or development agreement;
 - iii. Be served by registered mail; and
- b. Where the Council has given notice of its intention to issue a Variance or Site Plan Approval, Council shall serve notice upon affected property owners as specified in the *Municipal Government Act*.

SECTION 2: INTERPRETATION OF MAPS AND TEXT

2.1 Zones

For the purpose of this By-law, the Town of Bridgewater is divided into the following zones, the boundaries of which are shown on the attached Zoning Map. Such zones are also referred to by symbols as follows:

R1	Single Unit Residential	C1	Historic Downtown Commercial
R2	Two Unit Residential	C2	LaHave Commercial
R3	Comprehensive Residential	C3	Urban Commercial
R4	Downtown Residential	C4	Group Commercial
R5	Medium Density Residential	C5	General Commercial
R6	High Density Residential	C6	Restricted Commercial
R7	Manufactured Residential Home	C7	Neighbourhood Commercial
REC	Recreation	C8	Special Commercial
P	Park	C9	Highway Commercial
CON	Conservation	AG	Agricultural
I1	Institutional	M1	Industrial
I2	Residential Institutional	M2	Light Industrial

2.2 Zoning Map

The Zoning Map, attached hereto, forms part of this By-law. This map may be amended in conformity with the Municipal Planning Strategy to utilize any zone in this By-law.

2.3 Zoning Boundaries

The extent and boundaries of all zones are shown on the Zoning Map, attached hereto, and the provisions of this By-law shall apply to all zones.

2.4 Interpretation of Zone Boundaries

Boundaries between zones, as shown on the Zoning Map, shall be determined as follows:

- a. Where a zone boundary is indicated as approximately following lot lines, the boundary shall follow such lot lines;
- b. Where a zone boundary divides a lot which is in existence as of the date of this By-law, the zone boundary, on request of the owner, may be adjusted within the lot or considered to follow any lot line;
- c. Where a street, highway, railroad or rail way right-of-way, electrical transmission line right-of-way, watercourse or other linear feature is included on the Zoning Map, it shall, unless otherwise indicated, be included in the zone in which it occurs;
- d. Where a street, highway, railroad or rail way right-of-way, electrical transmission line right-of-way, watercourse or other linear feature is included on the Zoning Map and serves as a boundary between two or more zones, a line midway on such right-of-way, watercourse or other linear feature, and extending in the general direction of the long division thereof, shall be considered the boundary between zones unless specifically indicated otherwise;
- e. Where the zone boundary is indicated as following the shoreline of a river, the boundary shall follow the actual shoreline, including wharves and piers; and
- f. Where none of the above provisions apply, and where appropriate, the zone boundary shall be scaled from the attached Zoning Map.

2.5 Standards of Measurement

The metric system of measurement is used throughout this By-law and in all cases represents the required standard. Imperial measurements are approximate and for convenience only.

SECTION 3: GENERAL PROVISIONS

3.1 General Provisions for All Zones

3.1.1 Permitted and Prohibited Uses

- a. No person shall hereafter use any land, or erect, alter, or use any building or structure unless a development permit has been issued, and no development permit shall be issued unless all provisions of this By-law are satisfied; and
- b. For the purposes of this By-law, if a use is not listed as a permitted development in a zone, or if it is not accessory to a permitted use within the zone, it shall be deemed to be a prohibited use in that zone, except where the use is a nonconforming use under Section 238 of the *Municipal Government Act*.

3.1.2 Existing Buildings & Structures

Where a building or structure has been erected on or before August 27, 1975, or in accordance with a development permit on a lot having less than the minimum frontage or area, or having less than the minimum front yard, side yard, rear yard, and flankage yard setbacks required by this By-law, the building may be enlarged, reconstructed, repaired, or renovated, provided that:

- a. The minimum front yard, side yard, rear yard, and flankage yard setbacks, which does not conform to this By-law, is not further reduced;
- b. The corner vision triangle provisions of Section 3.1.16 are satisfied; and
- c. All other applicable provisions of this By-law are complied with.

3.1.3 Multiple Uses in a Building

Where any main building is to be used for more than one purpose and applicable zone requirements are in conflict, the more restrictive zone requirements shall apply.

3.1.4 Non-Conforming Uses

- a. A non-conforming structure, a non-conforming use of land, or a non-conforming use in a structure may continue if it exists and is lawfully permitted at the effective date of this By-law, subject to the provisions outlined in Sections 238 to 242 of the *Municipal Government Act*; and
- b. A non-conforming development shall not be recommenced if it has been discontinued for one year or more.

3.1.5 Private Storage Uses

Private storage buildings including but not limited to private garages and private boathouses, where there is no other main building on the lot, shall be permitted in any zone provided that:

- a. The applicable zone requirements of this By-law are satisfied as if the private storage building is the main building on the lot; and
- b. The private storage building does not exceed 70m² (754ft²) in gross floor area.

3.1.6 Temporary Uses Permitted

- a. Nothing in this By-law shall prevent the use or erection of temporary buildings or structures incidental to construction, including but not limited to a construction camp, tool shed, and scaffolding. No development permit for such temporary uses, buildings or structures shall be required, provided that a development permit for the main building has been issued. Such temporary use shall be terminated within a maximum of 60 days after the occupancy permit has been issued;
- b. Nothing in this By-law shall prevent the use or erection of a temporary model home or sales or rental office, which is incidental to construction. No development permit for use temporary uses and buildings shall be required, provided that the development permit for the main building is issued, the model home or office does not exceed 10m (33ft) in height, and the model home or office is sited to the satisfaction of the Development Officer. Such temporary uses shall be terminated within a maximum of 60 days after the occupancy permit has been issued;
- c. Nothing in this By-law shall prevent the use or the erection of temporary buildings, structures, or signs for special occasions and holidays and no development permit shall be required for such temporary uses, provided that such use of building, structure, or sign remains in place for no more than 10 days following the termination of the special occasion or holiday;
- d. The use and erection of a temporary structure that does not contain footings or a permanent floor shall be permitted in any non-residential lot, excluding the Historic Downtown Commercial (C1) Zone and the LaHave Commercial (C2) Zone, for a maximum period of 210 consecutive days within a calendar year, as long as a development permit is acquired. These temporary structures shall not be subject to the parking requirements of the Land Use By-law;
- e. The use and erection of a temporary structure that does not contain footings or a permanent floor shall be permitted in the Historic Commercial (C1) Zone and the LaHave Commercial (C2) Zone, in accordance with Sections 5.2.1 and 5.3.1, for a maximum period of 150 consecutive days within a calendar year, as long as a development permit is acquired. These temporary structures shall not be subject to the parking requirements of the Land Use By-law. These temporary structures shall be subject to the following requirements:
 - i. Temporary structures shall be kept in a good state of repair so they do not pose a threat to public safety or health, and do not become unsightly; and
 - ii. Temporary structures shall adhere to the requirements listed in Section 5.3.6.
- f. The use and erection of a temporary structure that is permitted in the applicable zone and does not contain footings or a permanent floor shall be permitted in any residential lot for a maximum period of 210 consecutive days within a calendar year, as long as a development permit is acquired. Temporary structures in residential zones shall be subject to the following requirements:
 - i. Temporary structures shall adhere to the requirements listed in Section 3.1.7;
 - ii. Temporary structures shall not obstruct a corner vision triangle, in accordance with Section 3.1.16;
 - iii. Temporary building and structures in a residential zone cannot exceed 50m² (538ft²) in ground floor area; and
 - iv. Temporary buildings and structures in a residential zone may be used for human habitation only when providing an individual with overnight sleeping accommodations free of charge, and with the total number of habitable accommodations equalling the number of dwelling units permitted by the subject zone.
- g. In addition to d., e., and f. shipping containers shall be regarded as temporary structure with or without a permanent foundation, in all zones except the C10, M1 and M2 Zones.

- h. Nothing in this By-law shall prevent yard sales within a residential or commercial zone provided that:
 - i. No more than two yard sales take place from any lot in any calendar year; and
 - ii. All signs advertising yard sales are removed within a 24 hour period following the completion of said yard sale.

3.1.7 Accessory Uses, Buildings & Structures

- a. An accessory use shall only be a use which is subordinate or incidental to the main use or building that is located on the same lot, or on adjacent Town-owned property as permitted by the Sidewalk Café By-law.
- b. Accessory buildings and structures shall only support a use which is subordinate or incidental to the main use or building that is located on the same lot;
- c. An accessory building shall be used for human habitation if it adheres to the requirements governing residential conversions outlined in Section 3.1.25; and
- d. Accessory buildings and structures shall be permitted in any zone within the Town of Bridgewater, however, they shall not:
 - i. Be located within the minimum required front yard or flankage yard of a lot unless the accessory building or structure is located at the same or greater distance from the lot line as a main building located within the minimum required front or flankage yard;
 - ii. Be built closer than 1.2m (4ft) to any rear or side lot line in any situation, except that:
 - a. Common semi-detached garages may be centred on the mutual side lot line;
 - b. Accessory buildings with no windows or perforations on the side of the building which faces the said lot line, may be located a minimum of 0.6m (2ft) from the said lot line; and
 - c. Boat houses and boat docks may be built across the lot line when the line corresponds to the water's edge.
 - iii. Be built within 2m (7ft) of the main building or another accessory building or structure;
 - iv. Have a gross floor area that exceeds 10% of the total lot area, up to a maximum gross floor area of 116m² (1250ft²), in any residential zone with the exception of the Manufactured Residential Home (R7) Zone where the accessory structure shall not exceed 45.5m² (490ft²);
 - v. Exceed 6.5m (21ft) in height;
 - vi. Exceed two buildings or structures on any one lot in any residential zone; and
 - vii. Be considered an accessory building if attached to the main building, except that a fence or wall may join an accessory building with a main building.

3.1.8 Miscellaneous Minor Structures

No development permit shall be required for miscellaneous structures such as buildings under 20m² (215ft²) in gross floor area, retaining walls, pergolas, children's play structures, tree houses, cold frames and garden trellises, clothes line poles, flag poles and dog houses, monuments and interpretive displays, provided the corner vision triangle requirements of Section 3.1.16 are met.

3.1.9 Existing Lots

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

3.1.10 Frontage on a Street

No development permit shall be issued unless the lot or parcel of land intended to be used or upon which the building or structure is to be erected either:

- a. Has frontage on a street;
- b. Has been created after August 27, 1975, the date of the first Zoning By-law in Bridgewater, by the consolidation of two or more lots, by the addition of one or more parcels of land to an existing lot, by subdivision under the various provisions of Section 268-269 of the *Municipal Government Act*;
- c. Is located upon an island, in which case the required frontage shall be measured along the Mean High Water Mark; or
- d. Is located in the Historic Downtown Commercial (C1) Zone or Group Commercial (C4) Zone and is served by a deeded right-of-way.

3.1.11 Lots Lacking Minimum Area or Frontage

- a. Notwithstanding minimum lot area and frontage requirements established elsewhere in this By-law, a lot which does not satisfy the minimum requirements for lot area, lot frontage, or both, and:
 - i. Was in existence on or before April 16, 1987, the date of validation of real property transactions under the *Municipal Government Act*;
 - ii. Was created by the consolidation of two or more lots;
 - iii. Was created by an instrument to which the *Municipal Government Act* does not apply;
 - iv. Having been expanded or made larger, is nonetheless below the minimum requirements; or
 - v. Was created by the action of the variance provisions of Section 235-236 of the *Municipal Government Act*,

may be used for a purpose permitted in the zone in which the lot is located and a structure may be erected on the lot provided that all other applicable provisions of this By-law except for the minimum lot area and frontage requirement are satisfied; and

- b. Notwithstanding minimum lot area, frontage and yard requirements established elsewhere in this By-law, a lot which does not satisfy these requirements may be created around any main building provided:
 - i. The main building was built on or placed on the land prior to April 16, 1987, the date of validation of real property transactions under the *Municipal Government Act*;
 - ii. The lot is provided with central sewer; and
 - iii. The lot has a minimum frontage of 6m (20ft) on a public street.

3.1.12 Variance from Minimum Requirements

A variance from the minimum requirements of this By-law shall be granted by the Development Officer, in accordance with Section 235-236 of the *Municipal Government Act*, for the following:

- a. The lot frontage or lot area, or both;
- b. Size or other requirements relating to yards; and
- c. Ground area and height of a structure.

3.1.13 Conformity with Established Front & Flankage Yards

Notwithstanding front yard and flankage yard requirements established elsewhere in this By-law, a building to be constructed between existing buildings, which are on the same side of the street and within 60m (197ft) of the proposed building, may be built with a front yard or a flankage yard not less than the least front yard of the majority of structures within 60m (197ft) provided that the proposed front yard shall not be less than 1.5 metres (5ft), and the provisions of Section 3.1.16, Corner Vision Triangle are met.

3.1.14 One Dwelling per Minimum Sized Lot or Parcel

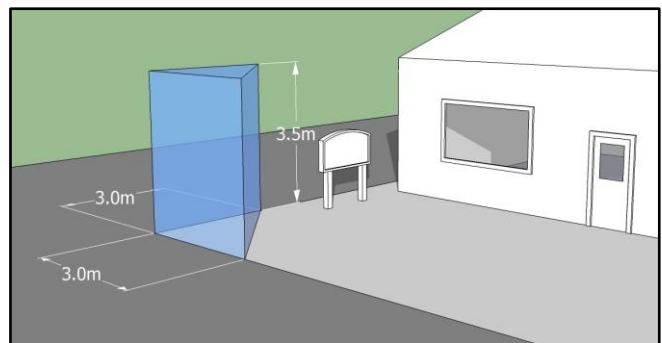
A development permit shall be issued for more than one dwelling on a lot only where the lot has sufficient area and frontage to enable the lot to be subdivided into two or more lots which meet all applicable zone requirements and where the dwellings are located on the lot in such a way that new lots may be created around them which meet all applicable area, frontage and yard requirements, or where a development agreement has been executed.

3.1.15 Exemptions from Height Regulations

The maximum height regulations for each zone specified by this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae or transmission towers, ventilators, skylights, chimneys, clock towers, or solar power collection devices.

3.1.16 Corner Vision Triangle

- a. On a corner lot, the corner vision triangle is the area established by measuring along the exterior corner lot lines a distance of 3m (10ft) from their point of intersection and joining those points with a straight line. For the purposes of this By-law, the corner vision triangle is regarded as a three dimensional area which terminates at a height of 3.5m (12ft) above the grade of abutting streets;



- b. In all corner vision triangles, excluding those in the Historic Downtown Commercial (C1) Zone, fences, walls, signs, hedges or other structures or vegetation shall not be erected or permitted to grow to a height greater than 1m (3ft) above the grade of the abutting streets, and signs shall not project into the corner vision triangle; and
- c. If a corner vision triangle is not maintained according to the requirements of this By-law, the development officer may issue a violation letter which requires the property owner to bring the corner vision triangle into conformance with this By-law.

3.1.17 Service and Utility Right-of-Ways

Service and utility right-of-ways shall be permitted in any zone.

3.1.18 Setbacks from Significant Watercourses

- a. No building or structure, parking space, or loading area shall be located within 8m (26ft) or less of a significant watercourse, as identified on Map 6 - Environmental Constraints of the Municipal Planning Strategy;
- b. All setbacks from a watercourse shall be measured from the average top of bank of the watercourse, or from the average high water mark, whichever is closest to the nearest extent of the development;
- c. Where a developer wishes to develop land located between the minimum 8m (26ft) watercourse setback and the minimum yard setback prescribed by the applicable zone, prior to development permit issuance, the applicant shall submit the following requirements, prepared by a licensed Engineer and/or specialist, to the satisfaction of the Town Engineer:
 - i. Flood mitigation plan, in consideration of the *Integrated River Coastal Hydrodynamic Flood Risk Mapping of the LaHave River Estuary and Town of Bridgewater* (2013);
 - ii. Stormwater management plan; and
 - iii. Erosion and sedimentation management plan which addresses both on and off-site impacts and mitigating measures during and post construction; and
- d. Notwithstanding Sections 3.1.18 a through c, where the Development Officer determines that the existing use or proposed development has a functional dependence or relationship to the water (i.e., marinas, water-based recreational uses, public works projects and infrastructure, etc.), the above requirements may be waived.

3.1.19 Restrictions for Development of Steep Slopes

- a. No building or structure, parking space, or loading area shall be located on lands characterized by an existing slope of 20% or more, as identified on Map 6 - Environmental Constraints, of the Municipal Planning Strategy;
- b. Where a developer wishes to develop land located on an existing slope between 20% up to a maximum of 30%, prior to development permit issuance, the applicant shall submit the following requirements, prepared by a licensed Engineer and/or specialist, to the satisfaction of the Town Engineer:
 - i. Erosion and sedimentation management plan which addresses both on and off-site impacts and mitigating measures during and post construction; and
- c. Where a front, rear, or side yard is required by this By-law, and the subject lot includes an embankment with a slope of 30% or greater, as identified on Map 6 - Environmental Constraints of the Municipal Planning Strategy, then the yard shall be measured from the nearest point of the main wall of the building to the average toe or top of said embankment, rather than the applicable lot line.

3.1.20 LaHave River Development Agreement Area

In addition to all other requirements governing land use, any development within the LaHave River Development Agreement Area, excluding parks, change of use and associated signage, additions less than 50m² (538ft²) in gross

floor area, and accessory buildings and structures less than 50m² (538ft²) in gross floor area, shall be developed in accordance with the criteria for LaHave River Development Agreement Area outlined in Section 7 of the Municipal Planning Strategy.

3.1.21 Architectural Control Areas

Where a property falls within one of Bridgewater's two architectural control areas, the **King Street Architectural Control Area** or the **Residential Architectural Control Area** as outlined on Map 8 – Architectural Control Areas of the Municipal Planning Strategy, it will be subject to architectural control requirements, in addition to all other requirements governing land use, in order to regulate the public façade of strategic buildings and structures, as outlined below:

- a. In the **Residential Architectural Control Area** the following buildings and structures shall be subject to the requirements listed in Section 6.2.2:
 - i. Buildings built prior to 1920, including any additions or alterations thereto;
 - ii. Buildings built after August 12, 1997, including any additions or alterations thereto; and
 - iii. Accessory structures greater than 50m² (538ft²) in total area, built prior to 1920 or after August 12, 1997; and
- b. In the **King Street Architectural Control Area** the following buildings and structures shall be subject to the requirements listed in Section 6.3.2:
 - i. Buildings built prior to 1920, including any additions or alterations thereto; and
 - ii. Accessory structures greater than 50m² (538ft²) in total area, built after August 12, 1997.



3.1.22 Structure to be Moved

No person shall move a structure within or into the area governed by this By-law without obtaining a development permit from the development officer.

3.1.23 Habitation of Vehicles

- a. No automobile, transportation truck, bus, coach, or streetcar body, or shipping container, with or without wheels, shall be used for human habitation within the Town of Bridgewater;
- b. Notwithstanding Section 3.1.23.a, recreational vehicles or campers may be used for human habitation within the Town of Bridgewater, and no development permit shall be required provided that:
 - i. Such vehicle is not connected to town services;
 - ii. Such use does not extend for longer than 60 days within a 12 month period;
 - iii. Such use does not occur within the required minimum front yard, side yard, and flankage yard of the lot; and
 - iv. Such use occurs only on a property with an established main building.

3.1.24 Home Based Businesses

In all residential zones, the Restricted Commercial (C6) Zone, the Neighbourhood Commercial (C7) Zone, the Special Commercial (C8) Zone, and the Agricultural (AG) Zone, a home based business shall be permitted in any dwelling unit or a building accessory to a dwelling unit, provided that all of the following requirements are met:

- a. The dwelling shall be the principal residence of the business owner;
- b. No more than three (3) people, including the owner, shall be employed by the business;
- c. A home based business use shall be one of the following:
 - i. Bed & Breakfasts, up to a maximum of three rental units
 - ii. Catering Establishments
 - iii. Craft Workshops
 - iv. Catalogue Sales
 - v. Household Repair Services
 - vi. Offices
 - vii. Personal Service Shops
 - viii. Daycares & Nursery Schools, up to a maximum of 6 children
 - ix. Studios
 - x. Tailoring & Dressmaking
 - xi. Taxi Operations, up to a maximum of two vehicles
- d. The business, excluding all bed & breakfasts and daycares & nursery schools, shall:
 - i. Occupy no more than 25% of the dwelling's gross floor area, up to a maximum of 32.5m² (350ft²); and
 - ii. Be wholly included within the dwelling unit or an accessory building;
- e. Open storage of goods and materials shall be prohibited;
- f. Only the retail sale of goods and materials produced, assembled, refinished, repaired, or used on site shall be permitted;
- g. The business shall not emit noise, odour, dust, light, or radiation that would be a nuisance or is not customary in a residential neighbourhood;
- h. No more than two commercial vehicles associated with the home based business shall be kept on, or be dispatched from the residential lot where the home based business is located;

- i. Off-street parking shall be required in accordance with Section 3.2 of this By-law; and
- j. One sign shall be permitted for each business premise in accordance with Section 3.3 of this By-law.

3.1.25 Residential Conversions

Residential conversions shall be permitted in the Single Unit Residential (R1) Zone, Two Unit Residential (R2) Zone, Comprehensive Residential (R3) Zone, Downtown Residential (R4) Zone, Medium Density Residential (R5) Zone, High Density Residential (R6) Zone, Historic Downtown Commercial (C1) Zone, Special Commercial (C7) Zone, Urban Commercial (C3) Zone, Neighbourhood Commercial (C8) Zone, Agricultural (AG) Zone, and Restricted Commercial (C6) Zone, in accordance with the following requirements:

- a. The main building was constructed prior to August 27, 1975;
- b. The total number of dwelling units per property shall comply the number of permitted units outlined in the table below or the applicable zone:

Table A: Maximum Dwelling Units Permitted through Residential Conversions			
Single Unit Residential (R1)	Two Units	Historic Downtown Commercial (C1)	Five Units on all streets excluding King Street
Two Unit Residential (R2)	Three Units	Urban Commercial (C3)	Two Units
Comp. Residential (R3)	Two Units	Restricted Commercial (C6)	Four Units
Downtown Residential (R4)	Four Units	Special Commercial (C8)	Three Units
Medium Density Residential (R5)	Five Units	Neighbourhood Commercial (C7)	Three Units
High Density Residential (R6)	Five Units	Agricultural (AG)	Two Units

- c. One parking space shall be provided for each dwelling unit.

3.1.26 Lighting

Any outdoor lighting that is associated with development, or is used to illuminate permitted signage shall be directed away from adjacent properties and streets in order to limit potential impacts on other land owners, vehicles, and pedestrians

3.1.27 Fencing

Fences shall be permitted in all zones provided that they meet the following requirements:

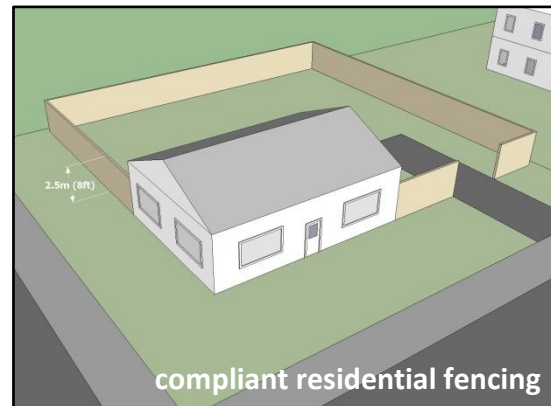
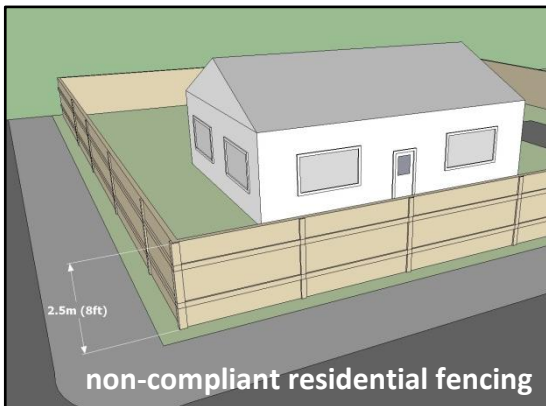
- a. The construction of all fences shall satisfy the conditions listed in the following table:

Table B: Fencing

Zone	Development Permit	Max Height in Front and Flankage Yards	Max Height in Rear and Side Yards	Opaque Fences *
All Residential Zones Res. Commercial (C6) Neighbourhood Commercial (C7) Special Commercial (C8)	Always Required	1.2m (4ft)	2.5m (8ft)	Only Permitted in Side and Rear Yards
His. Downtown Com. (C1) LaHave Commercial (C2) Urban Commercial (C3) Highway Service Commercial (C9)	Always Required	1.2m (4ft)	3m (10ft)	Only Permitted in Side and Rear Yards
Institutional (I1) Res. Institutional (I2) Highway Display Commercial (C10)	When Fence Exceeds 1.8m (6ft) in Height	3m (10ft)	3.75m (12ft)	Permitted in Any Yard
Industrial (M1) Light Industrial (M2)	Not Required	No Limit	No Limit	Permitted in Any Yard
All Other Zones	When Fence Exceeds 1.8m (6ft) in Height	2.5m (8ft)	3.75m (12ft)	Only Permitted in Side and Rear Yards

*** these requirements shall always be superseded by abutting yard requirements in Section 5.1.1 when applicable**

- b. In accordance with Table B, fences of 1.8m (6ft) or less may be constructed up to the lot line. Fences exceeding 1.8m (6ft) in height shall not be constructed within 0.6m (2ft) of a lot line;
- c. Fences on a corner lot shall satisfy the corner vision triangle requirements listed in Section 3.1.16;
- d. Fences with supporting structures shall be constructed so that the structural members face inward, away from all abutting properties and public streets; and



- e. Chain linked fences shall be prohibited in the front yard of any residential zone, the Historic Downtown (C1) Zone, the LaHave Commercial (C2) Zone, the Urban Commercial (C3) Zone, the Restricted Commercial (C6) Zone, and the Highway Commercial (C9); and

- f. The use of electrified fences, or barbed wire or other sharp edged materials designed to prevent access to a parcel of land shall be prohibited, except at the top of fences that are located in the Industrial (M1) Zone, Light Industrial (M2) Zone, and on properties in the Agricultural (AG) Zone that contain agricultural uses.

3.1.28 Awnings, Canopies and Covered Ways

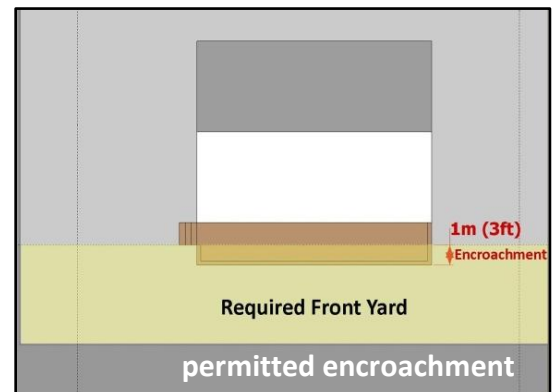
The clear height from grade to the underside of an awning or canopy projecting over a pedestrian way shall not be less than 3m (10ft).

3.1.29 Encroachments

- a. Except for accessory buildings and structures, all required yards shall be open and unoccupied by any structure, excluding those structures listed in the following table, which shall be allowed to extend into the specified yard(s) by the distance outlined below:

Table C: Permitted Encroachments		
Structure	Impacted Yard	Maximum Encroachment
Balcony	Front & Rear Yard	1m (3ft) and a maximum width of 3m (10ft)
Bay Windows	Front & Rear Yard	1m (3ft) and a maximum width of 3m (10ft)
Carports	Rear Yard	1m (3ft)
Cornices, sill, belt-courses, gutters, chimneys, pilasters, canopies, or similar building elements	Any Yard	0.6m (2ft)
Decks and Verandahs	Front & Rear Yard	1m (3ft)
Fire Escapes and Exterior Staircases	Rear Yard	1m (3ft)
Wheelchair Ramps	Front, Rear & Side Yard	Within 1m (3ft) of any lot line

- b. Notwithstanding Section 3.1.29.a, only encroachments for wheelchair ramps shall be permitted in the Manufactured Residential (R7) Zone; and
- c. In any zone where setback or yard requirements are nil, balconies, extended dormers, exterior staircases, wheelchair ramps, and fire escapes shall be permitted to project over abutting property lines provided the owner of the affected abutting property consents to the encroachment and any conditions attached thereto, and co-signs the application for a development permit.



3.1.30 Swimming Pools

Swimming pools shall be permitted in all land use zones subject to the following requirements:

- a. A swimming pool shall not be located in a front or flankage yard;

- b. A swimming pool shall not be constructed closer than 1.5m (5ft) to any rear or side lot line;
- c. All outdoor swimming pools, or the yard in which a swimming pool is located, shall be completely enclosed so as to prevent uncontrolled access; and
- d. All enclosures shall meet the following requirements:
 - i. Access shall be controlled by a fence or a combination of fencing, buildings, or by fence alone;
 - ii. All gates and doors accessing the enclosure shall be equipped with self-closing, self-latching lockable devices placed not less than 1.5m (5ft) in height from the surface or grade, and on the inside of the gate, except where access is provided through the dwelling unit;
 - iii. An enclosure or other structure, including gates and doors, intended to control access to a swimming pool, shall be a minimum of 1.5m (5ft) in height, and shall be so constructed as to prevent easy access through, under, or over it, and in the case of an above-ground type of swimming pool, shall include any construction providing access to the swimming pool;
 - iv. An enclosure or other structure, including gates and doors, intended to control access to a swimming pool should have a minimum distance of 1.2m (4ft) between horizontal members, a maximum of 0.1m (4inches) size openings throughout the structure, and all horizontal members located on the pool side of the structure; and
 - v. No person shall permit any structures or material to be placed or to remain adjacent to any swimming pool enclosure which would provide a means of access over the top of the enclosure.

3.1.31 Commercial Telecommunications Towers

- a. Commercial telecommunications towers shall be strongly discouraged in all residential zones, the Historic Downtown Commercial (C1) Zone, the LaHave Commercial (C2) Zone, the Urban Commercial (C3) Zone, the Restricted Commercial (C6) Zone, the Highway Service Commercial (C9) Zone, and the Highway Display Commercial (C10) Zone; and
- b. The co-location of telecommunications infrastructure on existing or new towers shall be strongly encouraged over the construction of additional stand-alone towers; and
- c. The construction and operation of all telecommunications towers shall adhere to the health and safety guidelines established by Health Canada; and
- d. Council shall send notice to all properties within a 305m (1,000ft) radius of the proposed tower to provide them with the following information:
 - i. The intent of the proponent;
 - ii. The relevant details of the proposal;
 - iii. The contact information for the Federal Government responsible for regulating the proposed infrastructure;
 - iv. The procedure involved in processing such applications; and
 - v. Details on how the general public can influence the decision making process.

3.1.32 Wind Turbines

Two classifications of wind turbines shall be permitted in the Town of Bridgewater:

- a. **Mini wind turbines**, with a maximum of capacity of **1 kilowatts** per turbine, shall be permitted in all zones subject to the following requirements:

- i. Only one mini wind turbine shall be permitted on any lot;
- ii. All development permit applications for mini wind turbines shall be accompanied by the manufacturer's specifications to ensure compliance;
- iii. Mini wind turbines shall be attached to a building and situated so that all elements of the turbine are located outside of all minimum yard setbacks, or a minimum of 3m (10ft) from property lines, whichever is greatest;
- iv. The height of a mini wind turbine shall not exceed the maximum building height, as prescribed by the subject property's zone, plus a maximum of 2.5m (8ft);
- v. Notwithstanding Sections 3.1.32.a.iii and 3.1.32.a.iv, a mini wind turbine may be a free-standing turbine if the following conditions are met:
 - a. The mini wind turbine is attached to a monopole structure;
 - b. The minimum setback distance shall be a minimum of 1.5 times the wind turbine structure height from the nearest property line and dwelling;
 - c. The height of a mini wind turbine and structure shall not exceed the maximum building height, as prescribed by the subject property's zone, plus a maximum of 2.5m (8ft);
 - d. The clearance between the bottom of the rotor and the ground shall be a minimum of 4.5m (15ft); and
 - e. The mini wind turbine shall be restricted to a side or rear yard.



