



Town of Truro

Land Use By-law

OFFICE CONSOLIDATION

With Amendments to June 2018

Original Documents Approved by
Truro Town Council on September 14th, 2010

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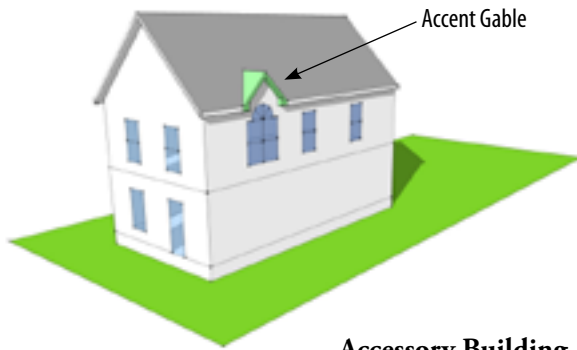
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Schedule A • Zoning Map

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 subordinate building restricted to accessory uses located on the same site as the main building or principal use but not designed for dwelling.

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 dwelling 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 the 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.

Accommodations means a building or portion thereof in which rooms are regularly provided for compensation for use as a tourist establishment and not used as a dwelling for the owner and members of the owner's family. Hotels and motels are examples of accommodations, however accommodations shall not include a multiple unit dwelling, bed and breakfast, lodging house, apartment building, community home or home for special care.

Adult Entertainment Use means any establishment or retail business that offers goods, 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", 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.

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 residential 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.

Animal Clinic means an animal hospital in which the use is confined to providing care to outpatients with no overnight lodging of animals.

Animal Hospital means an establishment 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;
- 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-time 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 a lot and/or building or part thereof used for the care of lost, abandoned or neglected animals.

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.

Attached Accessory Building, *see "Accessory Building, Attached"*

Attached Accessory Dwelling, *see "Accessory Dwelling, Attached"*

Automobile Sales Establishment means a building or part of a building or space on a lot used for retail sale or rental of motor vehicles and motor vehicle accessories, and includes a public garage and repair shop.

Automobile Service Use means a building or place for the sale of motor vehicle requirements, where minor repairs and servicing are carried out.

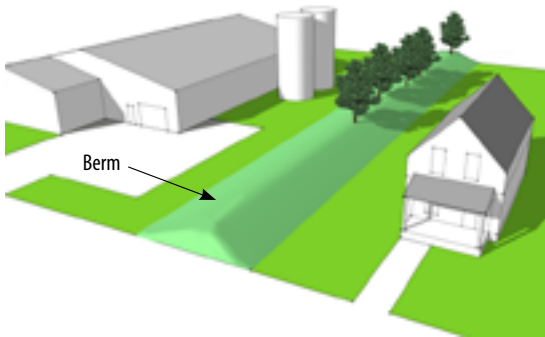
B

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

Bed and Breakfast means a tourist establishment in which the owner resides and which provides for the travelling or vacationing public. The establishment must be licensed by the Tourist Accommodation Act and regulations made thereto. Bed and Breakfasts shall not include a multiple unit dwelling, accommodations, lodging house, community home or home for special care.

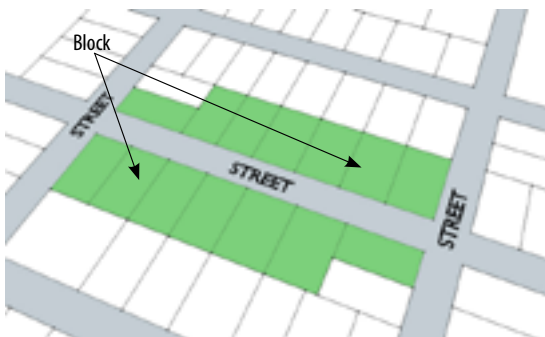
Bedroom means a room or space in a dwelling laid out for the sleeping activities of one or two adults, or a correspondingly appropriate number of children.

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 means a commercial establishment that operates a pub style facility in Nova Scotia serving beer and wine only (no hard liquor).

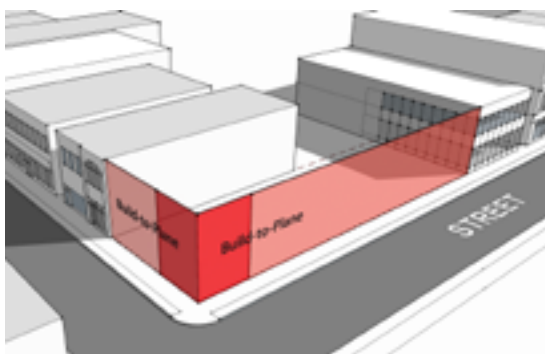
Block means a contiguous group of properties that share frontage on the same section of street that begins and ends with an intersection or the street's terminus (*see figure*).



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 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*).



C

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

Café means an establishment primarily serving coffee or tea and may also serve light meals such as sandwiches. A café may not serve alcoholic beverages.

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.

Car Wash means any establishment or business that offers fixed-site car cleaning services or equipment which is part of a structure and does not include a mobile car wash.

Commercial Floor Area, *see* “Floor Area”

Commercial Motor Vehicle means a motor vehicle that is a truck or delivery vehicle, and includes tractors, tractor trailers, and buses.

Commercial School means a school operated by an individual or company for gain or profit, providing instruction in a primary or secondary educational use within the curricula of the Province of Nova Scotia. It may also offer instruction in a specific trade, skill or service such as secretarial skills, vocational skills, aviation, banking, commercial arts, automobile driving, language, modelling, business, hairdressing, beauty, culture, dancing and music schools.

Community Garden means a piece of land utilized by a non-profit society or group for the purposes of producing food and flowers for the personal use of the society or group members, or for the purposes of a community education program that encourages the involvement of schools, youth groups and citizens.

Community Home means a community based group living arrangement, in a single housekeeping unit, for up to a maximum of seven (7) individuals, exclusive of staff and/or receiving family, with social, emotional, legal, mental and/or physical handicaps or problems, that is developed for the well being of its residents through self-help, professional care, guidance and supervision unavailable in the resident’s own family, an institution or in an independent living situation. A community home is licensed, funded or approved by the Province of Nova Scotia.

Convenience Stores shall mean a store and associated uses 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.

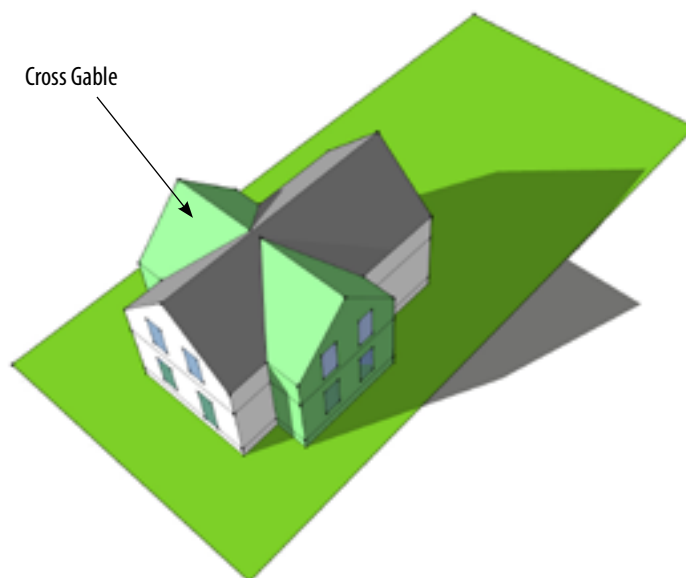
Converted Dwelling, *see* “Dwelling”

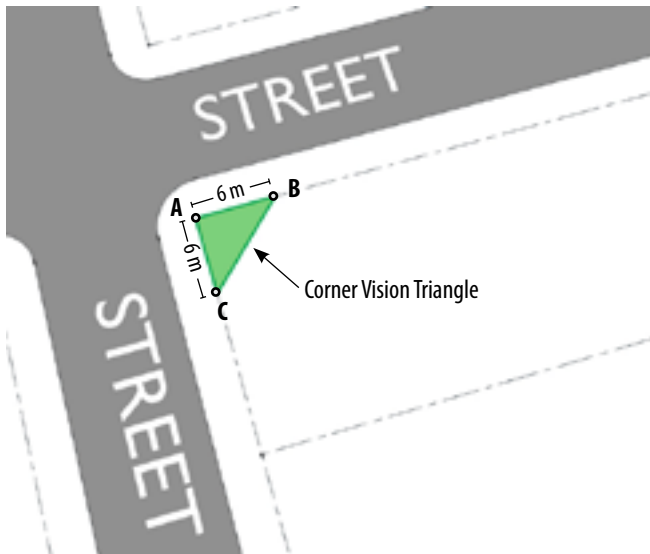
Council means the Town Council of the Town of Truro.

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

D

Day-Care Centre means a place where four or more pre-school children are cared for on a temporary daily basis without overnight accommodation but does not include a school.





Day Lighting 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 m (19.7 ft) from point A; and
- a point of the front lot line (point “C”) a distance of 6 m (19.7 ft) from point A.

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.

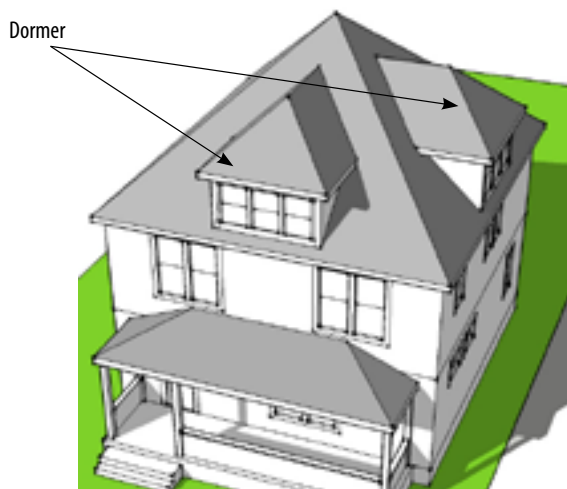
Design Elements means the placement of structures or objects which affect aesthetics and functionality of the premise.

Detached Accessory Building, *see “Accessory Building, Detached”*

Detached Accessory Dwelling, *see “Accessory Dwelling, Detached”*

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 Mixed Use Residential (R6) or Heritage Residential (R7) Zones, ‘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 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;

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, 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 the CAN/CSA-Z240 Series “Mobile Homes” at the time of manufacture.

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*).

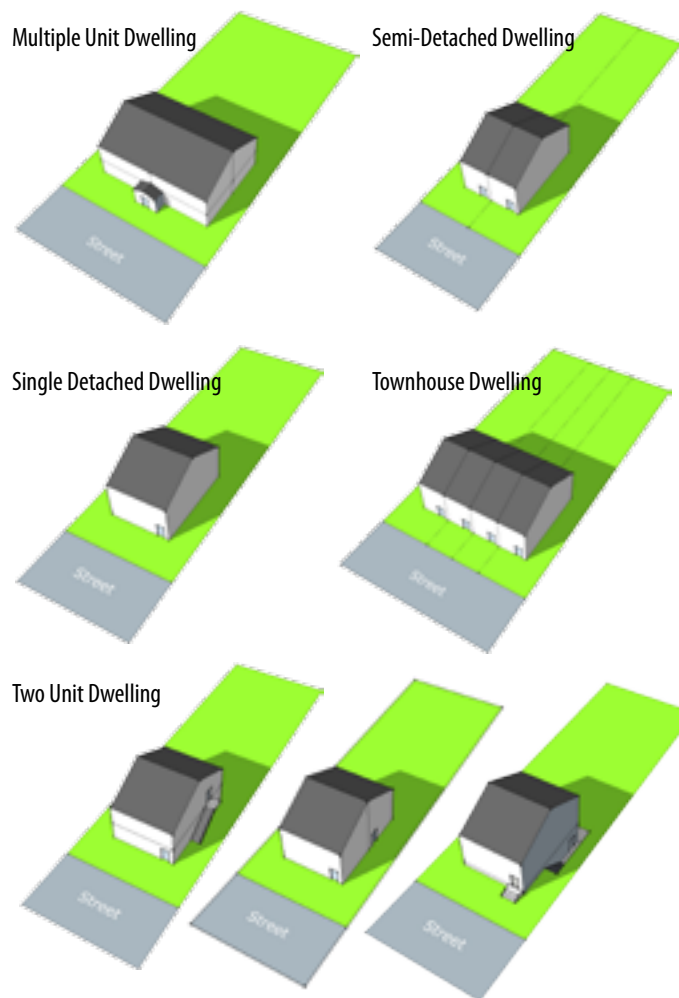
Dwelling, Semi-Detached means a building that is divided vertically into two dwelling units, each of which has its own dedicated exterior entrance oriented towards the street, and each of which is designed to, if subdivided, exist as one independently owned dwelling unit on its own lot (*see figure*).

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, Two-Unit means a building that is divided into two units but does not include a semi-detached dwelling (*see figure*).

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.



E

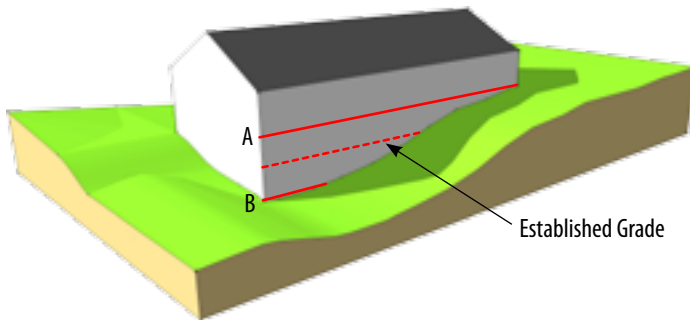
Educational Uses means any building use designated for instruction, including public and commercial schools and nursery schools.

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

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:

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



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

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*).

F

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.

Flanking Yard, *see "yard"*

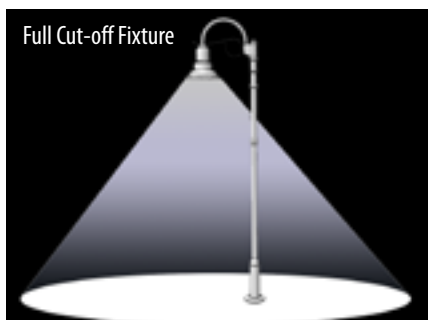
Floodproofing means a measure or combination of structural and non-structural measures incorporated into the design of a structure which reduces or eliminates the risk of flood damage, usually to a defined elevation. The prescribed method of flood proofing is through the permanent placing of fill, or 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, on average once in twenty years, and where flood depths and velocities are greatest.

Floodway Fringe means the outer portion of a flood risk area where the risk of flooding is moderate and floods on average once in one hundred years.

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 useable 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.

Frontage, *see "lot frontage"*

Front Yard, *see "yard"*

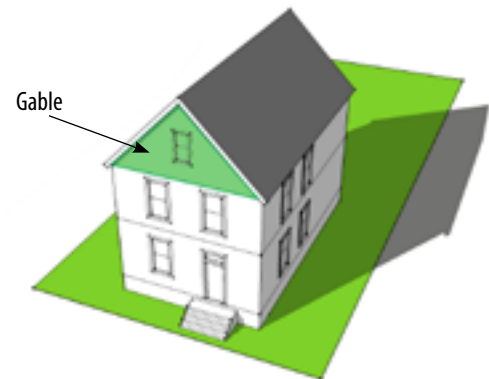
Full Cut-off Fixture means a lighting fixture that allows no emission of light above the fixture's horizontal plane (*see figure*).

G

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

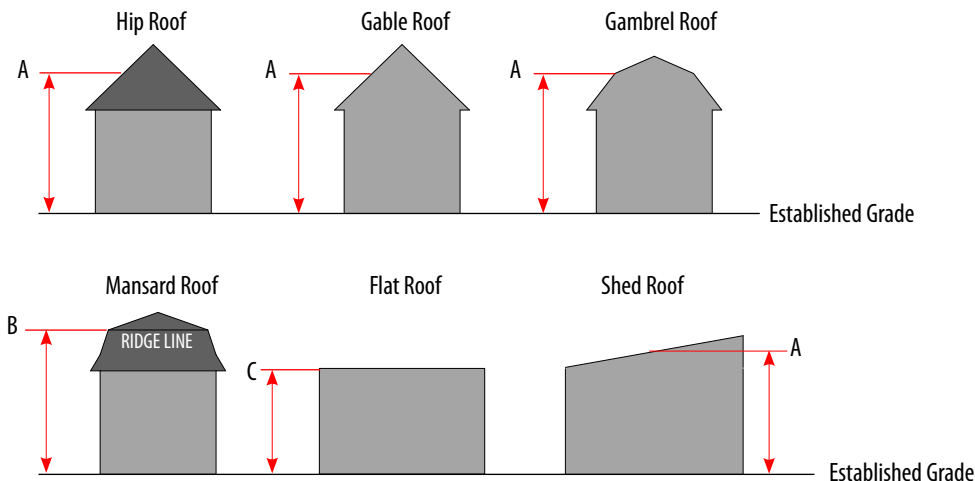
Gable Dormer, *see* “dormer”

Grade Level means the site elevation prior to any development.



H

Height, Building means the vertical height from the established grade level to: halfway between the roof peak and the eaves in the case of a pitched 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*).



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 Based Business means a business or professional use operating as a secondary use within a residential dwelling by the dwelling’s occupant(s).

Home for Special Care means a building wherein nursing care or room and board are provided to individuals incapacitated in some manner for medical reasons but does not include a hospital. Homes for special care shall not include the uses of a tourist establishment.

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

I

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:

- h) the carrying on of any process of manufacture that may or may not result in a finished article;
- i) the dismantling and separating into parts of any article, machinery, or vehicle;
- j) the breaking up of any articles, goods, machinery, or vehicles;
- k) the treatment of waste materials;
- l) the processing of sand, gravel, clay, turf, soil, rock, stone, or similar substances, but not the extraction thereof; and
- m) the repairing and servicing of all vehicles, machinery and buildings;
- n) the storage of goods in connection with or resulting from any of the above operations;
- o) the provision of amenities for persons engaged in such operations;
- p) the sale of goods resulting from such operations; and
- q) 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.

Institutional Use means a use put to a building or land used for non-commercial purpose by an organized body or society for promoting a particular objective.

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

K

Kennel means a building or structure where animals, birds or livestock used as domestic household pets are kept or boarded commercially, and may also mean:

- a) A service commercial establishment for the keeping, breeding, boarding or training of four or more mature male or female dogs.
- b) A place where dogs and other domestic animals excluding livestock are bred and raised and are sold or kept for sale or boarded.
- c) Any premises on which four or more dogs over four months of age are kept.
- d) An establishment for the keeping, breeding and raising of domesticated animals for profit or gain, but shall not apply to the keeping of animals in a veterinary establishment for the purpose of observation and/or recovery necessary to veterinary treatment.

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 any structure, or part thereof, containing more than one Lodging Unit for hire or gain directly or indirectly to persons. A Lodging House shall not include a multiple unit dwelling, accommodation, bed and breakfast, apartment building, community home, or home for special care.

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.

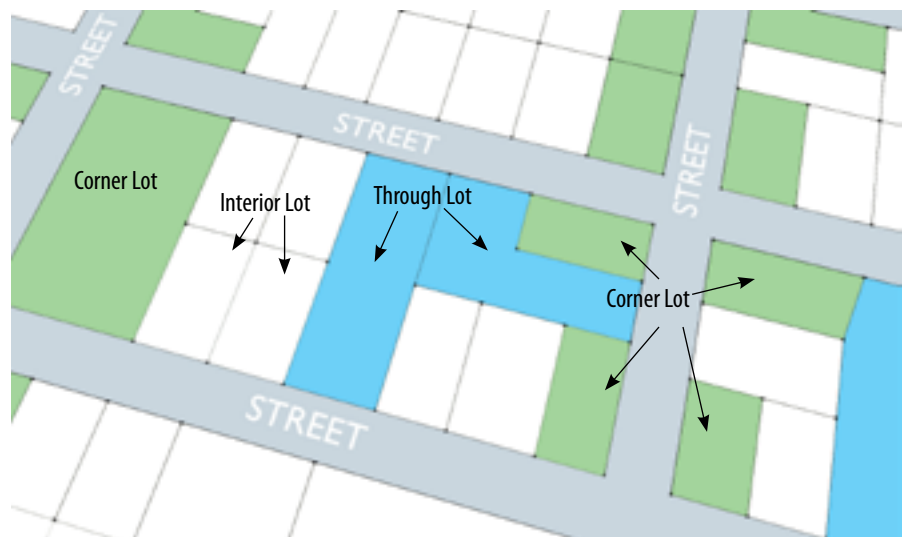
Lot Area means the total area within the lot lines of a lot, excluding any areas covered by waterbodies, wetlands, or watercourses, or slopes of 22 degrees or more from horizontal, provided that only the lot area lying within the zone in which a proposed use is permitted may be used in calculating the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

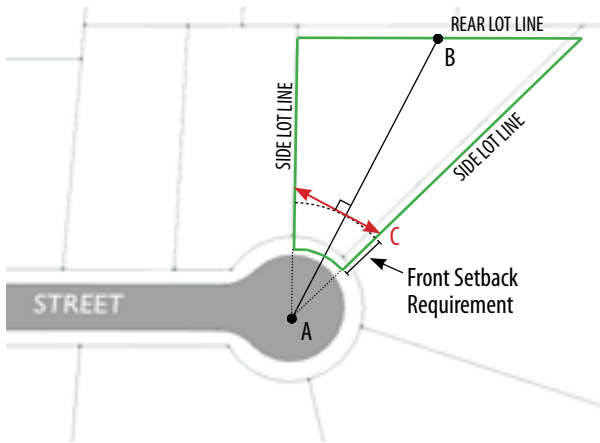
Lot Coverage means that percentage of the lot area covered by the building area but excluding that portion of any building that is constructed entirely below grade and underground.

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*).





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

- 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" (*see figure*).

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, 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 flanking lot line. In the case of a through lot, either boundary dividing the lot from a street may be the front lot line.

Lot Line, Rear means the lot line opposite the front lot line.

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

Lot Line, Flanking means a side lot line which abuts the street on a corner lot.

Lounge means a commercial establishment that sells liquor by the glass and beer and wine by the open bottle, glass or other container and;

- has an eating establishment license;
- 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.

M

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.

Medical Clinic means a building or structure where 7 or more members of the medical profession, dentists, chiropractors, osteopaths, and physicians or occupational therapists provide diagnosis and treatment to the general public without overnight accommodation 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.

Mini-Home, *see* “*Dwelling*”

Mini-Home Parks mean a site suitable for multiple mini-home units, in accordance with the R5 zone.

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*”

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.

Multiple Unit Dwelling, *see* “*Dwelling*”

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

N

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 in which the principal or main use is the provision of professional services to the public.

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.

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

Personal Service Shop means a building or part of a building which persons are employed in furnishing services or otherwise administering to the individual and personal needs of persons and may include such establishments as barber shops, beauty parlors, hairdressing shops, shoe repair, and depots for collecting dry-cleaning and laundry.

Pet means a domesticated small animal, including but not limited to dogs, cats, pot-bellied 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"

Recreational Facilities means buildings and sites of recreational value consisting of, but not limited to: parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, arenas, athletic fields, golf courses, picnic areas, swimming pools, daycamps, community centres, and other recreational establishments.

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.

Repair Shop means a building or part of a building used for the mechanical repair of goods excluding automobiles.

Required Yard, *see* "yard"

Residential Care Facility means a community-based group living arrangement, in a single housekeeping unit, for eight (8) or more individuals, exclusive of staff and/or receiving family, with social, legal, emotional, mental and/or physical handicaps or problems, that is developed for the well being of its residents through self-help, professional care, guidance and supervision unavailable in the resident's own family, an institution or in an independent living situation. A Residential Care Facility is licensed, funded or approved by the Province of Nova Scotia.

Restaurant means a building or part thereof where food and drink is served to the public for consumption within the building.

Retail Space means a building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at a retail value and includes only that space to which the public is commonly permitted.

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 featuring common services, parking, internal vehicle circulation, and access roads.

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

S

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

Semi-Detached Dwelling, *see* “Dwelling”

Service Industries includes the processing of milk and dairy products, bakeries, public garages including engine and body repair shops, printing establishments, laundry or cleaning establishments, paint shops, plumbing shops, sheet metal shops and similar uses.

Shed Dormer, *see* “dormer”

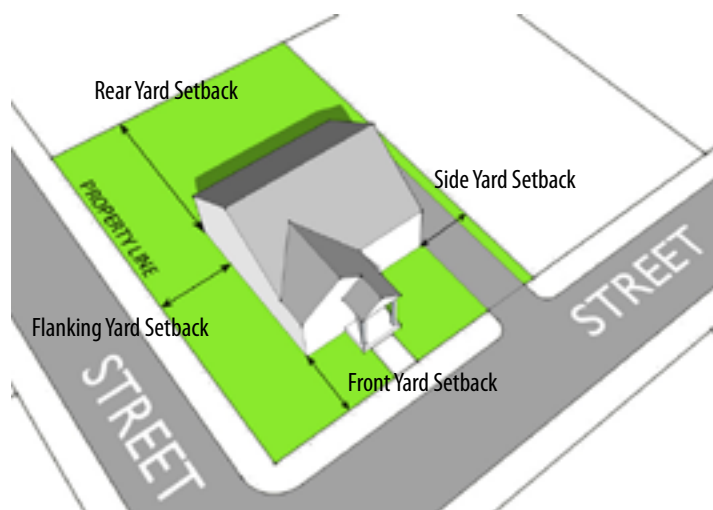
Shopping Centre means a collection of independent retail stores, services, and offices housed in a building or buildings usually constructed and maintained by a single management unit and usually featuring common services, parking, internal vehicle circulation, and access roads.

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.

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*).

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 form a unit which conveys a message.

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

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

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*).

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*).

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

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.

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.

Take-out Restaurant means a building or part thereof where food and drink is served to the public for consumption, whether or not facilities are provided for consumption within the building.

Telecommunication Towers, Antennas, Buildings and Equipment means any facility, apparatus or other thing that is used or is capable of being used for telecommunications or for any operation directly connected with telecommunications, and includes a transmission facility. Amateur radio, such as shortwave radio, as well as typical television or radio reception equipment, including satellite dishes, which are used for residential or small commercial (e.g., motel or lounge) purposes, are excluded.

Tourist Establishment means a building used to accommodate the travelling public for gain or profit by supplying sleeping accommodation.

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.

Townhouse, *see* “*Dwelling*”

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.

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.

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

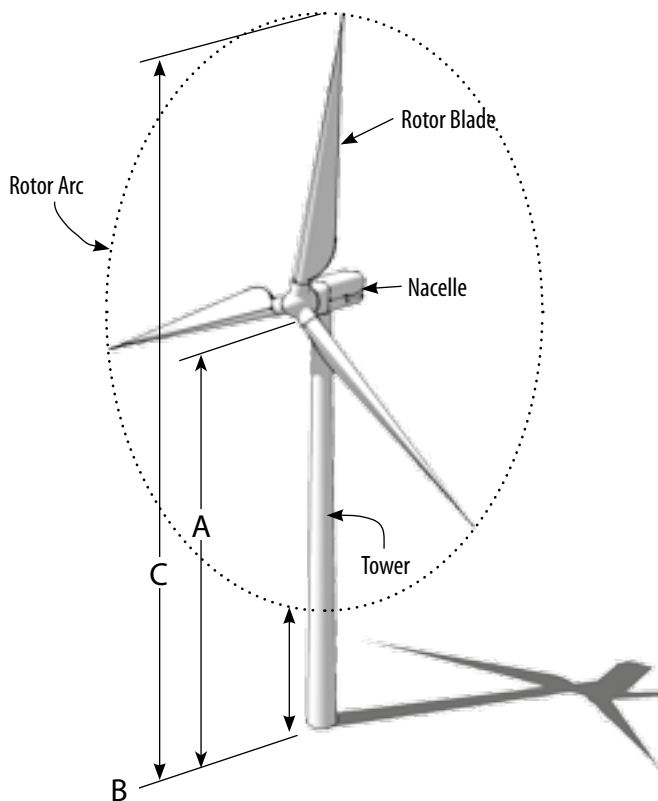
Warehouse means a building dedicated to the storage of goods.

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.

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.

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*).

- 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.



Y

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

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, Flanking means a side yard which abuts a street on a corner 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*).

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 of 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.

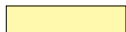
























2 • Zones

2.1 General

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.

2.2 Zone Symbols

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

Zones	Symbol	Colour
Residential Zones		
Single Unit Residential	R1	
Two Unit Residential	R2	
General Residential	R3	
Multiple Unit Residential	R4	
Mini Home Residential	R5	
Mixed Use Residential	R6	
Heritage Residential	R7	
Rural Residential	R8	
Watershed Residential	R9	
Commercial Zones		
Downtown Commercial	C1	
Limited Commercial	C2	
Local Commercial	C3	
General Commercial	C4	
Adult Entertainment	C5	
Industrial Zones		
Industrial	M1	
Commercial Industrial	M2	
Public Use Zones		
Parks and Open Space	P1	
Commercial Recreation	P2	
Institutional	P3	
Neighbourhood Institutional	P4	
Environmental Management Zones		
Environmental Reserve	E1	
Flood Plain	E2	
Floodway Overlay	E3	
Floodway Fringe Overlay	E4	
Watershed	E5	

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;
- e) where a zone boundary is indicated as following the town boundary, the town limit shall be the boundary; and
- f) where a zoning boundary is indicated as following the 1:20 flood frequency of the Truro and Area Flood Risk Map series then the boundary shall be delineated using the 1:1200 scale mapping or as otherwise determined by an approved study.

3 • Administration

3.1 Planning Advisory Committee (PAC)

- 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.

3.2 Development Officer

- 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.

3.3 Development Permit

- a) No development shall be undertaken unless a development permit has been granted by the Development Officer.
- b) No development permit shall be issued unless the provisions of this by-law have been complied with.
- c) Every development permit is valid for 12 months from the date of being issued.
- d) A development permit may be renewed for an additional 12 month period provided:
 - i) the development permit has not been renewed previously; and
 - ii) the Development Officer is satisfied that the development permit is consistent with the existing Land Use By-law and any proposed amendments.

3.4 Application for Development Permits

- a) Every application for a development permit shall be in duplicate and shall be accompanied by such plans and copies drawn to an appropriate scale and showing the following such as the Development Officer may require:
 - i) the true shape and dimensions of the lot to be used, and upon which it is proposed to erect any building or structure;
 - ii) the proposed location, height, and dimensions of the building, structure, or work in respect of which the permit is applied for;
 - iii) the proposed location and dimensions of parking spaces, loading spaces, driveways;

- iv) natural land features such as wetlands, watercourses, slope by topography; and
 - v) such other information as may be necessary to determine whether or not such development, reconstruction or redevelopment conforms with the requirements of this by-law.
- b) The application shall be signed by the owner of the lot or by the owner's duly authorized agent and shall set forth in detail the present and proposed use of the lot and each building or structure, or part of each building or structure, together with all information necessary to determine whether or not every such proposed use of land, building or structure conforms with the requirements of this by-law.
- c) Where the Development Officer is unable to determine whether the proposed development conforms to this by-law and other by-laws and regulations in force which affect the proposed development, he/she may require that the plans submitted under clause 3.4(a) be based upon an actual survey by a Nova Scotia Land Surveyor.

