

TOWN OF BRIDGEWATER

LAND USE BY-LAW

DOCUMENT # 97 - 309

Approved by Council July 10, 1997

and

Approved by the Minister of Housing and Municipal Affairs August 12, 1997

and containing amendments to March 21, 2013

Consolidated Edition

Land Use By-Law Amendments

(a)

File #	Amendment Effective Date	Address	Reference	Contents
1997-1	January 7, 1998	n/a	24.2, Institutional Zone Standards	Increases maximum height of buildings
1998-2	July 15, 1998	270 North St.	Schedule A; also MPS FLUM	from CR & C2 to Residential Mobile Home
1998-3	July 28, 1998	n/a	14.1, C1 Zone; also MPS rationale	allow A developments @ over 1,000 sq. ft. in existing buildings
1998-4	June 25, 1998	1657 King Street	19.1 (b) Schedule A	add to list of est. uses in the SC Zone from LDR to Special Commercial
1998-5	Sept. 8, 1998	outdoor furnaces	2 definitions Section 4.32	controls water stoves
1998-6	Sept. 10, 1998	385 York St.	Schedule A	part of 150 St. Phillips from Special Commercial to Industrial
1998-7	n/a	n/a	M. P.S. only	application withdrawn
1998-8	February 11, 1999	n/a	28.5; 28.6; 28.7.6; sign definition	allows more signs; inside windows no longer a sign
1998-9	Jan. 14, 1999	signs on canopies	definition Subsection 28.7.2	increases size of signs allowed on canopies
1998-10	March 11, 1999	temporary structures	4.8	allows encroachment over lot lines
1998-11	n/a	1675 King Street	amendment not determined	application withdrawn
1999-12	September 29, 1999	969 & 1101 King St.	adds 17.1(c) & 17.4	retail sales in NC zone
1999-13	n/a	n/a	creation of new office commercial zone - Churchill St.	not completed
1999-14	n/a	n/a	farm animals	not completed
1999-15	November 5/99	113 North Street	Schedule A, Zoning Map	from Two Unit Residential to Residential Mobile Home
1999-16	November 3/99	Criteria for Office Uses	MPS policy 4.41	
1999-17	March 15, 2000	Yard Sales	establishes some controls on yard sales	
1999-18	March 15, 2000	73 Scotia Street	from LDR to TR designation & zone	
1999-19	May 4, 2000	MDR Zone		corrects lot size of dwellings (4 or less)

(b)

File #	Amendment Effective Date	Address	Reference	Contents
2000-20	Nov. 3, 2000	113 North Street (additional area) L.U.B. only	Schedule A, Zoning Map	
2000-21	Dec. 27, 2000		housekeeping amendments	MPS & LUB maps & text
2000-22	Dec. 27, 2000		housekeeping amendments	MPS & LUB maps & text
2000-23	Feb 2, 2001	Definition of Frontage; and Use of Accessory Buildings in RC Zone		
2001-24	July 25, 2001	MPS Policy 5.40	MPS text only	
2001-25	June 22, 2001	126 & 144 Victoria Rd. & 229 York St. from SC to Institutional 132 York St. From SC to LDR	LUB Schedule A only	
2001-26	-	115, 121 & 141 High Street	refused	
2001-27	July 25, 2001	Parklands @ corner Davison & Aberdeen	MPS FLUM and LUB Schedule A maps	
2001-28	-	Subdivision By-law - Curbing	-	
2001-26	-	115, 121 & 141 High Street	refused	
2001-30	November 2, 2001	Definition of Institution	LUB Text Only	delete Awith no intent of profit@
2002-34	May 22, 2002	Definition of Useable Land	LUB Text Only	Revised concurrently with Mobile Home Park By-law for compatibility
2001-32	March 14, 2003	Parking Requirements & Temporary Structures	LUB Text Only	Reduces Parking Requirements for Home Based Business Uses & Category 5 Commercial & Retail Uses & Defines Temporary Structures
2004-36	June 2, 2004	RMH Zone, Manufactured Homes & Accessory Structures	LUB Text Only	Reduces Setbacks and Updates Terminology to Reflect Manufactured Homes
2007-37	August 22, 2007	Glen Allan Dr. active parkland	LUB Schedule A only	
2007-38	September 19, 2007	Future Road 'D', Glen Allan Drive neighbourhood	MPS text and FLUM, and LUB text and Schedule A	Introduction of the Residential Institutional designation and (RI) Zone
2010-39	September 14, 2010	Misc. Town Parkland	Part 10 and Policy 10.3 of the MPS and Part 25.1, Part 29 and Schedule A of the LUB	MPS text and FLUM, and LUB text and Schedule A
2010-40	November 16, 2010	Light Industrial land on York Street	FLUM and Schedule A	FLUM and Schedule A
2012-42	May, 2012	Recreation (REC) lands	Parts 26.1 and 29	Introduction of "leash

				free dog parks" use
2012-41	June 20, 2012	Oakland Drive	MPS FLUM and LUB Schedule A maps	Redesignate/rezone to Comp. Res. (CR)
2012-44	July 18, 2012	171 Aberdeen Road	MPS FLUM and LUB Schedule A maps	Redesignate/rezone to Gen. Com. (C2)
2012-45	July 18, 2012	60 Micmac Avenue	MPS FLUM and LUB Schedule A maps	Redesignate/rezone to Two Unit Res. (TR)
2012-43	Dec. 12, 2012	312 Dufferin Sreet	MPS FLUM and LUB Schedule A maps	Redesignate/rezone to Comp Res. (CR)
2012-46	March 21, 2013	Definitions of Residential Care Facility, Home for Special Care or Group Home; Single Unit Dwelling; and Institution	LUB Text Only	

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PART 1 TITLE AND PURPOSE

- 1.1 This By-law shall be known and may be cited as the "Land Use By-law" of the Town of Bridgewater.
- 1.2 The purpose of this By-law is to carry out the purpose and intent of the Municipal Planning Strategy for the Town of Bridgewater, in accordance with the provisions of *Section 219 of the Municipal Government Act*, by regulating the use of land and the location, size, spacing, character and use of buildings and structures within the Town of Bridgewater. *(amended December, 2000)*

PART 2 ADMINISTRATION

2.1 Development Officer

This By-law shall be administered by the development officer of the Town of Bridgewater and the development officer shall issue development permits under this By-law.

2.2 Acting Development Officer

In the absence or incapacity of the development officer, the acting development officer appointed by Council shall act in the development officer=s stead.

2.3 Development Permit Required

No developer shall undertake or cause or permit to be undertaken, any development in the area to which this Land Use By-law applies unless a development permit has been obtained in relation to such development from the development officer or acting development officer appointed by Council.

2.4 No Development Permit Required

Notwithstanding Section 2.3, no development permit is required in relation to a particular development when such an exception is clearly stated elsewhere in this By-law, or when the development consists only of interior changes to a use for which a development permit has been issued.(amended December, 2000)

2.5 Application Required

Every developer wishing to obtain a development permit must submit an application for such development permit to the development officer in the form prescribed from time to time by Council.

2.6 Contents of Application

Every application for a development permit shall be signed by the owner of the lot or, with the written authorization of the owner, the agent of the owner of the lot, and shall be accompanied by a plan drawn to an appropriate scale and showing:

- (a) the true shape and dimension of the lot to be used or upon which it is proposed to construct or locate any building or structure; and
- (b) the proposed location, height and dimensions of any building or structure in respect of which the permit is applied for and the information shall include measurements of the lot frontage, front, side and rear yards; and
- (c) the location of every building or structure already constructed, or partly constructed, on such lot and the location of every building or structure existing upon abutting lots; and
- (d) the proposed location and dimensions of parking areas, parking spaces, loading spaces, driveways, curbs, landscaping and fencing; and
- (e) other such information as may be necessary to determine whether or not the proposed development conforms with the requirements of this By-law.

2.7 Survey of Lands

Where the development officer is unable to determine whether the proposed development conforms to this By-law and other By-laws and Regulations in force which affect the proposed development, the development officer may require that the plans submitted under Subsection 2.6 be based upon an actual survey by a licensed Nova Scotia Land Surveyor.

2.8 Issuance of Development Permits

No development permit shall be issued by the development officer unless:

- (a) the proposed development is in conformance with the requirements of this Land Use By-law; or
- (b) a development agreement has been executed pursuant to *Section 230 of the Municipal Government Act, or (amended December, 2000)*
- (c) the development officer has granted a variance from the terms of this By-law, pursuant to *Section 235 of the Municipal Government Act*, and the time for appeal has elapsed or the appeal has been disposed of, pursuant to *Sections 237 of the Municipal Government Act.(amended December, 2000)*

2.9 Deviations

No developer shall deviate, or allow deviations to be made, from the description of the proposed development which is contained in the development permit.

2.10 Right of Entry

The Council, or any of its duly authorized officers or employees, shall have the right to enter at all reasonable times into or upon any property within the area to which this Land Use By-law applies for the purpose of any inspection necessary in connection with the administration of the Land Use By-law.

2.11 Lapse of Permits

Every development permit issued under this or any previous Land Use By-law shall automatically lapse, and become null and void, if the development to which it relates has not commenced and one (1) year has elapsed since its issuance.

2.12 Revocation of Permits

The development officer may revoke a development permit where the permit was issued on mistaken or false information. Any revocation shall be sent by registered mail and become effective fourteen (14) days after the mailing date.

2.13 Decision in Writing

Any decision of the development officer to refuse to issue a development permit shall be given by written notice served by registered mail.

2.14 Violations

In the event of any alleged contravention of the provisions of this Land Use By-law, the Town of Bridgewater may take action as outlined in *Sections 266 and 267 of the Municipal Government Act. (amended December, 2000)*

2.15 Effective Date

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

2.16 Notice of Amendment or Agreement

Where the Council has given notice of its intention to adopt an amendment to Schedule A, the Zoning Map, which is not general in scope, but which is in direct response to a site specific development proposal, or has given notice of its intention either to enter into a development agreement or amend a development agreement, the Council shall serve notice of the proposed amendment or development agreement upon affected property owners whose property lies within 30 metres (98 ft.) of the property which is the subject of the proposed amendment or agreement. Such notice shall:

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

2.17 Cost of Advertising and Notice for Amendments or Development Agreements

An applicant for an amendment to this By-law or for a development agreement, or an amendment thereto, shall deposit with the Clerk of the Town of Bridgewater an amount estimated by the Clerk to be sufficient to pay the cost of advertising and notices required by the *Municipal Government Act*, and, after the advertising has been completed and the notice served, the applicant shall pay to the Clerk any additional amount required to defray the cost of advertising and notice, or if there is a surplus, the Clerk shall refund it to the applicant. *(amended December, 2000)*

2.18 Cost of Notice for Variance

Where a variance from the requirements of this By-law has been granted or refused, the development officer shall give notice to the persons entitled, and in the manner prescribed by *Section 236 of the Municipal Government Act*. This notice is to be served by ordinary mail, and the Town of Bridgewater may recover from the applicant the cost of giving notice. *(amended December, 2000)*

PART 3 INTERPRETATION OF MAPS AND TEXT

3.1 Zones

For the purpose of this By-law, the Town of Bridgewater is divided into the following zones, the boundaries of which are shown on the attached Schedule A. Such zones are also referred to by symbols as follows:

Low Density Residential	LDR
Comprehensive Residential	CR
Two Unit Residential	TR
Medium Density Residential	MDR
Mixed Residential	MR
High Density Residential	HDR
Residential Mobile Home	RMH
Central Commercial	C1
General Commercial	C2
Group Commercial	C3
Neighbourhood Commercial	NC
Restricted Commercial	RC
Special Commercial	SC
Industrial	IN
Light Industrial	LIN
Rural	RU
Institutional	I
Residential Institutional	RI
Park	P
Recreation	REC

3.2 Zoning Map

Schedule A, attached hereto, is titled the "Zoning Map" and forms part of this By-law.

3.3 Zoning Boundaries

The extent and boundaries of all zones are shown on Schedule A, attached hereto, and the provisions of this By-law shall apply to all zones.

3.4 Interpretation of Zone Boundaries

Boundaries between zones, as shown on Schedule A, shall be determined as follows:

- (a) where a zone boundary is indicated as approximately following lot lines, the boundary shall follow such lot lines; and
- (b) where a zone boundary divides a lot which is in existence as of the date of this By-law, the zone boundary, on request of the owner, may be adjusted within the lot or considered to follow any lot line; and
- (c) where a street, highway, railroad or rail way right-of-way, electrical transmission line right-of-way, watercourse or other linear feature is included on Schedule A, it shall, unless otherwise indicated, be included in the zone in which it occurs; and
- (d) where a street, highway, railroad or rail way right-of-way, electrical transmission line right-of-way, watercourse or other linear feature is included on Schedule A and serves as a boundary between two (2) or more zones, a line midway on such right-of-way, watercourse or other linear feature, and extending in the general direction of the long division thereof, shall be considered the boundary between zones unless specifically indicated otherwise; and

- (e) where the zone boundary is indicated as following the shoreline of a river, the boundary shall follow the actual shoreline, including wharves and piers; and
- (f) where none of the above provisions apply, and where appropriate, the zone boundary shall be scaled from the attached Schedule A.

3.5 Zones not on Zoning Map

Schedule A of this By-law may be amended in conformity with the Municipal Planning Strategy to utilize any zone in this By-law, regardless of whether or not such zone had previously appeared on Schedule A.

3.6 Certain Words

In this By-law, words used in the present tense include the future; words in the singular include the plural; words in the plural include the singular; and the word "used" includes "arranged", "designed or intended to be used"; the word "shall" is mandatory and not permissive. All other words carry their customary meaning except for those defined in Part 29, Definitions.

3.7 Standards of Measurement

The metric system of measurement is used throughout this By-law and in all cases represents the required standard. Imperial measurements are approximate and for convenience only.

PART 4 GENERAL PROVISIONS FOR ALL ZONES

4.1 Permitted and Prohibited Uses

- 4.1.1 No person shall hereafter use any land, or erect, alter, or use any building or structure unless a development permit has been issued, and no development permit shall be issued unless all provisions of this By-law are satisfied.
- 4.1.2 For the purposes of this By-law, if a use is not listed as a permitted use in a zone, or if it is not accessory to a permitted use within the zone, it shall be deemed to be a prohibited use in that zone, except where the use is a nonconforming use under *Section 238 of the Municipal Government Act.(amended December, 2000)*

4.2 Licences, Permits and Compliance with Other By-laws

- 4.2.1 Nothing in this By-law shall exempt any person from complying with the requirements of other by-laws or regulations in force within the Town of Bridgewater or from obtaining any license, permission, permit, authority or approval required thereunder.
- 4.2.2 Where the provisions in this By-law conflict with those of any other municipal or provincial requirements, the higher or more stringent provisions shall prevail.

4.3 Multiple Land Uses

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

4.4 Multiple Uses in a Building

Where any main building is to be used for more than one purpose and applicable zone requirements are in conflict, the more restrictive zone requirements shall apply.

4.5 Non-Conforming Uses

Non-conforming uses shall be subject to *Sections 238-242 of the Municipal Government Act.(amended December, 2000)*

4.6 Restoration to a Safe Condition

Nothing in this By-law shall prevent the strengthening or restoring to a safe condition of any building or structure, provided in the case of a non-conforming building or structure, the provisions of *Sections 238-242 of the Municipal Government Act* shall prevail.*(amended December, 2000)*

4.7 Structure to be Moved

No person shall move a structure within or into the area covered by this By-law without obtaining a development permit from the development officer.

4.8 Temporary Uses Permitted

4.8.1 Nothing in this By-law shall prevent the use of land or the use or erection of temporary buildings or structures incidental to construction, including but not limited to: a construction camp, tool shed, scaffold, or a sales or rental office incidental to construction. No development permit for such temporary uses, buildings or structures shall be required, provided that a development permit for the main building has been issued. Such temporary use shall be terminated no more than sixty (60) days after the completion of the construction of the main structure.

4.8.2 Nothing in this By-law shall prevent the use of land or the erection of temporary buildings, structures or signs for special occasions and holidays and no development permit shall be required for such temporary uses, provided that such use of building, structure, or sign remains in place for no more than ten (10) days following the termination of the special occasion or holiday.

4.8.2A *The construction and use of temporary structures which do not contain footings, nor a permanent floor, located on a lot for a maximum of two hundred and ten (210) days in any twelve month period shall be permitted in any non-residential zone. Temporary structures shall not be subject to the parking requirements of the Land Use By-law. A development permit is required for such temporary structures. (Amended October 15, 2002).*

4.8.3 *Notwithstanding any yard requirement, in any zone, temporary structures shall be allowed to be erected over abutting property lines provided:*

- (a) *the temporary structure is not in place for longer than two hundred and ten (210) days; and*
- (b) *the owner of the affected abutting property consents to the encroachment and any conditions thereto, and co-signs the application for a development permit.*

Amended March 11, 1999

4.8.4 *Nothing in this by-law shall prevent yard sales within a residential or commercial zone provided:*

- (a) *no more than two (2) such sales take place from any lot in any calendar year; and*
- (b) *all signs advertising such sales are removed throughout town within a twenty-four hour period following the sale of goods.*

No development permit shall be required for such sales. amended March 2000

4.9 Existing Uses

Land uses which were in existence on or before the effective date of this By-law and which are still in existence and which would not be permitted as new uses in the zone in which they are located shall be regarded as conforming uses for the purposes of this By-law, provided that they are listed in the zone in which they are located.