- b. **Small-scale wind turbines**, with a maximum of capacity of **2-100 kilowatts** per turbine, shall be permitted in the Agricultural (AG) Zone, Industrial (M1) Zone, Light Industrial (M2) Zone, Institutional (I1) Zone, the Recreation (REC) Zone, the Highway Service Commercial (C9) Zone, and the Highway Display Commercial (C10) Zone subject to the following requirements:

- i. Only one small-scale wind turbine shall be permitted on any lot;
- ii. The turbine shall be attached to a free-standing, monopole structure or attached to the primary building on the lot;
- iii. All development permit applications for small-scale wind turbines shall be accompanied by the manufacturer's specifications to ensure compliance;
- iv. Height of a small-scale wind turbine shall not exceed 52m (171ft.);
- v. The clearance between the lowest rotor blade tip and the ground shall be a minimum of 7.5m (25ft);
- vi. A wind turbine shall be setback no less than 1.5 times the height of the tower (measured from grade to the highest point of the rotor arc) from the property line and all dwellings;



- vii. The mean value of sound pressure level from a wind turbine shall not exceed 35dBA or 5dBA above background noise levels at the nearest habitable dwelling;
- viii. No advertising or lettering shall be permitted on the turbine, other than that of the manufacturer;
- ix. All properties within a 152m (500ft) radius of a lot with a proposed small-scale wind turbine shall be notified prior to its construction; and
- x. A proposal for a small-scale wind turbine shall require the following documentation:
 - a. A scaled plan clearly indicating the height and design configuration of proposed facility;
 - b. The manufacturer's information including type of turbine, rotor diameter, maximum rated output capacity, and Canadian Safety Association certification;
 - c. Site plans showing the location of the proposed site and proposed tower and equipment, dimensions of the proposed site and setbacks from all property lines, topography, location and proximity of roadways and proposed access to the site, distance to residential areas and/or other structures, existing and proposed vegetation, fencing, and security measures;
 - d. Written confirmation that the proposed wind turbine will not affect television, telephone, or other forms of electronic equipment in the surrounding area;
 - e. Written confirmation that the proposed wind turbine or wind farm has been reviewed by Transport Canada or that the proposed structure does not require approvals from Transport Canada;
 - f. Graphic representation of the proposed wind turbine(s) indicating the potential visual impact of the wind turbine on surrounding properties and from various vantage points throughout the Town; and
 - g. Any other information deemed necessary by the Town to evaluate the application.

3.1.33 Outdoor Furnaces

An outdoor wood-fired boiler shall be installed and used in the Town of Bridgewater in accordance with all the following provisions:

- a. The wood-fired boiler unit shall be in compliance with a certified appliance by the Canadian Standards Association (CAN/CSA B415.10 Performance Testing of Solid-Fuel Burning Heating Appliances) or the EPA's Standards of Performance for New Residential Wood Heaters (40 CFR part 60, subpart AAA);
- b. The outdoor wood-fired boiler shall be located at least 30m from the nearest property line of the lot on which it is located;
- c. The wood-fired boiler shall have a chimney that extends at least 4.5m above the ground surface; and,
- d. The outdoor wood-fired boiler shall be used to burn only clean dry wood and biomass material approved by the development officer.

3.1.34 Parks & Playgrounds

Parks and playgrounds shall be permitted in any zone subject to the requirements of Section 9.1. When new parks are developed Council may re-designate and re-zone the lot to the Park (P) Zone.

3.1.35 Farm Animals

- a. A maximum of two chickens (hens) shall be permitted on any residential lot if they are kept in a secure coop which is located in the rear or side yard of the lot;
- b. Lots in the Agricultural (AG) Zone may be used for the rearing or keeping of livestock, and
- c. In all other instances, the rearing or keeping of livestock shall be strictly prohibited.

3.1.36 Evaluation of Downstream Sanitary Sewer Capacity

In addition to all other requirements governing land use, any development that includes a new or upsized sanitary sewer connection shall be assessed, and the applicant shall submit the following requirements, prepared by a licensed Engineer and/or specialist, to the satisfaction of the Town Engineer:

- a. Downstream Sanitary Sewer Capacity Assessment in consideration of capacity limitations in the wastewater system and the Town's ability to handle the anticipated wastewater flows from proposed developments. The assessment shall include system capacity analysis based on 1) theoretical (not actual) flows from the proposed development, 2) pipe sizes in the area, and 3) theoretical (not actual) flows that already exist in the system upstream from the proposed development.
- b. Notwithstanding the above, where the Development Officer determines that the Town is in possession of the necessary information to inform the Town Engineer's decision to approve a new or upsized sanitary sewer connection, the above requirements may be waived.

3.1.37 Development Adjacent to the LaHave River

- a. Excluding development in the Industrial (M1) and Light Industrial (M2) Zones, new development located outside the LaHave River Development Agreement Area but abutting the LaHave River, shall adhere to the following, to promote the physical and visual access to the river:
 - i. Parking areas, loading areas, open storage, and facilities for the storage of solid waste, shall be prohibited in all yards abutting the river;
 - ii. All buildings shall be oriented towards a public street and the river;
 - iii. At least one entrance shall be oriented towards the river;
 - iv. Public façades without windows and doors are prohibited. Windows and doors shall occupy no less than 40% of a building's ground floor public façade(s). Windows and doors shall occupy no less than 25% of a building's public façade(s) above the first storey; and
 - v. Façade elements, such as windows, doors, canopies, dormers, trim, signage, etc., shall be aligned and positioned in an organized manner to create a visually pleasing public façade.
- b) Any land use activity that poses a heightened potential of contaminating the river during a flood event, such as the warehousing or production of hazardous materials shall be prohibited on any property located outside the LaHave River Development Agreement Area but abutting the LaHave River.

3.2 Parking & Loading Areas

3.2.1 General Requirements

- a. No development permit shall be issued for any development which increases the subject property's parking category number unless off-street parking and loading areas are provided and maintained in accordance with the requirements of Section 3.2;
- b. No development permit shall be issued for any development where an addition to an existing development results in an increase of more than 50% to the existing number of parking spaces in a parking lot, unless off-street parking and loading areas are provided and maintained in accordance with the requirements of Section 3.2;
 - i. Where an addition to an existing development is an outdoor café, changes to the minimum off-street parking requirements shall not apply and any parking spaces removed to accommodate an outdoor café are not required to be replaced.
 - a. No accessible parking space shall be removed to add an outdoor café unless it is replaced and designed in accordance with Section 3.2.5.
- c. Minimum off-street parking requirements shall not apply to any use which was established before the effective date on this By-law;
- d. Minimum off-street parking requirements outlined in Section 3.2.3 shall not apply when a building that was established before the effective date of this By-law, has been damaged or destroyed by fire, as long as the original number of off-street parking spaces are provided following reconstruction;
- e. All off-street parking spaces shall be provided on the same lot as the use or building for which it is required. Bicycle parking spaces shall not be located more than 12.5m (41ft) from the building's primary entrance, while vehicular parking spaces shall not be located more than 90m (295ft) away from the building's primary entrance, as measured along the most direct pedestrian access route; and
- f. Notwithstanding Section 3.2.1.e, in any non-residential zone, off-street vehicular parking spaces may be located on a different lot than the use or building in question provided that the parking area is not located more than 90m (295ft) away from subject use building's primary entrance, and the land owners provide written notice of a shared parking arrangement to the Development Officer.

3.2.2 Calculating Parking Requirements

- a. Minimum parking requirements shall be determined by identifying the proposed use(s) in the table listed in Section 3.2.3 and applying the corresponding ratio to calculate the minimum off-street vehicle and bicycle parking requirements;
- b. When a development contains more than one use, the minimum parking requirements shall be the sum of the requirements for each individual use, as determined by the Development Officer;
- c. Where a development contains a use(s) that is missing from the table below, the Development Officer shall identify the most comparable use and parking ratio to determine the minimum parking requirements;
- d. When the minimum parking requirement includes a fraction of a parking space the total amount shall be rounded up to the nearest whole number; and
- e. If a building or a portion of a building is changed to a higher parking category, the minimum parking requirements shall only apply to the portion that has experienced said change in use.

3.2.3 Minimum Parking Requirements

- a. Minimum off-street vehicular and bicycle parking requirements shall be provided and maintained in accordance with the minimum parking requirements listed below in Table D;
- b. Where a bicycle parking requirement is provided, a minimum of one bicycle parking space shall be required; and
- c. Notwithstanding Sections 3.2.3.a and 3.2.3.b, minimum parking requirements shall be waived in the Historic Downtown Commercial (C1) Zone and the Neighbourhood Commercial (C7) Zone for all new development, excluding those with a residential component. In this instance, only the minimum off-street vehicular parking spaces for the residential component of the development shall be provided and maintained in accordance with Table D, and in the Historic Downtown Commercial (C1) Zone, all bicycle parking spaces for the residential component shall be provided inside the main building.
- d. Notwithstanding Sections 3.2.3.a, 3.2.3.b, and Table D, minimum bicycle parking requirements shall be waived for single unit dwellings.

Table D: Minimum Parking Requirements		
Category 1	Vehicle Parking Requirements	Bicycle Parking Requirements
Crematoria Manufacturing, Processing & Assembly Manufactured Home Sales & Repair Recycling Depots Breweries, Wineries, & Distilleries	1 space for every 100m ² (1,076ft ²) of gross floor area	1 space for every 500m ² (5,382ft ²) of gross floor area
Distribution Centres Wholesale Establishment Transportation & Trucking Facilities	1 space for every 200m ² (2,153ft ²) of gross floor area	
Self-Storage Facilities Warehouses, Depots & Storage Facilities	1 space for every 250m ² (2,691ft ²) of gross floor area	
Agricultural Uses Christmas Tree Yards Forestry Activity Harvesting Outdoor Storage Sewage Treatment Facility Refineries Wood Debarking & Chipping Operations	1 space for every 3 employees	1 space for every 10 employees
Category 2	Vehicle Parking Requirements	Bicycle Parking Requirements
Car Wash Facilities Equipment Sales & Rental Vehicle Sales & Rental Public Works Facilities	1 space for every 75m ² (807ft ²) of gross floor area	1 space for every 500m ² (5,382ft ²) of gross floor area
Animal Kennels & Shelters Automobile Repair Services Automobile Sales & Rental Equipment Sales & Rental Garages Gas Stations Industrial Repair Shop	1 space for 50m ² (539ft ²) of gross floor area	1 space for every 500m ² (5,382ft ²) of gross floor area
Bus Terminals	5 spaces	1 space for every 200 m ² (2,152.8ft ²) of gross floor area
Taxi Operations Catering Establishment	1 space per taxi operator 1 space per employee	1 space for every 3 employees

Category 3	Vehicle Parking Requirements	Bicycle Parking Requirements
Building Supply Stores Garden & Nursery Sales Hospitals Household Repair Shops Laundromats & Dry Cleaners Printing Establishments Research Facilities	1 space for 40m ² (431ft ²) of gross floor area	1 space for every 500m ² (5,382ft ²) of gross floor area
Animal Hospitals & Veterinaries Clubs Dog Grooming Dressmaking & Tailoring Emergency Services Visitor Information Centres Wineries and Micro-Breweries	1 space for 35m ² (377ft ²) of gross floor area	1 space for every 500m ² (5,382ft ²) of gross floor area
Courthouses Cultural Facilities (excluding auditoriums and theatres) Postal Services Studios	1 space for 35m ² (377ft ²) of gross floor area	1 space for every 250m ² (2,691ft ²) of gross floor area
Category 4	Vehicle Parking Requirements	Bicycle Parking Requirements
Dwellings (< 4 dwelling units)	0.5 spaces per dwelling / rental unit in the C1 Zone 1 space per dwelling / rental unit in all other zones	0.5 space per dwelling / rental unit
Dwellings (4 or more dwelling units)	0.5 spaces per dwelling unit in the C1 Zone 1.25 spaces per dwelling unit in all other zones	0.5 space per dwelling unit
Home Based Businesses, as outlined in Section 3.1.24 (Excluding Bed & Breakfasts and Daycares & Nursery Schools)	1 space in addition to the space(s) required for the dwelling unit(s)	N/A
Bed & Breakfasts Inns Hotels Motels	1 space per rental unit	1 space per 10 rental units
Hostel	0.25 spaces per bed	1 space per 10 beds
Day Cares & Nursery Schools	1 space per 3 children	0.25 space per employee, up to a maximum of 3 spaces
Residential Care Facility, Group Homes, and Homes for Special Care	0.5 spaces for each unit / bed	0.25 space per employee, up to a maximum of 3 spaces
Category 5	Vehicle Parking Requirements	Bicycle Parking Requirements
Elementary Schools	1.5 spaces per classroom	2 spaces per classroom
High Schools	4 spaces per classroom	
Colleges Employment & Industrial Training	8 spaces per classroom	
Category 6	Vehicle Parking Requirements	Bicycle Parking Requirements
Libraries	1 space for 30m ² (322ft ²) of gross floor area	1 space for every 150m ² (2,153ft ²) of gross floor area
Bakeries Clinics Convenience Stores Financial Institutions Personal Service Shops	1 space for 30m ² (322ft ²) of gross floor area	1 space for every 250m ² (2,691ft ²) of gross floor area; minimum of 2 spaces

Offices		
Retail Sales		
Category 7	Vehicle Parking Requirements	Bicycle Parking Requirements
Auditoriums	With fixed seats: 1 space per 5 seats With bench space: 1 space per 3m (9.8ft) of bench length Open Areas: 1 space for 35m ² (377ft ²) of gross floor area	1 space for every 250m ² (2,691ft ²) of gross floor area
Arena		
Cinemas		
Theaters		
Places of Assembly		
Places of Entertainment		
Places of Worship		
Recreational Facility		
Bowling Alleys	4 spaces per bowling lane / curling sheet	1 space for every 250m ² (2,691ft ²) of gross floor area
Curling Rinks		
Funeral Homes	1 space per 5 seats of the chapel, or 1 space for 30m ² (322ft ²) of gross floor area, whichever is greatest. A minimum of 10 spaces are required.	1 space for every 500m ² (5,382ft ²) of gross floor area
Gyms & Fitness Centres	1 space for 20m ² (215ft ²) of gross floor area	1 space for every 150 m ² (1,615ft ²) of gross floor area
Beverage Rooms & Lounges	1 space for 20m ² (215ft ²) of gross floor area	1 space for every 250 m ² (2,691ft ²) of gross floor area
Restaurants		
Marinas	1 space per berth / anchorage	0.25 space per berth / anchorage

- e. Where off-street vehicular parking spaces are required, a portion of those required spaces shall be designated as accessible parking spaces in accordance with the National Building Code of Canada. The following table outlines the National Building Code’s minimum accessible parking standards at the effective date of this By-law, however, these requirements may be amended periodically.

Total Number of Vehicular Parking Spaces	Number of Designated Accessible Parking Spaces
2 - 15	1
16 - 45	2
46 - 100	3
101 - 200	4
201 - 300	5
301 - 400	6
401 - 500	7
501 - 900	8
901 - 1,300	9
Each Increment of up to 400 parking spaces in excess of 1,700	One additional space

3.2.4 Cash-in-Lieu of Parking

In accordance with Policy G-10 of the Municipal Planning Strategy, Council may choose to accept cash-in-lieu of vehicular and bicycle parking spaces that are required in Section 3.2.3. The cash-in-lieu payments shall be determined

using the following formulas, and all payments shall be received by the Development Officer prior to the issuance of the development permit for the applicable development:

Table F: Cash-in-Lieu of Parking	
Vehicular Parking Spaces	Bicycle Parking Spaces
CILv = N x A (C1+C2)	CILb = N x A (C1+C2+C3)
CILv - Required Cash-in-lieu payment	CILb - Required Cash-in-lieu payment
N - Number of required vehicular parking spaces	N - Number of required bicycle parking spaces
A - Area occupied by one parking space in m ²	A - Area occupied by one parking space in m ²
C1 - Assessed land value per m ² , as determined by the Town Engineer	C1 - Assessed land value per m ²
C2 - Cost of grading and surfacing per m ² , as determined by the Town Engineer	C2 - Cost of grading, surfacing, and landscaping per m ² , as determined by the Town Engineer
	C3 - ½ the cost of one bike rack, as determined by the Town Engineer

3.2.5 Design Standards for Vehicular Parking Areas

When five or more off-street vehicular parking spaces are provided, the parking area and its features shall satisfy the following requirements:

a. Surfacing:

- i. The parking area shall be provided with a stable surface treated to prevent the raising of dust or loose particles, except in the Historic Downtown Commercial (C1) Zone, the LaHave Commercial (C2) Zone, the Highway Service Commercial (C9) Zone, and the Highway Display Commercial (C10) Zone where a parking area shall have a permanent hard surface;
- ii. The use of light coloured materials, such as concrete, light coloured asphalt, or light-coloured pavers, shall be strongly encouraged in paving to reduce surface temperatures and the heat island effect;
- iii. Permeable paving technology, such as alternate or open-jointed pavers, porous pavement, turf/gravel grids, etc., will be encouraged when conditions are suitable; and
- iv. Where a permanent hard surface is provided:
 - a. Individual parking spaces and circulation routes for vehicles, bicycles and pedestrians shall be clearly marked and maintained; and
 - b. A storm water management plan shall be required and approved by the Town Engineer.

b. Site Layout:

- i. Vehicular parking areas and driveways shall be designed to be safe, efficient, convenient and attractive in order to support automobile, bicycle, and pedestrian traffic;
- ii. The limits of the parking area, approaches, or points of access shall be defined by a permanent curb, fencing, landscaping, or vegetation to provide a neat appearance;
- iii. New parking areas shall have a maximum of two points of access from a public street, and no one access point shall be located:
 - a. Within 30m (98ft) of an intersection controlled by traffic signals;
 - b. Within 8m (26ft) of the intersection of a local street; and
 - c. Within 15m (49ft) of all other intersections;

- iv. All points of access and aisles that provide access to a parking area shall have a minimum width of 3m (10ft) for one-way traffic and a minimum width of 6m (20ft) for two-way traffic. The maximum width of driveways and aisles shall be 9m (30ft) in all zones, excluding the Industrial (M1) and Light Industrial (M2) Zones which have no maximum width;
- v. In the Historic Downtown Commercial (C1) Zone, the Restricted Commercial (C6) Zone, and the Neighbourhood Commercial (C7) Zone:
 - a. Parking areas shall be prohibited in the front yard and flankage yard. In all other zones, parking areas shall be discouraged in the front yard and flankage yard; and
 - b. The parking area frontage shall not exceed the building frontage;
- vi. In all zones, parking areas shall be prohibited in any yard abutting the LaHave River. When no building exists, parking lots are prohibited on all lots.
- vii. A parking area shall be no further than 90m (295ft) away from the primary entrance of the use or building which it serves, as measured along the most direct pedestrian access route;
- viii. All vehicular parking spaces shall be designed and maintained according to the following specifications:

Table G: Vehicle Parking Space Specifications

Parking Angle	Minimum Parking Space Width	Minimum Parking Space Length	Minimum Parking Stall Depth
Standard	2.75m (9ft)	5.5m (18ft)	5.5m (18ft)
75°	2.75m (9ft)	5.5m (18ft)	5.8m (19ft)
60°	2.75m (9ft)	5.5m (18ft)	6m (20ft)
45°	2.75m (9ft)	5.5m (18ft)	5.5m (18ft)
30°	2.75m (9ft)	5.5m (18ft)	4.6m (15ft)
Parallel (0°)	2.75m (9ft)	6.7m (22ft)	2.75m (9ft)

- ix. Accessible parking spaces are provided in a convenient location, as close to a building's primary entrance as possible and in accordance with the National Building Code of Canada;
- x. An accessible parking space shall be 3.9m wide and 5.5m long, however, a parallel accessible parking space shall be 7m in length;
- xi. A landscaped island / bump-out shall be located at the end of each parking row and designed in accordance with Section 3.2.5.c.iv; and
- xii. The maximum length of a parking row is listed in Table H below. Parking rows may exceed the maximum length if they're broken up by a landscaped island / bump-out which is designed in accordance with Section 3.2.5.c.iii.



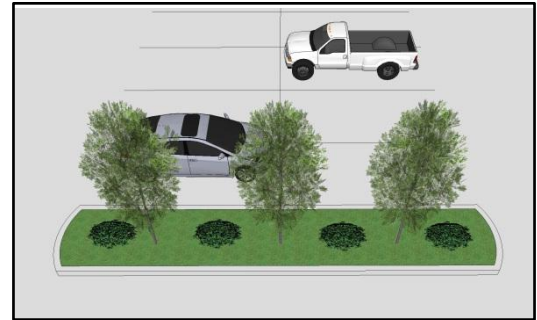
Table H: Maximum Length of Parking Rows	
Zone	Maximum Length
All Residential Zones Historic Downtown Commercial (C1) Zone Urban Commercial (C3) Zone Restricted Commercial (C6) Zone Neighbourhood Commercial (C7) Zone Special Commercial (C8) Zone	10 contiguous spaces per row
LaHave Commercial (C2) Zone Institutional (I1) Zone Residential Institutional (I2) Zone Recreational (REC) Zone Highway Service Commercial (C9) Zone	16 contiguous spaces per row
Group Commercial (C4) General Commercial (C5) Highway Display Commercial (C10) Zone	24 contiguous spaces per row
Industrial (M1) Zone Light Industrial (M2) Zone	No limit

c. Landscaping:

- i. Native vegetation and shrubs shall be incorporated into vehicle parking areas to define vehicle and pedestrian areas, provide shade, improve aesthetics, and allow for natural stormwater management processes; and
- ii. When a parking area is located in any zone, excluding the Industrial (M1), Light Industrial (M2) and General Commercial (C5) Zones, it shall be separated from a public right-of-way by a landscaped strip, in accordance with Section 3.2.5.iv.
- iii. A landscaped island / bump-out shall:



- a. Extend the full length of an abutting parking row and be a minimum of 1.5m (5ft) in width;
- b. Contain a minimum of one native deciduous 50mm caliper tree and two shrubs, and may include additional vegetation and/or landscaped treatments to the satisfaction of the Development Officer;
- c. Be located near catch basins where possible.



- iv. A landscaped strip shall:
 - a. Be a minimum of 1.5m (5ft) in width;
 - b. Contain a minimum of one native deciduous 50mm caliper tree for every parking space which fronts onto the abutting public right-of-way or lot, or one tree per every 3m (10ft) in length, whichever provides the greatest number of trees;
 - c. Contain shrubs that are a minimum of 0.6m (2ft) in height at the time of planting; and
 - d. Incorporate additional vegetation and/or landscaped treatments to screen parked cars to the satisfaction of the Development Officer, however, it may not completely obstruct views in-and-out of the parking area or the corner vision triangle.

d. Miscellaneous:

- i. The location of lights shall be coordinated with the pedestrian walkways, tree planting and other landscaping to improve site aesthetics and visibility. Lights shall be located so that light will be diverted from streets, adjacent lots, and buildings; and
- ii. A structure of no more than 4.5m (15ft) in height and not more than 4.5m² (48ft²) in gross floor area may be provided for the use of parking lot attendants.

3.2.6 Design Standards for Bicycle Parking Spaces & Racks

When off-street bicycle parking spaces are required, they shall be provided and maintained in accordance with the following requirements:

a. Location:

- i. Bicycle parking spaces shall be located within 12.5m (41ft) of a building's primary entrance(s) as measured along the most direct pedestrian access route;
- ii. Bicycle parking spaces shall be located outside of a building at the same grade as the sidewalk or parking area, or at a location that can be reached by an accessible route;
- iii. Bicycle parking spaces shall be permitted in any yard;
- iv. Bicycle parking spaces shall be visible from a public right-of-way, where possible;
- v. Bicycle parking spaces shall be located in a clearly designated, well-lit, and convenient location on the lot, excluding bicycle parking spaces for a residential development in the Historic Downtown Commercial (C1) Zone, which may be provided inside the main building; and
- vi. Bicycle parking spaces and bicycle racks shall not obstruct pedestrian and vehicular circulation.

b. Parking Layout:

- i. A bicycle parking space shall have the following dimensions:

Table I: Bicycle Parking Dimensions			
Parking Space Orientation	Minimum Width	Minimum Length	Minimum Vertical Clearance
Horizontal <i>(placed on the ground)</i>	0.6m (2ft)	1.8m (6ft)	2m (6.5ft) from grade
Vertical <i>(placed on a wall)</i>	0.6m (2ft)	1.2m (4ft)	2m (6.5ft) from grade

- ii. Bicycle parking spaces may be covered by a shelter as long as the minimum vertical clearance requirement is satisfied (see Table I), and the shelter/coverage is entirely on private land;
- iii. When bicycle parking spaces are arranged in a front-to-back manner, the bicycle racks shall be separated by a minimum distance of 1.8m (6ft);
- iv. Where two or more rows of bicycle parking spaces are provided, there shall be an aisle that is a minimum of 1.2m (4ft) in width between the rows to allow access; and
- v. Bicycle parking shall be integrated with other site elements, such as vehicle parking areas, landscaping, signage, etc., to create a safe and aesthetically pleasing environment.



c. Bike Racks:

- i. Bike racks shall be constructed of theft resistant materials;
- ii. Bike racks shall be securely anchored to a level hard surface, such as a floor, ground, or building to prevent the racks from being removed from the location; and
- iii. Bike racks that secure a bicycle at more than one point are strongly encouraged.

3.2.7 Designated Loading Areas

a. Number of Loading Areas:

- i. Any manufacturing, processing & assembly use, warehouse, depot & storage facility, distribution centre, retail use, building supply store, wholesale establishment, market, restaurant, hospital, clinic, brewery, freight or passenger terminal, hotel, hospital, funeral home, or other use, as determined by the Development Officer, that involves the frequent shipping, loading or unloading of persons, animals, or goods shall provide a minimum of one off-street loading space for development between 140m² (1,507ft²) and 2,700m² (29,063ft²) in gross floor area. One additional

loading space shall be required for every 2,700m² (29,063ft²) in excess of the initial 2,700m² (29,063ft²); and

- ii. All loading zone requirements shall not apply to any building with less than 140m² (1,507ft²) of gross floor area and any new development in the Historic Downtown Commercial (C1) Zone.

b. Design of Loading Areas:

i. Surfacing:

- a. Loading areas, including points of access leading thereto, shall be constructed of and maintained with a stable surface which is treated for the prevention of dust and raising of loose particles;
- b. The use of light coloured materials, such as concrete, light coloured asphalt, or light-coloured pavers, shall be strongly encouraged in paving to reduce surface temperatures and contributions to the heat island effect; and
- c. Permeable paving technology, such as open-jointed pavers, porous concrete/asphalt, or turf/gravel grids, will be encouraged when conditions are suitable.

ii. Site Layout:

- a. Each loading space shall measure at least 4m (13ft) in width by 12m (39ft) in length with a minimum height clearance of 4.3m (14ft);
- b. Each loading space shall be located in the rear or side yard of the lot except for abutting side yards where the adjacent lot is in a residential zone; and
- c. All points of access and aisles that provide access to a loading area shall have a minimum width of 3m (10ft) for one-way traffic and a minimum width of 6m (20ft) for two-way traffic. The maximum width of driveways and aisles shall be 9m (30ft) in all zones, excluding the Industrial (M1) and Light Industrial (M2) Zones which have no maximum width.

iii. Lighting:

- a. Lights shall be located so that light will be diverted from streets, adjacent lots, and buildings; and
- b. The location of lights shall be coordinated with the pedestrian walkways, tree planting and other landscaping to improve site aesthetics and visibility.

iv. Landscaping:

- a. When a loading area is located in any zone, excluding the Industrial (M1), Light Industrial (M2) and General Commercial (C4) Zones, it shall be separated from a public right-of-way by a landscaped strip; and
- b. A landscaped strip shall:
 - i. Be a minimum of 1.5m (5ft) in width;
 - ii. Contain a minimum of one native deciduous 50mm caliper tree for every 3m (10ft) of public street frontage;
 - iii. Contain shrubs that are a minimum of 0.6m (2ft) in height at the time of planting; and
 - iv. Incorporate additional vegetation to screen the loading area, however, it may not completely obstruct views in-and-out of the parking area or the corner vision triangle.

3.3 Signs

3.3.1 General

- a. No person hereafter shall erect a sign without obtaining a development permit from the Development Officer beforehand, except for signs listed in Section 3.3.2;
- b. No development permit for a sign shall be issued unless the sign conforms to the requirements of Section 3.3;
- c. No development permit for a sign shall be issued prior to the issuance of a development permit for the use advertised by the sign;
- d. In the case of a conflict between the provisions of this By-law and the requirements of the Nova Scotia Department of Transportation and Infrastructure Renewal, the more stringent requirements shall prevail;
- e. All signs and all parts thereof shall be kept in a good state of repair so they do not pose a threat to public safety or health, and do not become unsightly; and
- f. Normal sign maintenance, including the refurbishing of existing signs, the replacement of sign elements, and the repair of structural members or lighting shall not require a development permit, but all maintenance shall comply with the requirements of this By-law.

3.3.2 Permitted Signs Which Require No Development Permit

The following signs are permitted without any requirement for a development permit:

- a. Signs identifying the name and address of residents that are a maximum of 0.2 m² (2ft²) in sign area;
- b. No trespassing signs or other such signs regulating the use of a property that are a maximum of 0.2 m² (2ft²) in sign area;
- c. Real estate signs that are a maximum of 0.5m² (5ft²) in sign area in any residential zone and 1.4 m² (15 ft²) in other zones, which advertise the sale, rental or lease of a location, including off-site signs;
- d. Signs regulating or denoting on-premises traffic, or parking or other signs denoting the direction or function of various parts of a building or premises provided that such are a maximum of 0.5 m² (5ft²) in sign area;
- e. Non-commercial signs erected by a government body, or under the direction of such a body, including traffic signs, safety signs, signs identifying public schools, parks and recreation facility signs, directional signage, wayfinding programs, banner programs, and signs for special events and community organizations;
- f. The flag, pennant, or insignia of any government, charitable, religious, or fraternal organization;
- g. Signs associated with a Federal, Provincial or Municipal election. Such signs shall not remain in place for more than 14 days following the election for which the sign was erected;
- h. One building Identification sign;
- i. Memorial signs or tablets and signs denoting the historical significance and date of erection of a structure;
- j. One sign that has a sign area of not more than 6m² (65ft²), which is incidental to construction and located on the same site as the building under construction. Such signs shall not remain in place for more than 30 days following completion of construction;
- k. One portable sign per business premise, in accordance with Section 3.3.10;
- l. Window signs and lettering in non-residential zones in accordance with Section 3.3.11;

- m. Banners in the Group Commercial (C4) Zone, General Commercial (C5) Zone, Industrial (M1) Zone, Light Industrial (M2) Zone, and Recreational (REC) Zone, in accordance with Section 3.3.12; and
- n. Flags.

3.3.3 Prohibited Signs

- a. Signs that are unrelated to any existing business or use on the lot;
- b. Signs which incorporate in any manner any flashing or moving illumination which varies in intensity or colour, with the exception of moving digital message signs;
- c. Signs which by reason of location, content, colouring, or manner of illumination obstruct the vision of drivers, or obstruct the effectiveness of any traffic sign or traffic control device on public streets;
- d. Signs which obstruct the use of a fire escape door, windows, or other required exit;
- e. Any other sign that the poses a hazard to public safety or health;
- f. Signs which make use of such words as "stop", "look", "one way", "danger", "yield", or any other similar words, phrases, or symbols so as to interfere with or confuse traffic along a public street;
- g. Signs which advertise a product, service or business no longer available at that location. Such signs are deemed to be obsolete signs and shall be removed once the use has been discontinued for 30 days;
- h. Signs on public property or public right-of-way, unless specified in Section 3.3.2;
- i. Signs painted upon, attached to, or supported by a tree, stone, cliff, or other natural object.
- j. Billboard signs;
- k. Roof signs or any sign that extends above the eaves or parapet of a building;
- l. Permanent spray painted, home painted, or other improvised signs;
- m. Banners in residential zones, the Historic Downtown Commercial (C1) Zone, LaHave Commercial (C2) Zone, Urban Commercial (C3) Zone, Restricted Commercial (C6) Zone, Neighbourhood Commercial (C7) Zone, Special Commercial (C8) Zone, Institutional (I1) Zone, Residential Institutional (I2) Zone, and Conservation (CON) Zone unless erected by a government body, or under the direction of such a body;
- n. Temporary ground signs and changeable copy signs in the Historic Downtown (C1) Commercial Zone, LaHave Commercial (C2) Zone, Restricted Commercial (C6) Zone, Neighbourhood Commercial (C7) Zone, Special Commercial (C8) Zone; and
- o. Vinyl signs and corrugated plastic signs in residential zones, the Historic Downtown Commercial (C1) Zone and the Restricted Commercial (C6) Zone.

