

2022



**Region of Queen's Municipality**  
Land Use Bylaw



Region of Queens Municipality

249 White Point Road  
Liverpool, Nova Scotia  
BOT 1K0

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# 1 TITLE AND PURPOSE

## 1.1 Title

- 1.1.1 This Bylaw shall be known as, and may be cited as, the Land Use Bylaw for Region of Queens Municipality (“Municipality”).
- 1.1.2 This Bylaw shall apply to all the lands within the Municipality.

## 1.2 Purpose

- 1.2.1 The purpose of this Bylaw is to facilitate the sustainable, orderly, economical, and beneficial development and use of land and buildings within the Municipality, and for that purpose the Bylaw, among other things:
  - (a) divides the Municipality into zones;
  - (b) prescribes and regulates for each zone the purposes for which land and buildings may be used;
  - (c) establishes standards for the dimensions of land within each zone and the positioning of buildings thereon;
  - (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.
- 1.2.2 This Bylaw 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.

### Part 1 Changelog

Reference No.	Effective Date	File or Project	General Nature of Change



## 2 ZONES AND ZONING MAPS

### 2.1 Zones

2.1.1 For the purposes of this Bylaw, the Municipality is divided into the following zones, the boundaries of which are shown on the attached Schedule 'D'. Such zones may be referred to by the appropriate symbols:

Zone Name	Zone Symbol
Lower Density Residential Zone	RL
General Residential Zone	RG
Multiple Unit Residential Zone	RM
Residential Commercial Zone	RC
Downtown Commercial Zone	CD
General Commercial Zone	CG
Mixed-use Zone	CM
Liverpool Waterfront Zone	CL
Hamlet Residential Zone	HR
Hamlet Core Zone	HC
Inland Rural Zone	R5
Coastal Rural Zone	R6
Lakeshore Limited Development Zone	SL
Lakeshore Residential Zone	SR
Resort Zone	Re
Rural Commercial Zone	CR
Business Park Zone	MB
Heavy Industrial Zone	MH
Fishing and Marine Zone	MF
Land Lease Residential Zone	LL
Highway Commercial Zone	CH
Recreation and Open Space Zone	P
Community and Institutions Zone	I
Conservation Zone	O1
Watershed Zone	W

## 2.2 Zoning Maps

2.2.1 Schedule 'D' attached hereto may be cited as the "Zoning Maps".

2.2.2 The Zoning Maps form part of this Bylaw.

## 2.3 Zones Not on the Maps

2.3.1 The Zoning Maps of this Bylaw may be amended, in conformance with the Municipal Planning Strategy, to utilize any zone in this Bylaw, regardless of whether or not such zone had previously appeared on the Zoning Maps.

### Part 2 Changelog

Reference No.	Effective Date	File or Project	General Nature of Change

## 3 INTERPRETATION

### 3.1 Certain Words

3.1.1 In this Bylaw:

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

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

### 3.2 Conflict

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

3.2.2 Colour coding throughout this Bylaw and the Zoning Maps is for ease of reference only and the text of the Bylaw shall take priority.

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

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

### 3.3 Definitions

3.3.1 For the purposes of this Bylaw, words shall have the meaning or meanings assigned to them in Part 18 - Definitions. Where a word is not defined in Part 18, the word shall have the meaning or meanings assigned by accepted Canadian English dictionaries.

### 3.4 Units of Measurement

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

### 3.5 Interpretation of Zone Boundaries

3.5.1 Boundaries between zones shall be determined as follows:

- (a) where a zone boundary is indicated as following a survey line as recorded at the Registry of Deeds, 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 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 the shoreline of a river, watercourse, lake, or salt water body, the ordinary high water mark shall be the boundary; and
- (f) where none of the above provisions apply, the Development Officer shall scale the zone boundary from the zoning map.

### 3.6 Severability

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

## Part 3 Changelog

Reference No.	Effective Date	File or Project	General Nature of Change

# 4 ADMINISTRATION

## 4.1 Administration of Bylaw

- 4.1.1 Council shall appoint one or more Development Officer(s) for the Municipality.
- 4.1.2 The Development Officer shall be responsible for the administration of this Bylaw.

## 4.2 Inspection

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

## 4.3 Enforcement & Penalty

- 4.3.1 In the event of any contravention of the provisions of this Bylaw, the Municipality may act as provided for in Section 266 of the Municipal Government Act.

## 4.4 Compliance with Other Legislation

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

## 4.5 Restoration to a Safe Condition

- 4.5.1 Nothing in this Bylaw shall prevent the restoration of any building or structure to a safe condition, as determined by the Municipality's Building Official.

## 4.6 Effective Date

- 4.6.1 Upon adoption by the Council of Region of Queens Municipality and approval by the Minister of Municipal Affairs, this Bylaw shall take effect on the date a notice is published in a newspaper, circulating in the Municipality, informing the public that the Land Use Bylaw is in effect.

## 4.7 Existing Structures and Uses

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

## 4.8 Repeal of Bylaw

- 4.8.1 The Region of Queens Land Use Bylaw adopted by Council for Region of Queens Municipality on July 20, 2009, as amended, is hereby repealed.

### Part 4 Changelog

Reference No.	Effective Date	File or Project	General Nature of Change

# 5 DEVELOPMENT PERMITTING

## 5.1 Development Permit

- 5.1.1 Unless otherwise stated in this Bylaw, no person shall undertake a development within the Municipality without first obtaining a development permit from the Development Officer.
- 5.1.2 The Development Officer shall only issue a development permit in conformance with this Bylaw and any development agreement or site plan agreement in effect on the site, except where a variance is granted or in the case of an existing non-conforming use or structure, in which case a development permit shall be issued in conformance with the Act.
- 5.1.3 A development permit shall expire within the following time periods from the date issued if the development has not commenced:
- (a) Three years for large scale wind turbine generators.
  - (b) Two years for industrial uses.
  - (c) One year for all other uses.
- 5.1.4 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.
- 5.1.5 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 Bylaw and any proposed amendments to the Land Use Bylaw that have been given First Reading by Council.

## 5.2 Development Not Requiring a Development Permit

- 5.2.1 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 in height except for a fence enclosing a swimming pool, which is regulated by Section 6.30.
  - (c) Signs smaller than 0.2 square metres in sign area, where signs are permitted.

- (d) Temporary buildings or structures erected for a period not exceeding 60 days.
- (e) Public and private utilities located within the street right-of-way.
- (f) Temporary greenhouses, cloches, crop hoops, or other such temporary crop structures.
- (g) Minor accessory structures, as provided for in Clause 6.2.4(b).
- (h) Farm, fish, and forest stalls meeting the requirements of Section 7.7.
- (i) The keeping of fowl and rabbits meeting the requirements of Section 7.8.
- (j) Personal offices or studios meeting the requirements of Subsection 7.9.1.
- (k) The teaching of one student at a time, meeting the requirements of Subsection 7.9.3.
- (l) Signs permitted in all zones, as listed in Section 9.3.

5.2.2 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.

### **5.3 No Exemption from Requirements**

5.3.1 Every development shall be subject to the requirements of this Bylaw whether or not a Development Permit is required.

### **5.4 Application Requirements**

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

- (a) the signature of the registered land owner 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 site plan, as detailed in Subsection 5.4.2; and
- (f) any other information required by this Land Use Bylaw.

### Plan Requirements

- 5.4.2 Every application for a development permit shall be accompanied by a 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 location of rights-of-way and easements within the subject property;
  - (d) the proposed location and dimensions of parking spaces, loading spaces, driveways, solid waste storage areas, and landscaping areas where applicable;
  - (e) the location of all watercourses on the property; and
  - (f) other such information as may be necessary to determine whether or not every development conforms to the requirements of this Bylaw.

### Additional Plan Information

- 5.4.3 Where the Development Officer is unable to determine whether the proposed development conforms to this Bylaw or other bylaws and regulations in force, they may require that the plan submitted under Subsection 5.4.2 shows:
- (a) the location of every building or structure already erected on or partly erected on such lot;
  - (b) the location of every building erected upon any abutting lot;
  - (c) existing and proposed services; and/or
  - (d) a plan based upon a survey prepared by a Nova Scotia Land Surveyor.

### Confirmation of Vertical Elevation

- 5.4.4 Applications for development both within zones identified in Section 6.5 of this Bylaw and the Vertical Elevation Buffer, as shown on Schedule 'B' the Significant Watercourses and Marine Shoreline Map, shall be accompanied by a letter or plan stamped by a Nova Scotia Land Surveyor confirming the development complies with the minimum vertical elevations required by Section 6.5 of this Bylaw.

## Additional Studies and Plans

- 5.4.5 Where necessary to determine conformance with this Land Use Bylaw, 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. Such additional information may include, but is not limited to:
- (a) site survey and/or site plan prepared and stamped by a Nova Scotia Land Surveyor;
  - (b) location certificate;
  - (c) topography and soil conditions of the subject site;
  - (d) watercourse delineation study;
  - (e) stormwater management plan;
  - (f) floor plans and elevation drawings of any proposed structures;
  - (g) geotechnical study;
  - (h) site grading plan;
  - (i) traffic impact assessment or study;
  - (j) groundwater supply study; and/or
  - (k) any other information deemed necessary by the Development Officer.

## 5.5 Variances

- 5.5.1 Notwithstanding anything in this Bylaw, the Development Officer may grant a variance subject to Section 235 of the Municipal Government Act. Specifically, the Development Officer may vary:
- (a) the percentage of land that may be built upon;
  - (b) the size or other requirements relating to 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.

- 5.5.2 In accordance with Section 235 of the Municipal Government Act, the Development Officer shall not grant a variance if the:
- (a) variance violates the intent of the Land Use Bylaw;
  - (b) difficulty experienced is general to properties in the area; or
  - (c) difficulty experienced results from an intentional disregard for the requirements of the Land Use Bylaw.
- 5.5.3 Where the Development Officer has granted a variance in the requirements of this Bylaw, notification of the variance shall be served upon all assessed property owners as follows:
- (a) within the Urban Service Area, as shown on Schedule 'A', all properties that lie within 30 metres of the property subject to the variance; and
  - (b) within the Rural Development Area and Hamlets, as shown on Schedule 'A', all properties that lie within 60 metres of the property subject to the variance.
- 5.5.4 Notification of a variance shall:
- (a) describe the variance granted;
  - (b) identify the property(s) subject to the variance; and
  - (c) set out the right to appeal the decision of the Development Officer to Council.
- 5.5.5 Variance requests shall be accompanied by a deposit made to the Development Officer, at the time of application, in an amount established by Council sufficient to pay the costs associated with giving notice of variances as required by the Act. If the amount paid is not sufficient to cover the costs incurred then the applicant shall pay to the Treasurer the additional amount required. If the amount paid is more than sufficient, then the Treasurer shall refund the excess amount.
- 5.5.6 The Development Officer shall not grant a variance that exceeds:
- (a) for the number of parking and loading spaces required, 100 percent of the requirements set out in this Bylaw;
  - (b) for setbacks, 50 percent of the minimum zone requirements set out in this Bylaw; or
  - (c) for all other types of variances outlined in Subsection 5.5.1, 25 percent of the minimum zone requirements set out in this Bylaw.

## 5.6 Site Plan Approval

- 5.6.1 Some zones of this Land Use Bylaw permit certain uses only by site plan approval. Unless specifically addressed in a different manner by the applicable criteria of Part 17, all other applicable criteria of this Land Use Bylaw shall still apply to any development proposed and undertaken through site plan approval.

### Application Requirements

- 5.6.2 In addition to the requirements of Section 5.4, applications for site plan approval shall meet the following requirements:
- (a) The site plan shall be fully and accurately dimensioned and shall be made under the stamp of a professional architect, planner, engineer, or surveyor licensed to practice in Nova Scotia.
  - (b) The application shall be accompanied by a written rationale and any necessary supporting illustrations addressing each of the applicable criteria outlined in Part 17.
  - (c) The application shall be accompanied by a fee, in the amount prescribed by Council, for advertising and notification costs.

### Site Plan Approval Review

- 5.6.3 The Development Officer shall review applications for new developments permitted by site plan approval, and amendments to existing site plan approvals, against all applicable criteria of this Land Use Bylaw and the applicable criteria in Part 17.
- 5.6.4 Council may, by resolution, establish a committee or designate an existing committee to advise the Development Officer on qualitative matters related to the site plan approval criteria of Part 17 prior to the Development Officer granting or refusing approval.

### Notification

- 5.6.5 Where the Development Officer has granted a site plan approval, notification of the approval shall be served upon all assessed property owners as follows:
- (a) within the Urban Service Area, as shown on Schedule 'A', all properties that lie within 30 metres of the property subject to the site plan approval; and
  - (b) within the Rural Development Area and Hamlets, as shown on Schedule 'A', all properties that lie within 60 metres of the property subject to the site plan approval.

### Appeal of Site Plan Approval

- 5.6.6 Appeals of the Development Officer’s decision regarding a site plan approval request shall be made to Council, as provided for by Section 232(2) of the Municipal Government Act.

### Part 5 Changelog

Reference No.	Effective Date	File or Project	General Nature of Change



# 6 GENERAL PROVISIONS

## 6.1 Scope

- 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 and structures shall be permitted in any zone, but shall not:
- (a) be used for human habitation except where a dwelling is a permitted accessory use;
  - (b) be considered an accessory building if structurally attached to the main building;
  - (c) be considered an accessory structure if located completely underground.
- 6.2.2 The combined footprint of all accessory buildings and structures on a lot shall not exceed 40 percent of the lot area.
- 6.2.3 Accessory buildings and structures shall comply with zone requirements for minimum setbacks, maximum building heights, and any other applicable requirement.
- 6.2.4 Notwithstanding zone requirements:
- (a) Where approval has been granted by appropriate provincial and / or federal authorities, boat houses, wharves, docks, and fishing gear sheds may be built across a lot line when said lot line corresponds to the water's edge.
  - (b) Bus shelters, roadside stands, awnings, children's play structures, playground equipment, pet houses, clothes poles, garden trellises, refuse receptacles, and retaining walls shall be exempt from the requirements of this Section and shall not require a development permit. These structures shall be permitted to be located in any part of any yard except within the corner vision triangle of a corner lot.
  - (c) Shared semi-detached garages may be centred on the mutual side lot line.

## 6.3 Accessory Uses Permitted

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

## 6.4 Buildings to be Moved

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

## 6.5 Coastal Elevation

- 6.5.1 In the following zones, on lands within the Vertical Elevation Buffer, as shown on Schedule 'B' the Significant Watercourses and Marine Shoreline Map, no building shall be constructed with the finished floor level of any habitable area located below a vertical elevation of 2.8 metres, relative to the Canadian Geodetic Vertical Datum of 2013:

- (a) Community and Institutions (I) Zone
- (b) Downtown Commercial (CD) Zone
- (c) General Commercial (CG) Zone
- (d) General Residential (RG) Zone
- (e) Liverpool Waterfront (CL) Zone
- (f) Lower Density Residential (RL) Zone
- (g) Mixed-use (CM) Zone
- (h) Multiple Unit Residential (RM) Zone
- (i) Residential Commercial (RC) Zone
- (j) Resort (Re) Zone

- 6.5.2 In the following zones, on lands within the Vertical Elevation Buffer, as shown on Schedule 'B' the Significant Watercourses and Marine Shoreline Map, no building shall be constructed with a finished floor level below a vertical elevation of 2.8 metres, relative to the Canadian Geodetic Vertical Datum of 2013, except boat houses, fishing gear sheds, utility buildings, and buildings related to public parks and conservation uses:

- (a) Coastal Rural (R6) Zone
- (b) Hamlet Core (HC) Zone
- (c) Hamlet Residential (HR) Zone
- (d) Land Lease Residential (LL) Zone
- (e) Rural Commercial (CR) Zone
- (f) Lakeshore Limited Development (SL) Zone
- (g) Lakeshore Residential (SR) Zone

- 6.5.3 Notwithstanding Subsections 6.5.1 and 6.5.2, existing buildings may be reconstructed, renovated, repaired, moved, or replaced provided that the work does not increase the floor area within the minimum coastal elevation or reduce the building's existing elevation and all other applicable requirements of this Bylaw are met

## **6.6 Conformity with Existing Setbacks**

- 6.6.1 The Development Officer shall approve a front setback less than the minimum front setback required in a zone if:
- (a) the proposed setback is not less than the smallest front setback of any main building within 60 metres on the same street and within the same zone as the proposed building; and
  - (b) the proposed setback is not less than 2 metres.

## **6.7 Connection to Central Services**

- 6.7.1 New plumbed buildings within 30.5 metres of a public sewer shall be connected to the public sewer.
- 6.7.2 New plumbed buildings shall be connected to the public drinking water system where such service is available. Where service availability is disputed or unclear, the Municipal Engineer shall decide based on site conditions and available system capacity.
- 6.7.3 Development within the Urban Serviced Areas, as identified on Schedule 'A', that involves new public roads shall be connected to the public sewer and drinking water systems where such services are available. Where service availability is disputed or unclear, the Municipal Engineer shall decide based on site conditions and available system capacity.

## **6.8 Encroachments**

- 6.8.1 Notwithstanding anything else in this Bylaw, a development permit may be issued for development on an undersized lot, created as a result of an encroachment of a development component of a permanent nature such as a structure, driveway, well, or on-site sewage disposal system, provided that all other applicable provisions of this Bylaw are met.

## **6.9 Existing Lots**

- 6.9.1 Any lot legally in existence on or before the effective date of this Bylaw, having less than the required minimum lot frontage or area, may be:

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

6.9.2 Notwithstanding Subsection 6.9.1, where a repeal of subdivision creates a lot or lots smaller than zone requirements, the lot or lots shall not gain “existing undersized lot” status and shall not be provided the flexibilities outlined in Subsection 6.9.1.

## 6.10 Fences

6.10.1 Fences greater than 1.9 metres in height shall be considered a structure and, notwithstanding zone requirements, shall be set back from property lines a minimum of half the height of the fence.

## 6.11 Flag Lots

6.11.1 Unless prohibited in a zone, flag lots shall be permitted subject to the following requirements:

- (a) the zone standard for minimum lot area for the proposed use must be satisfied within the main portion of a flag lot;
- (b) the lot shall be able to contain a circle with a diameter equal to the zone standard for minimum lot frontage;
- (c) notwithstanding zone standards, the flag lot shall have minimum lot frontage of 6 metres, and the width of the prolongation or leg of the flag lot providing access to the street or roadway shall be at least 6 metres at every point along its length;
- (d) the maximum length of the “pole” shall not exceed 75 metres for a serviced lot or 225 metres for an unserviced lot;
- (e) minimum setback requirements shall apply to the main body of the lot, with the front lot line considered to be the lot line facing the road; and
- (f) no more than three flag lots shall be created from an area of land as it existed on May 24, 2022.

## 6.12 Fronting on a Public Street or Existing Private Road

6.12.1 Unless otherwise permitted by this Bylaw, the Development Officer shall only issue a development permit if the lot intended for development abuts a private road existing on May 24, 2022 or abuts a public street. This requirement shall be waived for agricultural uses and forestry uses, provided the use is permitted in the applicable zone and such use does not include a dwelling.

### 6.13 Height Requirements

- 6.13.1 The height requirements of this Bylaw shall not apply to church spires, water tanks, elevator enclosures, flag poles, television or radio antennae, HVAC equipment, skylights, chimneys, clock towers, guard rails, and telecommunication towers.

### 6.14 Heritage Incentives

- 6.14.1 A property or building that is a municipally-, provincially-, or federally-registered heritage property shall be eligible for relaxations of Bylaw requirements as outlined in Table 1, Heritage Incentives.

Table 1 – Heritage Incentives

Use	Permitted Relaxation
All Uses	The minimum automobile parking space requirements of Part 8 shall not apply
Bed and Breakfast	Number of sleeping units permitted as-of-right increased by 1
Boarding House	Number of sleeping units permitted as-of-right increased by 1
Converted Dwelling	Number of dwelling units permitted as-of-right increased by 1
Home-based Businesses	Number of permitted on-site, non-resident employees increased by 1

### 6.15 Illumination

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

### 6.16 Islands

- 6.16.1 Notwithstanding minimum lot frontage requirements and Section 6.12, the Development Officer may grant a development permit for development on an island provided the lot has a minimum of 6 metres of water frontage on the body of water that creates the island and all other requirements of this Bylaw are met.

## **6.17 Landscaping**

- 6.17.1 All developed lands not used for structures, parking and circulation areas, patios, outdoor storage and/or display, or agriculture shall be landscaped with sod, trees, native grasses, shrubs, flowers, creeping plants, and/or decorative pavers so as to provide visual amenity and minimize erosion.

## **6.18 Multiple Main Buildings**

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

## **6.19 Multiple Uses**

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

## **6.20 New Public Streets**

- 6.20.1 New public streets shall not be permitted except on lands zoned Highway Commercial (CH) or on lands identified on Schedule 'A' as Urban Service Area or Hamlet.

