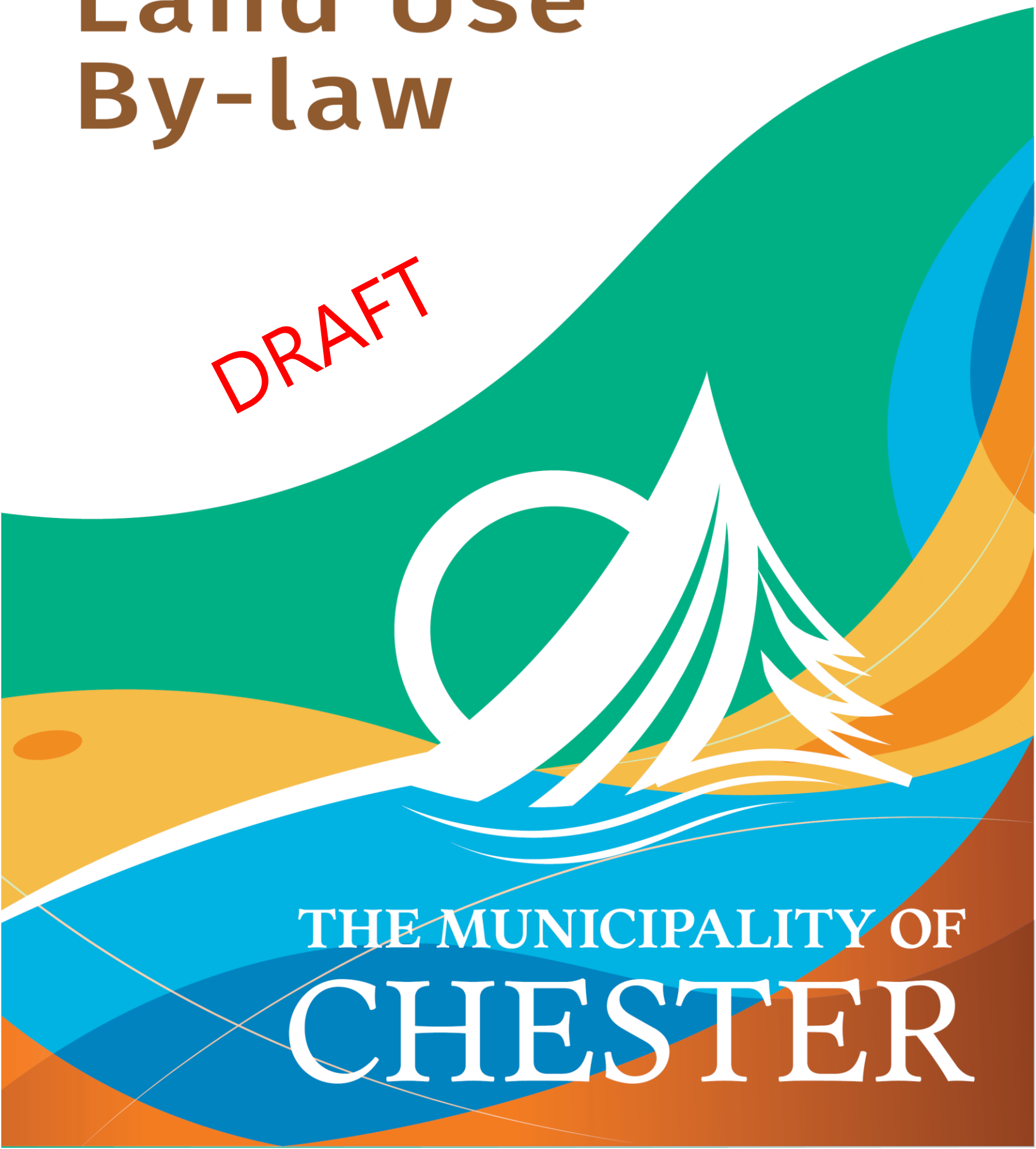
Municipal Land Use By-law

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THE MUNICIPALITY OF
CHESTER

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Municipality of the District of Chester

Land Use By-law

Original Documents Approved by Council on XX/XX/XXXX

Approved by the Minister of Municipal Affairs on DD/MM/YYYY

This CONSOLIDATED EDITION is prepared for convenience only. For complete reference, please consult the original documents. This CONSOLIDATED EDITION has the following history:

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PREFACE

More Information:
Throughout this document, you can find helpful tips, reminders, illustrations, or explanations in sidebars such as this.

This Land Use By-law contains regulations for *development*. It applies to all lands in the *Municipality* that are outside the Village Planning Area, as shown on the Zoning Maps contained in Schedule "A".

About zones and overlays

Zones are the principal organizing units within this By-law. All parcels of land in the Municipality are located within a *zone* that identifies the land uses permitted and sets out *development* standards, such as minimum *lot sizes* and *setbacks* from *lot lines*. This By-law contains general provisions for all *zones* as well as provisions for each of the *zones*.

Overlays are areas of land having special characteristics that may extend across more than one *zone*, and which contain additional *development* standards. This By-law states the provisions that apply.

About permits and approvals

Many *developments* require a ***development permit***. A *development permit* is needed to show that a project meets the regulations in this By-law. The requirements for applying for a *development permit* are found in this By-Law.

A ***building permit*** may also be required in compliance with the Nova Scotia Building Code under the *Building Code Act* of the Province of Nova Scotia and the *Municipality*'s Building By-law. Obtaining a *building permit* is a separate process.

Some projects, because of their size and/or potential impact, may require special forms of approval. These include:

- approval by submitting a ***Site Plan;*** or
- approval by entering into a ***Development Agreement***.

Each process must follow an established procedure as set out in:

- the *Municipal Government Act;*
- the *Municipality*'s public participation policy;
- the *Municipal Planning Strategy;*
- this By-law.

Other approvals based on federal or provincial legislation and regulations, as well as other municipal by-laws, may also be required. Application fees are set by the *Municipality* from time to time. The fee policy is available online or by contacting the *Municipality*.

About the Municipal Planning Strategy

The *Municipal Planning Strategy* sets out the policies that direct long-term growth and *development* in the *Municipality*. It contains a vision, goals, and policies that address: parks and open space; transportation; housing and heritage; community character (including policies that establish the zones in this By-law); economic development; environmental safeguards; and services. This document is available online or by contacting the *Municipality*.

More Information:
Copies of the *Municipal Planning Strategy* can be found at www.chester.ca or by visiting the Municipal Office.

About making changes to the Land Use By-law

A formal request to Chester Municipal Council can be made to change or amend a *zone*. *Council* considers all requests and normally consults with an appointed **planning advisory committee**. *Council* may only approve rezoning or amendment requests that meet the policies in the *Municipal Planning Strategy*. If the request is not consistent with policy, *Council* may also consider amending the Strategy. Re-zonings and amendments are serious matters that affect all property owners, and therefore require time for public participation. *Council* can choose to accept or refuse a request based on its policies and public feedback.

How to contact the Municipality

If you have questions about anything related to this document, please contact the **Community Development Department** using the information below.

Call us: 902-275-2599
E-mail us: planning@chester.ca
Write us: 186 Central Street, PO Box 369, Chester, NS, Canada B0J 1J0
Web site: www.chester.ca

1.0 TITLE, PURPOSE, AND SCOPE

1.1 This By-law shall be known and may be cited as the *Municipal Land Use By-law*.

1.2 The purpose of this By-law is to carry out the intent of the *Municipal Planning Strategy* for the Municipality of the District of Chester in accordance with the provisions of the *Municipal Government Act* (S.N.S. 1998, Chapter 18, as amended), by regulating the *use* of land as well as the character and *use* of *buildings* and *structures* within the whole of the Municipality of Chester.

1.3 This By-law shall take effect when approved by the Minister of Municipal Affairs for the Province of Nova Scotia, whereupon any applicable previous Land Use By-law is automatically repealed.

1.4 This By-law does not exempt any *person* from complying with other laws or regulations in force in Canada or Nova Scotia, or from those in force within the *Municipality*, or from obtaining any license, permission, permit, authority or approval required thereunder.

1.5 This By-law shall apply only to those areas of land shown on the Zoning maps contained in Schedule "A".

1.6 Where the provisions of this By-law conflict with those of any other *municipal* by-laws or federal or provincial regulations, the more stringent provisions shall prevail.

1.7 Where a provision within this By-law conflicts with another provision within this By-law, the more stringent provision shall prevail.

2.0 DEFINITIONS

In this By-law:

Abattoir means a *building* or *structure* specifically designed to accommodate the penning and slaughtering of *farm animals* and related *primary processing* which may include the on-site packing, treating and storage of product.

Accessory structure – see *Structure*

Accessory use – *see Use*

Agriculture means the use of land, *buildings* or *structures* for the cultivation of crops, the raising and pasturing of *farm animals*, bee keeping, or the packing, storing and treating of produce, in accordance with normal farm practices. See also: **Livestock operation.**

Aquaculture means the growing and cultivation of aquatic plants, or fish, for *commercial* purposes, in any water environment or on land in man-made containers of water, and includes the growing and cultivation of shellfish on, in, or under the foreshore or in the water.

Aggregate processing means the use of a *building*, *structure* or land, or part thereof, for the processing of aggregate including the production of asphalt or similar road stone, and includes facilities for the administration and management of the business, the stockpiling of bulk materials used in the production process or finished product manufactured on the premises, and the storage and maintenance of required equipment, but does not include the retail sale of finished product. Aggregate processing may occur on a site on a permanent or temporary basis, and may comprise a facility designed to be transported from place to place. This definition does not include aggregate resource extraction, which refers to sand, gravel and mineral extraction, including pits and quarries, with associated works such as crushing and the stockpiling of raw material, conducted within an active area so designated for such activity by approval of the Province of Nova Scotia.

Automobile sales and services means an establishment primarily engaged in providing motor vehicle sales, repair or maintenance for automobiles, commercial vehicles, motorcycles, watercraft, off-road vehicles, and recreational vehicles, and includes oil change and lubrication shops, auto-body shops, tire repair shops and rustproofing/undercoating.

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Bed-and-breakfast establishment means a single unit *dwelling* where the resident *owner* or resident occupant provides accommodation, with or without meals, to the travelling public for financial remuneration and does not include facilities open to the public such as meeting rooms, restaurants, or entertainment facilities.

Beverage room means premises licensed as a beverage room or *lounge* by the Liquor License Board of Nova Scotia.

Brewery, winery and **distillery** mean a licensed premise where there is manufacturing of beer, ale, cider, wine or spirits and shall include ancillary retail sale of these liquor products and related non-liquor products to the public within the manufacturer's store and *lounge* provided that their combined floor area and outdoor lounge patio area do not exceed the manufacturing floor area.

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

> **Main building** means that *building* or *structure* on a lot in which the main use takes place.
>
> **Private storage building** means an enclosed or partially enclosed structure for the storage of materials or goods in which there is no human habitation and no business, occupation or service conducted.

Building envelope means the buildable area in terms of allowable length, width, *height* that forms the visible separator between inside and outside, and prescribed for a *building* by the regulations of this By-law.

Campground and RV [Recreational Vehicle] Park means premises occupied and maintained for temporary accommodation of travelers in trailers, tents, or *recreational vehicles.* It includes *accessory structures* and *structures* used to provide services including but not limited to laundry and canteen services, but does not include a *Land Lease Community*, motel or hotel.

Child care facility means a facility other than a *residential daycare*, located in a *building* or part of a *building*, where children are accommodated and cared for, for financial remuneration, without providing overnight accommodation.

Clerk means the Municipal Clerk for the Municipality of the District of Chester.

Commercial means the use of land, *buildings* or *structures* for the purpose of buying and selling commodities and/or supplying of services as distinguished from uses such as manufacturing or assembling of goods, *warehousing*, *transportation depots*, *construction* and other similar uses.

Composting facility means a *structure* or land used for the importation and processing of organic matter under controlled circumstances to a condition suitable for sale or utilization off-site, and for greater certainty:

> **Small-scale composting**: *composting* occurring as an *accessory use* to *commercial*, *institutional* and *light industrial uses*, and does not include residential backyard composting.

Construct means to build, erect, reconstruct, or relocate, and without limiting the generality of the word, also includes:

(i) any preliminary operation such as excavation, filling or draining;

(ii) altering an existing *building* or *structure* by an addition, enlargement, extension or other structural change; and

(iii) any work which requires a building permit issued the *Municipality*.

Contaminated soil facility means a facility for the handling of soils containing a chemical or petroleum product other than on the site where the soils became contaminated.

Continuing care facility means a nursing home, residential care facility or other special care facility licensed by the Province of Nova Scotia, or a public or private facility designed for assisted living for persons (exclusive of staff or associated family) having social, mental or physical challenges that require professional care, guidance or supervision not available in an independent living situation.

Council means the Council of the Municipality of the District of Chester.

Craft product means a product made by hand or small custom production processes by a potter, pewterer, goldsmith, silversmith, jeweller, toymaker, leatherworker, upholsterer, woodworker, furniture maker, musical instrument maker, clothing designer and maker, shoemaker, antique refinisher, glass or stained-glass worker, sailmaker, and similar skilled craftsperson.

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Craft workshop means a *building* or part of a *building* where *craft products* are made by hand or small production processes.

Detached dwelling – see *Dwelling*

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

Development Agreement means a written agreement between the *Municipality* and a property owner which establishes circumstances and conditions under which a *development* may be carried out.

