

7

Town of Truro Community Plan

# LAND USE BY-LAW

APPROVED BY TOWN COUNCIL  
November 6, 2023

EFFECTIVE DATE  
January 11, 2024

OFFICE CONSOLIDATION  
With Amendments to July 2025



TRURO  
make the connection

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# Contents

## 1 | Definitions

## 2 | Administration

<b>2.1</b>	<b>TITLE &amp; PURPOSE .....</b>	<b>1</b>
2.1.1	Title .....	1
2.1.2	Lands Governed by this By-law.....	1
2.1.3	Purpose.....	1
2.1.4	Repeal of Former By-laws.....	1
<b>2.2</b>	<b>ZONES .....</b>	<b>1</b>
2.2.1	Zoning Map .....	1
2.2.2	Zone Symbols.....	2
2.2.3	Zoning Boundaries.....	3
<b>2.3</b>	<b>INTERPRETATION .....</b>	<b>3</b>
2.3.1	Illustrations .....	3
2.3.2	Defined Terms .....	3
2.3.3	More Restrictive Requirement Applies.....	3
<b>2.4</b>	<b>DEVELOPMENT OFFICER .....</b>	<b>3</b>
2.4.1	Appointment by Council .....	3
<b>2.5</b>	<b>PLANNING ADVISORY COMMITTEE (PAC) .....</b>	<b>4</b>
2.5.1	Planning Advisory Committee.....	4
2.5.2	Area Advisory Committee .....	4
<b>2.6</b>	<b>DEVELOPMENT PERMIT .....</b>	<b>4</b>
2.6.1	Development Enabled by This By-law .....	4
2.6.2	Compliance with this By-law.....	4
2.6.3	Requirement for a Development Permit.....	5
2.6.4	Compliance with Other Legislation and By-laws .....	5
2.6.5	Administration by the Development Officer.....	5
2.6.6	Development Permit Exemptions.....	5
2.6.7	Development Permit Applications .....	6
2.6.8	Approval .....	6
2.6.9	Expiry.....	6
2.6.10	Revocation .....	6
2.6.11	Fees.....	7
<b>2.7</b>	<b>VARIANCE.....</b>	<b>7</b>
2.7.1	Variance Conditions .....	7
2.7.2	Variance Procedures .....	7

Con
Def
Adm
Gen
DC
UC
UG
DN
GR
RS
BI
FG
RR
WR
PO
CR
ER
FP
FW
FF



<b>2.8</b>	<b>SITE PLAN APPROVAL .....</b>	<b>8</b>
2.8.1	Provision for Site Plan Approval .....	8
2.8.2	Site Plan Approval Notification Area .....	8
2.8.3	Appeal Procedures .....	8
2.8.4	Form and Content of Application .....	8

### 3 | General Provisions

<b>3.1</b>	<b>GENERAL DEVELOPMENT REGULATIONS .....</b>	<b>1</b>
3.1.1	Development Permit Required .....	1
3.1.2	Accessory Buildings .....	1
3.1.3	Accessory Use .....	1
3.1.4	Accessory Uses Permitted .....	2
3.1.5	Accessory Structures .....	2
3.1.6	Building to be Moved .....	2
3.1.7	Building to be Erected on a Lot .....	2
3.1.8	Compliance with Other By-laws .....	2
3.1.9	Day Lighting Triangle .....	2
3.1.10	Existing Buildings .....	2
3.1.11	Fencing .....	3
3.1.12	Fronting on Streets .....	3
3.1.13	Height Regulations .....	4
3.1.14	Illumination .....	4
3.1.15	Multiple Uses .....	4
3.1.16	Natural Hazards and Yard Requirements .....	4
3.1.17	Non-Conforming Uses and Structures .....	4
3.1.18	One Main Building on a Lot .....	5
3.1.19	Noise, Odour, and Emission Control .....	5
3.1.20	Obnoxious Use .....	5
3.1.21	Outdoor Woodburning Furnaces .....	5
3.1.22	Permitted Encroachments into Yards .....	6
3.1.23	Public Uses Exempt .....	6
3.1.24	Public Utilities .....	6
3.1.25	Refuse Storage .....	6
3.1.26	Restoration to a Safe Condition .....	7
3.1.27	Trucks, Automobiles, Buses, and Shipping Containers .....	7
3.1.28	Special Occasion or Temporary Uses .....	7
3.1.29	Subdivision of Lots for Monuments and other Similar Uses .....	8
3.1.30	Swimming Pools .....	8
3.1.31	Telecommunication Facilities .....	8
3.1.32	Temporary Construction Uses .....	9
3.1.33	Undersized Lots .....	9
3.1.34	Utilities .....	9
3.1.35	Yard and Garage Sales .....	9





<b>3.2</b>	<b>PARKING AND LOADING .....</b>	<b>10</b>
3.2.1	Parking Required.....	10
3.2.2	Calculating Parking Requirements .....	10
3.2.3	Parking Requirements .....	10
3.2.4	Design Standards for Parking Areas or Lots .....	13
3.2.5	Parking and Loading Specifications .....	15
3.2.6	Loading Spaces.....	16
3.2.7	Driveway Specifications.....	17
3.2.8	Access to a Public Street.....	17
3.2.9	Accessible Parking Requirements.....	17
3.2.10	Vehicle Stacking for Drive-Thru Uses.....	17
3.2.11	Bicycle Parking .....	18
3.2.12	Parking of Commercial Motor Vehicles .....	18
3.2.13	Cash-in-lieu of Required Parking.....	19
<b>3.3</b>	<b>SIGNAGE.....</b>	<b>19</b>
3.3.1	General.....	19
3.3.2	Signs Permitted in all Zones Not Requiring a Development Permit.....	19
3.3.3	Signs Prohibited in all Zones.....	20
3.3.4	Sign Illumination.....	21
3.3.5	Safety and Maintenance .....	21
3.3.6	Calculating the Number and Area of Signs.....	21
3.3.7	Sign Types .....	22
3.3.8	Setback Requirements for Signs.....	24
3.3.9	Permitted Signage by Zone.....	24
3.3.10	Temporary Signs .....	24
3.3.11	Street Banners.....	28
3.3.12	Off-site Signage.....	29
3.3.13	Sponsorship Signage on Town Owned Recreational Lands.....	30
3.3.14	Signs Identifying Residential Developments.....	30
<b>3.4</b>	<b>URBAN AGRICULTURAL USES .....</b>	<b>30</b>
3.4.1	Animal Units .....	30
3.4.2	Calculating Animal Units .....	31
3.4.3	General Requirements.....	31
3.4.4	Animal Shelter Setback Requirements.....	31
3.4.5	Buffering Requirements.....	32
3.4.6	Special Regulations for Beekeepers .....	32
<b>3.5</b>	<b>STORMWATER MANAGEMENT.....</b>	<b>33</b>
3.5.1	Impermeable Surface Allowances .....	33
3.5.2	Exceeding Impermeable Surface Allowances.....	34
3.5.3	Stormwater Management Design Manual.....	34
<b>3.6</b>	<b>AMENITY SPACE.....</b>	<b>38</b>
3.6.1	Amenity Space Requirements.....	38





## 4 | Downtown Core (DC) Zone

<b>4.1</b>	<b>PERMITTED USES.....</b>	<b>1</b>
<b>4.2</b>	<b>AS-OF-RIGHT DEVELOPMENT.....</b>	<b>2</b>
4.2.1	Downtown Core (DC) Zone Requirements .....	2
4.2.2	General Provisions Apply.....	2
4.2.3	Abutting Yard Requirements .....	2
4.2.4	Building Height Limit .....	3
4.2.5	Yard abutting Railway.....	5
4.2.6	Retail Display on Public Sidewalks.....	5
4.2.7	Canopy Erected Over a Public Right-of-way .....	5
4.2.8	Outdoor Storage and Display .....	6
<b>4.3</b>	<b>URBAN DESIGN REQUIREMENTS .....</b>	<b>6</b>
4.3.1	Urban Design Requirements to Apply.....	6
4.3.2	Building Placement .....	6
4.3.3	Building Form.....	8
4.3.4	Facade Design .....	9
4.3.5	Enhanced Setback .....	11
4.3.6	Exemption from Urban Design Requirements.....	12
<b>4.4</b>	<b>CONDITIONAL USES .....</b>	<b>12</b>
4.4.1	Zone Requirements .....	12
4.4.2	Adult Entertainment .....	12
4.4.3	Automobile Repair .....	13
4.4.4	Automobile Service Station.....	13
4.4.5	Automobile Wash and Detailing.....	13
4.4.6	Automobile Sales and Rentals .....	14
4.4.7	Beverage Room, Lounge and Cabaret.....	14
4.4.8	Emergency Shelter .....	14
4.4.9	Warehousing & Storage.....	14
4.4.10	Residential Use (up to 4 dwelling units) .....	14
4.4.11	Residential Conversion (up to 12 dwelling units) .....	14
<b>4.5</b>	<b>USES BY SITE PLAN APPROVAL .....</b>	<b>15</b>
4.5.1	Uses Permitted by Site Plan Approval .....	15
4.5.2	Site Plan Criteria .....	15
<b>4.6</b>	<b>USES BY DEVELOPMENT AGREEMENT.....</b>	<b>16</b>
4.6.1	DC Zone Uses Permitted by Development Agreement.....	16

## 5 | Urban Corridor (UC) Zone

<b>5.1</b>	<b>PERMITTED USES.....</b>	<b>1</b>
<b>5.2</b>	<b>AS-OF-RIGHT DEVELOPMENT.....</b>	<b>2</b>
5.2.1	Urban Corridor (UC) Zone Requirements .....	2
5.2.2	General Provisions Apply.....	3
5.2.3	Building Height Limit .....	3
5.2.4	Abutting Yard Requirements .....	3





5.2.5	Yard abutting Railway.....	3
5.2.6	Outdoor Storage and Display .....	4
<b>5.3</b>	<b>URBAN DESIGN REQUIREMENTS .....</b>	<b>4</b>
5.3.1	Urban Design Requirements to Apply.....	4
5.3.2	Building Placement .....	4
5.3.3	Building Form.....	6
5.3.4	Exemption from Urban Design Requirements.....	8
<b>5.4</b>	<b>CONDITIONAL USES .....</b>	<b>8</b>
5.4.1	Zone Requirements .....	8
5.4.2	Emergency Shelter .....	8
5.4.3	Residential Use (up to 4 dwelling units) .....	9
5.4.4	Accommodations .....	9
5.4.5	Lodging House .....	9
5.4.6	Residential Conversion (up to 12 dwelling units) .....	10
<b>5.5</b>	<b>USES BY SITE PLAN APPROVAL .....</b>	<b>10</b>
5.5.1	Uses Permitted by Site Plan Approval .....	10
5.5.2	Site Plan Criteria .....	10
<b>5.6</b>	<b>USES BY DEVELOPMENT AGREEMENT.....</b>	<b>11</b>
5.6.1	UC Zone Uses Permitted by Development Agreement .....	11

## 6 | Urban Growth Area (UG) Zone

<b>6.1</b>	<b>PERMITTED USES.....</b>	<b>1</b>
<b>6.2</b>	<b>AS-OF-RIGHT DEVELOPMENT.....</b>	<b>2</b>
6.2.1	Urban Growth Area (UG) Zone Requirements .....	2
6.2.2	General Provisions Apply.....	3
6.2.3	Abutting Yard Requirements .....	3
6.2.4	Building Height Limit .....	3
6.2.5	Front & Flanking Yard Setbacks .....	4
6.2.6	Yard abutting Railway.....	5
6.2.7	Outdoor Storage and Display .....	5
<b>6.3</b>	<b>CONDITIONAL USES .....</b>	<b>5</b>
6.3.1	Zone Requirements .....	5
6.3.2	Emergency Shelter .....	5
6.3.3	Residential (up to 4 units) .....	6
6.3.4	Accommodations .....	6
6.3.5	Automobile Service or Automobile Wash .....	6
6.3.6	Restaurant (up to 120 m <sup>2</sup> (1,292 ft <sup>2</sup> )) .....	7
6.3.7	Lodging House .....	7
<b>6.4</b>	<b>USES BY SITE PLAN APPROVAL .....</b>	<b>7</b>
6.4.1	Uses Permitted by Site Plan Approval .....	7
6.4.2	Site Plan Criteria .....	8
<b>6.5</b>	<b>USES BY DEVELOPMENT AGREEMENT.....</b>	<b>9</b>
6.5.1	UC Zone Uses Permitted by Development Agreement .....	9





## 7 | Downtown Neighbourhood (DN) Zone

<b>7.1</b>	<b>PERMITTED USES.....</b>	<b>1</b>
<b>7.2</b>	<b>AS-OF-RIGHT DEVELOPMENT.....</b>	<b>1</b>
7.2.1	Downtown Neighbourhood (DN) Zone Requirements .....	1
7.2.2	General Provisions Apply.....	2
7.2.3	Parking .....	3
7.2.4	Retail Sales .....	3
7.2.5	Mechanical Equipment .....	3
7.2.6	Fencing.....	3
<b>7.3</b>	<b>URBAN DESIGN REQUIREMENTS .....</b>	<b>4</b>
7.3.1	Urban Design Requirements to Apply.....	4
7.3.2	Building Placement .....	4
7.3.3	Building Form .....	6
7.3.4	Building Facade .....	6
7.3.5	Alterations .....	8
7.3.6	Additions .....	8
7.3.7	Accessory Buildings.....	10
7.3.8	Architectural Elements .....	10
<b>7.4</b>	<b>CONDITIONAL USES .....</b>	<b>13</b>
7.4.1	Zone Requirements.....	13
7.4.2	Residential (up to 2 units) .....	13
7.4.3	Artisan Studio (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> )).....	13
7.4.4	Food Service (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> )) .....	14
7.4.5	Office and Professional Uses (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> )) .....	14
7.4.6	Personal Services (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> )).....	14
7.4.7	Accommodations .....	14
7.4.8	Lodging House.....	15
<b>7.5</b>	<b>USES BY SITE PLAN APPROVAL .....</b>	<b>15</b>
<b>7.6</b>	<b>USES PERMITTED BY SITE PLAN APPROVAL.....</b>	<b>15</b>
7.6.1	Site Plan Criteria.....	16

## 8 | General Residential (GR) Zone

<b>8.1</b>	<b>PERMITTED USES.....</b>	<b>1</b>
<b>8.2</b>	<b>AS-OF-RIGHT DEVELOPMENT.....</b>	<b>1</b>
8.2.1	General Residential (GR) Zone Requirements .....	1
8.2.2	General Provisions Apply.....	1
8.2.3	Yard abutting Railway.....	2
8.2.4	Parking .....	3
8.2.5	Front & Flanking Yard Setbacks .....	3
8.2.6	Scale .....	4
8.2.7	Corner Lot.....	4





8.2.8	Mechanical Equipment .....	5
8.2.9	Fencing.....	5
8.2.10	Residential Conversions .....	5
<b>8.3</b>	<b>CONDITIONAL USES .....</b>	<b>5</b>
8.3.1	Zone Requirements .....	5
8.3.2	Bed & Breakfast .....	5
8.3.3	Artisan Studio (up to 60 m <sup>2</sup> (645.8 ft <sup>2</sup> )).....	6
8.3.4	Food Service (up to 60 m <sup>2</sup> (645.8 ft <sup>2</sup> )) .....	6
8.3.5	Office and Professional Uses (up to 60 m <sup>2</sup> (645.8 ft <sup>2</sup> )) .....	6
8.3.6	Personal Services (up to 60 m <sup>2</sup> (645.8 ft <sup>2</sup> )).....	7
8.3.7	Residential Care Facility (up to 7 beds).....	7
8.3.8	Residential (2 units) .....	7
<b>8.4</b>	<b>USES BY SITE PLAN APPROVAL .....</b>	<b>8</b>
8.4.1	Uses Permitted by Site Plan Approval .....	8
8.4.2	Site Plan Criteria.....	8
<b>8.5</b>	<b>USES BY DEVELOPMENT AGREEMENT.....</b>	<b>9</b>
8.5.1	GR Zone Uses Permitted by Development Agreement .....	9

## 9 | Regional Service (RS) Zone

9.1	PERMITTED USES.....	1
9.2	AS-OF-RIGHT DEVELOPMENT.....	2
9.2.1	Regional Service (RS) Zone Requirements .....	2
9.2.2	General Provisions Apply.....	2
9.2.3	Outdoor Storage and Display .....	2
9.2.4	Relaxation of Lot Requirements.....	4
9.2.5	Abutting Yard Requirements .....	4
9.2.6	Building Height Limit .....	5
9.2.7	Yard abutting Railway.....	6
9.3	CONDITIONAL USES .....	7
9.3.1	Zone Requirements .....	7
9.3.2	Adult Entertainment .....	7
9.3.3	Animal Hospital or Shelters.....	7
9.3.4	Beverage Room, Lounge and Cabaret.....	7
9.3.5	Emergency Shelter .....	8
9.3.6	Existing Residential Use.....	8
9.3.7	Residential (up to 4 units) .....	8
9.4	USES BY SITE PLAN APPROVAL .....	9
9.4.1	Uses Permitted by Site Plan Approval .....	9
9.4.2	Site Plan Criteria.....	9
9.5	USES BY DEVELOPMENT AGREEMENT.....	10
9.5.1	RS Zone Uses Permitted by Development Agreement.....	10





## 10 | Business Industrial (BI) Zone

<b>10.1</b>	<b>PERMITTED USES</b> .....	<b>1</b>
<b>10.2</b>	<b>AS-OF-RIGHT DEVELOPMENT</b> .....	<b>2</b>
10.2.1	Business Industrial (BI) Zone Requirements .....	2
10.2.2	General Provisions Apply.....	2
10.2.3	Yard abutting Railway.....	2
10.2.4	Abutting Yard Requirements .....	3
10.2.5	Outdoor Storage and Display .....	4
10.2.6	Building Height Limit .....	4
<b>10.3</b>	<b>CONDITIONAL USES</b> .....	<b>5</b>
10.3.1	Zone Requirements .....	5
10.3.2	Adult Entertainment .....	5
10.3.3	Dormitory.....	5
10.3.4	Residential (up to 4 units) .....	6
<b>10.4</b>	<b>USES BY SITE PLAN APPROVAL</b> .....	<b>6</b>
10.4.1	Uses Permitted by Site Plan Approval .....	6
10.4.2	Site Plan Criteria .....	7

## 11 | Future Growth Area (FG) Zone

<b>11.1</b>	<b>PERMITTED USES</b> .....	<b>1</b>
<b>11.2</b>	<b>AS-OF-RIGHT DEVELOPMENT</b> .....	<b>1</b>
11.2.1	Future Growth Area (FG) Zone Requirements .....	1
11.2.2	General Provisions Apply.....	1
11.2.3	Abutting Yard Requirements .....	3
11.2.4	Building Height Limit .....	3
11.2.5	Parking .....	3
11.2.6	Mechanical Equipment .....	3
11.2.7	Fencing.....	4
11.2.8	Scale .....	4
11.2.9	Corner Lot .....	4
<b>11.3</b>	<b>CONDITIONAL USES</b> .....	<b>5</b>
11.3.1	Zone Requirements .....	5
11.3.2	Future Growth Area (FG) Zone Conditional Uses .....	5
11.3.3	Artisan Studio (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> )).....	5
11.3.4	Office and Professional Uses (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> )) .....	8
11.3.5	Food Service (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> )) .....	8
11.3.6	Bed & Breakfast .....	8
11.3.7	Personal Services (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> )).....	9
11.3.8	Residential Care Facility (up to 7 beds).....	9
11.3.9	Residential (1-2 units) .....	9
11.3.10	Residential (3 to 5 units) .....	10





<b>11.4</b>	<b>USES BY SITE PLAN APPROVAL .....</b>	<b>11</b>
11.4.1	Uses Exempt from Site Plan Approval .....	11
11.4.2	Uses Permitted by Site Plan Approval .....	11
11.4.3	Site Plan Criteria .....	11
<b>11.5</b>	<b>USES BY DEVELOPMENT AGREEMENT.....</b>	<b>12</b>
11.5.1	FG Zone Uses Permitted by Development Agreement.....	12

## 12 | Rural Residential (RR) Zone

<b>12.1</b>	<b>PERMITTED USES.....</b>	<b>1</b>
<b>12.2</b>	<b>AS-OF-RIGHT DEVELOPMENT.....</b>	<b>1</b>
12.2.1	Rural Residential (RR) Zone Requirements .....	1
12.2.2	General Provisions Apply.....	2
<b>12.3</b>	<b>CONDITIONAL USES .....</b>	<b>3</b>
12.3.1	Zone Requirements .....	3
12.3.2	Residential Care Facility (up to 7 beds).....	3

## 13 | Watershed Residential (WR) Zone

<b>13.1</b>	<b>PERMITTED USES.....</b>	<b>1</b>
<b>13.2</b>	<b>AS-OF-RIGHT DEVELOPMENT.....</b>	<b>1</b>
13.2.1	Watershed Residential (WR) Zone Requirements .....	1
13.2.2	General Provisions Apply.....	1
13.2.3	Lots Fronting on Harmony Road or Camden Road.....	2
<b>13.3</b>	<b>CONDITIONAL USES .....</b>	<b>3</b>
13.3.1	Zone Requirements .....	3
13.3.2	Agricultural Uses.....	3
13.3.3	Residential Care Facility (up to 7 beds).....	3

## 14 | Parks & Open Space Zone

<b>14.1</b>	<b>PERMITTED USES.....</b>	<b>1</b>
<b>14.2</b>	<b>AS-OF-RIGHT DEVELOPMENT.....</b>	<b>1</b>
14.2.1	Parks & Open Space (PO) Zone Requirements .....	1
14.2.2	General Provisions Apply.....	1
<b>14.3</b>	<b>CONDITIONAL USES .....</b>	<b>1</b>
14.3.1	Zone Requirements .....	1
14.3.2	Food Service (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> )) .....	2

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BI
FG
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FW
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## 15 | Commercial Recreation Zone

15.1	PERMITTED USES.....	1
15.2	AS-OF-RIGHT DEVELOPMENT.....	1
15.2.1	Commercial Recreation (CR) Zone Requirements .....	1
15.2.2	General Provisions Apply.....	1
15.2.3	Abutting Yard Requirements .....	3
15.2.4	Yard abutting Railway.....	3
15.3	CONDITIONAL USES .....	3
15.3.1	Zone Requirements .....	3
15.3.2	Microbrewery and Microdistillery .....	3
15.3.3	Restaurant (up to 120 m <sup>2</sup> (1,292 ft <sup>2</sup> )) .....	3
15.3.4	Retail Store .....	4
15.4	USES BY SITE PLAN APPROVAL .....	4
15.5	USES PERMITTED BY SITE PLAN APPROVAL.....	4
15.5.1	Site Plan Criteria .....	4

## 16 | Environmental Reserve Zone

16.1	PERMITTED USES.....	1
16.2	AS-OF-RIGHT DEVELOPMENT.....	1
16.2.1	Environmental Reserve (ER) Zone Requirements .....	1
16.2.2	General Provisions Apply.....	1
16.2.3	Permanent Structures.....	1
16.2.4	Development Permitted.....	1
16.3	CONDITIONAL USES .....	3
16.3.1	Zone Requirements .....	3
16.3.2	Parks and Playgrounds.....	3
16.3.3	Recreation Facility, Outdoor .....	3

## 17 | Flood Plain Zone

17.1	PERMITTED USES.....	1
17.2	AS-OF-RIGHT DEVELOPMENT.....	1
17.2.1	Flood Plain (FP) Zone Requirements .....	1
17.2.2	General Provisions Apply.....	1
17.2.3	Permitted Structures.....	1
17.2.4	Alteration of Topography .....	3
17.2.5	Infilling.....	3





## 18 | 1:20 Flood Way Overlay

<b>18.1</b>	<b>LAND USE REGULATIONS .....</b>	<b>1</b>
18.1.1	Permitted Uses .....	1
18.1.2	Zone Requirements .....	1
<b>18.2</b>	<b>FLOOD-PROOFING &amp; ALTERING TOPOGRAPHY.....</b>	<b>1</b>
18.2.1	Alteration of Topography .....	1
18.2.2	Additional Fill .....	2
18.2.3	More than One Property .....	3
18.2.4	Flood Proofing .....	3
18.2.5	Permit Requirements.....	3
18.2.6	Permits.....	4
18.2.7	Erosion and Sedimentation .....	4

## 19 | 1:100 Floodway Fringe Overlay

<b>19.1</b>	<b>LAND USE REGULATIONS .....</b>	<b>1</b>
19.1.1	Permitted Uses .....	1
19.1.2	Zone Requirements .....	1
<b>19.2</b>	<b>FLOOD-PROOFING &amp; ALTERING TOPOGRAPHY.....</b>	<b>1</b>
19.2.1	Alteration of Topography .....	1
19.2.2	Additional Fill .....	2
19.2.3	More than One Property .....	3
19.2.4	Flood Proofing .....	3
19.2.5	Permit Requirements.....	4
19.2.6	Permits.....	5
19.2.7	Erosion and Sedimentation .....	5





LAND USE BY-LAW  
Table of Contents

Con
Def
Adm
Gen
DC
UC
UG
DN
GR
RS
BI
FG
RR
WR
PO
CR
ER
FP
FW
FF

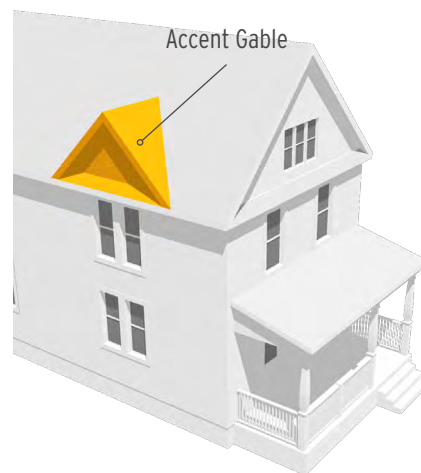


# 1 | Definitions

## A

**Abutting Yard** means the premise of a lot abutting the subject property, excluding the primary structure

**Accent Gable** means a gable that is intended to highlight an architectural element of a building such as, but not limited to, an entrance, window, bay, projection, or balcony (see figure).



**Accessory Building** means a building which is located on the same lot as a principal use or main building, and of a nature customarily and clearly secondary and incidental to the main building or principal use.

**Accessory Building, Attached** means an accessory building sharing one or more common or adjoined walls with the main building.

**Accessory Building, Detached** means an accessory building which is not attached to the main building.

**Accessory Dwelling** means a subordinate building designated for occupation as a dwelling unit.

**Accessory Dwelling, Attached** means an accessory building sharing one or more common or adjoined walls with the main building.

**Accessory Dwelling, Detached** means an accessory dwelling which is not attached to the main building.

**Accessory Structure** means a structure other than a building which is located on the same lot as a principal use or main building, and of a nature customarily and clearly secondary and incidental to the main building or principal use.

**Accessory Use** means the use or uses which take place on the same site as the principal use, and of a nature customarily and clearly secondary and incidental to the principal use.

Con
Def
Adm
Gen
DC
UC
UG
DN
GR
RS
BI
FG
RR
WR
PO
CR
ER
FP
FW
FF



**Accommodations** means a building or part thereof, where overnight lodgings are provided for the travelling public for financial remuneration and may include meeting rooms, restaurants, and entertainment facilities.

**Adult Entertainment Use** means any establishment that offers services or entertainment to the public intended to deliver sexual stimulation or gratification, or is reasonably intended to appeal primarily to erotic appetites. It includes, but is not limited to, entertainment characterized by the display of the nude or semi-nude human body in a manner or context apparently designed to exploit the sexual aspects of the human body and its constituent anatomy. Such entertainment is commonly promoted using adjectives or terms such as “nude”, “topless”, “adult”, “sexy”, “exotic”, and so on. It also includes, but is not limited to, “massage parlours”. Adult entertainment use excludes standalone retail stores selling adult material, including video stores which predominantly feature for sale adult movie titles, adult book stores, and stores that predominantly feature for sale goods and supplies that purport to aid or enhance the sexual experience.

**Agricultural Use** means a lot and/or building or part thereof used for growing crops, raising animals, harvesting timber, and other animals from a farm, ranch, or their natural habitats. They may be described as farms, ranches, dairies, greenhouses, nurseries, orchards, or hatcheries. This use includes crop production, support functions for agriculture, animal production including slaughter, agriculture administrative offices.

**Alter** or an **Alteration** means to change the structural component of a building or to increase the volume of a building or structure.

**Amenity Space** means the area situated within the boundaries of a development site intended and capable of being used for recreational purposes, and may include landscaped areas, patios, private amenity areas, verandahs, balconies, communal lounges, swimming pools, play areas and similar uses, but does not include any area occupied at grade by a building’s service area, parking lots, aisles or access driveways.

**Amusement Parks** means development, primarily outdoors, that may include structures and buildings, where there are various devices for entertainment including rides, booths for the conduct of games or sale of items, buildings for shows and entertainment and restaurants and souvenir sales.

**Animal Hospital** means development providing surgical or medical treatment or examination of domestic pets entirely within a building and may include:

- a) the premises where animals, birds or fish are treated or kept;
- b) a building or part of a building used as the premises of a Veterinary Surgeon where domestic animals, birds or fish are treated but shall not include an animal shelter or kennel;
- c) a facility in which the practice conducted includes the confinement as well as the treatment of patients;

Con
Def
Adm
Gen
DC
UC
UG
DN
GR
RS
BI
FG
RR
WR
PO
CR
ER
FP
FW
FF



- d) a building or structure in which facilities are provided for the prevention, cure and alleviation of disease and injury to animals and in conjunction with which there may be shelter provided, within the building or structure, during the period of treatment;
- e) a building where one or more licensed veterinarians and any associated staff provide medical, surgical, grooming, boarding or similar services solely for household pets;
- f) a place where animals or pets are given medical or surgical treatment, which may include short-term boarding of animals incidental to such hospital use; and
- g) a building or part thereof used by veterinarians primarily for the purpose of the consultation, diagnosis and office treatment of household pets, but shall not include long-term boarding facilities.

**Animal Shelter** means an establishment engaged in the care of lost, abandoned or neglected animals.

**Animal and Pet Services** means a building or part thereof retailing pets and other animals (except for farming purposes) and pet supplies, as well as providing animal services, such as grooming and care taking.

**Apartment** means a dwelling unit which typically has a common entrance and the occupants of which have the right to use in common certain areas of the building and its property such as common halls, stairs, yards or one or more of them.

**Architectural Style** means the classification of built form based on height, materials, and morphology.

**Artisan Studio** means a building or part thereof used as a workroom for the study, execution or instruction of any fine or commercial art or craft, including but not limited to, dance, photography, woodworking, music, visual arts, and commercial design. Retail sale of products are limited to items designed and produced on site.

**Automobile Detailing** means a building or part thereof used for a thorough cleaning, restoration, and finishing of a motor vehicle, to produce a show-quality cleanliness and polish

**Automobile Sales and Rentals** means a lot and/or building or part thereof for the retail use or rental of new or used automobiles, motorcycles, commercial vehicles, motorcycles, watercraft, off-road vehicles and recreational vehicles, together with incidental maintenance services and sale of parts. This Use Class includes automobile dealerships, car rental agencies and motorcycle dealerships.

**Automobile Repair** means a lot and/or building or part thereof used for servicing and mechanical repair of automobile, motorcycles, snowmobiles and similar vehicles or the sale, installation or servicing of related accessories and parts. This use includes oil change and lubrication shops, muffler shops, tire repair shops, transmission shops, rustproofing/undercoating, paint shops and auto body repair.

Con
Def
Adm
Gen
DC
UC
UG
DN
GR
RS
BI
FG
RR
WR
PO
CR
ER
FP
FW
FF



**Automobile Service Station** means a building or part thereof containing facilities for refuelling or recharging automobiles and offering fuel and engine lubricants for sale. Automobile Service Station does not include the repair, washing, or detailing of automobiles.

**Automobile Wash** means a building or part thereof containing facilities for washing motor vehicles by production line methods which may include a conveyor system or similar mechanical devices. This definition may also include an enclosed structure featuring vehicle bays offering self-service car wash.

**Automobile Wash, Mobile** means a lot or part thereof used for washing motor vehicles by using a portable or mobile washer or any operation where the washing of automobiles is not conducted within a building.

## B

**Bank and Financial Institution** means the premises of a bank, trust company, finance company, mortgage company, or investment company.

**Basic Building Form** means the placement and coordination of a structure's parts and structural features.

**Bed and Breakfast** means a building or part thereof in which the owner resides and provides common living rooms and not more than four sleeping rooms for the travelling and vacationing public, and where breakfast is served only to those who rent the sleeping rooms. The establishment must be licensed by the Tourist Accommodation Act and regulations thereto. Bed and Breakfast shall not include lodging house, boarding house, community home or supervisory care

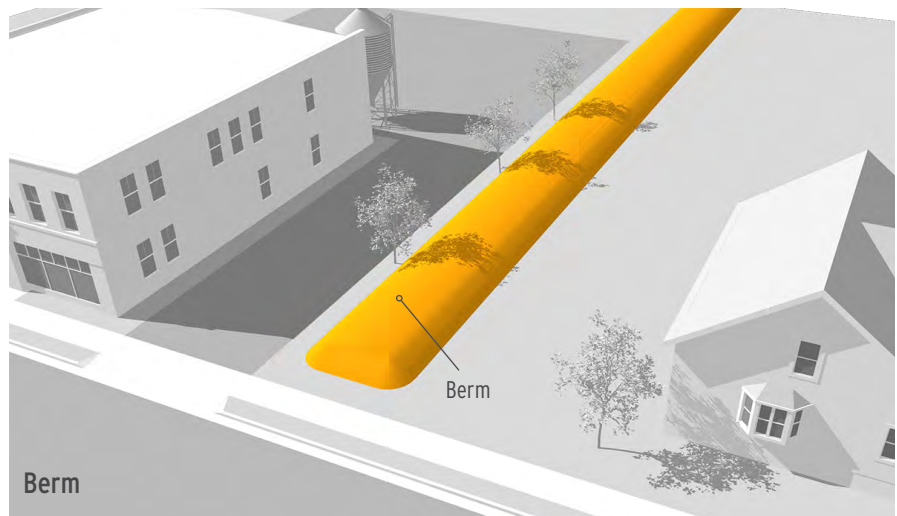
**Bedroom** means a room or space in a dwelling laid out for the sleeping activities of one or two individuals.

**Berm** means an area of land which has been raised to help screen a use or activity from abutting uses or activities (see figure).

### **Beverage Room, Cabaret, and Lounge**

**Beverage Room** means a building or part thereof that operates a pub style facility in Nova Scotia serving beer and wine only (no hard liquor).

**Cabaret** means a building or part thereof that sells liquor by the glass and beer and wine by the glass, open bottle or other container while featuring high-quality live entertainment.



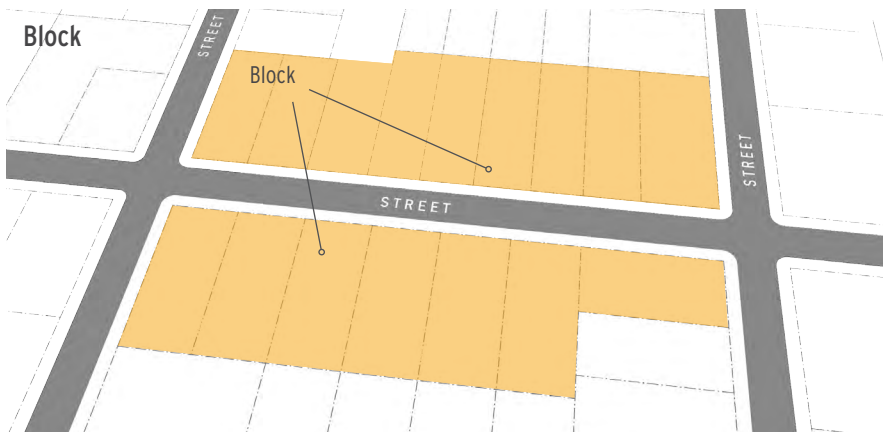
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Adm
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UG
DN
GR
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BI
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RR
WR
PO
CR
ER
FP
FW
FF



**Lounge** means a building or part thereof that sells liquor by the glass and beer and wine by the open bottle, glass or other container and;

- a) has an eating establishment license; and
- b) the area of the licensed premises in which liquor can be served to and consumed has an area covered by the eating establishment license must make up at least 25% of the commercial floor area.

**Block** means a contiguous group of properties that share frontage on the same section of street that begins and ends with an intersection or the street's terminus (see figure).

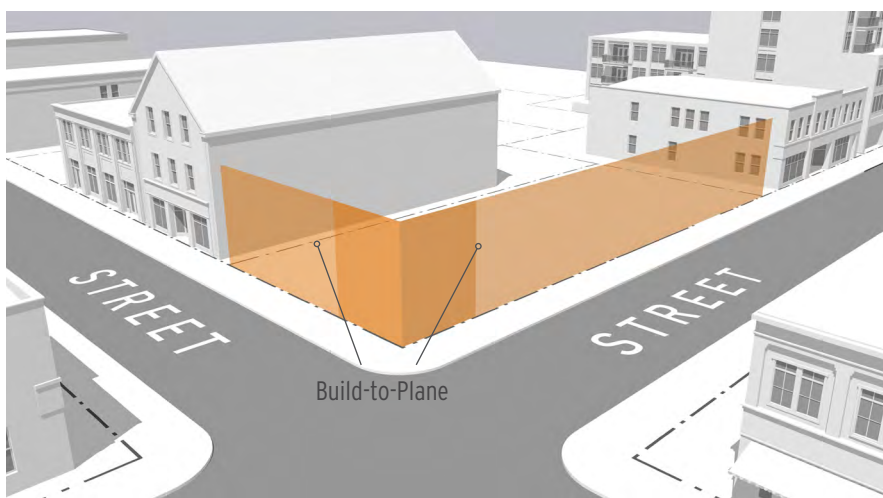


**Breweries** means the manufacturing of beer, wine, spirits or other alcoholic beverages. This Use may include the sale of alcoholic beverages to the public for consumption within the premises. Retail sales of alcoholic beverages for consumption shall be limited to alcoholic beverages that are manufactured on-Site. Accessory activities may include the preparation and sale of food, and storage, packaging, bottling, canning and shipping of products manufactured within the premises.

**Building** means any structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, material or chattels, and includes any awning, bin, bunker or platform, vessel or vehicle used for any of the said purposes.

**Building Area** means the maximum horizontal area of a building at grade.

**Build-to-Plane**



**Build-to-Plane** means the vertical plane that extends upward two storeys from a line drawn parallel to the street at the established front yard setback, or extending to both the front and flanking yard setbacks if on a corner lot (see figure).

**Business Premise** means that part of a building owned, leased or rented by a person or persons for the conducting of a business.

Con
Def
Adm
Gen
DC
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UG
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GR
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BI
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RR
WR
PO
CR
ER
FP
FW
FF



# C

**Café** means a building or part thereof primarily serving coffee or tea and may also serve light meals such as sandwiches.

**Campground** means an area of land, managed as a unit, providing short term accommodation for tents, tent trailers, travel trailers, recreational vehicles and campers, but not including the use of mobile homes or trailers on a permanent year-round basis.

**Carport** means a building or structure which is without walls on at least two sides and is used for the parking or storage of a motor vehicle. A carport is not a parking lot, nor a parking structure.

**Cemetery** means an area of land that is used as a place for the interment of the dead or in which human bodies have been buried. "Cemetery" may include a structure for the purpose of the cremation of human remains and may include facilities for storing ashes of human remains that have been cremated or the interment of the dead in sealed crypts or compartments.

**Club** means an association or organization dedicated to a particular interest or activity. Includes service clubs, fraternal organizations, and private clubs.

**Commercial Salvage** means a place where motor vehicles and parts are wrecked, disassembled, repaired and resold, a place where second-hand goods, including waste paper, bottles, automobile tires, clothing, other scrap materials and salvage are collected to be sorted and a place where used lumber and used building materials are stored for sale or resale.

**Commercial Motor Vehicle** means a motor vehicle that is truck or delivery vehicle, and includes heavy vehicles which have six or more wheels on two or more axles.

**Commercial Floor Area**, see "Floor Area".

**Community Gardens** means a land used by the municipality or a non-profit organization to grow vegetables, flowers, or other plants for the personal use of those using the garden or for donation to a non-profit organization as a recreation or community development activity. The garden may be divided into plots that are assigned to individuals or families; however, the non-profit organization retains responsibility for the management and operation of the garden.

**Community Institution** means a building or part thereof provided by the municipality or by any other group or organization without profit or gain for such special purposes as community meeting rooms, a community center, a drop-in center, an archaeological or fine arts museum, a public library etc. but does not include school facilities, public or private parks, playgrounds, arenas, stadiums, swimming pools, skating rinks, or commercial-recreational establishments.

Con
Def
Adm
Gen
DC
UC
UG
DN
GR
RS
BI
FG
RR
WR
PO
CR
ER
FP
FW
FF



**Convenience Stores** means a building or part thereof that serve the need of the surrounding area and shall include, but not be limited to, items of merchandise which constitute the main feature of the following types of stores: general stores, food stores, hardware stores, sporting good stores, delicatessens and drug stores, provided that all such items are new retail merchandise and that such business is conducted within a wholly enclosed building.

**Council** means the Town Council of the Town of Truro.

**Correctional Facility** means a land and/or building or part thereof used for the confinement or safe custody of persons so confined as the result of legal process and includes attendance centres established for persons sentenced to serve periods of community service.

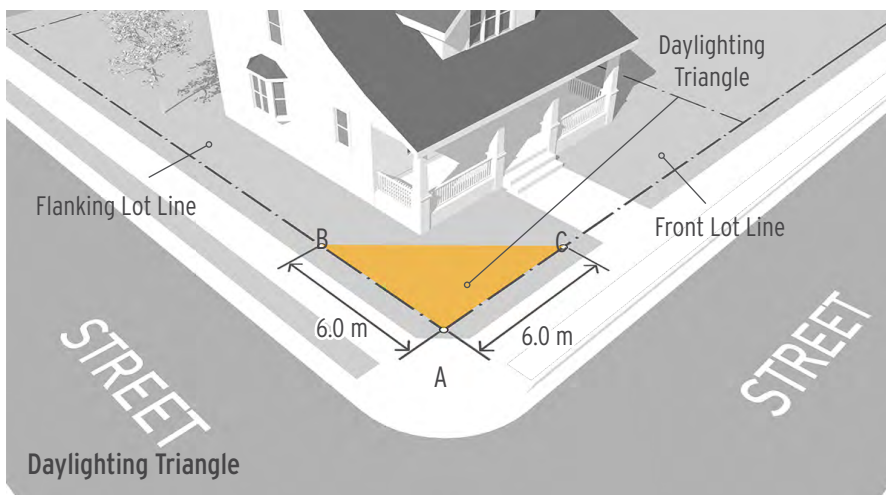
**Cross Gable** means a gable on a dormer which is perpendicular to the roof's direction (see figure).

Cross Gable



## D

**Day Care Centre** means a building or part thereof where four or more individuals are cared for on a temporary daily basis without overnight accommodation but does not include a school and includes an adult day care centre.



**Daylighting Triangle** means that area of a corner lot which is enclosed by a triangle, the three corners of which are determined as follows (see figure):

- the point of intersection of the front and flanking lot lines (point "A");
- a point on the flanking lot line (point "B") a distance of 6.0 m (20 ft) from point A; and
- a point of the front lot line (point "C") a distance of 6.0 m (20 ft) from point A.

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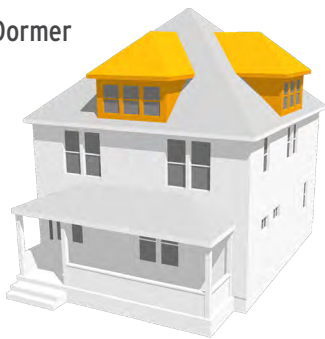
**Designated Flood Plain** means the area of land adjacent to the Salmon River, North River and their tributaries that is inundated with flood waters at a statistical frequency of 1:100 years and 1:20 years as identified under the Canada - Nova Scotia Flood Damage Reduction Program and associated Flood Risk Mapping.

**Design Elements** means the placement of structures or objects which affect aesthetics and functionality of the premise.

**Development** includes any erection, construction, addition, alteration, replacement or relocation of to any building or structure and any change or alteration in the use made of land, building or structures and shall include any topographical alterations for the purposes of flood plain management. In the Downtown Residential (R3) Zone, 'Development' shall include non-structural alterations to the exterior of a main building such as window or siding replacement.

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

Dormer



**Dormer** means a protruding structure built out of a sloped roof (*see figure*).

**Dormer, Hip Roof** means a dormer having a hip roof;

**Dormer, Gable** means a dormer having a gable roof;

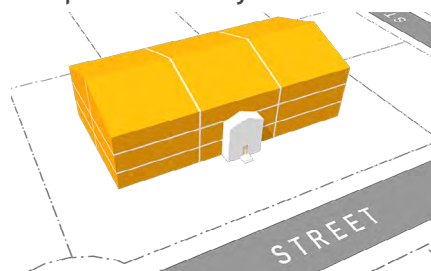
**Dormer, Shed** means a dormer having a roof with a single slope;

**Dormitory** means a building or part thereof operated by an educational, governmental, or industrial use and containing a room or rooms forming one or more habitable units which are used or intended to be used by residents, employees, or students of the institution or facility for living and sleeping. A dormitory unit may contain communal dining facilities but shall exclude the preparation of meals within the sleeping units which are provided.

**Dwelling, Converted** means a building originally built and designed as a single detached dwelling unit that has been converted into two or more dwelling units or a non residential use.

**Dwelling, Multiple Unit** means a building consisting of three or more residential dwelling units within a single structure but does not include a townhouse dwelling (*see figure*).

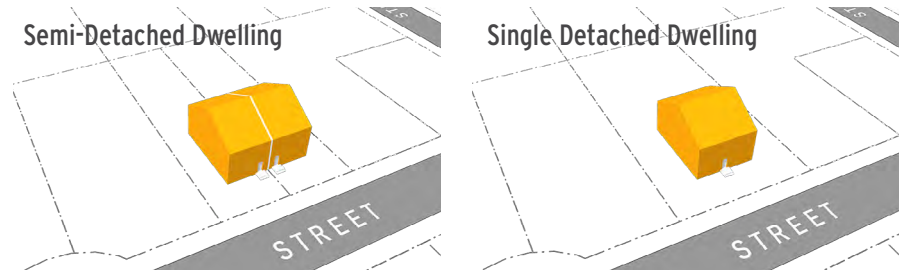
Multiple Unit Dwelling



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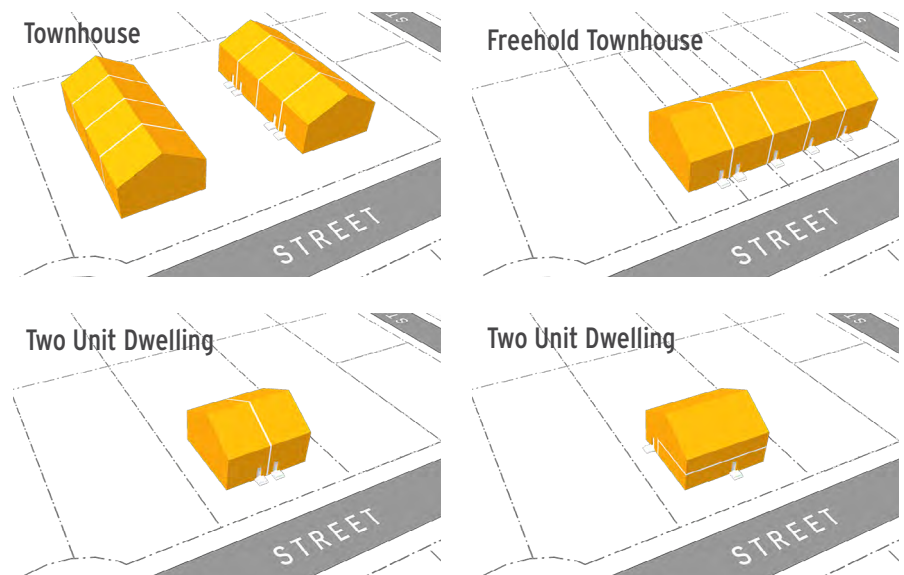
**Dwelling, Semi-Detached** means a building that is divided vertically into two dwelling units, each of which has its own dedicated exterior entrance oriented towards the street, and each of which is designed to, if subdivided, exist as one independently owned dwelling unit on its own lot (*see figure*).



**Dwelling, Single Detached** means a completely detached dwelling unit (*see figure*).

**Dwelling, Townhouse** means a building that is divided vertically into three or more dwelling units, each of which has its own dedicated exterior entrance oriented towards the street, and each of which is designed to, if subdivided, exist as one independently owned dwelling unit on its own lot (*see figure*).

**Dwelling, Freehold Townhouse** means a dwelling unit in a townhouse style structure where each unit sits on its own individual lot and can be owned, serviced, and accessed independently of the other units within the same townhouse structure.



**Dwelling, Two-Unit** means a building that is divided into two units but does not include a semi-detached dwelling and does not include a building where one of the dwelling units is clearly the primary use and the other a secondary or accessory dwelling unit (*see figure*).

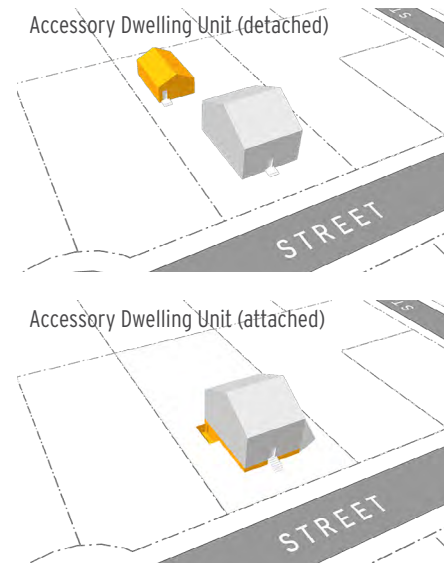
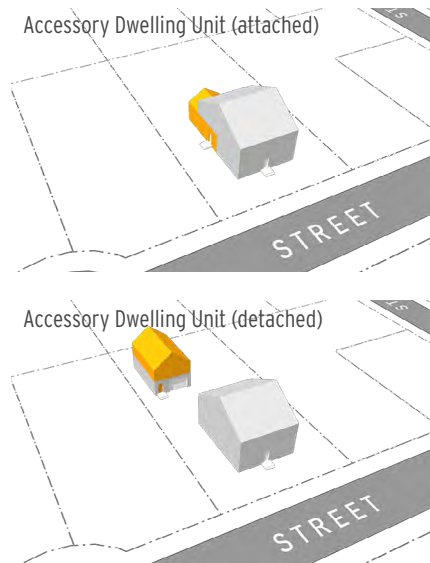
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RS
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FG
RR
WR
PO
CR
ER
FP
FW
FF



**Dwelling Unit** means one or more habitable rooms with a private entrance, designed or intended for use by one or more individuals as an independent and separate housekeeping establishment in which separate kitchen, sanitary facilities and sleeping area(s) are provided for the exclusive use of such individuals.

**Dwelling Unit, Accessory** means a secondary, independent residential dwelling unit located on the same lot as, or sharing a structure with, a single detached dwelling which is the primary use of the property (*see figure*).

### Accessory Dwelling Units



## E

**Educational Use** means a building or part thereof is used to provide instruction and training. Typical uses include, but are not limited to nursery and preschool, grade schools, colleges and universities, driving education, commercial school, technical, trade, and other specialty school.

**Elevation (with reference to a building)** means the vertical area of a building from grade level to the roof's highest extending feature.

**Emergency Services** means a building or part thereof primarily engaged in the protection of persons and property from injury, harm or damage which may include incidental storage of emergency equipment and vehicles. Typical uses include, but are not limited to, police stations, fire stations, or ambulance depots.

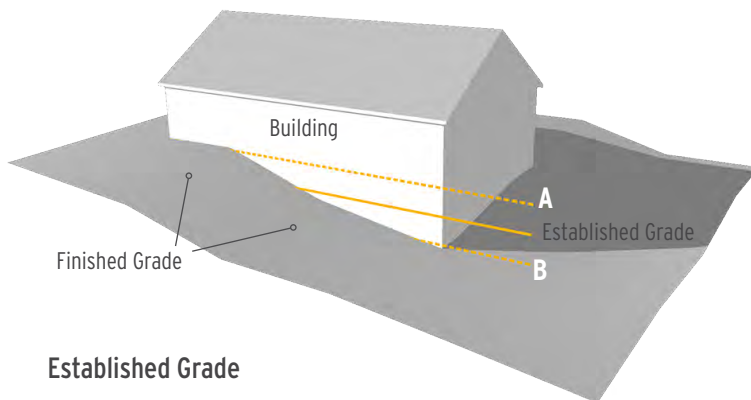
**Emergency Shelter** means a building or part thereof used by a non-profit, charitable, government or religious organization to provide boarding and/or lodging and ancillary services to primarily indigent, homeless, transient persons or other persons requiring emergency shelter.

**Engineer, Professional** means a registered member, in good standing, of the Association of Professional Engineers of Nova Scotia.

**Erect (with reference to a building or structure)** means, build, construct or reconstruct and shall include:

- a) the moving of a structure from one location to another; and/or
- b) any physical operation, such as excavating, filling or draining, preparatory to building, construction or reconstruction and "erected" shall have a corresponding meaning.

Con
Def
Adm
Gen
DC
UC
UG
DN
GR
RS
BI
FG
RR
WR
PO
CR
ER
FP
FW
FF



**Established Grade** means the average of the highest (A) and lowest (B) elevation of finished surface of the ground where it meets the exterior main walls of a building or the average elevation of the finished grade of the ground immediately surrounding a structure, exclusive in both cases of any artificial embankment or entrenchment (*see figure*).

**Existing** means legally existing on the effective date of this By-law.

## F

**Farmers Market, Flea Market, Antique Market** means an occasional or periodic market held in an open area, building or portion thereof where groups of individuals offer goods and services for sale to the public. The activities permitted are the retail sale of food, clothing, arts & crafts, second hand items, plants and products of a similar nature.

**Fence** means any barrier of posts, wood, metal, wire, brick, stone, or other similar materials or combinations of such materials, which is constructed for the purpose of delineating, screening, safeguarding or enclosing.

**Fenestration** refers to the form and placement of windows.

**Flanking Elevation** means the facade of a building facing the flanking lot line on a corner lot.

**Floodproofing** means a measure or combination of structural and non-structural measures incorporated into the design of a structure which reduces or eliminates the risk of flood damage, usually to a defined elevation. The prescribed method of flood proofing is through the permanent placing of fill, or elevation of the structure, or having the sills of all windows and doors through the foundation walls above the specified level.

**Floodway** means the inner portion of a flood risk area where the risk of flooding is greatest and where flood depths and velocities are greatest. In the floodway there is a five percent probability of a flood occurring in any given year.

**Floodway Fringe** means the outer portion of a flood risk area where there is a moderate risk of flooding. In the floodway fringe there is a one percent probability of a flood occurring in any given year.

**Floor Area** (in relation to a building) means the total area of all floor space contained within the exterior walls of a building.

**Floor Area** (in relation to a use) means the extent of floor space occupied by a use.



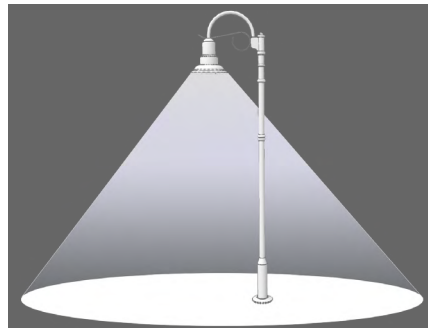
**Floor Area, Commercial** means the total usable floor area within a building used for business or commercial purposes but excludes washrooms, furnace and utility rooms and common halls or malls between individual establishments.

**Floor Area, Ground** means the combined area of all horizontal space contained within the exterior face of the exterior walls of the storey closest to grade level.

**Food Service** means establishments primarily engaged in preparing meals, baked goods, snacks, and beverages for consumption off the premises but does not include a restaurant, café, take-out restaurant, or any retail sale on the premises.

**Full Cut-off Fixture** means a lighting fixture that allows no emission of light above the fixture's horizontal plane (*see figure*).

**Full Cut-off Fixture**



**Funeral Home** means development primarily engaged in preparing the dead for burial or interment, conducting funerals, operating sites or structures reserved for the interment of human or pet remains.

## G

**Gable** means the triangular section of a wall at the end of a pitched roof formed between the eaves.

**Golf Course** means a land used for the purpose of playing golf and may include an accessory office, retail pro shop, restaurant, banquets facilities, lounge, golf driving range, caretaker's dwelling unit, and golf academy.

**Governmental Use** means development providing municipal, provincial or federal government services directly to the public. Typical uses include, but are not limited to, taxation offices, courthouses, post office, employment offices, and social service offices. This use does not include emergency service facilities, detention and correction services, utility services, and education services.