4 • General Provisions

4.1 General Provisions for All Zones

4.1.1 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.

4.1.2 Accessory Buildings

The following requirements apply to accessory buildings in all Commercial, Industrial, Public Use, and Environmental Zones:

- a) An accessory building shall not:
 - i) be situated within a front or flanking yard;
 - ii) be situated within 2 m (6.6 ft) of the main building;
 - iii) be situated within 2 m (6.6 ft) of any side or rear lot line; and
 - iv) exceed a height of 4.5 m (15 ft), or
 - v) exceed the height limit of the applicable zone where the accessory building conforms to all setback requirements that would apply to a main building.
- b) No automobile, trailer, shipping container or similar type of vehicle or structure or portion thereof shall be used as an accessory building in any Zone whether or not same is mounted on wheels or on a foundation.

4.1.3 Accessory Buildings in Residential Zones

Accessory buildings in Residential Zones are regulated in accordance with Section 5.1, General Provisions for Residential Zones.

4.1.4 Accessory Structures

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

4.1.5 Accessory Use

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

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

4.1.6 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.

4.1.7 Building to be Moved

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

4.1.8 Building to be Erected on a Lot

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

4.1.9 Compliance with Other By-laws

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.

4.1.10 Conformity with Existing Setbacks

- a) The front and flanking yard setback requirements for a new main building in a Local Commercial (C3), General Commercial (C4), Adult Entertainment (C5), Industrial, Public Use, or Environmental Management Zone may be reduced to the average front or flanking yard setbacks of existing neighbouring buildings within 61.0 m (200 ft) that front or flank upon on the same street provided that the minimum setbacks is no less than 3.0 m (10 ft).
- b) Regulations concerning conformance with existing setbacks in the Downtown Commercial (C1) Zone and Limited Commercial (C2) Zone are set out in the respective C1 and C2 Zone requirements.
- c) Regulations concerning conformance with existing setbacks for all Residential Zones are set out in Section 5.1 General Provisions for Residential Zones.

4.1.11 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 0.6m (2 feet) above grade within a daylighting triangle.

4.1.12 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:

- a) 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
- b) all other applicable provisions of this by-law are complied with.

4.1.13 Existing Lots

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

4.1.14 Existing Lots without Frontage

Notwithstanding subsection 4.11 and subsection 4.12 of this by-law, 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:

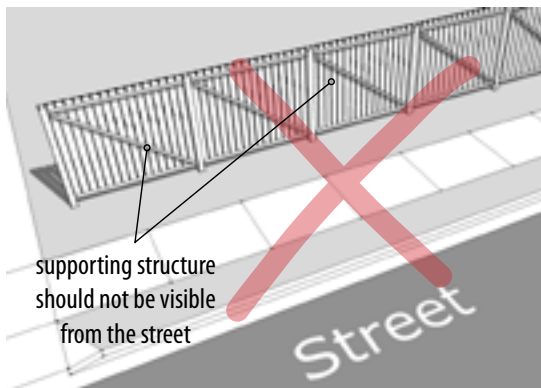
- a) all other requirements of the Land Use By-law are met;
- b) any addition in volume be limited to the height of the tallest portion of the existing structure;
- c) the structure being added to is an established existing non-conforming structure on an existing nonconforming lot which has legal access but no frontage;
- d) the building footprint is not increased by more than 30 percent;
- e) the floor area of the existing dwelling is not increased by more than 30 percent; and
- f) no additional dwelling units are created.

4.1.15 Existing Undersized Lots

Notwithstanding anything in this by-law, a vacant lot having less than the minimum frontage or area required by this By-law 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 and a building may be erected on the lot provided that the other applicable provisions of this by-law are complied with.

4.1.16 Fences

- a) A building 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 3.6 m (12 ft) except in a Residential Zone where the maximum height shall be 2.4 m (8 ft).
- 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) fences cannot be electrified unless erected in conjunction with an agricultural use;
 - iv) 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; and
 - v) fences cannot contain barbed wire unless erected in conjunction with a permitted industrial or agricultural use.
- d) Fencing in a Downtown Residential Zone is further regulated under the applicable design guidelines in Sections 5.7 and 5.8.



4.1.17 Fronting on Streets

Except where otherwise permitted in the General Commercial (C4) 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.

4.1.18 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.

4.1.19 Illumination

- a) No exterior lighting or illuminated sign 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 Residential Zone or Designation shall be full cut-off fixtures that do not permit light to shine above the horizontal.
- c) Commercial signage within or abutting a Residential Zone or Designation shall:
 - i) only be illuminated during regular business hours; and
 - ii) not be indirectly illuminated by spot lights that are directed towards a property within the Residential Zone or Designation.



Exterior Lighting in or abutting a residential zone shall only include full cut-off fixtures that do not permit light to shine above the horizontal and that do not directly illuminate any abutting property.

4.1.20 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.

4.1.21 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 percent or 30 degrees or more from the horizontal

4.1.22 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.

4.1.23 One Main Building on a Lot

No person shall erect more than one main building on a lot except in:

- a) the Industrial (M1) Zone;
- b) the Commercial Industrial (M2) Zone;
- c) the General Commercial (C4) Zone;
- d) the Parks and Open Space (P1) Zone;
- e) the Recreation (P2) Zone;
- f) the Institutional (P3) Zone; or
- g) the Multiple Unit Residential (R4) Zone.

4.1.24 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 (R8) Zone
- b) be setback a minimum of 30 m (98 ft) from an abutting lot line except where the abutting lot is a commercial, community use, environmental or other residential zone in which case the minimum setback shall be 60 m (197 ft).

4.1.25 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 4.1:

Table 4.1: Permitted Encroachments

<i>Structure</i>	<i>Affected Yard</i>	<i>Maximum Encroachment</i>
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/Verandah up to 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)

4.1.26 Public Uses

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 for the purpose of providing public services or facilities.

4.1.27 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.

4.1.28 Refuse Storage

All development must provide space for the storage of recycling, compost, and garbage receptacles that shall:

- a) not be situated within a required yard unless it is situated within a wholly enclosed structure; and
- b) not occupy any space that is required for parking or amenity space in relation to a development.

4.1.29 Restoration to a Safe Condition

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

4.1.30 Special Occasion Uses

- a) Nothing in the by-law shall prevent structures erected for special occasions or holidays provided that no such use remains in place more than 14 consecutive days and provided a development permit for the temporary use is acquired. Such structures include but are not limited to the following:
 - i) search lights
 - ii) pennants
 - iii) spinners
 - iv) banners
 - v) inflated balloons
 - vi) inflated characters
 - vii) streamers
 - viii) tents
- b) Temporary development permits for special occasion uses shall not be required for events less than 48 hours in duration.

4.1.31 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 m² (1507 ft²).

4.1.32 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 no less than 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 (5 ft) high when measured from the ground to the top of the fence, gate or structure; and
 - iii) have no opening greater than 10 cm (4 inches) 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 (5 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.

4.1.33 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.

4.1.34 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.

4.1.35 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 m² (2422 ft²) and minimum frontage of 15 m (49 ft) .

4.1.36 Variances

- 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.

4.1.37 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.

4.1.38 Uses Permitted by Development Agreement

The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Town of Truro's Municipal Planning Strategy:

- a) Reconstruction of non-conforming structures and re-commencement of non-conforming uses where the such a proposal would not otherwise be permitted by this Municipal Planning Strategy or the Municipal Government Act in accordance with Policy G-3 of the Municipal Planning Strategy.
- b) Wind turbine generators located in specified zones in accordance with Policy G-40 of the Municipal Planning Strategy.
- c) Rezoning from the Single Unit Residential (R1) Zone to the Two Unit Residential (R2) Zone where the proposed development includes less than 30 percent single unit dwellings; or the proposed development includes two unit dwellings within 30 metres (100 feet) of a Single Unit Residential (R1) Zone in accordance with Policy R-28 of the Municipal Planning Strategy.
- d) Expansions to existing multiple unit residential uses in the Multiple Unit Residential (R4) Zone in accordance with Policy R-36 of the Municipal Planning Strategy.
- e) Multiple unit residential developments in the General Residential Designation in accordance with Policy R-37 of the Municipal Planning Strategy
- f) Mini-home parks in the General Residential Designation in accordance with Policy R-43 of the Municipal Planning Strategy.
- g) Multiple unit residential proposals in the with three or more units Mixed Use Residential (R6) Zone in accordance with Policy R-57 of the Municipal Planning Strategy.
- h) Institutional (P3) Zone uses in the Limited Residential, General Residential, and Downtown Residential Designations in accordance with Policy R-81 of the Municipal Planning Strategy
- i) Multiple unit residential developments having more than four units in the Downtown Commercial Designation in accordance with Policy C-19 of the Municipal Planning Strategy.

- j) Proposals in the Downtown Commercial (C1) Zone which exceed 3251 m² (35,000 ft²) commercial floor area in accordance with Policy C-27 of the Municipal Planning Strategy.
- k) Expansion of existing automobile dealerships in the Downtown Commercial (C1) Zone in accordance with Policy C-32 of the Municipal Planning Strategy
- l) Proposals in the Limited Commercial (C2) Zone which exceed 3251 m² (35,000 ft²) commercial floor area in accordance with Policy C-36 of the Municipal Planning Strategy.
- m) Multiple unit development proposals having three or more units in the General Commercial Designation in accordance with Policy C-40 of the Municipal Planning Strategy
- n) New convenience stores, residential uses with four or more units, mixed use developments, and specified commercial uses in the Local Commercial (C3) Zone in accordance with Policy C-45 of the Municipal Planning Strategy.
- o) Proposals in the General Commercial (C4) Zone which exceed 3251 m² (35,000 ft²) commercial floor area in accordance with Policy C-51 of the Municipal Planning Strategy.
- p) Uses that are considered obnoxious by reason of noise, dust, odour, vibration, smoke or other emission in accordance with Policy M-11 of the Municipal Planning Strategy.
- q) Recreation (P2) Zone uses in the Industrial (M1) Zone in accordance with Policy M-16 of the Municipal Planning Strategy.
- r) General Commercial (C4) Zone uses that have a commercial floor area in excess of 3251 m² (34, 993 ft²) in the Commercial Industrial (M2) Zone in accordance with Policy M-21 of the Municipal Planning Strategy.
- s) Recreation (P2) Zone uses in the Commercial Industrial (M2) Zone in accordance with Policy M-22 of the Municipal Planning Strategy.
- t) Institutional uses in the Single Unit Residential (R1), Two Unit Residential (R2), Mixed Use Residential (R6), and Heritage Residential (R7) Zones in accordance with Policy I-12 of the Municipal Planning Strategy.
- u) Rezoning application pursuant to Policy IM-11 where the proposed development is for a Downtown Commercial (C1), Limited Commercial (C2), General Commercial (C4) Zone use in a Low Density Residential Future Land Use Designation in accordance with Policy I-12 and subject to the limitations of Policy I-13 of the Municipal Planning Strategy.
- v) Institutional (P3) Zone uses not included in the list of permitted uses in the Neighbourhood Institutional (P4) set out in Tables 8.7 and 8.8, excluding Correctional Facilities and Emergency Services, in accordance with Policy I-17 of the Municipal Planning Strategy.
- w) Multiple Unit Dwellings (three or more units) in accordance with Municipal Planning Strategy Policies R-37 and I-17; and
- x) Townhouses in accordance with Municipal Planning Strategy Policies R-37 and I-17.

4.2 Parking and Loading

4.2.1 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.

4.2.2 Calculating Parking Requirements

- a) Parking requirements shall be calculated by finding the proposed use in Tables 4.2 to 4.5 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.

4.2.3 General Parking Requirements

The number of parking spaces required for all uses in all zones except for the Mixed Use Residential (R6), Heritage Residential (R7), Downtown Commercial (C1) and Limited Commercial (C2) Zones shall be calculated based on the applicable parking ratios found in Tables 4.2, 4.3, 4.4, or 4.5.

Table 4.2: Residential Parking Requirements

<i>Residential Land Use</i>		<i>Parking Requirement</i>
Single Detached, Semi Detached, Two Unit Dwelling, Converted Dwelling (two units)		0.5 spaces/bedroom
Multiple Unit Dwelling (three units or more) Converted Dwelling (three units or more)	<i>bachelor</i>	1.0 spaces/unit
	<i>one or more bedrooms</i>	0.5 spaces/unit + 0.5 spaces/bedroom
Home Based Business	<i>no retail component</i>	1.0 spaces
	<i>with retail component</i>	2.0 spaces
Community Home/Residential Care Facility		2 spaces + 0.5 spaces per resident
Bed & Breakfast		1.0 spaces/2 guest bedrooms

Table 4.3: Commercial Parking Requirements

Commercial Land Use		Parking Requirement
Accommodations		1.0 spaces/suite or rental unit
Animal Hospital		1.0 spaces/ 18.0 m ² (194 ft ²)
Animal Shelter/Kennel		1.0 spaces/2 employees on largest shift
Art Gallery/Museum/Library		1.0 spaces/28.0 m ² (301 ft ²)
Auditoria/Halls/Stadiums/Other Places of Assembly	<i>Fixed Seating</i>	1.0 spaces/five seats
	<i>Bench Seating</i>	1.0 spaces/3.0 m (10 ft) of bench space
	<i>No fixed Seating</i>	1.0 spaces/9.0 m ² (97 ft ²) of assembly area
Automotive Service/Repair		1.0 spaces/45.0 m ² (484 ft ²)
Banking/Finance/Insurance		1.0 spaces/18.0 m ² (194 ft ²)
Beverage Room/Lounge/Cabaret		1.0 spaces/9.0 m ² (97 ft ²)
Commercial Schools		1.0 spaces/2 teaching staff + 1.0 spaces/5 students
Day Care Centre		1.0 spaces/45.0 m ² (484 ft ²)
Fitness Centre		1.0 spaces/18.0 m ² (194 ft ²)
Funeral Homes		1.0 spaces/18.0 m ² (194 ft ²) of assembly area
Medical/Dental Clinic		1.0 spaces/18 m ² (194 ft ²)
Indoor Sports & Recreation		1.0 spaces/30 m ² (323 ft ²)
Laundromat		1.0 spaces/18.0 m ² (194 ft ²)
Lodging House		1.0 spaces/lodging unit
Office		1.0 spaces/28.0 m ² (301 ft ²)
Outdoor Sales		1.0 spaces/90.0 m ² (969 ft ²)
Personal Services		1.0 spaces/30.0 m ² (323 ft ²)
Restaurant		1.0 spaces/9.0 m ² (97 ft ²) of seating area
Retail		1.0 spaces/18 m ² (194 ft ²)
Train/Bus Station		1.0 spaces/15 m ² (161 ft ²) of waiting area
Wholesale		1.0 spaces/45.0 m ² (484 ft ²)
All Other Commercial Uses		1.0 spaces/18.0 m ² (194 ft ²)

Table 4.4: Industrial Parking Requirements

Industrial Land Use	Parking Requirement
Manufacturing/Processing	1.0 parking spaces/2 employees on largest shift
Outdoor Storage	1.0 spaces/180 m ² (1937 ft ²) of outdoor storage
Warehousing/Transportation Depot/Indoor Storage	1.0 spaces/90 m ² (969 ft ²) of indoor storage

Table 4.5: Public Use Parking Requirements

<i>Public Use</i>		<i>Parking Requirement</i>
Auditoria/Halls/Stadiums/Places of Worship/ Other Places of Assembly	<i>Fixed Seating</i>	1.0 spaces/five seats
	<i>Bench Seating</i>	1.0 spaces/3.0 m (10 ft) of bench space
	<i>No fixed Seating</i>	1.0 spaces/9.0 m ² (97 ft ²) of assembly area
Dormitories		1.0 spaces/2 sleeping rooms
Elementary School/Junior High/Middle School		1.0 spaces/2 teaching staff
Homes for Special Care		1.0 spaces/2 beds plus 1.0 space/staff or 1.0 spaces/65.0 m ² (700 ft ²), whichever is greater
Hospitals		1.0 spaces/2 beds plus 1.0 space/staff or 1.0 spaces/90.0 m ² (969 ft ²), whichever is greater
Secondary Schools/Post Secondary Schools		1.0 spaces/2 teaching & administrative staff members plus 1.0 spaces/10 students

4.2.4 Downtown Parking Requirements

- a) Parking requirements in the Mixed Use Residential (R6), Heritage Residential (R7), and Limited Commercial (C2) Zones shall be calculated based on the applicable parking ratios found in Table 4.6.
- b) There is no parking requirement for development within the Downtown Commercial (C1) Zone except for the following uses, to which the parking requirements in Table 4.6 shall apply:
 - i) new residential construction; and
 - ii) an addition to an existing structure that creates new residential dwelling units.
- c) 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 C1 Zone within 60 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 4.6: Downtown Parking Requirements

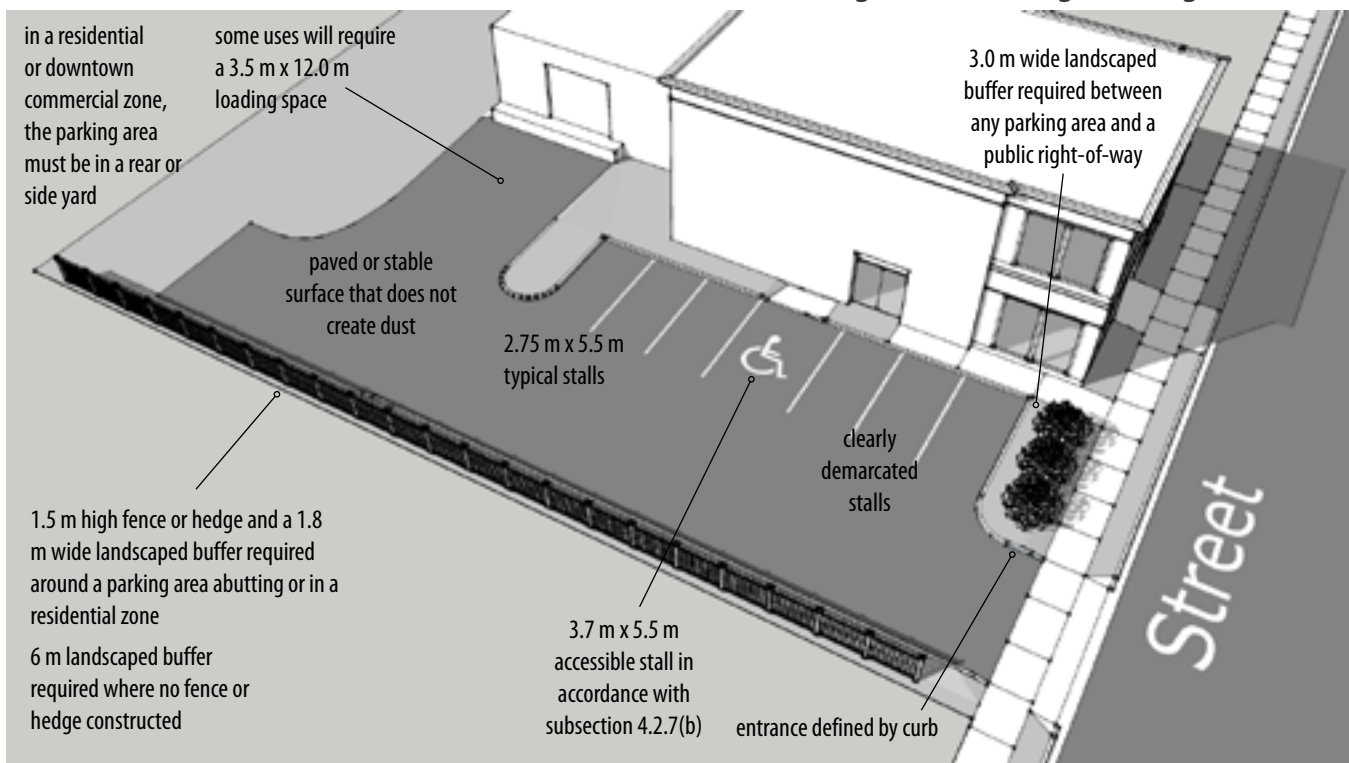
<i>Land Use</i>		<i>Parking Requirement</i>
Single Detached, Semi Detached, Two Unit Dwelling, Converted Dwelling (two units)		0.5 spaces/bedroom
Multiple Unit Dwelling (three units or more)	<i>up to 2 bedrooms</i>	1.0 spaces/unit
Converted Dwelling (three units or more)	<i>three or more bedrooms</i>	0.5 spaces/unit + 0.5 spaces/bedroom
All other uses (excluding uses exempt in accordance with 4.2.4 (b))		75 percent of parking requirements as set out in Tables 4.2, 4.3, 4.4, or 4.5

4.2.5 Design Standards for Parking Areas or Lots

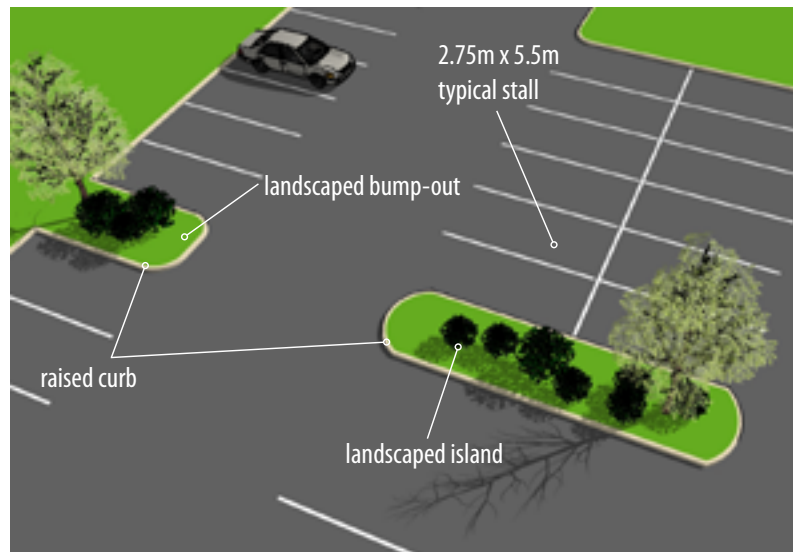
Off-street parking facilities for more than four vehicles are required to conform to the following design standards:

- 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 m² (48 ft²) in area may be erected in the parking area for the use of attendants;
- c) the parking area shall be within the same zone and within 60.0 m (197 ft) of the associated use;
- d) each parking space shall be clearly marked where the parking area has a permanent hard surface;
- e) the parking area shall be graded to prevent surface water from ponding or draining onto an adjacent property or public right-of-way;
- f) the Traffic Authority may require a traffic impact study for large developments to determine location and design elements of parking areas;
- g) 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;
- h) all lighting shall comply with the illumination requirements set out in Subsection 4.1.19;
- i) a parking area in a Residential Zone shall be situated in a side or rear yard;

Figure 4.1: Parking Lot Design Standards



- j) a parking area in the Downtown Commercial (C1) or Limited Commercial (C2) Zone shall be situated in a rear or side yard;
- k) a parking area on a property within or abutting a Residential or Public Use Zone shall be:
 - i) separated from an abutting property in a Residential Zone by a landscaped buffer that is at least 6 m (20 ft) wide; or
 - ii) separated from an abutting property in a Residential Zone by a landscaped buffer that is at least 1.8 m (6 ft) wide provided 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.
- l) parking lots with 40 or more spaces shall include 30 m² (323 ft²) of landscaped area for every 40 spaces or part thereof;
- m) no bay of parking spaces may extend for more than 55 m (180 ft) feet without a landscaped area;
- n) snow storage is not permitted to occupy any area required for parking or loading;
- o) curb cuts shall be provided near accessible stalls and barrier free entrances to accommodate wheelchair access;
- p) landscaped areas shall feature at least one deciduous shade tree along with at least four durable shrubs; and
- q) 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.




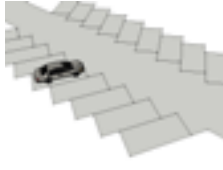



4.2.6 Loading Spaces

- 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 m² (2476 ft²) shall be required to provide one off-street loading space for every 3250 m² (34,983 ft²), or part thereof, of floor area.
- b) Notwithstanding clause 4.2.6(a), in the Downtown Commercial (C1) 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.

4.2.7 Parking and Loading Specifications

- Parking stalls and aisles shall conform to the minimum dimensions specified in Table 4.7.
- The minimum dimensions for an accessible parking space shall be 3.7 m wide by 5.5 m long (12 ft x 18 ft).
- The minimum dimensions for a loading space shall be 3.5 m wide by 12.0 m long (11.5 ft x 39 ft) with an unobstructed clear height of 3.5 m (11.5 ft).
- The minimum area for a parking space located within a parking structure shall be 13.68 m² (2.47 m x 4.95 m).
- 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.

Table 4.7: 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)

4.2.8 Driveway Specifications

- a) Where a driveway provides access to a parking area for four or more vehicles, the approaches and driveways shall be defined by a curb of concrete or rolled asphalt.
- b) For the purposes of this section, driveway widths shall be measured at the street.
- c) Driveways shall be situated at least 15 m (49 ft) from a intersection unless otherwise permitted by the Town's Traffic Authority.
- d) 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.
- e) Driveways shall not exceed a width of 3.5 m (11.5 ft) for a one way-driveway or 7 m (23 ft) for a two-way driveway except:
 - i) in the Industrial (M1) Zone where driveways shall not exceed a width of 11 m (36 ft); or
 - ii) where otherwise required or permitted by the Town's Traffic Authority.
- f) 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.

4.2.9 Accessible Parking Requirements

Where off-street parking is required, one accessible parking space shall be provided for every 30 parking spaces or part thereof and shall:

- a) conform to the specifications set out in subsection 4.2.7;
- b) be situated closest to an accessible barrier free entrance;
- 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.

4.2.10 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 4.8 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 4.8: Vehicle Stacking Requirements

<i>Use</i>	<i>Stacking Requirement</i>
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 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.

4.2.11 Access to a Public Street

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

4.2.12 Parking of Commercial Motor Vehicles

- a) A commercial motor vehicle that has more than two axles or that is over 7.5 metres (24.6 feet) in length may not be parked or stored in a Residential Zone.
- b) No more than three commercial motor vehicles may be parked or stored on a property in a Residential Zone.

4.2.13 Cash-in-lieu of Required Parking

In the Mixed Use Residential (R6), Heritage Residential (R7), Downtown Commercial (C1) or Limited Commercial (C2) Zone, a development permit may be issued for a proposal with less than the amount of parking spaces required pursuant to subsection 4.2.4 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.

4.3 Signage

4.3.1 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 (sign) 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 (sign) issued prior to being erected.
- d) A sign permit shall be issued by the Development Officer only when the provisions of this by-law have been complied with.
- e) 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.
- f) All height measurements are from established grade to top of sign, sign structure, or any portion thereof.

4.3.2 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.

4.3.3 Calculating the Number of Signs

- a) A double-faced sign shall count as a single sign.
- b) Signs identified in Subsection 4.3.6 "Signs Permitted in all Zones" shall not be included when calculating the total number of signs permitted.

4.3.4 Permitted Number of Signs

- a) Where permitted in accordance with this Section, the following is the maximum amount and type of signage permitted for any one business premise:
 - i) one projecting wall sign or ground sign;
 - ii) one facial wall sign, roof sign, or awning sign;
 - iii) one additional facial wall sign on each side of the building up to a maximum of three facial wall signs; and
 - iv) one temporary sign.
- b) Where permitted in accordance with this Section, a business premise in a Commercial, Industrial, or Public Use Zone that is situated on a corner lot or a lot with more than 150 m (492 ft) of frontage may be permitted to have the following signage in addition to the amount and type of signage set out in clause (a):
 - i) one projecting wall sign or ground sign; and
 - ii) one awning sign in lieu of a one facial wall sign permitted in accordance with clause (a)(iii).
- c) For the purpose of this section, where a multiple tenancy building is occupied by more than one business, each business area shall be considered a separate business premise.
- d) The following is the maximum amount and type of signage permitted for any one business premise in a multiple tenancy building:
 - i) one projecting wall sign;
 - ii) one facial wall sign, roof sign, or awning sign
 - iii) one additional facial wall sign on each side of the building up to a maximum of three facial wall signs for any one business premise; and
 - iv) one ground sign which may or may not include advertising for other business premises on the property provided there is no more than one ground sign on any one property

4.3.5 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.

4.3.6 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 m² (2 ft²) in sign area, showing a civic address;
- b) signs of not more than 0.2 m² (2 ft²) 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 m² (2 ft²) in sign area;
- d) real estate signs not exceeding 0.5 m² (5 ft²) in sign area in a Residential Zone and 1.5 m² (16 ft²) in other zones, which advertise the sale, rental or lease of the premises;

- 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 m² (5 ft²) 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 m² (2 ft²) denoting the date of erection of a building;
- h) the flag, pennant or insignia of any nation, province or state or of any religious, charitable or fraternal organization;
- i) a sign having an area of not more than 3.0 m² (32 ft²) incidental to construction and within the area of such construction; and
- j) a sign having an area of not more than 0.6 m² (6.5 ft²) for each of 2 sides and which displays the words “open” or lists a businesses hours of operation.

4.3.7 Signs Prohibited in all Zones

Except where permitted under conditions expressly set out in this section, 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) any sign which obstructs the required egress from any premise;
- d) 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;
- e) any sign which advertises a business that is no longer conducted;
- f) signs on public property or a public right-of-way unless erected by a governmental body, or unless specially permitted by Council;
- g) 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;
- h) signs painted on, attached to, or supported by a tree, stone, cliff or other natural object;
- i) 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;
- j) signs not related to any business or use located on the lot or premises; and
- k) signs on utility poles.

4.3.8 Facial Wall Signs

- a) Facial wall signs are subject to the design specifications set out in Table 4.9.
- b) When calculating wall area 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.