4.10 Private Storage Uses

Private storage buildings including but not limited to private garages and private boathouses, where there is no other main building on the lot, shall be permitted in any zone provided that:

- (a) the applicable zone requirements of this By-law are satisfied as if the private storage building is the main building on the lot; and
- (b) the private storage building does not exceed 70 sq. metres (750 sq. ft.) in gross floor area; and
- (c) a boathouse may be built to the water's edge. *(amended December 2000)*

4.11 Parks and Playgrounds

Public and private parks and public playgrounds shall be permitted in any zone subject to the requirements of Part 25 of this By-law.

4.12 Service and Utility Rights-of-Way

Service and utility rights-of-way shall be permitted in any zone.

4.13 Special Requirements - Farm Animals

No lot in any zone, except for a lot in the Rural (RU) or Park (P) Zone, shall be used for the rearing or keeping of a farm animal or farm animals that constitutes one (1) or more farm animal units.

4.14 Habitation of Vehicle Bodies

No automobile, truck, bus, coach or street car body, recreational vehicle, or shipping container, with or without wheels, shall be used for human habitation within the area regulated by this By-law.

4.15 Exception to Habitation of Vehicles

Notwithstanding Subsection 4.14, recreational vehicles or campers may be used for human habitation within the Town of Bridgewater, with no requirement for a development permit, provided:

- (a) such vehicle is not directly connected to town services; and
- (b) such use does not extend for longer than a two (2) month period within a calendar year; and

- (c) such use does not occur within the required minimum front yard of the lot; and
- (d) such use occurs only on a property with an established main building.

4.16 Accessory Buildings and Structures

Accessory buildings and structures shall be permitted in any zone within the Town of Bridgewater but shall not:

- (a) not be used for human habitation except for the temporary accommodation of private guests; or
- (b) be located within the minimum required front yard or flankage yard of a lot unless:
 - (i) otherwise permitted in a particular zone; or
 - (ii) *located at the same or greater distance from the lot line as a main building located within the minimum required front or flankage yard; or (amended December 20, 2000)*
- (c) be built closer than 1.2 metres (4 ft.) to any rear or side lot line except that:
 - (i) common semi detached garages may be centred on the mutual side lot line; and
 - (ii) accessory buildings or structures with no windows or perforations on the side of the building which faces the said lot line, may be located a minimum of 0.6 metres (2 ft.) from the said lot line; and
 - (iii) boat houses and boat docks may be built across the lot line when the line corresponds to the water's edge.
- (d) exceed 6.5 metres (21 ft.) in height; or
- (e) exceed 70 sq. metres (750 sq. ft.) in floor area in any residential zone *with the exception of the Residential Manufactured Home (RMH) Zone where the accessory structure shall not exceed 45.3 sq. metres (488 sq. ft.) (amended June 2004);* or
- (f) exceed two (2) on any one (1) lot in any residential zone; or
- (g) be built within 2 metres (6.5 ft.) of the main building; or
- (h) be considered an accessory building if attached to the main building in any way, except that a fence or wall may join an accessory building with a main building.

4.17 Miscellaneous Minor Structures

No development permit shall be required for miscellaneous structures such as *buildings under 20 square metres (215 sq. ft.) in gross floor area*, fences less than 2 metres (6.5 ft.) in height, retaining walls, children's play structures, cold frames and garden trellises, clothes line poles, and dog houses, monuments and interpretive displays, provided the requirements of Subsection 4.29 Corner Vision Triangle, are met. *(amended December 2000)*

4.18 Fences and Walls

4.18.1 Fences and walls 2 metres (6.5 ft.) or less in height shall be permitted to be erected along property lines, provided the provisions of Part 4.29 Corner Vision Triangle, are met.

4.18.2 In all zones, fences or walls greater than 2 metres (6.5 ft.) in height shall be regulated as accessory structures and shall be subject to the applicable setback and yard requirements *for accessory structures. (amended December 2000)*

4.18.3 The use of electrified fences, or barbed wire or other sharp edged materials designed to prevent access to a parcel of land is prohibited, except at the top of fences or walls over 2 metres (6.5 ft.) high, or fences or walls associated with agricultural uses in the Rural (RU) Zone.

4.18.4 Notwithstanding Subsection 4.18.2, above, a fence in any of the following zones does not require a development permit: all commercial zones, all industrial zones, the Institutional (IN) Zone, the Recreation (REC) Zone, and the Park (P) Zone.

4.19 Canopies and Covered Ways

The clear height from grade to the underside of a canopy projecting over a pedestrian way shall not be less than 3 metres (10 ft.).

4.20 **Balconies, Extended Dormers, Exterior Staircases and Fire Escapes**

In any zone where setback or yard requirements are nil, balconies, extended dormers, exterior staircases, *wheelchair ramps*, and fire escapes shall be permitted to project over abutting property lines provided the owner of the affected abutting property consents to the encroachment and any conditions attached thereto, and co-signs the application for a development permit. *(amended December 2000)*

4.21 **Lots Lacking Minimum Area or Frontage**

4.21.1 Notwithstanding minimum lot area and frontage requirements established elsewhere in this By-law, a lot which does not satisfy the minimum requirements for lot area, lot frontage, or both, and:

- (a) was in existence on or before April 16, 1987, *the date of validation of real property transactions under the Municipal Government Act*; or *(amended December 2000)*
- (b) was created by the consolidation of two (2) or more lots; or
- (c) was created by an instrument to which the Municipal Government Act does not apply; or
- (d) having been expanded or made larger, is nonetheless below the minimum requirements; or
- (e) was created by the action of the variance provisions of Section 107 of the Municipal Government Act,

may be used for a purpose permitted in the zone in which the lot is located and a structure may be erected on the lot provided that all other applicable provisions of this By-law except for the minimum lot area and frontage requirement are satisfied.

4.21.2 Notwithstanding minimum lot area, frontage and yard requirements established elsewhere in this By-law, a lot which does not satisfy these requirements may be created around any main building provided:

- (a) the main building was built on or placed on the land prior to *April 16, 1987, the date of validation of real property transactions under the Municipal Government Act*; and
- (b) the lot is provided with central sewer; and
- (c) the lot has a minimum frontage of 6 metres (20 ft.) on a public street. *(amended December 2000)*

4.22 **Frontage on a Street**

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

- (a) abuts and fronts upon a street; or
- (b) has been created after August 27, 1975, *the date of the first Zoning By-law in Bridgewater*, by the consolidation of two (2) or more lots, by the addition of one or more parcels of land to an existing lot, by subdivision under the various provisions of Section 98 of the Municipal Government Act or by an instrument to which the Municipal Government Act does not apply; or *(amended December 2000)*
- (c) is located upon an island, in which case the required frontage shall be measured along the Mean High Water Mark; or
- (d) was in existence on or before *April 16, 1987, the date of validation of real property transactions under the Municipal Government Act*; or *(amended December 2000)*
- (e) is located in the Central Commercial (C1) Zone or Group Commercial (C3) Zone and is served by a deeded right-of-way.

4.23 **Existing Structures**

Where a structure has been erected on or before August 27, 1975 or subsequently in accordance with a development permit on a lot having less than the minimum area or frontage, or having less than the minimum front yard, side yard or rear yard required by this By-law, the structure may be:

- (a) used for any use permitted in the zone in which the lot is situated; and
- (b) enlarged, reconstructed, repaired, renovated, or replaced by a new structure, provided that the minimum front yard, side yard, or rear yard that does not conform to this By-law is not further reduced, and provided that the provisions of Subsection 4.29 Corner Vision Triangle, and all other applicable provisions of this By-law are met. A building which is being reconstructed, renovated or replaced by a similar building is not required to meet the height restrictions of this Land Use By-law.

4.24 Variance From Minimum Requirements

The minimum lot areas and frontages, and the size of minimum yards required by this By-law shall be as specified in the applicable zone standards except that the required minimums may be varied in accordance with the provisions of the *Municipal Government Act*.(amended December, 2000)

4.25 One Dwelling per Minimum Size Lot or Parcel

A development permit shall be issued for more than one dwelling on a lot only where the lot has sufficient area and frontage to enable the lot to be subdivided into two (2) or more lots which meet all applicable zone requirements and where the dwellings are located on the lot in such a way that new lots may be created around them which meet all applicable area, frontage and yard requirements, or where a development agreement has been executed.

4.26 Conformity with Established Front Yards

Notwithstanding front yard and flankage yard requirements established elsewhere in this By-law, a building to be constructed between existing buildings, where existing buildings are on the same side of the street and within 60 metres(200 ft.) of the proposed building, may be built with a front yard or a flankage yard not less than the least front yard of the majority of structures within 60 metres (200 ft.) provided that the proposed front yard shall not be less than 1.5 metres (5 ft.), and the provisions of Subsection 4.29 Corner Vision Triangle, are met.

4.27 Height Regulations

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae or *transmission towers*, ventilators, skylights, barns, chimneys, clock towers, wind turbines or solar collection devices.(amended December, 2000)

4.28 Yard Requirements Measured from Watercourses, Swamps and Slopes

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

4.29 Corner Vision Triangle

4.29.1 On a corner lot, the corner vision triangle is the area established by measuring along the exterior corner lot lines a distance of 3 metres (10 ft.) from their point of intersection and joining those points with a straight line. For the purposes of this By-law, the corner vision triangle is regarded as a three (3) dimensional area which terminates at a height of 3.5 metres (12 ft.) above the grade of abutting streets.

4.29.2 Except in a Central Commercial (C1) Zone, in a corner vision triangle, fences, walls, signs, hedges or other structures or vegetation shall not be erected or permitted to grow to a height greater than 1 metre (3 ft.) above the grade of the abutting streets and signs shall not project into the corner vision triangle.

4.30 LaHave River Development Agreement District Requirements

In addition to all other requirements governing land use, any development within the LaHave River Development Control Area, other than single and two unit dwellings, park and recreation developments and additions of less than 56 square metres (600 sq. ft.) *in gross floor area* to existing buildings, or new buildings of less than 56 square metres (600 sq. ft.) *in gross floor area* shall be developed in accordance with Municipal Planning Strategy policy 9.2. *(amended December, 2000)*

4.31 Architectural Control Area Requirements

4.31.1 New Main Buildings and Accessory Structures

In addition to all requirements governing land use, new main buildings, additions or alterations to buildings built prior to 1920; and accessory structures greater than 46 sq. metres (495 sq.ft.) in total area, which are within the Architectural Control Area, as shown on Map 2, the Future Land Use Map, shall have a public facade similar to any substantially intact pre-1920 main building located in Bridgewater, with respect to:

- (a) architectural style; and
- (b) building length to width ratio; and
- (c) height; and
- (d) roof shape; and
- (e) appearance of exterior cladding and roof materials; and
- (f) architectural details; and
- (g) shape and size of porches, doors and windows; and
- (h) window area to wall area ratio.

New main buildings located on corner lots may use either street as the street on which they front.

4.31.2 Additions and Alterations to Existing Buildings

In addition to all requirements governing land use, additions and alterations to any main building constructed prior to 1920 within the Architectural Control Area as shown on Map 2, the Future Land Use Map, shall have a public facade similar to the main building with respect to Clauses (a) to (h) inclusive of Subsection 4.31.1. above, and the total *gross floor* area of all additions approved after the date of approval of this Land Use By-law, shall not exceed twenty five percent (25%) of the gross floor area of the building existing prior to the date of coming into force of this By-law. *(amended December 2000)*

4.32 Outdoor Waterstoves

Any outdoor waterstove shall be located a minimum of 30 metres (100 ft.) from any property line of the lot on which it is located. *amended September, 1998*

4.33 *Lighting*

Any outdoor lighting associated with a development shall minimize the impact on properties in the surrounding area. (amended December 22, 2000)

PART 5 GENERAL REQUIREMENTS FOR RESIDENTIAL DESIGNATIONS and ZONES*(amended December, 2000)***5.1 Small Scale Business Uses Permitted in Residential Designations** *(amended December, 2000)***5.1.1 Requirements for Use**

In any residential zone *or designation*, any dwelling unit or a building accessory to a single unit dwelling may be used for small scale business purposes provided that all of the following requirements are met: *(amended December, 2000)*

- (a) no more than three (3) people, including the owner(s) are employed by the business; and
- (b) the business shall be located wholly within the dwelling unit or a building accessory to a single unit dwelling; and
- (c) the business use shall fall within one (1) of the following types of uses:
 - (i) boarding or rooming houses;
 - (ii) catering establishments;
 - (iii) craft workshops;
 - (iv) guest houses;
 - (v) offices
 - (vi) personal service shops;
 - (vii) repair or *installation* shops, excluding small engine repair shops and including, but not limited to, auto, chain saw, outboard motor and lawn mower repair shops; *(amended December, 2000)*
 - (viii) studios for the practice or instruction of fine arts or crafts;
 - (ix) residential day care centres and nursery schools;
 - (x) tailoring and/or dressmaking;
 - (xi) taxicab operations;
- (d) on site retail sales of products shall be limited to the sale of products made, assembled, refinished, or repaired on the premises and may include retail sale of any goods or materials used in any of the processes involved in the primary use; and
- (e) the business use shall occupy:
 - (i) for uses other than guest houses, an area equivalent to no more than twenty five percent (25%), to a maximum of 30 sq. metres (320 sq. ft.), of the *residential* floor area of the dwelling, excluding the basement and attached garages; or *(amended December, 2000)*
 - (ii) for guest houses, and rooming and boarding houses, the maximum size of the business shall be three (3) rental units; or
 - (iii) for a combination of guest house and other small business use permitted under this Section, the maximum size of the combined businesses shall be:
 - (1) three (3) rental units; plus
 - (2) an area equivalent to no more than twenty five percent (25%), to a maximum of 30 sq. metres (320 sq. ft.), of the *residential* floor area of the dwelling, excluding the basement, and attached garages; and *(amended December, 2000)*
- (f) the use shall not include a funeral home, an animal shelter, animal hospital or kennels; and
- (g) there shall not be more than one (1) sign on the lot related to the business. The sign shall be non-illuminated and shall not exceed 0.3 sq. metres (3 sq. ft.) in *sign* area; and *(amended December, 2000)*
- (h) the use shall not emit noise, odour, dust, light, or radiation that would be a nuisance or is not customary in a residential neighbourhood; and
- (i) there shall be no open storage or outdoor display of materials or products related to the business use; and
- (j) no more than two (2) commercial vehicles, including taxi cabs, related to the business use shall be kept upon or operated from the lot on which the business is located; and
- (k) a minimum of one (1) off street, customer parking space shall be provided on the lot, in addition to the space required for the residence itself.

5.1.2 Personal Offices Permitted

Nothing in this By-law shall prevent the use of any dwelling unit or building accessory to a dwelling unit in any residential zone for personal office purposes, provided the requirements of Subsections 5.1.1 (a) to 5.1.1 (j) inclusive, above, are met. Parking is not required.

5.1.3 Catalogue Sales Permitted

Nothing in this By-law shall prevent the use of any dwelling unit or building accessory to a dwelling unit in any residential zone for catalogue sales purposes, provided the requirements of Subsections 5.1 (a) to 5.1(j) inclusive, above, are met. Parking is not required.

5.2 Parking of Commercial Motor Vehicles

No more than two (2) commercial motor vehicles shall be kept on a lot in any residential zone.

5.3 Residential Conversions

5.3.1 Conversion of dwellings to more than one dwelling per unit shall be subject to the following;

- (a) the dwelling was constructed before August 27, 1975; and
- (b) one (1) parking space is provided for each unit; and
- (c) exterior additions increase the *gross floor area* of the building by no more than ten percent (10%) of the *gross floor area* prior to conversion. *(amended December, 2000)*

5.3.2 In the Low Density (LDR), Comprehensive (CR) and Two Unit (TR) Residential Zones, and Neighbourhood Commercial (NC) and Rural (RU) Zones, dwellings meeting the criteria set out in 5.3.1 above and fronting on a primary street as shown on Map 4, the Street Classification Map, may convert to a maximum of three (3) units. All other dwellings within these zones which meet the above criteria may convert to a maximum of two (2) units.

5.3.3 In the Mixed Residential (MR) and Medium Density Residential (MDR) Zone, dwellings meeting the criteria set out in 5.3.1 above may convert to a maximum of four (4) units.