**Grade Level** means the site elevation prior to any development.

**Greenhouses, Nursery and Floriculture** means development used for propagation, storage and sale of plants, and for the sale of products used for landscaping purposes

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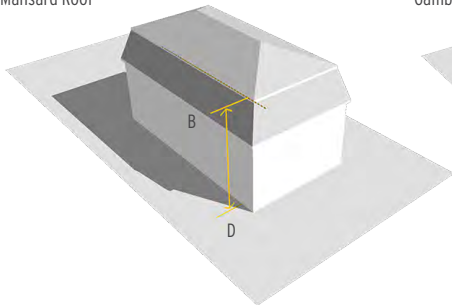
# H

**Health Care Clinic** means a building or part thereof where three or more members of the medical profession, dentists, chiropractors, osteopaths, and physicians or occupational therapists provide diagnosis and treatment to the general public and may include overnight accommodations for up to 4 patients, and shall include such uses as reception areas, offices, coffee shop, consultation rooms, x-ray and minor operating rooms and a dispensary, providing that all such uses have access only from the interior of the building or structure.

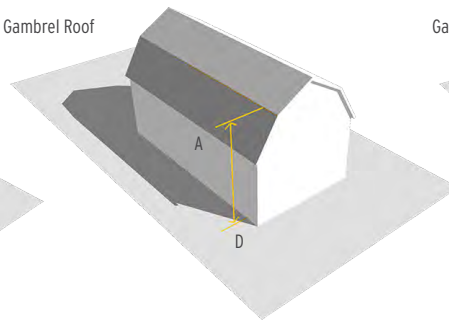
**Heavy Vehicle** means any vehicle with six or more wheels on two or more axles.

**Height, Building** means the vertical distance from the established grade level (D) to: halfway between the roof peak and the eaves in the case of a gable, gambrel, shed, or hip roof (A), the ridge line in a mansard roof (B), or the highest point of the roof joists in the case of a flat roof (C) (*see figure*).

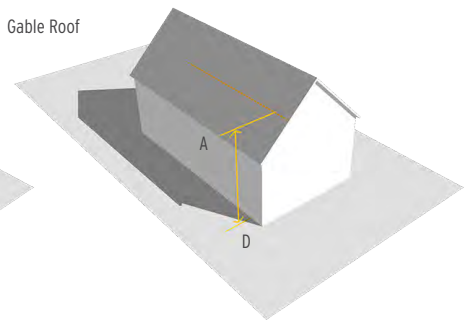
Mansard Roof



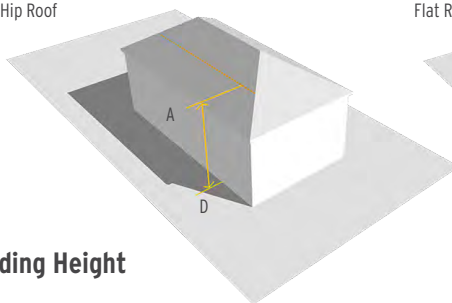
Gambrel Roof



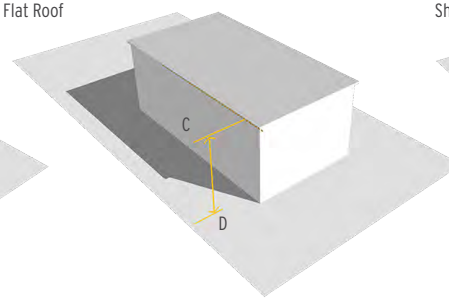
Gable Roof



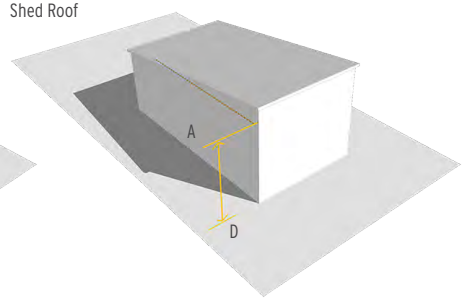
Hip Roof



Flat Roof



Shed Roof



## Building Height

**Heritage Structure** means a structure situated on a property registered either municipally with the Heritage Advisory Committee or provincially through the Heritage Property Program created through the Heritage Property Act. R.S., c. 199, s. 1.

**Hip Dormer**, see “dormer”.

**Home Day Care** means a dwelling where eight or fewer people are cared for on a daily basis without overnight accommodation.

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

**Housekeeping Unit** means one or more rooms which contain independent cooking, sanitary and sleeping facilities.

I

**Impermeable Surface** means any surface that allows less than 70% of precipitation to penetrate into the ground. Impermeable surfaces include, but may not be limited to: roofs, asphalt pavement, concrete pavement, and compacted gravels.

**Industrial Equipment Sales and Services** means development used for the sale or rental of heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield and mining construction, manufacturing, assembling and processing operations and agricultural production.

**Industrial use** means the use of land, building or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods and related accessory uses and shall include the use of land, or building, or structure for one or more of the following operations:

- a) the carrying on of any process of manufacture whether or not a finished article results therefrom;
- b) the dismantling and separating into parts of any article, machinery, or vehicle;
- c) the breaking up of any articles, goods, machinery, or vehicles;
- d) the treatment of waste materials;
- e) the processing of sand, gravel, clay, turf, soil, rock, stone, or similar substances, but not the extraction thereof;
- f) the repairing and servicing of all vehicles, machinery and buildings;
- g) the storage of goods in connection with or resulting from any of the above operations;
- h) the provision of amenities for persons engaged in such operations;
- i) the sale of goods resulting from such operations; and
- j) any work of administration or accounting in connection with the undertaking.

**Infilling** means material or the act of depositing material from an outside area into the 1:20 year and/or 1:100 year flood plain as identified under this by-law.

K

**Kennel** means a land and/or building or part thereof where animals, birds or livestock used as domestic household pets are bred, raised, kept or boarded for profit or gain.

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# L

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

**Landscaping Plan** means a detailed site plan that graphically depicts landscape elements and includes details such as ground cover, materials, plant species, trees, lighting, walkways, structures, natural features, and other elements that define a landscape.

**Loading Space** means an off-street space or berth on the same lot with a building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which is connected to a public street by an appropriate access.

**Lodging House** means a building in which the owner resides and contains no more than 6 lodging units, with or without meals, and where there is no provision of on-site care, treatment or professional services of a physical or mental health nature.

**Lodging Unit** means a room in a Lodging House used to providing living accommodation for the occupant but does not include an independent kitchen and washroom and does not constitute a self-contained housekeeping unit.

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

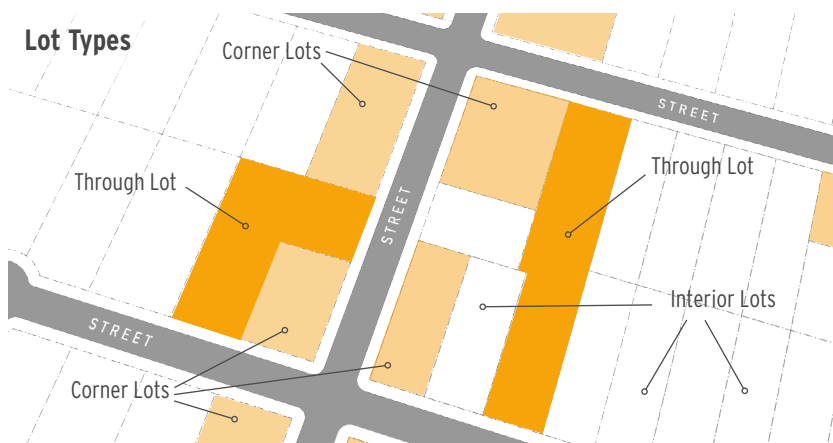
**Lot Area** means the total area within the lot lines of a lot, excluding any areas covered by waterbodies, wetlands, or watercourses, or slopes of 22 degrees or more from horizontal, provided that only the lot area lying within the zone in which a proposed use is permitted may be used in calculating the minimum lot area under the provisions of this by-law for such permitted use.

**Lot Coverage** means that percentage of the lot area covered by the building area but excluding that portion of any building that is constructed entirely below grade and underground.

**Lot, Corner** means a lot situated at the intersection of and abutting upon two or more streets (*see figure*).

**Lot, Interior** means a lot which has frontage on one street and is bounded on all other sides by other lots (*see figure*).

**Lot, Through** means a lot which has frontage on more than one street but the frontage is not contiguous (*see figure*).

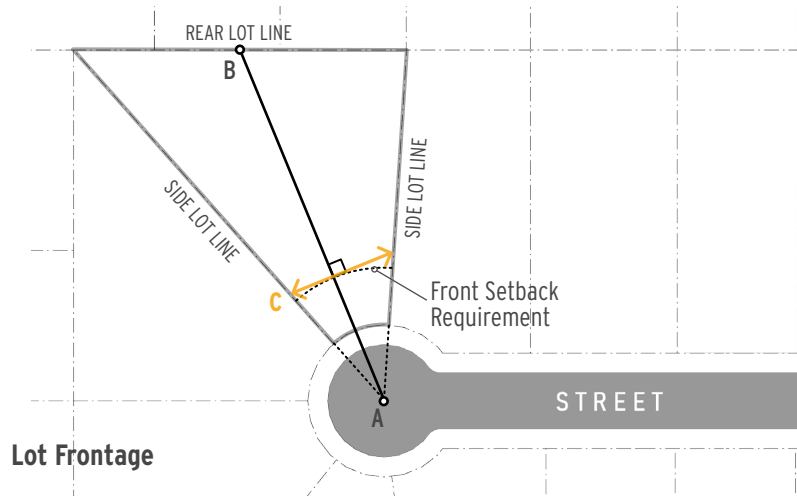


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**Lot, Established Centreline** means a line which divides a lot into two parts by either of the following methods (*see figure*):

- joining the mid points of the front lot line and rear lot line with a direct and straight line; or
- joining the mid point of the rear lot line (B) and the apex of a triangle formed by extending the side lot lines to their point of convergence (A), with a direct and straight line (Line AB); and may be referred to as “the established centerline”.



**Lot Frontage** means a contiguous distance between side lot lines measured along a line perpendicular to the established centerline at the required setback from the front lot line (C) (*see figure*).

**Lot Line** means any boundary of a lot.

**Lot Line, Flanking** means a side lot line which abuts the street on a corner lot (*see figure*).

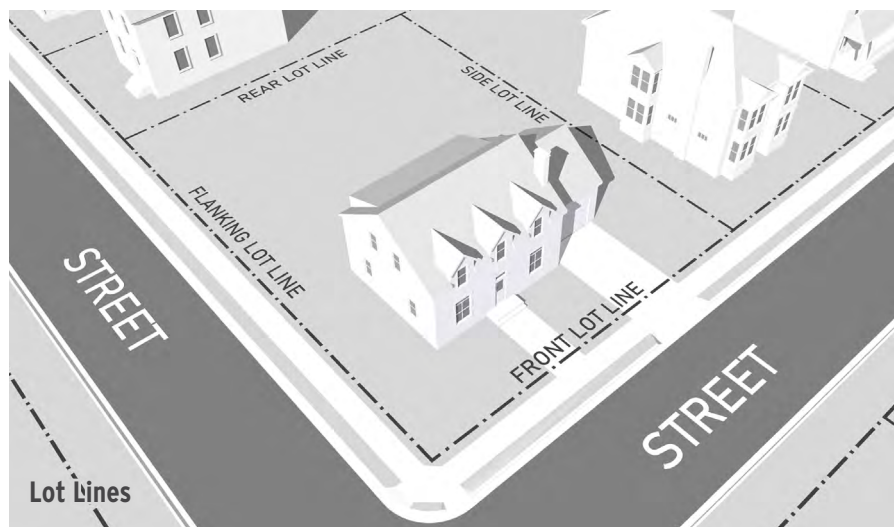
**Lot Line, Front** means the line dividing the lot from the street; in the case of a corner lot, the shorter boundary line abutting the street shall be deemed the front lot line and the longer boundary line abutting the street shall be deemed the side lot line. In the case of a through lot, either boundary dividing the lot from a street may be the front lot line (*see figure*).

**Lot Line, Rear** means the lot line opposite the front lot line (*see figure*).

**Lot Line, Side** means a lot line other than a front or rear lot line (*see figure*).

## M

**Machinery and Equipment Sales and Service** means an establishment primarily engaged in the wholesaling and service of farm, landscaping, construction, forestry, mining, and industrial machinery and equipment and supplies.



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

**Main Wall** means the exterior front, side, or rear wall of a building and all structural members essential to the support of a building or structure.

**Manufacturing, Processing, and Assembly** means an establishment primarily engaged in the chemical, mechanical or physical transformation of materials or substances into new products. These products may be finished, in the sense that they are ready to be used or consumed, or semi-finished, in the sense of becoming a raw material for an establishment to use in further manufacturing. Related activities, such as the assembly of the component parts of manufactured goods; the blending of materials; and the finishing of manufactured products by dyeing, heat-treating, plating and similar operations are also treated as manufacturing activities. Manufacturing, processing, and assembly establishments may be known by a variety of trade designations, such as plants, factories or mills.

**Microbrewery and Microdistillery** means development that manufactures beer, wine or spirits, or combination thereof, in the following quantities per calendar year:

- a) no more than 15,000 hectolitres of beer;
- b) no more than 75,000 litres of spirits.

**Minimum Opening Elevation** means the minimum elevation above the 1:100 flood plain for a structural opening's placement such as a window or door, measured from the opening's base.

**Minimum Yard**, see "yard".

**Mini-home** means a transportable, single or multiple section dwelling unit certified by Canadian Standards Association prior to placement on the site as complying with CAN/CSA-Z240 Series "Mobile Homes" at the time of manufacture.

**Mobile Car Wash** means an unenclosed car wash that is operated either entirely or partially from a mobile facility.

**Motor Vehicle** means any motor vehicle, which is or may be registered by the Registrar of Motor Vehicles of the Province of Nova Scotia.

**Municipal Government Act** means the provincial legislation which enables municipalities to plan and run their corporate affairs.

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## N

**Neighbourhood Clinic** means a building or part thereof used in the professional practice of not more than two health practitioners for the purpose of consultation, diagnosis or treatment but shall not include a dispensary service, a pharmacy or laboratory accessory to the clinic.

**Non-Conforming Use** means any use of land or building or structure constructed, or being constructed, on or before the effective date of this By-law which has a prohibited use when subjected to this By-law.

## O

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

**Office** means a room designed, furnished or used for the purpose of regularly transacting business, a service performed or consultation given but shall not include a manufacturing of any product or the retail selling of goods.

**Office and Professional Use** means a building or part thereof primarily used for the provision of professional services. Typical uses include, but are not limited to, offices of lawyers, accountants, financial advisers, health care professionals, engineers, architects, photographers and veterinaries.

**Original Structure** means a structure or portion of a structure that was in existence at the time it was first occupied for its intended purpose. Additions that are consistent with the original structure in terms of architectural style, materials, and construction may be considered part of the 'original structure' provided they are in existence on the effective date of this By-law.

**Outdoor Display** means the display of retail goods or materials intended for the immediate sale to the general public which are not enclosed within a structure.

**Outdoor Storage** means the storage of goods or materials not intended for immediate sale to the general public which are not enclosed within a structure.

**Outdoor Woodburning Furnace** means an accessory building or structure which operates as a heat source for associated main buildings.

## P

**Parking Lot** means an unenclosed, off-street area used for parking of motor vehicles.

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**Parking structure** means an enclosed or partially enclosed, possibly multi-storey building, or space in a building used for the storage of automobiles and may include a parking structure operated as a commercial for-profit venture.

**Personal Services** means a building or part thereof in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons and includes uses such as barber shops, saunas, tanning beds, day spas, beauty salon, esthetician, registered massage therapists, foot care, shoe repair, tailoring and dress-making.

**Pet** means a domesticated small animal, including but not limited to dogs, cats, potbellied pigs, that is kept for personal use only.

**Pitch** means the slope of a roof.

**Porch** means an exterior addition to a building, which forms a covered approach or entrance to a building.

**Premise** means a lot of land and all of that which is upon the land including buildings and the contents thereof.

**Private Entrance** means an entrance to a dwelling unit that does not rely upon an enclosed or partially enclosed common corridor or foyer to provide access between the dwelling unit and the outdoors.

## R

**Rear Yard**, see “yard”

**Recreation Facility, Outdoor** means an outdoor facility operated as a service for, and available to, the general public for sports and active recreation. Typical uses include, but are not limited to: trails, dog parks, playgrounds, unenclosed ice surfaces or rinks, athletic fields, outdoor basketball courts, outdoor swimming pools, and bowling greens. This use does not include golf recreation facilities, sport stadiums, arenas, or a commercial recreation facility.

**Recreation Facility, Indoor** means an enclosed facility operated as a service for, and available to, the general public for sports and active recreation. Typical uses include, but are not limited to: gymnasiums, indoor soccer pitch, indoor rock climbing facilities, swimming pools, indoor tennis courts, and racquet clubs. This use does not include a commercial recreation facility.

**Recreation Facility, Commercial** means a recreation facility operated primarily for profit that offers exercise and other active physical fitness conditioning, or recreational sports activities. Typical uses include, but are not limited to: athletic clubs, physical fitness facilities, gymnasiums, physical fitness centres or studios, bowling, billiards, ranges, and racquet clubs.

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**Recycling and Material Recovery** means a collection facility and distribution point in which used material is separated and processed prior to shipment to others who will use those materials to manufacture new products, but does not include processing except assembling or packaging for shipping.

**Registered Heritage Property** means a property registered either municipally with the Heritage Advisory Committee or provincially through the Heritage Property Program created through the Heritage Property Act. R.S., c. 199, s. 1.

**Religious Institution** means a land and/or building or part thereof used for worship and related religious, philanthropic or social activities and may include accessory rectories, meeting rooms, food preparation and service facilities, classrooms, dormitories and other buildings. Typical use include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries. This use does not include private education services, public education services, and commercial school, even as accessory uses.

**Repair Shop** means a building or part thereof used for servicing, repairing and installing household articles, including but without limiting the generality of the foregoing, the following: radio or television service, locksmith shops, small appliance or tool service but shall not include repair services for small engines, motor vehicles, and industrial or manufacturing equipment.

**Required Yard**, see "yard"

**Residential Care Facilities** means an establishment primarily engaged in providing in-patient nursing and rehabilitative services, or providing room and board in conjunction with supervision or protective supervision and may include counselling, rehabilitation and support services.

**Restaurant** means an establishment where food and drink is prepared, served and consumed either on premises or as take-out.

**Retail Complex** means a collection of independent retail stores, services, and offices housed in a building or buildings usually constructed and maintained by a single management unit and usually features common services, parking, internal vehicle circulation, and access roads.

**Retail Store** means a building or part thereof where goods, wares, merchandise, substances, articles or things are offered or kept for sale or rental, including storage of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service such store.

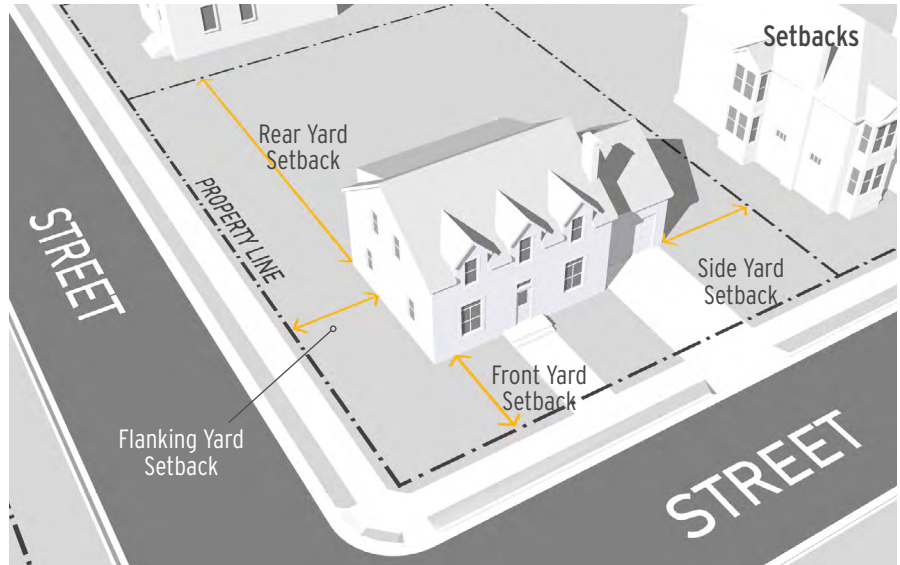
**Roof Line** means the profile, form and height of a roof.

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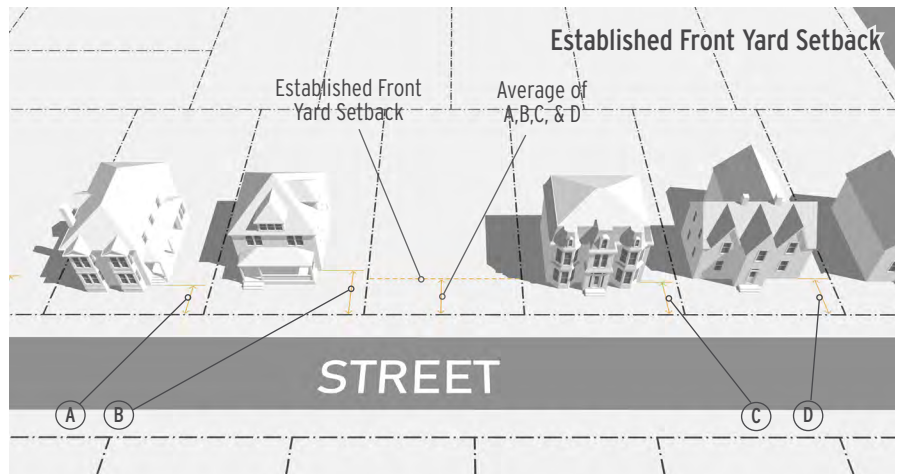


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**Setback** means the distance between any lot line and the nearest main wall of any building or structure and extending the full width or length of the lot (*see figure*).



**Setback, Established Front Yard** means the average front yard setbacks of properties within 30 m (98.4 ft), on the same block, and facing the same general direction (*see figure*).



**Scientific and Technical Service** means an establishment primarily engaged in conducting research and experimental development in physical, engineering and life sciences, including electronics, computers, chemistry, oceanography, geology, mathematics, physics, environmental, medicine, health, biology, botany, biotechnology, agriculture, fisheries, forestry, pharmacy, veterinary and other allied subjects.

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**Shed Dormer**, see “dormer”

**Shipping Container** means a standardized reusable steel box used for the storage and movement of materials and products within a freight transport system.

**Side Yard**, see “yard”

**Sign** means a structure, device, light or natural object including the ground itself, or any part thereof, or any device attached thereto, or painted or represented thereon, which shall be used to identify, advertise, or attract attention to any object, product, place, activity, person, institution, organization, industry or business, or which shall display or include any letter, word, model, number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement, and which is intended to be seen from off the premises or from a parking lot. The word “sign” shall include signs which are affixed to the inside of windows and glass doors and are intended to be seen from roadways or parking lots. No other indoor sign shall be deemed a sign within this by-law.

**Sign Area** means the area of the display surface, but not including any portion of the support structure, or:

- a) where a sign has more than two sides, or is conical, spherical, or tubular, sign area shall mean one half of the sum area of all display surfaces;
- b) where a sign has two sides, sign area shall mean one half of the sum of the area of all display surfaces;
- c) where a sign is composed of freestanding characters or shapes, sign area shall mean the area of the smallest quadrangle which encloses the characters or shapes comprising the sign.

**Sign, Awning** means a sign that is incorporated into the material of an awning (*see figure*).

**Awning Sign**



**Sign, Banner** means a sign made of fabric or other non-rigid material with no enclosing framework.

**Sign, Display Surface** means that portion of a sign, including any trim and molding, which forms the surface upon which elements are organized, related and composed to for a unit which conveys a message.

**Facial Wall Sign**



**Sign, Facial Wall** means a sign which projects from and is supported by a wall of a building (*see figure*)

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**Ground Sign**



**Sign, Ground** means a sign supported by one or more upright poles or braces placed permanently in the ground (*see figure*).

**Ground Sign**



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

**Sign, Projecting Wall** means a sign which; projects from; is perpendicular to; and is supported by; a wall of a building (*see figure*).

**Sign, Roof** means a sign fixed, placed upon or supported by the roof of a building (*see figure*).

**Ground Sign**



**Projecting Wall Sign**



**Roof Sign**



**Projecting Wall Sign**



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**Sign, Sandwich Board** means a type of sign which is composed of two hinged or otherwise joined boards which lean on the ground (*see figure*).

**Sign, Temporary** means a sign which may be erected for a specified period of time and may include portable signs, banners, constructions signs, and the like (*see figure*).

**Stadia and Auditoria** means a large, open or enclosed area used for games and major athletic, civic, education, political, religious or social events and partly or completely surrounded by tiers of seats for spectators.

**Storey** means a complete horizontal building division, having a continuous or nearly continuous floor.

**Street Facing Building Profile** means the profile (shape) created by transferring all street (front) facing surfaces to a two dimensional plane. Any street facing angled surfaces (roofs) would also be included, but only the two dimensional profile and not the entire area of the angled surface would be included (*see figure*).

**Street Line** means the boundary of a street or road (including sidewalks).

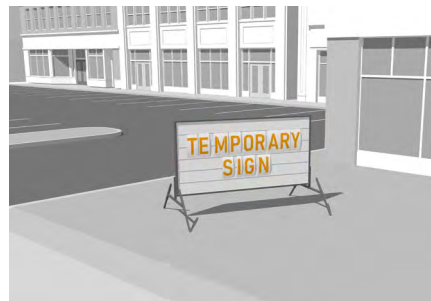
**Streets or Roads** means the whole and entire right-of-way of every highway, road or road allowance, vested in the Province of Nova Scotia or the Town of Truro and includes sidewalks.

**Structure** means anything that is constructed or erected, the use of which requires location on the ground, or attached to something having location on the ground.

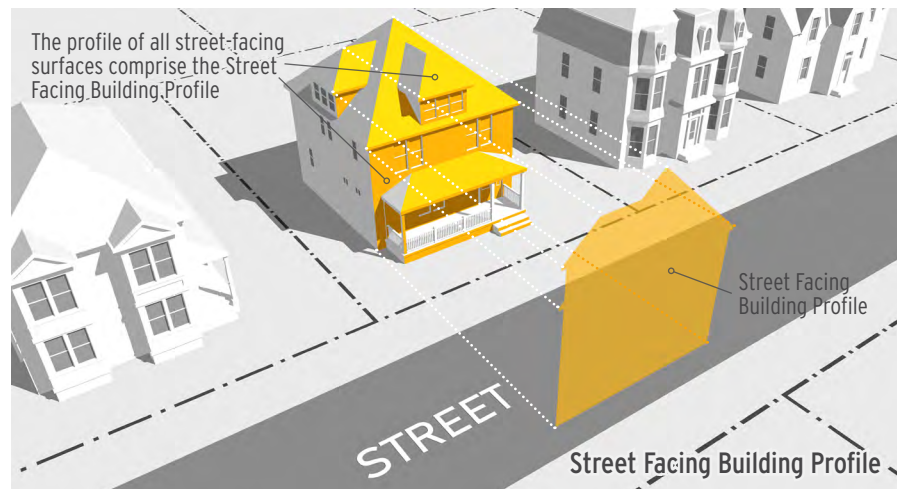
**Subject Property** means the lot and all structures and the contents thereof which are to be subject to review.

**Surveyor, Professional** means a registered member, in good standing, of the Association of Nova Scotia Land Surveyors.

### Temporary (Portable) Sign



### Temporary (Sandwich Board) Sign



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**Swimming Pool** means any accessory building or structure above or below grade which is designed to hold water to a minimum depth of 61 cm whether swimming, bathing or reflecting pools or any other such structure used for landscaping of property, but excluding existing natural bodies of water or streams.

## T

**TARE Weight** means the weight of an unladen vehicle.

**Tattoo Studio** means an establishment where people receive permanent decorative tattoos from a tattoo artist.

**Textile Mill** means an establishment primarily engaged in manufacturing yarn or textile fabrics, or finishing yarn, textile fabrics or clothing but does not include leather or hide tanning and finishing.

**Tower** means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term encompasses personal wireless service facilities including radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers or personal communications services towers, alternative tower structures and the like.

**Town** means the Town of Truro.

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

**Transportation Facilities and Depots** means a land and/or building or part thereof where buses, trucks, or tractor-trailers are rented, leased, kept for hire, stored, or parked for commercial purposes.

## U

**Unobstructed Open Space** means all that land area of a lot which is not otherwise dedicated to parking lot, building, structure or use whether a main use or accessory but which may include walkways, landscaped areas and similar pedestrian or aesthetic open space, natural or man made.

**Urban Agricultural Use** means the growing, rearing, producing and harvesting of agricultural products, livestock, and/or large animals subject to applicable municipal by-laws.

**Utilities and Public Works** means any agency, which under public franchise or ownership, or under certificate of convenience and necessity provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage, collection or other similar service.

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# V

**Verandah** means an outdoor living area, unenclosed or semi enclosed by railing. Extending out of a structure, verandahs are normally roofed. Verandahs are generally larger than porches, some extending across multiple faces of a structure

# W

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

**Warehousing, Moving and Storage** means a building or part thereof used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet.

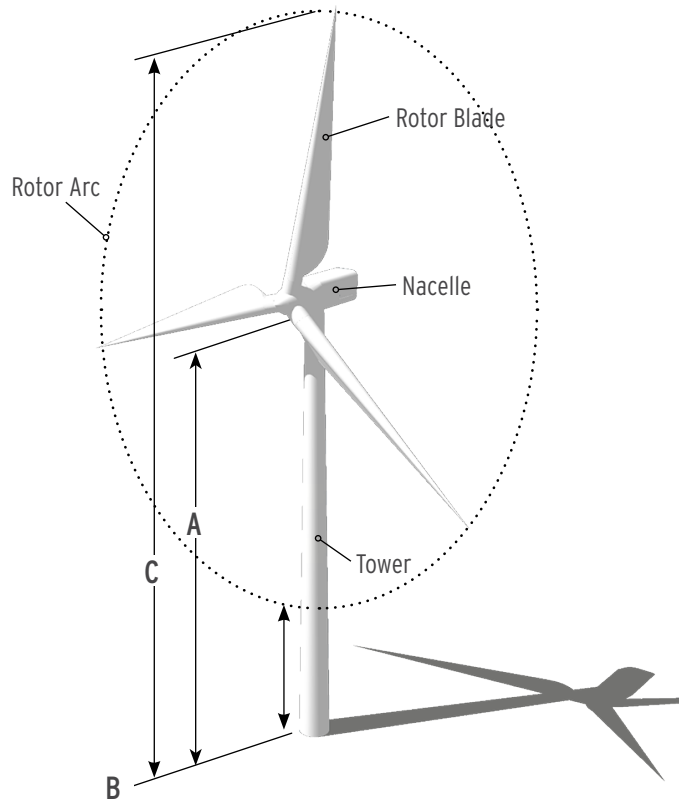
**Waste Management and Remediation** means an establishment primarily engaged in providing waste management services, such as waste collection, treatment and disposal services; environmental remediation services; and septic tank pumping services.

**Wetland** means land commonly referred to as a marsh, swamp, fen or bog that either periodically or permanently has a water table at, near or above the land's surface or that is saturated with water, and sustains aquatic processes as indicated by the presence of poorly drained soils, hydrophytic vegetation and biological activities adapted to wet conditions.

**Wholesale Use** means development primarily engaged in selling merchandise to retailers, to industrial, commercial, institutional or professional business users.

**Wind Turbine Generator** means a system of components which converts the kinetic energy of the wind into electrical or mechanical energy and which comprises all necessary components including energy storage, control systems, transmission systems, and structural support systems (*see figure*).

**Wind Turbine Generator**



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**Tower Height (A)** means the distance measured from finished grade (B) to the nacelle.

**Total Height (C)** means the distance measured from finished grade (B) to uppermost extension of the rotor blade.

**Wind Farm** means two or more wind turbine generators producing mechanical or electric energy in a specific area.

**Participant Dwelling/Use** means a dwelling or use that is located on the same property as a wind turbine and is under common ownership.

**Flanking Yard**



**Front Yard**



**Rear Yard**



**Y**

**Yard** means the part of a lot unoccupied by the main building.

**Yard, Flanking** means a side yard which abuts a street on a corner lot (see figure).

**Yard, Front** means a yard that extends across the full width of a lot between the front lot line and the nearest main wall of any building on such lot (see figure).

**Yard, Minimum** means the smallest yard permitted by this by-law (see figure).

**Yard, Rear** means a yard that extends across the full width of a lot between the rear lot line and the nearest main wall of the main building on such lot (see figure).

**Side Yard**



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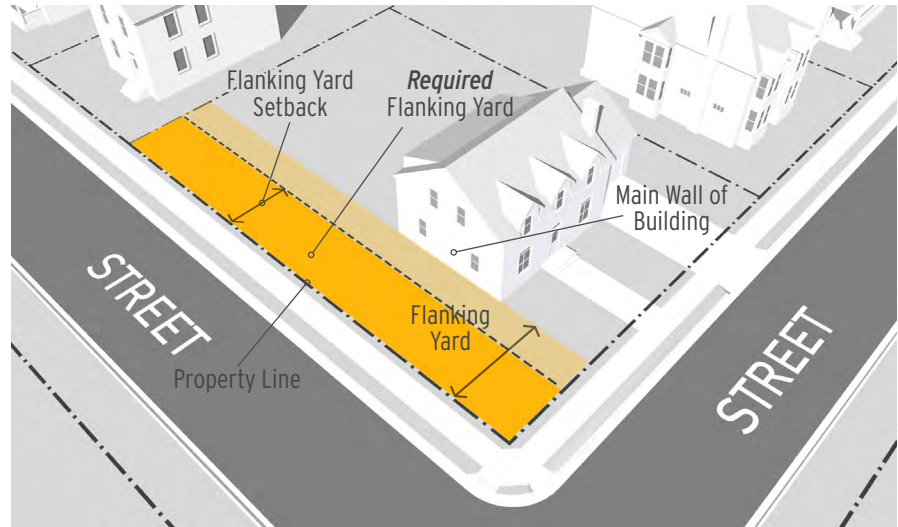
**Yard, Required** means the area between a front, side, rear, or flanking lot line and a line parallel to the respective lot line set back a distance equal to the applicable yard setback (*see figure*).

**Yard, Side** means a yard that extends from front yard to a rear yard between the side line of a lot and the nearest main wall of the main building thereon. Where more than one building is erected or altered on one lot the side line or the lot shall be interpreted as the centre line between two buildings (*see figure*).

## Z

**Zone** means a delineated area of land shown on the schedules of this by-law.

**Required Yard**



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## 2 | Administration

### 2.1 TITLE & PURPOSE

#### 2.1.1 Title

This By-law is cited as the Town of Truro Land Use By-law.

#### 2.1.2 Lands Governed by this By-law

This By-law applies to the properties shown on the Zoning Map, attached to this By-law as Schedule A.

#### 2.1.3 Purpose

- a) The purpose of this By-law is to carry out the intent of the Town of Truro's Municipal Planning Strategy by regulating the use of land, buildings, and structures and by regulating the size, placement, and appearance of the buildings and structures that comprise the built environment of the Town of Truro.
- b) Within the area to which this By-law applies, no person shall erect, alter, enlarge or use, or permit to be erected, altered, enlarged or used, any building or structure in whole or in part, nor use any land in whole or in part, except in accordance with the provisions of this By-law

#### 2.1.4 Repeal of Former By-laws

This By-law repeals the Town of Truro Land Use By-law, adopted by Council on September 14, 2010, and all amendments thereto.

### 2.2 ZONES

#### 2.2.1 Zoning Map

The Town of Truro shall be divided into zones, the extent and boundaries of which are shown on the Zoning Map which is attached to this By-law as Schedule "A". The provisions of this By-law shall apply to all such zones.

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### 2.2.2 Zone Symbols

The following zones and overlay zones appear of the Zoning Map and are represented by the following symbols and colours or patterns.

Table 2.1: Zones

Zone Symbol	Zone Name
<b>DC</b>	Downtown Core (DC)
<b>UC</b>	Urban Corridor (UC)
<b>UG</b>	Urban Growth (UG)
<b>DN</b>	Downtown Neighbourhood (DN)
<b>GR</b>	General Residential (GR)
<b>RS</b>	Regional Service (RS)
<b>BI</b>	Business Industrial (BI)
<b>FG</b>	Future Growth (FG)
<b>RR</b>	Rural Residential (RR)
<b>WR</b>	Watershed Residential (WR)
<b>PO</b>	Parks & Open Space (PO)
<b>CR</b>	Commercial Recreation (CR)
<b>ER</b>	Environmental Reserve (ER)
<b>FP</b>	Floodplain (FP)
<b>FW</b>	1:20 Flood Way Overlay (FW)
<b>FF</b>	1:100 Flood Way Fringe (FF)





### 2.2.3 Zoning Boundaries

Zoning boundaries shall be determined as follows:

- a) where a zone boundary is indicated as following a street or highway the boundary shall be the centre line of such street or highway;
- b) where a zone boundary is indicated as approximately following the lot lines, such lot lines shall be the boundary;
- c) where a railroad or railway right-of-way, an electrical transmission right-of-way, or a watercourse serves as a boundary between two or more different zones, the centre line of such right-of-way or of such watercourse shall be the boundary;
- d) where there is no landmark that indicates the precise location of a boundary the boundary shall be scaled from the Zoning Map; and
- e) where a zone boundary is indicated as following the Town boundary, the Town limit shall be the boundary.

## 2.3 INTERPRETATION

### 2.3.1 Illustrations

- a) All diagrams in this By-law are for explanatory purposes only and are not necessarily drawn to scale.
- b) In the event of a conflict between any illustration and the text of this By-law, the text shall prevail.

### 2.3.2 Defined Terms

All terms not defined in Part 1 of this By-law, in the Municipal Government Act, or by the Nova Scotia Interpretation Act shall have their ordinary and grammatical meaning.

### 2.3.3 More Restrictive Requirement Applies

Where two or more requirements of this By-law conflict, the more restrictive requirement shall apply.

## 2.4 DEVELOPMENT OFFICER

### 2.4.1 Appointment by Council

- a) Council shall appoint a Development Officer pursuant to the provisions of the Municipal Government Act who shall issue development permits and carry out such duties as are prescribed by the Municipal Government Act or by this by-law and shall perform such other duties as Council may direct.



- b) Council may appoint a Deputy Development Officer who, when the Development Officer is unable to do so by reason of absence or other cause, shall carry out the duties of the Development Officer and may make any decision he/she could have made.

## 2.5 PLANNING ADVISORY COMMITTEE (PAC)

### 2.5.1 Planning Advisory Committee

- a) Town Planning Advisory Committee is appointed by Town Council in conformity with Section 200 of the Municipal Government Act and shall be herein referred to as the Committee.
- b) Duties of the Committee include:
  - i) at the direction of Council, hold public hearings, advise Council regarding planning and zoning matters;
  - ii) advise the Council as to the intent of the Municipal Planning Strategy; and
  - iii) assist Council in the periodic review of the official plans and Land Use By-law in conformity with the Municipal Government Act.

### 2.5.2 Area Advisory Committee

- a) The West Prince Area Advisory Committee is appointed by Town Council in accordance with Section 201 of the Municipal Government Act.
- b) The West Prince Area Advisory Committee shall advise the Planning Advisory Committee on planning and land use matters that impact lands at the western end of Prince Street in and around the neighbourhood commonly known as "The Island" and more particularly described in the West Prince Area Advisory Committee Policy.

## 2.6 DEVELOPMENT PERMIT

### 2.6.1 Development Enabled by This By-law

This By-law Enables:

- a) as-of-right development;
- b) certain development to be considered by site plan approval; and
- c) certain developments to be considered by development agreement.

### 2.6.2 Compliance with this By-law

- a) The provisions of this By-law shall apply to all properties and all developments located within the boundaries of this By-law, as shown on Schedule A.

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- b) A person shall comply with this By-law, even if a development is exempt from the requirement for a development permit contained in Subsection 1.6.6.
- c) Any person who violates a provision of this By-law shall be subject to prosecution as provided for by The Municipal Government Act.
- d) All developments shall be developed in accordance with the development permit.
- e) In this By-law, any use not permitted in a particular zone is prohibited.

### 2.6.3 Requirement for a Development Permit

Subject to Subsection 1.6.6, no person shall undertake any development without first obtaining a development permit.

### 2.6.4 Compliance with Other Legislation and By-laws

- a) This By-law does not exempt any person from any other enactment of the Municipality, the Province of Nova Scotia, or the Government of Canada.
- b) No development permit shall be issued for any development prohibited by an enactment of the Municipality, the Province of Nova Scotia, or the Government of Canada.

### 2.6.5 Administration by the Development Officer

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

### 2.6.6 Development Permit Exemptions

- a) Subject to Clauses 1.6.6 (b) and (c), the following developments are exempt from the requirement to obtain a development permit:
  - i) accessory structures having a floor area of 20.0 m<sup>2</sup> (215.3 ft<sup>2</sup>) or less, unless the structure contains one or more dwelling units;
  - ii) uncovered structures less than 0.6 m (1.97 ft) in height, such as such as balconies and patios but excluding foundations, piles, and footings;
  - iii) fences under 2.0 m (6.6 ft) in height;
  - iv) the construction, replacement, or repair of infrastructure by utilities or municipal, provincial, or federal governments;
  - v) public transit shelters; and
  - vi) monuments or public art on municipally, provincially, or federally owned land.
- b) On a registered heritage property or on a lot within a heritage conservation district a development permit shall be required for uncovered structures less than 0.6 m (1.97 ft) in height
- c) Even where a development permit is not required, a development shall meet all applicable requirements contained in this By-law.



### 2.6.7 Development Permit Applications

A development permit application shall include documents and plans, drawn to scale, that include the following, as required by the Development Officer:

- a) floor plans with dimensions shown and the intended use of all rooms labelled;
- b) elevation drawings with:
  - i) height measurements and dimensions shown for all sides of proposed structures,
  - ii) external cladding material type and detail labelled, and
  - iii) any architectural details where required;
- c) roof plans;
- d) a site plan showing:
  - i) lot dimensions and lot lines;
  - ii) the location of all existing and proposed structures and uses;
  - iii) setbacks for all buildings and structures;
  - iv) the location and dimensions of all parking lots, parking spaces, driveways, driving aisles, off-street loading spaces, and parking lot entrances and exits;
  - v) the location and dimensions of all pedestrian walks and walkways;
  - vi) the location of hard landscaping or soft landscaping elements;
  - vii) the location and specifications of any exterior lighting fixtures; and
  - viii) the location of solid waste management areas.
- e) any wetlands or watercourses within 60.0 m (196.9 ft) of the lot where a development is being proposed;
- f) land contours with lot grading information, certified by a surveyor or professional engineer;
- g) the location of bicycle parking areas;
- h) the location of building utilities; and
- i) any other information that the Development Officer requires to determine if the development complies with this By-law.

### 2.6.8 Approval

The Development Officer shall issue a development permit where the development meets:

- a) the requirements of this By-law;
- b) the terms of an approved site plan; or
- c) the terms of an approved development agreement.

### 2.6.9 Expiry

A development permit shall expire 12 months from the date it is issued.

### 2.6.10 Revocation

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The Development Officer may revoke a development permit if:

- a) the development is not in accordance with:
  - i) this By-law,
  - ii) the plans associated with the approved development permit,
  - iii) an approved site plan, or
  - iv) an approved development agreement;
- b) the permit was issued based on incorrect information provided by the applicant when applying for a development permit; or
- c) the permit was issued in error.

### 2.6.11 Fees

The fees for applications under this By-law shall be set out by Administrative Order.

## 2.7 VARIANCE

### 2.7.1 Variance Conditions

- a) Notwithstanding anything in this by-law, a Development Officer may grant a variance subject to Section 235 of the Municipal Government Act. Specifically, the Development Officer may vary:
  - i) the percentage of land that may be built upon;
  - ii) the size or other requirements relating to yards;
  - iii) lot frontage; and/or
  - iv) lot area.
- b) A Development Officer may grant a variance in one or more of the following Land Use By-law requirements:
  - i) number of parking spaces and loading spaces required;
  - ii) ground area and height of a structure;
  - iii) floor area occupied by a home-based business; and/or
  - iv) height and area of a sign.
- c) A variance may not be granted where the:
  - i) variance violates the intent of the development agreement or land use by-law;
  - ii) difficulty experienced is general to properties in the area; or
  - iii) difficulty experienced results from an intentional disregard for the requirements of the development agreement or land use by-law.

### 2.7.2 Variance Procedures

- a) Variance applications shall be processed in accordance with the requirements set out in Section 236 of the Municipal Government Act.
- b) A decision by the Development Officer to refuse to grant a variance may be appealed to Council in accordance with Section 237 of the Municipal

Government Act.

## 2.8 SITE PLAN APPROVAL

### 2.8.1 Provision for Site Plan Approval

- a) Where provided for in this Land Use By-law, certain classes of development may be permitted by site plan approval.
- b) Site plan approvals will be administered in accordance with Sections 231 to 234 of the Municipal Government Act.

### 2.8.2 Site Plan Approval Notification Area

- a) Once the Development Officer approves a site plan approval application, all assessed property owners within 30.0 m (98.4 ft) of the subject property will receive written notification of the approval by mail.
- b) Written notification of the site plan approval is deemed to have been received on the third day after being mailed.

### 2.8.3 Appeal Procedures

- a) A property owner served the notice of approval has 14 days from the date of they receive the notice to appeal the Development Officer's decision to the Town's Chief Administrative Officer.
- b) Where the Development Officer refuses the requested site plan approval, a notice is sent to the applicant by mail.
- c) Written notification of the refusal to grant site plan approval is deemed to have been received on the third day after being mailed.
- d) The applicant may, within seven days of receipt of the notice, appeal the Development Officer's decision to the Town's Chief Administrative Officer. .
- e) The Chief Administrative Officer will refer the appeal to Town Council for consideration.
- f) Property owners within 30.0 m (98.4 ft) of the subject property will receive written notification of the appeal hearing.
- g) Property owners within 30.0 m (98.4 ft) of the subject property may speak at the hearing.

### 2.8.4 Form and Content of Application

All applications for site plan approval must be submitted in writing to the Town's Development Officer and include any information, materials, or professionally prepared plans required by the Development Officer in order to effectively evaluate the submission and may include, but not necessarily be limited to, the following items:



- a) a written description of the proposal that provides the following information:
  - i) the location of the subject property;
  - ii) the name and address of the property owner or designated representative of the property owner;
  - iii) existing use(s) of the property including a description of any existing structures or improvements;
  - iv) the proposed use(s) including floor areas;
  - v) the height and number of storeys of any proposed structure;
  - vi) ground floor area and total floor area of the structure;
  - vii) the proposed number of dwelling units including the number of bedrooms in each unit; and
  - viii) the proposed number of parking spaces.
- b) a plan of survey certified by a Professional land Surveyor in the Province of Nova Scotia showing the location of all existing buildings, structures, property lines as well as any other interests to the land inclusive of easements or right-of-ways.
- c) a site plan illustrating details such as:
  - i) the proposed location, dimensions, height, number of storeys, and proposed use of all buildings or structures;
  - ii) the proposed location and nature of any outdoor storage or display;
  - iii) the proposed location, design, and content of any signage;
  - iv) the proposed location and dimensions of any parking stalls, accessible stalls, driveways, and walkways;
  - v) the proposed location of any fencing, refuse containers, and snow storage;
  - vi) the proposed location and type of any exterior lighting;
  - vii) the proposed location of any outdoor amenity space;
  - viii) landscaping elements including the type and location of any existing and proposed trees or other vegetation;
  - ix) the type and location of hard and soft surface materials, street furniture, fencing, or retaining walls;
  - x) the location of any watercourses on or near the site;
  - xi) the location of any proposed stormwater management measures;
  - xii) the delineation of any 1:20 and 1:100 flood elevations and a description of any proposed floodproofing measures.
- d) elevation drawings of the proposed structure or structures indicating architectural features including type of materials;
- e) the means by which the site is to be serviced by sanitary and storm sewers, water, electrical service and other utilities;
- f) a shadow study evaluating the shadow impact of the proposed development for various times during the day on each of the following dates: March 21, June 21, September 21 & December 21;
- g) a stormwater management plan prepared and stamped by a Professional Engineer;

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LAND USE BY-LAW  
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- h) erosion and sedimentation control plan prepared and stamped by a Professional Engineer; and
- i) a traffic impact statement/study prepared and stamped by a Professional Engineer.

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# 3 | General Provisions

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This section of the By-law deals with issues that are common or shared by all properties in Town, regardless of their zoning. This section should be consulted when planning for any type of land use or development

## 3.1 GENERAL DEVELOPMENT REGULATIONS

### 3.1.1 Development Permit Required

No development shall hereafter be permitted or the use of any building changed unless a development permit has been issued and no development permit shall be issued except in compliance with this by-law. Any person who violates a provision of this by-law shall be subject to prosecution as provided for under the Municipal Government Act of Nova Scotia.

### 3.1.2 Accessory Buildings

- a) The height of an accessory building in all zones except the Regional Service (RS), Business Industrial (BI), or Parks & Recreation (PO) Zones shall:
  - i) not exceed 4.5 m (15 ft), or
  - ii) not exceed a height of 6.5 m (21.3 ft) or the height of the main building, whichever is greater, provided the accessory building conforms to all setback requirements that would apply to a main building.
- b) The height of an accessory building in the Regional Service (RS), Business Industrial (BI), or Parks & Recreation (PO) Zone shall not exceed the height limit that would apply to any main building.
- c) An accessory building shall not be situated within a required yard abutting a public street.
- d) An accessory building shall be situated at least 2.0 m (6.6 ft) from any main building.
- e) An accessory building shall be situated at least 2.0 m (6.6 ft) from any side or rear lot line unless there is no window, door, or other opening in the wall facing the rear or side yard, in which case the accessory building may be situated 1.2 m (3.9 ft) or more from any side or rear lot line.
- f) The total ground floor area of the accessory building or buildings shall not exceed 12.5% of the lot area.

### 3.1.3 Accessory Use

The total floor area of all accessory uses shall not exceed the lesser of:

- a) 15% of the lot area; or
- b) 50% of the total floor area of all buildings on the lot.



### 3.1.4 Accessory Uses Permitted

Where this by-law provides that land may be used for a purpose or a building or structure may be erected or used for a purpose, such purpose may include any accessory uses thereof, unless otherwise prohibited by this by-law.

### 3.1.5 Accessory Structures

Where this by-law provides that land may be used for a purpose, then such use may include accessory structures.

### 3.1.6 Building to be Moved

No building shall be moved within or into the Town of Truro until a development permit has been issued.

### 3.1.7 Building to be Erected on a Lot

No person shall erect or use any building unless such building is erected upon a lot.

### 3.1.8 Compliance with Other By-laws

- a) Nothing in this By-law shall exempt any person from complying with the requirements of the Building By-law or any other by-law in force within the Town of Truro, or from obtaining any license, permission, permit, authority or approval required by any other by-law of the Town of Truro.
- b) Where the provisions in this By-law conflict with those of any other municipal, provincial or federal requirements, the higher or more stringent provisions shall prevail.

### 3.1.9 Day Lighting Triangle

On a corner lot where yards are required, no fence, sign, hedge, shrub, bush or tree or any other structure, vehicle or vegetation shall be erected, placed or permitted to grow to a height greater than 0.6 m (2 ft) above grade within a daylighting triangle.

### 3.1.10 Existing Buildings

Where a building has been erected on or before the effective date of this by-law on a lot having less than the minimum frontage or area, or having less than the minimum front yard or side yard or rear yard required by this by-law the building may be enlarged, reconstructed, repaired or renovated provided that the enlargement, reconstruction, repair or renovation does not further reduce the front yard or side or rear yard that does not conform to this by-law and all other applicable provisions of this by-law are complied with.



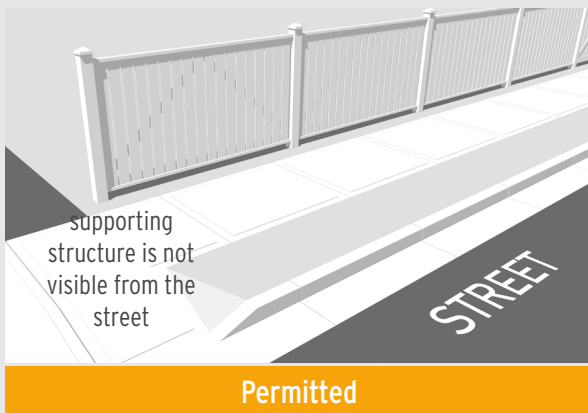
In addition to complying with this By-law, care must be taken to ensure that any proposal conforms to all other applicable by-laws and regulations.

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Figure 3.1: Fencing



### 3.1.11 Fencing

- a) A development permit is required for all fences exceeding 2.0 m (6.6 ft) in height.
- b) Fences shall be limited to a maximum height of 2.5 m (8.2 ft) in all zones except the Business & Industrial (BI), Regional Service (RS), Parks & Open Space (PO), and Commercial Recreation (CR) Zone
- c) All fences, regardless of whether or not a permit is required, shall conform to the following general requirements:
  - i) fences within 2.0 m (6.6 ft) of a lot line abutting a street shall not be more than 1.0 m (3.3 ft) in height;
  - ii) on corner lots, daylighting triangle height restrictions shall apply;
  - iii) where a fence features a supporting structure, the fence shall be constructed with the structural members facing away from any abutting public right-of-way;
  - iv) fences cannot be electrified, contain barbed wire, or contain razor wire unless erected in conjunction with a permitted agricultural, industrial, or institutional use in a Regional Service (RS), Business Industrial (BI), Future Growth (FG), or Rural Residential (RR) Zone.
- d) Additional regulations regarding the design of fencing can be found in the Downtown Neighbourhood (DN) Zone requirements.

### 3.1.12 Fronting on Streets

- a) Except where otherwise permitted in the Regional Service (RS) Zone, no development permit shall be issued unless the lot or parcel of land upon which the development is proposed abuts and fronts upon a street.
- b) An existing habitable single dwelling unit on a lot which does not have frontage, but which has legal access to a public street otherwise, may be added to provided that:
  - i) all other requirements of the Land Use By-law are met;
  - ii) any addition in volume be limited to the height of the tallest portion of the existing structure;
  - iii) the structure being added to is an established existing non-conforming structure on an existing nonconforming lot which has legal access but no frontage;
  - iv) the building footprint is not increased by more than 30%;
  - v) the floor area of the existing dwelling is not increased by more than 30%; and
  - vi) no additional dwelling units are created.

### 3.1.13 Height Regulations

The height regulations of this by-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, ventilators, skylights, barns, chimneys, clock towers, communication towers or statues/works of art.

### 3.1.14 Illumination

- a) No exterior lighting shall be erected or installed unless all lights are directed away from adjoining properties, and any adjacent streets.
- b) All outdoor lighting fixtures in or abutting a General Residential (GR), Downtown Neighbourhood (DN), Urban Corridor (UC), Rural Residential (RR), or Watershed Residential (WR) Zone shall be full cut-off fixtures that do not permit light to shine above the horizontal (see Figure 3.2).

### 3.1.15 Multiple Uses

Where any land or building is used for more than one purpose, each individual use will be required to comply with the requirements of this By-law that are applicable to each use.

### 3.1.16 Natural Hazards and Yard Requirements

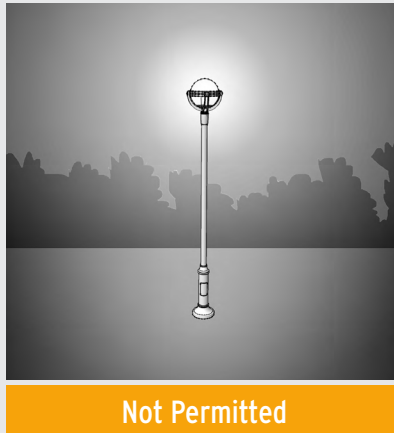
Required yards shall be measured from the nearest main wall from the main building or structure on the lot to the edge of any of the following natural features:

- a) waterbody;
- b) watercourse; or
- c) slope in excess of 16.5% or 30 degrees or more from the horizontal.

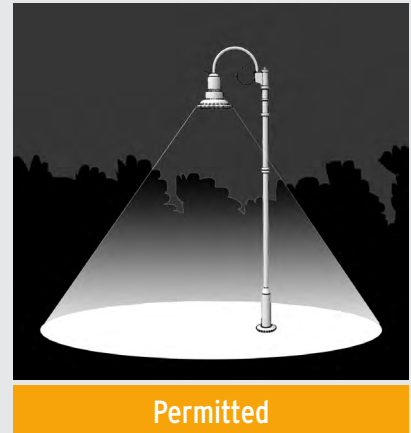
### 3.1.17 Non-Conforming Uses and Structures

Any use of land or building or structure constructed, or being constructed, on or before the effective date of this By-law shall be subject to the provisions of the Municipal Government Act respecting nonconforming uses and structures.

**Figure 3.2: Lighting Fixtures**



Lighting fixtures that permit light to shine above the horizontal and directly illuminate any abutting properties in a GR, DN, UC, RR, or WR Zone are not permitted (see illustration above)



Lighting fixtures in or abutting a GR, DN, UC, RR, or WR Zone shall be full cut-off fixtures that do not permit light to shine above the horizontal and that do not directly illuminate any abutting property (see illustration above).

