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ANTIGONISH
COUNTY

Municipality of the County of Antigonish

Land Use By-law

June 11, 2024

Municipality of the County of Antigonish

Land Use By-law

2024

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1 Title, Purpose, Authority, and Applicability

1.1 Title

1.1.1 This By-law shall be known as, and may be cited as, the Land Use By-law for the Municipality of the County of Antigonish (“Municipality”).

1.2 Purpose

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

- (a) divides the Municipality into zones;
- (b) establishes and regulates for each zone the purposes for which land and buildings may be used;
- (c) establishes standards for the dimensions of land within each zone and the positioning of buildings upon those lands;
- (d) establishes a method of making decisions on applications for development permits, including the issuing of development permits; and
- (e) establishes a method for making decisions on applications for site plan approval.

1.3 Authority

1.3.1 This By-law shall be applied in a manner consistent with the Municipality’s Municipal Planning Strategy and the *Municipal Government Act* (“Act”), as amended from time to time.

1.4 Applicability

1.4.1 This By-law shall apply to all lands within the Municipality, excepting those lands subject to Secondary Municipal Planning Strategies, as identified on Schedule ‘A’, the Zoning Map.

1.4.2 Notwithstanding Subsection 1.4.1, the wind turbine provisions of Part 7 shall apply to all areas of the Municipality.

2 Interpretation

2.1 Certain Words

2.1.1 In this By-law:

- (a) the word “shall” means mandatory compliance;
- (b) the word “may” means discretionary compliance or a choice in applying a policy or regulation;
- (c) words used in the plural include the singular, and words in the singular include the plural; and
- (d) gendered words shall be interpreted to mean any gender.

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

2.2 Conflict

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

2.2.2 Colour coding throughout this By-law and the Zoning Maps is for ease of reference only and the text of the By-law shall take priority.

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

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

2.3 Definitions

2.3.1 For the purposes of this By-law, words shall have the meaning or meanings assigned to them in Part 29.4.1 - Definitions. Where a word is not defined in Part 29.4.1, the word shall have the meaning or meanings assigned by accepted Canadian English dictionaries.

2.4 Units of Measurement

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

2.5 Interpretation of Zone Boundaries

2.5.1 Boundaries between zones shall be determined as follows:

- (a) where a zone boundary is indicated as following a survey line as recorded at the Land Registration Office, the boundary shall follow that line;
- (b) where a zone boundary is indicated as following a street, private road, or controlled access highway, the centerline of the street, private road, or controlled access highway as it existed on the effective date of this By-law shall be the boundary unless otherwise indicated;
- (c) where a zone boundary is indicated as following a railway or utility right-of-way, the centerline of the right-of-way shall be the boundary unless otherwise indicated;
- (d) where the zone boundary is indicated as approximately following lot lines, the boundary shall follow the lot lines;
- (e) where the zone boundary is indicated as following a physical feature, such as, but not limited to, topographic elevations or agricultural soil classification, the Development Officer may interpret the boundary to align with a site-specific delineation completed by a qualified professional;
- (f) where the zone boundary is indicated as following the shoreline of a watercourse, the ordinary high water mark shall be the boundary; and
- (g) where none of the above provisions apply, the Development Officer shall scale the zone boundary from the zoning map.

2.6 Severability

2.6.1 If any provision of this By-law is held to be invalid by a decision of a court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this By-law.

3 Administration

3.1 Administration of Land Use By-law

- 3.1.1 Council shall appoint one or more Development Officer(s) for the Municipality.
- 3.1.2 The Development Officer shall be responsible for the administration of this By-law.

3.2 Inspection

- 3.2.1 Subject to Section 267 of the *Municipal Government Act*, the Development Officer or authorized agent of the Development Officer is authorized to enter, at all reasonable times, into or upon any property within the Municipality for the purpose of any inspections necessary to administer this By-law.

3.3 Enforcement and Penalty

- 3.3.1 In the event of any contravention of the provisions of this By-law, the Municipality may act as provided for in Section 266 of the *Municipal Government Act*.

3.4 Compliance with Other Legislation

- 3.4.1 Nothing in this By-law shall exempt any person from complying with the requirements of any other by-law in force within the Municipality, or from obtaining any license, permission, permit, authority, or approval required by any other by-law of the Municipality or statute or regulation of the Province of Nova Scotia or the Government of Canada.
- 3.4.2 Where the provisions in this By-law conflict with those of any other by-law of the Municipality or statute or regulation of the Province of Nova Scotia or the Government of Canada, the higher or more stringent provision shall prevail.

3.5 Restoring to a Safe Condition

- 3.5.1 Nothing in this By-law shall prevent the restoration of any building or structure to a safe condition when so required by a municipal order issued against a property.

3.6 Effective Date

- 3.6.1 Upon adoption by the Council of the Municipality of the County of Antigonish and approval by the Minister of Municipal Affairs, this By-law shall take effect on the date a notice is published in a newspaper, circulating in the Municipality, informing the public that the Land Use By-law is in effect.

3.7 Repeal

- 3.7.1 The Land Use By-law for the County of Antigonish Concerning the Regulation of Wind Turbine Development, adopted June 2009, as amended, is hereby repealed.

3.8 Existing Structures and Uses

- 3.8.1 A structure or use of land shall be deemed to exist on the effective date of this By-law if:
- (a) it has lawfully been constructed;
 - (b) it has lawfully commenced;
 - (c) it is lawfully under construction; or
 - (d) all required permits for its construction or uses were in force and effect, except that this shall not apply unless the construction or use is commenced within 12 months after the date of the latest issuance of the required permits.

4 Development Permitting

4.1 Development Permit

- 4.1.1 Unless otherwise stated in this By-law, no person shall undertake a development within the Municipality without first obtaining a development permit from the Development Officer.
- 4.1.2 The Development Officer shall only issue a development permit in conformance with this By-law and any development agreement or site plan agreement in effect on the site, except where a variance is granted or in the case of an existing nonconforming use or structure, in which case a development permit shall be issued in conformance with the Act.
- 4.1.3 A development permit shall expire within the following time periods from the date issued if the development has not commenced:
- (a) Three years for utility-scale wind turbines.
 - (b) Two years for industrial uses.
 - (c) One year for all other uses.
- 4.1.4 The Development Officer may revoke a development permit where information provided on the application is found to be inaccurate or the permit was issued in error.
- 4.1.5 The Development Officer shall, at the applicant's request and subject to the payment of fees in conformance with the fee schedule adopted by resolution of Council, renew a development permit for one additional year if:
- (a) the development permit has not been renewed previously; and
 - (b) the Development Officer is satisfied the development permit is consistent with the current Land Use By-law and any proposed amendments to the Land Use By-law for which Council has provided public notification regarding their intent to adopt.

4.2 Development Not Requiring a Development Permit

4.2.1 The following developments shall not require a development permit:

- (a) Interior or exterior renovations or alterations to a structure that do not result in a change in volume or gross floor area, number of dwelling units, or a change in use of the structure.
- (b) Fences that do not exceed 1.9 metres (6.2 feet) in height or fences within the Rural General.
- (c) Signs smaller than 0.2 square metres (2.1 square feet) in sign area, where signs are permitted.
- (d) Temporary buildings or structures erected for a period not exceeding 60 days.
- (e) Temporary buildings or structures incidental to construction and community events.
- (f) Public and private utilities located within the street right-of-way.
- (g) Temporary greenhouses, cloches, crop hoops, or other such temporary crop structures.
- (h) Accessory electric vehicle charging stations.
- (i) Farm, fish, and forest stalls meeting the requirements of Section 6.9.
- (j) Personal offices or studios meeting the requirements of Subsection 6.13.1.
- (k) The teaching of one student at a time, meeting the requirements of Subsection 6.15.1.
- (l) Any accessory building with a footprint of 19.97 square metres (215 square feet) or less, provided all other requirements of this By-law are met.
- (m) Signs permitted in all zones, as listed in Section 9.3.

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

4.3 No Exemption from Requirements

4.3.1 Every development shall be subject to the requirements of this By-law whether or not a Development Permit is required.

4.4 Application Requirements

- 4.4.1 Every application for a development permit shall be made in writing on an approved form and shall include:
- (a) the signature of the registered landowner or their duly authorized agent;
 - (b) application fees in conformance with the fee schedule adopted by resolution of Council;
 - (c) a statement of the proposed use of the land;
 - (d) a statement of the estimated commencement and completion date of development;
 - (e) a lot plan, as detailed in Section 4.5; and
 - (f) any other information required by this Land Use By-law.
- 4.4.2 In addition to 4.4.1, applications for commercial or industrial development with a footprint of 1,000 square metres (10,763.9 square feet) or greater shall include a stormwater management plan prepared by a Professional Engineer or Landscape Architect licensed to practice in Nova Scotia. Such plans shall include design calculations that confirm the development, at a minimum, meets the following criteria:
- (a) retains on-site stormwater runoff generated from the first 10 mm depth of a rainfall event; and
 - (b) balances stormwater runoff generated after the first 10 mm of a rainfall event to ensure matching of the pre- and post-development stormwater runoff conditions.

4.5 Lot Plan Requirements

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

- (a) the true shape and dimensions of all lots to be used;
- (b) the proposed location, height, and dimensions of the building, structure, or work for which the permit is applied;
- (c) the approximate location of rights-of-way and easements within the subject property;
- (d) the location of every building or structure already erected on or partly erected on such lot;
- (e) the proposed location and dimensions of parking spaces, loading spaces, driveways, solid waste storage areas, and landscaping areas, where applicable;
- (f) the approximate location of all watercourses and wetlands on the property; and
- (g) other such information as necessary to determine whether or not every development conforms to the requirements of this By-law.

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

4.6 Additional Plan Information

4.6.1 Where the Development Officer is unable to determine whether the proposed development conforms to this By-law or other by-laws and regulations in force, they may require that the plan submitted under Section 4.5 shows:

- (a) the precise location of rights-of-way, easements, watercourses, and wetlands;
- (b) the location of every building erected upon any abutting lot;
- (c) the location of existing and proposed walkways;
- (d) the type and location of existing and proposed outdoor lighting;
- (e) the type, location, and height of any existing and/or proposed retaining walls, fences, hedges, trees, shrubs, or groundcover, as well as any retained natural vegetation;
- (f) the location and type of any amenity area or facilities provided for users of the development; and/or,
- (g) existing and proposed service connections or on-site services.

4.7 Additional Studies and Plans

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

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

4.8 Variances

4.8.1 Notwithstanding anything in this By-law, the Development Officer may grant a variance subject to Section 235 of the *Municipal Government Act*. Specifically, the Development Officer may vary:

- (a) the percentage of land that may be built upon;
- (b) the size or other requirements relating to setbacks;
- (c) lot frontage;
- (d) lot area;
- (e) location and number of parking spaces and loading spaces required;
- (f) ground area of a structure;
- (g) height of a structure;
- (h) floor area occupied by a home-based business; and/or
- (i) height and area of a sign.

4.8.2 In accordance with the *Municipal Government Act*, the Development Officer shall not grant a variance if:

- (a) the variance violates the intent of the Land Use By-law;
- (b) the difficulty experienced is general to properties in the area; or
- (c) the difficulty experienced results from an intentional disregard for the requirements of this Land Use By-law.

4.9 Site Plan Approval

- 4.9.1 This By-law states the types of land uses that are subject to site plan approval through permitted use tables and/or lists for each zone.
- 4.9.2 The approval and appeal procedures for Site Plan Approval shall follow the requirements of the *Municipal Government Act*.
- 4.9.3 All other applicable criteria of this Land Use By-law shall still apply to any development proposed and undertaken through site plan approval, except for the following which may be varied by the Development Officer:
- (a) requirements related to yards;
 - (b) lot coverage; and,
 - (c) minimum parking requirements.
- 4.9.4 In addition to the requirements of Sections 4.4, 4.5, and 4.6, applications for site plan approval shall meet the following requirements:
- (a) The application shall be accompanied by a written request, including a rationale and any necessary supporting illustrations addressing each of the applicable criteria outlined in Part 29.
 - (b) The application shall be accompanied by a fee, in the amount established by Council, for advertising and notification costs.

4.10 Site Plan Approval Exemptions

- 4.10.1 Notwithstanding zone requirements for site plan approval, the following developments shall be exempt from site plan approval, provided all other requirements of this By-law are met:
- (a) Interior building reconfigurations, or additions of up to a gross floor area of 25.0 square metres (269 square feet).
 - (b) Installation, replacement, or repair of building features and building repairs or additions that neither change the footprint of the building nor increase parking requirements.
 - (c) Accessory structures with a footprint of less than 25.0 square metres (269 square feet) on a property which is not subject to a previously approved site plan, or where accessory structures are not indicated on a previously approved site plan.
 - (d) Changes to signage on a property which is not subject to a previously approved site plan, or where signage was not indicated on a previously approved site plan.
 - (e) Temporary uses.

4.11 Site Plan Approval Review

- 4.11.1 The Development Officer shall review applications for new developments permitted by site plan approval, and amendments to existing site plan approvals, against all applicable criteria of this Land Use By-law and the applicable criteria in Part 29.

4.12 Site Plan Approval Notification

- 4.12.1 Where the Development Officer has granted a site plan approval, notification of the approval shall be served upon all assessed properties that lie within 60.0 metres of the property subject to the site plan approval.

5 Zones and Zoning Maps

5.1 Zones

- 5.1.1 For the purposes of this By-law, the Municipality is divided into the following zones, the boundaries of which are shown on the attached Schedule 'A'. Such zones may be referred to by the appropriate symbols:

Zone Name	Zone Symbol
Agriculture Potential Zone	AP
Commercial Recreation Zone	CR
Comprehensive Development District Zone	CDD
Conservation Zone	C
Fishing Zone	RF
General Centre Zone	GC
Hamlet Core Zone	HC
Hamlet Residential Zone	HR
Highway Commercial Zone	HWY
Institutional Zone	I
Lakeshore Zone	RL
Light Industrial Centre Zone	MI
Main Street Zone	MS
Parks and Open Space Zone	PO
Residential Centre Zone	R
Rural Commercial Zone	RC
Rural General Zone	RG
Rural Industrial Zone	RM
Source Water Protection Zone	WP

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

Overlay Zone Name	Zone Symbol
Wind Resource Overlay Zone	WR-1

5.2 Zoning Maps

- 5.2.1 Schedule 'A' attached hereto may be cited as the "Zoning Maps".
- 5.2.2 Schedule 'B' attached hereto may be cited as the "Wind Resource Overlay Map".
- 5.2.3 The Zoning Maps and Wind Resource Overlay Map form part of this By-law.

6 General Provisions

6.1 Application of General Provisions

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

6.2 Accessory Buildings and Structures

- 6.2.1 Accessory buildings shall be located on the same lot as the main use.
- 6.2.2 Accessory buildings shall not be located in the front or flanking yard.
- 6.2.3 Notwithstanding the minimum rear setback for accessory buildings, boat houses, docks, wharves, or piers may be built across the lot line when said lot line corresponds to the water's edge.
- 6.2.4 Notwithstanding lot standards for accessory buildings, accessory buildings legally existing on the date of this By-law's adoption with less than the required setback shall be permitted to be replaced or rebuilt in the same location provided the accessory building does not increase its non-conformity.
- 6.2.5 Notwithstanding the minimum rear and side setback for accessory buildings, accessory buildings without windows or perforations on the side of the building facing the abutting lot line may be built 0.6 metres (2.0 feet) from said lot line.

6.3 Accessory Uses

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

6.4 Building Height Exception

- 6.4.1 Notwithstanding building height requirements in this By-law, maximum height requirements shall not apply to church spires, solar collectors, observation towers, silos, gondolas, water tanks, elevator enclosures, flag poles, television or radio antennae, ventilators, skylights, chimneys, clock towers, guard rails, telecommunication towers, and other similar structures.

6.5 Building to be Moved

- 6.5.1 No person shall move any building onto a lot without first obtaining a development permit from the Development Officer.