5.4 Outdoor Display

The display of goods in residential *zone* for the purpose of advertising or sales, except for display of goods related to occasional private garage sales or yard sales, is prohibited. *(amended December, 2000)*

PART 6 LOW DENSITY RESIDENTIAL (LDR) ZONE**6.1 Permitted Developments****(a) Developments Permitted Subject to Low Density Residential Zone (LDR) Standards (Subsection 6.2) and Special Requirements (Subsection 6.4)**

- dwellings established before August 27, 1975
- existing commercial uses as follow:

Pelkeys Jewellery Store	218 Alexandra Avenue
-------------------------	----------------------

- parking lots created before August 27, 1975
- single unit dwellings

(b) Developments Permitted Subject to Other Requirements of this By-law

- small scale business uses, in accordance with the requirements of Subsection 5.1.
- conversion of buildings established before August 27, 1975, to a maximum of three (3) units, in accordance with the requirements of Subsection 5.3.

(c) Developments Permitted by Development Agreement

- inns in buildings established before August 27, 1975, in accordance with Municipal Planning Strategy policy 4.4.
- office uses in accordance with Municipal Planning Strategy policy 4.34.
- institutional developments in accordance with Municipal Planning Strategy policy 4.35.
- neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 4.36.
- restaurants within neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 4.37.
- developments allowed in an abutting commercial zone in accordance with Municipal Planning Strategy policy 4.38.
- commercial developments in accordance with Municipal Planning Strategy policy 5.17.

6.2 Zone Standards

Minimum front yard	6 metres (20 ft.)
Minimum rear yard	4 metres (13 ft.)
Minimum side yard:	
* driveway side	4 metres (13 ft.)
* driveway side with attached garage or carport	1.5 metres (5 ft.)
* other side	1.5 metres (5 ft.)
Minimum flankage yard	3 metres (10 ft.)
Maximum height of structure	10 metres (33 ft.)

6.3 Zone Lot Sizes

Minimum lot area	650 sq. metres (7,000 sq. ft.)
Minimum lot frontage	21 metres (69 ft.)

6.4 Special Requirements

Development within the LaHave River Development Agreement District is permitted only by development agreement in accordance with Municipal Planning Strategy policy 9.2.

PART 7 COMPREHENSIVE RESIDENTIAL (CR) ZONE

7.1 Permitted Developments

(a) Developments Permitted Subject to Comprehensive Residential (CR) Zone Standards (Subsection 7.2) and Special Requirements (Subsection 7.4)

- dwellings established before August 27, 1975
- existing parking lots
- single unit dwellings

(b) Developments Permitted Subject to Other Requirements of this By-law

- (i) small scale business uses, in accordance with the requirements of Subsection 5.1.
- (ii) conversion of buildings established before August 27, 1975, to a maximum of three (3) units, in accordance with the requirements of Subsection 5.3.

(c) Developments Permitted by Development Agreement

- (i) residential development in accordance with Municipal Planning Strategy policy 4.8.
- (ii) office uses in accordance with Municipal Planning Strategy policy 4.34.
- (iii) institutional developments in accordance with Municipal Planning Strategy policy 4.35.
- (iv) neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 4.36.
- (v) restaurants within neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 4.37.
- (vi) developments allowed in an abutting commercial zone in accordance with Municipal Planning Strategy policy 4.38.
- (vii) neighbourhood plazas in accordance with Municipal Planning Strategy policy 5.24.

7.2 Zone Standards

Minimum front yard	6 metres (20 ft.)
Minimum rear yard	4 metres (13 ft.)
Minimum side yard:	
* driveway side	4 metres (13 ft.)
* driveway side with attached garage or carport	1.5 metres (5 ft.)
* other side	1.5 metres (5 ft.)
Minimum flankage yard	3 metres (10 ft.)
Maximum height of structure	10 metres (33 ft.)

7.3 Zone Lot Sizes

Minimum lot area	465 sq. metres (5,000 sq. ft.)
Minimum lot frontage	15 metres (50 ft.)

7.4 Special Requirements

Development within the LaHave River Development Agreement District is permitted only by development agreement in accordance with Municipal Planning Strategy policy 9.2.

PART 8 TWO UNIT RESIDENTIAL (TR) ZONE

8.1 Permitted Developments

(a) Developments Permitted Subject to Two Unit Residential (TR) Zone Standards (Subsection 8.2)

- dwellings established before August 27, 1975
- single unit dwellings
- two (2) unit dwellings

(b) Developments Permitted Subject to Other Requirements of this By-law

- (i) small scale business uses, in accordance with the requirements of Subsection 5.1.
- (ii) conversion of buildings established before August 27, 1975, to a maximum of three (3) units, in accordance with the requirements of Subsection 5.3.

(c) Developments Permitted by Development Agreement

- (i) inns in buildings established before August 27, 1975, in accordance with Municipal Planning Strategy policy 4.13.
- (ii) residential development in accordance with Municipal Planning Strategy policy 4.13.
- (iii) office uses in accordance with Municipal Planning Strategy policy 4.34.
- (iv) institutional developments in accordance with Municipal Planning Strategy policy 4.35.
- (v) neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 4.36.
- (vi) restaurants within neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 4.37.
- (vii) developments allowed in an abutting commercial zone in accordance with Municipal Planning Strategy policy 4.38.

8.2 Zone Standards

	Single Unit Dwelling	Two Unit Dwelling	Pre-1975 Semi-Detached Dwelling
Minimum front yard	6 metres (20 ft.)	6 metres (20 ft.)	6 metres (20 ft.)
Minimum rear yard	4 metres (13 ft.)	4 metres (13 ft.)	4 metres (13 ft.)
Minimum side yard:			
* driveway side	4 metres (13 ft.)	4 metres (13 ft.)	4 metres (13 ft.)
* driveway side with attached garage or carport	1.5 metres (5 ft.)	1.5 metres (5 ft.)	1.5 metres (5 ft.)
* other side	1.5 metres (5 ft.)	1.5 metres (5 ft.)	1.5 metres (5 ft.)
Minimum flankage yard	3 metres (10 ft.)	3 metres (10 ft.)	3 metres (10 ft.)
Maximum height of structure	10 metres (33 ft.)	10 metres (33 ft.)	10 metres (33 ft.)
Minimum side yard on side with common wall	-	0	0

8.3 Zone Lot Sizes

	Single Unit Dwelling	Two Unit Dwelling	Pre-1975 Semi-Detached Dwelling
Minimum lot area	650 sq. metres (7,000 sq. ft.)	325 sq. metres (3,500 sq.ft.)/unit	186 sq. metres (2,000 sq.ft.)/unit
Minimum lot frontage	22 metres (72 ft.)	11 metres (36 ft.)/unit	11 metres (36 ft.)/unit

PART 9 MEDIUM DENSITY RESIDENTIAL (MDR) ZONE

9.1 Permitted Developments

- (a) Developments Permitted Subject to Medium Density Residential (MDR) Zone Standards (Subsection 9.2) and Special Requirements (Subsection 9.4)
- dwellings established before August 27, 1975
 - multi-unit dwellings to a maximum of four (4) units
 - single unit dwellings
 - two (2) unit dwellings
- (b) Developments Permitted Subject to Other Requirements of this By-law
- (i) small scale business uses, in accordance with the requirements of Subsection 5.1.
 - (ii) conversion of buildings established before August 27, 1975, to a maximum of four (4) units, in accordance with the requirements of Subsection 5.3.
- (c) Developments Permitted by Development Agreement
- (i) inns in buildings established before August 27, 1975, in accordance with Municipal Planning Strategy policy 4.17.
 - (ii) residential development in accordance with Municipal Planning Strategy policy 4.17.
 - (iii) office uses in accordance with Municipal Planning Strategy policy 4.34.
 - (iv) institutional developments in accordance with Municipal Planning Strategy policy 4.35.
 - (v) neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 4.36.
 - (vi) restaurants within neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 4.37.
 - (vii) developments allowed in an abutting commercial zone in accordance with Municipal Planning Strategy policy 4.38.
 - (viii) commercial developments in accordance with Municipal Planning Strategy policy 5.17.

9.2 Zone Standards

	Single Unit Dwelling	Attached Dwellings on Separate Lots	Multi-Unit Dwellings (4 or less)
Minimum front yard	6 metres (20 ft.)	6 metres (20 ft.)	6 metres (20 ft.)
Minimum rear yard	4 metres (13 ft.)	4 metres (13 ft.)	4 metres (13 ft.)
Minimum side yard: * driveway side * driveway side with attached garage or carport * other side	4 metres (13 ft.) 1.5 metres (5 ft.) 1.5 metres (5 ft.)	4 metres (13 ft.) or 2 height of building	4 metres (13 ft.) or 2 height of building
Minimum flankage yard	3 metres (10 ft.)	3 metres (10 ft.)	6 metres (20 ft.)
Maximum height of structure	10 metres (33 ft.)	10 metres (33 ft.)	10 metres (33 ft.)
Minimum side yard on side with common wall	-	0	0

9.3 Zone Lot Sizes

Minimum lot area	650 sq. metres (7,000 sq. ft.)	165 sq. metres (1,775 sq.ft.)/unit	735 sq. metres (7,900 sq.ft.) <i>(amended May 4, 2000)</i>
Minimum lot frontage	21 metres (69 ft.)	5.5 metres (18 ft.)/unit	24 metres (80 ft.)

9.4 Special Requirements

Development within the LaHave River Development Agreement District is permitted only by development agreement in accordance with Municipal Planning Strategy policy 9.2.

PART 10 MIXED RESIDENTIAL (MR) ZONE**10.1 Permitted Developments****(a) Developments Permitted Subject to Mixed Residential (MR) Zone Standards (Subsection 10.2) and Special Requirements (Subsection 10.4)**

- dwellings established before the effective date of this Land Use By-Law
- rooming and boarding houses in buildings constructed and located on the lot prior to August 27, 1975
- single unit dwellings
- two (2) unit dwellings

(b) Developments Permitted Subject to Other Requirements of this By-law

- (i) small scale business uses, in accordance with the requirements of Subsection 5.1.
- (ii) conversion of buildings established before August 27, 1975, to a maximum of four (4) units, in accordance with the requirements of Subsection 5.3.

(c) Developments Permitted by Development Agreement

- (i) inns in buildings established before August 27, 1975, in accordance with Municipal Planning Strategy policy 4.21.
- (ii) residential development in accordance with Municipal Planning Strategy policy 4.21.
- (iii) office uses in accordance with Municipal Planning Strategy policy 4.34.
- (iv) institutional developments in accordance with Municipal Planning Strategy policy 4.35.
- (v) neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 4.36.
- (vi) restaurants within neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 4.37.
- (vii) developments allowed in an abutting commercial zone in accordance with Municipal Planning Strategy policy 4.38.
- (viii) mixed commercial and residential development in accordance with Municipal Planning Strategy policy 5.19.

10.2 Zone Standards

Minimum front yard	3 metres (10 ft.)
Minimum rear yard	4 metres (13 ft.)
Minimum side yard:	
* driveway side	4 metres (13 ft.)
* driveway side with attached garage or carport	1.5 metres (5 ft.)
* other side	1.5 metres (5 ft.)
Minimum flankage yard	3 metres (10 ft.)
Maximum height of structure	10 metres (33 ft.)

10.3 Zone Lot Sizes

Minimum lot area	650 sq. metres (7,000 sq. ft.)
Minimum lot frontage	21 metres (69 ft.)

10.4 Special Requirements

Development is permitted only in accordance with Subsection 4.31, Architectural Control Area Requirements.

PART 11 HIGH DENSITY RESIDENTIAL (HDR) ZONE**11.1 Permitted Developments****(a) Developments Permitted Subject to High Density (HDR) Zone Standards (Subsection 11.2)**

- dwellings established before August 27, 1975
- dwellings containing a maximum of twenty-three (23) dwelling units
- rooming or boarding houses in buildings established before August 27, 1975

(b) Developments Permitted Subject to Other Requirements of this By-law

- (i) small scale business uses, in accordance with the requirements of Subsection 5.1.
- (ii) conversion of buildings established before August 27, 1975, to a maximum of five (5) units, in accordance with the requirements of Subsection 5.3.

(c) Developments Permitted by Development Agreement

- (i) inns in buildings established before August 27, 1975, in accordance with Municipal Planning Strategy policy 4.26.
- (ii) dwellings containing twenty-four (24) or more dwelling units in accordance with Municipal Planning Strategy policy 4.26.
- (iii) residential development in accordance with Municipal Planning Strategy policy 4.26.
- (iv) office uses in accordance with Municipal Planning Strategy policy 4.34.
- (v) institutional developments in accordance with Municipal Planning Strategy policy 4.35.
- (vi) neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 4.36.
- (vii) restaurants within neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 4.37.
- (viii) developments allowed in an abutting commercial zone in accordance with Municipal Planning Strategy policy 4.38.
- (ix) mixed commercial and residential development in accordance with Municipal Planning Strategy policy 5.19.

11.2 Zone Standards

	Attached Dwellings on Separate Lots	Multi-unit Dwellings (23 Units or Fewer)
Minimum front yard	6 metres (20 ft.)	6 metres (20 ft.)
Minimum rear yard	4 metres (13 ft.)	4 metres (13 ft.)
Minimum side yard	4 metres (13 ft.) or 2 height of building, whichever is greater	4 metres (13 ft.) or 2 height of building, whichever is greater
Minimum flankage yard	6 metres (20 ft.)	6 metres (20 ft.)
Maximum height of structure	10 metres (33 ft.)	10 metres (33 ft.)
Minimum side yard on side with common wall	0	0

11.3 Zone Lot Sizes

Minimum lot area	165 sq. metres (1,775 sq.ft.)/unit	735 sq. metres (7,900 sq.ft.)
Minimum lot frontage	5.5 metres (18 ft.)/unit	24 metres (80 ft.)

PART 12 RESIDENTIAL MANUFACTURED HOME (RMH) ZONE

12.1 Permitted Developments

(a) Developments Permitted Subject to Residential Manufactured (RMH) Home Zone Standards (Subsection 12.2)

- dwellings established before August 27, 1975
- Land Leased Communities
- single unit dwellings, including dwellings without a permanent foundation and dwellings with a minimum footprint dimension of less than 6 metres (20 ft.)
- two (2) unit dwellings, including dwellings without a permanent foundation and dwellings with a minimum footprint dimension of less than 6 metres (20 ft.)

(b) Developments Permitted Subject to Other Requirements of this By-law

- (i) small scale business uses, in accordance with the requirements of Subsection 5.1.

(c) Developments Permitted by Development Agreement

- (i) inns in buildings established before August 27, 1975, in accordance with Municipal Planning Strategy policy 4.30.
- (ii) office uses in accordance with Municipal Planning Strategy policy 4.34.
- (iii) institutional developments in accordance with Municipal Planning Strategy policy 4.35.
- (iv) neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 4.36.
- (v) restaurants within neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 4.37.
- (vi) developments allowed in an abutting commercial zone in accordance with Municipal Planning Strategy policy 4.38.

12.2 Residential Manufactured Home Zone Standards

	Single Unit Dwellings	Two Unit Dwellings	Land Leased Communities
Minimum front yard	Maximum of 40% @4.6m (15') Remainder of 60% @ 6.1m (20')	Maximum of 40% @4.6m (15') Remainder of 60% @ 6.1m (20')	10 metres (33 ft.)
Minimum rear yard	4 metres (13 ft.)	4 metres (13 ft.)	4 metres (13 ft.)

Minimum side yard:	1.8 metres (6 ft.)	1.8 metres (6 ft.)	4 metres (13 ft.)
other side	1.2 metres (4 ft.)	1.2 metres (4 ft.)	
Minimum flankage yard	3 metres (10 ft.)	3 metres (10 ft.)	
Maximum height of structure	10 metres (33 ft.)	10 metres (33 ft.)	10 metres (33 ft.)
Minimum side yard on side with common wall	-	0	-
Minimum number of sites	-	-	10

12.3 Residential Manufactured Home Zone Lot Sizes

	Single Unit Dwellings	Two Unit Dwellings	Land Leased Communities
Minimum lot area	366 sq. metres (3,940 sq. ft.)	325 sq. metres (3,500 sq. ft.)/unit	20,000 sq. metres (5 acres)
Minimum lot frontage	12 metres (39.4ft.)	11 metres (36 ft.)/unit	21 metres (69 ft.)

Note: For all matters regarding Land Leased Communities, reference must also be made to the Land Leased Community By-law.