Table 4.9: Facial Wall Signs

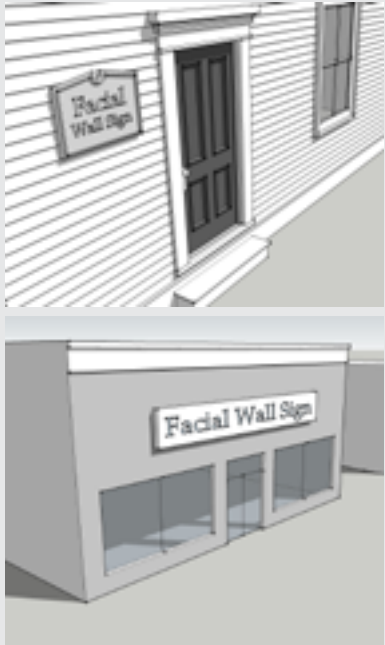
Permitted	Dimensions	Conditions	Application
R1 R2 R3 R4 R5 R8 R9	<i>Maximum Area</i> 0.5 m ² (5 ft ²)	No illumination of signage except for a Bed & Breakfast. Illuminated signage not permitted in a yard abutting a residential use.	
R6 R7	<i>Maximum Area</i> 0.5 m ² (5 ft ²)	No illumination of signage except for a Bed & Breakfast. A home based business or office and professional use may have illuminated signage during business hours only. No facial wall signs are permitted on a wall facing a rear or side yard that abuts a Residential Zone	
C1 C2 C3 C4 C5 M1 M2 P1 P2 P3 P4 E1 E2 E5	<i>Maximum Area</i> 10 % of the area of the wall to which sign is affixed	No facial wall signs are permitted on a wall facing a rear or side yard that abuts a Residential Zone	

Table 4.10: Projecting Wall Signs


Permitted	Dimensions	Conditions	Application
R6 R7	<i>Maximum Area</i> 0.5 m ² (5 ft ²) <i>Total Area of all Faces</i> 1 m ² (10 ft ²)	No illumination permitted. Must be erected no less than 3 m (10 ft) and no more than 5 m (16 ft) from grade. Must not project more than 1.5 m (5 ft) from the wall to which the sign is affixed May not extend over a public right-of-way.	
C1 C2	<i>Maximum Area</i> 2 m ² (21.5ft ²) <i>Total Area of all Faces</i> 4 m ² (43 ft ²)	Must be erected no less than 3 m (10 ft) and no more than 6 m (20 ft) from grade. No sign face dimension shall exceed 1.5 m (5 ft) May extend over a public right-of-way a distance equal to 66% the width of the sidewalk.	
C3 C4 C5 M1 M2 P1 P2 P3 P4 E1 E2 E5	<i>Maximum Area</i> 4 m ² (43ft ²) <i>Total Area of all Faces</i> 8 m ² (86 ft ²)	Must be erected no less than 3 m (10 ft) and no more than 6 m (20 ft) from grade. Must not project more than 2 m (6.5 ft) from the wall to which the sign is affixed. May not extend over a public right-of-way.	

Table 4.11: Ground Signs




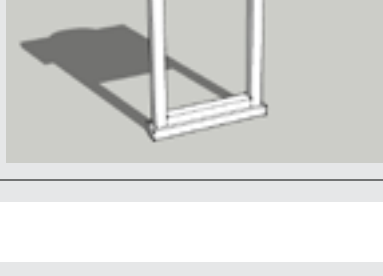

Permitted	Dimensions	Conditions	Application
R1 R2 R3 R4 R5 R8 R9	<i>Max. Area Single Face</i> 0.5 m ² (5 ft ²) <i>Total Area of all Faces</i> 1 m ² (10 ft ²) <i>Max. Height</i> 1.5 m (5 ft)	No illumination of signage except for a Bed & Breakfast. Illuminated signage not permitted in a required yard abutting another property in a Residential Zone.	
R6 R7	<i>Max. Area Single Face</i> 1.4 m ² (15 ft ²) <i>Total Area of all Faces</i> 2.8 m ² (30 ft ²) <i>Maximum Height</i> 1.5 m (5 ft)	Permitted for Commercial Uses and Bed & Breakfasts only, not permitted for home based businesses. Only Bed & Breakfasts may have signage illuminated outside of regular business hours. No illuminated signage is permitted in a required yard abutting another property in a Residential Zone	
C1 C2 P1 P2 E1 E2 E5	<i>Max. Area Single Face</i> 3 m ² (32 ft ²) <i>Total Area of all Faces</i> 6 m ² (64 ft ²) <i>Maximum Height</i> 2 m (6.5 ft)	Illuminated Signage not permitted in a required yard abutting a Residential Zone.	
C3 C5 P3 P4	<i>Max. Area Single Face</i> 7 m ² (75 ft ²) <i>Total Area of all Faces</i> 14 m ² (150 ft ²) <i>Maximum Height</i> 5 m (16 ft)	Not permitted in a required yard abutting a Residential Zone. Minimum setback from any front or flanking lot line must be 50% the height of the sign. Minimum setback from a side or rear property line must be 33% the height of the sign.	
C4 M1 M2	<i>Max. Area Single Face</i> 11 m ² (118 ft ²) <i>Total Area of all Faces</i> 22 m ² (236 ft ²) <i>Maximum Height</i> 10.5 m (34 ft)	Not permitted in a required yard abutting a Residential Zone. Minimum setback from any front or flanking lot line must be 50% the height of the sign. Minimum setback from a side or rear property line must be 33% the height of the sign.	

Table 4.12: Roof Signs


Permitted	Dimensions	Conditions	Application
C1 C2 C4 M1 M2	<i>Maximum Area</i> 10 % of the area of the main wall of the building that faces the same direction as the roof sign	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. Must not exceed the height limit of the applicable zone. No roof sign is permitted to face a rear or side yard that abuts a Residential Zone	

Table 4.13: Awning Signs




Permitted	Dimensions	Conditions	Application
C1 C2 C3 C4 C5 M1 M2 P3 P4	<i>Maximum Area</i> 10 % of the area of the main wall of the building to which the awning is affixed	Permitted on an awning erected no less than 3 m (10 ft) and no more than 6 m (20 ft) from grade. No awning signs are permitted on a wall facing a rear or side yard that abuts a Residential Zone	

Table 4.14: Temporary Signs

Permitted	Dimensions	Conditions	Application
R6 C1 C2	<i>Maximum Area</i> 0.5 m ² (5 ft ²) <i>Total Area of all Faces</i> 1 m ² (10 ft ²) <i>Maximum Height</i> 1 m (3 ft) <i>Maximum Width</i> 0.6 m (2 ft)	Only sandwich board type signage permitted. Must not include any illumination. One sign may be placed within public right-of-way immediately adjacent to commercial use during regular hours of operation. Sign must not interfere with the flow of pedestrian or vehicular traffic or pose a safety hazard.	
C3 C4 C5 M1 M2 P1 P2 P3 P4	<i>Max. Area Single Face</i> 4.5 m ² (48 ft ²) <i>Total Area of all Faces</i> 9 m ² (97 ft ²) <i>Maximum Height</i> 3 m (10 ft)	Requires a Temporary Sign Permit in accordance with Subsection 4.3.13. Must not include any flashing lights. Maximum of one sign per property. May be permitted to occupy one parking space where there is no practical alternative. Not permitted in a required yard abutting a Residential Zone.	

4.3.9 Projecting Wall Signs

- Projecting wall signs are subject to the design specifications set out in Table 4.10.
- Projecting wall signs require a building permit issued in accordance with the Town of Truro Building By-law.

4.3.10 Ground Signs

- Ground signs are subject to the design specifications set out in Table 4.11
- No ground sign in excess of 2 m (6.5 ft) shall be erected without a building permit being issued in accordance with the Town of Truro Building By-law.

4.3.11 Roof Signs

- Roof signs are subject to the design specifications set out in Table 4.12.
- Roof signs require a building permit issued in accordance with the Town of Truro Building By-law.

4.3.12 Awning Signs

Awning signs are subject to the design specifications set out in Table 4.13.

4.3.13 Temporary Signs

- a) Sandwich board temporary signs do not require a development permit but are subject to the design specifications set out in Table 4.14.
- b) All other temporary signs are subject to the design specifications set out in Table 4.14 and the following additional 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.

4.3.14 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 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 4.3.17(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.

4.3.15 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.

4.3.16 Off-site Signage

Notwithstanding subsection 4.3.7(j), 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.

4.3.17 Signs Identifying Residential Developments

In any residential zone a 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 erected subject to the following requirements:

- a) the maximum sign area shall be 1.4 m² (15 ft²) ;
- b) the total area of all sign faces shall not exceed 2.8 m² (30 ft²);
- c) the maximum height of the sign shall be 1.5 m (5 ft); and
- d) the sign shall be set back a minimum of 1.5 m (5 ft) from any property line.

4.4 Urban Agricultural Uses

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

4.4.1 Animal Units

- a) Table 4.15 lists types of animals relative to the amount of animal units permitted on a lot.
- b) Animals not listed shall be treated according to the approximate equivalency to the categories below based on their body weight as a mature animal, and the amount of noise normally produced by the animal.

Table 4.15: Animal Units

<i>Type of Animal</i>	<i>Animal Unit Equivalency</i>
1 Cattle, Horse, Deer, Llama, Donkey	44 Units
1 Sheep, Pony, Emu	24 Units
1 Duck, Pheasant, Turkey, Goose	6 Units
1 Beehive	2 Units
1 Chicken	1 Unit

4.4.2 Calculating Animal Units

- a) Animals are permitted only on lots at least 465 m² (5000 ft²) in size. One animal unit is permitted for every 93 m² (1000 ft²) of lot area.
- b) In the case of fractional numbers when calculating animal units, round down for the amount of animal units permitted.

4.4.3 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) Roosters and swine (excluding pot-bellied pigs) are prohibited in all Zones excluding the Rural Residential Zone (R8) and Watershed Residential Zone (R9).

- c) 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.
- d) 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.
- e) Animals may not be housed in any structure used for human habitation.
- f) The sale of eggs, meat, honey, manure, or any other product derived from the domestic keeping of animals is prohibited in all Residential Zones.
- g) 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.

4.4.4 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 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.

4.4.5 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 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 percent coniferous trees indigenous to the area; or
- b) contain a berm that is a minimum of 2 m (6.5 ft) in height with at least a 7 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 m (20 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 1.85 m (6 ft) high;
 - iv) is a minimum of 2 m (6.5 ft) high from ground to the top horizontal member; and
 - v) extends a minimum of 6 m (20 ft) horizontally.

4.4.6 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 behavior.
- 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 2 m (6 ft) in height along any section of abutting property line(s), within 9 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 m (10 ft) from any and all abutting property lines.

4.5 Stormwater Management

4.5.1 Impermeable Surface Allowances

Except where permitted in accordance with subsection 4.5.2 of this By-law, no development permit shall be issued for a development that would:

- a) exceed the maximum impermeable surface area found in Table 4.16 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 4.16 and in the applicable Zone Requirements table for each zone.

4.5.2 Exceeding Impermeable Surface Allowances

The Maximum Impermeable Surface Area limits in Table 4.16 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 4.17; 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 4.17 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 4.5.2(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.


Table 4.16: Maximum Impermeable Surface Area by Zone

Residential Zones		Commercial Zones	
Single Unit Residential (R1)	25 percent	Downtown Commercial (C1)	75 percent
Two Unit Residential (R2)	25 percent	Limited Commercial (C2)	75 percent
General Residential (R3)	25 percent	Local Commercial (C3)	50 percent
Multiple Unit Residential (R4)	40 percent	General Commercial (C4)	70 percent
Mini Home Residential (R5)	25 percent	Adult Entertainment (C5)	70 percent
Mixed Use Residential (R6)	40 percent		
Heritage Residential (R7)	40 percent	Public Use Zones	
Rural Residential (R8)	25 percent	Parks and Open Space (P1)	35 percent
Watershed Residential (R9)	25 percent	Recreation (P2)	35 percent
		Institutional (P3)	70 percent
		Neighbourhood Institutional (P4)	50 percent
Environmental Zones		Industrial Zones	
Environmental Reserve (E1)	10 percent	Industrial (M1)	60 percent
Flood Plain (E2)	10 percent	Commercial Industrial (M2)	60 percent
Watershed (E5)	10 percent		

4.5.3 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.

Table 4.17: Storm Water Management Improvements

SWM Practice	Description	Application
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>4% Credit to Impermeable Surface Limit</p>	

<i>SWM Practice</i>	<i>Description</i>	<i>Application</i>
Dry Swales	<p>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.</p> <p>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.</p> <p>4% Credit to Impermeable Surface Limit</p>	
Perforated Pipe Systems	<p>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.</p> <p>4% Credit to Impermeable Surface Limit</p>	
Permeable Pavement	<p>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:</p> <ul style="list-style-type: none"> • permeable interlocking concrete pavers (i.e., block pavers); • plastic or concrete grid systems (i.e., grid pavers); • pervious concrete; and • porous asphalt. <p>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.</p> <p>4% Credit to Impermeable Surface Limit</p>	

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 Chambers

Trenches/

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

<i>SWM Practice</i>	<i>Description</i>	<i>Application</i>
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.</p> <p>4% Credit to Impermeable Surface Limit</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.</p> <p>4% Credit to Impermeable Surface Limit</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>4% Credit to Impermeable Surface Limit</p>	

5 • Residential Zones

Residential Zones

R1 Single Unit Residential
R2 Two Unit Residential
R3 General Residential

R4 Multiple Unit Residential
R5 Mini-Home Residential
R6 Mixed Use Residential

R7 Heritage Residential
R8 Rural Residential
R9 Watershed Residential

Permitted Uses Table¹

Use	Zones Permitted	Development Agreement Only
Agricultural Uses	R8	
Agricultural Uses (Existing)	R8 R9	
Artist Studios	R6 R7 R8	
Bed & Breakfasts	R2 R3 R4 R6 R7 R8 R9	
Café	R6	
Cemeteries	R8	R1 R2 R6 R7
Community Gardens	R1 R2 R3 R4 R5 R6 R7 R8	
Community Homes	R1 R2 R3 R4 R6 R7 R8	
Converted Dwellings (up to 2 units)	R1 R2 R3 R4 R5 R6 R7 R8 R9	
Converted Dwellings (3 - 4 units)	R4	R3 R6
Converted Dwellings (5 or more units)		R3 R4 R6
Day Care Centres	R2 R3 R4 R6 R8 R9	R1
Forestry Uses	R8 R9	
Golf Courses	R8	
Governmental Uses	R8	R1 R2 R6 R7
Home Based Businesses	R1 R2 R3 R4 R5 R6 R7 R8 R9	
Homes for Special Care	R3 R4	R1 R2 R6 R7
Kennels	R8 R9	
Lodging Houses	R3 R4	
Memorial Parks	R8	
Mobile/Mini-Homes	R5	R3 R4
Multiple Unit Dwelling (5 or more units)		R3 R4 R5 R6
Multiple Unit Dwelling (up to 4 units)	R4	R3 R5 R6
Multiple Unit Dwelling (3 units)	R4	R3 R5 R6
Office & Professional Uses	R6 R7	
Parks	R1 R2 R3 R4 R5 R6 R7 R8 R9	

Use	Zones Permitted	Development Agreement Only
Personal Services	R6 R7	
Places of Worship	R8	R1 R2 R6 R7
Playgrounds	R1 R2 R3 R4 R5 R6 R7 R8 R9	
Residential Care Facilities	R3 R4 R6 R8	R1 R2 R7
Semi Detached Dwellings	R2 R3 R4 R5 R6	
Single Detached Dwellings	R1 R2 R3 R4 R5 R6 R7 R8 R9	
Sports Fields & Courts	R1 R2 R3 R4 R5 R6 R7 R8 R9	
Three Unit Dwellings	R4	R3 R5 R6
Townhouses	R4	R3 R6
Townhouses (up to 4 units)	R4 R6	R3
Two Unit Dwellings	R2 R3 R4 R5 R6 R7	
Walkways & Trails	R1 R2 R3 R4 R5 R8	

1. This permitted uses table is intended to provide a general list of permitted uses in each zone. This table is provided for convenience only and reference should be made to the section and policies corresponding to each zone for a complete list of permitted uses, uses permitted only by development agreement, and uses that are subject to special requirements.

5.1 General Provisions for Residential Zones

5.1.1 Accessory Buildings in Residential Zones

The following requirements apply to accessory buildings in all Residential Zones:

- a) an accessory building shall:
 - i) not be used as a dwelling;
 - ii) have a maximum ground floor area no greater than 10 percent of the lot area; and
 - iii) be set back at least 6 m (20 ft) from any front lot line; or
 - iv) be set back from a flanking lot line a distance equal to or greater than the distance between the flanking lot line and the main building.
- b) no automobile, trailer, shipping container, mobile office, mobile classroom, or similar type of vehicle or structure or portion thereof shall be used as an accessory building in any Residential Zone whether or not same is mounted on wheels or on a foundation;
- c) a detached accessory building may be permitted in all residential zones provided the detached accessory building:
 - i) has a maximum height of 4.5 m (15 ft) except in the Rural Residential (R8) or Watershed Residential (R9) Zones;
 - ii) is not situated within a front yard or flanking yard except in the Rural Residential (R8) or Watershed Residential (R9) Zones;
 - iii) is situated at least 2 m (6.6 ft) from the main building; and
 - iv) is situated at least 2 m (6.6 ft) from any side or rear lot line; or
 - v) is situated at least 1 m (3.3 ft) from any side or rear lot line where there is no door, window or other perforation in the wall facing the abutting the lot line;
- d) an attached accessory building that is 4.5 m (15 ft) or less in height may be permitted in any Residential Zone provided the attached accessory building is at least 2 m (6.6 ft) from any side or rear lot line; and
- e) an attached accessory building that is greater than 4.5 (15 ft) in height or that includes usable floor space on a second floor, may be permitted in any Residential Zone provided the attached accessory building conforms to the setback and height requirements that apply to the main building.

These regulations apply to accessory buildings such as sheds, barns, and both attached and detached garages.

Development permits are required for all accessory buildings, regardless of size although building permits may not be required for structures under 20 m² (215 ft²)

5.1.2 Accessory Building on an Abutting Lot

A building that is accessory to a residential use may be permitted on an abutting lot provided:

- a) the use of the building remains accessory to a residential use on an abutting lot;
- b) the building conforms to all other requirements for accessory buildings as set out in Subsection 7.1.1;
- c) the accessory building is less than 20 m² (215 ft²) in area; and
- d) the building is not placed on a permanent foundation.

5.1.3 Home Based Businesses

- a) In all Residential Zones, except the Mixed Use Residential (R6) and Heritage Residential (R7) Zones, home based business are permitted subject to the following requirements:
 - i) the business use is located within a single detached dwelling or a building that is accessory to a single detached dwelling;
 - ii) the dwelling is occupied as a residence by the owner of the home based business;
 - iii) the external appearance of the dwelling is consistent with a residential use;
 - iv) the business use may employ a maximum of two employees who are not residents in the dwelling;
 - v) the business use occupies a maximum floor area of 60 m² (646 ft²);
 - vi) all signage for the home based business complies with the signage regulations set out in Part 4 of this By-law;
 - vii) no open storage or outdoor display shall be permitted; and
 - viii) no mechanical equipment is used except that which is reasonably consistent with the residential use of the dwelling.
- b) Home based businesses in the Mixed Use Residential (R6) and Heritage Residential (R7) Zones are subject to the specific zone requirements for the R6 and R7 Zones set out in Sections 5.7 and 5.8 of this By-law.

5.1.4 Amenity Space

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

- a) 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.
- b) Amenity space shall be provided for each unit based on the following amenity space requirements set out in Table 5.1.

Table 5.1: Amenity Space Requirements

<i>Type of Unit</i>	<i>Amenity Space Requirement</i>	
Bachelor Apartment	14.0 m ² per unit	151 ft ² per unit
1 Bedroom Apartment	18.5 m ² per unit	199 ft ² per unit
2 Bedroom Apartment	23.0 m ² per unit	248 ft ² per unit
3 Bedroom Apartment	28.0 m ² per unit	301 ft ² per unit
Apartment with 4 or more Bedrooms	37.0 m ² per unit	398 ft ² per unit

5.1.5 Day-care Centres

A development permit may be issued for a day-care centre in the Two Unit Residential (R2), General Residential (R3), Multiple Unit Residential (R4), Rural Residential (R8) or Mixed Use Residential (R6) Zone provided the day-care centre is not situated on a cul-de-sac or otherwise a dead end street.

5.1.6 More than One Main Building on a Lot

More than one main building may be permitted on a lot in the General Residential (R3), Multiple Unit Residential (R4), or Mixed Use Residential (R6) Zones where the lot meets the following requirements:

- a) the minimum lot area shall be 0.5 hectares (1.24 acres); and
- b) the minimum distance between buildings shall be 6.0 m (20 ft) or one-half the height of the highest abutting wall, whichever is greater.

5.1.7 Converted Dwellings

- a) An existing single detached dwelling in all Residential Zones except the Mixed Use Residential (R6) or Heritage Residential (R7) Zones may be converted to permit one additional dwelling unit subject to the following requirements:
 - i) the maximum number of dwelling units permitted in any structure shall not exceed two units except in the Multiple Unit Residential (R4) Zone where the maximum number of dwelling units in any structure shall not exceed four units;
 - ii) no alteration may be undertaken to the exterior of the structure except for the addition of dormers that conform to the architectural style, roof pitch, and fenestration of the original structure;
 - iii) no alteration may be undertaken which increases the height of the structure;
 - iv) no alteration may be undertaken which will extend into the front or side yard of the lot;
 - v) any additional parking space shall be provided in the side or rear yard of the lot; and
 - vi) no alteration may be undertaken to increase the number of entrances in the front or sides of the dwelling.
- b) Residential conversions in the Mixed Use Residential (R6) and Heritage Residential (R7) Zones are subject to the specific zone requirements for the R6 and R7 Zones set out in Sections 7.6 and 7.7 of this By-law.

5.1.8 Lodging Houses

A development permit may be issued for a lodging house in a General Residential (R3) or Multiple Unit Residential (R4) 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 one other dwelling unit that contains a maximum of two bedrooms.

5.1.9 Bed and Breakfasts

A bed & breakfast may be permitted in all Residential Zones except the Single Unit Residential (R1) and Mini-Home Residential (R5) Zones provided that the bed & breakfast:

- a) operates within a single detached dwelling unit that is occupied as a residence by the proprietor of the bed & breakfast;
- b) consists of a maximum of four guest rooms;

- c) has on site parking situated within a rear or side yard that satisfies the parking requirements as set out in Part 4 of this By-law; and
- d) includes only signage that conforms to the signage regulations set out in Part 4 of this By-law.

5.1.10 Community Homes

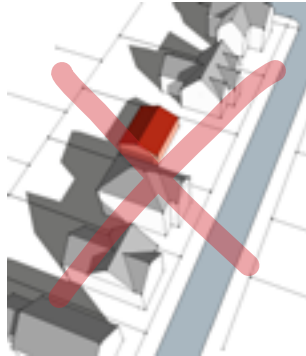
A development permit may be issued for a community home in all Residential Zones except the Mini Home Residential (R5) or Watershed Residential (R9) Zones subject to the following requirements:

- a) the community home is located at least 250 m (820 ft) from any other community home or residential care facility;
- b) there is a minimum of 150 m² (1615 ft²) or 18 m² (194 ft²) per resident, whichever is greater, of outdoor amenity space in the rear or side yard of the community home;
- c) there shall be 18 m² (194 ft²) of floor area per resident including staff and/or receiving family;
- d) the entire structure shall be occupied by the community home; and
- e) a dwelling unit operated in conjunction with and accessory to the community home may be permitted within the same structure as the community home where:
 - i) a second dwelling unit is permitted by applicable zoning regulations;
 - ii) the accessory dwelling unit is operated in conjunction with the community home; and
 - iii) the accessory dwelling unit contains no more than two bedrooms.

5.1.11 Residential Care Facilities

A development permit may be issued for a residential care facility in all Residential Zones except the Single Unit Residential (R1), Two Unit Residential (R2), Mini Home Residential (R5), Heritage Residential (R7) and Watershed Residential (R9) Zones subject to the following requirements:

- a) a residential care facility shall be located at least 250 m (820 ft) from any other residential care facility or community home;
- b) there is a minimum of 150 m² (1615 ft²) or 18 m² (194 ft²) per resident, whichever is greater, of outdoor amenity space in the rear or side yard of the residential care facility;
- c) there shall be 18 m² (194 ft²) of floor area per resident including staff and/or receiving family; and
- d) a dwelling unit operated in conjunction with and accessory to the residential care facility may be permitted within the same structure as the residential care facility where:
 - i) a second dwelling unit is permitted by applicable zoning regulations;
 - ii) the accessory dwelling unit is operated in conjunction with the community home; and
 - iii) the accessory dwelling unit contains no more than two bedrooms.



New buildings shall not vary from the average size and setbacks of existing buildings on the same block



Side (flanking) elevations of buildings on corner lots shall not be left blank and featureless



Side (flanking) elevations of buildings on corner lots shall feature architectural detailing such as gable ends, dormers, bays, and windows



Buildings situated at prominent locations should feature distinct architectural elements to terminate the view down the street

5.1.12 Scale

- No main building shall vary from the average building height of main buildings on the same block by more than 20 percent.
- The facade of a main building shall not have a surface area in excess of the average area of facades on the same block by more than 20 percent unless the facade features a projecting bay, porch, verandah, or similar feature.

5.1.13 Front and Flanking Yard Setbacks

- The main wall of a new primary structure shall be set back from the street a distance no greater than the average front yard setback of neighbouring properties.
- Verandahs, porches, bay windows, and other encroachments are permitted within the required setback in accordance with Subsection 4.1.25 of this By-law.

5.1.14 Corner Lots

The flanking elevation of a main building on a corner lot shall be comprised of at least 10 percent windows and shall not have a surface area in excess of the average area of facades on the same block by more than 20 percent unless the flanking elevation features a projecting bay, porch, verandah, or similar feature.

5.1.15 Focal Point

A building situated at a prominent location such as at the end of a street should feature a distinct architectural element like a gable end or corner tower positioned so as to terminate the view down the street.

5.1.16 Parking in Residential Zones

- No parking area in a residential zone shall occupy more than 40% of the front yard of a lot.
- The total area of all driveways and parking areas on a lot in any residential zone shall not exceed 50% of the lot area not occupied by a main building or accessory building.

5.2 Single Unit Residential (R1) Zone

5.2.1 Permitted Uses

Table 5.2 lists uses that are permitted in the Single Unit Residential (R1) Zone subject to all applicable requirements of this By-law.

5.2.2 Uses Permitted with Special Conditions

Table 5.3 lists uses that are permitted in the Single Unit Residential (R1) Zone that are, in addition to all other applicable requirements of this By-law, subject to special requirements set out in this Section or in Section 5.1, General Provisions for Residential Zones.

Table 5.2: R1 Zone Permitted Uses

Community Gardens	Single Detached Dwellings
Parks	Sports Fields & Courts
Playgrounds	Walkways & Trails

Table 5.3: R1 Zone Conditional Uses

Community Homes
Converted Dwellings (up to 2 units)
Home Based Businesses

5.2.3 Zone Requirements

The following requirements apply to the Single Unit Residential (R1) Zone:

Table 5.4: R1 Zone Requirements

Minimum Lot Area		500.0 m ²	5382 ft ²
Minimum Lot Frontage		15.25 m	50 ft
Minimum Front Yard		6.0 m	20 ft
Minimum Rear Yard		7.5 m	25 ft
Minimum Side Yard	One Side	2.5 m	8 ft
	Other Side	3.5 m	12 ft
Minimum Flanking Yard		6.0 m	20 ft
Maximum Building Height	Within 5.5 m (18 ft) of a property line	7.5 m	25 ft
	5.5 m (18 ft) or more from a property line	11.0 m	36 ft
Maximum Lot Coverage		25 percent	
Maximum Impermeable Surface Area		25 percent	

5.2.4 Maximum Lot Coverage

- The maximum lot coverage limit in Table 5.4 shall not apply to existing undersized lots.
- Accessory buildings under 9.3 m² (100 ft²) shall not be included in the lot coverage calculation.

5.2.5 Uses Permitted only by Development Agreement

The following uses may be considered only by development agreement in the Single Unit Residential (R1) Zone:

- a) Institutional (P3) Zone Uses in accordance with Policy I-12 of the Municipal Planning Strategy.

5.3 Two Unit Residential (R2) Zone

5.3.1 Permitted Uses

Table 5.5 lists the uses that are permitted in the Two Unit Residential (R2) Zone subject to all applicable requirements of this By-law.

5.3.2 Uses Permitted with Special Conditions

Table 5.6 lists uses that are permitted in the Two Unit Residential (R2) Zone that are, in addition to all other applicable requirements of this By-law, subject to special requirements set out in this Section or in Section 5.1, General Provisions for Residential Zones.

Table 5.5: R2 Zone Permitted Uses

Community Gardens	Single Detached Dwellings
Parks	Sports Fields & Courts
Playgrounds	Two Unit Dwellings
Semi-Detached Dwellings	Walkways & Trails

Table 5.6: R2 Zone Conditional Uses

Bed & Breakfasts	Day Care Centres
Community Homes	Home Based Businesses
Converted Dwellings (up to 2 units)	

5.3.3 Zone Requirements

The following requirements apply to the Two Unit Residential (R2) Zone:

Table 5.7: R2 Zone Requirements

Minimum Lot Area	Single Detached/Converted		500 m ²	5382 ft ²
	Two Unit		550 m ²	5920 ft ²
	Semi-Detached Dwelling		325 m ²	3498 ft ²
Minimum Lot Frontage	Single Detached/Converted/Two Unit		15.25 m	50 ft
	Semi-Detached Dwelling		10.5 m	35 ft
Minimum Front Yard			6.0 m	20 ft
Minimum Rear Yard			7.5 m	25 ft
Minimum Side Yard	Single Detached/Converted/Two-Unit	One Side	2.5 m	8 ft
		Other Side	3.5 m	12 ft
	Semi-Detached Dwelling	Outside	3.5 m	12 ft
		Common	0.0 m	0 ft
Minimum Flanking Yard			6.0 m	20 ft
Maximum Building Height	Within 5.5 m (18 ft) of a property line		7.5 m	25 ft
	5.5 m (18 ft) or more from a property line		11.0 m	36 ft
Maximum Impermeable Surface Area			25 percent	

5.3.4 Uses Permitted only by Development Agreement

The following uses may be considered only by development agreement in the Two Unit Residential (R2) Zone

- a) Institutional (P3) Zone Uses in accordance with Policy I-12 of the Municipal Planning Strategy.

5.4 General Residential (R3) Zone

5.4.1 Permitted Uses

Table 5.8 lists the uses that are permitted in the General Residential (R3) Zone subject to all applicable requirements of this By-law:

5.4.2 Uses Permitted with Special Conditions

Table 5.9 lists uses that are permitted in the General Residential (R3) Zone that are, in addition to all other applicable requirements of this By-law, subject to special requirements set out in this Section or in Section 5.1, General Provisions for Residential Zones.