Development Officer means the person appointed by *Council* under the authority of the *Municipal Government Act* to administer the provisions of the Land Use By-law.

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

Distillery – see *Brewery*

Drainage plan means a detailed management plan for a *lot* or *lots*, including, but not limited to drawings and calculations of *stormwater* runoff and the courses and channels of it, including floodplains.

Dwelling means a *building* containing at least one *dwelling unit* for human habitation, which is capable of being occupied as a home or residence, and for greater certainty:

> **Detached dwelling**: a *building* that comprises one *dwelling unit*, has *yards* on all sides of the *building*, has exterior entrances, and is not a *hotel*, *motel*, *manufactured home*, travel trailer or other *recreational vehicle*.
>
> **Manufactured home**: a prefabricated *dwelling* designed to be transported to a site where it is to be occupied as a *dwelling* complete and ready for occupancy, either remaining on a chassis and wheels or placed on a permanent footing. This definition includes such types as mobile homes and mini-homes, but excludes modular or other types of pre-cut or multi-section assemblies that form a *dwelling*.

Dwelling unit means one or more habitable rooms that may be used as a residence by an independent, separate household, which: has a bathroom for exclusive use of the household; has a kitchen for the exclusive use of

the household; and has a private entrance from outside the *building* or from a common hallway or stairway.

Electrical generation facilities means the use of land, *structures*, or *buildings* for the generation of electric power by means such as, but not limited to, wind energy, solar energy, and biomass energy.

Established grade – see *Grade*.

Existing means in existence prior to the effective date of this By-law.

Farm animal means any animal commonly bred on a farm, including but not limited to: horses, cattle, sheep, goats, llamas, alpacas, ostrich, emu, swine, fowl, meat rabbits, and for greater certainty:

> **Backyard fowl** means the keeping and rearing of no more than ten (10) female fowl in a manner that is accessory to a residential *use*.

Farm Animal Unit means one or more farm animals as specified in the following table:

More Information:
To calculate the number of farm animal units, multiply the number of **farm animals** by the **number of Farm Animal Units per animal**.
For example, if you have 3 swine, and 1 cattle, your calculation would be:
(3 x 0.3) + (1 x 1) = 1.9
meaning you have 1.9 farm animal units.

Farm Animal	Number of **Farm Animal Units** per Animal
Swine	0.3
Cattle / Horse	1
Sheep / Goat / Llama / Alpaca	0.3
Ostrich / Emu	0.3
Fowl / Rabbit	0.03

Forestry processing means the use of a *building*, *structure*, land, or part thereof, for milling, sawing, or other *primary processing*, as well as for maple sugar operations and Christmas tree farming, and includes transport of finished product.

Full horizontal cut-off means the shielding of an outdoor light fixture so that all light emitted by the fixture is projected below the shield in such a way as not to be cast onto neighbouring properties.

Fur farming means breeding animals in captivity for their pelts.

Golf course means a specially prepared area of land for the purpose of playing golf and includes all incidental *buildings* and facilities, and does not include a driving range or a miniature golf course.

Grade means, with reference to a *building* or *structure*, the lowest elevation of the finished surface of the ground where it meets the exterior of the foundation of the *building* or *structure* and, when used with

reference to a *street*, road or highway means the elevation of the *street*, road or highway established by the municipality or other designated authority, and additionally:

> **Established grade** means the average elevation of the finished *grade* of the ground where it meets the exterior of the front of a *building* or *structure* exclusive of any artificial embankment or entrenchment.

Hatchery – see *Inland fish farm*

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

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

Hotel – see *Tourist Accommodations*

Impermeable surface means any material that significantly reduces or prevents natural filtration of water into the ground.

Industrial, heavy means the use of land involving manufacturing, distilling or refining fuel products, trade workshops, wholesale distribution, freight yards, bulk storage, landfills, solid waste processing, or the repair or rental of industrial and commercial equipment, that does any of the following:

a) regularly produces smoke, high heat, dust, ash, disruptive noises, heavy vibration or noxious smells;
b) creates harmful, dangerous or noxious waste products;
c) consists of bulk storage of petroleum, heavy metals, caustic chemicals or dangerous goods, excluding retail fuel sales as part of an *automobile sales and service* operation and fuel sales depots;
d) may involve separation distances from other uses specifically to protect health and safety;
e) requires environmental assessment in accordance with the Environmental Assessment Regulations made under the *Environment Act*.

Industrial, light means an industrial *use* which in its operation does not ordinarily result in emission from the *building* of odours, fumes, noise, cinder, vibrations, heat, glare or electrical interference. Light Industrial includes, but is not limited to: light manufacturing, research facilities, *salvage yards*, *transportation depots*, *warehouse* facilities, and *inland fish farms* or *hatcheries*.

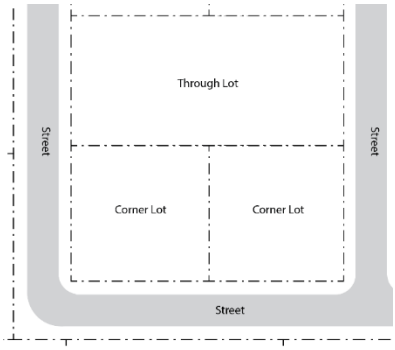
Inland fish farm means a land-based open- or closed-containment facility in which fish are spawned and raised for consumption or for research purposes. The use includes a *hatchery*.

Institutional includes the *use* of a *building* or part of a *building* or land as an auditorium, place of worship and associated facilities, cemetery, public art gallery, community centre, *continuing care facility*, government *building* (federal, provincial and municipal excluding provincial *retail stores*), hospital, library, museum, school, sports complex, post office, fire station and other *uses* of a similar nature.

Kennel means an establishment for the breeding and/or boarding of dogs and includes establishments known as "Doggie Day Care" or any similar nomenclature thereof.

Land Lease Community means any *lot* or premises under common ownership, upon which three or more *manufactured homes* are located, either free of charge or for revenue purposes, and which may or may not be connected to a common sewer system, water system or both, but does not include any camping establishment under the *Camping Establishments Regulation Act*.

Livestock operation means an operation in which *farm animals*, by type or in combination, are kept in a farm *building*, feedlot or other facility for feeding, breeding, milking, holding for riding, meat, or egg production, but does not include *Backyard fowl*.



Lot means any parcel of land as described by its boundaries, and for greater certainty:

Corner lot means a *lot* situated at the intersection of two *streets*, highways or private roads;

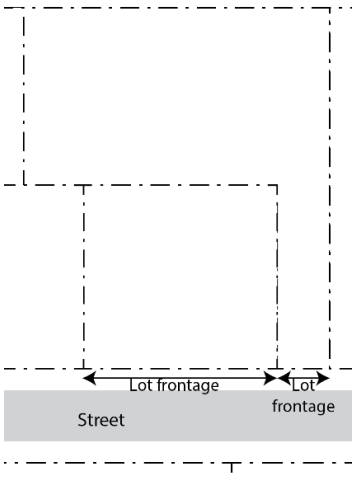
Interior lot means a *lot* situated between two *lots* and having access to one *street*, highway or private road;

Through lot means a *lot* bounded on two opposite side sides by *streets*, highways or private roads, however, if any such through *lot* also qualifies as a *corner lot*, it shall be deemed to be a *corner lot* for the purposes of this By-law;

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Abutting lot means a *lot* having one or more boundaries coincident with one or more *zone* boundaries;

Waterfront lot means a *lot* of which any portion is within 29 metres of a *watercourse*, *water body* or the ocean.



Lot area/lot size means the total plane horizontal area within the boundary lines of a *lot*.

Lot frontage/frontage means the distance between the side *lot lines* of a *lot* measured along the *street*, highway or private road.

Lot line means a boundary line of a *lot*.

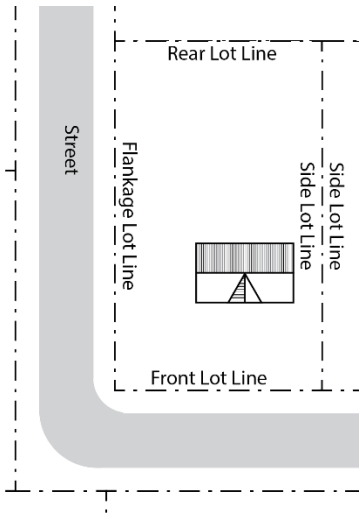
Front lot line means**:**

(i) the line dividing the *lot* from the *street*, highway or private road; or

(ii) in the case of a *lot* which does not abut a *street*, highway or private road, the orientation of the *main building* on the *lot*; or

(iii) in the case of a *corner lot*, the *lot line* abutting the *street* or highway based on the orientation of the *main building* on the lot; or

(iv) in the case of a *through lot*, the longer boundary line abutting the *street* or highway;



Rear lot line means the line opposite or furthest from the *front lot line*;

Side lot line means the line other than the *front lot line* or *rear lot line;*

Flankage lot line means the *lot line* abutting the *street* or highway on a corner lot, which is not the *front lot line*.

Lot, serviced means a parcel of land which has access and connection to a municipal sewer system or a private cluster system approved by the appropriate Provincial department.

Lot, unserviced means a parcel of land without access and connection to a Public Municipal Sewer System or a private cluster system.

Lounge – see *Beverage Room*

Main building – see *Building*

Main wall means the exterior front, side or rear wall of a building, and includes but is not restricted to all structural members essential to the

support of a fully or partially enclosed space or roof and any decks, bay windows, porches, steps, verandahs, balconies and roof overhangs.

Marina means a *building*, *structure* or place, containing docking facilities, where boats are stored, serviced, repaired or kept for sale or rent, and may include other services such as but not limited to the sale, repair or storage of boat accessories, marine fuels and lubricants.

Medical clinic means a *building* or part of a *building* used for medical, dental, surgical, or therapeutic treatment of human beings or animals on an outpatient basis, but does not include a public hospital, private hospital, animal hospital or professional office of a doctor located within a residence.

Minister means the Minister of Municipal Affairs, or such Minister of the Crown responsible for municipalities in the Province of Nova Scotia.

Motel – see *Tourist Accommodations*

Municipality means the Municipality of the District of Chester.

More Information:
The *Municipal Government Act* is the provincial legislation which governs municipalities in Nova Scotia. Copies are available from www.nslegislature.ca

Municipal Government Act means the Act respecting Municipal Government, R.S.N.S. 1998, Chapter 18 as amended from time to time.

Municipal Planning Strategy means the Municipal Planning Strategy of the Municipality of the District of Chester.

Municipal Specifications means the specifications approved by *Council* and amended from time to time, for design and construction of municipal public highways, central sewer systems, central water systems, storm drainage, and small sewerage systems.

Office means premises available for the transaction of general business or professional services but excluding retail uses, *craft workshops*, and manufacturing *uses*.

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

Outdoor farm market means a *commercial* operation established on a temporary basis for the retail sale of farm produce and other locally-made

goods. This includes temporary roadside stands offering farm produce and other locally-made goods for retail sale, but not greenhouses or *buildings* directly associated with a business on the property from which plants or farm produce are sold directly to the public.

Owner includes a person controlling the property under consideration, and includes the assessed owner of the property whose name appears on the assessment roll prepared in accordance with the *Assessment Act* of the Province of Nova Scotia.

Overlay means a specified area of land as shown in Schedule "B" of this By-law, the requirements for which are imposed in addition to the requirements of the underlying *zone*.

Park means an open area devoted to passive recreational uses or conservation *uses* and which may include ornamental gardens and lawns, outdoor furniture, *accessory structures* and children's playgrounds, and in addition:

> **Waterfront Park** means a *park* allowing public access to inland waterways or coastal shores on property that is owned by interests other than the Municipality of Chester or the Crown.

Parking space means an area of not less than 15 square metres measuring 2.75 metres by 5.5 metres exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles, and which has adequate access to permit ingress and egress of a motor vehicle to and from a *street* or highway by means of driveways, aisles or manoeuvring areas.

Pet grooming means a *building* or part of a *building* used for the hygienic care and cleaning of domestic pets and for which there is financial remuneration. This includes the retail sale of any products used in pet grooming services, but does not include boarding, breeding or the provision of medical procedures.

Pergola means a *structure* without walls or a roof that is composed of vertical posts and cross-beams that is used as a sheltered, or partly-sheltered, walkway or sitting area.

Permeable surface means any material or composition that allows natural filtration of water into the ground.

Person means an individual, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, and the heirs,

executors or other legal representatives of a *person* to whom the context can apply according to law.

Personal service shop means a *building* or part of a *building* in which people are employed in furnishing services and otherwise administering to the individual and personal needs of other people, and without limiting the generality of the foregoing may include such establishments as barber shops, beauty parlours, hairdressing shops, shoe repair and shoe shining shops, but excludes any manufacturing or fabrication of goods for sale.

Primary processing means the initial processing of raw materials or resources for transformation into food and/or goods for use, further processing, or sale.

Private storage building – see *Building*

Professional services means establishments primarily engaged in providing services for individuals or groups and includes but is not limited to financial, legal, medical, architectural, engineering, design, real estate and travel services.

Qualified professional means an individual who has undergone proper educational training and gained experience and expertise to become certified or recognized as able to practice in a particular profession.

Recycling depot means a *building* or *lot* that is used or intended to be used for collecting, sorting, refunding and redistributing recyclable materials but excludes processing of said materials.

