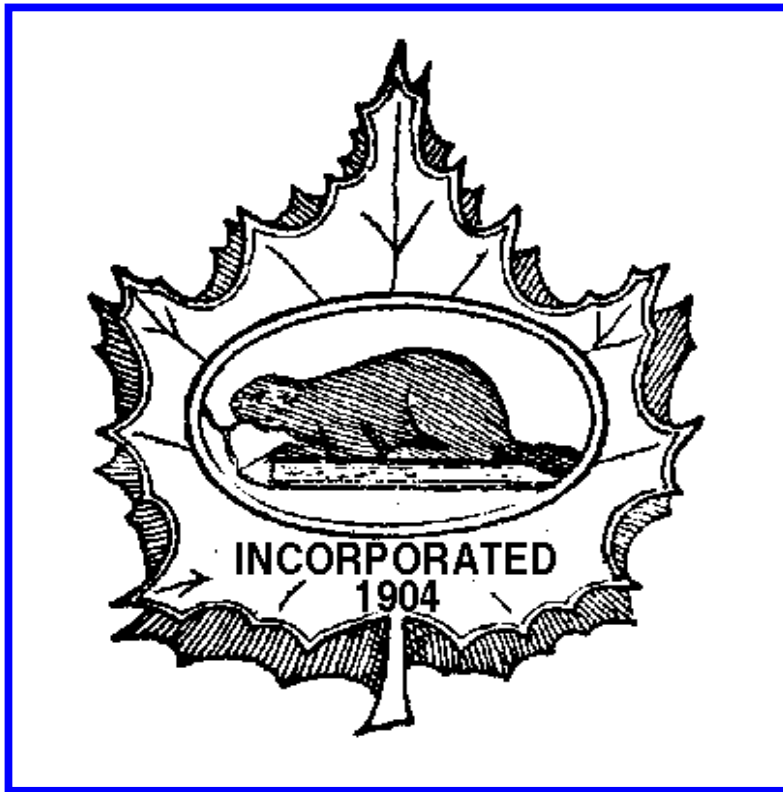


TOWN OF OXFORD

LAND USE BYLAW



BYLAW P-2

ADOPTED BY COUNCIL: JULY 13, 2009

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1.0 TITLE

This Bylaw shall be known as, and may be cited as, the Land Use Bylaw of the Town of Oxford.



2.0 DEFINITIONS

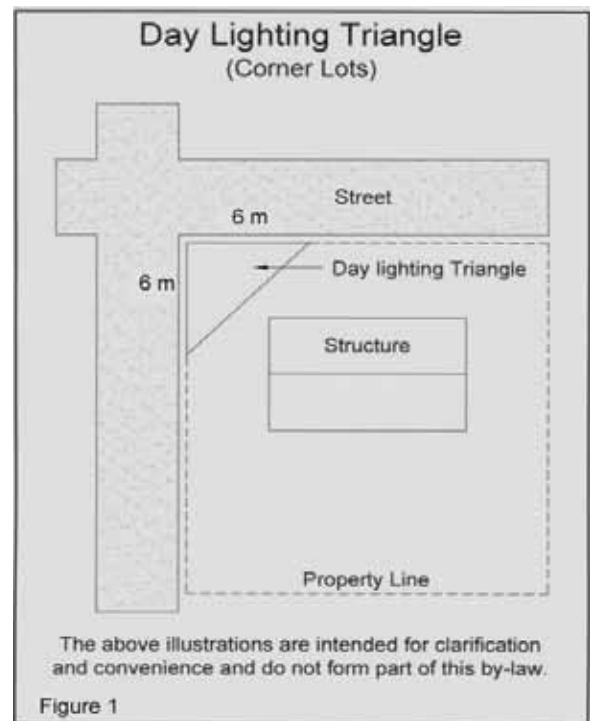
For the purpose of this Bylaw the definitions and interpretations given in this section shall govern. Words used in the present tense include future; words in the singular include the plural; words in the plural include the singular; the word "used" includes "arranged, designed or intended to be used"; the word "shall" is mandatory and not directory.

- 2.1 Accessory Building** means a separate building or structure located on the same lot as the main building or principal use, and of a nature customarily and clearly secondary and incidental to the main building or principal use.
- 2.2 Accessory Use:** means the use or uses which take place on the same lot as the main use, and of a nature customarily and clearly secondary and incidental to the main use.
- 2.3 Adjacent:** for the purposes of this Bylaw, means the building, or property that shares a common boundary on the same side of the street.
- 2.4 Adult Entertainment Use:** means any establishment that offers services, or entertainment to the public intended to deliver sexual stimulation or gratification, or is reasonably intended to appeal primarily to erotic appetites. It includes, but is not limited to, entertainment characterized by the display of the nude or semi-nude human body in a manner or context apparently designed to exploit the sexual aspects of the human body and its constituent anatomy. Such entertainment is commonly promoted using adjectives or terms such as "nude", "topless", "adult", "sexy", "exotic", and so on.
- 2.5 Alter:** means to change the structural component of a building or to increase the volume of a building or structure.
- 2.6 Agricultural Use:** means an operation involving the keeping of agricultural animals.
- 2.7 Agricultural Animal:** means an animal kept for the purpose of breeding, milking, egg or meat production, assistance in performing farm chores or recreation and shall include horses, cattle, swine, poultry, sheep, goats, mink, foxes, chinchillas, bees, but shall not include cats, dogs, parakeets, canaries, hamsters, tropical fish, and similar household pets. A rabbit is an agricultural animal if located on a lot on which in excess of ten rabbits are kept; if ten or fewer are involved, the rabbits shall be deemed to be household pets.
- 2.8 Animal Hospital:** means an establishment providing surgical or medical treatment or examination of domestic pets entirely within a building.
- 2.9 Automobile:** see Motor Vehicle.
- 2.10 Bed and Breakfast:** means a dwelling where the proprietor supplies rooms, up to a maximum of six, which are rented or hired out to accommodate the travelling public for sleeping purposes and where a general kitchen and dining room are provided within the building or in an accessory building for the purpose of serving meals only to overnight guests.
- 2.11 Berm:** means an area of land which has been raised to screen a use or activity from abutting uses or activities.
- 2.12 Block:** means the smallest area of land, the boundaries of which consist entirely of public streets, rivers, railroads, public parks or any combination thereof.
- 2.13 Boarding House or Rooming House:** means a dwelling in which the proprietor supplies more than two but not more than six rooms or rooms and board to persons exclusive of the owner or



members of his family and which is not open to the general public but does not include a group care facility.

- 2.14 Building:** means any structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, material or chattels, and includes any awning, bin, bunker or platform, vessel or vehicle used for any of the said purposes.
- 2.15 Building Area:** means the maximum horizontal area of a building at grade measured to the centre of party walls or to the outside of exterior main walls including air walls and all other spaces within the building, but excluding porches, steps, chimney breasts, carports or open platforms.
- 2.16 Building Line:** means any line regulating the position of a building or structure on a lot.
- 2.17 Carport:** means a building or structure which is without walls on at least two sides and is used for the parking or storage of a motor vehicle and for the purposes of this Bylaw a carport with an enclosed second storey shall be considered a garage.
- 2.18 Commercial Motor Vehicle:** means a truck tractor; tow truck or wrecker; agricultural, construction or industrial equipment; any vehicle designed, intended, or used for transporting more than 9 people; any vehicle used to transport persons and / or merchandise for profit; or any motor vehicle with a TARE weight in excess of 3,650 kg.
- 2.19 Commercial Recreation Centre:** means a building or lot or part of a building or lot used solely for commercial recreation or entertainment purposes and without limiting the generality of the foregoing, may include such establishments as dance halls, billiard or pool halls, bowling alleys, miniature golf courses, bingo halls, roller skating rinks and discos, and arcades for pinball and other game machines and amusements, including accessory food service.
- 2.20 Commercial School means:** a school of seven or more pupils conducted for gain, and includes a secretarial school, language school, driving school, etc.
- 2.21 Commercial Use:** means the use of land, building or structure for the purpose of buying and selling commodities and / or supplying of services as distinguished from uses such as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.
- 2.22 Common Wall:** means a vertical separation completely dividing a portion of a structure from the remainder of a structure and creating, in effect, a building which, from its roof to its lowest level, is separate and complete unto itself for the purpose for which it is designed, intended, or used.
- 2.23 Community Centre:** means a property or building used for non-profit community activities operated by a public authority, church, or fraternal organization, but shall not include a commercial recreational centre.
- 2.24 Corner Lot Sight (Day Lighting) Triangle:** means that area of a corner lot which is enclosed by a triangle, the apex of which is the intersection of the flanking lot line and the



front lot line, two sides of which triangle are 6 m in length measured from said point of intersection along the said lines and the base of which triangle is formed by a straight line joining the said exterior lot lines at the said points 6 m from the intersection. (see figure 1)

2.25 Council: means the Council of the Town of Oxford.

2.26 Day Care Centre means:

- a) **Non-residential Day Care Centre:** means a place where 9 or more children are cared for without overnight accommodation, but does not include a school.
- b) **Residential Day Care Centre:** means that portion of a residential dwelling which is used to accommodate more than three but fewer than nine children who are looked after during the daytime hours and who are not provided with overnight accommodation.

2.27 Development: includes any erection, construction, addition, alteration, replacement or relocation of to any building or structure and any change or alteration in the use made of land, building or structures.

2.28 Development Officer: means the officer appointed by the Town of Oxford or his designate and charged with the responsibility of administering the provisions of the *Municipal Government Act* and of this Land Use Bylaw in accordance with the *Municipal Government Act*.

2.29 Dwelling: means a building or a portion thereof, occupied or capable of being occupied as a home or residence by one or more persons, containing one or more dwelling units, and shall not include hotels.

2.30 Dwelling Unit Types:

- a) **Apartment Building:** means a building or part thereof, consisting of three or more dwelling units, excluding townhouses.
- b) **Converted Dwelling:** means a building originally built and designed as a single detached dwelling unit which contains two to four dwelling units; or a building originally built as a double dwelling renovated to contain three or four dwelling units.
- c) **Double:** means a dwelling containing two dwelling units, other than converted dwellings, and shall include duplexes and semi-detached dwelling.
- d) **Duplex:** means a building divided horizontally into two dwelling units.
- e) **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, sanitary facilities and sleeping room are provided for the exclusive use of such individuals.
- f) **Garden Suite:** means an accessory building to be used as a single detached dwelling unit.
- g) **Grouped Buildings:** means buildings designed as part of a group of dwellings on the same lot, held and maintained under single ownership, or otherwise provided under the Condominium Act, R.S.N.S. 1989.
- h) **Group Home Facility:** means a community based group living arrangement, in a single housekeeping unit, for up to a maximum of seven individuals, exclusive of staff and/or receiving family, with social, emotional, legal, mental and/or physical handicaps or problems, that is developed for the well being of its residents through self-help, professional care, guidance and supervision unavailable in the resident's own family, an institution or in an independent living situation. A group care facility is licensed, funded or approved by the Province of Nova Scotia.
- i) **Mobile/Mini Homes:** shall mean dwelling unit with a length to width ratio greater than 3:1, and certified by Canadian Standards Association prior to placement on the site as complying with the CAN/CSA-Z240 Series "Mobile Homes" at the time of manufacture.



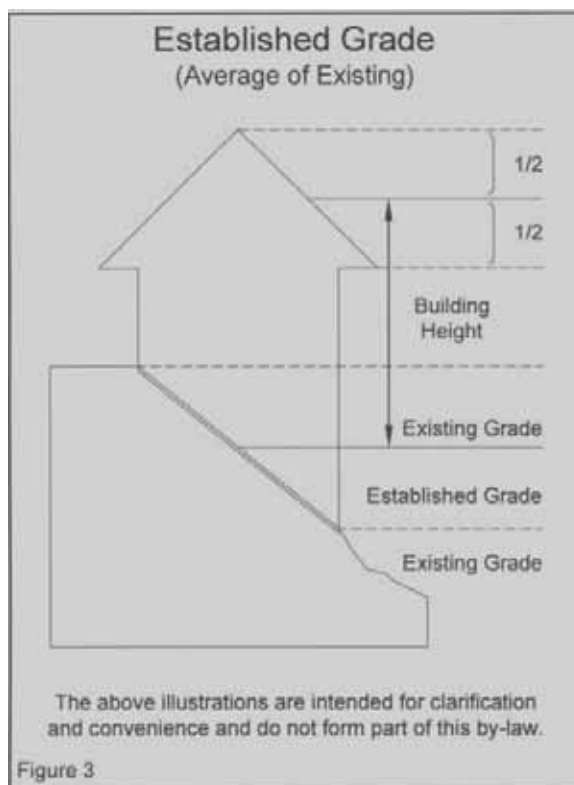
- j) **Modular Home:** shall mean a finished section or sections of a complete dwelling unit built in a factory for transport to the site for installation certified by Canadian Standards Association prior to placement on the site as complying with the CSA Standard A277-M-1990 "Procedures for Certification of Factory Built Houses".
- k) **Townhouse:** means a building that is divided vertically into three or more dwelling units, each of which has an independent ground floor entrance(s).
- l) **Semi-Detached:** means a building that is divided vertically into two dwelling units, each of which has its own entrance.
- m) **Senior Citizen Seniors Housing and Housing for the Physically Challenged:** means housing specially designed to facilitate persons who are physically challenged or incapacitated by age or some other means.
- n) **Single Detached** means a completely detached dwelling unit.

2.31 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, structurally altering any existing building or structure by an addition, deletion, enlargement or extension

2.32 Established Building Line: means a line parallel to the street established by the average distance of main buildings on the same side of a street.