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### 3.1.18 One Main Building on a Lot

Except where otherwise permitted by this By-law, no more than one main building is permitted on a lot in:

- a) the Downtown Core (DC) Zone;
- b) the Urban Corridor (UC) Zone;
- c) the Downtown Neighbourhood (DN) Zone; or
- d) the General Residential (GR) Zone.

### 3.1.19 Noise, Odour, and Emission Control

Any use that the Development Officer believes is likely to generate noise, odour, emissions, vapour, dust, or other airborne matter shall not be permitted unless the Development Officer is satisfied that:

- a) appropriate measures have been taken to prevent the escape of any odour, emission, vapour, dust, or other airborne matter such as the installation of an adequate air filtration system;
- b) appropriate measures have been taken to prevent excessive noise levels that are likely to disturb individuals on neighbouring properties such as the installation of noise barriers or acoustical enclosures; and
- c) the proposed use is reasonably unlikely to disturb individuals on neighbouring properties due to factors such as:
  - i) the type, frequency, intensity or duration of the noise, odour, emission, smoke, vapour, dust or other airborne matter;
  - ii) the proximity to neighbouring properties;
  - iii) the nature and use of the surrounding area; and
  - iv) the effects of the noise odour, emission, smoke, vapour, dust or other airborne matter.

### 3.1.20 Obnoxious Use

Where a permitted use in any zone is likely to have a negative impact on the surrounding community due to noise, dust, odour, vibration, smoke or other emission, the proposed use may only be considered by Development Agreement in accordance with Municipal Planning Strategy Policy G-20.

### 3.1.21 Outdoor Woodburning Furnaces

An outdoor woodburning furnace or structure containing an outdoor woodburning furnace shall:

- a) only be permitted to be located within the Rural Residential (RR) Zone; and
- b) be setback a minimum of 30.0 m (98 ft) from an abutting lot line.



### 3.1.22 Permitted Encroachments into Yards

Except for accessory buildings, every yard required by this by-law shall be open and unobstructed by any structure excluding fences and the structures listed in the following table which shall be permitted to project into or over the specified yards for the distances that are specified in Table 3.1:

Structure	Affected Yard	Maximum Encroachment
Balcony/Deck	Any Yard	2.0 m (6.6 ft)
Carport	Rear and Side Yards Only	within 1.0 m (3.3 ft) of a property line
Fire Escape/Exterior Staircase	Rear and Side Yards Only	1.5 m (4.9 ft) over a maximum width of 3.0 m (9.8 ft)
Porch/Verandahs less than 1 storey in height	Rear and Front Yards Only	2.5 m (8.2 ft) including the eaves and cornice
Sills, belt courses, cornices, eaves, gutters, chimneys, pilasters, or canopies	Any Yard	0.6 m (2.0 ft)
Swimming Pool	Rear and Side Yards Only	within 1.0 m (3.3 ft) of a property line
Bay Window	Any Yard	1.0 m (3.3 ft) over a maximum width of 3.0 m (9.8 ft)

### 3.1.23 Public Uses Exempt

This By-law does not apply to the use of land or the use, construction, or reconstruction of any building or structure by the Town of Truro or by the Town of Truro in cooperation with another municipality, Province of Nova Scotia, or Government of Canada for the purpose of providing public services or facilities.

### 3.1.24 Public Utilities

Public and private utilities shall be permitted in any zone provided that such use conforms with the applicable lot standards of that particular zone.

### 3.1.25 Refuse Storage

- a) All development that generates solid waste must provide space for the storage of recycling, compost, and garbage receptacles.
- b) Any development that is not eligible for municipal solid waste collection is required to provide a dedicated storage area for solid waste that:
  - i) has sufficient area to handle the volume of solid waste generated by the residential units as determined by the Town's Development Officer;
  - ii) is wholly enclosed within a structure; or
  - iii) is surrounded by an opaque fence with a latching gate that is a minimum of 1.8 m (6.0 ft) high.
- c) A storage area for recycling, compost, or garbage receptacles may not be situated within a required yard or within 6.0 metres (19.7 feet) of a public right-of-way unless it is wholly enclosed within a permitted structure.





- d) Recycling, compost, or garbage receptacles may not occupy any space that is required for parking or amenity space in relation to a development.

### 3.1.26 Restoration to a Safe Condition

Nothing in this by-law shall prevent the strengthening or restoring to a safe condition, any building or structure.

### 3.1.27 Trucks, Automobiles, Buses, and Shipping Containers

- a) No truck, automobile, bus, recreational vehicle, boat, coach, semi-trailer, streetcar body, or railway car, whether or not it is mounted on wheels, shall be used for human habitation or occupied as an accessory building or accessory dwelling unit.
- b) A shipping container may be used or occupied as a main building provided the shipping container is converted, erected, occupied and used in accordance with this By-law, the National Building Code, and all other applicable By-laws of the Town.
- c) A shipping container may be used or occupied as an accessory building or as an accessory dwelling unit provided:
  - i) the proposed use or occupancy of the shipping container is a permitted accessory use in the applicable zone;
  - ii) the shipping container is not situated in the Downtown Neighbourhood (DN) Zone;
  - iii) the shipping container is not situated in a required front or required flanking yard in any zone;
  - iv) where the shipping container is within the Downtown Commercial (DC), General Residential (GR), or Urban Corridor (UC) Zones, it shall not be situated in a front or flanking yard or between the main building and any public street; and
  - v) the shipping container is converted, erected, occupied and used in accordance with this By-law, the National Building Code, and all other applicable By-laws of the Town.

### 3.1.28 Special Occasion or Temporary Uses

- a) Temporary uses associated with special occasions or holidays are permitted subject to the following requirements:
  - i) a development permit for the temporary use has been issued;
  - ii) temporary structures associated with the special occasion or holiday may include fixtures such as search lights, pennants, spinners, banners, inflated balloons, inflated characters, streamers, and tents;
  - iii) the temporary use occurs only once per year and is limited to a maximum of 14 days per year.
- b) Temporary development permits for special occasion uses shall not be required for events less than 48 hours in duration.
- c) This section does not apply to special occasion uses operated or managed by the Town of Truro or its partners.





### 3.1.29 Subdivision of Lots for Monuments and other Similar Uses

- a) Notwithstanding anything else in this by-law, a lot may be created for the purpose of erecting a monument or other similar use shall be exempt from minimum lot requirements within each zone.
- b) A dwelling will not be permitted on a lot created pursuant to this subsection and any such lot will not be eligible for an on-site sewage disposal system.
- c) The maximum lot area for a lot created pursuant to this subsections shall be 140.0 m<sup>2</sup> (1,507 ft<sup>2</sup>).

### 3.1.30 Swimming Pools

No development permit shall be issued for an outdoor swimming pool unless the pool conforms to the following requirements:

- a) The pool must not be situated within a front or flanking yard in a Residential Zone or within a required front or flanking yard in all other zones.
- b) The pool is situated at least 1.0 m (3.3 ft) from any property line.
- c) The pool must be enclosed by a fence or a combination of a fence and another permanent structure that prevents access to the pool from an abutting property or public right-of-way.
- d) The pool enclosure required in accordance with clause (a) shall:
  - i) completely enclose the entire swimming pool;
  - ii) create a barrier that is 1.5 m (4.9 ft) high when measured from the ground to the top of the fence, gate or structure; and
  - iii) have no opening greater than 10.0 cm (3.9 in) in any part of the fencing, gates or structures that enclose the swimming pool.
- e) Unobstructed public access to a swimming pool is not permitted and all swimming pools shall only be accessible via:
  - i) a self-closing and self-latching gate that is a minimum of 1.5 m (4.9 ft) high;
  - ii) a main building enclosing the swimming pool; or
  - iii) an accessory building enclosing the pool provided the building does not permit unobstructed access through the structure.

### 3.1.31 Telecommunication Facilities

The Town of Truro recognizes that Industry Canada has the ultimate authority over the placement of radio communication facilities but that it has been Industry Canada's practice to work with municipal governments to ensure that local concerns are addressed in the approval process. To this end, the Town will use its established development permitting system as set out in this Land Use Bylaw to determine a municipal position given an application for a telecommunication tower, antenna, building or equipment.

Telecommunication Facilities are permitted uses in all zones with a requirement for a public consultation process following a proposal for the siting of such a facility by a tower operator.



### 3.1.32 Temporary Construction Uses

In a development for which a development permit is in force and while such development is under construction, nothing in this by-law shall prevent the erection of temporary buildings or scaffolds or other structures incidental to the construction in progress until such construction has been finished or has been discontinued for a period of 60 days.

### 3.1.33 Undersized Lots

Notwithstanding anything in this by-law, a lot that was in existence prior to the adoption of this By-law may be used for a purpose permitted in the zone in which the lot is located provided:

- a) the lot abuts and has direct access to a street, or
- b) is accessible through a registered easement no less than 3.0 m (9.8 ft) wide; and
- c) any structure or use is able to meet all other applicable requirements of this by-law.

### 3.1.34 Utilities

Notwithstanding anything else in this by-law, a lot being subdivided for the purpose of housing a utility such as a natural gas system substation or electrical substation shall have a minimum lot size of 225.0 m<sup>2</sup> (2,422 ft<sup>2</sup>) and minimum frontage of 15.0 m (49.2 ft).

### 3.1.35 Yard and Garage Sales

Yard sales and garage sales are permitted in any zone subject to the following requirements:

- a) The yard sale or garage sale is conducted by:
  - i) an owner/resident of the subject property; or
  - ii) a non-profit group, community association, or other similar group or organization with the permission of the owner/resident of the subject property.
- b) A yard sale or garage sale may not be conducted on the same property more than 6 days in any one calendar year.
- c) A yard sale or garage sale may not last more than 3 consecutive days.
- d) No signage advertising a yard sale or garage sale shall be posted more than 48 hours prior to the day of sale.
- e) All signage advertising a yard sale or garage sale must be removed within 48 hours after the sale.

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## 3.2 PARKING AND LOADING

### 3.2.1 Parking Required

Every building or structure to be erected or enlarged, or for which application for a development permit involving a change of use is made, off-street parking located within the same zone as the use and having unobstructed access to a public street shall be provided and maintained in accordance with the parking requirements set out in this Section.

### 3.2.2 Calculating Parking Requirements

- a) Parking requirements shall be calculated by finding the proposed use in Tables 3.2 to 3.5 and applying the corresponding parking ratio.
- b) When calculating parking requirements:
  - i) the parking requirement for development consisting of multiple uses shall be calculated by totalling the calculated parking requirement for each individual land use;
  - ii) only the new usable floor area or new seating capacity shall be included in the parking calculations for a development proposal that includes the expansion of an existing use;
  - iii) for the purposes of this section, floor area shall not include washrooms, stairs, utility rooms, or elevators; and
  - iv) where a parking calculation results in a fraction of a space, the final number of required parking spaces shall be rounded up to the next whole number.

### 3.2.3 Parking Requirements

- a) All required parking has to be located within the same zone as the associated use.
- b) Parking requirements for all development in all zones except for the Downtown Core (DC), Downtown Neighbourhood (DN) and Urban Corridor (UC) Zones shall be calculated based on the applicable parking ratios found in Tables 3.2, 3.3, 3.4 and 3.5.
- c) Parking requirements for all development in the Downtown Neighbourhood (DN) and Urban Corridor (UC) Zones shall be calculated based on the applicable parking ratios found in Table 3.6.
- d) There is no parking requirement for development within the Downtown Core (DC) Zone except for the following uses, to which the parking requirements in Table 3.7 shall apply:
  - i) new residential construction; and
  - ii) an addition to an existing structure that creates new residential dwelling units.



**Table 3.2: Commercial Use Parking Requirements**

Commercial Land Use	Parking Requirement	
Accommodations	1.0 spaces/suite or rental unit	
Animal Hospital	1.0 spaces/18.0 m <sup>2</sup> (194 ft <sup>2</sup> )	
Animal Shelter/Kennel	1.0 spaces/2 employees on largest shift	
Art Gallery/Museum/Library	1.0 spaces/28.0 m <sup>2</sup> (301 ft <sup>2</sup> )	
Auditoria/Halls/Stadiums/Other Places of Assembly	Fixed Seating	1.0 spaces/five seats
	Bench Seating	1.0 spaces/3.0 m (10 ft) of bench space
	No fixed Seating	1.0 spaces/9.0 m <sup>2</sup> (97 ft <sup>2</sup> ) of assembly area
Automotive Service/Repair	1.0 spaces/45.0 m <sup>2</sup> (484 ft <sup>2</sup> )	
Banking/Finance/Insurance	1.0 spaces/18.0 m <sup>2</sup> (194 ft <sup>2</sup> )	
Beverage Room/Lounge/Cabaret	1.0 spaces/9.0 m <sup>2</sup> (97 ft <sup>2</sup> )	
Educational Use	1.0 spaces/2 teaching staff + 1.0 spaces/5 students	
Day Care Centre	1.0 spaces/45.0 m <sup>2</sup> (484 ft <sup>2</sup> )	
Fitness Centre	1.0 spaces/18.0 m <sup>2</sup> (194 ft <sup>2</sup> )	
Funeral Homes	1.0 spaces/18.0 m <sup>2</sup> (194 ft <sup>2</sup> ) of assembly area	
Health Care Clinic/ Neighbourhood clinic	1.0 spaces/18.0 m <sup>2</sup> (194 ft <sup>2</sup> )	
Indoor Sports & Recreation	1.0 spaces/30.0 m <sup>2</sup> (323 ft <sup>2</sup> )	
Laundromat	1.0 spaces/18.0 m <sup>2</sup> (194 ft <sup>2</sup> )	
Lodging House	1.0 spaces/lodging unit	
Office and Professional Use	1.0 spaces/28.0 m <sup>2</sup> (301 ft <sup>2</sup> )	
Outdoor Sales	1.0 spaces/90.0 m <sup>2</sup> (969 ft <sup>2</sup> )	
Personal Services	1.0 spaces/30.0 m <sup>2</sup> (323 ft <sup>2</sup> )	
Restaurant	1.0 spaces/9.0 m <sup>2</sup> (97 ft <sup>2</sup> ) of seating area	
Retail	1.0 spaces/18.0 m <sup>2</sup> (194 ft <sup>2</sup> )	
Train/Bus Station	1.0 spaces/15.0 m <sup>2</sup> (161 ft <sup>2</sup> ) of waiting area	
Wholesale	1.0 spaces/45.0 m <sup>2</sup> (484 ft <sup>2</sup> )	
All Other Commercial Uses	1.0 spaces/18.0 m <sup>2</sup> (194 ft <sup>2</sup> )	

**Table 3.3: Industrial Use Parking Requirements**

Industrial Land Use	Parking Requirement
Manufacturing/Processing	1.0 parking spaces/2 employees on largest shift
Outdoor Storage	1.0 spaces/180.0 m <sup>2</sup> (1937 ft <sup>2</sup> ) of outdoor storage
Warehousing/Transportation Depot/Indoor Storage	1.0 spaces/90.0 m <sup>2</sup> (969 ft <sup>2</sup> ) of indoor storage



- e) An expansion or new construction that occupies an existing parking or loading area will only be permitted where:
  - i) the parking or loading area is not required by an existing use on the subject property; or
  - ii) any parking spaces required by an existing use on the subject property are replaced by an equal number of parking spaces that have been created elsewhere on-site or on another site in the Downtown Core (DC) Zone within 60.0 m (197 ft); and
  - iii) any lost loading spaces required by an existing use on the subject property are replaced by an equal number of loading spaces that have been created elsewhere on-site.

**Table 3.4: Institutional Use Parking Requirements**

Public Use	Parking Requirement
Dormitories	1.0 spaces/2 sleeping rooms
Elementary School/Junior High/Middle School	1.0 spaces/2 teaching staff
Residential Care Facilities/Emergency Shelter	2.0 spaces + 0.5 spaces per resident
Hospitals	1.0 spaces/2 beds plus 1.0 space/staff or 1.0 spaces/90.0 m <sup>2</sup> (969 ft <sup>2</sup> ), whichever is greater
Secondary Schools/Post Secondary Schools	1.0 spaces/2 teaching & administrative staff members plus 1.0 space/10 students
Community Institution	1.0 spaces/28.0 m <sup>2</sup> (301 ft <sup>2</sup> )

**Table 3.5: Residential Parking Requirements**

Residential Land Use		Parking Requirement
Single Detached, Semi Detached, Two-Unit Dwelling, Converted Dwelling (up to 2 units)	<i>bachelor</i>	0.5 spaces/unit
	<i>one or more bedrooms</i>	0.5 spaces/bedroom
Multiple Unit Dwelling (3 units or more) Converted Dwelling (3 units or more)	<i>bachelor</i>	1.0 spaces/unit
	<i>one or more bedrooms</i>	0.5 spaces/unit + 0.5 spaces/bedroom
Residential Care Facilities		1.0 spaces + 0.5 spaces per resident
Bed and Breakfast		1.0 spaces/2 guest bedrooms





**Table 3.6: Downtown Neighbourhood (DN) & Urban Corridor (UC) Zone Parking Requirements**

Land Use		Parking Requirement
Single Detached, Semi Detached, Two Unit Dwelling, Converted Dwelling (two units)	<i>bachelor</i>	0.5 spaces/unit
	<i>one or more bedrooms</i>	0.5 spaces/bedroom
Multiple Unit Dwelling (three units or more) Converted Dwelling (three units or more)	<i>bachelor</i>	0.25 spaces/unit
	<i>one or more bedrooms</i>	0.25 spaces/unit + 0.25 spaces/bedroom
All other uses		50% of parking requirements as set out in Tables 3.2, 3.3, 3.4, or 3.5

**Table 3.7: Downtown Core (DC) Zone Parking Requirements**

Land Use		Parking Requirement
Single Detached, Semi Detached, Two Unit Dwelling, Converted Dwelling (two units)	<i>bachelor</i>	0.5 spaces
	<i>one or more bedrooms</i>	0.5 spaces/bedroom
Multiple Unit Dwelling (three units or more) Converted Dwelling (three units or more)	<i>bachelor</i>	0.25 spaces/unit
	<i>one or more bedrooms</i>	0.25 spaces/unit + 0.25 spaces/bedroom
All other uses		no parking requirement/not applicable

### 3.2.4 Design Standards for Parking Areas or Lots

Off-street parking lots for four or more vehicles are required to conform to the following design standards:

- a) the parking area shall be maintained with a stable surface that is treated to prevent the raising of dust or loose particles;
- b) a structure, not more than 4.5 m (15 ft) in height and not more than 4.5 m<sup>2</sup> (48 ft<sup>2</sup>) in area may be erected in the parking area for the use of attendants;
- c) each parking space shall be clearly marked where the parking area has a permanent hard surface;
- d) the parking area shall be graded to prevent surface water from ponding or draining onto an adjacent property or public right-of-way;
- e) the Traffic Authority may require a traffic impact study for large developments to determine location and design elements of parking areas;
- f) a landscaped strip at least 3.0 m (10 ft) wide shall be provided and maintained between the parking area and any abutting public right-of-way excepting any driveways or pedestrian walkways;
- g) all lighting shall comply with the illumination requirements set out in subsection "1.1.14 Illumination";
- h) no parking area shall be permitted in a front or flanking yard in the Downtown Core (DC), Downtown Neighbourhood (DN), Urban Corridor (UC), General Residential (GR), Urban Growth (UG), or Future Growth (FG) Zone;



- i) a parking area in the General Residential (GR) Zone must be located in the rear yard;
- j) no parking area shall be permitted on a property abutting a Downtown Neighbourhood (DN), General Residential (GR), or Urban Corridor (UC) Zone unless the parking area is:
  - i) separated from the abutting property in the Downtown Neighbourhood (DN), General Residential (GR), or Urban Corridor (UC) Zone by a landscaped buffer that is at least 6.0 m (19.7 ft) wide; or
  - ii) separated from the abutting property in Downtown Neighbourhood (DN), General Residential (GR), or Urban Corridor (UC) Zone by a landscaped buffer that is at least 1.8 m (6 ft) wide where the parking area is also screened by an opaque fence that is at least 1.5 m (5 ft) high or an evergreen hedge that will form a solid visual barrier at least 1.5 m (5 ft) high following one growing season;
- k) parking lots with 40 or more spaces shall include 30.0 m<sup>2</sup> (323 ft<sup>2</sup>) of landscaped area for every 40 spaces or part thereof;
- l) no bay of parking spaces may extend for more than 55.0 m (180 ft) feet without a landscaped area;
- m) snow storage is not permitted to occupy any area required for parking or loading;

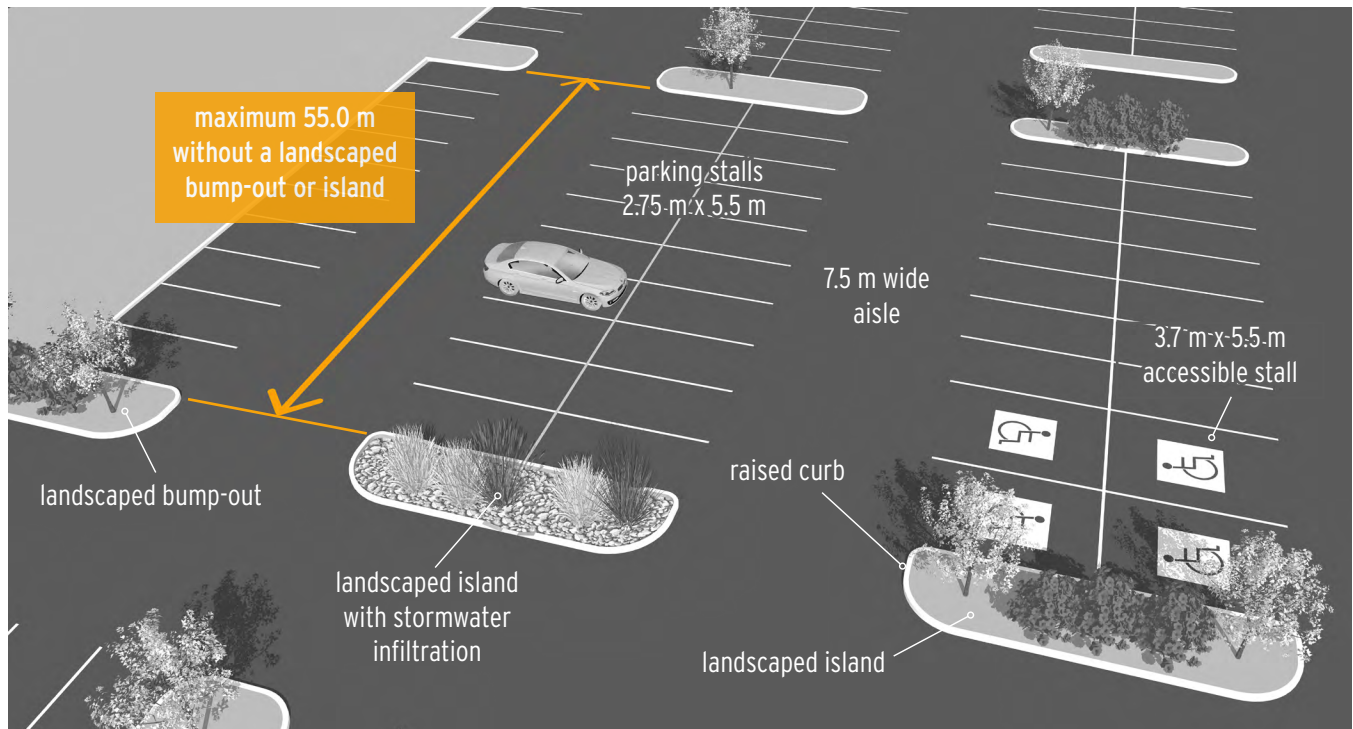
**Figure 3.3: Parking Lot Design Standards**



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Figure 3.4: Parking Lot Landscaping Requirements



- n) curb cuts shall be provided near accessible stalls and barrier free entrances to accommodate wheelchair access;
- o) landscaped areas shall feature at least one deciduous shade tree along with at least four durable shrubs; and
- p) a landscape area shall consist of:
  - i) an island or bump-out protected by a raised curb; or
  - ii) a swale where it forms part of a stormwater drainage system.

### 3.2.5 Parking and Loading Specifications

- a) Parking stalls and aisles shall conform to the minimum dimensions specified in Table 3.8.
- b) The minimum dimensions for an accessible parking space shall be 3.7 m wide by 5.5 m deep (12.1 ft x 18.1 ft).
- c) The minimum dimensions for a loading space shall be 3.5 m wide by 12.0 m long (11.5 ft x 39.4 ft) with an unobstructed clear height of 3.5 m (11.5 ft).
- d) The minimum dimensions for a parking space located within a parking structure shall be 2.5 m x 5.0 m (8.2 ft x 16.4 ft).
- e) Parking lots and loading areas must provide sufficient area to accommodate any necessary vehicle movements entirely on-site, including a means for vehicles to reverse direction where necessary, without interfering with vehicle or pedestrian traffic within a public right-of-way or an adjacent property.

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**Table 3.8: Parking Stall and Aisle Specifications**

Configuration	Angle	Minimum Stall Dimensions		Minimum Aisle Width	
		Width	Length	Two Way	One Way
	75° - 90°	2.75 m (9 ft)	5.5 m (18 ft)	7.3 m (24 ft)	7.3 m (24 ft)
	60° - 75°	2.75 m (9 ft)	5.5 m (18 ft)	7.3 m (24 ft)	5.5 m (18 ft)
	45° - 60°	2.75 m (9 ft)	5.5 m (18 ft)	7.3 m (24 ft)	4.0 m (13 ft)
	30° - 45°	2.75 m (9 ft)	5.5 m (18 ft)	7.3 m (24 ft)	3.7 m (12 ft)
	Parallel	2.75 m (9 ft)	6.7 m (22 ft)	7.3 m (24 ft)	3.7 m (12 ft)

### 3.2.6 Loading Spaces

- a) Any manufacturing, storage, warehouse, department store, retail store, wholesale store, market, freight or passenger terminal, hotel, hospital, mortuary or other similar use that involves the frequent shipping, loading or unloading of persons, animals or goods that occupies a floor area in excess of 230.0 m<sup>2</sup> (2,476 ft<sup>2</sup>) shall be required to provide one off-street loading space for every 3,250.0 m<sup>2</sup> (34,983 ft<sup>2</sup>), or part thereof, of floor area.
- b) Notwithstanding Clause (a), in the Downtown Core (DC) Zone, the reuse of an existing building will not require the development of any new off-street loading space.
- c) All off-street loading spaces shall be constructed and maintained in conformance with the design standards for loading spaces set out in this Section.
- d) No loading space shall be located within any required front yard or be located within any required yard which abuts a Residential or Public Use Zone.





### 3.2.7 Driveway Specifications

- a) For the purposes of this section, driveway widths shall be measured at the street.
- b) Driveways shall be situated at least 15.0 m (49 ft) from a intersection unless otherwise permitted by the Town's Traffic Authority.
- c) There shall be no more than two driveways from any one lot to any one street unless additional driveways are permitted by the Town's Traffic Authority.
- d) Driveways shall not exceed a width of 3.5 m (11.5 ft) for a one way-driveway or 7.0 m (23 ft) for a two-way driveway except:
  - i) in the Industrial (M1) Zone where driveways shall not exceed a width of 11.0 m (36 ft); or
  - ii) where otherwise required or permitted by the Town's Traffic Authority.
- e) The location and design elements of driveways, including but not limited to: dimensions, throat length, spacing, grades, proximity to intersections, and the maximum number of driveways are subject to approval by the Town's Traffic Authority.

### 3.2.8 Access to a Public Street

No development permit shall be issued where required parking does not have direct access to a public street.

### 3.2.9 Accessible Parking Requirements

Off-street parking facilities for more than four vehicles shall include one accessible parking space for every 20 parking spaces or part thereof and the accessible parking stall shall:

- a) conform to the specifications set out in "1.2.5 Parking and Loading Specifications";
- b) be situated near any barrier free entrances, ramps, or access points;
- c) have a stable, slip-resistant and level surface; and
- d) shall be clearly identified as being reserved for the use of persons with disabilities.

### 3.2.10 Vehicle Stacking for Drive-Thru Uses

- a) Businesses providing drive-through services including but not limited to banks, automatic car-wash facilities, and restaurants, shall provide stacking for vehicle queuing in accordance with the requirements set out in Table 3.9 or as otherwise required by the Traffic Authority.
- b) All vehicle queuing shall be solely dedicated to queued vehicles and shall not interfere with any other vehicle movement on site including parking stalls, aisles, access and egress to and from the site.



**Table 3.9: Drive-Thru Vehicle Stacking Requirements**

Use	Stacking Requirement
Fast Food Restaurant Drive-Thru	Stacking for four (4) cars between the order board and the pick-up window and stacking for six (6) cars behind the order board. Total queuing length shall not be less than 61.0 m (200 ft).
Coffee Shop Drive-Thru	Stacking for four (4) cars between the order board and the pick-up window and stacking for ten (10) cars behind the order board. Traffic Authority may require a traffic impact statement
Bank Drive-Thru	Stacking for five (5) cars.
Car Wash	Stacking for three (3) cars free and clear of the service bay/stall.

**Table 3.10: Bicycle Parking Requirements**

Type	Required Percentage	Minimum Stall Dimensions			Minimum Aisle Width
		Width	Length	Height	
Vertical	Maximum 10%	0.9 m (3.0 ft)	1.15 m (3.8 ft)	2.25 m (7.4 ft)	1.5 m (4.9 ft)
Horizontal	No minimum or maximum	0.6 m (2.0 ft)	1.8 m (5.9 ft)	2.74 m (9.0 ft)	1.5 m (4.9 ft)
Oversized	Minimum 10%	0.9 m (3.0 ft)	2.6 m (8.5 ft)	2.74 m (9.0 ft)	1.5 m (4.9 ft)
Stacked (2 bikes)	Maximum 60%	0.86 m (2.8 ft)	2.0 m (6.6 ft)	2.74 m (9.0 ft)	2.1 m (6.9 ft)
Bike Locker (2 bikes)	Minimum 10%	0.86 m (2.8 ft)	1.8 m (5.9 ft)	1.2 m (3.9 ft)	1.5 m (4.9 ft)

### 3.2.11 Bicycle Parking

- New multiple unit residential developments shall provide 0.2 bicycle parking spaces per dwelling unit.
- Required bicycle parking spaces shall be located in a secure indoor facility.
- The entry door to a bicycle room or other indoor facility must be at least 91.4 cm (36 in) wide.
- Required bicycle parking stalls will conform to the minimum specifications set out in Table 3.10.
- Required bicycle parking may consist of a variety of stall types, provided the number of each stall type conforms to the required percentages set out in Table 3.10.

### 3.2.12 Parking of Commercial Motor Vehicles

- A commercial motor vehicle that has more than two axles or that is over 7.5 m (24.6 ft) in length may not be parked or stored in a General Residential (GR), Downtown Neighbourhood (DN), Urban Corridor (UC), or Future Growth (FG) Zone.
- No more than three commercial motor vehicles may be parked or stored on a property in a General Residential (GR), Downtown Neighbourhood (DN), Urban Corridor (UC), or Future Growth (FG) Zone.





### 3.2.13 Cash-in-lieu of Required Parking

In the Downtown Core (DC), Downtown Neighbourhood (DN) or Urban Corridor (UC) Zones, a development permit may be issued for a proposal with less than the amount of parking spaces required provided the applicant pays the Town an amount equal to 125% of the cost of acquiring land and developing the required number of parking spaces within the Downtown area.

## 3.3 SIGNAGE

### 3.3.1 General

- a) Where this section is inconsistent with the regulations respecting advertising signs on or near public highways made or administered by the Province of Nova Scotia Department of Highways, the more restrictive regulations shall apply.
- b) No person shall erect a sign without first obtaining a development permit from the Development Officer and no permit to erect a sign shall be issued unless all the provisions of this by-law are satisfied.
- c) Unless otherwise indicated in this section all signs must have a development permit issued prior to being erected.
- d) Any sign that is attached to a building, such as a roof sign or projecting wall sign, may require a building permit in addition to a development permit.
- e) A development permit for a sign shall be issued by the Development Officer only when the sign conforms to this By-law and, if applicable, the National Building Code.
- f) Unless otherwise permitted by this By-law, no sign shall extend beyond a property line or project over a public right-of-way, other adjoining lands, or daylighting triangles.
- g) All height measurements are from established grade to top of sign, sign structure, or any portion thereof.

### 3.3.2 Signs Permitted in all Zones Not Requiring a Development Permit

The following signs are permitted in all zones and no sign permit is required for their erection:

- a) signs of not more than 0.2 m<sup>2</sup> (2.2 ft<sup>2</sup>) in sign area, showing a civic address;
- b) signs of not more than 0.2 m<sup>2</sup> (2.2 ft<sup>2</sup>) in sign area, showing the name of a resident or an occupier;
- c) "no trespassing" signs or other signs regulating the use of a property, and of not more than 0.2 m<sup>2</sup> (2.2 ft<sup>2</sup>) in sign area;



- d) real estate signs which advertise the sale, rental or lease of the premises and which do not exceed 3.0 m<sup>2</sup> (32.8 ft<sup>2</sup>) per side in all zones except the General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), or Downtown Neighbourhood (DN) Zone where the sign area shall not exceed 0.6 m<sup>2</sup> (6.5 ft<sup>2</sup>) per side;
- e) signs regulating or denoting on-premises traffic, or parking, or other signs denoting the direction or function of various parts of a building or premises, provided that such signs are less than 0.5 m<sup>2</sup> (5.4 ft<sup>2</sup>) in area;
- f) signs erected by governmental authority and bearing no commercial advertising, such as traffic signs, railway crossing signs, and safety signs;
- g) memorial signs or tablets, and signs of not more than 0.2 m<sup>2</sup> (2.2 ft<sup>2</sup>) denoting the date of erection of a building;
- h) the flag, pennant or insignia of any nation, province or state or of any religious or charitable organization;
- i) signs painted on the surface of a window or affixed to the interior surface of a window;
- j) a sign having an area of not more than 3.0 m<sup>2</sup> (32.8 ft<sup>2</sup>) incidental to construction and within the area of such construction; and
- k) a sign having an area of not more than 0.6 m<sup>2</sup> (6.5 ft<sup>2</sup>) per side and which displays the words "open" or lists a businesses hours of operation.

### 3.3.3 Signs Prohibited in all Zones

The following signs are prohibited in all zones:

- a) any sign or sign structure which constitutes a hazard to public safety or health;
- b) signs which by reason of size, location, content, colouring or manner of illumination obstructs the vision of drivers or obstructs or detracts from the visibility or effectiveness of any traffic sign or control device on public streets or roads;
- c) signs which obstructs the required egress from any premise;
- d) signs which obstruct the movement of pedestrians or snow clearing equipment on a public sidewalk;
- e) signs not erected by a public authority which make use of words such as "STOP", "LOOK", "ONE WAY", "DANGER", "YIELD", or any similar words, phrases, symbols, lights or characters in such manner as to interfere with, mislead, or confuse traffic along a public road;
- f) any sign which advertises a business that is no longer conducted;
- g) signs on public property or a public right-of-way unless erected by a governmental body, or unless specially permitted by Council;
- h) signs not erected by a public authority which are located at or near sharp road curves or below the crest of a steep road grade;



- i) signs painted on, attached to, or supported by a tree, stone, cliff or other natural object;
- j) search lights, pennants, spinners, banners, inflated balloons, inflated characters, and streamers except when a temporary sign permit has been issued or as a special occasion use;
- k) signs that promote illegality, hatred or discrimination;
- l) signs not related to any business or use located on the lot or premises; and
- m) signs on utility poles.

### 3.3.4 Sign Illumination

- a) Signage for a permitted commercial use on a property within a General Residential (GR), Downtown Neighbourhood (DN), Urban Corridor (UC), Rural Residential (RR), or Watershed Residential (WR) Zone shall:
  - i) only be illuminated during regular business hours; and
  - ii) not be illuminated by spot lights that cause an adjacent property to be directly illuminated.
- b) Signage for a permitted commercial use on a property within 30 m (98.4 ft) of a General Residential (GR), Downtown Neighbourhood (DN), Urban Corridor (UC), Rural Residential (RR), or Watershed Residential (WR) Zone shall:
  - i) only be illuminated during regular business hours; and
  - ii) not be illuminated by spot lights that cause an adjacent property to be directly illuminated.

### 3.3.5 Safety and Maintenance

- a) Every sign and all parts thereof, including framework, supports, background, anchors and wiring systems shall be constructed and maintained in compliance with the building, electrical, and fire prevention by-laws.
- b) All signs and all parts thereof shall be maintained and kept in a good state of repair.

### 3.3.6 Calculating the Number and Area of Signs

- a) A double-faced sign shall count as a single sign.
- b) Signs identified in "1.3.2 Signs Permitted in all Zones Not Requiring a Development Permit" shall not be included when calculating the total number of signs permitted.
- c) When calculating the area of a facade to determine the allowable size of a facial wall sign, the calculation shall include the entire face of a building including any windows, doors, loading bays or similar feature.
- d) When calculating the area of a sign that consists of freestanding characters or figures individually placed on a large surface such as a wall or awning, the sign area shall be the area of a simple polygon that encompasses the characters or figures that constitute the sign.

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FG
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FP
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### 3.3.7 Sign Types

- a) Signs are regulated based on the type of sign and for the purposes of this By-law signs are categorized into one of the following types, as illustrated in Figures 3.5 to 3.10.
  - i) Ground Signs
  - ii) Projecting Wall Signs
  - iii) Awning Signs
  - iv) Temporary Signs
  - v) Roof Signs
  - vi) Facial Wall Signs
- b) Where a proposed sign does not clearly fall into one of the typologies listed in Clause (a), the Development Officer shall determine which sign type best matches the proposed sign and then apply the corresponding regulations.

Figure 3.5: Awning Signs



Figure 3.6: Roof Signs



Figure 3.7: Ground Signs



Con
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Adm
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UG
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GR
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BI
FG
RR
WR
PO
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ER
FP
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Figure 3.8: Projecting Wall Signs



Figure 3.9: Temporary Signs



Portable Type



Sandwich Board Type

Figure 3.10: Facial Wall Signs



- Con
- Def
- Adm
- Gen
- DC
- UC
- UG
- DN
- GR
- RS
- BI
- FG
- RR
- WR
- PO
- CR
- ER
- FP
- FW
- FF



### 3.3.8 Setback Requirements for Signs

Unless otherwise permitted by this By-law, no part of any sign structure or support may be within a setback requirement specified in this part.

### 3.3.9 Permitted Signage by Zone

Subject to all other applicable requirements set out in this Section, the type, number, and dimensions of signage permitted in each zone as well as special conditions that apply to each sign type are set out in Tables 3.11 to 3.18.

### 3.3.10 Temporary Signs

- a) Portable type temporary signs (see Figure 3.9) are subject to the following requirements:
  - i) the Development Officer may issue a temporary sign permit upon obtaining from the applicant a refundable deposit in the amount of one hundred dollars (\$100.00);
  - ii) the deposit shall not be refunded if the sign is not removed or if there are any other violations of the terms and conditions of the temporary sign permit;
  - iii) such violations shall result in the prohibition of any sign permit being issued within 180 days; and
  - iv) permits for such sign shall be issued for a period of 30 days then may not be renewed again for a period of 90 days for each lot application.

**Table 3.11: Permitted Signage in the Urban Growth (UG) Zone**

**UG**

Sign Type	Dimensions	Conditions	Maximum Number
<b>Ground Sign</b>	<i>Max. Area/Face</i>	4.5 m <sup>2</sup> (48.4 ft <sup>2</sup> )	1 Ground Sign for every 60.0 m (196.8 ft) of public street frontage or part thereof  <i>plus</i> 1 facial wall sign/awning sign per property or 1 facial wall sign/awning sign per business premises  <i>plus</i> 1 sandwich board type sign for each business premise <b>and</b> 1 portable type sign per property at any given time.
	<i>Total Area</i>	9.0 m <sup>2</sup> (96.9 ft <sup>2</sup> )	
	<i>Max. Height</i>	4.5 m (14.8 ft)	
<b>Facial Wall Sign</b>	<i>Max. Area/Face</i>	2.5 m <sup>2</sup> (26.9 ft <sup>2</sup> )	No facial wall signs are permitted on a wall facing a rear or side yard that is within 15.0 m (49.2 ft) of a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), or Downtown Neighbourhood (DN) Zone.
	<i>Total Area</i>	2.5 m <sup>2</sup> (26.9 ft <sup>2</sup> )	
	<i>Max. Height</i>	n/a	
<b>Awning Sign</b>	<i>Max. Area/Face</i>	10 % of facade	Permitted on an awning erected no less than 2.5 m (8.2 ft) and no more than 6.0 m (19.7 ft) from grade. Sign must be affixed to a building's front or flanking facade.
	<i>Total Area</i>	10 % of facade	
	<i>Max. Height</i>	n/a	
<b>Temporary Sign</b>	<i>Max. Area/Face</i>	3.0 m <sup>2</sup> (32.3 ft <sup>2</sup> )	Portable Type temporary sign not permitted in a required yard abutting a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), or Downtown Neighbourhood (DN) Zone
	<i>Total Area</i>	6.0 m <sup>2</sup> (64.6 ft <sup>2</sup> )	
	<i>Max. Height</i>	2.0 m (6.5 ft)	





**Table 3.12: Permitted Signage in the Urban Corridor (UC) Zone**

**UC**

Sign Type	Dimensions	Conditions	Maximum Number	
<b>Ground Sign</b>	<i>Max. Area/Face</i>	3.5 m <sup>2</sup> (37.7 ft <sup>2</sup> )	Not permitted in a required yard abutting a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), or Downtown Neighbourhood (DN) Zone.	
	<i>Total Area</i>	7.0 m <sup>2</sup> (75.4 ft <sup>2</sup> )		
	<i>Max. Height</i>	2.0 m (6.6 ft)		
<b>Projecting Wall Sign</b>	<i>Max. Area/Face</i>	0.6 m <sup>2</sup> (6.5 ft <sup>2</sup> )		Permitted only on a front or flanking facade. Must be erected no less than 3.0 m (9.8 ft) and no more than 6.0 m (19.7 ft) from grade. No sign face dimension shall exceed 1.5 m (4.9 ft).
	<i>Total Area</i>	1.2 m <sup>2</sup> (12.9 ft <sup>2</sup> )		
	<i>Max. Height</i>	n/a		
<b>Facial Wall Sign</b>	<i>Max. Area/Face</i>	2.5 m <sup>2</sup> (26.9 ft <sup>2</sup> )	No facial wall signs are permitted on a wall facing a rear or side yard that is within 15.0 m (49.2 ft) of a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), or Downtown Neighbourhood (DN) Zone.	
	<i>Total Area</i>	2.5 m <sup>2</sup> (26.9 ft <sup>2</sup> )		
	<i>Max. Height</i>	n/a		
<b>Awning Sign</b>	<i>Max. Area/Face</i>	10 % of facade		Permitted on an awning erected no less than 2.5 m (8.2 ft) and no more than 6.0 m (19.7 ft) from grade. Sign must be affixed to a building's front or flanking facade over the entrance to the advertised use or business premise.
	<i>Total Area</i>	10 % of facade		
	<i>Max. Height</i>	n/a		
<b>Temporary Sign</b>	<i>Max. Area/Face</i>	3.0 m <sup>2</sup> (32.3 ft <sup>2</sup> )	Portable Type temporary sign not permitted in a required yard abutting a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), or Downtown Neighbourhood (DN) Zone	
	<i>Total Area</i>	6.0 m <sup>2</sup> (64.6 ft <sup>2</sup> )		
	<i>Max. Height</i>	2.0 m (6.5 ft)		

1 Ground Sign  
*plus*  
1 projecting wall/awning/facial sign per property *or* 1 projecting wall/awning/facial sign per business premises  
*plus*  
1 sandwich board type sign for each business premise *and* 1 portable type sign per property at any given time.

**Table 3.13: Permitted Signage in the Parks & Open Space (PO) and Commercial Recreation (CR) Zones**

**PO CR**

Sign Type	Dimensions	Conditions	Maximum Number	
<b>Ground Sign</b>	<i>Max. Area/Face</i>	4.5 m <sup>2</sup> (48.4 ft <sup>2</sup> )	Not permitted in a required yard abutting a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), Downtown Neighbourhood (DN) Zone.	
	<i>Total Area</i>	9.0 m <sup>2</sup> (96.9 ft <sup>2</sup> )		
	<i>Max. Height</i>	4.5 m (14.8 ft)		
<b>Facial Wall Sign</b>	<i>Max. Area/Face</i>	10 % of facade		Not permitted on a wall facing a rear or side yard that is within 15.0 m (49.2 ft) of a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), Downtown Neighbourhood (DN) or Urban Corridor (UC) Zone.
	<i>Total Area</i>	10 % of facade		
	<i>Max. Height</i>	n/a		
<b>Awning Sign</b>	<i>Max. Area/Face</i>	10 % of facade	Not permitted on a wall facing a rear or side yard that is within 15.0 m (49.2 ft) of a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), Downtown Neighbourhood (DN) or Urban Corridor (UC) Zone.	
	<i>Total Area</i>	10 % of facade		
	<i>Max. Height</i>	n/a		
<b>Temporary Sign</b>	<i>Max. Area/Face</i>	4.5 m <sup>2</sup> (48.4 ft <sup>2</sup> )		Not permitted in a required yard abutting a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), Downtown Neighbourhood (DN) Zone, or Urban Corridor (UC) Zone. Portable signs must be 45 m (147.6 ft) or more from another portable sign on the same property.
	<i>Total Area</i>	9.0 m <sup>2</sup> (96.9 ft <sup>2</sup> )		
	<i>Max. Height</i>	3.0 m (9.8 ft)		

1 Ground Sign  
*plus*  
1 facial wall sign/awning sign per property *or* 1 facial wall sign/awning sign per business premises  
*plus*  
1 sandwich board type sign for each business premise *and* 1 portable type sign for every 150.0 m (492.1 ft) of public street frontage or part thereof.





**Table 3.14: Permitted Signage in the Downtown Core (DC) Zone**

**DC**

Sign Type	Dimensions	Conditions	Maximum Number
<b>Ground Sign</b>	<i>Max. Area/Face</i>	3.5 m <sup>2</sup> (37.7 ft <sup>2</sup> )	Not permitted in a required yard abutting a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), Downtown Neighbourhood (DN) Zone. Any part of the sign or sign structure must be set back from any property line a distance equal to or greater than 1/3 the height of the sign.
	<i>Total Area</i>	7.0 m <sup>2</sup> (75.4 ft <sup>2</sup> )	
	<i>Max. Height</i>	2.0 m (6.6 ft)	
<b>Projecting Wall Sign</b>	<i>Max. Area/Face</i>	3.5 m <sup>2</sup> (37.7 ft <sup>2</sup> )	Must be erected no less than 3.0 m (9.8 ft) and no more than 6.0 m (19.7 ft) from grade. May extend over a public right-of-way no more than 66% the width of the sidewalk. Sign must be affixed to a building's front or flanking facade over the entrance to the advertised use or business premise.
	<i>Total Area</i>	7.0 m <sup>2</sup> (75.4 ft <sup>2</sup> )	
	<i>Max. Height</i>	n/a	
<b>Roof Sign</b>	<i>Max. Area/Face</i>	10 % of facade	Must be designed and approved by a Professional Engineer or Architect. Must not extend beyond the edge of the roof to which the sign is affixed. No part of the sign may be situated above the height limit of the applicable zone. Sign must be aligned with the building's front or flanking facade.
	<i>Total Area</i>	10 % of facade	
	<i>Max. Height</i>	3.0 m (9.8 ft)	
<b>Facial Wall Sign</b>	<i>Max. Area/Face</i>	10 % of facade	Not permitted on a wall facing a rear or side yard that is within 15.0 m (49.2 ft) of a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), Downtown Neighbourhood (DN) or Urban Corridor (UC) Zone.
	<i>Total Area</i>	10 % of facade	
	<i>Max. Height</i>	n/a	
<b>Awning Sign</b>	<i>Max. Area/Face</i>	10 % of facade	Permitted on an awning erected no less than 2.5 m (8.2 ft) and no more than 6.0 m (19.7 ft) from grade. Sign must be affixed to a building's front or flanking facade over the entrance to the advertised use or business premise.
	<i>Total Area</i>	10 % of facade	
	<i>Max. Height</i>	n/a	
<b>Temporary Sign</b>	<i>Max. Area/Face</i>	1.5 m <sup>2</sup> (16.2 ft <sup>2</sup> )	Only sandwich board type signage permitted. One sign may be placed within public right-of-way adjacent to the business premise being advertised. Sign may be placed during regular hours of operation only. Sign must not interfere with the flow of pedestrian or vehicular traffic or pose a safety hazard.
	<i>Total Area</i>	3.0 m <sup>2</sup> (32.8 ft <sup>2</sup> )	
	<i>Max. Height</i>	1.2 m (3.9 ft)	

- Con
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- DC**
- UC
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- GR
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- ER
- FP
- FW
- FF

**Table 3.15: Permitted Signage in the General Residential (GR), Future Growth (FG), Watershed Residential (WR), and Rural Residential (RR) Zones**

**GR FG WR RR**

Sign Type	Dimensions	Conditions	Maximum Number
<b>Ground Sign</b>	<i>Max. Area/Face</i>	1.0 m <sup>2</sup> (10.8 ft <sup>2</sup> )	Permitted only in a front or flanking yard.
	<i>Total Area</i>	2.0 m <sup>2</sup> (21.5 ft <sup>2</sup> )	
	<i>Max. Height</i>	1.5 m (4.9 ft)	
<b>Facial Wall Sign</b>	<i>Max. Area/Face</i>	1.0 m <sup>2</sup> (10.8 ft <sup>2</sup> )	Permitted only on a front or flanking facade.
	<i>Total Area</i>	1.0 m <sup>2</sup> (10.8 ft <sup>2</sup> )	
	<i>Max. Height</i>	n/a	



**Table 3.16: Permitted Signage in the Regional Service (RS) and Business Industrial (BI) Zone**

**RS BI**

Sign Type	Dimensions	Conditions	Maximum Number
<b>Ground Sign</b>	<i>Max. Area/Face</i>	26.0 m <sup>2</sup> (279.9 ft <sup>2</sup> )	Not permitted in a required yard abutting a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), Downtown Neighbourhood (DN) Zone, or Urban Corridor (UC) Zone. Must be 45 m (147.6 ft) or more from another ground sign on the same property.
	<i>Total Area</i>	52.0 m <sup>2</sup> (559.7 ft <sup>2</sup> )	
	<i>Max. Height</i>	10.5 m (34.5 ft)	
<b>Projecting Wall Sign</b>	<i>Max. Area/Face</i>	3.5 m <sup>2</sup> (37.7 ft <sup>2</sup> )	Not permitted on a wall facing a rear or side yard that is within 15.0 m (49.2 ft) of a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), Downtown Neighbourhood (DN) or Urban Corridor (UC) Zone.
	<i>Total Area</i>	7.0 m <sup>2</sup> (75.4 ft <sup>2</sup> )	
	<i>Max. Height</i>	n/a	
<b>Roof Sign</b>	<i>Max. Area/Face</i>	10 % of facade	Must be designed and approved by a Professional Engineer or Architect. Must not extend beyond the edge of the roof to which the sign is affixed. Sign must not exceed the height limit of the applicable zone.
	<i>Total Area</i>	10 % of facade	
	<i>Max. Height</i>	4.0 m (13.1 ft)	
<b>Facial Wall Sign</b>	<i>Max. Area/Face</i>	10 % of facade	Not permitted on a wall facing a rear or side yard that is within 15.0 m (49.2 ft) of a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), Downtown Neighbourhood (DN) or Urban Corridor (UC) Zone.
	<i>Total Area</i>	10 % of facade	
	<i>Max. Height</i>	n/a	
<b>Awning Sign</b>	<i>Max. Area/Face</i>	10 % of facade	Not permitted on a wall facing a rear or side yard that is within 15.0 m (49.2 ft) of a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), Downtown Neighbourhood (DN) or Urban Corridor (UC) Zone.
	<i>Total Area</i>	10 % of facade	
	<i>Max. Height</i>	n/a	
<b>Temporary Sign</b>	<i>Max. Area/Face</i>	4.5 m <sup>2</sup> (48.4 ft <sup>2</sup> )	Not permitted in a required yard abutting a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), Downtown Neighbourhood (DN) Zone, or Urban Corridor (UC) Zone. Portable signs must be 45 m (147.6 ft) or more from another portable sign on the same property.
	<i>Total Area</i>	9.0 m <sup>2</sup> (96.9 ft <sup>2</sup> )	
	<i>Max. Height</i>	3.0 m (9.8 ft)	

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**Table 3.17: Permitted Signage in the Environmental Reserve (ER) and Flood Plain (FP) Zones**

**ER FP**

Sign Type	Dimensions	Conditions	Maximum Number
<b>Ground Sign</b>	<i>Max. Area/Face</i>	3.0 m <sup>2</sup> (32.3 ft <sup>2</sup> )	Not permitted within 15.0 m (49.2 ft) of a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), Downtown Neighbourhood (DN) Zone.
	<i>Total Area</i>	6.0 m <sup>2</sup> (64.6 ft <sup>2</sup> )	
	<i>Max. Height</i>	2.0 m (6.6 ft)	
<b>Temporary Sign</b>	<i>Max. Area/Face</i>	4.5 m <sup>2</sup> (48.4 ft <sup>2</sup> )	Not permitted within 15.0 m (49.2 ft) of a General Residential (GR), Future Growth (FG), Rural Residential (RR), Watershed Residential (WR), or Downtown Neighbourhood (DN) Zone
	<i>Total Area</i>	9.0 m <sup>2</sup> (96.9 ft <sup>2</sup> )	
	<i>Max. Height</i>	3.0 m (9.8 ft)	



**Table 3.18: Permitted Signage in the Downtown Neighbourhood (DN) Zone**

**DN**

Sign Type	Dimensions	Conditions	Number
<b>Ground Sign</b>	<i>Max. Area/Face</i>	1.0 m <sup>2</sup> (10.8 ft <sup>2</sup> )	Permitted only in a front or flanking yard.
	<i>Total Area</i>	2.0 m <sup>2</sup> (21.5 ft <sup>2</sup> )	
	<i>Max. Height</i>	1.5 m (4.9 ft)	
<b>Projecting Wall Sign</b>	<i>Max. Area/Face</i>	0.6 m <sup>2</sup> (6.5 ft <sup>2</sup> )	
	<i>Total Area</i>	0.6 m <sup>2</sup> (12.9 ft <sup>2</sup> )	
	<i>Max. Height</i>	n/a	
<b>Facial Wall Sign</b>	<i>Max. Area/Face</i>	1.0 m <sup>2</sup> (10.8 ft <sup>2</sup> )	Permitted only on a front or flanking facade.
	<i>Total Area</i>	1.0 m <sup>2</sup> (10.8 ft <sup>2</sup> )	
	<i>Max. Height</i>	n/a	
<b>Temporary Sign</b>	<i>Max. Area/Face</i>	1.5 m <sup>2</sup> (16.2 ft <sup>2</sup> )	
	<i>Total Area</i>	3.0 m <sup>2</sup> (32.8 ft <sup>2</sup> )	
	<i>Max. Height</i>	1.2 m (3.9 ft)	

1 Ground Sign  
*plus*  
1 projecting wall/facial wall sign per property or 1 projecting wall/awning/facial sign per business premises  
*plus*  
1 sandwich board type sign for each business premises

### 3.3.11 Street Banners

A development permit may be issued for a street banner subject to the following requirements:

- a) Street banners shall only be permitted at the following locations:
  - i) Holiday Inn, Prince Street
  - ii) Caldwell Roach, Prince Street
  - iii) Library, Prince Street
  - iv) Armouries, Willow Street
  - v) Stanfield Park, Walker Street
- b) Banners shall only be permitted for special events including artistic, athletic and cultural events, as well as events designed to raise public awareness.
- c) Banners shall only display special events held by charitable and non-profit organizations or special events sponsored by the Town of Truro.
- d) Banners shall be limited to the name of event, date and sponsor.
- e) Banners shall not:
  - i) express political, ideological, religious or individual convictions;
  - ii) express or advertise an event that promotes illegality, hatred or discrimination; or
  - iii) be intended for purely commercial or profit-making purposes.
- f) No development permit for a banner shall be issued to a political organization or an organization that promotes illegality, hatred or discrimination.





- g) No banner shall be affixed to Nova Scotia Power Corporation utility poles.
- h) Banners are to be located 4.3 m (14.0 ft) above street level.
- i) No more than two (2) banners may be erected for each special event.
- j) A \$100 deposit must be paid with each development permit application for a street banner.
- k) A banner may be displayed for a period of 30 days.
- l) A banner may not display an event that was displayed on a banner within the last 60 days.
- m) If two (2) banners for one special event are displayed, the number of days one banner is to be displayed shall be added to the number of days the other banner is to be displayed and the total number of days for the two banners shall not exceed 30 days.
- n) Banners shall be designed to have wind vents cut in the fabric to reduce wind load.
- o) Banners with supporting ropes passing through electrical wires must have the approval of the Nova Scotia Power Corporation.
- p) The installation and removal of banners is the responsibility of the applicant and shall be done by an insured installer certified by the Nova Scotia Safety Construction Association.
- q) Banners that have become unsafe may be removed by the Town at the applicant's expense and the amount of such expenses shall be deducted from the deposit referred to in Clause (j).
- r) The applicant is responsible for any and all damage or injury resulting from poor maintenance, improper installation or other workmanship for the duration of the installation.