3.3.4 Permitted Number of Signs

a. Commercial Signage:

- i. The following table denotes the maximum number and type(s) of commercial signage that a business premise may erect, in accordance with Sections 3.3.5 through 3.3.8:

Table J: Permitted Signage for a Business Premise					
Maximum Number of Signs by Type					
Permitted In	Projecting Wall Sign (S. 3.3.5)	Canopy Sign (S. 3.3.6)	Flat Fixed Wall Sign (S. 3.3.7)	Ground Sign (S.3.3.8)	Total # of Permitted Signs
Home Based Businesses	One	n/a	One	One	One Sign
Restricted Commercial (C6) Neighbourhood Commercial (C7) Special Commercial (C8)	One	Two	Two	One	Two Signs
Historic Downtown Commercial (C1)	One	Two	Two	n/a	Three Signs
LaHave Commercial (C2) Urban Commercial (C3) Institutional (I1) Residential Institutional (I2) Recreational (REC)	One	Three	Three	One	Three Signs
General Commercial (C4) Group Commercial (C5) Highway Service Commercial (C9) Highway Display Commercial (C10) Industrial (M1) Light Industrial (M2)	One	Four	Four	One	Four Signs
Exceptions:					
<ul style="list-style-type: none"> Excluding home based businesses, a business premise that is located on a corner lot shall be permitted to erect one additional sign, if at least one sign fronts onto each abutting public right-of-way; Regardless of the number of on-site business premises, the maximum number of ground signs per lot shall be equal to or less than the number of public right-of-ways that the lot abuts. In these instances, each ground sign shall front onto a different public right-of-way, and each sign may have advertising for more than one business premise; and The number of temporary ground signs, portable signs, window signs, and banners shall be regulated independent of this table, in accordance with Sections 3.3.9 through 3.3.12. 					

b. Identification Signage:

- i. In the Park (P) and Conservation (CON) Zones, one ground sign may be erected per lot, in accordance with Section 3.3.8; and
- ii. In all residential zones, one ground sign may be erected, in accordance with Section 3.3.8, if it is accessory to:
- A development containing six or more dwellings units, which fronts on a collector or arterial street in a High Density Residential (R6) Zone, or is established by site plan approval or a development agreement;
 - A development containing twenty or more dwelling units; or

- c. A land leased community.

3.3.5 Projecting Wall Signs

Projecting wall signs shall adhere to the following requirements:

Table K: Projecting Wall Signs		
Permitted In	Dimensions	General Requirements
Home Based Businesses	Sign faces shall not exceed 0.3m ² (3ft ²) in area	A projecting wall sign shall have a maximum of two sign faces.
Historic Downtown (C1) LaHave Commercial (C2) Urban Commercial (C3) Group Commercial (C4) General Commercial (C5) Restricted Commercial (C6) Neighbourhood Commercial (C7) Special Commercial (C8) Highway Service Commercial (C9) Highway Display Commercial (C10) Institutional (I1) Residential Institutional (I2) Recreational (REC) Industrial (M1) Light Industrial (M2)	Sign faces shall not exceed 2m ² (22ft ²) in area	<p>No projecting wall sign shall be erected less than 3m (9.8ft) from grade.</p> <p>A projecting wall sign shall be placed at a right angle to the building face to which it is attached, except where it is erected on the corner of a building which faces corner lot.</p> <p>No projecting wall sign shall project over a public street beyond the curb, or into the corner vision triangle.</p> <p>No projecting wall sign shall swing freely on its supports without the installation of a suitable catch, chain, or other control device.</p> <p>Signs in the Historic Downtown (C1) Commercial Zone shall adhere to the signage design requirements outlined in Section 3.3.13.</p>

3.3.6 Canopy Signs

Canopy signs shall adhere to the following requirements:

Table L: Canopy Signs		
Permitted In	Dimensions	General Requirements
Historic Downtown (C1) LaHave Commercial (C2) Urban Commercial (C3) Restricted Commercial (C6) Neighbourhood Commercial (C7) Special Commercial (C8) Highway Service Commercial (C9) Highway Display Commercial (C10) Institutional (I1) Residential Institutional (I2) Recreational (REC)	Sign area shall occupy no more than 75% of the canopy face upon which it is attached.	No canopy sign shall be erected less than 3m (10ft) from grade. No canopy sign shall project over a public street beyond the curb line, or into the corner vision triangle. No canopy sign shall extend beyond the extremities of the canopy face. A canopy sign shall not be permitted on a canopy which has deteriorated and become unsightly. All such canopy signs shall be removed. Signs in the Historic Downtown (C1) Commercial Zone shall adhere to the signage design requirements outlined in Section 3.3.13.
Group Commercial (C4) General Commercial (C5) Industrial (M1) Light Industrial (M2)	N/A	

3.3.7 Flat Fixed Wall Signs

Flat fixed wall signs shall adhere to the following requirements:

Table M: Flat Fixed Wall Signs		
Permitted in	Dimensions	General Requirements
Home Based Businesses	Signs shall not exceed 0.3m ² (3ft ²) in sign area	<p>A flat fixed wall sign shall be parallel to the wall upon which it is attached.</p> <p>A flat fixed wall sign shall not extend beyond the extremities of the wall upon which it is attached.</p> <p>Signs in the Historic Downtown (C1) Commercial Zone shall adhere to the signage design requirements outlined in Section 3.3.13.</p>
Restricted Commercial (C6) Neighbourhood Commercial (C7) Special Commercial (C8)	Signs shall not exceed 0.46m ² in area for each linear metre (or 1.5ft ² for each linear foot) of the premise's exterior length, up to a maximum sign area of 2.3m ² (25ft ²).	
Historic Downtown (C1) LaHave Commercial (C2) Urban Commercial (C3) Institutional (I1) Residential Institutional (I2) Recreational (REC)	Signs shall not exceed 0.62m ² in area for each linear metre (or 2ft ² for each linear foot) of the premise's exterior length.	
Group Commercial (C4) General Commercial (C5) Highway Service Commercial (C9) Highway Display Commercial (C10)	Signs shall not exceed 0.93m ² in area for each linear metre (or 3ft ² for each linear foot) of the premise's exterior length.	
Industrial (M1) Light Industrial (M2)	N/A	

3.3.8 Ground Signs

Ground signs shall adhere to the following requirements:

Table N: Ground Signs		
Permitted In	Dimensions	General Requirements
Home Based Businesses	Sign faces shall not exceed 0.3m ² (3ft ²) in area. Signs shall not exceed 1.5m (5ft) in height.	A ground sign shall have a maximum of two sign faces. A ground sign shall be setback a minimum of 1m (3ft) from any public right-of-way or common lot boundary.
Conservation (CON) Park (P)	Sign faces shall not exceed 1.2m ² (13ft ²) in area. Signs shall not exceed 2m (7ft) in height.	A ground sign or portion thereof shall not extend into a corner vision triangle. Ground signs located in the LaHave Commercial (C2), Urban Commercial (C3), Group Commercial (C4), General Commercial (C5), Highway Service Commercial (C9), Highway Display Commercial (C10), Industrial (M1), and Light Industrial (M2) Zones may extend over a driveway, on-site parking area, walkway, or trail if the clearance between the bottom of the sign and the ground is a minimum of 3m (10ft).
Res. Zones, in accordance with Section 3.3.4.b.ii Restricted Commercial (C6) Neighbourhood Commercial (C7) Special Commercial (C8) Institutional (I1) adjacent to Local Streets Residential Institutional (I2)	Sign faces shall not exceed 2.3m ² (25ft ²) in area. Signs shall not exceed 4m (13ft) in height.	In the Institutional (I1) Zone, signs larger than 2.3m ² (25ft ²) in area or taller than 4m (13ft) in height shall be located only adjacent to an Arterial or Collector Street.
Recreational (REC) Institutional (I1) adjacent to Arterial or Collector Streets	Sign faces shall not exceed 3.7m ² (40ft ²) in area. Signs shall not exceed 4m (13ft) in height.	
LaHave Commercial (C2) Urban Commercial (C3)	Sign faces shall not exceed 6m ² (65ft ²) in area. Signs shall not exceed 6m (20ft) in height.	
Group Commercial (C4) General Commercial (C5)	Sign faces shall not exceed 9m ² (97ft ²) in area. Signs shall not exceed 8m (26ft) in height.	
Industrial (M1) Light Industrial (M2) Highway Service Commercial (C9) Highway Display Commercial (C10)	Sign faces shall not exceed 19m ² (205ft ²) in area. Signs shall not exceed 10m (33ft) in height.	

3.3.9 Temporary Ground Signs

Temporary ground signs shall adhere to the following requirements:

Table O: Temporary Ground Signs		
Permitted In	Dimensions	General Requirements
LaHave Commercial (C2) Urban Commercial (C3) Group Commercial (C4) General Commercial (C5) Highway Service Commercial (C9) Highway Display Commercial (C10) Institutional (I1) Industrial (M1) Light Industrial (M2) Recreational (REC)	<p>Signs shall not exceed 4.5m² (48ft²) in area.</p> <p>Signs shall not exceed 3m (10ft) in height.</p>	<p>A maximum of one temporary ground sign shall be permitted per lot in the applicable zones.</p> <p>A temporary ground sign shall not be in place for longer than one period of 90 consecutive days during a 12 month period.</p> <p>A temporary ground sign shall have a maximum of two sign faces.</p> <p>A temporary ground sign shall be setback a minimum of 1.5m (5ft) from any public right-of-way or common lot boundary.</p> <p>A temporary ground sign or portion thereof shall not extend into a corner vision triangle, or over a driveway, on-site parking area, walkway, or trail.</p>

3.3.10 Portable Signs

Portable signs shall adhere to the following requirements:

Table P: Portable Signs		
Permitted In	Dimensions	General Requirements
All Commercial Zones	<p>Sign faces shall not exceed 0.56 m² (6 ft²) in area</p> <p>Sign faces shall not exceed 1m (3ft) in height</p>	<p>A portable sign shall have a maximum of two sign faces.</p> <p>A portable sign shall be placed on a sidewalk adjacent to the business premise only when the premise is open to the public.</p> <p>A portable sign shall not interfere with the flow of pedestrian/vehicular traffic or pose a safety hazard. The sign shall be placed in a manner that leaves a min. walkway of 1.2m on the sidewalk.</p> <p>A portable sign shall not be left in a public-right-of-way when snow or ice is present.</p>

3.3.11 Window Signs

Window signs shall adhere to the following requirements:

Table Q: Window Signs		
Permitted In	Dimensions	General Requirements
Historic Downtown (C1) LaHave Commercial (C2) Urban Commercial (C3) Institutional (I1) Residential Institutional (I2) Recreational (REC) Restricted Commercial (C6) Neighbourhood Commercial (C7) Special Commercial (C8)	<p>Signs shall be placed or painted on the interior or exterior of a glass window or door provided that they cover no more than 40% of the window in which it is placed.</p> <p>The letter height of window sign shall not exceed 200mm.</p>	<p>Window signs shall only be permitted on the ground floor level of a building.</p> <p>Window signs shall only include the business name, logo, or description of the products sold or services provided.</p>
Group Commercial (C4) General Commercial (C5) Highway Service Commercial (C9) Highway Display Commercial (C10)	<p>Signs shall be placed or painted on the interior or exterior of a glass window or door provided that they cover no more than 60% of the window in which it is placed.</p> <p>The letter height of window sign shall not exceed 300mm.</p>	

3.3.12 Banners

Banners shall adhere to the following requirements:

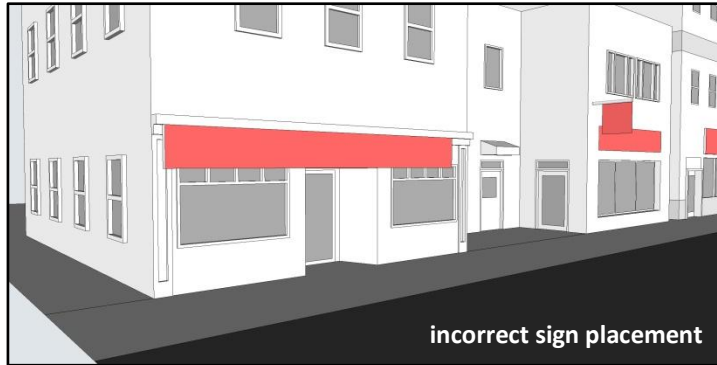
Table R: Banners		
Permitted In	Dimensions	Requirements
Recreational (REC) General Commercial (C4) Group Commercial (C5) Industrial (M1) Light Industrial (M2) Highway Service Commercial (C9) Highway Display Commercial (C10)	<p>Banners shall not exceed 0.62m² in area for each linear metre (or 2ft² for each linear foot) of the premise's exterior length.</p> <p>When a banner isn't secured to a building façade, it shall not exceed 2m² (21.5ft²) in area.</p>	<p>No more than two banners shall be permitted on a lot at any given time.</p> <p>A banner shall be securely attached between two poles, or to a building or structure.</p> <p>A banner or portion thereof shall not extend over any public right-of-way, walkway, or into a corner vision triangle.</p> <p>A banner shall not be permitted to deteriorate and become unsightly. All such banners shall be removed.</p>

3.3.13 Historic Downtown Signage Design Requirements

Notwithstanding Sections 3.3.5 – 3.3.12, all properties within the Historic Downtown (C1) Commercial Zone shall adhere to following sign design requirements:

a. Placement:

- i. Signs shall not obstruct any prominent architectural features or details of a building, including windows, doors, storefronts, entrances, cornices, cladding, columns, and other character defining elements;



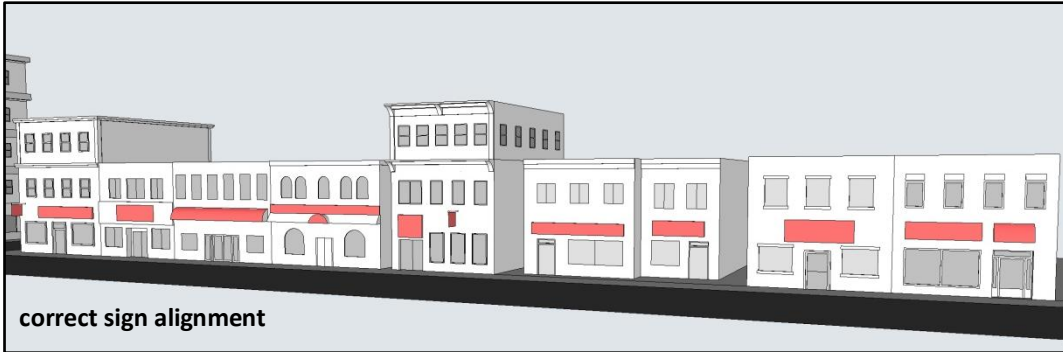
- ii. Signs affixed to a building shall only be permitted between the building's first and second storeys;



- iii. Notwithstanding Section 3.3.13.a.ii, when a business premise in a multi-tenant building lacks a usable ground floor storefront, the business premise may erect one sign above the second floor and below the third floor/roof line of the building if it fronts onto a public right-of-way, in accordance with all other requirements of Section 3.3.13;



- iv. Where there are multiple signs on a single building or property all signs shall be aligned and positioned in an organized manner to achieve a unified appearance; and
- v. Signs shall be aligned in an organized manner so they're compatible from one building to the next to create a consistent street presence in the historic downtown.



b. Design:

- i. Banners, vinyl signs, and corrugated plastic signs shall be prohibited. All plastic signs shall be prohibited as well, unless they are manufactured from a high quality composite material that appears to be a natural material;
- ii. Signs shall not have a fluorescent or reflective background;
- iii. Sign font and imagery shall be designed in proportion with the size of the sign and the width of the storefront to the satisfaction of the Development Officer;
- iv. Signs shall utilize fonts and colour schemes that are clearly legible, and imagery that directly relates to the business;
- v. Repetitious signage information on the same building façade shall be discouraged; and
- vi. Where there are multiple signs on a single building or property all signs shall incorporate a unifying element, such as size, colour, or material, into their design to create consistency.

c. Lighting:

- i. Spot lights, gooseneck light fixtures, and other decorative light fixtures to illuminate signs shall be encouraged;
- ii. Light fixtures shall blend in with the character of the building upon which they are attached; and
- iii. Lighting shall be arranged so that the light source is directed against the sign, and it does not shine onto or disrupt adjacent properties, pedestrians, or motorists.

SECTION 4: RESIDENTIAL ZONES

4.1 General Provisions for All Residential Zones

4.1.1 Home Based Businesses

In all residential zones, a home based business shall be permitted in any dwelling unit or a building accessory to a dwelling unit, provided that the requirements of Section 3.1.24 are met.

4.1.2 Personal Offices

Nothing in this By-law shall prevent the use of any dwelling unit or accessory building in a residential zone for personal office purposes.

4.1.3 Commercial Vehicles

No more than two taxis, commercial trucks or vans shall be kept on, or be dispatched from a residential lot.

4.1.4 Residential Conversions

The conversion of all dwellings to more than one unit shall be permitted in all zones in accordance with the subject zone and Section 3.1.25.

4.1.5 Residential Care Facilities, Homes for Special Care, or Group Homes

Residential Care Facilities, Homes for Special Care, or Group Homes consisting of five or fewer residents are considered to be a single dwelling unit, and therefore, are permitted in all residential zones as-of-right.

4.1.6 Outdoor Display & Yard Sales

- a. The open storage and display of goods in residential zones for the purpose of advertising or sales, except for display of goods related to occasional private garage sales or yard sales, is prohibited; and
- b. A maximum of two garage or yard sales per lot shall be permitted during one calendar year.

4.1.7 Amenity Space Requirements

All new multi-unit residential developments containing five or more dwelling units shall provide on-site amenity space in accordance with the following requirements:

- a. Amenity space shall be provided in accordance with the following dwelling categories:

Dwelling Category	Required Amenity Space
Bachelor & One Bedroom Units	15m ² (162ft ²) per unit
Two Bedroom Unit	20m ² (216ft ²) per unit
Three Bedroom Unit	25m ² (269ft ²) per unit
Units with Four or More Bedrooms	30m ² (323ft ²) per unit

- b. Amenity space requirements may be allocated to decks, balconies, green roofs, gardens, gyms, swimming pools, sports fields & courts, landscaped open spaces, and other indoor and outdoor recreational uses; and
- c. Amenity space requirements shall be waived for all residential conversions.

4.1.8 Landscaping & Vegetation

- a. A minimum of 40% of both the front and flankage yard on any residential lot, excluding those zoned Manufactured Residential Home (R7), shall be covered by vegetation to the satisfaction of the Development Officer. The use of native species is strongly encouraged;
- b. Any multi-unit residential development containing three or more dwelling units shall require a minimum of one native tree of at least 1.5m (5ft) in height to be planted in the front and flankage yard for every 50m² (538 ft²) of the total front and flankage yard area;
- c. Where possible, existing trees and vegetation shall be retained during the early development stage. All trees that are retained in the front and flankage yard shall replace, or count towards the requirements of Section 4.1.8.a and 4.1.8.b; and
- d. Vegetation requirements for residential development shall be completed within two months of the issuance of an occupancy permit by the Town. If an occupancy permit is issued after October 1st, the vegetation requirements shall be completed before June 1st of the following year. Failure to do so will result in the revocation of the development permit.

4.1.9 Chickens in Residential Zones

A maximum of two chickens (hens) shall be permitted on any residentially zoned lot if they are kept in a secure coop which is located in the rear or side yard of the lot. Slaughtering and the rearing of other fowl, livestock and bees shall be prohibited in all zones, excluding the Agricultural (AG) Zone.

4.1.10 Site Plan Criteria for Development in Residential Zones

The following site plan criteria apply to all new development that is permitted through the site plan approval process in the Comprehensive Residential (R3) Zone and the High Density Residential (R6) Zone. No development permit shall be issued for development that is inconsistent with these criteria, in addition to applicable zone standards and all other requirements of this By-law:

- a. The location of new structures on the lot shall minimize negative impacts on the surrounding neighbourhood, including noise, dust, fumes, lighting, shadows, or other nuisance or inconvenience to occupants of nearby residences;

- b. The location of off-street parking and loading facilities shall minimize negative impacts on the surrounding neighbourhood, including traffic, noise, dust, fumes, lighting, or other nuisance or inconvenience to occupants of nearby residences;
- c. The location, number and width of points of access are designed to prevent traffic, noise, dust, fumes, congestion, or other nuisance and inconvenience in the area and minimize negative impacts to occupants of nearby residences;
- d. The type, location, and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements, or a combination thereof, which is necessary to protect and minimize negative land use impact on neighbouring properties;
- e. Existing vegetation shall be retained where the vegetation is healthy and helps to minimize negative impacts on the surrounding neighbourhood;
- f. The location of pedestrian walkways, and/or related infrastructure, shall be provided to link public sidewalks and parking areas to entrances of all primary buildings;
- g. The type and location of outdoor lighting is designed to light the structure, driveways and pedestrian infrastructure, but shall not be directed onto neighbouring properties;
- h. The location of facilities for the storage of solid waste provides for maximum separation from residential development and public areas;
- i. The location of all existing easements shall be identified;
- j. The grading or alteration in elevation or contour of the land shall minimize undue erosion and/or sedimentation, and other negative impacts on neighbouring properties;
- k. The management of storm and surface water is addressed, and associated plans are approved by the Town Engineer;
- l. The type, location number and size of signs or sign structures do not negatively alter the appearance of the streetscape or neighbourhood; and
- m. All signage shall be designed and constructed according to the signage requirements listed in Section 3.3.

4.2 Single Unit Residential (R1) Zone

4.2.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments shall be permitted as-of-right in the Single Unit Residential (R1) Zone subject to the requirements of this By-law:

- Single Unit Dwellings

4.2.2 Permitted Developments with Conditions

The following developments shall be permitted as-of-right in the Single Unit Residential (R1) Zone subject to the requirements of this By-law, including the special conditions listed below:

- Home Based Businesses, in accordance with Section 3.1.24
- Residential Conversions, up to two units in accordance with Section 3.1.25

4.2.3 Developments by Development Agreement

The following developments shall be permitted by Development Agreement in the Single Unit Residential (R1) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined the Municipal Planning Strategy:

- Inns in buildings constructed before August 27, 1975, in accordance with MPS Policy RDA-1;
- Offices in accordance with MPS Policy RDA-2;
- All developments permitted in the Institutional (I1) Zone, in accordance with MPS Policy RDA-3; and
- Neighbourhood grocery & convenience stores in accordance with MPS Policy RDA-4.

4.2.4 Zoning Standards

The following requirements apply to all developments permitted as-of-right in the Single Unit Residential (R1) Zone:

R1	Single Unit Residential Zone	
Minimum front yard		6m (20ft)
Minimum rear yard		4m (13ft)
Minimum side yard		1.5m (5ft)
Minimum flankage yard		3m (10ft)
Maximum building height		10m (33ft)
Minimum lot area		650m ² (6,997ft ²)
Minimum lot frontage		20m (66ft)

4.2.5 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36; and
- b. Development within the LaHave River Development Agreement Area, excluding parks, change of use and associated signage, additions less than 50m² (538ft²), and accessory buildings and structures less than 50m² (538ft²), shall only be permitted by development agreement, in accordance with MPS Policy LRDA-1.
- c. Development located outside of the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37.

4.3 Two Unit Residential (R2) Zone

4.3.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments shall be permitted as-of-right in the Two Unit Residential (R2) Zone subject to the requirements of this By-law:

- Single Unit Dwellings
- Two Unit Dwellings

4.3.2 Permitted Developments with Conditions

The following developments shall be permitted as-of-right in the Two Unit Residential (R2) Zone subject to the requirements of this By-law, including the special conditions listed below:

- Home Based Businesses, in accordance with Section 3.1.24
- Residential Conversions, up to three units in accordance with Section 3.1.25

4.3.3 Developments Permitted by Development Agreement

The following developments shall be permitted by Development Agreement in the Two Unit Residential (R2) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined the Municipal Planning Strategy:

- a. Inns in buildings constructed before August 27, 1975, in accordance with MPS Policy RDA-1;
- b. Offices in accordance with MPS Policy RDA-2;
- c. All developments permitted in the Institutional (I1) Zone, in accordance with MPS Policy RDA-3; and
- d. Neighbourhood grocery & convenience stores in accordance with MPS Policy RDA-4.

4.3.4 Zoning Standards

The following requirements apply to all developments permitted as-of-right in the Two Unit Residential (R2) Zone:

R2	Two Unit Residential Zone	
Minimum front yard		6m (20ft)
Minimum rear yard		4m (13ft)
Minimum side yard		1.5m (5ft)
Minimum flankage yard		3m (10ft)
Maximum building height		10m (33ft)
Minimum lot area: single & two unit dwellings on the same lot		650m ² (6,997ft ²)
Minimum lot area: semi-detached dwelling (two units) on a separate lot		325m ² (3,498ft ²) / unit
Minimum lot frontage: single & two unit dwellings on the same lot		20m (66ft)
Minimum lot frontage: semi-detached dwelling (two units) on a separate lot		10m (33ft)

4.3.5 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36; and
- b. Development within the LaHave River Development Agreement Area, excluding parks, change of use and associated signage, additions less than 50m² (538ft²), and accessory buildings and structures less than 50m² (538ft²), shall only be permitted by development agreement, in accordance with MPS Policy LRDA-1.
- c. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37.

4.4 Comprehensive Residential (R3) Zone

4.4.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following uses shall be permitted as-of-right in the Comprehensive Residential (R3) Zone subject to the requirements of this By-law:

- Single Unit Dwellings
- Two Unit Dwellings

4.4.2 Permitted Developments with Conditions

The following uses shall be permitted as-of-right in the Comprehensive Residential (R3) Zone subject to the requirements of this By-law, including the special conditions listed below:

- Home Based Businesses, in accordance with Section 3.1.24
- Residential Conversions, up to two units in accordance with Section 3.1.25

4.4.3 Developments Permitted by Site Plan Approval

The following uses shall be permitted by site plan approval in the Comprehensive Residential (R3) Zone subject to the requirements of this By-law, including the site plan criteria outlined in Section 4.1.10:

- a. Three or four unit dwellings on collector and arterial streets.

4.4.4 Developments Permitted by Development Agreement

The following uses shall be permitted by Development Agreement in the Comprehensive Residential (R3) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined in the Municipal Planning Strategy:

- a. Multi-unit residential development, up to a maximum of 62 units per hectare (25 units per acre), in accordance with MPS Policy IM-6;
- b. Collective residential development, up to a maximum of 62 units per hectare (25 units per acre), in accordance with MPS Policy IM-6;
- c. Offices in accordance with MPS Policy RDA-2;
- d. All developments permitted in the Institutional (I1) Zone, in accordance with MPS Policy RDA-3; and
- e. Neighbourhood grocery & convenience stores in accordance with MPS Policy RDA-4; and
- f. Restaurants within neighbourhood grocery & convenience stores in accordance with MPS Policy RDA-5.

4.4.5 Zoning Standards

The following requirements apply to all developments permitted as-of-right or by site plan approval in the Comprehensive Residential (R3) Zone:

R3	Comprehensive Residential Zone	
Minimum front yard		6m (20ft)
Minimum rear yard		4m (13ft)
Minimum side yard		1.5m (5ft)
Minimum flankage yard		3m (10ft)
Maximum building height		10m (33ft)
Minimum lot area: single & two unit dwellings on the same lot		465m ² (5,005ft ²)
Minimum lot area: semi-detached dwelling (two units) on a separate lot		232.5m ² (2,503ft ²) / unit
Minimum lot area: townhouses (3 or 4 units) on separate lots		170m ² (1,830) / unit
Minimum lot area: multi-unit development (3 or 4 units) on the same lot		674m ² (7,255ft ²)
Minimum lot frontage: single & two unit dwellings on the same lot		15m (49ft)
Minimum lot frontage: semi-detached dwelling (two units) on a separate lot		7.5m (24.5ft)
Minimum lot frontage: townhouses (3 or 4 units) on separate lots		5.5m (15ft) / unit
Minimum lot frontage: multi-unit development (3 or 4 units) on the same lot		18m (59ft)

4.4.6 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36;
- b. Multi-unit and collective residential development that is permitted in Sections 4.4.4.a and 4.4.4.b may exceed the maximum permitted density by 20% where 100% of those additional units meet the Town's definition of affordable housing; and
- c. Development within the LaHave River Development Agreement Area, excluding parks, change of use and associated signage, additions less than 50m² (538ft²), and accessory buildings and structures less than 50m² (538ft²), shall only be permitted by development agreement, in accordance with MPS Policy LRDA-1.

- d. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37.

4.5 Downtown Residential (R4) Zone

4.5.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments shall be permitted as-of-right in the Downtown Residential (R4) Zone subject to the requirements of this By-law:

- Single Unit Dwellings
- Two Unit Dwellings

4.5.2 Permitted Developments with Conditions

The following developments shall be permitted as-of-right in the Downtown Residential (R4) Zone subject to the requirements of this By-law, including the special conditions listed below:

- Home Based Businesses, in accordance with Section 3.1.24
- Residential Conversions, up to four units in accordance with Section 3.1.25

4.5.3 Developments Permitted by Development Agreement

The following developments shall be permitted by Development Agreement in the Downtown Residential (R4) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined in the Municipal Planning Strategy:

- a. Multi-unit residential development, up to a maximum of 37 units per hectare (15 units per acre) in accordance with MPS Policy IM-6;
- b. Collective residential development, up to a maximum of 37 units per hectare (15 units per acre) in accordance with MPS Policy IM-6;
- c. Inns in buildings constructed before August 27, 1975, in accordance with MPS Policy RDA-1;
- d. Offices in accordance with MPS Policy RDA-2;
- e. All developments permitted in the Institutional (I1) Zone, in accordance with MPS Policy RDA-3; and
- f. Neighbourhood grocery & convenience stores in accordance with MPS Policy RDA-4; and
- g. Restaurants within neighbourhood grocery & convenience stores in accordance with MPS Policy RDA-5.

4.5.4 Zoning Standards

The following requirements apply to all developments permitted as-of-right in the Downtown Residential (R4) Zone:

R4	Downtown Residential Zone	
Minimum front yard		3m (10ft)
Minimum rear yard		4m (13ft)
Minimum side yard		1.5m (5ft)
Minimum flankage yard		3m (10ft)
Maximum building height		10m (33ft)
Minimum lot area: single & two unit dwellings on the same lot		650m ² (6,997ft ²)
Minimum lot area: semi-detached dwelling (two units) on a separate lot		325m ² (3,498ft ²) / unit
Minimum lot frontage: single & two unit dwellings on the same lot		20m (66ft)
Minimum lot frontage: semi-detached dwelling (two units) on a separate lot		10m (33ft)

4.5.5 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36;
- b. All properties zoned as Downtown Residential (R4) are within the Residential Architectural Control Area, as identified on Map 8 - Architectural Control Area Map of the Municipal Planning Strategy, and shall be subject to the architectural control requirements outlined in Section 6.2; and
- c. Multi-unit and collective residential development that is permitted in Sections 4.5.3.a and 4.5.3.b may exceed the maximum permitted density by 20% where 100% of those additional units meet the Town's definition of affordable housing.
- d. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37.

4.6 Medium Density Residential (R5) Zone

4.6.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments shall be permitted as-of-right in the Medium Density Residential (R5) Zone subject to the requirements of this By-law:

- Single Unit Dwellings
- Two Unit Dwellings
- Multi-Unit Dwellings, up to a maximum of four units

4.6.2 Permitted Developments with Conditions

The following developments shall be permitted as-of-right in the Medium Density Residential (R5) Zone subject to the requirements of this By-law, including the special conditions listed below:

- Home Based Businesses, in accordance with Section 3.1.24
- Residential conversions, up to five units, in accordance with Section 3.1.25

4.6.3 Developments Permitted by Development Agreement

The following developments shall be permitted by Development Agreement in the Medium Density Residential (R5) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined in the Municipal Planning Strategy:

- a. Multi-unit residential development up to a maximum of 37 units per hectare (15 units per acre) in accordance with MPS Policy IM-6;
- b. Collective residential development, up to a maximum of 37 units per hectare (15 units per acre) in accordance with MPS Policy IM-6;
- c. Inns in buildings constructed before August 27, 1975, in accordance with MPS Policy RDA-1;
- d. Offices in accordance with MPS Policy RDA-2;
- e. All developments permitted in the Institutional (I1) Zone, in accordance with MPS Policy RDA-3; and
- f. Neighbourhood grocery & convenience stores in accordance with MPS Policy RDA-4; and
- g. Restaurants within neighbourhood grocery & convenience stores in accordance with MPS Policy RDA-5.