6.6 Electric Vehicle Charging - Accessory

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

6.7 Encroachment into Setbacks

6.7.1 Notwithstanding the zone standards in this By-law, the following encroachments into minimum required setbacks shall be permitted:

Feature	Required Setback in which Encroachment is Permitted	Permitted Encroachment Distance
Balconies, decks (> 0.3 m [0.98 ft] high), patios, steps, verandas, porches (open) not exceeding one storey in height, terraces (uncovered)	Any	To lot line
Barrier free access structures	Any	To lot line
Carports	Side	0.6 m (1.96 ft) from lot line
Exterior insulation retrofitted to an existing building	Any	0.3 m (0.98 ft)
Fire escapes and exterior staircases	Rear and Side	1.5 m (4.92 ft)
Sills, belt courses, cornices, eaves, gutters, chimneys, pilasters, or similar architectural features	Any	0.6 m (1.96 ft)
Window bays up to 3.0 metres (9.8 ft) wide	Front, Rear, and Flankage	1.0 m (3.28 ft)

6.8 Existing Undersized Lots

6.8.1 Except for lots created under Section 21A of the Municipality's Subdivision By-law, any lot legally in existence on or before the effective date of this By-law, having less than the required minimum lot frontage or area, may be:

- (a) used for a purpose permitted in the zone on the lot and a building may be erected on such lot, provided that all other applicable provisions of this By-law are satisfied; and
- (b) increased in area and/or frontage as a result of an approved plan of subdivision and still be considered an undersized lot under this By-law.

6.9 Farm, Fish, and Forestry Stalls

- 6.9.1 Nothing in this By-law shall prevent the direct sale of fish or other seafood; farm products such as, but not limited to, flowers, fruit, and vegetables; and forestry products such as, but not limited to, Christmas trees, wreaths, and maple products by individuals or companies engaged in the harvesting of such, subject to the following provisions:
- (a) any associated structures shall be limited to a maximum total footprint of 10.0 square metres (107.63 square feet) on a lot;
 - (b) associated structures shall meet zone requirements for minimum side and rear setbacks, but shall not be required to meet minimum front or flankage setbacks; and
 - (c) no development permit shall be required.

6.10 Flag Lots

- 6.10.1 Where development is proposed on a flag lot, zone standards for minimum lot area shall be satisfied within the main portion of the flag lot and the lot area contained within the prolongation shall not count towards satisfying that requirement.

6.11 Frontage on a Road

- 6.11.1 In the Agriculture Potential Zone, lot frontage shall only be counted towards meeting the minimum requirement of the Zone if the lot fronts on an existing private road, an existing public road, or a private road with bona fide access for up to six lots.
- 6.11.2 In the following Zones, lot frontage shall only be counted towards meeting the minimum requirement of the Zone if the lot fronts on a public road or an existing private road:
- (a) General Centre Zone
 - (b) Main Street Zone
 - (c) Residential Centre Zone
 - (d) Light Industrial Centre Zone
- 6.11.3 In any zone of this By-law, a lot may be exempt from lot frontage requirements if it was legally created based on Section 18, Section 21, Section 22, or Section 23 of the Subdivision By-law of the Municipality of the County of Antigonish and such lot may be used for a purpose permitted in the zone and a building may be erected on such lot.

6.12 Home-based Businesses

6.12.1 Level I home-based businesses shall meet the following requirements:

(a) Permitted Uses	<ul style="list-style-type: none"> (i) Accommodations - 1 or 2 rental units (ii) Animal care (iii) Art Gallery / Studio (iv) Business or Professional Office (v) Commercial School - 6 or fewer students (vi) Craft Product Workshop (vii) Daycare Centre – 6 or fewer clients (viii) Medical Clinic (ix) Personal Service Shop (x) Service and Repair Shop, excluding Small Engine Repair.
(b) Maximum number of on-site, non-resident employees	(i) Two (2)
(c) Maximum Floor Area of Home-based business	(i) The equivalent of 25 percent of the gross floor area of the dwelling unit to which it is accessory, or 50 square metres (538.19 square feet), whichever is less.
(d) Outdoor Storage and Display	(i) Outdoor storage and display shall not be permitted.
(e) Retail Sales	(i) Retail sales shall be limited to the sale of products made, assembled, refined, or repaired on the premises; and the sale of goods or materials associated with the business.
(f) Permitted Signage	(i) One (1) non-illuminated wall or ground sign not exceeding 1.0 square metres (10.76 square feet) in sign area.

6.12.2 Level II home-based businesses shall meet the following requirements:

(a) Permitted Uses	<ul style="list-style-type: none"> (i) Accommodations - up to 5 rental units (ii) Animal care (iii) Art Gallery / Studio (iv) Automobile Repair Shop - 3 or fewer automobiles at a time (v) Business or Professional Office (vi) Commercial School - 10 or fewer students (vii) Craft Product Workshop (vii) Daycare Centre – 6 or fewer clients (ix) Forestry Use (x) Medical Clinic (xi) Personal Service Shop (xii) Service and Repair Shop (xiii) Take-out Restaurant
(b) Maximum number of on-site, non-resident employees	(i) Three (3)
(c) Maximum Floor Area of Home-based business	(i) 150 square metres (1,614.59 square feet), but when located within a dwelling unit, the home-based business shall not occupy more than 40 percent of the gross floor area of the dwelling unit.
(d) Outdoor Storage and Display	<ul style="list-style-type: none"> (i) The total area of outdoor storage and outdoor display (combined) shall not exceed the maximum permitted floor area of the home-based business. (ii) Outdoor storage and outdoor display shall not be permitted in the front or flankage yard or in minimum require side and rear setbacks.
(e) Retail Sales	(i) Retail sales shall be limited to the sale of products made, assembled, refined, or repaired on the premises; and the sale of goods or materials associated with the business
(f) Permitted Signage	(i) One (1) non-illuminated wall or ground sign not exceeding 1.0 square metres (10.76 square feet) in sign area.

6.13 Home Offices

- 6.13.1 Nothing in this By-law shall prevent, and no development permit shall be required for, the use of a portion of any dwelling or building accessory to a dwelling as a personal office or studio for residents of the dwelling if the personal office or studio is not intended to be visited by members of the public.

6.14 Illumination

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

6.15 Instruction of One Student at a Time

- 6.15.1 Nothing in this By-law shall prevent, and no development permit shall be required for, the use of a portion of any dwelling or building accessory to a dwelling for the instruction of one student at a time.

6.16 Islands

- 6.16.1 Notwithstanding minimum lot frontage requirements, and consistent with Section 19 of the Municipality of the County of Antigonish Subdivision By-law, the Development Officer may grant a development permit for development on an island that does not contain a public street or private road, provided:
- (a) the lot has a minimum of 6.0 metres (19.68 feet) of water frontage on the body of water that creates the island; and
 - (b) all other requirements of this By-law and the Subdivision By-law are satisfied.

6.17 Habitation of Vehicles

- 6.17.1 Trucks, trailers, buses or coach bodies, or similar structures shall not be used for human habitation.

6.18 Kennels

- 6.18.1 Notwithstanding minimum lot area and minimum side and rear yard setback requirements, kennels, where permitted, shall be subject to the following requirements:
- (a) Kennel uses shall have a minimum lot area of 10,000 square metres (107,639.1 square feet).
 - (b) Side and rear yard setbacks shall be a minimum of 15.24 metres (50.0 feet).

6.19 Marine Industrial Uses

- 6.19.1 Notwithstanding the provisions of this By-law, the storage of equipment associated with a marine industrial use shall be permitted as an accessory use in all zones.

6.20 Multiple Main Buildings

- 6.20.1 Unless otherwise prohibited in this By-law, any number of main buildings may locate on the same lot, subject to applicable zone requirements.

6.21 Multiple Land Uses on Property

- 6.21.1 In any zone, where any land or building is used for more than one purpose, all the provisions of this By-law relating to each use shall be satisfied. Where there is a conflict, such as in the case of lot area or lot frontage, the higher or more stringent standard shall prevail.

6.22 Non-conforming Structures

- 6.22.1 Notwithstanding lot area, lot frontage, and minimum setback requirements of this By-law, the use of a non-conforming structure may be changed to any other use permitted in that zone, provided all other requirements of this By-law are met.
- 6.22.2 Non-conforming structures may be replaced, reconstructed, enlarged, renovated, and/or repaired, provided:
- (a) any such construction does not further infringe on the By-law requirements(s) that created the non-conformity; and
 - (b) all other requirements of this By-law are met.

6.23 Non-conforming Uses

- 6.23.1 Non-conforming uses shall be subject to the provisions for non-conforming uses of the *Municipal Government Act*, except the use may be recommenced if discontinued for a continuous period of 12 months.
- 6.23.2 Non-conforming uses may be converted to another non-conforming use by site plan approval, subject to the applicable provisions of Part 29.

6.24 Self-Storage Facilities

6.24.1 Where permitted, and notwithstanding minimum side and rear yard setback requirements, self-storage facilities shall adhere to the following provisions:

- (a) Self-storage facility units accessed from the external building walls shall not be permitted to be located along the front lot line of any self-storage facility.
- (b) Side and rear yard setbacks shall be a minimum of 15.24 metres (50.0 feet).

6.25 Side Yard Requirement - Exception

6.25.1 Notwithstanding anything else in the By-law, where buildings on adjacent lots share a common wall, the applicable side yard requirements shall be waived.

6.26 Shipping Containers

6.26.1 Shipping containers shall be permitted as an accessory structure, and they shall be subject to the accessory structure provisions of Section 6.2.

6.27 Solar Collector Systems – Accessory

6.27.1 Accessory solar collector systems:

- (a) shall be permitted as an accessory use in all zones and may be mounted as free-standing structures or on buildings;
- (b) when mounted on buildings may exceed the maximum building height in the zone by up to 2.0 metres; and
- (c) when mounted as free-standing structures shall:
 - i. not exceed a height of 2.0 metres;
 - ii. not be located in any minimum front or flankage yard; and
 - iii. not exceed a combined panel surface of 10 percent of the lot area.

6.28 Solar Collector Systems - Large-scale

- 6.28.1 Large-scale solar collector systems in the Hamlet Residential (HR) and Hamlet Core (HC) Zone shall be limited to a collector area of 500.0 square metres (5,381.96 square feet).

6.29 Storage Buildings

- 6.29.1 A storage building shall not be an “Accessory Building” as defined in sub clause 1.2.1.2(2)(a) of the Nova Scotia Building Code Regulations.¹
- 6.29.2 An Environment Approval or Qualified Persons Report verifying soil conditions adequate to contain an onsite sewer system may be required.

6.30 Urban Farm Uses

- 6.30.1 Where an urban farm use includes the keeping of livestock, the use may be permitted one (1) accessory structure, with a gross floor area no greater than 20.0 square metres (215.27 square feet), for the keeping of livestock. Please note that larger livestock structures are possible as an “agricultural uses” land use in zones that permit that use.
- 6.30.2 Where an urban farm use includes the keeping of livestock, property owners should note that the *Fences and Detention of Stray Livestock Act* requires fencing adequate to prevent the escape of livestock.
- 6.30.3 Any accessory structure used for an urban farm use shall be subject to the requirements of Section 6.2.

6.31 Use of Former Community Facilities

- 6.31.1 The reuse of former community facilities, existing on April 9, 2024, including, but not limited to, schools, community halls, places of worship, and other similar community facilities, shall be considered to assume a use not otherwise permitted in the applicable land use zone in which the community facility is located, by Development Agreement, subject to Policy 4-35 of the Municipal Planning Strategy.

¹ (2) Unless a municipality otherwise requires by by-law, or where regulations are in another enactment, the Code applies but a building permit is not required for (a) accessory buildings not greater than 20 m² (215.2 ft.²) in area

6.32 Utilities

- 6.32.1 Unless otherwise stated, any public utility that is essential for the actual provision of a service, not including energy generation systems, wind turbines, and large-scale solar collector systems, shall be permitted in any zone and shall be exempt from zone standards. These utilities include, but are not limited to, telephone switching centres, electrical substations, sewage treatment facilities, and water supply facilities.
- 6.32.2 For greater clarity, uses not directly related to the provision of utility service shall not be included in the exemptions of this Section, and shall only be permitted in accordance with zone requirements. Such uses include, but are not limited to, administrative offices and maintenance depots.

6.33 Visibility at Intersections

- 6.33.1 Notwithstanding anything else in this By-law, on a corner lot, no building, structure, fence, sign, hedge, shrub, bush or tree, or any other structure or vegetation shall be erected or permitted to grow to a height greater than 0.6 metres (1.96 feet) above grade within the corner vision triangle.

6.34 Watercourse Buffer

- 6.34.1 All development with the exception of the following shall be prohibited within 15.24 metres (50.0 feet) of the ordinary high watermark of any watercourse:
- (a) Boat houses, fishing gear sheds, docks, wharves, piers, and slipways.
 - (b) Marine industrial uses.
 - (c) Boardwalks, walkways, and trails with a maximum width of 3.0 metres (9.84 feet).
 - (d) Pumphouses.
 - (e) Scientific research structures.
 - (f) Public streets and infrastructure.
 - (g) Development in the Source Water Protection (WP) Zone.
 - (h) Development in the Fishing Zone (RF) Zone.

7 Wind Turbines

7.1 Zoning Provisions for Wind Turbines

7.1.1 Notwithstanding the permitted uses in the underlying land use zone, wind turbines shall be permitted, or not, as outlined in the sections of this Part.

7.2 Wind Turbine Application Requirements

7.2.1 In addition to the requirements of Section 4.4, development permit applications for all wind turbines shall include the following supplementary documentation:

- (a) The turbine manufacturer's specifications and Canadian Safety Association certification.
- (b) Project definition including installed turbine(s) capacity, targeted long term production levels, scale elevations or photos of turbines showing total height, tower height, rotor diameter and colour.
- (c) Analysis of noise impact including a map indicating all lands and sensitive receptors impacted by the >40dBA emission level and estimated noise levels at property lines and receptors.
- (d) Any other information deemed necessary by the Municipality to evaluate the application.

7.2.2 For utility scale wind turbines, the developer shall also submit the following:

- (a) Authorization documents from Transport Canada, NavCan and any other federal departments if applicable.
- (b) An Environmental Impact Assessment, if the turbine or wind farm has a generating capacity at or in excess of two (2) megawatts.
- (c) Documentation stating that the project does not disrupt provincially significant wildlife habitat or endangered species habitat.
- (d) A decommissioning and site reclamation plan.

7.3 Requirements for Mini- and Domestic-scale Wind Turbines

7.3.1 Mini- and domestic-scale wind turbines shall be permitted in all zones, subject to the following requirements:

- (a) The maximum height of the turbine shall be 60 metres.
- (b) The minimum setback from all adjacent lot boundaries shall be three times the height of the turbine. This may be reduced to two times the height of the turbine subject to an analysis of noise impacts indicating that the mean value of sound pressure level from a wind turbine does not exceed 40dBA or is not above the existing background noise, whichever is greater, at the nearest residence. Additionally, the minimum setback from adjacent lot boundaries shall be waived if such adjacent property owner agrees to grant an easement binding on the current and future landowners.
- (c) There shall be no signs, advertisements, or objects attached to or added to the turbine.
- (d) Turbines greater than 6.0 metres (19.7 feet) in height shall not be mounted on or attached to any other structure.
- (e) All supporting structures must be located three metres from the property line.
- (f) All supporting structures including guy wires shall be clearly visible to a height of 2.0 metres (6 feet) above the ground.

7.3.2 In addition to the requirements of Subsection 7.3.1, domestic-scale wind turbines shall be subject to the following requirements:

- (a) The minimum lot size for the subject property shall be 0.4 hectares (1 acre).
- (b) A maximum of one domestic-scale wind turbine shall be permitted per lot.

7.4 Requirements for Utility-scale Wind Turbines

7.4.1 Utility-scale wind turbines shall only be permitted on lands within the Wind Resource Overlay, as identified on Schedule 'B'.

