HALIFAX

LAND USE BY-LAW

BEDFORD

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REPRINT OF THE BEDFORD

LAND USE BY-LAW

WITH AMENDMENTS TO

NOVEMBER 3, 2018

LAND USE BY-LAW

FOR

BEDFORD

THIS IS TO CERTIFY that this is a true copy of the Land Use By-law for Bedford which was passed by a majority vote of the former Bedford Town Council on the 26th day of March, 1996, and approved by the Minister of Municipal Affairs on the 17th day of May, 1996, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the 3rd day of November, 2018.

GIVEN UNDER THE HAND of the Municipal Clerk and under the seal of Halifax Regional Municipality this _____ day of _____, 20___.

_____
Municipal Clerk

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PART 1: TITLE

By-law No. 26101

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

PART 2: DEFINITIONS

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

Accessory Use - means a use subordinate and naturally, customarily, and normally incidental to and exclusively devoted to a main use of land or building and located on the same lot.

Adult Entertainment Use-

1) means any premises or part thereof in which is provided services appealing to or designed to appeal to erotic or sexual appetites or inclinations but shall exclude massage parlours.
2) when used in relation to adult entertainment use, the following shall apply:
   a) "To provide" when used in relation to services includes to furnish, perform, solicit, or give such services and "providing" and "provision" have corresponding meanings;
   b) "Services" include activities, facilities, performances, exhibitions, viewing and encounters;
   c) "Services designed to appeal to erotic or sexual appetites or inclination" includes:
      i) services of which a principal feature or characteristic is the nudity or partial nudity of any person. For the purposes of this clause "partial nudity" shall mean less than completely and opaquely covered: - human genitals or human pubic region;- human buttocks; or, - female breast below a point immediately above the top of the areola.
      ii) services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy" or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.

All Age/Teen Club - means an establishment targeted towards teens but includes all ages and is primary a dance or social club licensed and regulated by the Province of Nova Scotia pursuant to Theatre and Amusement Act and regulations made thereto and does not include the licensed sale of alcoholic beverages.

Alter - means any change in the structural components of a building or any change in the volume of a building or structure.

Amusement Arcade or Centre - means a commercially operated facility exclusively containing common amusement devices, including coin-operated machines, coin-operated pool tables and computer based games, licensed and regulated pursuant to the Theatre and Amusement Act and excluding video lottery terminals and private clubs.

Apartment - means a building containing three or more dwelling units which typically have a

common entrance and the occupants of which have the right to use in common certain areas of the building and its property.

Area, Gross - means all land area within a subdivision boundary, except as specified in relation to the calculation of densities for RCDD developments in Policy R-11.

Area, Net - means that land contained within the building lot boundaries.

Auto Body Repair Shop - means a building or part of a building or a clearly defined space on a lot used for painting and repair of automobile body parts but shall not include the retailing of gasoline or other fuels. (NWCC-Mar 21/16; E-Apr 2/16)

Automobile Service Station or Service Station - means a building or part of a building or a clearly defined space on a lot used for the retail sale of lubricating oils and gasolines and may include the sale of automobile accessories and the servicing and minor repairing essential to the actual operation of motor vehicles other than auto body repairs or an automobile sales establishment. **Further Service Satiations may include a gas bar and related accessory uses. (RC-Sep5/17;E-Oct21/17)**

Bachelor/Bedsitting Apartment - means a dwelling unit designed for occupancy by one or two persons and consisting of a bed-living room, a kitchen or kitchenette and a bathroom.

Bed and Breakfast/Guest Home Operation - means a private home where the owner resides which provides accommodations for the travelling or vacationing public containing a maximum of three rental units (bedrooms) and a common living room, that may or may not service breakfast and licensed by the Tourist Accommodation Act and regulations made thereto.