4.6.4 Zoning Standards

The following requirements apply to all developments permitted as-of-right in the Medium Density Residential (R5) Zone:

R5	Medium Density Residential Zone	
Minimum front yard		6m (20ft)
Minimum rear yard: Single & two unit dwellings on the same lot		4m (13ft)
Minimum rear yard: semi-detached dwellings (two units) on separate lots		4m (13ft)
Minimum rear yard: townhouses (3 or 4 units) on separate lots		4m (13ft)
Minimum rear yard: multi-unit development (3 or 4 units) on the same lot		4m (13ft) or ½ the height of the building, whichever is greatest
Minimum side yard: Single & two unit dwellings on the same lot		1.5m (5ft)
Minimum side yard: semi-detached dwellings (two units) on separate lots		1.5m (5ft)
Minimum side yard: townhouses (3 or 4 units) on separate lots		1.5m (5ft)
Minimum side yard: multi-unit development (3 or 4 units) on the same lot		4m (13ft) or ½ the height of the building, whichever is greatest
Minimum flankage yard		3m (10ft)
Maximum building height		10m (33ft)
Minimum lot area: single & two unit dwellings on the same lot		650m ² (6,997ft ²)
Minimum lot area: semi-detached dwelling (two units) on a separate lot		325m ² (3,498ft ²) / unit
Minimum lot area: townhouses (3 or 4 units) on separate lots		243m ² (2,626ft ²) / unit
Minimum lot area: multi-unit development (3 or 4 units) on the same lot		735m ² (7,011ft ²)
Minimum lot frontage: single & two unit dwellings on the same lot		20m (66ft)
Minimum lot frontage: semi-detached dwelling (two units) on a separate lot		10m (33ft) / unit
Minimum lot frontage: townhouses (3 or 4 units) on separate lots		7.5m (25ft) / unit
Minimum lot frontage: multi-unit development (3 or 4 units) on the same lot		24m (79ft)

4.6.5 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36;
- b. Multi-unit and collective residential development that is permitted in Sections 4.6.3.a and 4.6.3.b may exceed the maximum permitted density by 20% where 100% of those additional units meet the Town's definition of affordable housing; and
- c. Development within the LaHave River Development Agreement Area, excluding parks, change of use and associated signage, additions less than 50m² (538ft²), and accessory buildings and structures less than 50m² (538ft²), shall only be permitted by development agreement, in accordance with MPS Policy LRDA-1.
- d. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37.

4.7 High Density Residential (R6) Zone

4.7.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments shall be permitted as-of-right in the High Density Residential (R6) Zone subject to the requirements of this By-law:

- Residential development, up to a maximum of 25 units per hectare (10 units per acre)

4.7.2 Permitted Developments with Conditions

The following developments shall be permitted as-of-right in the High Density Residential (R6) Zone subject to the requirements of this By-law, including the special conditions listed below:

- Home Based Businesses, in accordance with Section 3.1.24
- Residential Conversions up to five units, in accordance with Section 3.1.25

4.7.3 Developments by Site Plan

The following developments shall be permitted by site plan approval in the High Density Residential (R6) Zone subject to the requirements of this By-law, including the site plan criteria outlined in Section 4.1.10:

- a. Multi-unit residential development between 26 and 50 units per hectare (11 and 20 units per acre)

4.7.4 Developments by Development Agreement

The following developments shall be permitted by Development Agreement in the High Density Residential (R6) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined in the Municipal Planning Strategy:

- a. Multi-unit residential development containing between 51 and 75 units per hectare (21 and 30 units per acre) in accordance with MPS Policy IM-6;
- b. Collective residential development containing between 26 and 75 units per hectare (11 and 30 units per acre) in accordance with MPS Policy IM-6; and
- c. All developments permitted in the Institutional (I1) Zone, in accordance with MPS Policy RDA-3.

4.7.5 Zoning Standards

The following requirements apply to all developments permitted as-of-right or by site plan approval in the High Density Residential (R6) Zone:

R6	High Density Residential Zone	
Minimum front yard	6m (20ft)	
Minimum rear yard	4m (13ft) or ½ the height of the buildings, whichever is greater	
Minimum side yard	4m (13ft) or ½ the height of the buildings, whichever is greater	
Minimum flankage yard	6m (20ft)	
Maximum building height	10m (33ft)	
Minimum lot area: single & two unit dwellings on the same lot	650m ² (6,997ft ²)	
Minimum lot area: semi-detached dwelling (two units) on a separate lot	325m ² (3,498ft ²) / unit	
Minimum lot area: townhouses (>2 units) on separate lots	243m ² (2,626ft ²) / unit	
Minimum lot area: multi-unit development (>2 units) on the same lot	735m ² (7,011ft ²)	
Minimum lot frontage: single & two unit dwellings on the same lot	20m (66ft)	
Minimum lot frontage: semi-detached dwelling (two units) on a separate lot	10m (33ft) / unit	
Minimum lot frontage: townhouses (>2 units) on separate lots	7.5m (25ft) / unit	
Minimum lot frontage: multi-unit development (>2 units) on the same lot	24m (79ft)	

4.7.6 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36;
- b. Multi-unit and collective residential development that is permitted in Sections 4.7.1, 4.7.3, 4.7.4.a and 4.7.4.b may exceed the maximum permitted density by 20% where 100% of those additional units meet the Town’s definition of affordable housing; and

- c. Several properties zoned as High Density Residential (R6) are within the Residential Architectural Control Area (see Map 8 – Architectural Control Areas) and shall be subject to the architectural control requirements outlined in Section 6 of this By-law.
- d. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37

4.8 Manufactured Residential Home (R7) Zone

4.8.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments shall be permitted as-of-right in the Manufactured Residential Home (R7) Zone subject to the requirements of this By-law:

- Land Leased Communities
- Single and Two Unit Dwellings, including those without a permanent foundation and dwellings with a minimum footprint dimension of less than 6m (20ft)

4.8.2 Permitted Developments with Conditions

The following developments shall be permitted as-of-right in the High Density Residential (R6) Zone subject to the requirements of this By-law, including the special conditions listed below:

- Home Based Businesses, in accordance with Section 3.1.24

4.8.3 Developments by Development Agreement

The following developments shall be permitted by Development Agreement in the Manufactured Residential Home (R7) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined in the Municipal Planning Strategy:

- a. Inns in buildings constructed before August 27, 1975, in accordance with MPS Policy RDA-1;
- b. Offices in accordance with MPS Policy RDA-2; and
- c. Neighbourhood grocery & convenience stores in accordance with MPS Policy RDA-4.

4.8.4 Zoning Standards

The following requirements apply to all developments permitted as-of-right in the Manufactured Residential Home (R7) Zone:

R7	Manufactured Residential Home (R7) Zone	
Minimum front yard: single unit dwellings	Maximum of 40% at 4.5m (15ft); Remainder of 60% at 6m (20ft)	
Minimum front yard: two unit dwellings	Maximum of 40% at 4.5m (15ft); Remainder of 60% at 6m (20ft)	
Minimum front yard: land leased communities	10m (33ft)	
Minimum rear yard	4m (13ft)	
Minimum side yard: single unit dwellings	3m (10ft) between structures	
Minimum side yard: two unit dwellings	3m (10ft) between structures	
Minimum side yard: land leased communities	4m (13ft)	
Minimum flankage yard: single unit dwellings	3m (10ft)	
Minimum flankage yard: two unit dwellings	3m (10ft)	
Minimum flankage yard: land leased communities	N/A	
Maximum building height	10m (33ft)	
Minimum lot area: single unit dwellings	366m ² (3,940 ft ²)	
Minimum lot area: two unit dwellings	325m ² (3,498 ft ²)	
Minimum lot area: land leased communities	20,000m ² (21,5278 ft ²)	
Minimum lot frontage: single unit dwellings	12m (39ft)	
Minimum lot frontage: two unit dwellings	11m (36ft) / unit	
Minimum lot frontage: land leased communities	21m (70ft)	
Minimum Number of Sites: land leased communities	10	

4.8.5 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit

application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36; and

- b. Development within the LaHave River Development Agreement Area, excluding parks, change of use and associated signage, additions less than 50m² (538ft²), and accessory buildings and structures less than 50m² (538ft²), shall only be permitted by development agreement, in accordance with MPS Policy LRDA-1.
- c. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37.

SECTION 5: COMMERCIAL ZONES

5.1 General Provisions for All Commercial Zones

5.1.1 Abutting Yard Requirements

When a property in the Historic Downtown Commercial (C1) Zone, LaHave Commercial (C2) Zone, Urban Commercial (C3) Zone, General Commercial (C4) Zone, the Group Commercial (C5) Zone, the Highway Service Commercial (C9) Zone, or the Highway Display Commercial (C10) Zone abuts any non-commercial zone, excluding an industrial zone and the Agricultural (AG) Zone, the following abutting yard requirements shall apply to the commercial property:

- a. The commercial property’s minimum abutting side and rear yard setbacks from the primary structure shall be determined using Table S-1;
- b. For clarity, the primary structure on the commercial property may not be located within the abutting yard.
- c. All abutting yards shall be free of structures, driveways, traffic lanes, parking spaces, loading areas, and the open storage and outdoor display of goods unless the following conditions can be met;
 - i. The commercial property shall have a vegetated buffer that extends the full width of the abutting side and rear yard, in accordance with Table S-2. The vegetated buffer shall be landscaped with evergreen trees or shrubs, and other vegetation to effectively screen views from the abutting property in all seasons, as outlined in Section 5.1.1.d;
 - ii. Notwithstanding Section 3.1.27 and Table B, the commercial property shall have an opaque fence or berm located no less than 0.6m (2ft) from the lot line and within the limits of the vegetated buffer. The height of the opaque fence or berm shall be determined using Table S-2; and
 - iii. No structures, driveways, traffic lanes, parking spaces, loading areas, and the open storage and outdoor display of goods, excluding scrap materials, shall be permitted within the limits of the vegetated buffer.

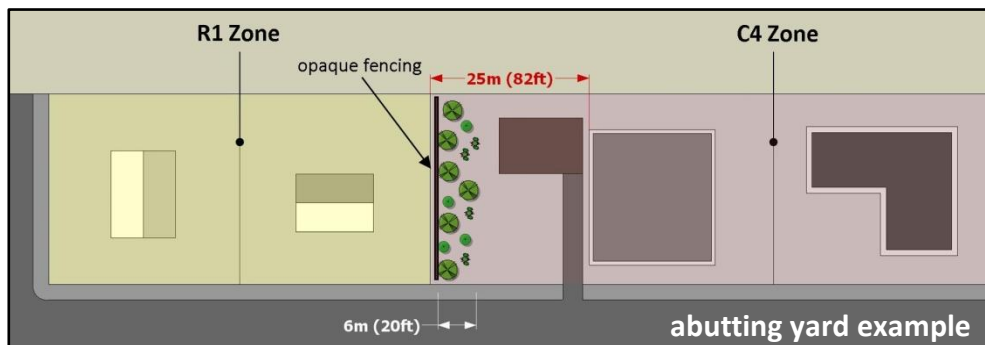
Table S-1: Abutting Yard Setbacks							
Abutting Zone	Historic Downtown (C1)	LaHave (C2)	Urban (C3)	Group (C4)	General (C5)	Highway Service Commercial (C9)	Highway Display Commercial (C10)
High Density Residential (R6)	N/A	N/A	6m (20ft)	15m (49ft)	15m (49ft)	20m (65ft)	20m (65ft)
All Other Residential Zones	6m (20ft)*	15m (49ft)*	6m (20ft)	25m (82ft)	25m (82ft)	25m (82ft)	25m (82ft)
Inst. (I1) and Res. Inst. (I2)	N/A	N/A	6m (20ft)	15m (49ft)	15m (49ft)	15m (49ft)	15m (49ft)
Recreation (REC)	N/A	N/A	6m (20ft)	15m (49ft)	15m (49ft)	15m (49ft)	15m (49ft)
Park (P)	N/A	N/A	6m (20ft)*	25m (82ft)*	25m (82ft)*	15m (49ft)*	15m (49ft)*
Conservation (CON)	N/A	N/A	6m (20ft)*	29m (95ft)*	29m (95ft)*	29m (95ft)*	29m (95ft)*

**Minimum abutting yard setback requirements are waived in the LaHave River Development Agreement Area*

Table S-2: Abutting Yard – Vegetative Buffer & Fencing Requirements

Requirement	Historic Downtown (C1)	LaHave (C2)	Urban (C3)	Group (C4)	General (C5)	Highway Service Commercial (C9)	Highway Display Commercial (C10)
Minimum Buffer Width	3m (10ft)	6m (20ft)	3m (10ft)	6m (20ft)	6m (20ft)	10m (33ft)	10m (33ft)
Minimum Opaque Fence / Berm Height	1.5m (5ft)	1.8m (6ft)	1.5m (5ft)	2m (6.6ft)	2m (6.6ft)	2m (6.6ft)	2m (6.6ft)

- d. The vegetated buffer:
- i. Shall be designed to provide a continuous screen within three years of its initial installation that is equally effective during all seasons;
 - ii. Shall be well maintained so that it provides adequate screening, and does not pose a threat to public safety or become unsightly over time;
 - iii. Shall consist of existing trees and vegetation, where possible; and
 - iv. May incorporate additional landscaping features and fencing, in addition to vegetation, where necessary, to provide appropriate screening.



5.1.2 Access to Commercial Development

Vehicular access to and from any building, parking lot, or loading area that is located in a commercial zone shall be by way of an arterial or collector street as designated on Map 4 – Street Classification of the Municipal Planning Strategy, or a collector or arterial street that is created and approved in accordance with the Subdivision By-law. Access shall be entirely through the commercial zone in which the building, parking lot or loading area is located.

5.1.3 Home Based Businesses

In the Restricted Commercial (C6) Zone, Neighbourhood Commercial (C7) Zone, and Special Commercial (C8) Zone, a home based business is permitted in any dwelling unit or a building accessory to a dwelling unit, provided that all of the requirements of Section 3.1.24 are met.

5.1.4 Site Plan Criteria for Development in Commercial Zones

The following site plan criteria apply to all new development that is permitted through the site plan approval process in any commercial zone. No development permit shall be issued for development that is inconsistent with these criteria, in addition to applicable zone standards and all other requirements of this By-law:

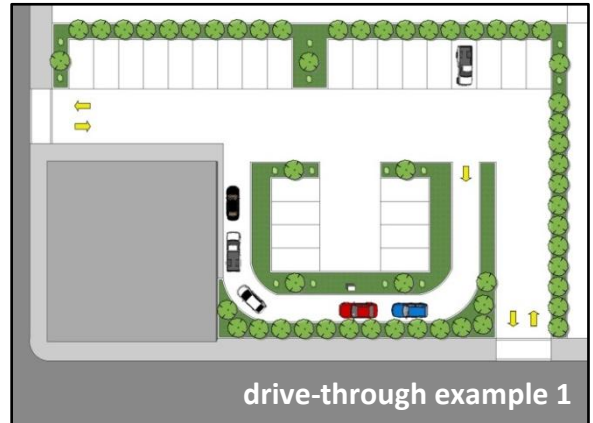
- a. The location of new structures on the lot shall minimize negative impacts on the surrounding neighbourhood, including noise, dust, fumes, lighting, shadows, or other nuisance or inconvenience to neighbouring properties;
- b. The location of off-street parking and loading facilities shall minimize negative impacts on the surrounding neighbourhood, including traffic, noise, dust, fumes, lighting, or other nuisance or inconvenience to neighbouring properties;
- c. The location, number and width of driveways are designed to prevent traffic, noise, dust, fumes, congestion, or other nuisance and inconvenience in the area and minimize negative impacts on the surrounding neighbourhood;
- d. The type, location, and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements which is necessary to protect and minimize negative land use impact on neighbouring properties;
- e. Existing vegetation shall be retained where the vegetation is healthy and helps to minimize negative impacts on the surrounding neighbourhood;
- f. The location of pedestrian walkways, and/or related infrastructure, shall be provided to link public sidewalks and parking areas to entrances of all primary buildings;
- g. The type and location of outdoor lighting is designed to light the structure, driveways and pedestrian infrastructure, but shall not be directed onto neighbouring properties;
- h. The location of facilities for the storage of solid waste provides for maximum separation from residential development and public areas;
- i. The location of all existing easements shall be identified;
- j. The grading or alteration in elevation or contour of the land shall minimize undue erosion and/or sedimentation, and other negative impacts on neighbouring properties;
- k. The management of storm and surface water is addressed, and associated plans are approved by the Town Engineer, in accordance with the Town's standards for stormwater management;
- l. The type, location number and size of signs or sign structures do not negatively alter the appearance of the streetscape or neighbourhood;
- m. All signage shall be designed and constructed according to the signage requirements listed in Section 3.3;
- n. If the development is located in the Historic Downtown Commercial (C1) Zone it shall adhere to the urban design guidelines listed in Section 5.2.7; and
- o. If the development includes a drive-through facility, it shall be designed and constructed according to Section 5.1.5.

5.1.5 Drive-through Facility Design Requirements

When a drive-through facility is permitted in a commercial zone through the site plan approval process, the development proposal shall adhere to the following design requirements, in addition to all other requirements of this By-law before a development permit is issued by the Development Officer:

a. Layout & Design:

- i. Main structures associated with drive-through facilities shall be located near, and oriented towards a public street;
- ii. Vehicle access points leading onto a lot containing a drive-through facility shall be located as far from an intersection(s) as possible to minimize disruption of street traffic;
- iii. Stacking lanes shall be located in rear and side yards only;
- iv. Sufficient space shall be provided in stacking lanes to avoid spill over onto public streets. Restaurant uses shall require a minimum of five spaces in a stacking lane, while all other uses require a minimum of three spaces in a stacking lane;
- v. Each space within a stacking lane shall have a minimum dimension of 6.5m (21ft) in length and 3m (10ft) in width. Widths shall increase where turns are present in a stacking lane; and
- vi. When a drive-through facility abuts a residential zone, the intercom shall be located as far away as possible from the abutting property line.

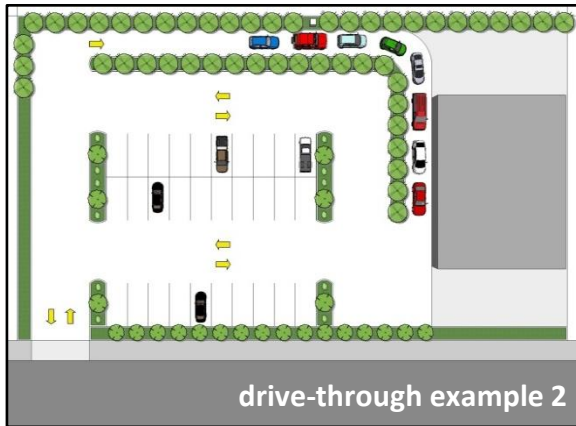


b. Circulation:

- i. Drive-through stacking lanes, and all associated entrances and exits to said stacking lanes, shall be separated from parking areas, points of access, and the street using landscaped strips and islands / bump-outs (see Section 3.2.5.c), additional landscaping treatments, decorative pavement, and painted lines;
- ii. There shall be a clear and distinct separation of vehicular and pedestrian traffic to minimize potential conflicts:
 - a. Pedestrian walkways shall be provided to allow safe access to the building entrance(s) from both the parking lot and the street/sidewalk; and
 - b. Landscaping, paving patterns, raised walkways, and other design treatments shall be used to differentiate pedestrian walkways to and from the building from driving surfaces;
- iii. Visible directional signage shall be provided at entrances and exits to stacking lanes; and
- iv. Signage shall not obstruct pedestrian routes.

c. Landscaping

- i. The developer shall maximize opportunities for on-site landscaping both along the perimeter of, and within the site;
- ii. Permeable pavement and vegetation shall be used, where possible, to minimize surface runoff and the heat island effect caused by paved areas;
- iii. The view of drive-through lanes, menus, intercoms, and other associated infrastructure shall be minimized from a public right-of-way and abutting properties by a vegetated buffer(s) that is a minimum of 1.5m (5ft) wide and designed in accordance with Section 5.1.1.d. A vegetated buffer(s) shall be established in the following possible locations, to the satisfaction of the Development Officer:
 - a. Along the edge of the abutting side and rear yards;
 - b. Along the edge of lease hold boundary lines;
 - c. Along the perimeter of the drive-through; and/or
 - d. Along the edge of a public right-of-way when the drive-through is viewable from a public street or sidewalk.
- iv. When a drive-through abuts a residential zone, the Institutional (I1) Zone, Conservation (CON) Zone, Park (P) Zone, or the Recreation (R) Zone, the commercial lot shall contain a vegetated buffer and an opaque fence/berm, in accordance with Section 5.1.1.



5.2 Historic Downtown Commercial (C1) Zone

5.2.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments, up to a maximum of 185m² (1,991ft²) in gross floor area, shall be permitted as-of-right in the Historic Downtown Commercial (C1) Zone subject to the requirements of this By-law:

- Bakeries
- Clubs
- Community Centre
- Convenience Stores
- Courthouses
- Cultural Facilities
- Daycares & Nursery Schools
- Dressmaking & Tailoring
- Educational Uses
- Financial Institutions
- Food Bank, excluding King Street
- Gyms & Fitness Centres
- Hostels
- Hotels
- Household Repair Services
- Libraries
- Marinas
- Motels
- Multi-Unit Residential Development, where the ground floor building frontage is occupied by a commercial use and more than 50% of the ground floor area is used for commercial purposes
- Offices
- Outdoor Markets
- Outdoor Theatres
- Parks
- Parking Lots, excluding King Street
- Parking Structures, excluding the east side of King Street, to a maximum building height of 10m (33ft), where the ground floor building frontage is occupied by a commercial use and more than 50% of the ground floor area is used for commercial purposes
- Places of Assembly
- Places of Entertainment
- Personal Service Shops
- Postal Services
- Restaurants, excluding drive-in, drive-through, and take-out establishments
- Retail Sales
- Single or Two Unit Dwellings, where the ground floor building frontage is occupied by a commercial use and more than 50% of the ground floor area is used for commercial purposes
- Two or Three Unit Dwellings, on all streets excluding King Street
- Wineries and Micro-Breweries

5.2.2 Permitted Developments with Conditions

The following developments shall be permitted as-of-right in the Historic Downtown Commercial (C1) Zone subject to the requirements of this By-law, including the special conditions listed below:

- Residential Conversions up to five units on all streets, excluding King Street, in accordance with Section 3.1.25

5.2.3 Developments by Site Plan

The following developments, between 186m² (2,002ft²) and 465m² (5,005ft²) in gross floor area, shall be permitted by site plan approval in the Historic Downtown Commercial (C1) Zone subject to the requirements of this By-law, including the site plan criteria outlined in Section 5.1.4:

- a. New developments listed in Section 5.2.1, except for two and three unit dwellings on all streets excluding King Street.

5.2.4 Developments by Development Agreement

The following developments shall be permitted by Development Agreement in the Historic Downtown Commercial (C1) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined in the Municipal Planning Strategy:

- a. New developments listed in Section 5.2.1, excluding multi-unit residential development and two or three unit dwellings on all streets excluding King Street, exceeding 465m² (5,005ft²) in gross floor area, in accordance with MPS Policy CDA-1;
- b. New multi-unit residential development exceeding 465m² (5,005ft²) in gross floor area, where the ground floor building frontage is occupied by a commercial use and more than 50% of the ground floor area is used for commercial purposes, in accordance with MPS Policy CDA-8;
- c. New multi-unit residential development exceeding three units fronting on all streets, excluding King Street, in accordance with MPS Policy CDA-6;
- d. New beverage rooms and lounges, or additions to existing ones and outdoor facilities associated with these developments, in accordance with MPS Policy CDA-2; and
- e. New single or two unit dwellings, exceeding 465m² (5,005ft²) in gross floor area, where the ground floor building frontage is occupied by a commercial use and more than 50% of the ground floor area is used for commercial purposes, in accordance with MPS Policy CDA-10.

5.2.5 Zoning Standards

The following requirements apply to all developments permitted as-of-right or by site plan approval in the Historic Downtown Commercial (C1) Zone:

C1	Historic Downtown Commercial Zone	
Minimum front yard	0m (0ft)	
Maximum front yard	Refer to Section 5.2.7.b	
Minimum rear yard	0m (0ft)	
Minimum side yard	0m (0ft)	
Minimum flankage yard	0m (0ft)	
Maximum flankage yard	Refer to Section 5.2.7.b	
Minimum building height	6.5m (21ft)	
Maximum building height; excluding parking structures	10m (33ft), except on corner lots which may be 17m (56ft)	
Maximum building height; parking structures	10m (33ft)	
Minimum lot area	93m ² (1,001ft ²)	
Minimum lot frontage	6m (20ft) or a right-of-way in accordance with Section 3.1.10	

5.2.6 Special Requirements

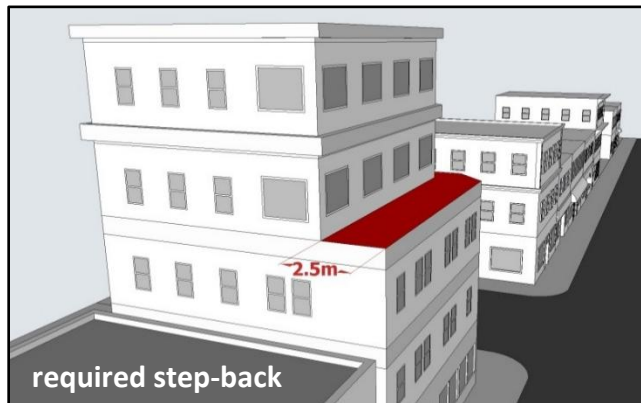
- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36;
- b. With the exception of yard sales, outdoor display and open storage of used goods are prohibited in any front yard, flankage yard, or side yard;
- c. All new development abutting King Street in the Historic Downtown Commercial (C1) Zone shall adhere to the urban design requirements listed in Section 5.2.7;
- d. All properties abutting King Street in the Historic Downtown Commercial (C1) Zone are within the King Street Architectural Control Area, as identified on Map 8 – Architectural Control Area of the Municipal Planning Strategy. In this Area, all additions and alterations to a main building built prior to 1920 shall be subject to the architectural control requirements outlined in Section 6.3;
- e. Development within the LaHave River Development Agreement Area, excluding parks, change of use and associated signage, additions less than 50m² (538ft²), and accessory buildings and structures less than 50m² (538ft²), shall only be permitted by development agreement, in accordance with MPS Policy LRDA-1.
- f. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37.

5.2.7 Urban Design Requirements

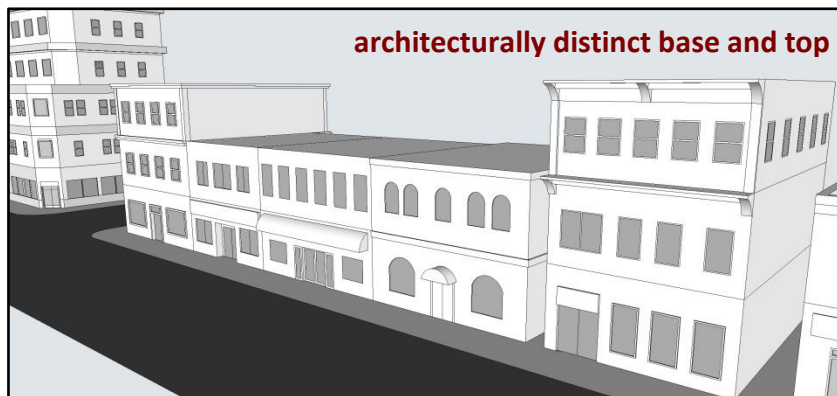
All new development abutting King Street in the Historic Downtown Commercial (C1) Zone shall adhere to the following urban design requirements before a development permit is issued:

a. Building Height:

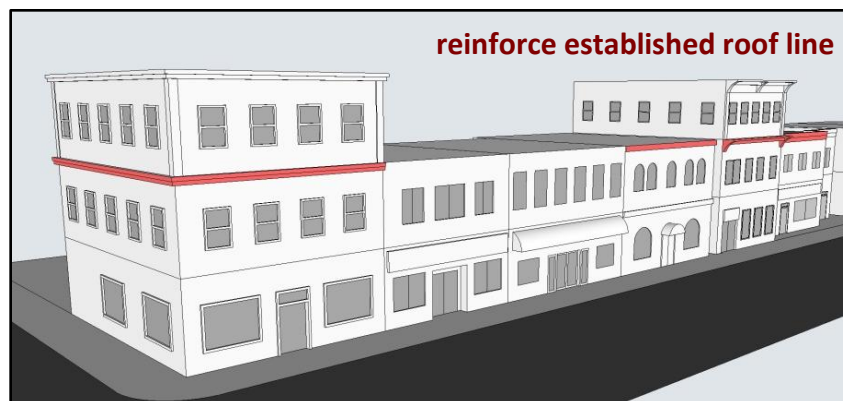
- i. Buildings shall be a minimum of two storeys (6.5m / 21 feet) in height;
- ii. Buildings that are five storeys in height shall “step-back” a minimum of 2.5m (8ft) from the front façade at the base of the fourth storey to minimize the building’s presence on the streetscape;



- iii. Buildings exceeding two storeys in height shall have an architecturally distinct base of one to two storeys and a distinct top;

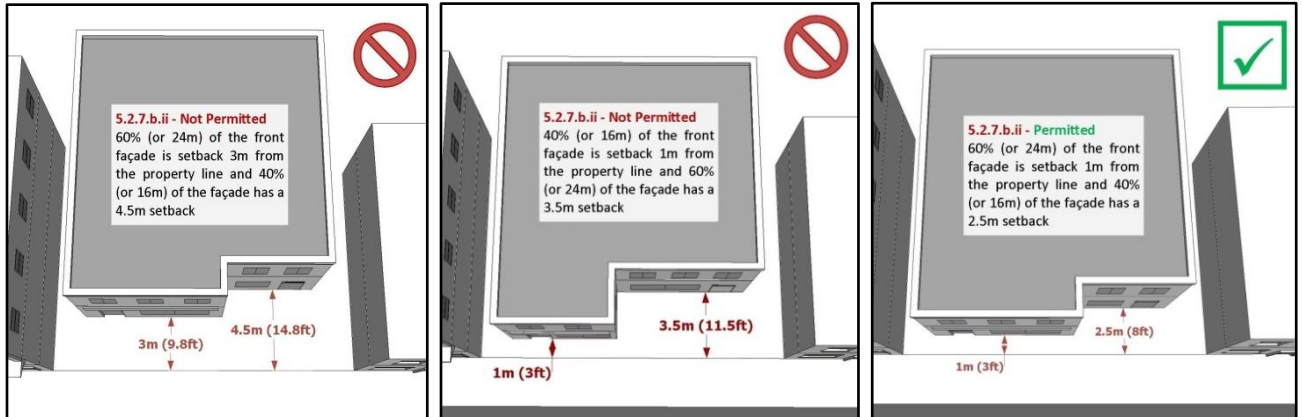


- iv. When a new building exceeds the height of adjacent properties, cornice and other architectural detailing shall be incorporated into the new building’s design to reinforce the historic downtown’s established roof line.