2.33 Established Grade: means with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior main walls of such building; or with reference to a structure means 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. (see figure 3)

2.34 Existing: means legally existing on the effective date of this Bylaw. If a development permit has been issued for a structure before the effective date of this Land Use Bylaw, the structure shall be deemed an existing use if construction begins within a one (1) year period immediately following issuance of the permit. A lot shall be deemed an existing lot if it was created prior to the effective date of this Bylaw or if it was shown on a plan of subdivision tentatively approved by the Town prior to the effective date of this Bylaw. Proof that the lot was created or was tentatively



approved prior to the effective date of this Bylaw is required.

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

2.36 Flag Lot: means a lot characterized by the location of the main body of the lot generally at the rear of another lot, or otherwise separated from the street or roadway which provides access, and by a narrower area extending from the main body of the lot to the said street or roadway.

2.37 Floor Area:

a) **With Reference to a Dwelling:** means the maximum area contained within the outside walls excluding any garage, porch, veranda, sunroom, unfinished attic or basement or other room not habitable at all seasons of the year.

b) **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.

c) **Commercial Floor Area:** means the total usable floor area within a building used for commercial purposes but excludes furnace and utility rooms, and common malls between stores.

d) **Gross Floor Area:** means the aggregate of the floor area of a building above or below grade, measured between the exterior faces of the exterior walls of 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 the exterior walls.

e) **Floor Area, Net:** means the total useable floor area within a building exclusive of washrooms, furnace and utility rooms and common halls or malls between individual establishments.



- 2.38 Frontage:** see "lot frontage".
- 2.39 Garage:** means a building or structure which is enclosed on three or more sides and is used for the parking or storage of a motor vehicle.
- 2.40 Grade Level:** means grade prior to any development.
- 2.41 Gross Building Area:** means the floor area of a main building including the floor area of rooms reasonably convertible, in the opinion of the building inspector, to the main purpose.
- 2.42 Habitable Room:** means a living room, bedroom, kitchen with or without space for eating, or a dining room.
- 2.43 Height, Building:** means the highest point of the roof of a building excluding church spires, water tanks, elevator enclosures, flagpoles, ventilators, skylights, chimneys, clock towers, communication towers or statues/works of art on public property.
- 2.44 Home for Special Care:** means a building wherein nursing care or room and boards are provided to individuals incapacitated in some manner for medical reasons but does not include a hospital.
- 2.45 Home Occupation:** means a business activity accessory to the residence and carried on by the occupant of the residence, and without limiting the generality of the foregoing shall include professional uses such as doctors, lawyers and insurance offices; clothes making and tailoring; catering; hairdressing and barbershops; instruction and private tutoring; sculpturing; contractors' storage and parking; storage of inventory for off-site retail sales; but home occupations do not mean auto-body or mechanical motor vehicle repairs, retail sales, canteens or taxi stations.
- 2.46 Hotel / Motel:** means a building, or buildings, or part thereof on the same lot used to accommodate the traveling public for gain or profit by supplying them with overnight sleeping accommodation with or without meals and including customary ancillary services and amenities but without private cooking facilities.
- 2.47 Industrial Use:** means any manufacturing, assembly, or warehousing operation.
- 2.48 Intensive Livestock Operation:** means a livestock operation comprised of agricultural animals confined in one location which consists of 10 or more animal units. The following chart shall be used for the calculation of total animal units; animals not listed shall be treated according to the approximate equivalent of a similar animal, or as to their body weight as a mature animal:

| Type of Animal | Number of Animals Equal to One Animal Unit |
|----------------------------|--|
| Cattle, Horses, Sheep | 1 |
| Chickens, Ducks, Pheasants | 50 |
| Swine | 2 |
| Turkeys, Geese | 10 |
| Rabbits | 10 |
| Mink, Foxes, Chinchillas | 2 |



- 2.49 Kennel:** means a building, structure or lot where animals are kept or boarded commercially.
- 2.50 Landscaping:** means any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, gravelling, paving, screening or other architectural elements, all of which are designed to enhance the visual amenity of a lot or to provide a screen.
- 2.51 Light Manufacturing:** means a use engaged in the manufacturing, predominantly from previously prepared/processed materials, of finished products or parts and entirely conducted within an enclosed building. Accessory uses include processing, fabrication, assembly, treatment, packaging, incidental storage, and distribution of such products, but excluding raw industrial processing/manufacturing and Obnoxious Uses as defined in this Bylaw.
- 2.52 Loading Space:** means an off-street space or berth on the same lot with a building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which is connected to a public street by an appropriate access.
- 2.53 Lot:** means any parcel of land described in a deed or as shown on a registered plan of subdivision.
- a) **Corner Lot:** means a lot situated at the intersection of and abutting upon two or more streets.
 - b) **Lot Area:** means the total horizontal surface within the lot lines of a lot, excluding the horizontal area of such lot covered by water, or marsh, or beyond the rim of a river bank or watercourse, or between the top and toe of a cliff or embankment of 22 degrees or more from horizontal, provided that only the lot area lying within the zone in which a proposed use is permitted may be used in calculating the minimum lot area under the provisions of this Bylaw for such permitted use.
 - c) **Lot Coverage:** means that percentage of the lot area covered by all buildings above ground level, and shall not include that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level, and for the purpose of this definition the maximum lot coverage in each zone shall be deemed to apply only to that portion of such lot which is located within said zone.
 - d) **Lot Depth:** means the horizontal distance between the front and rear lot lines. Where these lot lines are not parallel, the lot depth shall be the length of a line joining the mid-points of the front and rear lot lines.
 - e) **Lot Frontage:** means the length of a line joining the side lot lines and parallel to the front lot line. Calculation of Lot Frontage for irregularly shaped lots shall be the horizontal distance between the side lot lines as measured at a point, where a line drawn perpendicular to a line joining the midpoint of the rear lot line and the midpoint of the front lot line at a point equal to the required front yard. In determining yard measurements the minimum horizontal distance from the respective lot lines shall be used. Calculation of lot frontage for corner lots shall be the horizontal distance between the side lot line and the flanking lot line. This definition shall not apply in the case of flag lots.
 - f) **Through Lot:** means a lot bounded on two opposing sides by streets or highways provided however, that if any lot qualifies as being both a corner lot and a through lot as hereinbefore defined, such lot shall be deemed to be a corner lot for the purpose of this Bylaw.
- 2.54 Lot Line:** means any boundary of a lot.
- a) **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 shall be deemed the front lot line and the longer boundary line abutting the street shall be deemed the side lot line. In the case of a through lot, any boundary dividing the lot from a street may be the front lot line.
 - b) **Flanking Lot Line:** means a side lot line which abuts the street on a corner lot.
 - c) **Rear Lot Line:** means the lot line furthest from opposite the front lot line.



- d) **Side Lot Line:** means a lot line other than a front or rear lot line.
- 2.55 Main Building:** means the building in which the principal use of the property is undertaken.
- 2.56 Medical Clinic:** means a building or structure where 7 or more members of the medical profession, dentists, chiropractors, osteopaths, and physicians or occupational therapists provide diagnosis and treatment to the general public without overnight accommodation and shall include such uses as reception areas, offices, coffee shop, consultation rooms, x-ray and minor operating rooms and a dispensary.
- 2.57 Medical Practitioner:** means a doctor, dentist, chiropractor, osteopath, optometrist, oculist, but does not include a veterinarian.
- 2.58 Motor Vehicle Fuelling Station:** means an establishment where the principal business carried on is the retail sale of vehicle fuels, and lubricants.
- 2.59 Motor Vehicle Sales, Rental and Repair:** means an establishment excluding a private home or garage, where new and / or used vehicles, lubricants, tires, parts and accessories for motor vehicles are kept for sale, and where replacement and/or repairs to any component of a motor vehicle may be performed including autobody and/or painting uses. Motor vehicles shall include boats and other recreational vehicles. Salvage and scrap yards, and motor vehicle fuelling stations are separate uses.
- 2.60 Mini Home Park:** means a mini home development, not having a registered subdivision plan of lots, under single ownership and managed by a mini home park operator. (Spaces alone or spaces carrying individual mini homes may be rented).
- 2.61 Municipal Government Act:** means the provincial legislation which enables municipalities to plan and run their corporate affairs.
- 2.62 Net Retail Area:** means the gross space leased or leaseable to tenants, exclusive of malls, public washrooms and other common areas.
- 2.63 Obnoxious Use:** shall mean a use which creates by its nature or operation a nuisance or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, oil or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material.
- 2.64 Office:** means a room designed, furnished or used for the purpose of regularly transacting business, a service performed or consultation given but shall not include a manufacturing of any product or the retail selling of goods.
- 2.65 Open Space:** means the area situated within the boundaries of a residential development site intended for recreational purposes, and may include landscaped areas, patios, private amenity areas, balconies, communal lounges, swimming pools, play areas and similar uses, but does not include any area occupied at grade by a building's service area, parking lots, aisles or access driveways.
- 2.66 Outdoor Furnace:** means a furnace which is located adjacent to a structure, and is intended to provide heat to the main structure on the lot, via combustion and the heating of water, or otherwise.
- 2.67 Outdoor Patio:** means an outdoor area adjoining a restaurant, and consisting of outdoor tables, chairs, plantings, and related decoration and fixtures, and where meals or refreshments are served to the public for consumption on the premises.
- 2.68 Outdoor Retail Display:** means the display of retail goods or materials intended for the immediate sale to the general public which are not enclosed within a structure.
- 2.69 Outdoor Storage:** means the storage of goods or materials not intended for immediate sale to the general public which are not enclosed within a structure.
- 2.70 Parking Area or Parking Lot:** means an open area, other than a street, used for the temporary parking of more than two vehicles and available for public use, whether free, for compensation



or as an accommodation for clients, customers or residents and which has access to a public street.

- 2.71 Parking Space:** means an area of not less than 3 m by 6 m, exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles, and which has adequate access to permit ingress and egress of a motor vehicle to and from a street or highway by means of driveways, aisles or manoeuvring areas.
- 2.72 Personal Service Shop:** means a building or part of a building which persons are employed in furnishing services or otherwise administering to the individual and personal needs of persons and may include such establishments as barber shops, beauty parlours, hairdressing shops, shoe repair, and depots for collecting dry-cleaning and laundry, but excludes any manufacturing or fabrication of goods for sale.
- 2.73 Public Building:** is a building owned or used by a Federal, Provincial or Municipal Government.
- 2.74 Recreational Use:** means the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor ice skating rinks, athletic fields, swimming pools, golf courses, and similar uses to the foregoing, together with necessary and accessory buildings and structures, but not including commercial recreation centres or a track for the racing of animals, or any form of motorized vehicles.
- 2.75 Recreation, Commercial:** see Commercial Recreation Centre.
- 2.76 Recycling Collection and Storage Facility:** means a building in which used material is separated and processed prior to shipment but does not include salvage and scrap yards.
- 2.77 Religious Institution:** means a building or buildings dedicated to religious worship, and includes churches, church halls, auditoria, schools, and Parish Halls.
- 2.78 Residential Care Facility:** means a community-based group living arrangement, in a single housekeeping unit, for eight (8) or more individuals, exclusive of staff and/or receiving family, with social, legal, emotional, mental and/or physical handicaps or problems, that is developed for the well being of its residents through self-help, professional care, guidance and supervision unavailable in the resident's own family, an institution or in an independent living situation. A Residential Care Facility is licensed, funded or approved by the Province of Nova Scotia.
- 2.79 Restaurant:** means a building or part thereof where food and drink is served to the public for consumption within the building.
- 2.80 Retail:** means the offering and sale of goods, wares, merchandise, substances, articles, or things whether manufactured by the retailer or purchased at wholesale, to the general public as final consumer for personal or household consumption and not for resale.
- 2.81 Retail Store:** means a building or part thereof in which goods, wares, merchandise, substances, or articles are offered or kept for sale directly to the public at retail.
- 2.82 Salvage and Storage Facility:** means a premises used for keeping or storing used bodies or parts of motor vehicles or any other type of used equipment, vehicles, machinery, or materials of any kind.
- 2.83 School:** means an educational establishment.
- a) **Public School:** means an authorized school under the jurisdiction of a Public School Board, a High School Board, a Board of Education or Provincial Government.
- b) **Commercial School:** means a school where instruction is given for the purpose of remuneration and shall include dancing schools, music schools, golf schools, trade schools, nursery schools, and any other school conducted for remuneration.