Bicycle Parking, Class A - means a facility which secures the entire bicycle and protects it from inclement weather, and includes any key secured areas such as lockers, bicycle rooms, and bicycle cages. (RC-Jun 25/14;E-Oct 18/14)

Bicycle Parking, Class B - means bicycle racks (including wall mounted varieties) which permit the locking of a bicycle by the frame and the front wheel and support the bicycle in a stable position with two points of contact. (RC-Jun 25/14;E-Oct 18/14)

Bicycle Parking, Enhanced - means any of the following: bicycle parking in excess of the required minimums in terms of quantity or class; the provision of sheltered bicycle parking; the provision of showers (at the rate of one for every six bicycle spaces); and clothes lockers (at the rate of one for every bicycle space). (RC-Jun 25/14;E-Oct 18/14)

Billiard/Snooker Club - means a private commercial establishment for the primary purpose of playing pool, billiards and snooker and requiring membership, registration as a Joint Stock Company, by-laws and licensed and regulated by the Province of Nova Scotia pursuant to the Liquor Control Act and the Special Premises Act and regulations made thereto.

Bingo Halls - means a building or part of a building wherein bingo and associated bingo activities are the primary use contained within the building and licensed by the Nova Scotia Gaming Control.

Buffer - means a separation distance which contains existing trees or newly planted trees which

are a minimum of 6 feet high planted at no greater distance than 6 feet apart, measured in any direction. New trees shall be Austrian Pine, Colorado Spruce, White Spruce, Douglas Fir, or species recommended by the Tree Committee. Where taller trees are planted the separation distance between them may be increased in proportion to the increased height to a maximum of 10 feet separation.

Building - means any structure, whether temporary or permanent, used or built for the shelter, support, accommodation or enclosure of persons, animals, material, vehicles, or equipment. Any tent, awning, deck, patio or platform, vessel or vehicle used for any of the said purposes shall be deemed to be a building.

Cabaret - means an entertainment establishment licensed by the Nova Scotia Liquor Licensing Board as per the Liquor Control Act.

Canadian Geodetic Vertical Datum (CGVD28) - means the vertical datum for Canada officially adopted by an Order in Council in 1935. CGVD28 is a tidal datum defined by the mean water level at five tide gauges: Yarmouth and Halifax on the Atlantic Ocean, Pointe-au-Père on the St-Lawrence River, and Vancouver and Prince-Rupert on the Pacific Ocean. In addition, the definition includes an elevation at a benchmark in Rouses Point, NY (next to Lake Champlain) accepted as fixed by the US and Canada in 1925. The datum is propagated in land using geodetic levelling measurements. The vertical datum is accessible through benchmarks anchored to the ground and stable structures. The heights in terms of CGVD28 are in normal-orthometric system. (RC-Jun 25/14;E-Oct 18/14)

Cannabis Lounge - means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales.

Cannabis Production Facility - means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products, (RC-Sep18/18; E-Nov 3/18)

(a) including

(i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and

(ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and

(b) excluding

(i) industrial hemp, and

(ii) premises used for personal production permitted by federal legislation.

Cannabis Retail Sales - means premises used for the retail sale of cannabis, cannabis products or any of its derivatives, such as oils or edible products, to the general public.

Cemetery - means the use of land or structures for the interment of human remains but shall not include the use of structures for crematoriums. (NWCC-Dec 18/03;E-Jan 11/04)

Church - means a building dedicated to religious worship and may include a church hall, church auditorium, Sunday School, parish hall, and day nursery.

Clinic - means a building or part of a building used for the dental, medical, surgical or therapeutic treatment of people, but does not include a public or private hospital or a professional office of a doctor located in his/her residence.

Club - means an establishment licensed by the Nova Scotia Liquor Licensing Board as per the Liquor Control Act.

Commercial Entertainment Use - as applied in the Waterfront Comprehensive Development District means such uses as cinemas, theatres, and auditoria, and billiard/snooker clubs, but excludes such uses as amusement centre, casinos, or adult entertainment uses.

Commercial Parking Lot - means an open area other than a street or lane or parking structure, used for the parking structure, used for the parking of motor vehicles and available for public and/or private use whether or not for compensation. A commercial parking lot shall include three (3) or more parking spaces together with aisles and shall have principle access to a street and shall for the purpose of this By-law constitute the main use of the lot.

Commercial Photography - means the premises used for portrait and commercial photography, including developing and processing of film; sale of film and photographic equipment and repair or maintenance of photographic equipment.