Recreation and outdoor activities means passive, unstructured activity not requiring specially planned or manicured areas with ancillary *structures*.

Recreational vehicle, or "RV", means a vehicle designed for travel, camping or recreation, that provides sleeping and other facilities for temporary accommodation. A recreational vehicle either has its own motor or can be mounted or drawn by another vehicle. It may be equipped with land-to-vehicle service connections (electricity, water and/or sewer). A recreational vehicle may be a road-worthy travel trailer, camping trailer, truck camper, motor home or similar vehicle.

Recreational vehicle storage means placement of a *recreational vehicle* on a *lot* with no connection to municipal services or to an on-site septic system.

Research facility means a place where facilities are located for scientific research, investigation, testing or experimentation, but does not include

facilities for the manufacturing or sale of products, except as incidental to the main purpose of the facility.

Residential daycare means a part of a *dwelling* where the *owner* or occupier of the *dwelling* provides accommodation and care, for financial remuneration, to children, without providing overnight accommodation.

Restaurant means a *building* or part thereof where food and drink is prepared and served to the public for consumption within the *building* or attached café or patio, or off-premises.

Retail store means a *building* or part thereof, including a *shop*, for the sale or lease of goods, wares, merchandise, or articles directly to the public.

Rooming house means a *detached dwelling* in which a proprietor supplies sleeping accommodations for a fee, with or without meals, for at least three (3) but not more than six (6) people*,* exclusive of the proprietor's family.

Salvage yard means any *commercial* premises where bodies or parts of automobiles, or other vehicles or machinery are placed, stored or kept.

Setback means the horizontal distance on a *lot* measured at a right angle from the *lot line* to the nearest point on a *structure*.

Shipping container means a container or *structure*, usually of metal, with strength suitable to withstand shipment, storage and handling and used to transport cargo that is specially designed to facilitate the secure storage of goods, by one or more modes of transport, without intermediate reloading or repacking of goods; also, a freight container and any form of skid building or self-contained mobile office.

Shop means any *building* or part thereof used for sales or repair of articles.

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.

Sign means an object, *structure* or device used for the purpose of identification or advertising or to call attention to any person, matter, thing or event or to give direction, and for greater certainty:

Sign height means the distance as measured from the *established grade* to the highest part of the *sign* or its supporting *structure*, whichever is higher.

Sign face area means the area of the smallest square, rectangle or circle that can wholly enclose a sign's framing mechanism or its letter composition when presented without a framing mechanism.

Awning sign means a *sign* that is painted or otherwise permanently affixed to an awning whose principal function is to provide shelter to and identification of a *building* entrance or facade.

Banner sign means a flexible *sign* made of fabric or plastic that is affixed to a wall, pole, or to the ground.

Ground sign means a *sign* supported by one of more uprights or braces placed in or upon the ground.

Portable sign means a *sign* that is not permanently fixed in a location and designed to be transported from place to place, and includes a sandwich board, a reader board on legs or wheels that may contain changeable copy (either manually or electronically controlled), and an inflatable device.

Projecting wall sign means a sign that projects from a wall of a *building* and is supported by it.

Wall sign means a *sign* that is attached directly to, or painted upon a *building's* exterior face, and which does not extend therefrom, and does not extend above the roof line.

Window sign means a *sign* that is placed on or near to the interior face of a window or glass door so as to be legible from off the premises or from a parking lot associated with the premises.

Site plan approval means an approval process that evaluates the layout of site features such as *buildings*, parking areas, and landscaping for compliance with the Land Use By-law, and results in a written agreement between the *Municipality* and the developer.

Solar collector means any device, excluding a window, used to collect solar radiation for the purpose of electrical generation or heating, and in addition:

Solar farm means an installation on an area of land in which *solar collectors* are set up to generate electricity for *commercial* gain, and does not include a *dwelling*.

Solid waste facility means a facility to treat or process solid waste into usable secondary materials or products, including fuel or energy, which is not owned by the *Municipality.*

Stormwater means water from precipitation of all kinds, and includes water from rain, the melting of snow and ice, groundwater discharge and surface water.

Stormwater system means a method or means of carrying *stormwater*, and includes but is not limited to ditches, swales, sewers, drains, canals, ravines, gullies, pumping stations, retention ponds, streams, *watercourses*, floodplains, springs, creeks, *streets* or private roads, roadways or driveways.

Street means the whole and entire right-of-way of every highway, road, or road allowance vested in the Province of Nova Scotia or the Municipality of the District of Chester.

Structure means anything that is *erected*, built, or *constructed* of parts joined together or any such *erection* fixed to or supported by the soil or by any other *structure*, and shall include *buildings*, walls and *signs*, and for greater certainty:

> **Accessory structure** means a *structure* that is normally incidental to and devoted to a *main building* or land *use* located on the same *lot*, and is not used for human habitation;
>
> **Small accessory structure** means an *accessory structure* whose gross floor area is less than $20m^2$;
>
> **Minor accessory structure** means an *accessory structure* incidental to a lot, including but not limited to a retaining wall, children's play structure, cold frame, garden trellis, *pergola*, garbage box, clothes line pole, pet house, monument and interpretive display.

Studio means a *building*, or part of thereof used as a workroom for the study, execution or instruction of any fine or *commercial* art, or craft, including photography, music, visual art and *commercial* design.

Tourist accommodations means a *building* or establishment, which provides accommodation for the travelling public for financial remuneration and may include other facilities including meeting rooms, restaurants and entertainment facilities and which is open to the general public, and for greater certainty includes tourist homes, motels, hotels,

and inns but does not include *Bed and Breakfast Establishments,* or *Campground and RV parks*.

Transportation depot means any facility developed for the primary purpose of storing and dispatching trucks, cars, and any other mode of transportation for the transporting of goods or people, and does not have any related retail *use*.

Use means the purpose for which any land, *building* or *structure* is utilized, and for greater certainty:

> **Accessory use**: a *use* subordinate to, normally incidental to and located on the same lot as the main land *use*.
> **Change of use**: any alteration in the use made of the whole or any part of a parcel of land, *building* or *structure*.
> **Non-conforming use**: means a use as described in the *Municipal Government Act.*

Variance means a relaxation or reduction of Land Use By-law requirements for a specific site, as stipulated in Sections 235-237 of the *Municipal Government Act.*

Vegetated buffer means a designated strip of land containing a mix of species including trees, shrubs and grasses, whether naturally occurring or planted during restoration, that provides filtration of pollutants and sediment, and promotes bank stability as a means to protect water quality and habitat of *watercourses* and lakes, and to protect property from flooding and erosion.

Warehouse means a *building* in which goods or wares are stored but shall not include a *retail store*.

Wastewater Management District means a designated area of land within which privately-owned on-site septic systems are collectively managed by the *Municipality* in accordance with a *municipal* wastewater management district by-law.

Watercourse means the bed and shore of a river, stream, creek, brook or similar

Water body means the bed and shore of a freshwater lake, pond or other still body of water.

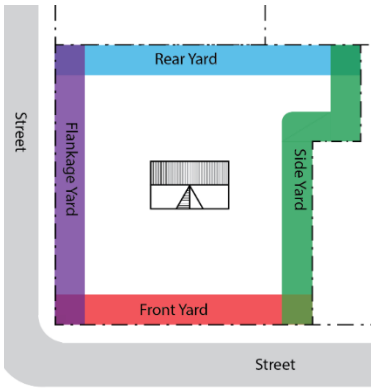
Wetland means a land surface that is periodically or permanently saturated with water and sustains biological activities adapted to wet conditions, and may be commonly referred to as a marsh, swamp, bog, or similar.

Winery – see *Brewery*

Wind turbine means a *structure* that produces power by capturing the kinetic energy in surface winds and converting it into energy in the form of electricity, and typically includes a supporting structure such as a tower, rotor *blades* and a *nacelle*, and for greater certainty:

> **Blade** means the part of the wind turbine that rotates in the wind;
>
> **Nacelle** means the frame and the housing that encloses the transmission system and generator and protects them from the weather;
>
> **Rotor's arc** means the largest circumferential path traveled by the *wind turbine's* rotor *blade*.

Yard means an open, uncovered space on a *lot* belonging to a *structure* or a specified land *use*, and in determining yard measurements, the minimum horizontal distance from the respective *lot* lines shall be used; and for greater certainty:



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

Zone means a specified area of land shown on Schedule "A" of this By-law and more particularly referred to in Part 3 of this *By-law.*

3.0 ADMINISTRATION

3.1 Zones

Land within the Municipality of the District of Chester shall be divided into *zones*. The extent and boundaries of each *zone* are shown on the Zoning Maps attached to this Land Use By-law, as detailed in Schedule "A".

The *zones*, which are contained within designated land *use* areas as defined in the *Municipal Planning Strategy*, are:

Tip:
The zone abbreviations and colours shown here correspond with the zoning maps found in Schedule "A" at the end of this by-law.

Rural Area

GB	General Basic Zone

Settlement Area

SU	Single Unit Residential Zone
SR-1	Settlement Residential One Zone
SR-2	Settlement Residential Two Zone
MU	Mixed Use Zone
CI	Coastal Island Zone
GW	Gateway Zone

Hamlet Area

HM	Hamlet Zone

Industrial and Business Area

BP	Business Park Zone
KI	Kaizer Meadow Industrial Zone
KM	Kaizer Meadow Zone

Environmental Protection Area

PW	Protected Watershed Zone
CS	Conservation Zone

3.2 Interpretation of Zone Boundaries

The boundaries of *zones* are shown in the Land Use By-law Zoning Maps (Schedule "A") and shall be precisely located as follows:

3.2.1 Where a *zone* boundary is shown on or within a *street* or highway, the boundary shall be the centreline of such *street* or highway;

3.2.2 Where a *zone* boundary approximately follows *lot lines*, the boundary shall follow such *lot lines*;

3.2.3 Where a *zone* boundary approximately follows a shoreline, the boundary shall be the *ordinary high water mark*.

3.2.4 Where a *zone* boundary approximately follows a railway right-of-way, public recreational trail right-of-way, electrical transmission right-of-way, or a *watercourse*, the boundary shall be the centreline of such right-of-way or of such *watercourse*.

3.2.5 Where there is no landmark, *lot line* or right-of-way that indicates the precise location of a boundary, the boundary shall be scaled from the Land Use By-law Zoning Maps as shown in Schedule "A".

3.3 References are inclusive

In this By-law, reference to a *zone* is deemed to include reference to a permitted *use*, special requirements, and regulations of that particular *zone*.

3.4 Overlays

Land around lakes within the Municipality of the District of Chester shall be covered by the **Lakefront Overlay**. The extent and boundaries of the **Lakefront Overlay** are shown on the Lakefront Overlay Map attached to this Land Use By-law, as detailed in Schedule "B".

3.5 Watercourses, water bodies and wetlands

Watercourses, *water bodies* or *wetlands* when referenced in this By-law, shall refer to those *watercourses*, *water bodies*, and *wetlands* identified in Nova Scotia Provincial Topographic Database mapping at a scale of 1:10,000, unless it can be proven otherwise through a professional assessment.

3.6 Standards of Measurement

Measurements throughout this By-law are metric. Submissions in imperial measurement shall be converted to metric and rounded to two decimal points.

3.7 Interpretation of Certain Words

In this By-law, words used in the present tense include the future; words in the singular number include the plural; words in the plural include the singular number; the word "shall" means that the provision is mandatory

and not permissive. All other words carry their customary meaning except for those defined in Part 2 of this By-law: Definitions.

3.8 Development Officer

3.8.1 This By-law shall be administered by the *Development Officer* appointed by *Council*, under the authority of the *Municipal Government Act*. The *Development Officer* shall issue *development permits* under this By-law.

3.8.2 In the absence or incapacity of the *Development Officer*, the acting *Development Officer* appointed by *Council* shall act in the place of the *Development Officer*.

3.8.3 The *Development Officer* may enter, at all reasonable times, into or upon any property within the area to which this By-law applies for the purpose of any inspection necessary in connection with the administration of this By-law.

3.9 Development Permits

3.9.1 A property owner shall not undertake, or cause to permit to be undertaken, any *development* thereon unless a *development permit* has been issued therefor by the *Development Officer* and the permit is in force.

3.9.2 Notwithstanding Section 3.9.1, no *development permit* is required for a *development* when such an exception is clearly stated elsewhere in this *By-law*.

3.9.3 Every person wishing to obtain a *development permit* shall submit an application to the *Development Officer* in the form prescribed by *Council*.

3.9.4 When requested by the Development Officer, an application for a *development permit* shall be accompanied by a plan drawn to an appropriate scale and showing:

a) the shape and dimensions of the *lot* to be used for the *development*;
b) the proposed location on the *lot*, *height* and dimensions of any proposed *structure* and of any *structure* to be affected by the proposal;

c) the proposed location and dimensions of parking areas, parking spaces, loading areas, driveways, curbs, fences and landscaping;
d) the location of every *structure* already *constructed*, partly *constructed*, or proposed on the *lot*;
e) natural features such as *wetlands*, *watercourses, water bodies* and slope by topography;
f) all other information as may be necessary to determine whether the proposed *development* conforms with the requirements of this Land Use By-law.

3.9.5 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*, the *Development Officer* may require that any plans submitted in support of an application be certified by a an appropriate registered professional such as a Nova Scotia Land Surveyor or Professional Engineer.