PART 13 GENERAL REQUIREMENTS FOR COMMERCIAL ZONES

13.1 Abutting Yard Requirements

13.1.1 Where a yard in a Central Commercial (C1), General Commercial (C2), or Restricted Commercial (RC) Zone abuts a yard in any residential or the Institutional (INST) Zone or the Park (P) or Recreation (REC) Zone, the following restrictions shall apply to the abutting yard within the Commercial Zone:

- (a) the minimum side yard requirement for the abutting side yard shall be 15 metres (50 ft.); and
- (b) the minimum rear yard requirement for the abutting rear yard shall be 15 metres (50 ft.); and
- (c) no open storage or permanent outdoor display shall be permitted within 3 metres (10 ft.) of a side or rear lot line; and
- (d) no parking space, driveway or travel lane shall be permitted in an abutting yard within 3 metres (10 ft.) of a side or rear lot line; and
- (e) where open storage, permanent outdoor display, parking spaces, driveways or traffic lanes are located within the required minimum side or rear yard, such uses shall be screened from the abutting properties by:
 - (i) an opaque fence of no less than 1.5 metres (5 ft.) in height, *unless otherwise requested by the owner of the abutting residential property; and (amended December, 2000)*
 - (ii) an area of land no less than 3 metres (10 ft.) in width which supports vegetation; and
- (f) in addition to the provisions of Part 28 of this By-law, signs located in the minimum required abutting yard shall be subject to the following requirements:
 - (i) no sign shall be illuminated; and
 - (ii) only direction or business identification signs shall be permitted; and
 - (iii) the maximum sign area shall be 1.4 sq. metres (15 sq. ft.); and
 - (iv) the maximum height of a ground sign from the grade to the highest part of the sign or sign structure shall be 3 metres (10 ft.); and
 - (v) all signs shall be located at least 3 metres (10 ft.) from the abutting property line.

(amended December 22, 2000)

13.1.2 Where a yard in a Group Commercial (C3) Zone abuts a yard in a any residential zone the following restrictions shall apply to the yard within the Group Commercial (C3) Zone:

- (a) the minimum side yard requirements for the abutting side yard shall be 25 metres (82 ft.); and
- (b) the minimum rear yard requirement for the abutting rear yard shall be 25 metres (82 ft.); and
- (c) a 15 metre (50 ft.) wide buffer extending the full width of the abutting yard shall be reserved from any required minimum abutting side or rear yard and no structures, parking spaces, or traffic lanes shall be permitted in this area. The buffer zone shall be landscaped with trees, shrubs, and other vegetation that will effectively screen views from abutting residential land; and
- (d) an opaque fence or a berm that is no less than 1.5 metres (5 ft.) in height shall be constructed within the buffer reserve where parking spaces, traffic lanes except for emergency service lanes, outdoor storage, and permanent outdoor display are located within an abutting yard; and
- (e) in addition to the provisions of Part 28 of this By-law, signs located in the minimum required abutting yard shall be subject to the provisions of Subsection 13.1.1 (f) above.

(amended December 22, 2000)

13.2 Access to Commercial Development

Vehicular access to and exit from any building or parking lot or loading area that is located in a commercial zone shall be by way of a primary street as designated on Map 4 of the Municipal Planning Strategy or an arterial or collector street that is created and approved in accordance with the Subdivision By-law, and access shall be entirely through the commercial zone in which the building, parking lot or loading area is located.

PART 14 CENTRAL COMMERCIAL (C1) ZONE

14.1 Permitted Developments

(a) Developments Permitted Subject to Central Commercial (C1) Zone Standards (Subsection 14.2) and Special Requirements (Subsection 14.4)

Note: No new commercial *buildings* permitted in this Subsection shall be over 93 sq. metres (1,000 sq. ft.) gross floor area. *amended July 1998*

- automobile sales establishments
- bakeries
- banks and other financial institutions
- beverage rooms/lounges established before 1993
- boarding and rooming houses
- car wash facilities
- clinics
- commercial schools
- commercial clubs
- court houses
- craft workshops
- day care centres
- dressmaking and tailoring
- dwellings established before August 27, 1975
- dwellings where the ground floor is used wholly or partially for a commercial purpose
- *emergency medical services (amended December, 2000)*
- existing uses as follow:

Name	Address	Use
TopSL'S Tavern	777 King St.	beverage room
River Pub	629 King St.	beverage room
River Pub	629 King St.	outdoor café in association with beverage room

- equipment rental depots
- funeral homes
- hotels and motels
- institutional developments
- laundry and dry cleaning establishments, including laundromats and depots
- marinas
- marine sales
- meeting halls
- office buildings and office uses
- outdoor markets
- outdoor theatres
- parking lots
- personal service shops
- photography studios
- plumbing and heating services
- places of entertainment, recreation and assembly, within wholly enclosed buildings
- premises licensed under the Liquor Control Act as either lounges or beverage rooms and enclosed in a hotel or motel
- postal services
- printing establishments
- private clubs and fraternal organizations
- public garages
- repair shops
- restaurants

- retail stores
- rust prevention facilities
- single unit dwellings
- taxi stands and bus terminals
- tourist information centres and facilities
- two (2) unit dwellings
- water oriented uses and facilities
- wholesale establishments
- *wineries and micro-breweries (amended December 22, 2000)*

(b) Developments Permitted Subject to Other Requirements of this By-law
none

(c) Developments Permitted by Development Agreement

- (i) new commercial *buildings* in excess of 93 sq. metres (1,000 sq. ft.) gross floor area in accordance with Municipal Planning Strategy policy 5.5. *amended July 1998*
- (ii) new multi-unit residential *buildings* in excess of 93 sq. metres (1,000 sq. ft.) gross floor area in accordance with Municipal Planning Strategy policy 5.5. *amended July 1998*
- (iii) additions over 93 sq. metres (1,000 sq. ft.) in gross floor area in accordance with Municipal Planning Strategy policy 5.5.
- (iv) new lounges and beverage rooms, additions to or extensions of established lounges and beverage rooms and outdoor facilities associated with these *developments*, in accordance with Municipal Planning Strategy policy 5.5. *(amended December 2000)*

14.2 Zone Standards

Minimum front yard	0
Minimum rear yard	0
Minimum side yard	0
Minimum flankage yard	0
Maximum height of structure	14 metres (46 ft.)

14.3 Zone Lot Sizes

Minimum lot area	93 sq. metres (1,000 sq. ft.)
Minimum lot frontage	6 metres (20 ft.) or a right-of-way in accordance with Subsection 4.22

14.4 Special Requirements - Central Commercial (C1) Zone

- (a) *With the exception of yard sales*, outdoor display and open storage of used goods are prohibited in any front yard or side yard. *amended March 2000*
- (b) New buildings and additions to existing buildings permitted under Subsection 14.1 (a) shall not exceed 93 sq. metres (1,000 sq. ft.) of gross floor area.
- (c) Development within the LaHave River Development Agreement District is permitted only by development agreement in accordance with Municipal Planning Strategy policy 9.2.

PART 15 GENERAL COMMERCIAL (C2) ZONE

15.1 Permitted Developments

(a) Developments Permitted Subject to General Commercial (C2) Zone Standards (Subsection 15.2) and Special Requirements (Subsection 15.4)

Note: No new commercial development permitted in this Subsection shall be over 4,645 sq. metres (49,999 sq. ft). in gross floor area

- animal hospitals and veterinary establishments
- automobile sales establishments
- automobile service stations
- automobile washing establishments
- bakeries
- banks and other financial institutions
- boarding and rooming houses
- building supply stores and warehouses
- clinics
- commercial clubs
- commercial schools
- craft workshops
- day care centres
- dressmaking and tailoring
- dwellings established before August 27, 1975
- dwellings where the ground floor is used wholly or partially for a commercial purpose
- *emergency medical services (amended December, 2000)*
- equipment rental depots
- existing auto body shop at 350 Victoria Road
- funeral homes
- garden and nursery sales and display
- hotels and motels
- institutional developments
- laundry and dry cleaning establishments, including laundromats and depots
- meeting halls
- marine sales
- motor vehicle repair shops, excluding auto body repair
- *(amended by deletion December, 2000)*
- office buildings and office uses
- parking lots
- personal service shops
- photography studios
- places of entertainment, recreation and assembly, within wholly enclosed buildings
- premises licensed under the Liquor Control Act as either lounges or beverage rooms and enclosed in a hotel or motel
- printing establishments
- private clubs and fraternal organizations
- private roads giving access to a mobile home park
- public garages
- repair shops
- restaurants
- retail sales
- sales and repair of manufactured homes and related equipment
- sales and repair of recreational vehicles and equipment

- taxi stands and bus terminals
- tourist information centres and facilities
- warehouses and enclosed distribution centres
- *wineries and micro-breweries (amended December 22, 2000)*

(b) Developments Permitted Subject to Other Requirements of this By-law
none

(c) Developments Permitted by Development Agreement

- (i) new multi-unit residential developments in accordance with Municipal Planning Strategy policy 5.10.
- (ii) new commercial developments or additions to established commercial developments which result in a *gross floor area* of more than 4,645 sq. metres (49,999 sq. ft.), in accordance with Municipal Planning Strategy policy 5.10. *(amended December, 2000)*
- (iii) new lounges and beverage rooms, additions to or extensions of established lounges and beverage rooms and outdoor facilities associated with these *developments*, in accordance with Municipal Planning Strategy policy 5.10. *(amended December 2000)*

15.2 Zone Standards

Minimum front yard	3 metres (10 ft.)
Minimum rear yard	4 metres (13 ft.)
Minimum side yard: * driveway side * driveway side with attached garage or carport * other side	4 metres (13 ft.) 1.5 metres (5 ft.) 1.5 metres (5 ft.)
Minimum side yard on side with common wall	0
Minimum flankage yard	3 metres (10 ft.)
Maximum height of structure	14 metres (46 ft.)

15.3 Zone Lot Sizes

Minimum lot area	650 sq. metres (7000 sq. ft.)
Minimum lot frontage	21 metres (69 ft.)

15.4 Special Requirements - General Commercial (C2) Zone

- (a) *With the exception of yard sales*, open storage and outdoor display of used goods are prohibited in any front yard or side yard. *amended March 2000*
- (b) Development within the LaHave River Development Agreement District is permitted only by development agreement in accordance with Municipal Planning Strategy policy 9.2.

PART 16 GROUP COMMERCIAL (C3) ZONE

16.1 Permitted Developments

(a) Developments Permitted Subject to Group Commercial (C3) Zone Standards (Subsection 16.2) and Special Requirements (Subsection 16.4)

Note: No new commercial development permitted in this Subsection shall be over 4,645 sq. metres (49,999 sq. ft). in gross floor area

- automobile sales establishments
- automobile service stations
- automobile washing establishments
- bakeries
- banks and other financial institutions
- beverage rooms/lounges established before 1993 as follow:

Name	Address	Use
Tomorrow's Lounge	421 LaHave St.	lounge

- boarding and rooming houses
- building supplies stores and warehouses
- *clinics (amended December 20, 2000)*
- commercial clubs
- commercial schools
- craft workshops
- day care centres
- dressmaking and tailoring
- dwellings established before August 27, 1975
- *emergency medical services (amended December, 2000)*
- equipment rental depots
- existing outdoor cafes associated with beverage rooms/lounges
- existing retail developments over 4,645 sq. metres (49,999 sq. ft). in floor area, as follow:

Bridgewater Mall	421 LaHave Street
East Side Plaza 1 & 2	28 Davison & 450 LaHave Street
Bridgewater Plaza	215 Dominion Street
South Shore Mall	40 North Street

- funeral homes
- hotels and motels
- institutional developments
- laundry and dry cleaning establishments, including laundromats and depots
- marine sales
- *(amended by deletion December, 2000)*
- meeting halls
- motor vehicle repair shops, excluding auto body repair
- multi-unit dwellings where the ground floor is used wholly or partially for a commercial purpose
- office buildings and office uses
- parking lots
- personal service shops
- photography studios
- places of entertainment, recreation and assembly, within wholly enclosed buildings

- premises licensed under the Liquor Control Act as either lounges or beverage rooms and enclosed in a hotel or motel
- printing establishments
- private clubs and fraternal organizations
- public garages
- repair shops
- restaurants
- retail sales
- taxi stands and bus terminals
- tourist information *centres and facilities (amended December, 2000)*
- warehouses and enclosed distribution centres
- wholesale establishments
- *wineries and micro-breweries (amended December 22, 2000)*

(b) Developments Permitted Subject to Other Requirements of this By-law
none

(c) Developments Permitted by Development Agreement

- (i) new commercial developments or additions to established commercial developments which result in a *gross floor area* of more than 4,645 sq. metres (49,999 sq. ft.), in accordance with Municipal Planning Strategy policy 5.14. *(amended December, 2000)*
- (ii) new lounges and beverage rooms, additions to or extensions of established lounges and beverage rooms and outdoor facilities associated with these *developments*, in accordance with Municipal Planning Strategy policy 5.14. *(amended December 2000)*
- (iii) new multi-unit dwellings in accordance with Municipal Planning Strategy 5.14.

16.2 Zone Standards

Minimum front yard	3 metres (10 ft.)
Minimum rear yard	4 metres (13 ft.)
Minimum side yard	3 metres (10 ft.)
Minimum side yard on side with common wall	0
Minimum flankage yard	3 metres (10 ft.)
Maximum height of structure	14 metres (46 ft.)

16.3 Zone Lot Sizes

Minimum lot area	93 sq. metres (1,000 sq. ft.)
Minimum lot frontage	6 metres (20 ft.) or a right-of-way in accordance with Subsection 4.22

16.4 Special Requirements

Development within the LaHave River Development Agreement District is permitted only by development agreement in accordance with Municipal Planning Strategy policy 9.2.

PART 17 NEIGHBOURHOOD COMMERCIAL (NC) ZONE**17.1 Permitted Developments****(a) Developments Permitted Subject to Neighbourhood Commercial (NC) Zone Standards (Subsection 17.2)**

- existing neighbourhood grocery and convenience stores
- neighbourhood grocery and convenience stores in the same building as residential uses on corner lots
- neighbourhood grocery and convenience stores
- single unit dwellings

(b) Developments Permitted Subject to Other Requirements of this By-law

- (i) small scale business uses within a dwelling unit according to the requirements of Subsection 5.1.
- (ii) residential conversions containing a maximum of three (3) dwelling units subject to the requirements of Subsection 5.3.

(c) Developments Permitted Subject to Site Plan Approval

- (i) *retail sales developments at 969 and 1101 King Street, in accordance with the criteria set out in Subsection 17.4. amended September 1999*

(d) Developments Permitted by Development Agreement

- (i) inns in buildings established before August 27, 1975, in accordance with Municipal Planning Strategy policy 5.22.
- (ii) office uses in accordance with Municipal Planning Strategy policy 5.22.
- (iii) institutional developments in accordance with Municipal Planning Strategy policy 5.22.
- (iv) restaurants within neighbourhood grocery stores or convenience stores in accordance with Municipal Planning Strategy policy 5.22.

17.2 Zone Standards

Minimum front yard	4 metres (13 ft.)
Minimum rear yard	4 metres (13 ft.)
Minimum side yard: * driveway side * driveway side with attached garage or carport * other side	3 metres (10 ft.) 1.5 metres (5 ft.) 1.5 metres (5 ft.)
Minimum flankage yard	3 metres (10 ft.)
Maximum height of structure	10 metres (33 ft.)
Minimum parking area for commercial uses	1 space for each 28 sq. metres (300 sq.ft.) of commercial floor area

17.3 Zone Lot Sizes

Minimum lot area	650 sq. metres (7,000 sq. ft.)
Minimum lot frontage	21 metres (69 ft.)

17.4 Site Plan Criteria

- (a) the maximum commercial floor area of retail sales does not exceed 381 square metres (4,100 sq. ft.).
- (b) that the location of new structures on the lot minimizes the impact of entrances and exits on the surrounding neighbourhood
- (c) the location of parking and loading facilities minimizes the impact on the surrounding neighbourhood
- (d) the location, number and width of driveways are designed to prevent congestion, nuisance and inconvenience in the area and minimize the impact on the surrounding neighbourhood
- (e) the type, location, and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements which is necessary to protect and minimize the land use impact on neighbouring properties is provided
- (f) existing vegetation is retained where the vegetation is healthy and its removal would have a negative impact on the neighbourhood
- (g) the location of walkways and all other pedestrian access minimizes the impact on the neighbourhood
- (h) 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 neighbouring properties
- (i) the location of facilities for the storage of solid waste provides for maximum separation from residential development
- (j) the location of any easement
- (k) the grading or alteration in elevation or contour of the land maximizes separation from residential uses
- (l) storm and surface water management plans are provided
- (m) the type, location number and size of signs or sign structures do not significantly alter the appearance of the neighbourhood
- (n) the above-listed items are maintained in a manner suitable to a residential neighbourhood.
(amended September 1999)

PART 18 RESTRICTED COMMERCIAL (RC) ZONE

18.1 Permitted Developments

- (a) Developments Permitted Subject to Restricted Commercial (RC) Zone Standards (Subsection 18.2) and Special Requirements (Subsection 18.4)
- *existing nursing home located at 45 Pleasant Street (amended December, 2000)*
 - parking lots
 - single, two (2) and three (3) unit dwellings
- (b) Uses Permitted In Main Buildings Constructed Before February 15, 1981 (amended Feb, 2001)
- ambulance service
 - clinics
 - craft workshops
 - day care centres, both residential and commercial
 - funeral homes
 - inns
 - institutional uses
 - office uses
 - personal service shops
 - private and service clubs and fraternal organizations
 - restaurants, except that drive-in, drive-through and take-out restaurants shall have frontage and access only on Dufferin St.
 - retail sales to a maximum of 140 sq. metres (1,500 sq. ft.)
- (c) Developments Permitted Subject to Other Requirements of this By-law
- (i) small scale business uses, in accordance with the requirements of Subsection 5.1.
 - (ii) conversion of buildings established before August 27, 1975, to a maximum of three (3) units, in accordance with the requirements of Subsection 5.3.
- (d) Developments Permitted by Development Agreement
- (a) developments permitted in the General Commercial (C2) Zone which are not otherwise permitted in the Restricted Commercial (RC) Zone, in accordance with Municipal Planning Strategy policy 5.28.
 - (b) residential developments in accordance with Municipal Planning Strategy policy 5.28.
 - (c) additions of more than ten percent (10%) for multi-unit residential purposes, and additions for commercial purposes, to buildings established before August 27, 1975, in accordance with Municipal Planning Strategy policy 5.28.
- (e) Uses accessory to a use permitted within a main building in accordance with Clause 18.1 (b), are permitted within an accessory building.