## **6.21 Non-conforming Uses**

- 6.21.1 A non-conforming use shall not be recommenced if discontinued for a continuous period of 12 months.
- 6.21.2 A non-conforming use may expand by site plan approval, as outlined in Part 17.

## 6.22 Non-conforming Structures

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

## 6.23 Permitted Encroachments in Minimum Setbacks

- 6.23.1 Every part of any minimum setback required by this Bylaw shall be open and unobstructed by any structure from the ground to the sky.
- 6.23.2 Notwithstanding zone requirements, the following structures may project into or be located in a required minimum setback in accordance with the distances set out in the Table 2, below:

Table 2 – Permitted Setback Encroachments

Structure	Required Setback in which Projection is Permitted	Permitted Encroachment Distance
(a) Balconies, decks, patios, steps, verandas, porches (open) not exceeding one storey in height, terraces (uncovered)	Any	2 m, but shall not be permitted within 1 m of a lot line
(b) Barrier free access structures	Any	To lot line
(c) Carports	Rear and side	Up to 1 m from lot line
(d) Exterior insulation retrofitted to an existing dwelling	Any	0.3 m
(e) Fire escapes and exterior staircases	Rear and side	1.5 m
(f) Sills, belt courses, cornices, eaves, gutters, chimneys, pilasters, or similar architectural features	Any	0.6 m
(g) Window bays	Any	1 m

## **6.24 Personal Storage Buildings**

- 6.24.1 Personal storage buildings, including but not limited to personal garages and boat houses, shall be permitted where there is no other main building on the lot, provided that:
- (a) the personal storage building shall not be used for habitation;
  - (b) the applicable zone requirements for the maximum height of an accessory building are satisfied;
  - (c) the applicable zone requirements for a main building are satisfied;
  - (d) the personal storage building does not exceed 75 square metres gross floor area; and
  - (e) where approval has been granted by appropriate provincial and / or federal authorities, personal boat houses may be built across a lot line when said lot line corresponds to the water's edge.

## **6.25 Private Road Lot Frontage and Front/Flankage Setbacks**

- 6.25.1 Where this Bylaw permits development on a private road, lot frontage and minimum front/flankage setbacks shall be measured from the edge of the private road right-of-way or from the edge of the private road surface, whichever results in a smaller measured setback.

## **6.26 Reduced Lot Requirements**

- 6.26.1 Notwithstanding the minimum requirements for lot frontage and lot area found elsewhere in this Bylaw, new lots may be created in accordance with Sections 4.4, 4.8, or 4.9 of the Region of Queens Municipality Subdivision Bylaw and may be used for a purpose permitted in the zone in which it is located and a building may be erected provided all other applicable provisions of this Bylaw are met.

## 6.27 Shipping Containers

- 6.27.1 Shipping containers shall not be used for human habitation.
- 6.27.2 Notwithstanding Subsection 6.27.1, modified shipping containers may be integrated as an architectural element on a dwelling.
- 6.27.3 Shipping containers shall not be used as accessory buildings, with the following exceptions:
- (a) Temporary storage for a total of up to 60 days in a calendar year.
  - (b) Any combination of shipping containers with a combined length not exceeding 40 feet (e.g. one 40-foot container, two 20-foot containers, etc.) on a lot in the following zones:
    - (i) Coastal Rural (R6) Zone
    - (ii) Community and Institutions (I) Zone
    - (iii) Conservation (O1) Zone
    - (iv) General Commercial (CG) Zone
    - (v) General Residential (RG) Zone
    - (vi) Hamlet Core (HC) Zone
    - (vii) Hamlet Residential (HR) Zone
    - (viii) Highway Commercial (CH) Zone
    - (ix) Inland Rural (R5) Zone
    - (x) Lakeshore Limited Development (SL) Zone
    - (xi) Lakeshore Residential (SR) Zone
    - (xii) Land Lease Residential (LL) Zone
    - (xiii) Liverpool Waterfront (CL) Zone
    - (xiv) Lower Density Residential (RL) Zone
    - (xv) Mixed-use (CM) Zone
    - (xvi) Multiple Unit Residential (RM) Zone
    - (xvii) Recreation and Open Space (P) Zone
    - (xviii) Resort (Re) Zone
    - (xix) Rural Commercial (CR) Zone
  - (c) Any combination of shipping containers with a combined length not exceeding 200 feet (e.g. one 40-foot container, two 20-foot containers, etc.) on a lot in the following zones:
    - (i) General Commercial (CG) Zone
    - (ii) Highway Commercial (CH) Zone
    - (iii) Inland Rural (C5) Zone
  - (d) In industrial zones.

6.27.4 Except in industrial zones, where a shipping container is used as an accessory building and has a front or flankage setback of less than 20 metres the container shall be oriented on the lot such that the narrow dimension of the container is approximately parallel to the front or flankage lot line. If the shipping container has both a front and flankage setback of less than 20 metres, the narrow dimension shall be oriented approximately parallel to the landowner's choice of front or flankage lot line.

### **6.28 Side Yard Requirements – Exceptions**

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

### **6.29 Special Uses Permitted**

6.29.1 Nothing in this Bylaw shall prohibit uses erected for special occasions and holidays provided only that no such use remains in place for more than 14 consecutive days.

### **6.30 Swimming Pools**

6.30.1 All outdoor swimming pools situated at or below grade shall be completely enclosed by a fence. All fences and gates shall be a minimum of 1.5 metres in height above the grade level and shall be secured from unauthorized access.

### **6.31 Truck, Bus, and Coach Bodies**

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

### **6.32 Visibility at Intersections**

6.32.1 Notwithstanding anything else in this Bylaw, 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 above grade within the corner vision triangle.

### **6.33 Watercourse and Shoreline Buffer**

6.33.1 All development, with the exception of those developments listed in Subsection 6.33.3, shall be prohibited within the following areas:

- (a) Where a lot abuts a significant watercourse, as identified on Schedule 'B', no development shall be permitted within 15.24 horizontal metres of the ordinary high water mark of the watercourse.

- (b) Where a lot abuts a marine shoreline, as identified on Schedule 'B', no development shall be permitted within 30 horizontal metres of the top of bank. For the purposes of this clause, where no top of bank is identifiable within 30 horizontal metres of the ordinary high water mark of the marine shoreline, the ordinary high water mark of the marine shoreline shall be considered the top of bank.

6.33.2 In relation to a development, no natural vegetation shall be removed within 15.24 metres of the ordinary high water mark of a significant watercourse, as identified on Schedule 'B', except:

- (a) to the extent necessary to accommodate developments listed in Subsection 6.33.3; and
- (b) removal of vegetation to a maximum of 25% of the water frontage to facilitate views.

6.33.3 Developments permitted within watercourse and shoreline buffers (subject to zone requirements for permitted uses) are:

- (a) Boat houses, fishing gear sheds, docks, wharves, piers and slipways.
- (b) Boardwalks, walkways and trails with a maximum width of 3 metres.
- (c) Pumphouses.
- (d) Scientific research structures.
- (e) The removal of vegetation and alterations to grade necessary to erect erosion control and flood control measures above the ordinary high water mark. Where excess vegetation has been removed within the vegetative buffer area, natural vegetation shall be reinstated.
- (f) The removal of windblown, diseased, or dead trees deemed to be hazardous or unsafe.
- (g) The limbing of tree branches for improved view plane and ventilation.
- (h) Safety fences that do not exceed a height of 1.9 metres.
- (i) Public streets and infrastructure.
- (j) Development in the Watershed (W) Zone and the Liverpool Waterfront (CL) Zone.

6.33.4 Notwithstanding Subsections 6.33.1 and 6.33.2 where the size and configuration of a lot created prior to July 29<sup>th</sup>, 2009 is such that no main building could be located on the lot the Development Officer may reduce the zone standards for minimum setbacks to the extent necessary to accommodate a main building not exceeding a footprint of 100 square metres, provided:

- (a) the watercourse or shoreline buffer has already been reduced to the maximum amount possible through the use of Section 6.34; and

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

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

### 6.34 Watercourse and Shoreline Buffer Reduction

6.34.1 Notwithstanding Subsections 6.33.1 and 6.33.2, the Development Officer may issue a permit for a reduced watercourse or shoreline buffer subject to a detailed study, including a site plan, prepared by a qualified person at the applicant's cost that clearly demonstrates:

- (a) the proposed development is 2.5 metres in elevation above the ordinary high water mark and meets the minimum coastal elevation if applicable, as set out in Section 6.5;
- (b) the proposed development is set back a minimum of 15.24 metres from the top of bank for shoreline development, or 7.62 metres from the ordinary high water mark of inland watercourses, as applicable;
- (c) the reduction of the buffer area does not increase the hazard posed by shoreline erosion; and
- (d) the land being developed is not subject to seasonal flooding.

### Part 6 Changelog

Reference No.	Effective Date	File or Project	General Nature of Change



# 7 USE-SPECIFIC REQUIREMENTS

## 7.1 Accessory Dwellings

7.1.1 Accessory dwellings shall meet the following requirements:

- (a) Only one accessory dwelling shall be permitted on a lot.
- (b) If the accessory dwelling is located in a separate building:
  - (i) the accessory dwelling shall be subject to height requirements for accessory buildings in the applicable zone and all other zone requirements for main buildings;
  - (ii) the accessory dwelling shall be located in the rear or side yard in Urban Serviced Areas, as identified on Schedule 'A'; and
  - (iii) lot coverage shall not exceed 60 percent in Urban Serviced Areas, as identified on Schedule 'A', and 40 percent elsewhere.
- (c) The gross floor area of the accessory dwelling shall not exceed 80 square metres or 50% the gross floor area of the single-unit dwelling, whichever is larger.

## 7.2 Automobile Body Shops and Automobile Repair Shops

7.2.1 Outdoor storage for automobile body shops and automobile repairs shops:

- (a) shall not be located in the minimum front setback; and
- (b) shall be fully screened from view by an opaque fence not less than 1.8 metres in height.

### 7.3 Automobile Service Stations

- 7.3.1 Automobile service stations shall meet the following requirements:
- (a) the lot frontage shall be a minimum of 30 metres;
  - (b) no portion of any pump island shall be located closer than 6 metres from any street line;
  - (c) the minimum distance between ramps or driveways shall not be less than 9 metres;
  - (d) the minimum distance from a ramp or driveway to a street intersection shall be 15 metres;
  - (e) the minimum angle of intersection of a ramp to a street line shall be 45 degrees and the maximum angle of intersection shall be 90 degrees; and
  - (f) the minimum width of a ramp shall be 7.5 metres.
- 7.3.2 Notwithstanding Subsection 7.3.1 an automobile service station located at PID 70154856 shall be permitted to have a pump island location and driveway locations and dimensions as they existed on May 24, 2022.
- 7.3.3 Where an automobile service station includes facilities for the washing of automobiles, the following requirements shall apply:
- (a) the minimum lot area shall be 920 square metres for a serviced lot and 3,700 square metres for an unserviced lot;
  - (b) the lot shall contain a stopping / queue area, prior to the entry of vehicles into any part of the cleaning process, for no fewer than 6 automobiles;
  - (c) any outdoor storage shall be screened by the use of a fence, vegetation or any combination of both;
  - (d) all wash water shall be channeled into a drainage system fitted with an oil separator.

### 7.4 Cemeteries

- 7.4.1 Notwithstanding zone requirements, new cemeteries shall:
- (a) have a minimum of 6 metres of lot frontage; and
  - (b) have a minimum lot size of at least 10,000 square metres.
- 7.4.2 Accessory buildings for a cemetery shall meet the zone requirements for accessory buildings.

## **7.5 Converted Dwellings**

- 7.5.1 A development permit shall not be issued for an addition to a converted dwelling, or to a dwelling that is being converted, that would extend the building closer to the front or flankage lot line; however, this restriction will not apply to fire escapes extending towards the flankage lot line.
- 7.5.2 The gross floor area of a converted dwelling, or a dwelling that is being converted, shall not be increased by more than 20% compared to the gross floor area on May 24, 2022.
- 7.5.3 The minimum gross floor area of each dwelling unit in a converted dwelling shall be 30 square metres and at least one dwelling unit in a converted dwelling shall have a gross floor area of at least 60 square metres.

## **7.6 Electric Vehicle Charging – Accessory**

- 7.6.1 Nothing in this Bylaw shall prevent the installation of an electric vehicle charging station as a non-commercial, accessory use in all zones.
- 7.6.2 Electric vehicle charging stations operated on a commercial basis shall be permitted, or not, as indicated in each zone’s permitted uses table.

## **7.7 Farm, Fish, and Forest Stalls**

- 7.7.1 Nothing in this Bylaw shall prevent the direct sale of fish or other seafood; farm products such as, but not limited to, flowers, fruit, and vegetables; and forestry products such as, but not limited to, Christmas trees, wreaths, and maple products by individuals or companies engaged in the harvesting of such, subject to the following provisions:
  - (a) any associated structures shall be limited to a maximum total footprint of 10 square metres on a lot;
  - (b) associated structures shall meet zone requirements for minimum side and rear setbacks, but shall not be required to meet minimum front setbacks; and
  - (c) no development permit shall be required.

## **7.8 Fowl and Rabbits**

- 7.8.1 Nothing in this Bylaw shall prevent the keeping of a total of 10 or fewer fowl and/or rabbits on a lot, and no development permit is required, subject to the following provisions:
- (a) where a rooster is kept, the use is considered a household livestock use, which is regulated by Section 7.10;
  - (b) fowl and rabbits shall be confined to the lot and not permitted to run at large;
  - (c) juvenile animals shall not count towards the maximum number of fowl and/or rabbits;
  - (d) coops shall meet zone requirements for accessory buildings; and
  - (e) the slaughtering of fowl and rabbits is prohibited in the Lower Density Residential (RL) Zone, General Residential (RG) Zone, Multiple Unit (RM) Zone, Residential Commercial (RC) Zone, and Mixed-use (CM) Zone.

## **7.9 Home-based Businesses**

### **Personal Office or Studio**

- 7.9.1 Nothing in this Bylaw shall prevent the use of a portion of any dwelling or building accessory to a dwelling as personal office or studio for residents of the dwelling if the personal office or studio is not intended to be visited by members of the public.
- 7.9.2 No development permit is required for a personal office or studio.

### **Instruction of One Student at a Time**

- 7.9.3 Nothing in this Bylaw shall prevent the use of a portion of any dwelling unit or building accessory to a dwelling unit for the instruction of one student at a time.
- 7.9.4 No development permit is required for the instruction of one student at a time.

### **Home-based Business in Accessory Buildings**

- 7.9.5 Accessory buildings may be used to contain a home-based business if the floor area of the business does not exceed the maximum floor areas outlined in Subsection 7.9.6 or 7.9.7.

## Level 1 Home-based Business

7.9.6 Level 1 home-based businesses shall meet the following requirements:

(a) Permitted Uses	<ul style="list-style-type: none"> <li>(i) Animal Care</li> <li>(ii) Art Gallery / Studio</li> <li>(iii) Business or Professional Office</li> <li>(iv) Commercial School – 6 or fewer students</li> <li>(v) Craft Product Workshop</li> <li>(vi) Medical Clinic</li> <li>(vii) Personal Service Shop</li> <li>(viii) Service and Repair Shop, excluding Small Engine Repair</li> </ul>
(b) Maximum Number of On-site, Non-resident Employees	2
(c) Maximum Floor Area of Home-based Business	25 percent of the gross floor area of the dwelling unit or 50 square metres, whichever is less.
(d) Outdoor Storage and Display	<ul style="list-style-type: none"> <li>(i) Outdoor storage is not permitted.</li> <li>(ii) Outdoor display shall not exceed an area of 10 m<sup>2</sup>.</li> </ul>
(e) Retail Sales	Retail sales shall be related to and incidental to the primary service being provided by the home-based business.

## Level 2 Home-based Business

7.9.7 Level 2 home-based businesses shall meet the following requirements:

(a) Permitted Uses	<ul style="list-style-type: none"> <li>(i) Animal Care</li> <li>(ii) Art Gallery / Studio</li> <li>(iii) Automobile Repair Shop</li> <li>(iv) Automobile Sales – 6 or fewer vehicles at one time</li> <li>(v) Building and Construction Contractors</li> <li>(vi) Business or Professional Office</li> <li>(vii) Commercial School – 12 or fewer students</li> <li>(viii) Craft Product Workshop</li> <li>(ix) Forestry Uses</li> <li>(x) Medical Clinic</li> <li>(xi) Personal Service Shop</li> <li>(xii) Service and Repair Shop</li> <li>(xiii) Take Out Restaurant</li> </ul>		
(b) Maximum Number of On-site, Non-resident Employees	3		
(c) Maximum Floor Area of Home-based Business	(i) On lots under 5,000 m <sup>2</sup> in area:	(ii) On lots from 5,000 m <sup>2</sup> to 10,000 m <sup>2</sup> in area:	(iii) On lots greater than 10,000 m <sup>2</sup> in area:
	100 m <sup>2</sup> gross floor area	150 m <sup>2</sup> gross floor area	200 m <sup>2</sup> gross floor area
When located in a dwelling, 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"> <li>(i) The total area of outdoor storage and outdoor display (combined) shall not exceed the maximum permitted floor area of the home-based business.</li> <li>(ii) Outdoor storage shall not be located in the front or flankage yard or in minimum required side and rear setbacks.</li> </ul>		
(e) Retail Sales	Retail sales shall be related to and incidental to the primary service being provided by the home-based business.		

## Signage

- 7.9.8 Notwithstanding Part 9, ground signs and facial wall signs for a Level 1 or level 2 home-based business shall have a maximum sign area of 0.75 square metres.

## 7.10 Household Livestock Operations

- 7.10.1 Household livestock operations, where permitted, shall be subject to the following requirements:
- (a) the minimum lot size shall be 4,000 square metres for every 1 animal unit or part thereof;
  - (b) all animal housing and manure storage facilities shall have setbacks from lot lines double that of the applicable zone's requirements for main buildings and shall otherwise meet the applicable zone's requirements for main buildings;
  - (c) all animal housing and manure storage facilities shall be set back a minimum of 50 metres from any off-site dwelling; and
  - (d) all animal housing and manure storage facilities shall be set back a minimum of 50 metres from any watercourse and off-site wells.
- 7.10.2 Multiple adjacent lots held in common ownership may be considered as one lot for the purpose of calculating lot area in Clause 7.10.1(a).
- 7.10.3 Subject to the Fences and Detention of Stray Livestock Act, the owner of a household livestock operation shall build and maintain fences adequate to prevent the livestock from escaping from the household livestock operation.

## 7.11 Parks and Playgrounds

- 7.11.1 Notwithstanding zone requirements, parks and playgrounds shall have no minimum lot size and shall have a minimum lot frontage of 6 metres.
- 7.11.2 Notwithstanding zone requirements, park and playground structures shall have a maximum height of 10 metres and shall have a minimum setback of 3 metres from lot lines. Where a parks and playgrounds use is located across multiple lots no setback shall be required from lot lines internal to the parks and playgrounds use.

## 7.12 Public Utilities

- 7.12.1 Unless otherwise stated, any public utility that is essential for the actual provision of a service, not including electrical generation stations, turbine generators, solar collector systems, and telecommunication towers, shall be permitted in any zone and shall be exempt from lot requirements and the requirements of Section 6.12 related to road frontage. These utilities include, but are not limited to, telephone switching centres, electrical substations, sewage treatment facilities, and water supply facilities.
- 7.12.2 For greater clarity, uses not directly related to the provision of service shall not be included in the exemptions of this Section, and shall only be permitted in accordance with zone requirements. Such uses include, but are not limited to, administrative offices and maintenance depots.

### **7.13 Recreational Vehicle Parking Site**

- 7.13.1 For greater clarity, recreational vehicles parked for the purposes of storage shall not be subject to the requirements of this section.
- 7.13.2 Recreational vehicles parked for the purpose of providing accommodations for a duration greater than a total (i.e. whether they are consecutive or not) of 14 days in a year and/or recreational vehicles for which accessory structures are constructed shall be located in a campground or on a recreational vehicle parking site.
- 7.13.3 Recreational vehicle parking sites, where permitted, shall meet the following requirements:
- (a) The minimum lot size shall be the same as the minimum lot size for a single-unit dwelling, as established by the standards of the applicable zone.
  - (b) The maximum number of recreational vehicle parking sites permitted on a lot shall be two. For every dwelling unit or accessory dwelling on the lot the number of permitted recreational vehicle parking sites shall be reduced by one such that a lot with two or more dwelling units would not be permitted to have any recreational vehicle parking sites.
  - (c) Only one recreational vehicle shall be permitted to park on a recreational vehicle parking site at a time.
  - (d) The recreational vehicle parking site shall have minimum dimensions to accommodate the proposed recreational vehicle and all extensions, plus 1 metre in each direction.
  - (e) The recreational vehicle parking site shall be surfaced with a stable surface such as, but not limited to, gravel, brick, paving stones, asphalt, or concrete.
  - (f) The location of the recreational vehicle parking site shall meet the zone requirements for minimum setbacks for a single-unit dwelling.
  - (g) The recreational vehicle parking site shall be serviced by a pit privy meeting the standards of the On-site Sewage Disposal Systems Standards or another on-site sewage disposal system that:
    - (i) is selected by a qualified person or professional engineer or is designed by a professional engineer;
    - (ii) is installed by an installer certified under the standards of the On-site Sewage Disposal Regulations; and
    - (iii) meets the standards of the On-site Sewage Disposal System Standards.