3.10 Signatures

An application for a *development permit* shall be signed by the owner of the *lot*, or by an agent so appointed by the owner, and shall set forth in detail the current and proposed *use* of the *lot* and each *building* or *structure*, or part thereof, together with all the information necessary to determine whether or not the proposed *development* conforms with the requirements of this Land Use By-law.

3.11 Issuance of Development Permit

3.11.1 No *development permit* shall be issued by the *Development Officer* unless the development conforms to the provisions of this *Land Use By-law*, the terms of a *development agreement*, or a *site plan approval*.

3.11.2 Every *development permit* issued under this Land Use By-law and any *development permit* issued under any previous Land Use By-law, shall automatically expire, if the *development* to which it relates has not commenced and eighteen months have passed since its issuance.

3.11.3 A *development permit* shall be effective for a period of eighteen (18) months and may be renewed for an additional eighteen (18) month period provided that:

a) the *development permit* has not been renewed previously;
b) the *Development Officer* is satisfied that the *development permit* is consistent with the existing *Land Use By-law* and proposed amendments to the *Land Use By-law* as provided for under the *Municipal Government Act*.

3.11.4 A *development permit* may be issued for a temporary period and may be renewed for a temporary period on a one-time-only basis to a maximum of six (6) months provided that the *Development Officer* is satisfied that the *development permit* is consistent with the Land Use By-law and proposed amendments to the Land Use By-law as provided for under the *Municipal Government Act.*

3.12 Deviations

No developer shall deviate, or allow deviations to be made, from the description of the proposed *development* which is contained in the *development permit*, unless the developer has obtained a new *development permit* or an amended *development permit* from the *Development Officer*.

3.13 Amend or re-issue

When so requested by a developer, the *Development Officer* may make amendments to or may re-issue a *development permit* which has not lapsed by making an appropriate notation thereon provided that the amended or re-issued permit conforms with the Land Use By-law requirements in effect on the date of the minor amendment or re-issuance.

3.14 Revocation of Permits

The *Development Officer* may revoke any *development permit* issued under this Land Use By-law or any previous Land Use By-law where:

a) the requirements of the Land Use By-law are not met;
b) the issuance of the permit was based on incorrect information;
c) the permit was issued in error.

3.15 Decision in Writing

Any decision of the *Development Officer* refusing to issue a *development permit* shall be given by written notice served by ordinary mail whereas

any decision to revoke a *development permit* shall be given by written notice served by registered mail and the revocation shall become effective upon receipt of such notice.

3.16 Development Agreements

In accordance with the provisions of the *Municipal Government Act*, *Council* may enter into a *development agreement* for certain high-density residential *developments*, or large *commercial, institutional* and *light industrial developments*, as indicated in the *zones* where such *development agreements* may be considered. The criteria to be applied, under which such *developments* may be considered, are referenced in Part 9.0 of the *Municipal Planning Strategy*, specifically Section 9.7 located therein.

3.17 Notice of Amendment or Agreement

3.17.1 Where the *Council* has given notice of its intention to adopt an amendment to this By-law which is not general in scope but which is in direct response to a specific *development* proposal, or has given notice of its intention either to enter into a *development agreement* or to amend a *development agreement*, *Council* shall serve notice of the proposed amendment or *development agreement* upon assessed property *owners* whose property lies within 30 metres, or greater at the discretion of *Council*, of the property which is the subject of the proposed amendment or *development agreement*. Such notice shall:

a) set forth a synopsis of the proposed amendment or development agreement;
b) state the date, time, and place set for the public hearing on the amendment or *development agreement*;
c) be served by ordinary mail.

3.17.2 A notice containing the same information shall be posted on the *Municipality*'s website, and sent to the Chair of the planning advisory committee or area advisory committee for the specific area.

3.17.3 A *sign* that states that a planning application has been received shall be posted on the property, which is the subject of the application.

3.18 Cost of Advertising, Registration and Notice

An applicant seeking an amendment to this *By-law* or for a *development agreement* or an amendment thereto shall deposit with the *Clerk* of the *Municipality* an amount as specified by policy of *Council* to cover the cost of advertising, signage, registration and notices required to comply with the *Municipal Government Act*. After such advertising has been completed, the applicant shall pay to the *Clerk* any amount required to pay any additional cost of advertising, registration and notices or, if there is a surplus, the *Clerk* shall refund it to the applicant.

3.19 Notice of Variance or Site Plan Approval

3.19.1 Where a *variance* from the requirements of this by-law has been granted or refused, or a *site plan approval* has been granted or refused, the *Development Officer* shall give notice to the *persons* entitled, and in the manner prescribed by Sections 232-237 of the *Municipal Government Act*, such notice to be served by ordinary mail. Specifically, the *Development Officer* shall serve notice of the *variance* or *site plan approval* upon assessed property *owners* whose property lies within 60 metres (200 feet) of the property which is the subject of the proposed *variance* or *site plan approval* and such notice shall:

a) describe the *variance* or *site plan approval*;
b) identify the property where the *variance* or *site plan approval* is granted;
c) set out the right to appeal the *variance* or *site plan approval* to *Council*.
d) be sent to the address or addresses maintained in the assessment list.

3.19.2 A notice containing the same information shall also be posted on the property which is the subject of the proposed *variance* or *site plan approval*.

3.20 Cost of Notice of Variance or Site Plan Approval

The *Municipality* may recover from the applicant the cost of giving notices referred to in section 3.18.

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3.21 Application Fees

An applicant seeking a *development permit*, a *development agreement*, an amendment to the *Land Use By-law* or the *Municipal Planning Strategy*, a *site plan approval*, or a *variance*, shall pay the fees prescribed by *Council* as amended from time to time by policy.

3.22 Violations

In the event of any alleged contravention of the provisions of this By-law, the Municipality of the District of Chester may take action as outlined in the *Municipal Government Act.*

4.0 GENERAL PROVISIONS

4.1 Application, Waivers and Exemptions

4.1.1 **Application of General Provisions**
The general provisions of Part 4.0 shall apply to all *zones* and shall prevail over all *zone* requirements, unless otherwise specified.

4.1.2 **Height regulation**
The regulation on maximum *height* for each *zone* shall not apply to church spires, water tanks, silos, flagpoles, *structures* and antennae used for radio-communications, ventilators, skylights, chimneys, clock towers, *wind turbines* and *solar collectors*.

4.1.3 **Mobile vending**
Mobile vending, associated *signs*, and associated *structures*, are subject to the *Trade and Licensing By-law #11* of the *Municipality*, and no *development permit* shall be required.

More Information:
The *Trade and Licensing By-law* can be found at www.chester.ca or by visiting the Municipal Office.

4.1.4 **Signs**
All *signs* shall be subject to the applicable requirements of Part 10 of this *By-law.*

4.1.5 **Swimming pools**
No *development permit* shall be required for the installation of any swimming pool.

4.2 Aggregate processing

4.2.1 In the **Kaizer Meadow Industrial (KI)** *zone, aggregate processing* shall be permitted by *development permit*.

4.2.2 In any other *zone*, *aggregate processing* within the active area designated for the operation of an approved pit or quarry, shall be permitted by *development permit*.

4.2.3 In the **General Basic (GB)** and **Mixed Use (MU)** *zones*, for any location outside of an active area designated for the operation of an approved pit or quarry, and for a period not to exceed six

(6) months, *aggregate processing* shall be permitted by temporary *development permit*, subject to the following:

Provision	Standard
Minimum distance for the envelope of a processing facility from any existing residential property	360 m
Minimum distance for the envelope of a processing facility from any *zone* boundary other than the **Kaizer Meadow Industrial (KI)**, **General Basic (GB)**, or **Mixed Use (MU)**.	50 m

and thereafter not permitted on the same lot except by *development agreement*.

4.2.4 In the **General Basic (GB)** and **Mixed Use (MU)** *zones*, for any location outside of an active area designated for the operation of an approved pit or quarry, and for a period exceeding six (6) months in any calendar year, *aggregate processing* shall be permitted by *development agreement*.

4.3 Electrical Generation Facilities

The following provisions shall apply to developments not owned by the *Municipality* or located on *Municipally*-owned property.

4.3.1 **Wind Turbines**

Wind turbines shall be permitted in all *zones* by *development permit* and shall be subject to the following requirements:

a) in the **Single Unit Residential (SU)**, **Hamlet (HM)**, and **Gateway (GW)** *zones*, total combined production capacity for all *wind turbines* on the lot shall not exceed five (5) kilowatts;
b) in all other *zones*, total combined production capacity for all *wind turbines* on the lot shall not exceed one hundred (100) kilowatts;
c) *wind turbines* shall be set back 1.5 times the *height* of the turbine, measured from *grade* to the highest point of the *rotor's arc*, from adjoining *lot lines*.
d) *wind turbines* shall not exceed thirty (30) metres in *height*;
e) *wind turbines* shall bear a non-reflective finish, and shall not contain any exterior lighting;
f) no *sign* shall appear on a *wind turbine* other than the owner's or manufacturer's identification;
g) rotor *blade* clearance shall be at least 8 metres above *grade*.

4.3.2 **Solar Collectors**

*Solar collector*s shall be permitted in all *zones*, subject to the following requirements:

a) in the **Single Unit Residential (SU)**, **Hamlet (HM)**, and **Gateway (GW)** *zones*, total combined production capacity for all *solar collector*s on the lot shall not exceed five (5) kilowatts;
b) in all other *zones*, total combined production capacity for all *solar collectors* on the lot shall not exceed one hundred (100) kilowatts;
c) on-building *solar collectors* shall not require a *development permit*;
d) off-building *solar collectors* shall be permitted on lots that do not contain a *main building*;
e) where yard *setbacks* apply, off-building *solar collector*s shall not be permitted within the required *front yard setback*, and shall be located a minimum of 3 metres from *side yard setback* and *rear yard setbacks*.

4.3.3 **High Capacity Electrical Generating Facilities**

Any *electrical generating facilities* not permitted under sections 4.3.1 or 4.3.2, such as a large-scale *wind turbine* facility or *solar farm*, shall be permitted by *development agreement* in the **General Basic (GB)**, **Business Park (BP)**, **Kaizer Meadow Industrial (KI)** and **Kaizer Meadow (KM)** *zones*.

4.4 Farm Animals

4.4.1 **Backyard fowl**

Unless otherwise indicated in the *zone* provisions, *backyard fowl* (1 to 10 female fowl) shall be permitted in all Rural Area, Settlement Area and Hamlet Area *zones* excluding the **Single Unit Residential (SU)**, **Protected Watershed (PW)** and **Conservation (CS)** *zones*, without a *development permit* subject to the following:

a) The *use* shall be accessory to a one- or two-unit *dwelling*;
b) The coop shall not be located in the *front yard* or *flankage yard* of the *lot*.

4.4.2 **Livestock operations**

a) Where permitted, any *lot* used for the keeping of *farm animals* comprising up to twenty (20) *farm animal units* shall be subject to the following:

Provision	Standard
Minimum *lot size*	4,000 m^2 for the first *farm animal unit*, 2,000 m^2 for each additional *farm animal unit*
Minimum *setback* for a *structure* sheltering *farm animals* from *lot lines*	15 metres
Minimum *setback* for manure storage from *lot lines*	15 metres
Minimum *setback* for *farm animal structures* and manure storage from a *watercourse* or *water body*	25 metres

b) Where permitted, any *lot* used for the keeping of *farm animals* comprising more than twenty (20) *farm animal units* shall be subject to the following:

Provision	Standard
Minimum distance for a *building* sheltering *farm animals* from a *lot line*	50 metres
Minimum distance for a *building* sheltering *farm animals* from an existing off-farm *dwelling*	100 metres
Minimum *setback* for manure storage from any *watercourse* or *water body*	100 metres

c) *Farm animals* shall be prevented from accessing *watercourses* and *water bodies* through fencing or other means.

More Information:
For information on how to calculate Farm Animal Units, please see the definitions section of this by-law.

4.5 Home-Based Businesses

4.5.1 A residential *dwelling* may be used for a home-based business provided that:

a) The *dwelling* is occupied as the place of primary residence by the operator of the business;
b) For uses other than *bed-and-breakfast establishments*, no more than 25% of the floor area of the main *dwelling*, or a maximum of 50 m^2 of floor area, whichever is less, is devoted to the business *use;*
c) For *bed-and-breakfast establishments*, the maximum size of the home-based business is three (3) rental units;

d) For uses other than *bed-and-breakfast establishments*, one on-site *parking space*, in addition to that required for the *dwelling*, is provided;
e) For *bed-and-breakfast establishments*, one on-site *parking space* per rental unit, in addition to that required for the *dwelling*, is provided;
f) There shall be no emissions of odours, smoke, dust or debris caused by the business;
g) Outdoor display associated with the business shall not be permitted;
h) Outdoor storage associated with the business shall be permitted in the *rear yard* only.

4.5.2 In the **Mixed Use (MU)**, **Settlement Residential (SR)**, and **Gateway (GW)** *zones*, home-based businesses shall fall within one of the following:

a) *Professional services;*
b) *Rooming houses;*
c) *Craft workshops;*
d) *Bed-and-breakfast establishments;*
e) *Personal services* including hairdressing, barbering, esthetics;
f) *Studios* for the practice or instruction of fine arts, crafts or music;
g) Repair *shops;*
h) *Residential daycare;*
i) *Pet grooming*, which shall not include the boarding or pets or a *kennel;*
j) Retail sales limited to sale of products made, assembled, refinished or repaired on the premises and the sale of any goods or material used in any of the processes involved in the primary business use.