18.2 Zone Standards

Minimum front yard	9 metres (30 ft.)
Minimum rear yard	9 metres (30 ft.)
Minimum side yard	4 metres (13 ft.)
Maximum height of structure	10 metres (33 ft.)

18.3 Zone Lot Sizes

Minimum lot area	650 sq. metres (7,000 sq. ft.)
Minimum lot frontage	21 metres (69 ft.)

18.4 Special Requirements - RC Zone

- (a) Exterior additions for commercial purposes may increase the *gross floor area* of a building by no more than ten percent (10%) of the gross floor area existing before the addition. (*amended December, 2000*)
- (b) Principal architectural features of exterior additions including roof shape, and proportion and relationship of windows and doors shall be consistent with the principal architectural features of the main building.
- (c) *With the exception of yard sales*, outdoor display and open storage of used goods are prohibited. *amended March 2000*
- (d) No sign shall exceed 2 sq. metres (22 sq. ft.) in area and no ground sign shall exceed a height of 4 metres (13 ft.).
- (e) Development within the LaHave River Development Agreement District is permitted only by development agreement in accordance with Municipal Planning Strategy policy 9.2.
- (f) Development is permitted only in accordance with Subsection 4.31, Architectural Control Area Requirements.

18.5 (*amended by deletion December, 2000*)

PART 19 SPECIAL COMMERCIAL (SC) ZONE**19.1 Permitted Developments****(a) Developments Permitted Subject to Special Commercial Zone (SC) Standards (Subsection 19.2)**

- office uses
- personal service shops
- single unit dwellings
- two (2) unit dwellings

(b) Established Uses Permitted in Existing Buildings and on the Sites So Used before 1996

Note: Existing uses in the Special Commercial Zone shall not be permitted to enlarge or expand as-of right.

Name	Address	Use
Riverview Automotive	31 Riverview Drive	auto repair
Walter Maughan Commercial Building	1675 King St.	equipment yard and material storage
R. Knock (Plaza Taxi)	1357 King St.	taxi company
D & G Auto Body Shop	985 King St.	auto body repair
Ross Taylor Garage	383 St. Phillips St	auto repair
Gerald Hebb=s Towing and Salvage Yard	359 St. Phillips St.	towing & salvage yard
Lester Zwicker Trucking	239 St. Phillips St.	truck parking & storage
Victor Greek's Meat Market	276A St. Phillips St.	meat packing & retail meat sales
Floyd's 150	150 St. Phillips St.	contractors building
Gilbert's T.V.	102 Starr St.	electronic sales & repair
Horton Insurance	20 Pearl St.	insurance sales office
Gilbert N. Langille Plumbing & Heating	261 York St.	contractor shop & plumbing & heating sales office

(amended December, 2000)

Little's Flower Shop & Little's Landscaping	245 York St.	retail sales flowers, flower arrangements, gardening & landscaping supplies
South Shore Veterinary Hospital	150 Churchill St.	commercial animal hospital
Mackenzie Bus Garage	126 Victoria Road, 132 Victoria Road, and 144 Victoria Road.	bus repair & bus parking
Mackenzie Bus Depot	210 York St.	bus depot
Demones C. Monuments Ltd.	101 Victoria Road <i>(amended December, 2000)</i>	monument sales
South Shore Nursery	209 High St.	office building & commercial building retail store
Hebb Upholstery	115 High St.	upholstery shop
Fairview Inn	25 Queen St.	hotel & restaurant
Cobbler Corner	287 King St	shoe repair and retail sale of leather goods
Country Home Woodworks	27 South St.	woodworking shop
Rahman's Blacksmith Shop	58 Elm St.	blacksmith shop
Mariner Inn	324 Aberdeen Road	motel & restaurant
Don Grace Car & Tire Sales	76 Dominion St.	automobile & automobile parts, sales & service
Hubley=s Electrical Ltd.	56 Starr St.	electrical installation and repairs
Riverview Machining Services	1627 King St.	machine shop
A. Collicut	90 Pearl St.	used car dealership
G. Lake	255 Victoria Road	wood product sales
G & K Custom Design <i>(amended May 25 1998)</i>	1657 King Street	silk screening and vinyl graphics shop
<i>Associate Chiropractic Centre (amended December 22, 2000)</i>	<i>103 Dominion Street</i>	<i>chiropractic clinic</i>

- (c) Developments Permitted Subject to Other Requirements of this By-law
- (i) *small scale business uses, in accordance with the requirements of Subsection 5.1.*
 - (ii) *conversion of buildings established before August 27, 1975, to a maximum of three (3) units, in accordance with the requirements of Subsection 5.3.*
- (d) Developments Permitted by Development Agreement
- (i) *expansion of an existing building or use, or replacement of a building listed in Subsection 19.1 (b) above, in accordance with Municipal Planning Strategy policy 5.32.*
 - (ii) *change of use, or the addition of any use in accordance with Municipal Planning Strategy policy 5.32.*
 - (iii) *inns in buildings established before August 27, 1975, in accordance with Municipal Planning Strategy policy 5.32.*
 - (iv) *office uses in accordance with Municipal Planning Strategy policy 5.32.*
 - (v) *institutional developments in accordance with Municipal Planning Strategy policy 5.32.*
 - (vi) *neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 5.32.*
 - (vii) *restaurants within neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 5.32.*
 - (viii) *residential development in accordance with Municipal Planning Strategy policy 5.32.*

19.2 Zone Standards

<i>Minimum front yard</i>	<i>6 metres (20 ft.)</i>
<i>Minimum rear yard</i>	<i>4 metres (13 ft.)</i>
<i>Minimum side yard:</i>	
<i>* driveway side</i>	<i>4 metres (13 ft.)</i>
<i>* driveway side with attached garage or carport</i>	<i>1.5 metres (5 ft.)</i>
<i>* other side</i>	<i>1.5 metres (5 ft.)</i>
<i>Minimum flankage yard</i>	<i>3 metres (10 ft.)</i>
<i>Maximum height of structure</i>	<i>10 metres (33 ft.)</i>

19.3 Zone Lot Sizes

<i>Minimum lot area</i>	<i>650 sq. metres (7,000 sq. ft.)</i>
<i>Minimum lot frontage</i>	<i>21 metres (69 ft.)</i>

PART 20 GENERAL REQUIREMENTS FOR INDUSTRIAL ZONES**20.1 Abutting Zone Requirements**

Notwithstanding the requirements of Subsection 21.2, where a yard within an Industrial (IN) or Light Industrial (LIN) Zone abuts a yard within any residential zone, the Institutional (INST) Zone, or the Park (P) or Recreation (REC) Zone, the following restrictions shall apply to the abutting yard within the industrial zone: *(amended December 22, 2000)*

- (a) the minimum side yard requirements for the abutting side yard shall be 25 metres (82.0 ft.);
and
- (b) the minimum rear yard requirement for the abutting rear yard shall be 25 metres (82.0 ft.);
and
- (c) a 15 metre (50 ft.) wide buffer extending the full width of the abutting yard shall be reserved from any required minimum abutting side or rear yard and no structures, parking spaces, or traffic lanes shall be permitted in this area. The buffer zone shall be landscaped with trees, shrubs, and other vegetation that will effectively screen views from abutting residential land. Any existing vegetation that is healthy and that provides effective screening shall be retained; and
- (d) an opaque fence or a berm that is no less than 1.5 metres (5 ft.) in height shall be constructed within the buffer reserve where parking spaces, drive lanes except for emergency service lanes, outdoor storage, and permanent outdoor display are located within the minimum required abutting yard; and
- (e) in addition to the provisions of Part 28 of this By-law, signs located in the minimum required abutting yard shall be subject to the requirements of Subsection 13.1.1 (f).

PART 21 INDUSTRIAL (IN) ZONE

21.1 Permitted Developments

(a) Developments Permitted Subject to Industrial (IN) Zone Standards (Subsection 21.2) and Special Requirements (Subsection 21.4)

Note: No new commercial development permitted in this Subsection shall be over 4,645 sq. metres (49,999 sq. ft). in gross floor area

Note: the following *developments* do not include any *development* that is listed in Subsection 21.1(c), "Developments Permitted By Development Agreement".(amended December 2000)

- any activity connected with the automotive trade including service stations, auto sales, motor vehicle repair shops and auto body repair shops
- any *development* permitted by Subsection 16.1, the permitted *developments* of the Group Commercial (C3) Zone, with the exception of dwellings (amended December, 2000)
- building supply and equipment depots
- bus and taxi garages and stands
- Christmas tree yards
- commercial uses accessory to a permitted use
- *contractors depots and offices (amended December, 2000)*
- construction equipment and construction materials storage
- crematoria
- dwelling units accessory to the main use, for a keeper or guard
- emergency services
- employee cafeterias or canteens accessory to the permitted main use
- existing industrial and commercial developments as follow:

Name	Address	Use
Bridgewater Ready Mix Limited	338 Logan Road	ready mix concrete plant
Municipal Enterprises Ltd.	338 Logan Road	asphaltic concrete plant
Petro Canada (West Nova Fuels)	81 North Park St.	petroleum products: bulk storage and distribution facilities

(amended by deletion December, 2000)

- laundry and dry cleaning establishments and depots
- machinery and motor vehicle repairs
- manufacturing, processing, assembly, or production developments
- marine terminals
- open storage and display of goods and materials
- parking lots and parking areas for automobiles, trucks and trailers
- *printing establishments (amended by deletion December, 2000)*
- private clubs and fraternal organizations
- public buildings
- public works depots
- recreation facilities
- recycling depots
- repair shops

- supply and distribution centres
- telephone, television and microwave receiving and transmitting towers
- transport and trucking developments
- warehouses

(b) Developments Permitted Subject to Other Requirements of this By-law
none

(c) Developments Permitted by Development Agreement

- (i) industrial and commercial developments not listed in Subsections 21.1(a), in accordance with Municipal Planning Strategy policy 6.4.
- (ii) expansion of industrial and commercial developments listed in Subsection 21.1(a) in accordance with Municipal Planning Strategy policy 6.5.
- (iii) new industrial developments considered to be hazardous, or have the potential for creating land use conflicts, as follow:
 - asphaltic concrete production
 - commercial or recreational racing of motorized vehicles
 - fish meal production
 - metal corrosion treatment facilities
 - outdoor, open storage of scrap materials of all kinds including but not limited to auto bodies and auto parts
 - penal institutions
 - petroleum bulk storage plants where petroleum products are stored for distribution, excluding associated office buildings and accessory uses
 - pulp and paper mills
 - ready mix concrete plants
 - refining of hydro carbons
 - shooting ranges
 - slaughter and butchering of animals
 - smelting and ore refining
 - tanning
 - warehousing and wholesale distribution of explosives, pesticides, herbicides, fungicides, biocides and other poisonous or hazardous substances
 - wood debarking and chipping, except for activities at or in close proximity to harvesting operations
 - wood preserving
 in accordance with Municipal Planning Strategy policy 6.5.
- (iv) new commercial developments or additions to established commercial developments which result in a *gross floor area* of more than 4,645 sq. metres (49,999 sq. ft.), in accordance with Municipal Planning Strategy policy 5.33. (*amended December, 2000*)

21.2 Zone Standards

Minimum front yard	3 metres (10 ft.)
Minimum rear yard	4 metres (13 ft.)
Minimum side yard	4 metres (13 ft.)
Maximum height of structure	none

21.3 Zone Lot Sizes

Minimum lot area	930 sq. metres (10,000 sq. ft.)
Minimum lot frontage	30 metres (98 ft.)

21.4 Special Requirements

Development within the LaHave River Development Agreement District is permitted only by development agreement in accordance with Municipal Planning Strategy policy 9.2.

PART 22 LIGHT INDUSTRIAL (LIN) ZONE

22.1 Permitted Developments

(a) Developments Permitted Subject to Light Industrial (LIN) Zone Standards (Subsection 22.2)

Note: No new commercial development permitted in this Subsection shall be over 4,645 sq. metres (49,999 sq. ft). in gross floor area

- any activity connected with the automotive trade including service stations, auto sales, motor vehicle repair shops and auto body repair shops
- any activity connected with the temporary storage of materials being loaded or unloaded at the Deep Water Marine Terminal
- any use permitted in the Group Commercial (C3) Zone as-of-right with the exception of dwellings
- bus and taxi garages and stands
- Christmas tree yards
- commercial uses accessory to a permitted use
- construction equipment and construction materials storage
- dwelling units accessory to the main use, for a keeper or guard
- emergency services
- employee cafeterias or canteens accessory to the permitted main use
- institutional developments
- laundry and dry cleaning establishments and depots
- machinery and motor vehicle repairs
- open storage and display of goods and materials other than scrap materials
- parking lots and parking areas for automobiles, trucks and trailers
- printers
- private clubs and fraternal organizations
- public buildings and uses
- public works depots
- recreation facilities
- recycling depots
- repair shops
- sewage treatment plants established before 1996
- supply and distribution centres
- telephone, television and microwave receiving and transmitting towers
- transport and trucking developments
- warehouses
- wholly enclosed manufacturing, processing, assembly, or production developments
- wholesale developments

(b) Developments Permitted Subject to Other Requirements of this By-law

none

(c) Developments Permitted by Development Agreement

- (i) wood debarking and chipping, except for activities in close proximity to harvesting operations in accordance with Municipal Planning Strategy policy 6.10.
- (ii) open storage, including but not limited to auto bodies and auto parts, in accordance with Municipal Planning Strategy policy 6.11.
- (iii) new commercial developments or additions to established commercial developments which result in a *gross floor area* of more than 4,645 sq. metres (49,999 sq. ft.), in accordance with Municipal Planning Strategy policy 5.33 (*amended December, 2000*)

22.2 Zone Standards

Minimum front yard	3 metres (10 ft.)
Minimum rear yard	4 metres (13 ft.)
Minimum side yard	4 metres (13 ft.)
Maximum height of structure	none

22.3 Zone Lot Sizes

Minimum lot area	930 sq. metres (10,000 sq. ft.)
Minimum lot frontage	30 metres (98 ft.)

PART 23 RURAL (RU) ZONE

23.1 Permitted Developments

- (a) Developments Permitted Subject to Rural (RU) Zone Standards (Subsection 23.2) and Special Requirements (Subsection 23.4)
- dwelling established before August 27, 1975
 - existing water reservoir
 - resource related agricultural activities
 - resource related forestry activities
 - single unit dwellings
- (b) Developments Permitted Subject to Other Requirements of this By-law
- (i) small scale business uses, in accordance with the requirements of Subsection 5.1.
 - (ii) conversion of buildings established before August 27, 1975, to a maximum of three (3) units, in accordance with the requirements of Subsection 5.3.
- (c) Developments Permitted by Development Agreement
- (i) inns in buildings established before August 27, 1975, in accordance with Municipal Planning Strategy policy 7.4.
 - (ii) residential development in accordance with Municipal Planning Strategy policy 7.4.
 - (iii) office uses in accordance with Municipal Planning Strategy policy 7.4.
 - (iv) neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 7.4.
 - (v) restaurants within neighbourhood grocery and convenience stores in accordance with Municipal Planning Strategy policy 7.4.
 - (vi) developments allowed in an abutting commercial zone in accordance with Municipal Planning Strategy policy 7.4.

23.2 Zone Standards

Minimum front yard	6 metres (20 ft.)
Minimum rear yard	4 metres (13 ft.)
Minimum side yard:	
* driveway side	4 metres (13 ft.)
* driveway side with attached garage or carport	1.5 metres (5 ft.)
* other side	1.5 metres (5 ft.)
Minimum flankage yard	3 metres (10 ft.)
Maximum height of structure	10 metres (33 ft.)