Table 5.8: R3 Zone Permitted Uses

Community Gardens	Single Detached Dwellings
Homes for Special Care	Sports Fields & Courts
Parks	Two Unit Dwellings
Playgrounds	Walkways & Trails
Semi-Detached Dwellings	

Table 5.9: R3 Zone Conditional Uses

Bed & Breakfasts	Home Based Businesses
Community Homes	Lodging Houses
Converted Dwellings (up to 2 units)	Residential Care Facilities
Day Care Centres	

5.4.3 Zone Requirements

The following general requirements apply to the General Residential (R3) Zone

Table 5.10: General Residential (R3) Zone Requirements

Minimum Lot Area	Single Detached/Converted		500 m ²	5382 ft ²
	Two Unit		550 m ²	5920 ft ²
	Semi-Detached Dwelling		325 m ² /unit	3498 ft ²
Minimum Lot Frontage	Single Detached/Converted/Two Unit		15.25 m	50 ft
	Semi-Detached Dwelling		10.5 m/unit	35 ft
Minimum Front Yard			6.0 m	20 ft
Minimum Rear Yard			7.5 m	25 ft
Minimum Side Yard	Single Detached/Converted/Two-Unit	One Side	2.5 m	8 ft
		Other Side	3.5 m	12 ft
	Semi-Detached Dwelling	Outside	3.5 m	12 ft
		Common	0.0 m	0 ft
Minimum Flanking Yard			6.0 m	20 ft
Maximum Building Height			11.0 m	36 ft
Maximum Impermeable Surface Area			25 percent	

5.4.4 Uses Permitted only by Development Agreement

Where a property in the General Residential (R3) Zone is within the General Residential Future Land Use Designation, the following uses may be considered by development agreement:

- a) Multiple Unit Dwellings (three or more units) in accordance with Municipal Planning Strategy Policy R-37;
- b) Townhouses in accordance with Municipal Planning Strategy Policy R-37; and
- c) Mini-Home Parks in accordance with Municipal Planning Strategy Policy R-43.

5.5 Multiple Unit Residential (R4) Zone

5.5.1 Permitted Uses

Table 5.11 lists the uses that are permitted in the Multiple Unit Residential (R4) Zone subject to all applicable requirements of this By-law:

5.5.2 Uses Permitted with Special Conditions

Table 5.12 lists uses that are permitted in the Multiple Unit Residential (R4) Zone that are, in addition to all other applicable requirements of this By-law, subject to special requirements set out in this Section or in Section 5.1, General Provisions for Residential Zones.

Table 5.11: R4 Zone Permitted Uses

Community Gardens	Single Detached Dwellings
Existing Multiple Unit Dwellings	Sports Fields & Courts
Homes for Special Care	Three Unit Dwellings
Multiple Unit Dwellings (up to 4 units)	Townhouse (up to 4 units)
Parks	Two Unit Dwellings
Playgrounds	Walkways & Trails
Semi-Detached Dwellings	

Table 5.12: R4 Zone Conditional Uses

Bed & Breakfasts	Home Based Businesses
Community Homes	Lodging Houses
Converted Dwellings (up to 4 units)	Residential Care Facilities
Day Care Centres	

5.5.3 Zone Requirements

Table 5.13 sets out the general requirements that apply to the Multiple Unit Residential (R4) Zone.

5.5.4 Uses Permitted only by Development Agreement

Where a property in the Multiple Unit Residential (R4) Zone is within the General Residential Future Land Use Designation, the following uses may be considered by development agreement:

- Multiple Unit Dwellings (five or more units) in accordance with Municipal Planning Strategy Policy R-37; and
- Mini-Home Parks in accordance with Municipal Planning Strategy Policy R-43.

Table 5.13: Multiple Unit Residential (R4) Zone Requirements

Minimum Lot Area	Multiple Unit Dwelling (more than four units)		700 m ² + 110 m ² /unit	7535 ft ² + 1184 ft ² /unit
	Townhouse		200 m ² /unit	2153 ft ² /unit
	Single Detached/Converted		500 m ²	5382 ft ²
	Two Unit Dwelling		550 m ²	5920 ft ²
	Three Unit Dwelling		600 m ²	6458 ft ²
	Semi-Detached Dwelling		325 m ² /unit	3498 ft ² /unit
Minimum Lot Frontage	Multiple Unit Dwelling (more than four units)		30 m	98 ft
	Townhouse		7.5 m/unit	25 ft/unit
	Single Detached/Converted/Two Unit		15.25 m	50 ft
	Three Unit Dwelling		18 m	59 ft
	Semi-Detached Dwelling		10.5 m/unit	35 ft
Minimum Front Yard			6.0 m	20 ft
Minimum Rear Yard			7.5 m	25 ft
Minimum Side Yard	Multiple Unit Dwelling (more than four units)		4.5 m	15 ft
			or ½ the height of the main building, whichever is greater	
	Townhouse/ Semi-Detached Dwelling	Outside	3.5 m	12 ft
		Common	0.0 m	0 ft
	Single Detached/Converted/ Two Unit/Three Unit	One Side	2.5 m	8 ft
		Other Side	3.5 m	12 ft
Minimum Flanking Yard			6.0 m	20 ft
Maximum Building Height			11.0 m	36 ft
Maximum Impermeable Surface Area			40 percent	

5.6 Mini Home Residential (R5) Zone

5.6.1 Permitted Uses

Table 5.14 lists the uses that are permitted in the Mini Home Residential (R5) Zone subject to all applicable requirements of this By-law:

5.6.2 Uses Permitted with Special Conditions

Table 5.15 lists uses that are permitted in the Mini Home Residential (R5) Zone that are, in addition to all other applicable requirements of this By-law, subject to special requirements set out in this Section or in Section 5.1, General Provisions for Residential Zones.

Table 5.14: R5 Zone Permitted Uses

Community Gardens	Single Detached Dwellings
Existing Mini Homes	Sports Fields & Courts
Parks	Two Unit Dwellings
Playgrounds	Walkways & Trails
Semi-Detached Dwellings	

Table 5.15: R5 Zone Conditional Uses

Converted Dwellings (up to 2 units)	Home Based Businesses
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5.6.3 Zone Requirements

The following requirements apply to the Mini Home Residential (R5) Zone:

Table 5.16: Mini Home Residential (R5) Zone Requirements

Minimum Lot Area	Mini Home/Single Detached/Converted	500 m ²	5382 ft ²	
	Two Unit	550 m ²	5920 ft ²	
	Semi-Detached Dwelling	325 m ²	3498 ft ²	
Minimum Lot Frontage	Mini Home	14.0 m	46 ft	
	Single Detached/Converted/Two Unit	15.25 m	50 ft	
	Semi-Detached Dwelling	10.5 m	35 ft	
Minimum Front Yard	Mini Home	3.0 m	10 ft	
	Other	6.0 m	20 ft	
Minimum Rear Yard	Mini Home	3.5 m	11.5 ft	
	Other	7.5 m	25 ft	
Minimum Side Yard	Mini Home	1.5 m	5 ft	
	Single Detached/Converted/Two-Unit	One Side	2.5 m	8 ft
		Other Side	3.5 m	12 ft
	Semi-Detached Dwelling	Outside	3.5 m	12 ft
		Common	0.0 m	0 ft
Minimum Flanking Yard	Mini Home	3.0 m	10 ft	
	Other	6.0 m	20 ft	
Maximum Building Height		11.0 m	36 ft	
Maximum Impermeable Surface Area		25 percent		

5.6.4 Uses Permitted only by Development Agreement

Where a property in the Mini Home Residential (R5) Zone is within the General Residential Future Land Use Designation, the following uses may be considered by development agreement:

- a) Multiple Unit Dwellings (three or more units) in accordance with Municipal Planning Strategy Policy R-37;

5.7 Mixed Use Residential (R6) Zone

5.7.1 Permitted Uses

Table 5.17 lists the uses that are permitted in the Mixed Use Residential (R6) Zone subject to all applicable requirements of this By-law:

5.7.2 Uses Permitted with Special Conditions

Table 5.18 lists uses that are permitted in the Mixed Use Residential (R6) Zone that are, in addition to all other applicable requirements of this By-law, subject to special requirements set out in this Section or in Section 5.1, General Provisions for Residential Zones.

Table 5.17: R6 Zone Permitted Uses

Community Gardens	Single Detached Dwellings
Parks	Sports Fields & Courts
Playgrounds	Townhouse (up to four units)
Semi-Detached Dwellings	Two Unit Dwellings

Table 5.18: R6 Zone Conditional Uses

Artists Studios	Day Care Centres
Bed & Breakfasts	Home Based Businesses
Cafés	Office & Professional Uses
Community Homes	Personal Services
Converted Dwellings (up to 2 units)	Residential Care Facilities

5.7.3 Zone Requirements

Table 5.19 sets out the general requirements that apply to the Mixed Use Residential (R6) Zone.

5.7.4 Uses Permitted only by Development Agreement

The following uses may be considered only by development agreement in the Mixed Use Residential (R6) Zone:

- Multiple Unit Dwellings (four or more units) in accordance with Municipal Planning Strategy Policy R-57;
- Three Unit Dwellings in accordance with Municipal Planning Strategy Policy R-57;
- Townhouses with more than four units in accordance with Municipal Planning Strategy Policy R-57; and
- Institutional (P3) Zone Uses in accordance with Policy I-12 of the Municipal Planning Strategy.

Table 5.19: Mixed Use Residential (R6) Zone Requirements

Minimum Lot Area	Single Detached/Converted/Other	500 m ²	5382 ft ²
	Two Unit	550 m ²	5920 ft ²
	Semi-Detached Dwelling	325 m ²	3498 ft ²
	Townhouse	200 m ² /unit	2153 ft ² /unit
Minimum Lot Frontage	Single Detached/Converted/Two Unit/Other	15.25 m	50 ft
	Semi-Detached Dwelling	10.5 m	35 ft
	Townhouse	7.5 m/unit	25 ft/unit
Minimum Front Yard		3.0 m	10 ft
Minimum Rear Yard		7.5 m	25 ft
Minimum Side Yard	Single Detached/Converted/Two-Unit/Other	One Side	2.5 m
		Other Side	3.5 m
	Townhouse/Semi-Detached Dwelling	Outside	3.5 m
		Common	0.0 m
Minimum Flanking Yard		3.0 m	10 ft
Maximum Building Height		11.0 m	36 ft
Maximum Impermeable Surface Area		40 percent	

5.7.5 Architectural Design Requirements to Apply

Except where permitted in accordance with subsection 5.7.6, subsection 5.7.12, or where otherwise permitted by this By-law, a development permit will not be issued for any new structure, alteration, or addition in the Mixed Use Residential (R6) Zone unless the proposed structure, alteration or addition conforms to the architectural design requirements set out in the subsections 5.7.7 through 5.7.11.

5.7.6 Exemptions from Architectural Design Requirements

The following types of development shall be exempt from the architectural design requirements set out in subsections 5.7.7 to 5.7.11:

- a) a proposed new main building where the design is consistent with a style that is represented by two or more heritage structures within the Mixed Use Residential (R6) or Heritage Residential (R7) Zones; or
- b) a proposed addition or alteration where the design will bring the main building into conformance with an architectural style that is represented by two or more heritage structures within the Mixed Use Residential (R6) or Heritage Residential (R7) Zones; or
- c) a proposed addition or alteration that will not be visible from any point along the front lot line or, where applicable, the flanking lot line of the subject property.

5.7.7 Physical Form

- a) New buildings in the Mixed Use Residential (R6) Zone shall be designed and constructed based on one of the basic building forms described in Figure 5.1.
- b) Proposed new buildings that do not conform to one of the basic building forms described in Figure 5.1 may be permitted where it can be demonstrated that the architectural style of the proposed structure is consistent with a style that is represented by two or more heritage structures within the Mixed Use Residential (R6) or Heritage Residential (R7) Zones.

Figure 5.1: Basic Building Forms

Greek Revival

1 ½ to 2 ½ storey construction with a medium to steep pitch simple gable roof. Structure features a front facing main gable with a symmetrical facade design.



Gothic Revival/Picturesque

1 ½ storey construction with a steep pitch gable roof with main facade on long elevation and side facing gable ends. 1 - 3 dormers on facade with steep pitch gable roofs.



Queen Anne Revival

2 to 2 ½ storey with irregular massing. Steep pitch hip roof with gable dormers. Features additional bays, verandahs, decorative trim, and may include a corner tower.



Four Square

2 ½ storey square construction with steep pitched hip roof, and single or multiple hip-roof dormers. May include front verandah.



Italianate

2 to 2 ½ 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.



Second Empire

1 ½ to 2 ½ storey construction with a steep pitch mansard roof that features projecting front bays and multiple dormers.



New England Colonial

2 ½ storey construction with a steep pitch gable roof with side facing gable ends. Style features central front entrance and symmetrical facade.



Folk Victorian

1 ½ to 2 ½ storey construction with a front facing gable roof. Style is essentially Greek Revival with Queen Anne details such as decorative trim and a verandah.



Shingle

2 to 2 ½ 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.

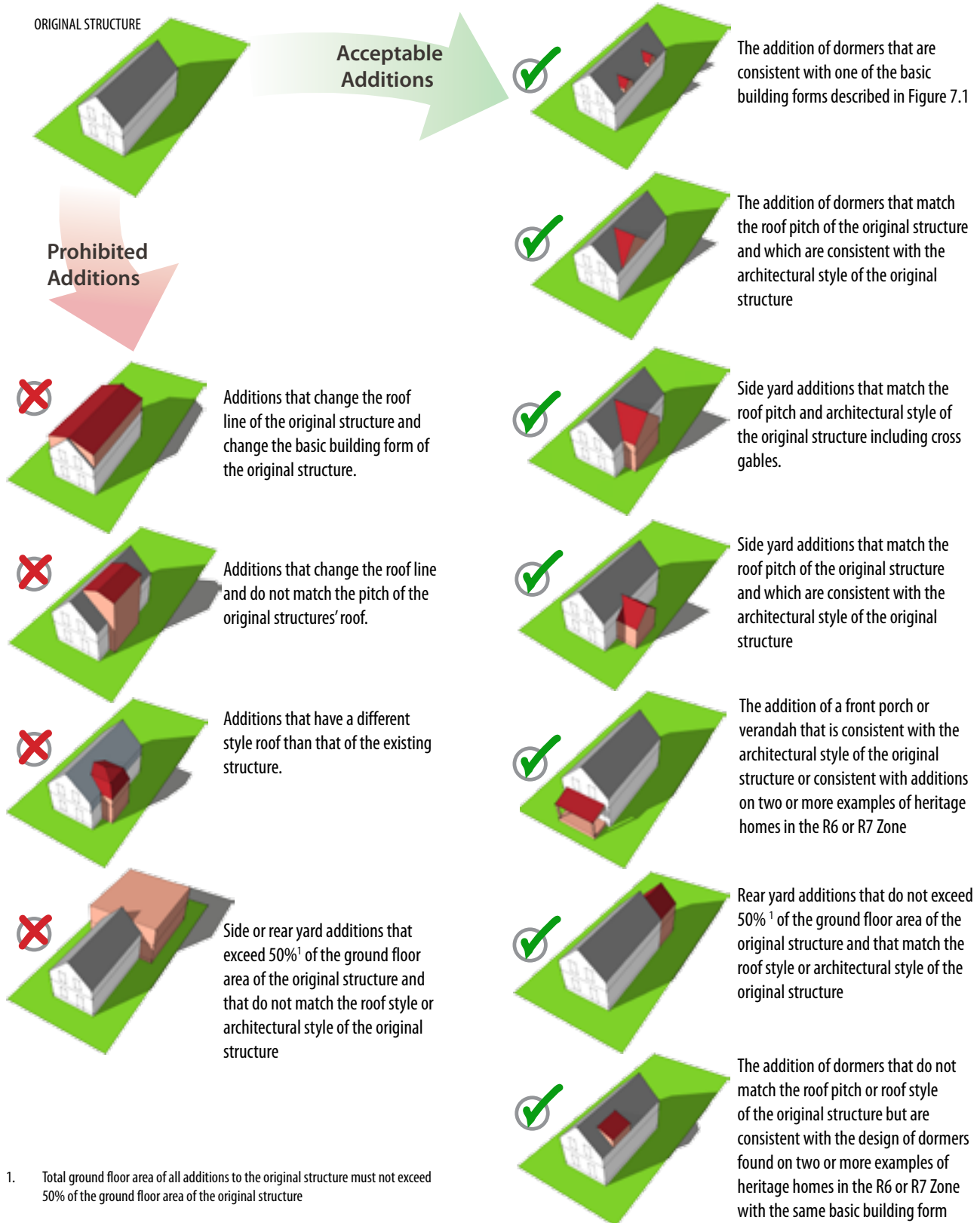


Craftsman

1 ½ storey construction with a large roof that sweeps down to cover the front porch. Form usually includes a central dormer window.



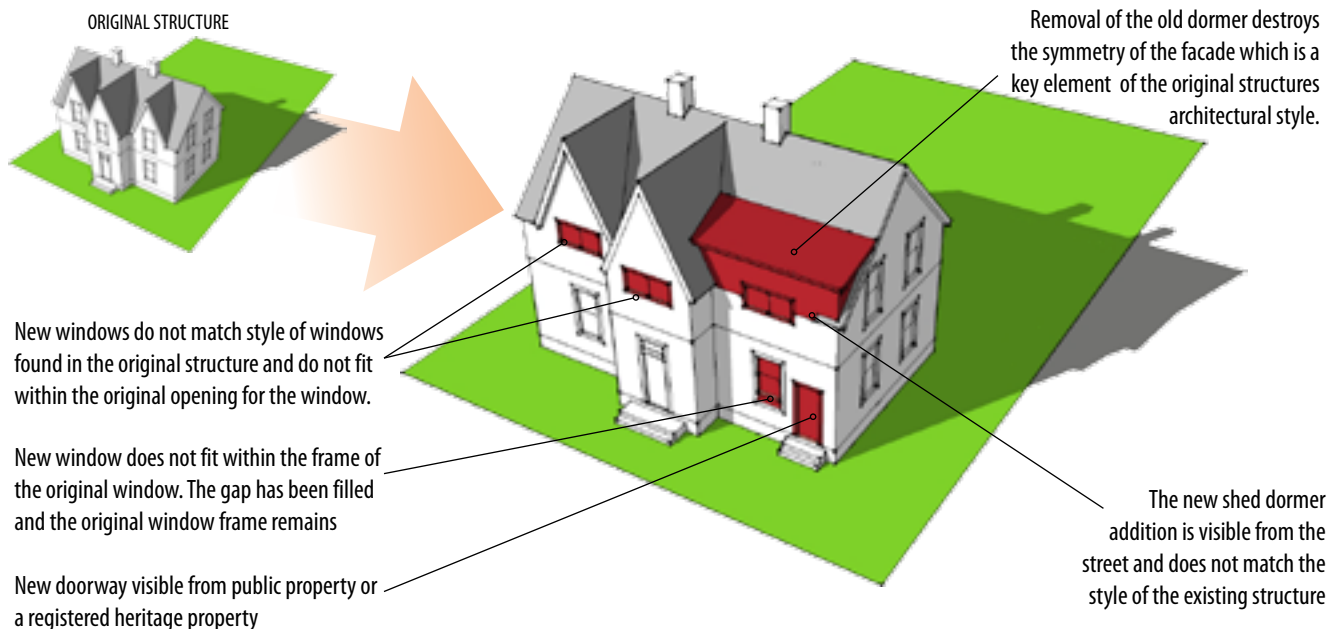
Figure 5.2: Design Requirements for Additions



5.7.8 Additions

- a) An existing structure in the Mixed Use Residential (R6) Zone that conforms to one of the basic building forms described in Figure 5.1 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 5.3; and
 - iv) the addition conforms to the guidelines for additions illustrated in Figure 5.2.
- b) An existing structure in the Mixed Use Residential (R6) Zone that does not conform to one of the basic building forms described in Figure 5.1 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 Mixed Use Residential (R6) or Heritage Residential (R7) Zones; or
 - ii) is designed to bring the structure into conformance, or more into conformance, with one of the basic building forms described in Figure 5.1.
- c) Expansions to existing structures within the Mixed Use Residential (R6) Zone shall not increase the ground floor area of the original structure by more than 50 percent.

Figure 5.3: Prohibited Alterations



5.7.9 Alterations

Alterations to an existing structure in the Mixed Use Residential (R6) 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; and
- 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 5.1.

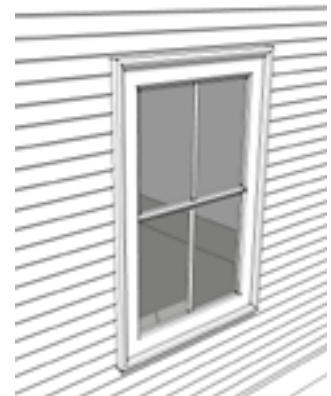


Replacement windows shall be the same style as the original window and shall be the same size as the original window unless the window frame and trim is resized.

5.7.10 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 1:1¾.
- 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.
- 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.



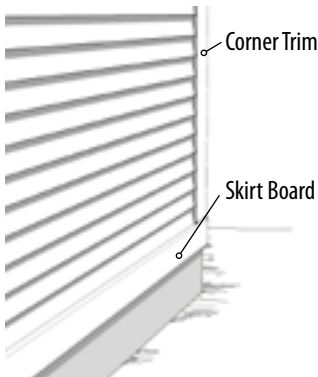
Traditional double or single hung windows are preferred with a minimum width to height ratio of 1:1¾

b) Doors

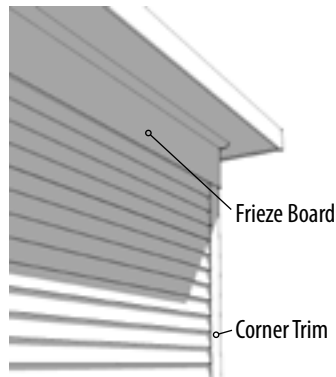
- i) Doors shall be a traditional paneled design.
- ii) Replacement doors shall be sized to fit the existing opening in the original structure.
- iii) Notwithstanding clause (ii), a replacement door may be enlarged or reduced in size provided the exterior door trim and, where applicable, the surrounding siding must be refinished to fit the new door size and to match the trim on the original structure.
- iv) The primary entrance shall be located on the front facade while any additional exterior doors are permitted on a side or rear elevation only.
- v) On a corner lot, new exterior doors are not permitted on a flanking elevation.
- vi) Where a new door is installed, the trim around the door must match the window and door trim on the original structure.



Doors shall be a traditional panel design.



New structures shall feature corner trim and a skirt board.



New structures shall also feature a frieze board.

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.
- 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) Shutters

- i) Shutters are not permitted on any structure in the Mixed Use Residential (R6) 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.

e) Dormers

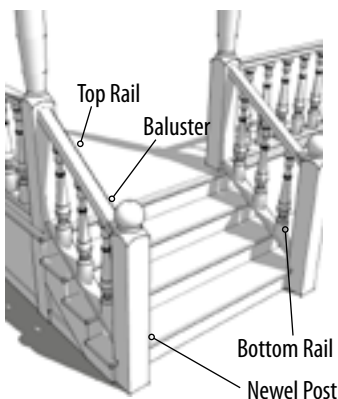
- i) Dormers may be added to an existing structure that conforms to one of the basic building forms illustrated in figure 5.1 provided the dormer is consistent with the basic building form and architectural detailing of the original structure.
- ii) Dormers may be added to an existing structure that does not conform to one of the basic building forms illustrated in Figure 5.1 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 5.1.
- 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 5.2.

f) Skylights

- i) Skylights are not permitted on any structure in the Mixed Use Residential (R6) Zone except where otherwise permitted in this Section.

g) Exterior Stairs

- i) Exterior stairs that extend beyond the ground floor of any structure are not permitted on the front or flanking elevation of any structure.
- ii) Exterior stairs that require a handrail shall be finished with a top and bottom rail, balusters, and capped newel post.
- iii) Balusters, rails, and newel posts on an existing structure shall be of a style that compliments any existing trim on the original structure.
- iv) 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.



Exterior Stairs shall feature a top and bottom rail, balusters, and a newel post

h) Porches and Verandahs

- i) Porches and verandahs are permitted on all basic building forms illustrated in Figure 5.1.
- 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 5.1.
- 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.

i) Building Orientation

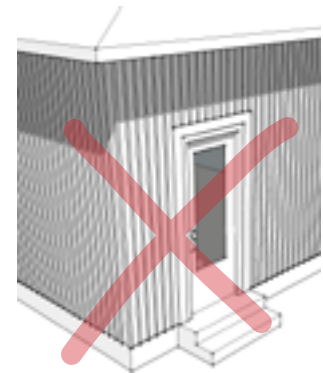
- i) All main buildings shall include a primary entrance, porch, or verandah oriented to the street.
- ii) No less than 10 percent of the area of the front or, where applicable, flanking elevation of any main building shall be windows and doors.

j) 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 shall be horizontally aligned.

k) Chimneys

- i) All chimneys must be enclosed by brick.



Vertical Cladding such as board and batten siding is not permitted.

5.7.11 Semi-Detached and Townhouse Design Requirements

Townhouses and semi-detached units are permitted in the Mixed Use Residential (R6) Zone subject to the following requirements:

- a) the structure incorporates design elements modified from one of the basic building forms described in Figure 5.1;
- b) a townhouse structure shall consist of no more than 4 townhouse units;
- c) no townhouse or semi-detached unit shall be further converted to permit additional dwelling units
- d) each townhouse or semi-detached unit shall feature the following design elements:
 - i) a private entrance facing the street;
 - ii) a front-facing gable end, porch, or dormer that matches the design, scale, and roof pitch of similar elements found on heritage structures on the same block; and
- e) all other applicable design requirements set out in this Section are satisfied.



Townhouse and semi-detached units shall feature a front facing gable, porch, or dormer that matches the style of other heritage structures on the street

*The Town's Development
Officer may approve a
proposal that does not
conform to the Architectural
Design Requirements*

5.7.12 Exemption from Architectural Design Requirements

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

- a) the proposal conforms to Municipal Planning Strategy Policy R-63 and R-64; and
- b) the permit application includes all information and materials necessary to properly evaluate the proposal.

5.7.13 Converted Dwellings

- a) An existing single detached dwelling in the Mixed Use Residential (R6) Zone may be converted to permit one additional dwelling unit subject to the following requirements:
 - i) the maximum number of dwelling units permitted in any structure shall not exceed two units;
 - ii) no alteration may be undertaken to that is contrary to the regulations for additions and alterations set out in this Section; and
 - iii) any new exterior entrance must be located on the side or rear elevations of the structure

5.7.14 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.
- c) Accessory buildings shall conform to all other requirements of this By-law including Part 4: General Provisions.

5.7.15 Home Based Businesses in the Mixed Use Residential (R6) Zone

In the Mixed Use Residential (R6) Zone, home based businesses are permitted subject to the following requirements:

- a) the business use is located within one of the following:
 - i) a single detached dwelling;
 - ii) a semi-detached dwelling;
 - iii) a townhouse dwelling;
 - iv) a unit within a converted dwelling that has its own independent entrance; or
 - v) a building that is accessory to a single detached dwelling, converted dwelling, or semi-detached dwelling.
- b) the dwelling is occupied as a residence by the owner of the home based business;
- c) the external appearance of the dwelling is consistent with a residential use;

- d) the business use may employ a maximum of two employees who are not residents in the dwelling;
- e) the business use occupies a maximum floor area of 80m² (861ft²);
- f) there shall be no advertising displayed other than a business identification sign which has a maximum sign area of 0.5 m² (5 ft²) and otherwise complies with the signage provisions of this by-law;
- g) no open storage or outdoor display shall be permitted;
- h) no mechanical equipment is used except that which is reasonably consistent with the residential use of the dwelling;
- i) a limited retail component is permitted provided:
 - i) the retail use is accessory to the home occupation use;
 - ii) the goods being sold are produced on the premises; and
 - iii) one off-street parking space, in addition to any other required parking, is available and reserved for use by retail customers; and
- j) any parking required by the business use shall:
 - i) be located on-site;
 - ii) be situated in the rear or side yard;
 - iii) screened from public view and from any abutting residential use 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; and
 - iv) comply with the lot coverage limitations set out in subsection 5.1.16 of this By-law.

5.7.16 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 within a front yard or flanking yard.
- c) All fencing shall conform to all other requirements of this By-law including Part 4: General Provisions.

5.7.17 Commercial Uses

Limited commercial uses such as office and professional uses, personal service shops, artist studios, and cafés are permitted in the Mixed Use Residential (R6) Zone subject to the following requirements:

- a) the commercial use shall:
 - i) share a structure with a single residential dwelling unit;
 - ii) occupy less than 50 percent of the structure's floor area above grade;
 - iii) not include any outdoor display or outdoor storage; and
 - iv) be wholly enclosed within a structure;

- b) any parking required by the commercial use shall:
 - i) be located on-site;
 - ii) be situated in the rear or side yard;
 - iii) be separated from a public right-of-way or neighbouring residential use 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;
 - iv) comply with the lot coverage limitations set out in subsection 5.1.16 of this By-law; and
 - v) be accessible via a driveway that is situated on the same property as the commercial use and not shared by another property;
- c) the commercial use may include the use of an accessory building for storage; and
- d) the commercial use may include a limited retail component provided:
 - i) the retail use is accessory to the commercial use; and
 - ii) the retail use does not occupy more than 25 percent of the floor area of the commercial use.

5.8 Heritage Residential (R7) Zone

5.8.1 Permitted Uses

Table 5.20 lists the uses that are permitted in the Heritage Residential (R7) Zone subject to all applicable requirements of this By-law:

5.8.2 Uses Permitted with Special Conditions

Table 5.21 lists uses that are permitted in the Heritage Residential (R7) Zone that are, in addition to all other applicable requirements of this By-law, subject to special requirements set out in this Section or in Section 5.1, General Provisions for Residential Zones.

Table 5.20: R7 Zone Permitted Uses

Community Gardens	Single Detached Dwellings
Parks	Sports Fields & Courts
Playgrounds	

Table 5.21: R7 Zone Conditional Uses

Artists Studios	Home Based Businesses
Bed & Breakfasts	Office & Professional Uses
Community Homes	Personal Services
Converted Dwellings (up to 2 units)	Two Unit Dwellings

5.8.3 Zone Requirements

The following requirements apply to the Heritage Residential (R7) Zone:

Table 5.22: R7 Zone Requirements

Minimum Lot Area	Single Detached/Converted	500 m ²	5382 ft ²
	Two Unit	550 m ²	5920 ft ²
Minimum Lot Frontage	Single Detached/Converted/Two Unit	15.25 m	50 ft
Minimum Front Yard		3.0 m	10 ft
Minimum Rear Yard		7.5 m	25 ft
Minimum Side Yard	Single Detached/Converted/Two-Unit	One Side	2.5 m
		Other Side	3.5 m
Minimum Flanking Yard		3.0 m	10 ft
Maximum Building Height		11.0 m	36 ft
Maximum Impermeable Surface Area		40 percent	

5.8.4 Uses Permitted only by Development Agreement

The following uses may be considered only by development agreement in the Heritage Residential (R7) Zone:

- Institutional (P3) Zone Uses in accordance with Policy I-12 of the Municipal Planning Strategy.

5.8.5 Architectural Design Requirements to Apply

Except where permitted in accordance with subsection 5.8.6, subsection 5.8.11, or where otherwise permitted by this By-law, a development permit will not be issued for any new structure, alteration, or addition in the Heritage Residential (R7) Zone unless the proposed structure, alteration or addition conforms to the architectural design requirements set out in the subsections 5.8.7 through 5.8.10.