7.4.2 Utility-scale wind turbines, where permitted, shall be subject to the following requirements:

- (a) The minimum setback from all residences, except residences located on the same lot as the wind turbine, shall be 600 metres (1969 feet). There is no setback requirement from residences located on the same lot.
- (b) The minimum setback for larger turbines or wind farms requiring environmental assessment from all residences, except residences located on the same lot as the wind turbine, shall be 1,000 metres (3280 feet). There is no setback requirement from residences located on the same lot.
- (c) The minimum separation distance between turbines shall be equal to the height of the tallest turbine.
- (d) The minimum setback from all property lines shall be 10 metres (32.8 feet) plus one times the height of the rotor.
- (e) There are no setback requirements for new residences constructed subsequent to a utility scale wind turbine development.
- (f) The minimum setbacks from public highways shall be 60 metres or two times the height of the turbine, whichever amount is greater.
- (g) Minimum setbacks from watercourses shall be 30 metres plus the blade length.
- (h) The minimum setback from all coastlines shall be 100 metres.
- (i) The mean value of sound pressure level from a wind turbine shall not exceed 40dBA or above the existing background noise, whichever is greater, at the nearest residence.
- (j) There shall be no signs, advertisements or objects attached to or added to the turbine(s).

7.5 Special Provisions for Wind Turbines

- 7.5.1 Notwithstanding the setback requirement from a residence contained in Subsection 7.4.2, where a residence is constructed within the setback distance of utility-scale wind turbine development erected after June 1st, 2009, the wind turbine development may expand. The setback requirement for any expansion shall be equal to or greater than the setback between the initial wind turbine development and the residence.
- 7.5.2 The setback requirements from property lines for utility-scale wind turbines contained in Subsection 7.4.2 are waived where wind turbine development occurs on land where the adjacent property is subject to a lease for that purpose for a term of 19 years or greater. The setback requirement shall apply to any property which is not leased for wind turbine development.
- 7.5.3 Notwithstanding the minimum setback from coastlines specified in Subsection 6.34, in cases where topographical conditions permit, the Development Officer may grant a variance by not more than 40 percent.
- 7.5.4 The owner shall remove a wind turbine from the lot following one year of inactivity. All supporting structures on the lot shall be removed within 60 days of the date of notification by the Municipality and the surface site restored to a reasonable natural state within 18 months. A new application shall be submitted and approved before a new turbine is installed or a wind turbine is restarted after the expiration of the one year period.

8 Parking

8.1 Application of Parking Requirements

- 8.1.1 The requirements of this Part shall apply to the:
- (a) General Centre (GC) Zone,
 - (b) Hamlet Core (HC) Zone,
 - (c) Hamlet Residential (HR) Zone,
 - (d) Main Street (MS) Zone, and
 - (e) Residential Centre (R) Zone.
- 8.1.2 The requirements of this Part shall not apply to any land use that was in existence on the effective date of this By-law.
- 8.1.3 Where a change in use would require parking that could not be accommodated on the lot without the demolition, in whole or in part, of a main building existing on April 9, 2024, the Development Officer may consider a reduction in the number of parking spaces via the variance process as outlined in Section 4.8.

8.2 Minimum Number of Automobile Parking Spaces

- 8.2.1 Where a lot contains more than one use, the number of required parking spaces shall be the sum of the number of parking spaces required for each use.
- 8.2.2 Where the number of automobile parking spaces required includes a fraction or fractions of whole spaces, the number of spaces for all uses shall be totaled before any rounding, and then the total shall be rounded to the nearest whole number. Half spaces shall be rounded down.
- 8.2.3 Required automobile parking spaces shall be:
- (a) a minimum of 2.5 metres (8.20 feet) wide by 5.5 metres (18.04 feet) long for 90-degree spaces;
 - (b) a minimum of 3.6 metres (11.81 feet) wide by 5.7 metres (18.70 feet) long for angled spaces; and
 - (c) except for dwellings with fewer than four units, shall be capable of being accessed without travelling through another parking space.
- 8.2.4 Parking shall be provided and maintained in conformity with Table 8-1. If a use is not listed in Table 8-1, no parking minimums shall apply.

Table 8-1 Use	Parking Spaces Required
Accommodation	1 space per suite or rental
Art Gallery / Studio	1 space
Animal Care	3 spaces
Automobile Body or Repair Shop	2 spaces per service bay
Banks and Financial Institutions	1 space per 50 m ² GFA (538.19 ft ²)
Boarding (Rooming) House	1 space per sleeping unit
Business or Professional Office	1 space per 50 m ² GFA (538.19 ft ²)
Commercial Recreation - Indoor	1 space per 50 m ² GFA (538.19 ft ²)
Convenience Store	3 spaces
Dwellings	1 space per dwelling unit
Funeral Home	1 space per 25 m ² GFA (269.10 ft ²), not including area dedicated to crematoria
Personal Service Shop	1 space per 50 m ² GFA (538.19 ft ²)
Post Office	4 spaces
Private Club	1 space per 50 m ² GFA (538.19 ft ²)
Restaurant - Eat-in	1 space per 25 m ² GFA (269.10 ft ²)
Restaurant - Drive-through	1 space per 45 m ² GFA (484.37 ft ²)
Restaurant - Take out	3 spaces
Retail Store	1 space per 30 m ² GFA (322.91 ft ²)
School - Commercial	1 space per 50 m ² GFA (538.19 ft ²)
Service and Repair Shop	3 spaces

GFA = Gross floor area

8.3 Location of Automobile Parking

- 8.3.1 Parking shall not be located in the front yard in the Main Street (MS) Zone.
- 8.3.2 No more than four (4) parking spaces shall be located in the front yard of any dwelling.

8.4 Parking Exemption

- 8.4.1 Notwithstanding Section 8.2, all minimum automobile parking space requirements shall be waived in the Main Street (MS) Zone.

8.5 Automobile Parking Area Standards

- 8.5.1 Where parking facilities for more than four (4) automobiles are required or provided, the facilities shall meet the following requirements:
 - (a) The parking area shall be maintained with a stable surface that is treated to prevent dust and loose particles.
 - (b) The lights used for illumination of the parking lot or parking station shall be so arranged as to divert the light away from streets, adjacent lots and buildings.
 - (c) A structure, not more than 4.6 metres (15.09 feet) in height and not more than 5.0 square metres (53.81 square feet) in area may be erected in the parking area for the use of attendants.
 - (d) The parking area shall be within 100.0 metres (square feet) of the location it is intended to serve, and shall be situated in the same zone.
 - (e) When the parking area is of a permanent hard surface, each parking space shall be clearly marked and maintained as such.

9 Signage

9.1 Signage Provisions for All Zones

- 9.1.1 All signs and all parts thereof, including copy, framework, supports, background, and anchors shall be kept in a good state of repair and working order.
- 9.1.2 Any sign that no longer advertises a bona fide business conducted or a product sold are deemed to be obsolete and shall be removed once the use has been discontinued for a period exceeding 60 days. In the case of seasonal businesses, the use shall be considered discontinued on December 31st of a calendar year if the use was not operated in that calendar year.
- 9.1.3 Where this Part is inconsistent with the regulations made or administered by the Province of Nova Scotia respecting advertising signs on or near public highways, the more restrictive regulations shall apply.

9.2 Signs Prohibited in All Zones

9.2.1 Notwithstanding any other provision of this By-law, the following signs shall not be permitted in any zone:

- (a) Signs or sign structures that constitutes a hazard to public health or safety.
- (b) Signs that obstruct free ingress to or egress from a fire escape door, window or other required exit way.
- (c) Signs that obstruct access to any fire hydrant or firefighting hose connection.
- (d) Signs which have any visible moving part or mechanical movement of any description.
- (e) Flashing or animated signs.
- (f) Signs not erected by a public authority which make use of words such as "STOP", "LOOK", "ONE WAY", "DANGER", "YIELD", or other similar words, phrases, symbols, lights, or characters displayed in such a manner as to interfere with, mislead, or confuse traffic along a public road.
- (g) Signs on public property or within a public right-of-way, unless erected by a government body or unless written permission to do so has been obtained from the governmental body.
- (h) Signs painted on, attached to, or supported by a tree, stone, cliff, or other natural object.
- (i) Signs that, by reason of size, location, content, colouring, or manner of illumination, obstruct the vision of automobile drivers or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets and roads.
- (j) Signs located on the roof of any structure.

9.3 Signs Permitted in all Zones

9.3.1 Notwithstanding any other provisions of this By-law, the following signs are permitted in all zones without the requirement for a development permit:

- (a) “No Trespassing” signs or other such signs regulating the use of a property, and of not more than 0.2 square metres (2.15 square feet) in sign area.
- (b) Signs erected by a governmental body, or under the direction of such a body, and bearing no commercial advertising, such as traffic signs, safety signs, signs identifying public schools, public election lists, signs giving legal notice, planning application signs, and public identification and information signs.
- (c) Election signs.
- (d) Memorial signs or tablets and signs denoting the date of erection of a structure.
- (e) A maximum of two (2) real estate signs on a property, each one not exceeding 0.5 square metres (5.38 square feet) in sign area, which advertise the sale, rental, or lease of the premise.
- (f) Signs identifying the name and occupation of the resident, and of not more than 0.2 square metres (2.15 square feet) in sign area.
- (g) Signs bearing the name or civic number of a building, and of not more than 0.2 square metres (2.15 square feet) in sign area.
- (h) Signs mounted on the interior surface of sporting facilities such as, but not limited to, signs mounted on baseball diamond fences.
- (i) Signs regulating or denoting on-premise traffic, or parking or other signs denoting the direction or function of various parts of a building or premise, provided that such signs are less than 0.5 square metres (5.38 square feet) in sign area.
- (j) The flag, pennant, or insignia of any nation, province, or state or of any religious, charitable, or fraternal organization.
- (k) Interpretive panels describing the history, science, or cultural relevance of a location.
- (l) A sign incidental to the construction of a residential, commercial, or industrial building, which is located on the same lot as the structure under construction. Such sign shall have a sign area of no more than 6.0 square metres (64.58 square feet) and shall be removed within sixty days following the completion of construction.

- (m) Temporary signs associated with a specific event, which does not exceed 1.5 square metres (16.14 square feet) in sign area. Such signs shall not be placed more than 14 calendar days before an event and shall be removed within seven (7) of the event's conclusion.
- (n) Signs erected in compliance with any Municipality of the County of Antigonish signage program and holding a valid permit as may be required by any by-law or Council policy applicable to any such program.

9.4 Signage Provisions for the Serviced Areas and Hamlet Areas

- 9.4.1 The signage provisions of this Section shall apply to those lands located within the following zones:
 - (a) General Centre (GC) Zone
 - (b) Hamlet Core (HC) Zone
 - (c) Hamlet Residential (HR) Zone
 - (d) Main Street (MS) Zone
 - (e) Residential Centre (R) Zone
- 9.4.2 No person shall erect or relocate any signs, except those permitted under Section 9.3, without first obtaining a development permit from the Development Officer, and no development permit shall be issued to erect a sign unless all the sign provisions of this By-law are satisfied.
- 9.4.3 A development permit shall not be required for:
 - (a) a changeable copy sign with a valid development permit, where the changeable portion of the sign is altered so long as the sign or sign structure is not modified in any other way; or
 - (b) the repainting, cleaning, or repairing of a sign or sign structure, for which has a valid development permit, so long as the sign or sign structure is not modified in any other way.

9.4.4 In addition to the provisions of Section 4.4 of this By-law, the following information shall be provided by the applicant for a development permit for a sign:

- (a) the name and address of the owner of the sign;
- (b) the name and address of owner or person in possession of the premises where the sign is to be located;
- (c) clear and legible drawings showing the exact location of the sign that is the subject of the permit and all other existing signs on the same premises; and
- (d) drawings showing the dimensions, supports, sizes, materials of sign and the method of attachment and the character of structural members to which attachments are to be made.

9.4.5 Permitted signage shall be outlined in Table 9-1. All requirements are maximums:

	Main Street Zone	General Centre Zone	Residential Centre Zone	Hamlet Residential Zone	Hamlet Core Zone
Ground Sign	6 m (19.68 ft) tall / 4 m ² (43.05 ft ²) sign area	10 m (32.81 ft) tall / 7 m ² (75.35 ft ²) sign area	Not Permitted	Not Permitted	6 m (19.68 ft) tall / 4 m ² (43.05 ft ²) sign area
Wall Sign	10% of wall	20% of wall	5% of wall	5% of wall	15% of wall
Projecting Sign	1 m (3.28 feet) projection / 1 m ² (10.76 ft ²) sign area	1.5 m (4.92 feet) projection / 2 m ² (21.52 ft ²) sign area	1 m (3.28 feet) projection / 1 m ² (10.76 ft ²) sign area	1 m (3.28 feet) projection / 1 m ² (10.76 ft ²) sign area	1.5 m (4.92 feet) projection / 2 m ² (21.52 ft ²) sign area
Mobile Sign	Not permitted	One per property	Not permitted	Not permitted	One per property
Sandwich Board Signs	One per business	One per business	One per business	One per business	One per business
Roof Signs	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted
Third Party Signs	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted

9.5 Illumination

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

10 Main Street (MS) Zone

10.1 Permitted Uses

10.1.1 The following uses shall be permitted in the Main Street (MS) Zone subject to the requirements of this By-law:

- (a) Accommodations
- (b) Animal Care
- (c) Banks and Financial Institutions
- (d) Boarding (Rooming) Houses – up to 12 sleeping units per lot
- (e) Commercial Recreation – Indoor
- (f) Community Centre
- (g) Craft Food and Beverage Production
- (h) Cultural Facilities
- (i) Daycare Centre
- (j) Drinking Establishment
- (k) Dwelling – up to 12 dwelling units per lot
- (l) Electric Vehicle Charging as a main use
- (m) Farmers’ Market
- (n) Funeral Home
- (o) Government Uses
- (p) Interpretive Centre
- (q) Marina
- (r) Medical Clinic
- (s) Nursing Home
- (t) Office
- (u) Parking Structures and Surface Parking Lots
- (v) Parks and Playgrounds
- (w) Personal Service Shop
- (x) Place of Worship
- (y) Private Club
- (z) Public Recreation
- (aa) Public Transportation

- (bb) Recycling Depot
- (cc) Residential Care Facility
- (dd) Restaurant – Eat-in
- (ee) Restaurant – Take-out
- (ff) Retail Store
- (gg) School – Academic
- (hh) School – Commercial
- (ii) School – Post-secondary
- (jj) Small Options Home
- (kk) Trails and Conservation
- (ll) Water Access
- (mm) Workshop

10.2 Permitted Uses with Conditions

10.2.1 The following uses shall be permitted in the Main Street (MS) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Home-based Business – Level I – Subsection 6.12.1
- (b) Home-based Business – Level II – Subsection 6.12.2
- (c) Light Industrial – Section 10.7
- (d) Urban Farm Uses – Section 6.30

10.3 Permitted Uses by Site Plan Approval

10.3.1 The following uses shall be permitted in the Main Street (MS) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Boarding (Rooming) House – over 12 sleeping units per lot
- (b) Dwelling – over 12 dwelling units per lot

10.4 Permitted Uses by Development Agreement

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

- (a) Energy Generation Systems – MPS Policy 4-49
- (b) Any land use permitted by this zone but not in compliance with the design standards of Section 10.6 – MPS Policy 3-45

10.5 Main Street (MS) Zone Development Standards

10.5.1 In the Main Street (MS) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	200 m ²	2152.80 ft ²
• Unserviced Lot	2,700 m ²	29062.80 ft ²
Minimum Lot Frontage	6 m	19.69 ft
Minimum Front/Flankage Setback	1.5 m	4.92 ft
Maximum Front/Flankage Setback	6 m	19.69 ft
Minimum Side Setback		
• Main Building	0 m	0.00 ft
• Accessory Building	1 m	3.28 ft
Minimum Rear Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Maximum Building Height		
• Main Building	21.2 m	69.55 ft
• Accessory Building	8 m	26.25 ft

- 10.5.2 Where an easement in the front or flankage yard prevents construction within the maximum setback, the maximum setback shall apply to the edge of the easement instead.
- 10.5.3 The maximum front setback shall only apply to one (1) main building per lot.
- 10.5.4 The party wall of attached, side-by-side dwellings or commercial uses may be centred on mutual side lot lines and shall be exempt from the minimum side setback requirements.
- 10.5.5 The exemption of Subsection 10.5.4 may be applied to up to six dwelling or three commercial or mixed-use buildings which are attached to each other.

