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# **LAND USE BY-LAW**

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*TOWN OF BRIDGETOWN*

October 1999, As Amended September 2007, October 2008, July 2009, August 2009, September 2010,  
January 2012, May 2012, November 2013



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The following is the text of the Land Use By-law of the Town of Bridgetown as reviewed by the Department of Housing and Municipal Affairs, adopted by Town Council and effected by public notice on December 7, 1999



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## **PART 1 - TITLE**

This By-law shall be known and may be cited as the "Land Use By- law of the Town of Bridgetown".

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## PART 2 - DEFINITIONS

For the purpose of this By-law, all words shall carry their customary meaning except for those defined hereafter.

1. **ACCESSORY BUILDING** means a subordinate building or structure located on the same lot as a main building devoted exclusively to an accessory use.
2. **ACCESSORY USE** means any use subordinate, customarily and normally incidental to and exclusively devoted to a main use of land or building and located on the same lot.
3. **ALTER** means any change in a structural component of a building or structure or any increase or decrease in the volume of a building or structure.
4. **AMUSEMENT ARCADE** means a wholly enclosed "place of amusement" as defined by the Theatres and Amusement Act, limited to four (4) or more video amusement devices, pool tables and similar amusement machines, but does not include any activity of gambling or any gambling device.
5. **APARTMENT BUILDING** means a building containing three or more dwelling units which have a common entrance from the street level and the occupants of which have the right to use in common certain areas of the building.
6. **AUTOMOBILE SERVICE STATION OR SERVICE STATION** means a building or part of a building or a clearly defined space on a lot used for the retail sale of lubricating oils and gasolines and may include the sale of automobile accessories and the servicing and minor repairing essential to the actual operation of motor vehicles other than an automobile washing establishment or an automobile sales establishment.
7. **BED AND BREAKFAST** means a dwelling where the proprietor supplies either room or room and breakfast for monetary gain on a temporary basis, where not more than ten rooms are so used, and which is open to the travelling public.
8. **BOARDING OR ROOMING HOUSE** means a single unit residential dwelling in which the primary resident/owner supplies either room or room and board for compensation, on a weekly or monthly basis, and which is not open to the general public.
9. **BUILDING** means any structure whether temporary or permanent, used, or built for the shelter, accommodation or enclosure of persons, animals, material or equipment. Any awning, bin, bunker, platform, or vehicle used for any of the said purposes is a building or part thereof.
10. **CHURCH** means a building dedicated to religious worship and includes a church hall, church auditorium, Sunday School, parish hall and day care facility operated by the church.
11. **COMMERCIAL SCHOOL** means a building or part of a building used for monetary gain as a place of learning and education for seven or more pupils gathered together at one time and includes a secretarial school, language school and driving school, but does not include a day-care facility.



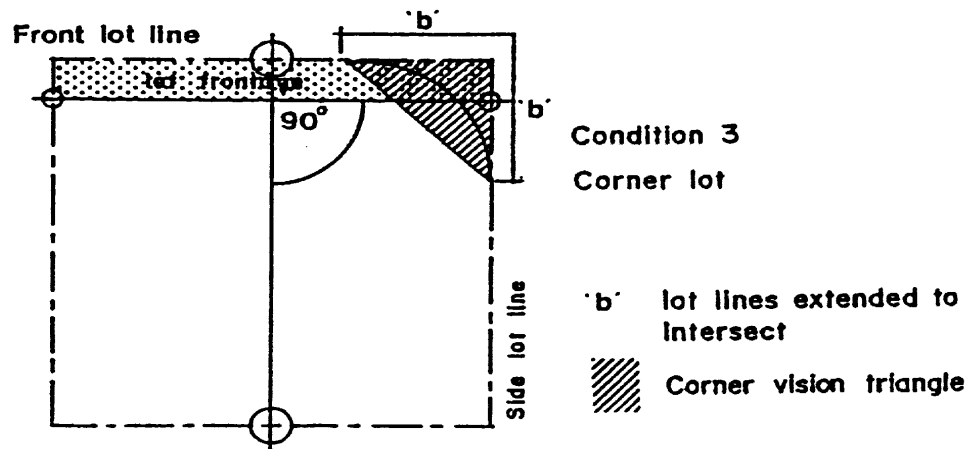
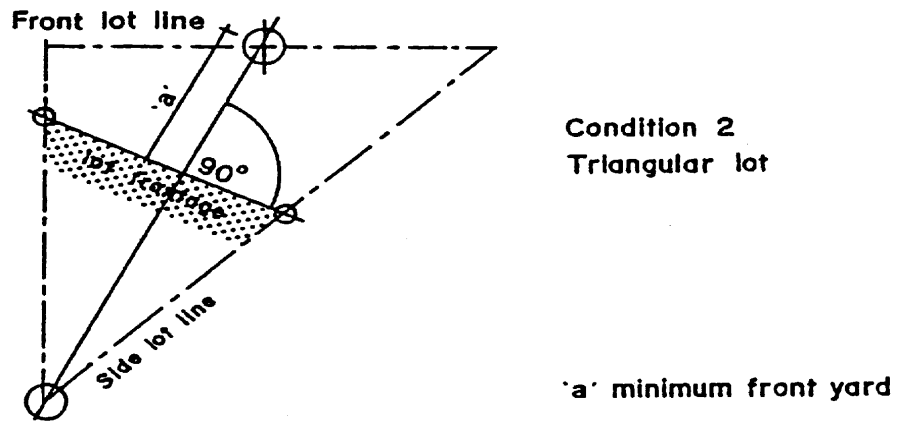
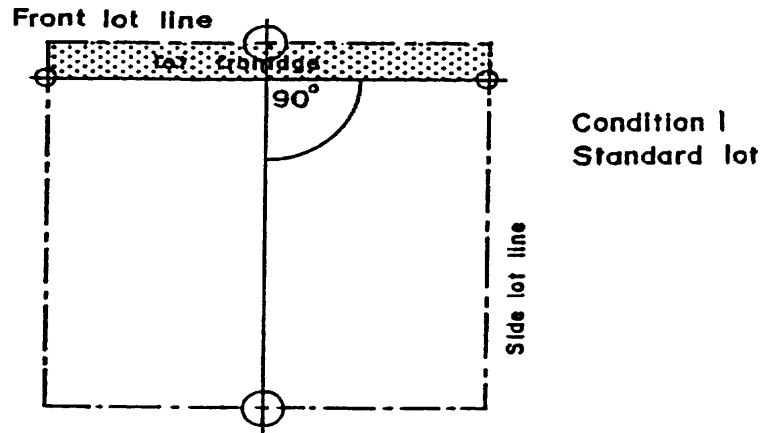
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12. **COMMUNITY CENTRE** means any tract of land, or building or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, the control of which is vested in the Town, a local board or agent thereof.
  13. **CONVERTED DWELLING** means a building originally built and designed as a single detached dwelling unit which has been altered to contain three or more dwelling units.
  14. **CORNER VISION TRIANGLE** means that part of a corner lot adjacent to the intersection of the exterior lot lines measured from such intersection the distance required by this By-law along each such street line and joining such points with a straight line. The triangular shaped land between the intersecting lines and the straight line joining the points the required distance along the street lines shall be known as the "corner vision triangle" (see figure on page 7).
  15. **COUNCIL** means the Council of the Town of Bridgetown.
  16. **DAY-CARE FACILITY** means a building or part thereof in which services pertinent to a child's physical, social, emotional and intellectual development are or may be provided apart from the child's parent or guardian, but does not include a hospital, school, home for special care or a building or part thereof in which the services provided are organized recreational or religious activities.
  17. **DEVELOPMENT** includes any erection, construction, addition, alteration, replacement or relocation of or to any building or structure.
  18. **DEVELOPMENT OFFICER** means the officer from time to time charged by the Council with the duty of administering the provisions of the Land Use By-law.
  19. **DOUBLE DUPLEX** means a building that consists of two duplexes attached to each other.
  20. **DRY CLEANING OR LAUNDRY ESTABLISHMENT** means a building where dry cleaning, dry dyeing, cleaning or pressing of articles or goods or fabric is carried on and in which only solvents are or can be used which emit no odours or fumes and in which no noise or vibration causes a nuisance or inconvenience outside of the premises.
  21. **DUPLEX** means a building that is divided horizontally into two dwelling units, each of which has a private entrance either directly or through a common vestibule or from outdoors.
  22. **DWELLING** means a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units but does not include, a mobile home, a mini home, a hotel, a motel or apartment hotel.
  23. **DWELLING UNIT** means one or more habitable rooms designed or intended for use by one or more individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of such individual or individuals, with a private entrance from outside the building or from a common hallway or stairway inside the building.
  24. **ENVIRONMENT** means any combination of air; soil and water; plant and animal life; social and cultural conditions; buildings and other structures; or any impacts on the foregoing resulting directly or indirectly from human activities.

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25. ERECT means to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, or structurally altering any existing building or structure by an addition, deletion, enlargement or extension.
26. ESTABLISHED GRADE LEVEL means in reference to a building the average elevation of the finished surface of the ground where it meets the exterior of the front of such buildings; and when used with reference to a structure shall mean the average elevation of the finished grade of the ground immediately surrounding such structures, exclusive in both cases of any artificial embankment or entrenchment; and when used with reference to a street, road or highway means the elevation of the street, road or highway established by the Town or other designated authority.
27. EXISTING means existing as of the effective date of this By-law.
28. FLOOR AREA means:
- (a.) With reference to a dwelling means the maximum area contained within the outside walls excluding any private garage, porch, veranda, sunroom, unfinished attic or basement and cellar or other room not habitable at all seasons of the year.
  - (b.) Commercial floor area means the total usable floor area within a building used for commercial purposes but excludes washrooms, furnace and utility rooms and common malls between stores.
  - (c.) Gross floor area means the aggregate of the floor areas of a building above or below grade, measured between the exterior faces of the exterior walls or the building at each floor level but excluding car parking areas within the building; and for the purpose of this clause, the walls of an inner court shall be deemed to be exterior walls.
  - (d.) With reference to a dwelling unit where more than one unit is contained within a building, means the maximum floor area contained within the finished wall surfaces of an individual dwelling unit, excluding closets, built-in cabinets and storage areas and balconies.
29. GROUPED DWELLINGS means two or more architecturally similar and thematically designed residential units which are pre-serviced and contained within two or more buildings located on the same lot.
30. HEIGHT means the vertical distance on a building between the established grade and
- (a.) the highest point of the roof surface or the parapet of a flat roof, whichever is greater;
  - (b.) the deckline of a mansard roof; and
  - (c.) the mean level between eaves and ridges on a gabled, hip, gambrel or other type of pitched roof.;
- but shall not include any construction used as an ornament or a mechanical penthouse, chimney, tower, cupola or steeple.
31. HOME FOR SPECIAL CARE means an extended or intermediate care facility licensed under the Homes for Special Care Act or the Children=s Services Act to provide full time care to individuals who, by reason of age, chronic illness or infirmity, are unable to care for themselves; or to provide custodial or supervisory care such as a transition house, or youth assessment centre providing counselling and assessment.