4.5.3 In the **Mixed Use (MU)**, **Settlement Residential (SR)**, and **Gateway (GW)** *zones,* home-based businesses shall have no more than two *signs* on the lot related to the business. The *sign*(s) shall be non-illuminated and shall not exceed 0.5 m^2.

4.5.4 In the **Single Unit Residential (SU)**, **Coastal Island (CI)**, and **Protected Watershed (PW)** *zones*, home-based businesses shall fall within one of the following:

a) *Professional services;*

b) *Craft workshops.*

4.5.5 In the **Single Unit Residential (SU)**, **Coastal Island (CI)**, and **Protected Watershed (PW)** *zones,* home-based businesses shall meet the following requirements:

a) The external appearance of the *building* shall not be changed by the home-based business;
b) There shall be no open storage of materials or products related to the home-based business;
c) No *signs* shall be permitted on the *lot* related to the home-based business.

4.6 Lakefront Overlay

4.6.1 All *developments* within an area that is covered by the **Lakefront Overlay** (Schedule "B") shall require a *development permit*.

4.6.2 All *developments* shall place all *buildings* at least twenty (20) metres from the *ordinary high water mark* of any *water body* within the area covered by the **Lakefront Overlay**.

4.6.3 *Setback* requirements shall not apply to *small accessory structures*, fire-fighting impoundments and structures related to water systems, or where otherwise permitted in this By-law.

4.6.3 *Impermeable surfaces* within the **Lakefront Overlay** shall not exceed 25% of the total area of the *lot* including *buildings* and hard-surface landscaping.

4.7 Lots

4.7.1 **Common lot line**
Notwithstanding the *yard* requirements of each *zone*, adjoining *buildings* which are structurally attached to each other are permitted to be built to the common *lot line*.

4.7.2 **Existing undersized lots**
Notwithstanding minimum *lot area* and *lot frontage* requirements established elsewhere in this by-law, a *lot* which does not satisfy the minimum requirements for *lot area*, *lot frontage*, or both, and either was in existence on or before 16

April, 1987 (see *MGA* Sec. 291), or satisfies one or more of the following requirements (a) or (b) may be used for a purpose permitted in the *zone* in which the *lot* is located, and a structure may be erected on the *lot*, provided that all other applicable provisions of this by-law are satisfied:

a) The *lot* has been created after 16 April 1987 by the consolidation of two or more *lots*, by the expansion or increase in size of an existing lot, by subdivision under the variance provisions of the *Municipal Government Act* or by an instrument to which the *Municipal Government Act* does not apply; or
b) The *lot* is located upon an island, in which case the required *lot frontage* shall be measured along the *ordinary high water mark.*

4.7.3 **Minimum lot frontage**
The minimum *lot frontage* for all *lots* shall be six (6) metres.

4.8 Parking requirements

Where a *development permit* is required, the minimum requirement for on-site parking shall be one space for every *dwelling unit* and one space for every 50 square metres of non-residential floor area.

4.9 Site Plan Approval

4.9.1 Where permitted in the *zone*, and in accordance with the provisions of the *Municipal Government Act*, the *Development Officer* may issue a *development permit*, upon approval of a *site plan approval* of moderate-density residential development, or a commercial, institutional, recreation or industrial development, as indicated in zones where such approval may be considered, in which the following requirements have been addressed:

a) approval by the authority having jurisdiction for sewage disposal either by an on-site sewage disposal system, or by connection to a municipal central sewer, or by connection to a sewage disposal system satisfying the design and construction requirements of the *Municipal Specifications* adopted by *Council*;
b) adequate emergency vehicle access;

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c) adequate solid waste collection access;
d) approval by the authority having jurisdiction for access to any public *street*;
e) adequate on-site potable water supply for domestic use and fire suppression, such as not to negatively impact existing abutting *developments*;
f) location of new *buildings* and additions to existing *buildings* within the permissible *building envelope*, and no less than 20 metres from any *watercourse*, *water body*, or *wetland*;
g) location and design of on-site loading and parking areas to facilitate safe access between *building(s)* and vehicle parking and maneuvering areas;
h) screening of parking areas and any outside storage areas from adjacent properties and from the public *street* by a fence at least 1.2 metres high or an equivalent combination of berms or landscaping;
i) location and design of walkways and any outside storage areas so as to facilitate *building* access, and shall be surfaced with stable materials to prevent dust from blowing onto adjacent properties;
j) provision of a landscaped buffer consisting of a combination of trees, shrubs, plants and grass, or retention in the form of existing vegetation, in the *front yard*, *side yard* and *rear yard*, exclusive of parking, driveways and pedestrian walkways, a minimum of 25% of the total land area;
k) retention and incorporation of existing vegetation into the site landscaping, including the protection of environmentally sensitive areas;
l) with regard to *watercourses* and *water bodies:*

    (i) maintenance of a *vegetated buffer* of 20 metres in depth from the *ordinary high water mark* of a *watercourse* or *water body;*
    (ii) retention, replanting and maintenance of the *vegetated buffer*, in tree cover and understory vegetation to at least 75% of the linear *water body* frontage of the buffer, and not as a maintained, mowed lawn;
    (iii) allowance of a 3.5-metre-wide opening in the *vegetated buffer* for access to *watercourses* and *water bodies* by means of docks, decks and pathways;

(iv) allowance of small *accessory structures* shall be permitted within the *vegetative buffer* so identified.

m) indication on the *site plan approval* of all easements where applicable;
n) indication of measures including lot grading and the limitation of *impermeable surfaces,* such as concrete and asphalt, to areas for access, parking, and pedestrian walkways so as to demonstrate satisfactory *stormwater* drainage;
o) other than the minimum infilling required for *construction* of boathouses, slipways, wharves and bridges, indication of adequate management of land levels within 20 metres of any *watercourse*, *water body*, or the sea such that they are not altered by filling in of land greater that 0.3 metres above the natural ground surface;
p) provision of outdoor lighting fixtures with *full horizontal cut-off* such that direct illumination does not extend beyond the *lot lines* of the *development*.
q) all *buildings* and all other *structures*, lawns, trees, shrubs, parking areas, lighting systems, and other landscaping elements shall be maintained in a tidy, attractive and useable state free of unkempt matter of any kind; and the *development* shall not generate emissions such as dust, radiation, odours, liquids, or light to the air, water, or ground so as to create a recognized health or safety hazard or to create a nuisance to the adjacent properties.

4.9.2 Notwithstanding *site plan approval* requirements, *accessory structures* under 50 m^2 shall not require *site plan approval* but shall be approved by *development permit.*

4.9.3 The applicant shall enter into a written undertaking to carry out the terms of the *site plan approval.*

4.10 Stormwater Standard

4.10.1 For:

a) residential *developments* comprising 12 or more *dwelling units;* and

b) *commercial*, *institutional*, *light industrial* or *heavy industrial developments* having a gross floor area over 1,000 m^2 or occupying a land area over 6,000 m^2

a storm *drainage plan* shall be furnished by a *qualified professional*, namely an engineer, using *stormwater* management best practices such that:

a) Surface runoff from *impermeable surfaces*, and rooftop runoff from downspouts, shall drain across *permeable* areas such as *yards*, vegetated areas or other *permeable surfaces*, utilizing rain gardens, drainage swales or other *stormwater* control methods, before entering any *watercourse*, *water body*, *wetland*, *stormwater system*, or drainage ditch;
b) Peak post-development flows do not exceed pre-development flows for all major storms including extreme weather events (1 in 20-year storms).

4.11 Structures

4.11.1 Accessory structures

Accessory structures shall be permitted in all *zones* and, unless otherwise indicated, shall be subject to the following:

a) Shall not be used for human habitation;
b) In *zones* where *setbacks* apply, shall not be permitted within the *front yard setback* of a *lot* or closer than 1.2 metres to any other *lot line*, with the exception of one *accessory structure* without plumbing which may be built to the *ordinary high water mark*;
c) *Small accessory structures* shall not require a *development permit* in any *zone* with the exception of the **Single Unit Residential Zone (SU)**, the **Protected Watershed Zone (PW)**, and on any land within the **Lakefront Overlay**;
d) *Minor accessory structures*, shall not require a *development permit*.

4.11.2 Fences

Requirements for fences are based on *height*, as follows:

Fence height	Development Permit	Location Requirements
2 m or less	No	None

Greater than 2 m and less than 3 m	Yes	Must meet *yard setback* requirements for *accessory structures*
Greater than 3 m	Yes	Must meet *yard setback* requirements of the *zone* in which it is to be located

4.11.3 **Non-conforming structures: enlargement and relocation**

A *structure* , excluding any *sign*, which was legally in existence on the effective date of this *By-law*, and which would not otherwise be permitted due to the size of the *yard* in which it is located, or its *setback* from property lines, may be:

a) enlarged, reconstructed, repaired, renovated, or replaced by a new *structure*, provided that the *structure* shall not thereby be permitted to extend, elongate or increase any existing encroachment into the minimum *front yard, flankage yard, side yard* or *rear yard* required in that *zone* except by the granting of a *variance* in accordance with this By-law.
b) relocated, provided no encroachment into the minimum *front yard, flankage yard,* or *rear yard* required in that *zone* shall be permitted except by the granting of a *variance* in accordance with this By-law.

provided that the application for a *development permit* is supported by a location certificate or survey plan showing the location of the *structure* in relation to the boundaries of the *lot*.

More Information:
The *Municipal Government Act* allows certain structures which do not otherwise meet the requirements of this By-law to continue to be used and altered subject to certain criteria.

For more information, see sections 238-242 of the *Municipal Government Act*, available from www.nslegislature.ca

4.11.4 **Non-conforming structures: used as permitted in zone**

A *structure*, excluding any *accessory structure* or *sign*, which was legally in existence on the effective date of this *By-law*, and which would not otherwise be permitted due to the size of the *yard* in which it is located, or its *setback* from property lines, may be used as permitted in the *zone* in which the *structure* is situated.

4.11.5 **Private storage**

Where there is no other *main building* on the *lot*, *private storage buildings* shall be permitted in any *zone* subject to the zone standards for *yards*.

4.11.6 **Temporary structures: incidental to construction**

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A temporary *structure* incidental to *construction* of a *main building*, including but not limited to a mobile site office, tool shed, scaffold, *shipping container* or temporary shelter of goods, shall be removed no more than six (6) months from issuance of a temporary *development permit* for said temporary *structure*.

4.11.7 **Temporary structures: special occasions**

A temporary *structure* for special occasions and holidays, including but not limited to community or private celebrations, and *commercial* promotions, shall not require a *development permit*, and shall be removed no more than ten (10) days following the termination of the special occasion.

4.11.8 **Restoration to a safe condition**

Nothing in this By-law shall prevent the strengthening or restoring to a safe condition of any *structure*, provided in the case of a *non-conforming use* the provisions of the *Municipal Government Act* shall prevail.

4.12 Uses

More Information:
The *Municipal Government Act* allows uses which would otherwise not be permitted under this By-law to continue, subject to certain criteria.

For more information, see sections 238-242 of the *Municipal Government Act*, available from www.nslegislature.ca

4.12.1 Non-conforming uses

Prior Existing Uses, land *uses* which were legally in existence on the effective date of this By-law, and which would not otherwise be permitted in the *zone* in which they are located due to the type of *use* or the size of the *use*, as demonstrated through municipal records or through Statutory Declaration, are subject to the non-conforming provisions of the *Municipal Government Act*.

4.12.2 Permitted uses

a) Unless otherwise indicated as a permitted use in a *zone* within this By-law, the *use* shall be deemed to be prohibited in said *zone*.
b) Public utilities provided by the *Municipality* such as, but not limited to, sewage treatment plants, pumping stations, water storage reservoirs, and *stormwater* management facilities shall be permitted in any *zone*.
c) Public *buildings*, public *uses* and parks shall be permitted in any *zone*.
d) Places of worship and cemeteries shall be permitted in all *zones* with the exception of the **Business Park (BP)**, **Kaizer Meadow Industrial (KI)**, **Kaizer Meadow (KM)**, **Protected Watershed (PW)** and **Conservation (CS)** *zones*.
e) Subject to regulations in each *zone*, *uses* accessory to, subordinate to, or incidental to the principal *use* shall be permitted in any *zone*.
f) *Outdoor farm markets* operating one day per week or less shall be permitted in any *zone* and shall not require a *development permit*.
g) Community gardens shall be permitted in any *zone*.
h) Nothing in this By-law shall prevent the *use* of land for the erection of temporary *structures* or *signs* for a special occasion organized and operated by the *Municipality*, a non-profit organization, or private household. Such *use* of land shall not require a *development permit*.
i) Wharves, slipways and docks shall be permitted without a *development permit*.

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4.13 Variances

4.13.1 The *Development Officer* may grant variances of the required minimum or maximum for:

a) the number of *parking spaces;*
b) the number of loading spaces;
c) percentage of land that may be built upon;
d) size or other requirements relating to *yards*;
e) *lot frontage*, *lot area*, or both *lot frontage* and *lot area* provided the *lot* existed on the effective date of this *By-law* or a *variance* was granted for the for the *lot* at the time of subdivision approval;
f) the ground area and *height* of a *structure*;
g) the floor area occupied by a home-based business; and
h) the *height* and area of a *sign*.