10.6 Building Standards in the Main Street (MS) Zone

- 10.6.1 Main buildings developed or enlarged within the Main Street (MS) Zone shall comply with the requirements of this Section.

Building Composition

- 10.6.2 A minimum of 50 percent of the lot width, as measured along a line parallel to the front and flankage lot lines at the minimum front and flankage setback requirement, shall be occupied by a building.
- 10.6.3 The minimum building height shall be 6.0 metres (19.68 feet).
- 10.6.4 The minimum ground floor height shall be 3.5 metres (11.48 feet).
- 10.6.5 Above a height of 8.0 metres (26.24 feet):
 - (a) buildings shall have a stepback of a minimum 2.5 metres (8.20 feet) away from the front and flankage lot line; or
 - (b) all floor area above that elevation shall be developed within the attic of a sloped roof.
- 10.6.6 If the building exceeds 12.0 metres (39.37 feet) in width, the facades shall be broken into sections no larger than 12.0 metres (39.37 feet) in width using architectural elements such as projections, recesses, awnings, colour, texture, pilasters, and columns, to break up the continuous massing of the front and flankage elevations.
- 10.6.7 Utilities such as vents, mechanical rooms/equipment, and elevator penthouses should be integrated with the architectural treatment of the roof, be located so as to be inconspicuous from any sidewalk, or be screened with materials and finishes compatible with the buildings design.

Wall Openings

- 10.6.8 Doors to commercial uses shall be partially or fully glazed.
- 10.6.9 In the first storey, blank walls without any articulation or windows may not exceed a horizontal length of 5.0 metres (16.40 feet).
- 10.6.10 At least 50 percent of the area of building's ground floor front elevation shall be glazed.
- 10.6.11 All new developments shall provide a clearly defined pedestrian entrance. The main pedestrian entrance shall be visually distinct from other openings in the street wall.
- 10.6.12 All main entrances should be ornamented by one of the following:
 - (a) awnings;
 - (b) emphasized door lintels;
 - (c) cantilevered roof;
 - (d) pilasters on the sides of the entrance; or
 - (e) none of the above if the entire ground floor is visually separated from upper floors by projecting string courses or cladding.
- 10.6.13 On corner lots, the building shall have entrances on the corner within a bevel or on both lot frontages.
- 10.6.14 Vehicular entrances to buildings shall be set back by at least 2.0 metres (6.56 feet) from the facade.

Site design

- 10.6.15 Pedestrian priority areas shall be clearly defined that allow for a comfortable and safe pedestrian movement. This may be achieved through the use of landscaping, surface materials, or other design features.
- 10.6.16 Large areas of uninterrupted parking shall be avoided. The parking lots shall not have more than 20 stalls in any direction without an interruption by landscaping of at least 2.0 metres (6.56 feet) width.

10.7 Light Industrial Uses in the Main Street (MS) Zone

- 10.7.1 Within the Main Street (MS) Zone, light industrial uses shall be permitted up to 1,000 square metres (10,763.9 square feet) in gross floor area.

11 General Centre (GC) Zone

11.1 Permitted Uses

11.1.1 The following uses shall be permitted in the General Centre (GC) Zone subject to the requirements of this By-law:

- (a) Accommodations
- (b) Animal Care
- (c) Banks and Financial Institutions
- (d) Boarding (Rooming) House – up to 6 sleeping units per lot
- (e) Building Supply and Equipment Depot
- (f) Cemetery
- (g) Commercial Recreation – Indoor
- (h) Commercial Recreation – Outdoor
- (i) Community Centre
- (j) Craft Food and Beverage Production
- (k) Cultural Facilities
- (l) Daycare Centre
- (m) Drinking Establishment
- (n) Dwelling – up to 6 dwelling units per lot
- (o) Electric Vehicle Charging as a main use
- (p) Emergency Services
- (q) Farmers’ Market
- (r) Funeral Home
- (s) Government Uses
- (t) Hospital
- (u) Interpretive Centre
- (v) Marina
- (w) Marine Recreation Providers
- (x) Medical Clinic
- (y) Nursing Home
- (z) Office
- (aa) Parking Structures and Surface Parking Lots

- (bb) Parks and Playgrounds
- (cc) Personal Service Shop
- (dd) Place of Worship
- (ee) Private Club
- (ff) Public Recreation
- (gg) Public Transportation
- (hh) Recycling Depot
- (ii) Residential Care Facility
- (jj) Restaurant – East-in
- (kk) Restaurant – Take-out
- (ll) Retail Store
- (mm) School – Academic
- (nn) School – Commercial
- (oo) School – Post-secondary
- (pp) Small Options Home
- (qq) Trails and Conservation
- (rr) Water Access
- (ss) Wholesale
- (tt) Workshop

11.2 Permitted Uses with Conditions

11.2.1 The following uses shall be permitted in the General Centre (GC) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Home-based Business – Level I – Subsection 6.12.1
- (b) Home-based Business – Level II – Subsection 6.12.2
- (c) Light Industrial – Section 11.6
- (d) Urban Farm Uses – Section 6.30

11.3 Permitted Uses by Site Plan Approval

11.3.1 The following uses shall be permitted in the General Centre (GC) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Automobile Body Shop
- (b) Automobile Repair
- (c) Automobile Sales
- (d) Automobile Service Station
- (e) Automobile Washing
- (f) Boarding (Rooming) House – 7 to 12 sleeping units per lot
- (g) Dwelling – 7 to 12 dwelling units per lot
- (h) Restaurant – Drive-through

11.4 Permitted Uses by Development Agreement

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

- (a) Boarding (Rooming) House – over 12 sleeping units per lot – MPS Policy 3-50
- (b) Dwellings – over 12 units per lot – MPS Policy 3-50
- (c) Energy Generation Systems – MPS Policy 4-49

11.5 General Centre (GC) Zone Development Standards

11.5.1 In the General Centre (GC) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	350 m ²	3767.40 ft ²
• Unserviced Lot	2,700 m ²	29062.80 ft ²
Minimum Lot Frontage	6 m	19.69 ft
Minimum Front/Flankage Setback	3 m	9.84 ft
Minimum Side Setback		
• Main Building	2 m	6.56 ft
• Accessory Building	1 m	3.28 ft
Minimum Rear Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Maximum Building Height		
• Main Building	15.2 m	49.87 ft
• Accessory Building	8 m	26.25 ft

11.6 Light Industrial Uses in the General Centre (GC) Zone

11.6.1 Within the General Centre (GC) Zone, light industrial uses shall be permitted up to 1,000 square metres (10,763.9 square feet) in gross floor area.

12 Residential Centre (R) Zone

12.1 Permitted Uses

12.1.1 The following uses shall be permitted in the Residential Centre (R) Zone subject to the requirements of this By-law:

- (a) Boarding (Rooming) House – up to 4 sleeping units per lot
- (b) Cemetery
- (c) Community Centre
- (d) Dwelling – up to 4 dwelling units per lot
- (e) Government Uses
- (f) Medical Clinic
- (g) Nursing Home
- (h) Parks and Playgrounds
- (i) Place of Worship
- (j) Private Club
- (k) Public Recreation
- (l) Residential Care Facility
- (m) School – Academic
- (n) Small Options Home
- (o) Trails and Conservation
- (p) Water Access

12.2 Permitted Uses with Conditions

12.2.1 The following uses shall be permitted in the Residential Centre (R) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Home-based Business Level I – Subsection 6.12.1
- (b) Urban Farm Uses – Section 6.30

12.3 Permitted Uses by Site Plan Approval

12.3.1 The following uses shall be permitted in the Residential Centre (R) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Boarding (Rooming) House – 5 to 6 dwelling units per lot
- (b) Dwelling – 5 to 6 dwelling units per lot

12.4 Permitted Uses by Development Agreement

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

- (a) Energy Generation Systems – MPS Policy 4-49

12.5 Residential Centre (R) Zone Development Standards

12.5.1 In the Residential Centre (R) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	350 m ²	3767.40 ft ²
• Unserviced Lot	2,700 m ²	29062.80 ft ²
Minimum Lot Frontage	10 m	32.81 ft
Minimum Front/Flankage Setback	3 m	9.84 ft
Minimum Side Setback		
• Main Building	2 m	6.56 ft
• Accessory Building	1 m	3.28 ft
Minimum Rear Setback		
• Main Building	8 m	26.25 ft
• Accessory Building	8 m	26.25 ft
Maximum Building Height		
• Main Building	12.2 m	40.03 ft
• Accessory Building	8 m	26.25 ft

13 Light Industrial Centre (MI) Zone

13.1 Permitted Uses

13.1.1 The following uses shall be permitted in the Light Industrial Centre (MI) Zone subject to the requirements of this By-law:

- (a) Aggregate Related Industries
- (b) Agricultural Uses
- (c) Animal Care
- (d) Automobile Body Shop
- (e) Automobile Repair
- (f) Automobile Sales
- (g) Automobile Service Station
- (h) Automobile Washing
- (i) Banks and Financial Institutions
- (j) Building Supply and Equipment Depots
- (k) Commercial Recreation – Indoor
- (l) Commercial Recreation – Outdoor
- (m) Craft Food and Beverage Production
- (n) Drinking Establishment
- (o) Electric Vehicle Charging as a main use
- (p) Emergency Services
- (q) Farmers’ Market
- (r) Forestry Related Uses
- (s) Funeral Home
- (t) Government Uses
- (u) Hospital
- (v) Light Industrial
- (w) Marina
- (x) Marine Industrial Uses
- (y) Marine Recreation Providers
- (z) Medical Clinic
- (aa) Office

- (bb) Parking Structures and Surface Parking Lots
- (cc) Parks and Playgrounds
- (dd) Personal Service Shop
- (ee) Private Club
- (ff) Public Recreation
- (gg) Public Transportation
- (hh) Recycling Depot
- (ii) Restaurant – Eat-in
- (jj) Restaurant – Take-out
- (kk) Retail Store
- (ll) School – Commercial
- (mm) Trails and Conservation
- (nn) Transportation and Logistics
- (oo) Warehousing
- (pp) Water Access
- (qq) Wholesale
- (rr) Workshop

13.2 Permitted Uses with Conditions

- 13.2.1 The following uses shall be permitted in the Light Industrial Centre (MI) Zone subject to the requirements of this By-law and any conditions noted:
- (a) Home-based Business Level I – Subsection 6.12.1
 - (b) Home-based Business Level II – Subsection 6.12.2
 - (c) Kennel – Section 6.18
 - (d) Self-storage Facilities – Section 6.24

13.3 Permitted Uses by Site Plan Approval

- 13.3.1 The following uses shall be permitted in the Light Industrial Centre (MI) Zone by Site Plan Approval subject to the requirements of this By-law:
- (a) Restaurant – Drive-through

13.4 Permitted Uses by Development Agreement

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

- (a) Energy Generation Systems – MPS Policy 4-49

13.5 Light Industrial Centre (MI) Zone Development Standards

13.5.1 In the Light Industrial Centre (MI) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	1,800 m ²	19375.20 ft ²
• Unserviced Lot	2,700 m ²	29062.80 ft ²
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	8 m	26.25 ft
Minimum Side Setback		
• Main Building	8 m	26.25 ft
• Accessory Building	8 m	26.25 ft
Minimum Rear Setback		
• Main Building	8 m	26.25 ft
• Accessory Building	8 m	26.25 ft
Maximum Building Height		
• Main Building	15.2 m	49.87 ft
• Accessory Building	8 m	26.25 ft

14 Hamlet Residential (HR) Zone

14.1 Permitted Uses

14.1.1 The following uses shall be permitted in the Hamlet Residential (HR) Zone subject to the requirements of this By-law:

- (a) Agricultural Uses
- (b) Boarding (Rooming) House – up to 4 sleeping units per lot
- (c) Cemetery
- (d) Community Centre
- (e) Daycare Centre
- (f) Dwelling – up to 4 dwelling units per lot
- (g) Forestry Related Uses
- (h) Government Uses
- (i) Medical Clinic
- (j) Nursing Home
- (k) Parks and Playgrounds
- (l) Place of Worship
- (m) Private Club
- (n) Public Recreation
- (o) Residential Care Facility
- (p) School – Academic
- (q) Small Options Home
- (r) Trails and Conservation
- (s) Water Access

14.2 Permitted Uses with Conditions

14.2.1 The following uses shall be permitted in the Hamlet Residential (HR) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Home-based Business Level I – Section 6.12.1
- (b) Home-based Business Level II – Section 6.12.2
- (c) Solar Collector Systems – Large-scale – Section 6.28
- (d) Storage Building – Section 6.29
- (e) Urban Farm Uses – Section 6.30

14.3 Permitted Uses by Site Plan Approval

14.3.1 The following uses shall be permitted in the Hamlet Residential (HR) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Boarding (Rooming) House – 5 to 6 sleeping units per lot
- (b) Dwelling – 5 to 6 dwelling units per lot

14.4 Permitted Uses by Development Agreement

14.4.1 The following uses shall be considered in the Hamlet Residential (HR) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-49

14.5 Hamlet Residential (HR) Zone Development Standards

14.5.1 In the Hamlet Residential (HR) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area	2,700 m ²	29062.80 ft ²
Minimum Lot Frontage	10 m	32.81 ft
Minimum Front/Flankage Setback	3 m	9.84 ft
Minimum Side Setback		
• Main Building	3 m	9.84 ft
• Accessory Building	3 m	9.84 ft
Minimum Rear Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	3 m	9.84 ft
Maximum Building Height		
• Main Building	12.2 m	40.03 ft
• Accessory Building	8 m	26.25 ft

15 Hamlet Core (HC) Zone

15.1 Permitted Uses

15.1.1 The following uses shall be permitted in the Hamlet Core (HC) Zone subject to the requirements of this By-law:

- (a) Accommodations
- (b) Agricultural Uses
- (c) Animal Care
- (d) Automobile Body Shop
- (e) Automobile Repair
- (f) Automobile Service Station
- (g) Automobile Washing
- (h) Banks and Financial Institutions
- (i) Boarding (Rooming) House – up to 6 sleeping units per lot
- (j) Building Supply and Equipment Depot
- (k) Cemetery
- (l) Commercial Recreation – Indoor
- (m) Commercial Recreation – Outdoor
- (n) Community Centre
- (o) Craft Food and Beverage Production
- (p) Cultural Facilities
- (q) Daycare Centre
- (r) Drinking Establishment
- (s) Dwelling – up to 6 dwelling units per lot
- (t) Electric Vehicle Charging as a main use
- (u) Emergency Services
- (v) Farmers’ Market
- (w) Forestry Related Uses
- (x) Funeral Home
- (y) Government Uses
- (z) Hospital
- (aa) Interpretive Centre

- (bb) Marina
- (cc) Marine Industrial Uses
- (dd) Marine Recreation Providers
- (ee) Medical Clinic
- (ff) Nursing Home
- (gg) Office
- (hh) Parking Structures and Surface Parking Lots
- (ii) Parks and Playgrounds
- (jj) Personal Service Shop
- (kk) Place of Worship
- (ll) Private Club
- (mm) Public Recreation
- (nn) Public Transportation
- (oo) Recycling Depot
- (pp) Residential Care Facility
- (qq) Restaurant – Eat-in
- (rr) Restaurant – Take-out
- (ss) Retail Store
- (tt) School – Academic
- (uu) School – Commercial
- (vv) School – Post-secondary
- (ww) Small Options Home
- (xx) Trails and Conservation
- (yy) Transportation and Logistics
- (zz) Warehousing
- (aaa) Water Access
- (bbb) Wholesale
- (ccc) Workshop

15.2 Permitted Uses with Conditions

15.2.1 The following uses shall be permitted in the Hamlet Core (HC) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Home-based Business – Level I – Subsection 6.12.1
- (b) Home-based Business – Level II – Subsection 6.12.2
- (c) Kennel – Section 6.18
- (d) Light Industrial – Section 15.6
- (e) Self-Storage Facilities – Section 6.24
- (f) Solar Collector Systems – Large Scale – Section 6.28
- (g) Storage Building – Section 6.29
- (h) Urban Farm Uses – Section 6.30

15.3 Permitted Uses by Site Plan Approval

15.3.1 The following uses shall be permitted in the Hamlet Core (HC) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Automobile Sales
- (b) Boarding (Rooming) House – over 6 sleeping units per lot
- (c) Dwelling – over 6 dwelling units per lot
- (d) Restaurant – Drive-through

15.4 Permitted Uses by Development Agreement

15.4.1 The following uses shall be considered in the Hamlet Core (HC) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-49

15.5 Hamlet Core (HC) Zone Development Standards

15.5.1 In the Hamlet Core (HC) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area	2,700 m ²	29062.80 ft ²
Minimum Lot Frontage	10 m	32.81 ft
Minimum Front/Flankage Setback	3 m	9.84 ft
Minimum Side Setback		
• Main Building	3 m	9.84 ft
• Accessory Building	3 m	9.84 ft
Minimum Rear Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	3 m	9.84 ft
Maximum Building Height		
• Main Building	12.2 m	40.03 ft
• Accessory Building	8 m	26.25 ft

15.6 Light Industrial Uses in the Hamlet Core (HC) Zone

15.6.1 Within the Hamlet Core (HC) Zone, light industrial uses may be permitted up to 1,000 square metres (10,763.9 square feet) in gross floor area.