5.8.6 Exemptions from Architectural Design Requirements

The following types of development shall be exempt from the architectural design requirements set out in subsections 5.8.7 to 5.8.10:

- a) a proposed new main building where the design is consistent with a style that is represented by two or more heritage structures within the Mixed Use Residential (R6) or Heritage Residential (R7) Zones; or
- b) a proposed addition or alteration where the design will bring the main building into conformance with an architectural style that is represented by two or more heritage structures within the Mixed Use Residential (R6) or Heritage Residential (R7) Zones; or
- c) a proposed addition or alteration that will not be visible from any point along the front lot line or, where applicable, the flanking lot line of the subject property.

5.8.7 Physical Form

- a) New buildings in the Heritage Residential (R7) Zone shall be designed and constructed based on one of the basic building forms described in Figure 5.4.
- b) Proposed new buildings that do not conform to one of the basic building forms described in Figure 5.4 may be permitted where it can be demonstrated that the architectural style of the proposed structure is consistent with a style that is represented by two or more heritage structures within the Mixed Use Residential (R6) or Heritage Residential (R7) Zones.

5.8.8 Additions

- a) An existing structure in the Heritage Residential (R7) Zone that conforms to one of the basic building forms described in Figure 5.4 may be expanded provided:
 - i) the addition is consistent with the original structure in terms of architectural style and design elements;
 - ii) the addition is not identified as prohibited in Figure 5.6; and
 - iii) the addition conforms to the guidelines for additions illustrated in Figure 5.5.
- b) An existing structure in the Heritage Residential (R7) Zone that does not conform to one of the basic building forms described in Figure 5.4 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 Mixed Use Residential (R6) or Heritage Residential (R7) Zones; or
 - ii) is designed to bring the structure into conformance, or more into conformance, with one of the basic building forms described in Figure 5.4.

Figure 5.4: Basic Building Forms

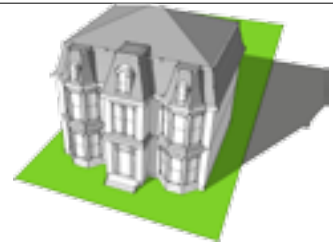
Greek Revival

1 ½ to 2 ½ 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 ½ to 2 ½ storey construction with a steep pitch mansard roof that features projecting front bays and multiple dormers.



Gothic Revival/Picturesque

1 ½ storey construction with a steep pitch gable roof with main facade on long elevation and side facing gable ends. 1 - 3 dormers on facade with steep pitch gable roofs.



New England Colonial

2 ½ 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 to 2 ½ storey with irregular massing. Steep pitch hip roof with gable dormers. Features additional bays, verandahs, decorative trim, and may include a corner tower.



Folk Victorian

1 ½ to 2 ½ 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 ½ storey square construction with steep pitched hip roof, and single or multiple hip-roof dormers. May include front verandah.



Shingle

2 to 2 ½ 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 ½ 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.

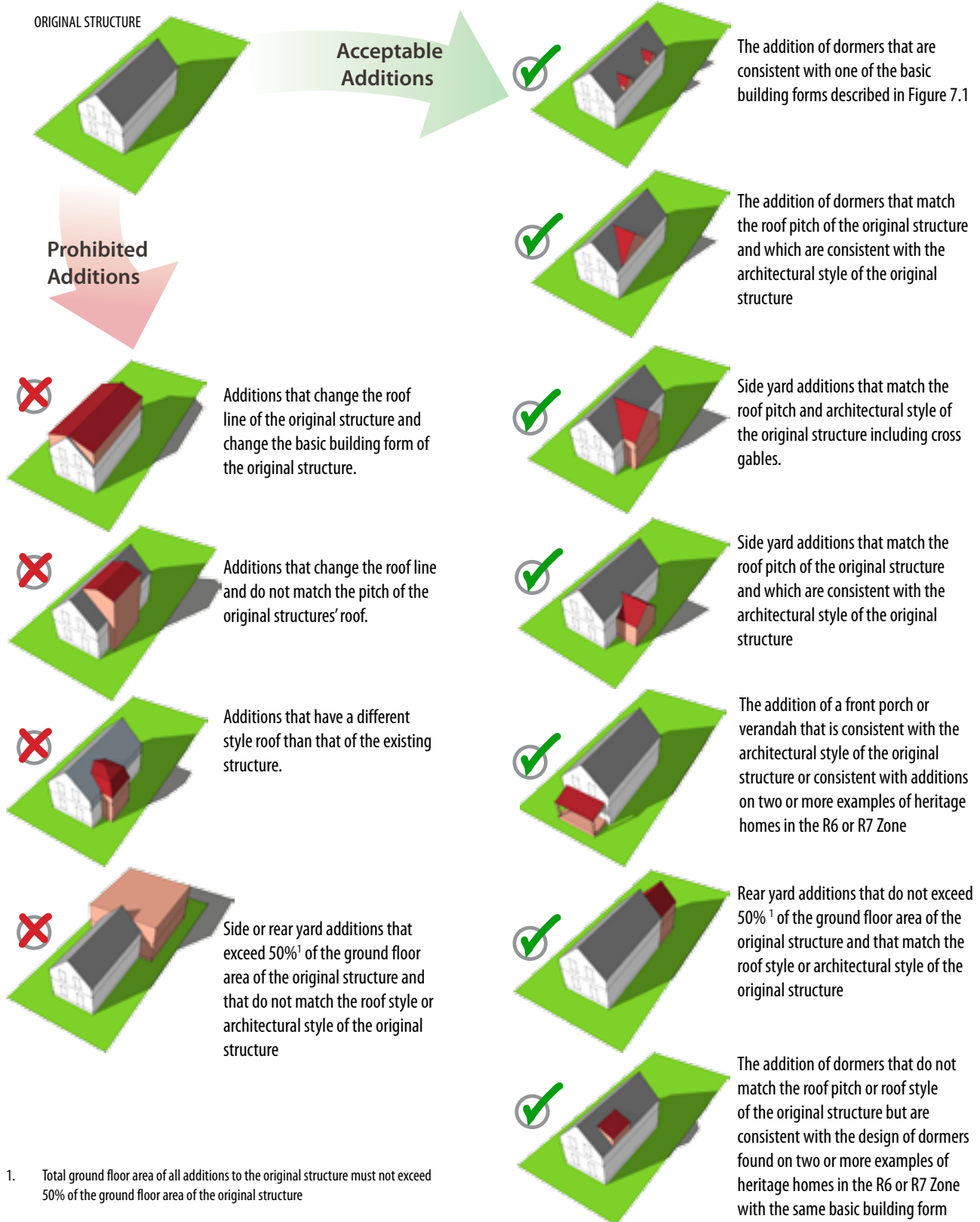


Craftsman

1 ½ storey construction with a large roof that sweeps down to cover the front porch. Form usually includes a central dormer window.



Figure 5.5: Design Requirements for Additions



- c) Expansions to existing structures within the Heritage Residential (R7) Zone shall not increase the ground floor area of the original structure by more than 50 percent.

5.8.9 Alterations

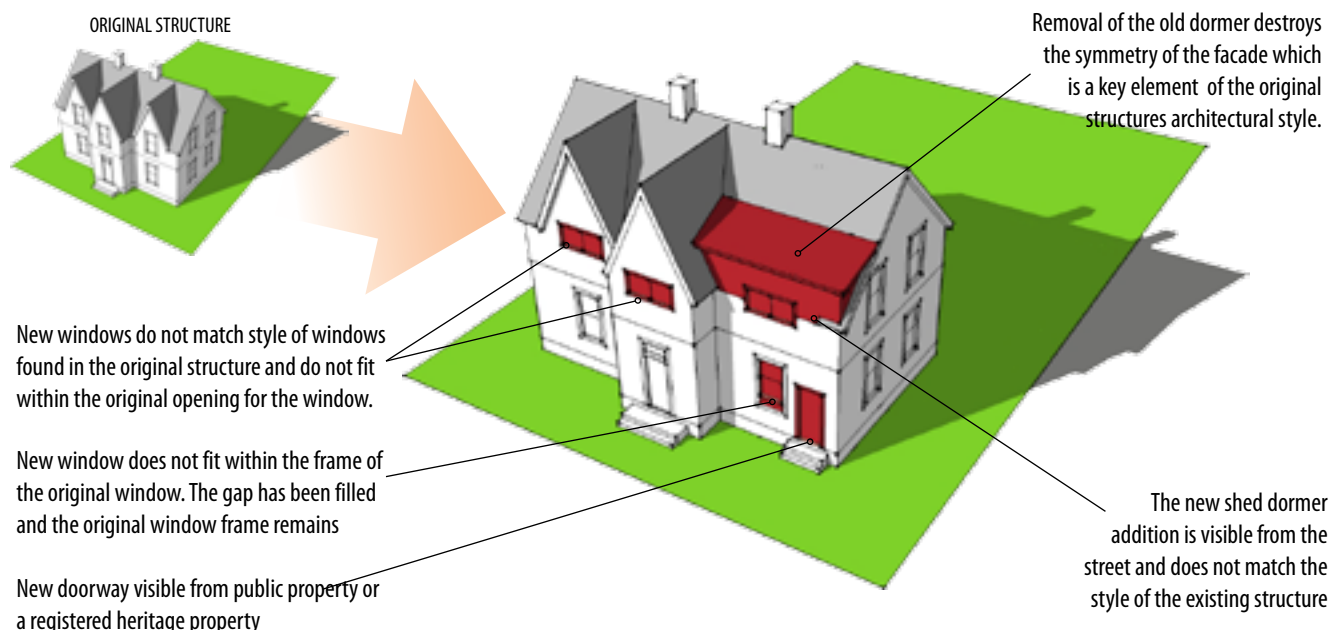
Alterations to an existing structure in the Heritage Residential (R7) Zone that do not include an addition or expansion, such as the removal of a dormer or porch, are permitted where the proposed alteration:

- a) includes the removal of additions to the original structure; and
- 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 5.4.

5.8.10 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 1:1¾.
 - 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 5.6 Prohibited Alterations



- 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.



Traditional double or single hung windows are preferred with a minimum width to height ratio of 1:1¼



Replacement windows shall be the same style as the original window and shall be the same size as the original window unless the window frame and trim is resized.

b) Doors

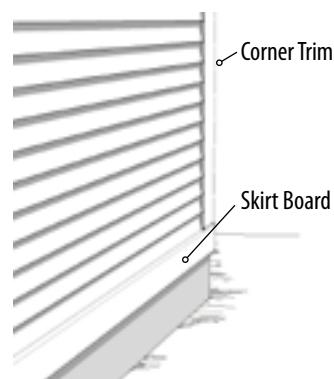
- i) Doors shall be a traditional paneled design.
- ii) Replacement doors shall be sized to fit the existing opening in the original structure.
- iii) Notwithstanding clause (ii), a replacement door may be enlarged or reduced in size provided the exterior door trim and, where applicable, the surrounding siding must be refinished to fit the new door size and to match the trim on the original structure.
- iv) In addition to the primary entrance, additional exterior doors are permitted on a side or rear elevation.
- v) On a corner lot, new exterior doors are not permitted on a flanking elevation.
- vi) Where a new door is installed, the trim around the door must match the window and door trim on the original structure.



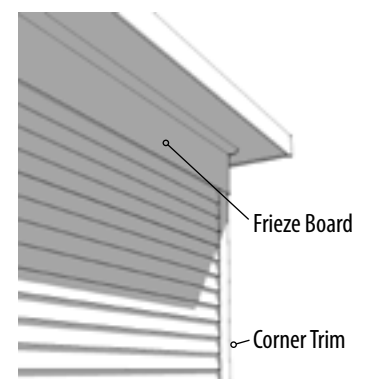
Doors shall be a traditional panel design.

c) Trim

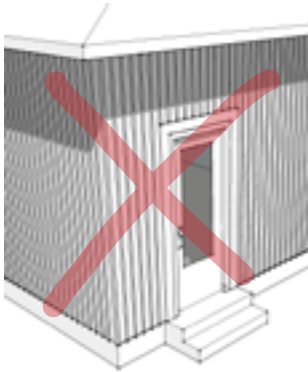
- i) For existing structures and new additions, all windows and doors shall be trimmed in a manner that is consistent with the window and door trim found on the original structure.
- ii) For new structures, all windows and doors shall feature trim that is at least 15 cm (6 inches) wide.
- iii) New structures shall include a frieze board, skirt board, and corner trim.
- iv) Expansions to existing structures shall include trim that matches the existing structure



New structures shall feature corner trim and a skirt board.



New structures shall also feature a frieze board.



Vertical Cladding such as board and batten siding is not permitted.

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 shall be horizontally aligned.

e) Dormers

- i) Dormers may be added to an existing structure that conforms to one of the basic building forms illustrated in figure 5.4 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 5.4 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 5.4.
- 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 5.5.

f) Skylights

- i) Skylights are not permitted on any structure in the Heritage Residential (R7) Zone except where otherwise permitted in this Section.

g) Shutters

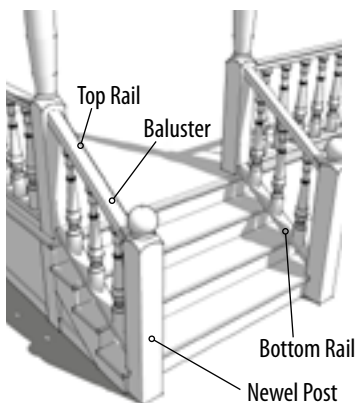
- i) Shutters are not permitted on any structure in the Heritage Residential (R7) Zone except where the shutters are either operable or sized in such a way that they would be large enough to cover the window if they were operable.

h) Chimneys

- i) All chimneys must be enclosed by brick.

i) Exterior Stairs

- i) Exterior stairs that extend beyond the ground floor of any structure are not permitted on the front or flanking elevation of any structure.
- ii) Exterior stairs that require a handrail shall be finished with a top and bottom rail, balusters, and capped newel post.
- iii) Balusters, rails, and newel posts on an existing structure shall be of a style that compliments any existing trim on the original structure.
- iv) 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.



Exterior Stairs shall feature a top and bottom rail, balusters, and a newel post

- j) Porches and Verandahs
 - i) Porches and verandahs are permitted on all basic building forms illustrated in Figure 5.4.
 - 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 5.4.
 - 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.

5.8.11 Exemption from Architectural Design Requirements

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

- a) the proposal conforms to Municipal Planning Strategy Policy R-61 and R-62; and
- b) the permit application includes all information and materials necessary to properly evaluate the proposal.

The Town's Development Officer may approve a proposal that does not conform to the Architectural Design Requirements

5.8.12 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.
- c) Accessory buildings shall conform to all other requirements of this By-law including Part 4: General Provisions.

5.8.13 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 including Part 4: General Provisions.

5.8.14 Converted Dwellings

An existing single detached dwelling in the Heritage Residential (R7) Zone may be converted to permit one additional dwelling unit subject to the following requirements:

- a) the maximum number of dwelling units permitted in any structure shall not exceed two units;
- b) parking for the additional unit is situated in a rear or side yard;
- c) no alteration may be undertaken to that is contrary to the regulations for additions and alterations set out in this Section; and
- d) any new exterior entrance must be located on the side or rear elevations of the structure and must conform to the regulations for alterations as set out in this Section.

5.8.15 Two Unit Dwellings

Two unit dwellings are permitted in the Heritage Residential (R7) Zone subject to the following requirements:

- a) the structure conforms to the following design requirements:
 - i) there is only one entrance facing the street;
 - ii) the structure conforms with one of the basic building forms described in Figure 5.4;
- b) parking is situated in the rear or side yard;
- c) a unit within a two-unit dwelling may not be further converted to permit additional dwelling units
- d) all other applicable design requirements set out in this Section are satisfied.

5.8.16 Home Based Businesses in the Heritage Residential (R7) Zone

In the Heritage Residential (R7) Zone, home based businesses are permitted subject to the following requirements:

- a) the business use is located within one of the following:
 - i) a single detached dwelling;
 - ii) a semi-detached dwelling;
 - iii) a townhouse dwelling;
 - iv) a unit within a converted dwelling that has its own independent entrance; or
 - v) a building that is accessory to a single detached dwelling, converted dwelling, or semi-detached dwelling.
- b) the dwelling is occupied as a residence by the owner of the home based business;
- c) the external appearance of the dwelling is consistent with a residential use;
- d) the business use may employ a maximum of two employees who are not residents in the dwelling;
- e) the business use occupies a maximum floor area of 80m² (861ft²);
- f) there shall be no advertising displayed other than a business identification sign which has a maximum sign area of 0.5 m² (5 ft²) and otherwise complies with the signage provisions of this by-law;
- g) no open storage or outdoor display shall be permitted;

- h) no mechanical equipment is used except that which is reasonably consistent with the residential use of the dwelling;
- i) no retail sales are permitted; and
- j) any required parking shall be:
 - i) located on-site;
 - ii) situated in the rear or side yard;
 - iii) comply with the lot coverage limitations set out in subsection 5.1.16 of this By-law; and
 - iv) screened from public view and from any abutting residential use 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.

5.8.17 Commercial Uses

Limited commercial uses such as office and professional uses, personal service shops, and artist studios, are permitted in the Heritage Residential (R7) Zone subject to the following requirements:

- a) the commercial use shall:
 - i) share a structure with a single residential dwelling unit;
 - ii) occupy no more than 50 percent of the structure's floor area above grade;
 - iii) not include any outdoor display or outdoor storage; and
 - iv) be wholly enclosed within a structure;
- b) any parking required by the commercial use shall:
 - i) be located on-site;
 - ii) be situated in the rear or side yard;
 - iii) 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 (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;
 - iv) comply with the lot coverage limitations set out in subsection 5.1.16 of this By-law; and
 - v) be accessible via a driveway that is situated on the same property as the commercial use and not shared by another property;
- c) the commercial use may include the use of an accessory building for storage; and
- d) the commercial use may include a limited retail component provided:
 - i) the retail use is accessory to the commercial use and only includes the sale of products that are produced on site; and
 - ii) the retail use does not occupy more than 25 percent of the floor area of the commercial use.

5.9 Rural Residential (R8) Zone

5.9.1 Permitted Uses

Table 5.23 lists the uses that are permitted in the Rural Residential (R8) Zone subject to all applicable requirements of this By-law:

5.9.2 Uses Permitted with Special Conditions

Table 5.24 lists uses that are permitted in the Rural Residential (R8) Zone that are, in addition to all other applicable requirements of this By-law, subject to special requirements set out in this Section or in Section 5.1, General Provisions for Residential Zones.

Table 5.23: R8 Zone Permitted Uses

Agricultural Uses	Memorial Parks
Artist Studios	Parks
Cemeteries	Places of Worship
Community Gardens	Playgrounds
Forestry Uses	Single Detached Dwellings
Golf Courses	Sports Fields & Courts
Governmental Uses	Walkways & Trails

Table 5.24: R8 Zone Conditional Uses

Bed & Breakfasts	Home Based Businesses
Community Homes	Kennels
Converted Dwelling (up to 2 units)	Residential Care Facilities
Day Care Centres	

5.9.3 Zone Requirements

The following requirements apply to the Rural Residential (R8) Zone:

Table 5.25: R8 Zone Requirements

	<i>General Requirements</i>		<i>Existing or Infill Lots</i>	
Minimum Lot Area (NSDOEL Approval Required)	3716.0 m ²	40,000 ft ²	1860 m ²	20,022 ft ²
Minimum Lot Frontage	46.0	151 ft	30.0 m	98 ft
Minimum Front Yard	15.0	49 ft	10.0 m	33 ft
Minimum Rear Yard	23.0	75 ft	10.0 m	33 ft
Minimum Side Yard	9.0	30 ft	3.5 m	11 ft
Minimum Flanking Yard	15.0	49 ft	10.0 m	33 ft
Maximum Building Height	11.0	36 ft	11.0 m	36 ft
Maximum Impermeable Surface Area	25 percent		25 percent	

5.9.4 Buildings Intended for the Keeping of Animals

No development permit shall be issued for any barn, kennel, stable, or other building intended for the keeping of animals within 9.0 m (30 ft) of any lot line.

5.9.5 Existing Lots

A single detached dwelling may be erected on an existing lot provided the lot has frontage on a public road and the development conforms to the lot requirements for Existing or Infill Lots as set out in Table 5.25.

5.9.6 New Lots

The minimum lot area and frontage requirements for Existing or Infill Lots in Table 5.25 shall apply to the creation of lots that:

- a) have frontage on a public road; and
- b) are located between two existing dwellings that are no more than 61 m (200 ft) apart.

5.10 Watershed Residential (R9) Zone

5.10.1 Permitted Uses

Table 5.26 lists the uses that are permitted in the Watershed Residential (R9) Zone subject to all applicable requirements of this By-law:

5.10.2 Uses Permitted with Special Conditions

Table 5.27 lists uses that are permitted in the Watershed Residential (R9) Zone that are, in addition to all other applicable requirements of this By-law, subject to special requirements set out in this Section or in Section 5.1, General Provisions for Residential Zones.

Table 5.23: R9 Zone Permitted Uses

Existing Agricultural Uses	Playgrounds
Forestry Uses	Single Detached Dwellings
Parks	Sports Fields & Courts

Table 5.24: R9 Zone Conditional Uses

Bed & Breakfasts	Home Based Businesses
Converted Dwellings (up to 2 units)	Kennels
Day Care Centres	

5.10.3 Zone Requirements

The following requirements apply to the Watershed Residential (R9) Zone:

Table 5.28: R9 Zone Requirements

Minimum Lot Area (NSDOEL Approval Required)	3716.0 m ²	40,000 ft ²
Minimum Lot Frontage	46.0	151 ft
Minimum Front Yard	15.0	49 ft
Minimum Rear Yard	23.0	75 ft
Minimum Side Yard	9.0	30 ft
Minimum Flanking Yard	15.0	49 ft
Maximum Building Height	11.0	36 ft
Maximum Impermeable Surface Area	25 percent	

5.10.4 Buildings Intended for the Keeping of Animals

No development permit shall be issued for any barn, kennel, stable, or other building intended for the keeping of animals within 9.0 m (30 ft) of any lot line.

5.10.5 Lots Fronting of Collector Roads

A development permit shall not be issued for a residential use in the Watershed Residential (R9) Zone unless the use is located on a lot which has frontage on a collector or arterial road as identified on the Transportation Map found in Part 10: Infrastructure of this Municipal Planning Strategy.

6 • Commercial Zones

Commercial Zones

C1	Downtown Commercial	C3	Local Commercial	C5	Adult Entertainment
C2	Limited Commercial	C4	General Commercial		

Permitted Uses Table¹

Use	Zones Permitted					Development Agreement Only
Accommodations	C1	C2	C4	C5		
Adult Entertainment	C5					
Animal Hospitals and Shelters	C1	C2	C4	C5		
Automobile Sales and Rentals	C1	C2	C4	C5		
Automobile Service	C1	C2	C4	C5		
Banks and Financial Institutions	C1	C2	C4	C5		
Bed & Breakfasts	C1	C2				
Beverage Room, Lounge, Cabaret,	C1	C4	C5			
Car Wash	C1	C2	C4	C5		
Commercial Schools	C1	C2	C4	C5		
Community Centres	C1	C2	C4	C5		
Construction Industries	C4	C5				
Convenience Stores	C1	C2	C4	C5	C3	
Day-care Centre	C1	C2	C4			
Dressmaking and Tailoring	C1	C2	C3	C4	C5	
Dry-cleaning and Laundry	C1	C2	C3	C4	C5	
Educational Uses	C1	C2	C4	C5		
Emergency Services	C1	C2	C4	C5		
Funeral Homes	C1	C2	C4	C5		
Garden and Nursery Sales and Supplies	C1	C2	C4	C5		
Governmental	C1	C2	C4	C5		
Health Care	C1	C2	C4	C5		
Homes for Special Care	C1	C2	C4	C5		
Industrial Equipment Sales and Service	C5					
Manufacturing, Processing, and Assembly	C5					
Medical Clinics	C1	C2	C3	C4	C5	
Office and Professional	C1	C2	C3	C4	C5	

Use	Zones Permitted					Development Agreement Only
Parking Lots and Structures	C1	C2	C4	C5		
Parks	C1	C2	C4			
Personal Service Shop	C1	C2	C3	C4	C5	
Photographic and Artist Studios	C1	C2	C3	C4	C5	
Places of Assembly	C1	C2	C4	C5		
Places of Worship	C1	C2	C4	C5		
Playgrounds	C1	C2	C4			
Printing Establishments	C1	C2	C3	C4	C5	
Private Clubs	C1	C2	C4	C5		
Recreational Vehicle Sales and Service	C1	C4	C5			
Recycling Depot	C4	C5				
Repair Shop	C1	C2	C3	C4	C5	
Residential Care Facilities	C1	C2	C4	C5		
Residential Uses (multiple units)						C1 C2 C3 C4
Residential Uses (1-4 units)	C1	C2				
Residential Uses (1-3 units)	C1	C2	C3			
Residential Uses (1-2 units)	C1	C2	C3			
Restaurant	C1	C2	C4	C5		
Retail Lumber and Building Supplies	C1	C2	C4	C5		
Retail Stores	C1	C2	C4	C5		
Service Clubs and Fraternal Organizations	C1	C2	C4	C5		
Sports Fields & Courts	C1	C2	C4	C5		
Stadia and Auditora	C1	C2	C4	C5		
Taxi and Bus Station	C1	C2	C4	C5		
Television, Radio, and Communications	C4	C5				
Transportation Facilities and Depots	C1	C2	C4	C5		
Warehousing, Moving & Storage	C4	C5				
Wholesale Uses	C4	C5				

1. This permitted uses table is intended to provide a general list of permitted uses in each zone. This table is provided for convenience only and reference should be made to the section and policies corresponding to each zone for a complete list of permitted uses, uses permitted only by development agreement, and uses that are subject to special requirements.

6.1 General Provisions for Commercial Zones

6.1.1 Abutting Yard Requirements

Where a property in a commercial zone abuts a residential, public use, environmental or institutional zone, the following requirements shall apply to any abutting yard within the commercial 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 4 of this By-law.

6.1.2 Animal Hospitals and Shelters

- a) No development permit shall be issued for an animal hospital or shelter unless:
 - i) the proposed use is situated at least 60 m (197 ft) from a Residential Zone and 70 m (230 ft) from an existing residential use;
 - ii) the use is limited to a wholly enclosed building which meets sound transmission class of at least 50 as prescribed in the National Building Code;
 - iii) the use is contained in a building ventilated in accordance with Section 6.2.2 Ventilation of the National Building Code;
- b) All exterior runs for animals shall:
 - i) be directly connected to the interior compound assigned to the same animal;
 - ii) be covered by a weather proof roof over the entire extent of the run;
 - iii) not be visible from a public right-of-way or neighbouring property unless the run has been screened from view by an opaque fence that is at least 1.5 m (6 ft) high or an evergreen hedge that will form a solid visual barrier at least 1.5 m (6 ft) high following one growing season; and
 - iv) not be situated within any required yard.
- c) A development permit may be issued for accessory corrals/pens in which animals of less than twelve months old may be kept outdoors for not more than six hours during daylight time provided:
 - i) the corral/pen is located within the area between the exterior runs or the main building and any required yard or buffer area; and
 - ii) the corral/pen shall not exceed 36.0 m in area.

6.1.3 Automobile Service Stations

Where automobile service stations are permitted in a commercial zone, the following special provisions shall apply:

- a) the minimum lot frontage shall be 46 m (151 ft);
- b) no portion of any pump island shall be located closer than 6 m (20 ft) from any street line;
- c) the minimum distance between driveways shall not be less than 9 m (30 ft);
- d) the minimum distance from a driveway to a street intersection shall not be less than 15 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 m (20 ft) and a maximum of 8 m (26 ft) measured at the property line.

6.1.4 Car Washes

- a) Where listed as a permitted use in a Commercial Zone, a car wash may be permitted subject to the following requirements:
 - i) in the Downtown Commercial (C1) Zone, the car wash must be accessory to an automobile service use;
 - ii) the car wash must be situated within a wholly enclosed permanent structure except in the General Commercial (C4) or Adult Entertainment (C5) Zone;
 - iii) a car wash in the General Commercial (C4) or Adult Entertainment (C5) must be situated in a partially enclosed permanent structure; and
 - iv) all car wash bays or automated car washes must include an oil water separator.
- b) Mobile car washes are not permitted within any Commercial Zone.

6.1.5 Yard abutting Railway

Where a property in a commercial 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 Downtown Commercial (C1) Zone

6.2.1 Permitted Uses

Table 6.1 lists uses that are permitted in the Downtown Commercial (C1) Zone subject to all applicable requirements of this By-law.

6.2.2 Uses Permitted with Special Conditions

Table 6.2 lists uses that are permitted in the Downtown Commercial (C1) Zone that are, in addition to all other applicable requirements of this By-law, subject to special requirements set out in this Section or in Section 6.1, General Provisions for Commercial Zones.

Table 6.1: C1 Zone Permitted Uses

Accommodations	Parking Lots and Structures
Banks and Financial Institutions	Parks
Bed & Breakfasts	Personal Service Shop
Beverage Room, Lounge, Cabaret,	Photographic and Artist Studios
Commercial Schools	Places of Assembly
Community Centres	Places of Worship
Convenience Stores	Playgrounds
Day-care Centre	Printing Establishments
Dressmaking and Tailoring	Private Clubs
Dry-cleaning and Laundry	Repair Shop
Educational Uses	Residential Care Facilities
Emergency Services	Restaurant
Funeral Homes	Retail Lumber and Building Supplies
Garden and Nursery Sales and Supplies	Retail Stores
Governmental	Service Clubs and Fraternal Organizations
Health Care	Sports Fields & Courts
Homes for Special Care	Stadia and Auditora
Medical Clinics	Taxi and Bus Station
Office and Professional	Transportation Facilities and Depots

Table 6.2: C1 Zone Conditional Uses

Animal Hospitals and Shelters	Car Wash
Automobile Rentals and Sales	Residential (up to four units)
Automobile Service	

6.2.3 Zone Requirements

The following requirements apply to the Downtown Commercial (C1) Zone:

Table 6.3: C1 Zone Requirements

Minimum Lot Area		450.0 m ²	5382 ft ²
Minimum Lot Frontage		15.0 m	50 ft
Minimum Front Yard		0.0 m	0 ft
Minimum Rear Yard	Abutting a Commercial or Industrial Zone	0.0 m	0 ft
	Abutting a Residential or Other Zone	6.0 m	20 ft
Minimum Side Yard	Abutting a Commercial or Industrial Zone	0.0 m	0 ft
	Abutting a Residential or Other Zone	6.0 m	20 ft
Minimum Flanking Yard		0.0 m	0 ft
Maximum Building Height		no limit	no limit
Maximum Impermeable Surface Area		75 percent	

6.2.4 Maximum Commercial Floor Area

Unless otherwise provided for in this by-law, no development permit shall be issued in the Downtown Commercial (C1) Zone for an expansion or new development that would result in a commercial floor area in excess of 3252.0 m² (35,000 ft²).