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32. HOME OCCUPATION means activities, accessory to residential use, carried on wholly within the boundaries of a property, upon which property is located the residence of the operator of the home occupation, and such activities involve the manufacture of goods or the provision of services and marketing of those goods or services and, without limiting the generality of the foregoing, shall include home businesses and offices, dressmaking, tailoring, photography, arts and crafts, ceramics, pottery, upholstery, dealing in antiques, household appliance repair and small motor repair, and shall not include retail merchandising operations such as operating a store or canteen, or noisy or potentially disruptive enterprise such as trucking and transport business, taxi services or autobody shops.
  33. HOME OFFICE means a room or rooms, accessory to a residential use, not exceeding a total of 25 m<sup>2</sup> (269 sq. ft.) where business of a quiet and isolated nature may be conducted by residents of the dwelling but shall not include the manufacturing or on-site provision of any goods or services.
  34. HOTEL means a building or buildings or part thereof on the same site used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation with or without meals, but without private cooking facilities.
  35. INN means a dwelling where the proprietor supplies either room and board or meals for monetary gain on a temporary basis, where not more than twenty rooms are so used, and which is open to the travelling public.
  36. INSTITUTION means an organized body or society for promoting a particular purpose with no intent of profit, but shall not include a private club.
  37. KENNEL means a building or structure where animals, birds or other livestock intended or used as domestic household pets are kept or boarded.
  38. LANDSCAPING means any combination of trees, shrubs, flowers, grass or other horticultural elements, decoration stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property or to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.
  39. LOADING AND UNLOADING AREA means a vacant area of land which:
    - (a.) is suitable for the temporary parking of one commercial vehicle while merchandise or materials are being loaded or unloaded from such vehicle and such parking shall not be for the purpose of sale or display;
    - (b.) is not upon or partly upon any street or highway; and
    - (c.) has adequate access and egress by means of driveways, aisles, manoeuvring areas or similar areas, no part of which shall be used for the temporary parking or storage of one or more motor vehicles.
  40. LOT means any parcel of land described in a deed or as shown in a registered plan of subdivision.
  41. CORNER LOT means a lot situated at the intersection of and abutting on two or more streets.
  42. INTERIOR LOT means a lot situated between two lots and having access to one street.

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43. THROUGH LOT means a lot bounded on two opposite sides by streets or highways, however, if any lot qualifies as being both a corner lot and a through lot, such lot shall be deemed to be a corner lot for the purpose of this By-law.
  44. LOT AREA means the total area of the plane within the lot lines of a lot.
  45. LOT FRONTAGE means the horizontal distance between the side lot lines, such distance being measured perpendicularly to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines and at a point therein equal in distance to the maximum applicable front yard. In the case of a corner lot, the exterior lot lines (street lines) shall be deemed to extend to their hypothetical point of intersection for the purpose of calculating the frontage. (see figure on page 7)
  46. LOT LINE means a boundary line of a lot.
  47. FRONT LOT LINE means the line dividing the lot from the street; in the case of a corner lot the shorter boundary line abutting the street is the front lot line and where such lot lines are of equal length the front lot line shall be either of the lot lines. In the case of a through lot, any boundary dividing the lot from a street may be the front lot line.
  48. REAR LOT LINE means the lot line furthest from or opposite to the front lot line.
  49. SIDE LOT LINE means a lot line other than a front or rear lot line.
  50. MAIN BUILDING means a building in which the principal use of the lot occurs.
  51. MAIN WALL means the exterior front, side or rear wall of a building and all structural members essential to the support of a fully or partially enclosed space or roof.
  52. MOBILE HOME or MINI HOME means a structure which is designed for transportation after fabrication, whether or not on its own wheels or on a flatbed or other trailer, and which arrives at the site where it is complete and ready for occupancy, except for minor and incidental unpacking, assembly and service connections.
  53. MOTEL means a building or buildings or part thereof on the same site used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation, with or without meals.
  54. NURSING HOME means a building wherein nursing care room and board are provided to individuals incapacitated in some manner for medical reasons, but does not include a hospital.
  55. OBNOXIOUS USE means a use which, from its nature or operation creates a nuisance or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, oil or objectionable odour, or by refuse matter, waste or other material.
  56. OFFICE means a room or rooms where business may be transacted, a service performed or consultation given, but shall not include the manufacturing of any product or the retail selling of goods.

# Lot Frontage



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57. **OUTDOOR WOOD FURNACE** means an outdoor woodburning appliance or a solid-fuel burning appliance, which is used for the space heating of buildings, the heating of water or other such purpose and which is either freestanding or located in or attached to a separate building or on the exterior of the building which it serves.
  58. **PARKING AREA** means an area other than a street containing two or more parking spaces, which is available for the use of the public or provided as an accommodation for clients, customers, residents or employees.
  59. **PARKING SPACE** means an area of not less than 12.5 m<sup>2</sup> (134.5 sq. ft.) measuring 2.5 m (8.2 ft.) by 5 m (16.4 ft.) exclusive of necessary driveway 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.
  60. **PROFESSIONAL USE** means a use carried out by a person or persons registered in Nova Scotia as professionals in connection with practice of that profession and typically include the offices of lawyers, accountants, architects, engineers, doctors and dentists.
  61. **PROTECTED LANDS** means lands which are subject to flooding or lands on which, owing to unsatisfactory natural drainage, steep slopes, rock formations or other similar features, the cost of providing adequate water, sewer, sewage disposal and other municipal services and facilities would, in the opinion of Council, be prohibitive.
  62. **PUBLIC AUTHORITY** means any Board, Commission or Committee of the Town of Bridgetown established or exercising any power or authority under any general or specific Statute of Nova Scotia with respect to any of the affairs or purposes of the Town or a portion thereof and includes any Committee or local authority established by By-law of the Town.
  63. **RECREATIONAL USE** means the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, community centres and similar uses, together with necessary and accessory buildings and structures, but does not include the use of land for the racing of animals or any form of motorized vehicles.
  64. **RESTAURANT** means a building or part thereof where food and drink are served to the public for consumption within the building or for take-out.
  65. **RETAIL STORE** means a building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail value.
  66. **ROWHOUSE OR TOWNHOUSE DWELLING** means a building that is divided vertically into three or more dwelling units, each of which has independent entrances.
  67. **SCRAP YARD** means a lot or premises for the storage or handling of scrap material, and without limiting the generality of the foregoing, shall include waste paper, rags, bones, bottles, used bicycles, vehicles, tires, metal or other scrap material or salvage.
  68. **SEMI-DETACHED DWELLING** means a building that is divided vertically into two dwelling units each of which has an independent entrance.

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69. **SERVICE AND UTILITY USES** means public and quasi-public uses which provide the support systems for the built environment. These shall include facilities provided by Government such as sewage treatment plants, rights-of-way, school bus garages, fire stations and facilities provided by companies such as the Nova Scotia Power Incorporated and Maritime Tel. & Tel., etc.
70. **SIGN** means a structure, device, light or natural object including the ground itself, or any part thereof, or any device attached thereto, or painted or represented thereon which shall be used to identify, advertise or attract attention to any object, product, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry or business, or which shall display or include any letter, work, model, number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement, and which is intended to be seen from off the premises or from a parking lot. The word "sign" shall include signs which are affixed to the inside of windows and glass doors and are intended to be seen from roadways or parking lots. No other indoor sign shall be deemed a sign within this By-law.
71. **SMALL RESIDENTIAL CARE FACILITY** means any building or place, or part of a building or place, where supervisory care or personal care is legally provided on a licensed or unlicensed basis to a maximum of three persons and in all other respects is defined as a Residential Care Facility In the Homes for Special Care Act.
72. **SINGLE DETACHED DWELLING** means a dwelling containing only one dwelling unit, but does not include a mini home or mobile home.
73. **STOREY** means that portion of a building between any floor and the floor, ceiling or roof next above, provided that any portion of a building partly below grade level shall not be deemed a storey unless its ceiling is at least 1.8 m (5.9 ft.) above grade. Provided also that any portion of a storey exceeding 4.3 m (14.1 ft.) in height shall be deemed an additional storey for each 4.3 m (14.1 ft.) or fraction thereof of such excess.
74. **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 Town or Bridgetown.
75. **STREET LINE** means the boundary line of a street.
76. **STRUCTURE** means anything that is erected, built, or constructed or any such erection, building or construction fixed to or supported by the soil or by any other structure. A structure shall include buildings, walls and signs and also fences exceeding 2 m (6.56 ft.) in height.
77. **SWIMMING POOL** means an artificial body of water, excluding ponds, of more than 10 m<sup>2</sup> (107.6 sq. ft.), used for bathing, swimming or diving.
78. **TOWN** means the Municipality of the Town of Bridgetown.
79. **TRIPLEX DWELLING** means a building that is divided into three dwelling units, each of which has an independent entrance either directly or through a common vestibule.
80. **VETERINARY ESTABLISHMENT** means the premises where animals, birds or other livestock are treated or treated and kept for monetary gain.
81. **WAREHOUSE** means a building where wares or goods are stored but shall not include a retail store.

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82. YARD means an open, uncovered space on a lot appurtenant to a building (except a court) and unoccupied by buildings or structures except as specifically permitted elsewhere in this By-law. In determining yard measurements the minimum horizontal distance from the respective lot lines shall be used.
- (a) Front Yard means a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot; a "minimum" front yard means the minimum depth of a front yard on a lot between the front lot line and the nearest wall of any main building or structure on the lot.
  - (b) Rear Yard means a yard extending across the full width of a lot between the rear lot line and the nearest wall or 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 nearest wall of any main building or structure on the lot.
  - (c) Side Yard means a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest wall of any main building or structure on the lot.
  - (d) Flankage Yard means the side yard of a corner lot which side yard extends from the front yard to the rear yard between the flankage lot line and the nearest wall of any building or structure.
83. ZONE means a designated area of land shown on the Schedule of this By-law.