16 Rural General (RG) Zone

16.1 Permitted Uses

16.1.1 The following uses shall be permitted in Rural General (RG) Zone subject to the requirements of this By-law:

- (a) Agricultural Uses
- (b) Animal Care
- (c) Automobile Body Shop
- (d) Automobile Repair
- (e) Automobile Washing
- (f) Boarding (Rooming) House – up to 4 sleeping units per lot
- (g) Building Supply and Equipment Depot
- (h) Cemetery
- (i) Commercial Recreation – Outdoor
- (j) Community Centre
- (k) Craft Food and Beverage Production
- (l) Cultural Facilities
- (m) Daycare Centre
- (n) Dwelling – up to 4 dwelling units per lot
- (o) Electric Vehicle Charging as a main use
- (p) Emergency Services
- (q) Farmers’ Market
- (r) Forestry Related Uses
- (s) Funeral Home
- (t) Government Uses
- (u) Interpretive Centre
- (v) Marina
- (w) Medical Clinic
- (x) Nursing Home
- (y) Parking Structures and Surface Parking Lots
- (z) Parks and Playgrounds
- (aa) Personal Service Shop

- (bb) Place of Worship
- (cc) Private Clubs
- (dd) Public Recreation
- (ee) Public Transportation
- (ff) Residential Care Facility
- (gg) Restaurant – Eat-in
- (hh) Restaurant – Take-out
- (ii) School – Academic
- (jj) Small Options Home
- (kk) Solar Collector Systems – Large-scale
- (ll) Trails and Conservation
- (mm) Water Access
- (nn) Workshop

16.2 Permitted Uses with Conditions

16.2.1 The following uses shall be permitted in the Rural General (RG) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Home-based Business – Level I – Subsection 6.12.1
- (b) Home-based Business – Level II – Subsection 6.12.2
- (c) Kennel – Section 6.18
- (d) Retail Store – Section 16.5
- (e) Storage Building – Section 6.29
- (f) Urban Farm Uses – Section 6.30

16.3 Permitted Uses by Development Agreement

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

- (a) Energy Generation Systems – MPS Policy 4-49

16.4 Rural General (RG) Zone Development Standards

16.4.1 In the Rural General (RG) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area	2,700 m ²	29062.80 ft ²
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	8 m	26.25 ft
Minimum Side Setback		
• Main Building	5 m	16.40 ft
• Accessory Building	5 m	16.40 ft
Minimum Rear Setback		
• Main Building	8 m	26.25 ft
• Accessory Building	4 m	13.12 ft
Maximum Building Height		
• Main Building	12.2 m	40.03 ft
• Accessory Building	8 m	26.25 ft

16.5 Retail Stores Uses in the Rural General (RG) Zone

16.5.1 Within the Rural General (RG) Zone, retail stores may be permitted up to 250.0 square metres (2,690.98 square feet) in gross floor area.

17 Rural Commercial (RC) Zone

17.1 Permitted Uses

17.1.1 The following uses shall be permitted in Rural Commercial (RC) Zone subject to the requirements of this By-law:

- (a) Accommodations
- (b) Agricultural Uses
- (c) Animal Care
- (d) Automobile Body Shop
- (e) Automobile Repair
- (f) Automobile Sales
- (g) Automobile Service Station
- (h) Automobile Washing
- (i) Banks and Financial Institutions
- (j) Boarding (Rooming) House – up to 6 sleeping units per lot
- (k) Building Supply and Equipment Depot
- (l) Cemetery
- (m) Commercial Recreation – Indoor
- (n) Commercial Recreation – Outdoor
- (o) Community Centre
- (p) Craft Food and Beverage Production
- (q) Cultural Facilities
- (r) Daycare Centre
- (s) Drinking Establishment
- (t) Dwelling – up to 6 dwelling units per lot
- (u) Electric Vehicle Charging as a main use
- (v) Emergency Services
- (w) Farmers' Market
- (x) Forestry Related Uses
- (y) Funeral Home
- (z) Government Uses
- (aa) Interpretive Centre

- (bb) Marina
- (cc) Medical Clinic
- (dd) Nursing Home
- (ee) Office
- (ff) Parking Structures and Surface Parking Lots
- (gg) Parks and Playgrounds
- (hh) Personal Service Shop
- (ii) Place of Worship
- (jj) Private Club
- (kk) Public Recreation
- (ll) Public Transportation
- (mm) Recycling Depot
- (nn) Residential Care Facility
- (oo) Restaurant – Eat-in
- (pp) Restaurant – Take-out
- (qq) Retail Store
- (rr) School – Academic
- (ss) School – Commercial
- (tt) Small Options Home
- (uu) Solar Collector Systems – Large-scale
- (vv) Trails and Conservation
- (ww) Transportation and Logistics
- (xx) Warehousing
- (yy) Water Access
- (zz) Wholesale
- (aaa) Workshop

17.2 Permitted Uses with Conditions

17.2.1 The following uses shall be permitted in the Rural Commercial (RC) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Home-based Business – Level I – Subsection 6.12.1
- (b) Home-based Business – Level II – Subsection 6.12.2
- (c) Kennel – Section 6.18
- (d) Light Industrial – Section 17.6
- (e) Self-Storage Facilities – Section 6.24
- (f) Storage Building – Section 6.29
- (g) Urban Farm Uses – Section 6.30

17.3 Permitted Uses by Site Plan Approval

17.3.1 The following uses shall be permitted in the Rural Commercial (RC) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Restaurants – Drive-through

17.4 Permitted Uses by Development Agreement

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

- (a) Energy Generation Systems – MPS Policy 4-49

17.5 Rural Commercial (RC) Zone Development Standards

17.5.1 In the Rural Commercial (RC) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area	2,700 m ²	29062.80 ft ²
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	8 m	26.25 ft
Minimum Side Setback		
• Main Building	5 m	16.40 ft
• Accessory Building	5 m	16.40 ft
Minimum Rear Setback		
• Main Building	8 m	26.25 ft
• Accessory Building	4 m	13.12 ft
Maximum Building Height		
• Main Building	12.2 m	40.03 ft
• Accessory Building	8 m	26.25 ft

17.6 Light Industrial Uses in the Rural Commercial (RC) Zone

17.6.1 Within the Rural Commercial (RC) Zone, light industrial may be permitted up to 250.0 square metres (2,690.98 square feet) in gross floor area.

18 Rural Industrial (RM) Zone

18.1 Permitted Uses

18.1.1 The following uses shall be permitted in Rural Industrial (RM) Zone subject to the requirements of this By-law:

- (a) Aggregate Related Industries
- (b) Agricultural Uses
- (c) Automobile Body Shop
- (d) Automobile Repair
- (e) Automobile Sales
- (f) Automobile Service Station
- (g) Automobile Washing
- (h) Building Supply and Equipment Depot
- (i) Craft Food and Beverage Production
- (j) Electric Vehicle Charging as a main use
- (k) Emergency Services
- (l) Farmers' Market
- (m) Forestry Related Uses
- (n) Funeral Home
- (o) Government Uses
- (p) Light Industrial Uses
- (q) Marine Industrial Uses
- (r) Office
- (s) Parking Structures and Surface Parking Lots
- (t) Parks and Playgrounds
- (u) Place of Worship
- (v) Public Recreation
- (w) Public Transportation
- (x) Recycling Depot
- (y) School – Commercial
- (z) Solar Collector Systems – Large-scale
- (aa) Solid Waste – Municipal

- (bb) Trails and Conservation
- (cc) Transportation and Logistics
- (dd) Warehousing
- (ee) Water Access
- (ff) Wholesale
- (gg) Workshop

18.2 Permitted Uses with Conditions

- 18.2.1 The following uses shall be permitted in the Rural Industrial (RM) Zone subject to the requirements of this By-law and any conditions noted:
- (a) Kennel – Section 6.18
 - (b) Self-Storage Facilities – Section 6.24

18.3 Permitted Uses by Site Plan Approval

- 18.3.1 The following uses shall be permitted in the Rural Industrial (RM) Zone by Site Plan Approval subject to the requirements of this By-law:
- (a) Scrap Yards

18.4 Permitted Uses by Development Agreement

- 18.4.1 The following uses shall be considered in the Rural Industrial (RM) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:
- (a) Energy Generation Systems – MPS Policy 4-49
 - (b) Heavy Industrial – MPS Policy 3-14
 - (c) Solid Waste – Non-municipal – MPS Policy 4-29

18.5 Rural Industrial (RM) Zone Development Standards

18.5.1 In the Rural Industrial (RM) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area	3,700 m ²	39826.80 ft ²
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	8 m	26.25 ft
Minimum Side Setback		
• Main Building	5 m	16.40 ft
• Accessory Building	8 m	26.25 ft
Minimum Rear Setback		
• Main Building	8 m	26.25 ft
• Accessory Building	4 m	13.12 ft
Maximum Building Height		
• Main Building	12.2 m	40.03 ft
• Accessory Building	8 m	26.25 ft

19 Agricultural Potential (AP) Zone

19.1 Permitted Uses

19.1.1 The following uses shall be permitted in Agricultural Potential (AP) Zone subject to the requirements of this By-law:

- (a) Agricultural Uses
- (b) Animal Care
- (c) Boarding (Rooming) House – up to 6 sleeping units per lot
- (d) Cemetery
- (e) Commercial Recreation – Outdoor
- (f) Community Centre
- (g) Craft Food and Beverage Production
- (h) Cultural Facilities
- (i) Daycare Centre
- (j) Dwelling – up to 4 dwelling units per lot
- (k) Emergency Services
- (l) Farmers’ Market
- (m) Forestry Related Uses
- (n) Funeral Home
- (o) Government Uses
- (p) Interpretive Centre
- (q) Marina
- (r) Medical Clinic
- (s) Nursing Home
- (t) Parks and Playgrounds
- (u) Personal Service Shop
- (v) Place of Worship
- (w) Private Club
- (x) Public Recreation
- (y) Public Transportation
- (z) Residential Care Facility

- (aa) Restaurant – Eat-in
- (bb) Restaurant – Take-out
- (cc) School – Academic
- (dd) Small Options Home
- (ee) Solar Collector Systems – Large-scale
- (ff) Trails and Conservation
- (gg) Water Access
- (hh) Workshop

19.2 Permitted Uses with Conditions

19.2.1 The following uses shall be permitted in the Agricultural Potential (AP) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Home-based Business – Level I – Subsection 6.12.1
- (b) Home-based Business – Level II – Subsection 6.12.2
- (c) Kennel – Section 6.18
- (d) Retail Store – Section 16.5
- (e) Storage Building – Section 6.29
- (f) Urban Farm Uses – Section 6.30

19.3 Permitted Uses by Development Agreement

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

- (a) Energy Generation Systems – MPS Policy 4-49

19.4 Agricultural Potential (AP) Zone Development Standards

19.4.1 In the Agricultural Potential (AP) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area	2,700 m ²	29062.80 ft ²
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	8 m	26.25 ft
Minimum Side Setback		
• Main Building	5 m	16.40 ft
• Accessory Building	5 m	16.40 ft
Minimum Rear Setback		
• Main Building	8 m	26.25 ft
• Accessory Building	4 m	13.12 ft
Maximum Building Height		
• Main Building	12.2 m	40.03 ft
• Accessory Building	8 m	26.25 ft

19.5 Retail Stores Uses in the Agricultural Potential (AP) Zone

19.5.1 Within the Agricultural Potential (AP) Zone, retail stores may be permitted up to 250.0 square metres (2,690.98 square feet) in gross floor area.

20 Lakeshore (RL) Zone

20.1 Permitted Uses

20.1.1 The following uses shall be permitted in Lakeshore (RL) Zone subject to the requirements of this By-law:

- (a) Accommodations
- (b) Agricultural Uses
- (c) Cemetery
- (d) Community Centre
- (e) Craft Food and Beverage Production
- (f) Daycare Centre
- (g) Dwellings – up to 4 dwelling units per lot
- (h) Government Uses
- (i) Interpretive Centre
- (j) Marina
- (k) Marine Recreation Providers
- (l) Parks and Playgrounds
- (m) Personal Service Shop
- (n) Places of Worship
- (o) Public Recreation
- (p) Restaurant – Eat-in
- (q) Restaurant – Take-out
- (r) Small Options Home
- (s) Trails and Conservation
- (t) Water Access

20.2 Permitted Uses with Conditions

20.2.1 The following uses shall be permitted in the Lakeshore (RL) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Home-based Business – Level I – Subsection 6.12.1
- (b) Home-based Business – Level II – Subsection 6.12.2
- (c) Retail Store – Section 20.5
- (d) Storage Building – Section 6.29
- (e) Urban Farm Uses – Section 6.30

20.3 Permitted Uses by Development Agreement

20.3.1 The following uses shall be considered in the Lakeshore (RL) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-49

20.4 Lakeshore (RL) Zone Development Standards

20.4.1 In the Lakeshore (RL) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area	4,700 m ²	50590.80 ft ²
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	3 m	9.84 ft
Minimum Side Setback		
• Main Building	5 m	16.40 ft
• Accessory Building	5 m	16.40 ft
Minimum Rear Setback		
• Main Building	8 m	26.25 ft
• Accessory Building	4 m	13.12 ft
Maximum Building Height		
• Main Building	12.2 m	40.03 ft
• Accessory Building	8 m	26.25 ft

20.5 Retail Stores Uses in the Lakeshore (RL) Zone

20.5.1 Within the Lakeshore (RL) Zone, retail stores may be permitted up to 250.0 square metres (2,690.98 square feet) in gross floor area.

