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Land Use By-law

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With Amendments To
October 13, 2026

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municipality of cumberland

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Credits

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1 Interpretation

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1.1 Title

1.1.1 This By-law may be cited as the “Municipality of the County of Cumberland Land Use By-law”.

1.2 Purpose

1.2.1 The purpose of this By-law is to facilitate the orderly, economical, and beneficial development and use of land and buildings within the Municipality, and for that purpose the By-law, among other things:

(a) divides the Municipality into zones;
(b) prescribes and regulates for each zone the purposes for which land and buildings may be used;
(c) establishes the office of one or more Development Officers; and
(d) establishes a method of making decisions on applications for development permits, including the issuing of development permits.

1.2.2 This By-law shall be applied in a manner consistent with the Municipality’s Municipal Planning Strategy and the *Municipal Government Act* (“Act”) as amended from time to time.

1.3 Certain Words

1.3.1 In this By-law:

(a) the word “shall” means mandatory compliance;
(b) the word “may” means discretionary compliance or a choice in applying a policy or regulation;
(c) words used in the plural include the singular, and words in the singular include the plural; and
(d) gendered words shall be interpreted to mean any gender.

1.3.2 Words not otherwise defined in this By-law shall have the meaning assigned to them in the Act.

1.4 Conflict

1.4.1 In the case of any conflict between the text of this By-law and any maps or drawings used to illustrate any aspect of this By-law, the text shall take priority.

1.4.2 Colour coding throughout this By-law and the Zoning Map is for ease of reference only and the text of the By-law shall take priority.

1.4.3 In the case of any conflict between a number written in numerals and a number written in letters, the number written in numerals shall take priority.

1.4.4 This By-law contains “summary of permitted uses” tables summarizing the uses permitted in various zones. These tables are for convenience only; if a summary of permitted uses table conflicts with the list of permitted uses or any applicable conditions in a section for a particular zone, the zone section shall take priority.

1.4.5 In the case of conflict between a written zone name and a zone symbol, the written zone name shall take priority.

1.5 Definitions

1.5.1 For the purposes of this By-law, words shall have the meaning or meanings that are assigned to them in Part 14 - Definitions. Where a word is not defined in Part 14, the word shall have the meaning or meanings assigned by accepted English dictionaries.

1.6 Units of Measurement

1.6.1 This Land Use By-law uses the metric system of measurement. Numerical measurements in this document may also be presented in other units; however, this is for convenience only. If a metric measurement conflicts with its conversion in another unit, the metric measurement shall take priority.

1.7 Zone Boundaries

1.7.1 The extent and boundaries of zones are shown on Schedule A, the Zoning Map, of this By-Law and the appropriate provisions of this By-Law shall apply to each zone.

1.7.2 Boundaries between zones shall be determined as follows:

(a) where a zone boundary is indicated as following a survey line as recorded at the Registry of Deeds, the boundary shall follow that line;
(b) where a zone boundary is indicated as following a street, private road, or controlled access highway the centerline of the street, private road, or controlled access highway shall be the boundary unless otherwise indicated;
(c) where a zone boundary is indicated as following a railway or utility right-of-way, the centerline of the right-of-way shall be the boundary unless otherwise indicated;
(d) where the zone boundary is indicated as approximately following lot lines, the boundary shall follow the lot lines;
(e) where the zone boundary is indicated as following the shoreline of a river, watercourse, lake or salt water body, the mean high water mark shall be the boundary; and
(f) where none of the above provisions apply, the Development Officer shall scale the zone boundary from the zoning map.

1.8 Severability

1.8.1 If any provision of this By-law is held to be invalid by a decision of a court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this By-law.

1.9 Notes to Reader

1.9.1 This Land Use By-law includes notes to the reader, enclosed within an opening and closing set of two asterisks each and denoted by the text “Note to reader:”. These notes are solely intended for informational purposes and shall not form a legal or enforceable component of this By-law.

Part 1 Changelog

Reference Number	Date	File or Project	General Nature of the Changes

2 Administration

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2.1 Development Officer

2.1.1 Council shall appoint one or more Development Officer(s) for the Municipality.

2.1.2 The Development Officer shall be responsible for the administration of this By-law.

2.2 Right to Entry

2.2.1 The Development Officer is authorized to enter, at all reasonable times, into or upon any property within the Municipality for the purpose of any inspections necessary to administer this By-law.

2.3 Compliance with Other Legislation

2.3.1 Nothing in this By-law shall exempt any person from complying with the requirements of any other by-law in force within the Municipality, or from obtaining any license, permission, permit, authority, or approval required by any other by-law of the Municipality or statute or regulation of the Province of Nova Scotia or the Government of Canada.

2.3.2 Where the provisions in this By-law conflict with those of any other by-law of the Municipality or regulation of the Province of Nova Scotia or the Government of Canada, the higher or more stringent provision shall prevail.

2.4 Restoration to a Safe Condition

2.4.1 Nothing in this Land Use By-law shall prevent the restoration of any building or structure to a safe condition, as determined by the Building Official.

2.5 Variances

2.5.1 Notwithstanding anything in this By-law, the Development Officer may grant a variance subject to Section 235 of the *Municipal Government Act*. Specifically, the Development Officer may vary:

(a) the percentage of land that may be built upon;
(b) the size or other requirements relating to yards;
(c) lot frontage;
(d) lot area;
(e) location and number of parking spaces and loading spaces required;
(f) ground area of a structure;
(g) height of a structure; and/or
(h) floor area occupied by a home-based business.

2.5.2 In accordance with Section 235 of the *Municipal Government Act*, the Development Officer shall not grant a variance if the:

(a) variance violates the intent of the Land Use By-law;
(b) difficulty experienced is general to properties in the area; or
(c) difficulty experienced results from an intentional disregard for the requirements of the Land Use By-law.

2.6 Effective Date

2.6.1 This By-law comes into force and takes effect upon the date of its final reading by the Council of the Municipality of the County of Cumberland and has been signed in accordance with the Act.

2.7 Existing Structures and Uses

2.7.1 A structure or use of land shall be deemed to be existing on the effective date of this By-law if it has lawfully been constructed, or has commenced, or is lawfully under construction, or all required permits for its construction or uses were in force and effect, except that this shall not apply unless the construction or use is commenced within 12 months after the date of the latest issuance of the required permits.

2.8 Repeal of By-laws

2.8.1 The following by-laws are repealed as of the effective date of this Land Use By-law:

(a) Municipality of the County of Cumberland Land Use By-law, passed and adopted by Council May 5, 1993, as amended;
(b) Land Use By-law for the Central Planning Area, passed and adopted by Council, November 19, 2003, as amended;
(c) Land Use By-law for Joggins Planning Area, passed and adopted by Council, July 19, 2006, as amended;
(d) Land Use By-law for the Village of Pugwash, passed and adopted by Council, December 10, 2008, as amended;
(e) Town of Springhill Land Use By-law, passed and adopted by Council of the former Town of Springhill on November 26, 1992, as amended; and
(f) Town of Parrsboro Land Use By-law, passed and adopted by Council of the former Town of Parrsboro on May 22, 2007, as amended.

Part 2 Changelog

Reference Number	Date	File or Project	General Nature of the Changes

3 Development Permitting

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3.1 Development Permit

3.1.1 Unless otherwise stated in this By-Law, no person shall undertake a development within the Municipality without first obtaining a development permit from the Development Officer.

3.1.2 The Development Officer shall only issue a development permit in conformance with this By-law, except where a variance is granted or in the case of an existing non-conforming use or structure, in which case a development permit shall be issued in conformance with the Act.

3.1.3 A development permit shall expire within the following time periods from the date issued if the development has not commenced:

(a) Three years for large-scale wind turbines.
(b) Two years for industrial uses **and medium-scale wind turbines**.
(c) One year for all other uses.

[CHG-303]

3.1.4 The Development Officer may revoke a development permit where information provided on the application is found to be inaccurate or the permit was issued in error.

3.1.5 The Development Officer shall, at the applicant's request, renew a development permit for one additional year if:

(a) the development permit has not been renewed previously; and
(b) the Development Officer is satisfied that the development permit is consistent with the current Land Use By-law and any proposed amendments to the Land Use By-law that have been given First Reading by Council.

3.2 No Development Permit Required

3.2.1 Unless otherwise specified, the following developments shall not require a development permit:

(a) Renovations or alterations to a structure that do not result in a change in volume or gross floor area, number of dwelling units, or a change in use of the structure.
(b) Fences, other than for salvage yard enclosures.
(c) Signs less than 0.2 m^2 in area where signs are permitted.
(d) Up to two accessory structures on a lot, each less than 20 m^2 in area and less than 4.5 metres in height, except outdoor furnaces and recreational vehicle parking sites, which shall require a development permit.
(e) A change in grade of land or vegetation thereon, other than for the outdoor storage area of a salvage yard or any change in earthen berms or natural topography or vegetation located on the same lot as a salvage yard.
(f) Public and private utilities located within the street right-of-way.
(g) Temporary greenhouses, cloches, crop hoops, or other such temporary crop structures.
(h) Radiocommunication antennas and radiocommunication towers. [CHG-301]

3.2A Radiocommunication and Broadcasting Antenna Systems

3.2A.1 **The Municipality does not regulate radiocommunication equipment or antenna systems. Jurisdiction over such development lies with Industry Canada. Persons wishing to install radiocommunication equipment and antenna systems must follow the public consultation requirements contained in Industry Canada's Default Public Consultation Process.**

Although municipalities do not issue permits for such structures this protocol requires that persons wishing to install radiocommunication equipment contact and inform adjacent landowners and consider any concerns they raise. Once it is advised that the applicant has addressed any concerns, the Municipality shall prepare a letter to Industry Canada to confirm the consultation process has been followed. The Development Officer shall be designated administer such requests for letters regarding the antenna site protocol. [CHG-301]

3.3 Application Requirements

3.3.1 Every application for a development permit shall be made in writing on an approved form and shall include:

(a) the signature of the registered land owner or their duly authorized agent;
(b) application fees in conformance with the fee schedule adopted by resolution of Council;
(c) a statement of the proposed use of the land;
(d) a statement of the estimated commencement and completion date of development;
(e) a site plan; and
(f) any other information required by this Land Use By-law.

3.3.2 Site plans prepared for a development permit application shall be drawn to an appropriate scale and showing information as required by the Development Officer, such as, but not limited to:

(a) the true shape and dimensions of all lots for which development is proposed;
(b) identification of all abutting streets and private roads;
(c) identification of rights-of-way and easements within the subject property;
(d) proposed location, height, and dimensions of any building, structure, or work for which the permit is applied;
(e) location of every building or structure already erected on or partly on the subject property, and the approximate location of every building within 10 metres of the subject property on contiguous lots;
(f.1) confirmation of capacity allocation pursuant to the IMA [CHG-305];
(f) existing and proposed services;
(g) location of existing and proposed solid waste storage areas;
(h) proposed location and dimensions of parking spaces, loading spaces, driveways, and landscaping areas;
(i) north arrow, scale, date of drawing, and identity of drawing author; and
(j) other such information as may be necessary to determine whether or not

every such development conforms with the requirements of this By-law.

3.3.3 Where a lot contains a watercourse or shoreline buffer, site plans prepared for a development permit on that lot shall include the following information, in addition to any information required by the Development Officer under Subsection 3.3.2:

(a) location of any watercourse, coastline, or wetland;
(b) location of shoreline buffers and/or watercourse buffers;
(c) general direction of drainage on the lot;
(d) location of any abrupt changes in slope;
(e) limits and nature of any existing vegetation within the shoreline and/or watercourse buffer; and
(f) proposed treatment of the shoreline buffer and/or watercourse buffer.

3.3.4 A Location certificate prepared and stamped by a Nova Scotia Land Surveyor **may** be required:

(a) Where a lot has not been surveyed and a building is proposed within 2.5 metres of a watercourse or shoreline buffer, or within 2.5 metres of any required setback or property boundary.
(b) Where detailed elevation data is not provided and where a building is proposed below the 5m contour on the Northumberland Strait or the 10m contour on the Bay of Fundy. This location certificate **may** be provided to confirm the elevation as per Section 4.17.1.

[CHG-304]

3.3.5 Where necessary to determine conformance with this Land Use By-law, the Development Officer may require the applicant to provide additional information at the necessary level of detail and, if necessary, prepared by the appropriate professional. Such additional information may include, but is not limited to:

(a) site survey and/or site plan prepared and stamped by a Nova Scotia Land Surveyor;
(b) location certificate;
(c) topography and soil conditions of the subject site;
(d) watercourse delineation;
(e) stormwater management plan;
(f) floor plans and elevation drawings of any proposed structures;
(g) geotechnical study;
(h) site grading plan;
(i) traffic impact assessment or study;
(j) groundwater supply study; and/or
(k) any other information deemed necessary by the Development Officer.

3.3.6 Development permit applications for domestic-scale wind turbines shall be reviewed by the Building Official to determine if design submissions are required from a Professional Engineer to ensure the wind turbine base, foundation, or guy wire anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient.

3.3.7 Development permit applications for small-scale *[deletion: CHG-303]* wind turbines must comply with those conditions as found in Section 5.1 of this By-law.

3.3.8 A development permit application is not considered complete until all requirements of this Section have been met to the satisfaction of the Development Officer.

3.3.9 Where any aspect of a proposed development requires, or in the opinion of the Development Officer may require, approval of the Nova Scotia Department of Environment or a successor body, the Development Officer shall not issue a development permit without the written approval of that Department or written confirmation from that Department that its approval is not required.

3.4 Site Plan Approval

3.4.1 Some zones of this Land Use By-law permit certain uses only by site plan approval. The Development Officer shall review applications for new uses permitted by site plan approval, and amendments to existing site plan approvals, against the applicable criteria in Part 13. Unless specifically addressed in a different manner by the applicable criteria of Part 13, all other applicable criteria of this Land Use By-law shall still apply to any development undertaken through site plan approval.

3.4.2 The area of notification for site plan approval shall be 30 metres for lots 1 hectare or less in area and 100 metres for lots greater than 1 hectare in area.

3.5 Encroachment Agreements

3.5.1 If an applicant applies for a development permit for a building or structure that encroaches property owned by the Municipality of Cumberland, the Development Officer shall require the applicant to enter an encroachment agreement with the Municipality, in a form and on the terms and conditions satisfactory to the Municipality, or may impose any other conditions the Municipality considers necessary to mitigate or address the impact of the encroachment, including with respect to compensation, indemnities, insurance, or a duty to remove the encroaching structure on receipt of notice. [CHG-302]

Part 3 Changelog

Reference Number	Date	File or Project	General Nature of the Changes
CHG-301	2018.11.14	2018 Housekeeping	Added clarification that radiocommunication towers are not regulated by the Municipality and do not require a development permit
CHG-302	2018.11.14	2018 Housekeeping	Added requirement for encroachment agreements.
CHG-303	2022.09.08	2022 Wind Turbine Amendments	Refined development permit requirements for medium- and large-scale wind turbines.
CHG-304	2025.03.03	Development of an undersized lot amendment	Amend location certificate requirement for permit applications.
CHG-305	2026.01.21	By-law to Amend the LUB 25-09	Amended policy 3.3.2 to allow development officers to require confirmation of capacity allocation, under the I.M.A

4 General Provisions

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4.1 Permitted Uses

4.1.1 For the purpose of this By-law, if a use is not listed as a permitted use in a zone, it shall be deemed to be a prohibited use in that zone.

4.1.2 Where a permitted use within a zone is defined in this By-law, the uses permitted in the zone include any similar uses that, in the opinion of the Development Officer, satisfy such definition except where a definition specifically excludes any similar use.

4.2 Connection to Central Services

4.2.1 New buildings shall be connected to public sewer and drinking water systems where such services are available. Where service availability is disputed or unclear, the Municipal Engineer shall make a determination based on site conditions and available system capacity.

4.3 Newly Created Undersized Lots

4.3.1 Where a lot is approved under section 279 of the *Municipal Government Act*, a development permit shall be issued provided the development complies with all other provisions of this By-law.

4.4 Existing Lots

4.4.1 For the purposes of this Section, an existing lot is a lot that was lawfully created or shown on a plan of subdivision tentatively approved by the Municipality, the former Town of Parrsboro, or the former Town of Springhill, in the applicable area as shown on Schedule B of this By-law, prior to the following dates:

(a) June 15, 1977, in Springhill
(b) May 22, 2007, in Parrsboro
(c) July 24, 2008, in Cumberland

Existing Undersized Lots

4.4.2 Notwithstanding minimum lot frontage**, setback,** and area requirements, the Development Officer shall issue a development permit on existing lots having less than the minimum frontage**, width,** or area required by this By-law for a use permitted in the zone in which the lot is located and a building may be erected on the lot provided:

(a) the lot is not zoned Wellfield 1 (W1), Wellfield 2A (W2A), Wellfield 2B (W2B), Wellfield 2C (W2C), Wellfield 3A (W3A), Wellfield 3B (W3B), or **Flood Hazard (HzFl) [CHG-1209]**;
(b) [Deleted CHG-405]
(bA) if the proposed use includes a dwelling or any other use that requires on-site wastewater, a permit from Nova Scotia Department of Environment for an On-site Sewage Disposal System can be obtained. [CHG-408]
(c) maximum lot coverage is 25 percent;[CHG-408]
(d) all other applicable provisions of this By-law are met;
(e) all applicable wastewater treatment requirements are met;
(f) if a dwelling is proposed, the means of wastewater treatment is not a holding tank or privy;
(g) the lot has not less than 4 metres of lot frontage**;**
(h) All setbacks shall be no less than 3m; and [CHG-408]
(i) Deleted[CHG-408]
(j) Shoreline buffer is maintained in accordance with section 4.16.1(d) [CHG 408]
(k) Waterfront lot shall maintain a maximum height of 8m. [CHG-408]

4.4.3 In addition to Subsection 4.4.2, above, where such a lot is increased in size but remains undersized, it shall continue to be deemed an existing undersized lot.

4.4.4 Notwithstanding Subsection 4.4.1, where a repeal of subdivision creates a lot or lots smaller than zone requirements, the lot or lots shall not be considered existing undersized lots.

Existing Lots without Frontage

4.4.5 Notwithstanding lot frontage requirements, the Development Officer shall issue a development permit on an existing lot with less than 4 metres of lot frontage for a use permitted in the zone in which the lot is located and a building may be erected on the lot provided:

(a) the applicant has a right-of-way easement from a street or private road to the lot; **and,**
(b) all other requirements of this By-law are met.
(c) [*Deleted CHG-402*]

Subdivision of an Existing Lot with Existing Main Buildings

4.4.6 In any case where an existing lot contains two or more existing main buildings, a subdivision of land is permitted to create a separate lot for each building, notwithstanding anything else in this By-law, provided that:

(a) the new lots being created each have an approved means of sewage disposal and water supply completely independent from the other(s); and
(b) all lots created as a result of any such subdivision have lot frontage of at least 4 metres and a lot area of at least 400 m^2, or the lot area requirements of the zone in which they are located, whichever is less.

Storage Buildings on Existing Undersized Lots

4.4.7 Notwithstanding the permitted uses and lot area requirements of this By-law, the Development Officer may issue a development permit for a storage building as a main use on vacant existing lots having less than the area required by this By-law, provided that:

(a) the lot is not zoned Wellfield 1 (W1), Wellfield 2A (W2A), Wellfield 2B (W2B), Wellfield 2C (W2C), Wellfield 3A (W3A), Wellfield 3B (W3B), or **Flood Hazard (HzFl) [CHG-1209]**;
(b) the storage building meets the zone requirements for accessory buildings;
(c) the gross floor area of the storage building does not exceed:
  (i) 45 m^2 on lots less than 450 m^2 in area; or
  (ii) 10 percent of lot area on lots 450 m^2 in area or larger

4.4.8 No permanent or temporary residential, commercial, or industrial use shall be located in the storage building. For the purpose of this clause, “residential uses” include sleeping, dining, laundry, food preparation, and washroom facilities.

4.5 Flag Lots

4.5.1 Unless prohibited in a zone, flag lots shall be permitted subject to the following requirements:

(a) the zone standard for minimum lot area for the proposed use must be satisfied within the main portion of a flag lot;
(b) the lot shall be able to contain a circle with a diameter equal to the zone standard for minimum lot frontage;
(c) notwithstanding zone standards, the flag lot shall have minimum lot frontage of 6 metres, and the width of the prolongation or leg of the flag lot providing access to the street or roadway shall be at least 6 metres at every point along its length;
(d) minimum front setbacks shall be measured from the lot line on the main portion of the flag lot that is closest to parallel with the street on which the flag lot fronts; and
(e) no more than three flag lots shall be created from an area of land as it existed on March 7, 2018.

4.6 Accessory Uses and Buildings

4.6.1 Unless otherwise prohibited by this By-law, accessory uses, buildings, and structures are permitted in all zones, subject to the following requirements:

(a) the accessory building or use shall meet any use-specific requirements outlined elsewhere in this By-law;
(b) the accessory building shall meet zone standards for accessory buildings;
(c) unless otherwise enabled by this By-law, the gross floor area of all accessory buildings on the lot shall not exceed 10 percent of the lot area; and
(d) an accessory building may be constructed on a lot prior to a main building, provided that, in the opinion of the Development Officer, an area of land is maintained of sufficient size to accommodate a main building.

4.7 Non-conforming Uses & Structures

Non-conforming Uses

4.7.1 A non-conforming use shall not be recommenced if discontinued for a continuous period of 12 months.

4.7.2 A non-conforming use may expand by site plan approval, as outlined in Part 13.

Non-conforming Structures

4.7.3 Notwithstanding lot area, lot frontage, and minimum setback requirements of this By-law, the use of a non-conforming structure may be changed to any other use permitted in that zone, provided all other requirements of this By-law are met.

4.7.4 Non-conforming structures may be replaced, reconstructed, enlarged, renovated, and/or repaired, provided:

(a) any such construction does not further infringe on the By-law requirement(s) that created the non-conformity; and
(b) all other requirements of this By-law are met.
(c) Any such replacement or enlargement is substantially in the same location. [CHG-407]

4.8 Multiple Uses

4.8.1 Multiple main uses may locate on the same lot or in the same building. Where any land or building is used for more than one main use all provisions of this By-law relating to each use shall be satisfied and if more than one standard applies, the more stringent standard shall prevail.

4.9 Multiple Main Buildings

4.9.1 Unless otherwise prohibited in this By-law, any number of main buildings may locate on the same lot, subject to applicable zone requirements.

4.10 Fronting on a Street or Existing Private Road

4.10.1 Unless otherwise permitted by this By-law, the Development Officer shall only issue a development permit if the lot intended for development abuts a private road existing on March 7, 2018 or abuts a street. This requirement shall be waived for agricultural uses and forestry uses, provided the use is permitted and such use does not include a dwelling. **Minimum lot frontage requirements shall not apply to lots approved pursuant to any section in the Subdivision By-Law that provides an exemption from the lot frontage requirement or any requirement that a lot abuts a street or road. [CHG-403]**

4.11 New Streets

4.11.1 New streets shall not be permitted except on lands designated on Schedule A of the Municipal Planning Strategy as Residential, Commercial, or Industrial.

4.12 Setback Encroachments

4.12.1 Unless otherwise indicated in a particular zone, every part of any setback required by this By-law shall be open and unobstructed by any structure, with the exception of fences and the structures listed in Table 1, below, which shall be permitted to encroach into or over the specified setback for the distances as specified.

Table 1 – Permitted Setback Encroachments

Structure	Required Setback in Which Encroachment is Permitted	Permitted Encroachment Distance
(a) Sills, cornices, eaves, gutters, chimney breasts, pilasters, canopies, or other similar architectural features	Any	0.6 m
(b) Window bays	Any	1 m
(c) Balconies, decks, porches, patios, and verandas	Any	2.5 m
(d) Carports	Side	Up to 1 m from lot line
(e) Fire escapes, exterior staircases	Rear and side	2.5 m
(f) Barrier-free access ramps	Any	2.5 m

4.13 Height Exemptions

4.13.1 Zone requirements for maximum building height shall not apply to church spires, water tanks, elevator enclosures, stairwells, silos, flag poles, television or radio antennae, commercial communication towers, ventilators, skylights, chimneys, clock towers, tree houses, public art, wind turbines, or solar collector systems.

4.14 Conformity with Existing Adjacent Setbacks

4.14.1 The Development Officer may approve a front setback less than the minimum front setback required in a zone if:

(a) the proposed setback is not less than the smallest front setback of any main building within 60 metres on the same street and within the same zone as the proposed building; and
(b) the proposed setback is not less than 2 metres.

4.15 Corner Lot Sight Triangle

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

4.16 Watercourse & Shoreline Buffers

4.16.1 All development and outdoor storage, with the exception of those developments listed in Subsection 4.16.2, shall be prohibited within the following areas:

(a) 30.5 horizontal metres from the ordinary high water mark of watercourses identified as "Increased Watercourse Buffer" on Schedule C, Watercourse & Shoreline Buffer Map**.**
(b) 30.5 horizontal metres from the top of bank along shorelines identified as "Increased Shoreline Buffer" on Schedule C, Watercourse & Shoreline Buffer Map.
(c) 15 horizontal metres from the ordinary high water mark of all other watercourses and marine shorelines.

4.16.2 Developments permitted within watercourse and shoreline buffers (subject to zone requirements for permitted uses) are:

(a) Shoreline stabilization works.
(b) One accessory building or structure or one attached **uncovered** deck which, in total, shall not be larger than 20 m^2. **[CHG-408]**
(c) Safety fences that do not exceed a height of 1.8 metres.
(d) Shoreline or water access facilities such as docks, boardwalks, walkways and trails for nonmotorized vehicles.
(e) Traditional marine uses or the on-shore components of water based uses and other marine dependent uses.
(f) Parks, conservation, and historic uses.
(g) Public streets and infrastructure.
(h) Outdoor storage accessory to a residential use, such as, but not limited to, firewood storage.
(i) Wellhouses.
(j) A recreational vehicle parking site, provided watercourse or shoreline buffers are not reduced to less than 15 metres. [CHG-406]

4.16.3 Existing buildings located within a watercourse or shoreline buffer may be reconstructed, renovated, repaired, moved, or replaced provided that the work does not increase the building's footprint within the buffer and all other applicable requirements of this By-law are met.

4.16.4 Existing dwellings located within a watercourse or shoreline buffer may be reconstructed, renovated, repaired, moved, or replaced provided that the work does not further reduce the depth of the shoreline buffer and all other applicable requirements of this By-law are met.

4.16.5 Notwithstanding Clause 4.16.1(b), development shall be permitted closer to the top of bank, provided:

(a) the bank has been stabilized by measures designed, inspected, and certified by an engineer licensed to practice in Nova Scotia;
(b) if the development is a dwelling or short-term rental, the distance to the top of bank is not reduced to less than 20 metres; and
(c) the 15 horizontal metres from the ordinary high water mark, as required by Clause 4.16.1(c), is retained.

4.16.6 Notwithstanding section 4.16.1 and section 4.16.4, the expansion of any existing main building on an undersized lot may be permitted. provided any addition does not further reduce the existing distance from the top of the bank of the watercourse/shoreline to the main building. [CHG-408]

4.17 Coastal Elevation

4.17.1 [*Deleted CHG-404*]

4.17.1A No building shall be constructed with the floor level of any habitable area located below the following elevations, relative to the Canadian Geodetic Vertical Datum of 2013, on lands identified as such on Schedule D, the Coastal Elevation Map:

(a) 2.6 metres on the Northumberland coast.
(b) 8.7 metres on Chignecto Bay.
(c) 7.1 metres on the Minas Basin.

[CHG-404]

4.18 Joggins Cliffs

4.18.1 The following activities shall be prohibited within 20 metres landward of the cliffs in the area identified on Schedule E, the Joggins Cliffs Setback Area Map:

(a) development of any structure, sign, or building, with the exception of safety fences that do not exceed a height of 1.8 metres;
(b) soil removal, excavation, deposition, or grading; and
(c) outdoor storage and outdoor display.

4.19 Outdoor Furnaces

4.19.1 Notwithstanding any other provision of this By-law, an outdoor furnace or structure containing an outdoor furnace in any zone shall:

(a) be located rear of the main building, and at least 60 metres from the nearest lot line; and
(b) have a chimney or exhaust at least 1.8 metres above the peak of the roof of the structure(s) of any habitable building within 6 metres on the same lot.

4.19.2 Notwithstanding clause 14.19.1(b), in the Agriculture (AG) Zone and Rural Resource (RE) Zone, any chimney or exhaust shall instead be located at least 1 metre above the peak of the roof of any habitable building within 6 metres on the same lot and 100 metres on other lots.

4.19.3 These requirements shall not apply to outdoor pellet burners that meet the United States Environmental Protection Agency Phase 2 Program.

4.20 Vehicle Bodies

4.20.1 Trucks, buses, boats, automobiles, street car bodies, recreational vehicles, converted recreational vehicles, and structures of any kind other than a mobile home or dwelling unit erected and used in accordance with this By-law shall not be used for human habitation whether or not the same is mounted on wheels.

4.20.2 Notwithstanding Subsection 4.20.1, a recreational vehicle may be used for temporary human habitation up to four consecutive months in any calendar year provided that such use:

(a) is carried out in a recreational vehicle bearing a valid motor vehicle registration;
(b) is limited to one recreational vehicle on a lot at any one time; and
(c) meets all zone setback requirements for single-unit dwellings in the zone in which the recreational vehicle is located.

4.20.3 Subsection 4.20.1 shall not apply to recreational vehicles or converted recreational vehicles in RV parks or on a recreational vehicle parking site developed in accordance with this By-law.

4.21 Islands

4.21.1 Notwithstanding minimum lot frontage requirements, the Development Officer may grant a development permit for development on an island provided the lot has a minimum of 6 metres of water frontage on the body of water that creates the island and all other requirements of this By-law are met.

4.22 Heritage Incentives

4.22.1 A property or building that is a Municipally-, Provincially-, or Federally-registered heritage property shall be eligible for relaxations of By-law requirements as outlined in Table 2, Heritage Incentives.

Table 2 – Heritage Incentives

By-law Requirement	Permitted Relaxation
Level 1 Home-based Businesses – Clause 5.4.5(b)	Number of permitted on-site, non-resident employees increased from 2 to 3
Level 2 Home-based Businesses – Clause 5.4.7(b)	Number of permitted on-site, non-resident employees increased from 4 to 5

Part 4 Changelog

Reference Number	Date	File or Project	General Nature of the Changes
CHG-401	2018.11.14	2018 Housekeeping	Allowed development on existing lots that are narrower than zone requirements
CHG-402	2018.11.14	2018 Housekeeping	Allowed development of new dwellings on existing lots without road frontage
CHG-403	2018.11.14	2018 Housekeeping	Clarified that lots created with Subdivision By-law road frontage exemptions can still be developed.
CHG-404	2018.11.14	2018 Housekeeping	Converted vertical datum from CGVD1928 to CGVD2013
CHG-405	2020.09.16	2020 MPS and LUB Amendments	Refined requirements for undersized lots
CHG-406	2020.09.16	2020 MPS and LUB Amendments	Added recreational vehicle parking sites to the exemptions provided from watercourse buffers
CHG-407	2020.09.16	2020 MPS and LUB Amendments	Added clarity to requirements for non-conforming structures
CHG-408	2025.03.03	Development of an undersized lot amendment	Amended the requirements for development on a undersized lot, with frontage on a watercourse and/or shoreline.

5 Use Specific Regulations

plan cumberland | Land Use By-law



5.1 Small-scale Wind Turbines

Permitted Zones

5.1.1 Small-scale wind turbines shall be permitted in all zones. *[Deletions: CHG-507]*

Siting Requirements

5.1.2 There is no lot frontage requirement for wind energy projects.

5.1.3 Small-scale wind turbines shall have the minimum separation distances as outlined in Table 3. *[Deletions: CHG-507]*

Table 3 – Small-scale Wind Turbine Separation Distances

From	Minimum Separation Distance
(a) Habitable buildings external to the wind energy project	**75** metres or **1.5** times the height of the turbine, whichever is larger
(b) Habitable buildings internal to the wind energy project	1.25 times the height of the turbine
(c) Property lines external to the wind energy project	**1.25** times the height of the turbine
(d) Property lines internal to the wind energy project	None
(e) Streets and railway rights-of-way	**1.25** times the height of the turbine
(f) Natural gas pipeline rights-of-way	85 metres
(g) Small-**, medium-,** and large-scale wind turbines external to the wind energy project, including wind turbines that have a valid development permit but have not yet been constructed	**2** times the height of the proposed wind turbine or **2** times the height of the wind turbine external to the wind energy project, whichever is larger

[CHG-507]

5.1.4 Notwithstanding Clause 5.1.3 (a), the minimum separation distance from a habitable building external to the wind energy project may be reduced to as low as 1.25 times the height of the turbine with the written consent of all owners of that habitable building.

5.1.5 Notwithstanding Clause 5.1.3 (g), the minimum separation distance from a small-**, medium-,** or large-scale wind turbine external to the wind energy project may be waived with the written consent of all owners of the external wind turbine. **[CHG-507]**

5.1.6 Notwithstanding Clause 5.1.3 (a), proposed habitable buildings shall have a minimum separation distance from small-scale wind turbines of 1.25 times the turbine height. *[Deletion: CHG-507]*

5.1.7 If a wind turbine project is expanded, the expansion shall not be located any closer to new habitable buildings that were permitted by Subsection 5.1.6

5.1.8 There is no limit on the number of small-scale wind turbines in any one area provided all of the turbines meet setback and separation distance requirements. *[Deletion: CHG-507]*

Design Requirements

5.1.9 The minimum clearance between the wind turbine blades and the ground shall be **5** metres. **[CHG-507]**

5.1.10 Small-scale wind turbines shall be finished in a non-reflective, matte finish. *[Deletion: CHG-507]*

5.1.11 Small-scale wind turbines shall be protected from unauthorized access by a security fence with a lockable gate and a minimum height of 1.8 metres, or by having any ladder or permanent tower access device located no closer to the ground than 3.7 metres or, for monopole designs, by securing access with a lockable door. *[Deletion: CHG-507]*

5.1.12 Small-scale wind turbines shall not be provided with artificial lighting except for lighting that is needed to meet Transport Canada or other regulatory requirements. *[Deletion: CHG-507]*

5.1.13 Security and site lighting shall not be intrusive and shall be directed so that they do not reflect onto adjacent properties.