### **7.14 Short-term Rentals**

- 7.14.1 Only one short-term rental shall be permitted on a lot.
- 7.14.2 Short-term rentals shall be permitted within an accessory dwelling.

### **7.15 Solar Collector Systems – Accessory**

- 7.15.1 Solar collector systems shall be permitted as an accessory use in all zones.
- 7.15.2 Accessory solar collector systems may be mounted as free-standing structures or on buildings.
- 7.15.3 Accessory solar collector systems mounted on buildings may exceed the maximum building height in the zone by up to 2 metres.

#### **7.16 Telecommunications Towers**

- 7.16.1 Telecommunications towers are subject to federal approvals processes and are exempt from municipal planning regulations. As enabled by Industry Canada regulations, the Municipality has adopted a consultation process for telecommunications towers. Please see Subsection 4.4.6 of the Municipal Planning Strategy.

#### **7.17 Trails and Conservation Uses**

- 7.17.1 Notwithstanding zone requirements, trails and conservation uses shall have no minimum lot size and no minimum lot frontage.
- 7.17.2 Notwithstanding zone requirements, trails and conservation structures shall have a maximum height of 10 metres and shall have a minimum setback of 3 metres from lot lines. Where a trails and conservation use is located across multiple lots no setback shall be required from lot lines internal to the trails and conservation use.

#### **7.18 Wind Turbine Generators – Domestic**

- 7.18.1 Notwithstanding zone requirements, wind turbine generators less than 6.1 metres in height shall be permitted as accessory structures in any zone and may be mounted or attached to any other building or structure.

## 7.19 Wind Turbine Generators – Small Scale

- 7.19.1 Where permitted, small scale wind turbine generators shall be subject to the following criteria:
- (a) Notwithstanding the height requirements of the particular zone, the total wind turbine height shall not exceed 61 metres.
  - (b) Wind turbines shall be limited in number to one per lot.
  - (c) The minimum distance between the bottom tip of the rotor blades and the ground shall be 7.6 metres.
  - (d) The wind turbine shall be set back not less than 1.5 times the total height of the turbine from all property lines.
  - (e) The wind turbine shall be set back not less than 1.5 times the total height of the turbine from watercourses.
  - (f) Any climbing apparatus associated with the wind turbine shall be retracted or locked to prevent unauthorized climbing to a minimum of 2.5 metres above grade.
  - (g) All structures associated with the wind turbine, including guy wire anchors, shall be set back a minimum of 3 metres from property lines.
  - (h) Wind turbines greater than 6.1 metres in height shall not be permitted as accessory structures and shall not be mounted or attached to any other building or structure.
  - (i) The developer shall notify all property owners within a 200-metre radius of the lot of the proposed wind turbine development, evidence of which shall be included in the development permit application.
  - (j) In addition to the development permit application, the following information shall be required:
    - (i) Wind turbine specifications, including the manufacturer and model number of the turbine, height, rotor blade diameter, maximum rated output capacity, and noise emission rating, and proof of safety certification by recognized organizations such as Underwriters Laboratories (UL) and Canadian Standards Association (CSA).
    - (ii) Copies of approval documents from Transport Canada for turbines 20 metres or over in height.
    - (iii) Copies of notification of Nav Canada for turbine 30.5 metres or over in height.

### Part 7 Changelog

Reference No.	Effective Date	File or Project	General Nature of Change



## 8 PARKING

### 8.1 Exemption from Parking Requirements

- 8.1.1 The requirements of this Part shall not apply to any land use that was in existence on the effective date of this Bylaw.
- 8.1.2 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 May 24, 2022 the Development Officer may consider a reduction in the number of parking spaces via the variance process as outlined in Section 5.5.

### 8.2 Minimum Number of Automobile Parking Spaces

- 8.2.1 No development permit shall be issued for any development unless off-street parking, located within the same zone and within 100 metres of the location it is intended to serve, is provided. The parking shall be provided and maintained in conformity with Table 3. If a use is not listed in Table 3, no parking minimums apply.
- 8.2.2 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.
- 8.2.3 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 totalled before any rounding, and then the total shall be rounded to the nearest whole number. Half spaces shall be rounded down.
- 8.2.4 Required automobile parking spaces shall be:
  - (a) a minimum of 2.5 metres wide by 5.5 metres long for 90-degree spaces;
  - (b) a minimum of 3.6 metres wide by 5.7 metres 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.
- 8.2.5 Notwithstanding Subsection 8.2.4, where the number of required automobile parking spaces exceeds 10, up to 10% of the spaces may be intended for small cars. Such spaces shall:
  - (a) be 90-degree spaces;
  - (b) have minimum dimensions of 2.3 metres wide by 4.6 metres long; and
  - (c) be labeled "Small Car".

Table 3: Minimum Automobile Parking Space Requirements

Type of Use	Parking Spaces Required
(a) Art Gallery / Studio	1 space
(b) Animal Care	3 spaces
(c) Automobile Body or Repair Shop	2 spaces per service bay
(d) Banks and Financial Institutions	1 space per 25 m <sup>2</sup> GFA
(e) Bed & Breakfast	1 space plus 1 additional space per every sleeping unit
(f) Boarding House	1 space plus 1 additional space per every two sleeping units
(g) Business or Professional Office	1 space per 50 m <sup>2</sup> GFA
(h) Commercial Recreation – Indoor	1 space per 50 m <sup>2</sup> GFA
(i) Convenience Store	3 spaces
(j) Dwellings – Converted, Duplex, Row House, Semi-detached, Single-unit, Triplex	1 space per dwelling unit
(k) Dwellings – Grouped, Multi-unit	1.25 spaces per dwelling unit
(l) Fixed-roof Overnight Accommodation	1 space per suite or rental unit
(m) Funeral Home	1 space per 15 m <sup>2</sup> GFA, not including area dedicated to crematoria
(n) Home-based Business – Level 1	1 space
(o) Home-based Business – Level 2	2 spaces
(p) Licensed Liquor Establishment	1 space per 20 m <sup>2</sup> GFA
(q) Personal Service Shop	1 space per 50 m <sup>2</sup> GFA
(r) Post Office	4 spaces
(s) Private Club	1 space per 30 m <sup>2</sup> GFA
(t) Restaurant – Drive-through, Eat-in	1 space per 20 m <sup>2</sup> GFA
(u) Restaurant – Take-out	3 spaces
(v) Retail Store	1 space per 30 m <sup>2</sup> GFA
(w) School – Commercial	1 space per 50 m <sup>2</sup> GFA
(x) Self-storage Facility	1 space per 25 storage units, with a minimum of 4 spaces
(y) Service and Repair Shop	3 spaces

8.2.6 Notwithstanding Subsection 8.2.1, all minimum automobile parking space requirements shall be waived in the Downtown Commercial (CD) Zone and Mixed-use (CM) Zone.

### 8.3 Parking Location

- 8.3.1 Parking shall not be located in the front yard in the Downtown Commercial (CD) Zone.
- 8.3.2 No more than 2 parking spaces shall be located in the front yard of any dwelling.

### 8.4 Automobile Parking Area Standards

- 8.4.1 Where parking facilities for more than four 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 in height and not more than 5 square metres in area may be erected in the parking area for the use of attendants.
  - (d) The parking area shall be within 100 metres 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.
  - (f) Approaches or driveways to any parking area, other than that required for a single detached dwelling, semi-detached dwelling, or a duplex dwelling shall be defined by a curb of concrete or rolled asphalt and the limits of the parking area shall be defined by a fence, curb or other suitable obstacle designed to provide a neat appearance.
  - (g) The location of approaches or driveways shall not be closer than 15 metres from the limits of the right-of-way at a street intersection.
  - (h) Exit and entrance ramps to parking areas shall not exceed two in number on any one street and each ramp shall be at least 6 metres in width and not greater than 9 metres at the street line. Where frontage exceeds 150 metres on one street, three ramps may be permitted on that street.
  - (i) The width of a driveway leading to parking or loading areas, or of a driveway or aisle in a parking area, shall be a minimum of 3 metres for one-way traffic and a minimum of 6 for two-way traffic, and the maximum width of a driveway shall be 9 metres.

## 8.5 Loading Spaces

- 8.5.1 In every zone except the Downtown Commercial (CD) Zone and Mixed-use (CM) Zone, no person shall erect or use any building or structure for manufacturing, storage, warehouse, department store, retail store, wholesale store, market, freight or passenger terminal, hotel, hospital, mortuary, or other uses involving the frequent shipping, loading or unloading of person, animals or goods, unless there is maintained on the same premises one off-street space of standing loading and unloading for every 3,000 square metres or fraction thereof of gross floor area used for any such purpose.
- 8.5.2 Each loading space shall be at least 3.65 metres by 12.2 metres with a minimum of 4.3 metres height clearance.
- 8.5.3 Notwithstanding Subsection 8.5.1, the provision of a loading space for any building or use with less than 150 square metres of gross floor area shall be optional.
- 8.5.4 Loading spaces shall not be located within any required minimum front setback or be located within any yard that abuts an Urban Serviced Residential Zone, Hamlet Residential (HR) Zone, Community and Institutions (I) Zone, or Recreation and Open Space (P) Zone.
- 8.5.5 Loading space areas, including driveways leading thereto, shall be constructed and maintained with a stable surface treated so as to prevent the raising of dust or loose particles.
- 8.5.6 Access and egress for the required loading space areas shall be provided by means of unobstructed driveways of a minimum width of 3 metres for one-way traffic or a minimum width of 6 metres for two-way traffic.

## 8.6 Bicycle Parking Instead of Automobile Parking Spaces

- 8.6.1 The minimum number of automobile parking spaces required for a use, as outlined in Section 8.2, shall be reduced by 1 for every 4 bicycle parking spaces provided that meets the standards of Section 8.7. This substitution shall not apply to single-unit dwellings, duplex dwellings, semi-detached dwellings, triplexes, short-term rentals, or fixed-roof overnight accommodations.
- 8.6.2 The maximum reduction of automobile parking spaces provided by Subsection 8.6.1 shall be limited to 6 spaces or 10% of the required automobile parking spaces, whichever is greater.

## 8.7 Bicycle Parking Space Standards

- 8.7.1 Each bicycle parking space provided for the purposes of Section 8.6 shall:
- (a) be located between the main building and the front lot line unless, in the opinion of the Development Officer, this location is impossible due to the main building being located on or near to the front lot line;
  - (b) be accessible to the public;
  - (c) have a minimum width of 0.6 metres and a minimum length of 2 metres;
  - (d) be free of obstructions to a height of 2 metres;
  - (e) be surfaced with asphalt, concrete, or interlocking paving stones;
  - (f) not obstruct vehicular or pedestrian circulation;
  - (g) be accessed by an access lane with a minimum unobstructed width of 1.2 metres; and
  - (h) include an “inverted U” or “post-and-ring” bicycle rack that:
    - (i) is located on one side of the parking space and oriented parallel to the length of the parking space;
    - (ii) is permanently mounted into or onto the surface with the midline of the rack at the midline of the length of the parking space; and
    - (iii) is made of metal.
- 8.7.2 For greater clarity, one bicycle rack may be used to fulfill the rack requirements for two adjacent bicycle parking spaces by placing it on the shared border of the two spaces.

### Part 8 Changelog

Reference No.	Effective Date	File or Project	General Nature of Change



# 9 SIGNS

## 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.
- 9.1.2 Any sign that no longer advertises a bona fide business conducted or a product sold is deemed to be obsolete, and shall be removed once the use has been discontinued for a period exceeding 60 days. For businesses that operate on a seasonal basis the use shall be considered discontinued starting on December 31<sup>st</sup> if the use did not operate in that calendar year.
- 9.1.3 Where this Part conflicts 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 provisions of this Bylaw, the following signs shall not be permitted in any zone:
  - (a) Any sign or sign structure that constitutes a hazard to public safety or health.
  - (b) Any sign that obstructs free ingress to or egress from a fire escape door, window or other required exit way.
  - (c) Signs not erected by a public authority located at or near sharp road curves or below the crest of a steep road.
  - (d) Signs not erected by a public authority that make use of words such as “STOP”, “LOOK”, “ONE WAY”, “DANGER”, “YIELD” or other similar words, phrases, symbols, lights, or characters displayed in such manner as to interfere with, mislead, or confuse traffic along a public road.
  - (e) Signs on public property or a public right-of-way, unless erected by a government body or written permission to do so has been issued by the governmental body.
  - (f) Signs that, by reason of size, location, content, colouring or manner of illumination, obstruct the vision of drivers or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public roads.

### 9.3 Signs Permitted in All Zones

9.3.1 Notwithstanding any other provisions of this Bylaw, the following signs are permitted in all zones without 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 in sign area.
- (b) Election signs.
- (c) Memorial signs or tablets and signs denoting the date of erection of a structure, not exceeding 2 square metres in sign area.
- (d) Real estate signs not exceeding 0.5 square metres in sign area in an Urban Serviced Residential Zone or Hamlet Zone and 1.4 square metres in sign area in other zones, which advertise the sale, rental, or lease of the premises.
- (e) 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, signs giving legal notice, planning application signs, and public identification and information signs.
- (f) Signs identifying the name and address of resident, and not more than 0.2 square metres in sign area.
- (g) Signs incidental to construction and having an area not more than 5 square metres and within the area designated for such purposes.
- (h) Signs mounted on the interior surface of sporting facilities such as, but not limited to, signs mounted on baseball diamond fences, provided the faces of such signs are not visible from adjacent streets.
- (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 in 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 and bearing no commercial advertising.

### 9.4 Neighbourhood Identification Signs

9.4.1 In any zone, a sign, masonry wall, landscaping, or other similar features may be combined to form a display for neighbourhood or subdivision identification, provided that the legend of such sign or display shall consist only of the neighbourhood or subdivision name.

## 9.5 Signage Provisions for the Urban Serviced Area and Hamlets

9.5.1 The signage provisions of this Section shall only apply to those lands located within the Urban Serviced Area and Hamlets as shown on Schedule 'A'.

### General

9.5.2 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 Bylaw are satisfied.

9.5.3 A development permit is not required for a change of copy on any sign, or for the repainting, cleaning, or repairing of a sign or sign structure for which a development permit has previously been issued, so long as the sign or sign structure is not modified in any other way.

### Application for a Development Permit

9.5.4 In addition to the provisions of Section 5.4 of this Bylaw, the following information shall be provided by the applicant for a development permit for a sign:

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

### Number of Signs

9.5.5 A double-faced sign shall count as a single sign.

9.5.6 Signs listed in Section 9.3, Signs Permitted in All Zones, shall not be counted in calculating the number of signs.

9.5.7 For the purpose of this Section, where a multiple tenancy building is occupied by more than one business, each business area shall be considered as separate premises.

9.5.8 Notwithstanding anything else in this Bylaw, not more than 2 signs may be erected on any wall of any premises.

9.5.9 Not more than 2 ground signs shall be permitted on any one lot.

## Illumination

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

## Ground Signs

9.5.11 Ground signs:

- (a) shall not exceed the maximum permitted sign area or height for the zone in which it is located, as set out in Table 4;
- (b) shall not extend beyond a property line or project over public right-of-way, other adjoining lands, sight triangles, or any driveway or parking area; and
- (c) shall have a minimum setback of 0.3 metres between the supporting structure and any street line, sidewalk, common lot boundary, driveway, aisle, or parking area.

9.5.12 In addition to the sign area permitted in Table 4, and subject to Subsections 9.5.17 and 9.5.18, each ground sign shall be permitted to include a subordinate electronic message board or changeable copy panel located below the primary sign and not exceeding 25 percent of the sign area of the primary sign.

Table 4 – Ground Sign Requirements

Zone	Maximum Sign Area	Maximum Height
(a) Business Park (MB)	3 m <sup>2</sup>	8 m
(b) Community and Institutions (I)	3 m <sup>2</sup>	8 m
(c) Downtown Commercial (CD)	3 m <sup>2</sup>	8 m
(d) Fishing and Marine (MF)	3 m <sup>2</sup>	8 m
(e) General Commercial (CG)	7 m <sup>2</sup>	8 m
(f) General Residential (RG)	0.2 m <sup>2</sup>	1.5 m
(g) Hamlet Core (HC)	3 m <sup>2</sup>	8 m
(h) Hamlet Residential (HR)	0.2 m <sup>2</sup>	1.5 m
(i) Heavy Industrial (MH)	3 m <sup>2</sup>	8 m
(j) Liverpool Waterfront (CL)	3 m <sup>2</sup>	8 m
(k) Lower Density Residential (RL)	0.2 m <sup>2</sup>	1.5 m
(l) Mixed-use (CM)	3 m <sup>2</sup>	1.5 m
(m) Multiple Unit Residential (RM)	0.2 m <sup>2</sup>	1.5 m
(n) Recreation and Open Space (P)	3 m <sup>2</sup>	1.5 m
(o) Residential Commercial (RC)	3 m <sup>2</sup>	8 m

### Projecting Wall Signs

- 9.5.13 A projecting wall sign shall not:
- (a) exceed 2 square metres in sign area;
  - (b) project more than 2 metres from the wall upon which it is attached;
  - (c) extend beyond the curb line or edge of travelled way where the sign projects over a municipal public right of way;
  - (d) project above the eaves, parapet, or roof line of the building upon which it is attached;
  - (e) be erected below a height of 3 metres above grade;
  - (f) be erected in such a manner that enables the sign to swing more than 45 degrees from the verticals on its supports; or
  - (g) exceed 0.75 square metres in sign area where such signs project over a public right-of-way.

### Facial Wall Signs

- 9.5.14 A facial wall sign shall not:
- (a) exceed 0.2 square metres in sign area in the Lower Density Residential (RL) Zone, General Residential (RG) Zone, Multiple Unit Residential (RM) Zone, or Hamlet Residential (HR) Zone;
  - (b) in all other zones, exceed 0.6 square metres in combined total sign area per lineal metre of the wall on which the sign(s) is affixed, with proportional allocations for each business premise;
  - (c) extend above the top of the wall upon which it is placed; or
  - (d) extend beyond the extremities of the wall upon which it is attached.

### Signage in the Downtown Commercial (CD) Zone

- 9.5.15 In the Downtown Commercial (CD) Zone the provisions of Subsections 9.5.13 and 9.5.14 shall be waived and all facial and projecting wall signs shall conform to the following requirements:
- (a) either the top or bottom of the sign structure shall be aligned with a horizontal element in the building’s facade.
- 9.5.16 “A” Frame signs may be located within the Downtown Commercial (CD) Zone and such signs shall:
- (a) be restricted to a maximum of 1 per business;
  - (b) be located on or adjacent to the lot line of the lot on which the business is located;
  - (c) not exceed 0.6 square metres per face or a total of 1.2 square metres for all faces combined;
  - (d) not exceed 1.2 metres in height; and
  - (e) not be located so as to obstruct pedestrians or vehicular traffic.

### Electronic Message Boards

- 9.5.17 Electronic message boards shall not be permitted in the Lower Density Residential (RL) Zone, General Residential (RG) Zone, Multiple Unit Residential (RM) Zone, Residential Commercial (RC) Zone, Mixed-use (CM) Zone, or Hamlet Residential (HR) Zone.
- 9.5.18 Electronic message boards:
- (a) shall not flash or display animation;
  - (b) shall not display graphics or images; and
  - (c) shall not change messages more often than once every 30 seconds.

### Part 9 Changelog

Reference No.	Effective Date	File or Project	General Nature of Change

# 10 URBAN SERVICED RESIDENTIAL ZONES

Lower Density Residential Zone	RL
General Residential Zone	RG
Multiple Unit Residential Zone	RM
Residential Commercial Zone	RC

## 10.1 Special Requirements in Urban Serviced Residential Zones

- 10.1.1 In addition to all other applicable requirements of this Bylaw, uses in the Lower Density Residential (RL) Zone, General Residential (RG) Zone, Multiple Unit Residential (RM) Zone, and Residential Commercial (RC) Zone shall be subject to the following requirements:

### Accessory Buildings

- (a) Accessory buildings, with the exception of garages, shall not be located in the front yard.

### Bed and Breakfasts

- (b) Bed and breakfasts shall meet the following requirements:
- (i) No structural alterations shall be made to increase the number of entrances in the front or sides of the dwelling (except for those required by the Building Code).
  - (ii) Two parking spaces shall be permitted in the front yard. All other parking shall be provided in the side or rear yard and shall be screened or fenced from abutting residential properties.