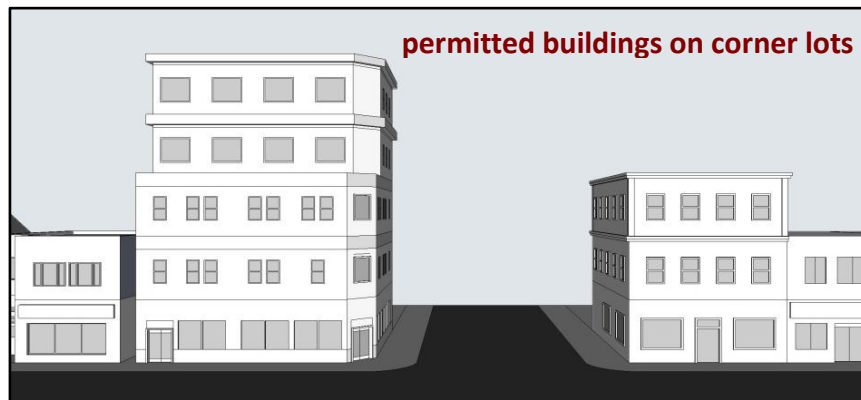


b. Building Setbacks:

- i. Developers shall be strongly encouraged to utilize 0m setbacks in all new development, and to occupy a significant amount of the property’s available frontage to create a consistent “street wall”;
- ii. Buildings may be set back a maximum of 1m (3ft) from the front and flankage lot lines for at least 60% of the length of the façade. No part of the ground floor façade shall be set back more than 2.5m (8ft) from the front and flankage lot line;



- iii. On a corner lot, a building shall be constructed on the front and flankage lot line for a minimum distance of 6m (20ft) from the corner to create a strong presence on the street, except where entrances are established on the corner of a building.

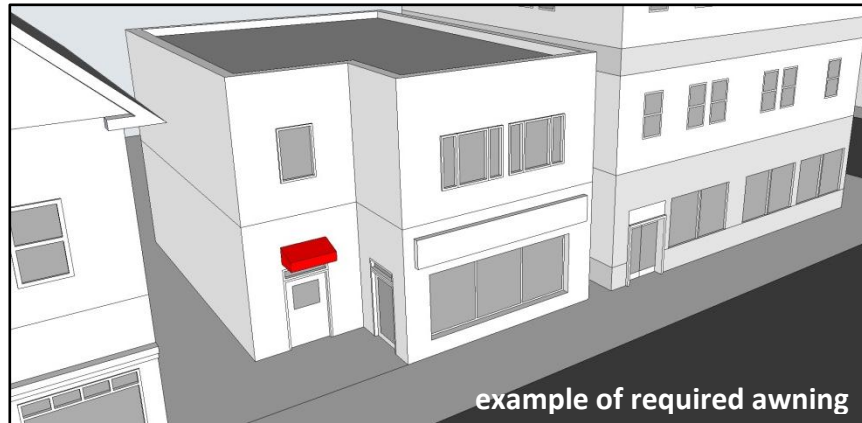


- iv. The Development Officer may relax the requirements of Section 5.2.7(b)(ii) and 5.2.7(b)(iii) only where the applicant has demonstrated that significant and unique site constraints exist, preventing compliance with the setback requirements.

c. Building Orientation & Entryways:

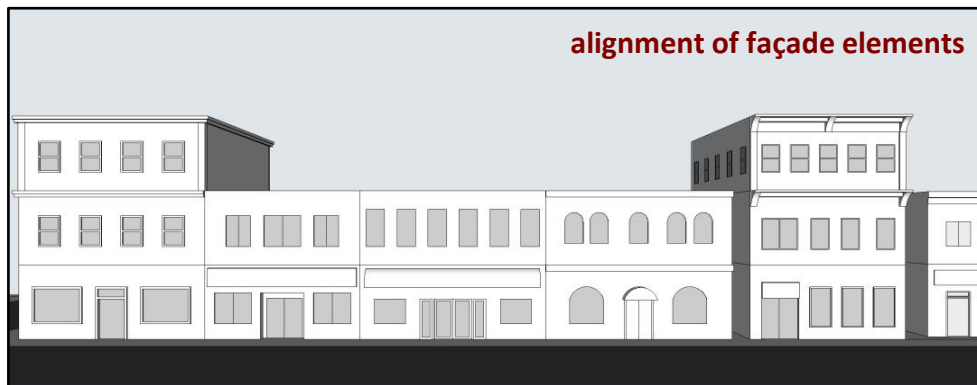
- i. All buildings shall be aligned parallel to the street(s);
- ii. All buildings and primary entrances shall be oriented towards a public street, and be directly connected to a sidewalk, open space, or entryway plaza. Secondary entrances may also be oriented towards a public street;
- iii. When a building is situated on a King Street corner lot, its primary entrance shall front onto King Street, or the corner of the lot / intersection; and

- iv. Awnings, overhangs, or protected shelters are required over all public entrances into multi-unit residential development, and are encouraged in all new developments along a public sidewalk.



d. Building Façades & Windows:

- i. Public façades without windows and doors are prohibited. Windows and doors shall occupy no less than 40% of a building's ground floor public façade(s). Windows and doors shall occupy no less than 25% of a building's public façade(s) above the first storey;
- ii. Individual windows shall generally be larger on the ground floor than upper storeys. Clear glass windows (a minimum of 88% light transmission) are strongly recommended on the ground floor;
- iii. Façade elements, such as windows, doors, canopies, dormers, trim, etc., shall be aligned and positioned in an organized manner to create a visually pleasing public façade;



- iv. The style, width-to-height ratio, and placement of windows shall be consistent on a single public façade. Additionally, all new windows on King Street shall reinforce the existing window patterns exhibited by neighbouring buildings to create a consistent street wall;
- v. Projecting balconies are prohibited on all public façades;
- vi. Vehicle entrances to garages, parking structures, or car ports shall not:
 - i. Front directly onto King Street; and
 - ii. Project beyond the building's public façade(s); and
- vii. Buildings on a corner lot shall incorporate design elements and forms that emphasize the importance of the corner on a streetscape.

5.3 LaHave Commercial (C2) Zone

5.3.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments, up to a maximum of 1,400m² (15,069ft²) in gross floor area, shall be permitted as-of-right in the LaHave Commercial (C2) Zone subject to the requirements of this By-law:

- Bakeries
- Bus Terminals
- Clinics
- Clubs & Fraternal Organizations
- Community Centres
- Cultural Facilities
- Daycares & Nursery Schools
- Dressmaking & Tailoring
- Educational Uses
- Emergency Services
- Financial Institutions
- Food Bank
- Gas Stations
- Gyms & Fitness Centres
- Hotels
- Household Repair Services
- Laundromats & Dry Cleaners
- Libraries
- Marinas
- Motels
- Multi-Unit Residential Development, up to a maximum of 75 units per hectare (30 units per acre) where the ground floor building frontage is occupied by a commercial use and more than 50% of the ground floor area is used for commercial purposes
- Offices
- Outdoor Markets
- Parking Lots & Structures, excluding the west side of LaHave Street
- Parks
- Personal Service Shops
- Places of Assembly
- Places of Entertainment
- Postal Services
- Printing Establishments
- Restaurants, excluding drive-in, drive-through, and take-out establishments
- Retail Sales
- Visitor Information Centres
- Wineries and Micro-Breweries

5.3.2 Developments by Site Plan

The following developments shall be permitted by site plan approval in the LaHave Commercial (C2) Zone subject to the requirements of this By-law, including the site plan criteria outlined in Section 5.1.4:

- a. All developments listed in Section 5.3.1 that are between 1,401m² (15,080ft²) and 4645m² (49,998ft²) in gross floor area; and
- b. Drive-through facilities, in accordance with Section 5.1.5.

5.3.3 Developments by Development Agreement

The following developments shall be permitted by Development Agreement in the LaHave Commercial (C2) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined in the Municipal Planning Strategy:

- a. New developments listed in Section 5.3.1, excluding multi-unit residential development, exceeding 4,645m² (49,998ft²) in gross floor area, in accordance with MPS Policy CDA-1;
- b. New multi-unit residential development exceeding 4,645m² (49,998ft²) in gross floor area, up to a maximum of 75 units per hectare (30 units per acre) where the ground floor building frontage is occupied by a commercial use and more than 50% of the ground floor area is used for commercial purposes, in accordance with MPS Policy CDA-7; and
- c. New beverage rooms and lounges, or additions to existing ones and outdoor facilities associated with these developments, in accordance with MPS Policy CDA-2.

5.3.4 Zoning Standards

The following requirements apply developments permitted as-of-right or by site plan approval in the LaHave Commercial (C2) Zone:

C2	LaHave Commercial Zone
Minimum front yard	0m (0ft)
Minimum rear yard	4m (13ft)
Minimum side yard	1.5m (5ft)
Minimum flankage yard	1.5m (5ft)
Maximum building height	14m (46ft)
Minimum lot area	650m ² (6,997ft ²)
Minimum lot frontage	6m (20ft)

5.3.5 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit

application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36;

- b. With the exception of yard sales, outdoor display and open storage of used goods are prohibited in any front yard, flankage yard, or side yard;
- c. All new development in the LaHave Commercial (C2) Zone shall adhere to the urban design requirements listed in Section 5.3.6;
- d. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37.
- e. Development within the LaHave River Development Agreement Area, excluding parks, change of use and associated signage, additions less than 50m² (538ft²), and accessory buildings and structures less than 50m² (538ft²), shall only be permitted by development agreement, in accordance with MPS Policy LRDA-1; and
- f. Multi-unit residential development that is permitted through by development agreement in Section 5.3.3.b may exceed the maximum permitted density by 20% where 100% of those additional units meet the Town's definition of affordable housing.

5.3.6 Urban Design Requirements

All new development abutting LaHave Street in the LaHave Commercial (C2) Zone shall adhere to the following urban design requirements before a development permit is issued:

a. Building Orientation & Entryways:

- i. Developers shall be strongly encouraged to utilize 0m setbacks in all new development;
- ii. All buildings shall be oriented towards a public street; and
- iii. At least one entrance shall be orientated towards a public street.

b. Building Façades & Windows:

- i. At least one sign shall be orientated towards all abutting public streets to enhance the public façade;
- ii. Public façades without windows and doors are prohibited. Windows and doors shall occupy no less than 25% of a building's ground floor public façade(s). Windows and doors shall occupy no less than 15% of a building's public façade(s) above the first storey;
- iii. Façade elements, such as windows, doors, canopies, dormers, trim, signage, etc., shall be aligned and positioned in an organized manner to create a visually pleasing public façade; and
- iv. Buildings on a corner lot shall incorporate design elements and forms that emphasize the importance of the corner on a streetscape.

5.4 Urban Commercial (C3) Zone

5.4.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments, up to a maximum of 930m² (10,010ft²) in gross floor area, shall be permitted as-of-right in the Urban Commercial (C3) Zone subject to the requirements of this By-law:

- Clinics
- Clubs & Fraternal Organizations
- Community Centres
- Cultural Facilities
- Daycares & Nursery Schools
- Dressmaking & Tailoring
- Educational Uses
- Emergency Services
- Financial Institutions
- Food Banks
- Funeral Homes
- Gas Stations
- Gyms & Fitness Centres
- Hostels
- Hotels
- Household Repair Services
- Laundromats & Dry Cleaners
- Marinas
- Marine Terminals
- Motels
- Offices
- Parking Lots & Structures
- Places of Entertainment
- Personal Service Shops
- Printing Establishments
- Restaurants, excluding drive-in, drive-through, and take-out establishments
- Retail Sales
- Visitor Information Centres
- Wineries and Micro-Breweries

5.4.2 Permitted Uses with Conditions

The following developments shall be permitted as-of-right in the Urban Commercial (C3) Zone subject to the requirements of this Bylaw, including the special conditions listed below:

- a. Residential Conversions, up to two units in accordance with section 3.1.25

5.4.3 Developments by Site Plan

The following developments shall be permitted by site plan approval in the Urban Commercial (C3) Zone subject to the requirements of this By-law, including the site plan criteria outlined in Section 5.1.4:

- a. All permitted uses listed in Section 5.4.1 between 931m² (10,021ft²) and 3,250m² (34,983ft²) in gross floor area;
- b. Multi-unit residential development between 697m² (7,502ft²) and 3,250m² (34,983ft²) in gross floor area, up to a maximum of 75 units per hectare (30 units per acre) where more than 30% of the ground floor is used for commercial purposes, in accordance with the criteria outlined in the Land Use By-law; and
- c. Drive-through facilities, in accordance with Section 5.1.5.
- d. Nursing homes, up to 3,250m² (34,983ft²) in gross floor area;
- e. Residential care facilities, homes for special care, and group homes, up to 3,250m² (34,983ft²) in gross floor area;
- f. Rehabilitation and treatment centres, up to 3,250m² (34,983ft²) in gross floor area;
- g. Emergency shelters, up to 3,250m² (34,983ft²) in gross floor area; and
- h. Community living arrangements for persons with legal, emotional or mental problems, up to 3,250m² (34,983ft²) in gross floor area.

5.4.4 Developments by Development Agreement

The following developments shall be permitted by Development Agreement in the Urban Commercial (C3) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined in the Municipal Planning Strategy:

- a. New development listed in Section 5.4.1, excluding multi-unit residential development, exceeding 3,250m² (34,983ft²) in gross floor area, in accordance with MPS Policy CDA-1;
- b. Multi-unit residential development up to a maximum of 75 units per hectare (30 units per acre), in accordance with MPS Policy CDA-8; and
- c. New beverage rooms and lounges, or additions to existing ones and outdoor facilities associated with these developments, in accordance with MPS Policy CDA-2.
- d. Nursing homes, exceeding 3,250m² (34,983ft²) in gross floor area;
- e. Residential care facilities, homes for special care, and group homes, exceeding 3,250m² (34,983ft²) in gross floor area;
- f. Rehabilitation and treatment centres, exceeding 3,250m² (34,983ft²) in gross floor area;
- g. Emergency shelters, exceeding 3,250m² (34,983ft²) in gross floor area; and
- h. Community living arrangements for persons with legal, emotional or mental problems, exceeding 3,250m² (34,983ft²) in gross floor area.

5.4.5 Zoning Standards

The following requirements apply to all developments permitted as-of-right or by site plan approval in the Urban Commercial (C3) Zone:

C3	Urban Commercial Zone	
Minimum front yard		3m (10ft)
Minimum rear yard		4m (13ft)
Minimum side yard		3m (10ft)
Minimum flankage yard		3m (10ft)
Maximum building height		10m (33ft)
Minimum lot area		650m ² (6,997ft ²)
Minimum lot frontage		12m (39ft)

5.4.6 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36;
- b. Development within the LaHave River Development Agreement Area, excluding parks, change of use and associated signage, additions less than 50m² (538ft²), and accessory buildings and structures less than 50m² (538ft²), shall only be permitted by development agreement, in accordance with MPS Policy LRDA-1; and
- c. Multi-unit residential development that is permitted by development agreement in Section 5.4.4.b may exceed the maximum permitted density by 20% where 100% of those additional units meet the Town’s definition of affordable housing.
- d. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37.

5.5 Group Commercial (C4) Zone

5.5.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments, up to a maximum of 1,400m² (15,069ft²) in gross floor area, shall be permitted as-of-right in the Group Commercial (C4) Zone subject to the requirements of this By-law:

- Automobile Repair Services
- Automobile Sales & Rental
- Bus Terminals
- Car Wash Facilities
- Clinics
- Clubs & Fraternal Organizations
- Community Centres
- Cultural Facilities
- Dog Grooming
- Dressmaking and Tailoring
- Educational Use
- Emergency Services
- Food Banks
- Funeral Homes
- Gas Stations
- Gyms & Fitness Centres
- Hotels
- Household Repair Services
- Laundromats & Dry Cleaners
- Motels
- Offices
- Parking Lots & Structures
- Personal Service Shops
- Places of Assembly
- Places of Entertainment
- Postal Services
- Printing Establishments
- Restaurants
- Research Facilities
- Retail Sales
- Studios
- Visitor Information Centres
- Wineries and Micro-Breweries

5.5.2 Developments by Site Plan

The following developments shall be permitted by site plan approval in the Group Commercial (C4) Zone subject to the requirements of this By-law, including the site plan criteria outlined in Section 5.1.4:

- a. All developments listed in Section 5.5.1 that are between 1,401m² (15,080ft²) and 5500m² (60,008ft²) in gross floor area;
- b. Multi-unit Residential Development between 1,401m² (15,080ft²) and 5500m² (60,008ft²) in gross floor area, up to a maximum of 50 per hectare (20 units per acre), where the ground floor building frontage is occupied by a commercial use and more than 30% of the ground floor area is used for commercial purposes; and
- c. Drive-through facilities, in accordance with Section 5.1.5.
- d. Self-storage facilities at PID 60031697;
- e. Nursing homes, up to 5500m² (60,008ft²) in gross floor area;
- f. Residential care facilities, homes for special care, and group homes, up to 5500m² (60,008ft²) in gross floor area;
- g. Rehabilitation and treatment centres, up to 5500m² (60,008ft²) in gross floor area;
- h. Emergency shelters, up to 5500m² (60,008ft²) in gross floor area; and
- i. Community living arrangements for persons with legal, emotional or mental problems, up to 5500m² (60,008ft²) in gross floor area.

5.5.3 Developments by Development Agreement

The following developments shall be permitted by Development Agreement in the Group Commercial (C4) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined in the Municipal Planning Strategy:

- a. All uses listed in Section 5.5.1 exceeding 5500m² (60,008ft²) in gross floor area, in accordance with MPS Policy CDA-1;
- b. Multi-unit residential development, up to a maximum of 50 units per hectare (20 units per acre), in accordance with MPS Policy CDA-8;
- c. New Beverage Rooms and Lounges, or additions to existing ones and outdoor facilities associated with these developments, in accordance with MPS Policy CDA-2;
- d. Nursing homes, exceeding 5500m² (60,008ft²) in gross floor area;
- e. Residential care facilities, homes for special care, and group homes, exceeding 5500m² (60,008ft²) in gross floor area;
- f. Rehabilitation and treatment centres, exceeding 5500m² (60,008ft²) in gross floor area;
- g. Emergency shelters, exceeding 5500m² (60,008ft²) in gross floor area; and
- h. Community living arrangements for persons with legal, emotional or mental problems, exceeding 5500m² (60,008ft²) in gross floor area.

5.5.4 Zoning Standards

The following requirements apply to all developments permitted as-of-right or by site plan approval in the Group Commercial (C4) Zone:

C4	Group Commercial Zone
Minimum front yard	3m (10ft)
Minimum rear yard	4m (13ft)
Minimum side yard	3m (10ft)
Minimum flankage yard	3m (10ft)
Maximum building height	14m (46ft)
Minimum lot area	650m ² (6,997ft ²)
Minimum lot frontage	12m (39ft) or a right-of-way in accordance with Section 3.1.10

5.5.5 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36; and
- b. Multi-unit residential development that is permitted by development agreement in Section 5.5.3 may exceed the maximum permitted density by 20% where 100% of those additional units meet the Town’s definition of affordable housing.
- c. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37.

5.6 General Commercial (C5) Zone

5.6.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments, up to a maximum of 4,645m² (49,998ft²) in gross floor area, shall be permitted as-of-right in the General Commercial (C5) Zone subject to the requirements of this By-law:

- Animal Hospitals & Veterinaries
- Automobile Repair Services
- Automobile Sales & Rental
- Building Supplies Stores
- Bus Terminals
- Car Wash Facilities
- Clinics
- Clubs & Fraternal Organizations
- Community Centres
- Distribution Centres
- Dog Grooming
- Dressmaking and Tailoring
- Drive-through Facilities
- Educational Uses
- Emergency Services
- Equipment Sales & Rental
- Funeral Homes
- Garden & Nursery Sales
- Garages
- Gas Stations
- Hotels
- Household Repair Services
- Laundromats & Dry Cleaners
- Manufactured Home Sales & Repair
- Motels
- Offices
- Parking Lots & Structures
- Personal Service Shops
- Places of Assembly
- Places of Entertainment
- Printing Establishments
- Restaurants
- Recycling Depots
- Research Facilities
- Retail Sales
- Self-Storage Facilities
- Studios
- Taxi Operations

- Telecommunication Towers
- Visitor Information Centres
- Warehouses, Depots & Storage Facilities
- Wholesale Establishments
- Wineries and Micro-Breweries

5.6.2 Developments by Development Agreement

The following developments shall be permitted by Development Agreement in the General Commercial (C5) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined in the Municipal Planning Strategy:

- a. All developments listed in LUB 5.6.1 exceeding 4,645m² (49,998ft²) in gross floor area, in accordance with MPS Policy CDA-1.

5.6.3 Zoning Standards

The following requirements apply to all developments permitted as-of-right or by site plan approval in the General Commercial (C5) Zone:

C5	General Commercial Zone	
Minimum front yard		3m (10ft)
Minimum rear yard		5m (16ft)
Minimum side yard		4m (13ft)
Minimum flankage yard		4m (13ft)
Maximum building height		14m (46ft)
Minimum lot area		650m ² (6,997ft ²)
Minimum lot frontage		12m (39ft)

5.6.4 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36; and
- b. Development within the LaHave River Development Agreement Area, excluding parks, change of use and associated signage, additions less than 50m² (538ft²), and accessory buildings and structures less than 50m² (538ft²), shall only be permitted by development agreement, in accordance with MPS Policy LRDA-1.
- c. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor

area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37.

5.7 Restricted Commercial (C6) Zone

5.7.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments shall be permitted as-of-right in the Restricted Commercial (C6) Zone subject to the requirements of this By-law:

- a. Single Unit Dwellings
- b. Two Unit Dwellings
- c. Three Unit Dwellings

5.7.2 Permitted Developments with Conditions

The following developments shall be permitted as-of-right in the Restricted Commercial (C6) Zone subject to the requirements of this By-law, including the special conditions listed below:

- a. Home Based Businesses in accordance with Section 3.1.24
- b. Residential conversions, up to four units, in accordance with Section 3.1.25

5.7.3 Developments by Site Plan

- a. Additions to all buildings exceeding 15% of the existing gross floor area; and
- b. The following developments are permitted by site plan approval in the Restricted Commercial (C6) Zone in buildings that were constructed prior to August 27, 1975, subject to the requirements of this By-law and the site plan criteria outlined in Section 5.1.4:
 - Bed & Breakfasts
 - Catering Establishments
 - Clinics
 - Clubs & Fraternal Organizations
 - Craft Workshops
 - Daycares & Nursery Schools
 - Emergency Services
 - Funeral Homes
 - Galleries
 - Inns
 - Offices
 - Personal Service Shops
 - Restaurants, that have frontage and access only on Dufferin Street, excluding drive-in, drive-through, and take-out restaurants
 - Retail Sales, up to a maximum of 140m² (1,507ft²)
 - Studios

5.7.4 Developments by Development Agreement

The following developments shall be permitted by Development Agreement in the Restricted Commercial (C6) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined in the Municipal Planning Strategy:

- a. All developments listed in Section 5.7.3.b that are located in buildings which were constructed after August 27, 1975, in accordance with MPS Policy CDA-4;
- b. Multi-unit residential dwellings up to a maximum of 75 units per hectare (30 units per acre), in accordance with MPS Policy CDA-4 and CDA-9; and
- c. Collective residential development up to a maximum of 75 units per hectare (30 units per acre) in accordance with MPS Policy CDA-4 and CDA-9.

5.7.5 Zoning Standards

The following requirements apply to all developments permitted as-of-right or by site plan approval in the Restricted Commercial (C6) Zone:

C6	Restricted Commercial Zone
Minimum front yard	9m (30ft)
Minimum rear yard	9m (30ft)
Minimum side yard	4m (13ft) or ½ the height of the building, whichever is greatest
Minimum flankage yard: single unit dwellings	4m (13ft)
Maximum building height	10m (33ft)
Minimum lot area: single unit dwellings, two unit dwellings, and developments permitted by site plan on a single lot	650m ² (6,997ft ²)
Minimum lot area: semi-detached dwellings (two units) on separate lots	325m ² (3,498ft ²) / unit
Minimum lot area: townhouses (3 units) on separate lots	243m ² (2,626ft ²) / unit
Minimum lot area: multi-unit development (3 units) on the same lot	650m ² (6,997ft ²)
Minimum lot frontage: single unit dwellings, two unit dwellings, and developments permitted by site plan on a single lot	20m (66ft)
Minimum lot frontage: semi-detached dwellings (two units) on separate lots	10m (33ft) / unit
Minimum lot frontage: townhouses (3 units) on separate lots	7.5m (25ft) / unit
Minimum lot frontage: multi-unit development (3 units) on the same lot	20m (66ft)

5.7.6 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36;
- b. With the exception of yard sales, outdoor display and open storage of used goods are prohibited in any front yard, flankage yard, or side yard; and
- c. All properties zoned as Restricted Commercial (C6) are within the Residential Architectural Control Area, as identified on Map 8 - Architectural Control Area of the Municipal Planning Strategy, and shall be subject to the architectural control requirements outlined in Section 6.2.
- d. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37.

5.8 Neighbourhood Commercial (C7) Zone

5.8.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments shall be permitted as-of-right in the Neighbourhood Commercial (C7) Zone subject to the requirements of this By-law:

- Single Unit Dwellings
- Two Unit Dwellings

5.8.2 Permitted Developments with Conditions

The following uses shall be permitted as-of-right in the Neighbourhood Commercial (C7) Zone subject to the requirements of this By-law, including the special conditions listed below:

- Home Based Businesses, in accordance with Section 3.1.24
- Residential Conversions up to three units, in accordance with Section 3.1.25

5.8.3 Developments by Site Plan Approval

The following developments shall be permitted by site plan approval in the Neighbourhood Commercial (C7) Zone subject to the requirements of this By-law, including the site plan criteria outlined in Section 5.1.4:

- a. Neighbourhood grocery & convenience stores up to a maximum of 200m² (2,153ft²) in gross floor area;
- b. The following developments:
 - i. Clinics
 - ii. Craft workshops
 - iii. Dog grooming
 - iv. Dressmaking and tailoring
 - v. Galleries
 - vi. Studios;
- c. Personal service shops up to a maximum of 200m² (2,153ft²) in gross floor area;
- d. Multi-unit residential development up to four units where a minimum of 70% of the gross ground floor area, to a maximum of 200m² (2,153ft²), is used for commercial purposes;
- e. Cafés to a maximum of 200m² (2,153ft²), excluding drive-in and drive-through, with no outdoor commercial space; and
- f. Retail to a maximum of 200m² (2,153ft²).

5.8.4 Developments by Development Agreement

The following developments shall be permitted by Development Agreement in the Neighbourhood Commercial (C7) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined in the Municipal Planning Strategy:

- a. Multi-unit residential development up to four units where a minimum of 70% of the gross ground floor area, up to a maximum of 350m² (3,767ft²) is used for commercial purposes in accordance with MPS Policy CDA-3.
- b. For the site formed by PID Nos. 60592342 and 60592359, multi-unit residential to a maximum of 16 dwelling units, and neighbourhood commercial development to a maximum of 1,400m² (15,069ft²), in accordance with Policies C-53A and CDA-3.

5.8.5 Zoning Standards

The following requirements apply to all developments permitted as-of-right or by site plan approval in the Neighbourhood Commercial (C7) Zone:

C7	Neighbourhood Commercial Zone
Minimum front yard	0m (0ft)
Minimum rear yard	4m (13ft)
Minimum side yard	1.5m (5ft)
Minimum flankage yard	0m (0ft)
Maximum building height	10m (33ft)
Minimum lot area	650m ² (6,997ft ²)
Minimum lot frontage	20m (66ft)

5.8.6 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36.
- b. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37.

5.9 Special Commercial (C8) Zone

5.9.1 Permitted Developments

- a. In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.
- b. The following developments shall be permitted as-of-right in the Special Commercial (C8) Zone subject to the requirements of this By-law:
 - Single Unit Dwellings
 - Two Unit Dwellings
- c. The following developments shall be permitted in existing buildings and on sites so used prior to the effective date of this By-law; however, these development shall not be expanded or enlarged as-of-right:

Table T: Permitted Commercial Uses in C8 Zone		
Name	Address	Use
A. Collicut	90 Pearl Street	Used Automobile Sales
Food Inspection Agency	1675 King Street	Office
Gerald Hebb’s Tow & Salvage Yard	359 St. Phillips Street	Towing & Salvage Yard
Rahman’s Blacksmith Shop	58 Elm Street	Blacksmith Shop
Riverview Automotive	31 Riverview Drive	Automobile Repair
Mader’s Refrigeration	76 Dominion Street	Household Repair Service

5.9.2 Permitted Uses with Conditions

The following uses shall be permitted as-of-right in the Special Commercial (C8) Zone subject to the requirements of this By-law, including the special conditions listed below:

- Home Based Businesses, in accordance with Section 3.1.24
- Residential Conversions up to three units, in accordance with Section 3.1.25

5.9.3 Uses by Development Agreement

The following developments shall be permitted by Development Agreement in the Special Commercial (C8) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined in the Municipal Planning Strategy:

- a. Expansion of an existing building or use, or the replacement of a building listed in Section 5.9.1.b, in accordance with MPS Policy CDA-5;
- b. Multi-unit residential development up to a maximum of 10 units per hectare (4 units per acre), in accordance with MPS Policy IM-6;
- c. Single and two-unit dwellings as a collective residential development up to a maximum of 10 units per hectare (4 units per acre), in accordance with MPS Policy IM-6; and

- d. Inns in buildings constructed before August 27, 1975, in accordance with MPS Policy IM-6.
- e. Change of use to any of the following uses, or the addition of any of the following uses, in the existing buildings at the date of this by-law, in accordance with Policy IM-6.
 - i. Craft Workshops
 - ii. Dog Grooming
 - iii. Dressmaking & Tailoring
 - iv. Galleries
 - v. Household Repair Services
 - vi. Offices
 - vii. Personal Service Shops
 - viii. Retail Sales up to 93m² (1,000ft²) on corner lots of arterial or collector streets, with the immediate residential area in which the use is located as the primary service area for the use
 - ix. Studios

5.9.4 Zoning Standards

The following requirements apply to all developments permitted as-of-right in the Special Commercial (C8) Zone:

C8 Special Commercial Zone	
Minimum front yard	4m (13ft)
Minimum rear yard	4m (13ft)
Minimum side yard	1.5m (5ft)
Minimum flankage yard	3m (10ft)
Maximum building height	10m (33ft)
Minimum lot area	650m ² (6,997ft ²)
Minimum lot frontage	20m (66ft)

5.9.5 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36.
- b. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37.

5.10 Highway Service Commercial (C9) Zone

5.10.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments, up to a maximum of 930m²(10,010ft²) in gross floor area, shall be permitted as-of-right in the Highway Display Commercial (C9) Zone subject to the requirements of this By-law:

- a) Additions to existing developments permitted through Section 5.10.2; and
- b) Structures that are accessory to existing developments permitted through Section 5.10.2;

5.10.2 Permitted Developments by Site Plan Approval

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments shall be permitted by site plan approval in the Highway Commercial (C9) Zone subject to the requirements of this By-law, including the site plan criteria outlined in Section 5.1.4:

- a) Drive-through facilities;
- b) Gas stations;
- c) Hotels;
- d) Motels;
- e) Places of Entertainment
- f) Restaurants
- g) Visitor Information Centre;

5.10.3 Zoning Standards

The following requirements apply to all developments permitted as-of-right or by site plan approval in the Highway Service Commercial (C9) Zone:

C9	Highway Service Commercial Zone
Minimum front yard	Nil
Minimum rear yard	4m (13ft)
Minimum side yard	3m (10ft)
Minimum flankage yard	3m (10ft)
Maximum building height	None
Minimum lot area	None
Minimum lot frontage	12m (39ft)

5.10.4 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36.
- b. All new development in the Highway Service Commercial (C9) Zone shall adhere to the urban design requirements listed in Section 5.10.4.