23.3 Zone Lot Sizes

Minimum lot area	650 sq. metres (7,000 sq. ft.)
Minimum lot frontage	21 metres (69 ft.)

23.4 Special Requirements

- (a) No structure shall be used for the shelter or confinement of one or more farm animal units within 30 metres (100 ft.) of a residential dwelling or institutional building or within 30 metres (100 ft.) of any residential or institutional zone boundary.
- (b) Feedlots or animal shelters holding in excess of the number of farm animal units listed in the following table shall not be located within 305 metres (1,000 ft.) of a residential or institutional building or within 305 metres (1,000 ft.) of any residential or institutional zone boundary.

<u>Type of Livestock</u>	<u>Number of Animal Units</u>
horses	25
cattle (plus calves)	25
swine (plus litter to weaning)	25
sheep (plus lambs)	25
fowl	50
female mink (plus kits and males)	50
female rabbits (plus males)	50

- (c) Development within the LaHave River Development District is permitted only by development agreement in accordance with Municipal Planning Strategy policy 9.2.

PART 24 INSTITUTIONAL (INST) ZONE**24.1 Permitted Developments**(a) Developments Permitted Subject to Institutional (INST) Zone Standards (Subsection 24.2)

- arenas
- any incorporated institutional use
- cemeteries
- churches, religious institutions and places of worship
- community centres
- cultural facilities
- day care centres and nursery schools, both residential and commercial
- educational institutions
- emergency services
- exhibition centres
- fire halls and fire stations
- hospitals
- incidental, occasional or temporary outdoor or indoor markets, bake sales, flea markets, and vegetable and produce markets
- libraries, museums and public art galleries
- private clubs and fraternal organizations
- public and private nursing homes
- public buildings and public uses
- rectories, manses and staff residences associated with uses permitted in this section
- residential care facilities for nine (9) or more persons
- YMCA, YWCA and similar facilities operated by non-profit organizations

(b) Developments Permitted Subject to Other Requirements of this By-law

- (a) existing residential uses at 325 King Street subject to the requirements of Section 10.2, the Mixed Residential (MR) Zone standards.

(c) Developments Permitted by Development Agreement

none

24.2 Zone Standards

Minimum front yard	3 metres (10 ft.)
Minimum rear yard	4 metres (13 ft.)
Minimum side yard:	
* driveway side	4 metres (13 ft.)
* driveway side with attached garage or carport	1.5 metres (5 ft.)
* other side	1.5 metres (5 ft.)
Minimum flankage yard	3 metres (10 ft.)
Maximum height of structure	14 metres (46 ft.)

amended January 7, 1998

24.3 Zone Lot Sizes

Minimum lot area	650 sq. metres (7,000 sq. ft.)
Minimum lot frontage	21 metres (69 ft.)

RESIDENTIAL INSTITUTIONAL (RI) ZONE

24.4 Permitted Developments

(a) Developments Permitted Subject to Residential Institutional (RI) Zone Standards (Subsection 24.5)

- residential care facilities for nine (9) or more persons
- public and private nursing homes
- rectories, manses and staff residences associated with uses permitted in this section
- multi-unit dwellings when associated with developments consisting of residential care facilities and/or public and private nursing homes of no less than 50,000 square feet of gross floor area
- two-unit dwellings when associated with developments consisting of residential care facilities and/or public and private nursing homes of no less than 50,000 square feet of gross floor area
- clinics, when associated with developments consisting of residential care facilities and/or public and private nursing homes of no less than 50,000 square feet of gross floor area, and which do not exceed 8% of the total gross floor area of a proposed development

(b) Developments Permitted by Development Agreement

- (i) multi-unit dwellings and two-unit dwellings when associated with developments consisting of residential care facilities and/or public and private nursing homes of **less** than 50,000 square feet of gross floor area

24.5 Zone Standards

Minimum front yard	6 metres (20 ft.)
Minimum rear yard	4 metres (13 ft.)
Minimum side yard:	4 metres (13 ft.) or ½ the height of the building, whichever is greater
Minimum flankage yard	3 metres (10 ft.)
Maximum height of structure	10 metres (33 ft.)

24.6 Zone Lot Sizes

Minimum lot area	929 sq. metres (10,000 sq. ft.)
Minimum lot frontage	21 metres (69 ft.)

24.7 Site Plan Criteria

- (a) that the location of new structures on the lot minimizes the impact of entrances and exits on the surrounding neighbourhood
- (b) the location of parking and loading facilities minimizes the impact on the surrounding neighbourhood
- (c) the location, number and width of driveways are designed to prevent congestion, nuisance and inconvenience in the area and minimize the impact on the surrounding neighbourhood
- (d) the type, location, and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements which is necessary to protect and minimize the land use impact on neighbouring properties is provided
- (e) the location of walkways and all other pedestrian access minimizes the impact on the neighbourhood
- (f) 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 neighbouring properties
- (g) the grading or alteration in elevation or contour of the land maximizes separation from residential uses
- (h) storm and surface water management plans are provided
- (i) the type, location number and size of signs or sign structures do not significantly alter the appearance of the neighbourhood

PART 25 PARK (P) ZONE**25.1 Permitted Developments****(a) Developments Permitted Subject to Park (P) Zone Standards (Subsection 25.2) and Special Requirements (Subsection 25.4)**

- interpretation centres
- *marinas*
- museums and galleries
- parks, including any associated buildings or structures, including but not limited to storage sheds, bandstands, shelters, rest rooms, refreshment booths, and displays or monuments, including children's playgrounds
- public swimming pools
- *water-related recreation developments (amended December 22, 2000)*
- *community gardens (amended September, 2010)*

(b) Developments Permitted Subject to Other Requirements of this By-law
none**(c) Developments Permitted by Development Agreement**
none**25.2 Zone Standards**

Minimum front yard	4.5 metres (15 ft.)
Minimum rear yard	4.5 metres (15 ft.)
Minimum side yard	4.5 metres (15 ft.)
Minimum flankage yard	4.5 metres (15 ft.)
Maximum height of structure	none

25.3 Zone Lot Sizes

Minimum lot area	none
Minimum lot frontage	none

25.4 Special Requirements

Development within the LaHave River Development Agreement District is permitted only by development agreement in accordance with Municipal Planning Strategy policy 9.2.

PART 26 RECREATION (REC) ZONE**26.1 Permitted Developments**(a) Developments Permitted Subject to Recreation (Rec) Zone Standards (Subsection 26.2)

- community centres
- curling clubs
- exhibitions, trade shows, and fairs, including associated temporary midway entertainment facilities
- interpretation centres
- museums and galleries
- occasional, incidental, temporary outdoor or indoor markets, bake sales, flea markets, and vegetable and produce markets
- passive parks and children's playgrounds
- recreation facilities and uses
- water reservoir established before 1996
- *leash free dog parks* (amended May, 2012)

(b) Developments Permitted Subject to Other Requirements of this By-law
none(c) Developments Permitted by Development Agreement
none**26.2 Zone Standards**

Minimum front yard	3 metres (10 ft.)
Minimum rear yard	4 metres (13 ft.)
Minimum side yard:	
* driveway side	4 metres (13 ft.)
* driveway side with attached garage or carport	1.5 metres (5 ft.)
* other side	1.5 metres (5 ft.)
Minimum flankage yard	3 metres (10 ft.)
Maximum height of structure	10 metres (33 ft.)

26.3 Zone Lot Sizes

Minimum lot area	650 sq. metres (7,000 sq. ft.)
Minimum lot frontage	21 metres (69 ft.)

PART 27 GENERAL REQUIREMENTS FOR PARKING AND LOADING AREAS**27.1 Application**

The requirements of Subsection 27.1.2 shall not apply to any land use which exists on the effective date of this Land Use By-law. *(amended December, 2000)*

The requirements of Subsection 27.1.2 shall not apply to any change of use when such change of use does not also change the category to a higher-number category as shown in Subsection 27.1.2. If a portion of a building is changed to a higher number category, parking requirements shall apply only to that portion which has changed to a higher-number category. *(amended December, 2000)*

27.1.2 Number of Parking Spaces Required *(amended December, 2000)*

No development permit shall be issued for any development unless off-street parking within the same zone as the use is provided and maintained in conformity with the following:

Category 1	Required Parking
hospitals, clinics and nursing homes	1 space for every 37 sq. metres (400 sq. ft.) of gross floor area <i>(amended December, 2000)</i>
warehouses	1 space for every 279 sq. metres (3000 sq. ft.) of gross floor area <i>(amended December, 2000)</i>
industries	1 space for every 93 sq. metres (1000 sq. ft.) of gross floor area <i>(amended December, 2000)</i>
Category 2	Required Parking
dwelling units containing not more than three (3) dwelling units	1 space for each dwelling unit
dwelling units containing four (4) or more dwelling units	1.25 spaces for each dwelling unit
hotels, motels, and other accommodations for travellers	1 space for each suite or rental unit
Category 3	Required Parking
elementary schools	1.5 spaces for each teaching classroom
high schools	4 spaces for each teaching classroom
bowling alleys and curling rinks	3 parking spaces per bowling lane or curling sheet. In parts of the building not devoted to lanes or sheets, 1 space for each 19 sq. metres (200 sq. ft.) of floor area open to the public shall be provided
marinas	1 space for every berth or anchorage
Category 4	Required Parking
offices	1 space for every 28 sq. metres (300 sq. ft.) of commercial floor area <i>(amended December, 2000)</i>

Category 5	Required Parking
churches, theatres, private clubs, institutions and other places of assembly	where there are fixed seats, 1 space for every 5 seats or 3 metres (10 ft.) of bench space. Where there are no fixed seats, 1 space for each 9 sq. metres (100 sq. ft.) of floor area <i>open to the public (amended December, 2000)</i>
funeral homes	1 space for each 5 seat capacity of the chapel with a minimum of ten (10) parking spaces
<i>restaurants, retail uses and other commercial uses (amended December, 2000)</i>	1 space for every 30 sq. metres (323 sq. ft.) of <i>commercial floor area (amended December, 2000)</i>

27.1.3 Cash In Lieu *(amended December, 2000)*

Council may accept cash in lieu of the required parking set out in Subsection 27.1.2, according to the following formula: *(amended December, 2000)*

amount of payment = (a x 15 sq. metres) x b + (b x 1000) x d, where:

- a = assessed value of the land per square metre
- 15 = number of square metres in each parking space
- b = number of required parking spaces
- 1000 = cost of constructing parking space (in dollars)
- d = (.025), developers portion of cost

The maximum contribution which may be required of any development is \$2,500.00.

27.1.4 Layout of Parking Areas *(amended December, 2000)*

Where off street parking is required and more than four (4) spaces are provided, the parking spaces, driveways, rights-of-way, and access areas shall satisfy the following requirements:

- (a) the parking area shall be provided with a stable surface treated to prevent the raising of dust or loose particles; and
- (b) lights shall be located so that light will be diverted from streets, adjacent lots, and buildings; and
- (c) a structure of no more than 4.5 metres (15 ft.) in height and not more than 4.5 sq. metres (50 sq. ft.) in *gross floor area* may be provided for the use of parking lot attendants; and *(amended December, 2000)*
- (d) the parking lot shall be no further than 90 metres (300 ft.) away from, and in the same zone as the *development* which it serves; and *(amended December, 2000)*
- (e) each parking space and the direction of travel in each moving lane shall be clearly marked and maintained where a permanent hard surface is provided; and
- (f) no gasoline pump or other automobile service station equipment shall be located or maintained on the lot;
- (g) the limits of the parking lot, approaches, or driveways shall be defined by a permanent curb, fence or other suitable obstruction to provide a neat appearance; and

- (h) no approach or driveway shall be closer than 15 metres (50 ft.) from the limits of the right-of-way of a street intersection; and
- (i) entrance and exit ramps shall not exceed two (2) in number; and each shall be a minimum width of 7.5 metres (25 ft.), and, with the exception of driveways in the industrial zones, a maximum of 9 metres (30 ft.) at the street line or edge of pavement, if any; and
- (j) the width of a driveway leading to a parking or loading area, or of a driveway or aisle in a parking area, shall be a minimum width of 3 metres (10 ft.) for one way traffic, and a minimum width of 6 metres (20 ft.) for two (2) way traffic.

27.2 Standards for Loading Areas

27.2.1 Loading Space Exemption

Loading spaces shall not be required for any building with less than 140 sq. metres (1,500 sq. ft.) of gross floor area. *(amended December, 2000)*

27.2.2 Number and Layout of Loading Spaces

No person shall erect or use any building or structure for manufacturing, storage, warehouse, department store, retail store, wholesale store or outlet, market, freight or passenger terminal, hotel, hospital, mortuary or funeral home or other uses involving the frequent shipping, loading or unloading of persons, animals, or goods unless:

- (a) there is maintained on the same lot one (1) off street space for standing, loading, and unloading for every 2700 sq. metres (30,000 sq. ft.) or fraction thereof of floor area used for any such purpose; and
- (b) each loading space measures at least 4 metres (13 ft.) in width by 12 metres (40 ft.) in length with a minimum height clearance of 4.3 metres (14 ft.); and
- (c) each loading space is located in the rear or side yard of the lot except for abutting side yards where the adjacent lot is in a residential zone; and
- (d) loading space areas, including driveways leading thereto, shall be constructed of and maintained with a stable surface which is treated for the prevention of dust and raising of loose particles, and
 - (e) ingress and egress to and from loading space areas shall be provided by unobstructed driveways of a minimum width of 3 metres (10 ft.) for one way traffic or 7.5 metres (25 ft.) for two (2) way traffic, and a maximum, with the exception of the industrial zones, a maximum of 9 metres (30 ft.) at the street line or edge of pavement, if any.

PART 28 GENERAL REQUIREMENTS FOR SIGNS

28.1 Signs Requiring a Development Permit

The erection or use of a sign is an activity for which a development permit is required, except in the case of signs listed in Part 28.2 below.

All signs shall conform to the requirements of this Part as well as the requirements of the particular zone in which the sign is to be located. In the case of a conflict between the provisions of this By-law and the requirements of the Nova Scotia Department of Transportation and Communications, the more stringent requirements shall prevail.

No development permit for a sign shall be issued prior to the issuance of a development permit for the use advertised by the sign.

28.2 Signs for which no Development Permit is Required

The following signs are permitted in all zones without any requirement for a development permit:

- (a) signs identifying the name and address of resident, and of not more than 0.2 sq. metres (2 sq.ft.) in sign area; or
- (b) "no trespassing" signs or other such signs regulating the use of a property, and of not more than 0.2 sq. metres (2 sq.ft.) in sign area; or
- (c) real estate signs not exceeding 0.5 sq. metres (5 sq.ft.) in sign area in any residential zone and 1.4 sq. metres (15 sq.ft.) in other zones, which advertise the sale, rental or lease of a location, including off-site signs; or
- (d) signs regulating or denoting on-premises traffic, or parking or other signs denoting the direction or function of various parts of a building or premises provided that such signs are less than 0.5 sq. metres (5 sq.ft.) in sign area; or (*amended December, 2000*)
- (e) signs erected by a government body, or under the direction or authority of such a body, including but not limited to: traffic signs, railroad crossing signs, safety signs, signs identifying public schools, signs and banners for special events, which bear an incidental commercial component advertising sponsorship or support, commercial direction signs which form part of a direction sign program for the town, and signs which in addition to bearing commercial advertising, provide a public benefit; or
- (f) memorial signs or tablets and signs denoting the historical significance and date of erection of a structure; or
- (g) the flag, pennant, or insignia of any government, or of any charitable, religious or fraternal organization; or
- (h) a sign having a sign area of not more than 6 sq. metres (65 sq.ft.) incidental to construction and located on the same site as the building under construction. Such signs shall not remain in place for more than sixty (60) days following completion of construction; or (*amended December, 2000*)
- (i) signs associated with a Federal, Provincial or Municipal election. Such signs shall not remain in place for more than thirty (30) days following the election for which the sign was erected; or
- (j) portable signs located directly in front of the advertised business and immediately adjacent to either the street curb or the building in which the business is located; or
- (k) banners and flags. (*amended December, 2000*)

28.3 Prohibited Signs

The following signs shall not be permitted in any zone:

- (a) signs which incorporate in any manner any flashing or moving illumination which varies in intensity, with the exception of moving digital message signs, or illumination which varies in colour or which constitutes a hazard to public safety or health; or
- (b) signs which by reason of location, content, colouring, or manner of illumination obstruct the vision of drivers, or obstruct the effectiveness of any traffic sign or traffic control device on public streets; or
- (c) signs which obstruct the use of a fire escape door, windows, or other required exit; or
- (d) signs which make use of such words as "stop", "look", "one way", "danger", "yield", or any other similar words, phrases, or symbols so as to interfere with or confuse traffic along a public street; or
- (e) signs which advertise a product, service or business no longer available at that location. Such signs are deemed to be obsolete signs and shall be removed once the use has been discontinued for sixty (60) days; or
- (f) signs on public property or public right-of-way, unless specified in either Subsection 28.2 (e), 28.2(i) or 28.2 (j) above; or (*amended December, 2000*)
- (g) signs painted upon, attached to, or supported by a tree, stone, cliff, or other natural object.