### Convenience Stores

- (c) Convenience stores shall meet the following requirements:
- (i) Outdoor storage and outdoor display shall not be permitted within 5 metres of a side or rear lot line abutting a residential use.
  - (ii) If parking spaces, driveways, and/or travel surfaces for the convenience store are located within a side or rear abutting a residential use they shall be screened from view of the abutting residential use by an opaque wooden fence a minimum of 1.8 metres in height.
  - (iii) Illuminated signage shall not be permitted to face a side or rear yard.

### Flag Lots

- (d) Subdivision to create flag lots shall not be permitted in Urban Serviced Residential Zones.

## Mobile Homes

- (e) Mobile homes shall:
  - (i) be placed on a permanent concrete foundation;
  - (ii) be oriented on the lot so that the long side of the structure faces the front lot line; and
  - (iii) include visual skirting around the base of the dwelling, so as to screen the area located from grade to the base of the structure.
- (f) Nothing in this Bylaw shall exempt any person from complying with the provisions of the Region of Queens Mobile Home Bylaw.

## One Main Building on a Lot

- (g) Notwithstanding Section 6.18, only one main building shall be permitted on a lot, with the following exceptions, where the use is permitted in a zone:
  - (i) Accessory dwellings
  - (ii) Grouped dwellings
  - (iii) Nursing homes
  - (iv) Residential care facility

## 10.2 Permitted Uses in Urban Serviced Residential Zones

10.2.1 The following tables shall outline the permitted uses in the Lower Density Residential (RL) Zone, General Residential (RG) Zone, Multiple Unit Residential (RM) Zone, and Residential Commercial (RC) Zone, subject to the following scheme:

- (a) Uses denoted with a “P” shall be permitted subject to all requirements of this Bylaw, and to any sections noted in the “Special Req’s” column.
- (b) Uses denoted with an “S” shall be permitted by site plan approval and subject to Part 17 of this Bylaw.
- (c) Uses denoted with a “DA” shall be permitted by development agreement, subject to the following Municipal Planning Strategy Policies:
  - (i) Animal Shelter – MPS Policy 5-9
  - (ii) Automobile Repair Shop – MPS Policy 5-9
  - (iii) Bed and Breakfast – MPS Policy 4-61
  - (iv) Boarding House – MPS Policy 5-16
  - (v) Funeral Home – MPS Policy 5-9
  - (vi) Kennel – MPS Policy 5-9
  - (vii) Self Storage Facility – MPS Policy 5-9
- (d) Uses denoted with a “-” or not listed in the table shall not be permitted.

## Residential Uses in Urban Serviced Residential Zones

	RL	RG	RM	RC	SPECIAL REQ's
Accessory Dwelling	P	P	P	P	S7.1
Bed and Breakfast					
5 or fewer sleeping units	P	P	P	P	S10.1.1 (b)
More than 5 sleeping units	DA	DA	P	DA	
Boarding House –					
5 or fewer sleeping units	DA	P	P	DA	
More than 5 sleeping units	-	DA	P	-	
Converted Dwelling -					
3 or fewer dwelling units	P	P	P	P	S7.5
4 or 5 dwelling units	-	P	P	-	
More than 5 dwelling units	-	-	P	-	
Duplex Dwelling	P	P	P	P	
Grouped Dwellings	-	-	S	-	
Home-based Business – Level 1	P	P	P	P	S7.9
Mobile Home	-	P	P	P	S10.1.1 (e)
Multi-unit Dwelling	-	-	S	-	
Nursing Home	-	-	S	-	
Residential Care Facility	-	-	S	-	
Row House Dwelling					
5 or fewer dwelling units	-	P	P	-	
More than 5 dwelling units	-	-	P	-	
Semi-detached Dwelling	P	P	P	P	
Short-term Rental	P	P	P	P	S7.14
Single-unit Dwelling	P	P	P	P	
Small Options Home	P	P	P	P	
Triplex Dwelling	P	P	P	P	

P = permitted | S = site plan approval | DA = development agreement

### Commercial and Industrial Uses in Urban Serviced Residential Zones

	RL	RG	RM	RC	SPECIAL REQ'S
Automobile Repair Shop	-	DA	-	-	
Convenience Store	-	-	-	P	S10.1.1 (c)
Day Care Centre	P	P	P	P	
Funeral Home	-	DA	-	-	
Kennel	-	DA	-	-	
Self Storage Facility	-	DA	-	-	

P = permitted | S = site plan approval | DA = development agreement

### Other Uses in Urban Serviced Residential Zones

	RL	RG	RM	RC	SPECIAL REQ'S
Animal Shelter	-	DA	-	-	
Cemetery	P	P	P	-	S7.4
Expansion of a Non-conforming Use	S	S	S	S	
Household Livestock	-	P	-	-	S7.10
Parks and Playgrounds	P	P	P	P	S7.11
Place of Worship	P	P	P	-	
Recreational Uses	-	P	P	-	
School – Academic	P	P	P	-	
Trails and Conservation Uses	P	P	P	P	S7.17

P = permitted | S = site plan approval | DA = development agreement

### 10.3 Lower Density Residential (RL) Zone Development Standards

10.3.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Lower Density Residential (RL) Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	
(i) Serviced lot	460 m <sup>2</sup>
(ii) Unserviced lot	2,700 m <sup>2</sup>
(b) Minimum Lot Frontage	12 m
(c) Minimum Front/Flankage Setback	3 m
(d) Minimum Rear Setback	
(i) Main building	7.5 m
(ii) Accessory buildings	1.4 m
(e) Minimum Side Setback	2 m
(f) Maximum Building Height	
(i) Main building	12.2 m
(ii) Accessory buildings	6.1 m

### 10.4 General Residential (RG) Zone Development Standards

10.4.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the General Residential (RG) Zone unless the following requirements are met:

Requirement	Converted, Row House, and Triplex Dwellings	All Other Permitted Uses
(a) Minimum Lot Area		
(i) Serviced lot	165 m <sup>2</sup> / DU	330 m <sup>2</sup>
(ii) Unserviced lot	2,700 m <sup>2</sup>	2,700 m <sup>2</sup>
(b) Minimum Lot Frontage	10 m	10 m
(c) Minimum Front/Flankage Setback	3 m	3 m
(d) Minimum Rear Setback		
(i) Main building	7.5 m	7.5 m
(ii) Accessory buildings	1.4 m	1.4 m
(e) Minimum Side Setback	2 m	2 m
(f) Maximum Building Height		
(i) Main building	12.2 m	12.2 m
(ii) Accessory buildings	6.1 m	6.1 m

## 10.5 Multiple Unit (RM) Zone Development Standards

10.5.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Multiple Unit Residential (RM) Zone unless the following requirements are met:

Requirement	Grouped, Multi-unit, and Row House Dwellings; Residential Care Facility	All Other Permitted Uses
(a) Minimum Lot Area		
(i) Serviced lot	125 m <sup>2</sup> / DU	330 m <sup>2</sup>
(ii) Unserviced lot	2,700 m <sup>2</sup>	2,700 m <sup>2</sup>
(b) Minimum Lot Frontage	15 m	10 m
(c) Minimum Front/Flankage Setback	3 m	3 m
(d) Minimum Rear Setback		
(i) Main building	7.5 m	7.5 m
(ii) Accessory buildings	1.4 m	1.4 m
(e) Minimum Side Setback	4 m	2 m
(f) Maximum Building Height		
(i) Main building	15.2 m	15.2 m
(ii) Accessory buildings	6.1 m	6.1 m

## 10.6 Residential Commercial (RC) Zone Development Standards

10.6.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Residential Commercial (RC) Zone unless the following requirements are met:

Requirement	Convenience Store	All Other Permitted Uses
(a) Minimum Lot Area		
(i) Serviced lot	930 m <sup>2</sup>	330 m <sup>2</sup>
(ii) Unserviced lot	2,700 m <sup>2</sup>	2,700 m <sup>2</sup>
(b) Minimum Lot Frontage	15 m	10 m
(c) Minimum Front/Flankage Setback	3 m	3 m
(d) Minimum Rear Setback		
(i) Main building	6 m	6 m
(ii) Accessory buildings	1.4 m	1.4 m
(e) Minimum Side Setback	2 m	2 m
(f) Maximum Building Height		
(i) Main building	12.2 m	12.2 m
(ii) Accessory buildings	6.1 m	6.1 m

### Part 10 Changelog

Reference No.	Effective Date	File or Project	General Nature of Change

# 11 URBAN SERVICED COMMERCIAL ZONES

Downtown Commercial Zone	CD
General Commercial Zone	CG
Mixed-use Zone	CM
Liverpool Waterfront Zone	CL

## 11.1 Special Requirements in Urban Serviced Commercial Zones

- 11.1.1 In addition to all other applicable requirements of this Bylaw, uses in the Downtown Commercial (CD) Zone, General Commercial (CG) Zone, Mixed-use (CM) Zone, and Liverpool Waterfront (CL) Zone shall be subject to the following requirements:

### Abutting Requirements

- (a) Where a commercial or industrial use in an Urban Serviced Commercial Zone abuts an Urban Serviced Residential Zone, Conservation (O1) Zone, Watershed (W) Zone, Community and Institutions (I) Zone, or a Recreation and Open Space (P) Zone, the following restrictions shall apply to an abutting yard within the Urban Serviced Commercial Zone:
  - (i) the minimum side and rear setbacks for an abutting yard shall be 12 metres;
  - (ii) outdoor storage and outdoor display shall not be permitted in an abutting yard within 7.5 metres of a side or rear lot line;
  - (iii) parking spaces, driveways and travel surfaces shall not be permitted in an abutting yard within 7.5 metres of a side or rear lot line; and
  - (iv) where open storage and outdoor display, parking spaces, driveways and travel surfaces are located within the 12-metre minimum side and rear setbacks, such uses shall be screened from view by an opaque wooden fence a minimum of 1.8 metres in height.
- (b) In addition to the provisions of Part 9, where a non-residential use in an Urban Serviced Commercial Zone abuts an Urban Serviced Residential Zone, Conservation (O1) Zone, Watershed (W) Zone, Community and Institutions (I) Zone, or a Recreation and Open Space (P) Zone, signs located within 10 metres of the abutting lot line shall be subject to the following requirements:
  - (i) signs shall be non-illuminated except in cases where signage denoting the direction or function of various parts of a building or premise may be internally illuminated;
  - (ii) only directional or business identification signs shall be permitted;
  - (iii) the maximum sign area shall be 1.4 square metres;
  - (iv) the maximum height of a ground sign from the grade level to the highest part of the sign (including the sign structure) shall be 3.7 metres;
  - (v) all signs shall be set back at least 3 metres from the abutting property line.

### Awnings and Canopies

- (c) Notwithstanding any other provisions of this Bylaw, in the Downtown Commercial (CD) Zone awnings and canopies shall be permitted to project over a municipal public right of way provided they:
  - (i) do not extend beyond the curb line or edge of travelled way; and

- (ii) are not erected below a height of 3.05 metres from grade level.

#### **Existing Residential Uses**

- (d) Existing residential uses, outlined in Schedule 'C', shall be considered fully conforming uses and shall be permitted to expand.

#### **Flag Lots**

- (e) Subdivision to create flag lots shall not be permitted in urban serviced commercial zones.

#### **Mobile Homes**

- (f) Mobile homes shall include visual skirting around the base of the dwelling, so as to screen the area located from grade to the base of the structure.
- (g) Nothing in this Bylaw shall exempt any person from complying with the provisions of the Region of Queens Mobile Home Bylaw.

#### **New Commercial Main Buildings**

- (h) New commercial main buildings in the General Commercial (CG) Zone shall only be permitted through the site plan approval process, subject to the criteria of Part 17.

## 11.2 Permitted Uses in Urban Serviced Commercial Zones

- 11.2.1 The following tables shall outline the permitted uses in the Downtown Commercial (CD) Zone, General Commercial (CG) Zone, Mixed-use (CM) Zone, and Liverpool Waterfront (CL) Zone, subject to the following scheme:
- (a) Uses denoted with a “P” shall be permitted subject to all requirements of this Bylaw, and to any sections noted in the “Special Req’s” column.
  - (b) Uses denoted with an “S” shall be permitted by site plan approval and subject to Part 17 of this Bylaw.
  - (c) Uses denoted with a “DA” shall be permitted by development agreement, subject to the following Municipal Planning Strategy Policies:
    - (i) Automobile Body Shop – MPS Policy 5-29
    - (ii) Boarding House – MPS Policy 5-35
    - (iii) Grouped Dwellings – MPS Policy 5-35
    - (iv) Multi-unit Dwelling – MPS Policy 5-35
    - (v) Recycling Depot – MPS Policy 5-29
  - (d) Uses denoted with a “-” or not listed in the table shall not be permitted.

## Residential Uses in Urban Serviced Commercial Zones

	CD	CG	CM	CL	SPECIAL REQ'S
Accessory Dwelling	-	-	P	-	S7.1
Bed and Breakfast	P	P	P	-	
Boarding House – 5 or fewer sleeping units	-	-	P	-	
More than 5 sleeping units	-	-	DA	-	
Converted Dwelling - 5 or fewer dwelling units	-	-	P	-	S7.5
Duplex Dwelling	-	-	P	-	
Dwellings in Commercial Buildings	S	S	-	P	
Grouped Dwellings	-	-	DA	P	
Home-based Business – Level 1	P	P	P	P	S7.9
Mobile Home	-	-	P	-	S11.1.1(f) & (g)
Multi-unit Dwelling	-	-	DA	S	
Nursing Home	S	S	S	S	
Row House Dwelling	-	-	-	P	
Semi-detached Dwelling	-	-	P	-	
Short-term Rental	-	-	P	-	S7.14
Single-unit Dwelling	-	-	P	-	
Small Options Home	-	-	P	-	
Triplex Dwelling	-	-	P	-	

P = permitted | S = site plan approval | DA = development agreement

## Commercial and Industrial Uses in Urban Serviced Commercial Zones

	CD	CG	CM	CL	SPECIAL REQ'S
Animal Care	P	P	P	P	
Art Gallery / Studio	P	P	P	P	
Automobile Body Shop	-	DA	-	-	
Automobile Repair Shop	-	P	-	-	S7.2
Automobile Sales	-	P	-	-	
Automobile Service	-	P	-	-	S7.3
Banks and Financial Institutions	P	P	-	-	
Boat and Marine Sales	-	P	-	-	
Business or Professional Office	P	P	P	P	
Campground	-	P	-	-	
Commercial Recreation – Indoor	P	P	-	-	
Outdoor	-	P	-	-	
Convenience Store	P	P	P	P	
Craft Shop	P	P	P	P	
Day Care Centre	P	P	P	-	
Display Court	-	P	-	-	
Electric Vehicle Charging - Commercial	-	P	-	-	
Farm Market	P	P	P	P	
Fixed-roof Overnight Accommodations	P	P	-	P	
Funeral Home	P	P	P	-	
Garden Centre	-	P	-	-	
Heavy Equipment Sales and Rentals	-	P	-	-	
Licensed Liquor Establishment	P	P	-	P	
Light Manufacturing – Less than 2,000 m <sup>2</sup> GFA	P	P	-	P	
2,000 m <sup>2</sup> to 5,000 m <sup>2</sup> GFA	-	P	-	-	
Marina	-	-	P	-	
Marine Recreation Provider	P	P	-	P	
Personal Service Shop	P	P	P	P	
Post Office	P	P	P	P	
Radio and Television Stations	P	P	-	-	
Recycling Depot	-	DA	-	-	

	CD	CG	CM	CL	SPECIAL REQ's
Restaurant –					
Drive-through	-	S	-	-	
Eat-in	P	P	P	P	
Take-out	P	P	P	P	
Retail Lumber and Home Improvement Yard	-	P	-	-	
Retail Store	P	P	P	P	
Service and Repair Shop	P	P	P	P	
Taxi and Bus Station	P	P	P	P	
Warehousing - Enclosed	-	P	-	-	
Wind Turbine Generator – Small	P	P	P	P	

P = permitted | S = site plan approval | DA = development agreement

### Other Uses in Urban Serviced Commercial Zones

	CD	CG	CM	CL	SPECIAL REQ's
Cemetery	-	P	P	-	S7.4
Community Centre	P	P	P	P	
Cultural Facilities	P	P	P	P	
Emergency Services	P	P	-	-	
Expansion of a Non-conforming Use	S	S	S	S	
Extended Care Facility	-	P	-	-	
Government Buildings and Uses	P	P	-	P	
Hospital	-	P	-	-	
Interpretive Centre	P	P	P	P	
Medical Clinic	P	P	P	P	
Parking Lots and Structures	S	S	-	S	
Parks and Playgrounds	P	P	P	P	S7.11
Place of Worship	P	P	P	P	
Private Club	P	P	P	P	
Recreation Centre	-	P	-	-	
Recreational Uses	P	P	P	P	
School –					
Academic	-	-	P	-	
Commercial	P	P	P	-	
Post-secondary	-	P	-	-	
Trails and Conservation Uses	P	P	P	P	S7.17

P = permitted | S = site plan approval | DA = development agreement

### 11.3 Downtown Commercial (CD) Zone Development Standards

11.3.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Downtown Commercial (CD) Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	100 m <sup>2</sup>
(b) Minimum Lot Frontage	6 m
(c) Minimum Front/Flankage Setback	0.6 m
(d) Minimum Rear Setback	0 m
(e) Minimum Side Setback	0 m
(f) Maximum Building Height	15.2 m

### 11.4 General Commercial (CG) Zone Development Standards

11.4.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the General Commercial (CG) Zone unless the following requirements are met:

Requirement	Campground	All Other Permitted Uses
(a) Minimum Lot Area		
(i) Serviced lot	2 hectares	920 m <sup>2</sup>
(ii) Unserviced lot	2 hectares	2,700m <sup>2</sup>
(b) Minimum Lot Frontage	30 m	15 m
(c) Minimum Front/Flankage Setback	7.5 m	3 m
(d) Minimum Rear Setback	20 m	6 m
(e) Minimum Side Setback	20 m	3 m
(f) Maximum Building Height	15.2 m	15.2 m

## 11.5 Mixed-use (CM) Zone Development Standards

- 11.5.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Mixed-use (CM) Zone unless the following requirements are met:

Requirement	Converted and Triplex Dwellings	All Other Permitted Uses
(a) Minimum Lot Area		
(i) Serviced lot	165 m <sup>2</sup> / DU	330 m <sup>2</sup>
(ii) Unserviced lot	2,700 m <sup>2</sup>	2,700 m <sup>2</sup>
(b) Minimum Lot Frontage	10 m	10 m
(c) Minimum Front/Flankage Setback	3 m	3 m
(d) Minimum Rear Setback		
(i) Main building	7.5 m	7.5 m
(ii) Accessory buildings	1.4 m	1.4 m
(e) Minimum Side Setback	2 m	2 m
(f) Maximum Building Height		
(i) Main building	12.2 m	12.2 m
(ii) Accessory buildings	6.1 m	6.1 m

## 11.6 Liverpool Waterfront (CL) Zone Development Standards

- 11.6.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Liverpool Waterfront (CL) Zone unless the following requirements are met:

Requirement	Grouped, Multi-unit, and Row House Dwellings	All Other Permitted Uses
(a) Minimum Lot Area	125 m <sup>2</sup> / DU	330 m <sup>2</sup>
(b) Minimum Lot Frontage	15 m	10 m
(c) Minimum Front/Flankage Setback	3 m	3 m
(d) Minimum Rear Setback		
(i) Main building	6 m	6 m
(ii) Accessory buildings	1.4 m	1.4 m
(e) Minimum Side Setback	3 m	3 m
(f) Maximum Building Height		
(i) Main building	15.2 m	15.2 m
(ii) Accessory buildings	6.1 m	6.1 m

## Part 11 Changelog

Reference No.	Effective Date	File or Project	General Nature of Change

# 12 HAMLET ZONES

Hamlet Residential Zone

HR

Hamlet Core Zone

HC

## 12.1 Special Requirements in Hamlet Zones

- 12.1.1 In addition to all other applicable requirements of this Bylaw, uses in the Hamlet Residential (HR) Zone and Hamlet Core (HC) Zone shall be subject to the following requirements:

### Accessory Buildings

- (a) Accessory buildings, with the exception of garages, shall not be located in the front yard.

### Private Roads

- (b) Notwithstanding Section 6.12, the Development Officer may issue a development permit on private roads created after May 24, 2022 in hamlet zones provided:
  - (i) the lot has the equivalent minimum lot frontage on a private road; and
  - (ii) all minimum setbacks shall be measured as if the private road were a public street.

### Mobile Homes

- (c) Mobile homes shall include visual skirting around the base of the dwelling, so as to screen the area located from grade to the base of the structure.
- (d) Nothing in this Bylaw shall exempt any person from complying with the provisions of the Region of Queens Mobile Home Bylaw.