6.2.5 Existing Permitted Uses

- a) Existing residential uses in the Downtown Commercial (C1) Zone are permitted subject to the requirements of the Two Unit Residential (R2) Zone.
- b) The following existing commercial uses are permitted in the Downtown Commercial (C1) Zone subject to the requirements of the General Commercial (C4) Zone:
 - i) Blaikies Dodge Chrysler Ltd. (19 Waddell Street LIMS #20195954, 28 Waddell Street LIMS #20196473);
 - ii) Pye Chevrolet Oldsmobile Ltd. (464 Prince Street LIMS #20150017, 478 Prince Street LIMS #20150009, 482 Prince Street LIMS #20149993, 490 Prince Street LIMS #20360954, 10 Willow Street LIMS #20360962, 12 Willow Street LIMS #20149969);

6.2.6 Uses Permitted only by Development Agreement

The following uses may be considered only by development agreement in the Downtown Commercial (C1) Zone:

- a) Multiple Unit Dwellings (more than 4 units) in accordance with Municipal Planning Strategy Policy C-19;
- b) Downtown Commercial (C1) Zone uses with a commercial floor area in excess of 3251.0 m² (35,000 ft²) in accordance with Municipal Planning Strategy Policy C-27; and
- c) Expansions of existing car dealerships identified in subsection 6.2.5 that do not comply with the expansion provisions set out in clause 6.2.9 in accordance with Municipal Planning Strategy Policy C-32.

6.2.7 Special Provisions for Residential Uses

An existing building in the Downtown Commercial (C1) Zone may be converted to permit up to four dwelling units and may, except for properties having frontage on Inglis Place, include ground floor residential dwelling units.

6.2.8 Civic Block Height Limit

No development permit shall be issued for a development in excess of 10.5 m within the the Civic Block, which comprises the block of land bounded by Prince Street, Young Street, Victoria Street, and Forrester Street.

6.2.9 Automobile Sales and Rentals

- a) No development permit shall be issued for an automobile rental use in a Downtown Commercial Zone (C1) unless:
 - i) there is a minimum of 290 m² (3122 ft²) of unobstructed parking area dedicated to the storage of vehicles available for rent;
 - ii) the parking required pursuant to clause (i) is designed in accordance with the parking area design standards and specifications set out in Section 4.2 of the By-law; and
 - iii) the automobiles available for rent are passenger cars or trucks with a TARE weight of 3,650 kg (8050 lbs.) or less.
- b) No development permit shall be issued for an accessory automobile sales use unless:
 - i) the main use is a legally existing automobile service use, car wash, or an automobile repair garage;
 - ii) the proposed outdoor display of automobiles is located on the same lot as the main use and is limited to a maximum of four vehicles ; and
 - iii) all signage associated with the automobile sales is limited to a maximum of 2 “For Sale” signs located within the automobile displayed for sale, each sign shall be limited to 0.1 m² (1 ft²) in total sign area.
- c) No development permit shall be issued for an indoor automobile showroom unless:
 - i) The proposed showroom is wholly enclosed within a building; and
 - ii) there is no outdoor display of automobiles associated with or located on the same property as the proposed indoor showroom.
- d) An existing car dealership identified in clause 6.2.5(b), may expand onto an abutting lot or a lot situated at least partly within 24 m (79 ft) of the existing use provided that any previous expansion of an existing car dealership onto an abutting lot or a lot situated at least partly within 24 m (79 ft) of the existing use occurred prior to October 1, 1992.
- e) Expansions to existing car dealerships that do not comply with the expansion provisions set out in clause 6.2.9(d) may be permitted by development agreement only.

6.2.10 Retail Display on Public Sidewalks

No development permit shall be issued for retail display on a public sidewalk unless:

- a) there is a maximum of one retail display per business use;
- b) the retail display includes either the display of merchandise or a sandwich board sign, but not both;
- c) the retail display is only set up during the hours of operation for the associated use;
- d) the retail display is only set up from May 1st to October 31st;
- e) the retail display does not extend into the sidewalk from the abutting lot line a distance greater than one quarter of the available sidewalk or 1.2 m (4 ft²) whichever is less;
- f) the public sidewalk is greater than 1.5 m (5 ft) in width;
- g) the sign or display are self supporting and displayed in manner deemed safe by the Development Officer; and
- h) not be closer than 1.5 m (5 ft) to any other object including but not limited to:
 - i) traffic signs;
 - ii) meter posts;
 - iii) trees;
 - iv) mail box; or
 - v) flower box.

6.2.11 Canopies Erected Over a Public Right-of-way

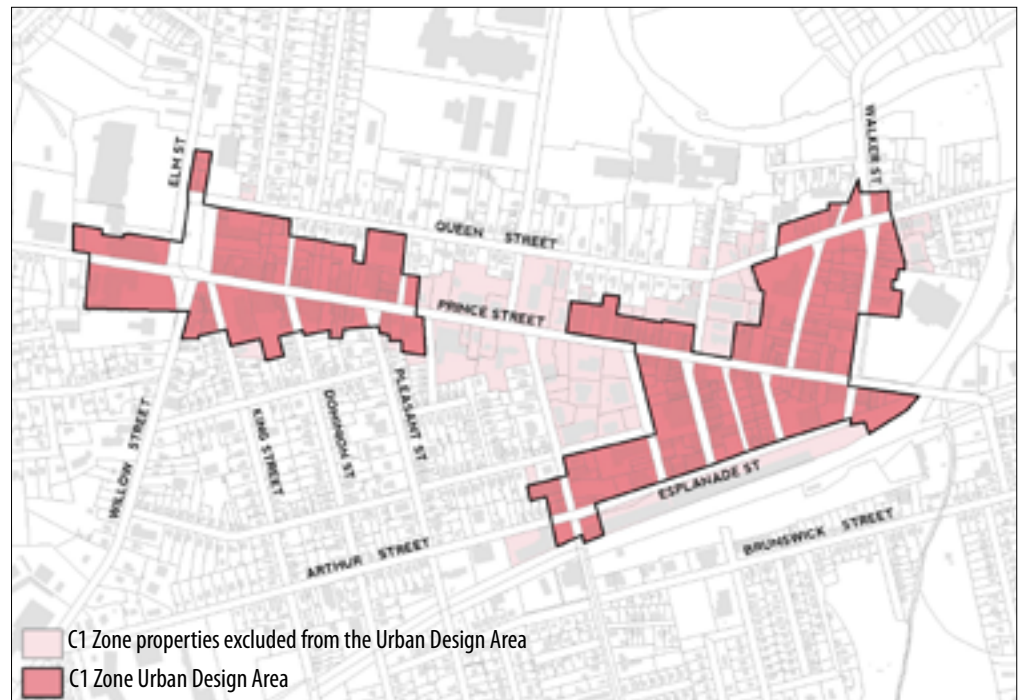
- a) No development permit shall be issued for canopies projecting over public rights-of-way unless:
 - i) such projection over the right-of-way is limited to a maximum of 2.5 m (8 ft) and a minimum of 1.5 m (5 ft), but in no case shall such projection exceed a distance equal to two-thirds the width of abutting sidewalk; and
 - ii) the minimum height from the finished sidewalk to any part of the canopy is in excess of 2.5 m (8 ft).
- 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 requirements of Section 4.3 of this By-law.

6.2.12 Urban Design Requirements

A development permit will not be issued for any new main building in the Downtown Commercial (C1) Zone Urban Design Area as identified in Figure 6.1 unless the proposed structure conforms to the urban design requirements set out in the subsections 6.2.13 through 6.2.17.

New buildings located within the Downtown Commercial (C1) Zone Urban Design Area will be required to comply with the Urban Design Requirements set out in Section 6.2

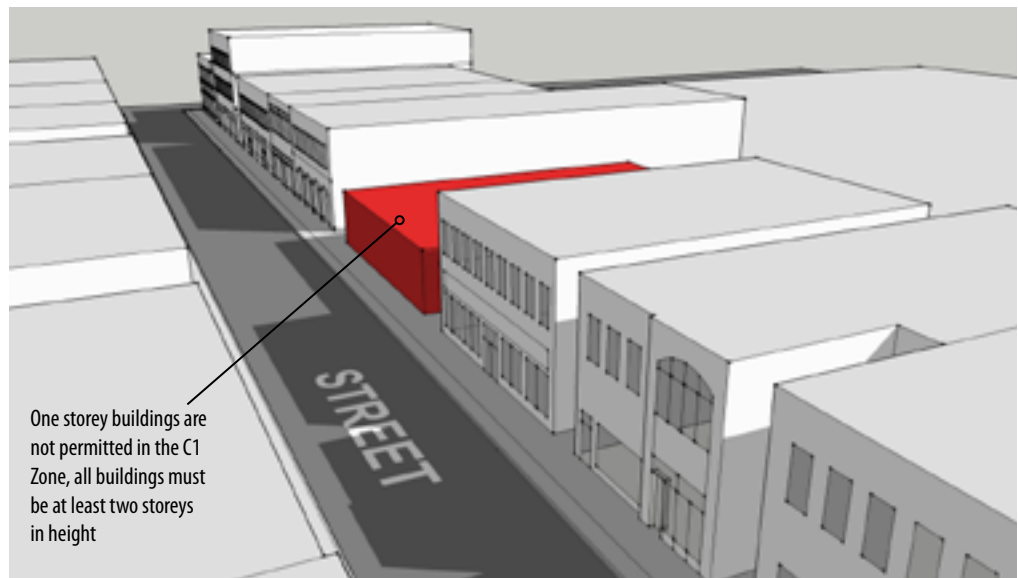
Figure 6.1: Downtown Commercial (C1) Zone Urban Design Area



6.2.13 Building Height

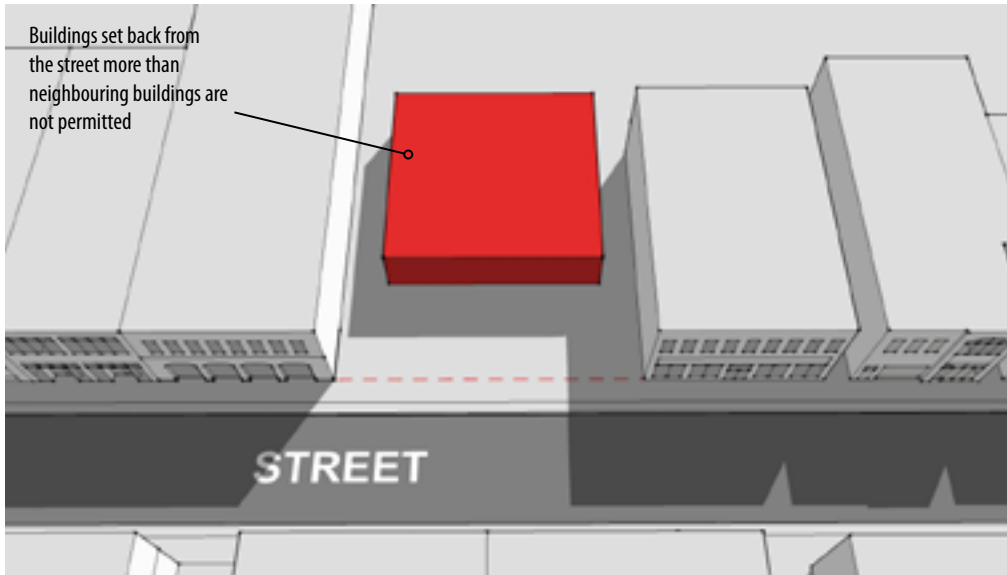
- All buildings shall be a minimum of two storeys in height;
- Any portion of a building more than 9 m (30 ft) from a public right-of-way may be one storey in height.

One storey buildings or buildings that are set back too far from the street do not define the edge of the street and therefore do not create a sense of enclosure that gives a street a comfortable human scale.

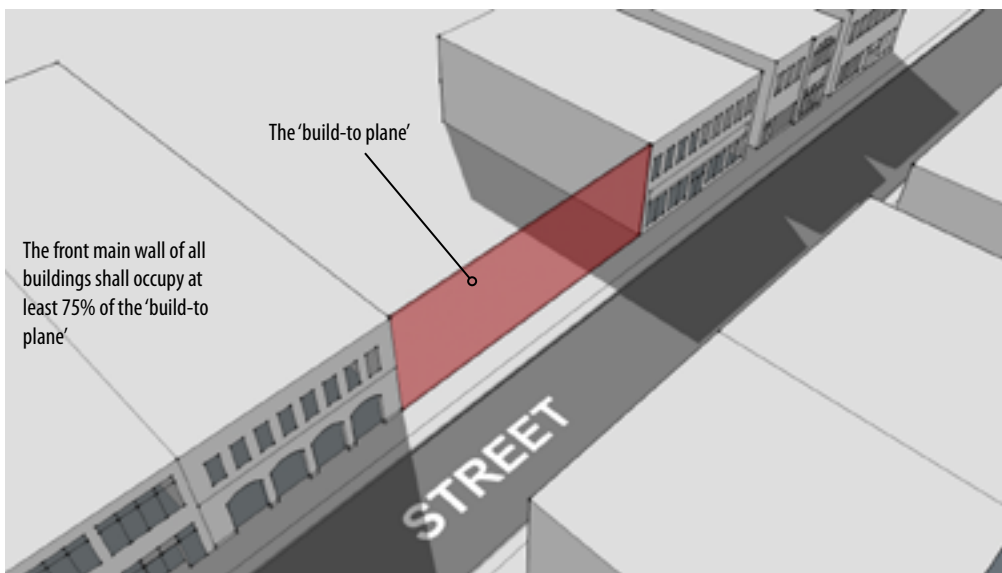


6.2.14 Building Placement

- a) Buildings in the Downtown Commercial (C1) Zone Urban Design Area shall occupy at least 75% of the *build-to plane*.
- b) The *build-to plane* is a vertical plane that extends upward two storeys and no less than 7.5 m (25 ft) from a line drawn parallel to the street at the *established front yard setback*.
- 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 front yard setback of a building on an abutting lot that faces the same street; or
 - iii) 3 m (10 ft) or less where the buildings on an abutting lot are set back more than 3 m (10 ft) from the front lot line.

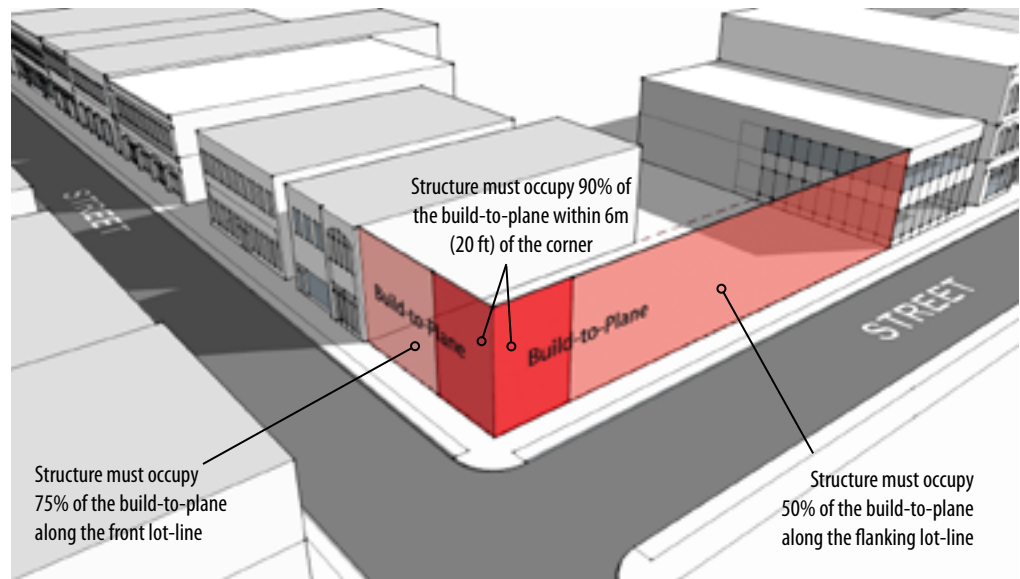


Front Yard Setback



The 'build-to plane' is a vertical plane that extends upward two storeys from a line drawn parallel to the street at the established front yard setback

Building Placement on a Corner Lot



6.2.15 Corner Lots

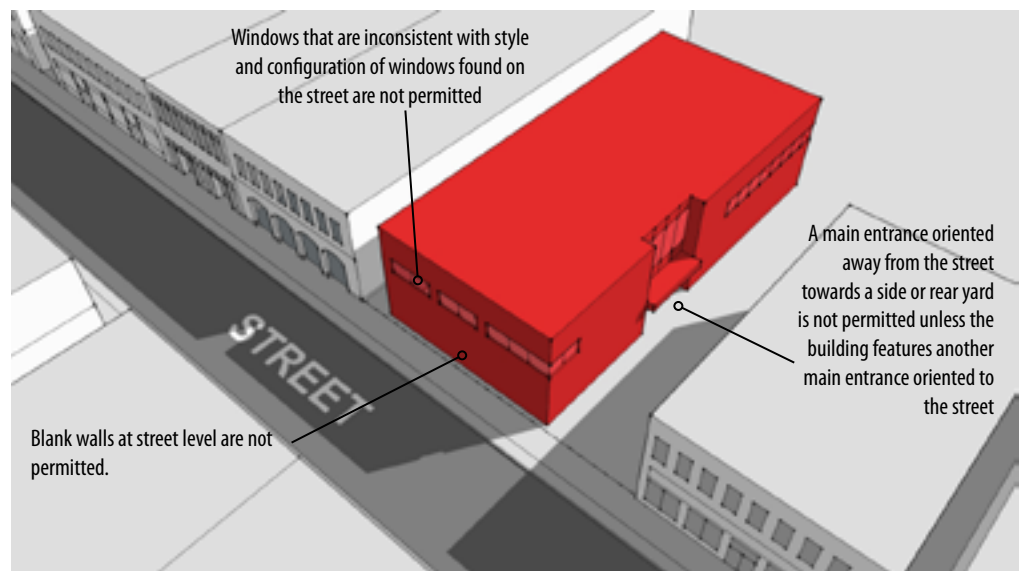
- On a corner lot, the build-to-plane extends upward two storeys from a line drawn parallel to both the front and flanking streets at the established front and flanking yard setbacks.
- A building shall occupy at least 75% of the build-to-plane for the front street.
- A building shall occupy at least 50% of the build-to-plane for the flanking street.
- A building on a corner lot shall occupy at least 90% of the build-to-plane that lies within 6 m (20 ft) of the corner.

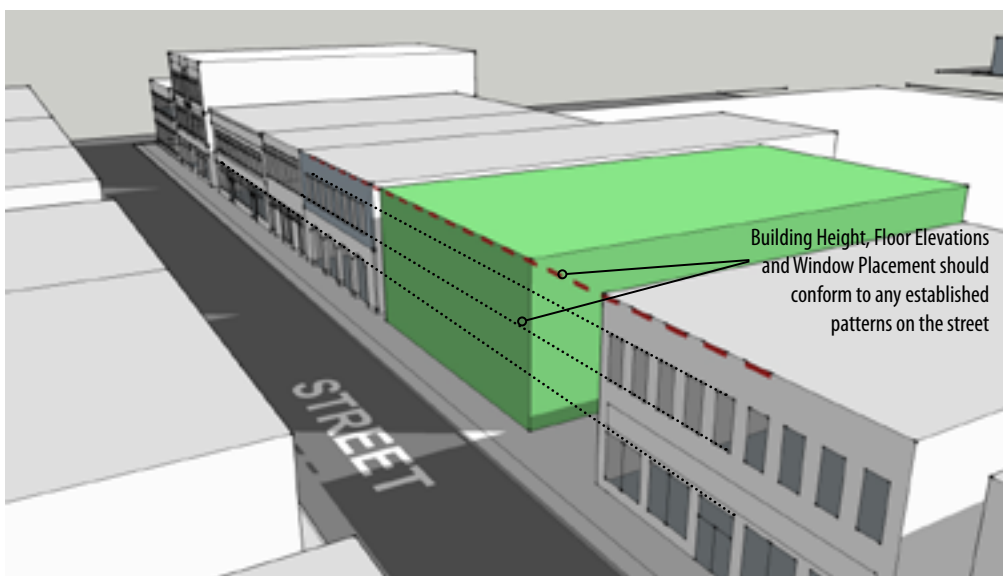
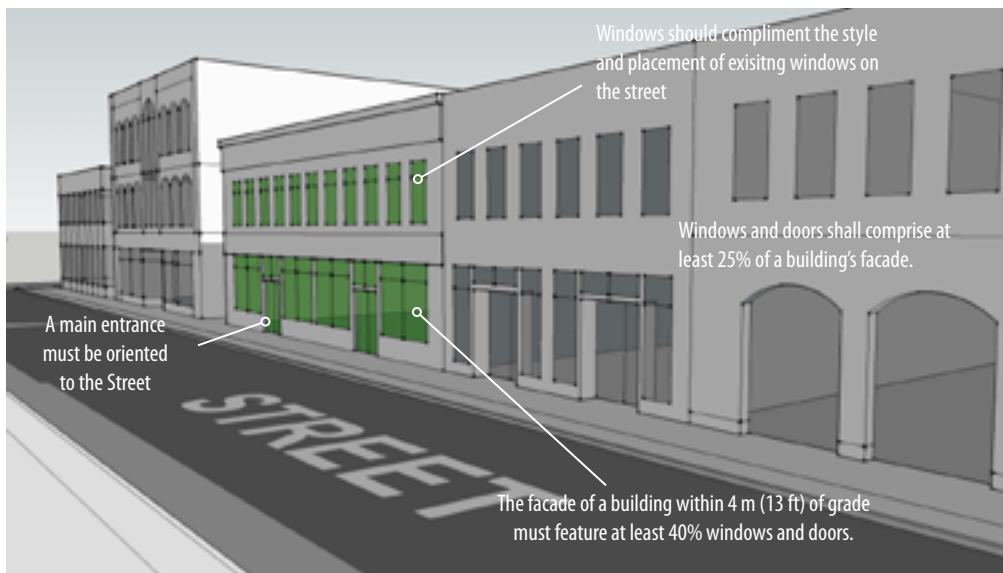
6.2.16 Building Orientation

- Buildings must feature a main entrance that is oriented to the street.
- Buildings that feature blank walls at street level are not permitted.

Buildings shall be oriented to the street and feature main entrances and windows at street level.

Buildings that do not have a main entrance on the street and that feature a blank wall at street level are not permitted



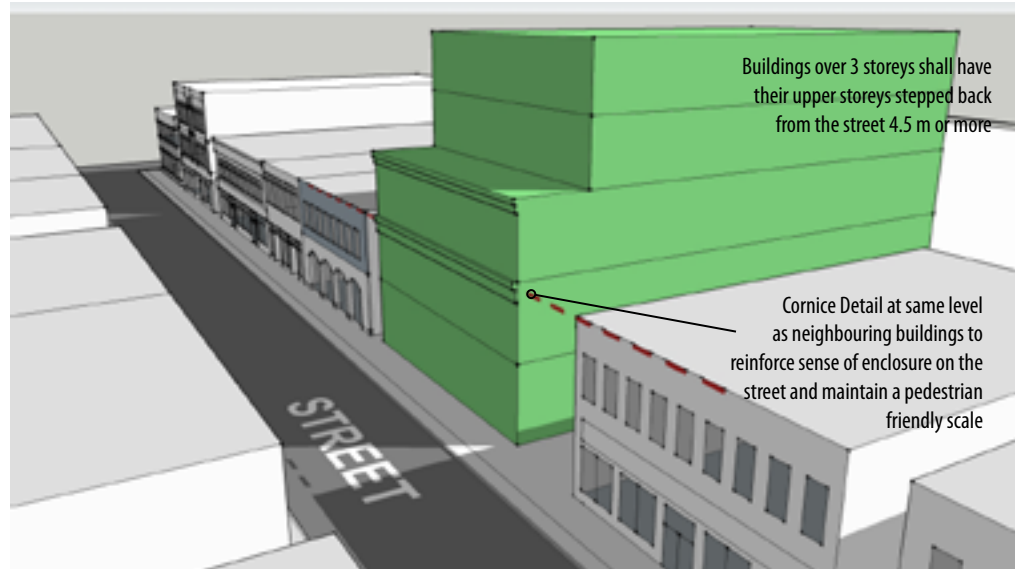


New Buildings shall reinforce any established streetscape elements such as building height and fenestration. These details help define the edge of the street and create a sense of enclosure that gives a street a comfortable human scale.

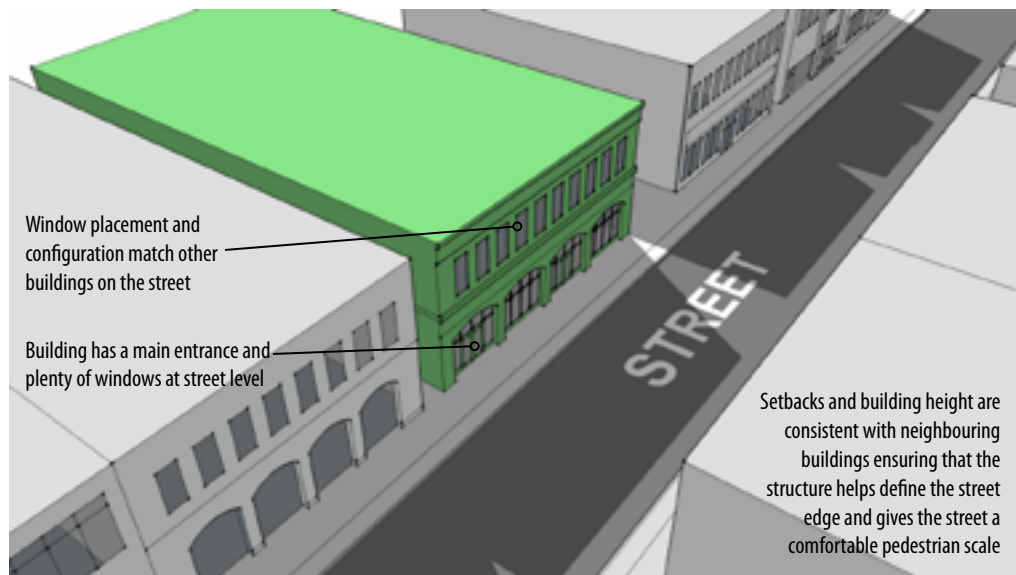
- c) The facade of a building within 4 m (13 ft) of grade must feature at least 40% windows and doors
- d) The total facade of a building shall consist of a minimum of 25% percent windows and doors.
- e) Except where otherwise prohibited by this By-law, new windows shall reinforce any established width 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 street.

Buildings that are higher than neighbouring buildings shall incorporate a cornice detail at the same level as the roof line of abutting structures.

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 (15 ft) or more



This building exemplifies all the essential design characteristics of a structure that help make a street a welcoming place where pedestrians will feel comfortable



6.2.17 Building Form

- Where neighbouring structures are two or more storeys in height, a new building shall conform to any established patterns relating to height, floor elevation, and window placement.
- Where a new building exceeds the height of neighbouring two storey structures, a cornice detail shall be incorporated into the building's facade to reinforce any established standard with respect to building height.
- 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 (15 ft) or more.

6.2.18 Exemption from Architectural Design Requirements

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

- a) the proposal conforms to Municipal Planning Strategy Policy C-14 and C-15; and
- b) the permit application includes all information and materials necessary to properly evaluate the proposal.

The Town's Development Officer may approve a proposal that does not conform to the Architectural Design Requirements

6.3 Limited Commercial (C2) Zone

6.3.1 Permitted Uses

Table 6.4 lists uses that are permitted in the Limited Commercial (C2) Zone subject to all applicable requirements of this By-law.

6.3.2 Uses Permitted with Special Conditions

Table 6.5 lists uses that are permitted in the Limited Commercial (C2) Zone that are, in addition to all other applicable requirements of this By-law, subject to special requirements set out in this Section or in Section 6.1, General Provisions for Commercial Zones.

Table 6.4: C2 Zone Permitted Uses

Accommodations	Parks
Banks and Financial Institutions	Personal Service Shop
Bed & Breakfasts	Photographic and Artist Studios
Commercial Schools	Places of Assembly
Community Centres	Places of Worship
Convenience Stores	Playgrounds
Day-care Centre	Printing Establishments
Dressmaking and Tailoring	Private Clubs
Dry-cleaning and Laundry	Repair Shop
Educational Uses	Residential Care Facilities
Emergency Services	Restaurant
Funeral Homes	Retail Lumber and Building Supplies
Garden and Nursery Sales and Supplies	Retail Stores
Governmental	Service Clubs and Fraternal Organizations
Health Care	Sports Fields & Courts
Homes for Special Care	Stadia and Auditora
Medical Clinics	Taxi and Bus Station
Office and Professional	Transportation Facilities and Depots
Parking Lots and Structures	

Table 6.5: C2 Zone Conditional Uses

Animal Hospitals and Shelters	Car Wash
Automobile Rentals and Sales	Existing Residential Uses
Automobile Service	Residential (up to four units)

6.3.3 Zone Requirements

The following requirements apply to the Downtown Commercial (C2) Zone:

Table 6.6: C2 Zone Requirements

Minimum Lot Area		450.0 m ²	5382 ft ²
Minimum Lot Frontage		15.0 m	50 ft
Minimum Front Yard		0.0 m	0 ft
Minimum Rear Yard	Abutting a Commercial or Industrial Zone	0.0 m	0 ft
	Abutting a Residential or Other Zone	6.0 m	20 ft
Minimum Side Yard	Abutting a Commercial or Industrial Zone	0.0 m	0 ft
	Abutting a Residential or Other Zone	6.0 m	20 ft
Minimum Flanking Yard		0.0 m	0 ft
Maximum Building Height		16.0 m	52 ft
Maximum Impermeable Surface Area		75 percent	

6.3.4 Maximum Commercial Floor Area

Unless otherwise provided for in this by-law, no development permit shall be issued in the Limited Commercial (C2) Zone for an expansion or new development that would result in a commercial floor area in excess of 3252.0 m² (35,000 ft²).

6.3.5 Uses Permitted only by Development Agreement

The following uses may be considered by development agreement in the Limited Commercial (C2) Zone:

- a) Multiple Unit Dwellings (more than 4 units) in accordance with Municipal Planning Strategy Policy C-19; and
- b) Limited Commercial (C2) Zone uses with a commercial or net floor area in excess of 3252.0 m² (35,000 ft²) in accordance with Municipal Planning Strategy Policy C-36.

6.3.6 Existing Permitted Uses

- a) Existing residential uses in the Downtown Commercial (C2) Zone are permitted subject to the requirements of the Two Unit Residential (R2) Zone.
- b) The following existing commercial uses are permitted in the Limited Commercial (C2) Zone subject to the requirements of the General Commercial (C4) Zone:
 - i) Robertson Roy V. & R. Gladys (43 Charles Street LIMS #20178802);
 - ii) Legge, T. Leander & T. Lee (63 Charles Street LIMS #20178794);
 - iii) A. J. Walker & Son Ltd (96 Young Street LIMS #20178786);
 - iv) Alweather Windows & Doors Limited (95 Young Street LIMS #20172342);
 - v) Al Roland Auto Electric Ltd. (17 Brunswick Street LIMS #20237350);
 - vi) Johnson Enterprises Limited (19 Brunswick Street LIMS #20172334, LIMS #20172326);
 - vii) Elm Investments Limited (8 Exhibition Street, LIMS #20172318); and
 - viii) Clarence Farm Services Limited (53 Brunswick Street LIMS #20192993).