Commercial Recreation Use - means a building or lot or part of a building or lot used solely for commercial recreation or sport purposes and without limiting the generality of the foregoing, may include animal or vehicle racing tracks, rifle ranges, marinas, golf courses, amusement parks and centres, and commercial camping grounds, together with the necessary accessory buildings and structures. (RC-Jun 25/14;E-Oct 18/14)

Commercial Service Use - as applied in the Waterfront Comprehensive Development District includes personal service uses.

Community Centre - means any tract of land or a building or any part of buildings used for community activities whether used for commercial purposes or not, the control of which is vested in the Town, a local board, a non-profit group, or agent thereof. Activities such as bingo halls and youth centres are permitted as a secondary or accessory uses to the primary function.

Conservation Use - means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing. (RC-Jun 25/14;E-Oct 18/14)

Construction and Demolition Materials - hereinafter referred to as C&D Materials, means materials which are normally used in the construction of buildings, structures, roadways, walls and landscaping features, and includes, but is not limited to, soil, asphalt, brick, concrete, ceramics, porcelain, window glass, mortar, drywall, plaster, cellulose, fiberglass fibres, lumber, wood, asphalt shingles and metals. (RC-Sep 10/02; E-Nov 9/02)

Construction and Demolition Materials Disposal Site - hereinafter referred to as a C&D Disposal Site, means land and /or buildings or part of a building where C&D Materials, or Residue remaining from C&D Processing Facilities, are disposed of by land application or burying, and shall not include the use of inert C&D materials, approved by Provincial Department of the Environment and Labour, for site rehabilitation within gravel pits and quarry operations licensed by the Province of Nova Scotia. (RC-Sep 10/02; E-Nov 9/02)

Construction And Demolition Materials Processing Facility - hereinafter referred to as a C&D Processing Facility, means lands and/or buildings or part of a building used to sort, alter, grind, or otherwise process, C&D Materials for reuse or recycling into new products, and shall not include a Used Building Material Retail Outlet, an operation that processes inert C&D Materials on the site of generation and the material processed does not leave the site except for inert C&D Materials described in Sub-Section 9(3) of HRM C&D License By-law (L-200 and L-201), de-construction of a building on site, a municipal processing facility for used asphalt and concrete, or facilities associated with reclamation of a gravel pit or quarry operations licensed by the Province of Nova Scotia or forestry manufacturing processes. (RC-Sep 10/02; E-Nov 9/02)

Construction and Demolition Materials Transfer Station - hereinafter referred to as a Transfer Station, means land and/or buildings or part of a building at which C&D Materials are received and sorted for subsequent transport to a C&D Disposal Site or a C&D Processing Facility. (RC-Sep 10/02; E-Nov 9/02)

Council - shall means the Council of the Town of Bedford.

Country Inn - means an owner-operated commercial establishment with heritage or historical characteristics providing accommodations for the use of the travelling or vacationing public and containing three to ten bedrooms with private bathrooms, a guest living room, and dining area where breakfast and full-service evening meal are provided and licensed by the Tourist Accommodation Act and regulations made thereto.

Cultural Uses - as applied in the Waterfront Comprehensive Development District includes theatres, auditoriums, galleries, libraries, and similar uses.

Day Care Facility - means a building, part of a building or other place, whether known as a day nursery, nursery school, kindergarten, play school or by any other name, with or without stated educational purpose, the operator of which for compensation or otherwise, receives for temporary care or custody, on a daily or hourly basis, during all or part of the day, apart from parents, more than three (3) children not of common parentage and up to and including twelve (12) years of age; but does not include a nursery school or kindergarten conducted as part of a school, college, academy or other educational institution where instruction is given in Grades Primary to VII. (NWCC-Sep 24/09;E-Oct 17/09)

Development Officer - means the officer of the Town of Bedford, charged by the Town Council, with the duty of administering the provisions of the Land Use By-Law.

Development Permit - means the permit other than a building permit issued by the Development Officer which indicates that a proposed development complies with the provisions of the Land use By-Law.