- 2.84 Setback:** means the horizontal distance between any lot line and the nearest wall of any building or structure and extending the full width or length of the lot.
- 2.85 Sidewalk Patio:** means an area of the public sidewalk immediately adjacent to an eating or drinking establishment and used by that establishment for outdoor seating and the serving of food and / or drinks.
- 2.86 Sign:** means a structure, device, light or natural object including the ground itself, or any part thereof, or any device attached thereto, or painted or represented thereon, which shall be used to identify, advertise, or attract attention to any object, product, place, activity, person, institution, organization, industry or business, or which shall display or include any letter, word, model, number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement, and which is intended to be seen from off the premises or from a parking lot.
- a) **Banner:** means a sign made of fabric or other non-rigid material with no enclosing framework.
- b) **Facial Wall Sign:** means a sign which the back main surface is attached directly to, or is painted upon, a building wall.
- c) **Ground Sign:** means a freestanding sign supported by a supporting structure that is permanently affixed to a foundation
- d) **Illuminated Sign:** means a sign that provides artificial light directly, or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light focused upon or chiefly directed at the surface of the sign.
- e) **Portable Sign:** A sign which is self-supporting but not permanently attached to the ground or building and can be moved from one location to another.
- f) **Projecting Wall Sign:** means a sign which; projects from, and is supported by; a wall of a building.
- g) **Roof Sign:** means a sign fixed, placed upon or supported by the roof or non-vertical wall of a building.
- h) **Sandwich Board Sign:** means a sign consisting of two surfaces attached to each other at the top and designed so as to stand temporarily without foundation or other support on a lot or sidewalk without electrical or other service connection.
- i) **Temporary Sign:** means a sign which may be erected for a specified period of time and may include portable signs, banners, portable reader boards, and the like.
- 2.87 Street or Road:** means the whole and entire right-of-way of every highway, road or road allowance, vested in the Province of Nova Scotia or the Town of Oxford and includes sidewalks.
- 2.88 Street Line:** means the boundary of a street or road. (See also Lot Line)
- 2.89 Structure:** means anything that is erected, built, or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other structure.
- 2.90 Swimming Pool:** means an artificial body of water above the surface or in ground, constructed of cement, plastic, fibreglass or similar material, having a maximum depth greater than 0.5 m and intended primarily for bathing, swimming and diving, but shall not include natural, dug or dammed ponds or watercourses primarily intended for aesthetic or agricultural purposes.
- 2.91 TARE Weight:** means the weight of an empty motor vehicle including all attached and contained equipment.
- 2.92 Telecommunication Towers, Antennas, Buildings and Equipment:** means any facility, apparatus or other thing that is used or is capable of being used for telecommunications or for any operation directly connected with telecommunications, and includes a transmission facility. Amateur radio, such as shortwave radio, as well as typical television or radio reception equipment, including



satellite dishes, which are used for residential or small commercial (e.g., motel or lounge) purposes, are excluded

- 2.93 Tower:** means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term encompasses personal wireless service facilities including radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers or personal communications services towers, alternative tower structures and the like.
- 2.94 Town:** means the Town of Oxford.
- 2.95 Warehouse:** means a building where wares or goods are stored but does not include a retail store.
- 2.96 Yard:** means an open space on a lot unoccupied by main buildings except as specifically permitted elsewhere in this Bylaw. In determining yard measurements the minimum horizontal distance from the respective lot lines shall be used.
- a) **Front Yard:** means a yard that extends across the full width of a lot between the front lot line and the nearest main wall of the main building on such lot; and "minimum" front yard means the minimum depth of a front yard on a lot between the front lot line and the nearest main wall of any building or structure on a lot.
 - b) **Flanking Yard:** means a side yard which abuts a street on a corner lot.
 - c) **Minimum Yard:** means the smallest yard permitted by this Bylaw.
 - d) **Rear Yard:** means a yard extending across the full width of a lot between the rear lot line and the nearest wall of any main building or structure on the lot; and "minimum" rear yard means the minimum depth of a rear yard on a lot between the rear lot line and the nearest main wall of any main building or structure on the lot.
 - e) **Required Yard:** means the area between a front, side, rear, or flanking lot line and a line parallel to the respective lot line set back a distance equal to the applicable yard setback.
 - f) **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 building or structure on the lot; and "minimum" side yard means the minimum width of a side yard on a lot between a side lot line and the nearest main wall of any main building or structure on the lot.
- 2.95 Zone:** means a delineated area of land shown on the schedules of this Bylaw and established and designated for a specific use.



3.0 ZONING AND INTERPRETATION

3.1 General

For the purposes of this Bylaw the Town is divided into the following zones, the boundaries of which are shown on the attached Schedule A:

- **General Residential Zone**
- **Main Street Mixed-Use Zone**
- **Lower Main Street Mixed-Use Zone**
- **Oxford-East Mixed-Use Zone**
- **Downtown Commercial Zone**
- **Business Park, General Zone**
- **Business Park, Main Street Zone**
- **Rural Land Use Zone**
- **River Philip Open Space Zone**

3.2 Schedules

- a) Schedule A is the Zoning Map, and forms part of this Bylaw.
- b) All schedules and figures attached to this Bylaw form an official part of the Bylaw, unless otherwise indicated.
- c) Any appendices that may be attached to this Bylaw are for information purposes only, and are not an official part of the Bylaw.

3.3 All Land to be Zoned

All lands within the Town shall be zoned.

3.4 Amendment to the Zoning Map

The Zoning Map may be amended from time to time in accordance with applicable policies of the Municipal Planning Strategy.

3.5 Zoning Boundaries

Zoning boundaries shall be determined as follows:

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

3.6 Permitted Uses

- a) In this Bylaw, any use not listed as a permitted use in a zone is prohibited in that zone unless otherwise indicated.
- b) Where a permitted use within a zone is defined in this Bylaw, the uses permitted in the zone include any similar uses that satisfy such definition except where a definition specifically excludes any similar use.



3.7 Measurement

All official measurements are in metric. Where imperial measurements are provided they are for information purposes only.



4.0 ADMINISTRATION

4.1 Development Officer

The Development Officer, or designate(s), shall be appointed by Council to administer this Bylaw.

4.2 Development Permit Required

- a) Unless otherwise stated in this Bylaw, no development shall be undertaken in the Town of Oxford unless a development permit has been granted by the Development Officer.
- b) The Development Officer shall only issue a development permit:
 - i. In conformance with this Bylaw, or an approved development agreement, or
 - ii. Where a variance is granted, or in the case of a nonconforming use or structure, in which case a permit shall be granted in conformance with the Municipal Government Act, or
 - iii. Where a decision by an authorized appeal board has ordered that a development permit be issued.
- c) Any development permit shall expire twelve (12) months from the date issued if the development has not commenced.
- d) A development permit may be renewed for an additional twelve (12) month period provided:
 - i. The development permit has not been renewed previously; and
 - ii. The Development Officer is satisfied that the development permit is consistent with the existing Land Use Bylaw and any proposed amendments.

4.3 No Development Permit Required

Unless otherwise specified, no development permit shall be required for:

- a) A development that involves the interior or exterior renovation of a building that will not:
 - i. Change the shape of the building, or
 - ii. Increase its volume, or
 - iii. Add more dwelling units, or
 - iv. Involve a change in the use of the building;
- b) A fence or wall that does not exceed 2.1 m. in height;
- c) A sign less than 0.2 m² in area where signs are permitted, in accordance with Section 8.3, and 8.9 of this Bylaw;
- d) An accessory building less than 4 m² in area;
- e) Public and private utilities located within a street right-of-way;
- f) The demolition of a building;
- g) A yard or garage sale;
- h) Temporary uses, subject to Section 5.19 of this Bylaw.

4.4 Information Required for Development Permit Applications

- a) Every application for a development permit shall be on an approved form and, where necessary, shall be accompanied by a sketch or plan drawn to an appropriate scale and showing the following, as required by the Development Officer:
 - i. The true shape and dimensions of the lot to be used, and upon which it is proposed to erect any building or structure;



- ii. The proposed location, height, and dimensions of the building, structure, or work in respect of which the permit is applied for;
 - iii. The proposed location and dimensions of parking spaces, loading spaces, driveways;
 - iv. The location of every building or structure already erected on, or partly on, such lot, and the approximate location of every building on adjacent lots; and,
 - v. Any other information the Development Officer deems necessary to determine whether or not the proposed development conforms to the requirements of this Bylaw.
- b) The application shall be signed by the owner of the lot, or by the owner's duly authorized agent, and shall set forth, in detail, the present and proposed use of the lot and each building or structure, or part of each building or structure, together with all information necessary to determine whether or not every such proposed use of land, building or structure conforms with the requirements of this Bylaw.
 - c) Where the Development Officer is unable to determine whether the proposed development conforms to this Bylaw and other Bylaws and regulations in force which affect the proposed development, or where the property lines are in question by the Development Officer, he/she may require that the plans submitted under subsection 4.4(a) be based upon an actual survey by a Nova Scotia Land Surveyor.

4.5 Notice to Lot Owners

- a) When an application has been received to amend this Bylaw for a site specific purpose, or to enter into a development agreement, or to amend a development agreement, all lot owners within 30 m of the subject lot shall be notified in writing of the application, in addition to the notification requirements of the Municipal Government Act.
- b) In the case of the Development Officer issuing a Variance or Site Plan Approval, notification of affected property owners shall be as specified in the Municipal Government Act.

4.6 Penalty

Any person who violates any provisions of this Bylaw is guilty of an offence and liable on summary conviction to a fine not less than two hundred and fifteen dollars (\$215.00), and not exceeding one thousand dollars (\$1,000.00), and, in default of payment, to imprisonment for a term not exceeding two months, and in the case of a continuing offence, to a further fine not exceeding two hundred and fifty dollars for each day during which the offence continues and in default of payment to imprisonment for a term not exceeding ten days.

4.7 Effective Date

This Bylaw shall take effect upon the date of publication of the notice advertising the adoption of the new bylaw or amendment.

4.8 Repeal of Bylaw

The Town of Oxford Land Use Bylaw passed and adopted by Council December 14, 1992 is repealed as of the date that this Land Use Bylaw takes affect

4.9 Compliance with Other Bylaw

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



5.0 GENERAL PROVISIONS FOR ALL ZONES

5.1 Accessory Uses Permitted

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

5.2 Exceptions to Dimension and Setback Requirements

5.2.1 Conformity with Established Building Line

- a) Notwithstanding anything else in this Bylaw, in any residential or mixed-use zone, where a proposed building does not comply with the minimum front yard requirements, a building may be erected with a setback equal to the established building line, but shall not be less than 2 metres from the street line.
- b) Only existing buildings within 60m that front on the same street as the proposed building shall be used to calculate the established building line.

5.2.2 Existing Buildings

Notwithstanding anything else in this Bylaw, where a building existed prior to the effective date of this Bylaw:

- a) on a lot having less than the minimum frontage or area, or having less than the minimum yard setbacks required by this Bylaw, the building may be enlarged, reconstructed, repaired or renovated provided that the enlargement, reconstruction, repair or renovation does not further reduce the required yard that does not conform to this Bylaw; all other applicable provisions of this Bylaw are complied with.
- b) the use of a building may be changed to another use permitted on the lot where the lot frontage, front yard, or area required is less than the requirements of this Bylaw, provided that all other requirements of this Bylaw are satisfied.

5.2.3 Existing Lots Without Frontage

Notwithstanding Section 5.2.2, an existing building on a lot which does not have frontage, but which has legal access to a public street may be expanded or enlarged, provided that:

- a) all other requirements of the Land Use Bylaw are met; and,
- b) no additional dwelling units are created.

5.2.4 Existing Undersized Lots

Notwithstanding anything else in this Bylaw, a vacant lot having less than the minimum frontage or area required by this Bylaw that was in existence at the effective date of this Bylaw, may be used for a purpose permitted in the zone in which the lot is located and a building may be erected on the lot provided that the other applicable provisions of this Bylaw are complied with.

5.2.5 Natural Hazards and Yard Requirements

Where in this Bylaw a front yard, side yard or rear yard is required and part of the lot is intermittently covered by water or marsh; beyond the rim of a river bank or watercourse; or between the top and toe of a cliff or embankment having a slope of 16.5 per cent or 30 degrees or more from the horizontal then the required yard shall be measured from the nearest main wall from the main building or structure on the lot to the edge of the area covered by water or marsh, to the rim of said river bank or watercourse, or to the top of said cliff or embankment if such area is closer than the lot line.



5.2.6 Natural Hazard Alteration Prohibited

In any zone, no alteration of an existing watercourse, marsh, or any area intermittently covered by water shall be permitted, unless the alteration is designed to improve the flood way flows and drainage, subject to any applicable provincial regulations.

5.2.7 Development Abutting Watercourse

Where a proposed development abuts a watercourse and the floodplain is not adequately delineated, it shall be the responsibility of the applicant to provide such information, to the satisfaction of Council.

5.2.8 Exemption from Height Regulations

The height regulations of this Bylaw shall not apply to church spires or steeples, water reservoirs, elevator enclosures, silos, flag poles, television or radio antennae, satellite dishes, ventilators, barns, chimneys, clock towers or wind turbines.

5.2.9 Permitted Encroachments into Yards

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

| Structure | Yard in which Projection is Permitted | Maximum Permitted Projection from Main Wall |
|---|---------------------------------------|---|
| Balconies, Decks, Porches | Any yard | 2.5m but at least 1m from lot line |
| Carports | Side yards only | Minimum 1m from lot line |
| Fire escapes, Exterior staircase | Rear and side yards only | 2.5m but at least 1m from lot line |
| Sills, chimneys, and other architectural features | Any yard | 60cm |
| Swimming pools | See section 5.17 of this Bylaw | See section 5.17 of this Bylaw |
| Window bays, buttresses | Any yard | 1m |

5.3 Corner Lot Triangle or Day Lighting Triangle

On a corner lot, no fence, sign, hedge, shrub, bush or tree or any other structure, vehicle or vegetation shall be erected, placed, or, in the case of plants, permitted to grow, to a height greater than 0.6 m above grade within a corner lot sight triangle.

5.4 Fences

- a) A development permit is not required for fences less than 2.1m in height.
- b) Fences shall be prohibited from the front yard area of all lots in the Downtown Mixed-Use Zone fronting Water and Main Streets.
- c) Fences are exempt from the setback requirements of this Bylaw, unless stated otherwise.
- b) Fences shall not:



- i. In any residential or mixed-use zones, exceed 1.4m in height when erected along any front property line that abuts a public street, or 1.8m in height in any other context;
 - ii. In all zones, except for residential or mixed-use zones, exceed 3m in height;
 - iii. In any residential or mixed-use zones, be constructed of utilitarian construction material or design, such as chain link, when erected along any property line that abuts a public street;
 - iv. Contain barbed or razor wire in any Residential or Mixed-Use Zone;
 - v. Be electrified unless erected in conjunction with an agricultural use; and,
 - vi. Where visible from a street or other public space, be constructed with the supporting apparatus facing the public right-of-way.
- c) Fencing for swimming pools shall satisfy Section 5.17 of this Bylaw.