### One Main Building on a Lot

- (e) Notwithstanding Section 6.18, only one main building shall be permitted on a lot in the Hamlet Residential (HR) Zone, with the following exceptions:
  - (i) Accessory dwellings
  - (ii) Agricultural Uses
  - (iii) Grouped dwellings
  - (iv) Residential care facility

## 12.2 Permitted Uses in Hamlet Zones

12.2.1 The following tables shall outline the permitted uses in the Hamlet Residential (HR) Zone and Hamlet Core (HC) Zone, subject to the following scheme:

- (a) Uses denoted with a “P” shall be permitted subject to all requirements of this Bylaw, and to any sections noted in the “Special Req’s” column.
- (b) Uses denoted with an “S” shall be permitted by site plan approval and subject to Part 17 of this Bylaw.
- (c) Uses denoted with a “DA” shall be permitted by development agreement, subject to the following Municipal Planning Strategy Policies:
  - (i) Animal Shelter – MPS Policy 5-47
  - (ii) Automobile Repair – MPS Policy 5-47
  - (iii) Automobile Sales – MPS Policy 5-47
  - (iv) Automobile Service – MPS Policy 5-47
  - (v) Bed and Breakfast – MPS Policy 4-61
  - (vi) Boarding House – MPS Policy 5-46
  - (vii) Grouped Dwellings – MPS Policy 5-46
  - (viii) Kennel – MPS Policy 5-47
  - (ix) Multi-unit Dwellings – MPS Policy 5-46
  - (x) Recycling Depot – MPS Policy 5-47
- (d) Uses denoted with a “-” or not listed in the table shall not be permitted.

## Residential Uses in Hamlet Zones

	HR	HC	SPECIAL REQ'S
Accessory Dwelling	P	P	S7.1
Bed and Breakfast – 5 or fewer sleeping units	P	P	
More than 5 sleeping units	DA	P	
Boarding House – 5 or fewer sleeping units	P	P	
More than 5 sleeping units	-	DA	
Converted Dwelling - 5 or fewer dwelling units	P	P	S7.5
Duplex Dwelling	P	P	
Grouped Dwellings – 4 or fewer dwelling units	S	S	
5 to 8 dwelling units	-	DA	
Home-based Business – Level 1	P	P	S7.9
Level 2	-	S	
Mobile Home	P	P	S12.1.1(c) & (d)
Multi-unit Dwelling – 4 dwelling units	S	S	
5 to 8 dwelling units	-	DA	
Nursing Home	-	P	
Recreational Vehicle Parking Site	P	P	S7.13
Residential Care Facility	-	S	
Semi-detached Dwelling	P	P	
Short-term Rental	P	P	S7.14
Single-unit Dwelling	P	P	
Small Options Home	P	P	
Triplex Dwelling	P	P	

P = permitted | S = site plan approval | DA = development agreement

## Commercial and Industrial Uses in Hamlet Zones

	HR	HC	SPECIAL REQ'S
Agriculture Related Industries	-	P	
Animal Care	-	P	
Art Gallery / Studio	P	P	
Automobile Repair Shop	-	DA	
Automobile Sales	-	DA	
Automobile Service	-	DA	
Banks and Financial Institutions	-	P	
Business or Professional Office	-	P	
Campground	-	P	
Commercial Recreation –			
Indoor	-	P	
Outdoor	-	P	
Convenience Store	-	P	
Craft Shop	P	P	
Day Care Centre	P	P	
Electric Vehicle Charging - Commercial	-	P	
Equestrian Facility	-	P	
Farm Market	-	P	
Fishery Related Industries	P	P	
Fixed-roof Overnight Accommodations	-	P	
Funeral Home	-	P	
Garden Centre	-	P	
Kennel	-	DA	
Licensed Liquor Establishment	-	S	
Light Manufacturing –			
Less than 2,000 m <sup>2</sup> GFA	-	S	
Marine Recreation Provider	-	P	
Personal Service Shop	-	P	
Post Office	-	P	
Radio and Television Stations	-	P	
Recycling Depot	-	DA	
Restaurant –			
Eat-in	-	P	

	HR	HC	SPECIAL REQ's
Take-out	-	P	
Retail Lumber and Home Improvement Yard	-	S	
Retail Store Less than 1,000 m <sup>2</sup> GFA	-	P	
Service and Repair Shop	-	P	
Taxi and Bus Station	-	P	
Wind Turbine Generator – Small	P	P	S7.19

P = permitted | S = site plan approval | DA = development agreement

### Other Uses in Hamlet Zones

	HR	HC	SPECIAL REQ's
Agricultural Uses	P	P	
Animal Shelter	-	DA	
Cemetery	P	P	S7.4
Community Centre	P	P	
Cultural Facilities	-	P	
Emergency Services	-	P	
Expansion of a Non-conforming Use	S	S	
Extended Care Facility	-	P	
Government Buildings and Uses	-	P	
Hospital	-	P	
Household Livestock Operation	P	P	S7.10
Interpretive Centre	-	P	
Medical Clinic	-	P	
Parking Lot	-	S	
Parks and Playgrounds	P	P	S7.11
Place of Worship	P	P	
Private Club	-	P	
Recreation Centre	-	P	
Recreational Uses	P	P	
School – Academic	P	P	
Commercial	-	P	
Trails and Conservation Uses	P	P	S7.17

P = permitted | S = site plan approval | DA = development agreement

### 12.3 Hamlet Residential (HR) Zone Development Standards

12.3.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Hamlet Residential (HR) Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	3,700 m <sup>2</sup>
(b) Minimum Lot Frontage	15 m
(c) Minimum Front/Flankage Setback	3 m
(d) Minimum Rear Setback	
(i) Main building	6 m
(ii) Accessory buildings	2.4 m
(e) Minimum Side Setback	2.4 m
(f) Maximum Building Height	
(i) Main building	12 m
(ii) Accessory buildings	6 m

### 12.4 Hamlet Core (HC) Zone Development Standards

12.4.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Hamlet Core (HC) Zone unless the following requirements are met:

Requirement	Campground	All Other Permitted Uses
(a) Minimum Lot Area	2 hectares	2,700 m <sup>2</sup>
(b) Minimum Lot Frontage	30 m	15 m
(c) Minimum Front/Flankage Setback	7.5 m	2 m
(d) Minimum Rear Setback		
(i) Main building	20 m	6 m
(ii) Accessory buildings	10 m	2.4 m
(e) Minimum Side Setback	20 m	2.4 m
(f) Maximum Building Height		
(i) Main building	12 m	12 m
(ii) Accessory buildings	6 m	6 m

**Part 12 Changelog**

Reference No.	Effective Date	File or Project	General Nature of Change



# 13 RURAL ZONES

Inland Rural Zone	R5
Coastal Rural Zone	R6
Lakeshore Limited Development Zone	SL
Lakeshore Residential Zone	SR
Resort Zone	Re
Rural Commercial Zone	CR

## 13.1 Special Requirements in Rural Zones

- 13.1.1 In addition to all other applicable requirements of this Bylaw, uses in the Inland Rural (R5) Zone, Coastal Rural (R6) Zone, Lakeshore Limited Development (SL) Zone, Lakeshore Residential (SR) Zone, Resort (Re) Zone, and Rural Commercial (CR) Zone shall be subject to the following requirements:

### Forestry Uses

- (a) Forestry uses shall be subject to the following special requirements:
- (i) A separation distance of 150 metres shall be required between any saw mill, shingle mill, or wood finishing mill adjacent to residential or institutional uses.
  - (ii) Outdoor storage relating to saw mills, shingle mills, or wood finishing mills shall be screened from view by fence a minimum 1.5 metres in height or vegetative screen, where the yard used for storage abuts a residential or institutional use.

### Intensive Livestock Operations

- (b) Intensive livestock operations shall be subject to the following special requirements:
- (i) An intensive livestock operation must have a minimum lot area of 4 hectares.
  - (ii) An intensive livestock building shall be set back a minimum of 100 metres from an existing off-farm dwelling, off-farm well, or institutional use.
  - (iii) An intensive livestock building shall be set back from property lines a minimum of 50 metres.
  - (iv) An intensive livestock building shall be set back a minimum of 100 metres from a watercourse/
  - (v) Storage of waste from an intensive livestock operation shall not be located within 100 metres from a watercourse, well, or an adjacent residential or institutional use.

## Mobile Homes

- (c) Mobile homes shall include visual skirting around the base of the dwelling, so as to screen the area located from grade to the base of the structure.
- (d) Nothing in this Bylaw shall exempt any person from complying with the provisions of the Region of Queens Mobile Home Bylaw.

## Private Roads

- (e) Notwithstanding Section 6.12, the Development Officer may issue a development permit on private roads created after May 24, 2022 in rural zones provided:
  - (i) the lot has the equivalent minimum lot frontage on a private road; and
  - (ii) all minimum setbacks shall be measured as if the private road were a public street.

## Non-residential Uses

- (f) The following special provisions shall apply to all permitted non-residential uses:
  - (i) Outdoor storage shall be set back a minimum of 12 metres from a side or rear lot line and shall be screened by the use of an evergreen vegetation buffer or a fence a minimum of 1.8 metres in height or a combination of both.
  - (ii) Outdoor refuse bins shall be located in the rear or side yard of the main building and be set back 7.5 from any abutting lot line shall be screened by an opaque fence a minimum 1.8 metres in height or otherwise be enclosed by a structure so as not to be visible from any street or adjacent residential property.

## 13.2 Permitted Uses in Rural Zones

13.2.1 The following tables shall outline the permitted uses in the Inland Rural (R5) Zone, Coastal Rural (R6) Zone, Lakeshore Limited Development (SL) Zone, Lakeshore Residential (SR) Zone, Resort (Re) Zone, and Rural Commercial (CR) Zone, subject to the following scheme:

- (a) Uses denoted with a “P” shall be permitted subject to all requirements of this Bylaw, and to any sections noted in the “Special Req’s” column.
- (b) Uses denoted with an “S” shall be permitted by site plan approval and subject to Part 17 of this Bylaw.
- (c) Uses denoted with a “DA” shall be permitted by development agreement, subject to the following Municipal Planning Strategy Policies:
  - (i) Airport – MPS Policy 4-41
  - (ii) Animal Shelter – MPS Policy 5-73
  - (iii) Automobile Body Shop – MPS Policy 5-73
  - (iv) Bed and Breakfast – MPS Policy 4-61
  - (v) Campground – MPS Policy 5-65
  - (vi) Extended Care Facility – MPS Policy 5-69
  - (vii) Fixed-roof Overnight Accommodation – MPS Policy 5-65
  - (viii) Grouped Dwellings – MPS Policy 5-51
  - (ix) Intensive Livestock Operation – MPS Policy 5-58
  - (x) Kennel – MPS Policy 5-73
  - (xi) Motor Vehicle or Animal Racing Facility – MPS Policy 4-71
  - (xii) Multi-unit Dwelling – MPS Policy 5-69
  - (xiii) Nursing Home – MPS Policy 5-69
  - (xiv) Recycling Depot – MPS Policy 5-73
  - (xv) Residential Care Facility – MPS Policy 5-69
  - (xvi) Salvage Yard – MPS Policy 4-30
  - (xvii) Solid Waste Disposal – MPS Policy 4-30
  - (xviii) Wind Turbine Generator – Large – MPS Policy 4-29
- (d) Uses denoted with a “-” or not listed in the table shall not be permitted.

## Residential Uses in Rural Zones

	R5	R6	SL	SR	Re	CR	SPECIAL REQ's
Accessory Dwelling	P	P	P	P	P	P	S7.1
Bed and Breakfast – 5 or fewer sleeping units	P	P	-	DA	P	P	
More than 5 sleeping units	DA	DA	-	-	P	P	
Boarding House – 5 or fewer sleeping units	P	P	-	-	-	P	
Converted Dwelling - 5 or fewer dwelling units	P	P	-	-	-	P	S7.5
Duplex Dwelling	P	P	P	P	P	P	
Grouped Dwellings – 4 or fewer dwelling units	S	S	-	DA	DA	S	
More than 4 dwelling units	DA	DA	-	DA	DA	DA	
Home-based Business – Level 1	P	P	P	P	P	P	S7.9
Level 2	P	P	-	-	-	P	
Mobile Home	P	P	P	P	P	P	S13.1.1(c) & (d)
Multi-unit Dwelling – 4 or fewer dwelling units	S	S	-	-	DA	S	
More than 4 dwelling units	-	-	-	-	DA	-	
Nursing Home	P	P	-	-	DA	P	
Recreational Vehicle Parking Site	P	P	P	P	P	P	S7.13
Residential Care Facility	-	-	-	-	DA	P	
Semi-detached Dwelling	P	P	-	-	P	P	
Short-term Rental	P	P	P	P	P	P	S7.14
Single-unit Dwelling	P	P	P	P	P	P	
Small Options Home	P	P	P	P	P	P	
Triplex Dwelling	P	P	-	-	P	P	

P = permitted | S = site plan approval | DA = development agreement

## Commercial and Industrial Uses in Rural Zones

	R5	R6	SL	SR	Re	CR	SPECIAL REQ'S
Airport	DA	DA	-	-	DA	DA	
Agriculture Related Industries	P	P	-	-	P	P	
Animal Care	-	-	-	-	P	P	
Art Gallery / Studio	P	P	-	-	P	P	
Automobile Body Shop	-	-	-	-	-	DA	
Automobile Repair Shop	-	-	-	-	-	P	S7.2
Automobile Sales	-	-	-	-	-	P	
Automobile Service	-	-	-	-	-	P	S7.3
Banks and Financial Institutions	-	-	-	-	-	P	
Boat and Marine Sales	-	-	-	-	-	P	
Business or Professional Office	-	-	-	-	P	P	
Campground	P	P	-	DA	P	P	
Commercial Recreation – Indoor	-	-	-	-	P	P	
Outdoor	P	P	-	-	P	P	
Convenience Store	P	P	-	-	P	P	
Craft Shop	P	P	-	-	P	P	
Day Care Centre	P	P	-	-	P	P	
Electric Vehicle Charging - Commercial	-	-	-	-	P	P	
Equestrian Facility	P	P	-	-	P	P	
Farm Market	P	P	-	-	P	P	
Fishery Related Industries	P	P	-	-	P	P	
Fixed-roof Overnight Accommodations	-	-	-	DA	P	P	
Forestry Uses	P	P	-	-	P	P	S13.1.1(a)
Funeral Home	-	-	-	-	-	P	
Garden Centre	-	-	-	-	-	P	
Heavy Equipment Sales and Rentals	-	-	-	-	-	P	
Intensive Livestock Operation	P	DA	-	-	-	-	S13.1.1 (b)
Kennel	DA	DA	-	-	-	DA	
Licensed Liquor Establishment	-	-	-	-	P	P	
Light Manufacturing – Less than 5,000 m <sup>2</sup> GFA	-	-	-	-	P	P	

	R5	R6	SL	SR	Re	CR	SPECIAL REQ'S
Marina	-	-	-	-	P	-	
Marine Recreation Provider	P	P	-	P	P	P	
Motor Vehicle or Animal Racing Facility	DA	DA	-	-	DA	DA	
Personal Service Shop	-	-	-	-	P	P	
Post Office	P	P	-	-	P	P	
Radio and Television Stations	-	-	-	-	-	P	
Recycling Depot	-	-	-	-	-	DA	
Restaurant – Eat-in	-	-	-	-	P	P	
Take-out	-	-	-	-	P	P	
Retail Lumber and Home Improvement Yard	-	-	-	-	-	P	
Retail Store - Less than 2,000 m <sup>2</sup> GFA	-	-	-	-	P	P	
Salvage Yard	DA	-	-	-	-	-	
Self Storage Facility	-	-	-	-	P	P	
Service and Repair Shop	-	-	-	-	-	P	
Solar Collector System – Commercial	P	P	-	-	P	P	
Solid Waste Disposal	DA	-	-	-	-	-	
Wind Turbine Generator – Large	DA	DA	-	-	-	DA	
Wind Turbine Generator – Small	P	P	P	P	P	P	S7.19

P = permitted | S = site plan approval | DA = development agreement



## Other Uses in Rural Zones

	R5	R6	SL	SR	Re	CR	SPECIAL REQ'S
Agricultural Uses	P	P	-	-	P	P	
Animal Shelter	DA	DA	-	-	-	DA	
Cemetery	P	P	-	-	P	P	S7.4
Community Centre	P	P	P	P	P	P	
Cultural Facilities	-	-	-	-	P	P	
Emergency Services	P	P	-	-	-	P	
Expansion of a Non-conforming Use	S	S	S	S	S	S	
Extended Care Facility	-	-	-	-	DA	P	
Government Buildings and Uses	P	P	-	-	-	P	
Hospital	-	-	-	-	-	P	
Household Livestock Operation	P	P	-	-	-	P	S7.10
Interpretive Centre	-	-	-	-	P	P	
Medical Clinic	P	P	-	-	-	P	
Parks and Playgrounds	P	P	P	P	P	P	S7.11
Parking Lots and Structures	-	-	-	-	P	-	
Place of Worship	P	P	-	-	-	P	
Private Club	P	P	-	-	-	P	
Recreation Centre	P	P	-	-	P	P	
Recreational Uses	P	P	P	P	P	P	
School – Academic	P	P	-	-	-	P	
Commercial	-	-	-	-	P	P	
Trails and Conservation Uses	P	P	P	P	P	P	S7.17

P = permitted | S = site plan approval | DA = development agreement

### 13.3 Inland Rural (R5) Zone Development Standards

13.3.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Inland Rural (R5) Zone unless the following requirements are met:

Requirement	Campground	All Other Permitted Uses
(a) Minimum Lot Area	2 hectares	3,700 m <sup>2</sup>
(b) Minimum Lot Frontage	30 m	30 m
(c) Minimum Front/Flankage Setback	7.5 m	7.5 m
(d) Minimum Rear Setback		
(i) Main building	20 m	7.5 m
(ii) Accessory buildings	10 m	2.4 m
(e) Minimum Side Setback	20 m	4.6 m
(f) Maximum Building Height		
(i) Main building	12 m	12 m
(ii) Accessory buildings	6 m	6 m

### 13.4 Coastal Rural (R6) Zone Development Standards

13.4.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Coastal Rural (R6) Zone unless the following requirements are met:

Requirement	Campground	All Other Permitted Uses
(a) Minimum Lot Area	2 hectares	3,700 m <sup>2</sup>
(b) Minimum Lot Frontage	30 m	30 m
(c) Minimum Front/Flankage Setback	7.5 m	7.5 m
(d) Minimum Rear Setback		
(i) Main building	20 m	7.5 m
(ii) Accessory buildings	10 m	2.4 m
(e) Minimum Side Setback	20 m	4.6 m
(f) Maximum Building Height		
(i) Main building	12 m	12 m
(ii) Accessory buildings	6 m	6 m

### 13.5 Lakeshore Limited Development (SL) Zone Development Standards

13.5.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Lakeshore Limited Development (SL) Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	3,700 m <sup>2</sup>
(b) Minimum Lot Frontage	30 m
(c) Minimum Front/Flankage Setback	7.5 m
(d) Minimum Rear Setback	
(i) Main building	7.5 m
(ii) Accessory buildings	2.4 m
(e) Minimum Side Setback	4.6 m
(f) Maximum Building Height	
(i) Main building	12 m
(ii) Accessory buildings	6 m

### 13.6 Lakeshore Residential (SR) Zone Development Standards

13.6.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Lakeshore Residential (SR) Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	3,700 m <sup>2</sup>
(b) Minimum Lot Frontage	30 m
(c) Minimum Front/Flankage Setback	7.5 m
(d) Minimum Rear Setback	
(i) Main building	7.5 m
(ii) Accessory buildings	2.4 m
(e) Minimum Side Setback	4.6 m
(f) Maximum Building Height	
(i) Main building	12 m
(ii) Accessory buildings	6 m

### 13.7 Resort (Re) Zone Development Standards

13.7.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Resort (Re) Zone unless the following requirements are met:

Requirement	Campground	All Other Permitted Uses
(a) Minimum Lot Area		
(i) Serviced lot	2 hectares	925 m <sup>2</sup>
(ii) Unserviced lot	2 hectares	2,700 m <sup>2</sup>
(b) Minimum Lot Frontage	30 m	30 m
(c) Minimum Front/Flankage Setback	7.5 m	3 m
(d) Minimum Rear Setback		
(i) Main building	20 m	6 m
(ii) Accessory buildings	10 m	2.4 m
(e) Minimum Side Setback	20 m	3 m
(f) Maximum Building Height		
(i) Main building	12 m	15.2 m
(ii) Accessory buildings	6 m	6 m

### 13.8 Rural Commercial (CR) Zone Development Standards

13.8.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Rural Commercial (CR) Zone unless the following requirements are met:

Requirement	Campground	All Other Permitted Uses
(a) Minimum Lot Area	2 hectares	3,700 m <sup>2</sup>
(b) Minimum Lot Frontage	30 m	30 m
(c) Minimum Front/Flankage Setback	7.5 m	7.5 m
(d) Minimum Rear Setback		
(i) Main building	20 m	7.5 m
(ii) Accessory buildings	10 m	2.4 m
(e) Minimum Side Setback	20 m	4.6 m
(f) Maximum Building Height		
(i) Main building	12 m	12 m
(ii) Accessory buildings	6 m	6 m

**Part 13 Changelog**

Reference No.	Effective Date	File or Project	General Nature of Change



# 14 INDUSTRIAL ZONES

Business Park Zone	MB
Heavy Industrial Zone	MH
Fishing and Marine Zone	MF

## 14.1 Special Requirements in Industrial Zones

- 14.1.1 In addition to all other applicable requirements of this Bylaw, uses in the Business Park (MB) Zone, Heavy Industrial (MH) Zone, and Fishing and Marine (MF) Zone shall be subject to the following requirements:

### Abutting Zone Requirements

- (a) Where a commercial or industrial use in the Business Park (MB) Zone or Fishing and Marine (MF) Zone abuts an Urban Serviced Residential Zone, Hamlet Zone, Conservation (O1) Zone, Watershed (W) Zone, Community and Institutions (I) Zone, or a Recreation and Open Space (P) Zone, the following restrictions shall apply to an abutting yard within the Industrial Zone:
  - (i) the minimum side and rear yard setbacks for an abutting yard shall be 12 metres;
  - (ii) outdoor storage and outdoor display shall not be permitted in an abutting yard within 7.5 metres of a side or rear lot line;
  - (iii) parking spaces, driveways and travel surfaces shall not be permitted in an abutting yard within 7.5 metres of a side or rear lot line; and
  - (iv) where open storage and outdoor display, parking spaces, driveways and travel surfaces are located within the 12-metre minimum side and rear setbacks, such uses shall be screened from view by an opaque wooden fence a minimum of 1.8 metres in height.
- (b) Where a commercial or industrial use in the Heavy industrial (MH) Zone abuts an Urban Serviced Residential Zone, Urban Serviced Commercial Zone, Hamlet Zone, Conservation (O1) Zone, Watershed (W) Zone, Community and Institutions (I) Zone, or a Recreation and Open Space (P) Zone, the following restrictions shall apply to an abutting yard within the Industrial Zone:
  - (i) the minimum side and rear yard setbacks for an abutting yard shall be 18 metres;
  - (ii) outdoor storage and outdoor display shall not be permitted in an abutting yard;
  - (iii) parking spaces, driveways, and travel surfaces shall not be permitted in an abutting yard within 7.5 metres of a side or rear lot line;
  - (iv) where parking spaces, driveways, and travel surfaces are located within the 18-metre minimum side and rear setbacks, such uses shall be screened from view by an opaque wooden fence a minimum of 1.8 metres in height; and
  - (v) no vehicle exceeding 1 ton capacity shall be parked within the 18-metre minimum side or rear setback.
- (c) in addition to the provisions of Part 9, where an Industrial Zone abuts an Urban Serviced Residential Zone, Hamlet Zone, Conservation (O1) Zone, Watershed (W) Zone, Community and Institutions (I) Zone, or a Recreation and Open Space (P) Zone, signs located in an abutting yard shall be subject to the following requirements:

- (i) signs shall be non-illuminated except in cases where signage denoting the direction or function of various parts of a building, or premise may be internally illuminated;
- (ii) only directional or business identification signs shall be permitted;
- (iii) the maximum sign area shall be 1.4 square metres;
- (iv) the maximum height of a ground sign from the grade level to the highest part of the sign (including the sign structure) shall be 3.7 metres;
- (v) all signs shall be set back at least 3 metres from the abutting property line.

#### **Accessory Commercial Uses**

- (d) Accessory commercial uses shall be conducted in the main building(s).

#### **Existing Residential Uses**

- (e) Existing residential uses, outlined in Schedule 'C', shall be considered fully conforming uses and shall be permitted to expand.

#### **Open Storage and Outdoor Display**

- (f) The following restrictions shall apply to open storage and outdoor display in an Industrial Zone:
  - (i) open storage or outdoor display shall not be permitted within the minimum front setback except where an opaque fence at least 2.4 metres in height has been erected to screen the outdoor storage or display from abutting properties;
  - (ii) where fencing is provided, the height of open storage and outdoor display shall be limited to 2.4 metres within 7.5 metres of the property line;
  - (iii) the area devoted to open storage or outdoor display shall not exceed 50 percent of the lot area.

## Private Roads

- (g) Notwithstanding Section 6.12, the Development Officer may issue a development permit on private roads created after May 24, 2022 in industrial zones provided:
  - (i) the lot has the equivalent minimum lot frontage on a private road; and
  - (ii) all minimum setbacks shall be measured as if the private road were a public street.

## 14.2 Permitted Uses in Industrial Zones

14.2.1 The following tables shall outline the permitted uses in the Business Park (MB) Zone, Heavy Industrial (MH) Zone, and Fishing and Marine (MF) Zone, subject to the following scheme:

- (a) Uses denoted with a “P” shall be permitted subject to all requirements of this Bylaw, and to any sections noted in the “Special Req’s” column.
- (b) Uses denoted with an “S” shall be permitted by site plan approval and subject to Part 17 of this Bylaw.
- (c) Uses denoted with a “DA” shall be permitted by development agreement, subject to the following Municipal Planning Strategy Policies:
  - (i) Salvage Yard – MPS Policy 4-30
  - (ii) Solid Waste Disposal – MPS Policy 4-30
  - (iii) Wind Turbine Generator – Large – MPS Policy 4-29
- (d) Uses denoted with a “-” or not listed in the table shall not be permitted.

## Commercial and Industrial Uses in Industrial Zones

	MB	MH	MF	SPECIAL REQ'S
Abattoir	-	P	-	
Accessory Commercial Uses	P	P	-	S14.1.1 (d)
Airport	-	P	-	
Aggregate Related Industries	-	P	-	
Agricultural Uses	-	P	-	
Agriculture Related Industries	P	P	-	
Animal Care	P	-	-	
Automobile Body Shop	P	P	-	S7.2
Automobile Repair Shop	P	P	-	S7.2
Automobile Sales	P	-	-	
Automobile Service	P	P	-	S7.3
Boat and Marine Sales	P	-	P	
Building Materials and Equipment Depots	P	P	-	
Construction Facilities	-	P	-	
Display Court	P	-	-	
Electric Vehicle Charging - Commercial	P	P	-	
Electricity Production Industries	-	P	-	
Fish Processing – Excluding Fishmeal Processing	-	P	P	
Including Fishmeal Process	-	P	-	
Fishery Related Industries	-	P	P	
Forestry Uses	P	P	-	
Heavy Equipment Sales and Rentals	P	-	-	
Kennel	P	-	-	
Licensed Liquor Establishment	P	-	-	
Light Manufacturing	P	P	P	
Manufacturing	-	P	-	
Marina	-	-	P	
Post Office	P	-	-	
Radio and Television Stations	P	P	-	
Recycling Depot	P	P	-	
Restaurant –				

	MB	MH	MF	SPECIAL REQ's
Drive-through	S	S	-	
Eat-in	P	P	-	
Take-out	P	P	-	
Retail Lumber and Home Improvement Yard	P	P	-	
Retail Store	P	-	-	
Salvage Yard	-	DA	-	
Self Storage Facility	P	-	-	
Service and Repair Shop	P	P	-	
Solar Collector System – Commercial	P	P	-	
Solid Waste Disposal	-	DA	-	
Solid Waste Transfer Facility	P	P	-	
Taxi and Bus Stations	P	-	-	
Transportation Services	P	P	-	
Warehouse	P	P	P	
Wind Turbine Generator – Large	-	DA	DA	
Wind Turbine Generator – Small	P	P	P	S7.19

P = permitted | S = site plan approval | DA = development agreement

### Other Uses in Industrial Zones

	MB	MH	MF	SPECIAL REQ's
Animal Shelter	P	-	-	
Cemetery	P	-	-	S7.4
Emergency Services	P	P	-	
Expansion of a Non-conforming Use	S	S	S	
Marine Recreation Provider	P	P	P	
Parks and Playgrounds	P	P	-	S7.11
Private Club	P	-	P	
Recreation Centre	P	-	-	
Recreational Uses	P	P	P	
School – Commercial	P	-	-	
Trails and Conservation Uses	P	P	P	S7.17

P = permitted | S = site plan approval | DA = development agreement

### 14.3 Business Park (MB) Zone Requirements

14.3.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Business Park (MB) Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	
(i) Serviced lot	925 m <sup>2</sup>
(ii) Unserviced lot	2,700 m <sup>2</sup>
(b) Minimum Lot Frontage	30 m
(c) Minimum Front/Flankage Setback	3 m
(d) Minimum Rear Setback	6 m
(e) Minimum Side Setback	6 m
(f) Maximum Building Height	15.2 m

### 14.4 Heavy Industrial (MH) Zone Development Standards

14.4.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Heavy Industrial (MH) Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	5,500 m <sup>2</sup>
(b) Minimum Lot Frontage	45 m
(c) Minimum Front/Flankage Setback	12 m
(d) Minimum Rear Setback	12 m
(e) Minimum Side Setback	12 m
(f) Maximum Building Height	30.5 m

## 14.5 Fishing and Marine (MF) Zone Development Standards

14.5.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Fishing and Marine (MF) Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	3,700 m <sup>2</sup>
(b) Minimum Lot Frontage	30 m
(c) Minimum Front/Flankage Setback	12 m
(d) Minimum Rear Setback	12 m
(e) Minimum Side Setback	6 m
(f) Maximum Building Height	15.2 m

### Part 14 Changelog

Reference No.	Effective Date	File or Project	General Nature of Change



# 15 SHARED ZONES

Land Lease Residential Zone	LL
Highway Commercial Zone	CH
Recreation and Open Space Zone	P
Community and Institutions Zone	I

## 15.1 Special Requirements in Shared Zones

- 15.1.1 In addition to all other applicable requirements of this Bylaw, uses in the Land Lease Residential (LL) Zone, Highway Commercial (CH) Zone, Recreation and Open Space (P) Zone, and Community and Institutions (I) Zone shall be subject to the following requirements:

### Existing Residential Uses

- (a) Existing residential uses, outlined in Schedule 'C', shall be considered fully conforming uses and shall be permitted to expand.

### Mobile Homes

- (b) Mobile homes shall include visual skirting around the base of the dwelling, so as to screen the area located from grade to the base of the structure.
- (c) Nothing in this Bylaw shall exempt any person from complying with the provisions of the Region of Queens Mobile Home Bylaw.

### Private Roads

- (d) Notwithstanding Section 6.12, the Development Officer may issue a development permit on private roads created after May 24, 2022 in shared zones provided:
- (i) the lot has the equivalent minimum lot frontage on a private road; and
- (ii) all minimum setbacks shall be measured as if the private road were a public street.

## 15.2 Permitted Uses in Shared Zones

15.2.1 The following tables shall outline the permitted uses in the Land Lease Residential (LL) Zone, Highway Commercial (CH) Zone, Recreation and Open Space (P) Zone, and Community and Institutions (I) Zone, subject to the following scheme:

- (a) Uses denoted with a “P” shall be permitted subject to all requirements of this Bylaw, and to any sections noted in the “Special Req’s” column.
- (b) Uses denoted with an “S” shall be permitted by site plan approval and subject to Part 17 of this Bylaw.
- (c) Uses denoted with a “DA” shall be permitted by development agreement, subject to the following Municipal Planning Strategy Policies:
  - (i) Correctional Facility – MPS Policy 4-79
  - (ii) Wind Turbine Generator – Large – MPS Policy 4-29
- (d) Uses denoted with a “-” or not listed in the table shall not be permitted.



## Residential Uses in Shared Zones

	LL	CH	P	I	SPECIAL REQ's
Home-based Business – Level 1	-	P	-	-	S7.7
Land Lease Community	P	-	-	-	
Mobile Home	P	-	-	-	S15.1.1(b) & (c)
Nursing Home	-	-	-	P	
Small Options Home	-	-	-	P	

P = permitted | S = site plan approval | DA = development agreement

## Commercial and Industrial Uses in Shared Zones

	LL	CH	P	I	SPECIAL REQ's
Automobile Repair Shop	-	P	-	-	S7.2
Automobile Service	-	P	-	-	S7.3
Commercial Recreation – Outdoor	-	-	P	-	
Convenience Store	-	P	-	-	
Day Care Centre	-	-	-	P	
Display Court	-	P	-	-	
Electric Vehicle Charging - Commercial	-	P	-	-	
Heavy Equipment Sales and Rentals	-	P	-	-	
Marina	-	-	P	-	
Restaurant –					
Drive-through	-	P	-	-	
Eat-in	-	P	-	-	
Take-out, less than 20 m <sup>2</sup> GFA	-	P	P	-	
Take-out, 20 m <sup>2</sup> or more GFA	-	P	-	-	
School –					
Academic	-	-	-	P	
Post-secondary	-	-	-	P	
Taxi and Bus Stations	-	P	-	-	
Wind Turbine Generator – Large	-	-	DA	-	
Wind Turbine Generator – Small	-	P	P	P	S7.19

P = permitted | S = site plan approval | DA = development agreement



## Other Uses in Shared Zones

	LL	CH	P	I	SPECIAL REQ'S
Cemetery	P	-	-	P	S7.4
Community Centre	-	-	-	P	
Correctional Facility	-	-	-	DA	
Cultural Facilities	-	-	-	P	
Emergency Services	-	P	-	P	
Expansion of a Non-conforming Use	S	S	S	S	
Extended Care Facility	-	-	-	P	
Government Buildings and Uses	-	P	-	P	
Hospital	-	-	-	P	
Interpretive Centre	-	P	P	P	
Marine Recreation Provider	-	-	P	-	
Medical Clinic	-	-	-	P	
Parks and Playgrounds	P	P	P	P	S7.11
Place of Worship	-	-	-	P	
Private Club	-	-	-	P	
Recreation Centre	-	-	P	P	
Recreational Uses	P	-	P	P	
Trails and Conservation Uses	P	P	P	P	S7.17

P = permitted | S = site plan approval | DA = development agreement

### 15.3 Land Lease Residential (LL) Zone Development Standards

15.3.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Land Lease Residential (LL) Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	5,500 m <sup>2</sup>
(b) Minimum Lot Frontage	90 m
(c) Minimum Front/Flankage Setback	7.6 m
(d) Minimum Rear Setback	7.6 m
(e) Minimum Side Setback	7.6 m
(f) Minimum Distance Between Mobile Homes	6.1 m
(g) Maximum Building Height	7.6 m

### 15.4 Highway Commercial (CH) Zone Development Standards

15.4.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Highway Commercial (CH) Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	
(i) Serviced lot	920 m <sup>2</sup>
(ii) Unserviced lot	2,700m <sup>2</sup>
(b) Minimum Lot Frontage	15 m
(c) Minimum Front/Flankage Setback	3 m
(d) Minimum Rear Setback	6 m
(e) Minimum Side Setback	6 m
(f) Maximum Building Height	15 m



## 15.5 Recreation and Open Space (P) Zone Development Standards

15.5.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Recreation and Open Space (P) Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	3,700 m <sup>2</sup>
(b) Minimum Lot Frontage	30 m
(c) Minimum Front/Flankage Setback	6 m
(d) Minimum Rear Setback	6 m
(e) Minimum Side Setback	6 m

## 15.6 Community and Institutions (I) Zone Development Standards

15.6.1 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Community and Institutions (I) Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	
(i) Serviced lot	920 m <sup>2</sup>
(ii) Unserviced lot	3,700m <sup>2</sup>
(b) Minimum Lot Frontage	30 m
(c) Minimum Front/Flankage Setback	3 m
(d) Minimum Rear Setback	6 m
(e) Minimum Side Setback	3 m
(f) Maximum Building Height	15.2 m

### Part 15 Changelog

Reference No.	Effective Date	File or Project	General Nature of Change

# 16 PROTECTIVE ZONES

Conservation Zone

01

Watershed Zone

W

## 16.1 Conservation (O1) Zone

### Uses Permitted As-of-Right

16.1.1 The following uses shall be permitted in the Conservation (O1) Zone, subject to all applicable requirements of this Bylaw:

- (a) Parks and Playgrounds
- (b) Trails and Conservation Uses

### Uses Permitted by Site Plan Approval

16.1.2 The following uses shall be permitted in the Conservation (O1) Zone, subject to Part 17 and all applicable requirements of this Bylaw:

- (a) Expansion of a Non-conforming Use

### Development Standards

16.1.3 Except as otherwise permitted by this Bylaw, the Development Officer shall not issue a development permit for a use on a lot in the Conservation (O1) Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	0 m <sup>2</sup>
(b) Minimum Lot Frontage	0 m
(c) Minimum Front/Flankage Setback	0 m
(d) Minimum Rear Setback	0 m
(e) Minimum Side Setback	0 m
(f) Maximum Building Height	15.2 m

## 16.2 Watershed (W) Zone

### Uses Permitted As-of-Right

16.2.1 The following uses shall be permitted in the Watershed (W) Zone, subject to all applicable requirements of this Bylaw:

- (a) Municipal Water Treatment Facilities

### Part 16 Changelog

Reference No.	Effective Date	File or Project	General Nature of Change

# 17 SITE PLAN APPROVAL CRITERIA

## 17.1 Drive-through Restaurants

- 17.1.1 Where a zone permits drive-through restaurants by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use Bylaw and the following matters have been addressed:
- (a) Layout and Design
    - (i) Only one drive-through restaurant shall be permitted on a lot.
    - (ii) Main structures associated with the drive-through restaurant shall have their primary facades oriented toward a street.
    - (iii) When a drive-through restaurant is within 60 metres of a dwelling, the intercom shall be located in a manner as to minimize noise.
  - (b) Circulation
    - (i) Drive-through stacking lanes, and all associated entrances and exits to stacking lanes, shall be separated from parking areas, points of access, and the street using landscaped strips and islands.
    - (ii) Stacking lanes shall not be located closer to the front lot line than the main building.
    - (iii) Entrances to stacking lanes shall be configured so as to minimize conflict with vehicle access points from the street or on-site automobile parking.
    - (iv) Stacking lanes shall provide an adequate number of queuing spaces to accommodate peak demand for the proposed use.
    - (v) There shall be a clear and distinct separation of vehicular and pedestrian traffic to minimize potential conflicts. Pedestrian walkways shall be provided to allow safe access to the building entrance(s) from both the parking lot and the street/sidewalk.
    - (vi) Landscaping, paving patterns, raised walkways, and/or other design treatments shall be used to differentiate pedestrian walkways to and from the building from driving surfaces.
    - (vii) Signage shall not obstruct pedestrian routes.
  - (c) Landscaping
    - (i) Areas not used for structures, solid waste handling, automobile parking and circulation, pedestrian walkways, outdoor eating areas, or drive-through infrastructure shall be landscaped. Such landscaping shall consist of a combination of sod, decorative native grasses, trees, shrubs, flowers, mulch, fountains, ponds, and/or decorative pavers.
    - (ii) The view of stacking lanes, menus, intercoms, and other associated infrastructure shall be screened from streets and abutting properties by vegetated buffers.
  - (d) Servicing and Utilities
    - (i) All utility equipment shall be enclosed within a building or screened from the street and adjacent properties. Utility equipment includes, but is not limited to, utility boxes, meters, and air compressors.

- (ii) Solid waste handling areas shall be located in the main building or within an enclosure with the same or complimentary materials as the building and with a wall height sufficient to conceal solid waste dumpsters.
- (iii) The noise impacts of ordering board speakers, outdoor loading areas, and outdoor solid waste handling areas on noise-sensitive uses, such as residential areas and schools, shall be minimized.
- (iv) Approaches for noise attenuation may include, but are not limited to, careful siting of noise-generating facilities or the use of physical noise buffers, such as berms or sound walls.
- (v) At least two waste and recycling bin stations shall be placed outside a drive through restaurant. The property owner shall empty waste and recycling bins regularly and ensure litter is regularly removed from the property.

## 17.2 Dwellings in Commercial Buildings

17.2.1 Dwellings in commercial buildings may be permitted by site plan approval, subject to the site plan criteria in subsection 17.2.2 and all other applicable requirements of this Land Use Bylaw being met, provided:

(i) Dwellings located on the ground floor of commercial buildings shall be located to the rear of permitted commercial use(s).

(ii) Ground floor commercial use(s) shall extend across the full width of the building facade from which the building gains its principal access, excluding entrance(s) for residential uses. In the case of through lots that have frontage on Main Street, a building's principal access shall be deemed to be off Main Street.

(iii) On corner lots, ground floor commercial use(s) shall wrap around the corner from the front lot line along the flankage lot line to a minimum distance of 5 metres or 50 percent of the building depth, whichever is less.

(iv) Ground floor commercial use(s) shall maintain a minimum horizontal depth of 3.66 meters (12 feet) from the front facade which the building gains its principal access and is measured perpendicularly from the outside wall of that facade.