6.3.7 Special Provisions for Residential Uses

An existing building in the Limited Commercial (C2) Zone may be converted to permit up to four dwelling units and may include ground floor residential dwelling units.

6.3.8 Automobile Sales and Rentals

- a) No development permit shall be issued for an automobile rental use in a Limited Commercial (C2) Zone unless:
 - i) there is a minimum of 290 m² (3122 ft²) of unobstructed parking area dedicated to the storage of vehicles available for rent;
 - ii) the parking required pursuant to clause (i) is designed in accordance with the parking area design standards and specifications set out in Section 4.2 of this By-law; and
 - iii) the automobiles available for rent are passenger cars or trucks with a TARE weight of 3,650 kg (8050 lbs.) or less.
- b) No development permit shall be issued for an accessory automobile sales use unless:
 - i) the main use is a legally existing automobile service use, car wash, or an automobile repair garage;
 - ii) the proposed outdoor display of automobiles is located on the same lot as the main use and is limited to a maximum of four vehicles ; and
 - iii) all signage associated with the automobile sales is limited to a maximum of 2 “For Sale” signs located within the automobile displayed for sale, each sign shall be limited to 0.1 m² (1 ft²) in total sign area.
- c) No development permit shall be issued for an indoor automobile showroom unless:
 - i) The proposed showroom is wholly enclosed within a building; and
 - ii) there is no outdoor display of automobiles associated with or located on the same property as the proposed indoor showroom.

6.3.9 Canopies Erected Over a Public Right-of-way

- a) No development permit shall be issued for canopies projecting over public rights-of-way unless:
 - i) such projection over the right-of-way is limited to a maximum of 2.5 m (8 ft) and a minimum of 1.5 m (5 ft), but in no case shall such projection exceed a distance equal to two-thirds the width of abutting sidewalk; and
 - ii) the minimum height from the finished sidewalk to any part of the canopy is in excess of 2.5 m (8 ft).
- 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 requirements of Section 4.3 of this By-law.

6.3.10 Retail Display on Public Sidewalks

No development permit shall be issued for retail display on a public sidewalk unless:

- a) there is a maximum of one retail display per business use;
- b) the retail display includes either the display of merchandise or a sandwich board sign, but not both;
- c) the retail display is only set up during the hours of operation for the associated use;
- d) the retail display is only set up from May 1st to October 31st;
- e) the retail display does not extend into the sidewalk from the abutting lot line a distance greater than one quarter of the available sidewalk or 1.2 m (4 ft²) whichever is less;
- f) the public sidewalk is greater than 1.5 m (5 ft) in width;
- g) the sign or display are self supporting and displayed in manner deemed safe by the Development Officer; and
- h) not be closer than 1.5 m (5 ft) to any other object including but not limited to:
 - i) traffic signs;
 - ii) meter posts;
 - iii) trees;
 - iv) mail box; or
 - v) flower box.

6.4 Local Commercial (C3) Zone

6.4.1 Permitted Uses

Table 6.7 lists uses that are permitted in the Local Commercial (C3) Zone subject to all applicable requirements of this By-law.

6.4.2 Uses Permitted with Special Conditions

Table 6.8 lists uses that are permitted in the Local Commercial (C3) Zone that are, in addition to all other applicable requirements of this By-law, subject to special requirements set out in this Section.

Table 6.7: C3 Zone Permitted Uses

Existing Convenience Stores

Residential (up to three units)

Table 6.8: C3 Zone Conditional Uses

Dressmaking and Tailoring

Dry-cleaning and Laundry

Medical Clinics

Office and Professional

Personal Service Shop

Photographic and Artist Studios

Printing Establishments

Mixed Use Residential (up to two units)

Repair Shop

6.4.3 Zone Requirements

The following requirements apply to the Local Commercial (C3) Zone:

Table 6.9: C3 Zone Requirements

Minimum Lot Area		450.0 m ²	5382 ft ²
Minimum Lot Frontage		15.0 m	50 ft
Minimum Front Yard		3.0 m	10 ft
Minimum Rear Yard	Abutting a Commercial or Industrial Zone	7.5 m	25 ft
	Abutting a Residential or Other Zone	10.0 m	20 ft
Minimum Side Yard	Abutting a Commercial or Industrial Zone	2.4 m	8 ft
	Abutting a Residential or Other Zone	6.0 m	20 ft
Minimum Flanking Yard		0.0 m	0 ft
Maximum Building Height		11.0 m	36 ft
Maximum Impermeable Surface Area		50 percent	

6.4.4 Maximum Commercial Floor Area

The maximum commercial floor area permitted on any lot in the Local Commercial (C3) Zone shall be 80 m² (861 ft²).

6.4.5 Local Commercial Uses

Local commercial uses listed in Table 6.8 are subject to the following requirements:

- a) the commercial use shall:
 - i) occupy the ground floor of a structure that is shared with a maximum of two residential dwelling units;
 - ii) occupy no more than 60 percent of the structure's floor area above grade;
 - iii) not include any outdoor display or outdoor storage; and
 - iv) be wholly enclosed within a structure;
- b) any parking required by the commercial use shall:
 - i) be located on-site;
 - ii) be situated in the rear or side yard;
 - iii) be separated from a public right-of-way or neighbouring residential use by an opaque fence that is at least 1.5 m (6 ft) high or an evergreen hedge that will form a solid visual barrier at least 1.5 m (6 ft) high following one growing season; and
 - iv) be accessible via a driveway that is situated on the same property as the commercial use and not shared by another property;
- c) the commercial use may include the use of an accessory building for storage; and
- d) the commercial use may include a limited retail component provided:
 - i) the retail use is accessory to the commercial use; and
 - ii) the retail use does not occupy more than 25 percent of the floor area of the commercial use.

6.4.6 Architectural Controls

No development permit shall be issued in the Local Commercial (C3) Zone unless the existing or proposed structure:

- a) is consistent with surrounding residential structures in terms of architectural style, site coverage, height, and materials; and
- b) features a gable or hip roof with a minimum pitch of 4:12.

6.4.7 Uses Permitted only by Development Agreement

The following uses may be considered by development agreement in the Local Commercial (C3) Zone:

- a) new convenience stores in accordance with Municipal Planning Strategy Policy C-45;
- b) commercial uses that do not comply with the requirements for local commercial uses set out in subsection 6.4.5 in accordance with Municipal Planning Strategy Policy C-45;
- c) commercial uses occupying more than 80 m² (861 ft²) of a new or expanded structure in accordance with Municipal Planning Strategy Policy C-43; and
- d) commercial uses including the retail sale of any product not manufactured, produced, or assembled on site in accordance with Municipal Planning Strategy Policy C-45.

-
- e) multiple unit residential uses with four or more dwelling units;
 - f) mixed use developments with three or more dwelling units sharing a structure with a Local Commercial (C3) Zone permitted use; and
 - g) mixed use proposals or residential uses with three or fewer dwelling units that do not meet the standard Land Use By-law or Local Commercial (C3) Zone requirements.

6.5 General Commercial (C4) Zone

6.5.1 Permitted Uses

Table 6.10 lists uses that are permitted in the General Commercial (C4) Zone subject to all applicable requirements of this By-law.

6.5.2 Uses Permitted with Special Conditions

Table 6.11 lists uses that are permitted in the General Commercial (C4) Zone that are, in addition to all other applicable requirements of this By-law, subject to special requirements set out in this Section.

Table 6.10: C4 Zone Permitted Uses

Accommodations	Parks
Animal Hospitals and Shelters	Personal Service Shop
Automobile Sales and Rentals	Photographic and Artist Studios
Banks and Financial Institutions	Places of Assembly
Beverage Room, Lounge, Cabaret,	Places of Worship
Car Wash	Playgrounds
Commercial Schools	Printing Establishments
Community Centres	Private Clubs
Construction Industries	Recreational Vehicle Sales and Service
Convenience Stores	Recycling Depot
Day-care Centre	Repair Shop
Dressmaking and Tailoring	Residential Care Facilities
Dry-cleaning and Laundry	Restaurant
Educational Uses	Retail Lumber and Building Supplies
Emergency Services	Retail Stores
Funeral Homes	Service Clubs and Fraternal Organizations
Garden and Nursery Sales and Supplies	Sports Fields & Courts
Governmental	Stadia and Auditoria
Health Care	Taxi and Bus Station
Homes for Special Care	Television, Radio, and Communications
Medical Clinics	Transportation Facilities and Depots
Office and Professional	Warehousing, Moving & Storage
Parking Lots and Structures	Wholesale Uses

Table 6.11: C4 Zone Conditional Uses

Automobile Service	Existing Residential Uses
Car Wash	

6.5.3 Zone Requirements

The following requirements apply to the General Commercial (C4) Zone:

Table 6.12: C4 Zone Requirements

Minimum Lot Area	1000.0 m ²	10764 ft ²
Minimum Lot Frontage	45.0 m	148 ft
Minimum Front Yard	12.0 m	39 ft
Minimum Rear Yard	12.0 m	39 ft
Minimum Side Yard	6.0 m	20 ft
Minimum Flanking Yard	12.0 m	39 ft
Maximum Building Height	16.0 m	52 ft
Maximum Impermeable Surface Area	65 percent	

6.5.4 Maximum Commercial Floor Area

- The maximum commercial floor area permitted on any lot in the General Commercial (C4) Zone shall be 3251.0 m² (34,994 ft²).
- The maximum commercial floor area permitted in any one retail complex or shopping centre development shall be 3251.0 m² (34,994 ft²).

6.5.5 Existing Permitted Uses

- Existing residential uses in the General Commercial (C4) Zone are permitted subject to the requirements of the Two Unit Residential (R2) Zone.
- The following existing industrial uses are permitted in the General Commercial (C4) Zone subject to the requirements of the Industrial (M1) Zone:
 - Stanfield's Limited (Lorne Street LIMS #20238945, 1 Logan Street LIMS #20183166);
 - 9 Bayview Street (LIMS #20196648).

6.5.6 Uses Permitted only by Development Agreement

The following uses may be considered by development agreement in the General Commercial (C4) Zone:

- General Commercial (C4) Zone Uses with a commercial floor area in excess of 3251.0 m² (34,994 ft²) in accordance with Municipal Planning Strategy Policy C-50;
- Shopping centre or retail complex developments that have a total commercial floor area in excess of 3251.0 m² (34,994 ft²) in accordance with Municipal Planning Strategy Policy C-50; and
- Multiple unit residential development in accordance with Municipal Planning Strategy Policy C-40.

6.5.7 Relaxation of Lot Requirements

- Notwithstanding the lot requirements set out in Table 6.12, a lot in the General Commercial (C4) Zone having an area of 4.0 ha (9.8 acres) or more may be subdivided to create a lot with no frontage or less than the required frontage provided:
 - 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 450 m² (5382 ft²) 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 6.12, a lot in the General Commercial (C4) Zone having an area of 4.0 ha (9.8 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 General Commercial (C4) Zone.

6.5.8 Abutting Yard Requirements

In addition to the zone requirements set out in Table 6.12, where a yard on a property in the General Commercial (C4) Zone abuts a Residential or Public Use Zone the required abutting yard shall:

- a) be double the applicable yard requirement set out in Table 6.12 and consist of undeveloped open space free of any parking, loading area, driveways, or open storage; or
- b) be entirely landscaped with a combination of existing trees and planted trees which are:
 - i) spaced in a staggered manner at intervals of 3 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 percent coniferous trees indigenous to the area; or
- c) contain a built up berm at least 2 m (6.5 ft) height with a 7 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 m (20 ft) on centre; or
- d) 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 an opaque visual barrier from grade to 1.5 m (5 ft) high; and
 - iv) is a minimum of 2 m (6.5 ft) high from ground to the top horizontal member.

6.5.9 Additional Buffering Required

Where the Development Officer deems that a proposed commercial use is sufficiently incompatible with a neighbouring residential use, a combination of some or all of the abutting yard requirements and buffering provisions outlined in subsection 6.5.6 may be required to achieve an effective visual and acoustic break.

6.5.10 Outdoor Storage and Display

- a) No development permit will be issued for the outdoor storage of goods or materials not intended for immediate sale to the general public unless the outdoor storage:
 - i) is accessory to a permitted use in the General Commercial (C4) Zone;
 - ii) is not located in a front yard or a flanking yard;
 - iii) covers less than 75% of the lot area; and
 - iv) is not located in a required side or rear yard;
- b) No development permit will be issued for the outdoor display of goods or materials intended for immediate sale to the general public unless the outdoor display:
 - i) covers less than 75% of the lot area; and
 - ii) is accessory to a permitted use in the General Commercial (C4) Zone; or
 - iii) without limiting the generality of the following, involves the display of:
swimming pools, fountains, prefabricated buildings, and recreational vehicles.

6.6 Adult Entertainment (C5) Zone

6.6.1 Permitted Uses

Table 6.13 lists uses that are permitted in Adult Entertainment (C5) Zone subject to all applicable requirements of this By-law.

6.6.2 Uses Permitted with Special Conditions

Table 6.14 lists uses that are permitted in the Adult Entertainment (C5) Zone that are, in addition to all other applicable requirements of this By-law, subject to special requirements set out in this Section. Special Requirements for Adult Entertainment Uses.

Table 6.13: C5 Zone Permitted Uses

Accommodations	Parking Lots and Structures
Animal Hospitals and Shelters	Personal Service Shop
Automobile Sales , Rentals, and Service	Photographic and Artist Studios
Banks and Financial Institutions	Places of Assembly
Beverage Room, Lounge, Cabaret,	Places of Worship
Car Wash	Printing Establishments
Commercial Schools	Private Clubs
Community Centres	Recreational Vehicle Sales and Service
Construction Industries	Recycling Depot
Convenience Stores	Repair Shop
Dressmaking and Tailoring	Residential Care Facilities
Dry-cleaning and Laundry	Restaurant
Educational Uses	Retail Lumber and Building Supplies
Emergency Services	Retail Stores
Funeral Homes	Service Clubs and Fraternal Organizations
Garden and Nursery Sales and Supplies	Sports Fields & Courts
Governmental	Stadia and Auditora
Health Care	Taxi and Bus Station
Homes for Special Care	Television, Radio, and Communications
Industrial Equipment Sales and Service	Transportation Facilities and Depots
Manufacturing, Processing and Assembly	Warehousing, Moving & Storage
Medical Clinics	Wholesale Uses
Office and Professional	

Table 6.14: C5 Zone Conditional Uses

Adult Entertainment	Car Wash
Automobile Service	Existing Residential Uses

6.6.3 Zone Requirements

The following requirements apply to the Adult Entertainment (C5) Zone:

Table 6.15: C5 Zone Requirements

Minimum Lot Area	4500.0 m ²	48,438 ft ²
Minimum Lot Frontage	60.0 m	197 ft
Minimum Front Yard	15.0 m	49 ft
Minimum Rear Yard	15.0 m	49 ft
Minimum Side Yard	10.0 m	33 ft
Minimum Flanking Yard	15.0 m	49 ft
Maximum Building Height	11.0 m	36 ft
Maximum Impermeable Surface Area	65 percent	

6.6.4 Adult Entertainment Uses

- a) No adult entertainment use, or related signage, shall be permitted within 100 m (328 ft) of a property containing any of the following existing uses:
 - i) any Residential Zone use;
 - ii) a business or professional use;
 - iii) a commercial school;
 - iv) a daycare;
 - v) a funeral home;
 - vi) a motel, motor inn, or hotel;
 - vii) a medical clinic;
 - viii) a park;
 - ix) a community center;
 - x) a restaurant; and
 - xi) any Public Use Zone use.
- b) No development permit under this section shall permit signage that utilizes imagery or graphical representations of a sexually suggestive nature.
- c) No development permit under this section shall permit signage that uses the words “nude”, “naked”, “topless”, or any word derived from the root word “sex”.

6.6.5 Abutting Yard Requirement

Where an Adult Entertainment Use abuts a Residential or Public Use Zone the abutting yard requirement specified in Table 6.15 shall:

- a) consist entirely of landscaped open space that is free of parking, driveways, signage, or other advertising; and
- b) be entirely landscaped with a combination of existing trees and planted trees which are:
 - i) spaced in a staggered manner at intervals of 3 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 percent coniferous trees indigenous to the area; or

- c) contain a fence that shall be erected along such property lines as necessary to form an opaque visual barrier at least 2 m (6.5 ft) high between the property in the Residential or Public Use Zone and the Adult Entertainment Use.

6.6.6 Frontage on Arterial or Collector Road

No development permit shall be issued in an Adult Entertainment (C5) Zone unless the property has frontage on an existing Collector or Arterial Road as identified on the Street Classification Map found in Part 10 of the Municipal Planning Strategy.

7 • Industrial Zones

Industrial Zones

M1 Industrial

M2 Commercial Industrial

Use	Zones Permitted		Development Agreement Only
Accommodations	M2		
Animal Hospitals and Shelters	M1	M2	
Automobile Sales , Rentals, and Service	M1	M2	
Banks and Financial Institutions	M2		
Beverage Room, Lounge, Cabaret,	M2		
Breweries	M1	M2	
Car Wash	M1	M2	
Commercial Schools	M2		
Community Centres	M2		
Construction Industries	M1	M2	
Convenience Stores	M2		
Dressmaking and Tailoring	M2		
Dry-cleaning and Laundry	M1	M2	
Educational Uses	M2		
Emergency Services	M1	M2	
Equipment Depot	M1	M2	
Existing Residential Uses	M2		
Funeral Homes	M1	M2	
Garden and Nursery Sales and Supplies	M1	M2	
Governmental	M2		
Health Care	M2		
Industrial Equipment Sales and Service	M1	M2	
Manufacturing, Processing and Assembly	M1	M2	
Medical Clinics	M2		
Office and Professional	M1	M2	
Parking Lots and Structures	M1	M2	
Personal Service Shop	M2		
Photographic and Artist Studios	M2		
Places of Assembly	M2		

Use	Zones Permitted		Development Agreement Only
Places of Worship	M2		
Printing Establishments	M1	M2	
Private Clubs	M2		
Recreational Vehicle Sales and Service	M1	M2	
Recycling Depot	M1	M2	
Repair Shop	M1	M2	
Residential Care Facilities	M2		
Restaurant	M2		
Retail Lumber and Building Supplies	M1	M2	
Retail Stores	M1	M2	
Service Clubs and Fraternal Organizations	M2		
Service Industries	M1	M2	
Sports Fields & Courts	M1	M2	
Stadia and Auditoria	M1	M2	
Taxi and Bus Station	M1	M2	
Television, Radio, and Communications	M1	M2	
Transportation Facilities and Depots	M1	M2	
Warehousing, Moving & Storage	M1	M2	
Wholesale Uses	M1	M2	

1. This permitted uses table is intended to provide a general list of permitted uses in each zone. This table is provided for convenience only and reference should be made to the section and policies corresponding to each zone for a complete list of permitted uses, uses permitted only by development agreement, and uses that are subject to special requirements.

7.1 Industrial (M1) Zone

7.1.1 Permitted Uses

Table 7.1 lists uses that are permitted in the Industrial (M1) Zone subject to all applicable requirements of this By-law.

Table 7.1: M1 Zone Permitted Uses

Animal Hospitals and Shelters	Printing Establishments
Animal Kennels	Recreational Vehicle Sales and Service
Automobile Sales , Rentals, and Service	Recycling Depot
Breweries	Repair Shop
Car Wash	Retail Lumber and Building Supplies
Construction Industries	Retail Stores
Dry-cleaning and Laundry	Service Industries
Emergency Services	Sports Fields & Courts
Equipment Depot	Stadia and Auditoria
Funeral Homes	Taxi and Bus Station
Garden and Nursery Sales and Supplies	Television, Radio, and Communications
Industrial Equipment Sales and Service	Transportation Facilities and Depots
Manufacturing, Processing and Assembly	Warehousing, Moving & Storage
Office and Professional	Wholesale Uses
Parking Lots and Structures	

7.1.2 Zone Requirements

The following requirements apply to the Industrial (M1) Zone:

Table 7.2: M1 Zone Requirements

Minimum Lot Area		4000.0 m ²	43,056 ft ²
Minimum Lot Frontage		30.0 m	98 ft
Minimum Front Yard		7.5 m	25 ft
Minimum Rear Yard	Abutting an M1 or M2 Zoned Property	7.5 m	25 ft
	Abutting a Residential or Public Use Zone	12.0 m	39 ft
Minimum Side Yard	Abutting an M1 or M2 Zoned Property	6.0 m	20 ft
	Abutting a Residential or Public Use Zone	9.0 m	30 ft
Minimum Flanking Yard		7.5 m	25 ft
Maximum Building Height	Within 30 m of a Residential or Public Use Zone	11.0 m	36 ft
	Over 30 m from a Residential or Public Use Zone	no limit	
Maximum Impermeable Surface Area		55 percent	

7.1.3 Uses Permitted only by Development Agreement

The following may be considered only by development agreement in the Industrial (M1) Zone:

- a) General Commercial (C4) Zone uses that are not accessory to a use permitted in the Industrial (M1) Zone in accordance with Policy M-15
- b) Recreation (P2) Zone uses in accordance with Policy M-16

7.1.4 Obnoxious Use

No development permit shall be issued where the use is considered obnoxious by reason of: sound; odour; fumes or smoke; or other obnoxious emissions, whether carried by water or air.

7.1.5 Abutting Yard Requirements

Where a yard on a property in the Industrial (M1) Zone abuts a Residential or Public Use zone the required abutting yard shall not be used for parking, loading, driveways, or open storage and shall:

- a) be entirely landscaped with a combination of existing trees and planted trees which are:
 - i) spaced in a staggered manner at intervals of 3 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 percent coniferous trees indigenous to the area; or
- b) contain a earthen berm at least 1.8 m (6 ft) in height with a base of 7 m (23 ft) in width at any section and which is landscaped with trees and bushes of at least 30 cm (1 ft) in height at the time of planting and spaced no more than 6 m (20 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 an opaque visual barrier from grade to 1.5 m (5 ft) high; and
 - iv) is at least 2m (6.5 ft) high from ground to the top horizontal member; or
- d) be double the applicable yard requirement specified in Table 7.2.

7.1.6 Additional Buffering Required

Where the Development Officer deems that a proposed commercial use is sufficiently incompatible with a neighbouring residential use, a combination of some or all of the abutting yard requirements and buffering provisions outlined in subsection 7.1.5 may be required to achieve an effective visual and acoustic break.

7.1.7 Commercial Uses Accessory to the Main Use

General Commercial (C4) Zone uses are permitted subject to Industrial (M1) Zone requirements provided these uses are related to a product made or stored and provided such commercial uses are accessory to the main use.

7.1.8 Outdoor Storage and Display

Outdoor storage or display shall not:

- a) be permitted within the required front or flanking yard of a lot;
- b) be permitted within a required yard abutting a Residential or Public Use Zone; and
- c) exceed 75 percent lot coverage.

7.1.9 Site Development Standards

No development permit shall be issued in an Industrial (M1) Zone except where the following requirements have been met:

- a) The site shall be designed to have 25 percent unobstructed open space that:
 - i) is not used for parking, loading areas, storage or contain any structure; and
 - ii) shall include a landscaped area of equal to no less than 10 percent of the space required pursuant to this clause;
- b) The developer has submitted a detailed landscaping plan showing the location of the following:
 - i) parking areas;
 - ii) pedestrian and vehicular traffic access and egress;
 - iii) building areas;
 - iv) storage areas;
 - v) grassed or planted areas;
 - vi) fencing and signage location;
 - vii) reserve areas for future development to evaluate the overall effect; and
 - viii) all landscaping elements as required pursuant to subsection 7.1.5.

7.2 Commercial Industrial (M2) Zone

7.2.1 Permitted Uses

Table 7.3 lists uses that are permitted in the Commercial Industrial (M1) Zone subject to all applicable requirements of this By-law.

7.2.2 Uses Permitted with Special Conditions

Table 7.4 lists uses that are permitted in the Commercial Industrial (M1) Zone that are, in addition to all other applicable requirements of this By-law, subject to special requirements set out in this Section.

Table 7.3: M2 Zone Permitted Uses

Accommodations	Office and Professional
Animal Hospitals and Shelters	Parking Lots and Structures
Animal Kennels	Personal Service Shop
Automobile Sales , Rentals, and Service	Photographic and Artist Studios
Banks and Financial Institutions	Places of Assembly
Beverage Room, Lounge, Cabaret,	Places of Worship
Breweries	Printing Establishments
Car Wash	Private Clubs
Commercial Schools	Recreational Vehicle Sales and Service
Community Centres	Recycling Depot
Construction Industries	Repair Shop
Convenience Stores	Residential Care Facilities
Dressmaking and Tailoring	Restaurant
Dry-cleaning and Laundry	Retail Lumber and Building Supplies
Educational Uses	Retail Stores
Emergency Services	Service Clubs and Fraternal Organizations
Equipment Depot	Service Industries
Funeral Homes	Sports Fields & Courts
Garden and Nursery Sales and Supplies	Stadia and Auditora
Governmental	Taxi and Bus Station
Health Care	Television, Radio, and Communications
Industrial Equipment Sales and Service	Transportation Facilities and Depots
Manufacturing, Processing and Assembly	Warehousing, Moving & Storage
Medical Clinics	Wholesale Uses

Table 7.4: M2 Zone Conditional Uses

Existing Residential Uses

7.2.3 Zone Requirements

The following requirements apply to the Commercial Industrial (M2) Zone:

Table 7.5: M2 Zone Requirements

Minimum Lot Area	1000.0 m ²	10764 ft ²
Minimum Lot Frontage	45.0 m	148 ft
Minimum Front Yard	12.0 m	39 ft
Minimum Rear Yard	12.0 m	39 ft
Minimum Side Yard	6.0 m	20 ft
Minimum Flanking Yard	12.0 m	39 ft
Maximum Building Height	16.0 m	52 ft
Maximum Impermeable Surface Area	55 percent	

7.2.4 Uses Permitted only by Development Agreement

The following may be considered only by development agreement in the Commercial Industrial (M2) Zone:

- General Commercial (C4) Zone uses that have a commercial floor area in excess of 3251 m² (34,993 ft²) accordance with Policy M-21.
- Recreation (P2) Zone uses in accordance with Policy M-22.

7.2.5 Existing Uses

Existing Residential uses in the Commercial Industrial (M2) Zone are permitted subject to the Two Unit Residential (R2) Zone requirements.

7.2.6 Obnoxious Use

No development permit shall be issued where the use is considered obnoxious by reason of: sound; odour; fumes or smoke; or other obnoxious emissions, whether carried by water or air.

7.2.7 Abutting Yard Requirements

Where a yard on a property in the Commercial Industrial (M2) Zone abuts a Residential or Public Use zone the required abutting yard shall not be used for parking, loading, driveways, or open storage and shall:

- be entirely landscaped with a combination of existing trees and planted trees which are:
 - spaced in a staggered manner at intervals of 3 m (10 ft) on centre over the entire area;
 - be a minimum of 1.5 m (5 ft) in height at the time of planting;
 - be at least 75 percent coniferous trees indigenous to the area; or
- contain a earthen berm at least 1.8 m (6 ft) in height with a base of 7 m (23 ft) in width at any section and which is landscaped with trees and bushes of at least 30 cm (1 ft) in height at the time of planting and spaced no more than 6 m (20 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 an opaque visual barrier from grade to 1.5 m (5 ft) high; and
 - iv) is at least 2m (6.5 ft) high from ground to the top horizontal member; or
- d) be double the applicable yard requirement specified in Table 7.5.

7.2.8 Additional Buffering Required

Where the Development Officer deems that a proposed commercial use is sufficiently incompatible with a neighbouring residential use, a combination of some or all of the abutting yard requirements and buffering provisions outlined in subsection 7.2.7 may be required to achieve an effective visual and acoustic break.

7.2.9 Outdoor Storage and Display

- a) No development permit will be issued for the outdoor storage of goods or materials not intended for immediate sale to the general public unless the outdoor storage is:
 - i) accessory to a permitted use in the Commercial Industrial (M2) Zone;
 - ii) not located in a front yard or a flanking yard; and
 - iii) not located in a required side or rear yard.
- b) No development permit will be issued for the outdoor storage and display of goods or materials intended for immediate sale to the general public unless the outdoor display:
 - i) is accessory to a permitted use in the Commercial Industrial (M2) Zone; or
 - ii) without limiting the generality of the following, involves the display of the following: swimming pools, fountains, prefabricated buildings, vehicles, or recreational vehicles.

8 • Public Use Zones

Public Use Zones

P1

Parks and Open Space

P2

Commercial Recreation

P3

Institutional

P4

Neighbourhood Institutional

Permitted Uses Table¹

Use	Zones Permitted				Development Agreement Only
Amusement Parks	P2				
Campgrounds	P2				
Cemeteries	P1				
Community Centres	P3	P4			
Community Gardens	P1	P4			
Community Homes	P3	P4			
Correctional Facilities	P3				
Cultural Facilities	P1				
Day Care Centres	P3	P4			
Educational	P3	P4			
Emergency Service	P3				
Entertainment Parks	P2				
Golf Courses	P2				
Governmental	P3			P4	
Health Care	P3			P4	
Homes for Special Care	P3			P4	
Memorial Parks	P1				
Multiple Unit Residential				P4	
Municipal Campgrounds	P1				
Parks	P1	P2			
Office and Professional Uses	P4				
Picnic Parks	P1				
Places of Worship	P3	P4			
Playgrounds	P1	P2	P3	P4	
Recreational Facilities	P1	P2	P3	P4	
Residential Care Facilities	P3			P4	
Single Detached Dwellings	P4				
Societies	P3			P4	
Sports Fields and Courts	P1	P2	P3	P4	

Use	Zones Permitted	Development Agreement Only
Stadia and Auditoria	P2	
Two Unit Dwellings	P4	
Walkways and Trails	P1 P3 P4	
Wilderness Education	P1	

1. This permitted uses table is intended to provide a general list of permitted uses in each zone. This table is provided for convenience only and reference should be made to the section and policies corresponding to each zone for a complete list of permitted uses, uses permitted only by development agreement, and uses that are subject to special requirements.

8.1 Parks and Open Space (P1) Zone

8.1.1 Permitted Uses

Table 8.1 lists uses that are permitted in the Parks and Open Space (P1) Zone subject to all applicable requirements of this By-law.

Table 8.1: P1 Zone Permitted Uses

Cemeteries	Picnic Parks
Community Gardens	Playgrounds
Cultural Facilities	Recreational Facilities
Memorial Parks	Sports Fields and Courts
Municipal Campgrounds	Walkways and Trails
Parks	Wilderness Education

8.1.2 Zone Requirements

The following requirements apply to the Parks and Open Space (P1) Zone:

Table 8.2: P1 Zone Requirements

Minimum Lot Area	no minimum	
Minimum Lot Frontage	6 m	20 ft
Minimum Front Yard	9 m	30 ft
Minimum Rear Yard	9 m	30 ft
Minimum Side Yard	9 m	30 ft
Minimum Flanking Yard	9 m	30 ft
Maximum Building Height	11 m	36 ft
Maximum Impermeable Surface Area	35 percent	

8.2 Commercial Recreation (P2) Zone

8.2.1 Permitted Uses

Table 8.3 lists uses that are permitted in the Recreation (P2) Zone subject to all applicable requirements of this By-law.