5.5 Flag Lots

- a) In the case of flag lots, in any zone, the minimum lot frontage requirements indicated in the various sections of this Bylaw shall not apply, provided that the main body of the lot meets the minimum area requirements for the zone, and provided that the width of the prolongation or leg of the flag lot providing access to a street is at least 6m in width at every point.
- b) In the case of flag lots, the yard requirements for the zone shall apply to the main body of the lot. The front yard shall be that yard facing the street.

5.6 Fronting on Streets

No development permit shall be issued unless the lot or parcel of land upon which the development is proposed abuts and fronts upon a street. Newly subdivided lots shall be subject to the Subdivision Bylaw or the Provincial Subdivision Regulations.

5.7 Illumination

No person shall illuminate any area of a lot unless all lights are directed away from adjoining properties and any adjacent street.

5.8 Multiple Uses

Where any land or building is used for more than one purpose, the provisions of this Bylaw shall be interpreted so that the highest or most restrictive regulation for each single use included in the development shall be applied. Standards for the provision of parking spaces shall be deemed to be cumulative so that the requirement will be the sum of the number of spaces required by each use.

5.9 Non-Conforming Use Changed by Development Agreement

A development permit may be issued to change a non-conforming use to another use not normally permitted on the property by Development Agreement in accordance with the Municipal Planning Strategy.

5.10 One Main Building on a Lot

Not more than one single detached dwelling may be erected on a lot, except: a) for a garden suite as per Policy RP-15 of the Municipal Planning Strategy; and, a) in the Rural Development Zone.

5.11 Outdoor Furnaces

Notwithstanding any other provision of this Bylaw, an outdoor furnace or structure containing an outdoor furnace in any zone shall:

- a) Be located in the rear yard, and at least 6.1m from the nearest lot line; and,



- b) have a chimney or exhaust at least 1.8 m above the peak of the roof of the structure(s) that the furnace is intended to heat.

5.12 Prohibited Dwellings

In any zone, no development permit shall be issued for a building consisting of a basement-only dwelling

5.13 Vehicle Bodies

No truck, bus, boat, automobile coach or street car body, or structure of any kind other than a mobile home or dwelling unit erected and used in accordance with this and all other bylaws of the Town shall be used for human habitation within the Town of Oxford whether or not the same is mounted on wheels.

5.14 Public or Private Utilities

Buildings or structures used for public or private utilities, not including wind turbines, shall be permitted in any zone and must be a minimum of 1m from the nearest property line.

5.15 Restoration to a Safe Condition

Nothing in this Bylaw shall prevent the strengthening or restoring to a safe condition, of any building or structure.

5.16 Subdivision of an Existing Lot with Existing Main Buildings

In any case where two or more existing main buildings erected prior to the effective date of this Bylaw share the same lot, a subdivision of land to permit a separate lot to be created for each building is permitted, notwithstanding anything else in this Bylaw, providing that:

- a) All requirements of the Town of Oxford Subdivision Bylaw are satisfied; or the new lots being created each have a means of sewage disposal and water supply completely independent from the other(s); and,
- b) All lots created as a result of any such subdivision have a front lot line of at least 4m and must be at least 400 m² in area, or meet the lot area requirements of the zone in which they are located, whichever is less.

5.17 Swimming Pool Performance Standards

- a) In all residential and mixed-use zones, a development permit for an outdoor swimming pool shall be issued, provided that the swimming pool:
 - i. Be located in the rear or side yards only;
 - ii. Be located at least 2m from the closest property line;
 - iii. Not be located in any required yard that abuts a street;
 - iv. Is not connected to the central sanitary sewer system; and,
 - v. Is fenced.
- b) All fences enclosing an outdoor swimming pool shall:
 - i. Completely enclose the entire swimming pool;
 - ii. Have at least one gate for access, which shall be self-closing with a self-latching device; be a minimum of 1.2m high from ground to the top of the fence, gate or structure; and
 - iii. Have no opening greater than 10cm in any part of the fencing, gates or structures that enclose the swimming pool.



5.18 Temporary and Special Occasion Uses

- a) Nothing in this Bylaw shall prevent a development permit from being issued for uses incidental to construction such as a construction camp or other such temporary work camp, tool shed, or similar building incidental to construction provided that a development permit has been issued, but does not include basements of the building to be constructed.
- b) In any zone, other than a residential zone, a 12-month temporary development permit may be issued for a building temporarily used for sales, rental offices, or retail stores.
- c) Development permits for special occasion uses shall not be required provided that the use is not located on the lot for more than 3 days.
- d) Any temporary or special occasion use shall:
 - i. Be a minimum of 3m from the front lot line;
 - ii. Be a minimum of 1m from any other lot line; and,
 - iii. Not be located within a corner lot sight triangle.

5.19 Variances

- a) Notwithstanding anything else in this Bylaw, a Development Officer may grant a variance for the following, subject to Section 235 of the Municipal Government Act, and the approval of a site plan as per Section 6.0 of this Bylaw:
 - i. The percentage of land that may be built upon;
 - ii. The size or other requirements relating to yards;
 - iii. Lot frontage; and/or
 - iv. Lot area.
- b) Furthermore, **Policy A-14** of the Municipal Planning Strategy permits the Development Officer to grant a variance in one or more of the following Land Use Bylaw requirements:
 - i. Number of parking spaces and loading spaces required;
 - ii. Ground area and height of a structure;
 - iii. Floor area occupied by a home-based business; and,
 - iv. Height and area of a sign.



6.0 SITE PLAN REQUIREMENTS

6.1 Special Criteria for Site Plan Approvals

6.1.1 Conditions of Permit Approval

- a) Notwithstanding anything else in this Bylaw, no development permit for new structures or additions shall be issued for commercial or industrial uses that abut a residential dwelling, unless a Site Plan has been approved by the Development Officer;
- b) A site plan, and a legal “undertaking” signed by the proponent, must be filed with the Town, and shall form part of the development permit;
- c) The filed site plan has effect on a lot, regardless of a change of ownership, until discharged by the Town;
- d) A new lot or lots intended to carry out an approved site plan may be approved, where the resulting lot does not meet usual dimensional requirements, but reflects an improvement toward meeting required specifications;
- e) A plan of subdivision may be approved where the variance from specification is not greater than 10% for not more than two lots;
- f) A development permit may be issued to carry out a development permitted by a site plan.

6.1.2 Evaluation Criteria for Site Plan Approval

The following evaluation criteria shall apply to any development undertaken pursuant to Section 6.1.1(a):

- a) That the proposed development is located on the lot, so as to enhance the streetscape, and minimize any adverse impact of driveway entrances and exits on the surrounding neighborhood;
- b) That the location, number and width of such driveways are designed so as to prevent congestion, nuisance and inconvenience in the area and minimize any adverse impact on the surrounding neighborhood;
- c) That the parking and loading facilities are located and designed so as to minimize any adverse impact on the surrounding neighborhood;
- d) That the type, location and height of walls, fences, hedges, trees, shrubs, groundcover or other landscaping elements, are designed and built so as to protect and minimize any adverse impact on neighboring properties;
- e) That the existing vegetation, where possible and deemed practical, be retained so as to lessen or reduce any adverse impact on abutting properties or the surrounding neighborhood;
- f) That the location of the proposed walkways and other pedestrian access be located and designed so as to minimize any adverse impact on the surrounding neighborhood;
- g) That the type and location of outdoor lighting is designed to light the structure, driveways and any pedestrian access with minimum light directed at or spilled onto neighboring properties;
- h) That the location and design of facilities for the storage of solid waste provides for maximum separation from adjoining properties;
- i) That storm and surface water management plans are provided;
- j) That the type, location, number and size of signs or sign structures do not significantly alter the appearance of the neighborhood; and that the above listed items are maintained in a manner suitable to a residential neighborhood.



6.1.3 Site Plan Application

Where a Site Plan is required, the application shall provide the following:

- a) The location of existing or proposed structures on the site;
- b) The location of existing or proposed off-street parking or loading facilities;
- c) The location, number and width of existing and proposed driveway accesses to streets;
- d) The type, location and height of walls, fences, hedges, trees, shrubs, ground cover or landscaping elements;
- e) The retention of existing vegetation;
- f) The location of existing and proposed walkways, including the type of surfacing material;
- g) The type and location of existing and proposed outdoor lighting;
- h) The location of existing and proposed facilities for storage of solid waste;
- i) The location of existing and proposed easements;
- j) Any existing and proposed grade alteration and/or any storm or surface water control infrastructure;
- k) The type, location, number and size of existing and proposed signs and sign structures;

6.1.4 Site Plan Process

The process for granting Site Plan Approval follows the same process as the Variance procedure subject to Section 236 of the Municipal Government Act.



7.0 VEHICLE AND PARKING REQUIREMENTS

7.1 Parking Space Requirements

- a) For every building or structure to be erected or enlarged, or for which an application for a development permit involving a change of use is made, off-street parking located within the same lot as the use and having unobstructed access to a public street shall be provided and maintained in accordance with the following requirements.

| | Use | Requirements |
|--------------------|--|--|
| Residential | Building containing 3 dwelling units or less | 1 parking space per dwelling unit |
| | Buildings containing more than 3 dwelling units | 1.25 parking spaces per dwelling unit |
| | Townhouses | 1 parking space per dwelling unit |
| | Boarding houses, Rooming homes, and Bed and breakfast establishments | 1 parking space for the dwelling unit, plus 1 space for every room available for rent |
| Commercial | Bowling alleys and curling rinks | 3 parking spaces per bowling lane and 4 spaces per curling sheet. For other parts of the building, additional spaces shall be provided in accordance with the other parking requirements in this Bylaw and the type of use |
| | Hotels and motels | 1 parking space per suite or rental unit, plus 1 additional parking space per 10m ² of floor area devoted to public use (taverns, restaurants and auditoria) exclusive of lobbies and hallways |
| | Offices, commercial schools, and banks | 1 parking space per 30m ² of floor area |
| | Restaurants, taverns, lounges, night clubs | 1 parking space per 10m ² of floor area |
| | All other commercial uses (including retail) | 1 parking space per 30 m ² of retail space or part thereof |
| | Bowling alleys and curling rinks | 3 parking spaces per bowling lane and 4 spaces per curling sheet. For other parts of the building, additional spaces shall be provided in accordance with the other parking requirements in this Bylaw and the type of use |
| | Institutional/Community | Churches, church halls, auditoria, funeral homes, theatres, arenas, halls, stadiums, private clubs, and other places of assembly |
| | Nursing homes and homes for special care | 1 parking space per 50m ² |
| | Kindergarten and daycares | 1 parking space per 11.2 m ² of floor area |
| | Medical clinics and health practitioners offices | 4 parking spaces per practitioner |
| Industrial | All industrial uses | 1 parking space per 50m ² of floor area |

- b) The requirements of this Section shall not apply in the Downtown Commercial Zone where all parking requirements shall be waived.



- c) Where there are more than one type of use on the same lot, Section 5.9 regarding Multiple Uses shall apply.

7.2 Minimum Dimensions for Parking and Loading Spaces

- a) Parking Space: the minimum area required for a parking space shall be 3m x 6m.
- b) Loading space: the minimum area required for a loading space shall be 3m x 12m, with a minimum height clearance of 3.5m.

7.3 Loading Space Requirements

- a) Any Commercial or Industrial use over 1000²m in area, including motor vehicle sales establishments, shall have at least 1 loading space.
- b) All such loading spaces shall have adequate access to permit ingress and egress of a commercial motor vehicle from a street or highway by means of driveways, aisles, manoeuvring areas or similar areas.

7.4 Performance Standards for Parking Areas

Where off-street parking facilities for more than 4 vehicles are provided, or required pursuant to the parking requirements set out in Section 7.1:

- a) The parking area shall be treated so as to prevent the raising of dust and loose particles and shall be paved if located in a residential or mixed-use zone if the number of spaces provided or required exceeds 8 in number;
- b) The lights used for illumination of the parking area shall be so arranged as to divert the light away from streets, adjacent lots and buildings;
- c) A structure, not more than 4.5m in height and not more than 5m² in area may be erected in the parking area for the use of attendants;
- d) The parking area shall be on the same lot as the use it is intended to serve; and,
- e) When the parking area is paved, each parking space shall be clearly demarcated and maintained as such.

7.5 Performance Standards for Parking Area Driveways and Aisles

In all zones, where paved off-street parking facilities for more than 8 vehicles are provided, or required pursuant to the parking requirements set out in Section 7.1:

- a) Clearly marked driveways or aisles must be provided to permit adequate ingress and egress from the parking area;
- b) The number of driveways per lot shall be limited to 1 two-way driveway per lot frontage, except for lots with more than 75m of frontage where 2 two-way driveways are permitted provided there is a minimum 30m between the centerline of such driveways as measured along the street. In lieu of one permitted two-way driveway, 2 one-way driveways may be permitted provided there is a minimum of 30m between the centerline of all driveways on the lot, as measured along the street.
- c) The location of driveways shall be no closer than 15m from the limits of the right-of-way at a street intersection.
- d) The location of driveways shall be at least 3m from the side or rear lot line, except where adjacent properties share a common driveway.
- e) Driveways should meet the traveled portion of the street at 90⁰ and in no case shall be at an angle less than 75⁰.
- f) The width of a driveway or aisle within a parking area shall be a minimum width of 3m if for one-way traffic, and a minimum width of 6 m for two-way traffic.