5.1.14 Small-scale wind turbines turbine towers shall not contain any commercial advertising; however, the hub or nacelle may display the name or logo of the manufacturer, operator, and/or owner. *[Deletion: CHG-507]*

5.1.15 Site signs shall be limited to those that identify the wind energy project, locate access points, and provide safety information.

5.1.16 All outdoor storage associated with a wind energy project shall be screened from view from adjacent properties and streets.

Operation and Decommissioning Requirements

5.1.17 *[Deleted: CHG-507]*

5.1.18 *[Deleted: CHG-507]*

5.1.19 *[Deleted: CHG-507]*

Permit Application Requirements

5.1.20 In addition to all information normally required for development permit applications, applications for development permits for small-scale wind turbines shall be accompanied by the following information: *[Deletions: CHG-507]*

(a) evidence and results of public notification, if conducted;
(b) when placed on land in the Agriculture (AG) Zone, evidence of the continued use of prime agricultural land for farm use;
(c) evidence of notification to the Department of National Defense, NavCanada, Industry Canada, and the Department of Natural Resources, or any successor bodies, regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable;
(d) copies of documentation required (obstruction clearance form) by Transport Canada, or a successor body, for turbines taller than 30 metres; **and**
(e) copies of documentation required by NavCanada, or a successor body, for all turbines within 10 km of an airport or for turbines taller than 30 metres outside the 10 km range**.**
(f) *[Deleted: CHG-507]*
(g) *[Deleted: CHG-507]*

5.1.21 The applicant shall also submit a site plan prepared by a qualified individual (*e.g.* surveyor or engineer) and drawn to scale, showing:

(a) the location of all wind turbines and accessory uses;
(b) the dimensions and boundaries of all parcels of land;
(c) the location of all existing and proposed buildings, structures and uses;
(d) proposed alterations to natural features; **and**
(e) all required setbacks and separation distances**.**
(f) *[Deleted: CHG-507]*

5.1.22 *[Deleted: CHG-507]*

5.1.23 *[Deleted: CHG-506]*

5.1.24 For a period of six months commencing upon Council approving First Reading of the By-law to Amend the Land Use By-law 26-11, no development permit applications will be received for AI Data Centers while the municipality completes its comprehensive review of Municipal Planning Strategy and Land Use By-law.

Upon a motion by Council/ where additional time is deemed necessary to complete the review, this review period may be extended one time by a further period of up to six months. [CHG- 508]

5.2 Domestic-scale Wind Turbines

5.2.1 Domestic-scale wind turbines shall be permitted in all zones. *[Deletions: CHG-507]*

5.2.2 **D**omestic-scale wind turbines shall meet the following requirements: *[Deletions: CHG-507]*

(a) The minimum separation distance from property lines **and railway rights-of-way** shall be **1.1** times the height of the turbine. **[CHG-507]**
(b) The minimum lot area for the subject property shall be 4,000 m^2.
(c) There shall be no signs, advertisements, or objects attached to or added to the turbine.
(d) Turbines 6 metres or greater in height shall not be mounted on or attached to any other structure.
(e) All supporting structures such as guy wires or similar support apparatus shall be located a minimum of 3 metres from the property line.
(f) All supporting structures such as guy wires or similar support apparatus shall be clearly visible to a height of 2 metres above grade.
(g) Any climbing apparatus shall be a minimum of 3 metres above grade.
(h) The minimum separation distance from habitable buildings external to the wind energy project shall be 50 metres or 1.25 times the height of the turbine, whichever is larger. [CHG-507]
(i) The minimum separation distance from habitable buildings internal to the wind energy project shall be 1.1 times the height of the turbine. [CHG-507]
(j) The minimum separation distance from natural gas rights-of-way shall be 85 metres. [CHG-507]
(k) The minimum separation distance from wind turbines external to the wind energy project, including turbines for which a valid development permit has been granted but has not yet been constructed, shall be 1.25 times the height of the turbine. [CHG-507]

5.2.3 Notwithstanding Clause 5.2.2 (a), the minimum separation distance may be reduced or waived with the written consent of the property owner(s) of the land on the other side of the property line for which the reduction or waiver is proposed.

5.2A Meteorological (Test) Towers

5.2A.1 Meteorological towers for testing wind speeds for the purpose of identifying the suitability of a wind resource shall be permitted in all zones subject to the following requirements:

(a) Meteorological towers shall require a development permit and shall not be required to meet zone standards.
(b) The property owner or developer shall remove the meteorological tower within 180 days from the date testing activity ceases.
(c) The Municipality shall notify the public through a newspaper circulating in the municipality upon issuance of a development permit of a meteorological tower.

5.3 Solar Collectors

5.3.1 Solar collector systems shall be permitted as an accessory use in all zones.

5.3.2 Solar collector systems shall be permitted as a main use in the Rural Resource (**Rsrc**) Zone, Agriculture (AG) Zone, Rural Industrial (**IRur**) Zone, Wellfield 3B (W3B) Zone, and Commercial Recreation (**CRec**) Zone. Solar collector systems developed as a main use shall meet the zone requirements for main buildings.

5.3.3 Solar collector systems may be mounted as free-standing structures or on buildings.

5.3.4 Solar collector systems mounted on buildings may exceed the maximum building height in the zone by up to 2 metres.

5.3.5 Solar collector systems installed as free-standing structures in the Agriculture (AG) Zone shall be mounted on helical piles or on ballasted foundations resting on the surface of the ground.

5.4 Home-based Businesses

Personal Office or Studio

5.4.1 Nothing in this By-law shall prevent the use of a portion of any dwelling unit or building accessory to a dwelling unit as personal office or studio for residents of the dwelling unit provided the personal office or studio is not intended to be visited by members of the public.

5.4.2 No development permit is required for a personal office or studio.

Instruction of One Student at a Time

5.4.3 Nothing in this By-law shall prevent the use of a portion of any dwelling unit or building accessory to a dwelling unit for the instruction of one student at a time.

5.4.4 No development permit is required for the instruction of one student at a time.

Level 1 Home-based Business

5.4.5 Level 1 home-based businesses shall meet the following requirements:

(a) Permitted Uses	(i) Art Gallery Sales (ii) Bed and Breakfast – 10 or Fewer Sleeping Units (iii) Business Office (iv) Commercial School – 6 or Fewer Students (v) Craft Product Workshop (vi) Day Care Centre – 6 or Fewer Dependents (vii) Household Item Repair Services (viii) Personal Service Shop (ix) Pet Grooming (x) Retail Store
(b) Maximum Number of On-site, Non-resident Employees	2

(c) Maximum Floor Area of Home Based-Business	25 percent of the gross floor area of the dwelling unit or 50 m², whichever is less. The maximum floor area shall not apply to bed and breakfasts or day care centres.
(d) Outdoor Storage and Display	Outdoor storage and display are not permitted.

Level 2 Home-based Business

5.4.7 Level 2 home-based businesses shall meet the following requirements:

(e) Permitted Uses	(i) Automotive Sales – 6 or Fewer Vehicles at One Time (ii) Automotive Service (iii) Art Gallery Sales (iv) Bed and Breakfast – 10 or Fewer Sleeping Units (v) Building and Construction Contractors (vi) Business Office (vii) Commercial School – 12 or Fewer Students (viii) Craft Product Workshop (ix) Day Care Centre – 6 or Fewer Dependents (x) Household Item Repair Services (xi) Take Out Restaurant – Ice Cream (xii) Personal Service Shop (xiii) Pet Grooming (xiv) Retail Store		
(f) Maximum Number of On-site, Non-resident Employees	4		
(g) Maximum Floor Area of Home-Based Business	(i) On lots under 5,000 m² in area: 100 m² gross floor area	(ii) On lots from 5,000 m² to 10,000 m² in area: 150 m² gross floor area	(iii) On lots greater than 10,000 m² in area: 200 m² gross floor area
	When located in a dwelling, the home-based business shall not occupy more than 40 percent of the gross floor area of the dwelling unit. The maximum size limits and percentage of dwelling unit floor area shall not apply to bed and breakfasts or day care centres.		
(h) Outdoor Storage and Display	The total area of outdoor storage and outdoor display (combined) shall not exceed the maximum permitted floor area of the home-based business.		

5.5 Farm, Fish, and Forest Stalls

5.5.1 Nothing in this By-law shall prevent the direct sale of fish or other seafood; farm products such as, but not limited to, flowers, fruit, and vegetables; and forestry products such as, but not limited to, Christmas trees, wreaths, and maple products by individuals or companies engaged in the harvesting of such, subject to the following provisions:

(a) any associated structures shall be limited to a maximum total footprint of 10 m^2 on a lot;
(b) associated structures shall meet zone requirements for side and rear setbacks, but shall not be required to meet minimum front setbacks; and
(c) no development permit shall be required.

5.6 Urban Agriculture

5.6.1 Agricultural uses shall be permitted as a main use in the Lower Density Residential (**RLow**) Zone, Multi-unit Residential (**RMul**) Zone, Mixed-use (**CMix**) Zone, General Commercial (**CGen**) Zone, Parks and Open Space (P) Zone, and Institutional (INS) Zone, subject to the following requirements:

(a) the area of land dedicated to the agricultural use shall be limited to 1 hectare on lots less than 2 hectares in area;
(b) buildings shall be limited to a height of 4 metres; and
(c) buildings shall otherwise meet zone requirements for main buildings.

5.7 Fowl and Rabbits

5.7.1 Nothing in this By-law shall prevent the keeping of a total of 5 or fewer fowl and/or rabbits on a lot, and no development permit is required, subject to the following provisions:

(a) where a rooster is kept, the use shall be considered a household livestock use and shall require a development permit as household livestock, as provided for below;
(b) fowl and rabbits shall be kept within an enclosure and shall not be permitted to run at large;
(c) coops shall meet zone requirements for accessory buildings; and
(d) the slaughtering of fowl and rabbits is prohibited in the Lower Density Residential (**RLow**) Zone, Multi-unit Residential (**RMul**) Zone, and Mixed-use (**CMix**) Zone.

5.8 Household Livestock

5.8.1 Household Livestock shall be permitted as an accessory use in the Country Residential (**RCou**) Zone, Country Commercial (**CCou**) Zone, the Recreational Residential (**RRec**) Zone, and on lots greater than 2 hectares in area in the Lower Density Residential (**RLow**) Zone. Household Livestock shall be permitted as an accessory or main use in any zone that permits commercial livestock operations. Household livestock uses (whether as an accessory or main use) shall meet the following requirements:

(a) all animal housing and manure storage facilities shall meet zone

requirements for main buildings;

(b) all animal housing and manure storage facilities shall be set back a minimum of 50 metres from any off-site dwelling; and

(c) all animal housing and manure storage facilities shall be set back a minimum of 50 metres from any watercourse and off-site wells.

5.9 Electric Vehicle Charging

5.9.1 Nothing in this By-law shall prevent the installation of an electric vehicle charging station where the station is for the exclusive domestic use of a dwelling unit.

5.9.2 Charging stations for electric vehicles that are not for the exclusive use of a dwelling unit shall be permitted as an accessory use in all zones except the Lower Density Residential (**RLow**) Zone and the **Flood Hazard (HzFl) Zone [CHG-1209]**.

5.9.3 Charging stations for electric vehicles are permitted as a main use in all zones except the Lower Density Residential (**RLow**) Zone, Multi-unit Residential (**RMul**) Zone, Wellfield 1 (W1) Zone, Agriculture (AG) Zone, Parks and Open Space (P) Zone, and **Flood Hazard (HzFl) Zone [CHG-1209]**. No uses shall be permitted accessory to an electric vehicle charging station.

5.10 Cemeteries

5.10.1 Existing cemeteries shall be permitted in all zones.

5.10.2 New cemeteries shall be permitted in all zones except the **Flood Hazard (HzFl) Zone [CHG-1209]**, Wellfield 1 (W1) Zone, Wellfield 2A (W2A) Zone, Wellfield 2B (W2B) Zone, Wellfield 2C (W2C) Zone, Wellfield 3A (W3A) Zone, or Wellfield 3B (W3B) Zone.

5.10.3 New cemeteries are not required to meet the lot area and frontage requirements of the zone in which they are located, but the lot shall:

(a) have a minimum of 6 metres of lot frontage;

(b) be at least 37 m^2 in area; and

(c) be able to contain a circle at least 6 metres in diameter.

5.10.4 Accessory buildings shall meet the zone requirements for accessory buildings.

5.11 Parks & Recreation Uses

5.11.1 Recreational uses shall be permitted in all zones and are not subject to zone requirements.

5.11.2 Recreational use structures shall have a maximum height of 10 metres and shall have a minimum setback of 3 metres from lot lines. Where a recreational use is located across multiple lots, no setback shall be required from lot lines internal to the recreational use.

5.12 Temporary Uses

5.12.1 The Development Officer may issue a development permit in any zone for uses and structures incidental to construction and for assessment facilities for renewable energy generation resources, subject to the following requirements:

(a) Any such development permit shall be for a temporary period not to exceed 12 months.
(b) All sites shall be decommissioned with all structures, accesses and storage being removed and the land being remediated and renewed.
(c) All buildings shall meet zone standards for accessory buildings.

5.13 Utilities

5.13.1 Public drinking water supplies and sewage treatment facilities shall be permitted in all zones.

5.13.2 Linear utility infrastructure such as, but not limited to, electric transmission lines and gas or water pipelines shall be permitted in all zones.

5.13.3 Uses and structures immediately related to the operation of adjacent utility infrastructure shall be permitted as accessory uses. Such accessory uses may include, but are not limited to, electric transformers, pumps and lift stations, control centres, and maintenance sheds for on-site maintenance. For greater clarity, uses and structures not immediately related to the operation of adjacent utility infrastructure are not accessory utility infrastructure and shall be located in an appropriate zone. Such uses and structures include, but are not limited to, administrative offices and central maintenance depots.

5.13.4 There is no lot frontage requirement for any utility use permitted by this Section.

5.13.5 Lots for any utility use permitted by this Section shall not be required to meet zone standards for lot area but shall be at least 37 m^2 in area and be able to contain a circle at least 6 metres in diameter.

5.14 Short-term Rentals

5.14.1 Only one short-term rental shall be permitted on a lot.

5.15 Residential Facilities

5.15.1 Residential facilities shall be permitted as dwellings and subject to the applicable zone requirements for dwellings based on the following equivalencies:

(a) A residential facility with fewer than five beds shall be treated as a single-unit dwelling.
(b) A residential facility with five to eight beds shall be treated as a duplex dwelling.
(c) A residential facility with more than eight beds shall be treated as a multi-unit dwelling with each four beds or portion thereof equivalent to one dwelling unit.

5.15.2 A single bedroom for a staff member shall be permitted without being counted for the purpose of the equivalencies in Subsection 5.15.1. All other staff bedrooms shall be counted for the purpose of equivalencies in Subsection 5.15.1.

5.16 Conversion of Existing Dwellings

5.16.1 Existing dwellings may be converted to any other type of dwelling permitted in the applicable zone provided the conversion meets the zone requirements for the

proposed dwelling type.

5.16.2 Notwithstanding Subsection 5.16.1, if conversion of an existing dwelling would conflict with minimum setbacks or maximum heights for the proposed dwelling type the conversion shall be permitted provided any additions to the dwelling meet the required minimum setbacks and maximum heights.

5.16.3 Notwithstanding zone requirements, in the Lower Density Residential (**RLow**) Zone, Country Residential (**RCou**) Zone, and Country Commercial (**CCou**) Zone, a single-unit dwelling or duplex dwelling existing on March 7, 2018 may be converted to a dwelling with up to three dwelling units, subject to the following requirements:

(a) The conversion shall be undertaken without addition or expansion to the footprint or bulk of the building, except where modifications are necessary to comply with fire safety standards.
(b) An accessory dwelling shall not be located on the lot.

5.17 Semi-detached and Townhouse Dwellings

Semi-detached Dwelling Lot Sizes

5.17.1 A semi-detached dwelling may be located on two lots if:

(a) the common lot boundary is located on the common wall between the dwelling units so that each dwelling unit is wholly on its own lot; and
(b) the area and lot frontage of each lot is at least one half the minimum lot size and lot frontage, respectively, for a semi-detached dwelling in the applicable zone.

5.17.2 For greater clarity and notwithstanding zone requirements for lot frontage and area, lots may be created for the purpose of locating a semi-detached dwelling on two lots provided the requirements of Subsection 15.17.1, above, are met.

Townhouse Dwelling Lot Sizes

5.17.3 A townhouse dwelling may be located on multiple lots if:

(a) any common lot boundary is located on the common wall between two dwelling units so that neither dwelling unit is located on two lots;
(b) the area and lot frontage of each lot for a townhouse dwelling unit on its own lot is at least the minimum lot size and lot frontage for a townhouse dwelling in the applicable zone divided by the number of dwelling units in the townhouse dwelling; and
(c) if a lot contains more than one townhouse dwelling unit the minimum area and lot frontage of that lot shall be the number of townhouse dwelling units on the lot multiplied by the minimum lot area and lot frontage, respectively, for one townhouse dwelling unit on a lot.

5.17.4 For greater clarity and notwithstanding zone requirements for lot frontage and area, lots may be created for the purpose of locating a townhouse dwelling on multiple lots provided the requirements of Subsection 15.17.3, above, are met.

Semi-detached and Townhouse Dwelling Setbacks

5.17.5 Notwithstanding zone requirements for setbacks, if a semi-detached dwelling or townhouse dwelling is located on more than one lot the minimum dwelling setback from any common lot line shall be zero.

5.18 Accessory Dwellings

5.18.1 Accessory dwellings shall meet the following requirements:

(a) Only one accessory dwelling shall be permitted on a lot.
(b) The accessory dwelling shall be subject to zone requirements for main buildings.
(c) Lot coverage shall not exceed 25 percent in the Rural Resource (**Rsrc**) Zone, Country Residential (**CRec**) Zone, **Agriculture (AG) Zone,** or Recreational Residential (**RRec**) Zone.
(d) The gross floor area of the accessory dwelling shall not exceed the gross floor area of the single-unit dwelling.
(e) The gross floor area of the accessory dwelling shall not exceed 100 m².
(f) No accessory dwelling unit shall be permitted on a lot with a recreational vehicle parking site.

[CHG-501]

5.19 Outdoor Storage and Display

5.19.1 Outdoor storage shall not be located in any required side or rear setback or between a main building and the front lot line.

5.19.2 Outdoor display shall not be located within 3 metres of the front lot line.

5.20 Woods Cabins

5.20.1 Nothing in this By-law shall prevent the development of a building for use as a woods cabin, hunting cabin, bunkie, cross-country skiing or snowmobile lodge, or other similar temporary recreational accommodation, and no development permit or lot frontage shall be required, provided the building:

(a) has a gross floor area of less than 20 m^2;
(b) has a height of less than 4.5 metres;
(c) is not connected to electrical mains; and
(d) is not plumbed.

5.20.2 A building permitted using the provisions of Subsection 5.20.1 shall not be considered the main use of land for the purposes of determining accessory uses or for any other purpose.

Recreational Cabins

5.20.3 Where a proposed woods cabin does not conform with the provisions of Subsection 5.20.1, it shall be considered a recreational cabin, require a

development permit, and is subject to the same requirements as an accessory dwelling, and any requirements for recreational cabins in Section 9.38 of the Nova Scotia Building Code Regulations. [CHG-504]

5.21 Recreational Vehicle Parking Sites

5.21.1 [deleted: CHG-502]

5.21A Recreational Vehicle Parking Sites

5.21A.2 Recreational vehicle parking sites, where permitted, shall meet the following requirements:

(a) No other recreational vehicle parking site or accessory dwelling shall be permitted on the lot.
(b) The recreational vehicle parking site shall meet the zone setbacks for single-unit dwellings.
(c) The recreational vehicle parking site shall be marked and shall consist of a stable surface.
(d) The recreational vehicle parking site shall be rectangular and shall be sized to accommodate the recreational vehicle at its largest size, inclusive of all expandable sections and attached structures (e.g. decks), plus an additional 1 metre in all directions.

[CHG-502]

(e) Minimum lot frontage, and lot area requirements are not applicable.
(f) (Notwithstanding 5.21A.2 (b) for an existing undersized lot, setbacks may be reduced by 50% of the zone requirements if no dwelling is on the lot.
(g) For greater clarity, the requirements of this section do not apply to

the temporary use of a recreational vehicle meeting the requirements of Subsection 4.20.2.

[CHG-505]

5.22 Shipping Containers

5.22.1 **Shipping containers shall be permitted to be temporarily used as accessory structures in all zones and no development permit shall be required, provided:**

- **(a) The total amount of time shipping containers are located on a lot does not exceed four months in a year; and**
- **(b) The shipping container structures meet zone requirements for accessory structures.**

5.22.2 **Shipping containers shall be permitted to be used as accessory structures for more than four months in a year in the Agriculture (AG) Zone, Rural Resource (Rsrc) Zone, Country Residential (RCou) Zone, Country Commercial (CCou) Zone, Highway Commercial (CHwy) Zone, Institutional (INS) Zone, Parks and Open Space (P) Zone, Commercial Recreation (CRec) Zone, and Wellfield 1 (W1) Zone. A development permit for an accessory structure shall be required.**

5.22.3 **Notwithstanding Subsections 5.22.1 and 5.22.2, there shall be no restrictions or permits required for shipping containers in the Urban Industrial (IND) Zone and the Rural Industrial (IRur) Zone.**

5.22.4 **Notwithstanding Subsections 5.22.1 and 5.22.2, shipping containers shall be permitted as a building material integrated into larger structures.**

[CHG-503]

Part 5 Changelog

Reference Number	Date	File or Project	General Nature of the Changes
CHG-501	2018.11.14	2018 Housekeeping	Added a cap on accessory dwelling size and permitted them in the Agriculture (AG) Zone
CHG-502	2018.11.14	2018 Housekeeping	Refined regulations for recreational vehicle parking sites
CHG-503	2018.11.14	2018 Housekeeping	Added regulations for shipping containers
CHG-504	2020.09.16	2020 MPS and LUB Amendments	Added provisions for recreational cabins
CHG-505	2020.09.16	2020 MPS and LUB Amendments	Refined regulations for recreational vehicle parking sites
CHG-506		2021 Wind Turbine Moratorium	Temporarily placed a hold on new wind turbine applications
CHG-507	2022.09.08	2022 Wind Turbine Amendments	Removed provisions related to large-scale wind turbines, refined requirements for small-scale wind turbines and domestic -scale wind turbines, and added provisions for meteorological towers
CHG-508	2026.10.13	Temporary Pause on Data Centers	A temporary pause on AI Data Center Applications to ensure AI Data Center applications cannot be considered until adequate reguations are developed for the use and adopted by Council.

6 Vehicle Control

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6.1 Minimum Number of Automobile Parking Spaces

6.1.1 For every building or structure to be erected or enlarged, or for any change of use, automobile parking spaces shall be provided and maintained in accordance with Table 4. Where a lot contains more than one use, the number of required parking spaces shall be the sum of the number of parking spaces required for each use.

Table 4 – Minimum Automobile Parking Requirements

Use	Mixed-use (CM), General Commercial (CG), Highway Commercial (CH), Country Commercial (CC), and Commercial Recreation (CR) Zones	All Other Zones
(a) Automotive Service	2 spaces per service bay	
(b) Bank	1 space per 25 m^2 GFA	
(c) Commercial School	1 space per 50 m^2 GFA	
(d) Day Care Centre	1 space per 30 m^2 GFA	
(e) Drive-through Restaurant	1 space per 20 m^2 GFA	
(f) Dwellings – Grouped, Multi-unit		1 space per dwelling unit, plus 1 additional space
(g) Dwellings – Duplex, Semi-detached, Single-unit, Townhouse		1 space per dwelling unit
(h) Eat-In Restaurant	1 space per 20 m^2 GFA	
(i) Fixed-roof Overnight Accommodation	1 space per rental unit	
(j) Funeral Home	1 space per 15 m^2 GFA	
(k) Home-based Business – Level 1	1 space	1 space
(l) Home-based Business – Level 2	2 spaces	2 spaces
(m) Household Item Repair Services	1 space per 50 m^2 GFA	
(n) Indoor Commercial Recreation	1 space per 50 m^2 GFA	
(o) Licensed Liquor Establishment	1 space per 20 m^2 GFA	
(p) Light Manufacturing	1 space per 50 m^2 GFA	
(q) Office	1 space per 50 m^2 GFA	
(r) Personal Service Shop	1 space per 50 m^2 GFA	
(s) Pet Grooming	3 spaces	
(t) Post Office	4 spaces	
(u) Private Club	1 space per 30 m^2 GFA	
(v) Retail Store	1 space per 30 m^2 GFA	
(w) Self-storage Facility	1 space per 25 storage units, with a minimum of 4 spaces	
(x) Take-out Restaurant	3 spaces	
(y) Short-term Rental		2 spaces
(z) Veterinary Clinic	3 spaces	

Note to readers: Parking demand can vary widely for different establishments that are considered the same type of use. For example, some restaurants are busier than others. The minimum parking requirements in this Land Use By-law are minimums targeted at the lowest level of parking demand expected for these uses, so that a low-demand establishment is not required to install more parking than necessary. The minimums do not necessarily cover high-demand scenarios. You are encouraged to carefully consider the parking needs of your particular development and include additional parking if it is needed.

6.2 Automobile Parking Space and Lot Standards

6.2.1 Each automobile parking space shall have a minimum width of 2.5 metres and a minimum length of 5.5 metres.

6.2.2 Unless otherwise permitted in this By-law, each automobile parking space shall be independently accessible.

6.2.3 In the Downtown Commercial (**CDwn**) Zone, no automobile parking space shall be located between the main building and the front lot line.

6.2.4 Unless otherwise permitted in this By-law, required automobile parking spaces shall be located on the same lot as the use to which they apply.

6.2.5 Any parking area for 4 or more automobile parking spaces shall meet the following requirements:

(a) The parking area shall be maintained with a stable surface.
(b) Any lights used for illumination of the parking area shall be designed and installed in a manner that does not project onto adjacent properties.
(c) A structure, not more than 4.5 metres in height and not more than 5 m^2 in area may be erected in the parking area for the use of attendants.
(d) When the parking area is of a permanent hard surfacing, each parking space shall be clearly demarcated and maintained as such.
(e) Gasoline pumps or other service station equipment shall not be located or maintained on the required parking area.
(f) Traffic aisles leading to and within parking areas shall be a minimum width of 3 metres for one- way traffic and a minimum width of 6 metres for two-way traffic.
(g) Individual parking spaces shall be located such that they do not interfere with the functioning of any entrance or exit to a building or structure.
(h) If the parking area is located between a main building and a street, a marked pedestrian pathway shall be provided between the street and the main entrance of the main building. The pedestrian pathway shall be a minimum 1.5 metres wide and surfaced with asphalt, concrete, or inteocking paving stones. This provision shall not apply in the Urban Industrial (IND) Zone, Agriculture (AG) Zone, Rural Resource (**Rsrc**) Zone, Rural Industrial (**IRur**) Zone, and Commercial Recreation (**CRec**) Zone.

6.3 Minimum Number of Bicycle Parking Spaces

6.3.1 For every building or structure to be erected or enlarged, or for any change of use, bicycle parking spaces shall be provided and maintained in accordance with Table 5.

Table 5 – Minimum Bicycle Parking Requirements

Use	Downtown Commercial (CD) & Mixed-use (CM) Zones	General Commercial (CG) Zone	All Other Zones
(a) Academic School			8 spaces
(b) Bank	1 space	1 space	
(c) Commercial School	2 spaces	2 spaces	
(d) Community Hall			2 spaces
(e) Eat-In Restaurant	2 spaces	1 space per 50 m^2 GFA, rounded up, to a maximum of 6 spaces	
(f) Funeral Home	1 space	1 space	
(g) Grouped Dwelling			1 space per 4 dwelling units, rounded up
(h) Household Item Repair Services	1 space	1 space	
(i) Indoor Commercial Recreation	2 spaces	2 spaces	
(j) Licensed Liquor Establishment	2 spaces	2 spaces	
(k) Light Manufacturing	1 space	1 space	
(l) Multi-unit Dwelling			1 space per 4 dwelling units, rounded up
(m) Office	1 space	1 space per 50 m^2 GFA, rounded up, to a maximum of 10 spaces	
(n) Personal Service Shop	1 space	1 space	
(o) Pet Grooming	1 space	1 space	
(p) Place of Worship			2 spaces
(q) Post Office	1 space	1 space	
(r) Post-secondary School			8 spaces
(s) Recreation Centre			8 spaces
(t) Retail Store	1 space	1 space per 50 m^2 GFA, rounded up, to a maximum of 10 spaces	
(u) Take-out Restaurant	2 spaces	2 spaces	

6.4 Bicycle Parking Instead of Automobile Parking Spaces

6.4.1 The minimum number of automobile parking spaces required for a use, as outlined in Subsection 6.1.1, shall be reduced by 1 for every 4 bicycle parking spaces provided in excess of the requirements of Subsection 6.3.1 and meeting the standards of Subsection 6.5.1. This substitution shall not apply to dwellings, short-term rentals, or fixed-roof overnight accommodations.

6.5 Bicycle Parking Space Standards

[Deleted CHG-601]

6.5A Bicycle Parking Space Standards

6.5A.1 Each required bicycle parking space shall:

(a) be located between the main building and the front lot line, unless, in the opinion of the Development Officer, this location is impossible due to the main building being located on or near to the front lot line;
(b) be accessible to the public;
(c) have dimensions meeting the requirements of the Municipal Engineering Standards; and
(d) include a bicycle rack meeting the requirements of the Municipal Engineering Standards.

6.5A.2 For greater clarity, one bicycle rack may be used to fulfill the rack requirements for two adjacent bicycle parking spaces by placing it on the shared border of the two spaces.

6.5A.3 Clauses 6.5.1 (a) and (b) shall not apply to bicycle parking spaces for dwellings.

[CHG-601]

6.6 Parking for Existing Buildings

6.6.1 Existing buildings may provide fewer automobile parking spaces than required by Subsection 6.1.1 subject to the following:

(a) The existing number of automobile parking spaces, if fewer than the requirements of Subsection 6.1.1, shall not be reduced except in cases where credit provided by Subsection 6.4.1 would provide for fewer automobile parking spaces if applied to the number of spaces required under Subsection 6.1.1.

(b) For expansions to the building, the requirements of Subsection 6.1.1 and credit given in Subsection 6.4.1 shall be applied to the expansion, independently from the existing building. Clause 6.6.1 (a) will be applied to the existing area of the building.

(c) Where a change in use would normally result in additional required automobile parking spaces under Subsection 6.1.1, the number of automobile parking spaces required shall be calculated as follows:

$$R = E + Pp - Pe$$

Where:

R is the number of automobile parking spaces that will be required.
E is the existing number of automobile parking spaces.
Pp is the number of automobile parking spaces required by Subsection 6.1.1 for the proposed use.
Pe is the number of automobile parking spaces required by Subsection 6.1.1 for the existing use.

(d) Where a change in use would normally result in fewer required automobile parking spaces under Subsection 6.1.1 than existing, the number of automobile parking spaces provided may be reduced to meet the new requirements.

6.7 Access Control

6.7.1 Automobile parking areas in the Downtown Commercial (**CDwn**), General Commercial (**CGen**), and Highway Commercial (**CHwy**) Zones shall meet the following requirements:

(a) Except for access points as provided for below, the parking area shall be separated from the street by curbing or other similar physical barriers, or by a landscaped median at least 1 metre in width.

(b) No individual access point from the street to the parking area shall be wider than 10 metres.

(c) Access points from the street to the parking area shall be separated by a minimum of 5 metres, measured from the outer edges of the access points.

6.8 Parking of Commercial Vehicles in Residential Areas

6.8.1 Commercial vehicles parked overnight in the Lower Density Residential (**RLow**) Zone, Multi-unit Residential (**RMul**) Zone, Mixed-Use (**CMix**) Zone, Country Residential (**RCou**) Zone, and Recreational Residential (**RRec**) Zone shall be subject to the following conditions and no development permit shall be required:

(a) Not more than one commercial vehicle shall be parked overnight per lot.
(b) The commercial vehicle shall be personally used by a tenant, resident, or owner of the lot.
(c) The commercial vehicle shall not include an operating refrigeration unit.
(d) The commercial vehicle shall not be loaded with hazardous goods.
(e) No mechanical work, pressure washing, excessive idling, or other obnoxious activity shall be permitted. [CHG-602]

6.9 Off-site and Shared Parking

6.9.1 All or a portion of the required automobile parking spaces for a use may be provided on a separate lot than the main use in the Mixed-use (**CMix**) Zone, General Commercial (CG) Zone, Highway Commercial (**CHwy**) Zone, Country Commercial (**CCou**) Zone, and Commercial Recreation (**CRec**) Zone by site plan approval, subject to Part 13. For greater clarity, an off-site parking area may be used to service multiple premises or lots.

Part 6 Changelog

Reference Number	Date	File or Project	General Nature of the Changes
CHG-601	2018.11.14	2018 Housekeeping	Moved technical details of bicycle parking standards to Municipal Engineering Standards
CHG-602	2018.11.14	2018 Housekeeping	Added prohibition on activities related to parking of commercial vehicles in residential areas

7 Signs

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7.1 General

7.1.1 Where this Part is inconsistent with the regulations respecting advertising signs on or near public highways made or administered by the Province of Nova Scotia, the more restrictive regulations shall apply.

7.1.2 Unless otherwise indicated in this section, no sign shall be erected without first obtaining a development permit from the Development Officer and no such permit shall be issued unless all the provisions of this By-law are satisfied.

7.2 Sign Maintenance & Abandoned Signs

7.2.1 Every sign shall be kept in good repair and working order.

7.2.2 Every sign and all parts thereof, including framework, supports, background, anchors and wiring systems shall be constructed and maintained in compliance with any applicable building, electrical, and fire prevention by-laws.

7.2.3 If the business, service or other enterprise for which a sign is erected is no longer in operation the sign shall be removed, by the owner, within 60 days of the date the operations cease. Removal of a sign includes the support structure or apparatus to which it is attached.