Drinking Establishment -means an establishment, licensed by the Nova Scotia Liquor Licensing Board, in which alcoholic beverages are served for consumption on the premises, and any preparation or serving of food is accessory thereto, and includes a licensed lounge that is ancillary to a restaurant. Drinking establishment includes a tavern, lounge, and/or cabaret.

Dry Cleaning Depot - means a building, or part thereof, used for the purpose of receiving articles or goods which are made of fabric which are to be removed from the premises for dry cleaning, dyeing, or cleaning, and for the pressing and distribution of any such articles or goods which have been subject to any such process.

Dry Cleaning Establishment - means a building, or part thereof, where dry cleaning, dyeing, cleaning or pressing of articles or goods which are made of fabric is carried on.

Dwelling - means a building occupied, or capable of being occupied, as a home, residence, or sleeping place by one or more persons, consisting of one or more dwelling units and shall not include a hotel, a motel, nor apartment hotel.

Dwelling, Duplex - means a building that is divided horizontally into two dwelling units each of which has an independent entrance, referred to as a two-unit dwelling in this By-law.

Dwelling, Linked - means a building that is divided vertically into two dwelling units having the appearance of two detached dwelling units as a result of their connection to each other being located at the footing. Linked dwellings shall be referred to as two-unit dwellings in this By-law.

Dwelling, Multiple Unit - see definition of apartment

Dwelling, Rowhouse/ Townhouse - means a building that is divided 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.

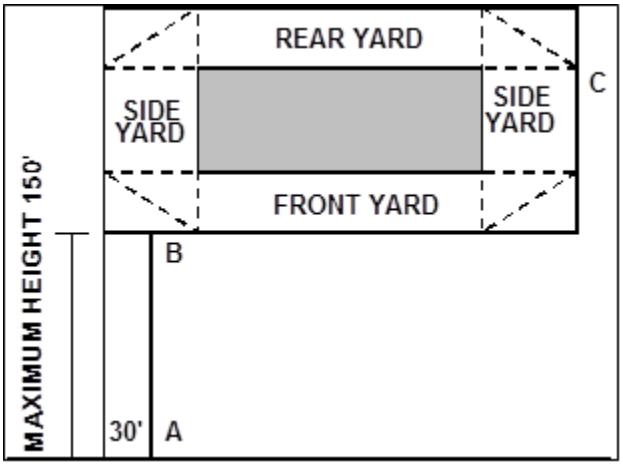
Dwelling, Semi-Detached - means a building that is divided vertically into two dwelling units each of which has an independent entrance, and shall be referred to a two-unit dwelling in this By-law.

Dwelling, Single Detached - means a completely detached dwelling unit.

Dwelling Unit - means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping, and sanitary facilities.

Erect - means to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing, shall include any preliminary physical operation such as excavating, grading,

piling, cribbing, structurally altering or structure by an enlargement or filling, draining, or any existing building addition, deletion, extension.



Established Grade - means the elevation of the finished grade at the base of the walls of a building.

Existing - means buildings or uses in existence as of the effective date of this By-law.

Extractive Industry/Pit/Quarry - means a commercial operation involving the altering of land, or the removal of soil or other materials from the land, excepting the work of landscape companies, and shall be deemed to be an industrial use.

Family or Household - means an individual or a group of persons residing together in one dwelling unit, including any domestic servants, non-paying guests and foster children.

Flag Lot - means a lot shown on an approved plan of subdivision the configuration of which resembles the figure below where the "Pole" A to B section of the lot cannot exceed one hundred and fifty (150) feet in length and shall be a minimum width of thirty (30) feet and where the "C" portion of the flag lot excluding the "pole" **and any land area created by infilling a water body** shall contain the required minimum lot area specified in the **development agreement**. The "pole" **and any area which has been infilled** shall also be excluded for the purpose of calculating front, rear, and sideyard setbacks. Minimum yard requirements must be achieved within the "C" portion of the flag lot as illustrated in the diagram. **(RC-Jan 13/09;E-Feb 28/09)**

Food and Beverage Use - as applied in the Waterfront Comprehensive Development District includes full service restaurants, lounges and taverns, but excludes drive-in and take-out

restaurants.