- g) In all zones, the width of a driveway leading from a parking or loading area to a public street shall be a minimum of 3m for one-way traffic, and a minimum of 6m for two-way traffic. The maximum width of a driveway shall be as follows:
 - i. In any residential zone: one-way 5m ; two-way 8m;
 - ii. In any zone other than a residential zone: one-way 5m ; two-way 9m;
 - iii. in any zone other than a residential zone, where a substantial portion of traffic on the lot consists of highway tractors, the maximum width of driveways may be increased to 7m for one-way traffic and 12m for two-way traffic.
- (h) One additional driveway may be permitted that allows direct access to a loading space provided that such driveway is not for public use and shall be signed as such.

7.6 Parking of Commercial Motor Vehicles in Residential Zones

- a) In any residential zone, no more than one commercial motor vehicle shall be parked or stored on a lot, except:
- b) In the case of a commercial motor vehicle capable of transporting less than 9 persons or vehicles with a TARE weight less than 3,650 kg, of which not more than 2 such vehicles will be permitted.
- c) In any residential zone, no commercial motor vehicles or tractor trailers with running refrigeration systems shall be permitted to be parked or stored on a lot overnight.

7.7 Front Yard Parking Location and Restrictions

- a) For residential developments, not more than 50% of the required front yard may be used for parking / driveway facilities.
- b) Notwithstanding 7.7(a), within any residential or mixed-use zone, the parking areas for new commercial and institutional developments greater than 279m² in area, and for new townhouse and multi-unit residential building consisting of more than three units, shall be placed to the rear of the building, with the following exceptions:
 - i. Parking in the front yard area may be permissible where the subject lot is bounded on both sides by an existing commercial, institutional, townhouse or multi-unit residential building consisting of more than three units where the bulk of the existing parking is located in the front yard areas abutting a street.
 - ii. The development officer may waive this requirement in the context of a flag lot.
 - iii. A maximum of 25% of the parking area requirement may be located in the side yard areas.

7.8 Street Access Required

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

7.9 Vehicle Stacking for Drive-Through Uses

Businesses providing drive-through services including, but not limited to banks, automatic car-wash facilities, and restaurants, shall provide, exclusive of driveways or isles, stacking for vehicle queuing in accordance with the following requirements:

- a) 5 in-bound spaces;
- b) 2 out-bound spaces



7.10 Parking for Persons with Disabilities

Parking for persons with disabilities shall be provided at a ratio of one space per 100 if more than 25 spaces are provided.



8.0 SIGNAGE REQUIREMENTS

8.1 General Provisions

- a) Where this section is inconsistent with the regulations respecting advertising signs on or near public highways made or administered by the Province of Nova Scotia Department of Highways, the more restrictive regulations shall apply.
- b) Unless otherwise indicated in this section, no sign shall be erected without first obtaining a development permit from the Development Officer and no such permit shall be issued unless all the provisions of this Bylaw are satisfied.

8.2 Maintenance

- a) Every sign shall be kept in good repair and working order.
- b) 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 Bylaws.
- c) If the business, service or other enterprise for which a sign is erected is no longer in operation the sign shall be removed, by the owner, within 60 days of the date the operations cease. Removal of a sign includes the support structure or apparatus to which it is attached.
- d) Subsection (c) shall not apply to a seasonal enterprise that normally closes during part of the year.

8.3 Signs Permitted in all Zones

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

- a) Signs not more than 0.2 m² in sign area, showing the civic number of a building;
- b) signs of not more than 0.2 m² in sign area, showing the name of a resident or an occupier;
- c) "No trespassing" signs or other signs regulating the use of a lot, and of not more than 0.2 m² in sign area, unless otherwise directed by a public authority;
- d) Real estate signs not exceeding 0.6 m² in sign area in a residential or mixed-use zone and 1.5 m² in other zones, which advertise the sale, rental or lease of the premises;
- e) Signs regulating or denoting on-premises traffic, or parking, or other signs denoting the direction or function of various parts of a building or premises, provided that such signs are less than 0.5 m² in area;
- f) Signs erected by a governmental body, or under the direction of such a body, and bearing no commercial advertising, such as traffic signs, railroad crossing signs, safety signs, signs identifying public institutions or public election lists or other public notices;
- g) Memorial signs or tablets, and signs denoting the history of a site or structure provided that no such sign exceeds 0.5 m² in area;
- h) The flag, pennant or insignia of any nation, province or state or of any religious, charitable or fraternal organization;
- i) A sign having an area of not more than 10m² incidental to construction, and within the area of such construction, and erected only during the period of construction, up to one year;
- j) A sign painted on a window;
- k) Election signs, provided the signs are removed within two weeks following the termination of the election; and,
- l) Sandwich Board signs, in accordance with Section 8.9.



8.4 Signs Prohibited in all Zones

Except where permitted under conditions expressly set out in this section, the following signs are prohibited in all zones:

- a) Any sign or sign structure which constitutes a hazard to public safety or health;
- b) Signs which by reason of size, location, content, colouring or manner of illumination obstruct the vision of drivers or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets or roads;
- c) Any sign which obstructs free ingress to or egress from a fire escape door, window or other required exit way;
- d) Signs not erected by a public authority which make use of words such as "STOP", "LOOK", "ONE WAY", "DANGER", "YIELD", or any similar words, phrases, symbols, lights or characters in such manner as to interfere with, mislead, or confuse traffic along a public road;
- e) Signs on utility poles;
- f) Signs on a public lot or a public right-of-way unless erected by a governmental body, or unless specially permitted by Council, and except sandwich boards signs in the Downtown Mixed-Use Zone;
- g) Signs painted on, attached to, or supported by, a tree, stone, cliff or other natural object;
- h) Portable signs advertising a business not located on the same property as the said sign.

8.5 Number of Signs

- a) Notwithstanding anything else in this Bylaw, the total number of signs per lot shall not exceed the number of main buildings per lot.
- b) Double-faced sign shall count as a single sign.
- c) Signs listed in Section 8.3 shall not be counted in calculating the total.
- d) Not more than 1 ground sign shall be permitted on any one lot except in the case of the Business Park, General Zone where not more than 1 ground sign shall be permitted for each 15 m of frontage of the lot on which they are placed, but in no case shall the total number of signs on the lot exceed 3.
- e) All facial signs on a building are counted as 1 sign.
- f) Not more than 1 projecting wall sign shall be permitted for each business premise.
- g) A sign painted on or displayed within a window shall not be included in the calculation of the total number of signs on a premise.

8.6 Signs in Residential Zones

Unless otherwise specified in this Bylaw, signage in a residential Zone shall be subject to the following requirements:

- a) The maximum sign area shall be 0.2m² per side in the case of a two sided sign.
- b) The maximum height of the sign shall be 1.5m.
- c) Facia signs shall not be located in excess of 3m above the grade of the wall upon which it is affixed.
- d) The sign shall be set back a minimum of 1m from any lot line

8.7 Off-site Signage

A development permit may be issued for the use of a sign which displays a business or a use not located on the lot or premises subject to the following requirements:



- a) An off-site sign counts towards the maximum number of signs permitted on the lot where the sign is located;
- b) The proposed signage complies with all other applicable requirements of this Bylaw respecting signage;
- c) The off-site sign shall not display a business or use that is located more than 5km outside the Town boundaries;
- d) The off-site sign is not a portable sign.

8.8 Sponsorship Signage on Town Owned Recreational Lands

Sponsorship signage on Town owned recreational lands shall be exempt from the provisions of this bylaw, and no development permit is required. All approvals for sponsorship signage on Town owned recreational lands shall be subject to relevant Town policies regarding such.

8.9 Sandwich Board Signs

In all zones except residential zones, sandwich board signs are permitted without a development permit provided that:

- a) Such signs do not exceed 0.92 m in length and 0.61 m in width;
- b) The number of such signs shall not exceed 1per business premise;
- c) The sign does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way; and,
- d) The sign does not occupy more than one third of the width of the available sidewalk.

8.10 Ground Signs

- a) In the business park zones, a ground sign shall not exceed 25m² in sign area for each sign face.
- b) In the mixed-use zones, a ground sign shall not exceed 10m² in sign area for each sign face.
- c) No ground sign shall project over any public property or space including an public park, street, right-of-way, sidewalk, parking lot, loading space, or place of assembly.
- d) All supporting apparatus of a ground sign shall have a minimum 2m setback from any lot line.

8.11 Projecting Wall Signs

A projecting wall sign shall not:

- a) Exceed 3m² in sign area;
- b) Project more than 2m from the wall upon which it is attached;
- c) Project over a corner sight triangle;
- d) Project above the eaves, parapet or roof line of a building;
- e) Be permitted to swing freely on its supports;
- f) Be less than 3m off the ground at its lowest point;
- g) Notwithstanding clause 8.4(f), a projecting wall sign may extend over a public right-of-way in the Downtown Mixed-Use Zone; however, the sign, or any portion of the sign structure, shall not project into the right-of-way a distance greater than 2/3 the width of the sidewalk.

8.12 Facial Wall Signs

Facial wall signs shall:

- a) Not cover more than 0.6m² per lineal meter of the wall on which the sign is affixed;



- b) Not extend more than 0.3m beyond the wall to which it is affixed; and
- c) Not extend more than 0.3m above the top of the wall upon which it is located

8.13 Roof Signs

Roof signs shall:

- a) Not cover more than 0.6m² per lineal metre of roof upon which the sign is affixed;
- b) Not extend more than 0.3m beyond the roof to which it is affixed; and
- c) Not extent beyond the peak of the roof to which it is affixed.



9.0 GENERAL PROVISIONS FOR RESIDENTIAL DEVELOPMENT

9.1 Home Occupations

A development permit shall be issued for a home occupation contained in a dwelling, or a building accessory building to a dwelling, provided that:

- a) The dwelling is occupied as a residence by the user and the external appearance of the dwelling is not changed by the home occupation;
- b) There shall not be more than 2 assistants who are not residents in the dwelling employed in the use;
- c) Not more than 25% of the total floor area of the dwelling or 50m² whichever is less, may be devoted to the home occupation.
 - i. In calculating the total floor area of a dwelling where a home occupation is being operated in an unfinished basement, attic, porch, sunroom, or attached garage, the total floor area of the basement, attic, porch, sunroom or attached garage shall be included in calculating the total floor area of the dwelling.
 - ii. In the case of a home occupation operating in an accessory building, the size of the home occupation shall not exceed 25% of the total floor area of the dwelling combined with that of any accessory buildings involved;
- d) One off-street parking space, in addition to that required for the dwelling, is provided for every 25m² of floor space occupied by the home occupation;
- e) No outdoor storage or outdoor display shall be permitted;
- f) No retail sales of merchandise shall take place on the property, except to the customer already purchasing a service on the property as an accessory to the service being provided. (Examples include the sale of hairspray by a hairdresser or contact lenses by an optometrist.);
- g) Home occupations shall be prohibited within a accessory dwelling unit or garden suite and within a dwelling unit located in a multi-unit apartment or condominium building.

9.2 Special Requirements for Bed and Breakfasts

Where a bed and breakfast is listed as a permitted use in a particular zone, a development permit shall be issued for a bed and breakfast establishment provided that:

- a) Such use is accessory to the main residential use occupied by a resident of the property;
- b) Parking complies with the requirements of Section 7.0 of this Bylaw;
- c) Only breakfast is served solely for registered guests;
- d) The bed and breakfast operation is the only accessory use on the lot, and;
- e) No addition or expansion is made to the footprint or bulk of the building, other than modifications necessary to comply with fire safety standards.

9.3 Special Requirements for Converted Dwellings

In addition to all other regulations in this Bylaw, an existing structure in a residential or mixed-use zone may be converted to an additional dwelling unit or units subject to the following special requirements:

- a) The total number of units in the building shall not exceed 3;
- b) The conversion is undertaken without addition or expansion to the footprint or bulk of the building, except where modifications are necessary to comply with fire safety standards;



- c) The parking area requirements shall conform to Section 7.0 of this Bylaw;
- d) The amenity space requirements in Section 9.4 shall apply; and,
- e) Where any or all of the above criteria cannot be satisfied, the development may be considered by Development Agreement as outlined in Policy RP-10.

9.4 Amenity Space Requirements

In any zone, a development permit for a building containing 3 or more dwelling units shall provide 20m² per unit of amenity space and is subject to the following requirements:

- a) Amenity space may include a combination of balconies, indoor recreation rooms, saunas, sundecks, patios, tennis courts, swimming pools as well as any landscaped open area with a finished grade of less than 8%.
- b) Where a dwelling unit is provided with a balcony at least 6m² in floor area, the 20m² amenity space requirement shall be waived.
- c) Amenity Space shall not include any parking areas, hallways, foyers, utility rooms, laundry areas or minimum yard areas required for setbacks.

9.5 Special Requirement: Trees

- a) A development permit issued for any apartment building or townhouse project shall require at least one live tree a minimum of 1.5 m. in height to be planted for every 50m² of area in the front yard of the structure which is not occupied by a parking area.
- b) Existing trees on the site which are not destroyed during the construction period may replace some or all of the trees required by this section. New plant materials are required to be installed during the first planting season following the commencement of construction, and to nursery standards.

9.6 Special Requirement: Grouped Buildings

- a) Wherever more than one multi-unit residential building is located on a lot the minimum distance between the buildings shall be 6 m.
- b) A development permit shall not be issued for more than one single detached dwelling on a single lot, or where there is an existing dwelling on the same lot, unless otherwise permitted by this Bylaw.