### 3.3.12 Off-site Signage

Notwithstanding Clause (l) of subsection "1.3.3 Signs Prohibited in all Zones", a development permit may be issued for a sign which advertises a business or a use not located on the lot or premises provided that:

- a) the property containing the off-site signage abuts the property containing the business or use being advertised;
- b) only one off-site sign is permitted for a business premise or use pursuant to this subsection;
- c) an off-site sign counts towards the maximum number of signs permitted on the property where the sign is located; and
- d) the proposed signage complies with all other applicable requirements of this by-law respecting signage.



### 3.3.13 Sponsorship Signage on Town Owned Recreational Lands

Sponsorship signage on Town owned recreational lands shall be exempt from the provisions of this bylaw. No development permit is required. All approvals for sponsorship signage on Town owned recreational lands shall be subject to the approval of the Town Parks and Recreation Committee.

### 3.3.14 Signs Identifying Residential Developments

- a) A ground sign identifying the name and civic address of a residential development with 12 or more dwelling units or a sign identifying the name of a residential subdivision may be permitted subject to the following requirements:
  - i) the maximum sign area shall be 1.5 m<sup>2</sup> (16.2 ft<sup>2</sup>);
  - ii) the total area of all sign faces shall not exceed 3.0 m<sup>2</sup> (32.3 ft<sup>2</sup>);
  - iii) the maximum height of the sign shall be 1.5 m (4.9 ft); and
  - iv) the sign shall be set back a minimum of 1.5 m (4.9 ft) from any property line.
- b) A facial wall or awning sign identifying the name and civic address of a residential development with 12 or more dwelling units may be permitted provided the sign area does not exceed 1.5 m<sup>2</sup> (16.2 ft<sup>2</sup>);

## 3.4 URBAN AGRICULTURAL USES

The requirements of this section shall apply to all urban agricultural uses where livestock are bred and raised, not including pets.

### 3.4.1 Animal Units

- a) Table 3.19 lists types of animals relative to the amount of animal units permitted on a lot.
- b) For animals not listed in table 3.19, the Development Officer shall regulate animals based on their approximate equivalent in the categories below based on the body weight of a mature animal and the amount of noise normally produced by the animal.

**Table 3.19: Animal Units**

<i>Type of Animal</i>	<i>Animal Unit Equivalency</i>
1 Cattle, Horse, Deer, Llama, Donkey	44 Units
1 Sheep, Pony, Emu, Swine	24 Units
1 Duck, Pheasant, Turkey, Goose	6 Units
1 Beehive	1 Unit
1 Chicken	1 Unit





### 3.4.2 Calculating Animal Units

- a) Animals are permitted only on lots at least 465.0 m<sup>2</sup> (5,000 ft<sup>2</sup>) in size.
- b) One animal unit is permitted for every 93.0 m<sup>2</sup> (1,000 ft<sup>2</sup>) of lot area.
- c) In the case of fractional numbers when calculating animal units, round down for the amount of animal units permitted.

### 3.4.3 General Requirements

- a) Any urban agricultural use that includes the keeping of any livestock or animal must be accessory to a use that is permitted use within the zone where the urban agricultural use is located.
- b) For all animals, except for chickens and bees, at least 75% of the required lot area must be dedicated to the pasturage or sheltering of animals.
- c) Roosters and swine (excluding pot-bellied pigs) are prohibited in all Zones excluding the Rural Residential (RR) Zone and Watershed Residential (WR) Zone.
- d) Animal feed must be properly stored in enclosed vessels, and areas or enclosures intended for the keeping of animals must be properly cleaned and maintained to prevent odours from emanating onto abutting properties.
- e) Any animal barn, kennel, stable, coop, or other structure intended for the keeping of animals, any animal run, hive, grazing area or open air enclosure are permitted in rear yards only.
- f) Animals may not be housed in any structure used for human habitation.
- g) The sale of eggs, meat, honey, manure, or any other product derived from the domestic keeping of animals is prohibited in all Residential Zones.
- h) The slaughter of any animal is prohibited in all residential Zones. Animals may only be euthanized by a veterinarian or an appropriate body which can act lawfully.

### 3.4.4 Animal Shelter Setback Requirements

The following requirements shall apply to any animal barn, kennel, stable, coop, or other structure intended for the keeping of animals, excluding beehives which are subject to special regulations set out in Subsection 4.4.6 of this By-law.

- a) Any animal barn, kennel, stable, coop, or other structure intended for the keeping of animals must maintain a minimum setback of 4.5 m (15 ft) from any abutting property line.
- b) Any animal run, grazing area or open air enclosure must maintain a minimum setback of 3.0 m (10 ft) from any and all abutting property lines.
- c) Any animal barn, kennel, stable, coop, or other structure intended for the keeping of animals must maintain a minimum distance of 4.5 m (15 ft) from any dwelling.



### 3.4.5 Buffering Requirements

In addition to any applicable requirements of this By-law, where an Urban Agricultural use is deemed incompatible with the abutting properties, the Development Officer may require that the abutting yard:

- a) be entirely landscaped with a combination of existing and planted trees which are:
  - i) spaced in a staggered manner at intervals of 3.0 m (10 ft) on centre over the entire area;
  - ii) be a minimum of 1.5 m (5 ft) in height at the time of planting;
  - iii) be at least 75% coniferous trees indigenous to the area; or
- b) contain a berm that is a minimum of 2.0 m (6.6 ft) in height with at least a 7.0 m (23 ft) wide base, which is landscaped with trees and bushes of at least 0.6 m (2 ft) in height at the time of planting and spaced at least 6.0 m (19.7 ft) on centre; or
- c) contain a fence that shall be erected along the abutting property line which:
  - i) has the finished side facing the abutting property;
  - ii) is of a residential design;
  - iii) forms a visual barrier from grade to 1.8 m (6.0 ft) high;
  - iv) is a minimum of 1.8 m (6.0 ft) high from ground to the top horizontal member; and
  - v) extends a minimum of 6.0 m (19.7 ft) horizontally.

### 3.4.6 Special Regulations for Beekeepers

It shall be the responsibility of beekeepers to:

- a) Obtain a valid Beekeeper & Apiary Registration from the Nova Scotia Department of Agriculture, and conform to all policies pursuant to the Nova Scotia Bee Industry Act.
- b) Adhere to good management practices and maintain bees in a condition that will reasonably prevent swarming and aggressive behaviour, especially in providing adequate water to prevent bees from seeking water on abutting properties.
- c) Requeen bees when necessary to prevent undue swarming or aggressive behaviour.
- d) Collect and relocate bee swarms originating from a managed hive to a parcel of land outside of the Town.
- e) Ensure the appropriate height of bee flight paths by:
  - i) situating beehives a minimum of 2.15 m (7 ft) above grade; or
  - ii) placing a solid fence that is 1.8 m (6.0 ft) in height along any section of abutting property line(s), within 9.0 m (29.5 ft) of any bee hive.
- f) Beehive entrances are situated away from neighbouring properties, and the beehives are a minimum of 3.0 m (10 ft) from any and all abutting property lines.



## 3.5 STORMWATER MANAGEMENT

### 3.5.1 Impermeable Surface Allowances

Except where permitted in accordance with “1.5.2 Exceeding Impermeable Surface Allowances”, no development permit shall be issued for a development that would:

- a) exceed the maximum impermeable surface area found in Table 3.20 and in the applicable Zone Requirements table for each zone; or
- b) permit the expansion of an existing development that currently meets or exceeds the maximum impermeable surface area found in Table 3.20 and in the applicable Zone Requirements table for each zone.

**Table 3.20: Maximum Impermeable Surface Area by Zone**

Zone		Max. Impermeable Surface
<b>DC</b>	Downtown Core (DC)	75 %
<b>UC</b>	Urban Corridor (UC)	75 %
<b>UG</b>	Urban Growth (UG)	60 %
<b>DN</b>	Downtown Neighbourhood (DN)	50 %
<b>GR</b>	General Residential (GR)	40 %
<b>RS</b>	Regional Service (RS)	70 %
<b>BI</b>	Business Industrial (BI)	60 %
<b>FG</b>	Future Growth (FG)	40 %
<b>RR</b>	Rural Residential (RR)	25 %
<b>WR</b>	Watershed Residential (WR)	25 %
<b>PO</b>	Parks & Open Space (PO)	35 %
<b>CR</b>	Commercial Recreation (CR)	35 %
<b>ER</b>	Environmental Reserve (ER)	10 %
<b>FP</b>	Floodplain (FP)	10 %



### 3.5.2 Exceeding Impermeable Surface Allowances

The Maximum Impermeable Surface Area limits in Table 3.20 and in the applicable Zone Requirements table for each zone may be increased up to an additional 20% provided:


- a) the development incorporates one or more stormwater management improvements as described in Table 3.21; and
- b) the amount by which the Maximum Impermeable Surface Area may be exceeded is calculated by totalling the percentage credit(s) that correspond to each improvement in Table 3.21 that has been implemented.
- c) A development permit may be issued for a development proposal that exceeds the Maximum Impermeable Surface Area limits and the increased limit permitted in accordance with clause (a) provided the developer submits a stormwater management plan prepared by a professional engineer that demonstrates, to the satisfaction of the Town Engineer, that the proposed development will not result in an increase in the volume or peak flow of stormwater run-off from the site.

### 3.5.3 Stormwater Management Design Manual

Except where otherwise approved by the Town Engineer, stormwater management improvements and stormwater management plans required pursuant to this section will employ stormwater management techniques designed and implemented in accordance with the Town’s Stormwater Management Design Manual.

- Con
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- Adm
- Gen
- DC
- UC
- UG
- DN
- GR
- RS
- BI
- FG
- RR
- WR
- PO
- CR
- ER
- FP
- FW
- FF

**Table 3.21: Stormwater Management Improvements**

<i>SWM Practice</i>	<i>Description</i>	<i>Application</i>
Enhanced Swales	<p>Enhanced grass swales are vegetated open channels designed to convey, treat and attenuate stormwater runoff (also referred to as enhanced vegetated swales). Check dams and vegetation in the swale slows the water to allow sedimentation, filtration through the root zone and soil matrix, evapotranspiration, and infiltration into the underlying native soil. Simple grass channels or ditches have long been used for stormwater conveyance, particularly for roadway drainage. Enhanced grass swales incorporate design features such as modified geometry and check dams that improve the contaminant removal and runoff reduction functions of simple grass channel and roadside ditch designs.</p> <p><b>4% Credit to Impermeable Surface Limit</b></p>	



**SWM Practice**

**Description**

**Application**

**Dry Swales**

A dry swale can be thought of as an enhanced grass swale that incorporates an engineered filter media bed and optional perforated pipe underdrain or a bioretention cell configured as a linear open channel. They can also be referred to as infiltration swales or bio-swales. Dry swales are similar to enhanced grass swales in terms of the design of their surface geometry, slope, check dams and pretreatment devices.

They are similar to bioretention cells in terms of the design of the filter media bed, gravel storage layer and optional underdrain. In general, they are open channels designed to convey, treat and attenuate stormwater runoff. Vegetation or aggregate material on the surface of the swale slows the runoff water to allow sedimentation, filtration through the root zone and engineered soil bed, evapotranspiration, and infiltration into the underlying native soil.

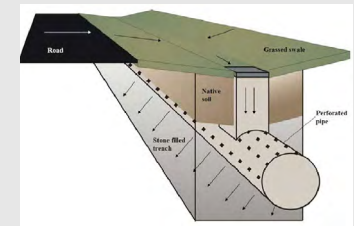
**4% Credit to Impermeable Surface Limit**



**Perforated Pipe Systems**

A stormwater conveyance system that features pipe that is perforated along its length and installed in a granular bedding which allows infiltration of water into the native soil through the pipe wall as it is conveyed. They can also be referred to as pervious pipes, percolation drainage systems or exfiltration systems. Design variations can also include catchbasins that are connected to granular stone reservoirs by pervious pipes or where the catchbasin sumps are perforated, allowing runoff to gradually infiltrate into the native soil. They are best suited to treat drainage from low to medium traffic areas with relatively flat or gentle slope.

**4% Credit to Impermeable Surface Limit**



**Permeable Pavement**

Permeable pavements, an alternative to traditional impervious pavement, allow stormwater to drain through them and into a stone reservoir where it is infiltrated into the underlying native soil or temporarily detained. They can be used for low traffic roads, parking lots, driveways, pedestrian plazas and walkways. Permeable pavement is ideal for sites with limited space for other stormwater management practices. Examples of permeable pavement types include:

- permeable interlocking concrete pavers (i.e., block pavers);
- plastic or concrete grid systems (i.e., grid pavers);
- pervious concrete; and
- porous asphalt.

Depending on the native soils and physical constraints, the system may be designed with no underdrain for full infiltration, with an underdrain for partial infiltration, or with an impermeable liner and underdrain for a no infiltration or detention and filtration only practice.

**4% Credit to Impermeable Surface Limit**



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**SWM Practice**

**Description**

**Application**

**Rainwater Harvesting**

Rainwater harvesting is the process of intercepting, conveying and storing rainfall for future use. The rain that falls upon a catchment surface, such as a roof, is collected and conveyed into a storage tank. Storage tanks range in size from rain barrels for residential land uses (typically 190 to 400 litres in size), to large cisterns for industrial, commercial and institutional land uses. A typical pre-fabricated cistern can range from 750 to 40,000 litres in size. With minimal pretreatment (e.g., gravity filtration or first-flush diversion), the captured rainwater can be used for outdoor non-potable water uses such as irrigation and pressure washing, or in the building to flush toilets or urinals. It is estimated that these applications alone can reduce household municipal water consumption by up to 55%. The capture and use of rainwater can, in turn, significantly reduce stormwater runoff volume and pollutant load. By providing a reliable and renewable source of water to end users, rainwater harvesting systems can also help reduce demand on municipal treated water supplies. This helps to delay expansion of treatment and distribution systems, conserve energy used for pumping and treating water and lower consumer water bills.

**4% Credit to Impermeable Surface Limit**



**Infiltration Trenches/  
Chambers**

Infiltration Trenches are excavations lined with geotextile fabric and filled with clean granular stone or other void forming material that receive runoff from a perforated pipe inlet and allow it to infiltrate into the native soil. They typically service individual lots and receive only roof and walkway runoff but can also be designed to receive overflows from rainwater harvesting systems. Infiltration Trenches can also be referred to as infiltration galleries, dry wells or soakaways.

Infiltration chambers include a range of proprietary manufactured modular structures installed underground, typically under parking or landscaped areas that create large void spaces for temporary storage of stormwater, allowing it to infiltrate into the underlying native soil. Structures typically have open bottoms, perforated side walls and optional underlying granular stone reservoirs. They can be installed individually or in series in trench or bed configurations. They can infiltrate roof, walkway, parking lot and road runoff with adequate pretreatment. Due to the large volume of underground void space they create, they are well suited to sites where available space for other SWM practices are limited, or where it is desirable for the facility to have little or no surface footprint (e.g., high density development contexts). They can also be referred to as infiltration tanks.

**4% Credit to Impermeable Surface Limit**



- Con
- Def
- Adm
- Gen
- DC
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- UG
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- GR
- RS
- BI
- FG
- RR
- WR
- PO
- CR
- ER
- FP
- FW
- FF



SWM Practice	Description	Application
Bioretention	<p>Bioretention areas are shallow excavated surface depressions containing mulch and a prepared soil mix and planted with specially selected native vegetation that captures and treats runoff. During storms, runoff ponds in the depression and gradually filters through the mulch, prepared soil mix and root zone. The filtered runoff can either infiltrate into the native soil or be collected in a perforated underdrain and discharged to the storm sewer system. They remove pollutants from runoff through filtration in the soil and uptake by plant roots and can help to reduce runoff volume through evapotranspiration and full or partial infiltration. They can also provide wildlife habitat and enhance local aesthetics.</p> <p>Bioretention areas can be integrated into a range of landscape areas including medians and cul-de-sac islands, parking lot medians and boulevards. A variety of planting and landscape treatments can be employed to integrate them into the character of the landscape. Biofilters are a design variation that feature an impermeable liner and underdrain due to site constraints and are typically applied as pretreatment to another stormwater control although they can be effective as stand alone filtration facilities. Minimum area 9.0 m (96.9 ft<sup>2</sup>)</p> <p><b>4% Credit to Impermeable Surface Limit</b></p>	
Depression Storage	<p>Directing drainage from roof downspouts to shallow depressed areas in front, rear and side-yard areas is a simple technique to store and infiltrate runoff where possible. Depression storage areas can be located in low areas, planted as gardens or situated beneath decks. Typically, depression storage areas are small and have limited capacity and limited duration of retention in order to address property owner concerns relating to insects, damage to structures and inconvenience of ponded water on their property. Although their individual effectiveness is limited by their size, cumulatively depression storage areas can provide significant benefits in a stormwater management system. Minimum area 18.0 m (96.9 ft<sup>2</sup>)</p> <p><b>4% Credit to Impermeable Surface Limit</b></p>	
Rain Gardens	<p>A variation on depression storage and bioretention areas, the rain garden is a deliberately designed landscape, with specific plant species and soil media to receive and detain, infiltrate and filter runoff discharged from roof leaders. Rain gardens are effective in both new and retrofit situations and can be designed to complement the landscape of most properties. The rain garden is constructed on a base of granular material with plant material selected for its rooting characteristics and tolerance of varying soil moisture conditions. The drainage area of the roof plane contributing to the downspout determines the size of the garden.</p> <p>As with depression storage, rain garden installations are effective in areas where soil permeability is high. In addition, provision must be made to facilitate positive drainage away from the rain garden in the event storm flows exceed capacity.</p> <p><b>4% Credit to Impermeable Surface Limit</b></p>	

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## 3.6 AMENITY SPACE

### 3.6.1 Amenity Space Requirements

A development that includes three or more dwelling units shall be required to provide amenity space in accordance with the following requirements:

- i) Amenity space shall be provided on site or on an abutting property within 30 m (98 ft) where a joint use agreement has been entered into between the affected property owners.
- ii) Amenity space shall be provided for each unit based on the amenity space requirements set out in Table 3.22.

**Table 3.22 Amenity Space Requirements**

<i>Type of Unit</i>	<i>Amenity Space Requirement</i>
Bachelor Apartment	14.0 m <sup>2</sup> (150.7 ft <sup>2</sup> ) per unit
1 Bedroom Apartment	18.5 m <sup>2</sup> (199.1 ft <sup>2</sup> ) per unit
2 Bedroom Apartment	23.0 m <sup>2</sup> (247.6 ft <sup>2</sup> ) per unit
3 Bedroom Apartment	28.0 m <sup>2</sup> (301.4 ft <sup>2</sup> ) per unit
Apartment with 4 or more Bedrooms	37.0 m <sup>2</sup> (398.3 ft <sup>2</sup> ) per unit





DC

# 4 | Downtown Core (DC) Zone

## 4.1 PERMITTED USES

Table 4.1: Downtown Core (DC) Zone Permitted Uses

 AS-OF-RIGHT	 CONDITIONAL USE	 SITE PLAN APPROVAL	 DEVELOPMENT AGREEMENT
Accommodations		Dormitory	
Adult Entertainment		Dry-cleaning and Laundry	
Animal and Pet Services		Educational Use	
Animal Hospital		Emergency Services	
Artisan Studio		Emergency Shelter	
Automobile Repair		Existing Residential Use	
Automobile Sales and Rentals	  	Farmers Market, Flea Market & Antique Market	
Automobile Service Station		Food Service	
Automobile Wash and Detailing		Funeral Home	
Bank and Financial Institution		Garden Centre	
Bed and Breakfast		Governmental Use	
Beverage Room, Lounge and Cabaret		Health Care Clinic	
Broadcasting and Communications		Microbrewery and Microdistillery	
Club		Neighbourhood Clinic	
Community Garden		Office and Professional Use	
Community Institution		Parking Lots	
Convenience Stores		Parking Structure	
Day Care Centre		Parks & Open Space	

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- Con
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- DC
- UC
- UG
- DN
- GR
- RS
- BI
- FG
- RR
- WR
- PO
- CR
- ER
- FP
- FW
- FF



Personal Services		Residential (13 units or more)	
Printing		Restaurant	
Religious Institution		Restaurant, Drive-Thru	
Repair Shop		Retail Store	
Recreation Facility, Commercial		Stadia and Auditoria	
Recreation Facility, Indoor		Tattoo Studio	
Recreation Facility, Outdoor		Taxi Depot	
Residential Care Facilities		Transportation Facilities and Depots	
Residential (up to 4 units)		Utilities and Public Works	
Residential (Conversion up to 12 units)		Warehousing & Storage	
Residential (5 to 12 Units)		Wholesale Use	

## 4.2 AS-OF-RIGHT DEVELOPMENT

### 4.2.1 Downtown Core (DC) Zone Requirements

As-of-right uses in the Downtown Core (DC) Zone shall be permitted subject to the requirements set out in Table 4.2 in addition to all other applicable requirements of this By-law:

### 4.2.2 General Provisions Apply

Other applicable requirements for development in the Downtown Core (DC) Zone, including parking and signage regulations, can be found in Part 3: General Provisions.

### 4.2.3 Abutting Yard Requirements

Where a property in the Downtown Core (DC) Zone abuts an Urban Corridor (UC), General Residential (GR) or Downtown Neighbourhood (DN) Zone, the following requirements shall apply to any abutting yard within the DC Zone:

- the minimum setback requirement for an abutting yard shall be 6.0 m (19.7 ft);
- no open storage or outdoor display shall be permitted within a required yard; and
- additional restrictions on signage, parking, and loading in an abutting yard can be found in Part 3: General Provisions.



There are some requirements that apply throughout Town and not to just one zone. Rather than repeat them for every zone, they can all be found in Chapter 3: General Provisions of the Land Use By-law. Check there for additional requirements that may apply to your development.





Table 4.2: Downtown Core (DC) Zone Requirements

	<p><b>Height</b></p> <p>Minimum 2 storeys</p> <p>See Subsection "4.2.4 Building Height Limit" and Table 4.1 Downtown Core (DC) Zone Height Limits</p>		<p><b>Rear Setback</b></p> <p>Minimum 3.0 m (9.8 ft), or 6.0 m (19.7 ft) when abutting a GR, UC or DN Zone. See Subsection "4.2.3 Abutting Yard Requirements"</p>
	<p><b>Front Setback</b></p> <p>Minimum 0.0 m (0.0 ft)</p> <p>The front main wall of all buildings shall occupy at least 75% of the 'build-to plane'</p> <p>See Subsection "4.3.2 Building Placement"</p>		<p><b>Lot Area</b></p> <p>Minimum 450.0 m<sup>2</sup> (4,844 ft<sup>2</sup>)</p>
	<p><b>Side Setback</b></p> <p>Minimum 0.0 m (0.0 ft), or 6.0 m (19.7 ft) when abutting a GR, UC or DN Zone. See Subsection "4.2.3 Abutting Yard Requirements"</p>		<p><b>Lot Frontage</b></p> <p>Minimum 15.0 m (49 ft)</p>
	<p><b>Flanking (Side) Setback</b></p> <p>Minimum 0.0 m (0.0 ft)</p> <p>See Subsection "4.3.2 Building Placement"</p>		<p><b>Lot Coverage</b></p> <p>Maximum 75%</p>
	<p><b>Impermeable Surface</b></p> <p>Maximum 75 %</p>		

#### 4.2.4 Building Height Limit

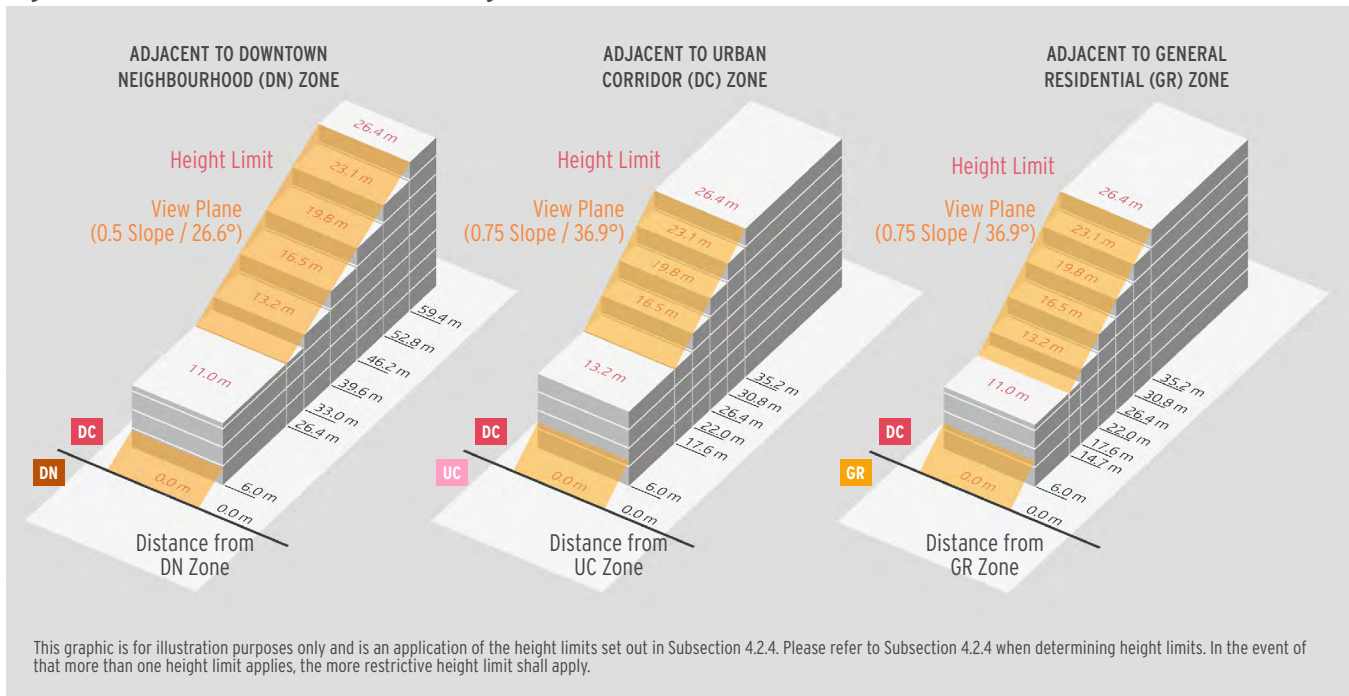
- a) See Figure 4.1 for a graphic intended to illustrate an application of the height limits prescribed in this subsection.
- b) No portion of any main building shall exceed a height of 11.0 m (36.1 ft) within:
  - i) 26.4 m (86.6 ft) of the Downtown Neighbourhood (DN) Zone; or
  - ii) 14.7 m (48.2 ft) of the General Residential (GR) Zone.





- c) The maximum height of any portion of a main building situated over 26.4 m (86.6 ft) from the Downtown Neighbourhood (DN) Zone, over 14.7 m (48.2 ft) from the General Residential (GR) Zone, or over 17.6 m (57.7 ft) from the Urban Corridor (UC) Zone shall be the lesser of:
- 0.75 times the distance the building or portion thereof is from a property in the General Residential (GR) Zone; or
  - 0.75 times the distance the building or portion thereof is from a property in the Urban Corridor (UC) Zone; or
  - 0.50 times the distance the building or portion thereof is from a property in the Downtown Neighbourhood (DN) Zone; or
  - 26.4 m (86.6 ft)

Figure 4.1: Downtown Core (DC) Zone Height Limits



- d) No portion of any main building shall exceed a height of 13.2 m (43.3 ft) within 17.6 m (57.7 ft) of the Urban Corridor (UC) Zone.
- e) No portion of any main building shall exceed a height of 16.5 m (54.1 ft) within 22.0 m (72.2 ft) of any property in the Civic Block (which comprises the block of land bounded by Prince Street, Young Street, Victoria Street, and Forrester Street).
- f) See Subsection "4.3.3 Building Form" for additional height limits related to streetscape and urban design requirements.
- g) Accessory buildings shall be subject to the height limits specified in Subsection "3.1.2 Accessory Buildings" on page 1 of this By-law.





Wondering what a word means? Most terms carry their customary meaning, but some words need a little clarification. Check Chapter 1: Definitions of the Land Use By-law for a definition

#### 4.2.5 Yard abutting Railway

Where a property in a the Downtown Core (DC) Zone abuts a right-of-way for an existing railway line, setback requirements do not apply to any yard which directly abuts the railway right-of-way.

#### 4.2.6 Retail Display on Public Sidewalks

Retail display on a public sidewalk is permitted in the Downtown Core (DC) Zone subject to the following requirements:

- a) the retail display is only set up during the hours of operation for the associated use;
- b) the retail display occurs after April 30<sup>th</sup> and before November 1<sup>st</sup>;
- c) the public sidewalk where the retail display is set up is greater than 1.5 m (5 ft) in width;
- d) the retail display does not obstruct or otherwise interfere with the flow of pedestrian traffic on the sidewalk and maintains a clear path for pedestrian traffic that is a minimum of 1.5 m (5 feet) wide;
- e) the retail display is self supporting and displayed in manner deemed safe by the Development Officer; and
- f) the retail display is located at least 1.5 m (5 ft) from any other object including but not limited to:
  - i) traffic signs;
  - ii) meter posts;
  - iii) trees;
  - iv) mail box; or
  - v) flower box.

#### 4.2.7 Canopy Erected Over a Public Right-of-way

- a) No development permit shall be issued for a canopy projecting over public rights-of-way provided:
  - i) the canopy and its supporting structure are at least 2.5 m (8 ft) above the sidewalk; and
  - ii) the canopy does not project more than 2.5 m (8 ft) into the public right-of-way or a distance equal to two-thirds the width of abutting sidewalk, whichever is greater
- b) All canopies projecting over a public right-of-way shall not incorporate any advertisement or signage except the name of the user or owner company, its logo or the logo of a product sold on the site, which shall be woven, sewn or permanently embedded into the fabric.
- c) Any names and logos displayed on a canopy will be regulated as awning signage and be subject to all applicable signage regulations found in Part 3: General Provisions.

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### 4.2.8 Outdoor Storage and Display

Outdoor storage and display may be permitted in the Downtown Core (DC) Zone provided the outdoor storage and display is:

- a) accessory to a use permitted in the Downtown Core (DC) Zone;
- b) not located within a required yard;
- c) not located within a front or flanking yard.

## 4.3 URBAN DESIGN REQUIREMENTS

### 4.3.1 Urban Design Requirements to Apply

In the Downtown Core (DC) Zone, the following developments shall be subject to the urban design requirements set out in this section:

- a) all new main buildings;
- b) any addition to a main building resulting in a 25% or greater increase in gross floor area; or
- c) any addition or exterior alteration to a main building that will impact any portion of a main building located within 9.0 m (29.5 ft) of a public right of way.

### 4.3.2 Building Placement

- a) The facade of all new buildings shall occupy at least 75% of the build-to-plane.
- b) The build-to-plane is a vertical plane that extends upward at least 7.5 m (24.6 ft) from a line drawn parallel to the street at or within 2.0 m (6.6 ft) of the established front yard setback as defined in clause (c) below (see Figure 4.4).
- c) The established front yard setback is one of the following:
  - i) the front lot line;
  - ii) a distance less than or equal to the average front yard setbacks of buildings facing the same street and situated within 30 m (98.4 ft) (see Figure 4.3); or
  - iii) 3.0 m (9.8 ft) or less where the buildings on an abutting lot are set back more than 3.0 m (9.8 ft) from the front lot line.
- d) On a corner lot, the build-to-plane extends upward at least 7.5 m (24.6 ft) from a line drawn parallel to both the front and flanking streets at the established front and the established flanking yard setback, as defined in clause (e) below.
- e) The established flanking yard setback is one of the following:
  - i) the flanking lot line;
  - ii) a distance less than or equal to the average front or flanking yard setbacks of buildings facing the same street and situated within 20 m (65.6 ft) (see Figure 4.3); or
  - iii) 3.0 m (9.8 ft) or less where the buildings on an abutting lot are set back more than 3.0 m (9.8 ft) from the front or flanking lot line.

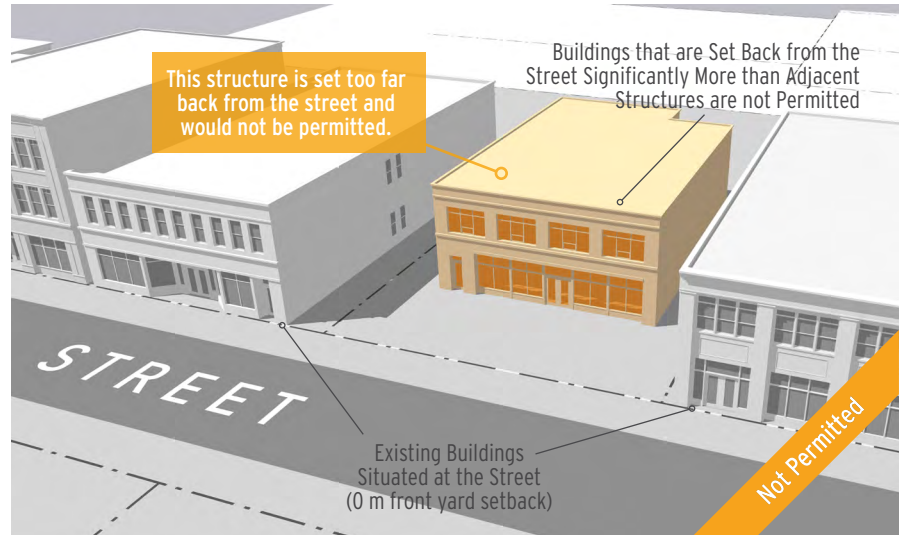


To ensure that new development complements existing buildings and contributes to the creation of attractive and welcoming streetscapes, most development in the Downtown Core (DC) Zone must conform to the Town's urban design requirements.

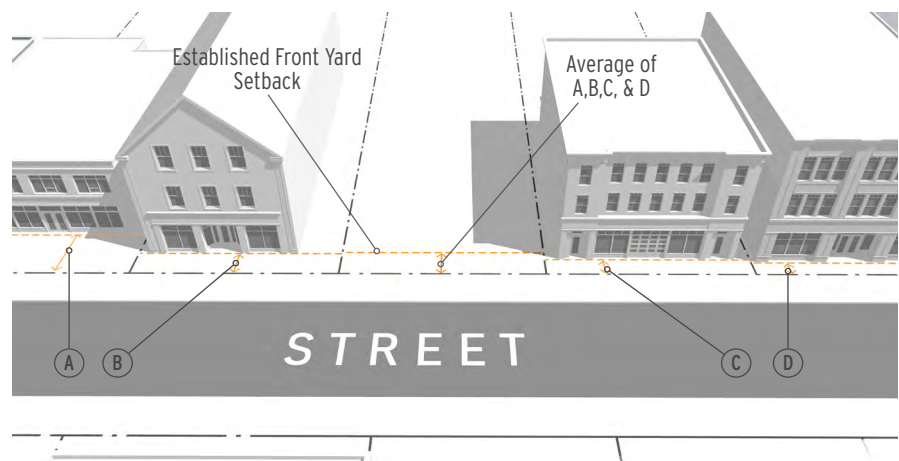
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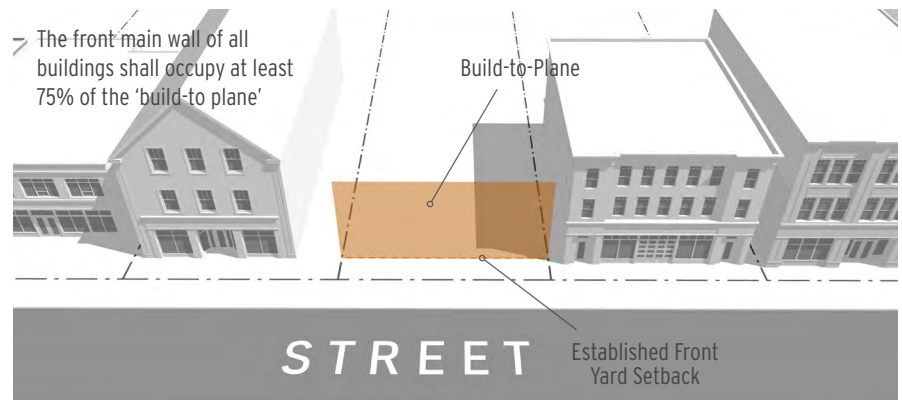
**Figure 4.2: Buildings Must be Situated Near the Street**



**Figure 4.3: Established Front Yard Setback**



**Figure 4.4: Build-to-Plane at Established Front Yard Setback**



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- f) Buildings on a corner lot shall occupy at least 75% of the build-to-plane for the front street and at least 50% of the build-to-plane for the flanking street.
- g) Buildings on a corner lot shall occupy at least 90% of the corner build-to-plane (see Figure 4.6) which is that portion of the build-to-plane situated within 6.0 m (19.7 ft) of the corner.
- h) A building with a chamfered corner may be exempted from clause (g) but shall occupy at least 50% of the corner build-to-plane.

### 4.3.3 Building Form

- a) Single storey structures are not permitted within 9.0 m (29.5 ft) of a public right-of-way.
- b) For the purposes of interpreting the Downtown Core (DC) Zone Urban Design Requirements, a building's front or flanking facade will be broken up into the constituent parts illustrated in Figure 4.8.
- c) Any portion of a new building within 9.0 m (29.5 ft) of a public right-of-way must be a minimum of two storeys in height with the following exceptions:
  - i) additions that do not increase the gross floor area of an existing building by more than 25%;
  - ii) porches, verandahs, bay windows, awnings, covered entries or similar structures attached to a main building.
- d) Buildings over three stories in height shall have the fourth storey stepped back from the front wall of the building a distance of 4.5 m (14.8 ft) or more (see figure 4.9).

Figure 4.5: Build-to-Plane Matching Existing Street-wall

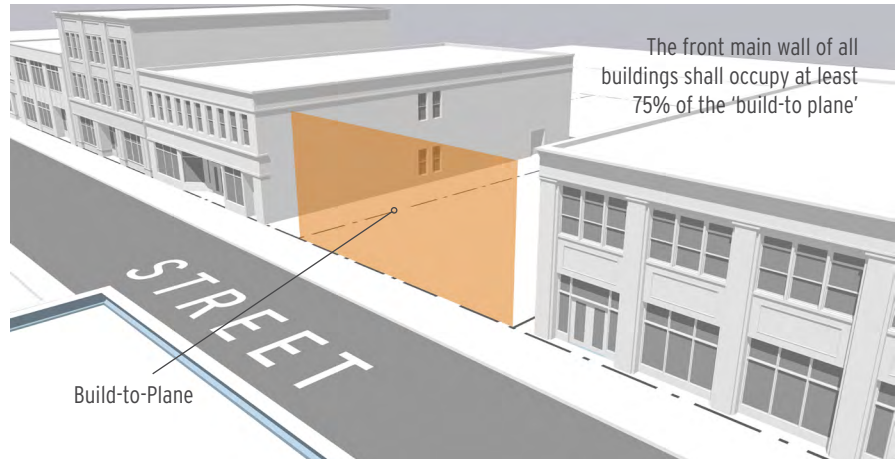


Figure 4.6: Build-to-Plane on a Corner Lot

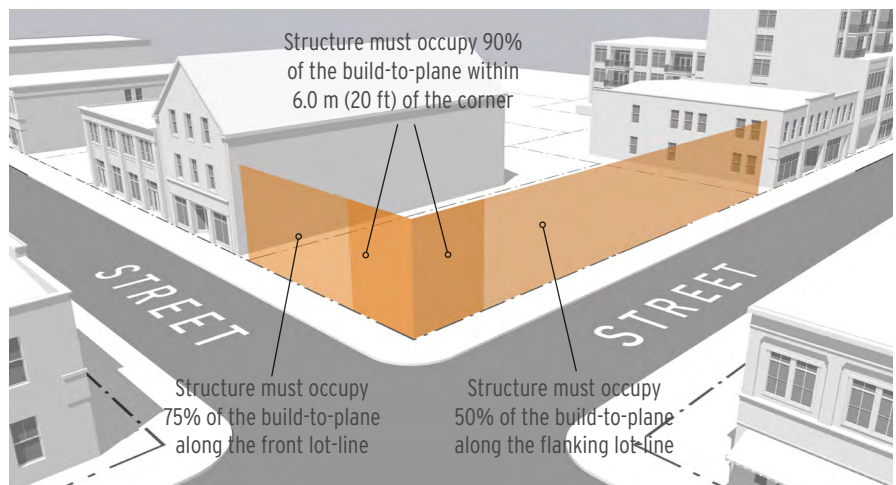
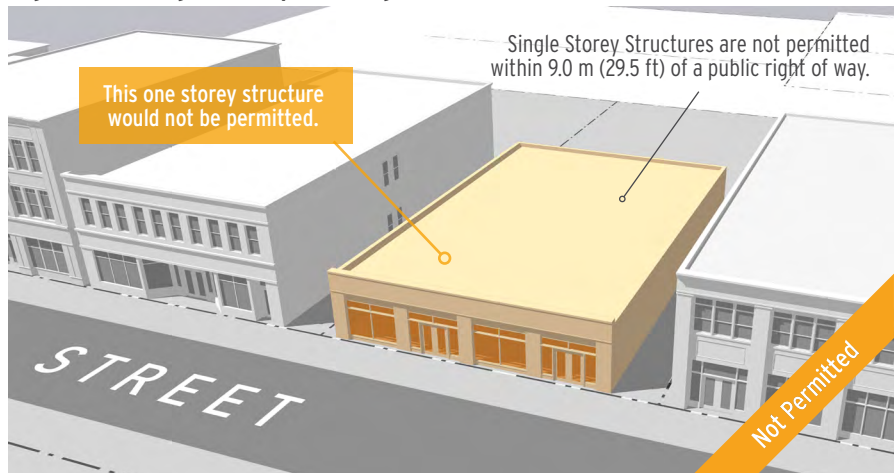


Figure 4.7: Single Storey Buildings Not Permitted



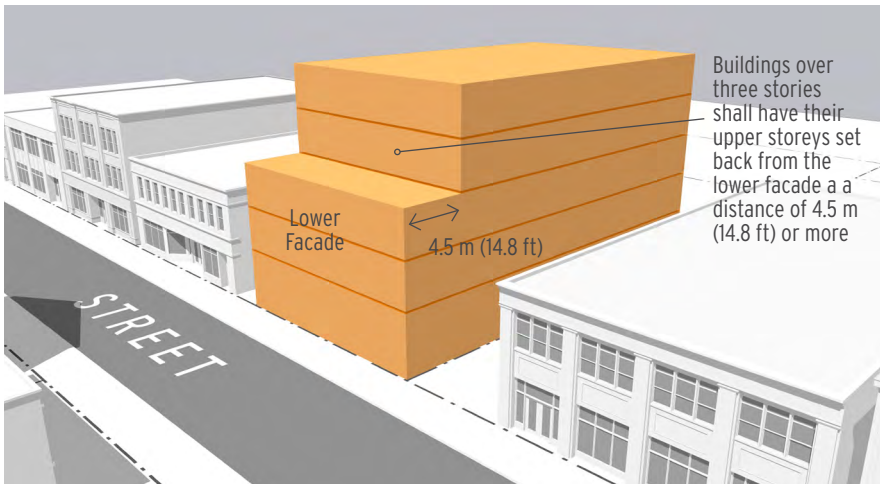
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- e) Any building with a facade that extends 30 m (98.4 ft) or more along the street shall incorporate a vertical design element or elements that divide the mass of the structure into smaller sections and help maintain a human scale on the adjacent street (see figure 4.10).
- f) Any building with a facade that extends 30 m (98.4 ft) or more along the street shall, for every 15.0 m (49.2 ft) of facade (or part thereof):
  - i) incorporate one or more vertical bay, projection, or inset that creates a facade plane change of at least 1.0 m (3.3 ft);
  - ii) incorporate changes in materials or colour that reinforce the visual impact of any bay, projection, or inset; and
  - iii) incorporate an entrance.
- g) Any required inset, bay, projection, colour or material change shall, at a minimum, apply to the full height of the lower facade.

Figure 4.8: Parts of a Building Facade



Figure 4.9: Stepped Back Upper Floors



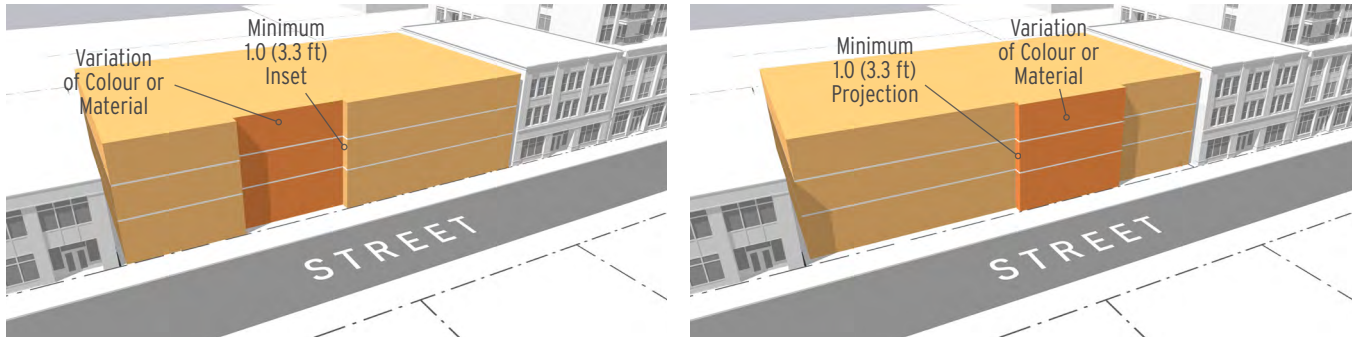
#### 4.3.4 Facade Design

- a) Street level commercial space should feature ceiling heights between 3.5 m (11.5 ft) and 4.25 m (13.9 ft).
- b) The facade of any building with three or more storeys shall be clearly divided into a base, lower facade, and upper facade by using different materials, colours, or by incorporating architectural elements such as a belt course or cornice (see Figure 4.8).
- c) The facade of any building with five or more storeys shall be clearly divided into a base, lower facade, upper facade, and top by using different materials, colours, or by incorporating architectural elements such as a belt course or cornice (see Figure 4.8).
- d) The base portion of any building's facade is that portion of the facade within 3.0 m (9.8 ft) to 4.25 m (13.9 ft) of grade.
- e) The base portion of any building's facade must feature at least 40% windows and doors.

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Figure 4.10: Facade Articulation



- f) The base portion of a building's facade must feature at least one primary entrance that:
  - i) faces the street;
  - ii) is clearly visible from the public right-of-way; and
  - iii) is clearly differentiated from other parts of the facade.
- g) All other portions of a building's facade shall consist of a minimum of 25% percent windows and doors.
- h) The facade of new main buildings shall incorporate architectural design elements to reinforce any established patterns evident on other buildings that make up the streetscape (see Figure 4.13), including any established linear patterns or datum lines created by design features such as:
  - i) window placement and width to height ratios;
  - ii) transoms;
  - iii) lintels;
  - iv) cornices and belt courses;
  - v) column spacing; and
  - vi) structural bays.

Figure 4.11: Buildings Must be Oriented to the Street

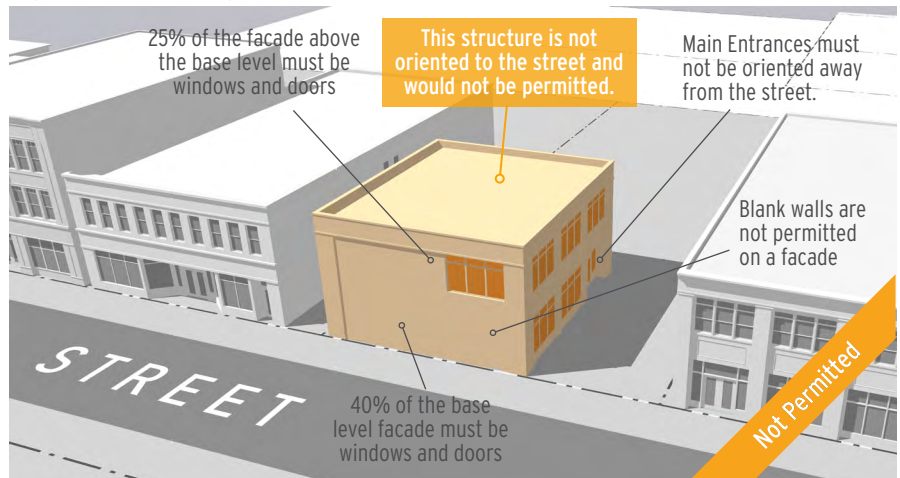
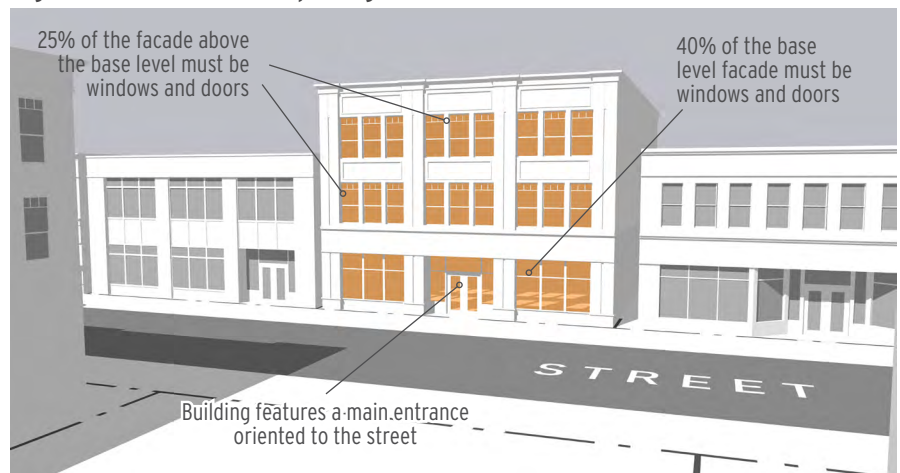


Figure 4.12: Windows & Openings



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Figure 4.13: Reinforce Established Patterns (Datum Lines)

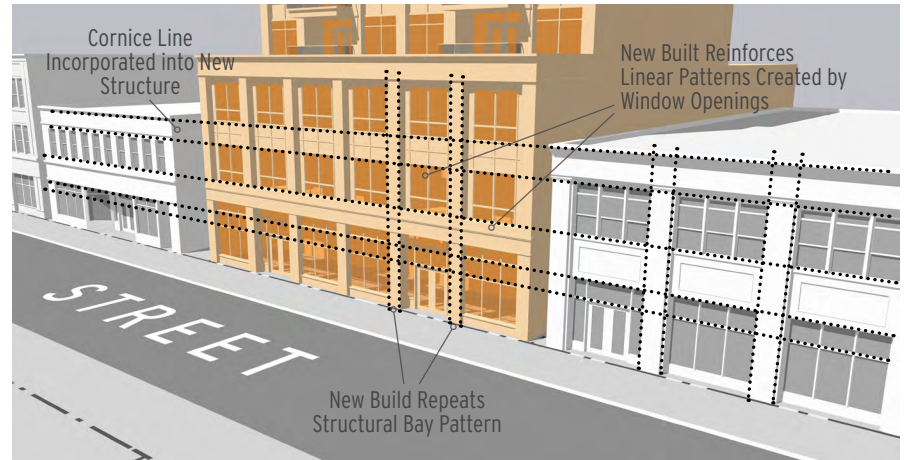


Figure 4.14: Enhanced Setback



### 4.3.5 Enhanced Setback

The base or the base and lower facade of a building may be placed up to 3.0 m (9.8 ft) further from the street than the established front yard setback (see Figure 4.14) subject to the following requirements:

- a) The space between the building and the public right-of-way is developed as landscaped open space that is suitable for use as temporary outdoor retail display, or outdoor seating.
- b) The space is utilized in conjunction with and accessory to a permitted use situated within the adjacent structure.
- c) The space is developed as a landscaped area that creates a transition between the public right-of-way and any ground level residential uses.



Figure 4.15 illustrates some of the essential design features that new main buildings in the Urban Design Area of the Downtown Core (DC) Zone should incorporate

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### 4.3.6 Exemption from Urban Design Requirements

A development permit may be issued for an addition or new construction that does not comply with the Urban Design Requirements set out in this Section provided the Development Officer is satisfied that:

- a) the proposal conforms to Municipal Planning Strategy Policy DC-62 and DC-63: and
- b) the permit application includes all information and materials necessary to properly evaluate the proposal.

Figure 4.15: Applied Urban Design Requirements



## 4.4 CONDITIONAL USES

### 4.4.1 Zone Requirements

Conditional uses in the Downtown Core (DC) Zone shall be permitted subject to the additional conditions set out in this Section, all applicable zone requirements found in Section "4.2 As-of-right Development", and all other applicable requirements of this By-law.

### 4.4.2 Adult Entertainment

- a) No adult entertainment use, or related signage, shall be permitted within 100 m (328.1 ft) of a property containing a residential use, an education use, a bed & breakfast, a community institution, a daycare centre, a dormitory, a residential care facility, a funeral home, a religious institution, a park, a playground, a sports field/court, or an accommodations use.



Conditional Uses do not require any special planning approvals such as a development agreement or site plan approval, but they are subject to specific conditions described in this section.

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- b) No development permit shall be issued for an adult entertainment use unless the use is located on a property that has frontage on a collector or arterial road as identified on the Street Classification Map found in Chapter 13 of the Municipal Planning Strategy.

#### 4.4.3 Automobile Repair

An automobile repair use may be permitted in the Downtown Commercial (DC) Zone provided the automobile repair use:

- a) is not located within 60 m (197 ft) of any General Residential (GR) or Downtown Neighbourhood (DN) Zone;
- b) provides repair services for passenger cars and light trucks only;
- c) is wholly enclosed within a permanent structure; and
- d) includes temporary outdoor storage for a maximum of two vehicles that have a current inspection and and valid registration.

#### 4.4.4 Automobile Service Station

An automobile service use may be permitted in the Downtown Core (DC) Zone provided:

- a) the minimum lot frontage shall be 46.0 m (151 ft);
- b) no portion of any pump island or electric vehicle charging station shall be located closer than 6.0 m (20 ft) from any street line;
- c) the minimum distance between driveways shall not be less than 9.0 m (30 ft);
- d) the minimum distance from a driveway to a street intersection shall not be less than 15.0 m (49 ft);
- e) the minimum angle of intersection of a driveway to a street line shall be forty-five degrees; and
- f) the width of a driveway shall be a minimum of 6.0 m (20 ft) and a maximum of 8.0 m (26 ft) measured at the property line.

#### 4.4.5 Automobile Wash and Detailing

- a) An automobile wash and detailing use may be permitted in the Downtown Commercial (DC) Zone provided:
  - i) the automobile wash or detailing use is accessory to a permitted automobile service use;
  - ii) the automobile wash or detailing use must be situated within a wholly enclosed permanent structure; and
  - iii) all automobile wash bays or automated automobile washes must include an oil water separator.
- b) Mobile automobile washes are not permitted within the Downtown Core (DC) Zone.

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#### 4.4.6 Automobile Sales and Rentals

An automobile sales or rental use may be permitted in the Downtown Commercial (DC) Zone provided:

- a) the exterior display of automobiles is limited to passenger cars and light trucks;
- b) the exterior display of automobiles is limited to a maximum of 5 vehicles; and
- c) the use is not operated in conjunction with or as an extension of any automobile sales or rental use situated within 150.0 m (492.1 ft).

#### 4.4.7 Beverage Room, Lounge and Cabaret

A beverage room, lounge, or cabaret may be permitted in the Downtown Core (DC) Zone provided the beverage room, lounge, or cabaret is not located within 60.0 m (196.9 ft) of any General Residential (GR) or Downtown Neighbourhood (DN) Zone.

#### 4.4.8 Emergency Shelter

An emergency shelter may be permitted in the Downtown Core (DC) Zone subject to the following requirements:

- a) the facility must provide a minimum of 150.0 m<sup>2</sup> (1615 ft<sup>2</sup>) or 18.0 m<sup>2</sup> (194 ft<sup>2</sup>) per bed, whichever is greater, of outdoor amenity space that is not situated within a front or flanking yard;
- b) the primary entrance for clientele shall not be situated within 3.0 m (10 ft) of a public right-of-way and shall not be within 15 m (49 ft) of a General Residential (GR), Downtown Neighbourhood (DN), or Urban Corridor (UC) Zone.

#### 4.4.9 Warehousing & Storage

A warehousing or storage use may be permitted in the Downtown Core (DC) Zone provided the warehousing or storage is operated in conjunction with or accessory to an office or retail use that is permitted in the Downtown Core (DC) Zone

#### 4.4.10 Residential Use (up to 4 dwelling units)

A new mixed use development with up to 4 dwelling units may be permitted in the Downtown Core (DC) Zone provided the structure does not include any ground floor residential space within 7.5 m (24.6 ft) of a public right-of-way.

#### 4.4.11 Residential Conversion (up to 12 dwelling units)

An existing building in the Downtown Core (DC) Zone may be converted to a residential or mixed use development with up to 12 dwelling units on a single property provided the structure does not include any ground floor residential space within 7.5 m (24.6 ft) of a public right-of-way.