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## **PART 3 - ZONES AND ZONING MAP**

### **3.1 Zones**

For the purpose of this By-law, the Town of Bridgetown is divided into the following zones, the boundaries of which are shown on the attached schedule. Such zones may be referred to by the appropriate symbols.

<u>Zone</u>	<u>Symbol</u>
Residential Light Density	R1
Residential Multiple	R2
Residential Rural	R3
Residential Rehabilitation Area CDD	RRA
Residential Mobile Home	MH
Downtown Commercial	C1
Highway Commercial	C2
Business Development	BD
Comprehensive Development District	CDD
Institutional	I1
Service/Utility	S/U
Industrial	M1
Open Space	O1
Conservation	O2
Tourist Recreation	O3

### **3.2 Zoning Map**

Schedule "A" attached hereto may be cited as the "Zoning Map" and is hereby declared to form part of the By-law.

### **3.3 Interpretation**

The symbols used on Schedule "A" attached hereto refer to the appropriate zones established in this By-law.

### **3.4 Application**

The extent and boundaries of all zones are shown on Schedule "A" attached hereto and for all such zones the provisions of this By-law shall respectively apply.

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### **3.5 Interpretation of Zoning Boundaries**

Boundaries between zones shall be determined as follows:

- 3.5.1 Where a zone boundary is indicated as following a street or highway, the boundary shall be the centre line of such street or highway.
- 3.5.2 Where a railroad right-of-way, electrical transmission line right-of-way or watercourse is included on the Zoning Map and serves as a boundary between two or more different zones, a line midway on such right-of-way or watercourse and extending in the general direction of the long division thereof shall be considered the boundary between zones unless specifically indicated otherwise.
- 3.5.3 Where a zone boundary is indicated as approximately following lot lines, the boundary shall follow such lines.
- 3.5.4 Where a zone boundary is indicated as following the limits of the Town boundary, the limits shall be the boundary.

### **3.6 Certain Words**

In this By-law, words used in the present tense include future; words in the singular include the plural; words in the plural include the singular; the word "used" includes "arranged", "designed" or "intended to be used"; the word "shall" is mandatory and not permissive.

### **3.7 Development Agreements**

#### **Uses Considered by Development Agreement**

Notwithstanding anything else in this By-law, certain uses which may not be permitted as of right in any zone may be considered for development by development agreement as provided for in Sections 225-230 of the Municipal Government Act. As provided for in the Municipal Planning Strategy, these are as follows:

- 3.7.1 Bed and breakfast uses in an R1 Light Residential Zone up to three units (MPS Policy 6.15).
- 3.7.2 Residential Rehabilitation Area CDD uses (MPS Policies 6.9 and 6.10).
- 3.7.3 Comprehensive Development District CDD Uses in the vicinity of the East Highway #101 Interchange (MPS Policy 7.10).
- 3.7.4 Grouped dwellings in the R2 Zone (Policy 6.22)

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## **PART 4 - GENERAL PROVISIONS FOR ALL ZONES**

### **4.1 Scope**

- 4.1.1 No building or structure shall hereafter be erected or the use of any building changed, unless a development permit has been issued or the proposed work is excluded in subsection 4.1.4, and no development permit shall be issued unless all the provisions of this By-law are satisfied.
- 4.1.2 For the purpose of this By-law, if a use is not described as a permitted use in a zone or it is not an accessory use permitted in a zone, it shall be deemed to be a prohibited use in that zone.
- 4.1.3 Any person who violates a provision of this By-law shall be subject to the penalties as provided for under Section 505 of the Municipal Government Act of Nova Scotia.
- 4.1.4 Although a Heritage Permit may be required for properties registered under the Heritage Property Act, no development permit is required for: shingling of roofs, ground level walkways, non-structural replacement/addition/repairs to windows, storm windows, doors or storm doors; installation of siding over an existing exterior finish; insulation; fences less than 2 m (6.56 ft.) in height; interior/exterior renovations which do not involve the addition or replacement of structural members of the building.

### **4.2 Multiple Uses**

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

### **4.3 Frontage on Street**

No development permit shall be issued unless the lot or parcel of land intended to be used, or upon which the building or structure is to be erected:

- (a) abuts and fronts upon a public street; or
- (b) abuts and fronts upon an existing private street or road.

### **4.4 Licenses, Permits and Compliance with Other By-laws**

- 4.4.1 Nothing in this By-law shall exempt any person from complying with the requirements of the Building By-law or any other By-law in force within the Town or from obtaining any license, permission, permit, authority or approval required by any other By-law of the Town of Bridgetown.
- 4.4.2 Where the provisions in this By-law conflict with those of any other Municipal or Provincial requirements, the higher or more stringent regulations shall prevail.

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## **4.5 Non-Conforming Uses**

Non-conforming uses shall be subject to Sections 238-242 of the Municipal Government Act of Nova Scotia.

## **4.6 Existing Buildings**

Where a building has been erected on or before the effective date of this By-law on a lot having less than the minimum frontage or area, or having less than the minimum setback or side yard or rear yard required by this By-law the building may be enlarged, reconstructed, repaired or renovated provided that:

- (a) the enlargement, reconstruction, repair or renovation does not further reduce the front yard or side yard or rear yard that does not conform to this By-law; and
- (b) all other applicable provisions of this By-law are satisfied.

## **4.7 Existing Uses**

Notwithstanding anything else in this By-law, the use of a building existing on a lot on the effective date of this By-law may be changed to a use permitted on the lot where the front lot line, lot area or yard depth or any two or all of these is less than the requirements of this By-law, provided that all other requirements of this By-law are satisfied.

## **4.8 Existing Undersized Lots**

Notwithstanding anything else in this By-law, a vacant lot held in separate ownership from adjoining parcels on the effective date of this By-law, having less than the minimum width or area required by this By-law, may be used for a purpose permitted in the zone in which the lot is located and a building may be erected on the lot provided that all other applicable provisions in this By-law are satisfied and also provided that the necessary permits are secured for any private sewage disposal systems. This Section applies even though the lot has been increased in size after the effective date of this By-law.

## **4.9 Height Regulations**

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae or towers, ventilators, skylights, barns, chimneys, clock towers, weather vanes, lightning rods, wind generators, etc.

## **4.10 Conformity with Existing Setbacks**

Notwithstanding anything else in the By-law, in any Residential zone, structures built between existing buildings within 60 m (196.8 ft.) on the same block may be built with a setback equal to the average setback of the adjacent buildings, but this depth shall not be less than 3 m (9.84 ft.) from the front lot line.

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## **4.11 Temporary Uses Permitted**

- 4.11.1 Nothing in this By-law shall prevent uses incidental to construction such as a construction camp or other such temporary work camp, a tool shed, scaffold, or similar building incidental to construction provided that a development permit has been issued.
- 4.11.2 A development permit issued pursuant to Subsection (1) ceases to have effect sixty days after the construction has been discontinued unless within that sixty days the construction has recommenced.
- 4.11.3 Nothing in this By-law shall prevent uses erected for special occasions and holidays provided only that no such use remains in place more than fourteen consecutive days after the date of the special occasion.

## **4.12 Building to be Moved**

No person shall move any building, residential or otherwise, within or into the area covered by this By-law without obtaining a development permit from the Development Officer.

## **4.13 Restoration to a Safe Condition**

Nothing in this By-law shall prevent the strengthening or restoring to a safe condition of any building or structure, provided in the case of a non-conforming use the provisions of Sections 238-242 of the Municipal Government Act of Nova Scotia shall prevail.

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

No truck, bus, coach, street car or aircraft body shall be used for human habitation or occupancy within the Town of Bridgetown.

## **4.15 Building to be Erected on a Lot**

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

## **4.16 Accessory Uses**

Where this By-law provides that land may be used or a building or structure may be erected or used for a purpose, the purpose includes any accessory use.

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## 4.17 Accessory Buildings

4.17.1 Accessory uses, buildings and structures shall be permitted in any zone within the Town of Bridgetown but shall not:

- (a) be used for human habitation except where a dwelling is a permitted accessory use;
- (b) be located in the front or flankage yard;
- (c) exceed 4.5 m (14.76 ft.) in height;
- (d) be built closer than 1 m (3.28 ft.) to a lot line in any zone except that:
  - (i) common semi-detached garages may be centered on the mutual side lot line;
  - (ii) accessory buildings with no windows or perforations on the side of the building which faces the said lot lines, may be located a minimum of 0.6 m (1.96 ft.) from the said lot line in any residential zone; and
  - (iii) boat houses and boat docks may be built to the lot line when the line corresponds to the water's edge;
- (e) be built within 2 m (6.56 ft.) of the main building; and
- (f) be built within an environmental setback.

4.17.2 Notwithstanding anything else in this By-law, wheelchair ramps, drop awnings, clothes poles, flagpoles, garden trellises, fences under 2 m (6.56 ft.) in height or fences in side or rear yards, and retaining walls shall be exempt from any requirements under Subsection (1).

## 4.18 Illumination

No person shall erect any illuminated sign or illuminate an area outside any building unless such illumination is directed away from adjoining properties and any adjacent streets.

## 4.19 Corner Vision Triangle

On a corner lot or lot abutting the entrance or exit to a public parking lot, a fence, sign, hedge, shrub, bush or tree or any other structure or vegetation shall not be erected or permitted to grow to a height greater than 0.5 m (1.64 ft.) above grade of the streets that abut the lot within the triangular area included within the street lines for a distance of 6 m (19.68 ft.) from their point of intersection.

## 4.20 Watercourse Environment Setback

With the exception of trails, bridges, boat ramps, boat houses, boat docks and notwithstanding development permitted pursuant to Part 20.3 of this By-law, no permanent development is allowed within 8 m (26.2 ft.) of Solomon Chute Brook or the Annapolis River.

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## 4.21 Yard Exceptions

Where in this By-law a front, side or rear yard is required and part of the area of the lot is usually covered by water or marsh, or is beyond the rim of a river bank or watercourse, or between the top and toe of a cliff or embankment having a slope of 30 percent or more from the horizontal, then the required yard shall be measured from the nearest main wall of the main building or structure on the lot to the edge of said area covered by water or marsh, or to the rim of said river bank or watercourse, or to the top of the said cliff or embankment if such area is closer than the lot lines.