9.7 Multi-unit Condominiums

Multi-unit condominium buildings shall conform to setback, dimensional and other requirements that apply to apartment buildings.

9.8 Yard and Garage Sales

- a) Yard/garage sales may be undertaken on any lot, in any residential or mixed-use zone provided the sale is conducted by an owner/resident of the subject site, or by a non-profit group, community association, or other similar group or organization.
- b) No more than 8 yard/garage sales may be conducted from one lot in one calendar year, and any 1 sale may not last more than 3 consecutive days. All sale items and supporting apparatus must be removed from the site between sales.
- c) No development permit shall be required.

9.9 Outdoor Storage Prohibited

Unless otherwise permitted in other sections of this Bylaw, no outdoor storage shall be permitted on any lot used primarily for residential purposes in any zone, other than storage accessory to the residential use of a lot, such as fuel wood, compost bins and other such items in to be used by the residents of the property.



9.10 Dimensions and Setbacks

The dimensions and setbacks noted in the following table shall apply to all residential uses, except otherwise permitted in other sections of this Bylaw, the following rules shall apply:

- a) SDD shall mean single-detached dwelling, manufactured and mobile homes.
- b) These dimension and setback requirements shall not apply to accessory dwelling units or garden suites or residential dwellings located in the Downtown Mixes-Use zone.
- c) The dimension and setback exception rules contained in Section 5.2.9 shall apply.
- d) Notwithstanding this table, for lots utilizing on-site sewage disposal, which is within 30m of a bank to a river, stream or lake, the minimum lot size shall be 4,047m².
- e) Notwithstanding this table, in the context of a proposed development or lot utilizing on-site water and sewage disposal systems, Provincial regulations may require a larger lot and setback dimensions than what is stated in this table.

| | | SDD – No Town Sewer or Water | SDD – Town Water But No Sewer | SDD – Town Water and Sewer | Converted & Double | Town House | Apartment & Condo |
|----------------------|-----|-------------------------------------|--------------------------------------|--|--|---|------------------------------|
| Lot Area | Min | 2,023m ² | 1,011m ² | 366m ² | 560m ² | 213.5m ² /du | 300m ² /du |
| | | | | | | | |
| Lot Depth | Min | 66m | 56m | 30.5m | 30.5m | 30.5m/du | 50m |
| | | | | | | | |
| Frontage | Min | 30.5m | 18m | 12m | 20m | 7m/du | 10m/du |
| | | | | | | | |
| Front Yard | Min | 10m | 10m | 3m | 3m | 3m | 6m |
| | Max | N/A | N/A | Established building line, if applicable | Established building line, if applicable | 6m or established building line, which ever is less | N/A |
| Side Yard | Min | 6m | 6m | 2m | 2m | 2m from end unit | 6m |
| Flanking Yard | Min | 6m | 6m | 6m | 6m | 6m from end unit | 6m |
| | | | | | | | |
| Rear Yard | Min | 6m | 6m | 6m | 6m | 6m | 6m |
| | | | | | | | |
| Height | | | | | | | |
| | Max | 11m | 11m | 11m | 11m | 11m | 15m |



10.0 GENERAL PROVISIONS FOR COMMERCIAL DEVELOPMENT

10.1 Residential Uses in Commercial Zones

In any Commercial Zone, any development permit for a residential use shall:

- a) satisfy all applicable Residential standards in this Bylaw; and,
- b) not be located on the ground floor frontage of a building which fronts on Main Street or Upper Main Street.

10.2 Special Requirements for Motor vehicle Fuelling Stations

In any Commercial Zone, a development permit for a Motor vehicle Fuelling Station shall be issued, provided that:

- a) no portion of any pump island shall be located closer than 6 m to any street line; and,
- b) the lot frontage is at least 50 m.

10.3 Outdoor Retail Display on Public Sidewalks

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

- a) The retail display is located in the Downtown Commercial zone.
- b) The retail display is only set up during the hours of operation for the associated business.
- c) The retail display is only set up from May 1st to October 31st.
- d) The retail display is limited to the sidewalk directly abutting the associated business.



11.0 GENERAL PROVISIONS FOR ACCESSORY BUILDINGS

11.1 Accessory Buildings

- b) A detached accessory building shall not:
 - i. Be used as a dwelling, except in the case of garden suites;
 - ii. Be located within the front yard of any Residential or Mixed-Use zone;
 - iii. Be permitted within the flanking yard on a corner lot;
 - iv. Be built within 2m of the main structure;
 - v. Be considered an accessory building if attached to the main building by a common wall greater than 3m in length; and,
- c) Unless otherwise provided for in this Bylaw, an accessory building with a floor area of 55m² or less and a height of 5m or less may be built within a required rear or side yard, provided the building is set back at least 1.2m from the rear or side lot line.
- d) A development permit for an accessory building shall not be issued unless a development permit has been issued for a principal building or land use on the same lot.
- e) The development of an accessory building shall be in conformity with all other applicable regulations of this Bylaw.



12.0 GENERAL RESIDENTIAL ZONE (GRZ)

12.1 Purpose and Intent

The intent of the General Residential Zone is to support the development of inclusive residential neighbourhoods in specified areas of the Town. The GRZ allows for a variety of residential types and densities, as well as associated neighbourhood commercial uses, such as day care facilities and convenience stores. In order to ensure compatibility amongst land uses, small-scale multi-unit development shall be regulated through the site-plan process, and larger multi-unit development, as well as commercial and institutional development, shall be regulated through the development agreement process.

12.2 Permitted Uses

- a) Accessory Buildings
- b) Bed and Breakfast Establishments
- c) Boarding and Rooming Houses and Group Homes
- d) Dwellings, Converted
- e) Dwellings, Double
- f) Dwellings, Single Detached
- g) Home Occupations
- h) Parks and Outdoor Recreational Uses

12.3 Permitted Uses Subject to Site-Plan Approval

- a) Apartment Buildings (6 units and less)
- b) Garden Suites
- c) Townhouse Dwellings (8 units and less)

12.4 Permitted Uses Subject to Development Agreement

- a) Apartment Buildings (7 units and greater)
- b) Churches; Places of Worship
- c) Community and Church Halls
- d) Convenience Stores
- e) Day Care Centers
- f) Long Term Care Facilities and Homes for Special Care
- g) Schools, Public
- h) Townhouse Dwellings (9 units and greater)

12.5 Dimension and Setback Requirements

In the General Residential Zone, unless a variance is authorized:

- a) Residential development, including Boarding, Rooming, Group Homes and Bed and Breakfast establishments shall be subject to Section 9.10 requirements.
- b) Accessory buildings shall be in conformity with Section 11.0.



13.0 MAIN STREET MIXED-USE ZONE (MMZ)

13.1 Purpose and Intent

The intent of the Main Street Mixed-Use Zone is to support the development of a vibrant, dynamic mixed-use development zone along the Town's premiere gateway corridor. Only commercial and institutional uses that will enhance, and benefit from, corridor frontage shall be allowed. In order to ensure compatibility amongst land uses, commercial, institutional and larger residential development shall be regulated through the site-plan process. Developments with large footprints, and vehicle related uses, shall be regulated through the development agreement process.

13.2 Permitted Uses

- a) Accessory Buildings
- b) Bed and Breakfast Establishments
- c) Boarding and Rooming Houses and Group Homes
- d) Dwellings, Converted
- e) Dwellings, Double
- f) Dwellings, Single Detached
- g) Home Occupations
- h) Parks and Outdoor Recreational Uses

13.3 Permitted Uses Subject to Site-Plan Approval

- a) Animal Hospital and Veterinary Establishments
- b) Apartment Buildings (12 units and less)
- a) Banks and Financial Institutions
- b) Business and Professional Offices
- c) Churches; Places of Worship
- d) Civic Institutional
- e) Community Centres and Church Halls
- f) Convenience Stores
- g) Dry cleaning establishments
- h) Food and Grocery Stores
- i) Funeral Homes
- j) Garden and Nursery Sales & Supplies
- k) Garden Suites
- l) Hotels and Motels
- m) Liquor Stores, Taverns, Cabarets
- n) Medical Clinics
- o) Mixed-Use Buildings (commercial and residential)
- p) Parking lots and Parking Structures
- q) Private Clubs and Fraternal Organizations
- r) Photography Studios and Printing Establishments



- s) Neighbourhood Day Care Centers
- t) Recreation Centres, Commercial
- u) Restaurants
- v) Retail Stores and Outdoor Retail Display
- w) Schools, Public and Private
- x) Service and Personal Service Shops
- y) Townhouse Dwellings

13.4 Permitted Uses Subject to Development Agreement Approval

- a) Apartment Buildings (13 units and greater)
- b) Commercial buildings with a total floor area greater than 929m²
- c) Institutional buildings with a total floor area greater than 929m²
- d) Motor Vehicle Fuelling Stations
- e) Motor Vehicle Sales, Rental, and Repair
- f) Restaurants, Drive-thru

13.5 Dimension and Setback Requirements

In the Main Street Mixed-Use Zone:

- a) Residential developments shall be subject to Section 9.10 requirements.
- b) Boarding, Rooming and Group Homes and Bed and Breakfast establishments shall be subject to Section 9.10 requirements pertaining to single detached dwellings.
- c) Accessory buildings, subject to Section 11.0 requirements.
- d) Commercial and Institutional development listed in Section 13.3 and 13.4 shall be in conformity with the following minimum requirements.

| Commercial and Institutional | | |
|-------------------------------------|------|--------------------|
| Lot Area | Min. | 666 m ² |
| Lot Depth | Min. | 37 m |
| Frontage | Min. | 18 m |
| Front Yard | Min. | 3 m |
| Side Yard | Min. | 2 m |
| Flanking Yard | Min. | 6 m |
| Rear Yard | Min. | 6 m |
| Height | Max. | 15 m |

13.6 Outdoor Storage

Outdoor storage shall be prohibited in the front yard, and any side yard facing a public street.



13.7 Landscaping Requirements

In the Main Street Mixed-Use Zone, a development permit issued for a new main building, in accordance with Sections 13.2 and 13.3, shall require the following:

- a) That, for a new main commercial, institutional, mixed-use and apartment buildings, one live deciduous tree, at least 1.5 m in height (sapling), be planted every 40 m² of area in the front , side and flanking yards, where not occupied by parking area.
- b) That, for a new main building fronting Main Street, a landscaped open space strip be planted along the entire street frontage, minus driveways, in accordance with the following requirements:
 - i. The landscaped open space strip shall be at least 4m in width;
 - ii. The landscaped open space strip shall included, at a minimum, one live deciduous tree, at least 1.5 m in height (sapling), planted every 7m, at center, in a uniform row.



14.0 OXFORD-EAST MIXED-USE ZONE (OMZ)

14.1 The intent of the Oxford-East Mixed-Use Zone is to support the development of a dynamic mixed-use neighbourhood in the eastern area of Town. Appropriate types of commercial uses in this zone include: personal services, light manufacturing and local commercial. General retail and public institutional shall be directed to the downtown and Main Street and are not intended for this zone.

14.2 Permitted Uses

- a) Accessory Buildings
- b) Double Dwellings
- c) Home Occupations
- d) Manufactured/ Mobile Dwellings
- e) Parks, Open Spaces and Public Trails
- f) Single Detached Dwellings

14.3 Permitted Uses Subject to Site-Plan Approval

- a) Apartment Buildings (12 units and less)
- b) Bed and Breakfast Establishments
- c) Boarding Houses and Rooming Houses
- d) Converted Dwellings
- e) Garden Suites
- f) Group Homes and Homes For Special Care
- g) Townhouse Dwellings
- h) Triplexes

14.4 Permitted Uses Subject to Development Agreement Approval

- a) Animal Hospital and Veterinary Establishments
- b) Apartment Buildings (13 units and greater)
- c) Business and Professional Offices
- d) Churches; Places of Worship
- e) Commercial Recreation Centres
- f) Commercial Schools
- g) Community Centres and Church Halls
- h) Convenience Stores
- i) Dry cleaning establishments
- j) Funeral Homes
- k) Garden and Nursery Sales & Supplies
- l) Liquor Stores, Taverns, Cabarets
- m) Mixed-Use Buildings (commercial and residential)
- n) Motor Vehicle Fuelling Stations



- o) Motor Vehicle Sales, Rental, and Repair
- p) Parking lots and Parking Structures
- q) Private Clubs and Fraternal Organizations
- r) Neighbourhood Day Care Centers
- s) Schools, Public and Private
- t) Service and Personal Service Shops

14.5 Dimension and Setback Requirements

- a) All residential developments listed in Sections 14.2 and 14.3 shall be in conformity with Section 9.1.
- b) In the Oxford-East Mixed-Use Zone, Boarding Houses, Rooming Houses, Group Homes and Homes for Special Care shall be in conformity with Section 9.10 setback requirements pertaining to single detached dwellings.
- c) In the Oxford-East Mixed-Use Zone, all commercial and institutional developments listed in Section 14.4 shall be in conformity with the following table.

| Commercial and Institutional | | |
|-------------------------------------|------|--------------------|
| Lot Area | Min. | 666 m ² |
| Lot Depth | Min. | 37 m |
| Frontage | Min. | 18 m |
| Front Yard | Min. | 3 m |
| Side Yard | Min. | 2 m |
| Flanking Yard | Min. | 6 m |
| Rear Yard | Min. | 6 m |
| Height | Max. | 15 m |

14.6 Parking Requirements

In the Oxford-East Mixed-Use Zone, all applicable developments shall satisfy the applicable parking requirements in Section 5 of this Bylaw.

14.7 Outdoor Storage

Outdoor storage shall be prohibited in the front yard, and any side yard facing a public street.