5.10.5 Urban Design Requirements

All new development abutting Enterprise Drive in the Highway Service Commercial (C9) Zone shall adhere to the following urban design requirements before a development permit is issued:

Building Orientation & Entryways

- a) The primary façade and at least one principal entrance shall be oriented toward Enterprise Drive;
- b) Where a site abuts or has direct sightlines from Highway 103, the building shall incorporate architectural features (e.g. signage, window glazing, articulation, material variation) on the highway-facing façade.
- c) The primary entrance shall be directly connected to a sidewalk, public walkway, land- or hard-scaped open space, where applicable;
- d) Buildings located on corner lots shall incorporate enhanced architectural treatment on both street-facing façades. This includes at least two of the following:
 - i. Wrap-around signage
 - ii. Window articulation or larger display windows on both façades
 - iii. An angled or recessed corner entrance
 - iv. Roofline or parapet features that highlight the corner

Building Facades & Windows

- a) At least one sign shall be orientated towards all abutting public streets to enhance the public façade(s);
- b) Public façades without windows and doors are prohibited. Windows and doors shall occupy no less than 25% of a building's ground floor public façade(s). Windows and doors shall occupy no less than 15% of a building's public façade(s) above the first storey;
 - i. Where a building's internal use or operational requirements make it impractical to meet minimum window or door transparency requirements, the Development Officer shall relax the requirements, provided that the façade includes at least two (2) of the following mitigation measures:
 - a. Material variation;
 - b. Vertical or horizontal articulation;
 - c. Decorative lighting or wall-mounted fixtures;
 - d. Integrated public art, murals, or wall treatments; or
 - e. Canopies, awnings, or other pedestrian scale elements;
- c) Façade elements, such as windows, doors, canopies, dormers, trim, signage, etc., shall be aligned and positioned in an organized manner to create a visually pleasing public façade;

- d) The orientation of key architectural features—such as entrances, windows, and display areas—shall address Enterprise Drive, Logan Road North, and Highway 103, where applicable.

5.11 Highway Display Commercial (C10) Zone

5.11.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments, up to a maximum of 930m² (10,010ft²) in gross floor area, shall be permitted as-of-right in the Highway Display Commercial (C10) Zone subject to the requirements of this By-law:

- a) Additions to existing developments permitted through Section 5.11.2; and
- b) Structures that are accessory to existing developments permitted through Section 5.11.2;

5.11.2 Permitted Developments by Site Plan Approval

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments shall be permitted by site plan approval in the Highway Display Commercial (C10) Zone subject to the requirements of this By-law, including the site plan criteria outlined in Section 5.1.4:

- a) Automobile Sales & Rental
- b) Building Supply Store
- c) Drive-through Facilities
- d) Place of Entertainment
- e) Equipment Sales & Rental
- f) Farm Equipment Sales and Rental
- g) Garden & Nursery Sales
- h) Home Improvement Centre
- i) Liquor and Cannabis Retail Sales
- j) Manufactured Home Sales & Repair
- k) Outdoor Recreation Retail
- l) Vehicle Sales & Rental
- m) Household Repair Services
- n) Emergency Services
- o) Contractor Offices

5.11.3 Zoning Standards

The following requirements apply to all developments permitted as-of-right or by site plan approval in the Highway Display Commercial (C10) Zone:

C10	Highway Display Commercial Zone
Minimum front yard	Nil
Minimum rear yard	4m (13ft)
Minimum side yard	3m (10ft)
Minimum flankage yard	3m (10ft)
Maximum building height	None
Minimum lot area	None
Minimum lot frontage	12m (39ft)

5.11.4 Special Requirements

- a) Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36.
- b) All new development in the Highway Display Commercial (C10) Zone shall adhere to the urban design requirements listed in Section 5.11.4.

5.11.5 Urban Design Requirements

All new development abutting Enterprise Drive in the Highway Display Commercial (C10) Zone shall adhere to the following urban design requirements before a development permit is issued:

Building Orientation and Entryways

- a) The primary façade and at least one principal entrance shall be oriented toward Enterprise Drive, where applicable;

Building Façades & Windows:

- a) At least one sign shall be orientated towards Enterprise Drive and Highway 103 to enhance the public façade(s), where applicable;
- b) Public façades without windows and doors are prohibited. Windows and doors shall occupy no less than 25% of a building’s ground floor public façade(s). Windows and doors shall occupy no less than 15% of a building’s public façade(s) above the first storey;
 - i. Where a building’s internal use or operational requirements make it impractical to meet minimum window or door transparency requirements, the Development Officer shall relax the requirements, provided that the façade includes at least one (1) of the following mitigation measures:
 - a) Material variation;
 - b) Vertical or horizontal articulation;
 - c) Decorative lighting or wall-mounted fixtures;

- d) Integrated public art, murals, or wall treatments; or
- e) Canopies, awnings, or other pedestrian scale elements;
- c) Façade elements, such as windows, doors, canopies, dormers, trim, signage, etc., shall be aligned and positioned in an organized manner to create a visually pleasing public façade; and
- d) Buildings on a corner lot shall incorporate design elements and forms that emphasize the importance of the corner on a streetscape.

SECTION 6: ARCHITECTURAL CONTROL

6.1 Architectural Control Areas

As outlined in Section 13 of the Municipal Planning Strategy, the Town of Bridgewater has established two architectural control areas which are illustrated in Map 8 –Architectural Control Areas of the Municipal Planning Strategy. Properties within these two architectural control areas are subject to architectural control requirements, in addition to all other requirements of this By-law.

A development permit shall be required before any development or building modification outlined in Section 6.2.1 and Section 6.3.1 is undertaken.



6.2 Residential Architectural Control Area

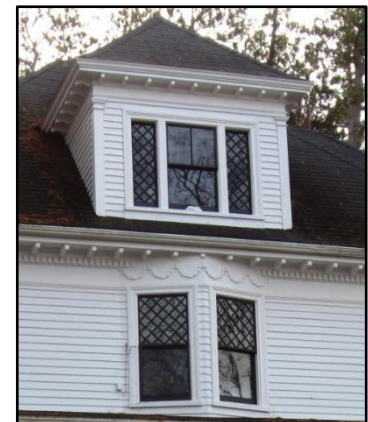
6.2.1 Application

- a. In the Residential Architectural Control Area, as illustrated on Map 8 - Architectural Control Areas of the Municipal Planning Strategy, the following developments shall adhere to the architectural control requirements listed in Section 6.2.2, regulating the appearance of public building façades:
 - i. Main buildings built prior to 1920, including any additions or alterations thereto;
 - ii. Main buildings built after August 12, 1997, including any additions or alterations thereto; and
 - iii. Accessory structures greater than 50m² (538ft²) in total area, built prior to 1920 or after August 12, 1997.
- b. All building façades, additions and alterations, and accessory structures that cannot be seen from a public right-of-way shall not be subject to the architectural control requirements listed in Section 6.2.2.

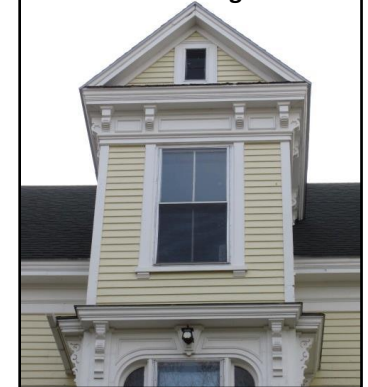
6.2.2 Residential Architectural Control Requirements

a. Main Buildings:

- i. All new main buildings shall be designed and constructed according to one or more architectural styles that were common in pre-1920 Bridgewater (See Table U). Each building's architectural style(s) should be easily identifiable, and be reinforced by the building's architectural details and character defining elements;
- ii. Notwithstanding Section 6.2.2.a.i, a new main building may be designed and constructed based on an architectural style not listed in Table U, if the applicant or Development Officer can determine that the proposal is similar to another architectural style or building that existed in Bridgewater prior to 1920; and
- iii. All main buildings constructed prior to 1920 shall maintain their pre-1920 architectural style, or an architectural style approved by the Development Officer, and all significant architectural features and character defining elements shall be preserved to the satisfaction of the Development Officer. When a main building that was constructed prior 1920 has no identifiable architectural style due to past modifications, the property owner shall be encouraged to bring the building into greater conformance with a pre-1920 architectural style or building.



character defining elements



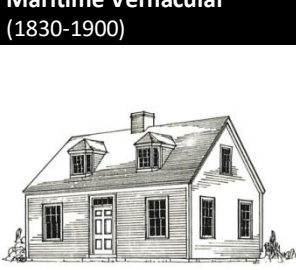


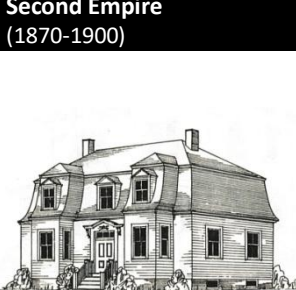

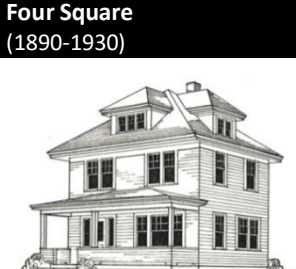
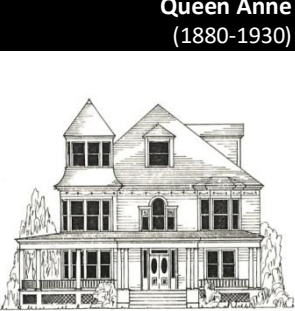


b. Additions & Alterations:

- i. Where a main building is designed and constructed according to one of the pre-1920 architectural styles listed in Table U, or a pre-1920 style approved by the Development Officer, all building additions and alterations shall:
 - a. Be designed and constructed according to the architectural style(s) of the existing main building, and contain matching character defining elements; and

- b. Not increase the height of the main building.
- ii. Where a main building is not designed and constructed according to one of the pre-1920 architectural styles listed in Table U, or a pre-1920 style approved by the Development Officer, all additions and alterations shall:
 - a. Be designed and constructed to match the existing main building or to bring the building into greater conformance with a pre-1920 architectural style(s);

Table U: Pre-1920 Architectural Styles in Bridgewater

<p>New England Colonial (1710-1840)</p>	<p>1½ or 2½ storey wooden building with a steeply pitched gable or salt-box roof. Contains one large central chimney and a central doorway with symmetrical façade, including rows of 3 or 5 bay windows. No dormers.</p>	<p>2 to 2½ storeys in height with a balanced façade, and a low pitched gable roof with paired chimneys and decorative gable windows. Possesses a central door with fanlight transom and classical details, such as pediments and columns.</p>	<p>Neo-Classical (1810-1830)</p>
	<p>Maritime Vernacular (1830-1900)</p>	<p>1 ½ storey building with a steeply pitched gable roof, trademark pointed dormer(s), arched windows, and numerous gables that emphasize vertical lines. The main façade is on the long end of the building and it features a centered doorway and 3 bay window façade. May also possess decorative trim.</p>	
	<p>Greek Revival (1830-1890)</p>	<p>1½ to 2½ storeys in height with a steeply pitched roof and an “L” shaped floor plan. Features an asymmetrical design and façade with an off-centre doorway, two or more pointed gothic dormers, chimneys at the peak of the roof, and potentially a front porch.</p>	
	<p>Second Empire (1870-1900)</p>	<p>2 or more storeys in height with an eclectic and asymmetrical appearance that is characterized by a variety of textures and building materials. Features a steep roof, often with an off-set round corner tower or galley. Other details include large double hung windows, veranda, prominent projecting or eyebrow dormers, and decorative details.</p>	<p>Modified Gothic (1830-1890)</p>
	<p>Four Square (1890-1930)</p>	<p>Typically 1½ storeys in height. Buildings feature a large, gently sloping roof which extends over a porch and a full length veranda. Other common features include broad gables, exposed rafter ends, large right-angled columns, and small windows which may be grouped.</p>	
	<p>Queen Anne (1880-1930)</p>	<p>Craftsman (1900-1920)</p>	

c. Accessory Structures & Buildings:

- i. Where a main building is designed and constructed according to one of the pre-1920 architectural styles listed in Table U, or a pre-1920 style that the Development Officer has deemed acceptable, all accessory buildings & structures on the lot shall be designed and constructed according to the same architectural style(s). When a main building has no identifiable architectural style, all accessory structures on the same lot shall be designed and constructed to match the main building, or a pre-1920 residential building in Bridgewater.

d. Building Façade

- i. The width-to-length ratio of all main buildings and accessory structures shall be consistent with a pre-1920 architectural style(s);
- ii. The primary entrance of a main building shall be located on a public façade and oriented towards a public street. A main building may have a secondary entrance if it does not disrupt the architectural value or character defining elements of the building; and
- iii. No exterior staircases shall be permitted on the public façade of a building, unless they lead to a ground floor entrance, porch or veranda.

e. Windows:

- i. Windows shall be vertically oriented single or double hung windows or an ornamental window (i.e., transom, piano, picture, bay, round, eyebrow, etc.) that is reflective of the main building's architectural style(s);
- ii. All new windows in an existing main building or accessory structure shall match the size, width-to-height ratio, orientation, alignment, and style of the windows found in the original main building or structure;
- iii. All replacement windows shall fit the existing opening, and match the size, width-to-height ratio, orientation alignment, and style of the windows found in the original main building or structure;
- iv. Notwithstanding Sections 6.2.2.e.ii and 6.2.2.e.iii, the Development Officer shall allow replacement windows that are reasonably enlarged or reduced in size, if the proposed windows bring the building or structure into greater conformance with its pre-1920 architectural style; and
- v. Notwithstanding Sections 6.2.2.e.ii and 6.2.2.e.iii, an ornamental window (i.e., transom, piano, picture, bay, round, eyebrow, etc.) shall be permitted as a replacement window, provided that:
 - a. Ornamental windows are traditionally associated with the architectural style(s) of the main building; and
 - b. The Development Officer concludes that ornamental window and its placement produce no adverse impacts on the public façade and existing character defining elements of the main building.

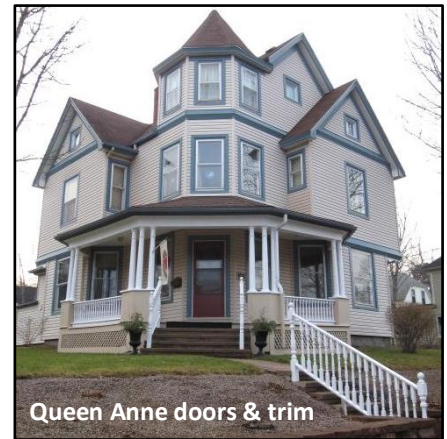


f. Doors:

- i. All new doors shall:
 - a. Be based on a design that is consistent with the main building's architectural style;
 - b. Be compatible with existing doors on the public façade(s);
- ii. All replacement doors in an existing building or accessory structure shall fit the existing opening of the original door(s) and match the architectural style(s) of the main building; and
- iii. Notwithstanding Section 6.2.2.f.ii, a replacement door may be reasonably enlarged or reduced in size if the proposed door more closely resembles a pre-1920 main building of similar architectural style(s), and does not produce adverse impacts on the building's public façade and character defining elements.

g. Trim:

- i. All main buildings, accessory structures, and additions to main buildings shall be trimmed in a manner that is consistent with a pre-1920 structure that is designed and constructed according to the same architectural style(s), including but not limited to:
 - a. Door trim;
 - b. Window trim;
 - c. Corner board trim;
 - d. Frieze trim; and
 - e. Baseboard trim;
- ii. All trim on a public façade, including new additions and alterations, shall be consistent in terms of size, style, and colour; and
- iii. All pre-1920 buildings and existing structures are strongly encouraged to maintain their original trim, unless it has passed the point of repair, or it is inconsistent with a pre-1920 building due to past modifications. In these instances, the replacement trim must match that of a pre-1920 building, or the main building's architectural style, to the satisfaction of the Development Officer.



h. Cladding:

- i. All exterior cladding shall be traditional wooden clapboard or shingles, or a product designed to resemble those materials, that are horizontally aligned and compatible with a pre-1920 building in Bridgewater. Vinyl and aluminium siding is strictly prohibited;
- ii. All additions and accessory structures shall utilize cladding that matches the width and style of cladding on the existing main building; and
- iii. Buildings that were re-clad with vinyl, aluminum, or other non-wood material prior to the effective date of this Land Use By-law, shall be permitted to continue to use, repair and replace such cladding materials.

i. Roofs:

- i. All roofs shall be designed and constructed according to the main building's pre-1920 architectural style, or be similar to a pre-1920 building in Bridgewater, architectural styles that were common in pre-1920 Bridgewater, based on the discretion of the Development Officer;
- ii. All shingles and roof materials shall appear similar to a pre-1920 main building located in Bridgewater; and
- iii. Roofs which were re-shingled with materials that do



not appear similar to a pre-1920 building prior to the effective date of this By-law shall be permitted to continue to use, repair, and replace such materials accordingly.

j. Dormers:

- i. All dormers on new main buildings shall be consistent with the building's pre-1920 architectural style(s) to the satisfaction of the Development Officer; and
- ii. All new and replacement dormers shall not alter the established roof shape of the existing main building, unless it brings the existing main building into greater conformance with its pre-1920 architectural style(s).

k. Porches & Verandas:

- i. Porches and verandas shall be permitted on a main building if:
 - a. They appear similar to those of a pre-1920 building in Bridgewater;
 - b. They are designed and constructed in a manner that matches the main buildings architectural style(s);
 - c. The width of the porch or veranda does not exceed the width of the public façade, unless it is a traditional feature of the architectural style (e.g., Queen Anne and Four Square styles); and
 - d. They are constructed of wood.

l. Solar Panels & Mini-Wind Turbines:

- i. Main buildings within the Residential Architectural Control Area may install one mini-wind turbine per lot, in accordance with Section 3.1.32.a;
- ii. Nothing in Section 6.2 of the By-law shall prevent the installation of solar panels on any residential dwelling so long as:
 - a. The main building's pre-1920 architectural style(s) is still recognizable; and
 - b. It does not produce adverse impacts on the building's architectural features and character defining elements, to the satisfaction of the Development Officer.

6.3 King Street Architectural Control Area

6.3.1 Application

- a. In the King Street Architectural Control Area, as illustrated in Map 8 - Architectural Control Areas of the Municipal Planning Strategy, the following developments shall adhere to the architectural control requirements listed in Section 6.3.2 to regulate the appearance of public façades:
 - i. Buildings built prior to 1920, including any additions or alterations thereto.
- b. All additions and alterations that cannot be seen from a public right-of-way shall not be subject to the architectural control requirements listed in Section 6.3.2.

6.3.2 King Street Architectural Control Requirements

a. Main Building's Architectural Style:

- i. All main buildings that were constructed prior to 1920 shall maintain their pre-1920 architectural style(s) and appearance, and any architectural features and character defining elements that remain, to the satisfaction of the Development Officer. When a building that was constructed prior 1920 no longer appears similar to a pre-1920 commercial building in Bridgewater, the property owner shall be encouraged to bring the building's façade into greater conformance with a pre-1920 commercial building during future development; and



b. Additions & Alterations:

- i. Where a pre-1920 main building is designed and constructed according to a pre-1920 architectural style(s), or it resembles a pre-1920 commercial building in Bridgewater, all additions and alterations shall:
 - a. Be designed and constructed according to match the existing main building, and contain matching character defining elements; and
 - b. Not increase the height of the main building.

c. Doors & Windows:

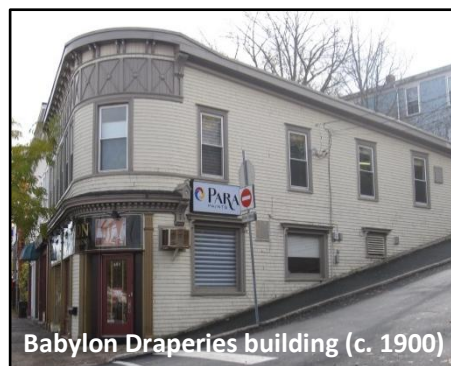
- i. Where a pre-1920 main building is designed and constructed according to a pre-1920 architectural style(s), or it resembles a pre-1920 commercial building in Bridgewater:
 - a. All new windows shall be vertically oriented single or double hung windows, or be consistent with a pre-1920 commercial building in Bridgewater;
 - b. All new doors shall be consistent with a pre-1920 commercial building in Bridgewater;
 - c. All replacement doors/windows shall fit the existing opening, and match the size, width-to-height ratio, orientation alignment, and style of the windows found in the original building; and

- ii. Notwithstanding Section 6.3.2.c.i, replacement doors/windows of a different orientation, location, size, and style shall be permitted if the Development Officer concludes:
 - a. That they are compatible with a pre-1920 commercial building in Bridgewater of similar architectural style;
 - b. That they produce no adverse impacts on the architectural significance and character defining elements of the main building; and
 - c. They do not disrupt the appearance or organization of the existing public façade.

d. Trim:

- i. Where a pre-1920 main building is designed and constructed according to a pre-1920 architectural style(s), or it resembles a pre-1920 commercial building in Bridgewater, it shall be trimmed in a manner that is consistent with the era, including but not limited to:

- a. Door trim;
- b. Window trim;
- c. Corner board trim;
- d. Frieze trim; and
- e. Baseboard trim;



- ii. All trim on the public façade, including new additions and alterations, shall be consistent in terms of size, style, and colour; and
- iii. Original trim shall be maintained unless it has passed the point of repair. In this instance, the replacement trim must match that of the existing main building or a pre-1920 building commercial building in Bridgewater, based on the recommendation of the Development Officer.

e. Cladding:

- i. If a pre-1920 main building is designed and constructed according to a pre-1920 architectural style(s), or it resembles a pre-1920 commercial building in Bridgewater:
 - a. All exterior cladding shall be traditional wooden clapboard or shingles, or a product designed to resemble those materials, and is horizontally aligned and compatible with a pre-1920 building in Bridgewater. Vinyl and aluminium siding is strictly prohibited; and
 - b. All additions and accessory structures shall utilize cladding that matches the width and style of cladding on the existing main building.

f. Roofs:

- i. If a pre-1920 main building is designed and constructed according to a pre-1920 architectural style(s), or it resembles a pre-1920 commercial building in Bridgewater:
 - a. All additions or alterations to the roof shall be consistent with the existing main building, or be compatible with a pre-1920 commercial building in Bridgewater;
 - b. All shingles and roof materials shall appear similar to a pre-1920 commercial building in Bridgewater; and

- c. Roofs which were re-shingled with materials that do not appear similar to a pre-1920 commercial building prior to the effective date of this By-law shall be permitted to continue to use, repair, and replace such materials accordingly.

SECTION 7: INDUSTRIAL ZONES

7.1 General Provisions for All Industrial Zones

7.1.1 Abutting Zone Requirements

Where the Industrial (M1) Zone or the Light Industrial (M2) Zone abuts a residential zone, institutional zone, Conservation (CON) Zone, and Park (P) Zone the following abutting yard requirements shall apply to the industrial zoned lot:

- a. The industrial property's abutting side and/or rear yard setbacks shall be 25m (82ft);
- b. The industrial property shall have a vegetated buffer that is a minimum of 15m (49ft) wide and extends the full width of the abutting side and rear yard. The vegetated buffer shall be landscaped with evergreen trees or shrubs, and other vegetation to effectively screen views from the abutting property in all seasons, as outlined in Section 7.1.1.d;
- c. The industrial property shall have an opaque fence or berm located no less than 0.6m (2ft) from the lot line and within the limits of the vegetated buffer, at a minimum height of 2m (6.6ft);
- d. The vegetated buffer:
 - i. Shall be designed to provide a continuous screen within three years of its initial installation that is equally effective during all seasons;
 - ii. Shall be well maintained so that it provides adequate screening, and does not pose a threat to public safety or become unsightly over time;
 - iii. Shall consist of existing trees and vegetation, where possible; and
 - iv. May incorporate additional landscaping features and fencing, in addition to vegetation, where necessary, to provide appropriate screening; and
- e. No structures, driveways, traffic lanes, parking spaces, loading areas, and the open storage and outdoor display of goods shall be permitted within the vegetated buffer.

7.1.2 Site Plan Criteria for Development in Industrial Zones

The following site plan criteria apply to all new development that is permitted through the site plan approval process in any industrial zone. No development permit shall be issued for development that is inconsistent with these criteria, in addition to applicable zone standards and all other requirements of this By-law:

- a) The location of new structures on the lot shall minimize negative impacts on the surrounding neighbourhood, including noise, dust, fumes, lighting, shadows, or other nuisance or inconvenience to neighbouring properties;
- b) The location of off-street parking and loading facilities shall minimize negative impacts on the surrounding neighbourhood, including traffic, noise, dust, fumes, lighting, or other nuisance or inconvenience to neighbouring properties;
- c) The location, number and width of driveways are designed to prevent traffic, noise, dust, fumes, congestion, or other nuisance and inconvenience in the area and minimize negative impacts on the surrounding neighbourhood;
- d) The type, location, and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements which is necessary to protect and minimize negative land use impact on neighbouring properties;
- e) Existing vegetation shall be retained where the vegetation is healthy and helps to minimize negative impacts on the surrounding neighbourhood;
- f) The location of pedestrian walkways, and/or related infrastructure, shall be provided to link public sidewalks and parking areas to entrances of all primary buildings;

- g) The type and location of outdoor lighting is designed to light the structure, driveways and pedestrian infrastructure, but shall not be directed onto neighbouring properties;
- h) The location of facilities for the storage of solid waste provides for maximum separation from residential development and public areas;
- i) The location of all existing easements shall be identified;
- j) The grading or alteration in elevation or contour of the land shall minimize undue erosion and/or sedimentation, and other negative impacts on neighbouring properties;
- k) The management of storm and surface water is addressed, and associated plans are approved by the Town Engineer, in accordance with the Town's standards for stormwater management;
- l) The type, location number and size of signs or sign structures do not negatively alter the appearance of the streetscape or neighbourhood; and
- m) All signage shall be designed and constructed according to the signage requirements listed in Section 3.3;

7.2 Industrial (M1) Zone

7.2.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments, up to a maximum gross floor area of 4,645m² (49,998ft²), shall be permitted as-of-right in the Industrial (M1) Zone subject to the requirements of this By-law:

- Adult Entertainment
- Animal Hospitals & Veterinaries
- Animal Kennels & Shelters
- Automobile Repair Services
- Building Supply Stores
- Bus Terminals
- Car Wash Facilities
- Christmas Tree Yards
- Clubs & Fraternal Organizations
- Crematoria
- Distribution Centres
- Dog Grooming
- Emergency Services
- Equipment Sales & Rental
- Funeral Homes
- Garden & Nursery Sales
- Garages
- Gas Stations
- Hotels
- Industrial Repair Services
- Laundromats & Dry Cleaners
- Manufactured Home Sales & Repair
- Manufacturing, Processing, & Assembly
- Marinas
- Marine Terminals
- Motels
- Offices
- Open Storage and Display of Goods, excluding scrap materials
- Parking Lots & Structures
- Personal Service Shops
- Printing Establishments
- Public Works Facilities
- Restaurants
- Recycling Depots
- Research Facilities
- Retail Sales
- Self-Storage Facilities
- Solar Energy Stations

- Tailoring & Dressmaking
- Taxi Operations
- Transportation & Trucking Facilities
- Vehicle Sales & Rental
- Warehouses, Depots & Storage Facilities
- Wholesale Establishments
- Wineries and Micro-Breweries

7.2.2 Developments Permitted by Development Agreement

The following developments shall be permitted by Development Agreement in the Industrial (M1) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined the Municipal Planning Strategy:

- a. New developments listed in Section 7.2.1 exceeding 4,645m² (49,998ft²) in gross floor area, in accordance with MPS Policy MDA-1;
- b. Additions greater than 2,323m² (25,005ft²) to existing development listed in Section 7.2.1, in accordance with MPS Policy MDA-1; and
- c. All other industrial uses, including but not limited to those that are considered to be hazardous or those that have the potential to create substantial land use conflicts, in accordance with MPS Policy MDA-1. Such uses include, but are not limited to:
 - Breweries
 - Butchers & Slaughterhouses
 - Concrete Production
 - Fish Meal Production
 - Indoor Shooting Ranges
 - Metal Corrosion Treatment Facilities
 - Open Storage of Scrap Materials
 - Penal Institutions
 - Petroleum Bulk Storage Plants, excluding associated office buildings and accessory uses
 - Pulp & Paper Mills
 - Race Tracks
 - Refineries
 - Tanneries
 - Warehousing and Distribution of Hazardous Substances
 - Wood Debarking & Chipping Operations
 - Wood Preservation Facilities

7.2.3 Zoning Standards

The following requirements apply to all developments permitted as-of-right in the Industrial (M1) Zone:

M1	Industrial Zone
Minimum front yard	4m (13ft)
Minimum rear yard	5m (16ft)
Minimum side yard	4m (13ft)
Minimum flankage yard	4m (13ft)
Maximum building height	none
Minimum lot area	930m ² (10,010ft ²)
Minimum lot frontage	30m (98ft)

7.2.4 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36; and
- b. Development within the LaHave River Development Agreement Area, excluding parks, change of use and associated signage, additions less than 50m² (538ft²), and accessory buildings and structures less than 50m² (538ft²), shall only be permitted by development agreement, in accordance with MPS Policy LRDA-1.
- c. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policy LR-5 and subject to the requirements outlined in Section 3.1.37 (b).

7.3 Light Industrial (M2) Zone

7.3.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments, up to a maximum gross floor area of 4,645m² (49,998ft²), shall be permitted as-of-right in the Light Industrial (M2) Zone subject to the requirements of this By-law:

- Animal Hospitals & Veterinaries
- Animal Kennels & Shelters
- Automobile Repair Services
- Building Supply Stores
- Bus Terminals
- Car Wash Facilities
- Contractor Office*
- Daycares & Nursery Schools
- Distribution Centres
- Emergency Services
- Employment and Industrial Training*
- Equipment Sales & Rental
- Garden & Nursery Sales
- Gyms & Fitness Centres
- Household Repair Services
- Industrial Repair Services
- Laundromats & Dry Cleaners
- Manufacturing, Processing, & Assembly
- Open Storage and Display of Goods, excluding scrap materials
- Places of Entertainment
- Printing Establishments
- Public Works Facilities
- Recycling Depots
- Research Facilities
- Self-Storage Facilities
- Solar Energy Stations
- Sewage Treatment Facility
- Sustainable Energy Systems
- Taxi Operations
- Transportation & Trucking Facilities
- Vehicle Sales & Rental
- Warehouses, Depots & Storage Facilities
- Wholesale Establishments
- Wineries, Breweries and Distilleries

7.3.2 Permitted Developments by Site Plan Approval

The following developments shall be permitted by site plan approval in the Light Industrial (M2) Zone subject to the requirements of this By-law, including the site plan criteria outlined in Section 7.1.2:

- a) New developments and additions to existing development listed in Section 7.3.1 that exceed 4645m² (49,998ft²) in gross floor area;

7.3.3 Developments Permitted by Development Agreement

The following uses are permitted by Development Agreement in the Light Industrial (M2) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined the Municipal Planning Strategy:

- a) Open storage of scrap materials, in accordance with MPS Policy MDA-1 of the Municipal Planning Strategy; and
- b) Any commercial or industrial use identified as being considered to be hazardous or having the potential to create substantial land use conflicts, in accordance with MDA-1 of the Municipal Planning Strategy. Such uses include but are not limited to:
 - i. Breweries
 - ii. Butchers & Slaughterhouses
 - iii. Concrete Production
 - iv. Fish Meal Production
 - v. Indoor Shooting Ranges
 - vi. Metal Corrosion Treatment Facilities
 - vii. Penal Institutions
 - viii. Petroleum Bulk Storage Plants, excluding associated office buildings and accessory uses
 - ix. Pulp & Paper Mills
 - x. Race Tracks
 - xi. Refineries
 - xii. Tanneries
 - xiii. Warehousing and Distribution of Hazardous Substances
 - xiv. Wood Debarking & Chipping Operations
 - xv. Wood Preservation Facilities

7.3.4 Zoning Standards

The following requirements apply to all developments permitted as-of-right in the Light Industrial (M2) Zone:

M2	Light Industrial Zone
Minimum front yard	3m (10ft)
Minimum rear yard	4m (13ft)
Minimum side yard	4m (13ft)
Minimum flankage yard	3m (10ft)
Maximum building height	14m (46ft)
Minimum lot area	930m ² (10,010ft ²)
Minimum lot frontage	30m (98ft)

7.3.5 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36.
- b. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policy LR-5 and subject to the requirements outlined in Section 3.1.37 (b).