(v) Ground floor commercial use(s) shall maintain a minimum floor area of 27.88 square metres (300 square feet) per unit.

(vi) In buildings constructed after May 24, 2022, ground-floor residential uses shall have a floor-to-floor height of no less than 4 metres.

17.2.2 The following site plan criteria apply to dwellings in commercial buildings permitted through the site plan approval process. No development permit shall be issued for development that is inconsistent with these criteria, in addition to all other requirements of this Land Use Bylaw:

(a) Access

(i) Entrance(s) to residential uses shall be separate from the entrances for other uses.

(ii) Residential entrances shall not exceed a width of 2 metres on the front facade.

### 17.3 Expansion of a Non-conforming Use

17.3.1 Where a zone permits the expansion of non-conforming uses by site plan approval, the Development Officer shall approve a site plan agreement where the requirements of this Land Use Bylaw and the following matters have been addressed:

(a) Use Requirements

- (i) If the use is listed in the zone as a use permitted as-of-right, but is otherwise non-conforming for reasons such as, but not limited to, setbacks or other zone requirements, the conditions that prevents the proposal from being permitted as-of-right in the zone shall be addressed by the site plan. Measures to address these conditions may include, but are not limited to, enhanced buffering and the positioning and design of buildings and structures.
- (ii) If the use is not listed in the zone as a use permitted as-of-right, the site plan shall control the expansion 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.

## 17.4 Grouped Dwellings, Multi-unit Dwellings, Nursing Homes, and Residential Care Facilities

17.4.1 Where a zone permits grouped dwellings, multi-unit dwellings, nursing homes, or residential care facilities by site plan approval, the Development Officer shall approve a site plan agreement where the requirements of this Land Use Bylaw and the following matters have been addressed:

- (a) Design
  - (i) Blank walls shall not be permitted at grade along any street frontage.
  - (ii) Except for those located below a height of 1.8 metres, decks shall not be permitted within 10 metres of any lot line adjacent to a single-unit dwelling, duplex dwelling, or semi-detached dwelling existing at the time of site plan approval application.
- (b) Servicing and Utilities
  - (i) All utility equipment shall be enclosed within a building or screened from the street. Utility equipment includes, but is not limited to, utility boxes, meters, and air compressors.
  - (ii) Enclosed facilities for solid waste shall be provided for the use of residents. These facilities shall accommodate the number of waste stream collection types (e.g. garbage, compost, recycling) provided in the municipality at the time of permitting. These may be provided as a central collection point or, where appropriate, individual facilities for each dwelling unit. Adequate access shall be provided to the solid waste collection facilities.
- (c) Landscaping
  - (i) Areas not used for structures, solid waste handling, automobile parking and circulation, or pedestrian walkways shall be landscaped. Such landscaping shall consist of a combination of sod, decorative native grasses, trees, shrubs, flowers, mulch, fountains, ponds, and/or decorative pavers.
- (d) Pedestrian and Active Transportation Connections
  - (i) The primary entrance(s) of all dwelling units shall be connected to the nearest street right-of-way and to any adjacent active transportation route identified in a municipal active transportation plan by means of a barrier-free (accessible) pedestrian walkway at least 1.5 metres in width and paved with asphalt, concrete, bricks, or interlocking pavers.
- (e) Lighting
  - (i) All exterior lighting shall be of a full cutoff type and shall not emit light above the horizontal.

## 17.5 Home-based Businesses

- 17.5.1 Where a zone permits level 2 home-based businesses by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use Bylaw and the following matters have been addressed:
- (a) Parking Areas
    - (i) Parking lots and driveways for the use of non-resident staff and patrons shall not be located in any minimum setback that abuts a dwelling, academic school, or place of worship.
    - (ii) Parking lots for the use of non-resident staff and patrons shall be screened from view of adjacent dwellings, academic schools, and places of worship.
  - (b) Outdoor Storage
    - (i) Outdoor storage shall be located in a defined area and screened as necessary from view of adjacent dwellings, academic schools, and places of worship.

## 17.6 Licensed Liquor Establishments

- 17.6.1 Where a zone permits licensed liquor establishments by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use Bylaw and the following matters have been addressed:
- (a) Design
    - (i) The proposal shall include provision for sound insulation and location requirements for doors, windows, fire exits, and any other architectural feature that will reduce the emission of noise or lessen the effect of any other nuisances, provided that these features are not inconsistent with the requirements of the Building Code Act or the Fire Prevention Act.
    - (ii) Outdoor decks and patios shall be located and screened as appropriate to minimize their effect on adjacent uses.
    - (iii) The main building shall have its primary façade and public entrance located facing the street.
  - (b) Parking Areas
    - (i) Parking lots and driveways for the use of patrons shall not be located in any minimum setback that abuts a dwelling, academic school, or place of worship.
    - (ii) Parking lots shall be screened from view of adjacent dwellings, academic schools, and places of worship by privacy fences.

## 17.7 Light Manufacturing

17.7.1 Where a zone permits light manufacturing by site plan approval, the Development Officer shall approve a site plan agreement where the requirements of this Land Use Bylaw and the following matters have been addressed:

- (a) Building Location and Design
  - (i) Ground-level front and flankage façades shall be designed with a façade treatment that gives the visual appearance of a building articulated with ‘window’ openings.
  - (ii) A well-identified customer entrance shall be provided on the side of the building facing the front lot line.
- (b) Servicing and Utilities
  - (i) All utility equipment shall be enclosed within a building or screened from view of the street. Utility equipment includes, but is not limited to, utility boxes, meters, and air compressors.
  - (ii) Facilities for solid waste collection shall be screened from view of the street and adjacent dwellings.
- (c) Lighting
  - (i) All exterior lighting shall be of a full cutoff type and shall not emit light above the horizontal.
  - (ii) Exterior lighting shall not cause glare on adjacent properties.
- (d) Loading Areas
  - (i) Loading areas shall be located and, if necessary, screened so as to minimize impacts on adjacent uses, particularly residential uses.

## 17.8 New Commercial Buildings

17.8.1 Where a zone permits new commercial buildings by site plan approval, the Development Officer shall approve a site plan agreement where the requirements of this Land Use Bylaw and the following matters have been addressed:

- (a) Building Location and Design
  - (i) The maximum front setback shall be 6 metres.
  - (ii) Ground-level front and flankage façades shall be designed with a façade treatment that gives the visual appearance of a building articulated with ‘window’ openings.
  - (iii) A well-identified customer entrance shall be provided on the side of the building facing the front lot line.
- (b) Parking Design and Access
  - (i) All parking spaces and access aisles shall be surfaced with asphalt, concrete, bricks, decorative pavers, or a combination of these materials.
  - (ii) Individual parking spaces shall be delineated with painted lines or through the varying of surface materials.
  - (iii) Parking lots with more than 20 parking spaces shall be divided into separate parking areas, each of not more than 20 parking spaces, through the use of curbed and vegetated “landscaped islands”, and/or by curbed pedestrian pathways a minimum of 1.5 metres in width.
  - (iv) At least 1 bicycle parking space meeting the standards of this Bylaw shall be provided for every 10 parking spaces.
  - (v) Vehicular access points shall be limited to two per street frontage.
  - (vi) Vehicular access points shall not be wider than 7 metres.
  - (vii) Subject to the Engineer’s approval, sidewalks meeting the Municipality’s standards and located within the road right-of-way shall be provided along all front and flankage lot lines.
- (c) Servicing and Utilities
  - (i) All utility equipment shall be enclosed within a building or screened from view of the street. Utility equipment includes, but is not limited to, utility boxes, meters, and air compressors.
  - (ii) Facilities for solid waste collection shall be screened from view of the street and adjacent dwellings.
- (d) Lighting
  - (i) All exterior lighting shall be of a full cutoff type and shall not emit light above the horizontal.
  - (ii) Exterior lighting shall not cause glare on adjacent properties.

## 17.9 Parking Lots and Structures

17.9.1 Where a zone permits parking lots or structures by site plan approval, the Development Officer shall approve a site plan agreement where the requirements of this Land Use Bylaw and the following matters have been addressed:

- (a) Parking Areas
  - (i) All parking spaces and access aisles shall be surfaced with asphalt, concrete, bricks, decorative pavers, or a combination of these materials.
  - (ii) Individual parking spaces shall be delineated with painted lines or through the varying of surface materials.
  - (iii) Parking lots with more than 20 parking spaces shall be divided into separate parking areas, each of not more than 20 parking spaces, through the use of curbed and vegetated “landscaped islands”.
  - (iv) At least 1 bicycle parking space meeting the standards of Section 8.7 of this Bylaw shall be provided for every 10 parking spaces.
- (b) Drainage
  - (i) All storm water shall be channeled into a drainage system fitted with an oil separator.
- (c) Landscaping
  - (i) Plant species used shall be salt-tolerant.
  - (ii) Landscaped areas shall provide visual interest through the mixing of plant species with different heights.
- (d) Perimeter
  - (i) Parking lot edges adjacent to dwellings shall be screened by a privacy fence.
  - (ii) Except for access points, parking lot edges adjacent to streets shall be delineated with appropriately-spaced shade trees interspersed with low shrubs, decorative planters, pedestrian benches, decorative walls/fences not exceeding 1 metre in height, or a combination of these treatments.

- (e) Access
  - (i) Vehicular access points shall be limited to one per street frontage.
  - (ii) Vehicular access points shall not be wider than 7 metres.
  - (iii) Pedestrian access points shall be separated from vehicular access points.
  - (iv) A minimum of one pedestrian access point shall be provided per street frontage.
  - (v) Pedestrian access points shall be between 1.5 and 2 metres wide.
  - (vi) Access points shall provide clear sightlines between exiting vehicles and pedestrians and cyclists.
- (f) Structure Design
  - (i) Ground-level street frontages of parking structures shall be designed with a façade treatment that gives the visual appearance of a building articulated with ‘window’ openings.
- (g) Lighting
  - (i) All exterior lighting shall be of a full cutoff type and shall not emit light above the horizontal.
  - (ii) Exterior lighting shall not cause glare on adjacent properties.

## 17.10 Retail Lumber and Home Improvement Yards

17.10.1 Where a zone permits retail lumber and home improvement yards by site plan approval, the Development Officer shall approve a site plan agreement where the requirements of this Land Use Bylaw and the following matters have been addressed:

- (a) Loading Areas
  - (i) Loading areas shall be located and, if necessary, screened so as to minimize impacts on adjacent uses, particularly residential uses.
- (b) Lighting
  - (i) All exterior lighting shall be of a full cutoff type and shall not emit light above the horizontal.
  - (ii) Exterior lighting shall not cause glare on adjacent properties.
- (c) Enclosure and Screening
  - (i) The lumber and building supplies shall be contained within a fenced enclosure.
  - (ii) Fencing adjacent to a lot containing a dwelling, academic school, or place of worship shall be opaque or fully screened with vegetation to a minimum height of 1.8 metres.

## Part 17 Changelog

Reference No.	Effective Date	File or Project	General Nature of Change
1	December 11, 2025		Amendments to Site Plan Approval provisions respecting Dwellings in Commercial Buildings, under Section 17.2.

## 18 DEFINITIONS

### A

**ABATTOIR** means the use of a building, structure, or part thereof, for slaughtering animals but does not include the slaughtering of game animals for personal use.

**ACCESSORY BUILDING** means a separate building located on the same lot as the main building or principal use, and of a nature customarily and clearly subordinate and incidental to the main building or main use of land.

**ACCESSORY STRUCTURE** means a separate structure located on the same lot as the main building or principal use, and of a nature customarily and clearly subordinate and incidental to the main building or main use of land.

**ACCESSORY USE** means a use subordinate and naturally incidental to a main use of land or building located on the same lot.

**AGGREGATE RELATED INDUSTRIES** means buildings, structures, land, or part thereof, used for aggregate processing, storage, and related uses including, but not limited to, asphalt processing, concrete batching and component manufacturing, sand pit operations, and mineral bulk storage.

**AGRICULTURAL USES** means the use of land, buildings, or structures for the commercial cultivation of crops, bee keeping, and/or animal pasturing, but excludes gardening, including small-scale commercial market gardens, and excludes buildings for the raising or overnight accommodation of livestock, which is covered by the definitions of intensive livestock operation and household livestock operation.

**AGRICULTURE RELATED INDUSTRIES** means the use of land, buildings, or structures for processing and storage of agricultural crops; fertilizer production; veterinary care for livestock; on-farm brewing, wine-making, and similar uses; the sale of farm produce to the general public; and tourism activities related to on-site agricultural activities, such as u-picks or hay rides; but excludes the processing of animals, which is covered by the definition of abattoir.

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

**ANIMAL SHELTER** means a facility that holds or boards seized, surrendered, abandoned, or lost domestic pets (e.g. dogs, cats, birds), but does not include livestock.

**ART GALLERY / STUDIO** means a building, place, or area where paintings, sculptures, or other works of art are produced, exhibited, and/or sold.

**AUTOMOBILE BODY SHOP** means a building or premises used primarily for the commercial repair of damage to the chassis of an automobile, including major and minor collision damage, frame and panel straightening, repainting and refinishing and similar activity.

**AUTOMOBILE REPAIR SHOP** means a building or part of a building used 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.

**AUTOMOBILE SERVICE** means a building or part of a building 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.

**AWNING** means an overhead structure supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework, used to shelter a window or doorway.

## B

**BED & BREAKFAST** means a single-unit dwelling in which there is a resident owner or resident manager who provides overnight accommodation to the travelling public and provides at least one meal (usually breakfast, but occasionally other meals as well) to overnight guests. The bed & breakfast use shall not include provision of meals to non-guests.

**BOARDING HOUSE** means a dwelling in which the proprietor supplies either room or room and board for monetary gain and which is not open to the public.

**BOAT HOUSE** means a structure used for the storage of watercraft.

**BUILDING** means any structure, whether temporary or permanent, that is roofed and that is used for the shelter or accommodation of persons, animals, material, or equipment but does not include frames for sheltering crops.

**BUILDING & CONSTRUCTION CONTRACTOR** means the use of buildings or land for the storage of materials and small tools in support of a building and construction-related trade such as, but not limited to, carpenters, electricians, masons, and plumbers, but does not include the storage of heavy equipment.

**BUILDING OFFICIAL** means the person or persons, or designate, appointed by Council from time to time to administer the Building Bylaw.

**BUSINESS OR PROFESSIONAL OFFICE** means the use of a building or portion of a building where business may be transacted, a service performed or consultation given, and includes but is not limited to offices lawyers, architects, engineers, planners, accountants, real estate agents, and photographers but shall not include any place where manufacturing of any product or selling of goods is carried on.

## C

**CAMPGROUND** means the use of land, or part thereof, for providing an overnight camping experience in tents, yurts, bunkies, travel trailers, recreational vehicles, campers, and similar structures and/or vehicles, where the number of camping sites and recreational vehicles parked for the purposes of providing accommodations (combined) exceeds two. For greater clarity, and without limiting the generality of the foregoing, uses accessory to a campground may include convenience stores, laundries, take-out restaurants, recreational facilities, halls, and management offices provided such uses are for the exclusive use of campground patrons.

**CARPORT** means an open-side structure intended for the sheltering of automobiles from the elements and may include decorative screening but shall not include enclosing walls.

**CEMETERY** means the land used 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.

**COMMERCIAL RECREATION, INDOOR** means a building or part of a building used for commercial recreation or entertainment purposes and, without limiting the generality of the foregoing, may include such establishments as dance halls, cinemas, billiard or pool halls, bowling alleys, indoor miniature golf courses, indoor shooting ranges, indoor paintball fields, and bingo halls.

**COMMERCIAL RECREATION, OUTDOOR** means the use of land for commercial recreation or entertainment purposes together with necessary and accessory buildings and structures and, without limiting the generality of the foregoing, may include such establishments as golf courses, driving ranges, paintball fields, drive-in movie theatres, outdoor miniature golf courses, ropes courses, tennis clubs, and summer camps, but does not include campgrounds, RV parks, outdoor shooting ranges, tracks for the racing of animals or for the racing of any type of motor vehicle, or any use that is obnoxious. For greater clarity, and without limiting the generality of the foregoing, uses accessory to outdoor commercial recreation may include uses such as, but not limited to, eat-in and take-out restaurants; licensed liquor establishments; “pro shops” and other rental, maintenance, and retail sales of equipment related to the recreation activity; spas; child minding services; and staff accommodations.

**COMMUNITY CENTRE** means any tract of land, or building(s), 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, service club, recreation association, or registered community association.

**CONSTRUCTION FACILITY** means a building or part of a building used for the construction, development, redevelopment or rehabilitation of residential, commercial, institutional, and industrial buildings, real estate and road building, and such uses are often characterized by the outdoor storage of equipment, machines, vehicles, and building supplies.

**CONVENIENCE STORE** means a building or part of a building used for the retail sale of a limited line of grocery and confectionary items, which serve the needs of the local neighbourhood, and does not exceed 235 square metres in gross floor area.

**CORNER VISION TRIANGLE** means the area of a corner lot that is enclosed by a triangle, the apex of which is the intersection of the flanking lot line and the front lot line, two sides of which triangle are 6 metres in length measured from said point of intersection along the said lines and the base of which triangle is formed by a straight line joining the said exterior lot lines at the said points 6 metres from the intersection.

**COUNCIL** means the Council of Region of Queens Municipality.

**CRAFT PRODUCT** means products assembled or made by hand or small custom production processes including but not limited to potters, pewterers, goldsmiths, silversmiths, jewelers, toy makers, leather workers, upholsterers, woodworkers, furniture makers, musical instrument makers, clothing designers and makers, shoemakers, antique refinishers, glass or stained glass workers, and caterers.

**CRAFT SHOP** means a building or part of a building where craft products are offered for sale to the general public.

**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.

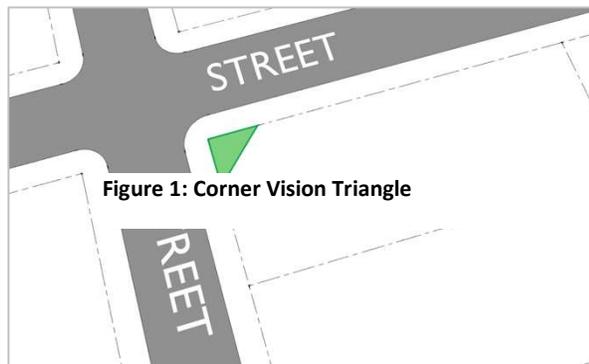


Figure 1: Corner Vision Triangle

## D

**DAY CARE CENTRE** means a place where people are cared for without overnight accommodation, but does not include a school.

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

**DEVELOPMENT AGREEMENT** means a legal agreement between Council and a property owner governing the use of the property owner's land, as enabled by the Municipal Government Act and Municipal Planning Strategy, and registered on title.

**DEVELOPMENT OFFICER** means the person or persons, or designate, appointed by Council from time to time to administer the Land Use Bylaw and Subdivision Bylaw.

**DISPLAY COURT** means the use of land for the outdoor display and sale of large household or recreational items such as, but not limited to, all-terrain vehicles, hot tubs, swimming pools, and recreational vehicles. This definition shall include the display and sale of prefabricated homes but shall not include heavy equipment sales and rental or boat and marine sales.

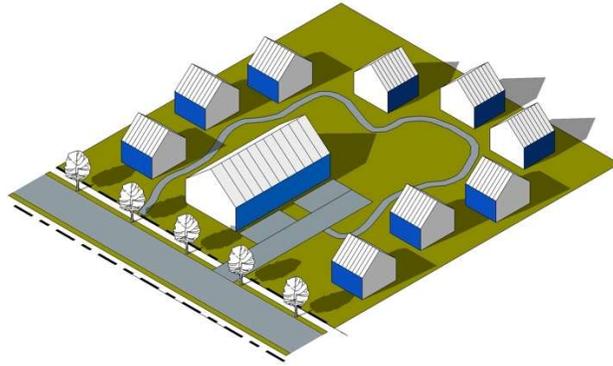
**DWELLING** means a building or a part of a building occupied or capable of being occupied as a home or residence by one or more persons, containing one or more dwelling units, and shall include a modular home but shall not include a fixed-roof overnight accommodation, mobile home, or recreational vehicle.

**DWELLING, ACCESSORY** means a subservient dwelling either located within a single-unit dwelling or in a building on a lot with a single-unit dwelling.

**DWELLING, CONVERTED** means a single-unit dwelling converted to contain a greater number of dwelling units than the dwelling contained prior to that conversion.

**DWELLING, DUPLEX** means a building that is divided horizontally into two dwelling units, each of which have an independent entrance either directly from outside the building or through a common vestibule.

**DWELLINGS, GROUPED** means three or more dwelling units contained in two or more dwellings located on a single lot.



**Figure 2: Grouped Dwelling**

**DWELLING, MULTI-UNIT** means a dwelling containing four or more dwelling units, but does not include a row house dwelling or a dwelling that is part of grouped dwellings.