7.2.4 Subsection 7.2.3 shall not apply to seasonal closures for a seasonal enterprise that normally closes during part of the year.

7.2.5 Signs not repaired or removed as required may be removed by the Municipality and the expenses involved in such action will be charged to the owner of the sign or property on which it is located.

7.3 Sign Materials & Illumination

7.3.1 Signs in Downtown Commercial (**CDwn**) Zone shall be constructed of wood; metal; stone; or materials that, in the opinion of the Development Officer, have the appearance of wood, metal, or stone.

7.3.2 Signs in the Downtown Commercial (**CDwn**) Zone shall not be back-lit or internally illuminated, except for traditional exposed neon tubes.

7.3.3 Where a sign is externally illuminated, all lighting fixtures shall be shielded and oriented such that they shine directly on the sign and there is no light trespass on neighbouring properties.

7.4 Signs Permitted in All Zones

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

(a) Signs showing the civic number of a building provided such signs do not individually exceed 0.2 m^2 in sign area.

(b) Signs showing the name of a resident or an occupier provided such signs do not individually exceed 0.2 m^2 in sign area.

(c) "No Trespassing" signs or other signs regulating the use of a lot provided such signs do not individually exceed 0.2 m^2 in sign area, unless otherwise directed by a public authority.

(d) Real estate signs that advertise the sale, rental or lease of the premises provided such signs do not individually exceed 0.6 m^2 in sign area in the Lower Density Residential (**RLow**) Zone and Multi-Unit Residential (**RMul**) Zone or 1.5 m^2 in other zones.

(e) Signs regulating or denoting on-premises traffic or parking, or other signs denoting the direction or function of various parts of a building or premises, provided that such signs do not individually exceed 0.5 m^2 in sign area.

(f) Signs erected by a governmental body, or under the direction of such a body, and bearing no commercial advertising, such as traffic signs, railway crossing signs, safety signs, signs identifying public institutions, directional signs, or public election lists or other public notices.

(g) Memorial signs or tablets denoting the history of a site or structure provided that no such sign individually exceeds 0.5 m^2 in sign area.

(h) The flag, pennant, or insignia of any nation, province, or state or of any religious, charitable, or fraternal organization.

(i) Signs mounted on the interior surface of sporting facilities such as, but not limited to, signs mounted on baseball diamond fences, provided the faces of such signs are not visible from adjacent streets.

(j) Signs incidental to construction and within the area of such construction and erected only during the period of construction, provided such signs do not individually exceed 10 m^2 in sign area.

(k) Election signs.

(l) Signs erected in compliance with any Municipality of Cumberland signage program, such as a "Uniform Offsite Signage" program, and holding a valid permit as may be required by any by-law or Council policy applicable to any such program. [CHG-701]

7.5 Signs Prohibited in All Zones

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

(a) Signs or sign structures that, in the opinion of the Development Officer, constitute a hazard to public safety or health.
(b) Signs that by reason of size, location, content, colouring or manner of illumination obstruct the vision of drivers or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets or roads.
(c) Signs that obstruct free ingress to or egress from a fire escape door, window, or other required exit way.
(d) Signs not erected by a public authority that make use of words such as “STOP”, “LOOK”, “ONE WAY”, “DANGER”, “YIELD”, or any similar words, phrases, symbols, lights or characters in such manner as to interfere with, mislead, or confuse traffic along a public road.
(e) Signs on utility poles.
(f) Signs on public property or in the public right-of-way unless erected by a governmental body, or unless required to be so located by order of a government body, or unless permitted by this By-law, or unless specifically permitted by policy or resolution of Council.
(g) Signs painted on, attached to, or supported by a tree, stone, cliff, or other natural object.
(h) Searchlights, flares, open flames, spinners, and streamers, except for occasions such as grand openings or other festive occasions.
(i) Signs that are mounted on a building and that project above the elevation of the highest point of the building roof at that part of the building.
(j) Signs with lights resembling those usually associated with danger or those used by police, fire, ambulance, or other emergency vehicles.
(k) Portable signs.
(l) Flashing or animated signs.

7.6 Number of Signs

7.6.1 Not more than 3 signs may be erected on any one lot at any one time.

7.6.2 For the purposes of counting the number of signs on a lot:

(a) A multi-faced sign shall count as a single sign.
(b) Signs listed in Section 7.4 “Signs Permitted in All Zones” shall not be counted in calculating the number of signs on a lot.
(c) All wall signs on a building are counted as a single sign.
(d) A sign painted on or displayed within a window shall not be included in calculating the number of signs on a lot.
(e) Sandwich board signs shall not be included in calculating the number of signs on a lot.
(f) A ground sign with a subordinate electronic message board or changeable copy sign, as permitted by Subsection 7.7.2, shall be counted as one sign.
(g) Business park signs shall be counted towards the lot on which they are located.

7.6.3 Not more than 2 ground signs shall be permitted on any one lot, except for lots with more than 30 metres of lot frontage in the Highway Commercial (**CHwy**) Zone, where the number of permitted ground signs shall be 3.

7.6.4 Not more than 1 projecting sign per street frontage shall be permitted for each business premise.

7.7 Ground Signs

7.7.1 Ground signs:

(a) shall not exceed the maximum permitted sign area or height for the zone in which it is located, as set out in Table 6;
(b) shall not project over a corner lot sight triangle or a lot line; and
(c) shall have a minimum setback of 1 metre between the supporting structure and lot lines.

7.7.2 In addition to the sign area permitted in Table 6, each ground sign shall be permitted to include a subordinate electronic message board or changeable copy panel located below the primary sign and not exceeding 25 percent of the sign area of the primary sign.

Table 6 – Ground Sign Requirements

Zone	Maximum Sign Area	Maximum Height
(a) General Commercial (**CGen**) Zone and Urban Industrial (IND) Zone	25 m^2	20 m
(b) Highway Commercial (**CHwy**) Zone	25 m^2	30 m
(c) Country Commercial (**CCou**) Zone	6 m^2	10 m
(d) Agriculture (AG) Zone, Rural Resource (**Rsrc**) Zone, and Rural Industrial (**IRur)** Zone	6 m^2	20 m
(e) All other zones	3 m^2	5 m

7.8 Business Park Signs

7.8.1 Ground signs advertising off-site businesses shall be permitted in the General Commercial (**CGen**) Zone, Highway Commercial (**CHwy**) Zone, and Urban Industrial (IND) Zone, provided:

(a) [*deleted CHG-702*]
(b) [*deleted CHG-702*]
(a.1) a business establishment is not advertised on more than three off-site signs;
(b.1) the signs are located within 10 kilometres of all business establishments they are advertising; and [CHG-702]
(c) notwithstanding the area and height requirements for ground signs, the height of the sign does not exceed 20 metres and the total sign area does not exceed 25 m^2.

7.9 Wall Signs

7.9.1 Wall signs:

(a) shall not exceed a sign area of 0.6 m^2 per lineal metre of the wall on which the sign is affixed, except in the General Commercial (**CGen**) Zone and Downtown Commercial (**CDwn**) Zone where up to 0.8 m^2 per lineal metre shall be permitted; and
(b) shall not extend beyond the wall to which they are affixed.

7.10 Projecting Signs

7.10.1 A projecting sign shall not:

(a) exceed 3 m^2 in sign area;
(b) project more than 2 metres from the wall upon which it is attached or closer than 0.5 metres to the curb or shoulder of a street, whichever is less;
(c) project over a corner lot sight triangle;
(d) project above the eaves, parapet or roof line of a building;
(e) be permitted to swing freely on its supports; and
(f) be less than 2.2 metres off the ground at its lowest point.

7.11 Roof Signs

7.11.1 Roof signs shall not:

(a) exceed a sign area of 0.6 m^2 per lineal metre of the roof on which the sign is affixed;
(b) extend past the edges or peak of the roof to which they are attached; and
(c) be permitted the Lower Density Residential (**RLow**) Zone, Country Residential (**RCou**) Zone, or Multi-unit Residential (**RMul**) Zone.

7.12 Electronic Message Boards & Changeable Copy Panels

7.12.1 In all zones except the Lower Density Residential (**RLow**) Zone, Country Residential (**RCou**) Zone, and Multi-unit Residential (**RMul**) Zone, any permitted sign, or portion thereof, may be an electronic message board or changeable copy panel, subject to all applicable criteria for the type of permitted sign.

7.12.2 Electronic message boards shall not:

(a) flash or display animation;
(b) display graphics or images; or
(c) change messages more often than once every 30 seconds.

7.13 Sandwich Board Signs

7.13.1 In all zones except the Lower Density Residential (**RLow**) Zone, Country Residential (**RCou**) Zone, and Multi-unit Residential (**RMul**) Zone, sandwich board signs are permitted without a development permit provided:

(a) such signs do not exceed 1.2 metres in height and 0.6 metres in width;
(b) the number of such signs shall not exceed 1 per business premise;
(c) the sign does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way; and
(d) the sign does not occupy more than one third of the width of the available sidewalk, if a sidewalk is present.

7.14 Signage on Municipal Recreational Lands

7.14.1 Signage on municipal recreational lands shall be exempt from the provisions of this By-law, and no development permit is required. All approvals for signage on municipal recreational lands shall be subject to relevant Council policies regarding such. In the absence of policy, approval shall be at the discretion of the Development Officer.

7.15 Signs in Residential Zones

7.15.1 Notwithstanding the requirements of this Part, signage in the Lower Density Residential (**RLow**) Zone, Country Residential (**RCou**) Zone, and Multi-unit Residential (**RMul**) Zone shall be subject to the following requirements:

(a) Not more than 1 sign shall be erected on any one lot at any one time.
(b) The maximum sign area shall be 1 m^2.
(c) The maximum height of a ground sign shall be 1.5 metres.
(d) A wall sign or projecting sign shall not be located above a height of 3 metres above grade at the wall upon which it is affixed.
(e) The sign shall not be illuminated except by a shielded downlight oriented such that it shines directly on the sign and there is no light trespass on neighbouring properties.

Part 7 Changelog

Reference Number	Date	File or Project	General Nature of the Changes
CHG-701	2018.11.14	2018 Housekeeping	Added exemption for signs placed in compliance with municipal signage programs
CHG-702	2018.11.14	2018 Housekeeping	Relaxed the requirements for business park signs

8 Urban Residential Zones

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8.1 Lower Density Residential Zone

Purpose

8.1.1 The Lower Density Residential Zone is intended to permit lower density residential development on serviced and unserviced lots in an urban setting.

Uses Permitted As-of-Right

8.1.2 The following uses shall be permitted in the Lower Density Residential Zone, subject to all applicable requirements of this By-law:

(a) Academic School
(b) Accessory Dwelling
(c) Agricultural Uses – Existing
(d) Community Hall
(e) Duplex Dwelling
(f) Home-based Business – Level 1
(g) Place of Worship
(h) Semi-detached Dwelling
(i) Single-unit Dwelling
(j) Short-term Rental

Uses Permitted by Site Plan Agreement

8.1.3 The following uses shall be permitted in the Lower Density Residential Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use
(b) Home-based Business – Level 2
(c) Grouped Dwellings – 4 or Fewer Dwelling Units on a Lot
(d) Multi-unit Dwelling – 4 or Fewer Dwelling Units on a Lot
(e) Townhouse Dwelling – 4 or Fewer Dwelling Units on a Lot
(f) Conversion of Existing Dwellings to Fixed-Roof Overnight Accommodation – 4 or Fewer Housekeeping Units on a lot

[CHG-802]

Uses Permitted by Development Agreement

8.1.4 The following uses shall be permitted in the Lower Density Residential Zone, subject to the applicable policy of the Municipal Planning Strategy:

(a) Commercial Uses – MPS Policy 5-9A [CHG-801]
(b) Conversion of Existing Dwellings to Multi-unit Dwelling – more than 4 Housekeeping Units on a lot – MPS Policy 5-6A
(c) Conversion of Existing Dwellings to Fixed-Roof Overnight Accommodation – more than 4 Housekeeping Units on a lot – MPS Policy 5-6A

[CHG-802]

Zone Requirements

8.1.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Lower Density Residential Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	
(i) Central sewer	450 m^2
(ii) On-site wastewater treatment	2,700 m^2
(b) Minimum Lot Frontage	12 m
(c) Minimum Front/Flankage Setback	3 m
(d) Minimum Rear Setback	
(i) Main building	6 m
(ii) Accessory buildings	1.4 m
(e) Minimum Side Setback	1.4 m
(f) Maximum Building Height	
(i) Main building	10 m
(ii) Accessory buildings	6 m

(g) Accessory Buildings exceeding the requirements of section 8.1.5 (f) (ii), up to the height requirements for Main Buildings in section 8.1.5 (f) (i) are permitted by Site Plan Agreement. [CHG-803]

Special Requirements

8.1.6 A total of only one dwelling or one short-term rental shall be permitted on a lot in the Lower Density Residential Zone. An accessory dwelling is not counted for the purposes of this Subsection.

8.1.7 Notwithstanding Subsection 4.10.1, the Development Officer may issue a development permit on lots in the Lower Density Residential Zone without frontage on a public street or existing private road, subject to the following requirements:

(a) the lot has the equivalent minimum lot frontage on a private road; and

(b) all minimum setbacks shall be measured as if the private road were a public street. [CHG-804]

8.2 Multi-unit Residential Zone

Purpose

8.2.1 The Multi-unit Residential Zone is intended to permit higher density residential development on serviced and unserviced lots in an urban setting.

Uses Permitted As-of-Right

8.2.2 The following uses shall be permitted in the Multi-unit Residential Zone, subject to all applicable requirements of this By-law:

(a) Academic School
(b) Accessory Dwelling
(c) Community Hall
(d) Duplex Dwelling
(e) Grouped Dwellings – 4 or Fewer Dwelling Units on a Lot
(f) Home-based Business – Level 1
(g) Home-based Business – Level 2
(h) Mobile Home Parks – Existing
(i) Multi-unit Dwelling – 4 or Fewer Dwelling Units on a Lot
(j) Place of Worship
(k) Semi-detached Dwelling
(l) Short-term Rental
(m) Single-unit Dwelling
(n) Townhouse Dwelling – 4 or Fewer Dwelling Units on a Lot

Uses Permitted by Site Plan Agreement

8.2.3 The following uses shall be permitted in the Multi-unit Residential Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use
(b) Grouped Dwellings – 5 to 16 Dwelling Units on a Lot
(c) Multi-unit Dwelling – 5 to 16 Dwelling Units on a Lot
(d) Townhouse Dwelling – 5 to 16 Dwelling Units on a Lot

Uses Permitted by Development Agreement

8.2.4 The following uses shall be permitted in the Multi-unit Residential Zone, subject to the applicable policy of the Municipal Planning Strategy:

(a.1) Commercial Uses – MPS Policy 5-9A [CHG-801]
(a) More than 16 Dwelling Units on a Lot – MPS Policy 5-8.

Zone Requirements

8.2.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Multi-unit Residential Zone unless the following requirements are met:

Requirement	Multi-unit, Grouped, and Townhouse Dwellings	All Other Permitted Uses
(a) Minimum Lot Area		
(i) Central sewer	175 m^2 / dwelling unit	450 m^2
(ii) On-site wastewater treatment	1,000 m^2 / dwelling unit	2,700 m^2
(b) Minimum Lot Frontage	15 m	12 m
(c) Minimum Front/Flankage Setback	3 m	3 m
(d) Minimum Rear Setback		
(i) Main building	6 m	6 m
(ii) Accessory buildings	1.4 m	1.4 m
(e) Minimum Side Setback	1.4 m	1.4 m
(f) Maximum Building Height		
(i) Main building	12 m	12 m
(ii) Accessory buildings	6 m	6 m

Special Requirements

Part 8 Changelog

Reference Number	Date	File or Project	General Nature of the Changes
CHG-801	2018.11.14	2018 Housekeeping	Added commercial uses to uses permitted by development agreement in Lower Density Residential Zone and Multi-unit Residential Zone
CHG-802	2020.09.16	2020 MPS and LUB Amendments	Added additional uses permitted by site plan agreement and development agreement in the Lower Density Residential Zone
CHG-803	2020.09.16	2020 MPS and LUB Amendments	Added height exemptions by site plan agreement to the Lower Density Residential Zone
CHG-804	2020.09.16	2020 MPS and LUB Amendments	Added allowance for development on private roads in the Lower Density Residential Zone

9 Urban Commercial & Mixed-use Zones

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9.1 Mixed-use Zone

Purpose

9.1.1 The Mixed-use Zone is intended to permit commercial uses in areas that could functionally support them, but do not always have the market demand to consistently fill commercial space. It is also intended as a transition between commercial and residential areas.

Uses Permitted As-of-Right

9.1.2 The following uses shall be permitted in the Mixed-use Zone, subject to all applicable requirements of this By-law:

(a) Academic School
(b) Accessory Dwelling
(c) Automotive Sales – 6 or Fewer Vehicles at One Time
(d) Automotive Service – Less than 200 m^2 GFA
(e) Bank
(f) Butcher Shop
(g) Commercial School – Less than 200 m^2 CFA
(h) Community Hall
(i) Cultural Uses
(j) Day Care Centre
(k) Duplex Dwelling
(l) Eat-In Restaurant – Less than 200 m^2 CFA
(m) Emergency Services
(n) Fixed-roof Overnight Accommodations
(o) Funeral Home
(p) Grouped Dwellings – 4 or Fewer Dwelling Units on a Lot
(q) Home-based Business – Level 1
(r) Home-based Business – Level 2
(s) Household Item Repair Services
(t) Light Manufacturing – Less than 500 m^2 GFA
(u) Mobile Home Park – Existing
(v) Multi-unit Dwelling – 4 or Fewer Dwelling Units on a Lot
(w) Office – Less than 200 m^2 CFA
(x) Personal Service Shop – Less than 200 m^2 CFA
(y) Pet Grooming
(z) Place of Worship
(aa) Post Office
(aa.1) Private Club [CHG-901]
(ab) Retail Store – Less than 200 m^2 CFA
(ac) Semi-detached Dwelling
(ad) Short-term Rental
(ae) Single-unit Dwelling
(af) Take-out Restaurant – Less than 200 m^2 CFA
(ag) Townhouse Dwelling – 4 or Fewer Dwelling Units on a Lot
(ah) Veterinary Clinic [CHG-901]

Uses Permitted by Site Plan Agreement

9.1.3 The following uses shall be permitted in the Mixed-use Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use
(b) Grouped Dwellings – 5 to 16 Dwelling Units on a Lot
(b.1) Interpretive Centre [CHG-901]
(c) Licensed Liquor Establishment – Less than 100 m^2 CFA
(d) Multi-unit Dwelling – 5 to 16 Dwelling Units on a Lot
(e) Off-site and Shared Parking
(e.1) Parking Lot [CHG-901]
(e.2) Post Secondary School [CHG-901]
(e.3) Recreation Centre [CHG-901]
(f) Townhouse Dwelling – 5 to 16 Dwelling Units on a Lot

Uses Permitted by Development Agreement

9.1.4 The following uses shall be permitted in the Mixed-use Zone, subject to the applicable policy of the Municipal Planning Strategy:

(a) More than 16 Dwelling Units on a Lot – MPS Policy 5-13.
(b) Large-scale wind turbines – MPS Policy 4-56A. [CHG-904]
(c) Medium-scale wind turbines – MPS Policy 4-56A. [CHG-904]

Zone Requirements

9.1.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Mixed-use Zone unless the following requirements are met:

Requirement	Multi-unit, Grouped, and Townhouse Dwellings	All Other Permitted Uses
(a) Minimum Lot Area		
(i) Central sewer	175 m^2 / dwelling unit	450 m^2
(ii) On-site wastewater treatment	1,000 m^2 / dwelling unit	2,700 m^2
(b) Minimum Lot Frontage	15 m	12 m
(c) Minimum Front/Flankage Setback	3 m	3 m
(d) Minimum Rear Setback		
(i) Main building	6 m	6 m
(ii) Accessory buildings	1.4 m	1.4 m
(e) Minimum Side Setback	1.4 m	1.4 m
(f) Maximum Building Height		
(i) Main building	12 m	12 m
(ii) Accessory buildings	6 m	6 m

(g) Accessory buildings exceeding the requirements of section 9.1.5 (f) (ii), up to the requirements for main buildings in section 9.1.5 (f) (i) are permitted by site plan agreement. [CHG-902]

Special Requirements

9.1.6 Outdoor storage shall be prohibited in the Mixed-use Zone.

9.2 Downtown Commercial Zone

Purpose

9.2.1 The Downtown Commercial Zone is intended to permit and encourage commercial uses in a dense form suited to the character of downtown areas.

Uses Permitted As-of-Right

9.2.2 The following uses shall be permitted in the Downtown Commercial Zone, subject to all applicable requirements of this By-law:

(a) Academic School
(b) Bank
(c) Butcher Shop
(d) Crematorium
(e) Commercial School
(f) Community Hall
(g) Cultural Uses
(h) Day Care Centre
(i) Dwelling Units
(j) Eat-In Restaurant
(k) Emergency Services
(l) Fixed-roof Overnight Accommodation
(m) Funeral Home
(n) Indoor Commercial Recreation
(o) Interpretive Centre
(p) Home-based Business – Level 1
(q) Home-based Business – Level 2
(r) Household Item Repair Services
(s) Licensed Liquor Establishment
(t) Light Manufacturing – Less than 2,000 m^2 GFA
(u) Office
(v) Personal Service Shop
(w) Pet Grooming
(x) Place of Worship
(y) Post Office
(z) Post-secondary School
(aa) Private Club
(ab) Recreation Centre
(ac) Retail Store
(ad) Take-out Restaurant

Uses Permitted by Site Plan Agreement

9.2.3 The following uses shall be permitted in the Downtown Commercial Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use
(b) Parking Lot

Uses Permitted by Development Agreement

9.2.4 The following uses shall be permitted in the Downtown Commercial Zone, subject to the applicable policy of the Municipal Planning Strategy:

Zone Requirements

9.2.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Downtown Commercial Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	
(i) Central sewer	200 m^2
(ii) On-site wastewater treatment	2,700 m^2
(b) Minimum Lot Frontage	6 m
(c) Minimum Front/Flankage Setback	2 m
(d) Minimum Rear Setback	1.4 m
(e) Minimum Side Setback	0 m
(f) Maximum Building Height	
(i) Main building	15 m
(ii) Accessory buildings	6 m

Special Requirements

9.2.6 Outdoor storage shall be prohibited in the Downtown Commercial Zone.

9.2.7 Dwelling units in the Downtown Commercial Zone shall:

(a) be located in the same building as a ground-floor commercial use; and
(b) be located above or behind the ground-floor commercial use.

9.3 General Commercial Zone

Purpose

9.3.1 The General Commercial Zone is intended to permit a wide range of commercial uses in an urban setting.

Uses Permitted As-of-Right

9.3.2 The following uses shall be permitted in the General Commercial Zone, subject to all applicable requirements of this By-law:

(a) Academic School
(b) Automotive Fueling
(c) Automotive Sales
(d) Automotive Service
(e) Bank
(f) Boat and Marine Sales
(g) Bus/Taxi Station
(h) Butcher Shop
(i) Car Wash
(j) Crematorium
(k) Commercial School
(l) Community Hall
(m) Cultural Uses
(n) Day Care Centre
(o) Dwelling Units
(p) Eat-In Restaurant
(q) Emergency Services
(r) Farm and Forestry Supply Sales
(s) Fixed-roof Overnight Accommodation
(t) Funeral Home
(u) Indoor Commercial Recreation
(v) Interpretive Centre
(w) Home-based Business – Level 1
(x) Home-based Business – Level 2
(y) Household Item Repair Services
(z) Licensed Liquor Establishment
(aa) Light Manufacturing – Less than 2,000 m^2 GFA
(ab) Office
(ab.1) Medical Office [CHG-905]
(ac) Parking Lot
(ad) Personal Service Shop
(ae) Pet Grooming
(af) Place of Worship
(ag) Post Office
(ah) Post-secondary School
(ai) Private Club
(aj) Recreation Centre
(ak) [Deleted CHG-903]
(al) Retail Store
(am) Self-storage Facility
(an) Take-out Restaurant
(ao) Veterinary Clinic

Uses Permitted by Site Plan Agreement

9.3.3 The following uses shall be permitted in the General Commercial Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Drive-through Restaurant
(b) Drive-through Services
(c) Expansion of a non-conforming use
(c.1) Heavy Equipment Sales [CHG-903]
(c.2) Modular Home Sales [CHG-903]
(d) Off-site and Shared Parking
(e) Recycling Depot [CHG-903]
(f) Transportation Services [CHG-903]
(g) Warehouse [CHG-903]

Uses Permitted by Development Agreement

9.3.4 The following uses shall be permitted in the General Commercial Zone, subject to the applicable policy of the Municipal Planning Strategy:

(a) Large-scale wind turbines – MPS Policy 4-56A.
(b) Medium-scale wind turbines – MPS Policy 4-56A.

Zone Requirements

9.3.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the General Commercial Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	
(i) Central sewer	450 m^2
(ii) On-site wastewater treatment	2,700 m^2
(b) Minimum Lot Frontage	15 m
(c) Minimum Front/Flankage Setback	2 m
(d) Minimum Rear Setback	6 m
(e) Minimum Side Setback	3 m
(f) Maximum Building Height	
(i) Main building	12 m
(ii) Accessory buildings	6 m

Special Requirements

9.3.6 Dwelling units in the General Commercial Zone shall:

(a) be located in the same building as a ground-floor commercial use; and
(b) be located above or behind the ground-floor commercial use.

Part 9 Changelog

Reference Number	Date	File or Project	General Nature of the Changes
CHG-901	2020.09.16	2020 MPS and LUB Amendments	Added new permitted uses and uses permitted by site plan agreement to the Mixed-use Zone
CHG-902	2020.09.16	2020 MPS and LUB Amendments	Added height exemptions by site plan agreement to the Mixed-use Zone
CHG-903	2020.09.16	2020 MPS and LUB Amendments	Refined uses in the General Commercial Zone
CHG-904	2022.09.08	2022 Wind Turbine Amendments	Added wind turbines uses to Mixed-use Zone and General Commercial Zone
CHG-905	2024.10.2	By-law to Amend the Land Use By-Law 24-13	Added Medical Office to the permitted as-of-right uses in the CGen Zone

10 Urban Industrial Zones

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10.1 Urban Industrial Zone

Purpose

10.1.1 The Urban Industrial Zone is intended to permit industrial uses and to control their impacts on neighbouring uses.

Uses Permitted As-of-Right

10.1.2 The following uses shall be permitted in the Urban Industrial Zone, subject to all applicable requirements of this By-law:

(a) Abattoir
(b) Aggregate Related Industries
(c) Agriculture Related Industries
(d) Airport
(e) Animal Boarding Facility
(f) Automotive Fueling
(g) Automotive Sales
(h) Automotive Service
(i) Boat and Marine Sales
(j) Bus/Taxi Station
(k) Car Wash
(k.1) Commercial Sanitary Service [CHG-1002]
(l) Crematorium
(m) Emergency Services
(n) Farm and Forestry Supply Sales
(o) Fishery Related Industries
(p) Forestry Related Industries
(q) Heavy Equipment Repair
(r) Heavy Equipment Sales
(s) Manufacturing
(t) Parking Lot
(u) Recycling Depot
(v) Retail Store – Building Supplies
(w) *Deletion [CHG-1002]*
(x) Self-storage Facility
(y) Solid Waste Transfer Facility
(z) Transportation Services
(aa) Warehouse

Uses Permitted by Site Plan Agreement

10.1.3 The following uses shall be permitted in the Urban Industrial Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use

Uses Permitted by Development Agreement

10.1.4 The following uses shall be permitted in the Urban Industrial Zone, subject to the applicable policy of the Municipal Planning Strategy:

(a) Large-scale wind turbines – MPS Policy 4-56A. [CHG-1001]
(b) Medium-scale wind turbines – MPS Policy 4-56A. [CHG-1001]

Zone Requirements

10.1.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Urban Industrial Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	
(i) Central sewer	1,000 m^2
(ii) On-site wastewater treatment	2,700 m^2
(b) Minimum Lot Frontage	20 m
(c) Minimum Front/Flankage Setback	6 m
(d) Minimum Rear Setback	
(i) Abutting any residential zone	20 m
(ii) Abutting rail right-of-way	0 m
(iii) All others	6 m
(e) Minimum Side Setback	
(i) Abutting any residential zone	20 m
(ii) Abutting rail right-of-way	0 m
(iii) All others	6 m
(f) Maximum Building Height	
(i) Main building	15 m
(ii) Accessory buildings	12 m

Special Requirements

Part 10 Changelog

Reference Number	Date	File or Project	General Nature of the Changes
CHG-1001	2022.09.08	2022 Wind Turbine Amendments	Added wind turbine uses to the Urban Industrial Zone
CHG-1002	2026.02.06	Bylaw to Amend the LUB 25-09	Amend policy 10.1.2 to add (k.1) commercial santiary services as a permitted use and delete (w) Santiary Service.

11 Rural & Resource Zones

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11.1 Agriculture Zone

Purpose

11.1.1 The Agriculture Zone is intended to prioritize agricultural activities and to reduce the non-agricultural development and fragmentation of productive agricultural lands.

Uses Permitted As-of-Right

11.1.2 The following uses shall be permitted in the Agriculture Zone, subject to all applicable requirements of this By-law:

(a) Abattoir
(a.1) Accessory Dwelling [CHG-1101]
(b) Agricultural Uses
(c) Agriculture Related Industries
(d) Agritourism Uses
(e) Airport
(f) Animal Boarding Facility
(g) Butcher Shop
(h) Commercial Livestock Operation
(i) Community Hall
(j) Emergency Services
(k) Farm and Forestry Supply Sales
(k.1) Farm Stay Accommodation [CHG-1105]
(l) Fishery Related Industries
(m) Forestry Related Industries
(n) Forestry Uses
(o) Heavy Equipment Repair
(p) Home-based Business – Level 1
(q) Home-based Business – Level 2
(r) Place of Worship
(r.1) Recreational Vehicle Parking Site [CHG-1102]
(s) Recycling Depot
(t) Short-term Rental
(u) Single-unit Dwelling
(v) Veterinary Clinic

Uses Permitted by Site Plan Agreement

11.1.3 The following uses shall be permitted in the Agriculture Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use

Uses Permitted by Development Agreement

11.1.4 The following uses shall be permitted in the Agriculture Zone, subject to the applicable policy of the Municipal Planning Strategy:

(a) Large-scale wind turbines – MPS Policy 4-56A. [CHG-1109]
(b) Medium-scale wind turbines – MPS Policy 4-56A. [CHG-1109]

Zone Requirements

11.1.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Agriculture Zone unless the following requirements are met:

Requirement	Community Hall, Home-based Business, Place of Worship, Single-unit Dwelling, Short-term Rental	All Other Permitted Uses
(a) Minimum Lot Area	4,000 m^2	4,000 m^2
(b) Minimum Lot Frontage	45 m	45 m
(c) Minimum Front/Flankage Setback	6 m	6 m
(d) Minimum Rear Setback	6 m	12 m
(e) Minimum Side Setback	6 m	12 m

Special Requirements

11.1.6 A total of only one dwelling **and** one short-term rental shall be permitted on a lot in the Agriculture Zone. **[CHG-1106]**

11.1.7 No development permit shall be granted for a dwelling on a flag lot in the Agriculture Zone.

11.1.8 All buildings and manure storage facilities for commercial livestock operations in the Agriculture Zone:

(a) shall be set back a minimum of 50 metres from any watercourse or off-site well; and,
(b) notwithstanding zone requirements, shall have a setback of at least 30 metres from all lot lines. Where the commercial livestock operation is part of a farm located across multiple lots, the 30-metre setback shall only apply to lot lines external to the farm. Zone requirements for minimum setbacks shall apply to lot lines internal to the farm.

11.1.9 All buildings, receiving pens, and effluent storage ponds for abattoirs in the Agriculture Zone shall:

(a) be set back a minimum of 50 metres from any watercourse or off-site well; and
(b) have a setback of at least 30 metres from all lot lines.

11.2 Rural Resource Zone

Purpose

11.2.1 The Rural Resource Zone is intended to promote resource-based industries and other industries that require large areas of land, and to enable rural living along existing streets.

Uses Permitted As-of-Right

11.2.2 The following uses shall be permitted in the Rural Resource Zone, subject to all applicable requirements of this By-law:

(a) Abattoir
(b) Accessory Dwelling
(c) Aggregate Related Industries
(d) Agricultural Uses
(e) Agriculture Related Industries
(f) Agritourism Uses
(g) Airport
(h) Animal Boarding Facility
(i) Butcher Shop
(j) Commercial Livestock Operation
(k) Community Hall
(l) Duplex Dwelling
(m) Emergency Services
(n) Farm and Forestry Supply Sales
(n.1) Farm Stay Accommodation [CHG-1105]
(o) Fishery Related Industries
(p) Forestry Related Industries
(q) Forestry Uses
(r) Heavy Equipment Repair
(s) Heavy Equipment Sales
(t) Home-based Business – Level 1
(u) Home-based Business – Level 2
(v) Place of Worship
(w) Recycling Depot
(w.1) Recreational Vehicle Parking Site [CHG-1102]
(x) Semi-detached Dwelling
(y) Short-term Rental
(z) Single-unit Dwelling
(aa) Veterinary Clinic

Uses Permitted by Site Plan Agreement

11.2.3 The following uses shall be permitted in the Rural Resource Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use

Uses Permitted by Development Agreement

11.2.4 The following uses shall be permitted in the Rural Resource Zone, subject to the applicable policy of the Municipal Planning Strategy:

(a) Large-scale wind turbines – MPS Policy 4-56A. [CHG-1109]
(b) Medium-scale wind turbines – MPS Policy 4-56A. [CHG-1109]

Zone Requirements

11.2.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Rural Resource Zone unless the following requirements are met:

Requirement	Community Hall, Home-based Business, Place of Worship, Dwellings, Short-term Rental	All Other Permitted Uses
(a) Minimum Lot Area	4,000 m^2	4,000 m^2
(b) Minimum Lot Frontage	30 m	30 m
(c) Minimum Front/Flankage Setback	6 m	6 m
(d) Minimum Rear Setback	6 m	12 m
(e) Minimum Side Setback	6 m	12 m

Special Requirements

11.2.6 A total of only one dwelling **and** one short-term rental shall be permitted on a lot in the Rural Resource Zone. An accessory dwelling is not counted for the purposes of this Subsection. **[CHG-1106]**

11.2.7 All buildings and manure storage facilities for commercial livestock operations in the Rural Resource Zone:

(a) shall be set back a minimum of 50 metres from any watercourse or off-site well; and,
(b) notwithstanding zone requirements, shall have a setback of at least 30 metres from all lot lines. Where the commercial livestock operation is part of a farm located across multiple lots, the 30-metre setback shall only apply to lot lines external to the farm. Zone requirements for minimum setbacks shall apply to lot lines internal to the farm.