SECTION 8: INSTITUTIONAL ZONES

8.1 General Provisions for All Institutional Zones

8.1.1 Site Plan Criteria for Development in Institutional Zones

The following site plan criteria apply to all new development that is permitted through the site plan approval process in any institutional zone. No development permit shall be issued for development that is inconsistent with these criteria, in addition to applicable zone standards and all other requirements of this By-law:

- a. The location of new structures on the lot shall minimize negative impacts on the surrounding neighbourhood, including noise, dust, fumes, lighting, shadows, or other nuisance or inconvenience to neighbouring properties;
- b. The location of off-street parking and loading facilities shall minimize negative impacts on the surrounding neighbourhood, including traffic, noise, dust, fumes, lighting, or other nuisance or inconvenience to neighbouring properties;
- c. The location, number and width of driveways are designed to prevent traffic, noise, dust, fumes, congestion, or other nuisance and inconvenience in the area and minimize negative impacts on the surrounding neighbourhood, as approved by the Traffic Authority;
- d. The type, location, and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements which is necessary to protect and minimize negative land use impact on neighbouring properties;
- e. Existing vegetation shall be retained where the vegetation is healthy and helps to minimize negative impacts on the surrounding neighbourhood;
- f. The location of pedestrian walkways, and/or related infrastructure, shall be provided to link public sidewalks and parking areas to entrances of all primary buildings;
- g. The type and location of outdoor lighting is designed to light the structure, driveways and pedestrian infrastructure, but shall not be directed onto neighbouring properties;
- h. The location of facilities for the storage of solid waste provides for maximum separation from residential development and public areas;
- i. The location of all existing easements shall be identified;
- j. The grading or alteration in elevation or contour of the land shall minimize undue erosion and/or sedimentation, and other negative impacts on neighbouring properties;
- k. The management of storm and surface water is addressed, and associated plans are approved by the Town Engineer;
- l. The type, location number and size of signs or sign structures do not negatively alter the appearance of the streetscape or neighbourhood; and
- m. All signage shall be designed and constructed according to the signage requirements listed in Section 3.3.

8.2 Institutional (I1) Zone

8.2.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments shall be permitted as-of-right in the Institutional (I1) Zone subject to the requirements of this By-law:

- Cemeteries
- Clinics
- Clubs & Fraternal Organizations
- Community Centres
- Community Living Arrangements for Persons with Legal, Emotional or Mental Problems
- Courthouses
- Cultural Facilities
- Daycares & Nursery Schools
- Educational Uses
- Emergency Services
- Emergency Shelter
- Exhibitions
- Fire Halls / Stations
- Food Banks
- Hospitals
- Incidental, Occasional or Temporary Markets
- Libraries
- Nursing Homes
- Places of Worship
- Rehabilitation and Treatment Centre
- Residential Care Facilities, Homes for Special Care, or Group Homes

8.2.2 Developments Permitted by Site Plan Approval

The following developments shall be permitted by site plan approval in the Institutional zone subject to the requirements of this by-law, including the site plan criteria outlined in 8.1.1 and performance standards outlined in 8.2.4

- Sustainable energy systems that provide direct heat and/or power to a permitted institutional use.

8.2.3 Zoning Standards

The following requirements apply to all developments permitted as-of-right in the Institutional (I1) Zone:

I1	Institutional Zone
Minimum front yard	3m (10ft)
Minimum rear yard	4m (13ft)
Minimum side yard	1.5m (5ft)
Minimum flankage yard	3m (10ft)
Maximum building height	14m (46ft)
Minimum lot area	650m ² (6,997ft ²)
Minimum lot frontage	20m (66ft)

8.2.4 Performance Standards

The following performance standards shall apply to all sustainable energy systems permitted in the Institutional (I1) Zone:

- a) An environmental impact assessment shall address impacts, positive and negative, and will include:
 - a. A process of meaningful consultation with all interested persons to identify and respond to needs and concerns
 - b. Preparation of a terms of reference
 - c. Review by Town Staff
 - d. Systematic evaluation of environmental effects in the form of an Environmental Assessment
 - e. Public consultation on the Environmental Assessment
 - f. Review by Town staff and preparation of staff report to Council
 - g. Council consideration

8.2.5 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36.
- b. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37.

8.3 Residential Institutional (I2) Zone

8.3.1 Developments Permitted by Site Plan

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments shall be permitted by site plan approval in the Residential Institutional (I2) Zone subject to the requirements of this By-law, including the site plan criteria outlined in Section 8.1.1:

- a. Residential care facilities, homes for special care, and group homes;
- b. Nursing homes;
- c. Multi-unit residential dwellings, up to a maximum of 62 units per hectare (25 units per acre), associated with developments consisting of residential care facilities, homes for special care, and group homes and/or nursing homes of no less than 4,645m² (49,998ft²) in gross floor area; and
- d. Clinics associated with developments consisting of residential care facilities, homes for special care, and group homes and/or nursing homes of no less than 4,645m² (49,998ft²) in gross floor area.

8.3.2 Developments Permitted by Development Agreement

The following developments shall be permitted by Development Agreement in the Residential Institutional (I2) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined in the Municipal Planning Strategy:

- a. Multi-unit residential dwellings, up to a maximum of 62 units per hectare (25 units per acre), associated with developments consisting of residential care facilities, homes for special care, halfway houses, transition homes, shelters and group homes and/or nursing homes less than 4,645m² (49,998ft²) in gross floor area, in accordance with MPS Policy IDA-1.

8.3.3 Zoning Standards

The following requirements apply to all developments permitted as-of-right in the Residential Institutional (I2) Zone:

I2	Residential Institutional Zone
Minimum front yard	6m (20ft)
Minimum rear yard	4m (13ft)
Minimum side yard	4m (13ft) or ½ the height of the buildings, whichever is greater
Minimum flankage yard	3m (10ft)
Maximum building height	10m (33ft)
Minimum lot area	929m ² (10,000ft ²)
Minimum lot frontage	20m (66ft)

8.3.4 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36.
- b. Development located outside the LaHave River Development Agreement but abutting the LaHave River, other than parks, change of use and associated signage, building additions of less than 50m² (538ft²) in gross floor area, or accessory buildings and structures of less than 50m² (538ft²) in gross floor area, shall be in accordance with MPS Policies LR-5, LR-6, and LR-7 and subject to the requirements outlined in Section 3.1.37.

SECTION 9: OPEN SPACE ZONES

9.1 General Provisions for All Open Space Zones

9.1.1 Site Plan Criteria for Development

The following site plan criteria apply to all new development that is permitted through the site plan approval process in the Recreation (REC) Zone. No development permit shall be issued for development that is inconsistent with these criteria, in addition to applicable zone standards and all other requirements of this By-law:

- a. The location of new structures on the lot shall minimize negative impacts on the surrounding neighbourhood, including noise, dust, fumes, lighting, shadows, or other nuisance or inconvenience to neighbouring properties;
- b. The location of off-street parking and loading facilities shall minimize negative impacts on the surrounding neighbourhood, including noise, dust, fumes, lighting, shadows, or other nuisance or inconvenience to neighbouring properties;
- c. The location, number and width of driveways are designed to prevent traffic, noise, dust, fumes, congestion, or other nuisance and inconvenience in the area and minimize negative impacts on the surrounding neighbourhood;
- d. The type, location, and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements which is necessary to protect and minimize negative land use impact on neighbouring properties;
- e. Existing vegetation shall be retained where the vegetation is healthy and helps to minimize negative impacts on the surrounding neighbourhood;
- f. The location of pedestrian walkways, and/or related infrastructure, shall be provided to link public sidewalks and parking areas to entrances of all primary buildings;
- g. The type and location of outdoor lighting is designed to light the structure, driveways and pedestrian infrastructure, but shall not be directed onto neighbouring properties;
- h. The location of facilities for the storage of solid waste provides for maximum separation from residential development and public areas;
- i. The location of all existing easements shall be identified.
- j. The grading or alteration in elevation or contour of the land shall minimize undue erosions and/or sedimentation, and other negative impacts on neighbouring properties;
- k. The management of storm and surface water is addressed , and associated plans are approved by the Town Engineer;
- l. The type, location, number and size of signs or sign structures do not negatively alter the appearance of the streetscape or neighbourhood;
- m. All signage shall be designed and constructed according to the signage requirements listed in section 3.3.

9.2 Park (P) Zone

9.2.1 Permitted Developments

The following developments shall be permitted as-of-right in the Park (P) Zone subject to the requirements of this By-law:

- a. Community Gardens
- b. Interpretation Centres
- c. Markets & Fairs
- d. Parks
- e. Visitor Information Centres
- f. Water Related Recreational Uses

9.2.2 Zoning Standards

The following requirements apply to all developments permitted as-of-right in the Park (P) Zone:

P	Park Zone
Minimum front yard	4.5m (15ft)
Minimum rear yard	4.5m (15ft)
Minimum side yard	4.5m (15ft)
Minimum flankage yard	4.5m (15ft)
Maximum building height	10m (33ft)
Minimum lot area	none
Minimum lot frontage	none

9.2.3 Special Requirements

- a. Development within the LaHave River Development Agreement Area, excluding parks, change of use and associated signage, additions less than 50m² (538ft²), and accessory buildings and structures less than 50m² (538ft²), shall only be permitted by development agreement, in accordance with MPS Policy LRDA-1; and
- b. Zone standards outlined in Section 9.2.2 shall not apply to any water-related recreational development and associated structures.

9.3 Recreation (REC) Zone

9.3.1 Permitted Developments

The following Developments shall be permitted as-of-right in the Recreation (REC) Zone subject to the requirements of this By-law:

- Community Centres
- Community Gardens
- Cultural Facilities
- Interpretative Centres
- Leash Free Dog Parks
- Libraries
- Marinas
- Markets, Exhibitions, Trade Shows & Fairs
- Outdoor Recreational Uses
- Parks
- Recreation Facilities
- Visitor Information Centres

9.3.2 Developments by Site Plan Approval

The following developments shall be permitted by site plan approval in the Recreation (REC) Zone subject to the requirements of this By-law, including the site plan criteria outlined in Section 9.1.1:

- Transit Facility
- Parks Facility

9.3.3 Zoning Standards

The following requirements apply to all developments permitted as-of-right in the Recreation (REC) Zone:

REC	Recreation Zone
Minimum front yard	3m (10ft)
Minimum rear yard	4m (13ft)
Minimum side yard	1.5m (5ft)
Minimum flankage yard	3m (10ft)
Maximum building height	10m (33ft)
Minimum lot area	650m ² (6,997ft ²)
Minimum lot frontage	21m (69ft)

9.4 Conservation (CON) Zone

9.4.1 Permitted Developments

The following developments shall be permitted as-of-right in the Conservation (CON) Zone subject to the requirements of this By-law:

- Conservation Uses & Improvements
- Passive Recreation Uses
- Playgrounds, established prior to the effective date of this by-law
- Public Works Projects

9.4.2 Zoning Standards

The following requirements apply to all developments permitted as-of-right in the Conservation (CON) Zone:

CON	Conservation Zone
Minimum front yard	4.5m (15ft)
Minimum rear yard	4.5m (15ft)
Minimum side yard	4.5m (15ft)
Minimum flankage yard	4.5m (15ft)
Maximum building height	none
Minimum lot area	none
Minimum lot frontage	none

SECTION 10: AGRICULTURAL ZONE

10.1 Agricultural (AG) Zone

10.1.1 Permitted Developments

In addition to all other requirements of this by-law, all development that includes a new or upsized sanitary sewer connection shall adhere to the Special Requirement of the zone regarding the submission of a Downstream Sanitary Sewer Capacity Assessment.

The following developments shall be permitted as-of-right in the Agricultural (AG) Zone subject to the requirements of this By-law:

- Agricultural Uses
- Forestry Uses
- Single Unit Dwellings

10.1.2 Permitted Developments with Conditions

The following developments shall be permitted as-of-right in the Agricultural (AG) Zone subject to the requirements of this By-law, including the special conditions listed below:

- Home Based Businesses in accordance with Section 3.1.24
- Residential Conversions, up to two units in accordance with Section 3.1.25

10.1.3 Zoning Standards

The following requirements apply to all developments permitted as-of-right in the Agricultural (AG) Zone:

AG	Agricultural Zone
Minimum front yard	6m (20ft)
Minimum rear yard	4m (13ft)
Minimum side yard	1.5m (5ft)
Minimum flankage yard	3m (10ft)
Maximum building height	14m (46ft)
Minimum lot area	650m ² (6,997ft ²)
Minimum lot frontage	20m (69ft)

10.1.4 Special Requirements

- a. Any development that includes a new or upsized sanitary sewer connection shall be assessed and approved in consideration of available wastewater collection system capacity at the time of development permit application. The applicant shall submit a Downstream Sanitary Sewer Capacity Assessment, in accordance with MPS Policy INF-15 and subject to the requirements outlined in Section 3.1.36;
- b. No structure used for the shelter or confinement of the specified number of livestock listed in Table V, shall be located within 30.5m (100ft) of a residential or institutional building, or within 30.5m (100ft) of any residential or institutional zone boundary; and
- c. Feedlots or animal shelters holding more than the number of livestock listed in Table V shall not be located within 305m (1,001ft) of a residential or institutional building or within 305m (1,001ft) of any residential or institutional zone boundary.

Table V: Livestock Restrictions	
Type of Livestock	Number of Farm Animals
Horses	1 to 25
Cattle (<i>plus calves</i>)	1 to 25
Swine (<i>plus litter to weaning</i>)	1 to 25
Sheep (<i>plus lambs</i>)	1 to 25
Fowl	1 to 150
Female Rabbits (<i>plus males</i>)	1 to 150

SECTION 11: DEFINITIONS

Abutting Yard | a yard of an abutting lot which adjoins an adjacent zone boundary. Where a property is intersected by a zone boundary, the abutting yard shall be measured from the zone boundary rather than the lot line.

Accessory Building | a subordinate building or structure located on the same lot as the main building and devoted to an accessory use.

Accessory Use | a use subordinate and naturally, customarily and normally incidental to, and exclusively devoted to, a main use of land or building and located on the same lot, and in the case of a sidewalk café any use accessory thereto on an abutting parcel of land.

Adult Entertainment | any establishment that offers services, or entertainment to the public intended to deliver sexual stimulation or gratification, or is reasonably intended to appeal primarily to erotic appetites. It includes, but is not limited to, entertainment characterized by the display of the nude or semi-nude human body in a manner or context apparently designed to exploit the sexual aspects of the human body and its constituent anatomy. Such entertainment is commonly promoted using adjectives or terms such as "nude", "topless", "adult", "sexy", "exotic", and so on. An adult entertainment use also includes, but is not limited to adult massage parlours, adult video stores, or the retail sale of goods that aid or enhance the sexual experience.

Affordable Housing | housing which costs less than 30% of before-tax household income or defined by CMHC or Province of Nova Scotia as affordable and as contained in a housing or financing agreement for a property party to a development agreement.

Agricultural Use | see "Use".

Alter | to make any change in the structural components of a building, or any increase or decrease in the volume of a building or structure. In an Architectural Control Area, alter shall include any change in any architectural feature, including but not limited to, architectural styles & details, building length-to-wide ratio, building height, roof shape, cladding, roof shape and materials, porches, doors, windows, window area to wall area ratio, and character defining elements.

Animal Kennel | a building or structure where animals are kept or boarded for financial remuneration.

Animal Hospital & Veterinary | an establishment where animals receive medical check-ups and treatment, or are kept during treatment.

Animal Shelter | a facility used to house or contain stray, homeless, abandoned, or unwanted animals that is owned, operated or maintained by public body, established humane society, animal welfare society, or other non-profit organization devoted to the welfare, protection, and humane treatment of animals.

Alternate Pavers (also known as open-jointed pavers, permeable pavers or unit pavers) | Interlocking concrete blocks or synthetic fibrous grids with open areas filled with grass, sand, or gravel. When built with a storage bed infiltration system, alternate pavers function similarly to porous paving systems (see porous pavement). The separation between the interlocked pavers allows stormwater and surface water to collect and drain into the storage bed, which then filters water before it infiltrates the soil below.

Amenity Space | refers to an area within the boundaries of a residential development site that is specifically designed to be used by residents for recreational, leisure, or open space purposes, and may include decks, balconies, green roofs, gardens, gyms, swimming pools, sports fields & courts, parks, landscaped open spaces, and other indoor and outdoor recreational uses

Architectural Style | the characteristic form and detail of buildings of a particular historic period.

Arena | a facility designed to host sporting events, theatre, musical performances, and other special events. Arenas typically provides associated amenities, such as floor or ice surfaces, spectator seating, dressing rooms, washrooms, retail, canteen facilities, and areas for the consumption of food and drink.

Attached Building | 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.

Automobile | a road vehicle with two axles and four wheels, powered by an internal combustion engine or electric motor and able to carry a small number of people.

Automobile Repair Services | see “Repair Services”

Automobile Sales & Rental | see “Sales & Rentals”

Bakery | an establishment which produces and/or sells baked goods from an oven.

Bed and Breakfast | a dwelling in which there is a resident owner or manager who provides overnight accommodation and meals (usually breakfast, but occasionally other meals as well) to the travelling public for financial remuneration.

Berm | an area of land which has been raised to form a barrier or screen between abutting uses or activities.

Beverage Room & Lounge | a premise licensed as a beverage room, lounge, cabaret, or tavern under the Liquor Licence Act.

Billboard | see “Sign”.

Boathouse | a structure, whether permanent or temporary, which is roofed, which does not contain toilet facilities and which is used for the shelter or storage of boats, watercraft and associated marine accessories and equipment, but not for the accommodation of persons or animals, or for commercial purposes, and does not include a garage.

Brewery | a facility where large quantities of beer are produced for commercial purposes.

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

Building Identification Sign | see “Sign”.

Building Line | any line regulating the position of a building or structure on a lot.

Building Supplies Store | a retail establishment primarily engaged in the sale of building materials, tools, hardware, paint, plumbing, electrical supplies, and other construction-related products.

Business Premise | a location, place or establishment at or on which an occupation, profession or trade is carried on for the provision of services directly to members of the public on a regular basis, or a service is provided directly to members of the public on a regular basis.

Bus Terminal | a facility or a clearly defined space on a lot where bus passengers are picked up and dropped off.

Butcher & Slaughterhouse | an establishment where animals are killed, butchered, and/or processed for consumption as food products.

Café | a building or part thereof primarily serving coffee or tea and may also serve light meals, sandwiches and/or desserts. The definition of “restaurant” includes café.

Canopy | an overhanging shelter.

Camper | see “Recreational Vehicle”.

Car Port | a building or structure which is not wholly enclosed which is used for the parking or storage of one or more vehicles, and is usually accessory to a residential use.

Car Wash Facility | an establishment primarily dedicated to the washing and waxing of automobiles.

Catalogue Sales | the use of a building as a transfer outlet for the purpose of receiving orders by mail, telephone, email or facsimile, for the selling of goods or merchandise, and as a location for the shipment of such goods or merchandise to the customer, with a maximum of 15 trips generated per day by the business, and does not include a retail outlet for the on-site sale or display of any commodity.

Catering Establishment | a building where food is prepared for distribution and consumption outside the premises and does not include a restaurant or drive in restaurant.

Cemetery | land used or intended to be used for the burial of the human dead, including columbaria and mausoleums.

Changeable Copy Sign | see “Sign”.

Change of Use | see “Use”.

Character Defining Elements | the architectural details, materials, forms, locations, spatial configurations, uses, and cultural associations or meanings that contribute to the heritage value of a property, and that must be sustained in order to preserve heritage value.

Christmas Tree Yard | a property where Christmas trees are grown and/or managed, stored and prepared for sale.

Cinema & Movie Theatre | a theatre where films are shown to the a viewing public for monetary gain.

Cladding | the exterior covering that protects the outside of a building.

Clinic | a building or part of a building used by physicians, dentists, therapists, eye specialists, nutritionists, or other health care professionals, their staff and their patients, for the purpose of consultation, diagnosis or treatment of human patients, and may include medical laboratories, an ancillary pharmacy, or the sale of goods directly related to the clinic to clients.

Club | a building or part of a building used as a meeting place for members of an organization and may include a lodge, a fraternity or sorority house, and a labour union hall.

Collective Development | where a development project consists of more than one dwelling on one or more lots.

Commercial Floor Area | see “Floor Area”.

Commercial School | a school conducted for monetary gain including but not limited to a secretarial school, language school, or driving school, but does not include a day care centre.

Commercial Vehicle | a vehicle which is used for a business activity and which has as its main purpose financial gain and includes taxis, trucks, tractors, tractor trailers, buses, delivery vehicles, and oil trucks, which has three or fewer axles. Commercial trucks are recognized as registered vehicles having four or more axles.

Community Centre | a facility used for recreational, social, educational, and cultural activities.

Community Garden | an area of public park land where volunteers develop, manage and operate a small-scale garden that may contain vegetables, fruit, herbs, flowers, native and ornamental plants. Community gardens may have 'common areas' with shared upkeep as well as individual plots, but will involve a group effort in making decisions to start and operate a garden in order to provide opportunities for the community to participate. All community gardens and accessory structures on Town park land are subject to the approval of the Director of Parks, Recreation & Culture.

Concrete Production Facility | a building or part of a building where either asphaltic concrete or ready mix concrete is produced. Asphaltic concrete is a composite material consisting of asphalt and mineral aggregate that is commonly used for road surfaces and parking lots. Ready mix concrete is a mixture of cement, aggregate and water that is created in a factory or plant according to a defined recipe.

Conservation Use & Improvement | any use, project, or activity carried out for the purpose of conserving natural resources.

Construct | to do anything in the erection, installation, extension, relocation, material alteration or material repair of a building or structure.

Convenience Store | a store which serves primarily the needs of the adjacent neighbourhood, and includes the sale of magazines, and confectionary, grocery and delicatessen items.

Corner Lot | see “Lot”.

Cornice | any horizontal member, structural or non-structural, projecting outward from the exterior walls at the roofline, including eaves and other roof overhangs.

Council | the Council of the Town of Bridgewater.

Courthouse | a building which houses judicial courtrooms and may include administrative offices.

Craft Products | products made by hand or small custom production processes including but not limited to potters, pewterers, goldsmiths, silversmiths, jewellers, toymakers, leatherworkers, upholsterers, woodworkers, furniture

makers, musical instrument makers, clothing designers and makers, shoemakers, antique refinishers, glass or stained glass workers, sailmakers, and similar skilled craftspeople.

Craft Workshop | a building or part of a building where craft products are produced and offered for sale, and/or where craft instruction may be offered.

Crematorium | a building or part of a building that contains a furnace used to reduce corpses to ash by burning.

Cultural Facility | a facility that documents the social and religious structures, and the intellectual and artistic manifestations that characterize a society, including archives, museums, galleries, theatres, studios, botanical and zoological gardens of a natural, artistic, historic, educational, or cultural interest.

Curling Rink | a facility for curling sporting events which may provide amenities such as ice surfaces, spectator seating, canteen facilities and other uses associated with the foregoing.

Daycare & Nursery School | an establishment that provides for the care, supervision, and protection of children on a temporary basis without providing overnight accommodation.

Depot | see “Warehouse, Depot & Storage Facility”.

Developer | any person, incorporated body, partnership or other legal entity which undertakes a development.

Development | any erection, construction, alteration, replacement or relocation of or addition to any structure and any change or alteration in the use made of land, buildings or structures.

Development Agreement | an agreement made pursuant to the provisions of the Municipal Government Act.

Development Officer | the officer of the Town of Bridgewater charged by the Town Council with the duty of administering the provisions of the Land Use By-law.

Development Permit | the permit issued by the development officer certifying that a proposed development complies with the provisions of the Land Use By-law.

Distribution Centre | a facility where goods are received, assembled, and/or stored, for the purpose of being shipped to retailers, wholesalers, or directly to consumers.

District Energy | refers to systems that generate and deliver electricity, heating or cooling from a central plant to multiple users.

Dog Grooming | an establishment where hygienic care services, such as cleaning and hair cutting, are delivered to dogs for the purpose of enhancing their physical appearance or well-being.

Dormer | a structural element of a building that protrudes from the plane of a sloping roof surface and contains a vertical window.

Drive-through Facility | an establishment which is designed to provide, either completely or in part, services or products to customers while they remain in their automobiles.

Driveway | see “Point of Access”.

Dwelling | a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units, which are located on a permanent foundation.

- **Dwelling Unit** | a self-contained collection of one or more habitable rooms designed or intended for use by one or more individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of such individual or individuals, with a private entrance from outside the building or from a common hallway or stairway inside the building. A Dwelling Unit Shall include a small option home where occupancy consists of five or fewer individuals excluding staff
- **Semi-Detached Dwelling** | a dwelling where a dwelling unit is attached to one other dwelling unit by a common vertical wall, and where each unit is designed to exist independently if subdivided.
- **Single Unit Dwelling** | any dwelling containing one (1) dwelling unit.
- **Two Unit Dwelling** | any dwelling containing two dwelling units, including linked dwellings.
- **Linked Dwelling** | a building that is divided vertically into two or more dwelling units having the appearance of two or more detached dwellings as a result of their connection to each other being located at the footing.

Educational Use | any building or part of a building designated for learning or instruction, including public, private and commercial schools, daycares & nursery schools, colleges, and universities.

Emergency Services | a building or part of a building that houses an organization whose purpose is to provide police, ambulance, firefighting, or search & rescue services to the community. These uses many also include, but are not limited to, the storage of emergency vehicles until they're dispatched, overnight accommodations for personnel directly related to this use, offices, and associated training facilities.

Emergency Shelter | a facility providing temporary housing for one or more individuals who are otherwise temporarily or permanently homeless.

Employment and Industrial Training | a facility primarily intended to provide hands-on training, instruction, or certification in skilled trades, technical fields, or job-specific competencies directly related to industrial, commercial, or construction sectors. This use may include classroom instruction, workshops, simulators, or labs designed to replicate workplace environments

Environment | includes air, land or water; plant and animal life, including human life; social, economic and cultural conditions that influence life of humans or a community; any building, structure, machine or other device made by humans; any solid, liquid, gas, odour, heat, sound, vibration or radiation resulting directly or indirectly from human activities; or any combination of the foregoing and the interrelationships between any two or more of them.

Environmental assessment | is a study which assesses the potential environmental effects (positive or negative) of a proposal.

Equipment Sales & Rental | see "Sales & Rentals".

Erect | to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation, including but not limited to excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

Established Building Line | the average distance from the street line of existing buildings in any block where more than half the frontage has been built upon at the effective date of this By-law.

Exhibition | a large scale showing of products, objects, livestock, or personal skills, and also the hosting of events and entertainment.

Façade | the face of a building

- **Public Façade** | the exterior face(s) of a building or structure which can be seen from public property.

Fair | a gathering of stalls, objects, and sources of amusement for public entertainment.

Farm Animal | one or more of the following types of animals: horses, cattle, sheep, goats, swine, fowl, and rabbits.

Feedlot | an enclosed area or structure used for feeding, breeding, milking or holding of livestock or poultry for production purposes or for future sale.

Fence | any barrier of posts, wood, metal, wire or other similar materials which is constructed for the purpose of delineating, screening, safeguarding or enclosing.

- **Opaque Fence** | a fence which completely obstructs the view to its opposite side.

Financial Institution | an establishment which provides financial services to the public, including but not limited to, banks, trust companies, finance companies, mortgage companies, insurance companies, or investment companies.

Fire Hall & Fire Station | a building or part of a building where fire-fighting vehicles and equipment are housed until dispatched, and may include overnight accommodations for personnel directly related to this use and associated training structures and facilities.

Fish Meal Production | a facility where fish meal and fish oil products are produced.

Flankage Lot Line | see "Lot Line".

Flankage Yard | see "Yard".

Floor Area | the aggregate surface area of a building or defined space, as follows:

- **Commercial Floor Area** | the total usable floor area within a building used for commercial purposes but excluding washrooms, furnace and utility rooms, and common halls between stores.
- **Gross Floor Area** | the aggregate of the floor areas of a building above or 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 purposes of this clause, the walls of an inner court shall be deemed to be exterior walls.
- **Ground Floor Area** | the total floor area of the ground floor of a building at grade, measured between the exterior faces of the exterior walls of the building.
- **Residential Floor Area** | the total floor area contained within the outside walls excluding any private garage, porch, verandah, sunroom, unfinished attic or basement or other room not habitable at all seasons of the year.

Food Banks | an establishment where a non-profit organization collects food for, and/or distributes food to those who are in need.

Footing | the foundations of a wall, usually with a course of brickwork wider than the base of the wall.

Forestry Use | the operation of timber tracts, tree farms, forest nurseries, the gathering of forest products, or the performing of forest services.

Fraternal Organization | a group of people formally organized for a common interest, usually cultural, religious, or entertainment, with regular meetings, rituals, and formal written membership requirements.

Front Lot Line | see "Lot Line".

Front Yard | see "Yard".

Funeral Home | a business that provides burial and funeral services for the deceased and their families. These services may include embalming, preparing a wake and funeral, and the provision of a chapel for a wake or funeral.

Gable | the triangular section of a wall resulting from a pitched roof.

Gallery | a building where artwork is produced, displayed or sold.

Garden & Nursery Sales | a building or structure involved in the growth and retail sale of flowers and plants.

Gas Station | a building or part of a building primarily used for the retail sale of fuel, oil, and automobile related products. A gas station may also include electric vehicle (EV) charging stations, a car wash and a retail or convenience store component.

Gazebo | a gazebo is a free-standing pavilion structure, which is often octagonal, that provides for shade, rest, and social interaction, and may be used to host events. Gazebos are commonly found in parks, gardens, and spacious public areas.

Golf Course | a public or private area operated for the purpose of playing golf or a related activity.

Grade | with reference to a building or structure, is the lowest of the average levels of finished ground adjoining each exterior wall of a building, except that localized depressions including but not limited to those for vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground.

Garage | a structure which is at least sixty per cent (60%) enclosed which is used for the parking or storage of one or more vehicles, and is usually accessory to a residential use.

Green Roof | a green roof or living roof is a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems. Green roofs serve several purposes for a building, such as absorbing rainwater, providing insulation, creating a habitat for wildlife, providing amenity space for people, and helping to lower urban air temperatures and mitigate the heat island effect.

Grocery Store | a building, other than a restaurant, used primarily for the retail sale of food.

Gross Floor Area | see “Floor Area”.

Ground Floor | the floor of a building first above the established grade.

Ground Sign | see “Sign”.

Group Home | see “Residential Care Facility, Home for Special Care or Group Home”.

Gym & Fitness Centre | an establishment that provides facilities for aerobic exercises, weight control programs and fitness-related instruction programs including exercise equipment, game courts, swimming facilities studios, saunas, showers, massage rooms, and lockers.

Habitation | occupying a place as a residence or sleeping place on a scheduled or permanent basis.

Hard Surface | any surface on a lot that is impervious to water (70% or greater run-off), including a building, asphalt paving, concrete paving, brick paving, and compacted granular surfaces.

Hazardous Substance | a dangerous or poisonous substance in solid, liquid, or gaseous form that causes harm to people, other living organisms, or the environment. Hazardous substances include, but are not limited to explosives, pesticides, herbicides, fungicides, biocides, corrosive substances, flammable substances, and radioactive materials.

Heat Island Effect | a localized increase in ambient air temperature in urban areas and the suburbs, which occurs primarily due to the replacement of vegetation with buildings, roads, parking lots, hardscapes and other heat-absorbing infrastructure.

Hedge | a closely planted row of bushes or low trees.

Height | the vertical distance on a building between the grade, and

- d. The highest point of the roof surface or parapet, whichever is greater, of a flat roof; or
- e. The decline of a mansard roof; or
- f. The mean level between the eaves and ridges of a gabled, hip, gambrel or other type of pitched roof;

but shall not include any construction used as ornament or for the mechanical operation of the building, a mechanical penthouse, chimney, tower, cupola or steeple.

Home for Special Care | see “Residential Care Facility, Home for Special Care or Group Home”.

Home Improvement Centre | a large-format retail store that includes the sale of building materials and hardware and may also include a broader range of household goods such as appliances, home décor, seasonal items, and garden products. Such establishments may include warehouse-style storage, contractor services, and tool rental.

Hospital | an institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including as an integral part of the institution related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences.

Hostel | an establishment that provides inexpensive food and lodging for a specific group of people, such as students, workers, or travelers.

Hotel | a building or establishment which provides accommodation for the travelling public for financial remuneration and may include other facilities such as meeting rooms, restaurants, beverage rooms, lounges and entertainment facilities. Includes hostels.

Household Repair Services | see “Repair Services”.

Indoor Bicycle Accommodations | secure indoor bicycle parking accommodations, which are located within a multi-unit residential development and offered to building tenants, typically in the form of an individual or a communal storage area / bike locker.

Illuminated Sign | see “Sign”.

Indoor Shooting Range | a wholly enclosed facility designed for firearms practice.