Table 8.3: P2 Zone Permitted Uses

Amusement Parks	Playgrounds
Campgrounds	Recreational Facilities
Entertainment Parks	Sports Fields and Courts
Golf Courses	Stadia and Auditoria
Parks	

8.2.2 Zone Requirements

The following requirements apply to the Recreation (P2) Zone:

Table 8.4: P2 Zone Requirements

Minimum Lot Area	4000 m ²	43,056 ft ²
Minimum Lot Frontage	30 m	100 ft
Minimum Front Yard	12 m	39 ft
Minimum Rear Yard	12 m	39 ft
Minimum Side Yard	9 m	30 ft
Minimum Flanking Yard	12 m	39 ft
Maximum Building Height	12 m	39 ft
Maximum Impermeable Surface Area	35 percent	

8.3 Institutional (P3) Zone

8.3.1 Permitted Uses

Table 8.5 lists uses that are permitted in the Institutional (P3) Zone subject to all applicable requirements of this By-law.

Table 8.5: P3 Zone Permitted Uses

Community Centres	Homes for Special Care
Community Homes	Places of Worship
Correctional Facilities	Playgrounds
Day Care Centres	Recreational Facilities
Educational	Residential Care Facilities
Emergency Service	Societies
Governmental	Sports Fields and Courts
Health Care	Walkways and Trails

8.3.2 Zone Requirements

The following requirements apply to the Institutional (P3) Zone:

Table 8.6: P3 Zone Requirements

Minimum Lot Area	1900 m ²	20,451 ft ²
Minimum Lot Frontage	30 m	100 ft
Minimum Front Yard	12 m	39 ft
Minimum Rear Yard	12 m	39 ft
Minimum Side Yard	4.5 m	15 ft
Minimum Flanking Yard	12 m	39 ft
Maximum Building Height	14 m	46 ft
Maximum Impermeable Surface Area	70 percent	

8.3.3 Abutting Yard Requirements

Where an Institutional Use abuts a Residential Zone there shall be no parking, structures, or outdoor storage within any yard abutting a Residential Zone for a distance of 6 m (20 ft) from the abutting property line.

8.4 Neighbourhood Institutional (P4) Zone

8.4 Neighbourhood Institutional (P4) Zone

8.4.1 Permitted Uses

Table 8.7 lists uses that are permitted in the Neighbourhood Institutional (P4) Zone subject to all applicable requirements of this By-law.

8.4.2 Uses Permitted with Special Conditions

Table 8.8 lists uses that are permitted in the Neighbourhood Institutional (P4) Zone that are, in addition to all other applicable requirements of this By-law, subject to special requirements set out in this Section.

Table 8.7: P4 Zone Permitted Uses

Community Centres	Places of Worship
Community Gardens	Playgrounds
Commercial School	Single Detached Dwellings
Day Care Centres	Sports Fields and Courts
Educational	Two-unit Dwellings
Office & Professional Uses	Walkways and Trails

Table 8.8: P4 Zone Conditional Uses

Community Homes

8.4.3 Zone Requirements

The following requirements apply to the Neighbourhood Institutional (P4) Zone:

Table 8.9: P4 Zone Requirements

Minimum Lot Area	500 m ²	5,382 ft ²
Minimum Lot Frontage	15.25 m	50 ft
Minimum Front Yard	6.0 m	20 ft
Minimum Rear Yard	7.5 m	25 ft
Minimum Side Yard	3.5 m	12 ft
Minimum Flanking Yard	6.0 m	20 ft
Maximum Building Height	11 m	36 ft
Maximum Impermeable Surface Area	50 percent	

8.4.4 Uses Permitted only by Development Agreement

The following uses may be considered only by development agreement in the Neighbourhood Institutional (P4) Zone

- a) Institutional (P3) Zone uses not included the list of permitted uses in the Neighbourhood Institutional (P4) set out in Tables 8.7 and 8.8, excluding Correctional Facilities and Emergency Services, in accordance with Policy I-17 of the Municipal Planning Strategy.
- b) Multiple Unit Dwellings (three or more units) in accordance with Municipal Planning Strategy Policies R-37 and I-17; and
- c) Townhouses in accordance with Municipal Planning Strategy Policies R-37 and I-17

8.4.5 Community Homes

A development permit may be issued for a community home in the Neighbourhood Institutional (P4) Zone subject to the following requirements:

- a) the community home is located at least 250 m (820 ft) from any other community home or residential care facility;
- b) there is a minimum of 150 m² (1615 ft²) or 18 m² (194 ft²) per resident, whichever is greater, of outdoor amenity space in the rear or side yard of the community home;
- c) there shall be 18 m² (194 ft²) of floor area per resident including staff and/or receiving family;
- d) the entire structure shall be occupied by the community home; and
- e) a dwelling unit operated in conjunction with and accessory to the community home may be permitted within the same structure as the community home where:
 - i) the accessory dwelling unit is operated in conjunction with the community home; and
 - ii) the accessory dwelling unit contains no more than two bedrooms.

9 • Environmental Management Zones

Environmental Management Zones

E1	Environmental Reserve	E3	1:20 Flood Plain Overlay	E5	Watershed
E2	Flood Plain	E4	1:100 Flood Plain Overlay		

Permitted Uses Table¹

Use	Zones Permitted			Development Agreement Only
Agricultural Uses	E2			
Community Gardens	E2			
Forest Conservation and Management	E1	E5		
Golf Courses	E2			
Parking Lots	E2			
Parks	E2			
Passive Recreation	E1	E2	E5	
Picnic Areas	E1	E2	E5	
Public Works & Utilities	E1	E2	E5	
Sports Fields & Courts	E2			
Walkways & Trails	E2	E5		
Wilderness Education	E1	E2		

1. This permitted uses table is intended to provide a general list of permitted uses in each zone. This table is provided for convenience only and reference should be made to the section and policies corresponding to each zone for a complete list of permitted uses, uses permitted only by development agreement, and uses that are subject to special requirements.

9.1 Environmental Reserve (E1) Zone

9.1.1 Permitted Uses

Table 9.1 lists uses that are permitted in the Environmental Reserve (E1) Zone subject to all applicable requirements of this By-law.

Table 9.1: E1 Zone Permitted Uses

Forest Conservation and Management	Wilderness Education
Passive Recreation	Picnic Areas
Walkways & Trails	Public Works and Utilities

9.1.2 Zone Requirements

The following requirements apply to the Environmental Reserve (E1) Zone:

Table 9.2: E1 Zone Requirements

Minimum Lot Area	no minimum	
Minimum Lot Frontage	6 m	20 ft
Minimum Front Yard	9 m	30 ft
Minimum Rear Yard	9 m	30 ft
Minimum Side Yard	9 m	30 ft
Minimum Flanking Yard	9 m	30 ft
Maximum Building Height	11 m	36 ft
Maximum Impermeable Surface Area	10 percent	

9.1.3 Permanent Structures

No development permit shall be issued in the Environmental Reserve (E1) Zone for the construction of any permanent structures except those associated with Public Works or Utilities constructed by the Town of Truro or in accordance with subsection 9.1.4.

9.1.4 Development Permitted

- a) A development permit may be issued within the Environmental Reserve (E1) Zone for a use permitted in a zone that is contiguous to the subject property, where it can be demonstrated by the applicant, to the satisfaction of the development officer, that the lands to be developed:
 - i) are not within 15 m (49 ft) of the centreline of a watercourse;
 - ii) do not have a slope in excess of 30%; or
 - iii) are not a wetland.
- b) Any development permitted pursuant to clause (a) will be subject to the requirements of a zone that is contiguous to the subject property.
- c) The development officer may require that the applicant provide a geotechnical study prepared by a qualified professional before a development permit will be issued pursuant to clause (a).

9.2 Flood Plain (E2) Zone

9.2.1 Permitted Uses

Table 9.3 lists uses that are permitted in the Flood Plain (E2) Zone subject to all applicable requirements of this By-law.

Table 9.3: E2 Zone Permitted Uses

Agricultural Uses	Picnic Areas
Community Gardens	Public Works & Utilities
Golf Courses	Sports Fields & Courts
Parking Lots	Walkways & Trails
Parks	Wilderness Education

9.2.2 Zone Requirements

The following requirements apply to the Flood Plain (E2) Zone:

Table 9.4: E2 Zone Requirements

Minimum Lot Area	4000 m ²	43,056 ft ²
Minimum Lot Frontage	30 m	100 ft
Minimum Front Yard	12 m	39 ft
Minimum Rear Yard	12 m	39 ft
Minimum Side Yard	9 m	30 ft
Minimum Flanking Yard	12 m	39 ft
Maximum Building Height	12 m	39 ft
Maximum Impermeable Surface Area	10 percent	

9.2.3 Permitted Structures

No development permit shall be issued for a structure or building in the Flood Plain (E2) Zone except for the following:

- structures incidental to public works projects;
- temporary and portable structures accessory to any Flood Plain (E2) Zone permitted use from April to October; and
- structures with a floor area of 10 m² (108 ft²) or less that are used in conjunction with any Flood Plain (E2) 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.

9.2.4 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:

- 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.

9.2.5 Infilling

Infilling is not permitted in the Flood Plain (E2) Zone except as necessary for 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.

9.3 Flood Plain Overlays

9.3.1 Permitted Uses

In the Floodway (E3) Overlay and the Floodway Fringe (E4) Overlay, permitted uses shall include all uses permitted in the underlying zones with the following exceptions:

- 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
- any use associated with the warehousing or the production of hazardous materials.

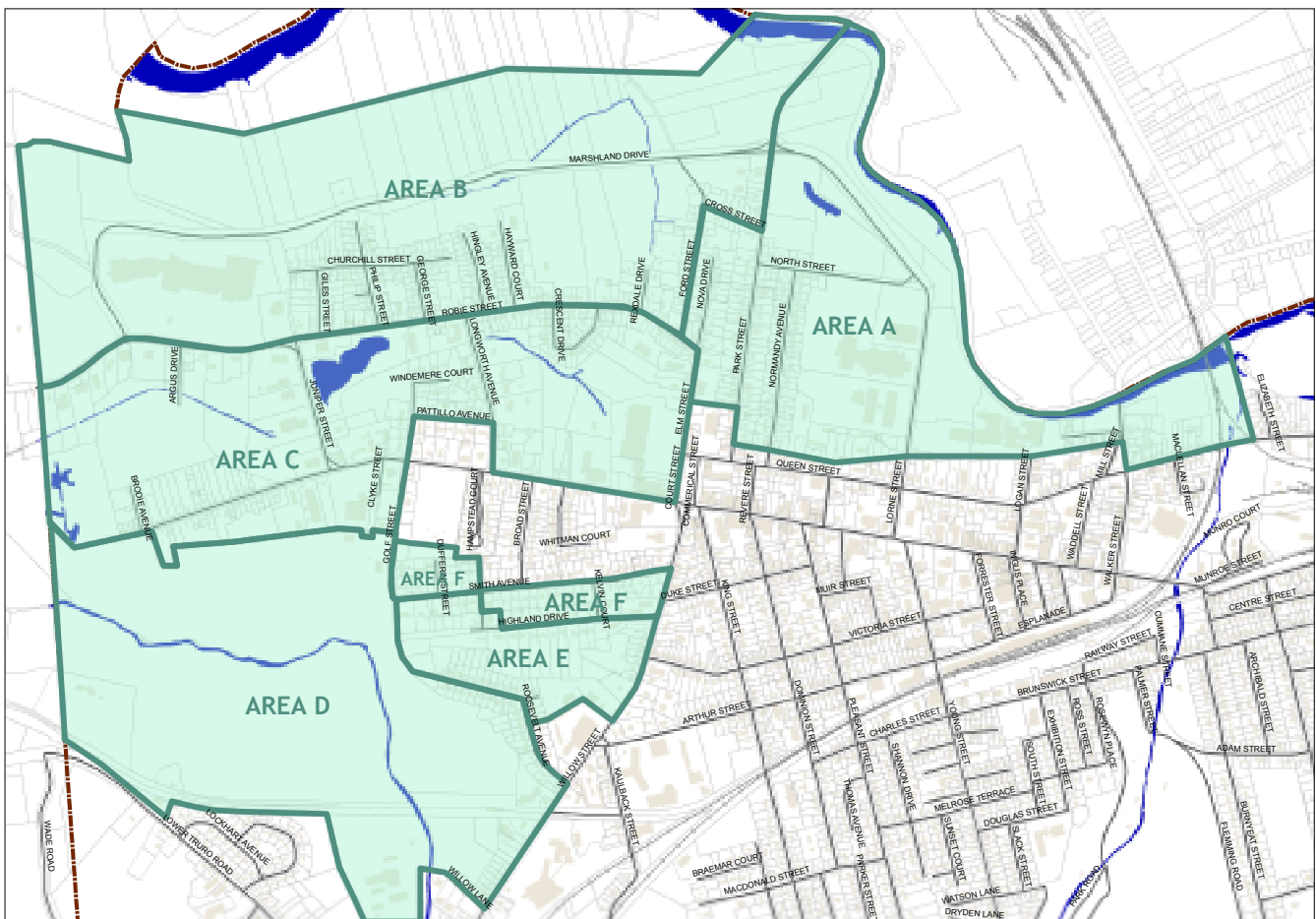
9.3.2 Zone Requirements

In the Floodway (E3) Overlay and Floodway Fringe (E4) Overlay, the zone requirements of the underlying zones shall apply.

9.3.3 Hydrologic Regions

For the purposes of this Section, the Salmon River Flood Plain has been divided into several different Hydrologic Regions that are illustrated in Figure 9.1.

Figure 9.1: Hydrologic Regions



9.3.4 Alteration of Topography

- a) The alteration of topography in the Floodway (E3) Overlay and Floodway Fringe (E4) Overlay is only permitted where:
 - i) the proposed alterations do not include the placement of any fill on the subject property other than infilling permitted pursuant to Section 9.3.5; and
 - ii) the topography is being altered for flood proofing purposes; or
 - iii) the proposed alteration will not impede drainage, the flow of flood water, reduce the capacity of flood water storage within the flood plain.

9.3.5 Infilling

- a) A property within the Floodway (E3) Overlay may be infilled provided:
 - i) the volume of fill is equal to the volume of cuts made at the source of the fill;
 - ii) the fill is from within the same Hydrologic Region;
 - iii) the fill is from within the Floodway (E3) Overlay;
 - iv) the fill is from a cut made above 8.5 m above sea level and below the 1:20 flood elevation; and
 - v) the infilling will not impede drainage, the flow of flood water, or reduce the capacity of flood water storage within the flood plain.
- b) A property within the Floodway Fringe (E4) Overlay may be infilled provided:
 - i) the volume of fill is equal to the volume of cuts made at the source of the fill;
 - ii) the fill is from within the same Hydrologic Region;
 - iii) the fill is from within the Floodway Fringe (E4) Overlay;
 - iv) the fill is from a cut made above 8.5 m above sea level and below the 1:100 flood elevation; and
 - v) the infilling will not impede drainage, the flow of flood water, or reduce the capacity of flood water storage within the flood plain.
- c) Fill from off-site and from outside of the same Hydrologic Region may be placed on a property within the Floodway Fringe (E4) Overlay provided the fill is only used for flood proofing purposes in accordance with subsection 9.3.6.

9.3.6 Additional Fill

Additional off-site fill or fill from outside the same Hydrologic Region may be added to the area around any main building that has been flood proofed in accordance with subsection 9.3.6 provided:

- a) the resulting grade is 3 % or more;
- b) the fill is only placed within 3 m (10 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 indicated on mapping prepared under the Canada - Nova Scotia Flood Damage Reduction Program.

9.3.7 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.

Figure 9.2: Infilling in the E3 Overlay

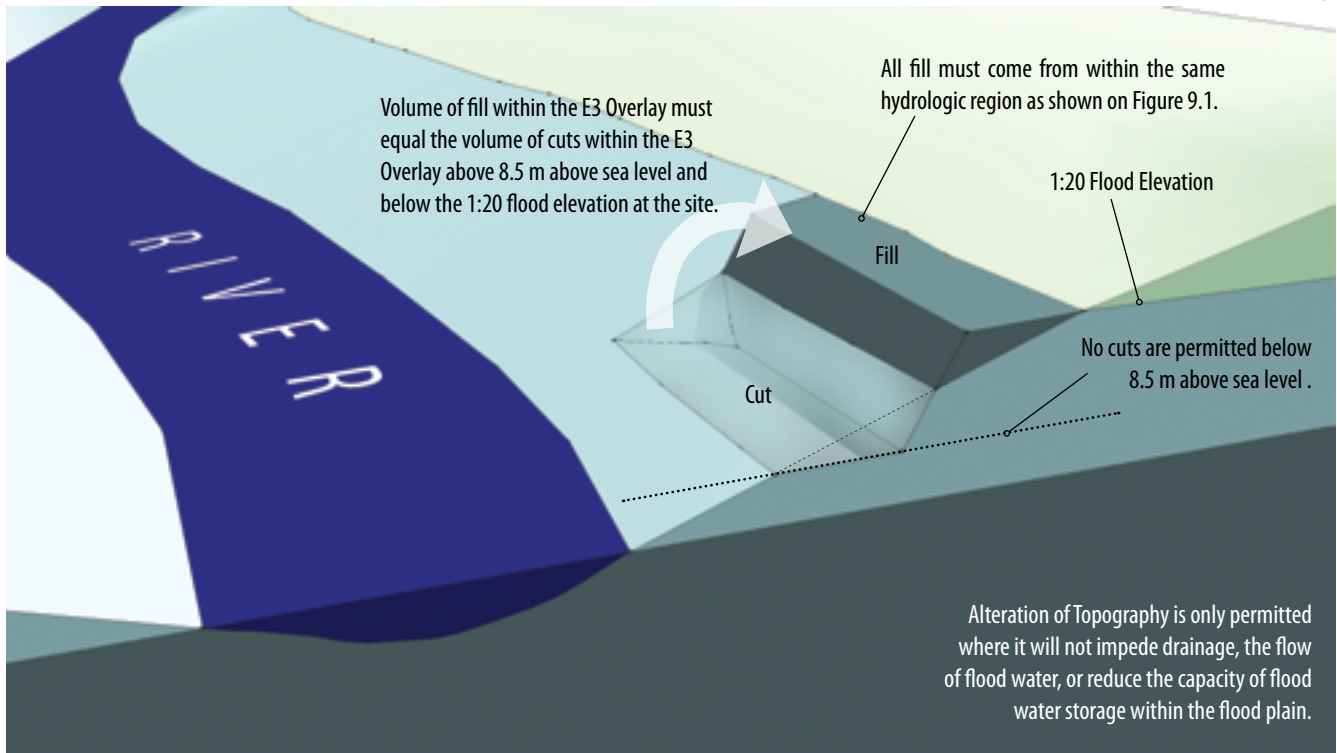


Figure 9.3: Infilling in the E4 Overlay

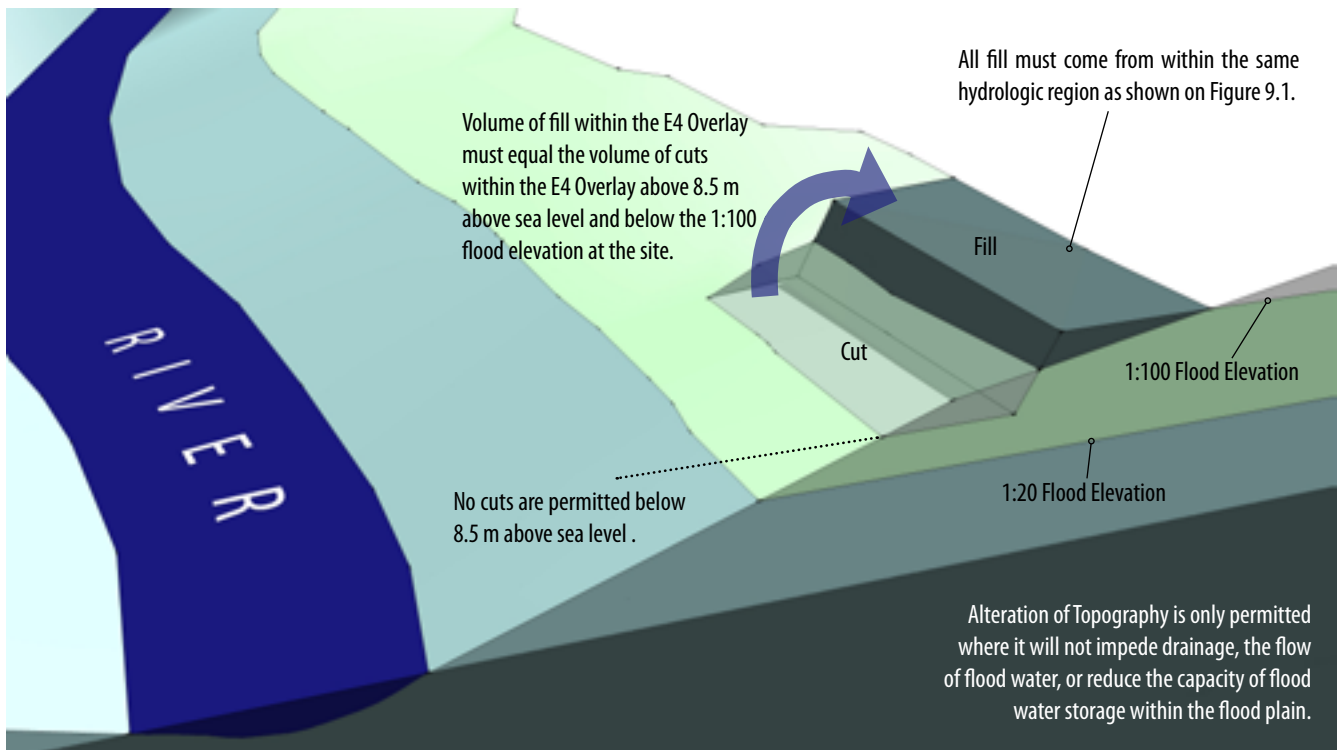
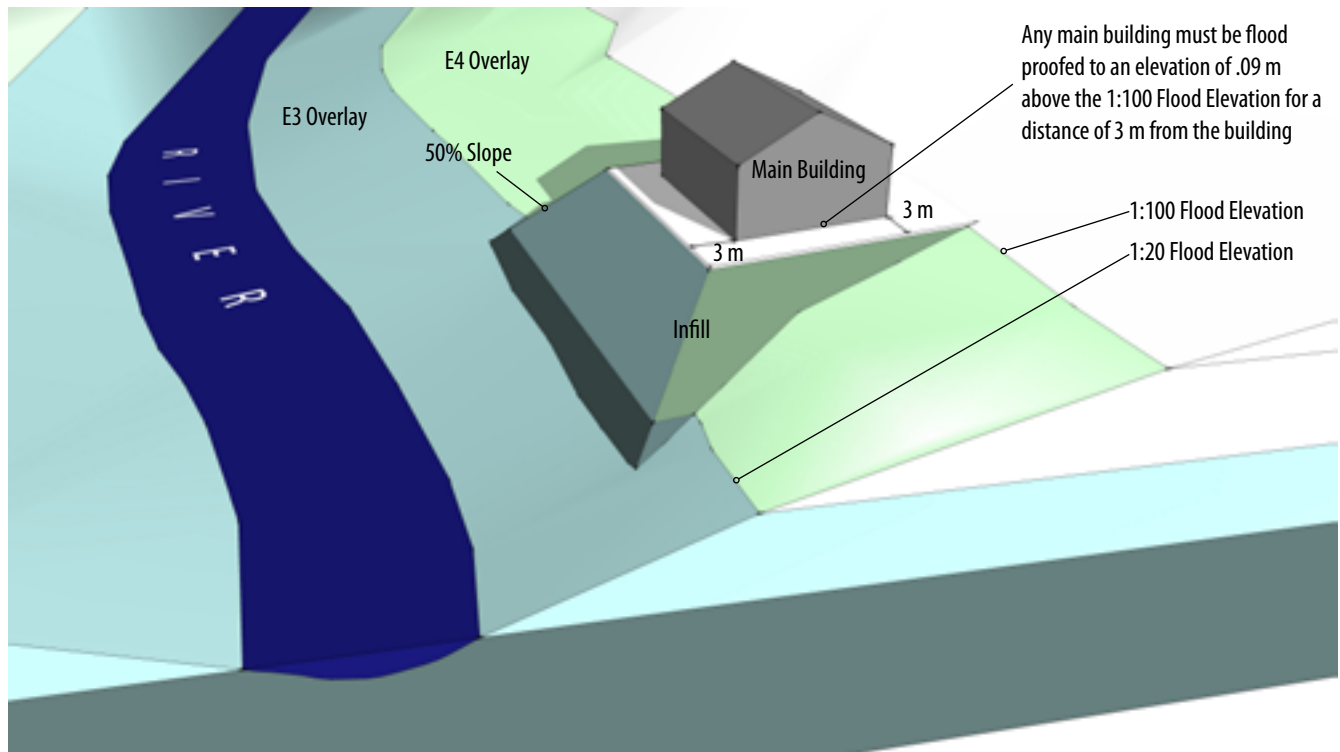
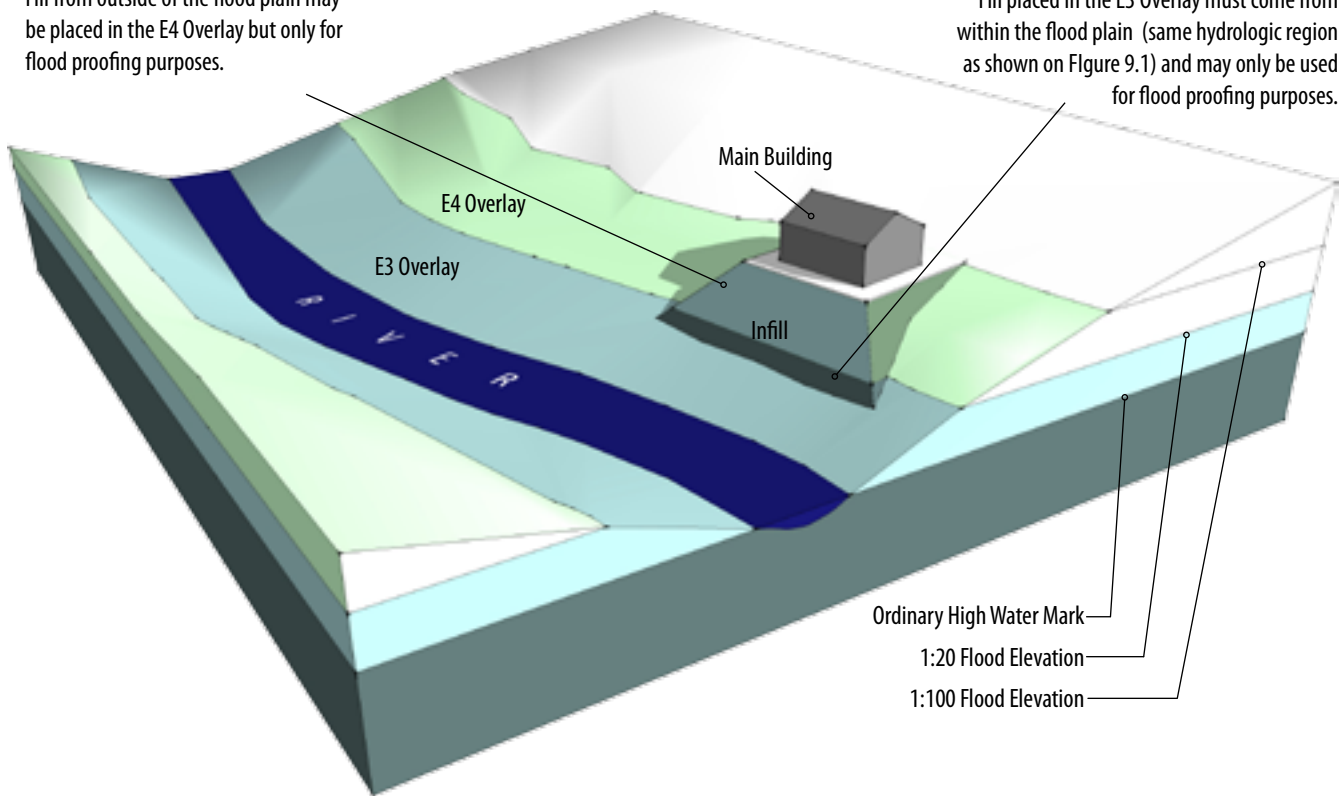


Figure 9.4: Flood Proofing Standards

Fill from outside of the flood plain may be placed in the E4 Overlay but only for flood proofing purposes.

Fill placed in the E3 Overlay must come from within the flood plain (same hydrologic region as shown on Figure 9.1) and may only be used for flood proofing purposes.



E3

E4

flood plain overlays

9.3.8 Flood Proofing Requirement

- a) All buildings in the Floodway (E3) Overlay or Floodway Fringe (E4) Overlay must be flood proofed in accordance with the following requirements:
 - i) the minimum opening elevation of any main building shall be 0.09 m (3.5 inches) above the established 1:100 year flood elevation indicated on mapping prepared under the Canada - Nova Scotia Flood Damage Reduction Program;
 - 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), 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.
- b) Notwithstanding (b)(ii) above, a slope in excess of 1:1 may be permitted where the backfilling has been designed by a Professional Engineer.
- c) Flood proofing shall not directly interfere with storm water drainage.

9.3.9 Permit Requirements

An application for a development permit to flood proof a structure, alter topography, or infill 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 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.

9.3.10 Permits

- a) Failure to provide all of the information outlined in subsection 9.3.9 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, alter topography, or infill 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 the site civil work required under subsection 11.4.4 has been completed.

9.3.11 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.

9.4 Watershed (E5) Zone

9.4.1 Permitted Uses

Table 9.5 lists uses that are permitted in the Watershed (E5) Zone subject to all applicable requirements of this By-law.

Table 9.5: E5 Zone Permitted Uses

Forest Conservation and Management
Passive Recreation
Walkways & Trails
Picnic Areas
Public Works and Utilities

9.4.2 Zone Requirements

The following requirements apply to the Watershed (E5) Zone:

Table 9.6: E5 Zone Requirements

Minimum Lot Area	no minimum	
Minimum Lot Frontage	6 m	20 ft
Minimum Front Yard	9 m	30 ft
Minimum Rear Yard	9 m	30 ft
Minimum Side Yard	9 m	30 ft
Minimum Flanking Yard	9 m	30 ft
Maximum Building Height	11 m	36 ft
Maximum Impermeable Surface Area	10 percent	

9.4.3 Permanent Structures

No development permit shall be issued in the Watershed (E5) Zone for the construction of any permanent structures except those associated with Public Works or Utilities constructed by the Town of Truro.