21 Fishing (RF) Zone

21.1 Permitted Uses

21.1.1 The following uses shall be permitted in Fishing (RF) Zone subject to the requirements of this By-law:

- (a) Agricultural Uses
- (b) Community Centre
- (c) Craft Food and Beverage Production
- (d) Cultural Facilities
- (e) Farmers' Market
- (f) Government Uses
- (g) Interpretive Centre
- (h) Light Industrial Uses
- (i) Marina
- (j) Marine Industrial Uses
- (k) Marine Recreation Providers
- (l) Parking Structures and Surface Parking Lots
- (m) Parks and Playgrounds
- (n) Place of Worship
- (o) Private Club
- (p) Public Recreation
- (q) Restaurant – Eat-in
- (r) Restaurant – Take-out
- (s) Trails and Conservation
- (t) Warehousing
- (u) Water Access
- (v) Workshop

21.2 Permitted Uses with Conditions

21.2.1 The following uses shall be permitted in the Fishing (RF) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Urban Farm Uses – Section 6.30

21.3 Permitted Uses by Development Agreement

21.3.1 The following uses shall be considered in the Fishing (RF) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-49

21.4 Fishing (RF) Zone Development Standards

21.4.1 In the Fishing (RF) Zone, no development permit shall be issued except in conformance with the following requirements:

Unserviced Lot	2,700 m ²	29062.80 ft ²
Minimum Lot Frontage	8 m	26.25 ft
Minimum Front/Flankage Setback	0 m	0.00 ft
Minimum Side Setback		
• Main Building	0 m	0.00 ft
• Accessory Building	6 m	19.69 ft
Minimum Rear Setback		
• Main Building	0 m	0.00 ft
• Accessory Building	12 m	39.37 ft
Maximum Building Height		
• Main Building	20 m	65.62 ft
• Accessory Building	8 m	26.25 ft

22 Parks and Open Space (PO) Zone

22.1 Permitted Uses

22.1.1 The following uses shall be permitted in Parks and Open Space (PO) Zone subject to the requirements of this By-law:

- (a) Cemetery
- (b) Community Centre
- (c) Cultural Facilities
- (d) Farmers' Market
- (e) Government Uses
- (f) Interpretive Centre
- (g) Marine Recreation Providers
- (h) Parking Structures and Surface Parking Lots
- (i) Parks and Playgrounds
- (j) Public Recreation
- (k) Trails and Conservation
- (l) Water Access

22.2 Permitted Uses with Conditions

22.2.1 The following uses shall be permitted in the Parks and Open Space (PO) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Restaurant – Take-out – Section 22.5
- (b) Urban Farm Uses – Section 6.30

22.3 Permitted Uses by Development Agreement

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

- (a) Energy Generation Systems – MPS Policy 4-49

22.4 Parks and Open Space (PO) Zone Development Standards

22.4.1 In the Parks and Open Space (PO) Zone, no development permit shall be issued except in conformance with the following requirements:

Unserviced Lot	2,700 m ²	29062.80 ft ²
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	6 m	19.69 ft
Minimum Side Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Minimum Rear Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Maximum Building Height		
• Main Building	15.2 m	49.87 ft
• Accessory Building	8 m	26.25 ft

22.5 Special Requirements – Take-out Restaurants

22.5.1 Take-out restaurants in the Parks and Open Space (PO) Zone shall be limited to a gross floor area of 20 square metres.

23 Highway Commercial (HWY) Zone

23.1 Permitted Uses

23.1.1 The following uses shall be permitted in Highway Commercial (HWY) Zone subject to the requirements of this By-law:

- (a) Accommodations
- (b) Automobile Body Shop
- (c) Automobile Repair
- (d) Automobile Sales
- (e) Automobile Service Station
- (f) Automobile Washing
- (g) Banks and Financial Institutions
- (h) Commercial Recreation – Indoor
- (i) Commercial Recreation – Outdoor
- (j) Community Centre
- (k) Cultural Facilities
- (l) Electric Vehicle Charging as a main use
- (m) Emergency Services
- (n) Farmers' Market
- (o) Government Uses
- (p) Interpretive Centre
- (q) Light Industrial Uses
- (r) Medical Clinic
- (s) Parking Structures and Surface Parking Lots
- (t) Parks and Playgrounds
- (u) Places of Worship
- (v) Private Club
- (w) Public Recreation
- (x) Public Transportation
- (y) Restaurant – Drive-through
- (z) Restaurant – Eat-in
- (aa) Restaurant – Take-out

- (bb) Retail Store
- (cc) Trails and Conservation
- (dd) Transportation and Logistics
- (ee) Warehousing
- (ff) Water Access
- (gg) Wholesale

23.2 Permitted Uses with Conditions

- 23.2.1 The following uses shall be permitted in the Highway Commercial (HWY) Zone subject to the requirements of this By-law and any conditions noted:
- (a) Self-Storage Facilities – Section 6.24

23.3 Permitted Uses by Development Agreement

- 23.3.1 The following uses shall be considered in the Highway Commercial (HWY) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:
- (a) Energy Generation Systems – MPS Policy 4-49

23.4 Highway Commercial (HWY) Zone Development Standards

- 23.4.1 In the Highway Commercial (HWY) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	925 m ²	9956.70 ft ²
• Unserviced Lot	2,700 m ²	29062.80 ft ²
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	3 m	9.84 ft
Minimum Side Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Minimum Rear Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Maximum Building Height		
• Main Building	15.2 m	49.87 ft
• Accessory Building	8 m	26.25 ft

24 Commercial Recreation (CR) Zone

24.1 Permitted Uses

24.1.1 The following uses shall be permitted in Commercial Recreation (CR) Zone subject to the requirements of this By-law:

- (a) Accommodations
- (b) Commercial Recreation – Indoor
- (c) Commercial Recreation – Outdoor
- (d) Community Centre
- (e) Craft Food and Beverage Production
- (f) Cultural Facilities
- (g) Daycare Centre
- (h) Drinking Establishment
- (i) Dwelling – up to 6 dwelling units per lot
- (j) Farmers’ Market
- (k) Government Uses
- (l) Interpretive Centre
- (m) Marina
- (n) Marine Recreation Providers
- (o) Parking Structures and Surface Parking Lots
- (p) Parks and Playgrounds
- (q) Private Club
- (r) Public Recreation
- (s) Public Transportation
- (t) Restaurant – Eat-in
- (u) Restaurant – Take-out
- (v) Retail Store
- (w) Small Options Home
- (x) Trails and Conservation
- (y) Water Access
- (z) Workshop

24.2 Permitted Uses with Conditions

24.2.1 The following uses shall be permitted in the Commercial Recreation (CR) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Storage Building – Section 6.29
- (b) Urban Farm Uses – Section 6.30

24.3 Permitted Uses by Site Plan Approval

24.3.1 The following uses shall be permitted in the Commercial Recreation (CR) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Campground

24.4 Permitted Uses by Development Agreement

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

- (a) Energy Generation Systems – MPS Policy 4-49
- (b) Racetracks – MPS Policy 3-82
- (c) Shooting Range – MPS Policy 3-82

24.5 Commercial Recreation (CR) Zone Development Standards

24.5.1 In the Commercial Recreation (CR) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	2,700 m ²	29062.80 ft ²
• Unserviced Lot	2,700 m ²	29062.80 ft ²
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	3 m	9.84 ft
Minimum Side Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Minimum Rear Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Maximum Building Height		
• Main Building	15.2 m	49.87 ft
• Accessory Building	8 m	26.25 ft

25 Institutional (I) Zone

25.1 Permitted Uses

25.1.1 The following uses shall be permitted in Institutional (I) Zone subject to the requirements of this By-law:

- (a) Agricultural Uses
- (b) Boarding (Rooming) House – up to 4 sleeping units per lot
- (c) Cemetery
- (d) Community Centre
- (e) Cultural Facilities
- (f) Daycare Centre
- (g) Dwelling – up to 4 dwelling units per lot
- (h) Emergency Services
- (i) Farmers' Market
- (j) Funeral Home
- (k) Government Uses
- (l) Hospital
- (m) Interpretive Centre
- (n) Medical Clinic
- (o) Nursing Home
- (p) Office
- (q) Parking Structures and Surface Parking Lots
- (r) Parks and Playgrounds
- (s) Place of Worship
- (t) Private Club
- (u) Public Recreation
- (v) Public Transportation
- (w) Residential Care Facility
- (x) School – Academic
- (y) School – Commercial
- (z) School – Post-secondary
- (aa) Small Options Home

- (bb) Solar Collector Systems – Large-scale
- (cc) Trails and Conservation
- (dd) Water Access

25.2 Permitted Uses with Conditions

25.2.1 The following uses shall be permitted in the Institutional (I) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Storage Building – Section 6.29
- (b) Urban Farm Uses – Section 6.30

25.3 Permitted Uses by Development Agreement

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

- (a) Boarding (Rooming) House – 5 to 12 dwelling units per lot – MPS Policy 3-89
- (b) Dwelling – 5 to 12 dwelling units per lot – MPS Policy 3-89
- (c) Energy Generation Systems – MPS Policy 4-49

25.4 Institutional (I) Zone Development Standards

25.4.1 In the Institutional (I) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	925 m ²	9956.70 ft ²
• Unserviced Lot	2,700 m ²	29062.80 ft ²
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	3 m	9.84 ft
Minimum Side Setback		
• Main Building	3 m	9.84 ft
• Accessory Building	3 m	9.84 ft
Minimum Rear Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Maximum Building Height		
• Main Building	15.2 m	49.87 ft
• Accessory Building	8 m	26.25 ft

26 Source Water Protection (WP) Zone

26.1 Permitted Uses

26.1.1 The following uses shall be permitted in Source Water Protection (WP) Zone subject to the requirements of this By-law:

- (a) Government Uses
- (b) Parks and Playgrounds
- (c) Public Recreation
- (d) Trails and Conservation
- (e) Water Access

26.2 Permitted Uses by Development Agreement

26.2.1 The following uses shall be considered in the Source Water Protection (WP) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-49

26.3 Source Water Protection (WP) Zone Development Standards

26.3.1 In the Source Water Protection (WP) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	0 m ²	0.00 ft ²
• Unserviced Lot	0 m ²	0.00 ft ²
Minimum Lot Frontage	0 m	0.00 ft
Minimum Front/Flankage Setback	0 m	0.00 ft
Minimum Side Setback		
• Main Building	0 m	0.00 ft
• Accessory Building	0 m	0.00 ft
Minimum Rear Setback		
• Main Building	0 m	0.00 ft
• Accessory Building	0 m	0.00 ft
Maximum Building Height		
• Main Building	-	-
• Accessory Building	-	-

27 Conservation (C) Zone

27.1 Permitted Uses

27.1.1 The following uses shall be permitted in Conservation (C) Zone subject to the requirements of this By-law:

- (a) Interpretive Centres
- (b) Parks and Playgrounds
- (c) Public Recreation
- (d) Trails and Conservation
- (e) Water Access

27.2 Permitted Uses by Development Agreement

27.2.1 The following uses shall be considered in the Conservation (C) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-49

27.3 Conservation (C) Zone Development Standards

27.3.1 In the Conservation (C) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	0 m ²	0.00 ft ²
• Unserviced Lot	0 m ²	0.00 ft ²
Minimum Lot Frontage	0 m	0.00 ft
Minimum Front/Flankage Setback	0 m	0.00 ft
Minimum Side Setback		
• Main Building	0 m	0.00 ft
• Accessory Building	0 m	0.00 ft
Minimum Rear Setback		
• Main Building	0 m	0.00 ft
• Accessory Building	0 m	0.00 ft
Maximum Building Height		
• Main Building	15.2 m	49.87 ft
• Accessory Building	8 m	26.25 ft

28 Comprehensive Development District (CDD) Zone

28.1 Permitted Uses

28.1.1 The following uses shall be permitted in Comprehensive Development District (CDD) Zone subject to the requirements of this By-law:

- (a) Dwellings – Existing

28.2 Permitted Uses by Development Agreement

28.2.1 Uses within the Comprehensive Development District shall be permitted subject to Policy 3-61 of the Municipal Planning Strategy.

Minimum Front/Flankage Setback	Per DA	Per DA
Maximum Front/Flankage Setback	Per DA	Per DA
Minimum Side Setback		
<ul style="list-style-type: none"> • Main Building • Accessory Building 	Per DA Per DA	Per DA Per DA
Minimum Rear Setback		
<ul style="list-style-type: none"> • Main Building • Accessory Building 	Per DA Per DA	Per DA Per DA
Maximum Building Height		
<ul style="list-style-type: none"> • Main Building • Accessory Building 	Per DA Per DA	Per DA Per DA

29 Site Plan Approval

29.1 Introduction to Approval Criteria

- 29.1.1 This Part contains criteria to be considered in addition to all other requirements of this By-law when approving development through the site plan approval process.
- 29.1.2 Site Plans Approvals under this document are intended to be applied in a flexible manner through a negotiated process between the applicant and the Development Officer.
- 29.1.3 Development shall reasonably meet all site planning criteria of the following sections, as they apply to certain types of development.
- 29.1.4 The Development Officer may waive the requirement for compliance with certain criteria if they are deemed irrelevant for the quality of the resulting development in the particular context of the application for Site Plan Approval.

29.2 Residential Site Plan Approval

- 29.2.1 Where a zone permits dwellings or boarding houses by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the matters of Section 29.2 have been addressed.

Planting, Landscaping and Adverse Effect Mitigation

- 29.2.2 Landscaping, fencing or similar visual barriers shall be provided around structures, parking, open storage areas, and waste management facilities to minimize visual impacts and privacy intrusion on surrounding residential properties to a reasonable extent.
- 29.2.3 Where possible, vegetation on-site shall be retained and incorporated into the site landscaping, particularly for the protection of environmentally sensitive or significant areas.
- 29.2.4 Mature trees on the lot shall be preserved whenever possible.
- 29.2.5 Stormwater run-off from parking areas and other impervious surfaces shall be addressed.
- 29.2.6 Where on-site septic systems are employed, potential run-off on neighbouring properties shall be addressed.

Movement Through the Site

- 29.2.7 Where a sidewalk, trail or similar walking paths are available abutting the subject property, the primary entrance(s) of all dwelling units shall be connected to such walking paths by means of a barrier-free (accessible) pedestrian walkway at least 1.5 metres (4.92 feet) in width and paved with asphalt, concrete, bricks, or interlocking pavers.
- 29.2.8 Other pedestrian walkways shall be clearly delineated on the property and allow for efficient movement throughout the site.
- 29.2.9 Vehicle access and egress to and from the property shall be clearly demarcated and designed with pedestrian safety in mind. The driveway(s) shall not measure more than 3.0 metres (9.84 feet) in width for single-lane and 6.0 metres (19.68 feet) in width for double-lane driveways. Where more than one driveway on a public road is sought, the driveway accesses shall be approved by the government having authority over that road.
- 29.2.10 Vehicle circulation on-site shall be designed to support efficient movement, enable emergency service access and avoid obvious points of conflict.

29.1 Automobile Shop and Drive-through Site Plan Approval

- 29.1.1 Where a zone permits automobile service stations, automobile washing, automobile repair, automobile sales or drive-through restaurants by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the matters Section 29.1 have been addressed.

Planting, Landscaping and Adverse Effect Mitigation

- 29.1.2 Landscaping, fencing or similar visual barriers shall be provided around vehicle queuing areas, sales windows, parking, open storage areas, and waste management facilities to minimize visual impacts on/for neighbouring properties.
- 29.1.3 Where possible, vegetation on-site shall be retained and incorporated into the site landscaping, particularly for the protection of environmentally sensitive or significant areas.
- 29.1.4 Stormwater run-off from parking areas and other impervious surfaces shall be addressed.
- 29.1.5 Where on-site septic systems are employed, potential run-off on neighbouring properties shall be addressed.
- 29.1.6 Outdoor storage shall not be permitted in the front and flankage yards.

Movement Through the Site

- 29.1.7 Where a sidewalk, trail or similar walking paths are abutting the subject site, the primary entrance to the business shall be connected to such walking paths by means of a barrier-free (accessible) pedestrian walkway at least 1.5 metres (4.92 feet) in width and paved with asphalt, concrete, bricks, or interlocking pavers.
- 29.1.8 Other pedestrian walkways shall be clearly delineated on the property and allow for efficient movement throughout the site.
- 29.1.9 Vehicle access and egress to and from the property is clearly demarcated and designed with pedestrian safety in mind. The driveway(s) do not measure more than 3.0 metres (9.84 feet) in width for single-lane and 6.0 metres (19.68 feet) in width for double-lane driveways. Where more than one driveway on a public road is sought, the driveway accesses shall be approved by the government having authority over that road.
- 29.1.10 Vehicle circulation on-site shall be designed to support efficient movement, enable emergency service access and avoid obvious points of conflict.

29.1.11 Required parking areas shall be located at the side or rear of any new building.

Location of New Structures

29.1.12 The main buildings shall have a primary facade and a public entrance facing the street.

29.1.13 New structures shall be located in a manner to be optimally separated from developments on adjacent lots to minimize negative impacts including lighting, fumes, or other nuisances deemed relevant by the Development Officer.

Drive-through Specific Requirements

29.1.14 When a drive-through service or drive-through restaurant abuts a property with existing dwellings, any intercoms, speakers, and service windows shall be located in a manner so as to best direct noise away from neighbouring dwellings.