28.4 Signs in Residential Zones

No sign in any residential zone shall be employed or used for commercial advertising except where:

- (a) a sign is a part of and located on the same lot as a permitted business use in a residential zone and the requirements of Subsection 28.7 are met; or
- (b) the sign is listed in Subsection 28.2 above; or
- (c) the sign is accessory to:
 - (i) a development containing six (6) or more dwellings units, which fronts on a primary street, and is located in a High Density Residential (HDR) Zone *or is established by development agreement; or (amended December, 2000)*
 - (ii) a development containing twenty (20) or more dwelling units; or
 - (iii) a mobile home park
 and the sign meets the following criteria:
 - (i) the maximum sign area is 3.8 sq. metres (40 sq.ft); and
 - (ii) the maximum height of the sign is 2.4 metres (8 ft); and
 - (iii) the sign is located a minimum of 4.5 metres (15 ft.) from both a front or flankage lot line or the rear lot line of a through lot; and
 - (iv) the sign appears to be made of a natural material including but not limited to wood or stone.

28.5 Commercial Advertising

No sign shall be erected or used for commercial advertising except where:

- (a) the sign is located on the same lot as the establishment which it advertises; or
- (b) the sign is located on the same lot as the dealer for the product which it advertises; or
- (c) the sign is part of a commercial direction sign program authorized by Council under Subsection 28.2.

Amended January 11, 1999

28.6 Number of Signs

28.6.1 No business operating in any commercial or industrial zone shall exceed the following for any one lot:

- (a) *six (6)* flat fixed wall signs; and *Amended January 11, 1999*
- (b) two (2) projecting wall signs; and
- (c) *four (4)* ground signs; and *Amended January 11, 1999*
- (d) one (1) temporary or one (1) portable sign; and
- (e) two (2) banners.

28.6.2 No more than four (4) ground signs shall be located on any lot in a commercial or industrial zone.

28.7 Requirements for Signs

The following requirements shall apply to all signs in all zones.

28.7.1 Ground Signs

No ground sign shall:

- (a) exceed the following sizes:
 - (i) in the Central Commercial (C1), General Commercial (C2), or Group Commercial (C3) Zone 9 sq. metres (98 sq.ft.); and
 - (ii) in the Industrial (IN) Zone or Light Industrial (LIN) Zone, 19 sq. metres (200 sq. ft.); and
 - (iii) in all other zones, 2.4 sq. metres (25 sq.ft.)
- (b) exceed a height of 10 metres (33 ft.) from grade to the highest part of the sign; and
- (c) extend beyond a property line or extend over a public right-of-way, a driveway or a parking space or into a corner vision triangle, except that in the Central Commercial (C1) Zone, ground signs may project over a public street to the curb line.

28.7.2 Projecting Wall Signs and Canopy Signs

- (a) No projecting wall sign shall exceed 2 sq. metres (22 sq.ft.) in sign area.
- (b) No canopy sign shall exceed 0.3 sq. metres (3 sq.ft.) for each 30 centimetres (1 lineal foot) of the wall on which the sign is affixed, with proportional allocation for each business in the case of multiple occupancy buildings. In no case, however, shall the total area of canopy signs exceed 28 sq. metres (300 sq.ft.) for each side of the building.
- (c) No projecting wall sign or canopy sign shall:
 - (i) project over a public street beyond the curb line, or into any corner vision triangle; or
 - (ii) project above the eaves, parapet or roof line of a building; or
 - (iii) be erected below a height of 3 metres (10 ft.) above grade. This height restriction shall not apply where a sign projects entirely over private property and is situated in a manner that it presents no hazard to public safety; or
 - (iv) be permitted to swing freely on its supports without the installation of a suitable catch, chain or other control device. *amended January, 1999*

28.7.3 Flat Fixed Wall Signs

No fixed wall sign shall:

- (a) cover more than 0.3 sq. metres (3 sq.ft.) for each 30 centimetres (1 lineal foot) of the wall on which the sign is affixed, with proportional allocation for each business in the case of multiple occupancy buildings. In no case, however, shall the total area of flat fixed wall signs exceed 28 sq. metres (300 sq.ft.) for each side of the building; or
- (b) extend above the top of the wall upon which it is placed; or
- (c) extend beyond the extremities of the wall upon which it is attached.

28.7.4 Portable Signs

No portable sign shall:

- (a) exceed 0.55 sq. metres (6 sq.ft.) in sign area; or
- (b) be located anywhere other than immediately outside the business, either adjacent to the curb or adjacent to the building in which the business is located.

28.7.5 Roof Signs

No sign shall be permitted which extends above or beyond the peak of a roof, or is mounted on a flat roof.

28.7.6 Temporary Signs

No temporary sign shall:

- (a) be located within the corner vision triangle; or
- (b) be in place for longer than *ninety (90) days* during a calendar year. *Temporary signs may be converted to any other type of permitted sign. Amended January 11, 1999*

28.7.7 Banners

No banner shall:

- (a) be allowed to extend above or beyond the peak of a roof or be mounted on a flat roof; or
- (b) be allowed to deteriorate and become unsightly; or
- (c) be used for off site advertising.

PART 29 DEFINITIONS

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

abutting yard	a yard of an abutting lot which adjoins an adjacent zone boundary. Where a property is intersected by a zone boundary, the abutting yard shall be measured from the zone boundary rather than the lot line.
accessory building	a subordinate building or structure located on the same lot as the main building and devoted exclusively to an accessory use.
accessory use	a use subordinate and naturally, customarily and normally incidental to, and exclusively devoted to, a main use of land or building and located on the same lot. Telephone, television and microwave receiving and transmitting towers and freestanding satellite dish antenna shall be considered accessory structures only in the General Commercial (C2) or Group Commercial (C3) Zones and the Industrial (IN) and Light Industrial (LIN) Zones. Outdoor waterstoves shall not be considered accessory structures. <i>amended September, 1998</i>
agricultural use	see use
alter	to make any change in the structural components of a building, or any increase or decrease in the volume of a building or structure. In the Architectural Control Area, alter shall include any change in the features specified in Subsection 4.31.1.
animal hospital	the premises where animals, birds, or other livestock are treated or kept during treatment.
animal kennel	a building or structure where animals, birds or other household pets are kept or boarded for financial remuneration.
attached building	a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.
auto body repair shop	a building or part of a building or a clearly defined space on a lot where motor vehicle bodies are repaired, and does not include an auto repair shop, an engine repair shop, an automobile service station, an automobile washing establishment, or an automobile sales establishment.
auto repair shop	a building or part of a building or a clearly defined space on a lot where automobile engines, transmissions, or other mechanical components are repaired, but does not include an auto body repair shop, an automobile service station, an automobile washing establishment, or an automobile sales establishment.

automobile sales establishment	a building or part of a building or a clearly defined space on a lot where new or used automobiles or other motor vehicles are offered for sale to the public and may include an auto repair shop, an auto body repair shop or an automobile service station.
automobile service station	a building or part of a building or a clearly defined space on a lot used for the retail sale of lubricating oils and gasolines and may include the sale of automobile accessories, the servicing and minor repair essential to the actual operation of motor vehicles, and associated car washes.
automobile washing establishment	a building or part thereof used for the operation of automatic or semi automatic automobile washing equipment.
banner	see sign
basement	that portion of the foundation system partially or wholly below grade level and which provides storage, utility, or living space.
beverage room	premises licensed as a beverage room under the Liquor Licence Act.
billboard	see sign
boarding house	see rooming house
boathouse	a structure, whether permanent or temporary, which is roofed, which does not contain toilet facilities and which is used for the shelter or storage of boats, watercraft and associated marine accessories and equipment, but not for the accommodation of persons or animals, or for commercial purposes, and does not include a garage.
building	a structure, whether permanent or temporary, which is roofed and which is used for the shelter or accommodation of persons, animals, materials or equipment and includes all additions, porches and decks attached thereto.
building line	any line regulating the position of a building or structure on a lot.
canopy	an overhanging shelter.
carport	a building or structure which is not wholly enclosed which is used for the parking or storage of one or more vehicles, and is usually accessory to a residential use.
catalogue sales	the use of a building as a transfer outlet for the purpose of receiving orders by mail, telephone, electronic mail or facsimile, for the selling of goods or merchandise, and as a location for the shipment of such goods or merchandise to the customer, with a maximum of fifteen (15) trips generated per day by the business, and does not include a retail outlet for the on site sale or display of any commodity.
catering establishment	a building where food is prepared for distribution and consumption outside the premises and does not include a restaurant or drive in restaurant.

changeable copy sign	see sign
change of use	see use
church	a building dedicated to religious worship and includes a synagogue, church hall, church auditorium, Sunday school, parish hall, and day nursery operated by the church.
clinic	a building or part of a building used for the medical, dental, surgical, or therapeutical treatment of human beings, but does not include a public or private hospital or a professional office of a doctor located in his residence.
commercial club	any club operated for gain other than a private club as defined herein.
commercial motor vehicle	any motor vehicle which is used for a business activity and which has as its main purpose financial gain and includes taxis, ambulances, trucks, tractors, tractor trailers, buses, delivery vehicles, and oil trucks, which has three or fewer axles. Commercially registered vehicles having four or more axles are not allowed to park on any lot zoned residential.
commercial day care	see day care
commercial floor area	see floor area
commercial school	a school conducted for monetary gain including but not limited to a secretarial school, language school, or driving school, but does not include a day care centre.
<i>community gardens</i>	<i>an area of public park land where volunteers develop, manage and operate a small-scale garden that may contain vegetables, fruit, herbs, flowers, native and ornamental plants. Community gardens may have 'common areas' with shared upkeep as well as individual plots, but will involve a group effort in making decisions to start and operate a garden in order to provide opportunities for the community to participate. Accessory structures such as storage sheds, benches, garden trellises, pergolas, gazebos and other similar structures, shall be permitted in accordance with Parts 4.16 and 4.17 of the Land Use By-Law. All community gardens and accessory structures on Town park land are subject to the approval of the Director of Parks, Recreation & Culture. (amended September, 2010)</i>
construct	see rebuild
convenience store	a store which serves primarily the needs of the adjacent neighbourhood, and includes the sale of magazines, and confectionary, grocery and delicatessen items.
corner lot	see lot
council	the Council of the Town of Bridgewater.

craft products	products made by hand or small custom production processes including but not limited to potters, pewterers, goldsmiths, silversmiths, jewellers, toymakers, leatherworkers, upholsterers, woodworkers, furniture makers, musical instrument makers, clothing designers and makers, shoemakers, antique refinishers, glass or stained glass workers, sailmakers, and similar skilled craftspeople.
craft workshop	a building or part of a building where craft products are produced and offered for sale, and where craft instruction may be offered, which has a maximum gross floor area of 465 sq. metres (5,000 sq. ft.)(<i>amended December, 2000</i>)
day care or nursery school	
residential day care	a part of a dwelling where the resident owner or the occupant of the dwelling provides accommodation and care, for financial remuneration, to ten (10) or fewer <i>people</i> , without providing overnight accommodation.(<i>amended December, 22, 2000</i>)
commercial day care	a facility other than a residential day care centre, located in a building or part of a building, where <i>people</i> are accommodated and cared for, for financial remuneration, without providing overnight accommodation.(<i>amended December, 22, 2000</i>)
development	any erection, construction, alteration, replacement or relocation of or addition to any structure and any change or alteration in the use made of land, buildings or structures.
development officer	the officer of the Town of Bridgewater from time to time charged by the Town Council with the duty of administering the provisions of the Land Use By-law.
development permit	the permit issued by the development officer certifying that a proposed development complies with the provisions of the Land Use By-law.
developer	any person, incorporated body, partnership or other legal entity which undertakes a development.
dry cleaning depot	see laundry
dry cleaning establishment	see laundry
dwelling	a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units, with a minimum footprint dimension of 6 metres (20 ft.) for a minimum of sixty percent (60%) of the area of the footprint of the dwelling, not including a hotel, a motel or apartment hotel, but including off-site manufactured dwellings which are located on a permanent foundation.

- dwelling unit** one or more habitable rooms designed or intended for use by one or more individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of such individual or individuals, with a private entrance from outside the building or from a common hallway or stairway inside the building.
- single unit dwelling** any dwelling containing one (1) dwelling unit, and includes a group home where it is located within a single unit in a detached dwelling and consists of five (5) or fewer individuals excluding staff. *(Amended March, 2013)*
- two unit dwelling** any dwelling containing two (2) dwelling units, including link homes.
- erect** to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation, including but not limited to excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.
- established building line** the average distance from the street line of existing buildings in any block where more than half the frontage has been built upon at the effective date of this By-law.
- farm animal** one or more of the following types of animals: horses, cattle, sheep, goats, swine, fowl, mink, fox and rabbits.
- farm animal unit** one or more farm animals or farm animal combinations as specified in the following table

Type of Animal	Number Equal to One Farm Animal Unit
cattle (plus calves)	1
horses	1
sheep (plus lambs)	1
goats	1
swine (plus litter to weaning)	1
fowl	3
female mink (plus kits and males)	3
fox	3
female rabbits (plus males)	3
combinations	any grouping of fowl, mink, foxes, or rabbits, in a combination of three (3) shall be considered as 1 animal unit

feedlot	an enclosed area or structure used for feeding, breeding, milking or holding of livestock or poultry for production purposes or for future sale.
flankage lot line	see lot line
flankage yard	see yard
floor area	
residential floor area	the maximum area contained within the outside walls excluding any private garage, porch, verandah, sunroom, unfinished attic or basement or other room not habitable at all seasons of the year.
commercial floor area	the total usable floor area within a building used for commercial purposes but excluding washrooms, furnace and utility rooms, and common halls between stores.
gross floor area	the aggregate of the floor areas 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 purposes of this clause, the walls of an inner court shall be deemed to be exterior walls.
front lot line	see lot line
front yard	see yard
golf course	a public or private area operated for the purpose of playing golf or related activity.
grade	with reference to a building or structure, is the lowest of the average levels of finished ground adjoining each exterior wall of a building, except that localized depressions including but not limited to those for vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground.
gross floor area	see floor area
ground floor	the floor of a building first above the established grade.
ground sign	see sign
guest house	a part of a dwelling where the resident owner or resident occupant provides accommodation, with or without meals, to the travelling public for financial remuneration and does not include facilities open to the general public including but not limited to meeting rooms, restaurants, or entertainment facilities.
hedge	a closely planted row of bushes or low trees.

height	<p>the vertical distance on a building between the grade and</p> <p>(a) the highest point of the roof surface or parapet, whichever is greater, of a flat roof; or</p> <p>(b) the declivity of a mansard roof; or</p> <p>(c) the mean level between the eaves and ridges of a gabled, hip, gambrel or other type of pitched roof;</p> <p>but shall not include any construction used as ornament or for the mechanical operation of the building, a mechanical penthouse, chimney, tower, cupola or steeple.</p>
hotel	a building or establishment which provides accommodation for the travelling public for financial remuneration and may include other facilities such as meeting rooms, restaurants, and entertainment facilities.
illuminated sign	see sign
inn	a building or part of a building which provides accommodation for the travelling public for financial remuneration and may include a dining room which is open to guests and the general public but shall not include entertainment facilities, a lounge, or a beverage room.
institution	any building or part of a building used by an incorporated body or society for promoting a particular purpose or for providing a service, including but not limited to hospitals, schools, nursing homes, residential care facilities, treatment and rehabilitation centres, homes for special care, group homes, detoxification centres, community living arrangements for persons with legal, emotional or mental problems, community centres and private non-profit clubs. <i>(Amended March, 2013)</i>
interior lot	see lot
laundry or dry cleaning depot	a building used for the purpose of receiving articles or goods made of fabric or leather to be subjected to the process of dry cleaning, dyeing or cleaning elsewhere, and for the pressing and distribution of any such articles or goods which have been subjected to any such process.
laundry or dry cleaning establishment	a building where dry cleaning, dyeing, cleaning or pressing of articles or goods made of fabric or leather is carried on and in which only solvents are used which emit no odours or fumes and in which no noise or vibration causes a nuisance or inconvenience outside of the premises.
leash free dog park	a designated area where a person(s) owning or in the care and control of a licensed dog(s) are permitted to allow such animals to remain unleashed. Leash free dog parks shall not be located within less than 25 metres of residential properties, schools, sports fields, or playgrounds, and shall not be located within parks less than one hectare in area. Regulatory signage shall be posted at the primary entrance of the designated area. The Town's Parks, Recreation & Culture Department shall be responsible for the management of any leash free dog parks on Town owned land. <i>(Amended May, 2012)</i>

loading space	<p>an unencumbered area of land provided and maintained upon the same lot or lots upon which the principal use is located and which:</p> <p>(a) is suitable for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from the vehicle, and such parking shall not be for the purpose of sale or display; and</p> <p>(b) is not upon or partly upon any street, or highway; and</p> <p>(c) has adequate access to permit ingress and egress by means of driveways, aisles, manoeuvring areas or similar areas, no part of which shall be used for the temporary parking or storage of one or more motor vehicles.</p>
lot	any parcel of land as described by its boundaries.
corner lot	a lot situated at the intersection of and abutting two (2) or more streets.
interior lot	a lot situated between two (2) lots and having access to one street.
through lot	a lot bounded on two (2) opposite sides by streets or highways. If any lot is both a corner lot and a through lot, such lot shall be deemed to be a corner lot for the purpose of this By-law.
lot area or lot size	the total horizontal area within the lot lines of a lot.
lot depth	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 midpoints of the front and rear lot lines.
lot frontage	the distance between the side lot lines, such distance being measured (1) at a ninety degree angle to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines, measured at a point thereon equal in distance to the minimum applicable front yard, or, (2) at the front lot line, whichever is greater. <i>amended Feb. 2001.</i>
lot line	a boundary line of a lot, and for greater certainty:
front lot line	the line dividing the lot from the street. In the case of a corner lot, either boundary line abutting the street may be regarded as the front lot line. In the case of a through lot the longer boundary dividing the lot from the street shall be deemed to be the front lot line and the opposite, shorter boundary shall be deemed to be the rear lot line, and where such lot lines are of equal length, the front lot line shall be deemed to be the front lot line as established in the block by prior construction.
rear lot line	the lot line furthest from or opposite to the front lot line.
side lot line	a lot line other than a front or rear lot line.
flankage lot line	a side lot line which abuts the street on a corner lot.