11.2.8 All buildings, receiving pens, and effluent storage ponds for abattoirs in the Rural Resource Zone shall:

(a) be set back a minimum of 50 metres from any watercourse or off-site well; and
(b) have a setback of at least 30 metres from all lot lines.

11.3 Rural Industrial Zone

Purpose

11.3.1 The Rural Industrial Zone is intended to accommodate processing and other industries related to resource-based industries, and to accommodate intensive uses that require large separation distances from dwellings and other less-intensive uses.

Uses Permitted As-of-Right

11.3.2 The following uses shall be permitted in the Rural Industrial Zone, subject to all applicable requirements of this By-law:

(a) Abattoir
(b) Aggregate Related Industries
(c) Agricultural Uses
(d) Agriculture Related Industries
(e) Airport
(f) Animal Boarding Facility
(g) Automotive Fueling
(h) Automotive Service
(i) Commercial Livestock Operation
(i.1) Commercial Sanitary Service [CHG-1112]
(j) Crematorium
(k) Farm and Forestry Supply Sales
(l) Fishery Related Industries
(m) Forestry Related Industries
(n) Forestry Uses
(o) Heavy Equipment Repair
(p) Heavy Equipment Sales
(q) Manufacturing
(q.1A) Office [CHG-1111]
(q.1) Propane Fueling Facility [CHG-1110]
(r) Recycling Depot
(s) *Deletion [CHG-1112]*
(t) Solid Waste Disposal
(u) Solid Waste Transfer Facility
(v) Transportation Services
(w) Warehouse

Uses Permitted by Site Plan Agreement

11.3.3 The following uses shall be permitted in the Rural Industrial Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use
(b) Salvage Yard

Uses Permitted by Development Agreement

11.3.4 The following uses shall be permitted in the Rural Industrial Zone, subject to the applicable policy of the Municipal Planning Strategy:

(a) Large-scale wind turbines – MPS Policy 4-56A. [CHG-1109]
(b) Medium-scale wind turbines – MPS Policy 4-56A. [CHG-1109]

Zone Requirements

11.3.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Rural Industrial Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	4,000 m^2
(b) Minimum Lot Frontage	30 m
(c) Minimum Front/Flankage Setback	6 m
(d) Minimum Rear Setback	12 m
(e) Minimum Side Setback	12 m

Special Requirements

11.3.6 All buildings and manure storage facilities for commercial livestock operations in the Rural Industrial Zone:

(a) shall be set back a minimum of 50 metres from any watercourse or off-site well; and,
(b) notwithstanding zone requirements, shall have a setback of at least 30 metres from all lot lines. Where the commercial livestock operation is part of a farm located across multiple lots, the 30-metre setback shall only apply to lot lines external to the farm. Zone requirements for minimum setbacks shall apply to lot lines internal to the farm.

11.3.7 All buildings, receiving pens, and effluent storage ponds for abattoirs in the Rural Industrial Zone shall:

(a) be set back a minimum of 50 metres from any watercourse or off-site well; and
(b) have a setback of at least 30 metres from all lot lines.

11.3.8 All industrial uses shall maintain a 10 meter buffer from the common property line of any adjacent existing residential uses and structures. [CHG-1111]

11.4 Country Residential Zone

Purpose

11.4.1 The Country Residential Zone is intended to permit lower density residential development on unserviced lots in defined rural communities and at the unserviced edges of serviced communities.

Uses Permitted As-of-Right

11.4.2 The following uses shall be permitted in the Country Residential Zone, subject to all applicable requirements of this By-law:

(a) Academic School
(b) Accessory Dwelling
(c) Agricultural Uses
(d) Community Hall
(e) Duplex Dwelling
(f) Forestry Uses
(g) Home-based Business – Level 1
(h) Home-based Business – Level 2
(i) Place of Worship
(i.1) Recreational Vehicle Parking Site [CHG-1102]
(j) Semi-detached Dwelling
(k) Short-term Rental
(l) Single-unit Dwelling

Uses Permitted by Site Plan Agreement

11.4.3 The following uses shall be permitted in the Country Residential Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use
(b) Grouped Dwellings – 4 or Fewer Dwelling Units on a Lot
(c) Multi-unit Dwelling – 4 or Fewer Dwelling Units on a Lot
(d) Townhouse Dwelling – 4 or Fewer Dwelling Units on a Lot

Uses Permitted by Development Agreement

11.4.4 The following uses shall be permitted in the Country Residential Zone, subject to the applicable policy of the Municipal Planning Strategy:

(a) Grouped Dwellings – More than four Dwelling Units on a Lot – MPS Policy 5-29A
(b) Multi-unit Dwelling – More than four Dwelling Units on a Lot – MPS Policy 5-29A
(c) Townhouse Dwelling – More than four Dwelling Units on a Lot – MPS Policy 5-29A

[CHG-1107]

Zone Requirements

11.4.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Country Residential Zone unless the following requirements are met:

Requirement	Multi-unit, Grouped, and Townhouse Dwellings	All Other Permitted Uses
(a) Minimum Lot Area	1,000 m^2 / dwelling unit	2,700 m^2
(b) Minimum Lot Frontage	30 m	20 m
(c) Minimum Front/Flankage Setback	3 m	3 m
(d) Minimum Rear Setback		
(i) Main building	6 m	6 m
(ii) Accessory buildings	1.4 m	1.4 m
(e) Minimum Side Setback	1.4 m	1.4 m
(f) Maximum Building Height		
(i) Main building	12 m	12 m
(ii) Accessory buildings	6 m	6 m

(g) Accessory Buildings exceeding the requirements of section 11.4.5 (f) (ii), up to the height requirements for Main Buildings in section 11.4.5 (f) (i) are permitted by Site Plan Agreement. [CHG-1108]

Special Requirements

11.4.6 Notwithstanding Subsection 4.10.1, the Development Officer may issue a development permit on lots in the Country Residential Zone without frontage on a public street or existing private road, subject to the following requirements:

(a) the lot has the equivalent minimum lot frontage on a private road; and
(b) all minimum setbacks shall be measured as if the private road were a public street.

11.5 Country Commercial Zone

Purpose

11.5.1 The Country Commercial Zone is intended to permit a limited range of local service uses on unserviced lots in rural communities.

Uses Permitted As-of-Right

11.5.2 The following uses shall be permitted in the Country Commercial Zone, subject to all applicable requirements of this By-law:

(a.1) Abattoir [CHG-1113]
(a) Academic School
(b) Accessory Dwelling
(c) Agricultural Uses
(d) Agritourism Uses
(e) Automotive Fueling
(f) Automotive Service
(g) Bank
(h) Butcher Shop
(i) Car Wash
(j) Commercial School – Less than 200 m^2 CFA
(k) Community Hall
(l) Cultural Uses
(m) Day Care Centre
(n) Duplex Dwelling
(o) Eat-In Restaurant – Less than 200 m^2 CFA
(p) Fixed-roof Overnight Accommodations
(q) Funeral Home
(r) Home-based Business – Level 2
(s) Household Item Repair Services
(t) Light Manufacturing – Less than 500 m^2 GFA
(u) Mobile Home Park – Existing
(v) Office – Less than 200 m^2 CFA
(w) Personal Service Shop – Less than 200 m^2 CFA
(x) Pet Grooming
(y) Place of Worship
(z) Post Office
(aa) Retail Store – Less than 200 m^2 CFA
(ab) Recreation Centre
(ac) Recycling Depot
(ad) Semi-detached Dwelling
(ae) Short-term Rental
(af) Single-unit Dwelling
(ag) Take-out Restaurant – Less than 200 m^2 CFA
(ah) Veterinary Clinic

Uses Permitted by Site Plan Agreement

11.5.3 The following uses shall be permitted in the Country Commercial Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Drive-through Restaurant – Less than 200 m^2 CFA
(b) Expansion of a non-conforming use
(b.1) Expansion of Level 2 Home-Based Business or Size-limited Uses Outlined in Subsection 11.5.2 [CHG-1103]
(c) Licensed Liquor Establishment – Less than 100 m^2 CFA
(d) Off-site and Shared Parking

Uses Permitted by Development Agreement

11.5.4 The following uses shall be permitted in the Country Commercial Zone, subject to the applicable policy of the Municipal Planning Strategy:

(a) Large-scale wind turbines – MPS Policy 4-56A. [CHG-1109]
(b) Medium-scale wind turbines – MPS Policy 4-56A. [CHG-1109]

Zone Requirements

11.5.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Country Commercial Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	2,700 m^2
(b) Minimum Lot Frontage	20 m
(c) Minimum Front/Flankage Setback	3 m
(d) Minimum Rear Setback	
(i) Main building	6 m
(ii) Accessory buildings	1.4 m
(e) Minimum Side Setback	1.4 m
(f) Maximum Building Height	
(i) Main building	12 m
(ii) Accessory buildings	6 m

Special Requirements

11.5.6 A total of only one dwelling **and** one short-term rental shall be permitted on a lot in the Country Commercial Zone. An accessory dwelling is not counted for the purposes of this Subsection. **[CHG-1106]**

11.5.7 Abattoirs shall be permitted granted the use is accessory to a Butcher Shop and is limited to 10 animal units permitted on the property. [CHG-1113]

11.6 Recreational Residential Zone

Purpose

11.6.1 The Recreational Residential Zone is intended to permit lower density residential uses on existing public roads and on existing or new private roads, and to address environmental constraints and concerns in areas that are often attractive to recreational development.

Uses Permitted As-of-Right

11.6.2 The following uses shall be permitted in the Recreational Residential Zone, subject to all applicable requirements of this By-law:

(a) Accessory Dwelling
(b) Agricultural Uses
(c) Community Hall
(d) Duplex Dwelling
(e) Home-based Business – Level 1
(f) Place of Worship
(f.1) Recreational Vehicle Parking Site [CHG-1102]
(g) Semi-detached Dwelling
(h) Short-term Rental
(i) Single-unit Dwelling

Uses Permitted by Site Plan Agreement

11.6.3 The following uses shall be permitted in the Recreational Residential Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use
(b) Fixed-roof Overnight Accommodations – 4 or Fewer Housekeeping Units on a Lot
(c) Grouped Dwellings – 4 or Fewer Dwelling Units on a Lot
(d) Home-based Business – Level 2
(e) Multi-unit Dwelling – 4 or Fewer Dwelling Units on a Lot
(f) Townhouse Dwelling – 4 or Fewer Dwelling Units on a Lot

Uses Permitted by Development Agreement

11.6.4 The following uses shall be permitted in the Recreational Residential Zone, subject to the applicable policy of the Municipal Planning Strategy:

(a) Grouped Dwellings – More than 4 Dwelling Units on a Lot – MPS Policy 5-34

(b) Fixed-roof Overnight Accommodations – More than 4 Housekeeping Units on a Lot – MPS Policy 5-34

Zone Requirements

11.6.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Recreational Residential Zone unless the following requirements are met:

Requirement	Multi-unit, Grouped, and Townhouse Dwellings; Fixed-roof Overnight Accommodations	All Other Permitted Uses
(a) [*Deleted CHG-1104*]		
(a.1) Minimum Lot Area	**5,000 m² for up to three dwelling units or housekeeping units, and 2000 m² for each additional dwelling unit or housekeeping unit**	**5,000 m²**
(b) Minimum Lot Frontage	30 m	30 m
(c) Minimum Lot Depth	30 m	30 m
(d) Minimum Water Frontage for Waterfront Lots	50 m	50 m
(e) Minimum Front/Flankage Setback	6 m	6 m
(f) [*Deleted CHG-1104*]		
(g) [*Deleted CHG-1104*]		
(f.1) Minimum Rear Setback	**8 m**	**8 m**
(g.1) Minimum Side Setback	**8 m**	**8 m**
(h) Maximum Building Height **(i) Main Building** **(ii) Accessory Buildings**	 **12 m** **8 m**	 **12 m** **8 m**

[CHG-1104]

(g) Accessory Buildings exceeding the requirements of section 11.6.5 (f) (ii), up to the requirements for Main Buildings in section 11.6.5 (f) (i) are permitted by Site Plan Agreement. [CHG-1108]

(i) Proposed buildings exceeding the requirements of section 11.6.5(f.1) and/or section 11.6.5 (g.1) on undersized waterfront lots are permitted by Site Plan Agreement. [CHG-1111]

Special Requirements

11.6.6 Notwithstanding Subsection 4.10.1, the Development Officer may issue a development permit on lots in the Recreational Residential Zone without frontage on a public street or existing private road, subject to the following requirements:

Part 11 Changelog

Reference Number	Date	File or Project	General Nature of the Changes
CHG-1101	2018.11.14	2018 Housekeeping	Added accessory dwelling as a permitted use in the Agriculture (AG) Zone
CHG-1102	2018.11.14	2018 Housekeeping	Added Recreational Vehicle Parking Site as a permitted use in the Agriculture (AG) Zone, Rural Resource (Rsrc) Zone, Country Residential (RCou) Zone, and Recreational Residential (RRec) Zone
CHG-1103	2018.11.14	2018 Housekeeping	Allowed for expansion of commercial businesses in the Country Commercial (CCou) Zone by site plan agreement
CHG-1104	2018.11.14	2018 Housekeeping	Reduced zone requirements and added maximum building heights in the Recreational Residential (RRec) Zone
CHG-1105	2020.09.16	2020 MPS and LUB Amendments	Added farm stay accommodations to the Agriculture Zone and Rural Resource Zone
CHG-1106	2020.09.16	2020 MPS and LUB Amendments	Enabled short-term rental in addition to a dwelling in the Agriculture Zone, Rural Resource Zone, and Country Commercial Zone
CHG-1107	2020.09.16	2020 MPS and LUB Amendments	Enabled larger residential development by development agreement in the Country Residential Zone
CHG-1108	2020.09.16	2020 MPS and LUB Amendments	Added height exemptions by site plan agreement to the Country Residential Zone and Recreational Residential Zone
CHG-1109	2022.09.08	2022 Wind Turbine Amendments	Added wind turbine uses to the Agriculture Zone, Rural Resource Zone, Rural Industrial Zone, and Country Commercial Zone
CHG-1110	2024.07.09	2024 LUB Amendments	Added Propane Fueling Facility as a permitted use, in the Rural Industrial Zone
CHG-1111	2025.10.08	Rural Industrial Zone Amendments	Added Office as a permitted use, created a special requirement for Industrial Land Uses adjacent to existing residential land uses.
CHG-1112	2026.02.06	By-law to Amend the LUB 25-09	Amend policy 11.3.2 to add (i.1) Commercial Sanitary Service and delete (s) Santiary Service.
CHG-1113	2026.07.10	By-law to Amend the LUB 26-07	Add Abattoir as a permitted by-right use and added the special requirement requiring the abattoir to be accessory to a Butcher Shop and limiting the permitted animal units to 10.

12 Common Zones

plan cumberland | Land Use By-law



12.1 Highway Commercial Zone

Purpose

12.1.1 The Highway Commercial Zone is intended to permit uses that serve the travelling public and uses that require quick access to major transportation routes.

Uses Permitted As-of-Right

12.1.2 The following uses shall be permitted in the Highway Commercial Zone, subject to all applicable requirements of this By-law:

(a) Agricultural Uses
(a.1) Automotive Sales [CHG-1207]
(b) Automotive Service
(c) Automotive Fueling
(d) Boat and Marine Sales
(e) Bus/Taxi Station
(f) Car Wash
(g) Drive-through Services
(h) Emergency Services
(h.1) Farm and Forestry Supply [CHG-1207]
(i) Fixed-roof Overnight Accommodation
(j) Heavy Equipment Repair
(k) Heavy Equipment Sales
(l) Interpretive Centre
(m) Licensed Liquor Establishment
(n) Modular Home Sales
(o) Parking Lot
(p) Restaurants
(p.1) Self Storage [CHG-1207]
(q) Transportation Services
(r) Warehouse

Uses Permitted by Site Plan Agreement

12.1.3 The following uses shall be permitted in the Highway Commercial Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use
(a.1) Indoor Commercial Recreation [CHG-1207]
(b) Off-site and Shared Parking
(c) Recycling Depot [CHG-1207]

Uses Permitted by Development Agreement

12.1.4 The following uses shall be permitted in the Highway Commercial Zone, subject to the applicable policy of the Municipal Planning Strategy:

Zone Requirements

12.1.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Highway Commercial Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	
(i) Central sewer	450 m^2
(ii) On-site wastewater treatment	2,700 m^2
(b) Minimum Lot Frontage	15 m
(c) Minimum Front/Flankage Setback	2 m
(d) Minimum Rear Setback	6 m
(e) Minimum Side Setback	3 m
(f) Maximum Building Height	
(i) Main building	12 m
(ii) Accessory buildings	12 m

Special Requirements

12.2 Institutional Zone

Purpose

12.2.1 The Institutional Zone is intended to accommodate institutional uses.

Uses Permitted As-of-Right

12.2.2 The following uses shall be permitted in the Institutional Zone, subject to all applicable requirements of this By-law:

(a) Academic School
(b) Community Hall
(c) Cultural Uses
(d) Day Care Centre
(e) Emergency Services
(f) Government Office
(g) Hospital
(h) Interpretive Centre
(i) Medical Office
(i.1) Personal Service Shop [CHG 1214]
(j) Place of Worship
(k) Post Office
(l) Post-secondary School
(m) Private Club
(n) Recreation Centre

Uses Permitted by Site Plan Agreement

12.2.3 The following uses shall be permitted in the Institutional Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use

Uses Permitted by Development Agreement

12.2.4 The following uses shall be permitted in the Institutional Zone, subject to the applicable policy of the Municipal Planning Strategy:

(a) Correctional Facility – MPS Policy 4-19

Zone Requirements

12.2.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Institutional Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	
(i) Central sewer	450 m^2
(ii) On-site wastewater treatment	2,700 m^2
(b) Minimum Lot Frontage	15 m
(c) Minimum Front/Flankage Setback	2 m
(d) Minimum Rear Setback	12 m
(e) Minimum Side Setback	6 m

Special Requirements

12.3 Parks and Open Space Zone

Purpose

12.3.1 The Parks and Open Space Zone is intended to preserve lands for parks and open space uses, and to permit limited commercial activities associated with these uses.

Uses Permitted As-of-Right

12.3.2 The following uses shall be permitted in the Parks and Open Space Zone, subject to all applicable requirements of this By-law:

(a) Campground
(b) Interpretive Centre
(c) Marina
(d) Recreation Centre
(d.1) Recreational Vehicle Parking Site [CHG-1201]
(e) Retail Store – Less than 20 m^2 CFA
(f) RV Park
(g) Take-out Restaurant – Less than 20 m^2 CFA

Uses Permitted by Site Plan Agreement

12.3.3 The following uses shall be permitted in the Parks and Open Space Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use

Uses Permitted by Development Agreement

12.3.4 The following uses shall be permitted in the Parks and Open Space Zone, subject to the applicable policy of the Municipal Planning Strategy:

Zone Requirements

12.3.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Parks and Open Space Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	450 m^2
(b) Minimum Lot Frontage	4 m
(c) Minimum Front/Flankage Setback	3 m
(d) Minimum Rear Setback	6 m
(e) Minimum Side Setback	3 m
(f) Maximum Building Height	10 m

Special Requirements

12.3.6 Notwithstanding Subsection 4.10.1, the Development Officer may issue a development permit on lots in the Parks and Open Space Zone without frontage on a public street or existing private road, subject to the following requirements:

(a) the lot has the equivalent minimum lot frontage on a private road; and
(b) all minimum setbacks shall be measured as if the private road were a public street.

12.4 Commercial Recreation Zone

Purpose

12.4.1 The Commercial Recreation Zone is intended to permit commercial recreation activities, such as campgrounds, RV parks, golf courses, and driving ranges.

Uses Permitted As-of-Right

12.4.2 [Deleted CHG-1202]

12.4.2A The following uses shall be permitted in the Commercial Recreation Zone, subject to all applicable requirements of this By-law:

(a) Accessory Dwelling
(b) Campground – 20 or fewer sites [CHG-1208]
(c) Cultural Uses
(d) Driving Range
(e) Duplex Dwelling
(f) Fixed-Roof Overnight Accommodations
(g) Golf Course
(h) Home-based Business – Level 1
(i) Interpretive Centre
(j) Indoor Commercial Recreation
(k) Licensed Liquor Establishment
(l) Marina
(m) Outdoor Commercial Recreation
(n) Recreational Vehicle Park – 20 or fewer sites [CHG-1208]
(o) Semi-detached Dwelling
(p) Short-term Rental
(q) Single-unit Dwelling

[CHG-1202]

Uses Permitted by Site Plan Agreement

12.4.3 [Deleted CHG-1203]

12.4.3A The following uses shall be permitted in the Commercial Recreation Zone, subject to Part 13 and all applicable requirements of this By-law:

(a.1) Campground – More than 20 sites [CHG-1208]
(a) Expansion of a non-conforming use [CHG-1203]
(b) Grouped Dwellings – 4 or Fewer Dwelling Units on a Lot [CHG-1203]
(c) Home-based Business – Level 2 [CHG-1203]
(d) Multi-unit Dwelling – 4 or Fewer Dwelling Units on a Lot [CHG-1203]
(e) Off-site and Shared Parking [CHG-1203]
(e.1) Recreational Vehicle Park – More than 20 sites [CHG-1208]
(f) Track [CHG-1203]
(g) Townhouse Dwelling – 4 or Fewer Dwelling Units on a Lot [CHG-1203]

Uses Permitted by Development Agreement

12.4.4 The following uses shall be permitted in the Commercial Recreation Zone, subject to the applicable policy of the Municipal Planning Strategy:

(a) [*Deleted CHG-1204*]
(b) [*Deleted CHG-1204*]
(a.1) Airports – MPS Policy 4-67A
(b.1) Dwellings – More than 4 Dwelling Units on a Lot – MPS Policy 4-67A
(c) Dwellings – Not Meeting Zone Requirements – MPS Policy 4-67A

[CHG-1204]

Zone Requirements

12.4.5 [Deleted CHG-1205]

12.4.5A Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Commercial Recreation Zone unless the following requirements are met:

Requirement	Multi-unit, Grouped, And Townhouse Dwellings	All Other Dwellings	All Other Permitted Uses
(a) Minimum Lot Area			
(i) Central sewer	**175 m² / dwelling unit**	**450 m²**	**10,000 m²**
(ii) On-site wastewater treatment	**1,000 m² / dwelling unit**	**2,700 m²**	**10,000 m²**
(b) Minimum Lot Frontage			
(i) Central sewer	**15 m**	**12 m**	**15 m**
(ii) On-site wastewater treatment	**30 m**	**30 m**	**30 m**
(c) Minimum Front/Flankage Setback			
(i) Central sewer	**3 m**	**3 m**	**3 m**
(ii) On-site wastewater treatment	**6 m**	**6 m**	**6 m**
(d) Minimum Rear Setback	**6 m**	**6 m**	**6 m**
(e) Minimum Side Setback			
(i) Central sewer	**1.4 m**	**1.4 m**	**1.4 m**
(ii) On-site wastewater treatment	**3 m**	**3 m**	**6 m**
(f) Maximum Building Height			
(i) Main building	**15 m**	**15 m**	**15 m**
(ii) Accessory buildings	**8 m**	**8 m**	**8 m**

[CHG-1205]

Special Requirements

12.4.6 Notwithstanding Subsection 4.10.1, the Development Officer may issue a development permit on lots in the Commercial Recreation Zone without frontage on a public street or existing private road, subject to the following requirements:

(a) the lot has the equivalent minimum lot frontage on a private road; and
(b) all minimum setbacks shall be measured as if the private road were a public street.

12.5 Flood Hazard Zone

[CHG-1209]

Purpose

12.5.1 The **Flood Hazard Zone** is intended to limit development on lands identified as presenting a higher risk of environmental hazards to development.

Uses Permitted As-of-Right

12.5.2 The following uses shall be permitted in the **Flood Hazard Zone**, subject to all applicable requirements of this By-law:

(a) Agricultural Uses
(b) Dwellings – Existing
(c) Park [CHG-1215]

Uses Permitted by Site Plan Agreement

12.5.3 The following uses shall be permitted in the **Flood Hazard Zone**, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use
(a.1) Recreational Vehicle Parking Site [CHG-1201]
(b) Short-term Rental
(c) Single-unit Dwelling

Uses Permitted by Development Agreement

12.5.4 The following uses shall be permitted in the **Flood Hazard Zone**, subject to the applicable policy of the Municipal Planning Strategy:

Zone Requirements

12.5.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the **Flood Hazard Zone** unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	4,000 m^2
(b) Minimum Lot Frontage	30 m
(c) Minimum Front/Flankage Setback	6 m
(d) Minimum Rear Setback	12 m
(e) Minimum Side Setback	12 m

Special Requirements

12.6 Wellfield 1 Zone

Purpose

12.6.1 The Wellfield 1 Zone is intended to protect the immediate recharge area of public drinking water supplies and to permit the operation of public water utility facilities.

Uses Permitted As-of-Right

12.6.2 The following uses shall be permitted in the Wellfield 1 Zone, subject to all applicable requirements of this By-law:

(a) Drinking Water Utility
(b) Existing Restaurant at PID 25217480
(c) Existing Single-unit Dwelling at PID 25217449

Uses Permitted by Site Plan Agreement

12.6.3 The following uses shall be permitted in the Wellfield 1 Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use

Uses Permitted by Development Agreement

12.6.4 The following uses shall be permitted in the Wellfield 1 Zone, subject to the applicable policy of the Municipal Planning Strategy:

Zone Requirements

12.6.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Wellfield 1 Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	37 m^2, with the ability to contain a circle 6.1 metres in diameter
(b) Minimum Front/Flankage Setback	**6 m**
(c) Minimum Rear Setback	**6 m**
(d) Minimum Side Setback	**6 m**

[CHG-1206]

Special Requirements

12.6.6 The existing restaurant at PID 25217480 shall be permitted to expand provided the expansion does not include any additional indoor seating capacity and provided any expansion has a setback of at least 4 metres from all property lines. Temporary outdoor seating is permitted on the property.

12.6.7 Accessory buildings shall be permitted in the Wellfield 1 Zone but the total gross floor area of all accessory buildings on the lot shall be limited to 200 m^2 and the minimum setback from all property lines shall be 4 metres. These limits shall not apply to buildings accessory to a drinking water utility.

12.7 Wellfield 2A Zone

Purpose

12.7.1 The Wellfield 2A Zone is intended to limit development to only land uses compatible with a 5-year time-of-travel area around public water supplies.

Uses Permitted As-of-Right

12.7.2 The following uses shall be permitted in the Wellfield 2A Zone, subject to all applicable requirements of this By-law:

(a) Drinking Water Utility, subject to Wellfield 1 Zone requirements
(b) Forestry Uses that do not require a building
(c) Recreational Uses that do not require a building

Uses Permitted by Site Plan Agreement

12.7.3 The following uses shall be permitted in the Wellfield 2A Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use

Uses Permitted by Development Agreement

12.7.4 The following uses shall be permitted in the Wellfield 2A Zone, subject to the applicable policy of the Municipal Planning Strategy:

Zone Requirements

12.7.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Wellfield 2A Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	80,000 m^2
(b) Minimum Lot Frontage	60 m
(c) Minimum Front/Flankage Setback	**6 m**
(d) Minimum Rear Setback	**6 m**
(e) Minimum Side Setback	**6 m**

[CHG-1206]

Special Requirements

12.8 Wellfield 2B Zone

Purpose

12.8.1 The Wellfield 2B Zone is intended to limit development to only land uses compatible with a 5-year time-of-travel area around public water supplies.

Uses Permitted As-of-Right

12.8.2 The following uses shall be permitted in the Wellfield 2B Zone, subject to all applicable requirements of this By-law:

(a) Drinking Water Utility, subject to Wellfield 1 Zone requirements
(b) Existing Place of Worship at PID 25217423
(c) Home-based Business – Level 1
(d) Short-term Rental
(e) Single-unit Dwelling

Uses Permitted by Site Plan Agreement

12.8.3 The following uses shall be permitted in the Wellfield 2B, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use
(b) [Deleted CHG-1210]

Uses Permitted by Development Agreement

12.8.4 The following uses shall be permitted in the Wellfield 2B Zone, subject to the applicable policy of the Municipal Planning Strategy:

Zone Requirements

12.8.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Wellfield 2B Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	4,000 m^2
(b) Minimum Lot Frontage	60 m
(c) Minimum Front/Flankage Setback	6 m
(d) Minimum Rear Setback	6 m
(e) Minimum Side Setback	6 m

Special Requirements

12.8.6 Notwithstanding Section 5.4, a home-based business shall not include craft product workshops; household item repair services; or any other use that, in the opinion of the Development Officer, requires the use or storage of hydrocarbons, solvents, or other liquid chemicals that may present a risk to drinking water, except where the type and volume of such liquid is reasonably consistent with the use of a dwelling.

12.8.7 A total of only one dwelling **and** one short-term rental shall be permitted on a lot in the Wellfield 2B Zone. **[CHG-1211]**

12.9 Wellfield 2C Zone

Purpose

12.9.1 The Wellfield 2C Zone is intended to limit development to only land uses compatible with a 5-year time-of-travel area around public water supplies.

Uses Permitted As-of-Right

12.9.2 The following uses shall be permitted in the Wellfield 2C Zone, subject to all applicable requirements of this By-law:

(a) Drinking Water Utility, subject to Wellfield 1 Zone requirements
(b) Home-based Business – Level 1
(c) Short-term Rental
(d) Single-unit Dwelling

Uses Permitted by Site Plan Agreement

12.9.3 The following uses shall be permitted in the Wellfield 2C, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use

Uses Permitted by Development Agreement

12.9.4 The following uses shall be permitted in the Wellfield 2C Zone, subject to the applicable policy of the Municipal Planning Strategy:

Zone Requirements

12.9.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Wellfield 2C Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	40,000 m^2
(b) Minimum Lot Frontage	120 m
(c) Minimum Front/Flankage Setback	6 m
(d) Minimum Rear Setback	6 m
(e) Minimum Side Setback	6 m

Special Requirements

12.9.6 Notwithstanding Section 5.4, a home-based business shall not include craft product workshops; household item repair services; or any other use that, in the opinion of the Development Officer, requires the use or storage of hydrocarbons, solvents, or other liquid chemicals that may present a risk to drinking water, except where the type and volume of such liquid is reasonably consistent with the use of a dwelling.

12.9.7 A total of only one dwelling **and** one short-term rental shall be permitted on a lot in the Wellfield 2C Zone. **[CHG-1211]**

12.10 Wellfield 3A Zone

Purpose

12.10.1 The Wellfield 3A Zone is intended to limit development to only land uses compatible with a 25-year time-of-travel area around public water supplies.

Uses Permitted As-of-Right

12.10.2 The following uses shall be permitted in the Wellfield 3A Zone, subject to all applicable requirements of this By-law:

(a) Agricultural Uses – Existing
(b) Drinking Water Utility, subject to Wellfield 1 Zone requirements
(c) Duplex Dwelling
(d) Forestry Uses – Existing
(e) Home-based Business – Level 1
(f) Semi-detached Dwelling
(g) Short-term Rental
(h) Single-unit Dwelling

Uses Permitted by Site Plan Agreement

12.10.3 The following uses shall be permitted in the Wellfield 3A Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use

Uses Permitted by Development Agreement

12.10.4 The following uses shall be permitted in the Wellfield 3A Zone, subject to the applicable policy of the Municipal Planning Strategy:

Zone Requirements

12.10.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Wellfield 3A Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	12,000 m^2
(b) Minimum Lot Frontage	60 m
(c) Minimum Front/Flankage Setback	6 m
(d) Minimum Rear Setback	6 m
(e) Minimum Side Setback	6 m

Special Requirements

12.10.6 Notwithstanding Section 5.4, a home-based business shall not include craft product workshops; household item repair services; or any other use that, in the opinion of the Development Officer, requires the use or storage of hydrocarbons, solvents, or other liquid chemicals that may present a risk to drinking water, except where the type and volume of such liquid is reasonably consistent with the use of a dwelling.

1.1.1 A total of only one dwelling **and** one short-term rental shall be permitted on a lot in the Wellfield 3A Zone. **[CHG-1211]**

12.11 Wellfield 3B Zone

Purpose

12.11.1 The Wellfield 3B Zone is intended to limit development to only land uses compatible with a 25-year time-of-travel area around public water supplies.

Uses Permitted As-of-Right

12.11.2 The following uses shall be permitted in the Wellfield 3B Zone, subject to all applicable requirements of this By-law:

(a) Agricultural Uses
(b) Drinking Water Utility, subject to Wellfield 1 Zone requirements
(c) Existing Automotive Service at PID 25199613
(d) Existing Building Supply Store at PID 25348798 and PID 25199886
(e) Existing Cemetery at PID 25217555
(f) Existing Crop Transhipment Facility at PID 25359902
(g) Existing Fixed Roof Overnight Accommodation at PID 25199613
(h) Existing Metal Fabricator at PID 25199902
(i) Existing Restaurant at PID 25199613
(j) Home-based Business – Level 1
(k) Short-term Rental
(l) Single-unit Dwelling
(m) Two-unit Dwelling

Uses Permitted by Site Plan Agreement

12.11.3 The following uses shall be permitted in the Wellfield 3B Zone, subject to Part 13 and all applicable requirements of this By-law:

(a) Expansion of a non-conforming use
(b) Expansion of an existing, conforming use [CHG-1212]
(c) Home Based Business – Level 2 [CHG-1212]

Uses Permitted by Development Agreement

12.11.4 The following uses shall be permitted in the Wellfield 3B Zone, subject to the applicable policy of the Municipal Planning Strategy:

(a) Other uses compatible with a 25-year time-of-travel [CHG-1213]

Zone Requirements

12.11.5 Except as otherwise permitted by this By-law, the Development Officer shall not issue a development permit for a use on a lot in the Wellfield 2B Zone unless the following requirements are met:

Requirement	All Permitted Uses
(a) Minimum Lot Area	8,000 m^2
(b) Minimum Lot Frontage	60 m
(c) Minimum Front/Flankage Setback	6 m
(d) Minimum Rear Setback	6 m
(e) Minimum Side Setback	6 m

Special Requirements

12.11.6 Notwithstanding Section 5.4, a home-based business shall not include craft product workshops; household item repair services; or any other use that, in the opinion of the Development Officer, requires the use or storage of hydrocarbons, solvents, or other liquid chemicals that may present a risk to drinking water, except where the type and volume of such liquid is reasonably consistent with the use of a dwelling.