Notwithstanding anything else in this By-law, where a front, side or rear yard setback is required and where an environment setback is also required from a stream or other watercourse, the greater setback shall prevail and the lesser setback shall be waived.

## 4.22 Side Yards on Corner Lots

Notwithstanding anything else in this By-law, on a corner lot in any zone, no part of any building or accessory building shall be erected closer to the lot line of the flanking street than the established front setback for the street.

## 4.23 Front Yard for a Through Lot

In the case of a through lot, there shall be deemed to be two front yards and the setback requirements for the zone shall be observed.

## 4.24 Permitted Encroachments in Yards

Except for accessory buildings, every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky provided, however, that those structures listed in the following table shall be permitted to project for the specified distances into the specified yards indicated as follows:

<b>STRUCTURE</b>	<b>YARD IN WHICH PROJECTION IS PERMITTED</b>	<b>MAXIMUM PROJECTION FROM MAIN WALL PERMITTED</b>
Sills, belt courses, cornices, eaves gutters, chimneys, pilasters, or canopies	Any yard	1 m (3.28 ft.)
Window bays	Any yard	1 m (3.28 ft.) over a maximum width of 3 m (9.84 ft.)
Fire escapes and exterior staircases	Rear and side yard only	1.5 m (4.92 ft.) Over a maximum width of 3 m (9.84 ft.)
Balconies	Front, rear and flankage yards only for single detached, semi-detached, duplex and triplex dwellings, any yard for other residential buildings	2 m (6.56 ft.)
Open, roofed porches not exceeding one storey in height; uncovered terraces	Front, rear and flankage yards only	2.5 m (8.2 ft.) including eaves and cornices

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#### **4.25 Abutting Zone Requirements**

Where an Institutional, Highway Commercial, Service/Utility, Industrial, or Open Space zone abuts a Residential Light Density (R1) or Residential Multiple (R2) zone, the following restrictions shall apply to an abutting yard within the Institutional, Highway Commercial, Service/Utility, Industrial, or Open Space zone:

- (a) the minimum setback requirements for the abutting side yard shall be 6 m (19.68 ft.);
- (b) no open storage or outdoor display shall be permitted within the required abutting yard;
- (c) the 6 m (19.68 ft.) setback shall be planted with trees and landscaped upon development of the property;
- (d) no parking or loading space shall be permitted closer than 3m (9.8 ft.) To a side or rear lot line.

#### **4.26 One Main Building on a Lot**

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

- (a) buildings located in a Comprehensive Development District CDD zone, Industrial (M1) zone; and
- (b) grouped dwellings located in a Residential Multiple (R2) zone.

#### **4.27 Yard Sales, Community Organization Sales, Flea Markets**

Notwithstanding anything else in this Bylaw, while regular or frequent yard sales are not permitted within the Town, community organization sales and flea markets may be held, with landowner consent, by service clubs and other non-profit organizations in any non-residential zone and no development permit shall be issued unless at least 20 on-site parking spaces are available for the subject sale or flea market.

#### **4.28 Mobile Home or Mini Home Structures**

A mobile home or mini home structure may only be located in the Residential Mobile Home Zone (MH) subject to Section 4.11.

#### **4.29 Outdoor Wood Furnaces**

Notwithstanding any other provision in this By-law, an outdoor wood furnace in any zone shall:

- (a) be located in the rear yard and at least 100 m from the nearest lot line or any proposed public street or road;
- (b) have a chimney or exhaust height greater than the height of the roof of the tallest building on the lot; and
- (c) be CSA approved.

#### **4.30 Permitted Uses**

For the purpose of this By-law, if a use in the Business District (BD) Zone, Downtown Commercial (C1) Zone or Highway Commercial (C2) Zone is not considered by the Development Officer to be essentially similar to and typical of the uses of the zone, or is not specifically listed as a permitted use in a zone, for greater certainty it shall be deemed to be a prohibited use in that zone. A specific use may be added by amendment to the Land Use Bylaw as long as it does not contradict the intent or policy of the MPS.



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## **PART 5 - LOADING REQUIREMENTS FOR ALL ZONES**

- 5.1** In any zone, no person shall erect any building or structure for manufacturing, storage, warehouse, department, store, retail store, wholesale store, market, freight or passenger terminal, hotel, hospital, mortuary or other uses involving the frequent shipping, loading or unloading of persons, animals, or goods, unless there is maintained on the same premises with every such building, structure or use one off-street space for standing, loading and unloading for every 2,500 m<sup>2</sup> (26,910.65 sq. ft.) or fraction thereof of building floor area used for any such purpose to a maximum of six loading spaces.
- 5.2** Each loading space shall be at least 3.5 m (11.48 ft.) by 12 m (39.37 ft.) with a minimum of 4.5 m (14.76 ft.) height clearance.
- 5.3** The provision of a loading space for any building with less than 1,400 m<sup>2</sup> (15,069.96 sq. ft.) floor area shall be optional.
- 5.4** No such loading spaces shall be located within any required front yard or be located within any yard which abuts a Residential Light Density (R1), Residential Multiple (R2), Open Space or Institutional zone.
- 5.5** Loading space areas, including driveways leading thereto, shall be constructed of and maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.
- 5.6** Ingress and egress, to and from the required loading space areas shall be provided by means of unobstructed driveways of a minimum width of 3.5 m (11.48 ft.) for one-way traffic and a minimum width of 7 m (22.96 ft.) for two-way traffic.

## PART 6 - PARKING REQUIREMENTS FOR ALL ZONES

### 6.1 Parking Requirements

For every building or structure to be erected or enlarged, off-street parking located within the same zone as the use and having unobstructed access to a public street shall be provided and maintained in conformity with the following schedule:

TYPE OF STRUCTURE	MINIMUM PARKING REQUIREMENTS
(a) a dwelling containing not more than two dwelling units	1 parking space for each dwelling unit
(b) nurses residences	0.75 parking spaces for each unit
(c) all other dwellings	1.5 parking spaces for each dwelling unit
(d) church halls, auditoria, restaurants, theater, arenas, halls, stadia private clubs and other places of assembly	1 parking space for every 10 fixed seats or for every 10 m <sup>2</sup> (107.6 sq. ft.) devoted to public use where there are no fixed seats
(e) hospitals	0.5 parking spaces for each bed or 1 parking space for each 37m <sup>2</sup> (398.27 sq. ft.) of floor area, whichever is the greater plus 0.5 for each employee and 1 for each doctor
(f) senior citizen apartment	0.5 parking spaces for each dwelling unit
(g) nursing, rest or convalescent home	0.5 parking spaces for each bed
(h) hotels, staff houses, motels, tourist cabins	1.0 parking spaces for each suite or rental unit plus 1 additional parking space for each 20 m <sup>2</sup> (215.28 sq. ft.) of floor area devoted to public use exclusive of lobbies and halls
(i) offices, clinics	1 parking space for each 20 m <sup>2</sup> (215.28 sq. ft.) of floor area
(j) shopping centre	parking area to be three times floor area, exclusive of common malls between stores
(k) funeral homes	0.2 parking spaces for each seat of the chapel
(l) bowling alleys & curling rinks	0.5 parking spaces for each person in the designed capacity of the establishment (designed capacity shall mean six persons per bowling lane and eight persons per curling sheet.) In other parts of the building, additional parking spaces shall be provided in accordance with the requirements set out in this By-law for the use to which the other parts of the building may be put.
(m) elementary schools	1.5 parking spaces for each teaching classroom
(n) high schools	2 parking spaces for each teaching classroom
(o) nursery schools and day care centres	1 parking space for each employee
(p) bed and breakfasts, inns & boarding houses	1.5 spaces for each permanent dwelling unit and 1.0 space for each unit available to transients or boarders
(q) highway commercial uses other than those specified above	1 space for every 20 m <sup>2</sup> (215.28 sq ft.) of interior or exterior retail area
(r) manufacturing and industrial uses	1 space for each 75 m <sup>2</sup> (807.31 sq. ft.) of gross floor area, plus parking space as in (i), above, for any offices included in the development
(s) all other retail uses and commercial & office uses in a residential zone	1 space for each 30 m <sup>2</sup> (322.93 sq. ft.) of floor area

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## 6.2 Standards for Parking Areas

Where parking facilities for more than four vehicles are required:

- (a) the parking area shall be maintained with a stable surface that is treated to prevent the raising of dust or loose particles.
- (b) the lights used for illumination of the parking lot or parking station shall be so arranged as to divert the light away from streets, adjacent lots and buildings;
- (c) a structure, not more than 3 m (9.84 ft.) in height and not more than 4.5 m<sup>2</sup> (14.76 sq. ft.) in area may be erected in the parking area for the use of attendants;
- (d) the parking area shall be within 90 m (295.27 ft.) of the location which it is intended to serve and shall be situated in the same zone;
- (e) when the parking area is of a permanent hard surfacing, each parking space shall be clearly demarcated and maintained as such;
- (f) no gasoline pumps or other service station equipment shall be located or maintained on the parking lot;
- (g) approaches or driveways to any parking area, other than that required for a single family dwelling, semi-detached or duplex dwelling shall be defined by a curb of concrete or rolled asphalt and the limits of the parking area shall be defined by a fence, curb or other suitable obstruction designed to provide a neat appearance;
- (h) the location of approaches or driveways shall be not closer than 15 m (49.21 ft.) from the limits of the rights-of-way at a street intersection;
- (i) entrance and exit ramps to a parking area shall not exceed two in number on any one street and each such ramp shall be a width of 7 m (22.96 ft.) at the street line and edge of pavement;
- (j) the width of a driveway leading to a parking area intended primarily for cars, or of a driveway or aisle in such area, shall be a minimum of 3 m (9.84 ft.) for one-way traffic and a minimum of 5.5 m (18.04 ft.) for two-way traffic and the maximum width of a driveway shall be 7 m (22.96 ft.); and
- (k) the width of a driveway leading to a parking area or loading area intended primarily for trucks, or of a driveway or aisle in such area, shall be a minimum of 3.5 m (11.48 ft.) for one-way traffic and a minimum of 7 m (22.96 ft.) for two-way traffic and the maximum width of a driveway shall be 13 m (42.65 ft.).