29.1.15 Stacking lanes of drive-throughs shall not be located between the front lot line and the main building.

29.1.16 Entrances to drive-through stacking lanes shall be configured as to minimize conflict with vehicle access points from the street or on-site automobile parking.

29.1.17 Stacking lanes shall provide an adequate number of queuing spaces, determined by a qualified professional, to accommodate peak demand for the proposed use.

29.2 Campground Site Plan Approval

- 29.2.1 Where a zone permits campgrounds by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the matters Section 29.2 have been addressed.

Campground Layout

- 29.2.2 Campgrounds shall be designed to avoid undue hazards for traffic circulation, or create pedestrian hazards.
- 29.2.3 All building and non-building uses associated with a campground and RV park, including, but not limited to, campsites, playgrounds, parks, parking, solid waste, RV pumping stations, roadways, public gathering areas, washrooms, and outdoor storage, shall be set back a minimum of 15.0 metres (49.21 feet) from all lot lines.
- 29.2.4 The development shall have adequate emergency service access.
- 29.2.5 Garbage, recycling, and refuse collection shall be fully enclosed and concealed, and they shall be available to all users of the campground. Any containers used for garbage, recycling, and refuse collection shall be locking or include mechanisms that prevent access by wildlife.

Landscaping and Grading

- 29.2.6 Where possible, vegetation on site shall be retained and incorporated into the site landscaping, particularly for the protection of environmentally sensitive or significant areas and to create buffers along the campground perimeter.
- 29.2.7 All areas disturbed by development shall be landscaped.
- 29.2.8 Measures including lot grading and stormwater management practices shall be integrated in the site concept to adequately dispose, retain, and manage stormwater and surface water.
- 29.2.9 Where on-site septic systems are employed, potential run-off on neighbouring properties shall be addressed.

Campsites Spaces

- 29.2.10 Each campsite shall be clearly delineated on the site plan.
- 29.2.11 Any fire places wood burning devices shall be located a minimum of 30.0 metres (98.42 feet) from all lot lines.

Movement through the Site

- 29.2.12 Pedestrian walkways and trails within the camping site shall be clearly delineated on the plan.
- 29.2.13 Where a sidewalk, trail or similar active transportation infrastructure are available abutting the subject site, the on-site paths and trails shall connect to the external walkways wherever possible.
- 29.2.14 Vehicle access and egress to and from the campground shall be clearly demarcated and designed with pedestrian safety in mind. Where more than one driveway on a public road is sought, the driveway accesses shall be approved by the government having authority over that road.
- 29.2.15 Vehicle circulation on-site shall be designed to support efficient movement, enable emergency service access and avoid obvious points of conflict.

29.3 Scrap Yard Site Plan Approval

- 29.3.1 Where a zone permits scrap yards by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the matters of Section 29.3 have been addressed.
- 29.3.2 Landscaped buffers, fencing, or similar visual barriers shall be provided in all locations where parked vehicles, technical parts, garbage, or other debris could be otherwise seen from adjacent lots or streets.
- 29.3.3 Where possible, vegetation on-site shall be retained and incorporated into the site landscaping, particularly for the protection of environmentally sensitive or significant areas.is
- 29.3.4 A detailed stormwater management plan, prepared by a Professional Engineer or Landscape Architect licensed to practice in Nova Scotia shall be included within the site plan.
- 29.3.5 No storage or deposit areas shall be located within 30.0 metres (98.42 feet) from the ordinary high water mark of any watercourse.

29.4 Conversion of a Non-conforming Use

- 29.4.1 Where a proposal includes the conversion of a non-conforming use to another non-conforming use by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the matters of Section 29.4 have been addressed.
- 29.4.2 The Development Officer shall be satisfied the new use, by its nature or by the conditions placed upon it, is equally or less impactful to the surrounding area in terms of noise, odour, traffic generation, and aesthetics than the use it replaces.
- 29.4.3 The site plan shall control the conversion in a manner that is compatible with the purpose and permitted uses in the zone. Controls may include, but are not limited to, enhanced buffering and screening; the positioning, bulk, and design of buildings and structures; mitigation measures for noise, dust, and other emissions; the location and design of parking areas; landscaping; lighting design; and controls on outdoor storage and display.

30 Definitions

A

Accessory Building means a subordinate building or structure on the same lot as the main building devoted exclusively to an accessory use, but does not include a building attached in any way to the main building or a building located completely underground.

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

Accommodation means the provision of a building, buildings, or part thereof to a single party or group of the travelling public, for payment or compensation, for a period of 28 days or less, and may include, but is not limited to, tourist facilities such as hotels; motels; hostels; and entire home, individual room, cottage, cabin, geodesic dome, or yurt rentals.

Act means, unless otherwise specified, the *Municipal Government Act* of the Province of Nova Scotia, as amended.

Agricultural Use means a use of land and buildings for farming, dairying, pasturage, agriculture, apiculture, floriculture, horticulture and animal husbandry and the necessary accessory uses for packing, storing, or treating the produce and shall include the use of buildings and land for the preparation and production of food product meant for animals.

Alter means to change a structural component of a building, or to increase or decrease the volume of a building or structure.

Animal Care means the use of land, buildings, or structures for the care of animals and includes veterinary care, grooming, and day care but does not include the breeding of animals or overnight boarding.

Automobile Body Shop means the use of a building or premises primarily for the commercial repair of damage to the chassis and shell of an automobile, including major and minor collision damage, frame and panel straightening, repainting, and refinishing and similar activity.

Automobile Service Station means the use of building or part thereof or a clearly defined space on a lot used for washing of motor vehicles and/or the retail sale of liquid or compressed gas automobile fuels and lubricating oils and may include the sale of automobile accessories and the minor servicing and minor repairing essential to the actual operation of motor vehicles but does not include an automobile repair shop, automobile sales, or automobile body shop.

Automobile Repair means the use of a building or part thereof for the repair and service of motor vehicles and may include muffler, brake, radiator, engine, tire, glass replacement, wheel alignment, and other specialized activities directly related to the repair or alteration of motor vehicles, but shall not include paint and body repairs, the manufacture or fabrication of motor vehicle parts for the purpose of sale, or the retailing of gasoline or other fuels.

B

Bed and Breakfast see Home-based Business.

Boarding (Rooming) House means a dwelling in which the proprietor rents out two or more separate boarding house sleeping units within a dwelling unit but does not include rooms advertised to the travelling public.

Boarding House Sleeping Unit means a habitable room or rooms that are part of a boarding house and contain sleeping quarters for the use of tenants which are rented individually, but do not contain a private washroom and kitchen within the unit.

Bona Fide Access means a private road which is created using bona fide access provisions of the Subdivision By-law, and while it is neither designed nor constructed, is intended to be used as the actual access to lots being created.

Building means any structure, whether temporary or permanent, used or built for the shelter, accommodation, or enclosure of persons, animals, materials, or equipment, but does not include frames for sheltering crops.

Building Supply and Equipment Depot means the use of buildings or land for the storage of materials and equipment in support of a building and construction-related trade such as, but not limited to, carpenters, electricians, masons, landscapers, and plumbers.

C

Campground means a plot of ground upon which two or more camping units are located, established, or maintained for occupancy as temporary living quarters for recreation, education, or vacation purposes.

Camping Unit means any trailer, cabin, lean-to, semi-permanent recreation vehicle or similar structure established or maintained and operated as temporary living quarters for recreation, education, or vacation purposes.

Cemetery means the use of land for the burial of the dead and related purposes, such as a columbaria and mausoleums, and excludes a crematorium use, which is included in the definition of funeral home.

Central Sewer System means a system of piping and plant for the collection, transportation, and treatment of sewage from multiple lots, of such design and installation as to satisfy the requirements of all agencies concerned both Provincial and municipal.

Community Centre means any building or buildings, or any part of any buildings used for community activities whether used for commercial purposes or not, the control of which is vested in the Municipality, a local board or agent thereof, or a non-profit organization.

Commercial Recreation, Indoor means any land use that offers active or passive recreation for monetary gain for the operator of the site and includes but is not limited to cinemas, concert and performance halls, spectator venues, game rooms, escape rooms, bowling alleys, and indoor paintball fields.

Commercial Recreation, Outdoor means any land use that offers active or passive recreation for monetary gain for the operator of the site and includes but is not limited to ski hills, golf courses, gondolas, equestrian centres, and archery ranges, but shall not include shooting ranges and racetracks.

Corner Vision Triangle means that part of a corner lot adjacent to the intersection of the exterior lot lines measured from such intersection a distance of 2.0 metres along each such street line and joining such points with a straight line. The triangular shaped land between the intersecting lines and the straight line joining the points the required distance along the street lines shall be known as the 'corner vision triangle'.



Craft Food and Beverage Production means the use of a building or part thereof for the production of:

- (a) specialized food products intended for retail sale;
- (b) not more than 150,000 hectolitres of beer, wine, mead, premixed cocktails, kombucha, or non-alcoholic beverages in a year;
- (c) or not more than 75,000 litres of distilled spirits in a year; and may include public tasting and retail sales of the product but does not include a restaurant or drinking establishment unless those uses are permitted as a main use in the applicable use zone.

Council means the Council of the Municipality of the County of Antigonish.

Cultural Facilities means the use of land, buildings, or part thereof, for the promotion of art, culture, and learning and without limiting the generality of the foregoing includes public art galleries, libraries, museums, performance arts theatres, visual arts centres, and other similar uses.

D

Day Care Centre means the use of a building or part thereof for the care of people without overnight accommodation, but does not include a school.

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

Development Agreement means an agreement between a landowner and the Municipality as enabled and regulated by the *Municipal Government Act*.

Development Officer means the officer of the Municipality of the County of Antigonish with the duty of administering the provisions of the Land Use By-law as appointed by Council.

Drinking Establishment means premises that serve alcoholic beverages with or without food.

Dwelling means 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, but shall not include a hotel, a motel, or a travel trailer.

Dwelling Unit means one or more habitable rooms intended for use by one household or more individuals as an independent and separate housekeeping establishment. A dwelling unit shall include both kitchen and sanitary facilities provided for the exclusive use of the individual or individuals within that unit, and shall also include a private entrance from outside the building or from a common hallway or stairway inside the building.

E

Effective Date means the day when upon adoption by the Council of the Municipality of the County of Antigonish and approval by the Minister of Municipal Affairs, this By-law took effect by means of a notice that was published in a newspaper. For greater clarity, it means the first and initial date of coming into force and excludes any dates of later amendments to the document.

Electric Vehicle Charging means infrastructure that supplies energy for the charging of electric vehicles, such as plug-in electric and hybrid vehicles.

Emergency Services means the use of a building or land for the protection of public health, safety, and property and shall include, but is not limited to, fire stations, ambulance depots, police stations, and search-and-rescue facilities, but does not include a correctional facility.

Erect means to build, construct, reconstruct, alter, or relocate and without limiting the generality of the forgoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, or structurally altering any existing building or structure by an addition, deletion, enlargement, or extension.

Existing means in existence on the specified date or, if no date is specified, on the effective date of this By-law.

F

Farmers' Market means the use of land, buildings, structures, or part thereof by five or more vendors where the greater part of the goods for sale are products of the farm, the forest, or the sea, whether in their natural form or processed by the vendor, and the remainder of the goods are craft products produced by the vendors or their immediate families.

Footprint means the total ground floor area of a building enclosed within the exterior faces of the exterior walls, and for the purpose of this definition the walls forming a courtyard shall be deemed to be exterior walls.

Forestry Related Use means the use of land or buildings for the production of timber or pulp and uses associated with the forestry industry, including sawmills, maple sugaring operations, Christmas tree upicks, tree nurseries, shingle mills, forestry vehicle and equipment storage, maintenance buildings and yards, and wholesale outlets for wood and wood products.

Funeral Home means the use of a building or part thereof for the preparation, temporary display, and/or funeral ceremony of deceased persons or domestic pets and may include a crematorium.

G

Government Uses means a municipal, provincial, or federal government office, courthouse, registry office, health clinic, welfare center, employment office, post office, buildings required for other government service delivery including municipal servicing or a building of any government agency or crown corporation.

Grade means

- (a) when used in reference to a building or structure, the average elevation of the finished surface of the ground where it meets the exterior of foundation of the building or structure, exclusive of any artificial embankment or entrenchment; or
- (b) when used in reference to a street, road, or highway, the elevation of the street, road, or highway established by the Municipality or other designated authority.

Gross Floor Area means the sum of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level, and for the purpose of this definition, the walls forming a courtyard shall be deemed to be exterior walls.

H

Heavy Industrial means the use of land or buildings for manufacturing, assembly, and/or processing and which use may be located in whole or in part to the exterior of the building and which use, by the nature of its operation may cause land use conflicts. This definition shall not include marine industrial uses but shall include, but is not limited to, explosives, petrochemical, coke, or paint plants; rendering or poultry plants; tanneries; abattoirs; refineries; or industrial cleaners.

Height means the vertical distance on a building or structure between the established grade and:

- (a) the highest point of the roof surface or the parapet, whichever is greater, of a flat roof;
- (b) the deck line of a mansard roof;
- (c) the mean level between the eaves and ridges of gabled, hip, gambrel, or other type of pitched roof;
- (d) excluding any construction used as ornament or for the mechanical operation of the building or structures, a mechanical penthouse, chimney, tower, cupola, or steeple.

Home-based Business means a business activity that is accessory to a dwelling and involves the provision or sale of goods and/or services to the public and where the dwelling is the principal residence of the business operator.

Hospital means an institution for the treatment of persons afflicted with or suffering from sickness, disease or injury and may or may not include a medical clinic.

I

Interpretive Centre means the use of a building or structure or part thereof to communicate to the public the historical, scientific, or cultural information about a location and/or to provide tourism and wayfinding information to the public.

J

K

Kennel means the use of land, a building, or part thereof for a commercial establishment where dogs and other domestic animals, excluding livestock, are bred, raised, sold, and/or boarded.

L

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

Light Industrial means the use of a building for machining, manufacturing, assembly, and/or processing and such use shall be wholly contained within the building and shall not include explosives, petrochemical, coke, or paint plants; rendering or poultry plants; tanneries; abattoirs; refineries; or industrial cleaners.

Loading Space means a vacant area of land provided and maintained upon the same lot or lots upon which the principal use is located and which area:

- (a) able for the temporary parking of at least one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicles;
- (b) is not upon or partly upon any street or highway.

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

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

Through lot means a lot, which is not a corner lot, with frontage on more than one street.

Flag Lot means a lot that meets the minimum lot frontage requirements of the zone in which it is located but contains a prolongation or “pole” that extends from the lot frontage to the main body of the lot and has a width less than the minimum lot frontage permitted in the applicable zone.

Lot Area means the total horizontal area within the lot lines of a lot.

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

Lot Frontage means the length of the straight line between the two points where the side lot lines intersect the front lot line along any public street or private road. Where the front lot line is not straight or where it meets one or more side lot lines at an angle of less than 80 degrees or more than 100 degrees,

- (a) establish a line joining the midpoint of the front lot line with the midpoint of the rear lot line or, in the case of a triangular lot, with the apex of the triangle formed by the side lot lines;
- (b) establish the point on the line established in (a) that is the distance of the minimum front setback required in the applicable zone from the street; and
- (c) measure the distance between the side lot lines along the line perpendicular to the line established in (a) at the point established in (b).

Lot Line means a boundary line of a lot.

Flankage lot line means any lot line on a corner lot which abuts the street but is not the front lot line or rear lot line.

Front lot line means the line dividing the lot from the street; in the case of a corner lot the shortest boundary line abutting the street shall be deemed the front lot line and the longer boundary line(s) abutting the street shall be deemed the flankage lot line(s) and where such lot lines are of equal length the front lot line shall be any of the lot lines abutting a street. In the case of a through lot, any boundary dividing the lot from a street may be deemed to be the front lot line.

Rear lot line means the lot line furthest from or opposite to the front lot line.

Side lot line means a lot line other than a front, rear, or flankage lot line.

M

Main Building means the building in which the principal purpose for which the building lot is used.

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

Manufacturing means the production, compounding, processing, packaging, crafting, bottling, packing, or assembling of raw or semi-processed or fully-processed goods or materials, and shall include a recycling operation completely contained within a building.