12.11.7 A total of only one dwelling **and** one short-term rental shall be permitted on a lot in the Wellfield 3B Zone. **[CHG-1211]**

12.11.8 Development agreements for other uses as permitted by Section 12.11.4 in the Wellfield 3B Zone shall be environmentally sensitive and appropriate for a source water protection area. The development agreement shall include, at a minimum the following activities where applicable:

- **(a) Preparation of the site and construction/ operation of the facility including:**
  - **(i) Land clearing and impacts to soil and vegetation.**
  - **(ii) Stormwater management and surface drainage runoff handling.**
  - **(iii) Erosion and sedimentation concerns.**
  - **(iv) Access road(s) construction and maintenance.**
  - **(v) Tree cutting and clearing (exposure).**
  - **(vi) Maintenance of riparian vegetative buffers.**
  - **(vii) Groundskeeping/ maintenance (i.e. fertilizers, herbicides, salting/ de-icing, equipment fuel storage and usage).**
  - **(viii) Shoreline alterations for recreational usage and/ or boating (fuel, etc.).**
- **(b) Installation of power infrastructure including:**
  - **(i) Power poles – untreated vs treated.**
  - **(ii) Trenching for underground electrical services.**
  - **(iii) Installation of oil filled transformers, etc.**

(c) Installation of wells and water supply including:

- **(i) Location(s).**
- **(ii) Well drilling or digging into aquifer.**
- **(iii) Demand or volume/ flow calculations regarding supply capability.**

(d) Installation and operation of wastewater handling (on site sewage disposal system, or wastewater treatment system) including:

- **(i) Excavation and installation of the system/ plant (feasibility regarding setbacks, geology/ bedrock/ outcrops).**
- **(ii) Trenching to buildings or any distribution networks.**
- **(iii) Construction and handling of dumping stations for on site camper sewage.**

(e) Ongoing operational considerations such as:

- **(i) Fuel storage (domestic heating oil)**
- **(ii) Increased fire risk (campfires/proximity to forest)**
- **(iii) Waste storage and handling**
- **(iv) Increased traffic**
- **(v) Swimming pool maintenance and operations (chemical handling and storage, etc.).**
- **(vi) Water provision, and waste/ wastewater handling for any additional developments planned for the site.**

[CHG-1213]



Wellfield 3B Zone

Part 12 Changelog

Reference Number	Date	File or Project	General Nature of the Changes
CHG-1201	2018.11.14	2018 Housekeeping	Added recreational vehicle parking site as a permitted use in the Parks and Open Space (P) Zone and Environment (ENV) Zone
CHG-1202	2018.11.14	2018 Housekeeping	Added dwellings, licensed liquor establishments, and indoor commercial recreation as permitted uses in the Commercial Recreation (CRec) Zone. Also clarified that golf courses and recreational vehicle parks are permitted
CHG-1203	2018.11.14	2018 Housekeeping	Added smaller multi-unit dwellings and expansion of home-based businesses as uses permitted by site plan approval in the Commercial Recreation (CRec) Zone
CHG-1204	2018.11.14	2018 Housekeeping	Updated the MPS policy reference for airports and dwellings by development agreement in the Commercial Recreation (CRec) Zone
CHG-1205	2018.11.14	2018 Housekeeping	Reduced setbacks, added standards for serviced lots, and added setbacks for dwellings in the Commercial Recreation (CRec) Zone
CHG-1206	2018.11.14	2018 Housekeeping	Added setbacks to the Wellfield 1 (W1) Zone and Wellfield 2A (W2A) Zone
CHG-1207	2020.09.16	2020 MPS and LUB Amendments	Added additional uses to the Highway Commercial Zone
CHG-1208	2020.09.16	2020 MPS and LUB Amendments	Require site plan approval for campgrounds and RV parks larger than 20 sites in the Commercial Recreation Zone
CHG-1209	2020.09.16	2020 MPS and LUB Amendments	Renamed the Environment (ENV) Zone to Flood Hazard (HzFl) Zone
CHG-1210	2020.09.16	2020 MPS and LUB Amendments	Deleted reference to Flood Fringe Overlay in W2B Zone
CHG-1211	2020.09.16	2020 MPS and LUB Amendments	Enabled short-term rental in addition to a dwelling in the Wellfield 2B, 2C, 3A, and 3B Zones
CHG-1212	2020.09.16	2020 MPS and LUB Amendments	Refine uses in Wellfield 3B Zone
CHG-1213	2020.09.16	2020 MPS and LUB Amendments	Added development agreement criteria for uses in the Wellfield 2B Zone
CHG-1214	2024.06.04	2024 Housekeeping	Added Personal Service Shops as a permitted use as-of-right.
CHG-1215	2025.10.03	By-Law to Amend the LUB 25-07	Added Park as a permitted use in the Flood Hazard Zone

13 Site Plan Approval Criteria

plan cumberland | Land Use By-law



13.1 Drive-through Services and Drive-through Restaurants

13.1.1 Where a zone permits drive-through services and/or drive-through restaurants by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:

(a) Layout and Design
  (i) The minimum lot area for a drive-through restaurant is 3,000 m^2 or the minimum lot area as set out in the zone, whichever is larger.
  (ii) Only one drive-through service shall be permitted on a lot.
  (iii) Main structures associated with drive-through services or drive-through restaurants shall have their primary facades oriented towards a street.
  (iv) When a drive-through service or drive-through restaurant is within 60 metres of a dwelling, the intercom shall be located in a manner as to minimize noise.

(b) Circulation
  (i) Drive-through stacking lanes, and all associated entrances and exits to stacking lanes, shall be separated from parking areas, points of access, and the street using landscaped strips and islands.
  (ii) Stacking lanes shall not be located closer to the front lot line than the main building.
  (iii) Entrances to stacking lanes shall be configured as to minimize conflict with vehicle access points from the street or on-site automobile parking.
  (iv) Drive-through restaurants shall require a minimum of 5 spaces in a stacking lane before a service window and a minimum of 2 spaces after the service window.
  (v) Drive-through services shall require a minimum of 3 spaces in a stacking lane.
  (vi) Each space within a stacking lane shall be a minimum of 6.5 metres in length and 3 metres in width.
  (vii) There shall be a clear and distinct separation of vehicular and pedestrian traffic to minimize potential conflicts. Pedestrian walkways shall be provided to allow safe access to the building entrance(s) from both the parking lot and the street/sidewalk. Landscaping, paving patterns, raised walkways, and/or other design treatments shall be used to differentiate pedestrian walkways to and from the building from driving surfaces.
  (viii) Signage shall not obstruct pedestrian routes.

(c) Landscaping

(i) Areas not used for structures, solid waste handling, automobile parking and circulation, pedestrian walkways, outdoor eating areas, or drive-through infrastructure shall be landscaped. Such landscaping shall consist, at a minimum, of sod but may also include decorative grasses, trees, shrubs, flowers, mulch, fountains, ponds, and/or decorative pavers.

(ii) The view of stacking lanes, menus, intercoms, and other associated infrastructure shall be screened from streets and abutting properties by vegetated buffers.

(d) Servicing and Utilities

(i) All utility equipment shall be enclosed within a building or screened from the street and adjacent properties. Utility equipment includes, but is not limited to, utility boxes, meters, and air compressors.

(ii) Solid waste handling areas shall be located in the main building or within an enclosure with the same or complimentary materials as the building and with a wall height sufficient to conceal solid waste dumpsters.

(iii) The noise impacts of ordering board speakers, outdoor loading areas, and outdoor solid waste handling areas on noise-sensitive uses, such as residential areas and schools, shall be minimized. Approaches for noise attenuation may include, but are not limited to, careful siting of noise-generating facilities or the use of physical noise buffers, such as berms or sound walls.

(iv) At least two waste and recycling bin stations shall be placed outside a drive through restaurant, with at least one in a visible/accessible area near the drive-through lane. The property owner shall empty waste and recycling bins regularly and ensure litter is regularly removed from the property.

13.1A Expansion of Level 2 Home-based Business or Size-limited Uses

13.1A.1 **Where a zone permits expansion of a Level 2 Home-base Business or Size-limited Use by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:**

- **(a) Size**
  - **(i) The gross floor area of the expansion shall not exceed 200 square metres or the gross floor area of the existing portion of the use at the time of site plan approval application, whichever is larger.**
- **(b) Servicing and Utilities**
  - **(i) All utility equipment shall be enclosed within a building or screened from the street. Utility equipment includes, but is not limited to, utility boxes, meters, and air compressors.**
  - **(ii) Solid waste handling areas shall be located in the main building or within an enclosure with the same or complimentary materials as the building and with a wall height sufficient to conceal solid waste dumpsters.**
- **(c) Landscaping**
  - **(i) Areas not used for structures, solid waste handling, automobile parking and circulation, or pedestrian walkways shall be landscaped. Such landscaping shall consist, at a minimum, of sod but may also include decorative grasses, trees, shrubs, flowers, mulch, fountains, ponds, and/or decorative pavers.**
- **(d) Parking Areas**
  - **(i) Parking lots and driveways shall not be located in any minimum setback that abuts a dwelling.**
  - **(ii) Parking lots shall be screened at all times of the year from dwellings on adjacent lots by privacy fences, berms, or vegetation.**

[CHG-1301]

13.2 Expansion of Non-conforming Uses

13.2.1 Where a zone permits the expansion of non-conforming uses by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:

(a) Wellfields
  (i) If the use is located in the Wellfield 1, Wellfield 2A, Wellfield 2B, Wellfield 2C, Wellfield 3A, or Wellfield 3B Zones, the expansion shall not include an expansion of activities that involve hydrocarbons, solvents, chemical storage, chlorinated organic compounds, fertilizers, manure storage, or mineral storage.

(b) Use Requirements
  (i) If the use is listed in the zone as a use permitted as-of-right, but is otherwise non-conforming for reasons such as, but not limited to, setbacks or other zone requirements, the conditions that prevents the proposal from being permitted as-of-right in the zone shall be addressed by the site plan. Measures to address these conditions may include, but are not limited to, enhanced buffering and the positioning and design of buildings and structures.
  (ii) If the use is not listed in the zone as a use permitted as-of-right, the site plan shall control the expansion in a manner that is compatible with the purpose and permitted uses in the zone. Controls may include, but are not limited to, enhanced buffering and screening; the positioning, bulk, and design of buildings and structures; mitigation measures for noise, dust, and other emissions; the location and design of parking areas; landscaping; lighting design; and controls on outdoor storage and display.

13.3 Fixed-roof Overnight Accommodations

13.3.1 Where a zone permits fixed-roof overnight accommodations by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:

(a) Design
  (i) Blank walls shall not be permitted at grade along any street or private road frontage.
  (ii) Except for those located below a height of 1.8 metres, decks shall not be permitted within 10 metres of any lot line adjacent to a single-unit dwelling, duplex dwelling, or semi-detached dwelling existing at the time of site plan approval application.

(b) Servicing and Utilities
  (i) All utility equipment shall be enclosed within a building or screened from the street. Utility equipment includes, but is not limited to, utility boxes, meters, and air compressors.
  (ii) Solid waste handling areas shall be located in the main building or within an enclosure with the same or complimentary materials as the building and with a wall height sufficient to conceal solid waste dumpsters.

(c) Landscaping
  (i) Areas not used for structures, solid waste handling, automobile parking and circulation, or pedestrian walkways shall be landscaped. Such landscaping shall consist, at a minimum, of sod but may also include decorative grasses, trees, shrubs, flowers, mulch, fountains, ponds, and/or decorative pavers.

(d) Parking Areas
  (i) Parking lots and driveways for the use of guests shall not be located in any minimum setback that abuts a dwelling.
  (ii) Parking lots shall be screened at all times of the year from adjacent dwellings by privacy fences, berms, or vegetation.

13.4 Grouped Dwellings, Multi-unit Dwellings, and Townhouse Dwellings

13.4.1 Where a zone permits grouped dwellings, multi-unit dwellings, or townhouse dwellings by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:

(a) Design
  (i) Blank walls shall not be permitted at grade along any street frontage.
  (ii) Except for those located below a height of 1.8 metres, decks shall not be permitted within 10 metres of any lot line adjacent to a single-unit dwelling, duplex dwelling, or two-unit dwelling existing at the time of site plan approval application.

(b) Servicing and Utilities
  (i) All utility equipment shall be enclosed within a building or screened from the street. Utility equipment includes, but is not limited to, utility boxes, meters, and air compressors.
  (ii) Enclosed facilities for solid waste shall be provided for the use of residents. These facilities shall accommodate the number of waste stream collection (*e.g.* garbage, compost, recycling) provided in the municipality at the time of permitting. These may be provided as a central collection point or, where appropriate, individual facilities for each dwelling unit. Adequate access shall be provided to the solid waste collection facilities.

(c) Landscaping
  (i) Areas not used for structures, solid waste handling, automobile parking and circulation, or pedestrian walkways shall be landscaped. Such landscaping shall consist, at a minimum, of sod but may also include decorative grasses, trees, shrubs, flowers, mulch, fountains, ponds, and/or decorative pavers.

(d) Pedestrian and Active Transportation Connections
  (i) The primary entrance(s) of all dwelling units shall be connected to the nearest street right-of-way and to any adjacent active transportation route identified in a municipal active transportation plan by means of a barrier-free (accessible) pedestrian walkway at least 1.5 metres in width and paved with asphalt, concrete, bricks, or interlocking pavers.

13.5 Home-based Business – Level 2

13.5.1 Where a zone permits level 2 home-based businesses by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:

(a) Access
  (i) The applicant shall have a commercial access driveway permit for the lot.

(b) Permitted Uses
  (i) The permitted uses shall only include those permitted for a level 1 home-based business.
  (ii) Notwithstanding Subclause (i), a commercial school may be permitted to increase in size to 12 students.

(c) Parking Areas
  (i) Parking lots and driveways for the use of non-resident staff and patrons shall not be located in any minimum setback that abuts a dwelling, academic school, or place of worship.
  (ii) Parking lots for the use of non-resident staff and patrons shall be screened from adjacent dwellings, academic schools, and places of worship by privacy fences.

13.6 Licensed Liquor Establishments

13.6.1 Where a zone permits licensed liquor establishments by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:

(a) Design
  (i) The proposal shall include provision for sound insulation and location requirements for doors, windows, fire exits and any other architectural feature that will reduce the emission of noise or lessen the effect of any other nuisances, provided that these features are not inconsistent with the requirements of the *Building Code Act* or the *Fire Prevention Act*.
  (ii) Outdoor decks and patios shall be located and screened as appropriate to minimize their effect on adjacent uses.
  (iii) The main building shall have its primary façade and public entrance located facing the street.

(b) Parking Areas
  (i) Parking lots and driveways for the use of patrons shall not be located in any minimum setback that abuts a dwelling, academic school, or place of worship.
  (ii) Parking lots shall be screened from adjacent dwellings, academic schools, and places of worship by privacy fences.

13.7 Off-site and Shared Parking

13.7.1 Where a zone permits off-site parking lots by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:

(a) Registration
  (i) The site plan agreement shall be registered on title for the lot containing the off-site parking lot and on all lots from which required automobile parking is shifted.

(b) Location
  (i) The off-site parking lot shall be located in the same zone and within 300 metres of the lot(s) from which automobile parking is being shifted.

(c) Number of Spaces
  (i) The number of provided automobile parking spaces shall be equal to the number of required automobile parking spaces shifted from each use or lot to the off-site parking lot.

(d) Parking Areas
  (i) All parking spaces and access aisles shall be surfaced with asphalt, concrete, bricks, interlocking pavers, or a combination of these materials.
  (ii) Individual parking spaces shall be delineated with painted lines or through the varying of surface materials.
  (iii) Parking lots with more than 20 parking spaces shall be divided into separate parking areas, each of not more than 20 parking spaces, through the use of curbed and vegetated “landscaped islands”.

(e) Landscaping
  (i) Plant species used shall be salt-tolerant.
  (ii) Landscaped areas shall provide visual interest through the mixing of plant species with different heights.

(f) Perimeter
  (i) Parking lot edges adjacent to dwellings shall be screened by a privacy fence.
  (ii) Except for access points, parking lot edges adjacent to streets shall be delineated with appropriately-spaced shade trees interspersed with low shrubs, decorative planters, decorative walls/fences not exceeding 1 metre in height, or a combination of these treatments.

(g) Access
  (i) Access points from the street to the parking area shall be separated by a minimum of 15 metres, measured from the outer edges of the access points.
  (ii) Vehicular access points shall not be wider than 10 metres.
  (iii) Pedestrian access points shall be separated from vehicular access points.
  (iv) A minimum of one pedestrian access point shall be provided per street frontage.
  (v) Pedestrian access points shall be between 1.5 and 2 metres wide.

13.8 Parking Lots

13.8.1 Where a zone permits parking lots as a main use by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:

(a) Parking Areas
  (i) All parking spaces and access aisles shall be surfaced with asphalt, concrete, bricks, decorative pavers, or a combination of these materials.
  (ii) Individual parking spaces shall be delineated with painted lines or through the varying of surface materials.
  (iii) Parking lots with more than 20 parking spaces shall be divided into separate parking areas, each of not more than 20 parking spaces, through the use of curbed and vegetated “landscaped islands”.
  (iv) At least 1 bicycle parking space meeting the standards of this By-law shall be provided for every 10 parking spaces.

(b) Landscaping
  (i) Plant species used shall be salt-tolerant.
  (ii) Landscaped areas shall provide visual interest through the mixing of plant species with different heights.

(c) Perimeter
  (i) Parking lot edges adjacent to dwellings shall be screened by a privacy fence.
  (ii) Except for access points, parking lot edges adjacent to streets shall be delineated with appropriately-spaced shade trees interspersed with low shrubs, decorative planters, decorative walls/fences not exceeding 1 metre in height, or a combination of these treatments.

(d) Access
  (i) Vehicular access points shall be limited to one per street frontage.
  (ii) Vehicular access points shall not be wider than 7 metres.
  (iii) Pedestrian access points shall be separated from vehicular access points.
  (iv) A minimum of one pedestrian access point shall be provided per street frontage.
  (v) Pedestrian access points shall be between 1.5 and 2 metres wide.

13.9 Salvage Yard and Recycling Depot

13.9.1 Where a zone permits salvage yards **or recycling depots [CHG-1303]** by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:

(a) Outdoor Storage
  (i) The site plan shall delineate the extent of any existing and proposed outdoor storage area.
  (ii) Outdoor storage shall not be located within 450 metres from any dwelling located on another lot.

(b) Screening
  (i) Outdoor storage located within 450 metres from the centre line of a street, private road, or controlled access highway shall be completely screened from view at all times of the year from the said street, private road, or controlled access highway by way of natural or planted vegetation, natural topography or earthen berms, opaque fences, buildings, or some other method of screening or landscaping, or combination of these and equally effective methods. The screening shall prevent a direct line of sight from any viewpoint 2 metres above the traveled surface or grade at the centre line of such street, private road, or controlled access highway to any point 2.5 metres or less above finished grade throughout the said storage areas.

13.10 Single-unit Dwellings and Short-term Rentals in the Flood Hazard Zone

13.10.1 In the **Flood Hazard (HzFl) Zone**, the Development Officer shall approve a site plan for a single-unit dwelling**, recreational vehicle parking sites,** or short-term rental where the requirements of this Land Use By-law and the following matters have been addressed:

(a) Siting

(i) Where a lot includes an area of land not within the **Flood Hazard (HzFl) Zone**, the dwelling**, recreational vehicle parking site,** or short-term rental and any accessory buildings greater than 20 m^2 in area shall be located in this area of land unless the use is prohibited in the zone or unless, in the opinion of the Development Officer, this area of land is impractical for the development of a dwelling**, recreational vehicle parking site,** short-term rental, or accessory building due to geotechnical considerations or challenging topographical features.

(ii) Minimum front/flankage, side, and rear setbacks may be reduced to the extent necessary to enable the dwelling**, recreational vehicle parking site,** short-term rental, and/or accessory building(s) to be located on an area of land outside the **Flood Hazard (HzFl) Zone**. However, no setback shall be reduced to less than 2 metres.

(b) Landscaping

(i) Existing vegetation shall be undisturbed to the greatest extent possible.

(ii) Except for agricultural uses, all lands disturbed for development but not used for structures, solid waste handling, automobile parking and circulation, or pedestrian walkways shall be stabilized with water-tolerant, native plants and no soils shall be left exposed for a period of longer than 30 days.

(iii) Paved areas shall not exceed 10 percent of the lot area. For the purposes of this requirement, “paved” includes asphalt, concrete, brick, stone (not including naturally-exposed bedrock), and compacted earth surfaces.

(c) Buildings and Structures

(i) No building shall include any portion of a bedroom below grade.

(ii) Lot coverage shall not exceed 10 percent.

(iii) Main buildings shall include adequate flood-resistant building techniques as designed by an engineer licensed to practice in Nova Scotia.

(iv) A total of only one single-unit dwelling**, recreational vehicle parking sites,** or short-term rental shall be located on the lot.

[CHG-1302][CHG-1209]

13.11 Tracks

13.11.1 Where a zone permits tracks by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:

(a) Noise & Visuals
  (i) The noise impacts of the track and any associated structures or uses, such as stands and maintenance areas, on noise-sensitive uses, such as dwellings and schools, shall be minimized. Approaches for noise attenuation may include, but are not limited to, careful siting of noise-generating facilities or the use of physical noise buffers, such as berms or sound walls.
  (ii) The visual impact of the track on adjacent dwellings existing at the time of site plan approval application shall be minimized through the use of natural vegetation, planted vegetation, topography, or earthen berms.

(b) Parking
  (i) All parking for spectators, competitors, and equipment shall be accommodated on the site.
  (ii) Parking areas shall be screened at all times of the year from adjacent dwellings existing at the time of site plan approval application by means of natural vegetation, planted vegetation, topography, or earthen berms.

(c) Environment
  (i) All lands within 30 metres of watercourses and wetlands shall be undeveloped.

13.12 Campgrounds and Recreational Vehicle Parks

13.12.1 Where a zone permits Campgrounds or Recreational Vehicle Parks by site plan agreement, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:

- **(a) Design**
  - **(i) The development will not create undue traffic hazards, traffic congestion, or pedestrian hazards.**
  - **(ii) The development shall be designed with berms, fencing or vegetated strips to minimize the transmission of noise on neighbouring properties.**
  - **(iii) The development will not generate emissions that unduly reduce the development potential and value of properties in the vicinity.**
  - **(iv) Fires are only permitted in fire pits, barbeques, wood burning stoves or other facilities approved by the Municipality.**
  - **(v) Any wood burning devices shall be located, constructed, maintained and used to minimize fire hazard and smoke nuisance and shall be a minimum of 50 metres from all lot lines.**
  - **(vi) A permanent Campground map shall be placed at the entrance to each campground area, clearly identifying roadways, campsite numbers, parking areas, accessory buildings, and any other amenities. The sign shall be kept current by the owner.**
- **(b) Servicing and Utilities**
  - **(i) All utility equipment shall be enclosed within a building or screened from the street. Utility equipment includes, but is not limited to, utility boxes, meters, and air compressors.**
  - **(ii) Solid waste handling areas shall be located in the main building or within an enclosure with the same or complimentary materials as the building and with a wall height sufficient to conceal solid waste dumpsters.**
- **(c) Landscaping**
  - **(i) Areas not used for structures, solid waste handling, automobile parking and circulation, or pedestrian walkways shall be landscaped or natural vegetation. Such landscaping shall consist, at a minimum, of sod but may also include decorative grasses, trees, shrubs, flowers, mulch, fountains, ponds, and/or decorative pavers.**
- **(d) Parking Areas**
  - **(i) Parking lots and driveways for the use of guests shall not be located in any minimum setback that abuts a dwelling.**
  - **(ii) Parking lots shall be screened at all times of the year from adjacent dwellings by privacy fences, berms, or vegetation.**

[CHG-1303]

13.13 Heavy Equipment Sales, Modular Home Sales, Warehouses, and Transportation Services

13.13.1 **Where Heavy Equipment Sales, Modular Home Sales, Warehouses, or Transportation Services are permitted by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:**

- **(a) Landscaping**
  - **(i) A landscape strip of no less than 3 metres (10 feet) is required along the entire frontage of the property, save and except the location of a driveway not exceeding 10 metres in width;.**
  - **(ii) Existing vegetation, wherever possible and deemed practical, is to be retained.**
- **(b) Design**
  - **(i) Outdoor storage of equipment or material that is not for sale shall not be located in the front yard of any property and shall be wholly contained within a fenced storage area.**
  - **(ii) Loading facilities are to be located at the rear of the main structure and screened from any adjacent residential uses or roadways.**
  - **(iii) The type and location of outdoor lighting is designed as full cut-off in order to provide light for the structure, driveways and any pedestrian access required to maintain safe access, with no light directed at or spilled onto neighbouring properties or into the night sky.**
  - **(iv) Adequate solid waste collection access.**
- **(c) Access**
  - **(i) The applicant shall have a commercial access driveway permit for the lot.**
  - **(ii) Lot boundaries adjacent to dwellings shall be screened by a privacy fence.**
  - **(iii) Pedestrian access points shall be separated from vehicular access points.**
  - **(iv) A minimum of one pedestrian access point shall be provided per street frontage.**
  - **(v) Pedestrian access points shall be between 1.5 and 2 metres wide**.

[CHG-1303]

13.14 Interpretive Centre, Post Secondary School, Recreation Centre, and Indoor Commercial Recreation

13.14.1 Where Interpretive Centres, Post Secondary Schools, Recreation Centres, or Indoor Commercial Recreation facilities are permitted by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the following matters have been addressed:

- **(a) Landscaping**
  - **(i) A landscape strip of no less than 3 metres (10 feet) is required along the entire frontage of the property, save and except the location of a vehicular access point.**
  - **(ii) Existing vegetation, wherever possible and deemed practical, is to be retained.**
- **(b) Design**
  - **(i) Outdoor storage of equipment or material that is not for sale shall not be located in the front yard of any property and shall be wholly contained within a fenced and screened storage area.**
  - **(ii) Loading facilities are to be located at the rear of the main structure and screened from any adjacent residential uses or roadways.**
  - **(iii) The type and location of outdoor lighting is designed as full cut-off in order to provide light for the structure, driveways and any pedestrian access required to maintain safe access, with no light directed at or spilled onto neighbouring properties or into the night sky.**
  - **(iv) Adequate solid waste collection access.**
  - **(v) The proposal shall include provision for sound insulation and location requirements for doors, windows, fire exits and any other architectural feature that will reduce the emission of noise or lessen the effect of any other nuisances, provided that these features are not inconsistent with the requirements of the Building Code Act or the Fire Prevention Act.**
  - **(vi) Outdoor decks and patios shall be located and screened as appropriate to minimize their effect on adjacent uses.**
  - **(vii) The main building shall have its primary façade and public entrance located facing the street.**
  - **(viii) Parking lots shall be screened from adjacent dwellings and places of worship by privacy fences.**
- **(c) Access**
  - **(i) The applicant shall have a commercial access driveway permit for the lot.**
  - **(ii) Lot boundaries adjacent to dwellings shall be screened by a privacy fence.**
  - **(iii) Pedestrian access points shall be separated from vehicular access points.**
  - **(iv) A minimum of one pedestrian access point shall be provided per street frontage.**
  - **(v) Pedestrian access points shall be between 1.5 and 2 metres wide.**
  - **(vi) Vehicular access points shall not be wider than 7 metres.**

[CHG-1303]

Part 13 Changelog

Reference Number	Date	File or Project	General Nature of the Changes
CHG-1301	2018.11.14	2018 Housekeeping	Added site plan criteria for expansion of home-based businesses and size-limited uses
CHG-1302	2018.11.14	2018 Housekeeping	Added recreational vehicle parking sites to the criteria for site plan approval in the Environment (ENV) Zone
CHG-1303	2020.09.16	2020 MPS and LUB Amendments	Added criteria for site plan approval of recycling depots, campgrounds, recreational vehicle parks, heavy equipment sales, modular home sales,warehouses, transportation services, interpretive centres, post secondary schools, recreation centres, and indoor commercial recreation

14 Definitions

plan cumberland | Land Use By-law



A

ABATTOIR means the use of a building, structure, or part thereof, for slaughtering animals.

ACCESSORY BUILDING means a separate building located on the same lot as the main building or principal use, and of a nature customarily and clearly subordinate and incidental to the main building or main use of land.

ACCESSORY STRUCTURE means a separate structure located on the same lot as the main building or principal use, and of a nature customarily and clearly subordinate and incidental to the main building or main use of land.

ACCESSORY USE means a use subordinate and naturally incidental to a main use of land or building located on the same lot.

AGGREGATE RELATED INDUSTRIES means buildings, structures, land, or part thereof, used for aggregate processing, storage, and related uses including, but not limited to, asphalt processing, concrete batching and component manufacturing, sand pit operations and mineral bulk storage.

AGRICULTURAL USES means the use of land, buildings, or structures for the cultivation of crops; bee keeping; and/or animal pasturing; but excludes buildings for the raising or overnight accommodation of livestock, which is covered by the definitions of commercial livestock operation and household livestock.

AGRICULTURE RELATED INDUSTRIES [*Deleted CHG-14-03*]

AGRICULTURE RELATED INDUSTRIES means the use of land, buildings, or structures for commercial/industrial uses directly related to agriculture and necessarily in close proximity to farm operations, such as the processing and storage of agricultural crops; fertilizer production; brewing, wine-making, cheese making, and similar uses. This also includes the sale of farm produce to the general public, u-picks; but excludes the processing of animals, which is covered by the definition of abattoir. [CHG-1403]

AGRITOURISM means the use of land, buildings, structures, or part thereof to provide tourist oriented activities or services located on a farm operation that promotes the products grown, raised, and/or processed on that farm operation. These may include, but are not limited to, winery retail sales, farm brewery retail sales, tasting rooms, "field to table" restaurants, and farm-stay accommodations. [CHG-1403]

AGRITOURISM USES [*Deleted CHG-1403*]

ANIMAL BOARDING FACILITY means a building or part of a building where domestic household animals are kept, boarded, or bred and may include an animal shelter or a kennel.

ANIMAL UNIT means one or more agricultural animals calculated in accordance with the following table. Agricultural animals not listed in the table shall be counted as the most similar type of animal in terms of size and characteristics.

Note to reader: this definition is intended for the purposes of this By-law and is not intended to equate to the animal manure units in common use in the agricultural industry.

Type of Animal	Number of Animals Equaling One Animal Unit
Cattle	1
Horses	1
Llamas	1
Swine	2
Ostriches and emus in combination	3
Sheep and goats in combination	4
Mink and foxes in combination	5
Fowl and rabbits in combination	20

AUTOMOTIVE SALES means the use of land, a building, or a portion thereof, used to sell, lease, or rent automobiles and includes cleaning, detailing, and retail sales of automobile parts.

AUTOMOTIVE SERVICE means a building or a portion of a building used to repair and / or paint the body or engine of an automobile, including but not limited to vehicle detailing and sandblasting.

B

BED AND BREAKFAST means a dwelling where the proprietor supplies rooms that are rented or hired out to accommodate the travelling public for sleeping purposes and where a general kitchen and dining room may be provided within the building or in an accessory building for the purpose of serving meals only to overnight guests.

BUILDING means a structure, whether temporary or permanent, that is roofed and that is used for the shelter or accommodation of persons, animals, material, or equipment but does not include frames for sheltering crops.

BUILDING OFFICIAL means the person or persons, or designate, appointed by Council from time to time to administer the Building By-law.

BUTCHER SHOP means a building or portion of a building used for the processing of animal carcasses primarily for on-site retail sales and/or for wholesale sales to restaurants and does not include an abattoir.

C

CAPACITY ALLOCATION means the allocation of units by the Municipality to recieved Sanitary Services from the Town of Amherst under the IMA. [CHG-1408]

CAMPGROUND means the use of land, or part thereof, for providing an overnight camping experience to the travelling public in tents, yurts, bunkies, or other similar structures, but does not include an RV park.

COMMERCIAL FLOOR AREA ("CFA") means the total floor area of a commercial or manufacturing use within a building, measured from the interior faces of the walls enclosing the use. For greater clarity, commercial floor area includes all interior spaces dedicated to that use including, but not limited to, kitchens, washrooms, and storage areas, but does not include circulation areas and/or washrooms that are shared among multiple commercial businesses.

COMMERCIAL LIVESTOCK OPERATION means the use of land, buildings, or part thereof for the keeping of more than 10 animal units.

COMMERCIAL RECREATION, INDOOR means a building or part of a building used for commercial recreation or entertainment purposes and, without limiting the generality of the foregoing, may include such establishments as dance halls, cinemas, billiard or pool halls, bowling alleys, indoor miniature golf courses, indoor paintball fields, and bingo halls.

COMMERCIAL RECREATION, OUTDOOR [*Deleted CHG-1401]*

COMMERCIAL RECREATION, OUTDOOR means the use of land for commercial recreation or entertainment purposes together with necessary and accessory buildings and structures and, without limiting the generality of the foregoing, may include such establishments as ski hills, paintball fields, drive-in movie theatres, outdoor miniature golf courses, ropes courses, tennis clubs, and summer camps but does not include tracks for the racing of animals or for the racing of any type of motor vehicle or any use that is obnoxious. For greater clarity, and without limiting the generality of the foregoing, uses accessory to outdoor commercial recreation may include uses such as, but not limited to, eat-in and take-out restaurants; licensed liquor establishments; "pro shops" and other rental, maintenance, and retail sales of equipment related to the recreation activity; spas; child minding services; and staff accommodations.