**DWELLING, ROW HOUSE** means a dwelling divided vertically into four or more dwelling units, each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.

**DWELLING, SINGLE-UNIT** means a dwelling containing one dwelling unit or one dwelling unit and an accessory dwelling.

**DWELLING, SEMI-DETACHED** means a dwelling that is divided vertically into two dwelling units by a solid common wall, each of which has an independent entrance either directly or through a common vestibule.

**DWELLING, TRIPLEX** means a dwelling divided horizontally or vertically into three dwelling units, each of which has an independent entrance either directly or through a common vestibule.

**DWELLING UNIT (“DU”)** means one or more habitable rooms within a dwelling designed, occupied, or intended for use by one or more individuals as an independent and separate housekeeping establishment in which cooking, sleeping, and sanitary facilities are provided for the exclusive use of such individual or individuals.

## E

**ELECTRICAL VEHICLE CHARGING** means infrastructure that supplies energy for the charging of electric vehicles such as plug-in electric and hybrid vehicles.

**EMERGENCY SERVICES** means a building or use of 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.

**EQUESTRIAN FACILITIES** means the land, buildings or structures used for the boarding or training of horses, ponies, or riders, and the staging of equestrian events.

**ERECT** means to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing shall 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 legally existing on the indicated date or, where no date is indicated, legally existing on the effective date of this Bylaw. For streets and private roads, the date the street or private road was shown on a plan of subdivision tentatively approved by the Municipality shall be used to determine whether or not it was existing on an indicated date.

**EXTENDED CARE FACILITY** means a medical institution that provides prolonged care (as in cases of prolonged illness or rehabilitation from acute illness) or end-of-life (hospice) care.

## F

**FARM MARKET** means the use of land, buildings, structures, or part thereof for the purpose of selling seasonal fresh produce, meat, fish, craft products, and ready-to-eat food by independent vendors.

**FISHERY RELATED INDUSTRIES** means the use of land, buildings, or part thereof in support of the fishery and without limiting the generality of the foregoing includes commercial storage of fishing vessels, gear, and other related materials; docks; boat launches; and repair facilities; but does not include fish processing.

**FISHING VESSEL** means any watercraft engaged on a part-time or full-time basis for use in the commercial fishery.

**FIXED-ROOF OVERNIGHT ACCOMODATION** means a building, buildings on the same lot, or part thereof used to accommodate the travelling public for gain or profit by supplying them with overnight sleeping accommodation with or without meals, with or without on-site administration, and with or without private cooking facilities, and may include, but is not limited to, hotels, motels, hostels, cottage or cabin rentals, and short-term house or apartment rentals.

**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 USES** means commercial silviculture and the production of timber or pulp and uses associated with the forestry industry, including saw mills, maple sugaring operations, Christmas tree u-picks, shingle mills, forestry vehicle and equipment storage, maintenance buildings and yards, and wholesale outlets for wood and wood products.

**FUNERAL HOME** means a building used for the preparation, temporary display, and/or funeral ceremony of deceased persons or domestic pets and may include a crematorium.

## G

**GARDEN CENTRE** means a building or structure and lands associated therewith, for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation together with gardening tools and implements and that are sold at retail from such buildings or lot to the general public.

**GRADE** means:

- (a) when used in reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building, exclusive of any artificial embankment or entrenchment; or
- (b) when used in reference to a structure that is not a building, the average elevation of the fished grade of the ground immediately surrounding such structures, exclusive of any artificial embankments or entrenchment.

**GROSS FLOOR AREA (“GFA”)** 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

**HABITABLE AREA** means an enclosed area of a building designed and/or used for any purpose other than parking of vehicles (including boats), building access, parks and conservation uses, or commercial/industrial storage.

**HEAVY EQUIPMENT SALES AND RENTALS** means a building or part of a building or structure in which heavy equipment and machinery are offered or kept for sale, rent, lease, or hire under agreement for compensation.

**HEIGHT** means the vertical distance on a building between the established grade and:

- (a) the highest point of the roof structure or the parapet, whichever is greater, of a flat roof;
- (b) the deck line of a mansard roof; or
- (c) the mean level between eaves and ridges of a gabled, hip, gambrel or other type of pitched roof.

**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 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 a commercial establishment where dogs and other domestic animals, excluding livestock, are bred, raised and sold or kept for sale or boarding.

# L

**LAND LEASE COMMUNITY** means the use of land in which individual home sites or pads are leased for occupancy by mobile or modular homes. This use may include shared services; amenities intended for the use of residents; and buildings and uses incidental to the operation of the community such as, but not limited to, management offices, maintenance equipment storage, and a dwelling for the site manager.

**LICENSED LIQUOR ESTABLISHMENT** means a cabaret, lounge, beverage room, and/or bar licensed under the Nova Scotia Liquor Control Act or successor legislation.

**LIVESTOCK OPERATION** means the use of land, buildings, or part thereof for keeping of livestock.

**LIVESTOCK OPERATION, INTENSIVE** means a livestock operation with more than 10 animal units. A household livestock operation that does not meet the lot size requirements for household livestock operations may be considered as an intensive livestock operation.

**LIVESTOCK OPERATION, HOUSEHOLD** means a livestock operation equal to or less than 10 animal units.

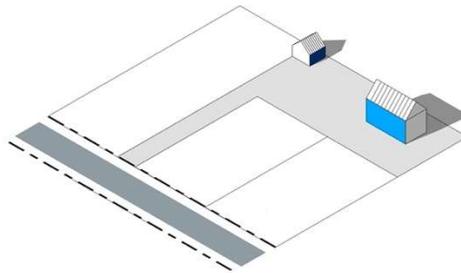
Calculation of the number of animal units shall be determined using the following chart. Only adult animals shall be counted. Agricultural animals not listed in the table shall be counted as the most similar type of animal in terms of size and characteristics:

Type of Livestock	Number of Livestock, or Part Thereof, Equal to One Animal Unit
Cattle	1
Horse	1
Llama	1
Emu	1
Sheep	4
Goats	4
Hogs	2
Mink	1
Rabbits	25
Fowl	25

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

**CORNER LOT** means a lot situated at the intersection of land abutting on two or more streets or private roads.

**FLAG LOT** means a lot characterized by the main body of the lot generally to the rear of another lot and with lot frontage provided by a narrow prolongation or “pole” that extends from the main body of the lot to a public or private road.



**Figure 3: Flag Lot**

**SERVICED LOT** means a lot that is serviced by a municipal sewer system, or is in the process of tentative subdivision approval and has been identified for connection to a municipal sewer system, and may or may not include municipal water services.

**UNSERVICED LOT** means a lot that is not serviced by a municipal sewer system.

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

**LOT COVERAGE** means the percentage of the lot area covered by buildings and roofed structures, and for the purpose of this definition eaves, cantilevers, or other such projections of a roof shall be counted.

**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

**LOT LINE** means a boundary line of a lot.

**FLANKAGE LOT LINE** means a side lot line that abuts the street or private road on a corner lot.

**FRONT LOT LINE** means the line dividing the lot from the street or private road. In the case of a corner lot or a lot with more than one line abutting a single street or private road the shorter boundary line abutting the street or private road shall be deemed the front lot line. In the case of a through lot the longer boundary dividing the lot from the street or private road shall 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 or rear lot line.



Figure 4: Lot Lines

## M

**MAIN BUILDING** means the building designed or used for the principle use on the lot.

**MANUFACTURING** means the production and/or assembly and/or packaging of goods and/or materials, including processed food and/or drink not intended for immediate consumption.

**MANUFACTURING, LIGHT** means manufacturing where the use is conducted entirely within an enclosed building and the use is not obnoxious, and may include accessory retail or wholesale sales of products produced on-site.

**MARINA** means a commercial establishment or premise, containing docking facilities and located on a navigable waterway, where boats and boat accessories are stored, serviced, repaired, or kept for sale or rent and may include the sale of fuel and incidental supplies for the boat owners, crews and guests.

**MARINE RECREATION PROVIDER** means 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, jet ski rentals, but does not include uses related to the commercial fishing industry.

**MEDICAL CLINIC** means a building or part of a building where medical or therapeutic diagnosis and/or treatment services are provided to the general public, but does not include a public or private hospital or a professional office located in the practitioner's home.

**MOBILE HOME** means a detached dwelling designed for transportation after fabrication, whether on its own wheels or on a flatbed or other trailer, that arrives at the site where it is to be occupied as a dwelling complete and ready for occupancy (except for minor and incidental unpacking and assembling operations), located on wheels, jacks, or permanent foundation, and which may be connected to utilities and a septic disposal system. The foregoing shall not include modular homes.

**MODULAR HOME** means any dwelling unit constructed in accordance with the standards set out in the National Building Code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation.

**MUNICIPAL GOVERNMENT ACT (“ACT”)** means the Municipal Government Act, SNS 1998, Chapter 18 and amendments thereto.

**MUNICIPAL PLANNING STRATEGY** means the Municipal Planning Strategy of Region of Queens Municipality.

**MUNICIPALITY** means, where the context dictates, either the Body Corporate of Region of Queens Municipality, or the geographical area incorporated as Region of Queens Municipality.

## N

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

**ORDINARY HIGH WATERMARK** means the highest level reached by a body of water that has been maintained for a sufficient period of time to leave evidence on the landscape. It may be indicated by the destruction of dry-land vegetation, the presence of marks on trees or debris deposits. It is usually the point at which natural vegetation shifts from predominantly water-dependent species to dry-land species.

**OUTDOOR DISPLAY** means the display of retail goods or materials intended for the immediate sale to the general public where such goods are not enclosed within a building.

**OUTDOOR STORAGE** means storage exterior to a building of items such as merchandise, goods, inventory materials, or equipment and where such items are not intended for immediate sale; but does not include items ancillary to a residential use, such as, but not limited to, firewood for on-site consumption.

## P

**PARKS AND PLAYGROUNDS** means the use of land for passive recreation and landscaping features and shall include, but is not limited to, greens, community gardens, walking paths, play structures, ponds, fountains, and dog parks.

**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 limit the generality of the foregoing may include such establishments as barber shops, beauty parlours, shoe shining shops, tattoo shops, and depots for collecting clothing and linens for dry cleaning and laundry, but excludes any manufacturing or fabrication of goods for sale or the actual act of dry cleaning.

**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 a building or part of a building used as 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 any road that is not owned by Region of Queens Municipality or the N.S. Department of Transportation and Infrastructure Renewal and for the purposes of this Bylaw this definition shall also include deeded rights-of-way.

**PUBLIC ROAD or STREET** means the whole and entire right-of-way of every highway, road, or road allowance vested in the Province of Nova Scotia or the Municipality, but does not include a controlled-access highway.

## 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

**RECREATION CENTRE** means a building or part of a building used for recreation facilities such as, but not limited to, indoor swimming pools, ice arenas, curling rinks, gymnasiums, weight rooms, and changing facilities.

**RECREATIONAL USES** means the use of land 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 recreation centres or indoor commercial recreation or outdoor commercial recreation or a track for the racing of animals, or any form of motorized vehicles.

**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 PARKING SITE** means a pad or area of land designated for the parking of a recreational vehicle.

**RECYCLING DEPOT** means the use of a building or land in which domestic recoverable resources such as newspapers, glassware, and metal cans are collected, stored, flattened, crushed, or bundled to be taken to another site for processing. For greater clarity, this use does not include a salvage yard.

**RESIDENTIAL CARE FACILITY** means a family home, group care facility, or similar facility for the non-medical care 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 eating facilities such as picnic tables.

**RETAIL LUMBER AND HOME IMPROVEMENT YARD** means the outdoor storage and display of lumber and other building supplies for sale. For greater clarity, retail sale contained wholly within a building shall be considered as a retail store.

**RETAIL STORE** means a building or part of a building in which goods, wares, merchandise, substances, articles, or things are offered or kept for sale directly to the public at retail, but this definition does not include automobile sales, boat and marine sales, display courts, retail lumber and home improvement yards, or heavy equipment sales and rentals.

## S

**SALVAGE YARD** means the use of land for keeping or storing used bodies or parts of automobiles or any other type of used equipment, vehicles, machinery, or materials 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.

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

**SCHOOL, COMMERCIAL** means 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 a degree- or diploma-granting public educational establishment intended for the academic instruction of students after the completion of Grade 12.

**SELF STORAGE FACILITY** means a building, collection of buildings, part of a building, or clearly defined area on a lot, consisting of individual, small, self-contained units that are leased or owned for the storage of business or household goods or contractor supplies.

**SERVICE AND REPAIR SHOP** means a shop for servicing, repairing, installing, or renting things and equipment, including but not limited to, the following: radio or television service or repair shops, locksmith shops, small appliance service or repair shops, small engine repair shops, household and carpenter tool service and repair shops, but shall not include industrial, manufacturing, or motor vehicle repair shops.

**SETBACK** means the horizontal distance between the specified lot line and the nearest main wall of any building or structure and extending the full width or length of the lot.

**SETBACK, FLANKAGE** means the horizontal distance 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 across 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 between the front setback and rear setback, and between the 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.

**SHORT-TERM RENTAL** means a fixed-roof overnight accommodation where guest sleeping facilities are contained within one building on a lot and where the facilities on the lot are only rented to one party at a time.

**SIGN** means any structure or device used to advertise or draw attention to any product, place, person, business, institution, organization, or event, including any directional or way finding purpose and that is intended to be seen from off the premises or from a parking lot. For greater clarity, signs not located such that they are visible from off the premises or from a parking lot are not considered signs for the purpose of this Bylaw and are not subject to the signage requirements of this Bylaw.

**FACIAL WALL SIGN** means a sign attached to, painted on, or erected against a wall of a building, with the face horizontally parallel to the building or structure wall.

**GROUND SIGN** means a sign supported by one or more upright poles, columns, or braces placed in or on the ground and not attached to any building or structure.

**PROJECTING WALL SIGN** means a sign that is attached to and projects from a structure or building face.

**ELECTRONIC MESSAGE BOARD** means a section of an otherwise permanent sign that allows the message to be amended, updated, or otherwise modified using digital means including, but not limited to, light-emitting diode (LED) displays, liquid crystal diode (LCD) displays, and plasma displays.

**SIGN AREA** means the area of the smallest triangle, rectangle, circle or semicircle that can wholly enclose the surface area of the sign. Only one side of a multi-faced sign shall be used to determine sign area. The sign area of individual letters or figures that are attached or painted on a surface shall be the area of the smallest triangle, rectangle, circle or semicircle that can wholly enclose all of the letters, numbers or insignia.

**SLEEPING UNIT** means a lockable room or rooms provided for the use of a single party and may or may not include an en suite washroom and/or small kitchenette facilities.

**SMALL OPTIONS HOME** means 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.

**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.

**SOLID WASTE DISPOSAL** means facilities for the treatment and disposal of solid waste, such as garbage or compost, and includes incinerators and landfills, but does not include a salvage yard.

**SOLID WASTE TRANSFER FACILITY** means the use of land, buildings, or part thereof for the transfer of solid waste, such as garbage or compost, from collection vehicles and/or the general public for shipment to a solid waste disposal facility.

**STRUCTURE** means anything that is erected, built, or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other structure, and includes a building, but shall exclude fences less than 1.9 metres in height.

## T

**TRAIL AND CONSERVATION USES** means the use of land for trails, boardwalks, floating docks, open space, interpretive panels or kiosks, washrooms, and any structure or building necessary for conservation purposes or scientific research related to the lands in question or to adjacent water bodies.

**TRANSPORTATION SERVICES** means 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

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

## V

**VARIANCE** means a relaxation or reduction of the Land Use Bylaw requirements for a specific site, as stipulated in Section 235-237 of the Municipal Government Act.

## W

**WATER FRONTAGE** means the horizontal distance between the two points where the side lot lines of a waterfront lot intersect the ordinary high water mark of a watercourse. Where a lot intersects a watercourse or watercourses multiple times the water frontage for the lot shall be considered the sum of all segments greater than 2 metres in length.

**WATERCOURSE** means the bed and shore of a lake, river, stream, pond, ocean or other natural body of water, and the water therein.

**WAREHOUSE** means a building or part of a building where goods or wares are stored, and includes non-mechanical preparation of goods or wares for shipping, but shall not include a retail store.

**WIND TURBINE GENERATOR** means a machine and supporting structure designed to convert wind energy into mechanical or electrical energy.

**NACELLE** means a component of a wind turbine that houses its generating components including, but not limited to, the gearbox, generator, drive train, and brake assembly.

**WIND ENERGY PROJECT** means one or more wind turbines and associated property, substations, and other utility systems on one lot or abutting lots and sharing common infrastructure.

**WIND TURBINE HEIGHT** means the vertical distance measured from established grade to the highest point of the rotor's arc.

**WIND TURBINE SEPARATION DISTANCE** means the horizontal distance measured from the closest external face of the base of the wind turbine tower to any specified feature or object.

**WIND TURBINE GENERATOR (LARGE SCALE)** means a device that utilizes the wind's kinetic energy to produce electrical power or mechanical energy and has a manufacturer's maximum rated output of greater than 100 kilowatts (kW). The power generated from a large scale wind turbine generator is typically intended to supply the Nova Scotia Power grid system.

**WIND TURBINE GENERATOR (SMALL SCALE)** means a device that utilizes the wind's kinetic energy to produce electrical power or mechanical energy and has a manufacturer's maximum rated output not greater than 100 kilowatts (kW). The power generated from a small scale wind turbine generator is typically intended for on-site usage.

## X

## Y

**YARD, FLANKAGE**, means the area of land extending from the front yard to the rear yard and between the flankage lot line and the nearest main wall of any main building on the lot.

**YARD, FRONT** means the area extending across the full width of a lot between the front lot line and the nearest main wall of any main building on the lot.

**YARD, REAR** means the area extending across the full width of a lot between the rear lot line and the nearest main wall of any main building on the lot.

**YARD, SIDE** means the area of land extending from the front yard to the rear yard and between the side lot line and the nearest main wall of any main building on the lot.

## Z

**ZONE** means a specified area of land shown on Schedule “D” of this Bylaw.

### Part 18 Changelog

Reference No.	Effective Date	File or Project	General Nature of Change



# 19 SCHEDULES

**Schedule 'A' – Community Classification**

**Schedule 'B' – Significant Watercourses and Marine Shoreline**

**Schedule 'C' – Existing Uses**

**Schedule 'D' – Zoning Maps**

**Part 19 Changelog**

Reference No.	Effective Date	File or Project	General Nature of Change

## SCHEDULE 'C' – EXISTING RESIDENTIAL USES

PID	Civic Address
(a) 70024997	313 Main Street
(b) 70081781	4176 Highway #3
(c) 70081799	4172 Highway #3
(d) 70081807	4175 Highway #3
(e) 70081815 / 70272919	4169 Highway #3
(f) 70081823	4166 Highway #3
(g) 70081880	4159 Highway #3
(h) 70081906	4153 Highway #3
(i) 70081914	4150 Highway #3
(j) 70081922	4146 Highway #3
(k) 70082011	4143 - 4141 Highway#3
(l) 70161583	4111 Highway #3
(m) 70082078	4109 Highway #3
(n) 70082086	4106 Highway#3
(o) 70161617	4103 Highway #3
(p) 70082136	4101 Highway #3
(q) 70161633	4099 Highway #3
(r) 70082151	4100 Highway #3
(s) 70082169	4087 Highway #3
(t) 70082177	4084 Highway #3
(u) 70161641	4082 Highway #3
(v) 70082243	4078 Highway #3
(w) 70082268	4072 Highway #3
(x) 70082276	4052 Highway #3
(y) 70082284	4043 Highway #3
(z) 70082292	4041 Highway #3
(aa) 70082441	4037 Highway #3
(bb) 70082458	4034 Highway #3
(cc) 70082466	4029 Highway #3
(dd) 70082474	4032 Highway #3

(ee)	70082482	4028 Highway #3
(ff)	70082490	4017 Highway #3
(gg)	70083811	3987 Highway #3
(hh)	70083829	3979 Highway #3
(ii)	70083852	3972 Highway #3
(jj)	70083928	3957 Highway #3
(kk)	70083944	3953 Highway #3
(ll)	70083951	3943 Highway #3
(mm)	70083969	3930 - 3932 Highway #3
(nn)	70083977	3929 Highway #3
(oo)	70083985	3926 Highway #3
(pp)	70083993	3921 Highway #3
(qq)	70082003	4149 Highway #3
(rr)	70082300	2 Poplar Street
(ss)	70082318	3 Poplar Street
(tt)	70082185	9 Gould Lane
(uu)	70082201	10 Gould Lane
(vv)	70082219	11 Gould Lane
(ww)	70082227	17 Gould Lane
(xx)	70190152	7 Great Hill Road
(yy)	70083803	15 Elm Street
(zz)	70193032	37 Elm Street
(aaa)	70075122	7 Highway #8
(bbb)	70075130	11 Highway #8
(ccc)	70075148	15 Highway #8
(ddd)	70047394	18 Peach Lane