4.13.2 In considering these *variances*, the intent of this By-law is to carry out the policies of the *Municipal Planning Strategy*, and no *variance* shall be issued unless the *development permit* application is supported by a location certificate or survey plan showing the location of the parking area, loading area, and *structures* in relation to the property boundaries.

4.14 Vehicle Habitation

4.14.1 An automobile, truck, bus, coach, rail car, *recreational vehicle* or other vehicle, or part thereof, with or without wheels, may be used for human habitation with no requirement for a *development permit.*

4.14.2 Notwithstanding 4.14.1, within the **Single Unit Residential (SU)**, **Settlement Residential One (SR-1)**, **Settlement Residential Two (SR-2),** and **Hamlet (HM)** *zones*, no automobile, truck, bus, coach, rail car, *recreational vehicle* or other vehicle, or part thereof, with or without wheels, shall be used for human habitation, except that a *recreational vehicle* may be used for temporary human habitation up to six (6) consecutive months in any calendar year provided that such *use*:

a) has received a temporary *development permit* for the six-month period of habitation;

b) is carried out in a *recreational vehicle* bearing a valid motor vehicle registration and inspection;
c) is limited to one (1) *recreational vehicle* on a *lot* at any one time;
d) meets all *setback* requirements for residential *uses* in the *zone* in which the *recreational vehicle* is located.

4.14.3 Notwithstanding section 4.14.2, a *recreational vehicle* may be used for temporary human habitation up to fourteen (14) days in any calendar year with no requirement for a *development permit.*

4.14.5 Section 4.14 shall not apply to *recreational vehicles* in *campgrounds and RV parks*.

4.15 Vehicle Storage

Storage of a *recreational vehicle* is permitted on any lot, except lots within the **Single Unit Residential (SU)**, **Settlement Residential One (SR-1)**, **Settlement Residential Two (SR-2),** and **Hamlet (HM)** *zones*, where storage is only permitted on lots that also contains a dwelling.

4.16 Watercourses, Water Bodies, and Wetlands

4.16.1 All uses requiring a *development permit* shall place all *buildings* at least 20 metres from the *ordinary high water mark* of any *wetland*, *watercourse* or *water body.*

4.16.2 *Setback* requirements shall not apply to fire-fighting impoundments and *structures* related to water systems, or where otherwise permitted in this By-law.

4.17 Other General Provisions

4.17.1 **Outdoor lighting**
For *uses* requiring a *development permit*, all outdoor lighting shall be downcast and have *full horizontal cut-off* so as not to cast directly upon an abutting property.

4.17.2 **Outdoor wood furnaces**
In all zones, outdoor wood furnaces shall be located a minimum of 45 metres from any lot line and 90 metres from dwellings on

adjacent lots, shall not have a chimney height lower than the eaves of the building which it serves, but in any case not lower than 5 metres and shall be kept locked when unattended.

4.17.3 **Radio-communications facilities**

Nothing in this By-law shall prevent the *use* of land for the installation of radio-communications facilities that have been issued a license by the Federal Government following due process as prescribed in the Canadian Radiocommunications Information and Notification Service (CRINS) Antenna System Siting Review and Consultation Protocol, Reference Issue 3 [2014] as amended from time to time.

More Information:
CRINS is the non-governmental organization that the *Municipality* has designated as the body which carries out public consultation with regard to radio-communications facilities.
More information can be found at http://www.crins-sinrc.ca/

4.17.4 **Salvage yards**

Where permitted, *salvage yards* shall have an approved commercial highway access from the appropriate Provincial or Municipal department. The area of a *salvage yard* shall be screened to provide a visual barrier that is at least 2 metres in height.

4.17.5 **Shipping containers**

Shipping containers shall be permitted, subject to development standards, in all *zones* except the **Single Unit Residential (SU)**, and **Coastal Island (CI)** *zones* and shall not be used for human habitation unless converted in compliance with the *Nova Scotia Building Code*.

4.17.6 **Small-scale composting**

Small-scale composting shall be permitted as an *accessory use* to *commercial*, *institutional* and *light industrial uses* in *zones* where *such* uses are permitted.

4.17.7 **Yard and garage sales**

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

a) Sales are conducted by the owner/resident of the subject property, or by a non-profit group, community organization or similar group with permission of the owner/resident;

b) Sales are conducted on the subject property for no more than six (6) days in any one calendar year;

c) Any one sale does not last more than three (3) consecutive days.

5.0 RURAL AREA

5.1 Application

The provisions of this part shall apply throughout the **General Basic (GB)** *zone*.

5.2 General Basic Zone

GB

5.2.1 **Developments for which no development permit is required**

No *development permit* shall be required for all *developments* with the exception of those listed in Section 5.2.2 (Uses subject to development control) and Section 5.2.3 (Prohibited uses).

5.2.2 **Uses subject to development control**

The following *uses* are permitted in the General Basic (GB) *zone* subject to the specified approval process and *zone* standards:

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Residential					
5 – 11 *dwelling units* on a *lot*	SP	3 m	3 m	3 m	none
12 or more *dwelling units* on a *lot*	DA				
Land lease communities	DA				
Commercial / Institutional					
Campgrounds and RV Parks up to 20 sites	DP	10 m	10 m	10 m	none
Campgrounds and RV Parks 21 or more sites	SP	10 m	10 m	10 m	none
Fur farming	DA				
Golf Courses	DA				
Marinas	DP	5 m	5 m	5 m	none
Recycling Depots	DP	7.5 m	7.5 m	7.5 m	none
Tourist Accommodations up to 20 units	DP	7.5 m	7.5 m	7.5 m	none
Tourist Accommodations 20 or more units	SP	7.5 m	7.5 m	7.5 m	none
Any other *commercial/ institutional development* with gross floor area between 1000 m^2 and 2800 m^2 or which occupies a land area between 6000 m^2 and 15000 m^2	DP	5 m	5 m	5 m	none

Abbreviations:
DP = Development Permit
SP = Site Plan Approval
DA = Development Agreement

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Any other *commercial/ institutional development* with gross floor area greater than 2800 m^2 or which occupies a land area greater than 15000 m^2	DA				
Light Industrial					
Abattoirs up to 2500 m^2	SP	7.5 m	7.5 m	7.5 m	none
Abattoirs over 2500 m^2	DA				
Aggregate processing	Permitted subject to the provisions of section 4.2				
Aquaculture, including *inland fish farms* and *hatcheries*	DA				
Salvage Yards up to 2500 m^2	DP	7.5 m	7.5 m	7.5 m	none
Salvage Yards over 2500 m^2	SP	7.5 m	7.5 m	7.5 m	none
Any other *light industrial development* with gross floor area between 1000 m^2 and 2800 m^2 or which occupies a land area between 6000 m^2 and 15000 m^2	SP	5 m	5 m	5 m	none
Other					
Livestock operations over 20 *farm animal units*	DP	Subject to the provisions of section 4.4.2			
Waterfront Parks not owned by the *Municipality*	DA				

GB

5.2.3 **Prohibited Uses and Developments**

The following *uses* and *developments* are expressly prohibited in the General Basic (GB) Zone:

a) All *heavy industrial developments.*

6.0 SETTLEMENT AREA

6.1 Application

The provisions of this part shall apply to the **Single Unit Residential (SU)**, **Settlement Residential One (SR-1)**, **Settlement Residential Two (SR-2)**, **Mixed Use (MU)**, **Coastal Island (CI)**, and **Gateway (GW)** *zones*.

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SU

6.2 Single Unit Residential Zone

SU

6.2.1 **Permitted Uses and Developments**

The following *uses* are permitted in the Single Unit Residential (SU) *zone* subject to the specified approval process and standards:

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Residential					
Detached dwelling up to 1 per lot	DP	1.5 m	1.5 m	1.5 m	10 m
Home-based Businesses	DP	Subject to section 4.5			
Other					
Waterfront Parks not owned by the *Municipality*	DA				

Abbreviations:
DP = Development Permit
SP = Site Plan Approval
DA = Development Agreement

6.2.2 **Special Requirements: Recreational vehicles**

In the Single Unit Residential (SU) *zone*:

a) Storage of a *recreational vehicle* shall be restricted to *lots* containing a *dwelling*.
b) Temporary human habitation of a *recreational vehicle* shall be subject to the provisions of Section 4.14 of this By-law.

6.2.3 **Prohibited Uses and Developments**

The following *uses* and *developments* are expressly prohibited in the Single Unit Residential (SU) zone:

a) *Manufactured homes;*
b) *Shipping containers.*

SR-1

6.3 Settlement Residential One Zone

6.3.1 Permitted Uses and Developments

The following *uses* are permitted in the Settlement Residential One (SR-1) *zone* subject to the specified approval process and standards:

Abbreviations:
DP = Development Permit
SP = Site Plan Approval
DA = Development Agreement

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Residential					
1 – 2 *dwelling units* on a *lot*	DP	1.5 m	1.5 m	1.5 m	11 m
3 – 11 *dwelling units* on a *lot*	DA				
Home-based Businesses	DP	Subject to section 4.5			
Commercial / Institutional					
Tourist Accommodations up to 3 units	DP	1.5 m	3 m	3 m	11 m
Marina	DA				
Any other *commercial* or *institutional use* not listed in section 6.3.3 with a gross floor area up to 70 m^2 or which occupies a land area up to 210 m^2	DP	1.5 m	3 m	3 m	11 m
Any other *commercial* or *institutional use* not listed in Section 6.3.3 with a gross floor area over 70 m^2 or which occupies a land area over 210 m^2	DA				
Light Industrial					
Any manufacturing, assembling, storage, research, or processing facility not listed in Section 6.3.3 with a gross floor area up to 70 m^2 or which occupies a land area up to 210 m^2	DP	7 m	7 m	7 m	11 m

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Any manufacturing, assembling, storage, research, or processing facility not listed in Section 6.3.3 with a gross floor area over 70 m^2 or which occupies a land area over 210 m^2	DA				
Other					
Forestry Processing	DP	5 m	5 m	5 m	11m
Backyard Fowl	DP	Subject to the provisions of section 4.4.1			
Livestock operations up to 20 *farm animal units*	DP	Subject to the provisions of section 4.4.2			
Waterfront Parks not owned by the *Municipality*	DA				

6.3.2 **Special Requirements – Recreational Vehicles**

In the Settlement Residential One (SR-1) zone:

a) Storage of a *recreational vehicle* shall be restricted to *lots* containing a *main building*;
b) Temporary human habitation of a *Recreational vehicle* shall be subject to the provisions of Section 4.14 of this By-law.

6.3.3 **Prohibited Uses and Developments**

The following uses and developments are expressly prohibited in the Settlement Residential One (SR-1) Zone:

a) *Abattoirs;*
b) *Composting Facilities;*
c) *Fur Farming;*
d) *Kennels;*
e) *Contaminated soil facilities;*
f) *Salvage yards.*

SR-2

6.4 Settlement Residential Two Zone

6.4.1 Permitted Uses and Developments

The following *uses* are permitted in the Settlement Residential Two (SR-2) *zone* subject to the specified approval process and standards:

Abbreviations:
DP = Development Permit
SP = Site Plan Approval
DA = Development Agreement

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Residential					
1 – 2 *dwelling units* on a *lot*	DP	1.5 m	1.5 m	1.5 m	11 m
3 – 11 *dwelling units* on a *lot*	SP	1.5 m	1.5 m	1.5 m	11 m
12 or more *dwelling units* on a *lot*	DA				
Home-based Businesses	DP	Subject to section 4.5			
Land Lease Communities	DA				
Commercial / Institutional					
Golf Courses	DA				
Marinas	DP	1.5 m	10m	none	11 m
Tourist Accommodations up to 20 units	DP	7 m	7m	7 m	11 m
Any other *commercial* or *institutional use* not listed in section 6.4.3 with a gross floor area up to 100 m^2 or which occupies a land area up to 500 m^2	DP	1.5 m	3 m	3 m	11 m
Any other *commercial* or *institutional use* not listed in Section 6.4.3 with a gross floor area between 100 m^2 and 500 m^2 or which occupies a land area between 500 m^2 and 2000 m^2	SP	1.5 m	3 m	3 m	11 m

Light Industrial					
Any manufacturing, assembling, storage, or processing facility with a gross floor area under 100 m^2 or which occupies a land area less than 500 m^2	DP	7 m	7 m	7 m	11 m
Any other manufacturing, assembling, storage, or processing facility between 100 m^2 and 500 m^2 or which occupies a land area between 500 m^2 and 2000 m^2	SP	7 m	7 m	7 m	11 m
Research Facility	DP	1.5 m	3 m	3 m	11 m
Other					
Forestry Processing	DP	5 m	5 m	5 m	11m
Livestock operations up to 20 *farm animal units*	DP	Subject to the provisions of section 4.4.2			
Waterfront Parks not owned by the *Municipality*	DA				

6.4.2 **Special Requirements – Recreational Vehicles**

In the Settlement Residential Two (SR-2) *zone*, temporary human habitation of a *recreational vehicle* shall be subject to the provisions of Section 4.14 of this By-law.