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## **PART 7 - SIGNS**

### **7.1 General**

- 7.1.1 Where this part is inconsistent with the regulations respecting advertising signs on or near public highways made or administered by the Province of Nova Scotia Department of Transportation & Communications, the more restrictive regulations shall apply.
- 7.1.2 No person shall erect a sign without first obtaining a permit and no permit to erect a sign shall be issued unless intention to fulfil all the sign provisions of this By- law is shown.

### **7.2 Safety and Maintenance**

- 7.2.1 Every sign and all parts thereof, including framework, supports, background, anchors and wiring systems shall be constructed and maintained in compliance with the Building, Electrical and Fire Prevention By-laws.
- 7.2.2 All signs and all parts thereof shall be kept in a good state of repair and maintenance and shall not be allowed to become unsightly or dangerous.

### **7.3 Limit on Number of Signs**

- 7.3.1 For the purpose of this section, where a multiple tenancy building is occupied by more than one business, each business area shall be considered as separate premises.
- 7.3.2 Notwithstanding anything else in this By-law or elsewhere, not more than four signs may be erected on any premises at any one time provided that:
- (a) a double faced sign shall count as a single sign;
  - (b) signs enumerated in Section 7.4 of this Part shall not be counted in calculating the total;
  - (c) not more than one ground sign shall be permitted on any one lot except in the case of a service station, where a maximum of two ground signs shall be permitted;
  - (d) not more than one facial wall sign per wall shall be permitted for each business premises; and
  - (e) not more than one projecting wall sign per wall shall be permitted for each business premises.

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## 7.4 Signs Permitted in all Zones

The following signs are permitted in all zones:

- (a) signs identifying name and address of resident and of not more than 0.2 m<sup>2</sup> (2.15 sq. ft.) in sign area;
- (b) "no trespassing" signs or other such signs regulating the use of property and of not more than 0.2 m<sup>2</sup> (2.15 sq. ft.);
- (c) real estate signs not exceeding 0.5 m<sup>2</sup> (5.38 sq. ft.) in sign area in a residential zone and 1.5 m<sup>2</sup> (16.15 sq. ft.) in other zones, which advertise the sale, rental or lease of the premises;
- (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 premise provided that such signs are less than 0.5 m<sup>2</sup> (5.38 sq. ft.) in area;
- (e) signs erected by a governmental body, or under the direction of such a body;
- (f) memorial signs or tablets and signs denoting the date of erection of a structure;
- (g) the flag, pennant, or insignia of any government, or of any religious, charitable or fraternal organization;
- (h) a sign having an area of not more than 4.5 m<sup>2</sup> (48.44 sq. ft.) incidental to construction and within the area designated for such purposes; and
- (i) signs relating to an election provided they are erected not more than forty five days preceding the ordinary polling date and are removed within seven days after the ordinary polling date.

## 7.5 Signs Prohibited in all Zones

The following signs shall not be permitted in any zone:

- (a) signs which incorporate in any manner any flashing or moving illumination which varies in intensity or which varies in colour and signs which have any visible moving part, visible revolving parts or visible mechanical movement achieved by electrical pulsations or by actions of normal wind currents;
- (b) any sign or sign structure which constitutes a hazard to public safety or health;
- (c) signs which by reason of size, location, content, colouring or manner of illumination obstruct the vision of drivers, either when leaving a roadway or driveway, or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets and roads;
- (d) any sign which obstructs free ingress to or egress from a fire escape door, window or other required exit way;
- (e) signs not erected by a public authority which make use of words such as "STOP" "LOOK", "ONE-WAY", "DANGER", "YIELD" or any similar words, phrases, symbols, lights, or characters in such manner as to interfere with, mislead, or confuse traffic along a public road;
- (f) any sign which no longer advertises a bonafide business conducted or a product sold;
- (g) signs on public property or public right-of-way, unless erected by a government body, or unless directed to be so located by order of a governmental body, or projecting wall signs or signs as may be permitted by request of a government body;
- (h) signs painted on a tree, stone, cliff or other natural object;
- (i) signs not related to any business or use located on the lot or premises unless specifically approved by Council;
- (j) portable signs on wheels or metal frames not affixed to the ground; and
- (k) search lights, pennants, spinners, banners and streamers, provided that on occasions such as grand openings, county fairs, public festivals, exhibitions and similar occasions, the same are permitted for a period not to exceed two weeks.

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## 7.6 Projecting Wall Signs

No projecting wall sign shall:

- (a) exceed 2 m<sup>2</sup> (21.53 sq. ft.) in sign area;
- (b) project more than 2 m (6.56 ft.) from the wall upon which it is attached; and
- (c) hang lower than 2.5 m (8.2 ft.) above grade.

## 7.7 Ground Signs

No ground sign shall:

- (a) extend beyond a property line or project over a right-of-way, other adjoining lands, daylighting triangles or any driveway or parking space; and
- (b) be set back less than 1 m (3.28 ft.) from any street line, common lot boundary, driveway, aisle or parking area.

## 7.8 Facial Wall Signs

No facial wall sign shall:

- (a) extend above the wall on which it is placed;
- (b) extend beyond the extremities of the wall to which it is attached;
- (c) project more than 40 cm (15.7") from the wall of the building to which it is attached; and
- (d) exceed 10 m<sup>2</sup> (107.6 sq. ft.) in sign area.

## 7.9 Special Requirement: Roof Signs

Roof signs shall be permitted only in the Comprehensive Development District and shall be subject to the following conditions:

- (a) roof signs must be designed and engineered to have no superstructure; and
- (b) the sign shall not exceed 1.5 m (4.92 ft.) in height and 15 m (49.21 ft.) in length and shall not project beyond any wall of the building.

## 7.10 Special Requirement: Business Signs for Uses in Residential Zone

In the case of a business use permitted in a Residential Light Density (R1) zone, Residential Multiple (R2) zone, or Residential Rural (R3) zone, one sign which does not exceed 0.5 m<sup>2</sup> (5.38 sq. ft.) in sign area, is permitted for each such use unless the use fronts on Queen Street, or Granville Street, in which case one business sign which does not exceed 1 m<sup>2</sup> (10.76 sq. ft.) in sign area is permitted.

## PART 8 - RESIDENTIAL LIGHT DENSITY (R1) ZONE

### 8.1 Uses Permitted

No development permit shall be issued in a Residential Light Density Zone (R1) except for one or more of the following uses:

single detached dwellings  
 duplex dwellings  
 semi-detached dwellings  
 day-care facility  
 parks & playgrounds  
 bed and breakfasts to a maximum of three units by development agreement  
 small residential care facilities by development agreement  
 funeral parlours with one dwelling unit

any use permitted in the R3 zone and subject to R3 requirements on the following properties existing in the R3 zone at the time of the effective date of this By-law:

Pid(s): 05146733, 05144035, 05144027(Civic#532 GS East), 05144019, 05144001, 05143961, 05143953, 05143979, 05200464, 05149166, 05148788, 05146915, 05146907, 05141346(Civic#505 GS East), 05146857, 05146824, 05146790(Civic#559 GS East), 05146782(Civic#557 GS East).

### 8.2 Zone Requirements

In any Residential Light Density (R1) zone, no development permit shall be issued except in conformity with the following requirements:

(a) Where Municipally approved central sanitary sewers and piped water are available:

	Single Detached Dwellings	Duplex Dwelling; Day-Care Facility	Semi-Detached Dwelling
Minimum Lot Area	700 m <sup>2</sup> (7,535 sq. ft.)	1,115 m <sup>2</sup> (12,002.1 sq. ft.)	800 m <sup>2</sup> (8,611.4 sq. ft.)
Minimum Front Lot Line	23 m (75.5 ft.)	28 m (91.9 ft.)	14 m (45.9 ft.) For each Dwelling Unit
Minimum Depth of Front Yard	10 m (32.8 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)
Minimum Depth of Rear Yard	11 m (36.0 ft.)	11 m (36.0 ft.)	11 m (36.0 ft.)
Minimum Depth of Side Yard (i) One Side (ii) Other Side	1.5 m (4.9 ft.) 3 m (9.8 ft.)	2 m (6.5 ft.) 3 m (9.8 ft.)	4.5 m (14.7 ft.) 4.5 m (14.7 ft.)
Maximum Height of Main Building	11 m (36.0 ft.)	11 m (36.0 ft.)	11 m (36.0 ft.)

(b) Where municipally approved central sanitary sewers, municipally approved piped water or both are not available, the lot must meet Department of Environment lot size requirements and have permits for on-site sewage disposal or well, but in no case shall requirements be less stringent than provided in the foregoing table.

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### **8.3 Home Occupations**

Within a residential dwelling; or in an accessory building on the same lot within the Residential Light Density (R1) Zone, Residential Multiple (R2) Zone or Residential Rural (R3) Zone, provided that the following criteria are met:

- (a) home occupation uses occupy less than twenty-five percent of the total floor area of the dwelling unit, to a maximum of 65 m<sup>2</sup> (699.7 sq. ft.);
- (b) no more than three persons, including the residential tenant, are employed;
- (c) home occupation uses do not produce any hazard to the public or any noise, smoke, odour, vibration, or interference to electrical equipment perceptible on an adjacent lot;
- (d) two home occupation uses shall be permitted in a single dwelling unit provided that both uses are owned or operated by the residential tenant, the total floor area of both uses is less than twenty-five percent of the total floor area of the dwelling unit and no more than three persons including the residential tenant, are employed;
- (e) when only one home occupation use is operated within any dwelling unit, it must be owned or operated by the residential tenant;
- (f) the exterior appearance of the residence is not substantially altered;
- (g) adequate parking is provided as set out in the Land Use By-law; and
- (h) no outdoor storage or display is permitted.

### **8.4 Frontage on Corner Lots**

The minimum front lot line of a corner lot shall not be less than 25 m (82.0').