14.8 Landscaping Requirements

In the Oxford-East Mixed-Use Zone, a development permit issued for a new main building shall require the following:

- a) That, for a new main commercial, institutional, mixed-use or residential (with more than four dwelling units) building, one live deciduous tree, at least 1.5 m in height (sapling), be planted every 40 m² of area in the front and flanking yards, where not occupied by parking area.
- b) That, for a new main commercial, institutional, mixed-use or residential (with more than four dwelling units) building, a landscaped open space strip be planted along the entire street frontage, minus driveways, in accordance with the following requirements:
 - i. The landscaped open space strip shall be at least 4m in width;



- ii. The landscaped open space strip shall included, at a minimum, one live deciduous tree, at least 1.5 m in height (sapling), planted every 7m, at center, in a uniform row.



15.0 DOWNTOWN COMMERCIAL ZONE (DCZ)

15.1 The intent of the Downtown Mixed-Use Zone is to support the development of a dynamic and vibrant downtown centre. The SMZ allows for a variety of traditional downtown office, retail and service related land uses, as well as residential and institutional. Dimensions and setback regulations pertaining to Main Street and Water Street will ensure an “urban block face” along these streets; new commercial building shall be regulated through the development agreement process to ensure quality building and site design

15.2 Permitted Uses

- a) Accessory Buildings
- b) Double Dwellings
- c) Home Occupations
- d) Parks, Open Spaces and Public Trails
- e) Single Detached Dwellings

15.3 Permitted Uses Subject to Site-Plan Approval

- a) Apartment Buildings (12 units and less)
- b) Bed and Breakfast Establishments
- c) Boarding Houses and Rooming Houses
- d) Converted Dwellings
- e) Garden Suites
- f) Townhouse Dwellings
- g) Triplexes

15.4 Permitted Uses Subject to Development Agreement Approval

- a) Animal Hospital and Veterinary Establishments
- b) Apartment Buildings (13 units and greater)
- c) Banks and Financial Institutions
- d) Business and Professional Offices
- e) Churches; Places of Worship
- f) Civic Institutional (libraries, government offices, police stations, etc.)
- g) Commercial Recreation Centres
- h) Community Centres and Church Halls
- i) Convenience Stores
- j) Dry cleaning establishments
- k) Food and Grocery Stores
- l) Hotels and Motels
- m) Liquor Stores, Taverns, Cabarets
- n) Medical Clinics
- o) Mixed-Use Buildings (commercial and residential)
- p) Parking lots and Parking Structures



- q) Private Clubs and Fraternal Organizations
- r) Photography Studios and Printing Establishments
- s) Neighbourhood Day Care Centers
- t) Restaurants
- u) Retail Stores and Outdoor Retail Display
- v) Schools, Public and Private
- w) Service and Personal Service Shops
- x) Sidewalk Patios
- y) Theatres

15.5 Permitted Uses – Exceptions

- a) All uses listed in Sections 15.2 and 15.3 shall be considered a Permitted Use, in accordance with Section 16.1 where:
 - i. The proposed land use is to be located in an existing building, or
 - ii. The proposed land use is to be located within an addition to an existing building where the floor area of the addition is less than 50% of the existing floor area, or
 - iii. A building is not required, and where the proposed building and/ or land use are in conformity with all applicable provincial and municipal regulations.
- b) Notwithstanding Sections 15.1, 15.2 and 15.3, no residential land use, except for mixed-use buildings, where apartment dwellings are located above commercial units, on the second or third floor, shall be permitted on any lot fronting Main Street or Water Street in the DMU Zone.
- c) Where an application for development, site-plan or development agreement includes a proposed land use not listed in Sections 15.2, 15.3 or 15.4, the Development Officer, or Council, in the case of a development agreement, may approve the proposed land use, where the proposed land use is deemed to be substantially similar to a listed use.

15.6 Dimension and Setback Requirements

Notwithstanding any other sections of this Bylaw, the following dimensions and setbacks shall apply to all land uses in the Downtown Mixed-Use Zone:

| | All Land Uses | |
|----------------------|----------------------|--------------------|
| Lot Area | Min. | 200 m ² |
| Lot Depth | Min. | 25 m |
| Frontage | Min. | 6 m |
| Front Yard | Min. | 2 m |
| Side Yard | Min. | n/a |
| Flanking Yard | Min. | n/a |
| Rear Yard | Min. | n/a |
| Height | Min. | 2 Stories and 12 m |
| | Max. | 22 m |

15.7 Parking Requirements

All developments shall be exempt from parking requirements outlined in Section 7.0.



16.0 BUSINESS PARK, GENERAL ZONE (BGZ)

16.1 The intent of the BGZ is to support a comprehensively planned business park in appropriate areas of town. Development within this zone will first require an amendment to the zoning map of this Bylaw, in accordance with the Municipal Planning Strategy.

16.2 Permitted Uses

- a) Accessory Building
- b) Animal Hospitals and Shelters
- c) Automotive, General (servicing, sales, repair, etc.)
- d) Cafeterias or Canteens (accessory to main use)
- e) Call Centers
- f) Christmas Tree Yards
- g) Construction Industries
- h) Courier & Delivery Services
- i) Equipment Depots
- j) Food Processing and Packaging
- k) Garden and Nursery Sales and Supplies
- l) Industrial, Light, General
- m) Manufacturing, Light, General
- n) Office, General (buildings with total floor area greater than 930m²)
- o) Parking Lots and Structures
- p) Public works depots
- q) Recreational Vehicle Sales and Service
- r) Recycling Depot
- s) Repair Shop, General
- t) Research Facilities (buildings with total floor area greater than 930m²)
- u) Retail, General (buildings with total floor area greater than 930m²)
- v) Retail Lumber and Building Supplies
- w) Service Industries
- x) Supply and Distribution Centres
- y) Transportation Facilities and Depots
- z) Warehousing and Storage, General

16.3 Permitted Uses Subject to Site Plan Approval:

- a) Notwithstanding Section 16.1, where a Permitted Use listed in Section 16.2 abuts a public street, except for streets internal to a business park development, a site-plan shall be required and issued as a prerequisite for development permit approval.

16.4 Permitted Uses Subject to Development Agreement Approval:

- a) Notwithstanding Section 17.1, where a Permitted Use listed in Section 16.2 comprises a new building, or an addition to an existing building that has a total floor area exceeding 4,645 m², a



development agreement shall be required and registered as a prerequisite for development permit approval.

- b) The maximum number of main buildings per lot shall be one, except where otherwise permitted by this Bylaw.
- c) Where more than one main building on a single lot is proposed, a development agreement shall be required and registered as a prerequisite for development permit approval.
- d) The maximum number of buildings per lot shall apply in the context of buildings used for: Food Processing and Packaging; Garden and Nursery Sales and Supplies; Light Industrial; Light Manufacturing, Public works depots; Recycling Depot; Research Facilities (buildings with total floor area greater than 930m²; Transportation Facilities and Depots; Warehousing and Storage

16.5 Dimension and Setback Requirements

| All Land Uses and Accessory Buildings | | |
|--|------|--------------------|
| Lot Area | Min. | 2000m ² |
| Lot Depth | Min. | 50m |
| Frontage | Min. | 40m |
| Front Yard | Min. | 12.2m |
| Side Yard | Min. | 6.1m |
| Flanking Yard | Min. | 12.2m |
| Rear Yard | Min. | 9.1m |
| Height | Max. | 10.7m |

16.6 Accessory Building Requirements

- a) The maximum number of accessory buildings per lot shall not exceed the number of main buildings on the lot.
- b) No accessory building shall be permitted unless a main building exists on the subject lot.
- c) No accessory building shall be greater than 46m² in size.
- d) The maximum height of an accessory building shall not exceed 6m in height.

16.7 Parking Requirements

In the Commercial Park Zone, all applicable developments shall satisfy the applicable parking requirements in Section 7 of this Bylaw.

16.8 Outdoor Storage and Display

- a) No development permit will be issued for the outdoor storage of goods or materials not intended for immediate sale to the general public unless the outdoor storage is:
 - i. Accessory to a permitted use in the Business Park General Zone;
 - ii. Not located in a front yard or a flanking yard; and
 - iii. Not located in a required side or rear yard;

16.9 Landscaping Requirements

A development permit issued in the GBZ for a new main building shall require the following:

- a) That a landscaped open space strip be planted along the entire street frontage, minus driveways, in accordance with the following requirements:
 - i. The landscaped open space strip shall be at least 6m in width;



- ii. The landscaped open space strip shall include, at a minimum, one live deciduous tree, at least 1.5 m in height (sapling), planted every 10m, at center, in a uniform fashion.
- b) Where a development includes a contiguous parking area containing 50 or more parking spaces, the parking area shall include, at a minimum, one centrally located planting island, at least 25m² in area, which contains at least 4 live deciduous trees, at least 1.5 m in height (sapling).

16.10 Abutting Yard Requirements

In the GBZ, where a yard on a property in the Commercial Park Zone abuts a residential land use or public park, the required abutting yard shall:

- a) Be double the applicable yard requirement specified in subsection 16.5 and consist of undeveloped open space free of any parking, loading area, driveways, or open storage; or
- b) Be entirely landscaped with a combination of existing trees and planted trees which are:
 - i. Spaced in a staggered manner at intervals of 3.0 m on centre over the entire area;
 - ii. A minimum of 1.5 m in height at the time of planting;
 - iii. At least 75 per cent coniferous trees indigenous to the area; or
- c) Contain a built up berm at least 1.8 m in height with a base of 7.3 m in width at any section and which is landscaped with trees and bushes of at least 30 cm in height at the time of planting and spaced at least 6.0 m on centre; or
- d) Contain a fence erected along the abutting property line which:
 - i. Has the finished side facing the abutting property; is of a residential design;
 - ii. Forms an opaque visual barrier from grade to 1.5 m high; and
 - iii. Is a minimum of 2.0 m high from ground to the top horizontal member.

16.11 Outdoor storage and Display

In the Industrial Zone, no outdoor storage or display shall be permitted in the front yard or in a required yard abutting a Residential Zone.

16.12 Parking Requirements

In the Commercial Park Zone, all applicable developments shall satisfy the applicable parking requirements in Section 7.0 of this Bylaw.

16.13 Motor vehicle Fuelling Stations

Automobile Fuelling stations in the Industrial Zone shall be subject to the requirements for such uses in the Highway Commercial Zone.



17.0 BUSINESS PARK, MAIN STREET ZONE (BMZ)

17.1 The intent of the BMZ is to support the continuation of existing industrial uses on properties adjacent to Main Street, and to support the conversion of this area to other appropriate forms of commercial uses, should the opportunity arise.

17.2 Permitted Uses

- a) Accessory Buildings
- b) Animal Hospitals and Shelters
- c) Automotive, General (servicing, sales, repair, etc.)
- d) Cafeterias or Canteens (accessory to main use)
- e) Call Centers
- f) Christmas Tree Yards
- g) Food Processing and Packaging
- h) Garden and Nursery Sales and Supplies
- i) Manufacturing, Light, General
- j) Office, General (buildings with total floor area greater than 930m²)
- k) Parking Lots and Structures
- l) Recreational Vehicle Sales and Service
- m) Recycling Depot
- n) Repair Shop, General
- o) Research Facilities
- p) Retail, General (buildings with total floor area greater than 930m²)
- q) Retail Lumber and Building Supplies
- r) Service Industries

17.3 Permitted Uses Subject to Site Plan Approval:

Where a permitted use listed in Section 17.2 abuts a public street, except for streets internal to a business park development, a site-plan shall be required and issued as a prerequisite for development permit approval.

17.4 Permitted Uses Subject to Development Agreement Approval:

- a) Where a Permitted Use listed in Section 17.2 comprises a new building, or an addition to an existing building, that has a total floor area exceeding 4,645m², a development agreement shall be required and registered as a prerequisite for development permit approval.
- b) The maximum number of main buildings per lot shall be one, and where more than one main building per lot is proposed, a development agreement shall be required and registered as a prerequisite for development permit approval.
- c) No limit to the maximum number of buildings per lot shall apply in the context of buildings used for: Food Processing and Packaging; Garden and Nursery Sales and Supplies; Industrial, Light, General; Manufacturing, Light, General; Public works depots; Recycling Depot; Research Facilities (buildings with total floor area greater than 930m²) Transportation Facilities and Depots; Warehousing and Storage, General.



17.5 Dimension and Setback Requirements

| All Land Uses and Accessory Buildings | | |
|---------------------------------------|-----|---------------------|
| Lot Area | Min | 2,000m ² |
| Lot Depth | Min | 50m |
| Frontage | Min | 40m |
| Front Yard | Min | 12.2m |
| Side Yard | Min | 6.1m |
| Flanking Yard | Min | 12.2m |
| Rear Yard | Min | 9.1m |
| | Max | 10.7m |

17.6 Accessory Building Requirements

- a) The maximum number of accessory buildings per lot shall not exceed the number of main buildings on the lot.
- b) No accessory building shall be permitted unless a main building exists on the subject lot.
- c) No accessory building shall be greater than 46m² in size.
- d) The maximum height shall not exceed 6m in height.

17.7 Outdoor Storage and Display

- a) No development permit will be issued for the outdoor storage of goods or materials not intended for immediate sale to the general public unless the outdoor storage is:
 - i. accessory to a permitted use in this Zone;
 - ii. not located in a front yard or a flanking yard; and
 - iii. not located in a required side or rear yard;

17.8 Landscaping Requirements

A development permit issued for a new main building shall require the following:

- a) That a landscaped open space strip be planted along the entire street frontage, minus driveways, in accordance with the following requirements:
 - i. The landscaped open space strip shall be at least 6m in width;
 - ii. The landscaped open space strip shall include, at a minimum, one live deciduous tree, at least 1.5 m in height (sapling), planted every 10m, at center, in a uniform fashion.
- b) Where a development includes a contiguous parking area containing 50 or more parking spaces, that the parking area include, at a minimum, one centrally located planting island, at least 25m² in area, which contains at least 4 live deciduous trees, at least 1.5 m in height (sapling).