6.4.3 **Prohibited Uses and Developments**

The following uses and developments are expressly prohibited in the Settlement Residential (SR) Zone:

a) *Abattoirs;*
b) *Composting Facilities;*
c) *Fur Farming;*
d) *Contaminated Soil Facilities;*
e) *Salvage Yards;*
f) All *heavy industrial developments.*

MU

6.5 Mixed-Use Zone

6.5.1 Permitted Uses and Developments

The following *uses* are permitted in the Mixed Use (MU) Zone subject to the specified approval process and standards:

Abbreviations:
DP = Development Permit
SP = Site Plan Approval
DA = Development Agreement

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Residential					
1 – 4 *dwelling units* on a *lot*	DP	1.5 m	1.5 m	1.5 m	none
5 – 11 *dwelling units* on a *lot*	SP	3 m	3 m	3 m	none
12 or more *dwelling units* on a *lot*	DA				
Home-based Businesses	DP	Subject to section 4.5			
Land lease communities	DA				
Commercial / Institutional					
Campgrounds and RV Parks up to 20 sites	DP	10 m	10 m	10 m	none
Campgrounds and RV Parks 21-50 sites	SP	10 m	10 m	10 m	none
Campgrounds and RV Parks more than 50 sites	DA				
Golf Courses	DA				
Marinas	DP	5 m	5 m	none	none
Tourist Accommodations up to 20 units	DP	7.5 m	7.5 m	7.5 m	none
Tourist Accommodations 20-50 units	SP	7.5 m	7.5 m	7.5 m	none
Tourist Accommodations more than 50 units	DA				
Recycling Depots	DP	5 m	5 m	5.m	none
Any other *commercial/institutional development* with gross floor area less than 2000 m^2 or which occupies a land area less than 6000 m^2	DP	5 m	5 m	5 m	none

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Any other *commercial/institutional development* with gross floor area greater than 2000 m^2 or which occupies a land area greater than 6000 m^2	DA				
Light Industrial					
Abattoirs less than 2500 m^2	SP	10 m	10 m	10 m	none
Aggregate processing	Permitted subject to the provisions of section 4.2				
Aquaculture, including *inland fish farms* and *hatcheries*	DA				
Salvage yards less than 2500 m^2	SP	10 m	10 m	10 m	none
Any other *light industrial development* with gross floor area less than 2000 m^2 or which occupies a land area less than 6000 m^2	SP	5 m	5 m	5 m	none
Any other *light industrial development* with gross floor area greater than 2000 m^2 or which occupies a land area greater than 6000 m^2	DA				
Other					
Forestry Processing	DP	5 m	5 m	5 m	11m
Livestock operations	DP	Subject to the provisions of section 4.4.2			
Waterfront Parks not owned by the Municipality	DA				

6.5.2 **Prohibited Uses and Developments**

The following *uses* and *developments* are expressly prohibited in the Mixed Use (MU) *zone*:

a) All *heavy industrial developments;*
b) *Abattoirs* over 2500 m^2;
c) *Composting Facilities;*
d) *Fur Farming;*

e) *Contaminated Soil Facilities;*
f) *Salvage Yards* over 2500 m^2.

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6.6 Coastal Island Zone

6.6.1 Permitted Uses and Developments

The following *uses* are permitted in the Coastal Island (CI) *zone* subject to the specified approval process and standards:

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Residential					
1 *dwelling unit* on a *lot*	DP	7.5 m	7.5 m	7.5 m	7 m
Home-based Businesses	DP	Subject to section 4.5			
Commercial / Institutional					
Aquaculture, including *inland fish farms* and *hatcheries*	DP	7.5 m	7.5 m	7.5 m	7 m
Campgrounds and RV Parks up to 20 sites	DP	7.5 m	7.5 m	7.5 m	7 m
Tourist Accommodations up to 20 units	DP	7.5 m	7.5 m	7.5 m	7 m
Any *commercial/ institutional use* with a gross floor area under 100 m^2	DP	7.5 m	7.5 m	7.5 m	7 m
Other					
Forestry Processing	DP	5 m	5 m	5 m	7m
Livestock operations	Subject to the provisions of section 4.4.2				
Waterfront Parks not owned by the *Municipality*	DA				

Abbreviations:
DP = Development Permit
SP = Site Plan Approval
DA = Development Agreement

6.6.2 Prohibited Uses and Developments

The following *uses* and *developments* are expressly prohibited in the Coastal Island (CI) *zone:*

a) All *light industrial* and *heavy industrial developments.*

GW

6.7 Gateway Zone

6.7.1 Permitted Uses and Developments

The following *uses* are permitted in the Gateway (GW) *zone* subject to the specified approval process and standards:

Abbreviations:
DP = Development Permit
SP = Site Plan Approval
DA = Development Agreement

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Residential					
1 – 4 *dwelling units* on a *lot*	DP	1.5 m	1.5 m	1.5 m	15 m
5 – 11 *dwelling units* on a *lot*	SP	1.5 m	1.5 m	1.5 m	15 m
12 or more *dwelling units* on a *lot*	DA				
Home-based Businesses	DP	Subject to section 4.5			
Land lease communities	DA				
Commercial / Institutional					
Automobile sales and service	DP	5 m	5 m	5 m	15 m
Animal Hospitals	DP	5 m	5 m	5 m	15 m
Beverage Rooms and *Lounges*	DP	none	7.5 m	7.5 m	15 m
Breweries, Wineries or Distilleries	DP	1.5 m	5 m	5 m	15 m
Bus and Taxi Stations	DP	1.5 m	5 m	5 m	15 m
Child Care Facilities	DP	none	5 m	5 m	15 m
Continuing Care Facilities	DP	1.5 m	5 m	5 m	15 m
Craft Workshops	DP	1.5 m	5 m	5 m	15 m
Funeral Homes	DP	1.5 m	5 m	5 m	15 m
Places of entertainment, recreation, and assembly	DP	5 m	10 m	10 m	15 m
Kennels	DA				
Offices	DP	1.5 m	5 m	5 m	15 m
Medical clinics	DP	1.5 m	5 m	5 m	15 m
Recycling Depots	SP	10 m	10 m	10 m	15 m
Retail stores	DP	1.5 m	5 m	5 m	15 m
Restaurants	DP	5 m	10 m	10 m	15 m
Personal Service Shops	DP	1.5 m	5 m	5 m	15 m
Professional Services	DP	1.5 m	5 m	5 m	15 m
Shopping Centres	SP	5 m	10 m	10 m	15 m
Golf Courses	DA				
Tourist Accommodations up to 50 units	SP	5 m	7.5 m	7.5 m	15 m

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Tourist Accommodations more than 50 units	DA				
Light Industrial					
Any manufacturing, assembling, storage, or processing plant with gross floor area under 1,000 m^2 or which occupies a land area less than 2000 m^2	DP	7.5	7.5	7.5	15 m
Any manufacturing, assembling, storage, or processing plant with gross floor area between 1,000 m^2 and 2,000 m^2 or which occupies a land area between 2,000 m^2 less than 6000 m^2	SP	7.5	7.5	7.5	15 m
Other					
Forestry Processing	DP	5 m	5 m	5 m	15m
Livestock operations up to 20 *farm animal units*	DP	Subject to the provisions of section 4.4.2			
Waterfront Parks not owned by the Municipality	DA				

6.7.2 **Special Requirements – Shipping Containers in areas zoned Gateway (GW) that abut the Village of Chester Planning Area**

Shipping containers shall be permitted in those Gateway (GW) Zone areas that abut the Village of Chester Planning Area boundary subject to the following:

Shipping containers shall:

a) not be used for human habitation;
b) only be used for non-residential purposes;
c) only be allowed as an *accessory structure* to a permitted non-residential *building;*
d) only be used for the storage and shelter of goods;
e) be a minimum of 1.5 metres from a *rear lot line* or *side lot line.*

f) be set back from the *front lot line* a minimum of 12 metres or a distance 3.5 metres greater than the *main building setback*, whichever is greater;
g) be set back from the *flankage lot line* a minimum of 12 metres or a distance 3.5 metres greater than the *main building setback,* whichever is greater;
h) be screened from view on all sides by a minimum 1.8 metre-high opaque fence;
i) be limited to one (1) *shipping container* per *lot;*
j) be placed so that the narrow end of the *shipping container* faces the public *street,* unless the *shipping container* is placed behind a *building* of equal or greater length than the long side of the *shipping container;*
k) be placed at grade; and
l) have no logos, lettering, numbering, decals, or commercial advertisements attached or affixed to the *shipping container*.

6.7.3 **Prohibited Uses and Developments**

The following uses and developments are expressly prohibited in the Gateway (GW) Zone:

a) *Fur farming;*
b) All *heavy industrial developments*.

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7.0 HAMLET AREA

7.1 Application

The provisions of this part shall apply to the **Hamlet (HM)** *zone*.

HM

7.2 Hamlet Zone

7.2.1 Permitted Uses and Developments

The following *uses* are permitted in the Hamlet (HM) *zone* subject to the specified approval process and standards:

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Residential					
1 – 4 *dwelling units* on a *lot*	DP	1.5 m	1.5 m	1.5 m	15 m
5 – 11 *dwelling units* on a *lot*	SP	1.5 m	1.5 m	1.5 m	15 m
12 or more *dwelling units* on a *lot*	DA				
Home-based Businesses	DP	Subject to section 4.5			
Land lease communities	DA				
Commercial / Institutional					
Campgrounds and RV Parks up to 20 sites	DP	10 m	10 m	10 m	15 m
Marina	DP	none	3 m	none	15 m
Tourist Accommodations up to 20 units	DP	10 m	10 m	10 m	15 m
Any other *commercial/institutional development* with gross floor area under 100 m^2 or which occupies a land area less than 500 m^2	DP	5 m	5 m	5 m	15 m
Any other *commercial/institutional development* with gross floor area between 100 m^2 and 500 m^2 or which occupies a land area over 500 m^2 but less than 2800 m^2	SP	5 m	5 m	5 m	15 m
Light Industrial					
Any manufacturing, assembling, storage, or processing plant with gross floor area under 100 m^2 or which occupies a land area less than 500 m^2	DP	5 m	5 m	5 m	15 m

Abbreviations:
DP = Development Permit
SP = Site Plan Approval
DA = Development Agreement

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Any other *light industrial development* with gross floor area between 100 m^2 and 500 m^2 or which occupies a land area over 500 m^2 but less than 2800 m^2	SP	5 m	5 m	5 m	15 m
Research facilities	DP	5 m	5 m	5 m	15 m
Other					
Waterfront Parks not owned by the *Municipality*	DA				

7.2.2 **Special Requirements: Recreational vehicles**

In the Hamlet (HM) *zone*:

a) Storage of a *recreational vehicle* shall be restricted to *lots* containing a *dwelling*.
b) Temporary human habitation of a *recreational vehicle* shall be subject to the provisions of Section 4.14 of this By-law.

7.2.3 **Prohibited Uses and Developments**

The following uses and developments are expressly prohibited in the Hamlet (HM) Zone:

a) *Fur farming;*
b) All *heavy industrial developments;*

8.0 INDUSTRIAL AND BUSINESS AREA

8.1 Application

The provisions of this part shall apply to the **Business Park (BP)**, the **Kaizer Meadow Industrial (KI)** and the **Kaizer Meadow (KM)** *zones*.

BP

8.3 Business Park Zone

8.3.1 Permitted Uses and Developments

The following uses are permitted in the Business Park (BP) *zone* subject to the specified approval process and standards:

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Commercial					
Any *commercial development*	DP	5 m	5 m	5 m	none
Light Industrial					
Any *light industrial development*	DP	10 m	10 m	10 m	none
Other					
Forestry processing	DP	5 m	5 m	5 m	none
Waterfront Parks not owned by the *Municipality*	DA				

Abbreviations:
DP = Development Permit
SP = Site Plan Approval
DA = Development Agreement

8.3.2 Prohibited Uses and Developments

The following uses and developments are prohibited in the Business Park (BP) *zone:*

a) Any residential *use;*
b) *Campgrounds and RV Parks;*
c) *Tourist Accommodations;*
d) Places of worship and cemeteries;
e) *Fur farming;*
f) All *heavy industrial development.*

KI

8.4 Kaizer Meadow Industrial Zone

8.4.1 Permitted Uses and Developments

The following *uses* are permitted in the Kaizer Meadow Industrial (KI) *zone* subject to the specified approval process and standards:

Abbreviations:
DP = Development Permit
SP = Site Plan Approval
DA = Development Agreement

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Light Industrial					
Landfills and their *accessory uses*	none	none	none	none	none
Aggregate processing	Permitted subject to the provisions of section 4.2				
All other *light industrial development*	DP	none	none	none	none
Heavy Industrial					
Developments requiring Environmental Assessment pursuant to the Nova Scotia Environmental Assessment Regulations	DA				
All other *heavy industrial uses*	DP	none	none	none	none
Heavy Industrial					
Forestry processing	DP	none	none	none	none

8.4.2 Prohibited Uses and Developments

The following *uses* and *developments* are expressly prohibited in the Kaizer Meadow Industrial (KI) *zone:*

a) Any residential *use;*
b) *Campgrounds and RV parks;*
c) Places of worship and cemeteries;
d) *Tourist accommodations;*
e) *Fur farming.*

8.4.3 Special Requirement: Setbacks from Property Lines

Developments shall be set back twenty (20) metres from any *lot line* that is shared with any property not zoned either Kaizer Meadow (KM) or Kaizer Meadow Industrial (KI) *zones*.