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## 4.5 USES BY SITE PLAN APPROVAL

### 4.5.1 Uses Permitted by Site Plan Approval

The following uses may be permitted by site plan approval in the Downtown Core (DC) Zone subject to the site plan criteria outlined in subsection "4.5.2 Site Plan Criteria" and all other applicable requirements of this By-law:

- a) An Automobile Sales and Rentals use that involves the outdoor display of more than 5 vehicles provided:
  - i) the outdoor display area does not exceed 500 m<sup>2</sup> (5,382.0 ft<sup>2</sup>); and
  - ii) the use is not operated in conjunction with or as an extension of any automobile sales or rental use situated within 150.0 m (492.1 ft).
- b) An Automobile Sales and Rentals use that involves the outdoor display of heavy vehicles provided:
  - i) the outdoor display area does not exceed 500 m<sup>2</sup> (5,382.0 ft<sup>2</sup>); and
  - ii) the use is not operated in conjunction with or as an extension of any automobile sales or rental use situated within 150.0 m (492.1 ft).
- c) Dormitory;
- d) Residential (5 to 12 dwelling units in a new structure or new addition) provided the structure does not include any ground floor residential space within 7.5 m (24.6 ft) of a public right-of-way.

### 4.5.2 Site Plan Criteria

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

- a) The location of new structures (or an addition to an existing structure) on the lot shall minimize negative impacts on the surrounding neighbourhood, including noise, dust, fumes, lighting, shadows, or other nuisance or inconvenience to occupants of nearby residences;
- b) The location of off-street parking and loading facilities shall minimize negative impacts on the surrounding neighbourhood, including traffic, noise, dust, fumes, lighting, or other nuisance or inconvenience to occupants of nearby residences;
- c) The location, number and width of points of access are designed to prevent traffic, noise, dust, fumes, congestion, or other nuisance and inconvenience in the area and minimize negative impacts to occupants of nearby residences;
- d) The type, location, and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements, or a combination thereof, which is necessary to protect and minimize negative land use impacts on the surrounding neighbourhood and adjacent streetscapes;
- e) Existing vegetation shall be retained where the vegetation is healthy and helps to minimize negative impacts on the surrounding neighbourhood and adjacent streetscapes;



- f) The location of pedestrian walkways, and/or related infrastructure, shall be provided to link public sidewalks and parking areas to entrances of all primary buildings;
- g) The type and location of outdoor lighting is designed to light the structure, driveways and pedestrian infrastructure, but shall not be directed onto neighbouring properties or public streets;
- h) The location of facilities for the storage of solid waste provides for maximum separation from residential development and public areas;
- i) The development does not violate any easement agreement in place on the subject lands;
- j) The grading or alteration in elevation or contour of the land shall minimize undue erosion and/or sedimentation, and other negative impacts on neighbouring properties or public streets;
- k) The management of storm and surface water is addressed, and associated plans are approved by the Town Engineer; and
- l) The type, location number and size of signs or sign structures do not negatively alter the appearance of the streetscape or neighbourhood.

## 4.6 USES BY DEVELOPMENT AGREEMENT

### 4.6.1 DC Zone Uses Permitted by Development Agreement

The following uses shall be considered only by development agreement in the Downtown Core (DC) Zone:

- a) Residential Multiple Unit Use with 13 or more dwelling units.
- b) Residential Multiple Unit Use with ground floor residential space within 7.5 m (24.6 ft) of a public right-of-way
- c) An Automobile Sales and Rentals use that:
  - i) involves the outdoor display of vehicles or heavy vehicles where the outdoor display area exceeds 500 m<sup>2</sup> (5382.0 ft<sup>2</sup>); or
  - ii) is operated in conjunction with or as an extension of an Automobile Sales and Rental use situated within 150.0 m (492.1 ft).

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



UC

# 5 | Urban Corridor (UC) Zone

## 5.1 PERMITTED USES

Table 5.1: Urban Corridor (UC) Permitted Uses

 AS-OF-RIGHT	 CONDITIONAL USE	 SITE PLAN APPROVAL	 DEVELOPMENT AGREEMENT
Accommodations		Home Day Care	
Artist Studio		Neighbourhood Clinic	
Bed and Breakfast		Office and Professional (up to 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))	
Café (up to 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))		Office and Professional (over 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))	
Community Garden		Parks and Open Space	
Community Institution		Personal Services (up to 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))	
Convenience Stores (up to 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))		Personal Services (over 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))	
Convenience Stores (over 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))		Recreation Facility, Outdoor	
Day Care Centre		Religious Institution	
Dormitory		Repair Shop (up to 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))	
Existing Residential Use		Residential Care Facilities (up to 7 beds)	
Laundry (up to 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))		Residential Care Facilities (8 or more beds)	
Laundry (over 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))		Residential (up to 4 units)	
Lodging House		Residential (Conversion up to 12 units)	
Educational Use		Residential (5 to 12 units)	
Emergency Shelter		Residential (13 units or more)	
Food Service (up to 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))		Restaurant (up to 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))	
Governmental Use		Restaurant (over 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))	
Health Care Clinic			

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## 5.2 AS-OF-RIGHT DEVELOPMENT

### 5.2.1 Urban Corridor (UC) Zone Requirements

As-of-right development in the Urban Corridor (UC) Zone shall be permitted subject to the requirements set out in Table 5.2 in addition to all other applicable requirements of this By-law:

Table 5.2: Urban Corridor (UC) Zone Requirements

	<p><b>Height</b></p> <p>Maximum of 11.0 m (36.1 ft) Increased to 13.2 m (43.3 ft) for any portion of a structure over 26.4 m (86.6 ft) from the Downtown Neighbourhood (DN) Zone, over 14.7 m (48.2 ft) from the General Residential (GR) Zone or another property in the Urban Corridor (UC) Zone, and over 4.5 m (14.8 ft) from the Established Front or Flanking Yard Setback for the property (see Subsection 5.2.3)</p>		<p><b>Rear Setback</b></p> <p>Minimum 3.0 m (9.8 ft), or 6.0 m (19.7 ft) when abutting a General Residential (GR) or Downtown Neighbourhood (DN) Zone (see Subsection 5.2.4)</p>
	<p><b>Front Setback</b></p> <p>Minimum 4.5 m (14.8 ft) (some exceptions apply, see Subsection 5.3.2)</p>		<p><b>Lot Area</b></p> <p>Minimum 450.0 m<sup>2</sup> (4,844 ft<sup>2</sup>), or 210.0 m<sup>2</sup> (2,261 ft<sup>2</sup>) per unit for a townhouse dwelling, or 225.0 m<sup>2</sup> (2,422 ft<sup>2</sup>) per unit for a semi-detached dwelling</p>
	<p><b>Side Setback</b></p> <p>Minimum 2.5 m (8.2 ft), or 6.0 m (19.7 ft) when abutting a General Residential (GR) or Downtown Neighbourhood (DN) Zone (see Subsection 5.2.4). 0.0 m (0.0 ft) for a common wall in a semi-detached or townhouse dwelling.</p>		<p><b>Lot Frontage</b></p> <p>Minimum 15.0 m (49 ft), or 7.0 m (23.0 ft) per unit for a townhouse dwelling, or 10.0 m (32.8 ft) per unit for a semi-detached dwelling</p>
	<p><b>Flanking (Side) Setback</b></p> <p>Minimum 4.5 m (14.8 ft) (some exceptions apply, see Subsection 5.3.2)</p>		<p><b>Lot Coverage</b></p> <p>Maximum 50%</p>
			<p><b>Impermeable Surface</b></p> <p>Maximum 75 %</p>

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Wondering what a word means? Most terms carry their customary meaning, but some words need a little clarification. Check Chapter 1: Definitions of the Land Use By-law for a definition



There are some requirements that apply throughout Town and not to just one zone. Rather than repeat them for every zone, they can all be found in Chapter 3: General Provisions of the Land Use By-law. Check there for additional requirements that may apply to your development.

### 5.2.2 General Provisions Apply

Other applicable requirements for development in the Urban Corridor (UC) Zone, including accessory building, parking, and signage regulations, can be found in Part 3: General Provisions.

### 5.2.3 Building Height Limit

- a) No portion of any main building shall exceed a height of 11.0 m (36.1 ft) within:
  - i) 26.4 m (86.6 ft) of the Downtown Neighbourhood (DN) Zone;
  - ii) 14.7 m (48.2 ft) of the General Residential (GR) Zone;
  - iii) 14.7 m (48.2 ft) of an abutting property in the Urban Corridor (UC) Zone;
  - iv) 5.5 m (18.1 ft) of an abutting property line; or
  - v) 4.5 m (14.8 ft) of the applicable Established Front or Flanking Yard Setback (see Subsection "5.3.2 Building Placement")
- b) The maximum height of any portion of a main building situated over 26.4 m (86.6 ft) from the Downtown Neighbourhood (DN) Zone, over 14.7 m (48.2 ft) from the General Residential (GR) Zone, over 5.5 m (18.1 ft) from an abutting property line, and over 4.5 m (14.8 ft) back from the applicable Established Front or Flanking Yard Setback (see Subsection "5.3.2 Building Placement") shall be 13.2 m (43.3 ft).
- c) The maximum height of any portion of a main building situated within 60.0 m (196.9 ft) of Victoria Park shall be 0.5 times the distance the building or portion thereof is from the Park.
- d) Accessory buildings shall be subject to the height limits specified in Subsection "3.1.2 Accessory Buildings" of this By-law.

### 5.2.4 Abutting Yard Requirements

Where a property in the Urban Corridor (UC) Zone abuts a General Residential (GR) or Downtown Neighbourhood (DN) Zone, the following requirements shall apply to any abutting yard within the UC Zone:

- a) the minimum setback requirement for an abutting yard shall be 6.0 m (19.7 ft);
- b) no open storage or outdoor display shall be permitted within a required yard; and
- c) additional restrictions on signage, parking, and loading in an abutting yard can be found in Part 3: General Provisions.

### 5.2.5 Yard abutting Railway

Where a property in the Urban Corridor (UC) Zone abuts a right-of-way for an existing railway line, setback requirements do not apply to any yard which directly abuts the railway right-of-way.

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### 5.2.6 Outdoor Storage and Display

No outdoor storage and display shall be permitted in the Urban Corridor (UC) Zone unless the outdoor storage and display is:

- a) accessory to a use permitted in the Urban Corridor (UC) Zone;
- b) not located within a required yard;
- c) not located within a front or flanking yard.

## 5.3 URBAN DESIGN REQUIREMENTS

### 5.3.1 Urban Design Requirements to Apply

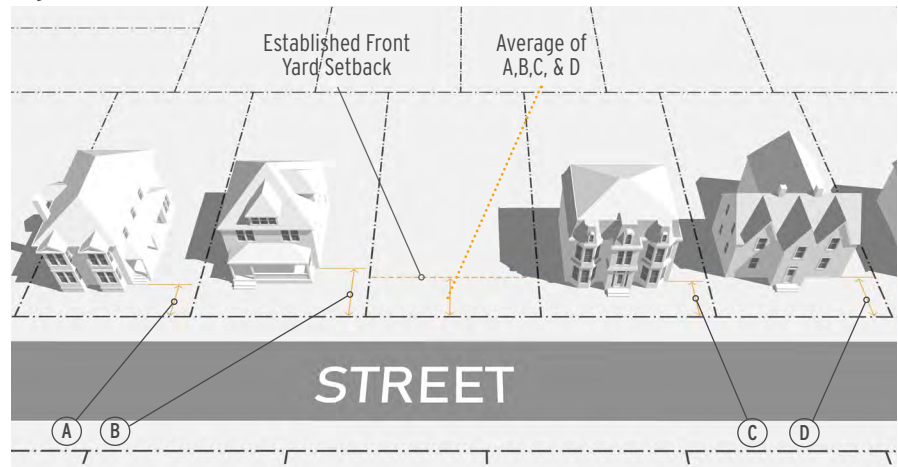
In the Urban Corridor (UC) Zone, the following developments shall be subject to the urban design requirements set out in this section:

- a) all new main buildings;
- b) any addition to a main building resulting in a 25% or greater increase in gross floor area; or
- c) any addition or exterior alteration to a main building that will impact any portion of a main building located within 9.0 m (29.5 ft) of a public right of way.

### 5.3.2 Building Placement

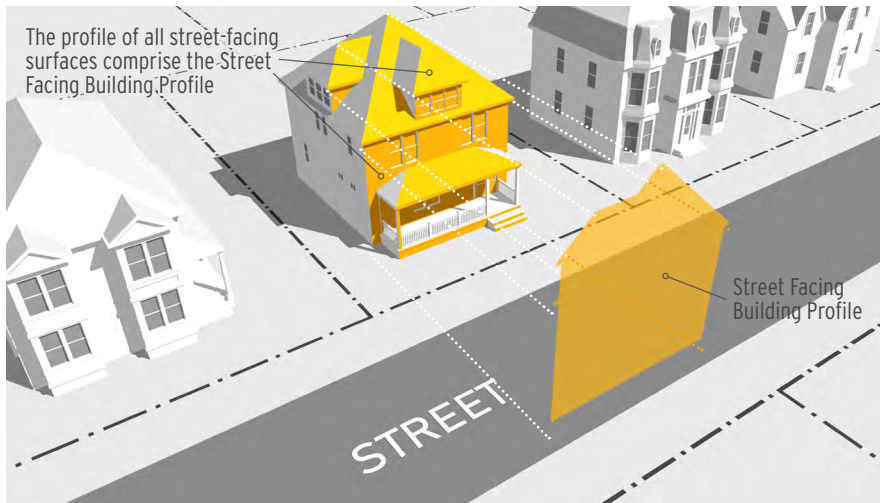
- a) The front facade of all new main buildings shall occupy at least 75% of the build-to-plane.
- b) The build-to-plane is a vertical plane that extends upward from the established front yard setback as defined in clause (c) below (see Figure 5.1).
- c) The established front yard setback is a line drawn parallel to the street and which is situated at one of the following locations:
  - i) at least 4.5 m (14.8 ft) back from the front lot line; or
  - ii) a distance back from the front lot line that is equal to the average front yard setbacks of buildings facing the same street and situated within 30 m (98.4 ft) (see Figure 5.2); or
  - iii) any point between the distances prescribed in subclauses (i) and (ii).
- d) The height of the build-to-plane shall be the average height of any main buildings facing the same street and situated within 30.0 m (98.4 ft).

Figure 5.1: Established Front Yard Setback



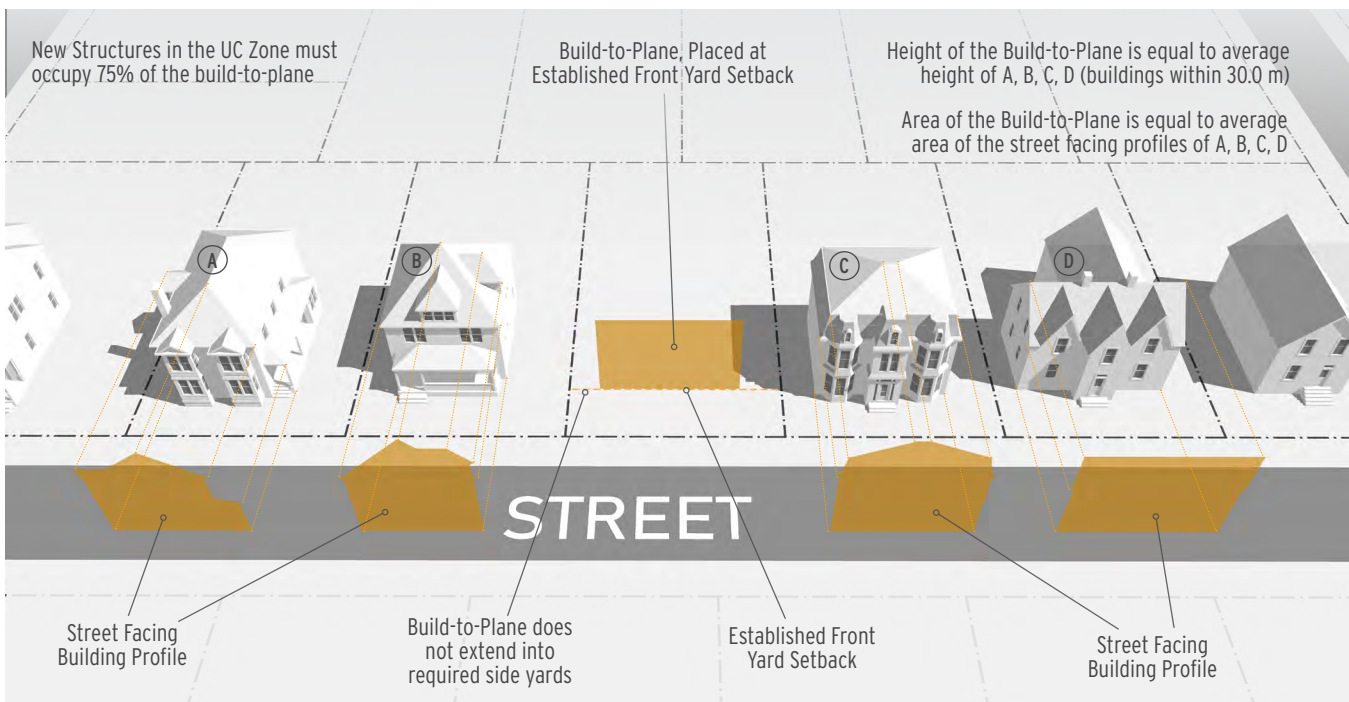
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Figure 5.2: Street Facing Building Profile



- e) The area of the build-to-plane shall be the average area of the street facing profiles of any main buildings facing the same street and situated within 30.0 m (98.4 ft) (see Figure 5.3);
- f) The build-to-plane shall not extend into the required side-yard or flanking yard setbacks.
- g) On a corner lot, the build-to-plane is a vertical plane extending upward from both the front and flanking streets at the established front and the established flanking yard setback, as defined in clause (h) below.

Figure 5.3: Build-to-Plane

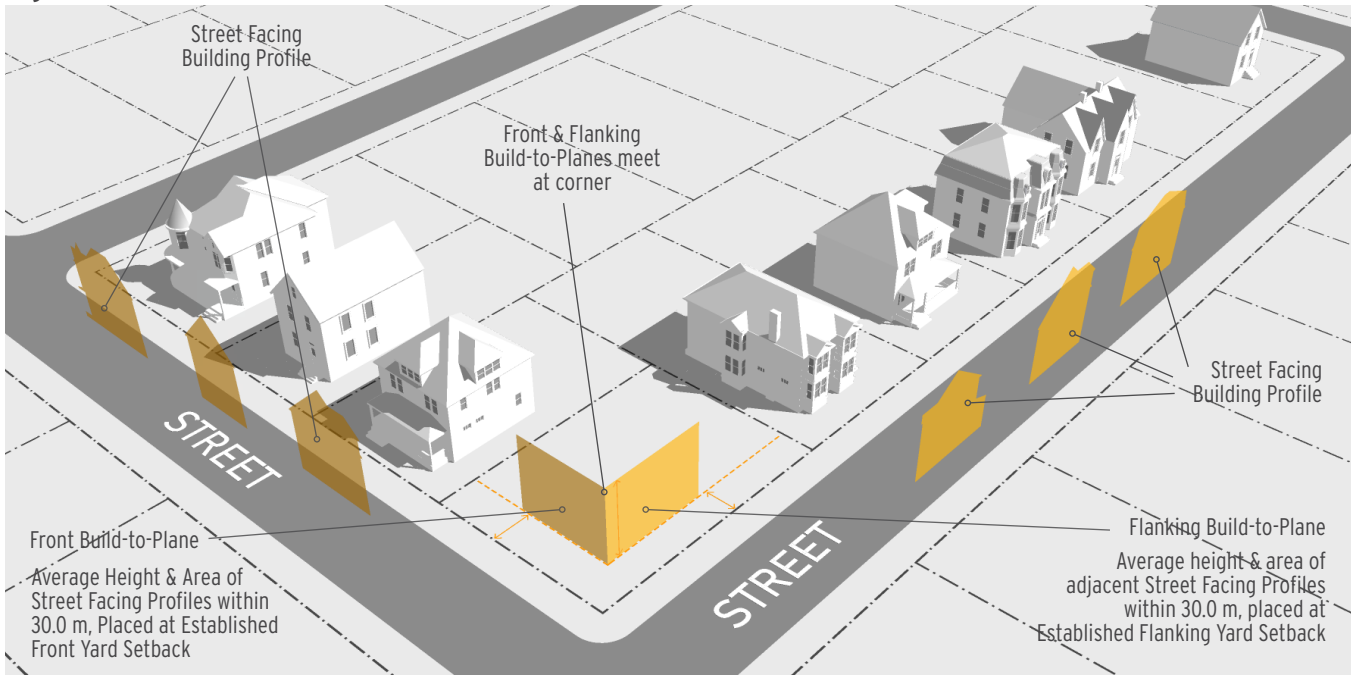


- h) The established flanking yard setback is a line drawn parallel to the street and which is situated at one of the following locations:
  - i) at least 4.5 m (14.8 ft) back from the flanking lot line; or
  - ii) a distance back from the flanking lot line that is equal to the average front or flanking yard setbacks of buildings facing the same street and situated within 30 m (98.4 ft) (see Figure 5.2); or
  - iii) any point between the distances prescribed in subclauses (i) and (ii).



- i) On a corner lot, the build-to-planes for the front and flanking yards must meet at the point where the established front and flanking yard setbacks intersect (see Figure 5.4)
- j) On a corner lot, a building shall occupy at least 75% of both the front and flanking build-to-planes.

**Figure 5.4: Build-to-Plane on a Corner Lot**



### 5.3.3 Building Form

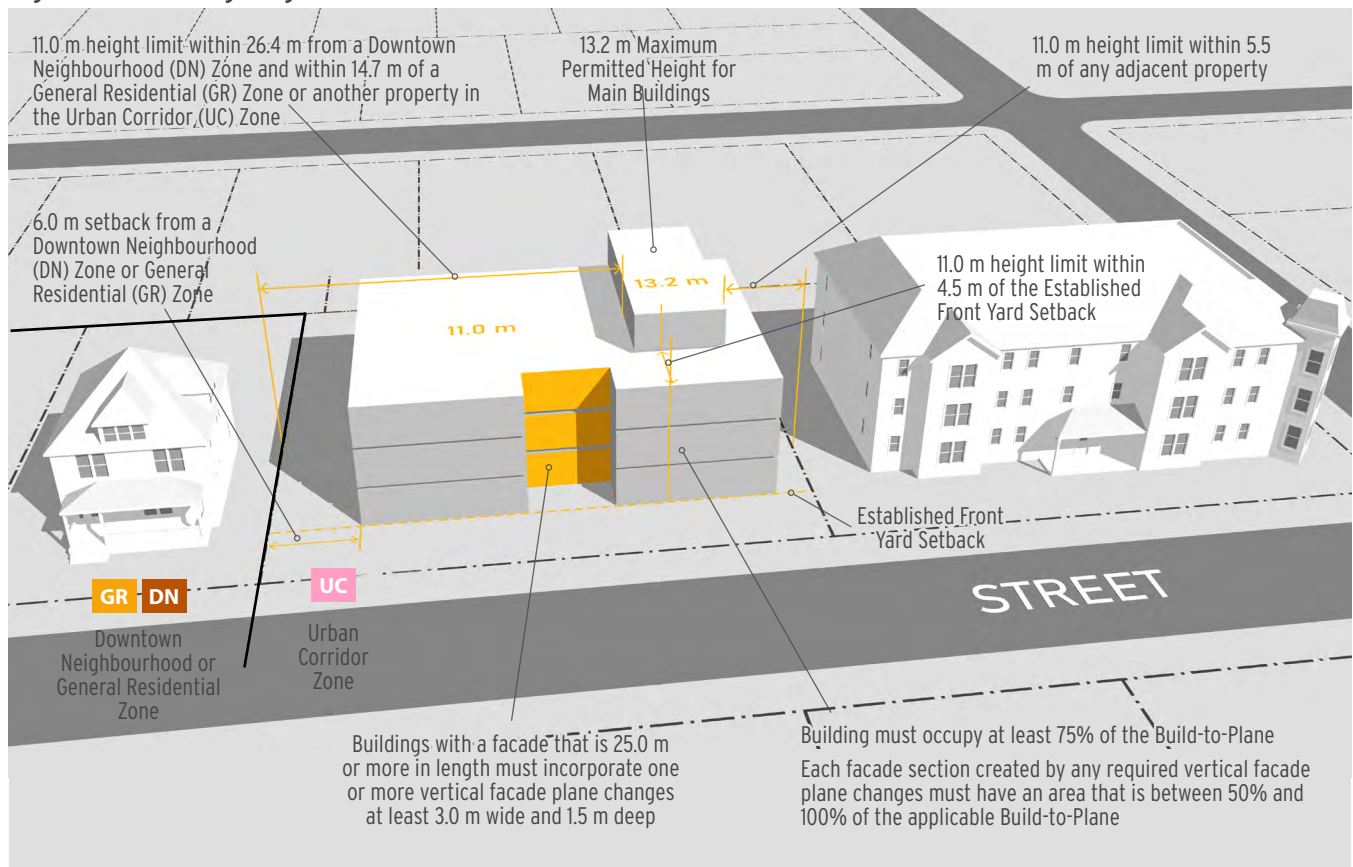
- a) Any building with a front or flanking facade that extends 25.0 m (82.0 ft) or more along a street shall incorporate a vertical design element or elements that divides the mass of the structure into smaller facade sections, each with an area that is between 50% and 100% of the area of the Build-to-Plane (see figure 5.6).
- b) Each separate facade section required pursuant to clause (a) shall be separated from any adjacent facade section by a bay or inset (indentation) that:
  - i) is at least 3.0 m (9.8 ft) wide and creates a vertical facade plane change of at least 1.5 m (4.9 ft) in depth, measured back from the building's front or flanking facade (see figure 5.6);
  - ii) incorporates a change in materials or colour that reinforce the visual impact of any bay or inset.
- c) Any building with a front or flanking facade that extends 25.0 m (82.0 ft) or more shall, for each 12.0 m (39.4 ft) of facade, incorporate at least one primary entrance that:
  - i) faces the street;
  - ii) is clearly visible from the public right-of-way; and
  - iii) is clearly differentiated from other parts of the facade.

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- d) That portion of any building's front or flanking facade within 4.0 m (13.9 ft) of grade (measured vertically) and within 4.5 m (14.8 ft) of a public right-of-way (measured horizontally) must feature at least 25% windows and doors (see figure 5.6).
- e) All portions of a building's facade not included in clause (d) shall consist of a minimum of 15% percent windows and doors (see figure 5.6).
- f) The facade of new main buildings shall incorporate architectural design elements to reinforce any established patterns evident on other buildings that make up the streetscape, including any established linear patterns or datum lines created by design features such as:
  - i) window placement and width to height ratios;
  - ii) transoms;
  - iii) lintels;
  - iv) cornices and belt courses;
  - v) column spacing; and
  - vi) structural bays.

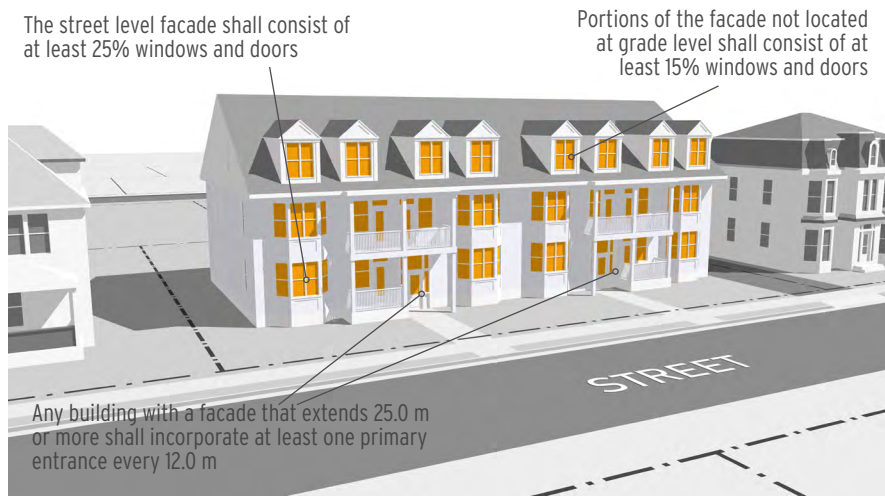
**Figure 5.5: Building Height and Form**



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Figure 5.6: Windows & Openings



### 5.3.4 Exemption from Urban Design Requirements

A development permit may be issued for an addition, alteration, or new construction that does not comply with the Urban Design Requirements set out in this Section provided the Development Officer is satisfied that:

- a) the proposal conforms to Municipal Planning Strategy Policy UC-40 and UC-41: and
- b) the permit application includes all information and materials necessary to properly evaluate the proposal.

## 5.4 CONDITIONAL USES

### 5.4.1 Zone Requirements

Conditional uses in the Urban Corridor (UC) Zone shall be permitted subject to the additional conditions set out in this Section, all applicable zone requirements found in Section “5.2 As-of-right Development” and all other applicable requirements of this By-law.

### 5.4.2 Emergency Shelter

An emergency shelter may be permitted on a property in the Urban Corridor (UC) Zone subject to the following requirements:

- a) the facility must provide a minimum of 150.0 m<sup>2</sup> (1615 ft<sup>2</sup>) or 18.0 m<sup>2</sup> (194 ft<sup>2</sup>) per bed, whichever is greater, of outdoor amenity space that is not situated within a front or flanking yard;
- b) the primary entrance for clientele shall not be situated within 3.0 m (10 ft) of a public right-of-way and shall not be within 23.0 m (75.5 ft) of a General Residential (GR) or Downtown Neighbourhood (DN) Zone.



### 5.4.3 Residential Use (up to 4 dwelling units)

- a) A residential or mixed use development with up to four dwelling units may be permitted on a property in the Urban Corridor (UC) Zone.
- b) The maximum number of dwelling units in a main building shall not exceed four units.
- c) An accessory building in the Urban Corridor (UC) Zone may contain up to two dwelling units subject to the following requirements:
  - i) the total number of dwelling units on any property, including any located within an accessory building, shall not exceed four units;
  - ii) only one accessory building may be occupied by a dwelling unit or units;
  - iii) any accessory building constructed or converted for a residential use must comply with all applicable lot coverage and maximum impermeable surface area limits for the Urban Corridor (UC) Zone; and
  - iv) any accessory building constructed or converted for a residential use must comply with the requirements for accessory buildings set out in Subsection "3.1.2 Accessory Buildings" of this By-law.

### 5.4.4 Accommodations

An existing building on a property in the Urban Corridor (UC) Zone may be converted to an accommodation use without requiring a development agreement or site plan approval provided:

- a) the property meets the lot area and frontage requirements of the Urban Corridor (UC) Zone;
- b) the proposed development is entirely located within a single existing structure; and
- c) the existing structure conforms to the setbacks, height, lot coverage, and other requirements of the Urban Corridor (UC) Zone.

### 5.4.5 Lodging House

A development permit may be issued for a lodging house in the Urban Corridor (UC) Zone provided the lodging house:

- a) contains a maximum of four lodging units within one housekeeping unit; and
- b) occupies an entire structure; or
- c) shares a single structure with a maximum of one other dwelling unit that contains a maximum of two bedrooms.



### 5.4.6 Residential Conversion (up to 12 dwelling units)

An existing building in the Urban Corridor (UC) Zone may be converted to a multiple unit residential use with up to 12 dwelling units on a single property without requiring a development agreement or site plan approval provided:

- a) the property meets the lot area and frontage requirements of the Urban Corridor (UC) Zone;
- b) the proposed development is entirely located within a single existing structure;
- c) the existing structure conforms to the setbacks, height, lot coverage, and other requirements of the Urban Corridor (UC) Zone; and
- d) the conversion does not result in more than one new street facing entry door except on a corner lot, in which case one additional entry door may be permitted on each street facing facade.

## 5.5 USES BY SITE PLAN APPROVAL

### 5.5.1 Uses Permitted by Site Plan Approval

The following uses shall be permitted by site plan approval in the Urban Corridor (UC) Zone subject to the site plan criteria outlined in subsection “5.5.2 Site Plan Criteria” and all other applicable requirements of this By-law:

- a) Dormitory
- b) Residential Use (5 to 12 dwelling units)
- c) Convenience Stores (over 120 m<sup>2</sup> (1,292 ft<sup>2</sup>))
- d) Laundry (over 120 m<sup>2</sup> (1,292 ft<sup>2</sup>))
- e) Health Care Clinic
- f) Personal Services (over 120 m<sup>2</sup> (1,292 ft<sup>2</sup>))
- g) Office and Professional (over 120 m<sup>2</sup> (1,292 ft<sup>2</sup>))
- h) Residential Care Facilities (8 or more beds)
- i) Restaurant (over 120 m<sup>2</sup> (1,292 ft<sup>2</sup>))

### 5.5.2 Site Plan Criteria

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

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

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



For more information about development agreements, including how to make application and the application process, please consult the Municipal Planning Strategy, Chapter 14: Implementation

## 5.6 USES BY DEVELOPMENT AGREEMENT

### 5.6.1 UC Zone Uses Permitted by Development Agreement

The following uses shall be considered only by development agreement in the Urban Corridor (UC) Zone:

- a) Residential Multiple Unit Use with 13 or more dwelling units.

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LAND USE BY-LAW  
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## 6 | Urban Growth Area (UG) Zone

### 6.1 PERMITTED USES

Table 6.1: Urban Growth Area (UG) Zone Permitted Uses

 AS-OF-RIGHT	 CONDITIONAL USE	 SITE PLAN APPROVAL	 DEVELOPMENT AGREEMENT
Accommodations			
Artisan Studio			
Automobile Service			
Automobile Wash and Detailing			
Bed and Breakfast			
Campground			
Community Garden			
Community Institution			
Convenience Stores			
Day Care Centre			
Dormitory			
Lodging House			 
Educational Use			
Emergency Shelter			
Existing Residential Use			
Food Service			
Governmental Use			
		Health Care Clinic	
		Home Day Care	
		Neighbourhood Clinic	
		Office and Professional	
		Parks and Open Space	
		Personal Services	
		Recreation Facility, Indoor	
		Recreation Facility, Outdoor	
		Religious Institution	
		Residential Care Facilities (up to 7 beds)	
		Residential Care Facilities (8 or more beds)	
		Residential (up to 4 units)	 
		Residential (5 to 18 units)	
		Residential (19 units or more)	
		Restaurant (up to 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))	
		Restaurant (over 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))	

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## 6.2 AS-OF-RIGHT DEVELOPMENT

### 6.2.1 Urban Growth Area (UG) Zone Requirements

As-of-right development in the Urban Growth Area (UG) Zone shall be permitted subject to the requirements set out in Table 6.2 in addition to all other applicable requirements of this By-law:

Table 6.2: Urban Growth Area (UG) Zone Requirements

	<p><b>Height</b></p> <p>Maximum of 26.4 m (86.6 ft) with exceptions.</p> <p>See Subsection 6.2.4 Building Height Limit and Table 6.1 Urban Growth Area (UG) Zone Height Limits</p>		<p><b>Rear Setback</b></p> <p>Minimum 3.0 m (9.8 ft), or 6.0 m (19.7 ft) when abutting a General Residential (GR), Downtown Neighbourhood (DN), or Urban Corridor (UC) Zone</p>
	<p><b>Front Setback</b></p> <p>Minimum 6.0 m (19.7 ft)</p> <p>(some exceptions apply, see Subsection 6.2.5 Front &amp; Flanking Yard Setbacks)</p>		<p><b>Lot Area</b></p> <p>Minimum 450.0 m<sup>2</sup> (4,844 ft<sup>2</sup>), or 210.0 m<sup>2</sup> (2,261 ft<sup>2</sup>) per unit for a townhouse dwelling, or 225.0 m<sup>2</sup> (2,422 ft<sup>2</sup>) per unit for a semi-detached dwelling</p>
	<p><b>Side Setback</b></p> <p>Minimum 2.5 m (8.2 ft), or 6.0 m (19.7 ft) when abutting a General Residential (GR), Downtown Neighbourhood (DN), or Urban Corridor (UC) Zone (see Subsection 6.2.3 Abutting Yard Requirements) 0.0 m (0.0 ft) for a common wall in a semi-detached or townhouse dwelling.</p>		<p><b>Lot Frontage</b></p> <p>Minimum 15.0 m (49 ft), or 7.0 m (23.0 ft) per unit for a townhouse dwelling, or 10.0 m (32.8 ft) per unit for a semi-detached dwelling</p>
	<p><b>Flanking (Side) Setback</b></p> <p>Minimum 6.0 m (19.7 ft)</p> <p>(some exceptions apply, see Subsection 6.2.5 Front &amp; Flanking Yard Setbacks)</p>		<p><b>Lot Coverage</b></p> <p>Maximum 50%</p>
			<p><b>Impermeable Surface</b></p> <p>Maximum 60 %</p>





### 6.2.2 General Provisions Apply

Other applicable requirements for development in the Urban Growth Area (UG) Zone, including accessory building, parking, and signage regulations, can be found in Part 3: General Provisions.

### 6.2.3 Abutting Yard Requirements

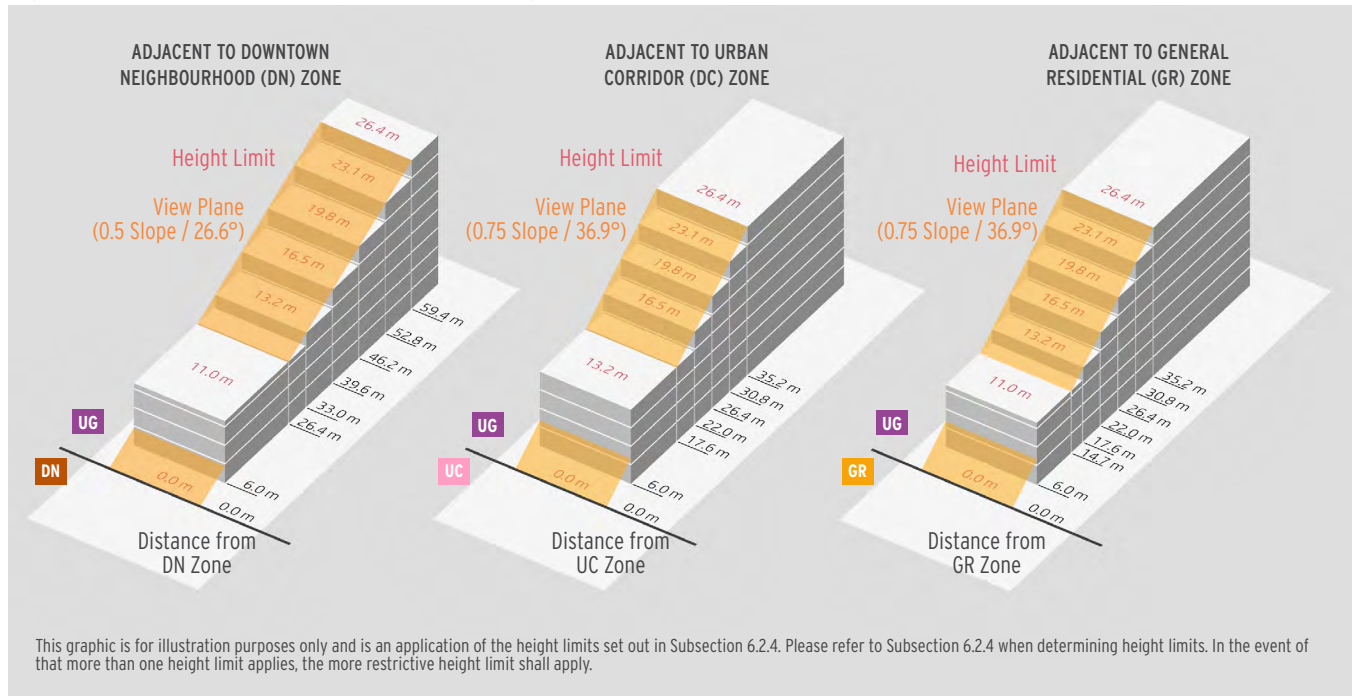
Where a property in the Urban Growth Area (UG) Zone abuts a Downtown Neighbourhood (DN), Urban Corridor (UC), or General Residential (GR) Zone, the following requirements shall apply to any abutting yard within the UG Zone:

- a) the minimum setback requirement for an abutting yard shall be 6.0 m (20 ft);
- b) no open storage or outdoor display shall be permitted within a required yard; and
- c) additional restrictions on signage, parking, and loading in an abutting yard can be found in Part 3: General Provisions.

### 6.2.4 Building Height Limit

- a) See Figure 6.1 for a graphic intended to illustrate an application of the height limits prescribed in this subsection.
- b) No portion of any main building shall exceed a height of 11.0 m (36.1 ft) within:
  - i) 26.4 m (86.6 ft) of the Downtown Neighbourhood (DN) Zone; or
  - ii) 14.7 m (48.2 ft) of the General Residential (GR) Zone.

Figure 6.1: Urban Growth Area (UG) Zone Height Limits



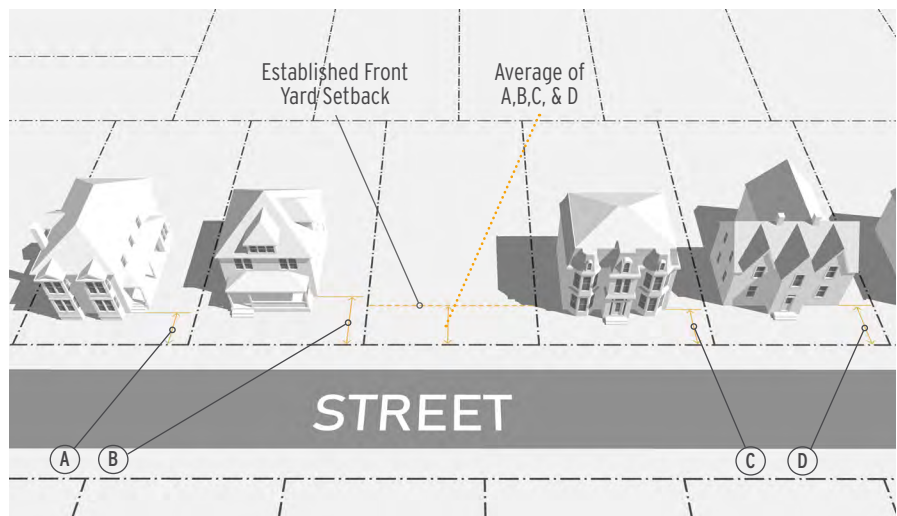


- c) No portion of any main building shall exceed a height of 13.2 m (43.3 ft) within:
  - i) 17.6 m (57.7 ft) of the Urban Corridor (UC) Zone; or
  - ii) 6.0 m (19.7 ft) of any public right of way.
- d) The maximum height of any portion of a main building situated over 26.4 m (86.6 ft) from the Downtown Neighbourhood (DN) Zone, over 14.7 m (48.2 ft) from the General Residential (GR) Zone, over 17.6 m (57.7 ft) from the Urban Corridor (UC) Zone, and over 6.0 m (19.7 ft) from a public right-of-way shall be the lesser of:
  - i) 0.75 times the distance the building or portion thereof is from a property in the General Residential (GR) Zone; or
  - ii) 0.75 times the distance the building or portion thereof is from a property in the Urban Corridor (UC) Zone; or
  - iii) 0.50 times the distance the building or portion thereof is from a property in the Downtown Neighbourhood (DN) Zone; or
  - iv) 26.4 m (86.6 ft)
- e) The maximum height of any portion of a main building situated within 60.0 m (196.9 ft) of Victoria Park shall be 0.5 times the distance the building or portion thereof is from the Park.
- f) Accessory buildings shall be subject to the height limits specified in Subsection 3.1.2 Accessory Buildings on page 1 of this By-law.

### 6.2.5 Front & Flanking Yard Setbacks

- a) Main buildings in the Urban Growth (UG) Zone shall be set back from the front lot line:
  - i) at least 6.0 m (19.7 ft); or
  - ii) a distance equal to the Established Front Yard Setback which is the average front yard setbacks of buildings facing the same street and situated within 30 m (98.4 ft) (see Figure 6.2); or
  - iii) any point between the distances prescribed in subclauses (i) and (ii).
- b) On a corner lot in the Urban Growth (UG) Zone, main buildings shall be set back from a flanking lot line:
  - i) at least 6.0 m (19.7 ft); or
  - ii) a distance equal to the average front or flanking yard setbacks of buildings facing the same street and situated within 30 m (98.4 ft); or
  - iii) any point between the distances prescribed in subclauses (i) and (ii).

**Figure 6.2: Established Front Yard Setback**



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### 6.2.6 Yard abutting Railway

Where a property in a the Urban Growth Area (UG) Zone abuts a right-of-way for an existing railway line, setback requirements do not apply to any yard which directly abuts the railway right-of-way.

### 6.2.7 Outdoor Storage and Display

- a) Outdoor storage may be permitted in the Urban Growth Area (UG) Zone provided the outdoor storage and display:
  - i) is accessory to a use permitted in the Urban Growth Area (UG) Zone;
  - ii) is not located within a required yard;
  - iii) covers less than 75% of the lot; and
  - iv) is not located within a front or flanking yard.
- b) Outdoor display may be permitted in the Urban Growth Area (UG) Zone provided the outdoor display:
  - i) is accessory to a use permitted in the Urban Growth Area (UG) Zone;
  - ii) includes only goods or materials that are intended for immediate sale to the general public;
  - iii) covers less than 75% of the lot; and
  - iv) is not located in a required yard abutting a General Residential (GR), Downtown Neighbourhood (DN), or Urban Corridor (UC) Zone
- c) Where outdoor display is located within a front or flanking yard, a landscaped strip at least 3.0 m (10 ft) wide shall be provided and maintained between the display area and any abutting public right-of-way excluding any driveways or pedestrian walkways.

## 6.3 CONDITIONAL USES

### 6.3.1 Zone Requirements

Conditional uses in the Urban Growth Area (UG) Zone shall be permitted subject to the additional conditions set out in this Section, all applicable zone requirements found in Section 6.2 As-of-right Development and all other applicable requirements of this By-law.

### 6.3.2 Emergency Shelter

An emergency shelter may be permitted on a property in the Urban Growth Area (UG) Zone subject to the following requirements:

- a) the facility must provide a minimum of 150.0 m<sup>2</sup> (1615 ft<sup>2</sup>) or 18.0 m<sup>2</sup> (194 ft<sup>2</sup>) per bed, whichever is greater, of outdoor amenity space that is not situated within a front or flanking yard;
- b) the primary entrance for clientele shall not be situated within 3.0 m (10 ft) of a public right-of-way and shall not be within 15 m (49 ft) of a General Residential (GR) Zone or Downtown Neighbourhood (DN) Zone.

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### 6.3.3 Residential (up to 4 units)

- a) A residential or mixed use development with up to four dwelling units may be permitted on a property in the Urban Growth Area (UG) Zone.
- b) The maximum number of dwelling units in a main building shall not exceed four units.
- c) An accessory building in the Urban Growth Area (UG) Zone may contain up to two dwelling units subject to the following requirements:
  - i) the total number of dwelling units on any property, including any located within an accessory building, shall not exceed four units;
  - ii) only one accessory building may be occupied by a dwelling unit or units;
  - iii) any accessory building constructed or converted for a residential use must comply with all applicable lot coverage and maximum impermeable surface area limits for the Urban Growth Area (UG) Zone; and
  - iv) any accessory building constructed or converted for a residential use must comply with the requirements for accessory buildings set out in subsection 3.1.2 Accessory Buildings on page 1 of this By-law.

### 6.3.4 Accommodations

- a) A development permit may be issued for an accommodations use on a property in the Urban Growth Area (UG) Zone provided:
  - i) the property meets the lot area and frontage requirements of the Urban Growth Area (UG) Zone; and
  - ii) the property has frontage on a street that is identified as a collector or arterial road on the Street Classification Map found in Chapter 13: Infrastructure of the Municipal Planning Strategy.
- b) An existing structure in the Urban Growth Area (UG) Zone may be converted to an accommodations use provided the existing structure meets the setbacks, height, lot coverage, and other requirements of the UG Zone.

### 6.3.5 Automobile Service or Automobile Wash

- a) A development permit may be issued for an automobile service use on a property in the Urban Growth Area (UG) Zone provided:
  - i) the property meets the lot area and frontage requirements of the Urban Growth Area (UG) Zone; and
  - ii) the property has frontage on a street that is identified as a collector or arterial road on the Street Classification Map found in Chapter 13: Infrastructure of the Municipal Planning Strategy.

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### 6.3.6 Restaurant (up to 120 m<sup>2</sup> (1,292 ft<sup>2</sup>))

- a) A development permit may be issued for a restaurant use on a property in the Urban Growth Area (UG) Zone provided:
  - i) the gross floor area of the restaurant does not exceed 120 m<sup>2</sup> (1,292 ft<sup>2</sup>)
  - ii) the property meets the lot area and frontage requirements of the Urban Growth Area (UG) Zone; and
  - iii) the property has frontage on a street that is identified as a collector or arterial road on the Street Classification Map found in Chapter 13: Infrastructure of the Municipal Planning Strategy.
- b) An existing structure in the Urban Growth Area (UG) Zone may be converted to a restaurant with a gross floor area up to 120 m<sup>2</sup> (1,292 ft<sup>2</sup>) provided the existing structure meets the setbacks, height, lot coverage, and other requirements of the UG Zone.

### 6.3.7 Lodging House

A development permit may be issued for a lodging house in the Urban Growth Area (UG) Zone provided the lodging house:

- a) contains a maximum of four lodging units within one housekeeping unit; and
- b) occupies an entire structure; or
- c) shares a single structure with a maximum of one other dwelling unit that contains a maximum of two bedrooms.

## 6.4 USES BY SITE PLAN APPROVAL

### 6.4.1 Uses Permitted by Site Plan Approval

The following uses shall be permitted by site plan approval in the Urban Growth Area (UG) Zone subject to the site plan criteria outlined in subsection 6.4.2 Site Plan Criteria and all other applicable requirements of this By-law:

- a) Campground
- b) Dormitory
- c) Residential Care Facilities (8 or more beds)
- d) Residential Use (5 to 18 dwelling units)
- e) Restaurant (over 120 m<sup>2</sup> (1,292 ft<sup>2</sup>))

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### 6.4.2 Site Plan Criteria

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

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

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## 6.5 USES BY DEVELOPMENT AGREEMENT

### 6.5.1 UC Zone Uses Permitted by Development Agreement

The following uses shall be considered only by development agreement in the Urban Growth Area (UG) Zone:

- a) Residential Multiple Unit Use with 19 or more dwelling units.

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LAND USE BY-LAW  
Urban Growth (UG) Zone

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# DN 7 | Downtown Neighbourhood (DN) Zone

## 7.1 PERMITTED USES

Table 7.1: Urban Corridor (UC) Permitted Uses

AS-OF-RIGHT	CONDITIONAL USE	SITE PLAN APPROVAL	DEVELOPMENT AGREEMENT
Accommodations			
Artisan Studio (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))			
Artisan Studio (over 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))			
Bed and Breakfast			
Community Institution			
Day Care Centre			
Educational Use			
Food Service (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))			
Health Care Clinic			
Home Day Care			
Lodging House			
		Neighbourhood Clinic	
		Office and Professional (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))	
		Office and Professional (over 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))	
		Recreation Facility, Outdoor	
		Parks and Open Space	
		Personal Services (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))	
		Personal Services (over 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))	
		Residential Care Facilities (up to 7 beds)	
		Residential (1 Unit)	
		Residential (2 to 4 units)	

## 7.2 AS-OF-RIGHT DEVELOPMENT

### 7.2.1 Downtown Neighbourhood (DN) Zone Requirements

Development in the Downtown Neighbourhood (DN) Zone shall be permitted subject to the requirements set out in Table 7.2 in addition to all other applicable requirements of this By-law:

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### 7.2.2 General Provisions Apply

Other applicable requirements for development in the Downtown Neighbourhood (DN) Zone including accessory building, parking, and signage regulations, can be found in Part 3: General Provisions.

**Table 7.2: Downtown Neighbourhood (DN) Zone Requirements**

	<p><b>Height</b> Maximum of 11.0 m (36.1 ft)</p>		<p><b>Rear Setback</b> Minimum 3.0 m (9.8 ft)</p>
	<p><b>Front Setback</b> Minimum 3.0 m (9.8 ft) (some exceptions apply, see Subsection "7.3.2 Building Placement" on page 4)</p>		<p><b>Lot Area</b> Minimum 450.0 m<sup>2</sup> (4,844 ft<sup>2</sup>)</p>
	<p><b>Side Setback</b> Minimum 2.5 m (8.2 ft)</p>		<p><b>Lot Frontage</b> Minimum 15.0 m (49.2 ft)</p>
	<p><b>Flanking (Side) Setback</b> Minimum 3.0 m (9.8 ft) (some exceptions apply, see Subsection "7.3.2 Building Placement" on page 4)</p>		<p><b>Lot Coverage</b> Maximum 40%</p>
			<p><b>Impermeable Surface</b> Maximum 50 %</p>

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### 7.2.3 Parking

- a) No parking shall be permitted in the required front yard of any property in the Downtown Neighbourhood (DN) Zone.
- b) Where the cumulative parking requirement for all uses on any property in the Downtown Neighbourhood (DN) Zone is more than three parking spaces, the parking spaces must;
  - i) be situated in the rear or side yard;
  - ii) not be visible from a public right-of-way or neighbouring residential use unless the parking has been screened from view by an opaque fence that is at least 1.5 m (4.9 ft) high or an evergreen hedge that will form a solid visual barrier at least 1.5 m (4.9 ft) high following one growing season; and
  - iii) be accessible via a driveway that is situated on the same property as the associated use and not shared by another property;

### 7.2.4 Retail Sales

A permitted use in the Downtown Neighbourhood (DN) Zone may include a limited retail component provided:

- a) the retail sales are accessory to a permitted use and only includes the sale of products that are produced on site;
- b) one off-street parking space, in addition to any other required parking, is available and reserved for use by retail customers; and
- c) the retail use does not occupy more than 25 percent of the floor area of the non-residential use.

### 7.2.5 Mechanical Equipment

No mechanical equipment is permitted to be operated in the Downtown Neighbourhood (DN) Zone except that which is reasonably consistent with a residential use.

### 7.2.6 Fencing

- a) Fencing located anywhere in a front or flanking yard shall:
  - i) be a picket, wrought iron, cast iron, stone, or post and rail style fence; and
  - ii) not exceed 1.0 m (3.3 ft) in height.
- b) Opaque privacy fencing is not permitted in a front or flanking yard.
- c) Fencing shall conform to all other requirements of this By-law.



## 7.3 URBAN DESIGN REQUIREMENTS

### 7.3.1 Urban Design Requirements to Apply

No development permit will be issued for any new structure, alteration, or addition in the Downtown Neighbourhood (DN) Zone unless the Development Officer determines that the proposed structure, alteration or addition:

- conforms to all applicable Urban Design Requirements set out in this Section; or
- is exempt from the Urban Design Requirements in accordance with Municipal Planning Strategy Policy DN-32; or
- will bring a main building into conformance with an architectural style that is represented by two or more heritage structures within the Downtown Neighbourhood (DN) Zone; or
- will not be easily viewed from any point along the front lot line or, where applicable, the flanking lot line of the subject property.

### 7.3.2 Building Placement

- The front facade of all new main buildings shall occupy at least 75% of the build-to-plane.
- The build-to-plane is a vertical plane that extends upward from the established front yard setback as defined in clause (c) below (see Figure 5.1).
- The established front yard setback is a line drawn parallel to the street situated at:
  - a distance back from the front lot line no greater than the greatest front yard setback of a main building facing the same street and situated within 30 m (98.4 ft) (see Figure 5.2); or
  - a distance back from the front lot line no less than the smallest front yard setback of a main building facing the same street and situated within 30 m (98.4 ft) (see Figure 5.2); or
  - any point between the distances prescribed in subclauses (i) and (ii).