Marina means a facility where boats may be docked or moored and where fuel and other marine supplies are sold to the boating public.

Marine Industrial means the use of land, buildings, or part thereof for activities related to shipbuilding and repair, the commercial fishery, and the provisioning of ships and shall include, but is not limited to, boatyards, fish processing, shipbuilding and repair, ship chandlery, and the storage of commercial fishing gear.

Marine Recreation Provider means the use of land, buildings, or structures for a commercial business that, due to its nature of the use, relies on the sea or ocean as an integral part of its operation, including but not limited to boat tours, canoe and kayak rentals, and jet ski rentals, but does not include uses related to the commercial fishing industry.

Medical Clinic means a building or part of a building used for medical, dental, surgical, or therapeutic treatment of human beings but does not include a public or private hospital.

Municipality means the Municipality of the County of Antigonish.

N

Nameplate Capacity means the manufacturer's maximum rated output of the electrical generator found in the nacelle of a wind turbine. This equals the electricity produced when the wind velocity is such as where the conversion efficiency is at its greatest.

Nursing Home means an extended or immediate care facility licensed under the *Homes for Special Care Act*, or successor legislation, to provide full time skilled nursing care to individuals who, by reason of age, chronic illness, or infirmity, are unable to care for themselves.

O

Obnoxious Use means a use which, from its nature or operation creates a nuisance or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, oil, or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material.

Open Space means uses related primarily to the outdoor enjoyment of lands, including recreational uses, accessory buildings to a beach including change rooms and washrooms, boardwalks and nature interpretation stands, canteens, conservation projects, information stands, marina facilities and picnic areas and facilities.

Ordinary High Watermark means:

- (d) For non-tidal waters, the limit or edge of the bed of a body of water where the land has been covered by water so long as to wrest it from vegetation or as to mark a distinct character upon the vegetation where it extends into the water or upon the soil itself; and
- (e) For tidal waters, the mark on the seashore reached by the average of the mean high tides of the sea between the spring and neap tides in each quarter of a lunar revolution during the year excluding only extraordinary catastrophes or overflows.

Outdoor Display means an area of land where goods are displayed and are available for sale to the general public from a retail outlet located on the same lot.

Outdoor Storage means the storage of any item located outside of a building not primarily for the encouragement of sale of the item or of similar items at that location, but primarily for storage purposes.

P

Person means an individual, association, firm, partnership, corporation, 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 Service Shop means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, and without limiting the generality of the foregoing may include such establishments as barber shops, beauty parlours, automatic laundry shops, hairdressing shops, shoe repair and shoe shining shops, and depots for collecting dry cleaning and laundry, but excludes any manufacturing or fabrication of goods for sale.

Place of Worship means a place dedicated to religious worship and may include, but is not limited to, halls or auditoriums for religious gathering, accessory office space for administrators, day nurseries operated for patrons, and classroom space for religious instruction.

Private Club means the use of a building or part thereof for a meeting place for members of an organization and may include a lodge, a legion, a fraternity or sorority house, and a labour union hall.

Private Road means a private street or road as defined in the Subdivision By-law of the Municipality of the County of Antigonish.

Professional Office means a building or structure where business may be transacted, a service performed, or consultation given but shall not include the manufacturing of any product or the retailing or selling of goods.

Public and Private Utilities means a closely regulated enterprise with a franchise for providing to the public a utility service deemed necessary for the public health, safety, and welfare.

Public Recreation means the use of land, buildings, or parts thereof for tennis courts, lawn bowling greens, skating rinks, skateboard parks, athletic fields, band shells, pavilions, outdoor swimming pools, recreational boat launches, and similar uses to the foregoing, together with necessary and accessory buildings and structures, but not including indoor commercial recreation or outdoor commercial recreation or a track for the racing of animals, or any form of motorized vehicles.

Public Road means a public street or road as defined in the Subdivision By-law of the Municipality of the County of Antigonish.

Public Transportation means the use of land, buildings, or part thereof for the transportation of passengers and related activities and includes bus stations, taxi stands, and railway stations but does not include airports.

Q

Qualified Person means an individual who has undergone proper educational training and gained experience and expertise to become certified or recognized as able to practice in a particular profession in the province of Nova Scotia and, if required by applicable legislation, is a member in good standing in the professional body representing and/or regulating the profession in Nova Scotia.

R

Race Track means the use of land for the purpose of racing motorcycles, all-terrain vehicles, automobiles, or similar motorized vehicles, and animals, including, but not limited to, horses or dogs, over a constructed track or course or where the continuous use of land creates a track or course.

Recreational Vehicle (“RV”) means a vehicle intended as temporary accommodation for travel, vacation, or recreational use. Such vehicles may include, but are not limited to, a motor home, fold-down camping trailer, truck camper, holiday trailer, or fifth wheel travel trailer, but does not include any vehicle that meets the definition of a derelict vehicle under the *Municipal Government Act*.

Recreational Vehicle, Semi-Permanent means a recreational vehicle on a property that is characterized by one or more of the following: expired or missing license and/or registration of Recreational Vehicle(s), sewer and/or water connections to the site, decks and/or accessory building on site, and modifications to a recreational vehicle including screened porches, decks or exterior rooms (eg. Arizona rooms).

Recycling Depot means premises on which recoverable materials, such as paper, glass and metals are separated prior to shipment, but does not include any processing of the material and does not include a scrap yard.

Renewable Energy Generation System means any device or group of devices that converts an energy from natural sources such as ocean waves or tides, rivers, geothermal, or biomass to electrical energy, but does not include energy generation from fossil fuels or nuclear power and does not include wind turbines or solar panels, which are covered under separate definitions.

Residential Care Facility means the use of a building or part thereof as a family home, group care facility, or similar facility for the non-medical care of more than six persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual, but does not include a facility licensed by Corrections Canada or Nova Scotia Corrections or successor bodies.

Restaurant means a building or part thereof where food and/or drink intended for immediate consumption is prepared and served to the public.

Restaurant, Drive-through means a restaurant or part thereof where the intent is to provide food and/or drink to customers while they remain in their motor vehicles.

Restaurant, Eat-in means a restaurant or part thereof where food and/or drink may be consumed within the building or on an attached, formalized outdoor space.

Restaurant, Take-out means a restaurant or part thereof that does not provide facilities for consumption of food or drink on the premises, or only provides informal outdoor eating facilities, such as picnic tables.

Retail Store means a building or part thereof in which goods, wares, merchandise, substances, articles, or things are offered or kept for sale directly to the public at retail.

S

School, Academic means the use of a building or part thereof as an educational establishment, whether public or private, intended for the academic instruction of students up to the completion of Grade 12, and may include elementary schools, junior high schools, high schools, and consolidated schools, but does not include daycares as the main use.

School, Commercial means the use of a building or part thereof as an educational establishment, whether public or private, intended for instruction in extracurricular activities and/or vocational skills and shall include, but is not limited to, dance schools, music schools, sports schools, driving schools, culinary institutes, hair schools, computer schools, and other similar schools, but does not include post-secondary schools.

School, Post-secondary means the use of a building or part thereof as a degree- or diploma-granting public educational establishment intended for the academic instruction of students after the completion of Grade 12.

Scrap Yard means the use of land for keeping or storing used bodies or parts of automobiles or any other type of used equipment, vehicles, machinery, or materials of any kind, regardless of whether such use occupies all or a part of the lot or lots upon which it is located, or whether it is a use operated for commercial or other purposes, or whether the use is subject to salvage yard licensing requirements of the Province of Nova Scotia.

Self-storage Facility means the use of a building, collection of buildings, or part thereof for individual, small, self-contained units that are leased or owned for the storage of business or household goods or contractor supplies.

Senior Citizens' Housing means multifamily housing designed for older people. This type of housing can also refer to an adult retirement community, assisted living facility, congregate residences or continuing care retirement facility.

Service Shop means a building or part thereof used for the repair of household articles and shall include radio, television, and appliance repair shops but shall not include industrial or manufacturing or motor vehicle repair shops.

Serviced Lot means a lot that is serviced by a central sewer system.

Setback means the distance between a street line, watercourse, or natural feature and the nearest main wall of any building or structure and extending the full width or length of the lot.

Setback, Flankage means the horizontal distance, extending the full lot width, measured from the flankage lot line and the nearest main wall of any building or structure on the lot.

Setback, Front means the horizontal distance, extending the full lot width, between the front lot line and the nearest main wall of any building or structure on the lot.

Setback, Rear means the horizontal distance, extending the full lot width, between the rear lot line and the nearest wall of any main building or structure on the lot.

Setback, Side means the horizontal distance, extending the full lot width, between any side lot line and the nearest wall of any main structure on the lot.

Shipping Container means an article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one or more means of transportation and includes, but is not limited to, intermodal freight containers (sea containers) and the body of transport trailers or straight truck boxes, but does not include a motor vehicle.

Shooting Range means the use of land or buildings for sport shooting including, but not limited to, sport shooting that involves the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or other similar items.

Shoreline means the ordinary high watermark of a coastal or other body of water.

Sign means a 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 shall be used to justify, advertise, or attract attention to any object, product, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry or business, or which shall display or include any letter, work, model, number, banner, flag, pennant, insignia, device or representation used as an announcement, direction, or advertisement, and which is intended to be seen from off the premises or from a parking lot. The word "sign" shall include signs that are affixed to the inside of windows and glass doors and is intended to be seen from roadways or parking lots. No other indoor sign shall be deemed a sign within this By-law.

Ground Sign means a sign supported by one or more uprights, poles or braces placed in or upon the ground.

Illuminated Sign means a sign that provides artificial light directly, or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light focused, upon or chiefly directed at the surface of the sign.

Mobile Sign means any sign not permanently affixed to the ground or to a building, including any sign attached to or displayed on a vehicle or trailer that is used for the expressed purpose of advertising a business establishment, product, service, or entertainment, when that vehicle is so parked as to attract the attention of the motoring or pedestrian traffic.

Number of Signs means 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.

Projecting Sign means a sign which projects from and is supported by a wall of a building.

Roof Sign means any sign erected upon, against, or directly above a roof or roof eave, or on top or above the parapet, or on a functional architectural appendage above the roof or roof eave.

Sign Area means the area of the smallest triangle, rectangle, or circle or semi-circle that can wholly enclose the surface area of the sign. All visible faces of a multi-faced sign shall be counted separately and then totaled in calculating sign area. Three dimensional signs shall be treated as dual-faced signs, such that the total area shall be twice the area of the smallest triangle, rectangle, or circle or semi-circle, which can totally circumscribe the sign in the plan of its largest dimension.

Third Party Sign means a sign that advertises a business that is not situated on the same lot on which the sign is placed.

Wall Sign means a sign that is attached to and supported by wall of a building.

Small Options Home means the use of a building or part thereof for a family home, group care facility, or similar facility for the non-medical care for not more than six persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual, but does not include a facility licensed by Corrections Canada or Nova Scotia Corrections or successor bodies.

Storey means the portion of a building between any floor and the floor, ceiling or roof next above, provided that any portion of a building partly below grade level shall not be deemed a storey unless its ceiling is at least 1.8 metres (6 feet) above grade and provided also that any portion of a storey exceeding 4.3 metres (14 feet) in height shall be deemed an additional storey for each 4.3 metres (14 feet) or fraction thereof of such excess.

Street means a public road or private road.

Street Line means the boundary line of a street.

Structure means anything that is erected, built or constructed or 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 1.8 metres (6 feet) in height.

Solar Collector System means a structure or array of structures, and ancillary equipment, designed to collect solar radiation and convert it to useable forms of energy. Without restricting the generality of this definition, solar collector system may include evacuated tubes, flat plate collectors, concentrating mirrors, and building-integrated photovoltaic materials but does not include windows or greenhouses.

Solar Collector System, Accessory means a solar collector system designed and sized with a primary purpose to offset or meet the energy needs of other uses on the site. While such systems may generate, on an annual basis, a small monetary profit through programs such as net metering, such profits shall be secondary and incidental to the purpose of offsetting on-site energy needs.

Solar Collector System, Commercial means a solar collector system designed and sized with a primary purpose to provide electricity or other forms of energy to the grid or other off-site uses.

T

Transportation and Logistics means the use of a building, structure, land, or part thereof used for the purpose of transporting any kind of item or thing by truck or other vehicle, including, but not limited to, loading facilities, storage, and maintenance facilities, but does not include the transport of people.

U

Unserviced Lot means a lot that is not serviced by a central sewer system.

Urban Farm Use means the use of land and structures for agricultural activities on a hobbyist scale, such as community gardens or small-scale agricultural activities in conjunction with a dwelling.

Use means the purpose for which any land, building, or structure is utilized.

V

Variance means a relaxation or reduction of the Land Use By-law requirements for a specific site, as stipulated in the *Municipal Government Act*.

W

Warehousing means the use of a building or part thereof for the storage of commercial or industrial wares or goods, excluding retail stores and self-storage facilities.

Water Access means the use of land or structures to provide watercraft access to marine or freshwater bodies and shall include, but is not limited to, wharves, docks, slipways, ramps, quays, and marine railroads.

Watercourse means the bed and shore of every river, stream, lake, ocean, creek, pond, spring, lagoon, swamp, marsh, wetland, ravine, gulch or other natural body of water, and the water therein, including ground water, within the jurisdiction of the Province, whether it contains water or not.

Water Frontage means the length of a lot line abutting a water body, measured along the Ordinary High Water Mark of as defined in the Nova Scotia Land Surveyors Regulations.

Wetland means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Wind Turbine means a device for converting wind power to electricity.

Wind Turbine, Domestic means a device for converting wind power to electricity, which has a nameplate capacity of not more than 100 Kilowatts (kW) and which is intended primarily to reduce on-site consumption of utility power.

Wind Turbine, Mini means a device for converting wind power to electricity which has a name plate capacity of less than one (1) Kilowatt (1000 watts) and which is intended to reduce on-site consumption of utility power.

Wind Turbine, Utility means a device for converting wind power to electricity, which has a name plate capacity of more than 100 Kilowatts (kW) and generates power primarily for sale to a third party and which may be developed either as a standalone machine or be grouped with others in a wind farm.

Workshop means the use of a building or part thereof for the creation of products assembled or made by hand or by small custom production processes including (but not limited to) potters, pewterers, goldsmiths, silversmiths, jewellers, toymakers, leather workers, upholsterers, woodworkers, furniture makers, musical instrument makers, clothing designers, clothesmakers, shoemakers, antique refinishers, glass workers, stained glass workers and sailmakers. This definition shall also include “maker spaces”.

X

Y

Yard means the uncovered space on a lot appurtenant to a building (except a court) and unoccupied by buildings or structures except as specifically permitted elsewhere in this By-law. In determining yard measurements, the minimum horizontal distance from the respective lot lines to the building shall be used.

Flankage Yard means a yard extending across the full width of a lot between the flankage lot line and the nearest wall of any building or structure on the lot.

Front Yard means a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot.

Rear Yard means a yard extending across the full width of a lot between the rear lot line and the nearest wall of any main building or structure on the lot.

Side Yard means a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest wall of any building or structure on the lot.

Z

Zone means a designated area of land shown on Schedule ‘A’ of this By-law.

31 Schedules

31.1.1 Schedules form an official part of this By-law.

31.1.2 Appendices are for information purposes and may be changed by resolution of Council without formally amending this By-law.

Schedule 'A' – Zoning Map

Schedule 'B' – Wind Resource Overlay

Appendix 'A' – Summary of Development Agreement Policies

Use	Zone	MPS Policy
Adaptive reuse of former community facilities	All	4-36
All, except existing dwellings	Comprehensive Development District	3-61
Dwelling units or boarding house sleeping units	General Centre – more than 12 on a lot	3-50
	Institutional – 4 to 12 on a lot	3-89
Energy generation systems other than solar or wind	All	4-49
Heavy industrial uses	Rural Industrial	3-14
Proposals that do not comply with architectural and site design requirements	Main Street	3-45
Racetracks	Commercial Recreation Zone	3-82
Shooting ranges	Commercial Recreation Zone	3-82
Solid waste disposal, non-municipal	Rural Industrial	4-29