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8.5 Kaizer Meadow Zone

8.5.1 Permitted Uses and Developments

The following *uses* are permitted in the Kaizer Meadow (KM) *zone* subject to the specified approval process and standards:

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Commercial					
Campgrounds and RV parks up to 20 sites	DP	none	none	none	none
Light Industrial					
Abattoirs	DP	none	none	none	none
Aquaculture, inland fish farms, and *hatcheries*	DP	none	none	none	none
Composting facilities	DP	none	none	none	none
Landfills	DP	none	none	none	none
Salvage yards	DP	none	none	none	none
Solid Waste Facilities					
Any other *light industrial development* with gross floor area less than 2000 m^2 or which occupies a land area less than 6000 m^2	DP	none	none	none	none
Any other *light industrial development* with gross floor area greater than 2000 m^2 or which occupies a land area greater than 6000 m^2	DA				
Other					
Forestry processing	DP	none	none	none	none
Recreation and outdoor activities	none	none	none	none	none

Abbreviations:
DP = Development Permit
SP = Site Plan Approval
DA = Development Agreement

8.5.2 Prohibited Uses and Developments

The following *uses* and *developments* are expressly prohibited in the Kaizer Meadow (KM) *zone:*

a) Any residential *use;*
b) Places of worship and cemeteries;
c) *Tourist accommodations;*
d) *Fur farming.*

8.5.3 **Special Requirement: Abutting Zone Setback**
Notwithstanding *setback* requirements shown in section 8.5.1, *developments* shall be *setback* 25 metres from any *lot line* that is shared with any *lot* not zoned either Kaizer Meadow (KM) or Kaizer Meadow Industrial (KI).

8.5.4 **Special Requirement: Highway 14 Buffer**
Notwithstanding permitted *uses* listed in section 8.5.1, all land *uses* between Highway 14 and where the Kaizer Meadow (KM) *zone* meets the Kaizer Meadow Industrial (KI) *zone* shall be restricted to *recreation and outdoor activities.*

9.0 ENVIRONMENTAL PROTECTION AREA

9.1 Application

The provisions of this part shall apply to the **Protected Watershed (PW)** and **Conservation (CS)** *zones*.

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9.2 Protected Watershed Zone

9.2.1 Permitted Uses and Developments

The following *uses* are permitted in the Protected Watershed (PW) *zone* subject to the specified approval process and standards:

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Residential					
1 *dwelling unit* on a *lot*	DP	15 m	15 m	15 m	7 m
Institutional					
Water supply treatment and distribution uses	none	none	none	none	none

Abbreviations:
DP = Development Permit
SP = Site Plan Approval
DA = Development Agreement

9.2.2 Prohibited Uses and Developments

The following uses and developments are expressly prohibited in the Protected Watershed (PW) Zone:

a) All *commercial, light industrial* and *heavy industrial uses;*
b) Places of worship and cemeteries;
c) *Backyard fowl.*

9.2.3 Special Requirements

All *development* in the Protected Watershed (PW) *zone* shall meet the following requirements:

	Minimum *lot size*	Minimum *lot frontage*	Maximum footprint of *structures*	Setback from a *watercourse* or *water body*
Public Water Utility	none	none	100 m^2	150 metres
All other *structures* and *uses*	2 hectares	30 metres	100 m^2	150 metres

9.2.4 Special Requirements for Water Protection

a) All new *lots* created through subdivision approval in the Protected Watershed (PW) *zone* shall have *lot frontage* on a public *street*.

b) In addition to the requirements of Section 3.9.4 of this By-law, every application for a *Development Permit* in the Protected Watershed (PW) *zone* shall include:
   i) A plan prepared by a Professional Engineer showing the measures to be taken to ensure that all silt, petrochemical products and other water-borne contaminants created or deposited during the *development, construction,* and subsequent use of all accesses from the *lot* to the public *street*, will be contained within the *lot;*
   ii) A plan prepared by a *qualified professional*, namely a registered forestry professional, showing the measures that will be taken to ensure that the existing natural vegetation within 150 metres of any *watercourse* will be retained in a natural and healthy condition.
c) Within the Protected Watershed (PW) *zone*, no *person* shall remove topsoil from a *lot.*
d) Within the Protected Watershed (PW) *zone,* no *person* shall alter land levels to a depth greater than 0.3 metres from the natural ground surface within 150 metres of a *watercourse*.
e) Within the Protected Watershed (PW) *zone*, no *person* shall *construct* or use a wharf.
f) Within the Protected Watershed (PW) *zone*, no *person* shall erect any *structure* on land having a slope greater than eight per cent (8%).
g) Notwithstanding the requirements of Part 4 of this By-law, where a *main building* existed on a *lot*, no *accessory structure* in the Protected Watershed (PW) *zone* shall be located closer than 150 metres from the *water body* associated with the protected watershed.

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9.3 Conservation Zone

9.3.1 Permitted Uses and Developments

The following *uses* are permitted in the Conservation (CS) *zone* subject to the specified approval process and standards:

	Approval Process	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Max. Height of Structure
Institutional					
Temporary *structures* intended for research and education, or the preservation, protection, or improvement of the natural environment	DP	15 m	15 m	15 m	7 m

Abbreviations:
DP = Development Permit
SP = Site Plan Approval
DA = Development Agreement

9.3.2 Prohibited Uses and Developments

The following uses and developments are expressly prohibited in the Conservation (CS) Zone:

a) Permanent *structures*, including wharves and docks;
b) All residential, *commercial, light industrial and heavy industrial uses.*

10.0 SIGNS

10.1 General regulations for all signs

10.1.1 These regulations apply to signs which advertise a land use that requires a development permit.

10.1.2 *Signs* shall be located on the same *lot* as the premise to which the *sign* relates.

10.1.3 Unless otherwise permitted, no *sign* shall extend beyond the *lot line* or project over a public right-of-way, or other adjoining lands.

10.2 Signs prohibited in all zones

10.2.1 All other provisions of this By-law notwithstanding, the following *signs* shall not be erected or used in any *zone:*

a) *signs* which constitute a hazard to public safety or health;
b) *signs* which by reason of size, location, content, colouring, or manner of illumination obstruct the vision of drivers or obstruct the effectiveness of any traffic *sign* or traffic control device on public *streets*;
c) *signs* which obstruct the use of a fire escape door, windows, or other required exit;
d) *signs* painted upon a cliff, or other natural object;

10.3 Signs for which no development permit is required

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

a) *signs* identifying name, address and occupation of resident, and of not more than 0.5 square metres in *sign* area;
b) "No trespassing" *signs* or other such *signs* regulating the *use* of a property, and of not more than 0.5 square metres in *sign* area;
c) real estate *signs* not exceeding 0.5 square metres, which advertise the sale, rental or lease of the premises;

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d) *signs* regulating or denoting on-premises traffic, or parking or other *signs* denoting the direction or function of various parts of a *building* or premises provided that such *signs* are less than 0.5 square metres in area;
e) *signs* erected by a government body, or under the direction or authority of such a body, and bearing no commercial advertising, such as traffic *signs*, railroad crossing *signs*, safety *signs*, *signs* identifying public schools, and public election lists;
f) memorial *signs* or tablets and *signs* denoting the historical significance and date of erection of a *structure;*
g) the flag, pennant, or insignia of any government, or of any charitable, religious or fraternal organization;
h) a *sign* having an area of not more than 6 square metres incidental to construction and located on the same site as the *building* under construction. Such *signs* shall not remain in place for more than sixty (60) days following completion of construction;
i) any *portable sign* that is less than 3 m^2 in sign face area per side;
j) any *banner sign;*
k) indoor *signs* which are erected wholly within the exterior walls of a *building,* including *window signs;*
l) *signs* permanently attached to a *building* which bear the name or civic number of the *building;*
m) campaign *signs* during an election or plebiscite in the area in which the *sign* is located if the *sign* complies with the laws governing the election or plebiscite.

10.4 Single-Premise Ground Signs

10.4.1 In the **General Basic (GB)**, **Mixed Use (MU)**, **Settlement Residential One (SR-1)**, **Settlement Residential Two (SR-2)**, **Business Park (BP)**, **Kaizer Meadow Industrial (KI)** and **Kaizer Meadow (KM)** *zones*, single premise *ground signs* shall:

a) not exceed a *sign face area* of 6 square metres per side;
b) not exceed a maximum *sign height* of 5 metres;
c) be set back at least 2 metres.

10.4.2 In the **Gateway (GM)** and **Hamlet (HM)** *zones*, single premise *ground signs* shall:

a) not exceed a *sign face area* of 3 square metres per side;
b) not exceed a maximum *sign height* of 3.5 metres;
c) be set back at least 2 metres;
d) not be internally illuminated.

10.5 Multiple-Premise Ground Signs

10.5.1 In the **General Basic (GB)**, **Mixed Use (MU)**, **Settlement Residential One (SR-1)**, **Settlement Residential Two (SR-2)**, **Business Park (BP)**, **Kaizer Meadow Industrial (KI)** and **Kaizer Meadow (KM)** *zones*, multiple premise *ground signs* shall:

a) not exceed one (1) *sign structure* per *lot:*
b) not exceed a *sign face area* of 12 square metres per side;
c) not exceed a maximum *sign height* of 7 metres;
d) be set back at least 2 metres.

10.5.2 In the **Gateway (GM)** and **Hamlet (HM)** *zones*, multiple premise *ground signs* shall:

a) not exceed one (1) *sign structure* per *lot;*
b) not exceed a *sign face area* of 5 square metres per side;
c) not exceed a maximum *sign height* of 3.5 metres;
d) be set back at least 2 metres;
e) not be internally illuminated.

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10.6 Wall Signs



10.6.1 In the **General Basic (GB)**, **Mixed Use (MU)**, **Settlement Residential One (SR-1)**, **Settlement Residential Two (SR-2)**, **Business Park (BP)**, **Kaizer Meadow Industrial (KI)** and **Kaiser Meadow (KM)** *zones*, *wall signs* shall not exceed 10% of the area of the wall of the *building* to which the *sign* is affixed.

10.6.2 In the **Gateway (GW)** and **Hamlet (HM)** *zones*, *wall signs* shall not exceed 5% of the area of the wall of the *building* to which the *sign* is affixed, and shall not be internally illuminated.

10.6.3 In all *zones* where permitted, *wall signs* advertising home-based businesses shall not exceed 0.5 square metres and shall not be illuminated internally or externally.

10.7 Projecting Wall Signs

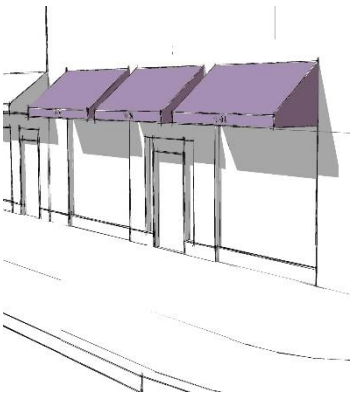


10.7.1 In all *zones*, *projecting wall signs* shall:

a) not exceed a maximum *sign face area* of 1.5 square metres per side;
b) not project more than 1.5 metres from the wall to which it is affixed;
c) be installed no less than 3 metres above *established grade*.

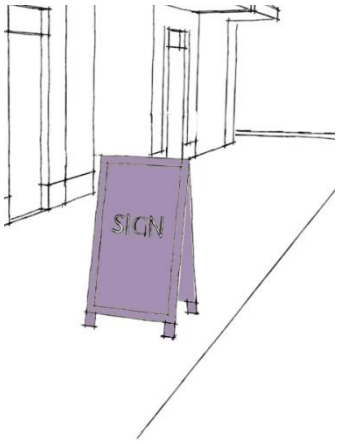
10.7.2 In the **Gateway (GW)** and **Hamlet (HM)** *zones*, *projecting signs* shall not be internally illuminated.

10.8 Awning Signs



10.8.1 In the **General Basic (GB)**, **Mixed Use (MU)**, **Settlement Residential One (SR-1)**, **Settlement Residential Two (SR-2)**, **Business Park (BP)**, **Kaizer Meadow Industrial (KI)** and **Kaizer Meadow (KM)** *zones*, *awning signs* shall not exceed 10% of the area of the wall of the *building* to which the *sign* is affixed.

10.8.2 In the **Gateway (GW)** and **Hamlet (HM)** *zones*, *awning signs* shall not exceed 5% of the area of the wall of the *building* to which the *sign* is affixed, and shall not be internally illuminated.



10.9 Portable Signs

10.9.1 In the **General Basic (GB)**, **Mixed Use (MU)**, **Settlement Residential One (SR-1)**, **Settlement Residential Two (SR-2)**, **Gateway (GW)**, **Business Park (BP)**, **Kaizer Meadow Industrial (KI)** and **Kaizer Meadow (KM)** *zones*, *portable signs* shall:

a) not exceed one (1) *portable sign* per *lot*;
b) not exceed a total *sign face area* of 4 square metres per side;
c) be set back at least 1.5 metres.

10.9.2 In the **Hamlet (HM)** *zone*, *portable signs* shall:

a) not exceed one (1) *portable sign* per *lot*;
b) not exceed a total *sign face area* of 2 square metres per side;
c) be set back at least 1.5 metres;
d) not be internally illuminated or contain digitally illuminated copy.