17.9 Abutting Yard Requirements

Where a yard on a property in the Commercial Park Zone abuts a residential land use or public park, the required abutting yard shall:

- a) Be double the applicable yard requirement specified in Section 16.5 and consist of undeveloped open space free of any parking, loading area, driveways, or open storage; or
- b) Be entirely landscaped with a combination of existing trees and planted trees which are:
 - i. Spaced in a staggered manner at intervals of 3.0 m on centre over the entire area;
 - ii. A minimum of 1.5 m in height at the time of planting;



- iii. At least 75 per cent coniferous trees indigenous to the area; or
- c) Contain a built up berm at least 1.8 m in height with a base of 7.3 m in width at any section and which is landscaped with trees and bushes of at least 30 cm in height at the time of planting and spaced at least 6.0 m on centre; or
- d) Contain a fence that shall be erected along the abutting property line which:
 - i. Has the finished side facing the abutting property; is of a residential design;
 - ii. Forms an opaque visual barrier from grade to 1.5 m high; and
 - iii. Is a minimum of 2.0 m high from ground to the top horizontal member.

17.10 Outdoor storage and Display

In the Industrial Zone, no outdoor storage or display shall be permitted in the front yard or in a required yard abutting a Residential Zone.

17.11 Motor vehicle Fuelling Stations

Automobile Fuelling stations in the Industrial Zone shall be subject to the requirements for such uses in the Highway Commercial Zone.



18.0 RURAL LAND USE ZONE (RLZ)

18.1 The intent of the RLZ is to support a variety of appropriate rural and agricultural land uses in the peripheral rural areas of Town. Lands within this zone shall be considered “holding areas” until converted to comprehensively planned commercial park or residential land uses, subject to the applicable Municipal Planning Strategy Policies.

18.2 Permitted Uses

- a) Accessory Buildings
- b) Animal Health Care Services
- c) Bed and Breakfast Establishments
- d) Bee Keeping
- e) Communications Facility, Commercial
- f) Dwelling, Single-Detached
- g) Dwelling, Mobile and Manufactured
- h) Greenhouses
- i) Home Occupations
- j) Horticulture Development
- k) Kennels, Commercial or Hobby
- l) Livestock Operations, Non-Intensive
- m) Market Gardens
- o) Parks, Open Spaces, and Public Trails
- p) Small scale

18.3 Permitted Uses on Lots Four Hectares or Greater in Size

- a) Agriculture, General
- b) Fish Farms
- c) Riding Arena, Private
- d) Tree Farms and Nurseries

18.4 Permitted Uses Subject to Development Agreement

- a) Equestrian Center
- b) Farmers Market
- c) Riding Arena, Commercial
- d) Wind Turbines, Wind Farms

18.5 Dimension and Setback Requirements

Notwithstanding the following table, a greater minimum lot area may be required where a proposed development is to utilize on-site water and waste-water systems.

| | | | | | |
|--|--|---|---|---|----------------------------------|
| | | Dwellings, SDD, Mobile and Manufactured | Dwellings, SDD, Mobile and Manufactured | Dwellings, SDD, Mobile and Manufactured | Agriculture related land uses |
|--|--|---|---|---|----------------------------------|



| | | With Town water and sewer | Town sewer but no Town water | Without Town sewer | |
|----------------------|-----|---------------------------|------------------------------|---------------------|--|
| Lot Area | Min | 1,012m ² | 2,023m ² | 4,047m ² | 8,094m ² or 4ha if listed in Section 18.2 |
| Lot Depth | Min | 40m | 50m | 50m | N/A |
| Frontage | Min | 15m | 25m | 25m | N/A |
| Front Yard | Min | 9m | 9m | 9m | N/A |
| Side Yard | Min | 6m | 6m | 6m | N/A |
| Flanking Yard | Min | 6m | 6m | 6m | N/A |
| Rear Yard | Min | 6m | 6m | 6m | N/A |
| Height | Max | 11m | 11m | 11m | N/A |

18.6 Number of Buildings Per Lot

- a) The maximum number of main buildings per lot shall be one.
- b) Notwithstanding 18.6(a), for lots four hectares or greater in size, the maximum number of residential dwelling units shall be two.

18.7 Accessory Building Requirements

- a) The maximum number of accessory buildings per lot shall not exceed one.
- b) Notwithstanding 18.5(a), in the context of an agricultural operation listed in Section 16.1, the maximum number of accessory buildings shall not exceed two, where the accessory buildings are being used for agricultural purposes.
- c) Notwithstanding 18.5(a), in the context of an agricultural operation listed in Section 18.3, the maximum number of accessory buildings shall not exceed three, where the accessory buildings are being used for agricultural purposes.
- d) In the context of an agricultural operation, barns, sheds and equipment shelters shall be considered accessory buildings.
- e) Buildings accessory to a permitted agricultural use listed in Section 18.2 shall not exceed 100m² in size, and 11m in height.
- f) Buildings accessory to a permitted agricultural use listed in Section 18.2 shall not exceed 200m² in area and 11m in height. Notwithstanding Section 18.6(c) and (f), the total floor area of all accessory buildings shall not exceed 400m².
- g) Buildings accessory to a permitted residential use listed in Section 18.2 shall not exceed 55m² in area and 6m in height.
- h) The setback dimensions for single-detached dwellings, listed in Section 18.4 shall apply to accessory buildings, except for:
 - i. Accessory buildings greater than 100m² in size, where the setbacks shall be doubled.
 - ii. Accessory buildings used for housing livestock, which shall be set back at least 10m from any side property line.
- i) Notwithstanding 18.7(h), no accessory building shall be located in the front yard area of a residential lot.

18.8 Livestock Requirements

- a) The keeping of livestock shall be prohibited on lots less than 0.8 hectares in size.



- b) The maximum number of animals is one animal unit per 0.8 hectares. Animal unit equivalents shall be in accordance with the following table:

| Animal Type | Animals That Equal One Animal Unit |
|--------------------|---|
| Cows | 1 |
| Calves | 3 |
| Swine | 1 |
| Horses | 1 |
| Poultry | 20 |
| Sheep (ewes) | 5 |
| Mink | 20 |
| Rabbits | 20 |
| Goats | 5 |

- c) The following applies to all parcels of land on which livestock are kept:
- i. Pasture management shall be maintained to ensure that there is no overgrazing;
 - ii. Manure shall be managed and controlled in order to avoid runoff onto adjacent lands; avoid contamination of adjacent water bodies and to reduce odor.
- d) No structure shall be used for the shelter or confinement of one or more farm animal units within 30 metres of a residential dwelling.



19.0 RIVER PHILIP OPEN SPACE ZONE

19.1 The intent of the River Phillip Open Space Zone is to protect the floodplain of the River Phillip by limiting land use and development to low impact open space uses. New residential development shall be restricted.

19.2 Permitted Uses

- a) Accessory Buildings
- b) Agriculture, General
- c) Parks and Open Space
- d) Public Works Projects
- e) Two Accessory Buildings (on lots four acres or greater in area)
- f) Walkways and Trails

19.3 Permitted Uses Subject to Site-Plan Approval

- a) Picnic and Camping Facilities
- b) Sports Fields

19.4 Permitted Uses Subject to Development Agreement Approval

- a) Golf Courses on parcels six hectares and greater in area

19.5 Dimension and Setback Requirements

All land uses and structures shall be set back at least 6 metres from all property lines and 10 m from the top-of-bank of the River Phillip.

19.6 Accessory Buildings

- a) All buildings in the River Phillip Open Space Zone shall be considered accessory to the principal use.
- b) Where a development permit has been issued for a principal land use listed in Section 20.1 and 20.2, a development permit(s) may be issued for a maximum of two accessory buildings.
- c) All accessory buildings shall be set back at least 6 metres from all property lines and 10m from the River Phillip top-of-bank.
- d) No accessory building shall exceed 55m² in area or 6m in height.
- e) The construction of an accessory building, and the installation of any associated utilities, shall be flood proofed in accordance with all applicable Provincial and Federal regulations.

19.7 Alteration of Topography

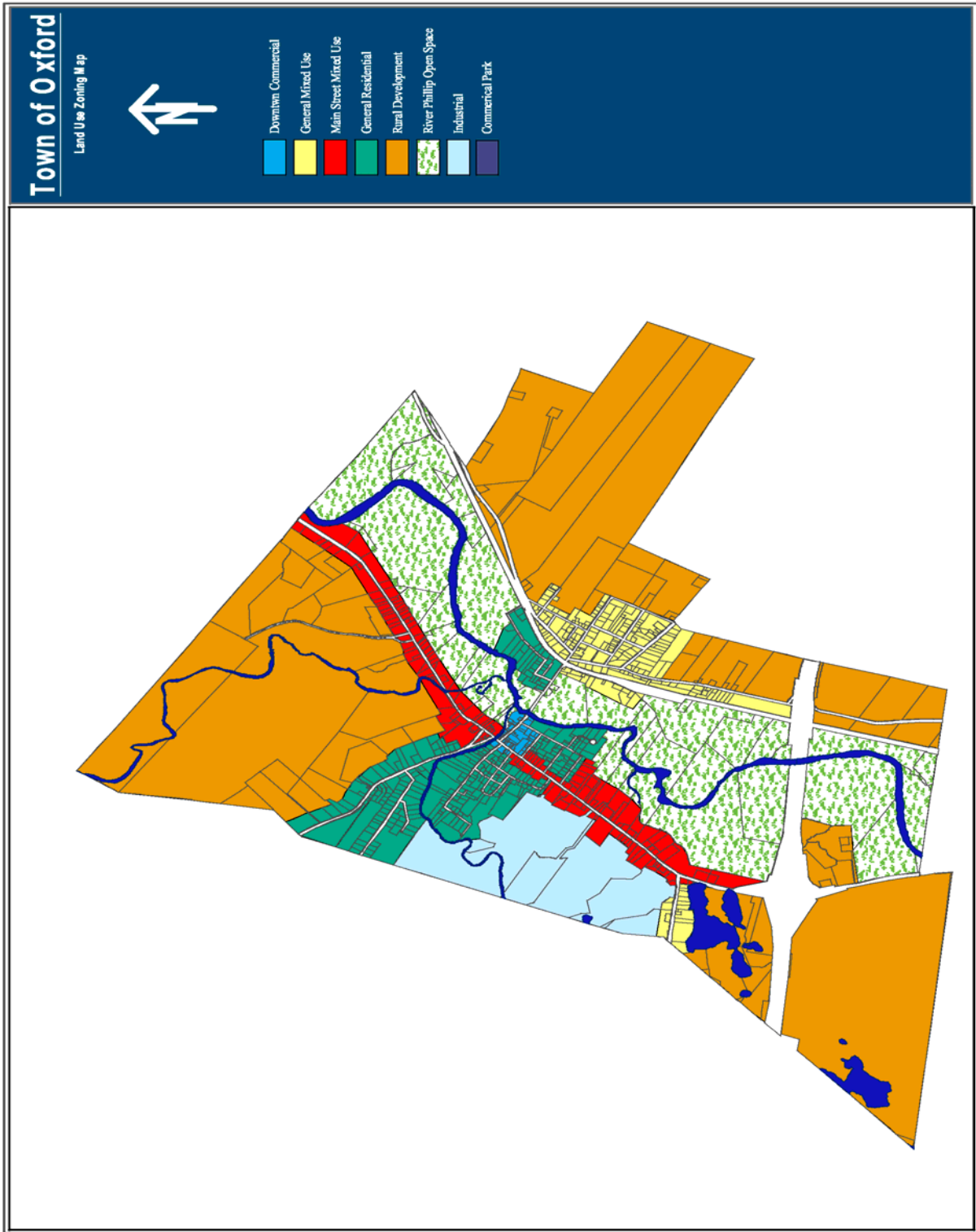
- a) Alterations to topography including any change to an established watercourse shall not be permitted in this Zone unless the alteration is designed to improve the flood way flows and drainage.
- b) No unnecessary fill other than for soil conservation purposes shall be deposited in the ROZ.

19.8 Vegetation Management

- a) No trees, bushes or vegetative material or objects that would restrict or impede the flow of water and/or ice shall be permitted to be planted or placed in the ROZ.



20.0 ZONING MAP: Schedule "A"



21.0 PLANNING FEES

| | |
|---|----------|
| Copy of LUB Text | \$20.00 |
| Copy of Zoning Map (11 x 17) | \$5.00 |
| Copy of Zoning Map (big) | \$10.00 |
| | |
| Application for Re-zoning / zone amendment | \$200.00 |
| Application for Development Agreement / DA amendment | \$200.00 |
| Application for Municipal Planning Strategy Amendment | \$300.00 |
| Application for Variance and / or Site Plan | \$75.00 |
| | |
| Development Permit | \$20.00 |

22.0 APPENDICES

Appendix A - List of Amendments to the Land Use Bylaw

| Bylaw Number | Effective Date | Location | Type |
|--------------|----------------|----------|------|
| | | | |
| | | | |
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Appendix B - List of Development Agreements Approved By Council

| DA Number | Effective Date | Location | Purpose |
|-----------|----------------|----------|---------|
| | | | |
| | | | |
| | | | |
| | | | |