Industrial Repair Shop | see “Repair Service”.

Inn | a building or part of a building which provides accommodation for the travelling public for financial remuneration and may include a dining room which is open to guests and the general public but shall not include entertainment facilities, a lounge, or a beverage room.

Institution | any building or part of a building used by an incorporated body or society for promoting a particular purpose or for providing a service, including but not limited to hospitals, schools, nursing homes, residential care facilities, treatment and rehabilitation centres, homes for special care, group homes, detoxification centres, community living arrangements for persons with legal, emotional or mental problems, community centres and private non-profit clubs.

Interior Lot | see “Lot”.

Interpretative Centre | an establishment, structure, display, or exhibit where knowledge of historical, cultural, or natural heritage, most often of local or regional significance, is disseminated or conveyed to visitors and residents.

Land Leased Community | an establishment comprising of land or premises under single ownership, designed and intended for residential use, where residence is primarily in manufactured homes, but does not include public camping grounds maintained by the Town or any department of the Provincial Government for seasonal use. A land leased community may contain mobile homes, mini homes, single unit dwellings, two unit mini homes, manufactured homes and administrative offices necessary for the operation of a land leased community.

Landscaping | the design and placement of landscape elements such as trees, shrubs, grass, rocks and other organic or inorganic elements of the landscape.

Laundromat & Dry Cleaning Establishment | an establishment where dry cleaning, dyeing, cleaning or pressing of articles or goods made of fabric or leather is carried on and in which only solvents are used which emit no odours or fumes and in which no noise or vibration causes a nuisance or inconvenience outside of the premises.

Leash Free Dog Park | a designated area where a person(s) owning or in the care and control of a licensed dog(s) are permitted to allow such animals to remain unleashed. Leash free dog parks shall not be located within less than 25 metres of residential properties, schools, sports fields, or playgrounds, and shall not be located within parks less than one hectare in area. Regulatory signage shall be posted at the primary entrance of the designated area. The Town's

Parks, Recreation & Culture Department shall be responsible for the management of any leash free dog parks on Town owned land.

Library | a building or part of a building that houses an organized collection of information resources, such as books, periodicals, newspapers, maps, prints, films, music, videos, etc., that are made accessible to a defined community for reference or borrowing. A library may also provide internet access the community, and contain facilities that can be used for lectures, exhibits, meetings, social events, youth programming, and presentations, etc.

Liquor and Cannabis Retail Sales | a retail establishment authorized by the Province of Nova Scotia for the sale of liquor and/or cannabis products to the public for off-site consumption. This use may include the ancillary sale of related products such as accessories or merchandise, provided such items are clearly incidental and subordinate to the principal use.

Loading Space | an unencumbered area of land provided and maintained upon the same lot or lots upon which the principal use is located and which:

- a. Is suitable for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from the vehicle, and such parking shall not be for the purpose of sale or display;
- b. Is not upon or partly upon any street, or highway; and
- c. Has adequate access to permit ingress and egress by means of driveways, aisles, manoeuvring areas or similar areas, no part of which shall be used for the temporary parking or storage of one or more motor vehicles.

Lot | any parcel of land as described by its boundaries.

- **Corner Lot** | a lot situated at the intersection of, and abutting two or more streets.
- **Interior Lot** | a lot situated between two lots and having access to one street.
- **Through Lot** | a lot bounded on two opposite sides by streets or highways. If any lot is both a corner lot and a through lot, such lot shall be deemed to be a corner lot for the purpose of this By-law.

Lot Area or Lot Size | the total horizontal area within the lot lines of a lot.

Lot Depth | the horizontal distance between the front and rear lot lines. Where these lot lines are not parallel, the lot depth shall be the length of a line joining the midpoints of the front and rear lot lines.

Lot Frontage | the distance between the side lot lines, such distance being measured (1) at a ninety degree angle to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines, measured at a point thereon equal in distance to the minimum applicable front yard, or, (2) at the front lot line, whichever is greater.

Lot Line | a boundary line of a lot, and for greater certainty:

- **Front Lot Line** | the line dividing the lot from the street. In the case of a corner lot, either boundary line abutting the street may be regarded as the front lot line. In the case of a through lot the longer boundary dividing the lot from the street shall be deemed to be the front lot line and the opposite, shorter boundary shall be deemed to be the rear lot line, and where such lot lines are of equal length, the front lot line shall be deemed to be the front lot line as established in the block by prior construction.
- **Rear Lot Line** | the lot line furthest from or opposite to the front lot line.
- **Side Lot Line** | a lot line other than a front or rear lot line.
- **Flankage Lot Line** | a side lot line which abuts the street on a corner lot.

Main Building | the building in which the principal purpose for which the building lot is used is carried out.

Main Wall | the exterior front, side or rear wall of a building, and all structural members essential to the support of a fully or partially enclosed space or roof.

Manse | a dwelling provided by a church for its minister.

Manufactured Home | a single or two-unit dwelling built in an enclosed factory environment in one or more section, to be occupied in a place other than of its manufacture. For the purposes of this By-law, manufactured homes shall include mobile homes or mini homes as well as modular homes that are either completely self-contained dwelling units or are sectional dwelling units that are completed on the site.

Manufacturing, Processing, & Assembly Use | a wholly enclosed industrial building dedicated to the manufacturing, processing, and assembly of goods.

Marina | a facility which is primarily used for the rental of berthing space and floats for boats, but may also include sale and/or rental of boats, storage of boats and equipment, marina supplies, fuel, fishing supplies and equipment, boat repair facilities, cafe or restaurant, or a caretaker's or manager's office.

Marine Terminal | a port or harbour which facilitates docking, cargo handling and storage for vessels.

Market | a retail sales operation where purchases are made directly from a display, vendor, or group of vendors that may or may not be associated with any retail use on the lot. Markets include farmers' markets, meat markets, fish markets, produce markets, flea markets, and bake sales.

Maximum Lot Coverage | the 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.

Metal Corrosion Treatment Facility | a building or part of a building which provides rust treatment services for vehicles.

Micro-Brewery | a small-scale brewery which typically produces limited quantity of specialty beers, and may sell beverages and food made on site to the public.

Mini Home | a prefabricated manufactured dwelling with a pitched roof, which has a building footprint of 6 metres or less for 60% or more of the dwelling's length.

Minimum Lot Area | the minimum area of land required for lot creation in a particular zone.

Mobile Home | a prefabricated dwelling incorporating a bow-truss roof and designed for transportation on its own frame.

Mobile Building | a prefabricated main building incorporating a bow-truss roof and designed for transportation on its own frame.

Motel | a building or part of a building other than a hotel which provides accommodation designed for the travelling public and is characterized by separate outside entrances to individual sleeping accommodations and nearby parking, and which may include meeting rooms, restaurants and entertainment facilities.

Multi-Unit Dwelling | a dwelling containing three (3) or more dwelling units including but not limited to row houses, townhouses and apartments.

Multi-Unit Residential Development | a development consisting of one or more multi-unit dwellings.

Municipal Government Act | chapter 18 of the Statutes of Nova Scotia, 1998

Municipal Planning Strategy (MPS) | the Municipal Planning Strategy of the Town of Bridgewater.

Museum | a cultural facility which collects, preserves and displays artefacts of historical, scientific, artistic or cultural significance.

Non-Conforming Use | see "Use".

Nursing Home | a building wherein nursing care and room and board are provided to individuals incapacitated in some manner for medical reasons but does not include a hospital.

Office | a room or rooms where business may be transacted, a service performed or consultation given, including but not limited to physicians, surgeons, dentists, lawyers, architects, engineers, accountants, real estate agents, insurance agents, photographers, optometrists, chiropractors, eye specialists and similar uses, and may include retail sales or dispensing of goods associated with and incidental to the main use.

- **Personal Office** | a work space within a dwelling unit with no public accessibility, no warehousing of saleable goods, and no employees who are not resident in the dwelling.
- **Contractor Office** | a place of business operated by a member of a skilled trade, including but not limited to electricians, carpenters, masons, plumbers, HVAC technicians, roofers, and landscapers, where administrative functions such as project coordination, client consultation, and office-based work are conducted. A contractor office may include limited indoor storage of tools, equipment, or materials used in the trade, but does not include on-site manufacturing, large-scale warehousing, or outdoor storage unless otherwise permitted in the zone.

On-Site Sewage Disposal System | means a system for disposing of sewage that is not directly connected to a central sewage collection and treatment system or a municipal system

Opaque Fence | see "Fence".

Open Space | refers to land that has been reserved for the purpose of formal and informal sport and recreation, preservation of natural environments, and the provision of green space.

Open Storage | the storage of any items outside a building, not primarily for the encouragement of sale of the item or of similar items, but principally for storage purposes.

Outdoor Cafe | any open space, terrace, or deck contiguous with and operated as an extension of a lounge, tavern or restaurant where food and beverages may be served or entertainment provided.

Outdoor Display | a display of goods on a lot to encourage the purchase of the display items, or similar items, including but not limited to cars, trucks, vans, motor homes, mobile homes, trailers, boats, snowmobiles, motorcycles, swimming pools, decorative fountains, prefab cottages or homes.

Outdoor Furnace | any individual hand fed furnace designed to burn wood and used to burn only untreated wood, and used for the purpose of heating water where the furnace is located outside the structure into which the hot water produced is piped.

Outdoor Recreational Use | an outdoor facility, court or area, either publically or privately owned, that is designed and equipped to support sport, recreational, and leisure activities, including but not limited to, lawn bowling greens, playgrounds, passive recreational spaces, parks, skating rinks, outdoor gyms & fitness centres, sports fields, swimming pools, tennis courts, and other similar uses.

Outdoor Recreation Retail | a retail establishment primarily engaged in the sale, rental, and/or repair of equipment, apparel, and accessories designed for outdoor recreational activities such as hiking, camping, paddling, hunting, fishing, climbing, and similar pursuits. This use may include accessory functions such as equipment servicing, rentals, educational programs, and indoor demonstration areas, provided they are incidental and subordinate to the principal retail operation.

Owner | includes a person controlling the property under consideration, and also includes prima facie the assessed owner of the property whose name appears on the assessment roll prepared in accordance with the Assessment Act.

Park | an open area devoted to passive recreational uses or conservation uses and may include ornamental gardens and lawns, outdoor furniture, accessory structures, children's playgrounds, and on-site parking areas which support park uses.

Parking Lot or Area | an open area, other than a street, containing parking spaces for multiple motor vehicles, available for public use or as an accommodation for clients, customers or residents and which has access to a street or highway by means of driveways, aisles or manoeuvring areas where no parking or storage of motor vehicles is permitted.

Parking Space | an area used for the temporary parking or storage of motor vehicles, and which has adequate access to permit ingress and egress of a motor vehicle to and from a street or highway by means of driveways, aisles or manoeuvring areas.

Parks Facility | an indoor and/or outdoor facility that is used by a municipal government for parks equipment storage, maintenance, and repair.

Parking Structure | a wholly or semi-enclosed building with a roof, typically of multiple storeys, where automobile parking spots are provided, except in the Historical Downtown Commercial (C1) Zone where a semi-enclosed building is not permitted.

Passive Recreation Use | the use of land for leisurely or low-intensity recreational activities which simultaneously provides for the preservation of the natural environment, and requires minimal development and maintenance. Passive recreational activities include, but are not limited to walking, running, biking, canoeing, snowshoeing, cross country skiing, sitting, picnicking, board games, wildlife observation, photography, and other ecologically oriented pursuits. Associated amenities and infrastructure may include benches, picnic tables, garbage cans, pathways, trails, and pedestrian bridges.

Penal Institution | a public or privately operated facility that is used to detain juvenile and adult offenders who are awaiting trial or are serving a sentence after being found guilty of a criminal offense. A penal institution may also provide training and support services to help individuals transition from a penal institution to public life.

Person | 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.

Personal Office | see “Office”.

Personal Service Shop | a building or part of a building in which people are employed in furnishing services and otherwise administering to individual and personal needs, including but not limited to barber shops, salons, hairdressing shops, and excluding the retail sale of any product other than products made on the premises or used in the production or presentation of products made on the premises, any manufacturing or fabrication of goods for sale.

Petroleum Bulk Storage Plants | a facility used for the storage of large quantities of petroleum.

Pitch | the slope of a roof.

Place of Assembly | an establishment where people congregate for deliberation, entertainment, cultural, recreation or similar purposes, including but not limited to, auditoriums, churches, clubs, halls, meeting halls, community facilities, open spaces, restaurants, galleries, and recreational fields, courts and facilities.

Place of Entertainment | A wholly enclosed establishment where individuals assemble in order to engage in active or passive activities for the sake of being entertained. These uses include, cinemas/movie theatres, bowling alleys, arcades, billiards and pool halls, laser tag, mini golf, etc., but exclude adult entertainment uses.

Place of Worship | a building used for religious worship, study, and instruction, including but not limited to churches, monasteries, mosques, synagogues, temples, etc. A place of worship may also include an auditorium, hall, day care centre and nursery operated by the church and may include temporary accommodations.

Playground | an active recreational area with a variety of facilities and/or equipment for children, as well as courts, fields, and open spaces.

Point of Access | an ingress or egress providing access between a public or private street and a development or parking area.

Porous Pavement | a permeable pavement surface, often built with an underlying stone reservoir, which temporarily stores storm-water before it infiltrates into the underlying soil. The most common types are porous asphalt and pervious concrete.

Portable Sign | see “Sign”.

Post Office | an institution which organizes and handles the delivery of mail, possibly with associated retail.

Printing Establishment | an establishment that provides publishing, printing, and other print media services to the public.

Private Road | a street built on private property, typically not to municipal standards.

Projecting Wall Sign | see “Sign.”

Public Authority | any Board, Commission or Committee of the Town of Bridgewater established or exercising any power or authority under any general or specific statute of Nova Scotia with respect to any of the affairs or purposes of the municipality or a portion thereof and includes any committee or local authority established by By-law of the Town of Bridgewater.

Public Building | a building belonging to the Government of Canada, Province of Nova Scotia, Town of Bridgewater, Municipality of the District of Lunenburg, or any agency or commission or corporation thereof.

Public Façade | see “Façade”.

Public Office | a building that belongs to, or contains offices where basic public services are administered by the Government of Canada, Province of Nova Scotia, Town of Bridgewater, Municipality of the District of Lunenburg, or any agency or commission or corporation thereof. Public offices exclude libraries and postal services.

Public Park | 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.

Public Sewer | a sewage collection system owned and operated by the Town of Bridgewater.

Public Works Facility | an indoor and/or outdoor storage facility for equipment that is used by a municipal government’s public works department for street and right of way maintenance, snow and ice removal, litter abatement, and infrastructure maintenance and repair.

Pulp & Paper Mill | a factory dedicated to the production of paper, or other similar materials, from wood chips or other plant fibre sources.

Race Track | a specialized facility that is designed for the racing of vehicles, and may also include grandstands, concourses, washrooms, and other accessory uses.

Rear Lot Line | see “Lot Line”.

Rear Yard | see “Yard”.

Rebuild or Reconstruct | when used with reference to a building or structure means to build a wholly or substantially new structure in the same location as a structure, where a structure has been wholly or partially removed and the resulting structure is of substantially the same dimensions and volume as the original structure as demonstrated by photographs or measured drawings of the original structure.

Recreational Facility | a facility, either publically or privately owned, that is designed and equipped to support sport, leisure, and recreational activities, including but not limited to, arenas, community centres, curling rinks, gyms & fitness centres, skate parks, spas, sports fields, swimming pools, tennis courts, and other similar uses.

Recreational Use | the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, community centres and uses similar to the foregoing, together with necessary and accessory buildings and structures, but not including a track for the racing of animals, or any form of motorized vehicles.

Recreational Vehicle | a portable vehicular-like structure without a permanent foundation that can be towed, hauled, or driven, and is primarily designed as a temporary living accommodation for recreational and camping purposes. Recreational vehicles include but are not limited to, trailers, truck campers, camping trailers, and self-propelled motor homes.

Rectory | a residence provided by a church for its rector.

Recycling Depot | a wholly enclosed building used for the collection, sorting, and temporary storage of discarded recyclable or reusable materials.

Refinery | an industrial production facility comprised of machinery, equipment, and a group of workers who refine certain materials or convert raw material into products of value.

Rehabilitation & Treatment Centre | a facility that provides short term, primarily in-patient care, treatment, and or rehabilitation services for drug and alcohol treatment.

Renewable Energy | means the production of energy including but not limited to electricity, heating and cooling, and kinetic energy, from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, solar, and geothermal energy. The production of energy through the combustion (and related exothermic and chemical processes) of non-organic material is not included in this definition.

Repair | when used with reference to a building or structure means to renovate or mend by replacing or repairing parts without altering the size or volume of the structure.

Repair Services | see below:

- **Automobile Repair Service** | a building or part of a building where automobiles, automobile bodies, and related mechanical components are repaired or installed.
- **Household Repair Service** | a building or part thereof used for the repair of household articles including but not limited to radio, television, and appliance repair shops, plumbing repair shops, electrical repair shops, furniture repair shops, shoe repair shops. It does not include industrial repair services or automobile repair services.
- **Industrial Repair Service** | a building or part of a building where repair services are provided for a wide range of industrial machinery and equipment.

Residential Care Facility, Home for Special Care, Group Home or Small Option Homes | a community-based group living arrangement, in a single unit, for six or more individuals, exclusive of staff and/or receiving family, with physical and/or intellectual disabilities and/or are survivors of gender-based violence, that is developed for the well-being of its residents through self-help, professional care, guidance and supervision unavailable in the residents' own family, an independent living situation, or facility. Where a single unit is located in a dwelling and consists of five or fewer individuals, excluding staff whether resident or not, the use is a single unit dwelling.

Residential Floor Area | see "Floor Area".

Restaurant | a building or part thereof where food and drink is prepared and served to the public for consumption within the building or attached outdoor café or patio or for take-out including a drive through or drive in facility or delivery. "Café" is included within the definition of restaurant.

- **Take-Out Restaurant** | a building or part thereof where food and drink are prepared and sold to the public and which does not provide facilities for consumption thereof on the premises, and may include delivery.

Residential Conversion | the alteration of, but not demolition of, a residential building to increase the number of principal dwelling units.

Research Facilities | A building or part of a building used for investigation into the natural, physical or social services, which may include engineering and intermediate level product development.

Retail Sales | the keeping or offering for sale, rent or lease, directly to the public of goods, wares, merchandise, substances, articles, or things.

Road | see “Street”.

Roof | the covering or uppermost part of a building. There are several different kinds of roofs:

- **Flat Roof** | a roof without a pitch, not including construction used as ornament or for the mechanical operation of the building, a mechanical penthouse, chimney, lifts, tower, cupola or steeple.
- **Gable Roof** | a pitched roof with two sloping sides.
- **Gambrel Roof** | a pitched roof with two sloping sides which include a ridge.
- **Hip Roof** | a pitched roof with all sides sloping.
- **Mansard Roof** | a four sided roof containing two sloping planes of different pitch on each of its sides. The lower plane has a much steeper pitch than the upper, often approaching vertical, in order to create a ridge and a large amount of habitable space.
- **Shed Roof** | a roof which slopes from one side of a building to the other, not including construction used as ornament or for the mechanical operation of the building, a mechanical penthouse, chimney, lifts, tower, cupola or steeple.

Roof Sign | see “Sign”.

Sales & Rentals | see below:

- **Equipment Sales & Rental** | a building or part of a building where equipment, tools, and machinery are sold or rented to the public.
- **Automobile Sales & Rental** | a building, part of a building, or a clearly defined space on a lot where new or used automobiles are offered for sale or rental to the public. This use may also include automobile repair services or a garage.
- **Vehicle Sales & Rental** | a building, part of a building, or a clearly defined space on a lot where any type of vehicle - including automobiles, recreational vehicles, all-terrain vehicles, snowmobiles, transportation trucks, boats, etc. - or vehicle accessories are offered for sale or rental to the public. This use may also include automobile repair services or a garage.

Scrap Materials | materials left over from product manufacturing and consumption, such as parts of vehicles, building supplies, and surplus materials, which are recyclable and have monetary value.

Scrap Yard and Salvage Yard | a lot or premises for the storage or handling of scraps including but not limited to parts of vehicles, building supplies, tires, metal, surplus materials or other scrap material or salvage.

Self-Storage Facility | a building consisting of self-contained storage units that are leased or rented on an individual basis for the storage of personal goods.

Setback | the distance between the lot line and the nearest main wall of any building or structure and extending the full width or length of the lot.

Sewage Treatment Facility | a wholly enclosed facility used for the treatment of sewage, owned and operated by the Town of Bridgewater.

Shopping Centre | a building or building complex on a lot designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants, containing a variety of commercial uses and distinguished from a business area comprising unrelated individual uses and characterized by the sharing of common parking areas and driveways.

Side Lot Line | see "Lot Line".

Side Yard | see "Yard".

Sign | any structure, device, light or natural object including the ground itself, or any part thereof, or any device attached thereto or painted or represented thereon, which displays or includes any letter, work, model, number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement, which is used to identify, advertise, or attract attention to any object, product, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry or business, and which is intended to be seen from off the premises or from a parking lot. Objects on display, which show the logo or brand name of the object shall not be deemed a sign within this By-law.

- **Banner** | a sign composed of lightweight material and fastened at least two (2) edges of its surface.
- **Billboard** | a large-scale sign which directs attention to a business, community service, or entertainment not exclusively related to the premises where such sign is located.
- **Building Identification Sign** | a sign that identifies the name of the building and/or year that it was constructed. This type of sign typically includes text carved into stone at the top of the building, individual letters mounted on the storefront façade or cornice, or a flat fixed wall sign board mounted on the storefront façade or cornice.
- **Canopy Sign** | any sign attached to or forming part of a canopy.
- **Changeable Copy Sign** | any sign on which the majority of the information may be changed by the addition sign or deletion of individual, prefabricated, letters or words. A changeable copy sign will also be one or more of the following: temporary sign, ground sign, portable sign, illuminated sign, projecting wall sign, flat fixed wall sign, or a roof sign.
- **Flat Fixed Wall Sign** | a sign which is attached directly to or painted on a building wall.
- **Ground Sign** | a sign supported by one or more uprights or braces permanently affixed in or to the ground.
- **Illuminated Sign** | a sign that provides artificial light directly, or through any transparent or translucent material from a source of light connected with such sign, or a sign illuminated by a light focussed upon or chiefly directed at the surface of the sign.
- **Number of Signs** | for the purpose of determining number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit.

Where matter is displayed in a random manner without organized relationship or elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.

- **Portable Sign** | a ground sign no greater than 0.56 m² (6 ft²) in area which is not permanently affixed to or in the ground, including sandwich board signs.
- **Projecting Wall Sign** | a sign which projects from and is supported by a wall of a building.
- **Replica Sign** | a sign that is intended to replace an existing business premise's old sign, for which a development permit had previously been issued by the Town's Development Officer. A replica sign is an exact replica of the old sign, in terms of area, dimensions, location on a building or lot, advertised land use, business name, and imagery. If these sign elements are not the same, or if the business premise experiences a change in use, then the sign is not a replica sign and a development permit shall be required before it is erected.
- **Roof Sign** | a sign which is fixed to or supported by the roof of any structure.
- **Temporary Ground Sign** | a ground sign which may be erected for no more than 90 consecutive days during a 12 month period.
- **Window Sign** | a sign attached to and entirely located within one or more windows.

Sign Area | the area of the smallest triangle, rectangle, circle or semi-circle which can wholly enclose the surface area of one side of the sign. For canopies and awnings, sign area is considered to be the area of the smallest triangle, rectangle or circle or semi-circle which can wholly enclose the surface area of the elements which convey information.

Skilled Trades | those occupations pursued as a business or calling, usually learned by apprenticeship, and distinguished from mercantile, professional or agricultural occupations or unskilled labour, including but not limited to plumbers, electricians, and carpenters and, for the purposes of this By-law, excluding sheet metal workers, blacksmiths, auto repair persons and welders.

Solar Energy Station | a facility where sunlight is converted to electricity, either directly or indirectly.

Step-Back | when the upper floor(s) of a building have a greater setback than the base of a building to reduce the building's mass and presence on the streetscape, and to allow more light to reach the ground.

Storage Facility | see "Warehouse, Depot & Storage Facility".

Street | the whole and entire right-of-way of every highway, road, or road allowance vested in the Province of Nova Scotia or the Town of Bridgewater.

Street Line | the boundary line of a street.

Street Wall | a street wall is formed when multiple buildings along a given street are constructed with a consistent, minimal front yard setback so that the buildings' collective mass creates what appears to be a wall along the sidewalk. Maintaining a well-designed street wall in close proximity to a street / sidewalk is a frequently used urban design practice that creates an attractive and walkable environment.

Structure | anything that is erected, built, or constructed of parts joined together, or any such erection fixed to or supported by the soil or by any other structure. A structure shall include buildings, walls, and signs and also fences exceeding 2m (6.5ft) in height.

Studio | a building or part thereof used as a workroom for the study, execution or instruction of any fine or commercial art or craft, including but not limited to, dance, photography, music, visual arts, and commercial design.

Sustainable energy | includes the provision of renewable or waste energy that provides local economic and social benefits while reducing or eliminating environmental impacts.

Sustainable Energy Systems | means energy technologies that enable the transition to a low carbon future, including but not limited to: renewable energy, district energy, energy storage and other innovative facility-scale or neighbourhood-scale energy solutions.

Swimming Pool | a water-filled enclosure, permanently constructed or portable, whether above or in-ground, capable of holding water to a depth of more than 600mm (24”), maintained or used, or which may be used for swimming or bathing; including reflecting pools and other such structures used as part of the landscaping of a property; but excluding existing natural bodies of water or streams.

Tailor & Dressmaker | an establishment where articles of clothing, such as suits, pants, shirts, dresses, and jackets, are made, fitted, repaired, or altered by a professional.

Tannery | a wholly enclosed facility where animal skins are treated and processed (i.e., “tanned”) to produce leather.

Taxi Operations | an establishment used by taxicab companies for operations and administrative work.

Telecommunication Tower | a tower used primarily for telecommunications purposes, including telephone services, television transmission, and microwave towers.

Temporary Structure | see “Structure”.

Theatre | a building or outdoor area where live theatrical performances, plays, music are presented to an audience. A theatre may occasionally be used to host special events or lectures, or display films.

Third-Party Housing Provider | a government agency, non-profit or cooperative housing organization that manages or owns housing.

Town | the Town of Bridgewater.

Townhouse | a building that is divided vertically into three or more separate dwelling units, each of which has a dedicated exterior entrance oriented towards the street and is designed to exist independently if subdivided.

Trade Show | an exhibition event organized to showcase products, services or activities in a specific industry.

Traffic Authority | means an official appointed by the Town to be the Traffic Authority pursuant to Section 86 of the Motor Vehicle Act. R.S., c. 293, s.1.

Transit Facility | an indoor and/or outdoor facility that is used by a municipal government’s transit services for vehicle storage and maintenance, exclusive of automobile repair services of transit vehicles.

Transportation & Trucking Facility | a structure or site where a trucking and distribution company houses its vehicles until they’re dispatched.

Travel Lane | an area which allows vehicular traffic to travel in a single direction.

Two Unit Dwelling | see “Dwelling”.

Use | the purpose for which any land, building or structure is utilized, and also means the purpose for which any land, building or structure is designed, arranged, or intended, or the purpose for which any land, building or structure is occupied or maintained or leased, and for further certainty:

- **Agricultural Use** | the utilization of land, buildings or structures to raise crops or animals or fowl and includes the harbouring or keeping of any one or more of the following livestock regardless of its breed or stage of development: horse, pony, pig, cow, bull, goose, duck, hen, rooster, sheep, goat or similar livestock.
- **Change of Use** | any alteration in the use made of the whole or any part of a parcel of land, a building or a structure and includes, in the case of an intensive livestock operation, a change from one type of livestock to another. Change of use shall not mean the addition of another use.
- **Non-Conforming Use** | means any use of land or building or structure constructed, or being constructed, on or before the effective date of this By-law which has a prohibited use when subjected to this By-law.
- **Non-Conforming Structure** | a structure that does not meet the applicable requirements of the Land Use By-law.
- **Obnoxious Use** | a use which, from its nature or operation, creates a nuisance or is offensive by the creation of noise or vibration or by the emission of light, gas, fumes, dust, oil, or effluent or objectionable odour, or by reason of unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material.
- **Water Related Recreational Use** | a leisurely or recreational activity made possible due to its association with, and immediate proximity to a water body or a water course, including but not limited to, docks, boat rental facilities, and waterslides.

Vehicle | a device with one or more axels that is designed or used to transport people or cargo. Vehicles include automobiles, ATVs, bicycles, boats, motorcycles, recreational vehicles, transportation trucks, trains, ships, etc.

Vehicle Sales & Rental | see “Sales & Rentals”.

Visitor Information Centre | an establishment that that provides tourist information to visitors who tour the town or greater region.

Wall | any barrier of wood, brick, stone, rock or other similar materials which is constructed for the purpose of delineating, screening, safeguarding or enclosing.

Warehouse, Depot & Storage Facility | a wholly enclosed building where wares or goods are stored but shall not include a retail store.

Watercourse or Water Body | the bed and shore of every river, stream, lake, creek, pond, spring, lagoon or other natural body of water, and the water therein, whether it contains water or not.

Water Related Recreational Use | see “Use”.

Water Reservoir | a self-contained storage vessel for water.

Wholesale Establishment | A building without a retail store which is used to sell commodities in large quantities for industrial, institutional or business use or for commercial resale.

Winery | a building or property that produces wine, or a business involved in the production of wine.

Wood Debarking & Chipping Facility | a building or property used for the debarking and chipping of wood for uses like pulp and mulch.

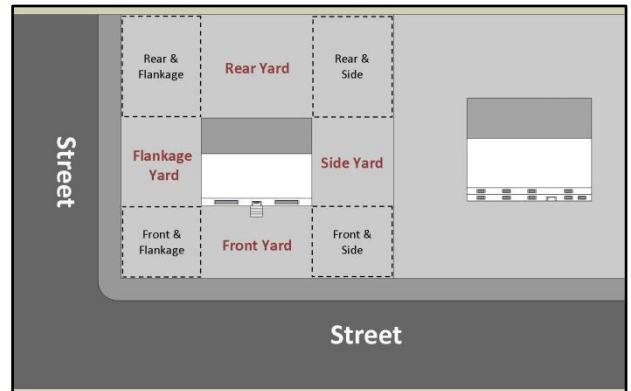
Wood Preserving Facility | the process of treating wood with chemical preservatives so it becomes more durable and resistant to decay.

Wind Turbine | a mechanical device that utilizes a propeller system to transfer wind into a renewable energy source. Two types of wind turbines are permitted in the Town of Bridgewater:

- **Mini Wind Turbines (up to 1 kW)** | a wind turbine that supplies up to of 1 kilowatt of energy to an on-site home or business.
- **Small Scale Wind Turbines (2-100 kW)** | a wind turbine that supplies between 2 and 100 kilowatts of energy to an on-site home, business, or collective development

Yard | an open, uncovered space on a lot appurtenant to a building, and in determining yard measurements, the minimum horizontal distance from the respective lot lines shall be used; and for greater certainty:

- **Flankage Yard** | the side yard on a corner lot, which side yard extends from the front yard to the rear yard between the flankage lot line and the nearest main wall of any building or structure.
- **Front Yard** | a yard extending across the full width of a lot between the front lot line and the nearest main wall of any building or structure on the lot; and "minimum" front yard means the required minimum depth of a front yard between the front lot line and the nearest main wall of any main building or structure on the lot.



- **Rear Yard** | a yard extending across the full width of a lot between the rear lot line and the nearest main wall of any main building or structure on the lot; and "minimum" rear yard means the required minimum depth of a rear yard on a lot between the rear lot line and the nearest main wall of any main building or structure on the lot.
- **Side Yard** | a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest main wall of any building or structure on a lot; and "minimum" side yard means the required minimum width of a side yard between a side lot line and the nearest main wall of any main building or structure on the lot.

Yard Sale | the sale of new or used goods which is not connected to a legally existing commercial establishment, whether from the yard of a lot, an accessory building, or from within the main building. Each twelve hour period shall be considered a separate yard sale.

Zone | a designated area of land shown on the Zoning Map of this By-law and more particularly referred to in Section 2 of this By-law.