lounge	premises licensed as a lounge under the Liquor Control Act.
massage parlour	includes any premises or part thereof, by whatever name designated, where a massage, body rub, alcohol rub, bath or similar activity is performed, offered, advertised, or solicited, in pursuance of a trade, calling, business, or occupation, which is equipped or arranged so as to provide for such activity, but does not include any premises or part thereof where treatment is routinely offered or performed for the purpose of medical or therapeutic treatment, and is performed or offered by or under the supervision or direction of a physician, chiropractor, osteopath, physiotherapist, nurse or masseuse licensed or registered under the laws of the Province of Nova Scotia.
main building	the building in which the principal purpose for which the building lot is used is carried out
main wall	the exterior front, side or rear wall of a building, and all structural members essential to the support of a fully or partially enclosed space or roof.
manufactured home	a single or two-unit dwelling built in an enclosed factory environment in one or more sections, to be occupied in a place other than of its manufacture. For the purposes of this by-law, manufactured homes shall include mobile homes or mini homes as well as modular homes that are either completely self-contained dwelling units or are sectional dwelling units that are completed on the site.
marina	an establishment or facility where boats may be docked or moored and where gasoline and other marine supplies are sold to the boating public.
maximum lot coverage	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 the lot which is located within the zone.
mini home	a prefabricated dwelling incorporating a pitched roof and designed for transportation.
double wide mini home	a prefabricated dwelling incorporating a pitched roof and designed for transportation in two (2) main sections.
minimum lot area	the minimum area of land required for land use or building purposes in a particular zone.
mobile home	a prefabricated dwelling incorporating a bow-truss roof and designed for transportation on its own frame.
land leased community	an establishment comprising land or premises under single ownership, designed and intended for residential use, where residence is primarily in manufactured homes, but does not include public camping grounds

	seasonal use. A land leased community may contain mobile homes, mini homes, single unit dwellings, two (2) unit mini homes, manufactured homes and administrative offices necessary for the operation of a land leased community.
mobile building	a prefabricated main building incorporating a bow-truss roof and designed for transportation on its own frame.
motel	a building or part of a building other than a hotel which provides accommodation designed for the travelling public and is characterized by separate outside entrances to individual sleeping accommodations and nearby parking, and which may include meeting rooms, restaurants and entertainment facilities.
Municipal Government Act	Chapter 18 of the Statutes of Nova Scotia, 1998
Municipal Planning Strategy	the Municipal Planning Strategy of the Town of Bridgewater.
multi-unit dwelling	a dwelling containing three (3) or more dwelling units including but not limited to row houses, townhouses and apartments.
net area	an area of land exclusive of public streets.
non-conforming use	see use
nursery school	see day care
nursing home	a building wherein nursing care and room and board are provided to individuals incapacitated in some manner for medical reasons but does not include a hospital.
office	a room or rooms where business may be transacted, a service performed or consultation given, including but not limited to physicians, surgeons, dentists, lawyers, architects, engineers, accountants, real estate agents, insurance agents, photographers, optometrists, chiropractors, eye specialists and similar uses, and may include retail sales or dispensing of goods associated with and incidental to the main use.
personal office	a work space within a dwelling unit with no public accessibility, no warehousing of saleable goods, and no employees who are not resident in the dwelling.
on-site sewage disposal system	has the same meaning as in the On Site Sewage Disposal Regulations under the Health Act.
outdoor café	any open space, terrace, or deck contiguous with and operated as an extension of a lounge, tavern or restaurant where food and beverages may be served or entertainment provided.
outdoor waterstove	any individual hand fed furnace designed to burn wood and used to burn only

untreated wood, and used for the purpose of heating water where the furnace is located outside the structure into which the hot water produced is piped.
amended September, 1998

open storage	the storage of any items outside a building, not primarily for the encouragement of sale of the item or of similar items, but principally for storage purposes.
outdoor display	a display of goods on a lot to encourage the purchase of the display items, or similar items, including but not limited to cars, trucks, vans, motor homes, mobile homes, trailers, boats, snowmobiles, motorcycles, swimming pools, decorative fountains, prefab cottages or homes.
outdoor market	a retail sales operation where purchases are made directly from an outdoor display from a vendor or group of vendors that may or may not be associated with any retail sales building on the lot.
owner	includes a person controlling the property under consideration, and also includes prima facie the assessed owner of the property whose name appears on the assessment roll prepared in accordance with the Assessment Act.
park	an open area devoted to passive recreational uses or conservation uses and may include ornamental gardens and lawns, outdoor furniture, accessory structures, children's playgrounds, <i>and on-site parking areas which support park uses.</i> (amended September, 2010)
parking area or parking lot	an open area, other than a street, containing parking spaces for two (2) or more motor vehicles, available for public use or as an accommodation for clients, customers or residents and which has access to a street or highway by means of driveways, aisles or manoeuvring areas where no parking or storage of motor vehicles is permitted.
parking space	an area of not less than 15 sq. metres (162 sq. ft.), measuring 2.75 metres (9 ft.) by 5.5 metres (18 ft.) 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.
person	an individual, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.
personal office	see office
personal service shop	a building or part of a building in which people are employed in furnishing services and otherwise administering to individual and personal needs, including but not limited to barber shops, beauty parlours, hairdressing shops, shoe repair and shoe shining shops, and excluding the retail sale of any product other than products made on the premises or used in the production or

	presentation of products made on the premises, any manufacturing or fabrication of goods for sale, and any massage parlour.
portable sign	see sign
private club	a building or part of a building used as a meeting place for members of an organization and may include a lodge, a fraternity or sorority house, and a labour union hall.
private garage	a structure which is at least sixty per cent (60%) enclosed which is used for the parking or storage of one or more vehicles, and is usually accessory to a residential use.
private storage building	an enclosed or partially enclosed structure for the storage of materials or goods in which no business, occupation, or service is conducted for profit.
private park	a park other than a public park.
projecting sign	see sign
public authority	any Board, Commission or Committee of the Town of Bridgewater established or exercising any power or authority under any general or specific statute of Nova Scotia with respect to any of the affairs or purposes of the municipality or a portion thereof and includes any committee or local authority established by By-law of the Town of Bridgewater.
public building	a building belonging to the Government of Canada, Province of Nova Scotia, Town of Bridgewater, Municipality of the District of Lunenburg, or any agency or commission or corporation thereof.
public facade	that part of the exterior of a structure which can be seen from public property including but not limited to public streets and the LaHave River.
public garage	a building or place other than a private garage where motor vehicles are kept or stored for remuneration or repair, and other than a building or place used as a motor vehicle repair shop. A public garage shall not include any automotive car washing establishment, a motor vehicle sales lot or an automobile service station.
public park	a park owned or controlled by a public authority or by any board, commission or other authority established under any statute of the Province of Nova Scotia.
public sewer	a sewage collection system owned and operated by the Town of Bridgewater.
rear lot line	see lot line
rear yard	see yard
rebuild or reconstruct	when used with reference to a building or structure means to build a wholly or substantially new structure in the same location as a structure, where a

structure has been wholly or partially removed and the resulting structure is of substantially the same dimensions and volume as the original structure as demonstrated by photographs or measured drawings of the original structure.

recreational use	the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, community centres and uses similar to the foregoing, together with necessary and accessory buildings and structures, but not including a track for the racing of animals, or any form of motorized vehicles.
repair	when used with reference to a building or structure means to renovate or mend by replacing or repairing parts without altering the size or volume of the structure.
repair shop	any building or part thereof used for the repair of household articles including but not limited to radio, television, and appliance repair shops, plumbing repair shops, electrical repair shops, furniture repair shops, shoe repair shops and not including industrial or manufacturing, motor vehicle repair shops or auto body repair shops.
residential conversion	any building which is converted to contain more than one dwelling unit.
residential care facility, home for special care or group home	means a community-based group living arrangement, in a single unit, for six (6) or more individuals, exclusive of staff and/or receiving family, with physical and/or intellectual disabilities, 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 independent living situation, or facility. Where a single unit is located in a detached dwelling and consists of five (5) or fewer individuals, excluding staff whether resident or not, the use is a single unit dwelling. <i>(Amended March, 2013)</i>
residential day care	see day care
residential floor area	see floor area
restaurant	a building or part thereof where food and drink is prepared and served to the public for consumption within the building or attached outdoor café or patio or for take out including a drive through or drive in facility or delivery.
retail sales	the keeping or offering for sale, rent or lease, directly to the public of goods, wares, merchandise, substances, articles or things. <i>(amended by deletion, December, 2000)</i>
retail store	a building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale, rent or lease directly to the public at retail value.
road	see street
roof sign	see sign

rooming or boarding house	a dwelling in which the proprietor supplies either room or room and board for monetary gain, to persons exclusive of the lessee or owner thereof or members of the household unit and which is not open to the general public.
scrap or salvage yard	a lot or premises for the storage or handling of scrap material, including but not limited to waste paper, rags, bones, bottles, used bicycles, vehicles, tires, metal or other scrap material or salvage.
setback	the distance between the street line and the nearest main wall of any building or structure and extending the full width or length of the lot.
shopping centre	a building or building complex on a lot designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants, containing a variety of commercial uses and distinguished from a business area comprising unrelated individual uses and characterized by the sharing of common parking areas and driveways.
side lot line	see lot line
side yard	see yard
sign	any 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 displays or includes any letter, work, model, number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement, which is used to identify, advertise, or attract attention to any object, product, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry or business, and which is intended to be seen from off the premises or from a parking lot.
	<i>Amended January 11, 1999</i>
	Objects on display, which show the logo or brand name of the object shall not be deemed a sign within this By-law.
banner	a sign composed of lightweight material and fastened at at least two (2) edges of its surface.
billboard	a ground sign of more than 9 sq. metres (98 sq.ft.) in area.
changeable copy	any sign on which the majority of the information may be changed by the addition sign or deletion of individual, prefabricated, letters or words. A changeable copy sign will also be one or more of the following: temporary sign, ground sign, portable sign, illuminated sign, projecting wall sign, flat fixed wall sign, or a roof sign.
canopy sign	any sign attached to or forming part of a canopy. <i>amended January, 1999</i>
flat fixed wall sign	a sign which is attached directly to or painted on a building wall.

ground sign	a sign supported by one (1) or more uprights or braces permanently affixed in or to the ground.
illuminated sign	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 focussed upon or chiefly directed at the surface of the sign.
number of signs	for the purpose of determining number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship or elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.
portable sign	a ground sign no greater than 0.55 sq. metres (6 sq. ft.) in area which is not permanently affixed to or in the ground, including sandwich board signs.
projecting wall sign	a sign which projects from and is supported by a wall of a building. (<i>amended by deletion December, 2000</i>)
roof sign	a sign which is fixed to or supported by the roof of any structure.
temporary sign	a sign supported by one (1) or more uprights or braces not permanently affixed in or to the ground, whether or not mounted on wheels or intended to be moved, which is larger than 0.55 sq. metres (6 sq.ft.) in area.
sign area	the area of the smallest triangle, rectangle, circle or semi-circle which can wholly enclose the surface area of one (1) side of the sign. For canopies and awnings, sign area is considered to be the area of the smallest triangle, rectangle or circle or semi circle which can wholly enclose the surface area of the elements which convey information.
skilled trades	those occupations pursued as a business or calling, usually learned by apprenticeship, and distinguished from mercantile, professional or agricultural occupations or unskilled labour, including but not limited to plumbers, electricians, and carpenters and, for the purposes of this By-law, excluding sheet metal workers, blacksmiths, auto repair persons and welders.
studio	a building or part thereof used as a workroom for the study, execution or instruction of any fine or commercial art or craft, including photography, music, visual arts and commercial design.
street or road	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 Bridgewater.

street line	the boundary line of a street.
structure	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. A structure shall include buildings, walls, and signs and also fences exceeding 2 metres (6.5 ft.) in height.
take out restaurant	a building or part thereof where food and drink are prepared and sold to the public and which does not provide facilities for consumption thereof on the premises, and may include delivery.
through lot	see lot
tourist information centre	a building or booth where tourist information is provided to the travelling public.
tourist trailer park	a lot or part of a lot used for the parking of recreation vehicles on a temporary or seasonal basis, such as for a day, a week, or a season.
Town	the Town of Bridgewater.
two unit dwelling	see dwelling unit
useable land	means land for park, playground or public purposes which: <ul style="list-style-type: none"> (i) The Town entered into negotiation for after January 1, 2002; and (ii) (a) is larger than 1,115 sq. metres (12,000 sq. ft.) in area; and <ul style="list-style-type: none"> (b) has public access; and (c) does not have a slope of greater than five percent (5%); and (d) is not located in an area where sufficient parkland exists, as determined by the Parks and Recreation Commission; and (e) is not comprised of lands subject to flooding or classified as wetlands or lands with substantial amounts of soil classed as organic; and (f) will not create a nuisance, disturbance or other form of hardship for nearby property owners; or (iii) provide protection for an environmentally sensitive area or enhances an existing parcel of public open space land, a facility, or an area to be conveyed to the Town at a later date.
use	the purpose for which any land, building or structure is utilized, and also means the purpose for which any land, building or structure is designed, arranged, or intended, or the purpose for which any land, building or structure is occupied or maintained or leased, and for further certainty:
agricultural use	the utilizing of land, buildings or structures to raise crops or animals or fowl and includes the harbouring or keeping of any one or more of the following livestock regardless of its breed or stage of development: horse, pony, pig, cow, bull, goose, duck, hen, rooster, sheep, goat or similar livestock.

change of use	any alteration in the use made of the whole or any part of a parcel of land, a building or a structure and includes, in the case of an intensive livestock operation, a change from one type of livestock to another. Change of use shall not mean the addition of another use.
non-conforming use	a use as described in Section 90 of the <i>Municipal Government Act. (amended December, 2000)</i>
obnoxious use	a use which, from its nature or operation, creates a nuisance or is offensive by the creation of noise or vibration or by the emission of light, gas, fumes, dust, oil, or effluent or objectionable odour, or by reason of unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material.
warehouse	a building where wares or goods are stored but shall not include a retail store.
yard	an open, uncovered space on a lot appurtenant to a building, and in determining yard measurements, the minimum horizontal distance from the respective lot lines shall be used; and for greater certainty:
flankage yard	the side yard on a corner lot, which side yard extends from the front yard to the rear yard between the flankage lot line and the nearest main wall of any building or structure.
front yard	a yard extending across the full width of a lot between the front lot line and the nearest main wall of any building or structure on the lot; and "minimum" front yard means the required minimum depth of a front yard between the front lot line and the nearest main wall of any main building or structure on the lot.
rear yard	a yard extending across the full width of a lot between the rear lot line and the nearest main wall of any main building or structure on the lot; and "minimum" rear yard means the required 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.
side yard	a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest main wall of any building or structure on a lot; and "minimum" side yard means the required minimum width of a side yard between a side lot line and the nearest main wall of any main building or structure on the lot.
yard sale	<i>the sale of new or used goods which is not connected to a legally existing commercial establishment, whether from the yard of a lot, an accessory building, or from within the main building. Each twelve hour period shall be considered a separate yard sale. amended March 2000</i>
zone	a designated area of land shown on Schedule A of this By-law and more particularly referred to in Part 3 of this By-law.