[CHG-1401]

COMMERCIAL SANITARY SERVICES means the use of land, buildings, or part thereof for septic disposal services, portable toilet service, and similar uses. [CHG1408]

COMMERCIAL VEHICLE means a vehicle used for an activity that has as its main purpose financial gain and that has a specified load capacity of over 1 tonne, but does not include a school bus.

CORNER LOT SIGHT TRIANGLE means the area of a corner lot that is enclosed by a triangle, the apex of which is the intersection of the flanking lot line and the front lot line, two sides of which triangle are 6 metres in length measured from said point of intersection along the said lines and the base of which triangle is formed by a straight line joining the said exterior lot lines at the said points 6 metres from the intersection.

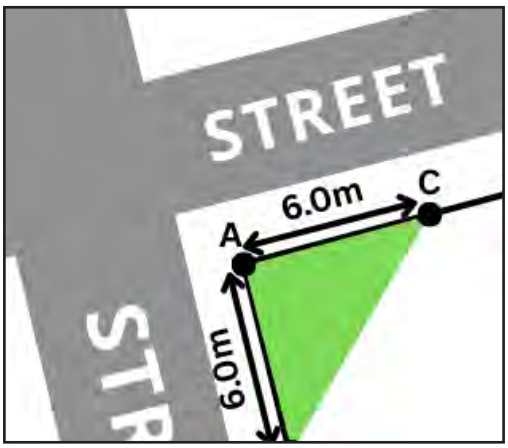


Figure 3 – Corner Lot Sight Triangle

COUNCIL means the Council of the Municipality of the County of Cumberland.

CRAFT PRODUCT means products assembled or made by hand or small custom production processes including but not limited to potters, pewterers, goldsmiths, silversmiths, jewelers, toy makers, leather workers, upholsterers, woodworkers, furniture makers, musical instrument makers, clothing designers and makers, shoemakers, antique refinishers, glass or stained glass workers, and caterers.

CULTURAL USES means the use of land, buildings, or part thereof, for the promotion of art, culture, and learning and without limiting the generality of the foregoing includes art galleries, libraries, museums, theatres, visual arts centres, and other similar uses.

D

DAY CARE CENTRE means a place where people are cared for without overnight accommodation, but does not include a school.

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

DEVELOPMENT OFFICER means the person or persons, or designate, appointed by Council from time to time to administer the Land Use By-Law and Subdivision By-Law.

DRIVE-THROUGH SERVICE means a bank, retail store, office, post office, or part thereof where the intent is to provide, either completely or in part, services or products to customers while they remain in their motor vehicles.

DWELLING means a building or a part of a building occupied or capable of being occupied as a home or residence by one or more persons, containing one or more dwelling units, and shall not include a fixed-roof overnight accommodation, recreational vehicle, or woods cabin.

DWELLING, ACCESSORY means a dwelling that contains one dwelling unit and is located on a lot containing a single-unit dwelling.

DWELLING, DUPLEX means a dwelling that contains two dwelling units, but does not include a semi-detached dwelling.

DWELLING, GROUPED means three or more dwellings, not including accessory dwellings, located on a single lot.

DWELLING, MULTI-UNIT means a dwelling containing three or more dwelling units, but does not include a townhouse dwelling.

DWELLING, TOWNHOUSE means a dwelling that is divided vertically into three or more dwelling units, each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.

DWELLING, SEMI-DETACHED means a dwelling that is divided vertically into two dwelling units.

DWELLING, SINGLE-UNIT means a dwelling that contains one dwelling unit, but does not mean an accessory dwelling.

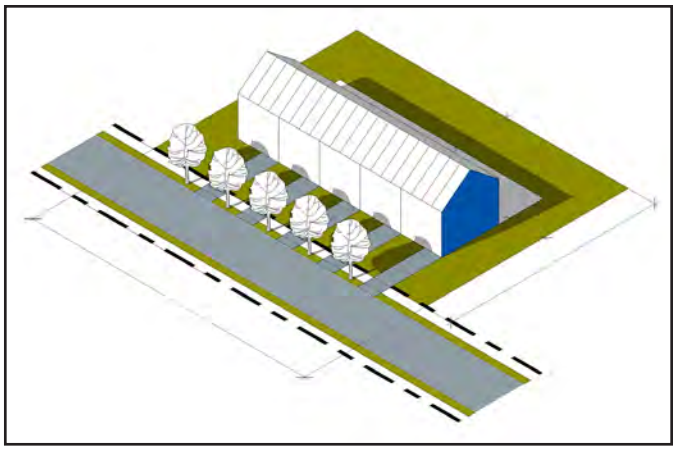


Figure 4 – Townhouse Dwelling

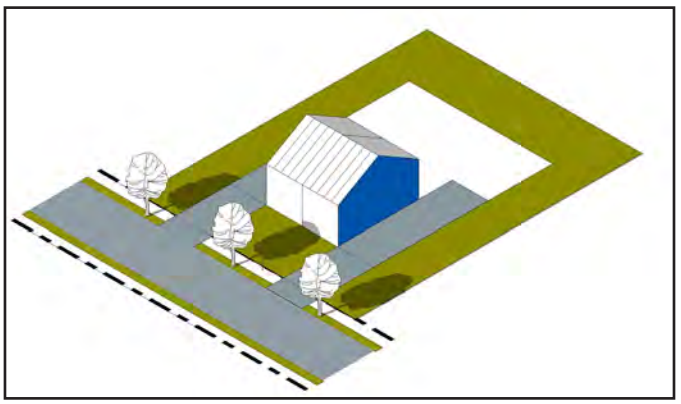


Figure 5 – Semi-detached Dwelling

DWELLING UNIT means one or more habitable rooms designed, occupied, or intended for use by one or more individuals as an independent and separate housekeeping establishment in which cooking, sleeping, and sanitary facilities are provided for the exclusive use of such individual or individuals.

E

ERECT means to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

ESTABLISHED GRADE means with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure shall mean the average elevation of the finished grade of the ground immediately surrounding such structures, exclusive in both cases of any artificial embankment or entrenchment and when used with reference to a street, road, or highway means the elevation of the street, road, or highway established by the Municipality or other designated authority.

EXISTING means legally existing on the indicated date or, where no date is indicated, legally existing on the effective date of this By-law. For streets and private roads, the date the street or private road was shown on a plan of subdivision tentatively approved by the Municipality shall be used to determine whether or not it was existing on an indicated date.

F

FARM AND FORESTRY SUPPLY SALES means the use of land, buildings, or part thereof, for the sale of supplies related to the agricultural and forestry industries such as, but not limited to, animal feed, fencing materials, lubricants, and tools.

FISHERY RELATED INDUSTRIES means the use of land, buildings, or part thereof, in support of the fishery and without limiting the generality of the foregoing includes general storage, docks, boat launches, and repair facilities.

FIXED-ROOF OVERNIGHT ACCOMMODATION means a building, buildings on the same lot, or part thereof used to accommodate the travelling public for gain or profit by supplying them with overnight sleeping accommodation with or without meals, with or without on-site administration, and with or without private cooking facilities, and may include, but is not limited to, hotels, motels, cottage or cabin rentals, and short-term house or apartment rentals.

FORESTRY RELATED INDUSTRIES means a building, structure, land, or part thereof used for milling, sawing, processing, storage, and / or transport of lumber, wood pellets, sawdust and Christmas trees.

FORESTRY USES means forest harvesting, reforestation, tree nurseries, maple sugar operations and similar uses related to the forestry industry including portable sawmills, portable offices and staff accommodations, equipment storage facilities, and other temporary structures and uses supportive of land clearing activities.

G

GROSS FLOOR AREA ("GFA") means the sum of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level, and for the purpose of this definition, the walls forming a courtyard shall be deemed to be exterior walls.

H

HABITABLE AREA means an enclosed area of a building designed and/or used for any purpose other than parking of vehicles (including boats), building access, or commercial/industrial storage.

HABITABLE BUILDING means a dwelling, hospital, residential facility, or fixed-roof overnight accommodation.

HEIGHT means the vertical distance measured between two defined points. Unless otherwise defined in this By-law, the lower of the two points shall be established grade and the higher of the two points shall be the highest point on the object or structure being measured.

HOME-BASED BUSINESS means a business activity that is accessory to a dwelling and involves the provision or sale of goods and/or services to the public and where the dwelling is the principal residence of the business operator.

HOUSEHOLD ITEM REPAIR SERVICES means the use of building or part of a building used for the repair and accessory sale of household appliances, furniture or equipment, such as, but not limited to, the repair of televisions, computers, kitchen appliances, hand tools, bicycles, and vacuum cleaners, but does not include manufacturing or automotive service.

HOUSEHOLD LIVESTOCK means the use of land, buildings, or part thereof for the keeping of 10 or fewer animal units.

HOUSEKEEPING UNIT means a room, rooms, or a building rented to one party of travelling public at a time for the purpose of overnight accommodations.

I

IMA means the Intermunicipal Agreement between the Town of Amherst and the Municipality, executed on October 04, 2024 which provides for certain customers located in the Municipality to connect to TOA Sanitary Facilities. [CHG-1408]

L

LICENSED LIQUOR ESTABLISHMENT means a cabaret, lounge, beverage room, and/or bar licensed under the Nova Scotia *Liquor Control Act* or successor legislation.

LOT means a parcel of land described in a deed or as shown on an approved registered plan of subdivision.

CORNER LOT means a lot situated at the intersection of and abutting on two or more streets or private roads.

FLAG LOT means a lot characterized by the location main body of the lot generally to the rear of another lot and with access provided by a driveway that is part of the flag lot, and that runs beside the lot or lots between the main portion of the flag lot and the street or private road that provides access to the driveway.

LOT AREA means the total horizontal area within the lot lines of a lot, excepting wetlands.

LOT COVERAGE means the percentage of the lot area covered by buildings and roofed structures, and for the purpose of this definition eaves, cantilevers, or other such projections of a roof shall be counted.

LOT DEPTH means the average horizontal distance between the front lot line and the rear lot line.

LOT FRONTAGE means the length of the straight line between the two points where the side lot lines intersect the front lot line or, if the lot is located on a cul-de-sac, means the length of the straight line between the two points on the side lot lines a distance of 6 metres along the side lot lines from where the side lot lines intersect the front lot line.

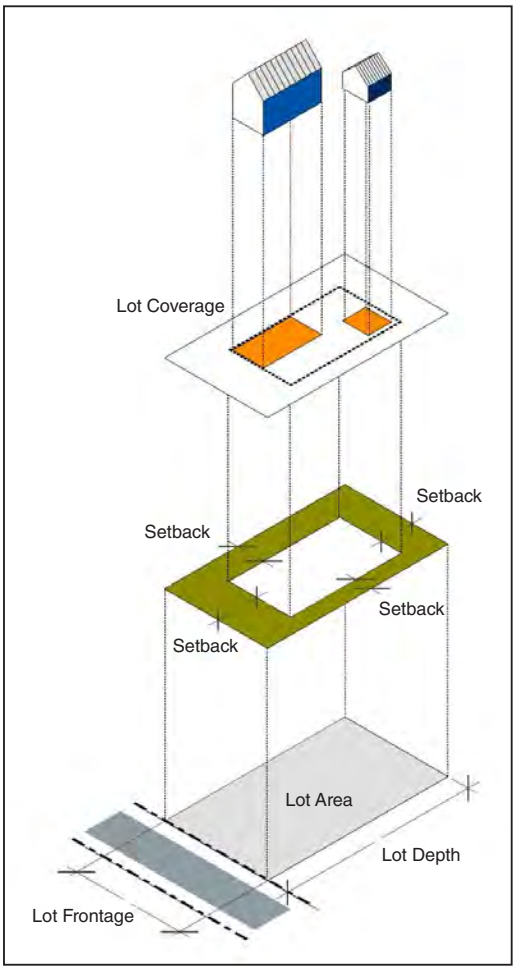


Figure 6 – Lot

LOT LINE means a boundary line of a lot.

FLANKAGE LOT LINE means a side lot line that abuts the street or private road on a corner lot.

FRONT LOT LINE means the line dividing the lot from the street or private road. In the case of a corner lot or a lot with more than one line abutting a single street or private road the shorter boundary line abutting the street private road shall be deemed the front lot line. In the case of a through lot the longer boundary dividing the lot from the street or private road shall be deemed to be the front lot line.

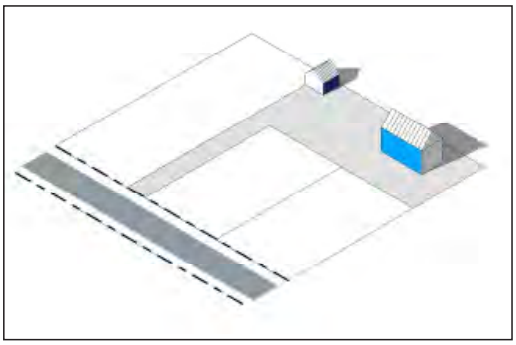


Figure 7 – Flag Lot

REAR LOT LINE means the lot line furthest from or opposite to the front lot line.

SIDE LOT LINE means a lot line other than a front, flankage, or rear lot line.

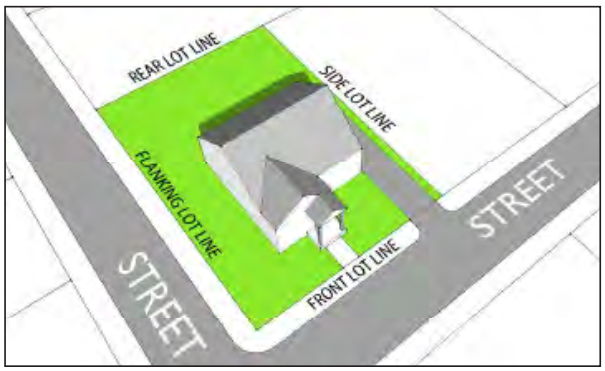


Figure 8 – Lot Lines

M

MANUFACTURING means the production and/or packaging of goods and/or materials, including processed food and/or drink not intended for immediate consumption.

> **MANUFACTURING, LIGHT** means manufacturing where the use is conducted entirely within an enclosed building and the use is not obnoxious.

MOBILE HOME means a portable dwelling that may contain one or two residential units built on a chassis or undercarriage and designed to be transported from its place of fabrication or sale to a lot, whether or not placed on permanent foundation, and that does not meet the standards for residential occupancy as described in the National Building Code of Canada, and does not include a recreational vehicle.

MUNICIPAL CENTRAL SERVICES means central water and sewer services owned , oprated, and/or maintained by the Municipality. [CHG-1408]

MUNICIPAL GOVERNMENT ACT ("ACT") means the *Municipal Government Act*, SNS 1998, Chapter 18 and amendments thereto.

MUNICIPALITY means, where the context dictates, either the Body Corporate of the Municipality of the County of Cumberland, or the geographical area incorporated as the Municipality of the County of Cumberland.

O

OBNOXIOUS means a use that from its nature or operation creates a nuisance or is offensive by the creation of noise or vibration; or by the emission of gas, fumes, dust or objectionable odour; or by the unsightly storage of goods, wares, merchandise, salvage, refuse matter waste, or other material.

OUTDOOR DISPLAY means the display of retail goods or materials intended for the immediate sale to the general public where such goods are not enclosed within a building.

OUTDOOR STORAGE means storage exterior to a building of items such as merchandise, goods, inventory materials, or equipment and where such items are not intended for immediate sale; but does not include items ancillary to a residential use, such as, but not limited to, firewood for on-site consumption.

P

PARK means a dedicated area of land which is used for passive or active recreation and may include structures, fairways and greens, structures under 20sqm in area, accessory structures ancillary to the main use, and infrastructure necessary for the safe and accessible use of land. [CHG-1406]

PERSONAL SERVICE SHOP means the use of a building or part of a building for the provision of services for the individual and personal needs of persons, and without limiting the generality of the foregoing, may include such establishments as barber shops, beauty parlors, automatic laundry shops, hairdressing shops, tanning salons, **spas and medispas**, tattoo parlours, shoe repair and shoe shining, tailoring, and dry-cleaning collection depots, but excludes the manufacturing or fabrication of goods for retail or wholesale distribution. **[CHG-1405]**

PET GROOMING means the use of a building or part of a building for the grooming of domestic pets is provided as a commercial service to the public and may include temporary boarding but shall not include overnight boarding nor the breeding or sale of animals.

PLACE OF WORSHIP means a place dedicated to religious worship and may include, but is not limited to, halls or auditoriums for religious gathering, accessory office space for administrators, day nurseries operated for patrons, and classroom space for religious instruction.

PRIVATE CLUB means a building or part of a building used as a meeting place for members of an organization and, without limiting the generality of the foregoing, may include such organizations as lodges, fraternity or sorority houses, and labour union halls.

PRIVATE ROAD means any street or road that is not owned by the Province or the Municipality and that meets the requirements of the Municipality's Subdivision By-Law for private road approval.

PROPANE FUELLING FACILITY means one or more large propane tanks and dispensing equipment designed to refill portable propane tanks and to fuel vehicles and equipment that require propane for operation [CHG-1406]

R

RECREATION CENTRE means a building or part of a building used for recreation facilities such as, but not limited to, swimming pools, ice arenas, curling rinks, gymnasiums, weight rooms, and changing facilities.

RECREATIONAL USES means the use of land for parks, playgrounds, open space recreation, open space conservation, tennis courts, lawn bowling greens, skating rinks, skateboard parks, athletic fields, band shells, pavilions, outdoor swimming pools, and similar uses to the foregoing, together with necessary and accessory buildings and structures, but not including recreation centres or indoor commercial recreation or outdoor commercial recreation or a track for the racing of animals, or any form of motorized vehicles.

RECREATIONAL VEHICLE (RV) means a vehicle intended as temporary accommodation for travel, vacation, or recreational use. Such vehicles may include, but are not limited to, a motor home, fold-down camping trailer, truck camper, holiday trailer, fifth wheel travel trailer, but does not include any vehicle that meets the definition of a derelict vehicle under the *Municipal Government Act.*

RECREATIONAL VEHICLE (RV), CONVERTED means structure intended as accommodation for recreational use that was originally a recreational vehicle but is now impeded from moving by decking or skirting.

RECREATIONAL VEHICLE (RV) PARK means the use of land for the temporary occupancy of three or more recreational vehicles.

RECREATIONAL VEHICLE PARKING SITE means a pad or area of land designated for the parking of a recreational vehicle or converted recreational vehicle.

RECYCLING DEPOT means a building or part of a building in which consumer materials and goods are collected and sorted prior to shipment but does not include the breaking-down of goods into constituent materials or the reprocessing of materials and does not include salvage or scrap yards.

RESIDENTIAL FACILITY means a building or part of a building operated as one integrated facility in which accommodation is provided to individuals and that includes additional care and services for residents, such as, but not limited to, medical care, supervisory or personal care, and counselling, but shall not include a facility that is licensed by or under contract to Corrections Canada or Nova Scotia Corrections, or successor bodies. **Examples include special care facilities such as nursing homes and group homes. [CHG-1403]**

RESTAURANT means a building or part thereof where food and/or drink intended for immediate consumption is prepared and served to the public.

> **RESTAURANT, DRIVE-THROUGH** means a restaurant or part thereof where the intent is to provide food and/or drink to customers while they remain in their motor vehicles.
>
> **RESTAURANT, EAT-IN** means a restaurant or part thereof where food and/or drink is consumed within the building or on an attached outdoor space.
>
> **RESTAURANT, TAKE-OUT** means a restaurant or part thereof that does not provide facilities for consumption of food or drink on the premises.

RETAIL STORE means a building or part of a building in which goods, wares, merchandise, substances, articles, or things are offered or kept for sale directly to the public at retail, but does not include automotive sales, boat and marine sales, or heavy equipment sales.

S

SALVAGE YARD means the use of land for keeping or storing used bodies or parts of automobiles or any other type of used equipment, vehicles, machinery, or materials of any kind, regardless of whether such use occupies all or a part of the lot or lots upon which it is located, or whether it is a use operated for commercial or other purposes, or whether the use is subject to salvage yard licensing requirements of the Province of Nova Scotia.

SANITARY SERVICE means the sanitary sewer services provided by thw Town of Amherst to customers in the Municipality under the IMA.[CHG-1408]

SHIPPING CONTAINER means a standardized metal container designed to facilitate the shipping of goods by truck, ship, air, or rail, whether or not used for that purpose, but does not include a motor vehicle. [CHG-1402]

SCHOOL, ACADEMIC means an educational establishment, whether public or private, intended for the academic instruction of students up to the completion of Grade 12, and may include elementary schools, junior high schools, high schools, and consolidated schools, but does not include daycares as the main use.

SCHOOL, COMMERCIAL means an educational establishment, whether public or private, intended for instruction in extra-curricular activities and/or vocational skills and shall include, but is not limited to, dance schools, music schools, sports schools, driving schools, culinary institutes, hair schools, computer schools, and other similar schools, but does not include post-secondary schools.

SCHOOL, POST-SECONDARY means a degree- or diploma-granting public educational establishment intended for the academic instruction of students after the completion of Grade 12.

SELF-STORAGE FACILITY means a building, collection of buildings, or a part of a building consisting of separate, individual, small, self-contained units that are leased or owned for the storage of business or household goods or contractor supplies.

SETBACK means the horizontal distance between the specified lot line and the nearest main wall of any building or structure and extending the full width or length of the lot.

SHORT-TERM RENTAL means a fixed-roof overnight accommodation where guest sleeping facilities are contained within one building on a lot and where the facilities on the lot are only rented to one party at a time.

SIGN means any structure or device used to advertise or draw attention to any product, place, person, business, institution, organization, or event, including any directional or way finding purpose and that is intended to be seen from off the premises or from a parking lot. For greater clarity, signs not located such that they are visible from off the premises or from a parking lot are not considered signs for the purpose of this By-law and are not subject to the signage requirements of this By-law.

> **CHANGEABLE COPY PANEL** means a section of an otherwise permanent sign that allows the message to be amended, updated, or otherwise modified using manual or (electro)mechanical means including, but not limited to, track letters, chalk board, dry erase, and split-flap displays.
>
> **ELECTRONIC MESSAGE BOARD** means a section of an otherwise permanent sign that allows the message to be amended, updated, or otherwise modified using digital means including, but not limited to, light-emitting diode (LED) displays, liquid crystal diode (LCD) displays, and plasma displays.
>
> **GROUND SIGN** means a freestanding sign supported by a structure that is permanently affixed to a foundation.
>
> **PROJECTING SIGN** means a sign that projects from, and is supported by, a wall of a building, and shall include signs on canopies.

ROOF SIGN means a sign where the support structure or the back of the main surface of the sign is mounted to the roof of a building, or where the sign is painted on the roof of a building.

SANDWICH BOARD SIGN means a sign consisting of two surfaces attached to each other at the top and designed so as to stand temporarily without foundation or other support on a lot or sidewalk without electrical or other service connection.

SIGN AREA means the area of the smallest triangle, rectangle, circle or semicircle that can wholly enclose the surface area of the sign. Only one side of a multi-faced sign shall be used to determine sign area. The sign area of individual letters or figures that are attached or painted on a surface shall be the area of the smallest triangle, rectangle, circle or semicircle that can wholly enclose all of the letters, numbers or insignia.

SIGN HEIGHT means the distance from established grade to the highest part of the sign, including the sign structure.

WALL SIGN means a sign where the back of the main surface is attached directly to a building wall, or where the sign is painted on a building wall.

SOLAR COLLECTOR SYSTEM means a structure or array of structures, and ancillary equipment, designed to collect solar radiation and convert it to useable forms of energy. Without restricting the generality of this definition, solar collector system may include evacuated tubes, flat plate collectors, concentrating mirrors, and building-integrated photovoltaic materials but does not include windows or greenhouses.

SOLID WASTE DISPOSAL means facilities for the treatment and disposal of solid waste, such as garbage or compost, and includes incinerators and landfills, but does not include a salvage yard.

SOLID WASTE TRANSFER FACILITY means the use of land, buildings, or part thereof for the transfer of solid waste, such as garbage or compost, from collection vehicles and/or the general public for shipment to a solid waste disposal facility.

STREET means the whole and entire right-of-way of every highway, road or road allowance, vested in the Province of Nova Scotia or the Municipality. Notwithstanding the foregoing, the definition of street does not include a controlled-access highway.

STRUCTURE means anything that is erected, built, or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other structure, and includes a building.

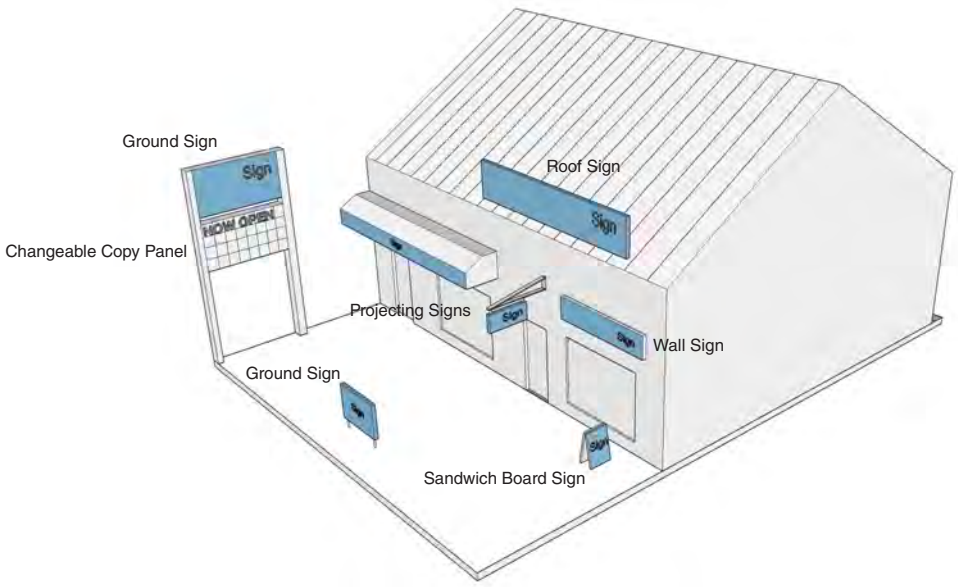


Figure 9 – Sign Types

T

TOWN OF AMHERST (TOA) mean the body of Corporate of the Town of Amherst or the geogrpahical area contained within its municipal boundaries, as requires. [CHG-1408]

TOA SANITARY SERVICES means all the facilities and equipement owned, controlled or operated by the Town of Amherst that are used to provide Sanitary Services from time to time, including without limitation, and infrastrcutre conveyed to the Town of Amherst pursuant to the IMA. [CHG-1408]

TRACK means the use of land for the racing of animals or motorized vehicles.

TRANSPORTATION SERVICES means a building, structure, land, or part thereof used for the purpose of transporting any kind of item or thing by truck or other vehicle, including, but not limited to, loading facilities, storage, and maintenance facilities, but does not include the transport of people.

W

WATERCOURSE means the bed and shore of a natural river, stream, lake, creek, pond, marsh, estuary or salt-water body that contains water for at least part of each year.

WATER FRONTAGE means the distance measured as a straight line between the two points where the side lot lines meet a watercourse or marine shoreline.

WIND TURBINE means a machine and supporting structure designed to convert wind energy into mechanical or electrical energy.

DOMESTIC-SCALE WIND TURBINE means a wind turbine that has a height of not more than **50** metres **and has a nameplate generation capacity of not more than 15 kilowatts. [CHG-1404]**

LARGE-SCALE WIND TURBINE means a wind turbine that **has a height greater than 100 metres or has a nameplate generation capacity of more than 500 kilowatts. [CHG-1404]**

MEDIUM-SCALE WIND TURBINE means a wind turbine that:

(a) has a height of more than 75 metres but not more than 100 metres; or
(b) has a nameplate generation capacity of more than 100 kilowatts but not more than 500 kilowatts.

[CHG-1404]

NACELLE means a component of a wind turbine that houses its generating components including, but not limited to, the gearbox, generator, drive train, and brake assembly.

SMALL-SCALE WIND TURBINE means a wind turbine that**:**

(a) has a height of more than 50 metres but not more than 75 metres; or
(b) has a nameplate generation capacity of more than 15 kilowatts but not more than 100 kilowatts.

[CHG-1404]

WIND ENERGY PROJECT means one or more wind turbines and associated property, substations, and other utility systems on one lot or abutting lots and sharing common infrastructure.

WIND TURBINE HEIGHT means the vertical distance measured from established grade to the highest point of the rotor's arc.

WIND TURBINE SEPARATION DISTANCE means the horizontal distance measured from the closest external face of the base of the wind turbine tower to any specified feature or object.

Part 14 Changelog

Reference Number	Date	File or Project	General Nature of the Changes
CHG-1401	2018.11.14	2018 Housekeeping	Refined the definition of outdoor commercial recreation
CHG-1402	2018.11.14	2018 Housekeeping	Added a definition of shipping container
CHG-1403	2020.09.16	2020 MPS and LUB Amendments	Refined definitions of agriculture related industries, agritourism, and residential facility
CHG-1404	2022.09.08	2022 Wind Turbine Amendments	Refined definitions for domestic-, small-, and large-scale wind turbines and added a definition for medium-scale wind turbines
CHG-1405	2024.06.04	2024 Houskeeping	Expanded the definition of Personal Service Shop to include spas and medispas.
CHG-1406	2024.07.09	2024 LUB Amendments	Added Propane Fuelling Facility
CHG-1407	2025.10.03	By-Law to Amend the LUB 25-07	Added a definition for Park.
CHG-1408	2026.02.06	By-law to Amend the LUB 25-09	Added Capacity Allocation, Commercial Sanitary Services, IMA, Municipal Central Services, Sanitary Services, Town of Amherst, TOA Sanitary Facilities to the definitions section.