Figure 7.1: Established Front Yard Setback

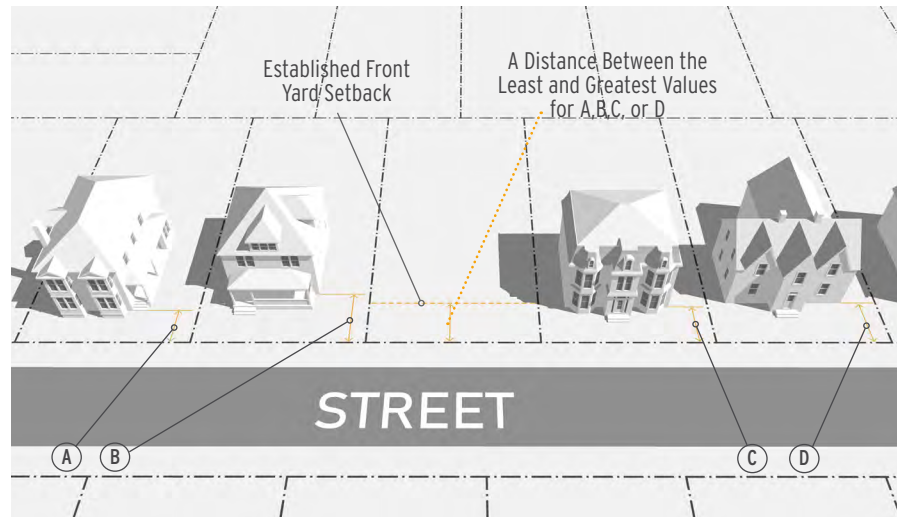
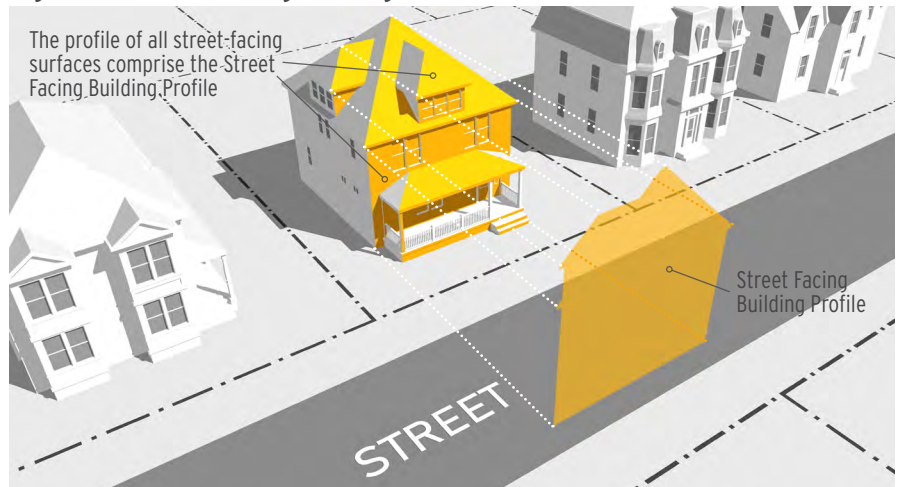


Figure 7.2: Street Facing Building Profile



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Figure 7.3: Build-to-Plane

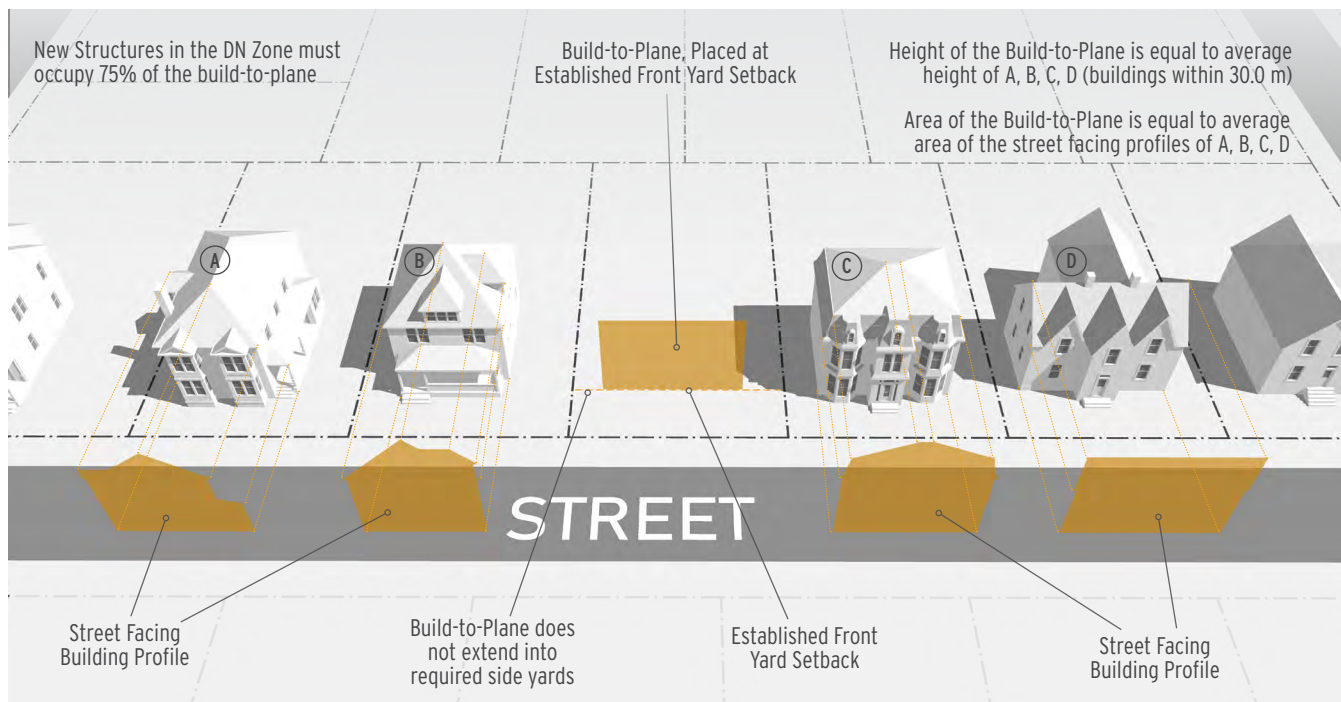
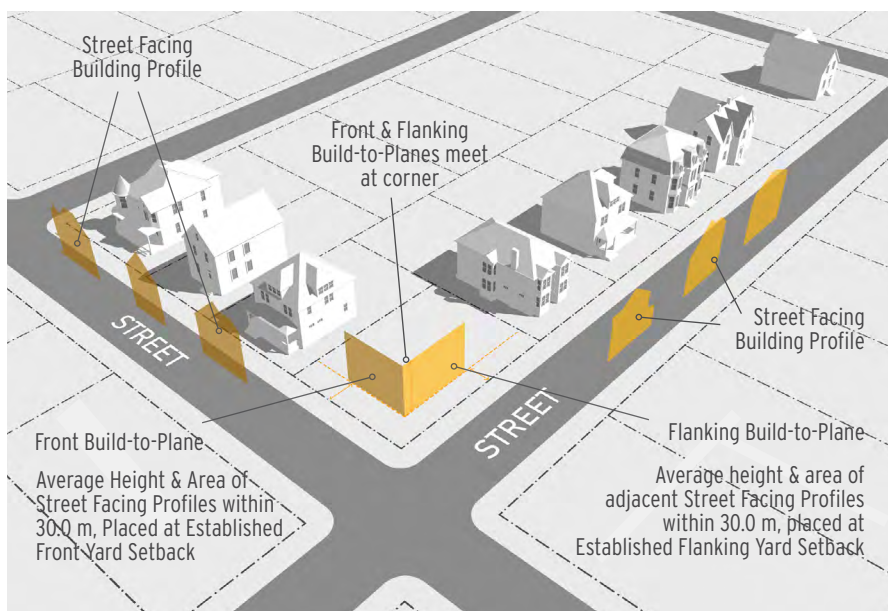


Figure 7.4: Build-to-Plane on a Corner Lot



- d) The height of the build-to-plane shall be the average height of any main buildings facing the same street and situated within 30.0 m (98.4 ft).
- e) The area of the build-to-plane shall be the average area of the street facing profiles of any main buildings facing the same street and situated within 30.0 m (98.4 ft);
- f) The build-to-plane shall not extend into the required side-yard or flanking yard setbacks.
- g) On a corner lot, the build-to-plane is a vertical plane extending upward from both the front and flanking streets at the established front and the established flanking yard setback, as defined in clause (f) below.



- h) The established flanking yard setback is a line drawn parallel to the street and which is situated at one of the following locations:
  - i) at least 4.5 m (14.8 ft) back from the flanking lot line; or
  - ii) a distance back from the flanking lot line that is equal to the average front or flanking yard setbacks of buildings facing the same street and situated within 30 m (98.4 ft) (see Figure 5.2); or
  - iii) any point between the distances prescribed in subclauses (i) and (ii).
- i) On a corner lot, the build-to-planes for the front and flanking yards must meet at the point where the established front and flanking yard setbacks intersect (see Figure 5.4)
- j) On a corner lot, a building shall occupy at least 75% of both the front and flanking build-to-planes.

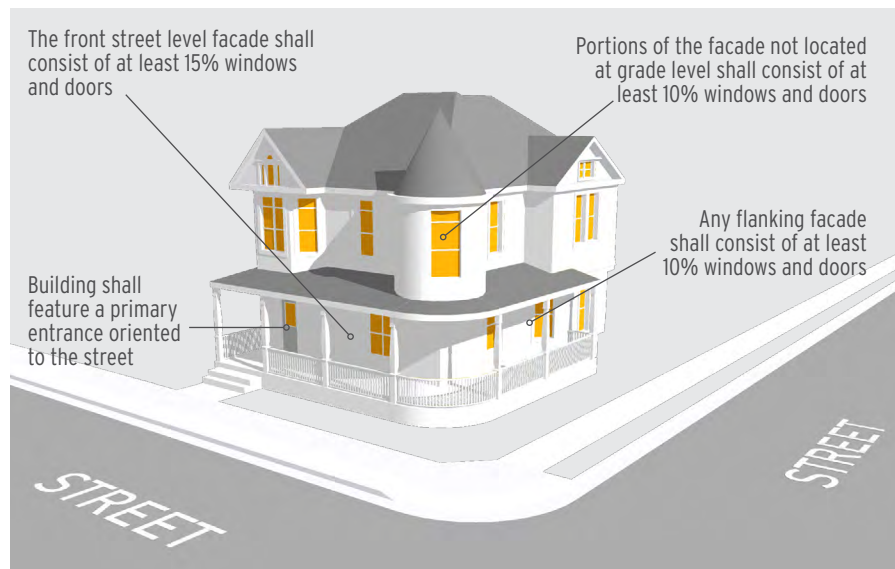
### 7.3.3 Building Form

New buildings in the Downtown Neighbourhood (DN) Zone shall be designed and constructed based on one of the basic building forms described in Figure 7.6.

### 7.3.4 Building Facade

- a) All main buildings shall include at least one primary entrance oriented to the street.
- b) No more than two exterior entrances may be incorporated into the front facade of any main building.
- c) That portion of the front facade within 4.0 m (13.1 ft) of grade must feature at least 15% windows and doors (see Figure 7.5).
- d) 10% percent of a building's front or, where applicable, flanking facade shall consist of windows and doors (see Figure 7.5).
- e) Except where otherwise prohibited by this By-law, new windows shall reinforce any established width to height ratios or any established pattern in terms of window placement, both in relation to grade and in relation to other windows, that are exhibited by neighbouring structures on the same block.
- f) The facade of new main buildings shall incorporate architectural design elements to reinforce any established patterns evident on other buildings that make up the streetscape, including any established linear patterns or datum lines created by design features such as:
  - i) transoms;
  - ii) lintels; and
  - iii) cornices.

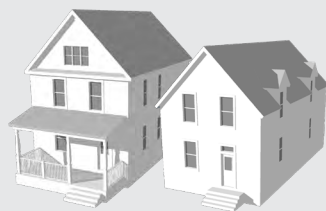
**Figure 7.5: Windows & Openings**



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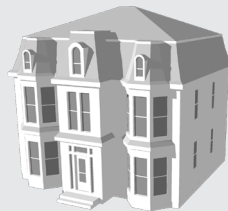
Figure 7.6: Basic Building Forms

**Greek Revival**



1.5 to 2.5 storey construction with a medium to steep pitch simple gable roof. Structure features a front facing main gable with a symmetrical facade design.

**Second Empire**



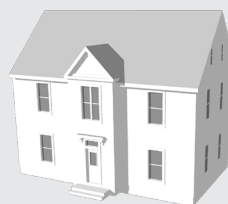
1.5 to 2.5 storey construction with a steep pitch mansard roof that features projecting front bays and multiple dormers.

**Gothic Revival/Picturesque**



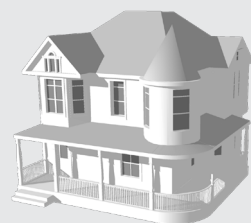
1.5 storey construction with a steep pitch gable roof with main facade on long elevation and side facing gable ends. 1 to 3 dormers on facade with steep pitch gable roofs.

**New England Colonial**



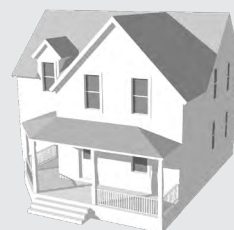
2.5 storey construction with a steep pitch gable roof with side facing gable ends. Style features central front entrance and symmetrical facade.

**Queen Anne Revival**



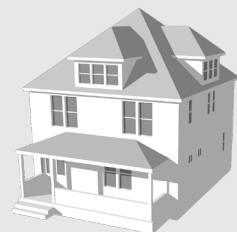
2.5 storey square construction with steep pitched hip roof, and single or multiple hip-roof dormers. May include front verandah.

**Folk Victorian**



1.5 to 2.5 storey construction with a front facing gable roof. Style is essentially Greek Revival with Queen Anne details such as decorative trim and a verandah.

**Four Square**



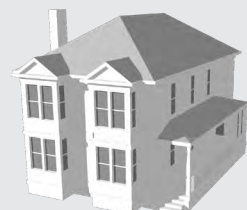
2.5 storey square construction with steep pitched hip roof, and single or multiple hip-roof dormers. May include front verandah.

**Shingle**



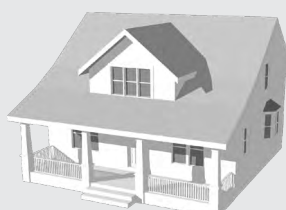
2 to 2.5 storey construction with a steeply pitched gable roof extending down to the first floor. Roof may feature a large cross gable, shed dormers and accent gables.

**Italianate**



2 to 2.5 storey construction with a low pitch hip roof and double two storey square front bays. Style often features a side entry with a covered porch.

**Craftsman**



1.5 storey construction with a large roof that sweeps down to cover the front porch. Form usually includes a central dormer window.

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### 7.3.5 Alterations

Alterations to an existing structure in the Downtown Neighbourhood (DN) Zone that do not include an addition or expansion, such as the removal of a dormer or porch, are permitted where the proposed alteration:

- a) includes the removal of additions to the original structure; or
- b) is not visible from the street; or
- c) does not affect any architectural elements that are necessary in order for the existing structure to conform to a basic building form described in Figure 7.6.

### 7.3.6 Additions

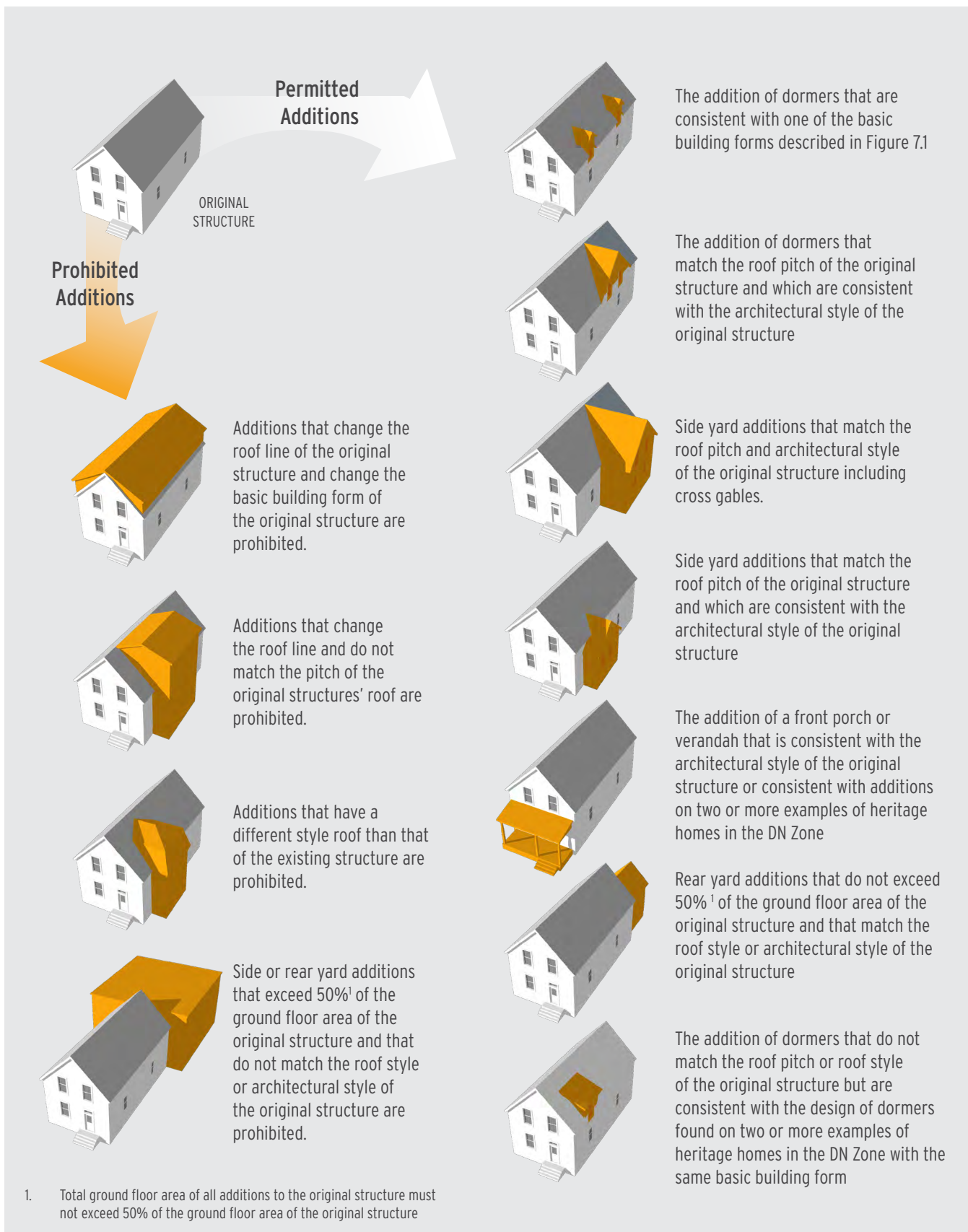
- a) An existing structure in the Downtown Neighbourhood (DN) Zone that conforms to one of the basic building forms described in Figure 7.6 may be expanded provided:
  - i) the addition is consistent with the original structure in terms of architectural style and design elements;
  - ii) the addition does not increase the height of the structure;
  - iii) the addition is not identified as prohibited in Figure 7.7 or 7.8; and
  - iv) the addition conforms to the guidelines for additions illustrated in Figure 7.8.

**Figure 7.7 Prohibited Alterations**



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Figure 7.8: Design Requirements for Additions



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- b) An existing structure in the Downtown Neighbourhood (DN) Zone that does not conform to one of the basic building forms described in Figure 7.6 may be expanded provided that the addition:
  - i) is consistent with the original structure in terms of architectural style and design elements where it can be demonstrated that the style of the existing structure is consistent with a style that is represented by two or more heritage structures within the Downtown Neighbourhood (DN) Zone; or
  - ii) is designed to bring the structure into conformance, or more into conformance, with one of the basic building forms described in Figure 7.6.
- c) Expansions to existing structures within the Downtown Neighbourhood (DN) Zone shall not increase the ground floor area of the original structure by more than 50 percent.

### 7.3.7 Accessory Buildings

- a) A building that is accessory to a heritage structure shall feature cladding, trim, and windows which match the style of the original cladding, trim, and windows found on the main building.
- b) Portable storage sheds or “baby-barns” are only permitted in a rear yard where they are not visible from any point along the front, or where applicable, flanking lot line of the subject property.

### 7.3.8 Architectural Elements

- a) Windows
  - i) All new windows shall be vertically oriented double or single hung windows with a minimum width to height ratio of 1:1.75.
  - ii) New windows in an existing structure or addition shall match the size, width to height ratio, and style of windows found on the original structure.
  - iii) Replacement windows shall be sized to fit the existing opening in the original structure.
  - iv) Notwithstanding clause (iii), a replacement window may be enlarged or reduced in size provided the size of the existing window is not integral to maintaining symmetry or a defining element of the existing structure’s architectural style.

**Figure 7.7 Widow Design Requirements**



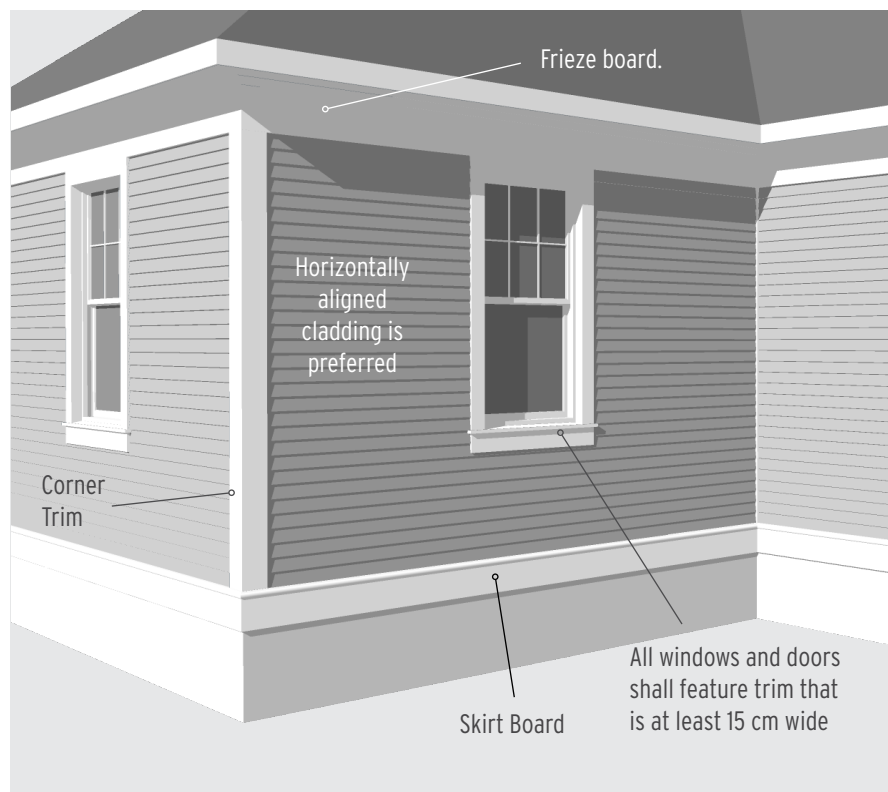
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Figure 7.8 Door Design Requirements



- v) Where a new window or replacement window is installed, the exterior window trim and, where applicable, the surrounding siding must be refinished to fit the new window size and to match the trim on the original structure.
- vi) Ornamental windows, transom windows, piano windows, and picture windows are exempt from the requirements set out in clauses (i) and (ii) provided these windows are typically associated with the architectural style of the structure.
- b) Doors
  - i) Doors shall be a traditional paneled design.
  - ii) Replacement doors shall be sized to fit the existing opening in the original structure.
  - iii) Notwithstanding clause (ii), a replacement door may be enlarged or reduced in size provided the exterior door trim and, where applicable, the surrounding siding must be refinished to fit the new door size and to match the trim on the original structure.
  - iv) Where a new door is installed, the trim around the door must match the window and door trim on the original structure.
- c) Trim
  - i) For existing structures and new additions, all windows and doors shall be trimmed in a manner that is consistent with the window and door trim found on the original structure.

Figure 7.9 Trim and Cladding Requirements

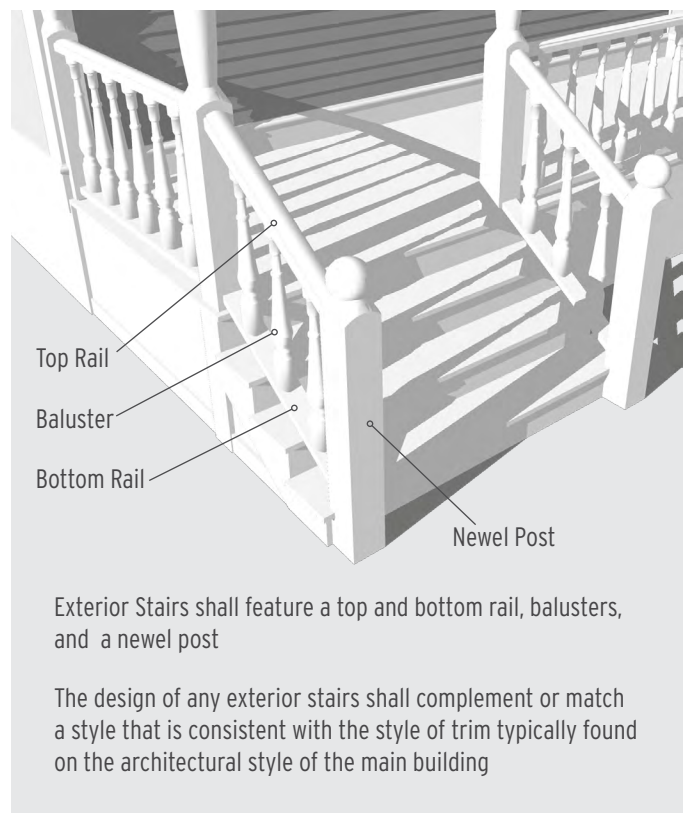


- ii) For new structures, all windows and doors shall feature trim that is at least 15 cm (6 inch) wide.
- iii) New structures shall include a frieze board, skirt board, and corner trim.
- iv) Expansions to existing structures shall include trim that matches the existing structure
- d) Cladding
  - i) Exterior cladding shall be traditional wooden clapboard, wooden shakes or a product designed to resemble these materials.
  - ii) All siding shall have an exposed face width of no more than 11.5 cm (4.5 inches).
  - iii) Cladding that is horizontally aligned is preferred.



- e) Dormers
  - i) Dormers may be added to an existing structure that conforms to one of the basic building forms illustrated in figure 7.6 provided the dormer is consistent with the basic building form and architectural detailing of the original structure.
  - ii) Dormers may be added to an existing structure that does not conform to one of the basic building forms illustrated in Figure 7.6 provided the dormer is designed to bring the structure into conformance, or more into conformance, with one of the basic building forms illustrated in Figure 7.6.
  - iii) Shed dormers shall not exceed 30 percent of the surface area of the roof.
  - iv) All dormers on new and existing structures shall conform to the Design Requirements for Additions described in Figure 7.8.
- f) Skylights
  - i) Bubble-type skylights shall not be permitted on exterior visible from the street.
  - ii) One flat-glazed skylight may be permitted on a roof facing a front or flanking yard.
  - iii) Up to four skylights may be permitted on a rear-facing roof.
  - iv) Up to two skylights may be permitted on a side-facing roof.
  - v) Skylights should be no larger than 0.6 x 1.2 m (2.0 x 4.0 ft).
- g) Shutters
  - i) Shutters are not permitted on any structure in the Downtown Neighbourhood (DN) Zone except where the shutters are either operable or sized in such a way that they would be large enough to cover the window if they were operable.
- h) Chimneys
  - i) All chimneys must be enclosed by brick.
- i) Exterior Stairs
  - i) Exterior stairs that require a handrail shall be finished with a top and bottom rail, balusters, and capped newel post.
  - ii) Balusters, rails, and newel posts on an existing structure shall be of a style that compliments any existing trim on the original structure.
  - iii) Where exterior stairs featuring a balustrade are to be added to an existing structure, the style of the top and bottom rail, balusters, and newel post shall compliment or match the style of any existing exterior stairs except where the existing stairs are inconsistent with the style of trim found on the original structure.

Figure 7.10 Exterior Stair Design Requirements



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- j) Porches and Verandahs
  - i) Porches and verandahs are permitted on all basic building forms illustrated in Figure 7.6.
  - ii) Porches and verandahs shall be designed in a manner that is consistent with the basic building form of the original structure or designed in a manner that will bring the structure into conformance, or more into conformance, with one of the basic building forms described in Figure 7.6.
  - iii) The addition of porches and verandahs on Second Empire building forms will only be permitted where it can be demonstrated the roof style of the addition either matches or compliments the style of the original structure.
  - iv) The addition of porches and verandahs on symmetrical examples of Gothic Revival/Picturesque building forms will only be permitted where it can be demonstrated the addition does not make the facade asymmetrical.

## 7.4 CONDITIONAL USES

### 7.4.1 Zone Requirements

Conditional uses in the Downtown Neighbourhood (DN) Zone shall be permitted subject to the additional conditions set out in this Section, all applicable zone requirements for “7.2 As-of-right Development” set out in Section 7.2 and all other applicable requirements of this By-law.

### 7.4.2 Residential (up to 2 units)

- a) A residential or mixed use development with up to two dwelling units may be permitted on a property in the Downtown Neighbourhood (DN) Zone.
- b) The maximum number of dwelling units in a main building shall not exceed two units.

### 7.4.3 Artisan Studio (up to 100 m<sup>2</sup> (1,076 ft<sup>2</sup>))

An Artisan Studio with a maximum floor area of 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) may be permitted in the Downtown Neighbourhood (DN) Zone provided the Artisan Studio:

- a) does not include any outdoor display or outdoor storage;
- b) is wholly enclosed within a structure;
- c) if located within a main building, shares a structure with at least one and no more than two residential dwelling units and occupies no more than 50 percent of the structure’s floor area above grade;
- d) if located in an accessory building, shares a structure with no more than one residential dwelling unit; and
- e) is the only non-residential use on the property.



#### 7.4.4 Food Service (up to 100 m<sup>2</sup> (1,076 ft<sup>2</sup>))

A Food Service Use with a maximum floor area of 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) may be permitted in the Downtown Neighbourhood (DN) Zone provided the Food Service Use:

- shares a main building with at least one and no more than two residential dwelling units;
- is the only non-residential use on the property;
- occupies no more than 50 percent of the main building's floor area above grade;
- does not include any outdoor display or outdoor storage; and
- is wholly enclosed within a structure.

#### 7.4.5 Office and Professional Uses (up to 100 m<sup>2</sup> (1,076 ft<sup>2</sup>))

An Office and Professional Use with a maximum floor area of 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) may be permitted in the Downtown Neighbourhood (DN) Zone provided the Office and Professional Use:

- does not include any outdoor display or outdoor storage;
- is wholly enclosed within a structure;
- if located within a main building, shares a structure with at least one and no more than two residential dwelling units and occupies no more than 50 percent of the structure's floor area above grade;
- if located in an accessory building, shares a structure with no more than one residential dwelling unit; and
- is the only non-residential use on the property.

#### 7.4.6 Personal Services (up to 100 m<sup>2</sup> (1,076 ft<sup>2</sup>))

A Personal Service Use with a maximum floor area of 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) may be permitted in the Downtown Neighbourhood (DN) Zone provided the Personal Service Use:

- shares a main building with at least one and no more than two residential dwelling units;
- is the only non-residential use on the property;
- occupies no more than 50 percent of the main building's floor area above grade;
- does not include any outdoor display or outdoor storage; and
- is wholly enclosed within a structure.

#### 7.4.7 Accommodations

An existing building on a property in the Downtown Neighbourhood (DN) Zone may be converted to an accommodation use provided:

- the property meets the minimum lot area requirement of the Downtown Neighbourhood (DN) Zone and has at least 12 m (39.4 ft) of frontage on a public street;



- b) the existing building conforms to the setbacks, height, lot coverage, and other requirements of the Downtown Neighbourhood (DN) Zone;
- c) the proposed accommodation use is entirely located within a single building; and
- d) the total combined number of accommodation units, dwelling units, or housekeeping units shall not exceed 4 units.

#### 7.4.8 Lodging House

An existing building on a property in the Downtown Neighbourhood (DN) Zone may be converted to a lodging house provided:

- a) the property meets the minimum lot area requirement of the Downtown Neighbourhood (DN) Zone and has at least 12 m (39.4 ft) of frontage on a public street;
- b) there is no more than four lodging units within one housekeeping unit; and
- c) the lodging house use occupies an entire structure; or
- d) the lodging house use shares a single structure with a maximum of one other dwelling unit that contains a maximum of two bedrooms.

## 7.5 USES BY SITE PLAN APPROVAL

### 7.6 Uses Permitted by Site Plan Approval

The following uses shall be permitted by site plan approval in the Downtown Neighbourhood (DN) Zone subject to the Site Plan Criteria outlined in subsection 7.6.1 on page 16 and all other applicable requirements of this By-law:

- a) Accommodations (in a new structure or new addition)
- b) Residential (3 to 4 units)
- c) One or two accessory dwelling units in a detached accessory building provided:
  - i) the total number of dwelling units on any property, including any located within an accessory building, shall not exceed four units;
  - ii) only one accessory building may be occupied by a dwelling unit(s);
  - iii) any accessory building occupied by a dwelling unit(s) may not be located in a front or flanking yard;
  - iv) any accessory building constructed or converted for a residential use must comply with all applicable lot coverage and maximum impermeable surface area limits for the General Residential (GR) Zone; and
  - v) any accessory building constructed or converted for a residential use must comply with the requirements for accessory buildings set out in Subsection 3.1.2 and 3.1.3 of this By-law.
- d) Health Care Clinic
- e) Artisan Studio over (over 100 m<sup>2</sup> (1,076 ft<sup>2</sup>))
- f) Personal Services (over 100 m<sup>2</sup> (1,076 ft<sup>2</sup>))
- g) Office and Professional (over 100 m<sup>2</sup> (1,076 ft<sup>2</sup>))



### 7.6.1 Site Plan Criteria

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

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





# GR

# 8 | General Residential (GR) Zone

## 8.1 PERMITTED USES

Table 8.1: General Residential (GR) Permitted Uses

 AS-OF-RIGHT	 CONDITIONAL USE	 SITE PLAN APPROVAL	 DEVELOPMENT AGREEMENT
Artisan Studio (up to 60 m <sup>2</sup> (645.8 ft <sup>2</sup> ))		Recreation Facility, Outdoor	
Bed and Breakfast		Religious Institution	
Community Garden		Residential Care Facility (up to 7 beds)	
Education Use		Residential Care Facility (8 or more beds)	
Food Service (up to 60 m <sup>2</sup> (645.8 ft <sup>2</sup> ))		Residential (1 unit)	
Home Day Care		Residential (2 to 5 units)	 
Office and Professional (up to 60 m <sup>2</sup> (645.8 ft <sup>2</sup> ))		Urban Agricultural Use	
Parks & Open Space		Utilities and Public Works	
Personal Services (up to 60 m <sup>2</sup> (645.8 ft <sup>2</sup> ))			

## 8.2 AS-OF-RIGHT DEVELOPMENT

### 8.2.1 General Residential (GR) Zone Requirements

As-of-right development in the General Residential (GR) Zone shall be permitted subject to the requirements set out in Table 8.2 in addition to all other applicable requirements of this By-law:

### 8.2.2 General Provisions Apply

Other applicable requirements for development in the General Residential (GR) Zone, including accessory building, parking, and signage regulations, can be found in Part 3: General Provisions.

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### 8.2.3 Yard abutting Railway

Where a property in a the General Residential (GR) Zone abuts a right-of-way for an existing railway line, setback requirements do not apply to any yard which directly abuts the railway right-of-way.

**Table 8.2: General Residential (GR) Zone Requirements**

	<p><b>Height</b></p> <p>Maximum of 11.0 m (36.1 ft)</p>		<p><b>Rear Setback</b></p> <p>Minimum 7.5 m (24.6 ft)</p>
	<p><b>Front Setback</b></p> <p>Minimum 6.0 m (19.7 ft) (some exceptions apply, see Subsection 8.2.5)</p>		<p><b>Lot Area</b></p> <p>Minimum 450.0 m<sup>2</sup> (4,844 ft<sup>2</sup>), or 210.0 m<sup>2</sup> (2,261 ft<sup>2</sup>) per unit for a townhouse dwelling, or 225.0 m<sup>2</sup> (2,422 ft<sup>2</sup>) per unit for a semi-detached dwelling</p>
	<p><b>Side Setback</b></p> <p>Minimum 2.5 m (8.2 ft), or 0.0 m (0.0 ft) for a common wall in a semi-detached or townhouse dwelling.</p>		<p><b>Lot Frontage</b></p> <p>Minimum 15.0 m (49 ft), or 7.0 m (23.0 ft) per unit for a townhouse dwelling, or 10.0 m (32.8 ft) per unit for a semi-detached dwelling</p>
	<p><b>Flanking (Side) Setback</b></p> <p>Minimum 4.5 m (14.8 ft) (some exceptions apply, see Subsection 8.2.5)</p>		<p><b>Lot Coverage</b></p> <p>Maximum 25%, or 40% for a townhouse or semi-detached dwelling.</p>
	<p><b>Impermeable Surface</b></p> <p>Maximum 25%, or 40% for a townhouse or semi-detached dwelling.</p>		

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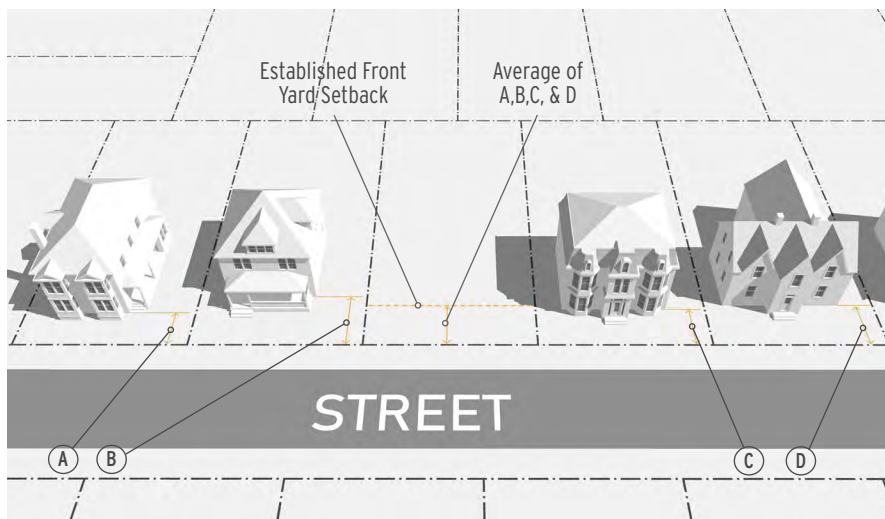
### 8.2.4 Parking

- a) Parking or driveways shall not be permitted to occupy more than 40% of the required front yard of any property in the General Residential (GR) Zone except for a property developed as a freehold townhouse dwelling, in which case parking and driveways may occupy up to 50% of the required front yard.
- b) Where the cumulative parking requirement for all uses on any property in the General Residential (GR) Zone is more than three parking spaces, the parking spaces must;
  - i) be situated in the rear yard unless the property is developed with townhouse dwelling units;
  - ii) not be visible from a public right-of-way or neighbouring residential use unless the parking has been screened from view by an opaque fence that is at least 1.5 m (4.9 ft) high or an evergreen hedge that will form a solid visual barrier at least 1.5 m (4.9 ft) high following one growing season; and
  - iii) be accessible via a driveway that is situated on the same property as the associated use and not shared by another property;

### 8.2.5 Front & Flanking Yard Setbacks

- a) Main buildings in the General Residential (GR) Zone shall be set back from the front lot line:
  - i) at least 6.0 m (19.7 ft); or
  - ii) a distance equal to the Established Front Yard Setback which is the average front yard setbacks of buildings facing the same street and situated within 30 m (98.4 ft) (see Figure 8.1); or
  - iii) any point between the distances prescribed in subclauses (i) and (ii).

**Figure 8.1: Established Front Yard Setback**



- b) On a corner lot in the General Residential (GR) Zone, main buildings shall be set back from a flanking lot line:
  - i) at least 6.0 m (19.7 ft); or
  - ii) a distance equal to the average front or flanking yard setbacks of buildings facing the same street and situated within 30 m (98.4 ft); or
  - iii) any point between the distances prescribed in subclauses (i) and (ii).



### 8.2.6 Scale

- The average height of any main building shall vary by no more than 20% from the average height of other existing main buildings facing the same street and situated within 60 m (196.9 ft).
- The surface area of the front facing facade of any main building shall vary by no more than 30% from the average surface area of the front facing facades of other existing main buildings facing the same street and situated within 60 m (196.9 ft).
- The building footprint of any main building shall vary by no more than 30% from the average building footprint other existing main buildings facing the same street and situated within 60 m (196.9 ft).
- A structure containing freehold townhouse units shall be exempt from the facade area and building footprint limits specified in Clauses (b) and (c)

### 8.2.7 Corner Lot

Blank and featureless walls are not permitted on the flanking elevation of any main building situated on a corner lot (see Figure 8.3) and the flanking elevation shall:

- feature at least 10% windows and doors;
- not have a surface area that varies more than 20% from the average surface area of the front facing facades of other existing main buildings facing the flanking street and situated within 60 m (196.9 ft) unless the flanking elevation features a projecting bay, porch, verandah, or similar feature (see Figure 8.4).

Figure 8.2: Scale



Figure 8.3: Blank Flanking Elevation not Permitted

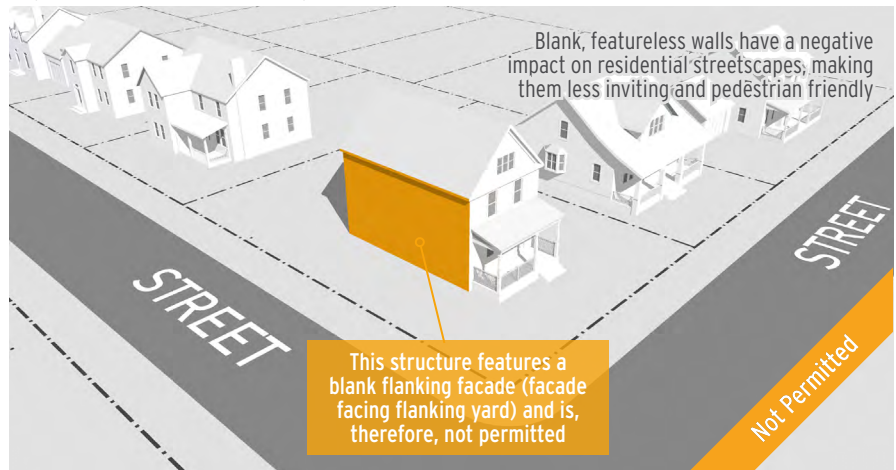
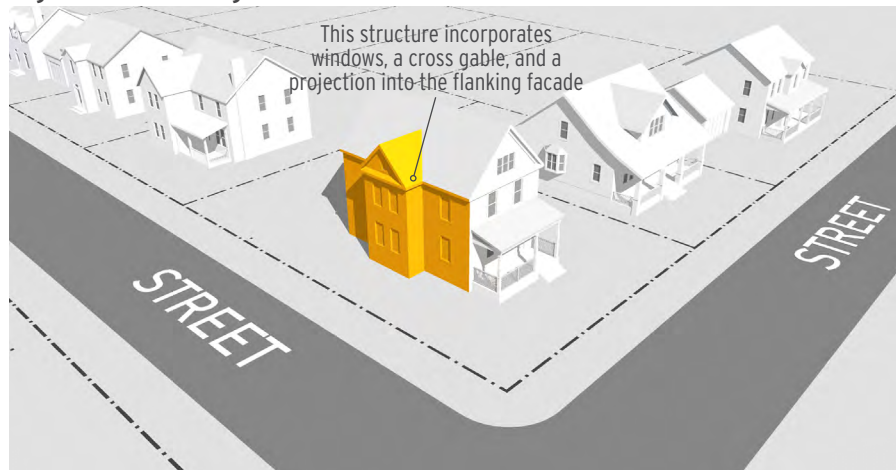


Figure 8.4: Flanking Elevation



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### 8.2.8 Mechanical Equipment

No mechanical equipment is permitted to be operated in the General Residential (GR) Zone except that which is reasonably consistent with a residential use.

### 8.2.9 Fencing

- a) Opaque privacy fencing is not permitted in a front or flanking yard.
- b) Fencing shall conform to all other requirements of this By-law.

### 8.2.10 Residential Conversions

An existing single detached dwelling in the General Residential (GR) Zone may be converted to create an additional dwelling unit provided:

- a) the maximum number of dwelling units on any property shall not exceed two units except in conformance with the conditions set out in Subsection 8.3.8;
- b) no expansion or modification of the existing structure has been undertaken that has:
  - i) increased the height of the structure;
  - ii) created more than one exterior entrance on a front or flanking facade; or
  - iii) altered the external appearance of the roof unless the alteration is related to the addition of a dormer or dormers that conform to the architectural style of the existing structure; and
- c) the property on which the dwelling is situated meets the lot area and frontage requirements for the General Residential (GR) Zone.

## 8.3 CONDITIONAL USES

### 8.3.1 Zone Requirements

Conditional uses in the General Residential (GR) Zone shall be permitted subject to the additional conditions set out in this Section, all applicable zone requirements found in Section “8.2 As-of-right Development” and all other applicable requirements of this By-law.

### 8.3.2 Bed & Breakfast

A Bed & Breakfast may be permitted in the General Residential (GR) Zone provided the Bed & Breakfast:

- a) operates within a single detached dwelling that is the only dwelling unit on the property;
- b) is the only non-residential use on the property; and
- c) contains a maximum of four guest rooms.

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### 8.3.3 Artisan Studio (up to 60 m<sup>2</sup> (645.8 ft<sup>2</sup>))

An Artisan Studio with a maximum floor area of 60 m<sup>2</sup> (645.8 ft<sup>2</sup>) may be permitted in the General Residential (GR) Zone provided the Artisan Studio:

- a) does not include any outdoor display or outdoor storage;
- b) is wholly enclosed within a structure;
- c) if located within a main building, shares a structure with one residential dwelling unit and occupies no more than 50 percent of the structure's floor area above grade;
- d) if located in an accessory building, shares a structure with no more than one residential dwelling unit; and
- e) is the only non-residential use on the property.

### 8.3.4 Food Service (up to 60 m<sup>2</sup> (645.8 ft<sup>2</sup>))

A Food Service Use with a maximum floor area of 60 m<sup>2</sup> (645.8 ft<sup>2</sup>) may be permitted in the General Residential (GR) Zone provided the Food Service Use:

- a) shares a main building with one residential dwelling unit and occupies no more than 50 percent of the structure's floor area above grade;
- b) is the only non-residential use on the property;
- c) does not include any outdoor display or outdoor storage; and
- d) is wholly enclosed within a structure.

### 8.3.5 Office and Professional Uses (up to 60 m<sup>2</sup> (645.8 ft<sup>2</sup>))

An Office and Professional Use with a maximum floor area of 60 m<sup>2</sup> (645.8 ft<sup>2</sup>) may be permitted in the General Residential (GR) Zone provided the Office and Professional Use:

- a) does not include any outdoor display or outdoor storage;
- b) is wholly enclosed within a structure;
- c) if located within a main building, shares a structure with up to two residential dwelling units and occupies no more than 50 percent of the structure's floor area above grade;
- d) if located in an accessory building, shares a structure with no more than one residential dwelling unit; and
- e) is the only non-residential use on the property.

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### 8.3.6 Personal Services (up to 60 m<sup>2</sup> (645.8 ft<sup>2</sup>))

A Personal Service Use with a maximum floor area of 60 m<sup>2</sup> (645.8 ft<sup>2</sup>) may be permitted in the General Residential (GR) Zone provided the Personal Service Use:

- a) does not include any outdoor display or outdoor storage;
- b) is wholly enclosed within a structure;
- c) if located within a main building, shares a structure with one residential dwelling unit and occupies no more than 50 percent of the structure's floor area above grade;
- d) if located in an accessory building, shares a structure with no more than one residential dwelling unit; and
- e) is the only non-residential use on the property.

### 8.3.7 Residential Care Facility (up to 7 beds)

A Residential Care Facility with a maximum of 7 beds (accommodations for up to 7 residents) may be permitted in the General Residential (GR) Zone provided the Residential Care Facility:

- a) is located at least 200.0 m (656.2 ft) from another Residential Care Facility; and
- b) has a minimum of 150.0 m<sup>2</sup> (1,614.6 ft<sup>2</sup>), or 18.0 m<sup>2</sup> (193.8 ft<sup>2</sup>) per resident, whichever is greater, of outdoor amenity space available to for use by clients of the Residential Care Facility located in a side or rear yard; and
- c) operates within a single detached dwelling that is the only dwelling unit on the property; or
- d) shares a structure with up to one additional dwelling unit that:
  - i) is operated in conjunction with the Residential Care Facility; and
  - ii) contains a maximum of two bedrooms.

### 8.3.8 Residential (2 units)

- a) A property in the General Residential (GR) Zone may contain up to two dwelling units provided:
  - i) there is no more than one dwelling unit permitted on any property containing a freehold townhouse dwelling unit or a semi-detached dwelling unit; and
  - ii) the property meets the minimum frontage and lot area requirements for the General Residential (GR) Zone.

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## 8.4 USES BY SITE PLAN APPROVAL

### 8.4.1 Uses Permitted by Site Plan Approval

The following uses shall be permitted by site plan approval in the General Residential (GR) Zone subject to the site plan criteria outlined in subsection “8.4.2 Site Plan Criteria” and all other applicable requirements of this By-law:

- a) Religious Institution
- b) A three unit dwelling
- c) A two or three unit dwelling on a property that does not meet the minimum frontage and lot area requirements for the General Residential (GR) Zone
- d) A townhouse structure with up to five dwelling units on a property, or a freehold townhouse structure with up to five dwelling units (each on its own property) provided:
  - i) all dwelling units are located within one structure;
  - ii) none of the dwelling units are located in an accessory building;
  - iii) the property meets the minimum frontage and lot area requirements for townhouse units the General Residential (GR) Zone and
  - iv) each townhouse unit features an independent street facing entrance.
- e) An accessory dwelling unit in a detached accessory building provided:
  - i) the total number of dwelling units on any property, including any located within an accessory building, shall not exceed three units;
  - ii) only one accessory building may be occupied by a dwelling unit;
  - iii) any accessory building occupied by a dwelling unit may not be located in a front or flanking yard;
  - iv) any accessory building constructed or converted for a residential use must comply with all applicable lot coverage and maximum impermeable surface area limits for the General Residential (GR) Zone; and
  - v) any accessory building constructed or converted for a residential use must comply with the requirements for accessory buildings set out in Subsection 3.1.2 and 3.1.3 of this By-law.

### 8.4.2 Site Plan Criteria

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

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

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

## 8.5 USES BY DEVELOPMENT AGREEMENT

### 8.5.1 GR Zone Uses Permitted by Development Agreement

The following uses shall be considered only by development agreement in the General Residential (GR) Zone:

- a) Education Use
- b) Residential Care Facility (8 or more beds)

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LAND USE BY-LAW  
General Residential (GR) Zone

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## 9 | Regional Service (RS) Zone

### 9.1 PERMITTED USES

Table 9.1: Regional Service (RS) Zone Permitted Uses

 AS-OF-RIGHT	 CONDITIONAL USE	 SITE PLAN APPROVAL	 DEVELOPMENT AGREEMENT	
Accommodations			Convenience Store	
Adult Entertainment			Day Care Centre	
Animal and Pet Services			Dormitory	
Animal Hospital			Dry-cleaning and Laundry	
Animal Shelter			Educational Use	
Artisan Studio			Emergency Services	
Automobile Repair			Emergency Shelter	
Automobile Sales and Rentals			Existing Residential Use	
Automobile Service Station			Farmers Market, Flea Market and Antique Market	
Automobile Wash and Detailing			Food Service	
Bank and Financial Institution			Funeral Home	
Bed and Breakfast			Garden Centre	
Beverage Room, Lounge and Cabaret			Governmental Use	
Broadcasting and Communications			Greenhouse, Nursery, and Floriculture	
Correctional Facility			Health Care Clinic	
Club			Hospital	
Community Garden			Industrial Equipment Sales and Service	
Community Institution			Microbrewery and Microdistillery	

continued...





Neighbourhood Clinic		Residential (5 to 18 units)	
Office and Professional Use		Residential (19 units or more)	
Parking Lots		Restaurant	
Parking Structure		Restaurant, Drive-Thru	
Parks & Open Space		Retail Store	
Personal Services		Stadia and Auditoria	
Printing		Tattoo Studio	
Recreation Facility, Commercial		Taxi Depot	
Recreation Facility, Indoor		Textile Mill	
Recreation Facility, Outdoor		Transportation Facilities and Depots	
Religious Institution		Utilities and Public Works	
Repair Shop		Warehousing & Storage	
Residential Care Facilities		Wholesale Use	
Residential (up to 4 units)			

## 9.2 AS-OF-RIGHT DEVELOPMENT

### 9.2.1 Regional Service (RS) Zone Requirements

As-of-right uses in the Regional Service (RS) Zone shall be permitted subject to the requirements set out in Table 9.2 in addition to all other applicable requirements of this By-law:

### 9.2.2 General Provisions Apply

Other applicable requirements for development in the Regional Service (RS) Zone, including parking and signage regulations, can be found in Part 3: General Provisions.

### 9.2.3 Outdoor Storage and Display

- a) Outdoor storage may be permitted in the Regional Service (RS) Zone provided the outdoor storage and display:
  - i) is accessory to a use permitted in the Regional Service (RS) Zone;
  - ii) is not located within a required yard;
  - iii) covers less than 75% of the lot; and
  - iv) is not located within a front or flanking yard.





- b) Outdoor display may be permitted in the Regional Service (RS) Zone provided the outdoor display:
- i) is accessory to a use permitted in the Regional Service (RS) Zone;
  - ii) includes only goods or materials that are intended for immediate sale to the general public;
  - iii) covers less than 75% of the lot; and
  - iv) is not located in a required yard abutting a General Residential (GR), Downtown Neighbourhood (DN), or Urban Corridor (UC) Zone

**Table 9.2: Regional Service (RS) Zone Requirements**

	<p><b>Height</b></p> <p>Maximum of 26.4 m (86.6 ft) with exceptions.</p> <p>See Subsection “9.2.6 Building Height Limit” and Figure 9.1 Regional Service (RS) Zone Height Limits</p>		<p><b>Rear Setback</b></p> <p>Minimum 6.0 m (19.7 ft), see Subsection “9.2.5 Abutting Yard Requirements” for additional requirements when abutting a General Residential (GR), Downtown Neighbourhood (DN), or Urban Corridor (UC) Zone</p>
	<p><b>Front Setback</b></p> <p>Minimum 6.0 m (19.7 ft)</p>		<p><b>Lot Area</b></p> <p>Minimum 1,000.0 m<sup>2</sup> (10,763.9 ft<sup>2</sup>) with exceptions.</p> <p>See Subsection “9.2.4 Relaxation of Lot Requirements”</p>
	<p><b>Side Setback</b></p> <p>Minimum 6.0 m (19.7 ft) with exceptions. See Subsection “9.2.5 Abutting Yard Requirements” for additional requirements when abutting a General Residential (GR), Downtown Neighbourhood (DN), or Urban Corridor (UC) Zone and see Subsection “9.2.4 Relaxation of Lot Requirements”</p>		<p><b>Lot Frontage</b></p> <p>Minimum 45.0 m (147.6 ft) with exceptions.</p> <p>See Subsection “9.2.4 Relaxation of Lot Requirements”</p>
	<p><b>Flanking (Side) Setback</b></p> <p>Minimum 6.0 m (19.7 ft)</p>		<p><b>Lot Coverage</b></p> <p>Maximum 60%</p>
	<p><b>Flanking (Side) Setback</b></p> <p>Minimum 6.0 m (19.7 ft)</p>		<p><b>Impermeable Surface</b></p> <p>Maximum 70 %</p>

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- c) Where outdoor display is permitted within a front or flanking yard, a landscaped strip at least 3.0 m (10 ft) wide shall be provided and maintained between the display area and any abutting public right-of-way excluding any driveways or pedestrian walkways.

### 9.2.4 Relaxation of Lot Requirements

- a) Notwithstanding the lot requirements set out in Table 9.2, a lot in the Regional Service (RS) Zone having an area of 4.0 ha (9.88 acres) or more may be subdivided to create a lot with no frontage or less than the required frontage provided:
  - i) the remainder parcel has a minimum area of 2.0 ha (4.94 acres);
  - ii) the proposed lot is to be developed as part of a larger commercial development;
  - iii) the proposed lot is 500.0 m<sup>2</sup> (5,381.9 ft<sup>2</sup>) or more in area
  - iv) the proposed lot shall have its own connections to municipal services secured via right-of-way easement agreements;
  - v) servicing for the proposed lot is satisfactory to the Town Engineer’s Office;
  - vi) access to the proposed lot from a public street is available via a right-of-way easement although physical access may be via an internal road network that is part of a larger commercial development; and
  - vii) access to the site must be approved by the Town’s Traffic Authority;
- b) Notwithstanding the lot requirements set out in Table 9.2, a lot in the Regional Service (RS) Zone having an area of 4.0 ha (9.88 acres) or more may be subdivided to create a lot with no side yard setback or less than the required side yard setback provided:
  - i) the remainder parcel has a minimum area of 2.0 ha (4.94 acres); and
  - ii) the proposed lot is to be developed as part of a shopping centre or retail complex on the parent parcel.
- c) Clause (b) shall not apply to:
  - i) any side yard abutting a property that is not part of the same shopping centre or retail complex; and
  - ii) any side yard abutting a property that is not within the Regional Service (RS) Zone.