Gas Bars - means development used for the retail sale of gasoline, other petroleum products and incidental automotive accessories. This use does not include service stations but may include a car wash or drive-thru restaurant as an accessory use. (RC-May 20/14;E-Jun 14/14)

Garden Markets - means a structure erected on a lot on a seasonal basis for the purpose of selling garden plants, produce and other related horticultural items, said structure to be serviced with sewer and water and shall exclude the selling of items from a tractor trailer, construction trailers, travel trailers, converted mobile homes and private vehicles. Garden markets include the use of outdoor storage and outdoor display and sales and requires the fencing within Section 31 of the General Provisions.

Height - means the vertical distance on a building between the established grade and the peak of a pitched roof, the highest point of the roof surface or the parapet of a flat roof, whichever is the greater, or the deck line of a mansard roof, but shall not include any construction used as ornament or the mechanical operation of the building, a mechanical penthouse, chimney, tower, cupola or steeple.

Home Occupation - means an accessory use of a dwelling for gainful employment as per the General Provisions within the Land Use By-law.

Hospital - means an institution for the treatment of persons afflicted with or suffering from illness, disease or injury.

Hotel/Motel/Guest House/Inn - means a building or buildings or part thereof on the same site in which three or more rooms are used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodations with or without meals.

Household - means a individual or a group of persons residing together in one dwelling unit, including any domestic servants, non-paying guests and foster children.

Human Scale - refers to buildings to which pedestrians at street level can relate; in architectural terms this is a maximum two storey height.

Ice Cream Stand - means a retail establishment whose business is limited to the sale of ice cream, frozen desserts, dessert items, candies and confections, and beverages in a ready to-eat state and shall not include the serving of hot dogs, hamburgers, salads, pizza, hot or cold sandwiches, similar entree items or drive-in service except where drive-in restaurants are permitted within the applicable zone. (NWCC-Jul 7/05;E-Dec 5/05)

Inn - means any establishment (other than a cottage, cabin, hotel or motel) providing accommodation for the use of the travelling or vacationing public containing five or more rental units and licensed by the Tourist Accommodation Act and regulations made thereto.

Industrial Use - means the use of land, building or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage or goods and related accessory uses.

Institutional Use - means any use permitted in the SI (Institutional) Zone. (RC-Sep 10/02; E-Nov 9/02)

Kennel - means a building or structure used for the enclosure of more than two (2) dogs which are kept for the purposes of commercial breeding or showing or for commercial boarding with or without veterinary care. (NWCC-Nov 25/10;E-Dec 11/10)

Landscaping - means any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property or to provide a screen to mitigate any objectionable aspects which may detrimentally affect adjacent land.

Loading Space - means an unencumbered area of land on privately owned property which is provided and maintained for temporary parking of a commercial motor vehicle while merchandise or materials are being loaded onto or unloaded from such vehicle. Such parking shall not be for the purpose of sales or display. Such parking shall have access to permit ingress and egress by means of driveways, aisles, or manoeuvring areas, no part of which shall be used for temporary parking or storage of a motor vehicle.

Lot - means any parcel of land described in a deed or as shown in a registered plan of subdivision

Lot Area - means the horizontal area within the lot lines of a lot.

Lot, Corner - means a lot situated at the intersection of and abutting on two or more streets

Lot, Coverage Maximum - means that percentage of the lot area covered by all buildings above ground level, and shall not include that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level, and for the purpose of this definition the maximum lot coverage in each zone shall be deemed to apply only to the portion of such lot which is located within said zone.

Lot Depth - means the horizontal distance between the front and rear lot lines. Where these lot lines are not parallel lot depth shall be the length of a line joining the mid-points of the front and rear lot lines.