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## **PART 9 - RESIDENTIAL MULTIPLE (R2) ZONE**

### **9.1 Uses Permitted**

No development permit shall be issued in a Residential Multiple (R2) zone except for one or more of the following uses:

all uses permitted in the R1 zone subject to the R1 zone requirements

apartment dwellings

bed and breakfasts

boarding houses and rooming houses

converted dwellings

double duplex dwellings

inns

rowhouse dwellings

triplex dwellings

homes for special care

homes for the aged

nursing homes

parks & playgrounds

senior citizen complexes and administrative offices

funeral homes with one dwelling unit

existing highway commercial uses subject to the requirements in Section 9.3.7

grouped dwellings by development agreement

## 9.2 Zone Requirements

In any Residential Multiple Density (R2) zone, no development permit shall be issued except in conformity with the following requirements:

- (a) Where Municipally approved central sanitary sewers and piped water are available:

	Triplex Dwelling	Rowhouse Dwelling	Apt.; Double Duplex Dwellings	Senior Citizen Complexes	Nursing; or Homes for Aged; Funeral Parlours	Boarding; or Rooming Houses; B & B Inns
Minimum Lot Area	1,115 m <sup>2</sup> (12,002 sq.ft.)	370 m <sup>2</sup> (3,982.7 sq. ft.) Per Unit	1,115 m <sup>2</sup> (12,002 sq.ft.) For first 4 units plus 140 m <sup>2</sup> (1,506.9 sq.ft.) For each additional unit	840 m <sup>2</sup> (9,041.9 sq.ft.) For first 5 units plus 93 m <sup>2</sup> (1,001.1 sq.ft.) For each additional unit	1,115 m <sup>2</sup> (12,002 sq.ft.) For first 4 units plus 140 m <sup>2</sup> (1,506.9 sq.ft.) For each additional unit	930 m <sup>2</sup> (10,010.8 sq.ft.)
Minimum Front Lot Line	28 m (91.9 ft.)	10 m (32.8 ft.) Per Unit	30 m (98.4 ft.)	23 m (75.5 ft.)	30 m (98.4 ft.)	23 m (75.5 ft.)
Minimum Depth of Front Yard	10 m (32.8 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)
Minimum Depth of Rear Yard	14 m (45.9 ft.)	11 m (36.0 ft.)	14 m (45.9 ft.)	11 m (36.0 ft.)	11 m (36.0 ft.)	11 m (36.0 ft.)
Minimum Depth of Side Yard (i) One Side (ii) Other Side	3 m (9.8 ft.) 3 m (9.8 ft.)	4.5 m (14.7 ft.) 4.5 m (14.7 ft.)	2 m (6.5 ft.) 4.5 m (14.7 ft.)	2 m (6.5 ft.) 4.5 m (14.7 ft.)	2 m (6.5 ft.) 4.5 m (14.7 ft.)	2 m (6.5 ft.) 3 m (9.8 ft.)
Maximum Height of Main Building	11 m (36.0 ft)	11 m (36.0 ft.)	3 Stories	11 m (36.0 ft)	11 m (36.0 ft)	11 m (36.0 ft)

## 9.3 Uses Permitted with Conditions

- 9.3.1 Converted Dwellings, to a maximum of four dwelling units, provided that municipal services are available in the area.

In addition to all other requirements, the following special provisions shall apply to converted dwellings:

- (a) no addition or alteration may be undertaken that:
- (i) changes the roof line or increases the height of the building except for the addition of dormers, or
  - (ii) extends into the front or side yard of the lot, except for fire escapes; and
- (b) for each unit in a converted dwelling, a useable amenity area in the side or rear yards, unobstructed by buildings or vehicular parking, shall be provided according to the schedule for Amenity Space Part 9.3.6.

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9.3.2 Apartments or rowhousing containing seven or more units provided that the following criteria are met:

- (a) rowhousing shall not contain more than six attached units, but more than one rowhouse may be located on the same lot;
- (b) the use shall be located in an area where sewer, water, and storm drainage services are available;
- (c) parking space shall be provided in the side or rear yard as required by clause (c) of Section 6.1 and 6.2 of Part 6;
- (d) the development shall be located on an arterial or collector street; and
- (e) for each unit in a rowhouse or apartment dwelling, a useable amenity area in the side or rear yards, unobstructed by buildings or vehicular parking, shall be provided according to the schedule for Amenity Space Part 9.3.6.

9.3.3 Bed and breakfasts, inns, rooming houses and boarding houses provided the following criteria are met:

- (a) parking space shall be provided in the side or rear yard as required by clause (p) of Section 6.1 and Section 6.2 of Part 6;
- (b) the owner, owners or manager of the bed and breakfast, inn or boarding house shall live on or adjacent to the property;
- (c) no changes are made to the roof line or increases the height of the dormers;
- (d) no additions or alterations extend into the front or side yard of the lot, except for fire escapes;
- (e) where permitted, the total area occupied for kitchen and dining use shall not exceed fifty percent of the total ground floor area of the dwelling;
- (f) opaque screening, either vegetative or fencing, at least 1.2m (4') high shall be provided in the rear yard along the boundary of abutting residential properties.

9.3.4 Home Occupations

Within a residential dwelling; or in an accessory building on the same lot within the Residential Multiple (R2) Zone, provided that the following criteria are met:

- (a) home occupation uses occupy less than twenty-five percent of the total floor area of the dwelling unit, to a maximum of 65 m<sup>2</sup> (699.7 sq. ft.);
- (b) no more than three persons, including the residential tenant, are employed;
- (c) home occupation uses do not produce any hazard to the public or any noise, smoke, odour, vibration, or interference to electrical equipment perceptible on an adjacent lot;
- (d) two home occupation uses shall be permitted in a single dwelling unit provided that both uses are owned or operated by the residential tenant, the total floor area of both uses is less than twenty-five percent of the total floor area of the dwelling unit and no more than three persons including the residential tenant, are employed;
- (e) when only one home occupation use is operated within any dwelling unit, it must be owned or operated by the residential tenant;
- (f) the exterior appearance of the residence is not substantially altered;
- (g) adequate parking is provided as set out in the Land Use By-law; and
- (h) no outdoor storage or display is permitted.

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9.3.5 Services Required

No development permit shall be issued in a Residential Multiple (R2) zone where Municipally approved piped water and Municipal piped sanitary sewers are not available.

9.3.6 Amenity Space - Multiple Dwellings

No development permit shall be issued for an apartment building, rowhouse, converted dwelling, rooming or boarding house unless an amenity area unobstructed by buildings or vehicular parking is provided on the same lot according to the following schedule:

Bachelor unit	14 m <sup>2</sup> (150.7 sq.ft.)/unit
1 bedroom unit	19 m <sup>2</sup> (204.5 sq.ft.)/unit
2 bedroom units	54 m <sup>2</sup> (581.3 sq.ft.)/unit
3 bedroom units	90 m <sup>2</sup> (968.8 sq.ft.)/unit
4 bedroom units	125 m <sup>2</sup> (1,345.5 sq.ft.)/unit

9.3.7 Existing Highway Commercial Uses

- (1) The following use is deemed to be the only existing Highway Commercial use in an R2 zone:

<u>Land</u>	<u>Civic Address</u>	<u>PID</u>
1. Bridgetown Motor Hotel	Civic #396 GS East	05148531

- (2) An existing highway commercial use shall not be expanded to cover an area greater than the lot so used at the time of the passing of this By-law.
- (3) An existing highway commercial use may not be converted to any use other than that existing when the By-law comes into force except for a use permitted in an R2 zone and if the use is converted to another permitted use the property may not again be used for a highway commercial use.
- (4) The erection, expansion or reconstruction of any building or structure used or intended to be used for an existing highway commercial use shall meet the least restrictive of:
- (a) the requirements of the C2 zone; and
  - (b) the existing yard depth.

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## PART 10 - RESIDENTIAL RURAL (R3) ZONE

### 10.1 Uses Permitted

No development permit shall be issued in a Residential Rural (R3) zone except for one or more of the following uses:

agricultural uses subject to Section 10.3  
apiaries  
animal kennels or stables  
forestry  
garden nurseries, market gardens  
aviaries  
parks & playgrounds  
single detached dwellings

### 10.2 Zone Requirements

In a Residential Rural (R3) zone, no development permit shall be issued except in conformity with the following requirements:

Minimum lot area	2 ha (4.9 acres)
Minimum front lot line	120 m (396.9')
Minimum depth of front yard	12 m (39.4')
Minimum depth of rear yard	8 m (26.3')
Minimum depth of side yard	
i) one side	2 m (6.5')
ii) other side	3 m (9.8')
Maximum height of main building	11 m (36.0')

### 10.3 Restricted Agricultural Uses

- (a) The following shall be deemed to be prohibited agricultural uses:
- fur farm
  - hatchery
  - feed lots for pigs
- (b) The following shall be deemed to be limited agricultural uses:
- mushroom farm
  - turkey, chicken, game bird farm
  - feed lots for cattle and other livestock except pigs
- (c) No development permit shall be issued for any limited agricultural use if the use is to be located within 30 m (98.4') of any lot line.

---

## **10.4 Special Requirements: Buildings Intended for the Keeping of Animals**

No development permit shall be issued for any barn, kennel, stable or other building intended for the keeping of animals that is located within 30 m (98.4') of any lot line.

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## **PART 11 - RESIDENTIAL REHABILITATION AREA CDD (RRA) ZONE**

### **11.1 Development Agreements**

All non-residential developments in the Residential Rehabilitation area (RRA) CDD shall be permitted only by development agreement.

### **11.2 Uses Permitted**

Residential Uses: all uses permitted in the R1 and R2 zones subject to R1 and R2 zone requirements.

Non-Residential uses:

- business and professional offices
- government administrative offices and services
- warehousing conducted and wholly contained within an enclosed building

- woodworking, metalworking, manufacturing and assembly uses conducted and wholly contained within an enclosed building.

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## PART 12 - DOWNTOWN COMMERCIAL (C1) ZONE

### 12.1 Uses Permitted

No development permit shall be issued in a Downtown Commercial (C1) zone except for one or more of the following uses:

- amusement arcade
- art galleries
- bank and financial offices
- barbershops
- beauty parlours
- bottle exchanges
- building supply outlets
- business and professional offices and buildings
- commercial schools
- dressmaking and tailoring uses
- dry cleaning or laundry depots
- dwelling units provided that if they are located on a parcel fronting on Queen Street or Granville Street that they are located above or at the rear of the first storey of another permitted use
- existing highway commercial uses subject to the requirements below
- fitness centres
- government administrative offices and services
- laundromats
- libraries
- liquor outlets
- manufacturing uses under 1,208 m<sup>2</sup>(13,003.2 sq.ft.)in connection with a retail outlet
- manufacturing, warehousing and assembly uses on present or former railway properties
- medical clinics
- music studios
- parking lots and parking structures
- parks & playgrounds
- photography studios
- private reception, banquet and meeting facility
- repair shops (excluding automotive repairs)
- retail stores and shops
- restaurants and eating establishments
- shoe repair shops
- tanning salons
- taverns
- taxis and bus stations
- tearooms

### 12.2 Zone Requirements

In a Downtown Commercial (C1) zone, no development permit shall be issued except in conformity with the following requirements:

Minimum rear yard	3 m (9.8')
Maximum height of main building	11 m (36.0')



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### 12.3 Boundary Setback

Where a C1 zone abuts lands designated Residential on the Municipal Planning Strategy Future Land Use Map, the minimum depth of the abutting yard in the C1 shall be shall be 6 m (19.7').