### 9.2.5 Abutting Yard Requirements

In addition to any applicable restrictions on signage, parking, and loading in an abutting yard found in Part 3: General Provisions, where a property in the Regional Service (RS) Zone abuts a Downtown Neighbourhood (DN), Urban Corridor (UC), or General Residential (GR) Zone, the abutting yard shall:

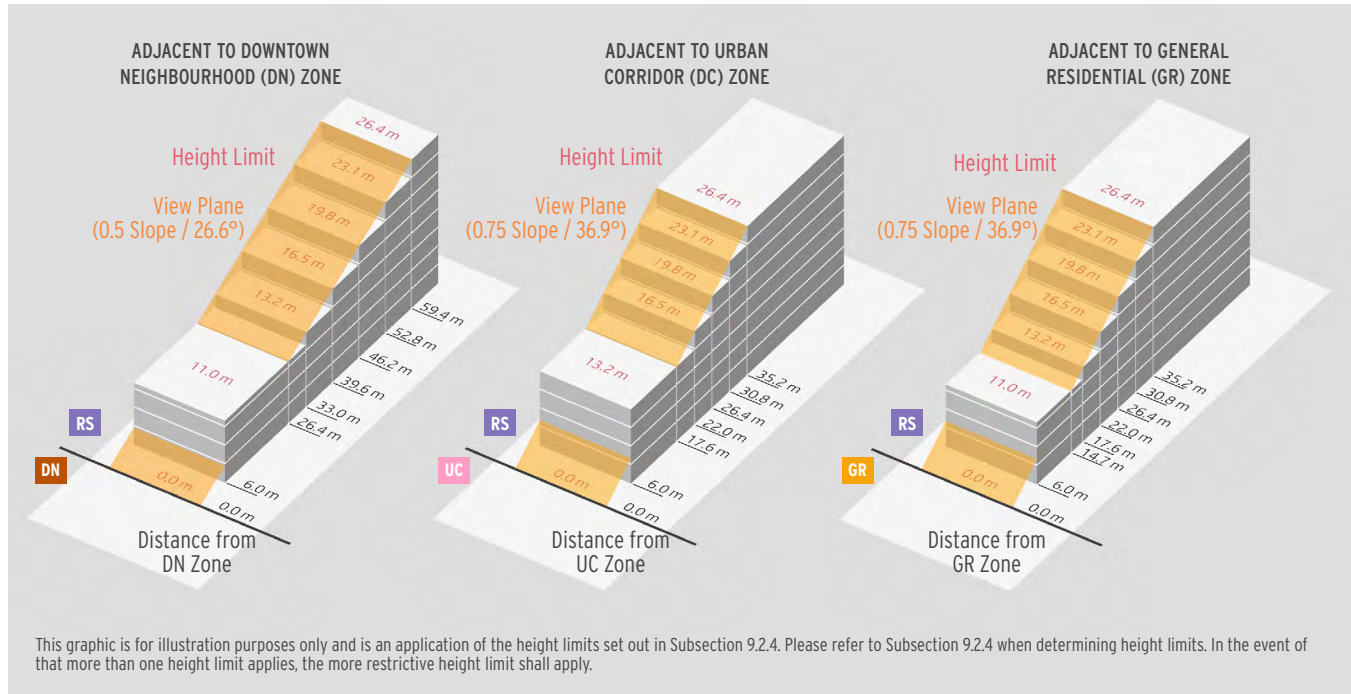
- a) shall be double the applicable yard requirement set out in Table 9.2 and consist entirely of undeveloped open space that is not occupied by any parking, loading area, driveway, accessory building, outdoor storage, or outdoor display; or

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- b) be entirely landscaped with a combination of existing and new trees which are:
  - i) spaced in a staggered manner at intervals of 3.0 m (9.8 ft) on centre over the entire area;
  - ii) new trees shall be a minimum of 1.5 m (4.9 ft) high at the time of planting;
  - iii) be at least 75% coniferous trees that are indigenous to the region; or
- c) contain a earthen berm that is:
  - i) 2.0 m (6.6 ft) high and 7.0 m (23.0 ft) wide at the base; and
  - ii) landscaped with trees and bushes, planted at 6.0 m (19.7 ft) intervals, which are at least 1.0 m (3.3 ft) in height at the time of planting; or
- d) contain a fence that shall be erected along the abutting property line which:
  - i) forms an opaque visual barrier at least 1.75 m (5.7 ft) high; and
  - ii) has any structural members facing away from the abutting property.

Figure 9.1: Regional Service (RS) Zone Height Limits



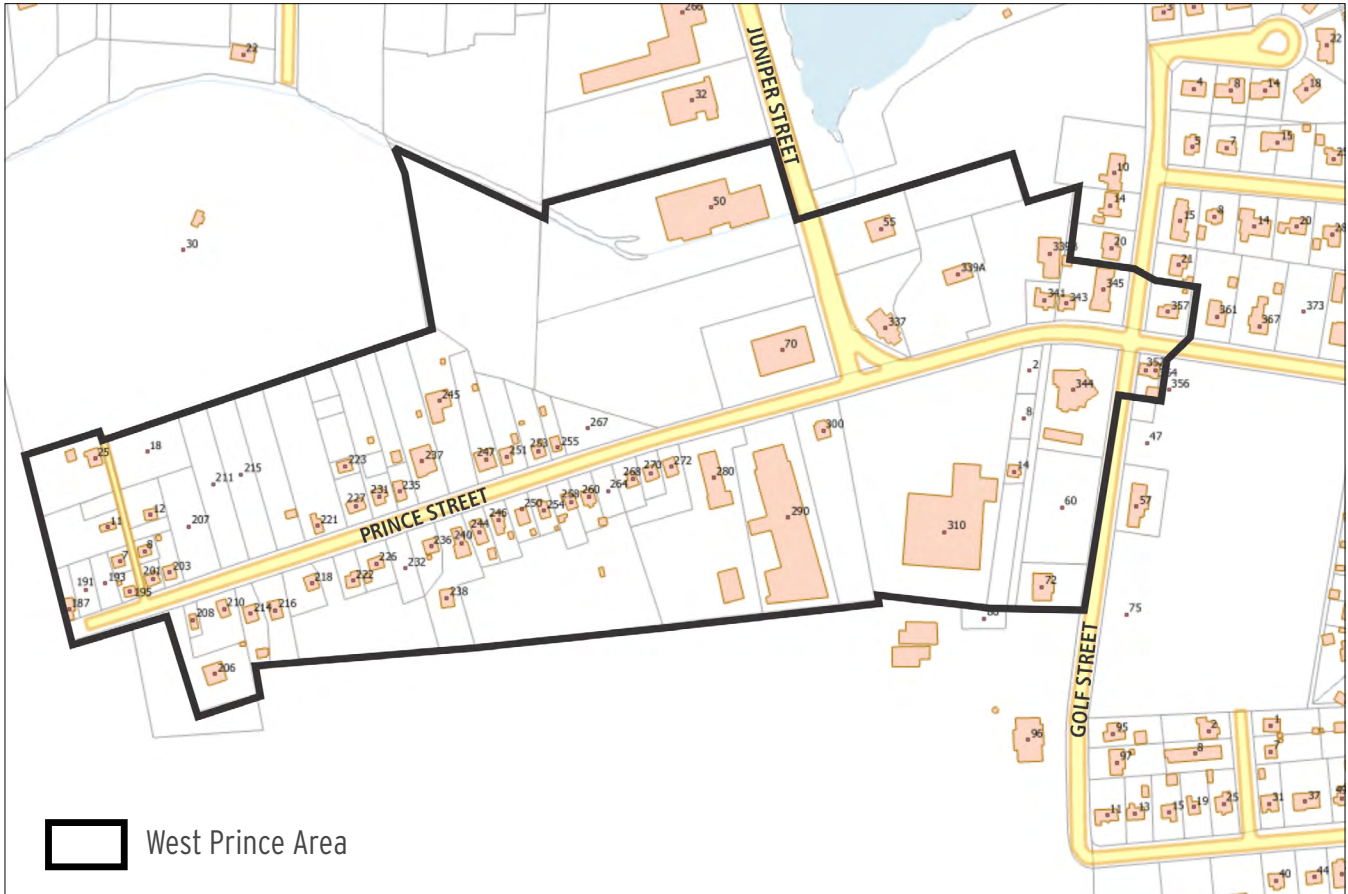
### 9.2.6 Building Height Limit

- a) See Figure 9.1 for a graphic intended to illustrate an application of the height limits prescribed in this subsection.
- b) No portion of any main building shall exceed a height of 11.0 m (36.1 ft) within:
  - i) 26.4 m (86.6 ft) of the Downtown Neighbourhood (DN) Zone; or
  - ii) 14.7 m (48.2 ft) of the General Residential (GR) Zone.
- c) No portion of any main building shall exceed a height of 13.2 m (43.3 ft) within:
  - i) 17.6 m (57.7 ft) of the Urban Corridor (UC) Zone;
  - ii) 6.0 m (19.7 ft) of any public right of way; or
  - iii) the West Prince Area as defined in Figure 9.2.





Figure 9.2: West Prince Area



- d) The maximum height of any portion of a main building situated over 26.4 m (86.6 ft) from the Downtown Neighbourhood (DN) Zone, over 14.7 m (48.2 ft) from the General Residential (GR) Zone, over 17.6 m (57.7 ft) from the Urban Corridor (UC) Zone, and over 6.0 m (19.7 ft) from a public right-of-way shall be the lesser of:
  - i) 0.75 times the distance the building or portion thereof is from a property in the General Residential (GR) Zone; or
  - ii) 0.75 times the distance the building or portion thereof is from a property in the Urban Corridor (UC) Zone; or
  - iii) 0.50 times the distance the building or portion thereof is from a property in the Downtown Neighbourhood (DN) Zone; or
  - iv) 26.4 m (86.6 ft)
- e) Accessory buildings shall be subject to the height limits specified in Subsection “3.1.2 Accessory Buildings” of this By-law.

### 9.2.7 Yard abutting Railway

Where a property in the Regional Service (RS) Zone abuts a right-of-way for an existing railway line, setback requirements do not apply to any yard which directly abuts the railway right-of-way.



## 9.3 CONDITIONAL USES

### 9.3.1 Zone Requirements

Conditional uses in the Regional Service (RS) Zone shall be permitted subject to the additional conditions set out in this Section, all applicable zone requirements found in Section “9.2 As-of-right Development” and all other applicable requirements of this By-law.

### 9.3.2 Adult Entertainment

- a) No adult entertainment use, or related signage, shall be permitted within 100.0 m (328.1 ft) of a property containing a residential use, an education use, a bed & breakfast, a community institution, a daycare centre, a dormitory, a residential care facility, a funeral home, a religious institution, a park, a playground, a sports field/court, or an accommodations use.
- b) No development permit shall be issued for an adult entertainment use unless the use is located on a property that has frontage on a collector or arterial road as identified on the Street Classification Map found in Chapter 13 of the Municipal Planning Strategy.
- c) No adult entertainment use or related signage shall be permitted within the West Prince Area as defined in Figure 9.2.

### 9.3.3 Animal Hospital or Shelters

- a) An animal hospital or shelter may be permitted in the Regional Service (RS) Zone provided the animal hospital or shelter is located over 60.0 m (196.9 ft) from any General Residential (GR), Downtown Neighbourhood (DN), or Urban Corridor (UC) Zone.
- b) Clause a) notwithstanding, an animal hospital or shelter may be permitted within 60.0 m (196.9 ft) of a General Residential (GR), Downtown Neighbourhood (DN), or Urban Corridor (UC) Zone provided :
  - i) any exterior runs or pens are only occupied by animals between 8:00 am and 8:00 pm;
  - ii) any exterior runs or pens are not located within 60 m (197 ft) of any General Residential (GR), Downtown Neighbourhood (DN), Urban Corridor (UC) Zone, or any existing residential use, and
  - iii) aside from any permitted exterior run or pen, the animal hospital or shelter is otherwise wholly enclosed within a structure.

### 9.3.4 Beverage Room, Lounge and Cabaret

A beverage room, lounge, or cabaret may be permitted in the Regional Service (RS) Zone provided the beverage room, lounge, or cabaret is not located within the West Prince Area as defined in Figure 9.2 or within 60.0 m (196.9 ft) of a General Residential (GR) or Downtown Neighbourhood (DN) Zone.

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### 9.3.5 Emergency Shelter

An emergency shelter may be permitted on a property in the Regional Service (RS) Zone provided:

- a) the facility must provide a minimum of 150.0 m<sup>2</sup> (1615 ft<sup>2</sup>) or 18.0 m<sup>2</sup> (194 ft<sup>2</sup>) per bed, whichever is greater, of outdoor amenity space available for use by clientele of the emergency shelter that is situated on the property and not situated within a front or flanking yard;
- b) the primary entrance for clientele shall not be situated within 3.0 m (10 ft) of a public right-of-way and shall not be within 15 m (49 ft) of a General Residential (GR) Zone or Downtown Neighbourhood (DN) Zone; and.
- c) the emergency shelter is not situated within the West Prince Area as defined in Figure 9.2.

### 9.3.6 Existing Residential Use

A property containing an existing residential use in the Regional Service (RS) Zone may be used and developed subject to the requirements of the General Residential (GR) Zone.

### 9.3.7 Residential (up to 4 units)

Up to four dwelling units may be permitted on a property in the Regional Service (RS) Zone provided:

- a) the dwelling units are part of mixed use development that includes a commercial component;
- b) the floor area occupied by the residential use must not exceed 66% of the total floor area of a main building;
- c) the residential use must not occupy the ground floor of any main building;
- d) An accessory building in the Regional Service (RS) Zone may contain up to two dwelling units subject to the following requirements:
  - i) the total number of dwelling units on any property, including any located within an accessory building, shall not exceed four units;
  - ii) only one accessory building may be occupied by a dwelling unit or units;
  - iii) any accessory building occupied by a dwelling unit may not be located in a front or flanking yard;
  - iv) any accessory building constructed or converted for a residential use must comply with all applicable lot coverage and maximum impermeable surface area limits for the Regional Service (RS) Zone; and
  - v) any accessory building constructed or converted for a residential use must comply with the requirements for accessory buildings set out in Subsection "3.1.2 Accessory Buildings".

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## 9.4 USES BY SITE PLAN APPROVAL

### 9.4.1 Uses Permitted by Site Plan Approval

- a) The following uses shall be permitted by site plan approval in the Regional Service (RS) Zone subject to the site plan criteria outlined in subsection “9.4.2 Site Plan Criteria” and all other applicable requirements of this By-law:
  - i) Residential Use (5 to 18 dwelling units)
- b) To be considered by site plan approval in accordance with Subclause 9.4.1 (a)(i), the residential use must:
  - i) be part of a mixed use development that includes a commercial component;
  - ii) not occupy more than 66% of the total floor area of a main building; and
  - iii) not occupy the ground floor of any main building;

### 9.4.2 Site Plan Criteria

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

- a) The location of new structures (or an addition to an existing structure) on the lot shall minimize negative impacts on the surrounding neighbourhood, including noise, dust, fumes, lighting, shadows, or other nuisance or inconvenience to occupants of nearby residences;
- b) The location of structures on the lot shall minimize potential land use conflicts that may arise between any proposed residential uses and any existing or future commercial developments;
- c) The location of structures on the lot shall minimize the degree to which any residential development detracts from the future development potential of the land for commercial purposes;
- d) The location of off-street parking and loading facilities shall minimize negative impacts on the surrounding neighbourhood, including traffic, noise, dust, fumes, lighting, or other nuisance or inconvenience to occupants of nearby residences;
- e) The location, number and width of points of access are designed to prevent traffic, noise, dust, fumes, congestion, or other nuisance and inconvenience in the area and minimize negative impacts to occupants of nearby residences;
- f) The type, location, and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements, or a combination thereof, which is necessary to protect and minimize negative land use impacts on the surrounding neighbourhood and adjacent streetscapes;

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- g) The type, location, and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements, or a combination thereof, which is necessary to protect and minimize potential land use conflicts that may arise between any proposed residential uses and any existing or future commercial developments;
- h) Existing vegetation shall be retained where the vegetation is healthy and helps to minimize negative impacts on the surrounding neighbourhood and adjacent streetscapes;
- i) The location of pedestrian walkways, and/or related infrastructure, shall be provided to link public sidewalks and parking areas to entrances of all primary buildings;
- j) The type and location of outdoor lighting is designed to light the structure, driveways and pedestrian infrastructure, but shall not be directed onto neighbouring properties or public streets;
- k) The location of facilities for the storage of solid waste provides for maximum separation from residential development and public areas;
- l) The development does not violate any easement agreement in place on the subject lands;
- m) The grading or alteration in elevation or contour of the land shall minimize undue erosion and/or sedimentation, and other negative impacts on neighbouring properties or public streets;
- n) The management of storm and surface water is addressed, and associated plans are approved by the Town Engineer; and
- o) The type, location number and size of signs or sign structures do not negatively alter the appearance of the streetscape or neighbourhood.

## 9.5 USES BY DEVELOPMENT AGREEMENT

### 9.5.1 RS Zone Uses Permitted by Development Agreement

The following uses shall be considered only by development agreement in the Regional Service (RS) Zone:

- a) Residential Multiple Unit Use with 19 or more dwelling units.

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# BI

# 10 | Business Industrial (BI) Zone

## 10.1 PERMITTED USES

Table 10.1: Business Industrial (BI) Zone Permitted Uses

 AS-OF-RIGHT	 CONDITIONAL USE	 SITE PLAN APPROVAL	 DEVELOPMENT AGREEMENT
Accommodations		Convenience Stores	
Adult Entertainment		Crematoria	
Animal and Pet Services		Crop Production, Indoor	
Animal Hospital		Day Care Centre	
Animal Shelter		Dormitory	
Artisan Studio		Dry-cleaning and Laundry	
Automobile Repair		Educational Use	
Automobile Sales and Rentals		Emergency Services	
Automobile Service Station		Emergency Shelter	
Automobile Wash and Detailing		Farmers Market, Flea Market, and Antique Market	
Bank and Financial Institution		Food Service	
Beverage Room, Lounge and Cabaret		Funeral Home	
Brewery, Winery, and Distillery		Garden Centre	
Broadcasting and Communications		Governmental Use	
Construction Industry		Greenhouse, Nursery, and Floriculture	
Correctional Facility		Health Care Clinic	
Club		Hospital	
Community Institution		Industrial Equipment Sales and Service	

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Kennel		Repair Shop	
Manufacturing, Processing, and Assembly		Residential (up to 4 units)	
Neighbourhood Clinic		Restaurant	
Office and Professional Use		Restaurant, Drive-Thru	
Parking Lots		Retail	
Parking Structure		Scientific and Technical Service	
Parks and Open Space		Stadia and Auditoria	
Personal Services		Taxi Depot	
Printing		Transportation Facilities and Depots	
Recreation Facility, Commercial		Utilities	
Recreation Facility, Indoor		Warehousing & Storage	
Recreation Facility, Outdoor		Waste Management and Remediation	
Recycling and Material Recovery		Wholesale Use	
Religious Institution			

## 10.2 AS-OF-RIGHT DEVELOPMENT

### 10.2.1 Business Industrial (BI) Zone Requirements

As-of-right uses in the Business Industrial (BI) Zone shall be permitted subject to the requirements set out in Table 10.2 in addition to all other applicable requirements of this By-law:

### 10.2.2 General Provisions Apply

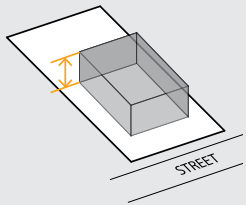
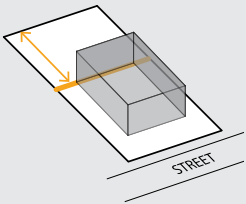
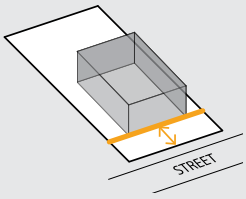

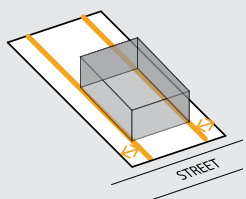
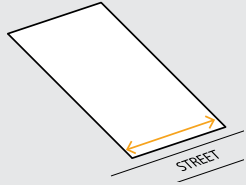
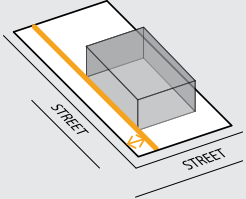

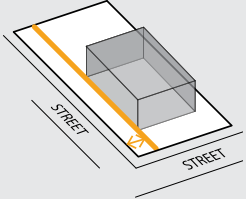
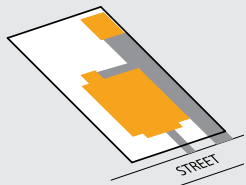
Other applicable requirements for development in the Business Industrial (BI) Zone, including parking and signage regulations, can be found in Part 3: General Provisions.

### 10.2.3 Yard abutting Railway

Where a property in a the Business Industrial (BI) Zone abuts a right-of-way for an existing railway line, setback requirements do not apply to any yard which directly abuts the railway right-of-way.



Table 10.2: Business Industrial (BI) Zone Requirements

	<p><b>Height</b></p> <p>No maximum height except within 35.0 m (114.8 ft) of a General Residential (GR) Zone where the maximum height is 13.2 m (43.3 ft).</p>		<p><b>Rear Setback</b></p> <p>Minimum 7.5 m (24.6 ft) with exceptions, see Subsection 10.2.4 Abutting Yard Requirements for additional requirements when abutting a General Residential (GR) Zone</p>
	<p><b>Front Setback</b></p> <p>Minimum 7.5 m (24.6 ft)</p>		<p><b>Lot Area</b></p> <p>Minimum 2,000.0 m<sup>2</sup> (0.49 acres)</p>
	<p><b>Side Setback</b></p> <p>Minimum 6.0 m (19.7 ft) with exceptions. See Subsection 10.2.4 Abutting Yard Requirements for additional requirements when abutting a General Residential (GR) Zone</p>		<p><b>Lot Frontage</b></p> <p>Minimum 30.0 m (98.4 ft)</p>
	<p><b>Flanking (Side) Setback</b></p> <p>Minimum 7.5 m (24.6 ft)</p>		<p><b>Lot Coverage</b></p> <p>Maximum 60%</p>
	<p><b>Flanking (Side) Setback</b></p> <p>Minimum 7.5 m (24.6 ft)</p>		<p><b>Impermeable Surface</b></p> <p>Maximum 60 %</p>

### 10.2.4 Abutting Yard Requirements

In addition to any applicable restrictions on signage, parking, and loading in an abutting yard found in Part 3: General Provisions, where a property in the Business Industrial (BI) Zone abuts an Urban Corridor (UC) or General Residential (GR) Zone, the abutting yard shall:

- a) shall be double the applicable yard requirement set out in Table 10.2 and consist entirely of undeveloped open space that is not occupied by any parking, loading area, driveway, accessory building, outdoor storage, or outdoor display; or



- b) be entirely landscaped with a combination of existing and new trees which are:
  - i) spaced in a staggered manner at intervals of 3.0 m (9.8 ft) on centre over the entire area;
  - ii) new trees shall be a minimum of 1.5 m (4.9 ft) high at the time of planting;
  - iii) be at least 75% coniferous trees that are indigenous to the region; or
- c) contain a earthen berm that is:
  - i) 2.0 m (6.6 ft) high and 7.0 m (23.0 ft) wide at the base; and
  - ii) landscaped with trees and bushes, planted at 6.0 m (19.7 ft) intervals, which are at least 1.0 m (3.3 ft) in height at the time of planting; or
- d) contain a fence that shall be erected along the abutting property line which:
  - i) forms an opaque visual barrier at least 1.75 m (5.7 ft) high; and
  - ii) has any structural members facing away from the abutting property.

### 10.2.5 Outdoor Storage and Display

Outdoor storage and display may be permitted in the Business Industrial (BI) Zone provided the outdoor storage and display:

- a) is accessory to a use permitted in the Business Industrial (BI) Zone;
- b) shares a lot with at least one structure with a floor area greater than 230 m<sup>2</sup> (2,476 ft<sup>2</sup>);
- c) is not located within a required yard;
- d) covers less than 75% of the lot;
- e) is not located within a front or flanking yard; and
- f) is not located in a required yard abutting a General Residential (GR), Downtown Neighbourhood (DN), or Urban Corridor (UC) Zone.

### 10.2.6 Building Height Limit

- a) See Figure 6.1 for a graphic intended to illustrate an application of the height limits prescribed in this subsection.
- b) No portion of any main building shall exceed a height of 11.0 m (36.1 ft) within:
  - i) 26.4 m (86.6 ft) of the Downtown Neighbourhood (DN) Zone; or
  - ii) 14.7 m (48.2 ft) of the General Residential (GR) Zone.
- c) No portion of any main building shall exceed a height of 13.2 m (43.3 ft) within:
  - i) 17.6 m (57.7 ft) of the Urban Corridor (UC) Zone; or
  - ii) 6.0 m (19.7 ft) of any public right of way.

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- d) The maximum height of any portion of a main building situated over 26.4 m (86.6 ft) from the Downtown Neighbourhood (DN) Zone, over 14.7 m (48.2 ft) from the General Residential (GR) Zone, over 17.6 m (57.7 ft) from the Urban Corridor (UC) Zone, and over 6.0 m (19.7 ft) from a public right-of-way shall be the lesser of:
  - i) 0.75 times the distance the building or portion thereof is from a property in the General Residential (GR) Zone; or
  - ii) 0.75 times the distance the building or portion thereof is from a property in the Urban Corridor (UC) Zone; or
  - iii) 0.50 times the distance the building or portion thereof is from a property in the Downtown Neighbourhood (DN) Zone; or
  - iv) 26.4 m (86.6 ft)
- e) Accessory buildings shall be subject to the height limits specified in Subsection 3.1.2 Accessory Buildings on page 1 of this By-law.

## 10.3 CONDITIONAL USES

### 10.3.1 Zone Requirements

Conditional uses in the Business Industrial (BI) Zone shall be permitted subject to the additional conditions set out in this Section, all applicable zone requirements found in Section 10.2 As-of-right Development and all other applicable requirements of this By-law.

### 10.3.2 Adult Entertainment

- a) No adult entertainment use, or related signage, shall be permitted within 100.0 m (328.1 ft) of a property containing a residential use, an education use, a bed & breakfast, a community institution, a daycare centre, a dormitory, a residential care facility, a funeral home, a religious institution, a park, a playground, a sports field/court, or an accommodations use.
- b) No development permit shall be issued for an adult entertainment use unless the use is located on a property that has frontage on a collector or arterial road as identified on the Street Classification Map found in Chapter 13 of the Municipal Planning Strategy.

### 10.3.3 Dormitory

- a) A dormitory may be permitted within a main building on a property in the Business Industrial (BI) Zone provided:
  - i) the primary use of the property and the main building is a non-residential use permitted in the Business Industrial (BI) Zone;
  - ii) the property meets the lot area and frontage requirements of the Business Industrial (BI) Zone;
  - iii) the floor area occupied by the dormitory does not exceed 20% of the total floor area of a main building; and
  - iv) the dormitory does not occupy the ground floor of any main building.



- b) A dormitory may be permitted within an accessory building on a property in the Business Industrial (BI) Zone provided:
  - i) any accessory building occupied by a dwelling unit may not be located in a front or flanking yard;
  - ii) any accessory building constructed or converted for a residential use must comply with all applicable lot coverage and maximum impermeable surface area limits for the Business Industrial (BI) Zone; and
  - iii) any accessory building constructed or converted for a residential use must comply with the requirements for accessory buildings set out in Subsection 3.1.2 Accessory Buildings.

### 10.3.4 Residential (up to 4 units)

- a) Up to two dwelling units may be permitted within a main building on a property in the Business Industrial (BI) Zone provided:
  - i) the primary use of the property and the main building is a non-residential use permitted in the Business Industrial (BI) Zone;
  - ii) the property meets the lot area and frontage requirements of the Business Industrial (BI) Zone;
  - iii) the floor area occupied by the residential use does not exceed 20% of the total floor area of a main building; and
  - iv) the residential use does not occupy the ground floor of any main building.
- b) Up to two dwelling units may be permitted within an accessory building on a property in the Business Industrial (BI) Zone provided:
  - i) the total number of dwelling units on any property, including any located within an accessory building, shall not exceed four units;
  - ii) only one accessory building may be occupied by a dwelling unit or units;
  - iii) any accessory building occupied by a dwelling unit may not be located in a front or flanking yard;
  - iv) any accessory building constructed or converted for a residential use must comply with all applicable lot coverage and maximum impermeable surface area limits for the Regional Service (RS) Zone; and
  - v) any accessory building constructed or converted for a residential use must comply with the requirements for accessory buildings set out in Subsection 3.1.2 Accessory Buildings.

## 10.4 USES BY SITE PLAN APPROVAL

### 10.4.1 Uses Permitted by Site Plan Approval

The following uses shall be permitted by site plan approval in the Urban Growth Area (UG) Zone subject to the site plan criteria outlined in subsection 10.4.2 Site Plan Criteria and all other applicable requirements of this By-law:

- a) Recycling and Material Recovery
- b) Waste Management and Remediation

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### 10.4.2 Site Plan Criteria

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

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

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LAND USE BY-LAW  
Business Industrial (BI) Zone

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# 11 | Future Growth Area (FG) Zone

## 11.1 PERMITTED USES

Table 11.1: Future Growth Area (FG) Zone Permitted Uses

AS-OF-RIGHT	CONDITIONAL USE	SITE PLAN APPROVAL	DEVELOPMENT AGREEMENT
Artisan Studio (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))			
Bed and Breakfast			
Community Garden			
Education Use			
Food Service (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))			
Home Day Care			
Office and Professional (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))			
Parks & Open Space			
Personal Services (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))			
Recreation Facility, Outdoor			
		Religious Institution	
		Residential Care Facility (up to 7 beds)	
		Residential Care Facility (8 to 74 beds)	
		Residential Care Facility (75 or more beds)	
		Residential (up to 2 units)	
		Residential (3 to 5 units)	
		Residential (3 to 50 units)	
		Residential (51 or more units)	
		Urban Agricultural Use	
		Utilities and Public Works	

## 11.2 AS-OF-RIGHT DEVELOPMENT

### 11.2.1 Future Growth Area (FG) Zone Requirements

As-of-right uses in the Future Growth Area (FG) Zone shall be permitted subject to the requirements set out in Table 11.2 in addition to all other applicable requirements of this By-law:

### 11.2.2 General Provisions Apply

Other applicable requirements for development in the Future Growth Area (FG) Zone, including parking and signage regulations, can be found in Part 3: General Provisions.

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Table 11.2: Future Growth Area (FG) Zone Requirements

	<p><b>Height</b></p> <p>Maximum of 11.0 m (36.1 ft) (some exceptions apply, see Subsection 11.2.4 Building Height Limit)</p>		<p><b>Lot Area</b></p> <p>Minimum 450.0 m<sup>2</sup> (4,844 ft<sup>2</sup>), or minimum 210.0 m<sup>2</sup> (2,261 ft<sup>2</sup>) per unit for a townhouse dwelling, or minimum 225.0 m<sup>2</sup> (2,422 ft<sup>2</sup>) per unit for a semi-detached dwelling, or minimum 150.0 m<sup>2</sup> (1,614.6 ft<sup>2</sup>) per unit for residential uses with 6 or more units.</p>
	<p><b>Front Setback</b></p> <p>Minimum 7.5 m (24.6 ft)</p>		<p><b>Lot Frontage</b></p> <p>Minimum 15.0 m (49 ft), or minimum 7.0 m (23.0 ft) per unit for a townhouse dwelling, or minimum 10.0 m (32.8 ft) per unit for a semi-detached dwelling, or minimum 25.0 m (82.0 ft) for residential uses with 6 or more units.</p>
	<p><b>Side Setback</b></p> <p>Minimum 2.5 m (8.2 ft), or 0.0 m (0.0 ft) for a common wall in a semi-detached or townhouse dwelling, or minimum 1/2 the height of the main building for residential uses with 6 or more units (see Subsection 11.2.3)</p>		<p><b>Lot Coverage</b></p> <p>Maximum 25%, or 40% for a townhouse or semi-detached dwelling.</p>
	<p><b>Flanking (Side) Setback</b></p> <p>Minimum 6.0 m (19.7 ft)</p>		<p><b>Impermeable Surface</b></p> <p>Maximum 25%, or 40% for a townhouse or semi-detached dwelling.</p>
	<p><b>Rear Setback</b></p> <p>Minimum 7.5 m (24.6 ft) or minimum 1/2 the height of the main building for residential uses with 6 or more units (see Subsection 11.2.3).</p>		

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### 11.2.3 Abutting Yard Requirements

Where a property in the Future Growth Area (UG) Zone abuts a General Residential (GR) Zone, the following requirements shall apply to any abutting yard within the FG Zone:

- a) the minimum setback requirement for an abutting yard shall be 2.5 m (8.2 ft) or one half the height of the main building, whichever is greater;
- b) no open storage or outdoor display shall be permitted within a required yard; and
- c) additional restrictions on signage, parking, and loading in an abutting yard can be found in Part 3: General Provisions.

### 11.2.4 Building Height Limit

- a) The maximum height of a multiple unit residential building in the Future Growth Area (FG) Zone may be 16.5 m (54.1 ft) provided:
  - i) the proposed structure is located over 22.0 m (72.2 ft) from any property in the General Residential (GR) Zone; and
  - ii) the proposed structure is not located within the General Residential Area as shown on the East End Future Growth Area Conceptual Plan and South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 .
- b) The maximum height of any portion of a main building situated within 60.0 m (196.9 ft) of Victoria Park shall be 0.5 times the distance the building or portion thereof is from the Park.

### 11.2.5 Parking

- a) Parking or driveways shall not be permitted to occupy more than 40% of the required front yard of any property in the Future Growth Area (FG) Zone except for a property developed as a freehold townhouse dwelling, in which case parking and driveways may occupy up to 50% of the required front yard.
- b) Where the cumulative parking requirement for all uses on any property in the Future Growth Area (FG) Zone is more than three parking spaces, the parking spaces must:
  - i) be situated in the rear or side yard unless the property is developed with townhouse dwelling units;
  - ii) not be visible from a public right-of-way or neighbouring residential use unless the parking has been screened from view by an opaque fence that is at least 1.5 m (4.9 ft) high or an evergreen hedge that will form a solid visual barrier at least 1.5 m (4.9 ft) high following one growing season; and
  - iii) be accessible via a driveway that is situated on the same property as the associated use and not shared by another property;

### 11.2.6 Mechanical Equipment

No mechanical equipment is permitted to be operated in the General Residential (GR) Zone except that which is reasonably consistent with a residential use.



### 11.2.7 Fencing

- a) Opaque privacy fencing is not permitted in a front or flanking yard.
- b) Fencing shall conform to all other requirements of this By-law.

### 11.2.8 Scale

- a) The average height of any main building shall vary by no more than 20% from the average height of other existing main buildings facing the same street and situated within 60 m (196.9 ft).
- b) The surface area of the front facing facade of any main building shall vary by no more than 30% from the average surface area of the front facing facades of other existing main buildings facing the same street and situated within 60 m (196.9 ft).
- c) The building footprint of any main building shall vary by no more than 30% from the average building footprint other existing main buildings facing the same street and situated within 60 m (196.9 ft).
- d) A structure containing freehold townhouse units shall be exempt from the facade area and building footprint limits specified in Clauses (b) and (c)

### 11.2.9 Corner Lot

Blank and featureless walls are not permitted on the flanking elevation of any main building situated on a corner lot (see Figure 11.3) and the flanking elevation shall:

- a) feature at least 10% windows and doors;

Figure 11.1: Scale



Figure 11.2: Blank Flanking Elevation not Permitted

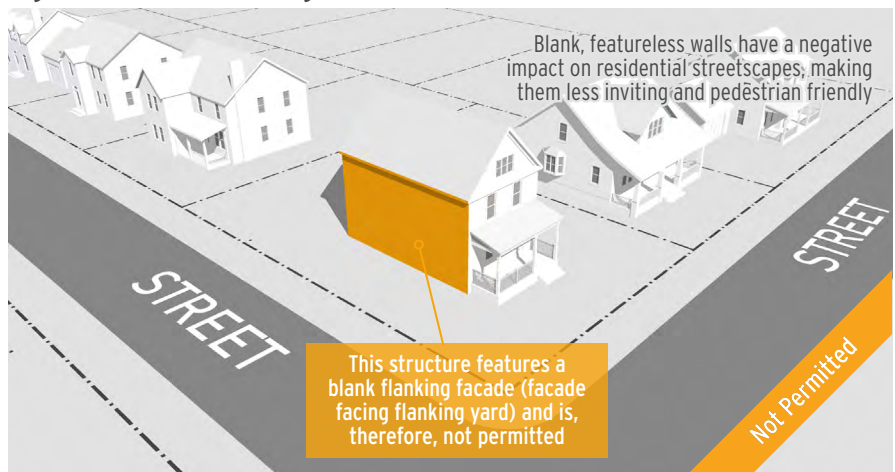
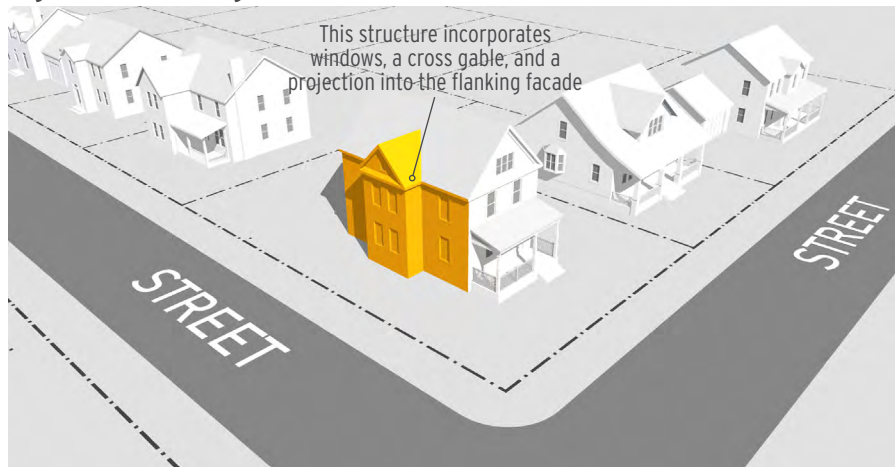


Figure 11.3: Flanking Elevation



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- b) not have a surface area that varies more than 20% from the average surface area of the front facing facades of other existing main buildings facing the flanking street and situated within 60 m (196.9 ft) unless the flanking elevation features a projecting bay, porch, verandah, or similar feature (see Figure 11.3).

## 11.3 CONDITIONAL USES

### 11.3.1 Zone Requirements

Conditional uses in the Future Growth Area (FG) Zone shall be permitted subject to the additional conditions set out in this Section, all applicable zone requirements found in Section “11.2 As-of-right Development” and all other applicable requirements of this By-law.

### 11.3.2 Future Growth Area (FG) Zone Conditional Uses

Except where otherwise permitted in this Chapter, all uses in the Future Growth Area (FG) Zone, excluding Parks and Open Spaces, Community Gardens, Urban Agricultural Uses, and Utilities and Public Works, are conditional uses, permitted only when the proposed use:

- a) complies with any special conditions applicable to the proposed use described in this Section; and
- b) conforms to, or does not preclude the implementation of, the East End Future Growth Area Conceptual Plan and South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively.

### 11.3.3 Artisan Studio (up to 100 m<sup>2</sup> (1,076 ft<sup>2</sup>))

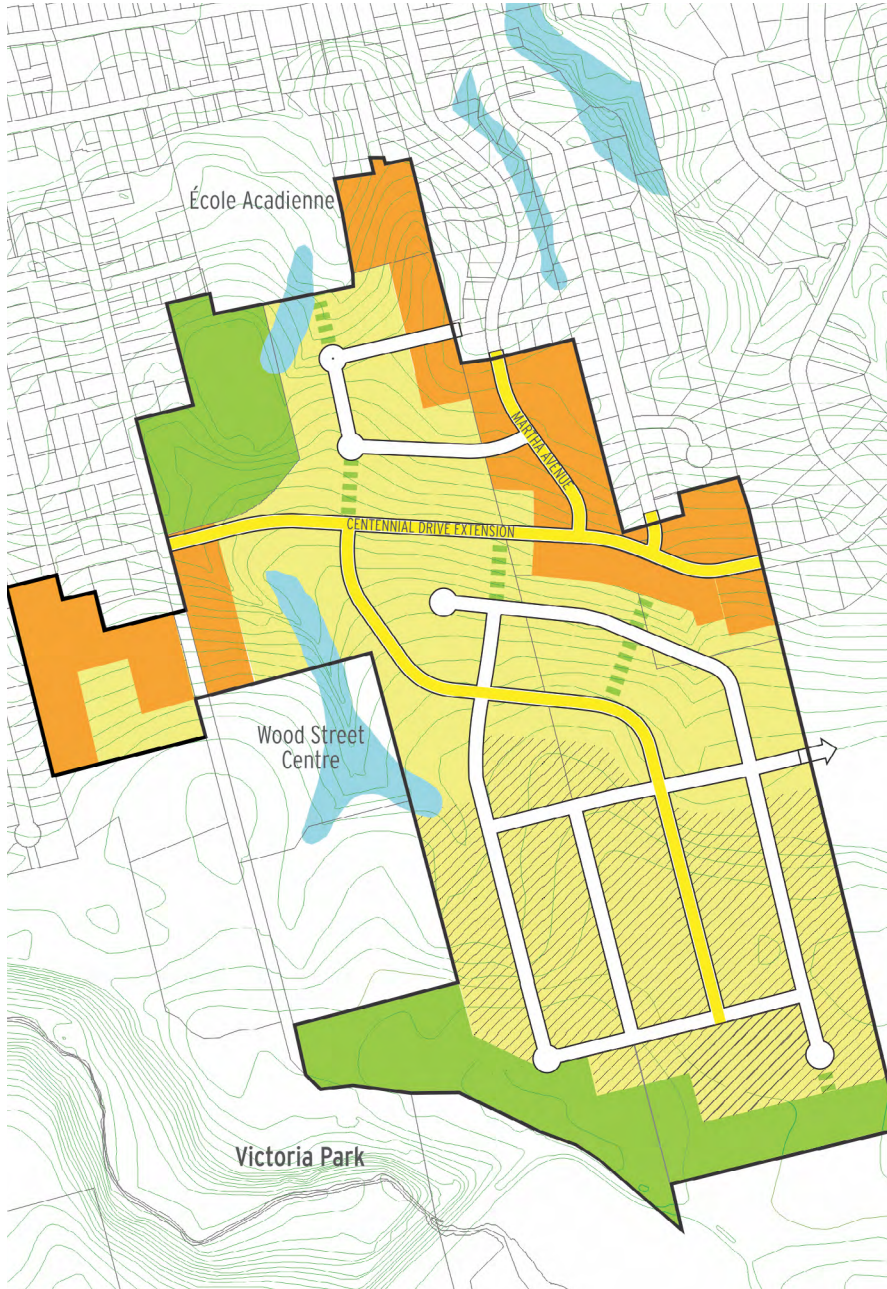
An Artisan Studio with a maximum floor area of 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) may be permitted in the Future Growth Area (FG) Zone provided the Artisan Studio:

- a) conforms to, or does not preclude the implementation of, the East End Future Growth Area Conceptual Plan and South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively;
- b) does not include any outdoor display or outdoor storage;
- c) is wholly enclosed within a structure;
- d) if located within a main building, shares a structure with one residential dwelling unit and occupies no more than 50 percent of the structure’s floor area above grade;
- e) if located in an accessory building, shares a structure with no more than one residential dwelling unit; and
- f) is the only non-residential use on the property.

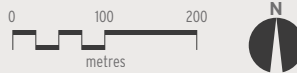
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Figure 11.4: East End Future Growth Area Conceptual Plan



East End Future Growth Area

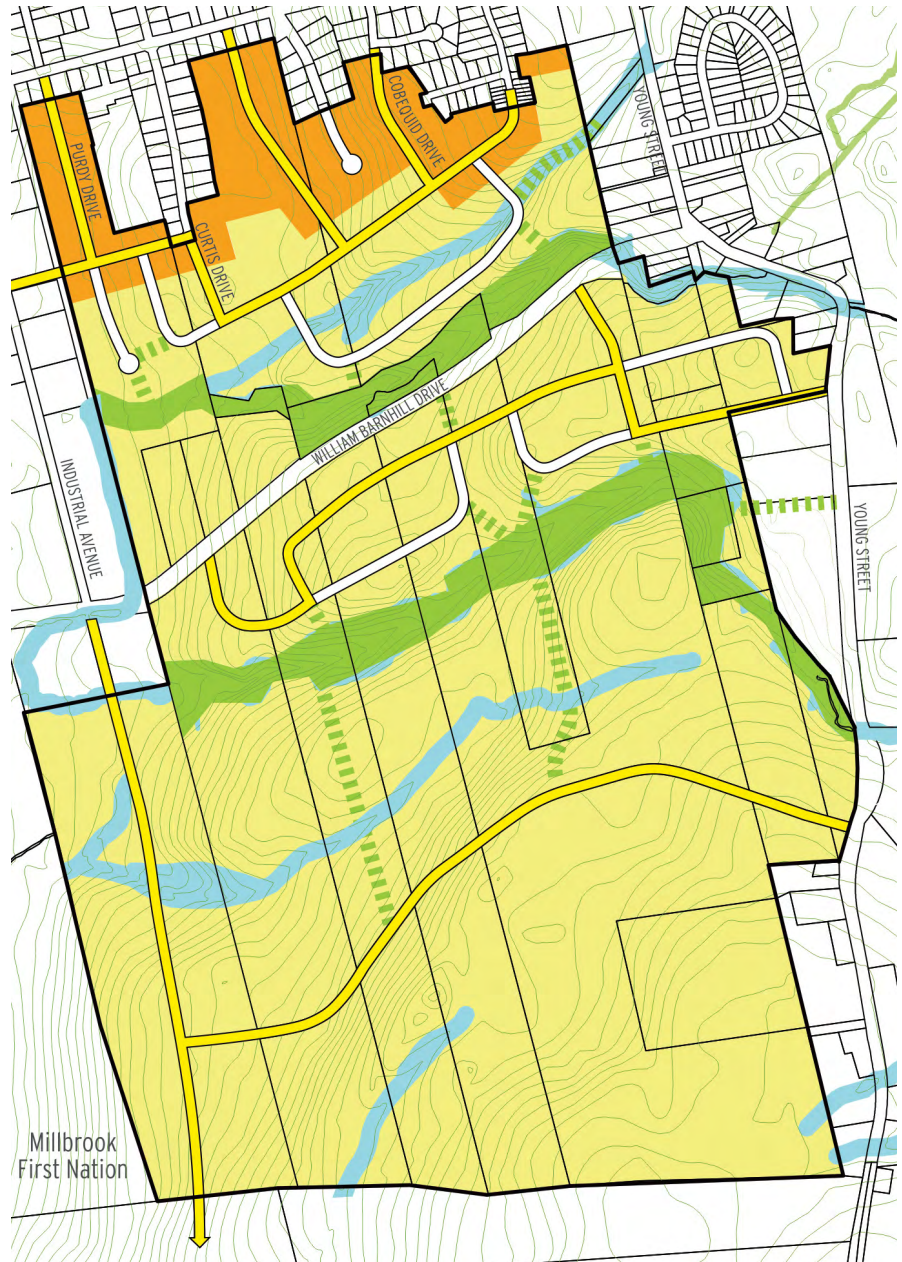


- AT Trail Connection
- Potential Street
- Required Street Connection
- Site Plan Approval Area
- Environmental Reserve
- Park/Open Space
- Future Growth Area
- General Residential Area
- Low Water Pressure Area

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Figure 11.5: South End Future Growth Area Conceptual Plan



South End Future Growth Area



- AT Trail Connection
- Potential Street
- Required Street Connection
- Site Plan Approval Area
- Environmental Reserve
- Park/Open Space
- Future Growth Area
- General Residential Area

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### 11.3.4 Office and Professional Uses (up to 100 m<sup>2</sup> (1,076 ft<sup>2</sup>))

An Office and Professional Use with a maximum floor area of 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) may be permitted in the Future Growth Area (FG) Zone provided the Office and Professional Use:

- a) conforms to, or does not preclude the implementation of, the East End Future Growth Area Conceptual Plan and South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively;
- b) does not include any outdoor display or outdoor storage;
- c) is wholly enclosed within a structure;
- d) if located within a main building, shares a structure with up to two residential dwelling units and occupies no more than 50 percent of the structure's floor area above grade;
- e) if located in an accessory building, shares a structure with no more than one residential dwelling unit; and
- f) is the only non-residential use on the property.

### 11.3.5 Food Service (up to 100 m<sup>2</sup> (1,076 ft<sup>2</sup>))

A Food Service Use with a maximum floor area of 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) may be permitted in the Future Growth Area (FG) Zone provided the Food Service Use:

- a) conforms to, or does not preclude the implementation of, the East End Future Growth Area Conceptual Plan and South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively;
- b) shares a main building with one residential dwelling unit and occupies no more than 50 percent of the structure's floor area above grade;
- c) is the only non-residential use on the property;
- d) does not include any outdoor display or outdoor storage; and
- e) is wholly enclosed within a structure.

### 11.3.6 Bed & Breakfast

A Bed & Breakfast may be permitted in the Future Growth Area (FG) Zone provided the Bed & Breakfast:

- a) conforms to, or does not preclude the implementation of, the East End Future Growth Area Conceptual Plan and South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively;
- b) operates within a single detached dwelling that is the only dwelling unit on the property;
- c) is the only non-residential use on the property; and
- d) contains a maximum of four guest rooms.

### 11.3.7 Personal Services (up to 100 m<sup>2</sup> (1,076 ft<sup>2</sup>))

A Personal Service Use with a maximum floor area of 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) may be permitted in the Future Growth Area (FG) Zone provided the Personal Service Use:

- a) conforms to, or does not preclude the implementation of, the East End Future Growth Area Conceptual Plan and South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively;
- b) does not include any outdoor display or outdoor storage;
- c) is wholly enclosed within a structure;
- d) if located within a main building, shares a structure with one residential dwelling unit and occupies no more than 50 percent of the structure's floor area above grade;
- e) if located in an accessory building, shares a structure with no more than one residential dwelling unit; and
- f) is the only non-residential use on the property.

### 11.3.8 Residential Care Facility (up to 7 beds)

A Residential Care Facility with a maximum of 7 beds (accommodations for up to 7 residents) may be permitted in the Future Growth Area (FG) Zone provided the Residential Care Facility:

- a) conforms to, or does not preclude the implementation of, the East End Future Growth Area Conceptual Plan and South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively;
- b) is located at least 200.0 m (656.2 ft) from another Residential Care Facility; and
- c) has a minimum of 150.0 m<sup>2</sup> (1,614.6 ft<sup>2</sup>), or 18.0 m<sup>2</sup> (193.8 ft<sup>2</sup>) per resident, whichever is greater, of outdoor amenity space available to for use by clients of the Residential Care Facility located in a side or rear yard; and
- d) operates within a single detached dwelling that is the only dwelling unit on the property; or
- e) shares a structure with up to one additional dwelling unit that:
  - i) is operated in conjunction with the Residential Care Facility; and
  - ii) contains a maximum of two bedrooms.

### 11.3.9 Residential (1-2 units)

A property in the Future Growth Area (FG) Zone may contain a two dwelling unit provided:

- a) no more than 60% of dwelling units within 50 m (164.0 ft) of the property, excluding dwelling units not located in the Future Growth (FG) Zone, are semi-detached or two-unit dwellings; and
- b) the use conforms to, or does not preclude the implementation of, the East End Future Growth Area Conceptual Plan and South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively.

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### 11.3.10 Residential (3 to 5 units)

- a) A property in the Future Growth Area (FG) Zone may contain up to three dwelling units provided:
- i) no more than 75% of dwelling units within 50 m (164.0 ft) of the property are within structures containing 3 to 5 dwelling units;
  - ii) there are no more than two dwelling units in any main building;
  - iii) there is no more than one dwelling unit in an accessory building;
  - iv) there is no more than one dwelling unit permitted on any property containing a freehold townhouse dwelling unit or a semi-detached dwelling unit;
  - v) the property meets the minimum frontage and lot area requirements for the Future Growth Area (FG) Zone; and
  - vi) the use conforms to, or does not preclude the implementation of, the East End Future Growth Area Conceptual Plan and South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively.
- b) A townhouse structure with up to five dwelling units on a property, or a freehold townhouse structure with up to five dwelling units (each on its own property), may be permitted in the Future Growth Area (FG) Zone provided:
- i) no more than 75% of dwelling units within 50 m (164.0 ft) of the property are within structures containing 3 to 5 dwelling units;
  - ii) all dwelling units are located within one structure;
  - iii) none of the dwelling units are located in an accessory building;
  - iv) the property meets the minimum frontage and lot area requirements for townhouse units the Future Growth Area (FG) Zone;
  - v) each townhouse unit features an independent street facing entrance; and
  - vi) the use conforms to, or does not preclude the implementation of, the East End Future Growth Area Conceptual Plan and South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively.
- c) An accessory building in the Future Growth Area (FG) Zone may contain one dwelling unit subject to the following requirements:
- i) the total number of dwelling units on any property, including any located within an accessory building, shall not exceed three units;
  - ii) only one accessory building may be occupied by a dwelling unit;
  - iii) any accessory building occupied by a dwelling unit may not be located in a front or flanking yard;
  - iv) any accessory building constructed or converted for a residential use must comply with all applicable lot coverage and maximum impermeable surface area limits for the Future Growth Area (FG) Zone;
  - v) any accessory building constructed or converted for a residential use must comply with the requirements for accessory buildings set out in Subsection 3.1.2 on page 1 of this By-law; and
  - vi) the use conforms to, or does not preclude the implementation of, the East End Future Growth Area Conceptual Plan and South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively.



## 11.4 USES BY SITE PLAN APPROVAL

### 11.4.1 Uses Exempt from Site Plan Approval

All permitted uses in the Future Growth Area (FG) Zone, excluding Education Uses, Residential Care Facilities (with 8 or more beds), and Multiple-Unit Residential Uses are exempt from Site Plan Approval provided the use conforms to, or does not preclude the implementation of, the East End Future Growth Area Conceptual Plan and South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively.

### 11.4.2 Uses Permitted by Site Plan Approval

- a) Except where otherwise prohibited by clause (b), the following uses shall be permitted by site plan approval in the Future Growth Area (FG) Zone subject to the site plan criteria outlined in subsection “11.4.3 Site Plan Criteria” and all other applicable requirements of this By-law:
  - i) Educational Uses
  - ii) Residential Care Facilities (8 to 74 beds)
  - iii) Multiple-Unit Residential (3 to 50 units)
- b) The following are not be eligible for site plan approval:
  - i) a multiple-unit residential development with between 3 and 50 dwelling units where less than 40% of dwelling units within 60 m (164.0 ft) of the proposed multiple unit residential structure are single detached, semi-detached, two-unit, or townhouse dwelling units.
  - ii) a multiple-unit residential development with between 3 and 50 dwelling units or a Residential Care Facility with between 8 to 74 beds located within a ‘General Residential Area’ as identified on the East End Future Growth Area Conceptual Plan or South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively.
  - iii) any development that does not conform to, or precludes the implementation of, the East End Future Growth Area Conceptual Plan or South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively.

### 11.4.3 Site Plan Criteria

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

- a) The location of new structures (or an addition to an existing structure) on the lot shall minimize negative impacts on the surrounding neighbourhood, including noise, dust, fumes, lighting, shadows, or other nuisance or inconvenience to occupants of nearby residences;
- b) The location of off-street parking and loading facilities shall minimize negative impacts on the surrounding neighbourhood, including traffic, noise, dust, fumes, lighting, or other nuisance or inconvenience to occupants of nearby residences;



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

## 11.5 USES BY DEVELOPMENT AGREEMENT

### 11.5.1 FG Zone Uses Permitted by Development Agreement

The following uses shall be considered only by development agreement in the Future Growth (FG) Zone:

- a) Residential Care Facility (75 or more beds) provided the use is not located within a 'General Residential Area' as identified on the East End Future Growth Area Conceptual Plan or South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively;
- b) Multiple-Unit Residential Use with 51 or more dwelling units provided the use is not located within a 'General Residential Area' as identified on the East End Future Growth Area Conceptual Plan or South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively;

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- c) General Residential (GR) Zone uses that do not conform to, or that preclude the implementation of, the East End Future Growth Area Conceptual Plan or South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively;
- d) Future Growth (FG) Zone uses that do not conform to, or that preclude the implementation of, the East End Future Growth Area Conceptual Plan or South End Future Growth Area Conceptual Plan shown in Figures 11.4 and 11.5 respectively, provided that the use is located within the Future Growth Area as identified on the Future Growth Area Conceptual Plans; and
- e) Educational Uses, Residential Care Facilities (8 to 74 beds), and Residential Uses (6 to 50 units) that are not eligible for site plan approval.