15 Schedules

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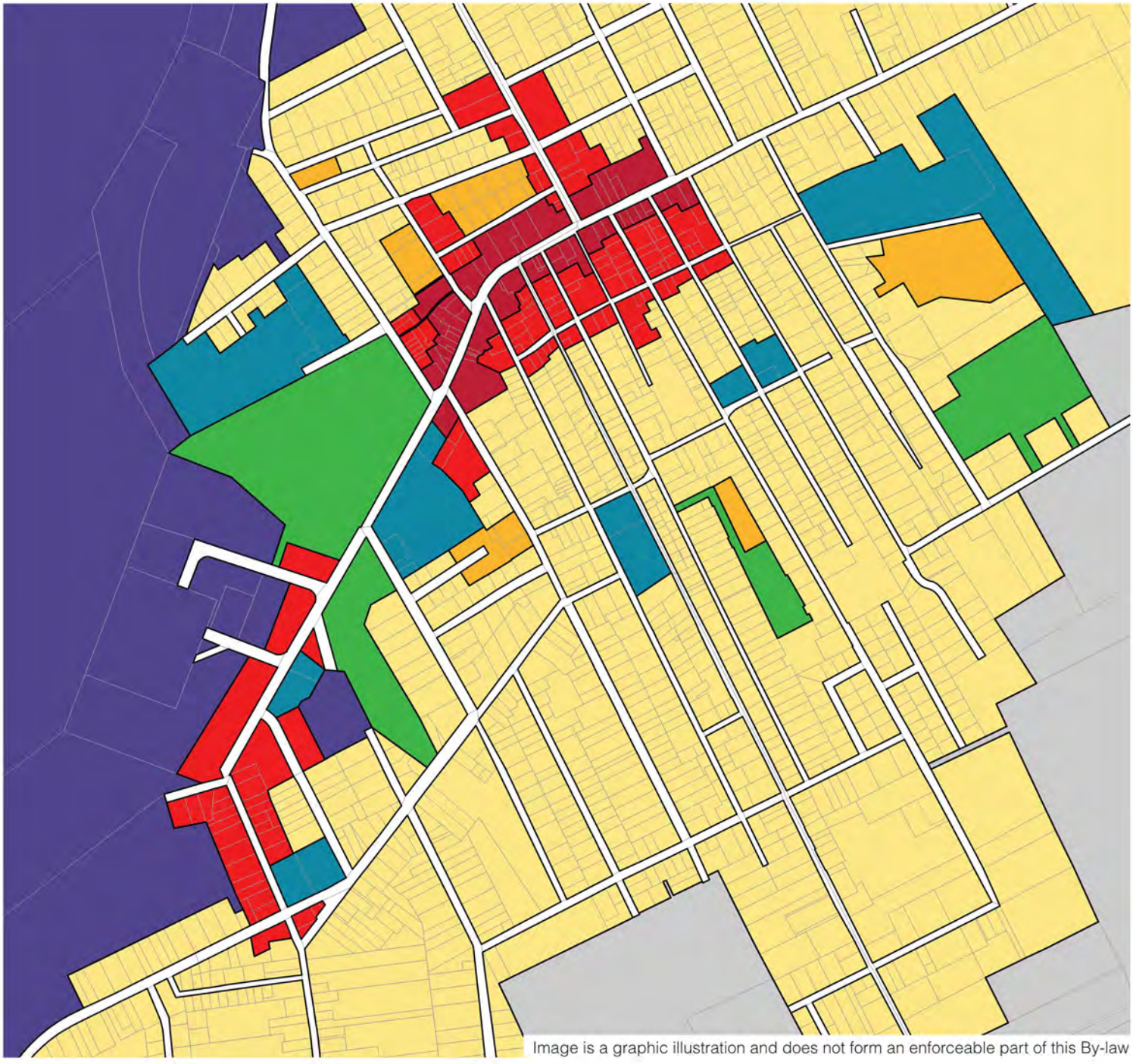


Image is a graphic illustration and does not form an enforceable part of this By-law

Schedule A:
Zoning Map

Schedule B:
Former Jurisdictional Boundary Map

Schedule C:
Watercourse & Shoreline Buffer Map

Schedule D:
Coastal Elevation Map

Schedule E:
Joggins Cliffs Setback Area Map

Schedule F:
Wind Turbine Restricted Overlay Map

Schedules Changelog

Reference Number	Date	File or Project	General Nature of the Changes
CHG-SC01	2018.11.14	2018 Housekeeping	Corrected typos in Schedule 'B'
CHG-SC02	2018.11.14	2018 Housekeeping	Replaced the term "setback" with "buffer" on Schedule 'C'
CHG-SC03	2018.11.14	2018 Housekeeping	Updated Schedule 'A', the Zoning Map, with new zone symbols
CHG-SC04	2019.08.14	Rezoning 19-01	Updated Schedule 'A', the Zoning Map, to rezone PID 25480625 from IRur to Rsrc
CHG-SC05	2020.09.16	2020 MPS and LUB Amendments	Updated Schedule 'A', the Zoning Map, to rename the Environment (Env) Zone to Flood Hazard (HzFl) Zone
CHG-SC06	2022.09.08	2022 Wind Turbine Amendments	Updated Schedule 'F', the Wind Turbine Restricted Overlay Map to added a restricted area in the Wentworth Valley and to remove the graphical depiction of the separation distance from dwellings

Schedule A:

Land Use Zoning Map
Cumberland

Last Updated: 2020.09.16

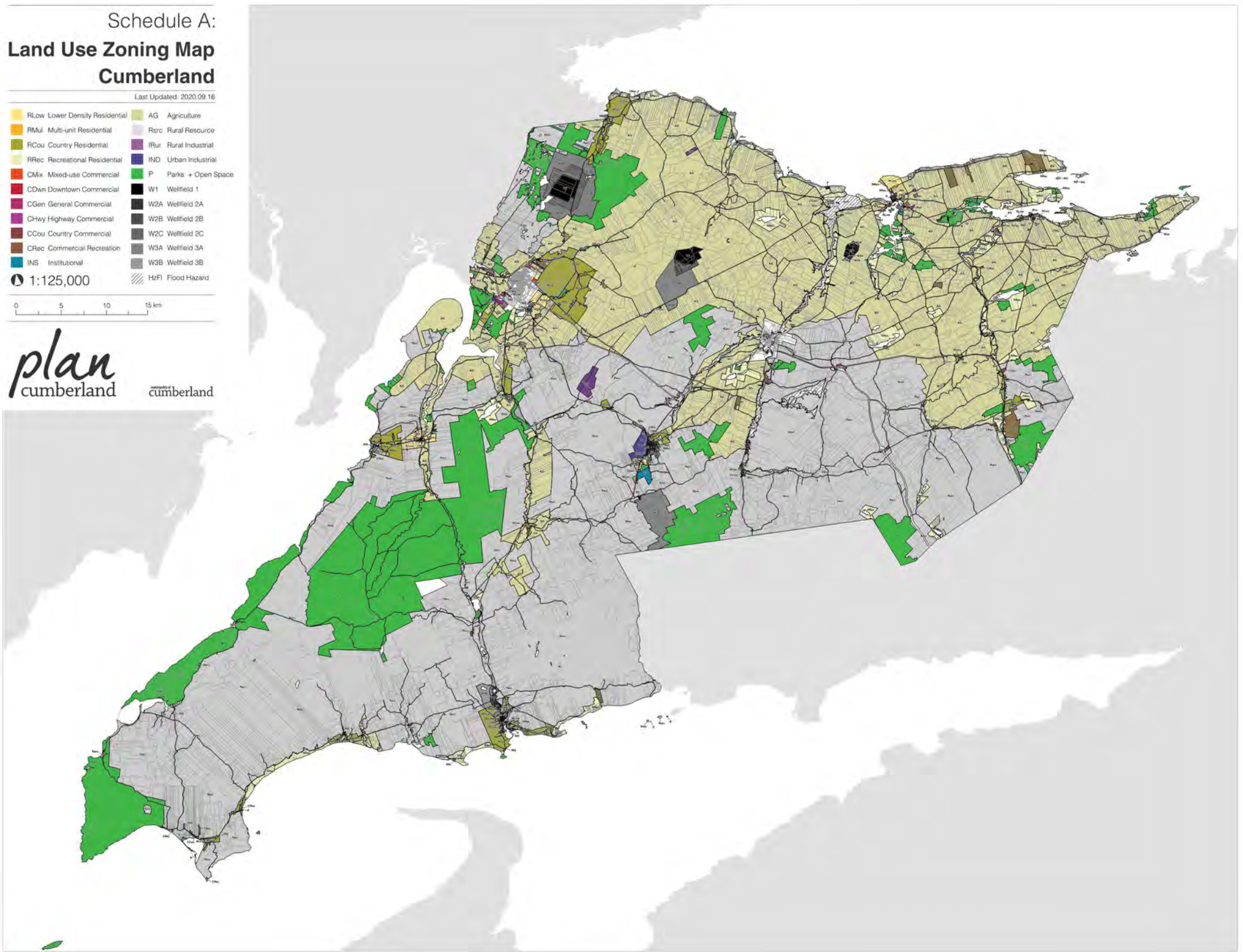
RLow	Lower Density Residential	AG	Agriculture
RMul	Multi-unit Residential	Rsrc	Rural Resource
RCou	Country Residential	IRur	Rural Industrial
RRec	Recreational Residential	IND	Urban Industrial
CMix	Mixed-use Commercial	P	Parks + Open Space
CDwn	Downtown Commercial	W1	Wellfield 1
CGen	General Commercial	W2A	Wellfield 2A
CHwy	Highway Commercial	W2B	Wellfield 2B
CCou	Country Commercial	W2C	Wellfield 2C
CRec	Commercial Recreation	W3A	Wellfield 3A
INS	Institutional	W3B	Wellfield 3B
		HzFl	Flood Hazard

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Schedule A:

Land Use Zoning Map
Advocate Harbour Area

Last Updated: 2018.11.14

RLow	Lower Density Residential	AG	Agriculture
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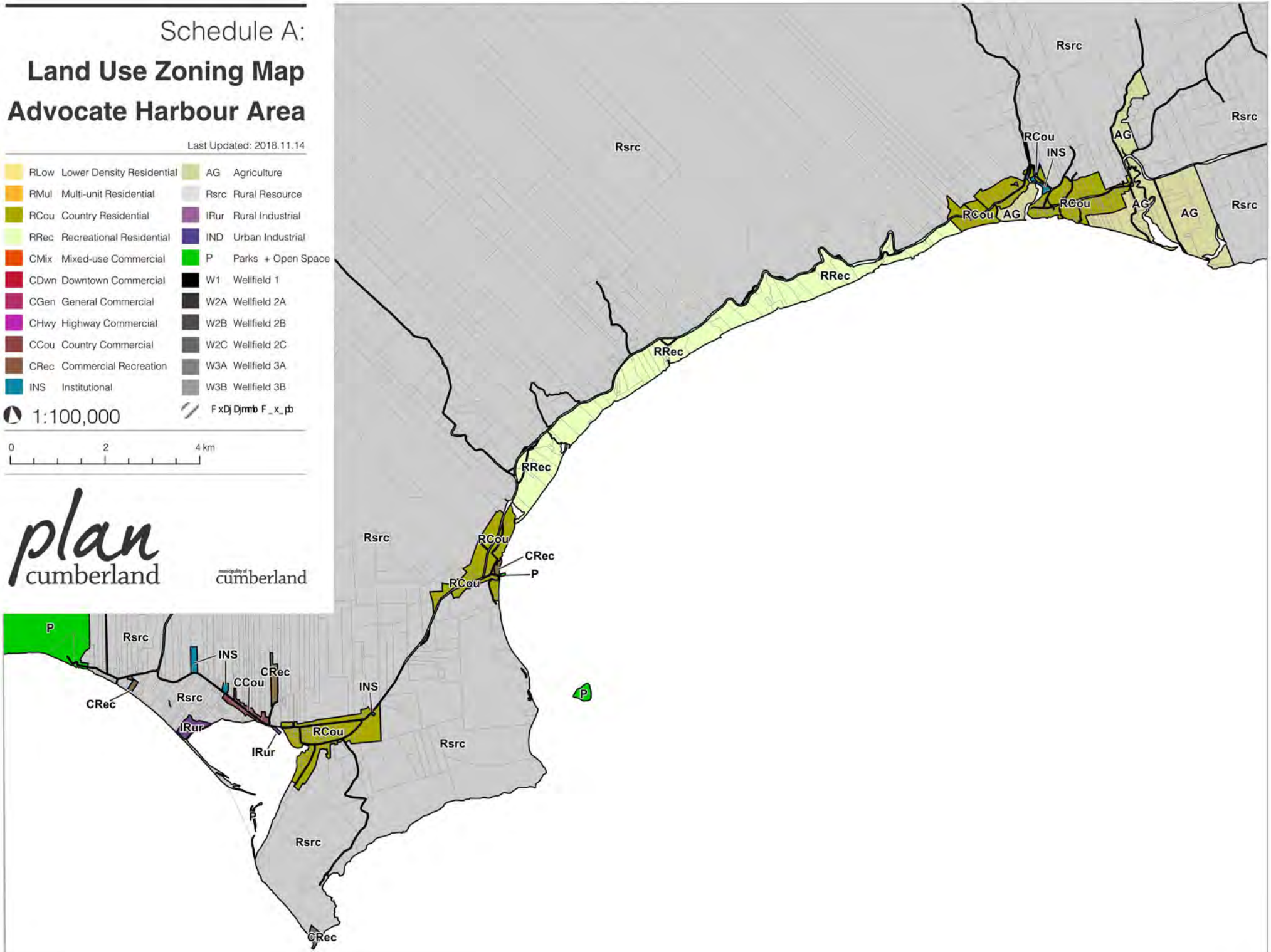
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Schedule A:

Land Use Zoning Map
Central Planning Area

Last Updated: 2018.11.14

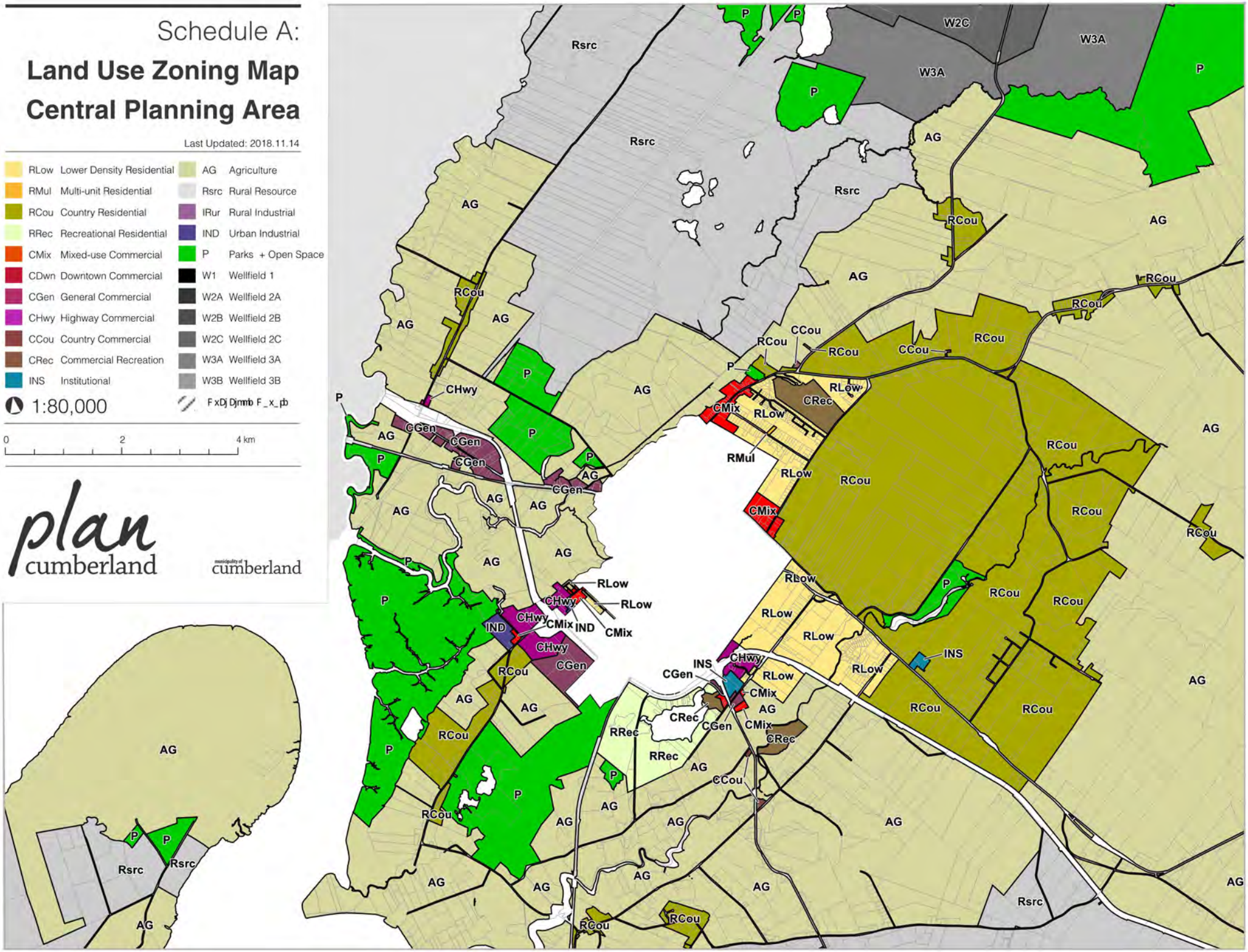
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INS	Institutional	W3B	Wellfield 3B

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Schedule A:

Land Use Zoning Map

Joggins / River Hebert

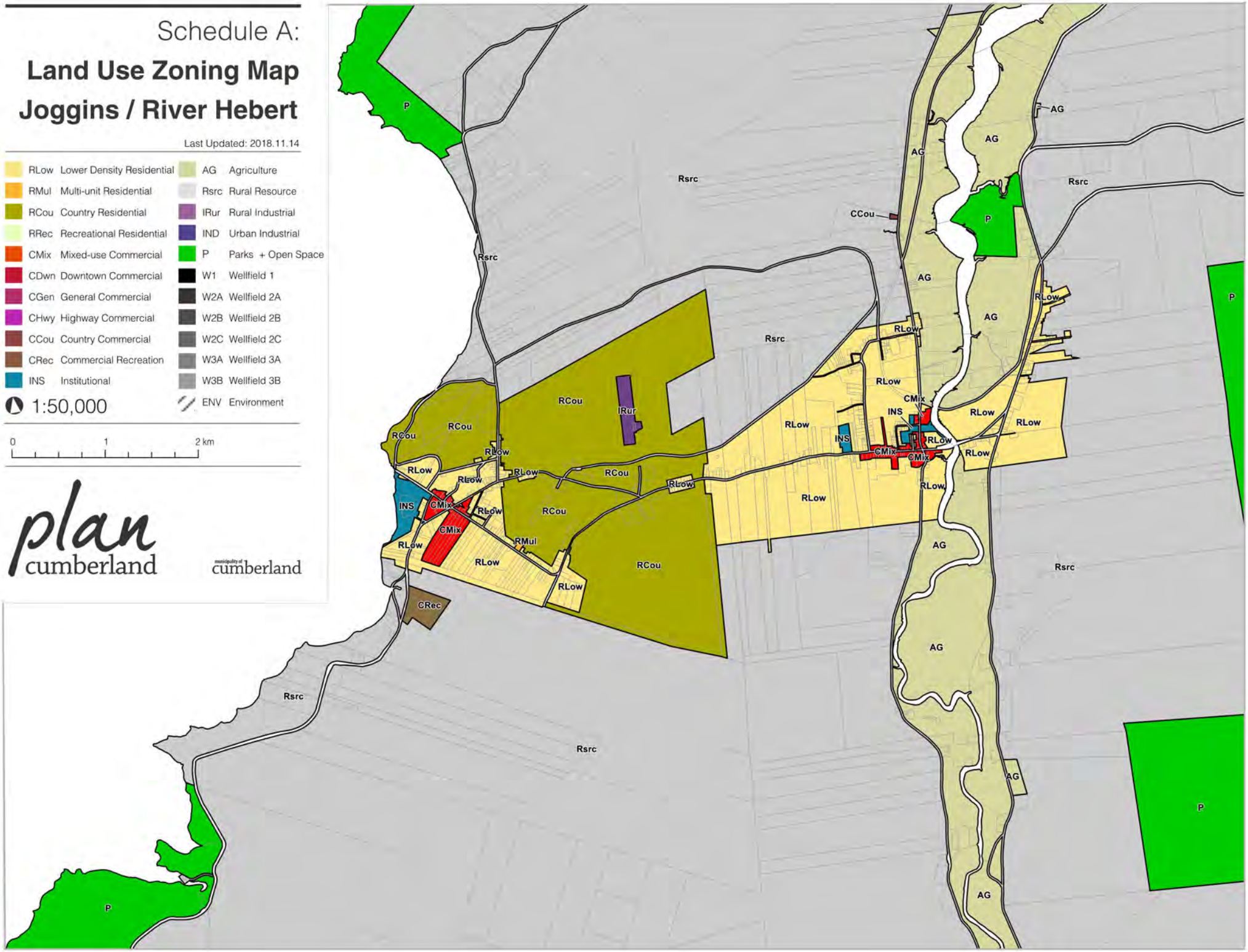
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INS	Institutional	W3B	Wellfield 3B
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Schedule A:

Land Use Zoning Map

Parrsboro

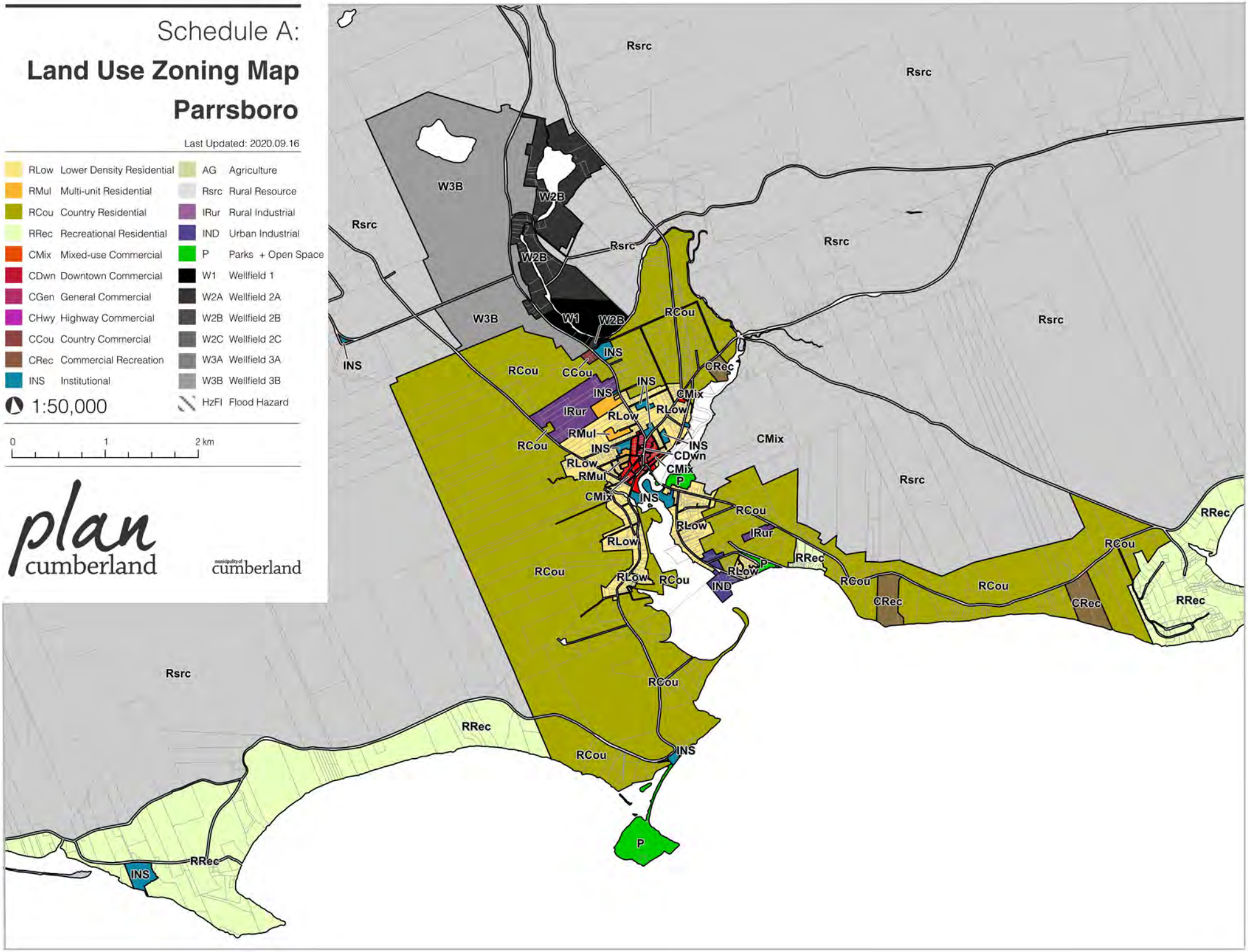
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INS	Institutional	W3B	Wellfield 3B
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Schedule A:

Land Use Zoning Map
Downtown Parrsboro

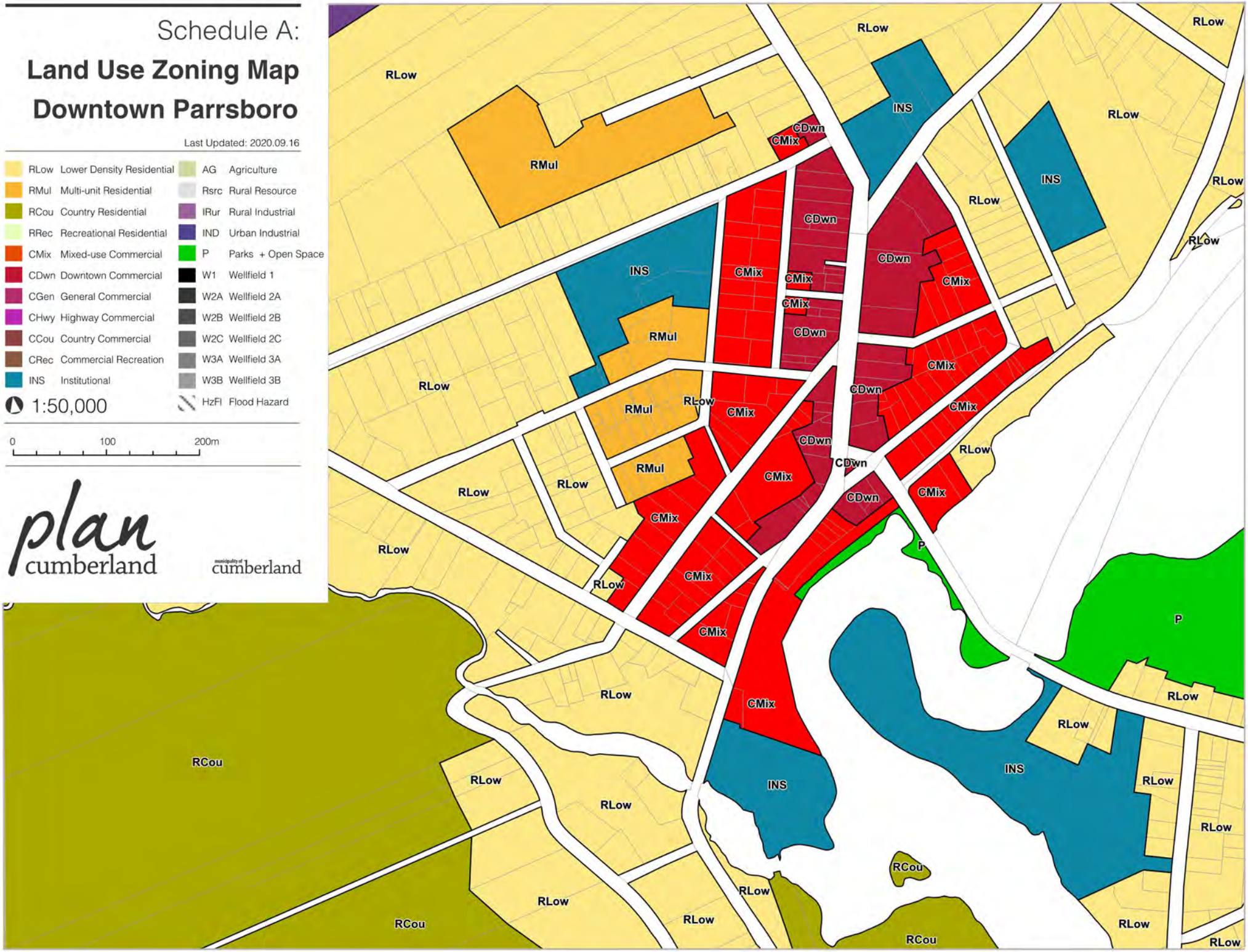
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INS	Institutional	W3B	Wellfield 3B
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Schedule A:

Land Use Zoning Map

Pugwash

Last Updated: 2020.09.16

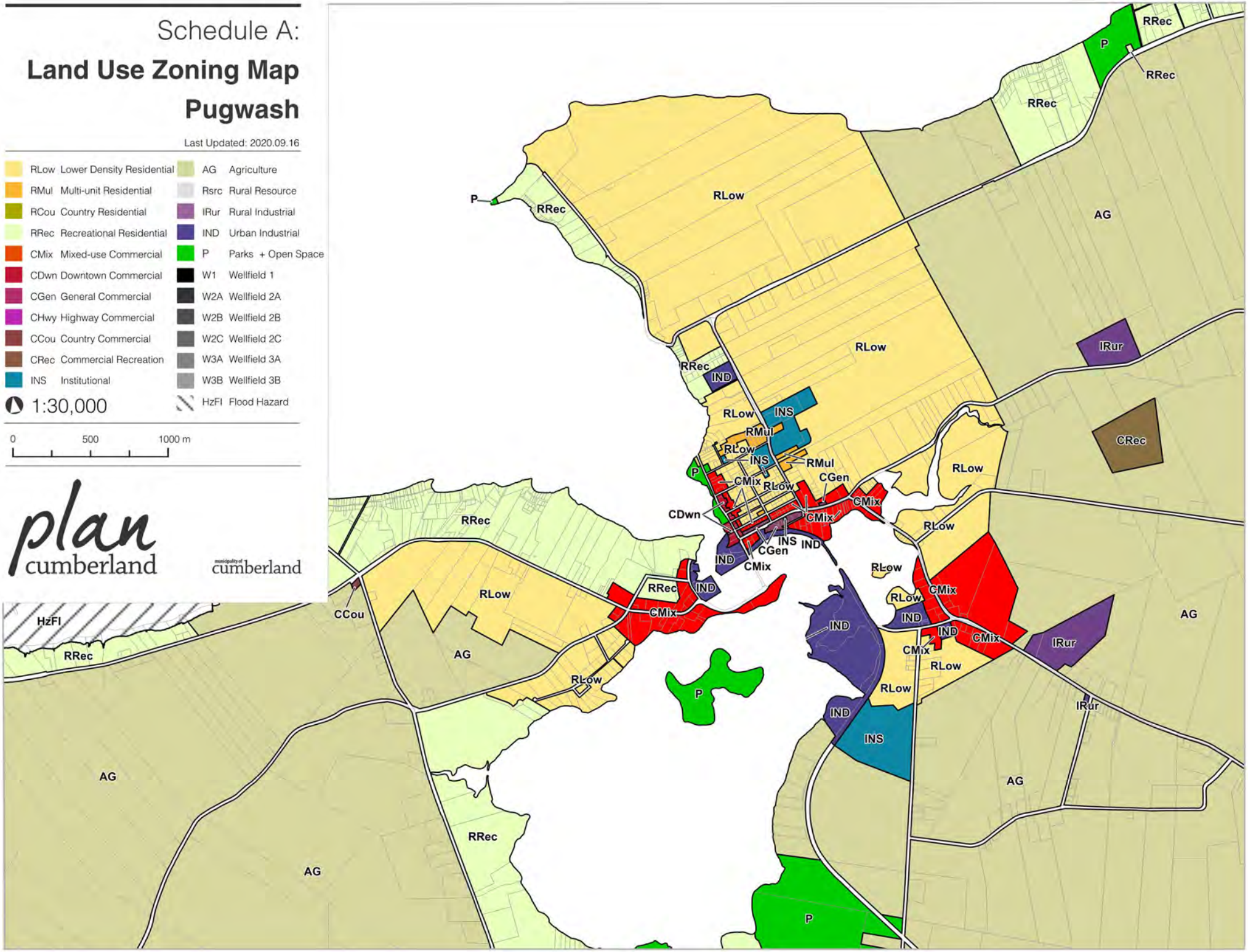
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INS	Institutional	W3B	Wellfield 3B
		HzFl	Flood Hazard

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Schedule A:

Land Use Zoning Map

Springhill

Last Updated: 2020.09.16

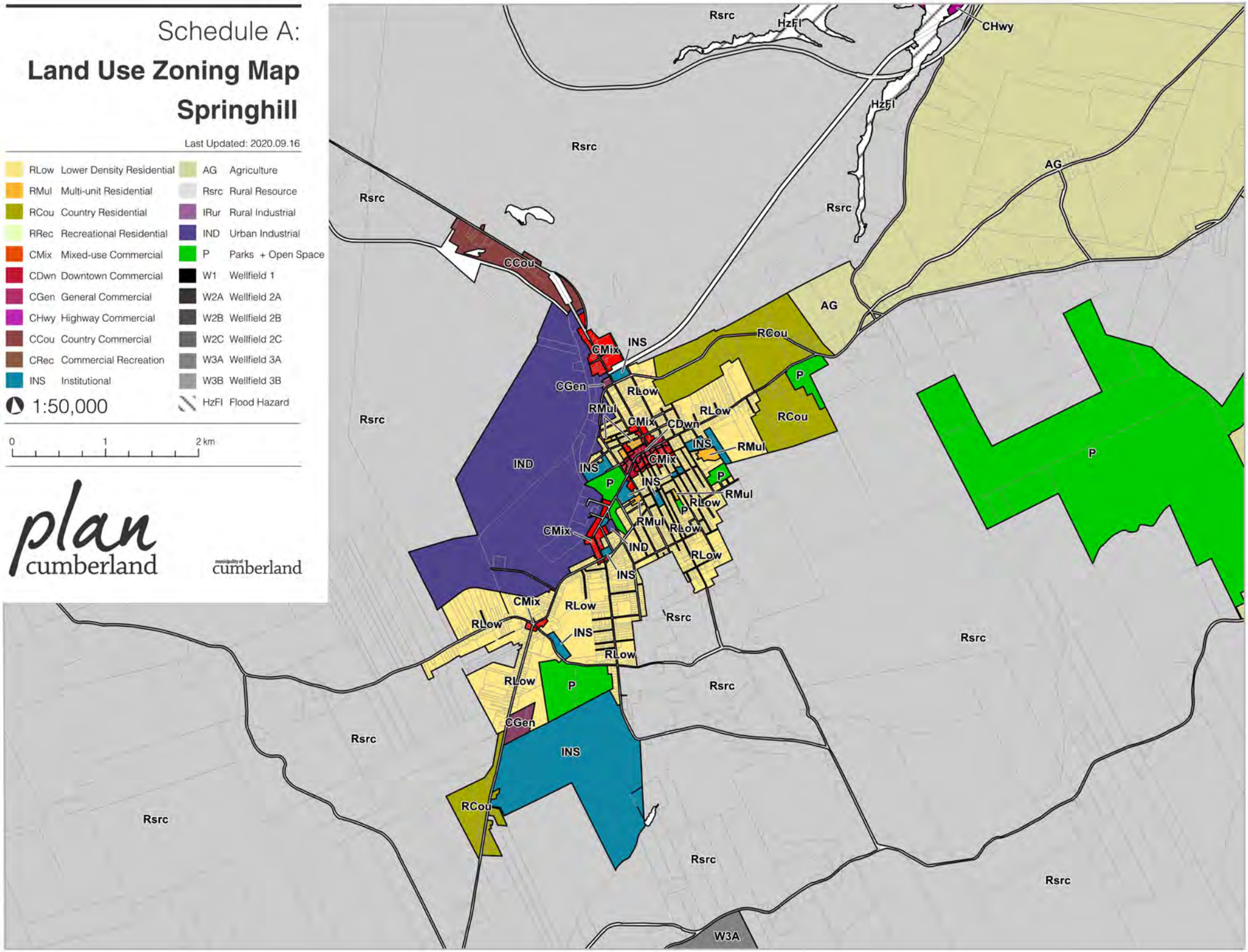
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		HzFl	Flood Hazard

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Schedule A:

Land Use Zoning Map
Downtown Springhill

Last Updated: 2020.09.16

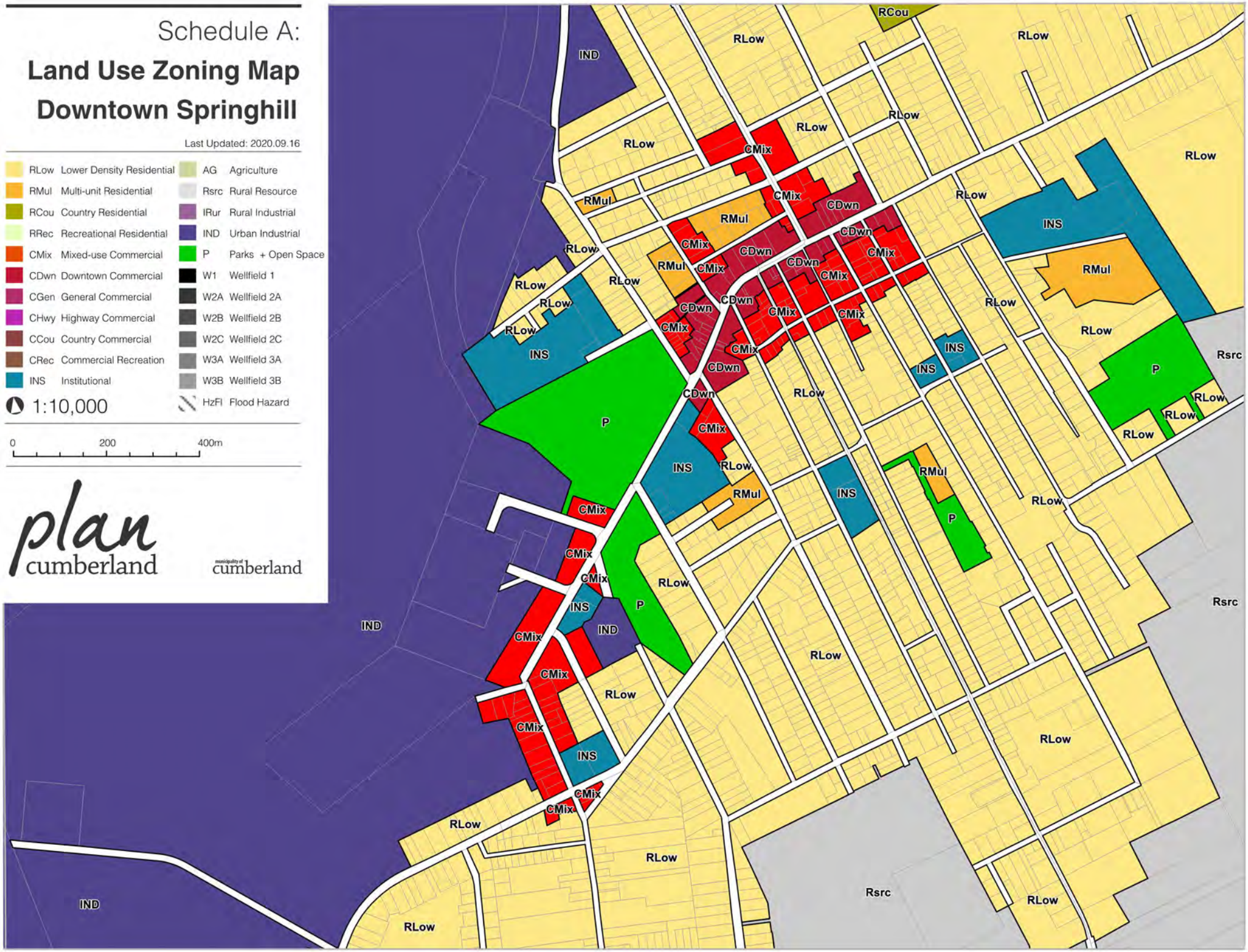
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		HzFl	Flood Hazard

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Schedule A:

Land Use Zoning Map

Wallace

Last Updated: 2020.09.16

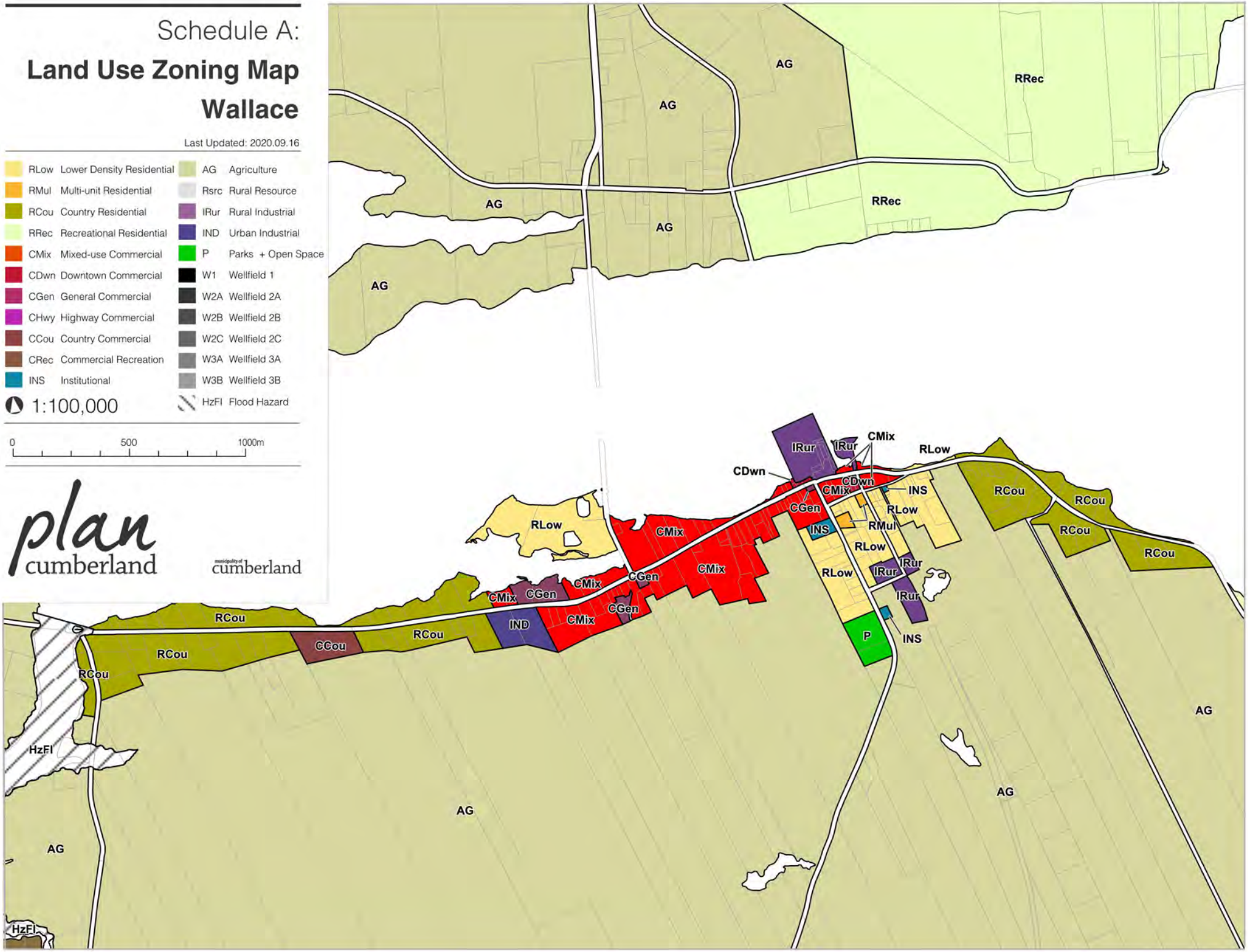
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		HzFl	Flood Hazard

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Schedule A:

Land Use Zoning Map

Wentworth

Last Updated: 2020.09.16

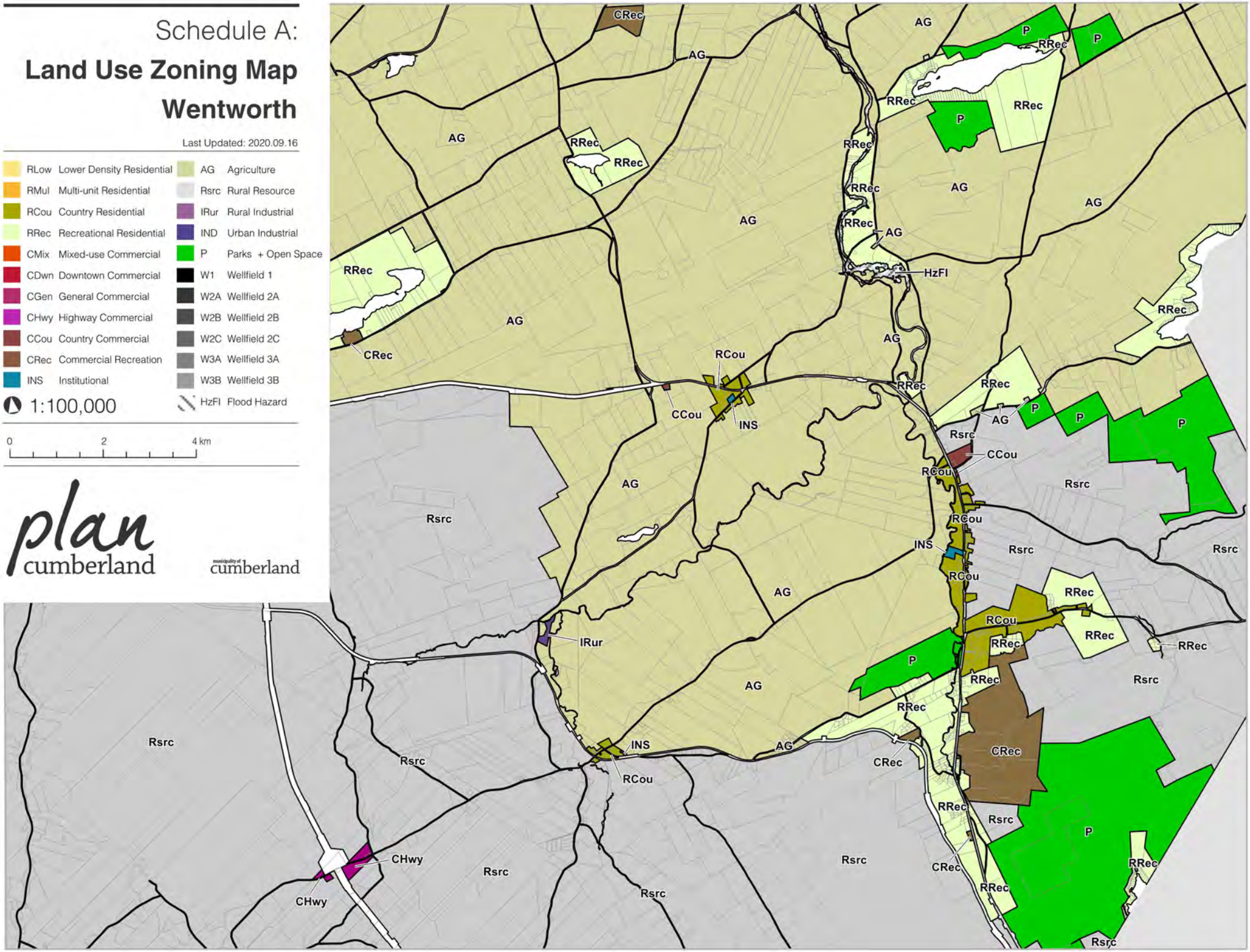
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RMul	Multi-unit Residential	Rsrc	Rural Resource
RCou	Country Residential	IRur	Rural Industrial
RRec	Recreational Residential	IND	Urban Industrial
CMix	Mixed-use Commercial	P	Parks + Open Space
CDwn	Downtown Commercial	W1	Wellfield 1
CGen	General Commercial	W2A	Wellfield 2A
CHwy	Highway Commercial	W2B	Wellfield 2B
CCou	Country Commercial	W2C	Wellfield 2C
CRec	Commercial Recreation	W3A	Wellfield 3A
INS	Institutional	W3B	Wellfield 3B
		HzFl	Flood Hazard

1:100,000

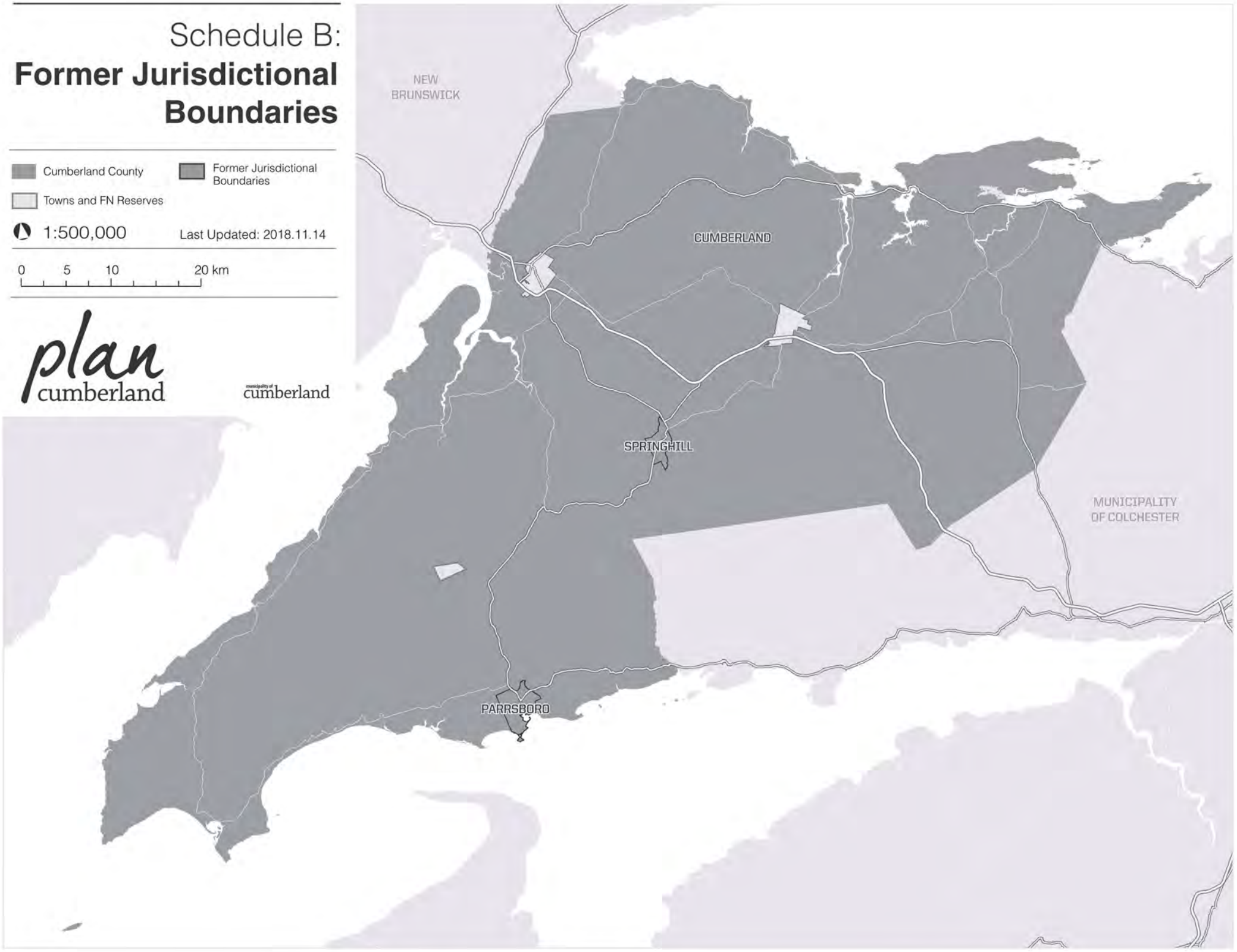
0 2 4 km

plan cumberland

municipality of cumberland



Schedule B:
Former Jurisdictional Boundaries



Schedule B:

Former Jurisdictional Boundary - Springhill

Cumberland County

Springhill

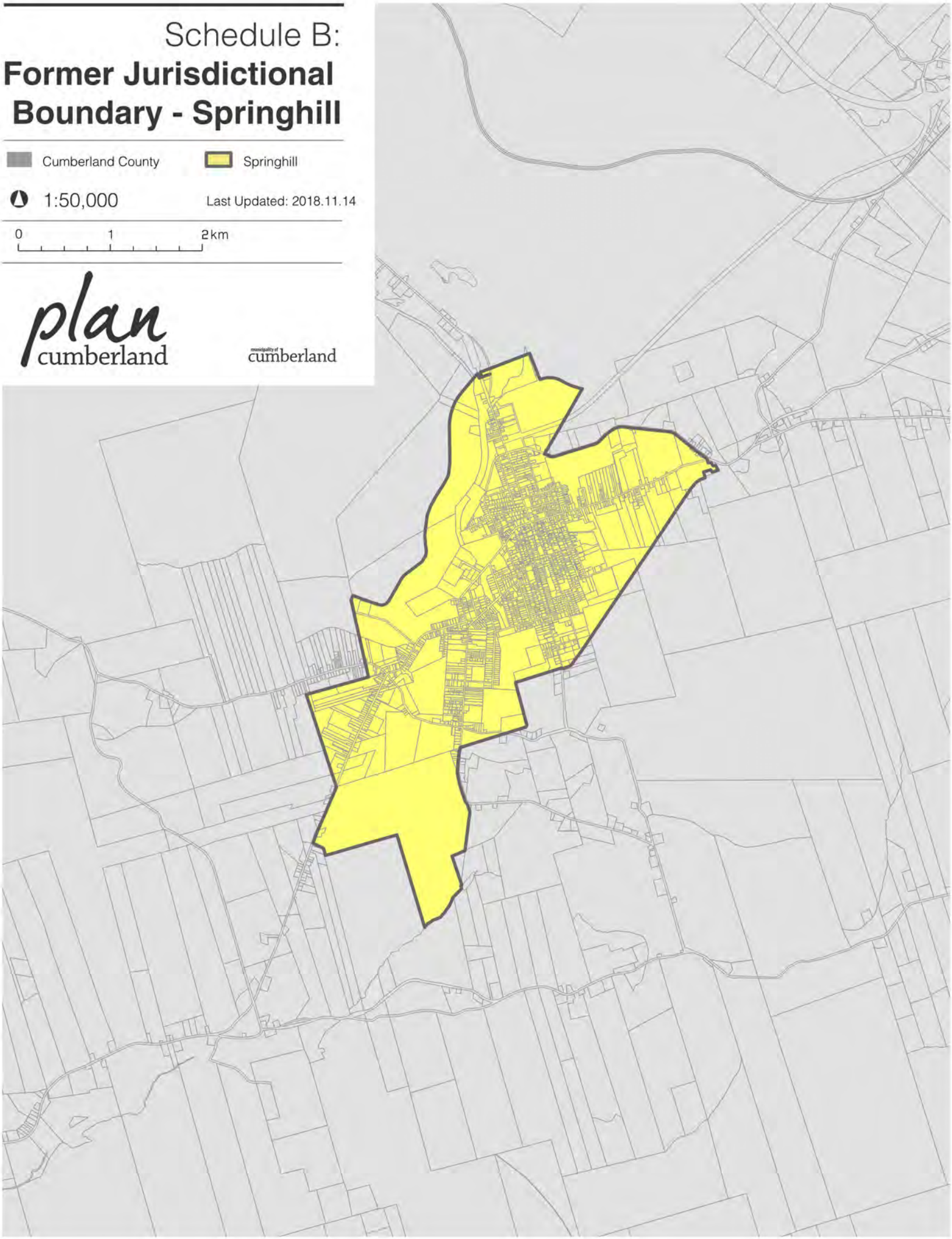
1:50,000

Last Updated: 2018.11.14

0 1 2km

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Schedule B:

Former Jurisdictional Boundary - Parrsboro

Cumberland County

Parrsboro

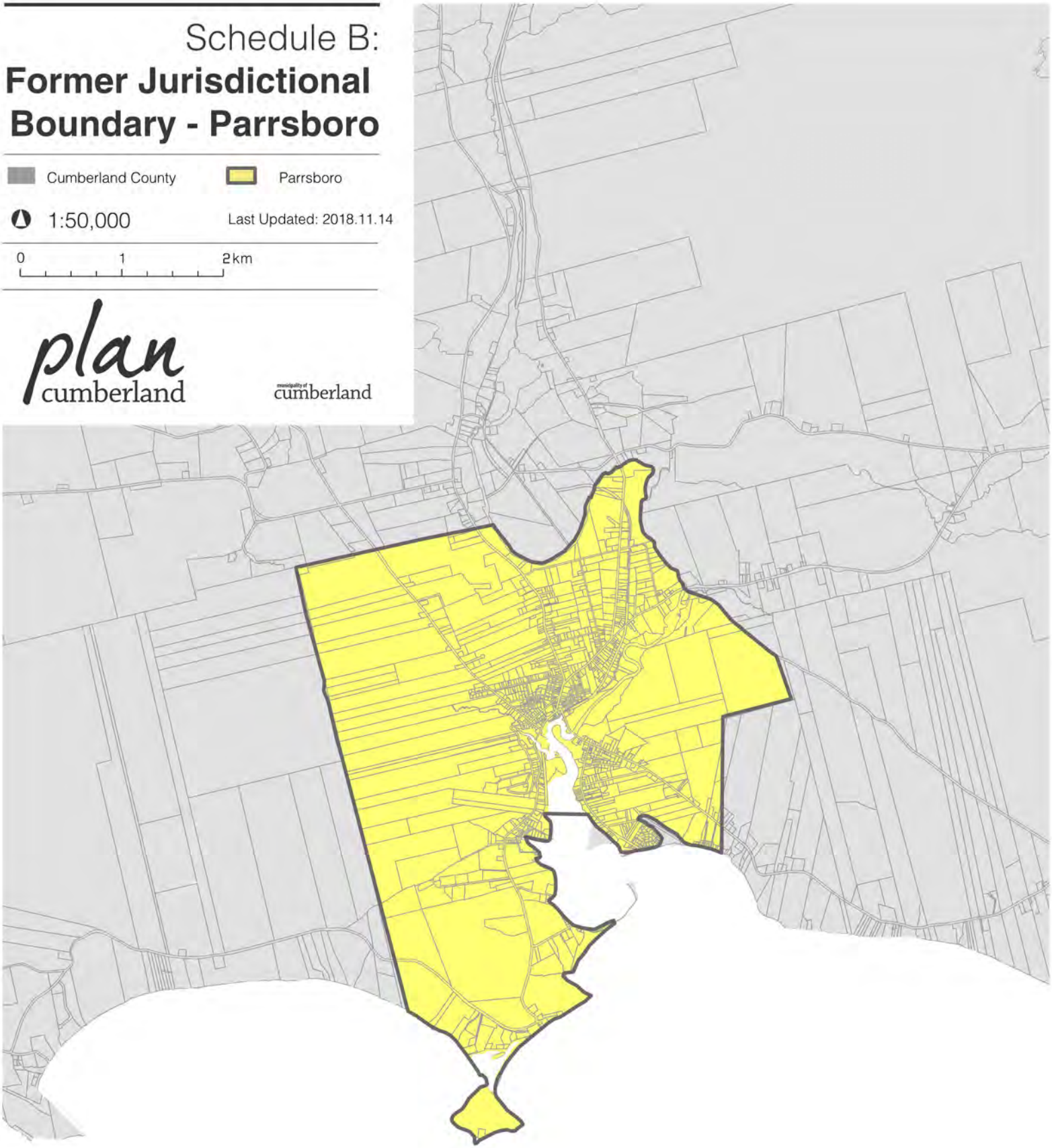
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Last Updated: 2018.11.14

0 1 2km

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Schedule C:
Watercourse and Shoreline Buffer

Last Updated: 2018.03.18

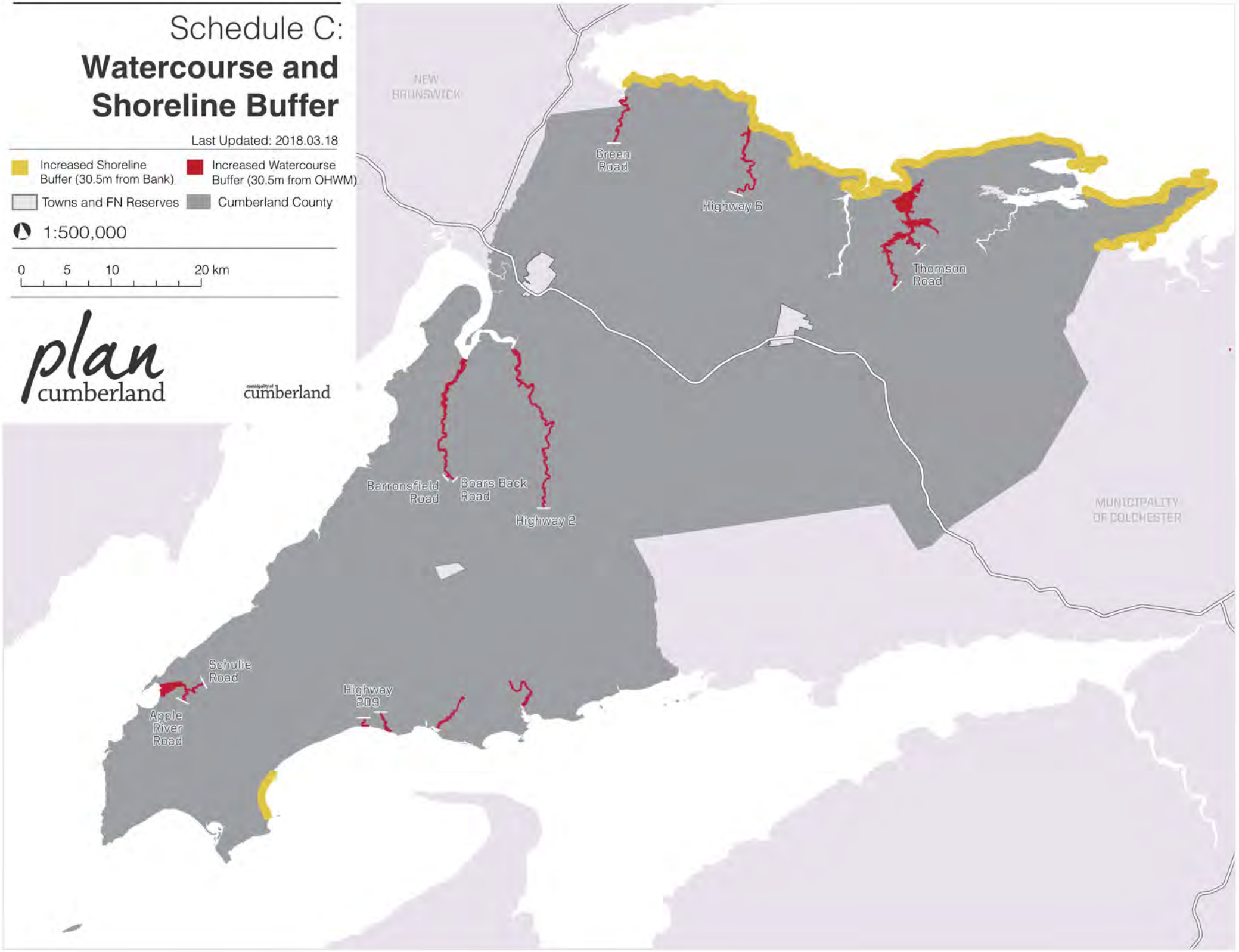
- Increased Shoreline Buffer (30.5m from Bank)
- Increased Watercourse Buffer (30.5m from OHWM)
- Towns and FN Reserves
- Cumberland County

1:500,000

0 5 10 20 km

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Schedule D:
Coastal Elevation

Last Updated: 2018.03.18

Cumberland County

Towns and FN Reserves

1:500,000

0 5 10 20 km

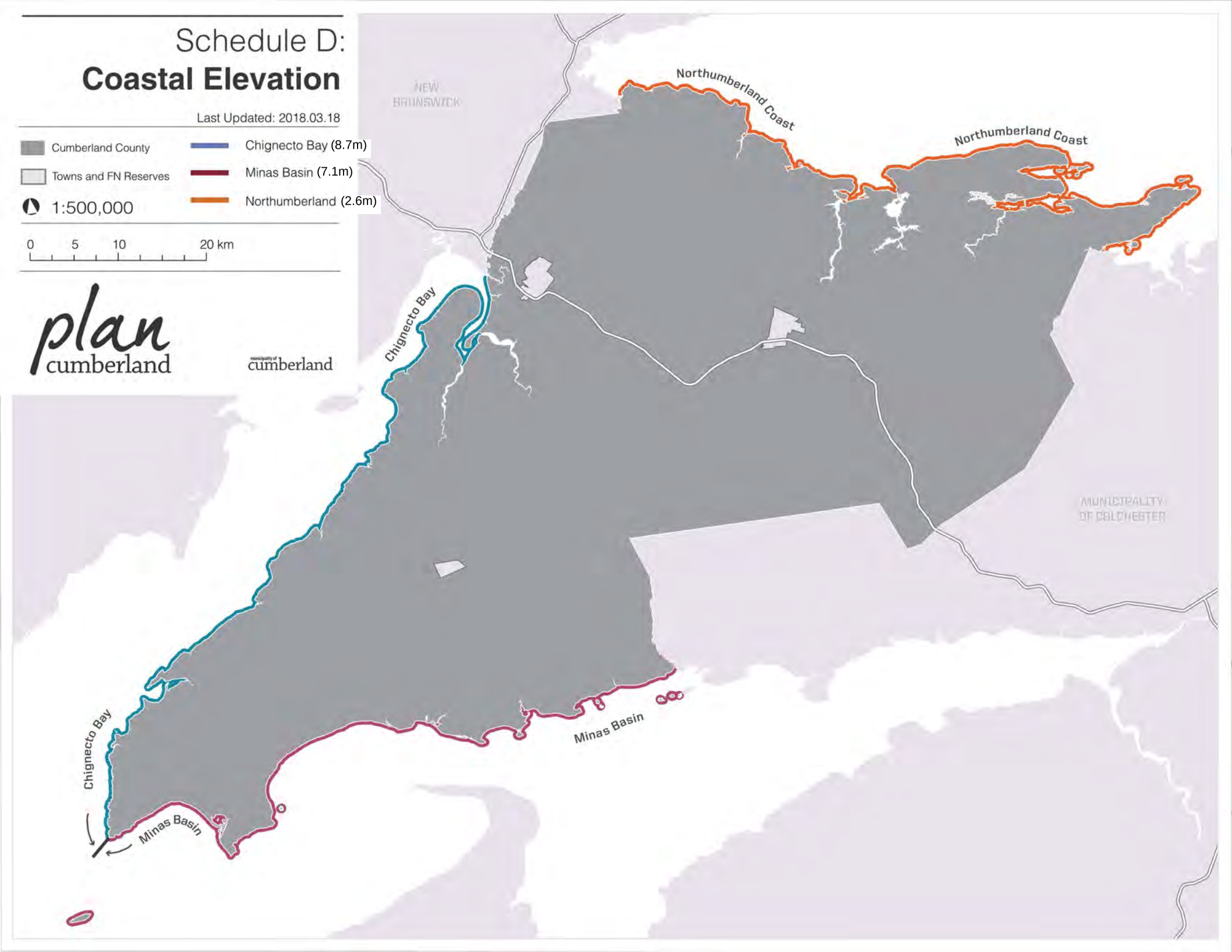
Chignecto Bay (8.7m)

Minas Basin (7.1m)

Northumberland (2.6m)

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Schedule E:
Joggins
Cliff Setback Area

Setback Area

Road

1:100,000

Last Updated: 2018.03.18

0 1 5km

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municipality of cumberland



Rbgdct kd E9

Wind Turbine and Restricted Overlay

Cumberland County

Towns and FN Reserves

Restricted (R) Zone

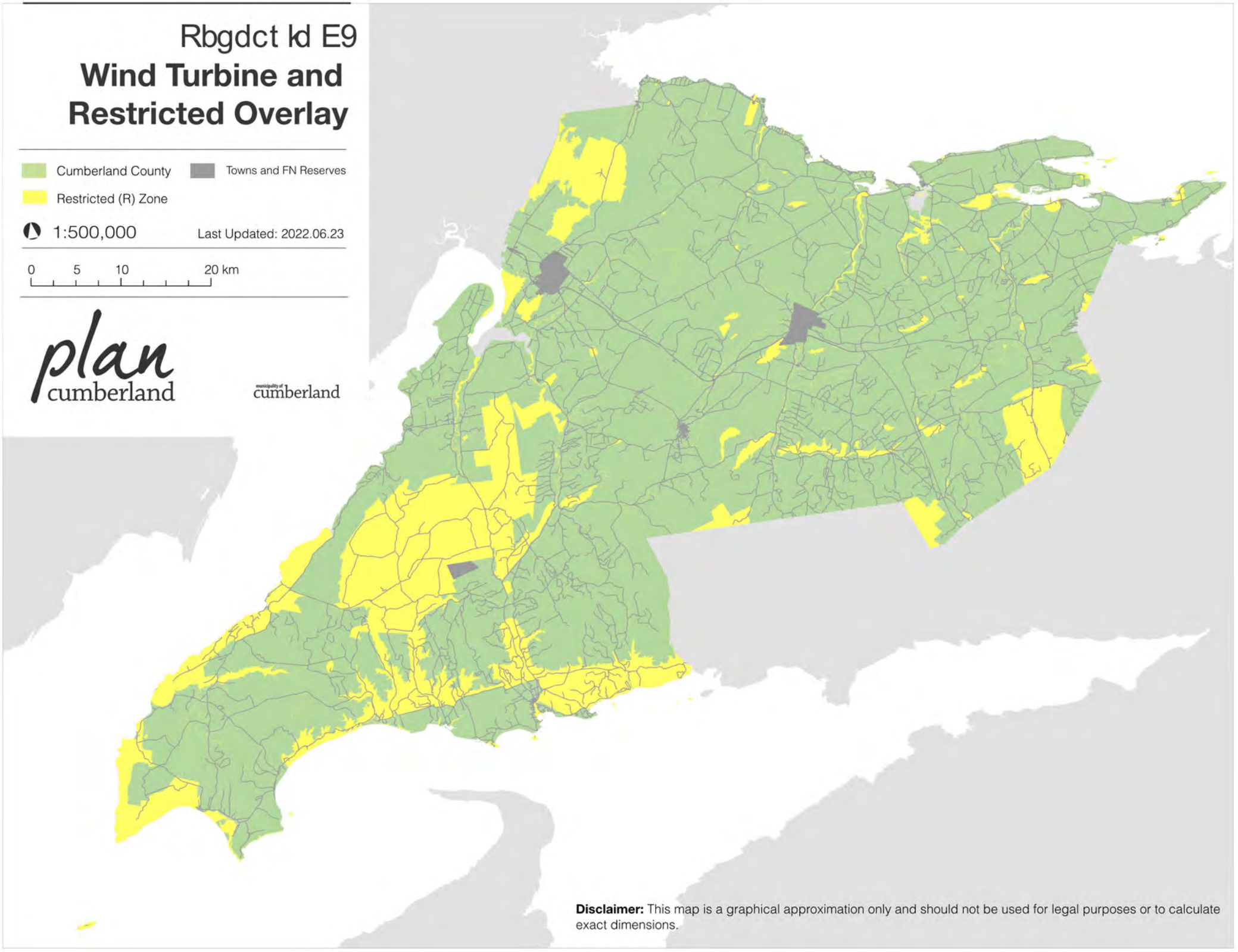
1:500,000

Last Updated: 2022.06.23

0 5 10 20 km

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Disclaimer: This map is a graphical approximation only and should not be used for legal purposes or to calculate exact dimensions.


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Use
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