### 12.4 Parking

Notwithstanding any other provision of this By-law, all uses located on lots which abut Queen Street between Granville Street and the Annapolis River, lands on the west side of Post Office Street between Granville Street and Rink Street, residential dwellings not fronting on Queen Street and Granville Street which are within 30 metres of a public parking lot, and lots zoned Downtown Commercial (C1) which abut Middle Street shall be exempt from the on-site parking requirements of this By-law.

### 12.5 Open Storage

Open storage is not permitted on lots in a C1 zone.

### 12.6 Existing Highway Commercial Uses

(1) The following uses are deemed to be the only existing Highway Commercial uses in a C1 zone:

<u>Land</u>	<u>Pid #</u>	<u>Civic #</u>
1. Irving Oil	05149968	275 Granville St. East
2. (a) Everett & Smith	05147913	7 Post Office Street
(b) Everett & Smith	05148010	
(c) Everett & Smith	05147087	
(d) Everett & Smith	05147921	
(e) Everett & Smith	05147939	
3. H.E. Jefferson	05144472	42 Queen Street

(2) An existing highway commercial use in a C1 zone shall be permitted to expand beyond the limits of lands identified in Subsection 1 above only to an immediately abutting lot existing at the effective date of this by-law.

(3) The erection, expansion or reconstruction of any building or structure used or intended to be used for an existing highway commercial use shall meet the least restrictive of the requirements of the C2 zone and the existing yard depths.

(4) An existing highway commercial use in a C1 zone may be used for any use permitted in the C2 zone or a use permitted in the C1 zone.

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# PART 13 - HIGHWAY COMMERCIAL (C2) ZONE

## 13.1 Uses Permitted

No development permit shall be permitted in a Highway Commercial (C2) zone except for one or more of the following uses:

- ambulance and emergency services
- animal hospitals or veterinary establishments
- automobile sales establishments
- automobile repair shops; automobile service stations
- automobile washing establishments
- boat, trailer and snowmobile sales and rentals
- bus and transit service office and depot
- drive-in businesses where people are served in vehicles
- dry cleaning establishments
- existing residential uses
- farm implements sales, service or repair
- fruit, vegetable and flower sales
- funeral homes
- garden nurseries
- heavy equipment maintenance and storage
- hotels and apartment hotels including recreational uses accessory thereto
- indoor commercial recreational establishments including premises for billiards, bowling, curling, dancing, roller-skating, theatre, cinemas
- parks & playgrounds
- places for the sale of large goods from outdoor displays including swimming pools, decorative, fountains, prefabricated cottages, modular homes and mobile homes
- restaurants and drive-in restaurants
- retail sales of lumber and home improvement supplies
- retail sales within wholly enclosed buildings of the following:

- arts and crafts objects
- antiques
- marina and camping accessories and equipment
- equipment and machinery for businesses,
- professionals, schools and educational institutions
- tourist trailer parks

## 13.2 Zone Requirements

In a Highway Commercial (C2) zone, no development permit shall be issued except in conformity with the following requirements:

Minimum lot area	2,230 m <sup>2</sup> (24,004 sq.ft.)
Minimum front lot line	37 m (121.4')
Minimum depth of rear yard	8 m (26.2')
Minimum depth of front yard	12 m (39.4')
Minimum depth of side yard	4.5 m (14.7')
Maximum height of main building	11 m (36.0')

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### **13.3 Outdoor Storage and Display**

Outdoor storage of goods and equipment and outdoor display of merchandise for sale is permitted on a lot in a C2 zone subject to the following restrictions:

- (a) no outdoor storage of goods or equipment not for sale shall be permitted within the front yard; and
- (b) outdoor storage or outdoor display of explosive, inflammable, poisonous or corrosive materials is prohibited.

### **13.4 Abutting Another Zone**

Where a C2 zone abuts a residential R1, R2 or R3, open space (O1) or institutional (I1) zone, the following restrictions shall apply to any yard that abuts one of those zones:

- (a) the minimum depth of the abutting yard shall be 6 m (19.7');
- (b) outdoor storage and outdoor display of merchandise for sale shall not be permitted nearer than 3 m (9.8') to the lot line; and
- (c) no parking space or loading space shall be permitted closer than 3 m (9.8') to the side or rear lot line.

### **13.5 Permitted Residential Uses**

One dwelling unit is permitted in association with a funeral home, apartment hotel, hotel or tourist trailer park in a C2 zone.

### **13.6 Special Requirements Automobile Service Stations**

The following special provisions shall apply to automobile service stations in a C2 zone:

- (a) the minimum front lot line shall be 46 m (150.9');
- (b) no portion of any pump island shall be located closer than 6 m (19.7') from any street line;
- (c) the minimum distance between ramps or driveways shall be 10 m (32.8');
- (d) the minimum distance from a ramp or driveway to a street intersection shall be 15 m (49.2');
- (e) the minimum angle of intersection of a ramp or driveway to a street line shall be forty-five degrees; and
- (f) a ramp or driveway shall be at least 6 m (19.7') wide, but no more than 8 m (26.2').

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## **PART 14 - COMPREHENSIVE DEVELOPMENT DISTRICT (CDD) ZONE**

### **14.1 Development Agreements**

All developments in the Comprehensive Development District shall be permitted only by development agreement.

### **14.2 Uses Permitted**

ambulance and emergency services  
automobile service stations and associated convenience retail uses  
automobile sales, service and repair  
business offices and office complexes with a floor area exceeding 15,000 square ft.  
car washes ancillary to an automobile service station  
drive-in businesses where people are served in vehicles  
fruit, garden and flower sales  
funeral homes  
garden nurseries and greenhouses  
government offices  
hotels and apartment hotels including ancillary recreation uses  
parks & playgrounds  
professional uses  
restaurants and drive-in restaurants  
retail sales and business offices in plazas or shopping centres  
retail sales within wholly enclosed buildings accessory to a main use  
retail stores with a floor area exceeding 15,000 square ft.

any use permitted in the R3 zone and subject to R3 requirements on the following properties existing in the R3 zone at the time of the effective date of this By-law:

Pid(s): 05146741(Civic# 607)

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## PART 15 - INSTITUTIONAL (I1) ZONE

### 15.1 Uses Permitted

No development permit shall be issued in an Institutional (I1) zone except for one or more of the following uses:

cemeteries  
community centres  
charitable and non-profit clubs and organizations  
churches, places of worship and religious institutions  
colleges, universities and schools other than commercial schools  
day-care facilities  
government offices  
hospitals and medical clinics  
libraries, museums and art galleries  
mental health clinics  
nursery facilities  
parks & playgrounds  
post offices  
Royal Canadian Legion branches  
Royal Canadian Mounted Police offices  
Town Hall and Town offices

### 15.2 Zone Requirements

In an Institutional (I1) zone, no development permit shall be issued except in conformity with the following requirements:

Minimum lot area	2,230 m <sup>2</sup> (24,004 sq.ft.)
Minimum front lot line	37 m (121.4')
Minimum depth of front yard	10 m (32.8')
Minimum depth of rear yard	11 m (36.0')
Minimum depth of side yard	4.5 m (14.7')
Maximum height of main building	11 m (36.0')

### 15.3 Services

- (1) No development permit shall be issued in an I1 zone where Town-approved piped water and Town-approved sewers are not available.
- (2) Subsection (1) does not apply to cemeteries or parks and playgrounds.

### 15.4 Permitted Residential Uses

A dwelling unit located in the same building as a church or place of worship or as a separate building located on the same lot as a church or place of worship is a permitted use in an I1 zone notwithstanding any other provision of this By-law.

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## **15.5 Parking in Downtown Commercial Area**

Notwithstanding any other provision of this By-law, all Institutional uses in the designated Downtown Commercial area shall be exempt from the on-site parking requirements of this By-law.

## **15.6 Open Storage**

Open storage is not permitted in the Institutional Zone.

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## **PART 16 - SERVICE/UTILITY (S/U) ZONE**

### **16.1 Uses Permitted**

No development permit shall be issued in a Service/Utility zone except for one or more of the following uses:

ambulance services and facilities  
emergency services and facilities  
fire and police stations  
government maintenance buildings  
power and communications facilities  
public works facilities  
school bus garages  
sewage treatment plants  
water utility buildings and facilities

### **16.2 Zone Requirements**

In a Service/Utility (S/U) zone, no development permit shall be issued except in conformity with the following requirements:

Minimum front lot line	15 m (49.2')
Minimum depth of front yard	10 m (32.8')
Minimum depth of rear yard	10 m (32.8')
Minimum depth of side yard	10 m (32.8')
Maximum height of main building	11 m (36.0')

### **16.3 Outdoor Storage**

- (a) Where any materials are stored outdoors in an S/U zone, the area where the materials are stored shall be fenced in a manner so as to preclude ready public access thereto.
- (b) Outdoor storage shall not be permitted in the front yard in an S/U zone.
- (c) Outdoor storage of explosives, inflammable, poisonous or corrosive materials is prohibited.

### **16.4 Loading Spaces**

One loading space shall be provided on site where heavy equipment or materials are used or handled on a regular basis.

### **16.5 Warnings**

Where any use in an S/U zone involves dangerous materials or activities which may jeopardize public safety, signs shall be posted warning the public of such danger.

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## **16.6 Linear Facilities**

Pumping stations, transformer stations, telephone booths and rights-of-way and easements for sewer, water, power and telephone services and utilities are exempt from any requirements under this By-law and a development permit shall not be required.