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LAND USE BY-LAW  
Future Growth (FG) Zone

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# 12 | Rural Residential (RR) Zone

## 12.1 PERMITTED USES

Table 12.1: Rural Residential (RR) Zone Permitted Uses

 AS-OF-RIGHT	 CONDITIONAL USE	 SITE PLAN APPROVAL	 DEVELOPMENT AGREEMENT
Agricultural Uses		Home Day Care	
Animal Hospital		Kennel	
Animal Shelter		Office and Professional (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))	
Artisan Studio (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))		Parks & Open Space	
Bed and Breakfast		Personal Services (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))	
Cemetery		Recreation Facility, Outdoor	
Community Garden		Religious Institution	
Day Care Centre		Residential Care Facility (up to 7 beds)	
Food Service (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))		Residential (up to 2 units)	
Greenhouse, Nursery, and Floriculture		Utilities and Public Works	
Golf Course			

## 12.2 AS-OF-RIGHT DEVELOPMENT

### 12.2.1 Rural Residential (RR) Zone Requirements

As-of-right uses in the Rural Residential (RR) Zone shall be permitted subject to the requirements set out in Table 12.2 in addition to all other applicable requirements of this By-law:

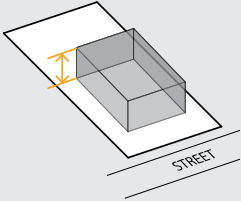
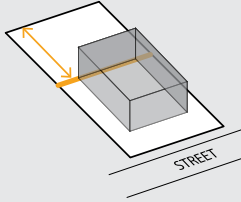
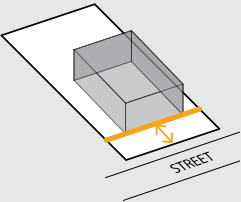
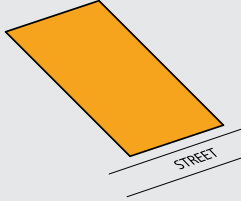
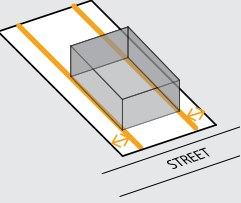
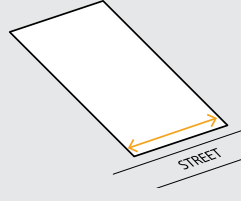
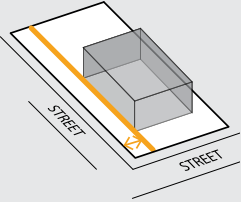
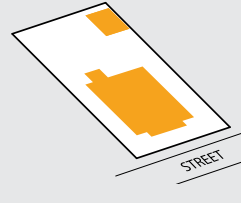
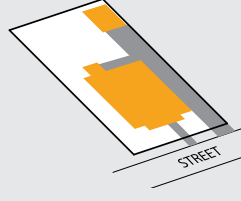
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### 12.2.2 General Provisions Apply

Other applicable requirements for development in the Rural Residential (RR) Zone, including parking and signage regulations, can be found in Part 3: General Provisions.

**Table 12.2: Rural Residential (RR) Zone Requirements**

 <p><b>Height</b> Maximum of 11.0 m (36.1 ft)</p>	 <p><b>Rear Setback</b> Minimum 10.0 m (32.8 ft)</p>
 <p><b>Front Setback</b> Minimum 10.0 m (32.8 ft)</p>	 <p><b>Lot Area</b> 9,000.0 m<sup>2</sup> (2.22 acres), requires approval by Nova Scotia Environment and Climate Change for an on-site sewage disposal system</p>
 <p><b>Side Setback</b> Minimum 7.5 m (24.6 ft)</p>	 <p><b>Lot Frontage</b> Minimum 30.0 m (98.4 ft)</p>
 <p><b>Flanking (Side) Setback</b> Minimum 10.0 m (32.8 ft)</p>	 <p><b>Lot Coverage</b> Maximum 20%</p>
	 <p><b>Impermeable Surface</b> Maximum 25 %</p>

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## 12.3 CONDITIONAL USES

### 12.3.1 Zone Requirements

Conditional uses in the Rural Residential (RR) Zone shall be permitted subject to the additional conditions set out in this Section, all applicable zone requirements found in Section “12.2 As-of-right Development” and all other applicable requirements of this By-law.

### 12.3.2 Residential Care Facility (up to 7 beds)

A Residential Care Facility with a maximum of 7 beds (accommodations for up to 7 residents) may be permitted in the Rural Residential (RR) Zone provided the Residential Care Facility:

- a) is located at least 200.0 m (656.2 ft) from another Residential Care Facility; and
- b) has a minimum of 150.0 m<sup>2</sup> (1,614.6 ft<sup>2</sup>), or 18.0 m<sup>2</sup> (193.8 ft<sup>2</sup>) per resident, whichever is greater, of outdoor amenity space available to for use by clients of the Residential Care Facility located in a side or rear yard; and
- c) operates within a single detached dwelling that is the only dwelling unit on the property; or
- d) shares a structure with up to one additional dwelling unit that:
  - i) is operated in conjunction with the Residential Care Facility; and
  - ii) contains a maximum of two bedrooms.

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LAND USE BY-LAW  
Rural Residential (RR) Zone

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# WR 13 | Watershed Residential (WR) Zone

## 13.1 PERMITTED USES

Table 13.1: Watershed Residential (WR) Zone Permitted Uses

AS-OF-RIGHT	CONDITIONAL USE	SITE PLAN APPROVAL	DEVELOPMENT AGREEMENT
Agricultural Uses			
Artisan Studio (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))			
Bed and Breakfast			
Home Day Care			
Kennel			
Office and Professional (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))			
Parks and Open Space			
		Recreation Facility, Outdoor	
		Personal Services (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))	
		Religious Institution	
		Residential Care Facility (up to 7 beds)	
		Residential (up to 1 unit)	
		Utilities and Public Works	

## 13.2 AS-OF-RIGHT DEVELOPMENT

### 13.2.1 Watershed Residential (WR) Zone Requirements

As-of-right uses in the Watershed Residential (WR) Zone shall be permitted subject to the requirements set out in Table 13.2 in addition to all other applicable requirements of this By-law:

### 13.2.2 General Provisions Apply

Other applicable requirements for development in the Watershed Residential (WR) Zone, including parking and signage regulations, can be found in Part 3: General Provisions.

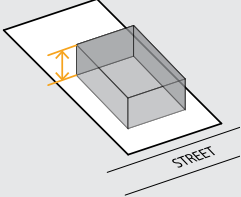
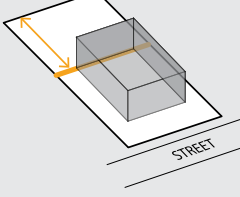
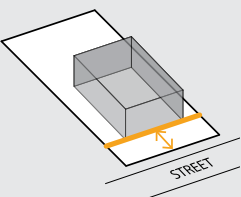
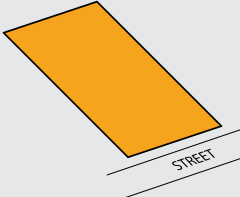
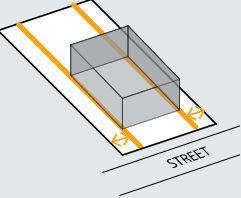
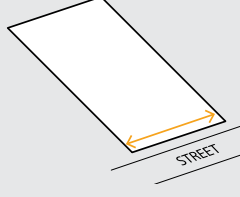
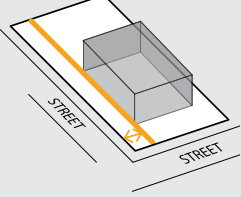
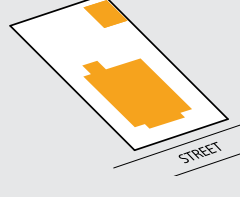
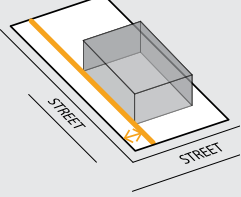

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### 13.2.3 Lots Fronting on Harmony Road or Camden Road

A development permit shall not be issued for a residential use in the Watershed Residential (WR) Zone unless the use is located on a lot which has frontage on Harmony Road or Camden Road.

**Table 13.2: Watershed Residential (WR) Zone Requirements**

 <p><b>Height</b> Maximum of 11.0 m (36.1 ft)</p>	 <p><b>Rear Setback</b> Minimum 23.0 m (75.5 ft)</p>
 <p><b>Front Setback</b> Minimum 15.0 m (49.2 ft)</p>	 <p><b>Lot Area</b> 9,000.0 m<sup>2</sup> (2.22 acres), requires approval by Nova Scotia Environment and Climate Change for an on-site sewage disposal system</p>
 <p><b>Side Setback</b> Minimum 9.0 m (29.5 ft)</p>	 <p><b>Lot Frontage</b> Minimum 46.0 m (150.9 ft)</p>
 <p><b>Flanking (Side) Setback</b> Minimum 15.0 m (49.2 ft)</p>	 <p><b>Lot Coverage</b> Maximum 20 %</p>
 <p><b>Flanking (Side) Setback</b> Minimum 15.0 m (49.2 ft)</p>	 <p><b>Impermeable Surface</b> Maximum 20 %</p>

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## 13.3 CONDITIONAL USES

### 13.3.1 Zone Requirements

Conditional uses in the Watershed Residential (WR) Zone shall be permitted subject to the additional conditions set out in this Section, all applicable zone requirements found in Section “13.2 As-of-right Development” and all other applicable requirements of this By-law.

### 13.3.2 Agricultural Uses

- a) An agricultural use may be permitted in the Watershed Residential (WR) Zone provided the agricultural use was in existence at the time this by-law was adopted.
- b) An existing agricultural use may in the Watershed Residential (WR) Zone may not be expanded.

### 13.3.3 Residential Care Facility (up to 7 beds)

A Residential Care Facility with a maximum of 7 beds (accommodations for up to 7 residents) may be permitted in the Watershed Residential (WR) Zone provided the Residential Care Facility:

- a) is located at least 200.0 m (656.2 ft) from another Residential Care Facility; and
- b) has a minimum of 150.0 m<sup>2</sup> (1,614.6 ft<sup>2</sup>), or 18.0 m<sup>2</sup> (193.8 ft<sup>2</sup>) per resident, whichever is greater, of outdoor amenity space available to for use by clients of the Residential Care Facility located in a side or rear yard; and
- c) operates within a single detached dwelling that is the only dwelling unit on the property; or
- d) shares a structure with up to one additional dwelling unit that:
  - i) is operated in conjunction with the Residential Care Facility; and
  - ii) contains a maximum of two bedrooms.

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LAND USE BY-LAW  
Watershed Residential (WR) Zone

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## 14.1 PERMITTED USES

Table 14.1: Parks & Open Space (PO) Zone Permitted Uses

AS-OF-RIGHT	CONDITIONAL USE	SITE PLAN APPROVAL	DEVELOPMENT AGREEMENT
Cemetery			Governmental Use
Community Institution			Parks & Open Space
Community Garden			Recreation Facility, Indoor
Food Service (up to 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ))			Recreation Facility, Outdoor

## 14.2 AS-OF-RIGHT DEVELOPMENT

### 14.2.1 Parks & Open Space (PO) Zone Requirements

As-of-right uses in the Parks & Open Space (PO) Zone shall be permitted subject to the requirements set out in Table 14.2 in addition to all other applicable requirements of this By-law:

### 14.2.2 General Provisions Apply

Other applicable requirements for development in the Parks & Open Space (PO) Zone, including parking and signage regulations, can be found in Part 3: General Provisions.

## 14.3 CONDITIONAL USES

### 14.3.1 Zone Requirements

Conditional uses in the Parks & Open Space (PO) Zone shall be permitted subject to the additional conditions set out in this Section, all applicable zone requirements found in Section "14.2 As-of-right Development" and all other applicable requirements of this By-law.



### 14.3.2 Food Service (up to 100 m<sup>2</sup> (1,076 ft<sup>2</sup>))

A food service use with a floor area of less than 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) may be permitted on a property in the Parks & Open Space (PO) Zone provided the food service use is ancillary to a Parks and Open Space (PO) Zone use that is the primary use of the property.

**Table 14.2: Parks & Open Space (PO) Zone Requirements**

	<p><b>Height</b> Maximum 11.0 m (36.1 ft)</p>		<p><b>Rear Setback</b> Minimum 9.0 m (29.5 ft)</p>
	<p><b>Front Setback</b> Minimum 6.0 m (19.7 ft)</p>		<p><b>Lot Area</b> No Minimum</p>
	<p><b>Side Setback</b> Minimum 6.0 m (19.7 ft)</p>		<p><b>Lot Frontage</b> Minimum 6.0 m (19.7 ft)</p>
	<p><b>Flanking (Side) Setback</b> Minimum 6.0 m (19.7 ft)</p>		<p><b>Lot Coverage</b> Maximum 30%</p>
	<p><b>Impermeable Surface</b> Maximum 35 %</p>		

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# 15 | Commercial Recreation Zone

## 15.1 PERMITTED USES

Table 15.1: Commercial Recreation (CR) Zone Permitted Uses

 AS-OF-RIGHT	 CONDITIONAL USE	 SITE PLAN APPROVAL	 DEVELOPMENT AGREEMENT
Accommodations		Recreation Facility, Commercial	
Amusement Park		Recreation Facility, Indoor	
Campground		Recreation Facility, Outdoor	
Golf Course		Restaurant (up to 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))	 
Governmental Use		Restaurant (over 120 m <sup>2</sup> (1,292 ft <sup>2</sup> ))	
Microbrewery and Microdistillery		Retail Store	
Parks and Open Space		Stadia and Auditoria	
Personal Services		Utilities and Public Works	

## 15.2 AS-OF-RIGHT DEVELOPMENT

### 15.2.1 Commercial Recreation (CR) Zone Requirements

As-of-right uses in the Commercial Recreation (CR) Zone shall be permitted subject to the requirements set out in Table 6.2 in addition to all other applicable requirements of this By-law:

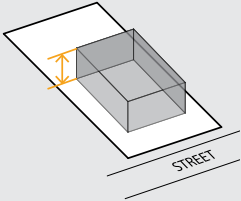
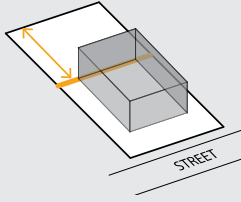
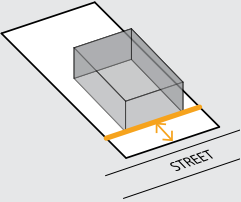
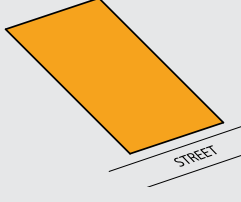
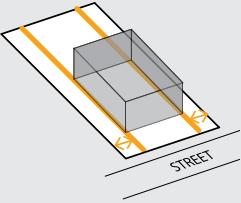
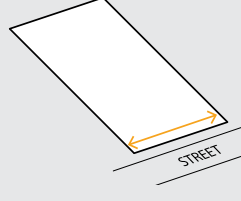
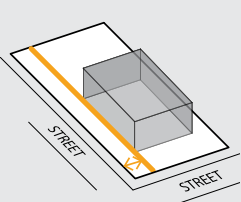


### 15.2.2 General Provisions Apply

Other applicable requirements for development in the Commercial Recreation (CR) Zone, including parking and signage regulations, can be found in Part 3: General Provisions.

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Table 15.2: Commercial Recreation (CR) Zone Requirements

 <p><b>Height</b> Maximum of 11.0 m (36.1 ft)</p>	 <p><b>Rear Setback</b> Minimum 9.0 m (29.5 ft) (some exceptions apply, see Subsection "15.2.3 Abutting Yard Requirements")</p>
 <p><b>Front Setback</b> Minimum 6.0 m (19.7 ft)</p>	 <p><b>Lot Area</b> Minimum 450.0 m<sup>2</sup> (4,844 ft<sup>2</sup>)</p>
 <p><b>Side Setback</b> Minimum 6.0 m (19.7 ft) (some exceptions apply, see Subsection "15.2.3 Abutting Yard Requirements")</p>	 <p><b>Lot Frontage</b> Minimum 15.0 m (49.2 ft)</p>
 <p><b>Flanking (Side) Setback</b> Minimum 6.0 m (19.7 ft)</p>	 <p><b>Lot Coverage</b> Maximum 25%</p>
	 <p><b>Impermeable Surface</b> Maximum 35 %</p>

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### 15.2.3 Abutting Yard Requirements

Where a property in the Commercial Recreation (CR) abuts a Urban Corridor (UC), or General Residential (GR) Zone, the following requirements shall apply to any abutting yard within the CR Zone:

- a) the minimum setback requirement for an abutting yard shall be 6.0 m (20 ft);
- b) no open storage or outdoor display shall be permitted within a required yard; and
- c) additional restrictions on signage, parking, and loading in an abutting yard can be found in Part 3: General Provisions.

### 15.2.4 Yard abutting Railway

Where a property in a the Commercial Recreation (CR) Zone abuts a right-of-way for an existing railway line, setback requirements do not apply to any yard which directly abuts the railway right-of-way.

## 15.3 CONDITIONAL USES

### 15.3.1 Zone Requirements

Conditional uses in the Commercial Recreation (CR) Zone shall be permitted subject to the additional conditions set out in this Section, all applicable zone requirements found in Section “15.2 As-of-right Development” and all other applicable requirements of this By-law.

### 15.3.2 Microbrewery and Microdistillery

A Microbrewery or Microdistillery use may be permitted on a property in the Commercial Recreation (CR) Zone provided:

- a) the Microbrewery or Microdistillery is situated over 60.0 m (196.9 ft) from any General Residential (GR) or Urban Corridor (UC) Zone; and
- b) the Microbrewery or Microdistillery is operated in conjunction with, or accessory to a Recreation Facility, Accommodation, Campground, or Personal Service Use that is permitted in the Urban Corridor (UC) Zone.

### 15.3.3 Restaurant (up to 120 m<sup>2</sup> (1,292 ft<sup>2</sup>))

A development permit may be issued for a Restaurant on a property in the Commercial Recreation (CR) Zone provided:

- a) the Restaurant is situated over 60.0 m (196.9 ft) from any General Residential (GR) or Urban Corridor (UC) Zone;
- b) the gross floor area of the Restaurant does not exceed 120 m<sup>2</sup> (1,292 ft<sup>2</sup>); and
- c) the Restaurant is operated in conjunction with, or accessory to a Recreation Facility, Accommodation, Campground, or Personal Service Use that is permitted in the Urban Corridor (UC) Zone.

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### 15.3.4 Retail Store

A development permit may be issued for a Retail Store on a property in the Commercial Recreation (CR) Zone provided:

- a) the Retail Store is situated over 60.0 m (196.9 ft) from any General Residential (GR) or Urban Corridor (UC) Zone; and
- b) the Retail Store is operated in conjunction with, or accessory to a Recreation Facility, Accommodation, Campground, or Personal Service Use that is permitted in the Urban Corridor (UC) Zone, or
- c) the Retail Store provides equipment or services ancillary to an active recreation use taking place in a park or recreation facility located on an adjacent property, or on a property within 200.0 m (656.2 ft).

## 15.4 USES BY SITE PLAN APPROVAL

### 15.5 Uses Permitted by Site Plan Approval

The following uses shall be permitted by site plan approval in the Urban Growth Area (UG) Zone subject to the site plan criteria outlined in subsection “15.5.1 Site Plan Criteria” and all other applicable requirements of this By-law:

- a) Restaurant (under 120 m<sup>2</sup> (1,292 ft<sup>2</sup>)) that is operated in conjunction with, or accessory to a Recreation Facility, Accommodation, Campground, or Personal Service Use that is permitted in the Urban Corridor (UC) Zone.
- b) Restaurant (over 120 m<sup>2</sup> (1,292 ft<sup>2</sup>)).

#### 15.5.1 Site Plan Criteria

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

- a) The location of new structures (or an addition to an existing structure) on the lot shall minimize negative impacts on the surrounding neighbourhood, including noise, dust, fumes, lighting, shadows, or other nuisance or inconvenience to occupants of nearby residences;
- b) The location of off-street parking and loading facilities shall minimize negative impacts on the surrounding neighbourhood, including traffic, noise, dust, fumes, lighting, or other nuisance or inconvenience to occupants of nearby residences;
- c) The location, number and width of points of access are designed to prevent traffic, noise, dust, fumes, congestion, or other nuisance and inconvenience in the area and minimize negative impacts to occupants of nearby residences;

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- d) The type, location, and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements, or a combination thereof, which is necessary to protect and minimize negative land use impacts on the surrounding neighbourhood and adjacent streetscapes;
- e) Existing vegetation shall be retained where the vegetation is healthy and helps to minimize negative impacts on the surrounding neighbourhood and adjacent streetscapes;
- f) The location of pedestrian walkways, and/or related infrastructure, shall be provided to link public sidewalks and parking areas to entrances of all primary buildings;
- g) The type and location of outdoor lighting is designed to light the structure, driveways and pedestrian infrastructure, but shall not be directed onto neighbouring properties or public streets;
- h) The location of facilities for the storage of solid waste provides for maximum separation from residential development and public areas;
- i) The development does not violate any easement agreement in place on the subject lands;
- j) The grading or alteration in elevation or contour of the land shall minimize undue erosion and/or sedimentation, and other negative impacts on neighbouring properties or public streets;
- k) The management of storm and surface water is addressed, and associated plans are approved by the Town Engineer; and
- l) The type, location number and size of signs or sign structures do not negatively alter the appearance of the streetscape or neighbourhood.

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LAND USE BY-LAW  
Commercial Recreation (CR) Zone

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# 16 | Environmental Reserve Zone

## 16.1 PERMITTED USES

Table 16.1: Environmental Reserve (ER) Zone Permitted Uses

AS-OF-RIGHT	CONDITIONAL USE	SITE PLAN APPROVAL	DEVELOPMENT AGREEMENT
Governmental Use		Recreation Facility, Outdoor	
Parks and Playgrounds		Utilities and Public Works	

## 16.2 AS-OF-RIGHT DEVELOPMENT

### 16.2.1 Environmental Reserve (ER) Zone Requirements

As-of-right uses in the Environmental Reserve (ER) Zone shall be permitted subject to the requirements set out in Table 16.2 in addition to all other applicable requirements of this By-law:

### 16.2.2 General Provisions Apply

Other applicable requirements for development in the Environmental Reserve (ER) Zone, including parking and signage regulations, can be found in Part 3: General Provisions.

### 16.2.3 Permanent Structures

No development permit shall be issued in the Environmental Reserve (ER) Zone for the construction of any permanent structure except those associated with Utilities and Public Works constructed by the Town of Truro.

### 16.2.4 Development Permitted

A development permit may be issued for a development in the Environmental Reserve (ER) Zone provided:

- a) the site of the proposed development is located immediately adjacent to another zone where the proposed use would be permitted;

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- b) the development complies with all applicable zoning requirements for the adjacent property where the proposed use would be permitted;
- c) that, if required by the Development Officer, a geotechnical study completed by a qualified professional confirm that the site is safe for development and will have no negative impact on any nearby watercourse; and

**Table 16.2: Environmental Reserve (ER) Zone Requirements**

	<p><b>Height</b> Maximum of 11.0 m (36.1 ft)</p>		<p><b>Rear Setback</b> Minimum 9.0 m (29.5 ft)</p>
	<p><b>Front Setback</b> Minimum 9.0 m (29.5 ft)</p>		<p><b>Lot Area</b> No minimum</p>
	<p><b>Side Setback</b> Minimum 9.0 m (29.5 ft)</p>		<p><b>Lot Frontage</b> Minimum 6.0 m (19.7 ft)</p>
	<p><b>Flanking (Side) Setback</b> Minimum 9.0 m (29.5 ft)</p>		<p><b>Lot Coverage</b> Maximum 10%</p>
			<p><b>Impermeable Surface</b> Maximum 10 %</p>

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- d) the Development Officer is satisfied that the portion of the property to be developed:
  - i) is not within 15.0 m (49.2 ft) of the centreline of a watercourse;
  - ii) does not have a slope in excess of 30%; and
  - iii) is not a wetland.

## 16.3 CONDITIONAL USES

### 16.3.1 Zone Requirements

Conditional uses in the Environmental Reserve (ER) Zone shall be permitted subject to the additional conditions set out in this Section, all applicable zone requirements found in Section “16.2 As-of-right Development” and all other applicable requirements of this By-law.

### 16.3.2 Parks and Playgrounds

A Park or a Playground may be permitted on a property in the Environmental Reserve (ER) Zone subject to the following requirements:

- a) the Development Officer is satisfied that the proposed use will not involve any alteration of topography; and
- b) the Development Officer is satisfied that the site is suitable for development; or
- c) the Development Officer is satisfied that the portion of the property to be developed:
  - i) is not within 15.0 m (49.2 ft) of the centreline of a watercourse;
  - ii) does not have a slope in excess of 30%; and
  - iii) is not a wetland.

### 16.3.3 Recreation Facility, Outdoor

An Outdoor Recreation Facility may be permitted on a property in the Environmental Reserve (ER) Zone subject to the following requirements:

- a) the facility is to be developed, owned, and operated by the Town of Truro;
- b) the Development Officer is satisfied that the proposed use will not involve any alteration of topography; and
- c) the Development Officer is satisfied that the site is suitable for development; or
- d) the Development Officer is satisfied that the portion of the property to be developed:
  - i) is not within 15.0 m (49.2 ft) of the centreline of a watercourse;
  - ii) does not have a slope in excess of 30%; and
  - iii) is not a wetland.

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**LAND USE BY-LAW**  
Environmental Reserve (ER) Zone

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# 17 | Flood Plain Zone

## 17.1 PERMITTED USES

Table 17.1: Flood Plain (FP) Zone Permitted Uses

 AS-OF-RIGHT	 CONDITIONAL USE	 SITE PLAN APPROVAL	 DEVELOPMENT AGREEMENT
Agricultural Use 		Parking Lot 	
Community Garden 		Parks and Playgrounds 	
Golf Course 		Recreation Facility, Outdoor 	
Governmental Use 		Utilities and Public Works 	

## 17.2 AS-OF-RIGHT DEVELOPMENT

### 17.2.1 Flood Plain (FP) Zone Requirements

As-of-right uses in the Flood Plain (FP) Zone shall be permitted subject to the requirements set out in Table 17.2 in addition to all other applicable requirements of this By-law:

### 17.2.2 General Provisions Apply

Other applicable requirements for development in the Flood Plain (FP) Zone, including parking and signage regulations, can be found in Part 3: General Provisions.

### 17.2.3 Permitted Structures

No development permit shall be issued for a structure or building in the Flood Plain (FP) Zone except for the following:

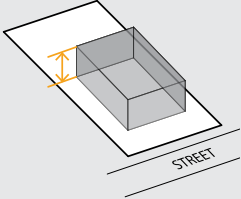
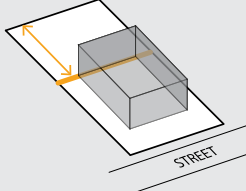
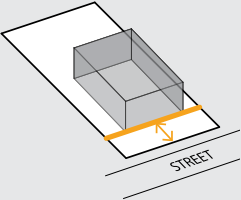
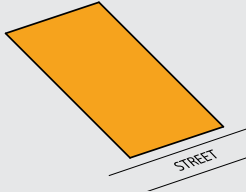
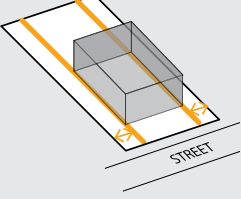
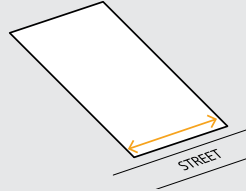
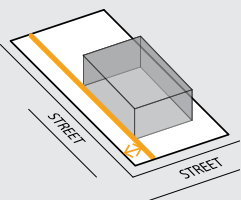


- a) structures incidental to utility and public works projects;
- b) temporary and portable structures accessory to any Flood Plain (FP) Zone permitted use from April to October; and

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- c) structures with a floor area of 10 m<sup>2</sup> (108 ft<sup>2</sup>) or less that are used in conjunction with any Flood Plain (FP) Zone permitted use provided the applicant agrees to accept all risks and not hold the Town of Truro responsible for any damages incurred in the event of a flood.

Table 17.2: Flood Plain (FP) Zone Requirements

 <p><b>Height</b> Maximum of 11.0 m (36.1 ft)</p>	 <p><b>Rear Setback</b> Minimum 9.0 m (29.5 ft)</p>
 <p><b>Front Setback</b> Minimum 9.0 m (29.5 ft)</p>	 <p><b>Lot Area</b> 4,000 m<sup>2</sup> (0.99 acres)</p>
 <p><b>Side Setback</b> Minimum 9.0 m (29.5 ft)</p>	 <p><b>Lot Frontage</b> Minimum 6.0 m (19.7 ft)</p>
 <p><b>Flanking (Side) Setback</b> Minimum 9.0 m (29.5 ft)</p>	 <p><b>Lot Coverage</b> Maximum 10%</p>
	 <p><b>Impermeable Surface</b> Maximum 10 %</p>

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### 17.2.4 Alteration of Topography

Minor alterations of topography shall be permitted to allow for necessary grading of roads, driveways and parking areas, sports fields, golf courses, and other recreational uses provided the following conditions can be met:

- a) the property owner shall submit an “as constructed” plan prepared by a Professional Surveyor or Professional Survey Engineer indicating contours of the affected area at an interval not less than 0.25 m (0.8 ft); and
- b) no alteration carried out under this subsection shall impede drainage or the flow of flood water or reduce the capacity of flood water storage.

### 17.2.5 Infilling

Infilling is not permitted in the Flood Plain (FP) Zone except as necessary for utilities and public works projects, roadway construction, flood water management, and storm water drainage control, provided:

- a) the property owner shall submit an “as constructed” plan prepared by a Professional Surveyor or Professional Survey Engineer indicating contours of the affected area at an interval not less than 0.25 m (0.8 ft); and
- b) no infilling carried out under this subsection shall impede drainage or the flow of flood water or reduce the capacity of flood water storage.

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LAND USE BY-LAW  
Flood Plain (FP) Zone

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# 18 | 1:20 Flood Way Overlay

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## 18.1 LAND USE REGULATIONS

### 18.1.1 Permitted Uses

In the Flood Way (FW) Overlay, permitted uses shall include all uses permitted in the underlying zones with the following exceptions:

- a) residential institutions such as hospitals, senior citizen homes, homes for special care and similar facilities where flooding could pose a significant threat to the safety of residents if evacuation became necessary; and
- b) any use associated with the warehousing or the production of hazardous materials.

### 18.1.2 Zone Requirements

In the Flood Way (FW) Overlay, the zone requirements of the underlying zones shall apply.

## 18.2 FLOOD-PROOFING & ALTERING TOPOGRAPHY

### 18.2.1 Alteration of Topography

The topography of a parcel of land within the Flood Way (FW) Overlay may be altered provided:

- a) the alteration will not the impede drainage or flow of flood water within the flood plain;
- b) the alteration does not involve adding new fill material to the Flood Way (FW) Overlay unless:
  - i) the material is placed above the 1:20 flood elevation;
  - ii) the material is flood-proofing purposes carried out in accordance with Subsection "18.2.4 Flood Proofing"(see Figures 18.3 and 18.4);
- c) any material used in the alteration of topography must be:
  - i) from within the Flood Way (FW) Overlay;
  - ii) sourced using a balanced cut and fill approach where the volume of material used is equal to the volume of cuts made at the source of the material (see Figure 18.2); and
  - iii) the fill material is from a cut made above 8.5 m above sea level and below the 1:20 flood elevation (see Figure 18.2).



### 18.2.2 Additional Fill

Additional off-site fill or fill from outside the Flood Way (FW) Overlay may be added to the area around any main building that has been flood proofed in accordance with Subsection "18.2.4 Flood Proofing" provided:

- a) the resulting grade is 3% or more;
- b) the fill is only placed within 3.0 m (9.8 ft) of a main building; and
- c) no fill is placed below an elevation of 0.09 m (3.5 inches) above the established 1:100 year flood elevation delineated on Flood Risk Mapping prepared by CBCL Limited in part of the 2015 Flood Risk Study for the Town of Truro, County of Colchester and Millbrook First Nation.

Figure 18.1: The Flood Way (FW) Overlay

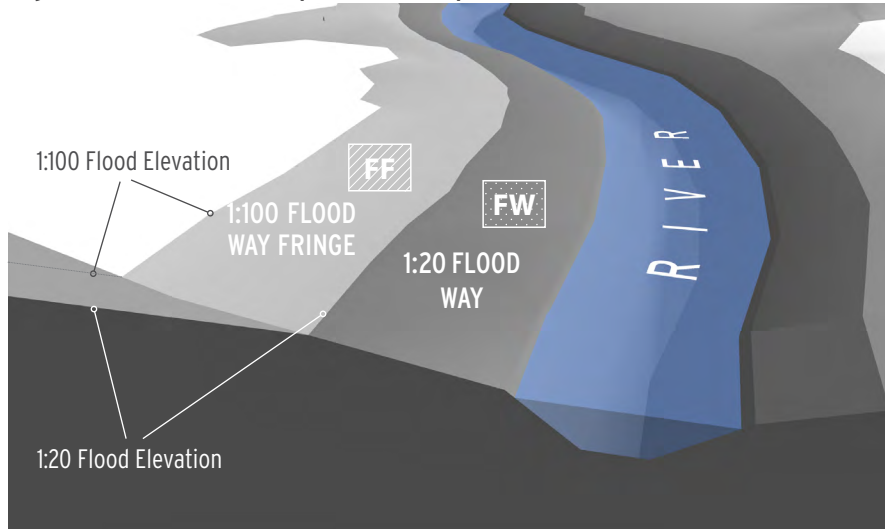
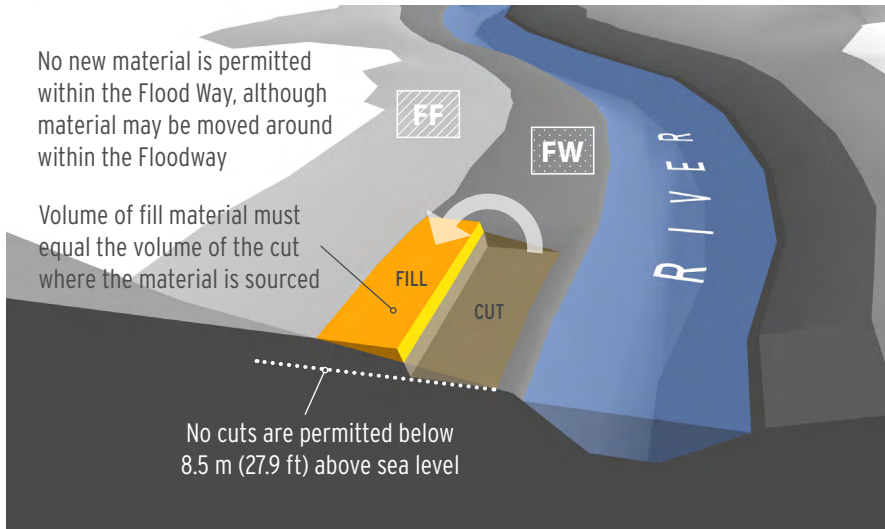


Figure 18.2: Altering Topography in the Flood Way (FW) Overlay



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### 18.2.3 More than One Property

Where a proposed cut and fill process involves more than one property owner, the applicant shall provide written consent from each affected property owner of the proposed cut and fill processes.

### 18.2.4 Flood Proofing

- a) All main buildings and any building containing a dwelling unit in the Flood Way (FW) Overlay must be flood proofed.
- b) Any material used for flood-proofing purposes must be:
  - i) from within the Flood Way (FW) Overlay;
  - ii) sourced using a balanced cut and fill approach where the volume of material used is equal to the volume of cuts made at the source of the material (see Figure 18.2); and
  - iii) the fill material is from a cut made above 8.5 m above sea level and below the 1:20 flood elevation (see Figure 18.2).
- c) All flood-proofing work shall be conducted in accordance with the following requirements (see Figures 18.3 and 18.4):
  - i) the minimum opening elevation in the building shall be 0.09 m (3.5 inches) above the established 1:100 year flood elevation defined on Flood Risk Mapping prepared by CBCL Limited in part of the 2015 Flood Risk Study for the Town of Truro, County of Colchester and Millbrook First Nation ;
  - ii) fill shall be placed around the perimeter of the building to a height equal to the minimum opening elevation for a distance of 3.0 m (9.8 ft) from the building;
  - iii) beyond 3.0 m (9.8 ft), the fill shall slope down to existing grade at a 1:1 slope; and
  - iv) at the finished foundation stage of construction, the property owner shall provide the Development Officer with a locational certificate prepared by a Professional Surveyor indicating, in addition to the location of the buildings or structures on the lot, the minimum opening elevation.
- d) Notwithstanding (a)(iii) above, a slope in excess of 1:1 may be permitted where the backfilling has been designed by a Professional Engineer.
- e) Flood proofing shall not directly interfere with the flow or drainage of stormwater.

### 18.2.5 Permit Requirements

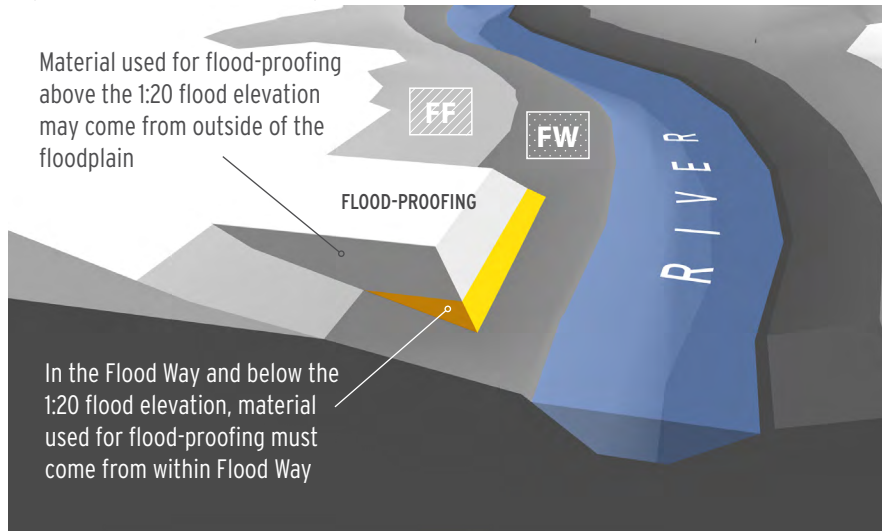
An application for a development permit to flood-proof a structure or alter topography, shall be accompanied by a plan showing:

- a) existing and proposed contours of the site at a interval of not less than 0.25 m (0.8 ft) indicating the areas on the lot(s) to be cut and filled and drainage patterns; and
- b) detailed calculations indicating the volumes of “cut and fill” for each affected property.





Figure 18.3: Flood-Proofing in the Flood Way (FW) Overlay



### 18.2.6 Permits

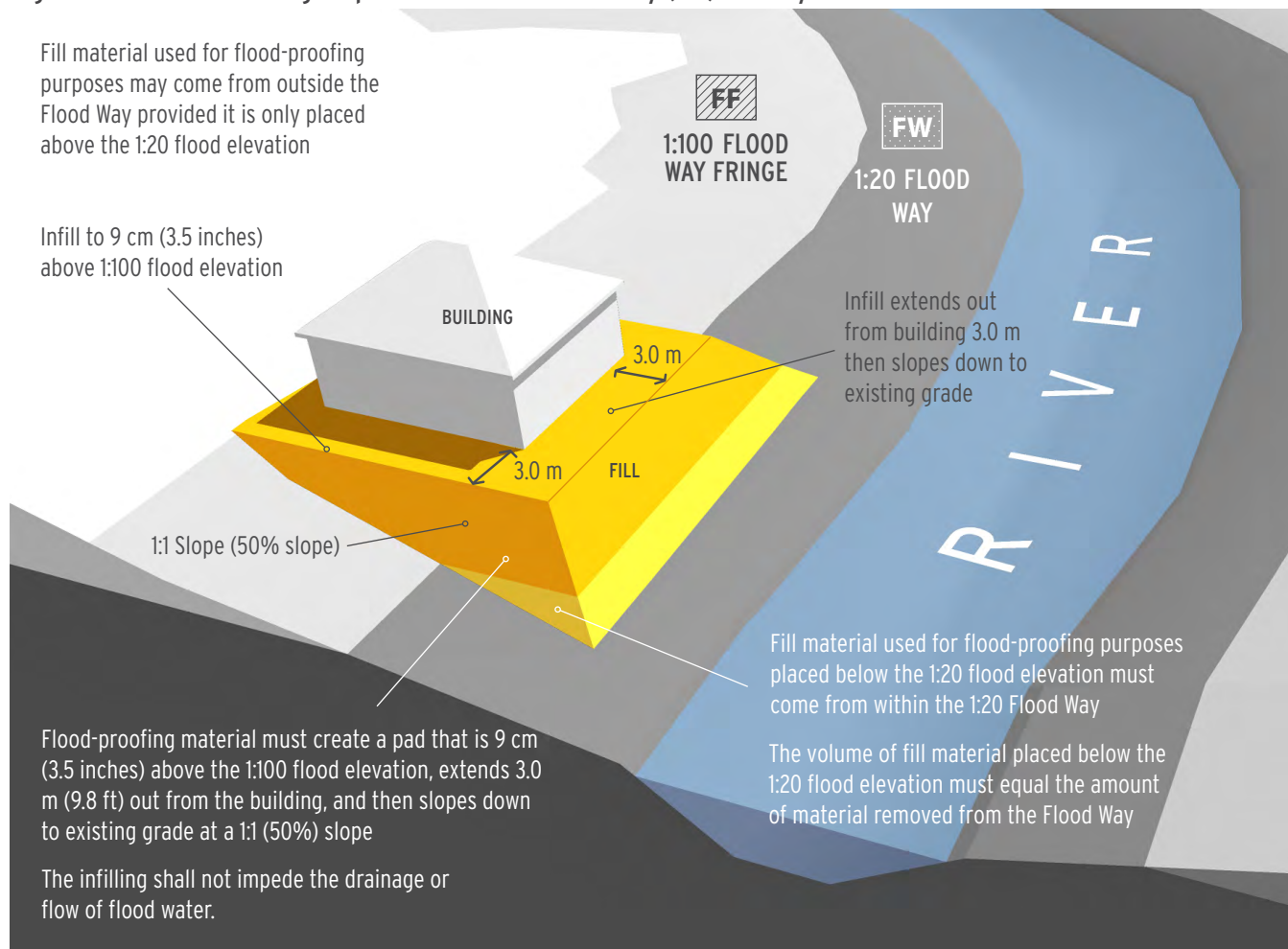
- a) Failure to provide all of the information outlined in Subsection “18.2.5 Permit Requirements” may result in the Development Officer refusing to issue a development permit.
- b) Notwithstanding anything else in this By-law, a development permit to flood proof a structure or alter topography become null and void if the work has not been completed within 12 months from the date of issuance unless an application to renew a permit has been approved by the Development Officer.
- c) In the event the permit has expired and a renewal has not been issued by the Development Officer, the Town may take action to remediate the site or take action as outlined in the Municipal Government Act as amended from time to time.
- d) Within 30 days of the completion of a development, the property owner shall obtain from the Development Officer a Certificate of Compliance.
- e) A Certificate of Compliance shall only be issued when the following conditions have been met:
  - i) the new 1:20 year flood line shall be tied to two consecutive Nova Scotia Survey Control Monuments;
  - ii) provide a new contour of the 1:20 year flood line;
  - iii) submission of a digital file, in a format acceptable to the Town, prepared by a Professional Engineer for (a) and (b) above;
  - iv) submit an “as constructed” plan prepared by a Professional Engineer indicating that any site work required pursuant to this Section has been completed.

### 18.2.7 Erosion and Sedimentation

The property owner shall, within 30 days, reinstate exposed soils on the property with appropriate landscaping materials to minimize erosion and sedimentation.



Figure 18.4: Flood-Proofing Requirements in the Floodway (FW) Overlay



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LAND USE BY-LAW  
1:20 Flood Way (FW) Overlay

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# 19 | 1:100 Floodway Fringe Overlay

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## 19.1 LAND USE REGULATIONS

### 19.1.1 Permitted Uses

In the Flood Way Fringe (FF) Overlay, permitted uses shall include all uses permitted in the underlying zones with the following exceptions:

- a) residential institutions such as hospitals, senior citizen homes, homes for special care and similar facilities where flooding could pose a significant threat to the safety of residents if evacuation became necessary; and
- b) any use associated with the warehousing or the production of hazardous materials.

### 19.1.2 Zone Requirements

In the Flood Way Fringe (FF) Overlay, the zone requirements of the underlying zones shall apply.

## 19.2 FLOOD-PROOFING & ALTERING TOPOGRAPHY

### 19.2.1 Alteration of Topography

The topography of a parcel of land within the Flood Way Fringe (FF) Overlay may be altered provided:

- a) the alteration will not the impede drainage or flow of flood water within the flood plain;
- b) the alteration does not involve adding new fill material to the Flood Way Fringe (FF) Overlay unless the material is flood-proofing purposes carried out in accordance with Subsection “19.2.4 Flood Proofing”(see Figures 19.3 and 19.4);
- c) any material used in the alteration of topography must be:
  - i) from within the Flood Way (FW) or Flood Way Fringe (FF) Overlay;
  - ii) sourced using a balanced cut and fill approach where the volume of material used is equal to the volume of cuts made at the source of the material (see Figure 19.2); and
  - iii) the fill material is from a cut made above 8.5 m above sea level and below the 1:100 flood elevation (see Figure 18.2).



### 19.2.2 Additional Fill

Additional off-site fill from outside of the Flood Way or Flood Way Fringe may be added to the area around any main building that has been flood proofed in accordance with Subsection "19.2.4 Flood Proofing" provided:

- the resulting grade is 3 % or more;
- the fill is only placed within 3 m (10 ft) of a main building; and
- no fill is placed below an elevation of 0.09 m (3.5 inches) above the established 1:100 year flood elevation delineated on Flood Risk Mapping prepared by CBCL Limited in part of the 2015 Flood Risk Study for the Town of Truro, County of Colchester and Millbrook First Nation .

Figure 19.1: The Floodway Fringe (FF) Overlay

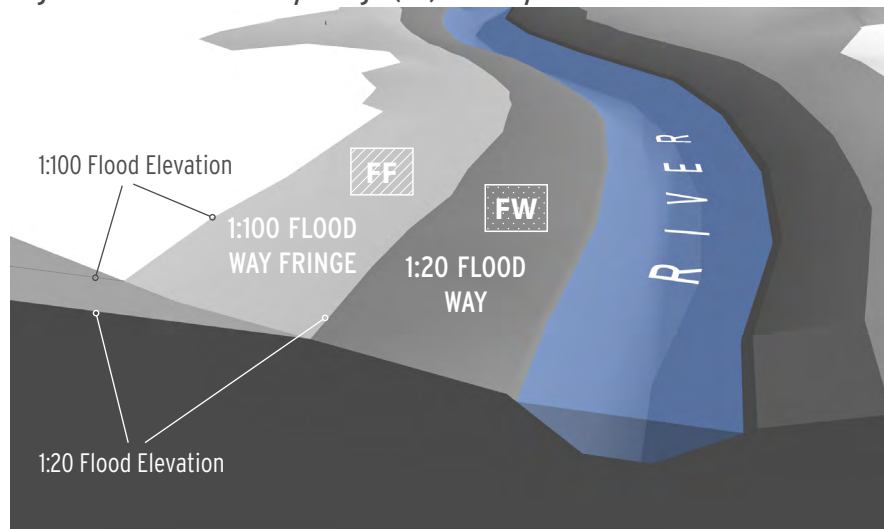
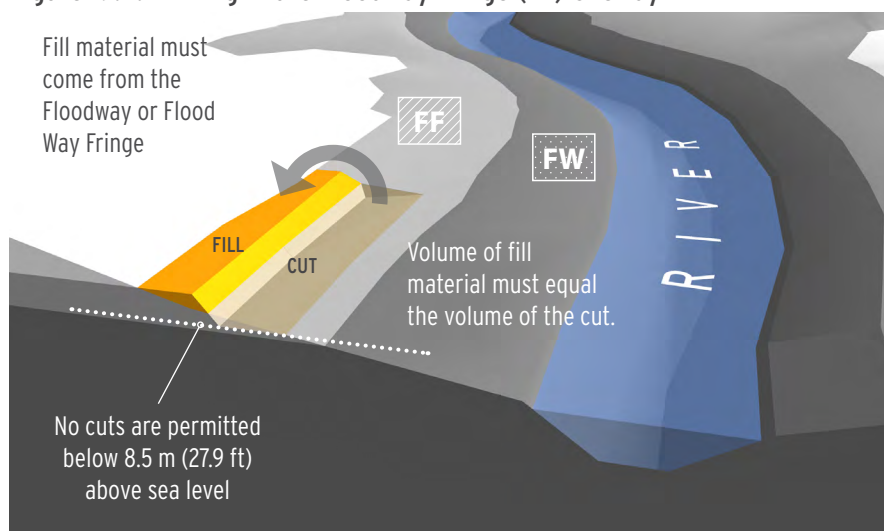


Figure 19.2: Infilling in the Floodway Fringe (FF) Overlay



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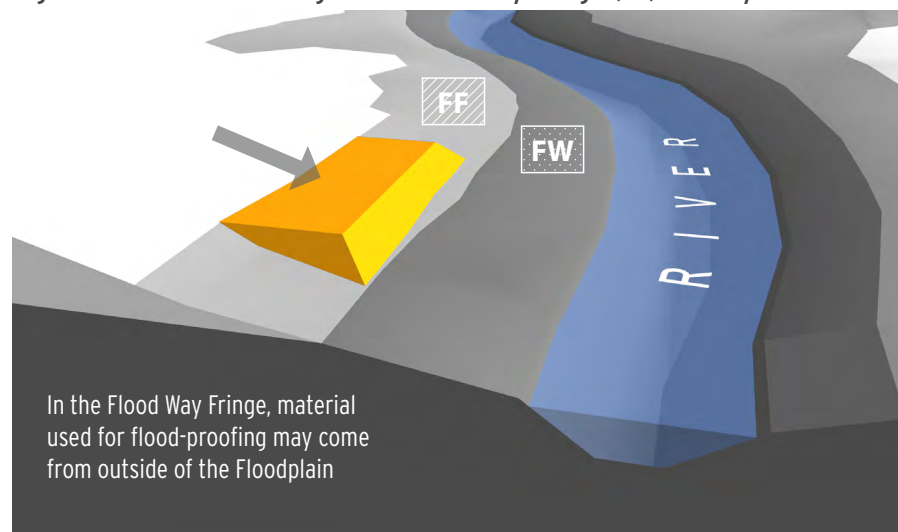
### 19.2.3 More than One Property

Where a proposed cut and fill process involves more than one property owner, the applicant shall provide written consent from each affected property owner of the proposed cut and fill processes.

### 19.2.4 Flood Proofing

- a) All main buildings and any building containing a dwelling unit in the Flood Way Fringe (FF) Overlay must be flood proofed.
- b) Fill material from outside the Flood Way Fringe (FF) Overlay and Flood Way (FW) Overlay may be used for flood-proofing purposes.
- c) All flood-proofing work shall be conducted in accordance with the following requirements:
  - i) the minimum opening elevation of the building shall be 0.09 m (3.5 inches) above the established 1:100 year flood elevation defined on Flood Risk Mapping prepared by CBCL Limited in part of the 2015 Flood Risk Study for the Town of Truro, County of Colchester and Millbrook First Nation;
  - ii) fill shall be placed around the perimeter of the building to a height equal to the minimum opening elevation for a distance of 3 m (10 ft) from the building;
  - iii) beyond 3 m (10 ft), fill shall slope down to existing grade at a 1:1 slope; and
  - iv) at the finished foundation stage of construction, the property owner shall provide the Development Officer with a locational certificate prepared by a Professional Surveyor indicating, in addition to the location of the buildings or structures on the lot, the minimum opening elevation.

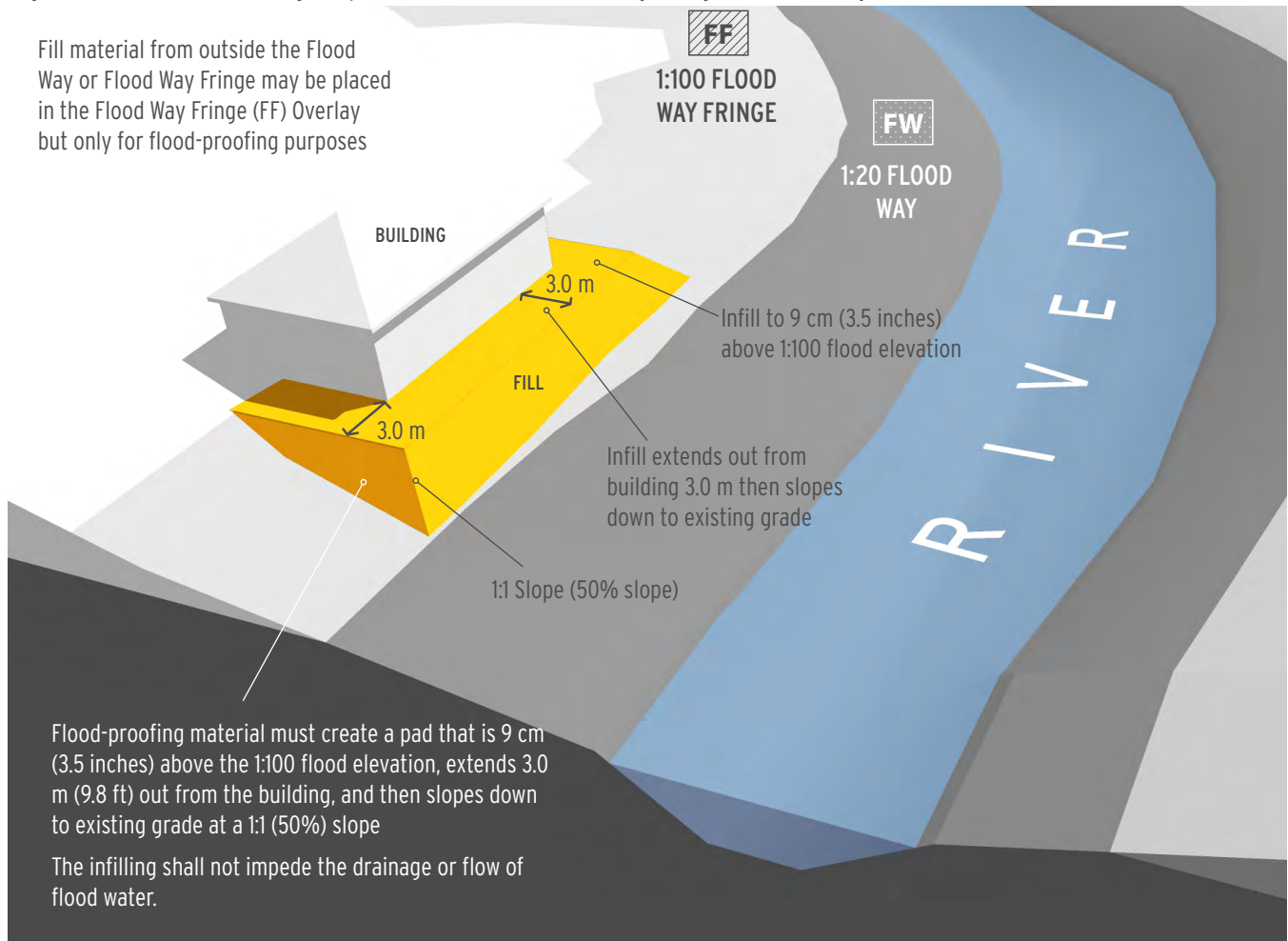
Figure 19.3: Flood-Proofing in the Flood Way Fringe (FF) Overlay



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Figure 19.4: Flood-Proofing Requirements in the Floodway Fringe (FF) Overlay



- d) Notwithstanding (a)(iii) above, a slope in excess of 1:1 may be permitted where the backfilling has been designed by a Professional Engineer.
- e) Flood proofing shall not directly interfere with storm water drainage.

### 19.2.5 Permit Requirements

An application for a development permit to flood-proof a structure or alter topography shall be accompanied by a plan showing:

- a) existing and proposed contours of the site at a interval of not less than 0.25 m (0.8 ft) indicating the areas on the lot(s) to be cut and filled and drainage patterns; and
- b) detailed calculations indicating the volumes of “cut and fill” for each affected property.



### 19.2.6 Permits

- a) Failure to provide all of the information outlined in Subsection “19.2.5 Permit Requirements” may result in the Development Officer refusing to issue a development permit.
- b) Notwithstanding anything else in this By-law, a development permit to flood-proof a structure or alter topography shall become null and void if the work has not been completed within 12 months from the date of issuance unless an application to renew a permit has been approved by the Development Officer.
- c) In the event the permit has expired and a renewal has not been issued by the Development Officer, the Town may take action to remediate the site or take action as outlined in the Municipal Government Act as amended from time to time.
- d) Within 30 days of the completion of a development, the property owner shall obtain from the Development Officer a Certificate of Compliance.
- e) A Certificate of Compliance shall only be issued when the following conditions have been met:
  - i) the new 1:20 year flood line shall be tied to two consecutive Nova Scotia Survey Control Monuments;
  - ii) provide a new contour of the 1:20 year flood line;
  - iii) submission of a digital file, in a format acceptable to the Town, prepared by a Professional Engineer for (a) and (b) above;
  - iv) submit an “as constructed” plan prepared by a Professional Engineer indicating that any site work required pursuant to this Section has been completed.

### 19.2.7 Erosion and Sedimentation

The property owner shall, within 30 days, reinstate exposed soils on the property with appropriate landscaping materials to minimize erosion and sedimentation.

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**LAND USE BY-LAW**  
1:100 Flood Way Fringe (FF) Overlay

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