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## **PART 17 - INDUSTRIAL (M1) ZONE**

### **17.1 Uses Permitted**

No development permit shall be issued in an Industrial (M1) zone except for one or more of the following uses:

automobile repair shops  
parks & playgrounds

any manufacturing, industrial, assembly or warehousing operation conducted and wholly contained within an enclosed building which is not obnoxious by reason of sound, odour, dust, fumes, smoke or other emission or refuse matter or water carried waste.

### **17.2 Zone Requirements**

In an Industrial (M1) zone, no development permit shall be issued except in conformity with the following requirements:

Minimum lot area	3,729 m <sup>2</sup> (40,043 sq.ft.)
Minimum front lot line	23 m (75.5')
Minimum depth of front yard	12 m (39.4')
Minimum depth of rear yard	10 m (32.8')
Minimum depth of side yard	6 m (19.7')
Maximum height of main building	11 m (36.0')

### **17.3 Abutting Other Zones**

Where an industrial zone abuts a residential R1, R2 or R3, open space (O1) or institutional (I1) zone, the following restrictions shall apply to the yard that so abuts one of those zones:

- (a) the minimum depth of an abutting side yard shall be 10 m (32.8');
- (b) the minimum depth of the abutting rear yard shall be 12 m (39.4');
- (c) no open storage and no outdoor storage or display of merchandise for sale shall be permitted in an abutting yard within 6 m (19.7') of the side or rear lot line; and
- (d) no parking or loading space shall be permitted within 6 m (19.7') of a side or rear lot line.

### **17.4 Outdoor Storage and Outdoor Display**

- (1) No open storage shall be permitted within the front yard of a lot.
- (2) Outdoor storage of explosive, inflammable, poisonous or corrosive material is prohibited.

### **17.5 Yards Adjacent to a Railway**

There is no minimum required depth for a yard in an M1 zone that directly abuts a present or former railway right-of-way.

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# PART 18 - BUSINESS DEVELOPMENT (BD) ZONE

## 18.1 Uses Permitted

No development permit shall be issued in a Business Development (BD) zone except for one or more of the following uses:

- ambulance services and facilities
- automobile repair shops
- bakeries
- breweries
- building supply and equipment depots
- business offices
- commercial schools with accessory dormitory facilities
- distilleries
- dry cleaning and laundry establishments
- emergency services and facilities
- farm implement sales and service repair
- fire and police stations
- information technology establishments
- libraries
- medical clinics and offices
- parks & playgrounds
- professional offices
- retail establishments with a commercial floor area in excess of 10,000 sq.ft.
- retailing associated with an on-site manufacturing or assembly use
- uses permitted in the Institutional (I1) Zone
- uses permitted in the Service and Utility (S/U) Zone
- wineries

any manufacturing, industrial, assembly or warehousing operation conducted and wholly contained within an enclosed building which is not obnoxious by reason of sound, odour, dust, fumes, smoke or other emission or refuse matter or water carried waste.

## 18.2 Zone Requirements

In the (BD) zone, no development permit shall be issued except in conformity with the following requirements:

Minimum lot area	3,720 m <sup>2</sup> (40,043 sq.ft.)
Minimum front lot line	46 m (150.9')
Minimum depth of front yard	12 m (39.4')
Minimum depth of rear yard	10 m (32.8')
Minimum depth of side yard	6 m (19.7')
Maximum height of main building	11 m (36.0')

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### **18.3 Abutting Other Zones**

Where a Business Development (BD) zone abuts a residential R1, R2 or R3, Open Space (01) or Institutional (I1) zone, the following restrictions shall apply to the yard that so abuts one of those zones:

- (a) the minimum depth of an abutting side yard shall be 10 m (32.8');
- (b) the minimum depth of the abutting rear yard shall be 12 m (39.4');
- (c) no open storage and no outdoor storage or display of merchandise for sale shall be permitted in an abutting yard within 6 m (19.7') of the side or rear lot line; and
- (d) no parking or loading space shall be permitted within 6 m (19.7') of a side or rear lot line.

### **18.4 Outdoor Storage and Outdoor Display**

- (1) No open storage shall be permitted within the front yard of a lot.
- (2) All storage areas must be screened from view and fenced.
- (3) Outdoor storage of explosive, inflammable, poisonous or corrosive material is prohibited.

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## **PART 19 - OPEN SPACE (O1) ZONE**

### **19.1 Uses Permitted**

No development permit shall be issued in an Open Space (O1) zone except for one or more of the following uses:

parks  
tennis courts  
lawn bowling greens  
indoor and outdoor curling and skating rinks  
athletic fields  
golf courses  
picnic areas  
swimming pools  
bowling alleys  
gymnasiums  
fitness, health & nutrition centres  
tanning salons  
trails, bicycle paths and multi-purpose corridors  
camps  
public/private commercial recreation  
community centres  
municipal recreation facilities  
bandshells and pavilions  
buildings and structures accessory to the foregoing

### **19.2 Zone Requirements**

In any Open Space (O1) zone, no development permit shall be issued except in conformity with the following requirements:

Minimum depth of front yard	12 m (39.4')
Minimum depth of rear yard	10 m (32.8')
Minimum depth of side yard	6 m (19.7')
Maximum height of main building	11 m (36.0')

### **19.3 Parking**

The parking requirements of this By-law and the provisions of Section 2 of this Part do not apply to the following uses shown on Map AF@ Recreation:

- (a) the Bridgetown Curling Club;
- (b) the Bridgetown Lawn Bowling Club;
- (c) the Memorial Arena; and
- (d) the V.J. Rice Tennis Courts

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## **19.4 Prohibited Uses**

Tracks for the racing of animals or any form of motorized vehicles are not permitted in an O1 zone.

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## **PART 20 - CONSERVATION (O2) ZONE**

### **20.1 Uses Permitted**

No development permit shall be issued in a Conservation (O2) zone except for one or more of the following uses:

agricultural uses which do not require permanent buildings  
recreational uses which do not require permanent buildings - except in Jubilee Park  
uses directly related to flood control or erosion abatement projects  
landscape projects

### **20.2 Permitted Structures**

No building or structure may be erected or altered in a Conservation (O2) zone except for a building or structure directly related to recreation uses in Jubilee Park, flood control or erosion abatement or landscape projects.

### **20.3 Development Subject to Engineering Design**

Notwithstanding Parts 20.1 and 20.2 where a lot contains multiple zones, one of which is the Conservation (O2) zone, that portion of the lot subject to the O2 Zone may be developed or redeveloped for a use permitted in the adjacent zone subject to the requirements of the adjacent zone and engineering design prepared by a registered professional engineer which mitigates the risk of flood damage, does not increase flood risk for adjacent properties and which does not unduly impact on the environment.

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## **PART 21 - TOURIST RECREATION (O3) ZONE**

### **21.1 Uses Permitted**

No development permit shall be issued in a Tourist Recreation (O3) zone except for one or more of the following uses:

marinas  
recreational campgrounds and cabins  
recreational travel-trailer parks  
laundromats, private clubs, restaurants and variety stores accessory to the above

### **21.2 Yard and Setbacks**

In a Tourist Recreation (O3) zone:

- (a) no structure shall be located closer than 7.5 m (26.6') to the top of the river bank;
- (b) no structure shall be located closer than 6 m (19.7') to any other structure;
- (c) no structure shall be located closer than 6 m (19.7') to a lot line.

### **21.3 Abutting Other Zones**

Where an O3 zone abuts a Residential (R1, R2 or R3), Open Space (O1) or Institutional (I1) zone, the minimum depth of the abutting yard shall be 6 m (19.7') and no parking or loading space shall be permitted closer than 3 m (9.8') to a side or rear lot line.

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## **PART 22 - RESIDENTIAL MOBILE HOME (MH) ZONE**

### **22.1 Uses Permitted**

The following uses shall be permitted in the Residential Mobile Home (MH) Zone:

- mobile home dwelling units
- mini home dwelling units

### **22.2 Zone Requirements**

The following requirements shall apply to all uses permitted in the Residential Mobile Home (MH) Zone:

Minimum lot area	700 m <sup>2</sup> (7,535 sq. ft.)
Minimum lot frontage	23 m (75.5 ft.)
Minimum front yard	10 m (32.8ft.)
Minimum rear yard	11m (36.0ft.)
Minimum side yard	3 m (9.84 ft.)

### **22.3 Special Requirement - Skirting**

In the Residential Mobile Home (MH) Zone the entire undercarriage of a mobile home dwelling unit shall be skirted with an opaque material.

### **22.4 Conversion Requirements**

All mobile home developments shall be designed to be easily converted to single detached dwelling subdivisions.



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## **PART 23 - ADMINISTRATION**

### **23.1 Administration**

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

### **23.2 Scope of Application**

23.2.1 Every application for a development permit shall be accompanied by plans, in duplicate, drawn to an appropriate scale and showing:

- (a) the true shape and dimensions of the lot to be used, and upon which it is proposed to erect any building or structure;
- (b) the proposed location, height and dimensions of the building, structure, or work in respect of which the permit is applied for;
- (c) the location of every building or structure already erected on or partly on such lots, and the location of every building upon contiguous lots;
- (d) the proposed location and dimensions of parking spaces, loading spaces, driveways; and
- (e) such other information as may be necessary to determine whether or not every such building, development, reconstruction or redevelopment conforms with the requirements of this By-law.

23.2.2 Where the Development Officer is unable to determine whether the proposed development conforms to this By-law and other by-laws and regulations in force which affect the proposed development he may require that the plans submitted under Subsection 1 be based upon an actual survey by a Provincial Land Surveyor.

### **23.3 Signature for Application**

The application shall be signed by the registered owner of the lot or by the owner's agent duly authorized thereunto in writing and shall set forth in detail the current and proposed use of the lot and each building or structure, or part of each building or structure, together with all information necessary to determine whether or not every such proposed use of land, building or structure conforms with the requirements of this By-law.

### **23.4 Penalty**

Any person who violates a provision of this By-law shall be subject to penalties provided for under Section 505 of the Municipal Government Act.

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### **23.5 Date of this By-law**

This By-law shall take effect upon notice in a newspaper of its adoption.

### **23.6 Liability for Costs**

Where Council does not initiate an amendment to this By-law or development agreement pertaining to this By-law, any other applicant shall deposit with the Clerk an amount estimated by the Clerk to be sufficient to pay the cost of advertising, fees for processing and other associated costs. If insufficient, after advertising has been completed, the applicant shall pay to the Clerk any additional amount.