Lot Frontage - means the horizontal distance between the side lot lines. Where the side lot lines are perpendicular to the front lot line and the rear and front lines are parallel, lot frontage equals street frontage. Where a lot does not have this configuration, lot frontage shall be calculated using one of the following methods depending on the configuration of the lot:

a) For a lot with a front lot line which is a concave arc and a rear lot which is a straight line, lot frontage shall be measured perpendicular to the line joining the middle of the rear line to the apex of the triangle formed by extending the side lot lines to their hypothetical point of intersection at a distance equal to the applicable minimum front yard (Diagram a).
b) For a lot with a front lot line which is a concave arc and the side lot lines intersect to form a triangular shaped lot, lot frontage shall be measured perpendicular to the line joining the middle of the front lot line arc to the apex of the triangle formed by the side

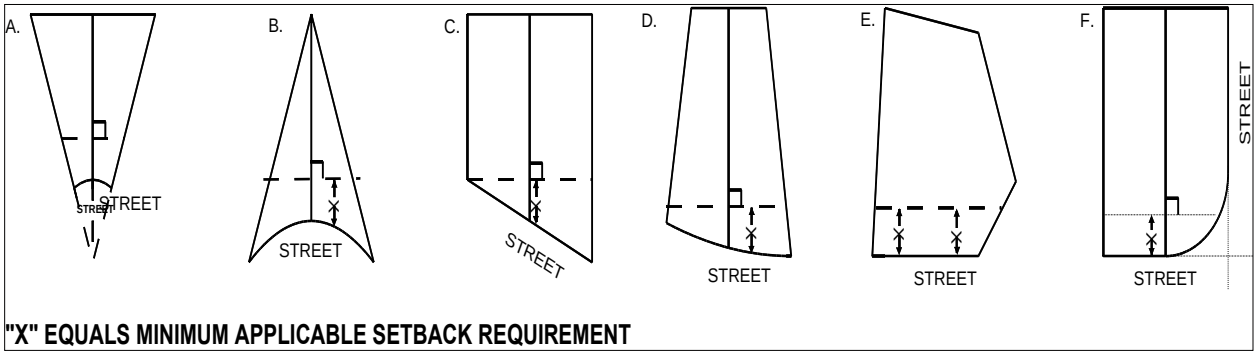
lot lines at a distance equal to the applicable minimum front yard (Diagram b).

c) For an irregularly shaped lot where the side lot lines are not perpendicular to the front lot line and where the front lot line is not a concave arc, lot frontage shall be measured perpendicular to the line joining the centre of the front and rear lot lines at a distance equal to the minimum applicable front yard (Diagrams c and d).

d) For an irregularly shaped lot where the rear lot line is not readily apparent, lot frontage shall be determined by a line drawn parallel to the front lot line at a distance equal to the applicable minimum front yard (Diagram e).

e) In the case of a corner lot, minimum lot frontage must be achieved when measured back from either the front lot line or the flankage lot line. The exterior lot lines (street lines) shall be deemed to extend to their hypothetical point of intersection for the purpose of performing the calculation (Diagram f)

Lot Line - means a boundary line of a lot, and may be further defined as:



a) **Front Lot Line/Street Line** meaning the line dividing the lot from the street.

b) **Rear Lot Line** meaning the lot line furthest from or opposite to the front lot line;

c) **Side Lot Line** meaning a lot line other than a front or rear lot line;

d) **Flankage Lot Line** meaning the side lot line which abuts a street on a corner lot.

Lounge - means an establishment licensed by the Nova Scotia Liquor Licensing Board as per the Liquor Control Act.

Main Building - means the building in which is carried on the principle purpose for which the building lot is used.

Marine Related Uses - as applied in the Waterfront Comprehensive Development District includes uses such as marinas, boatyards (for repair, storage and sales of recreational boats), boat launches, and wharves, but does not include the manufacturing of boats.

Market, Outdoor - means a structure erected on a lot on a seasonal basis for the purpose of selling garden plants, produce, and other related horticultural items, said structure to be serviced with sewer and water, and shall exclude tractor trailers, construction trailers, travel trailers, and converted mobile homes.

Massage Parlour - includes any premises or part thereof, by whatever name designated, where a massage, body rub, alcohol rub, bath or similar activity is performed, offered, advertised or

solicited in pursuance of a trade, calling, business, or occupation or which is equipped or arranged so as to provide such activity, but does not include any premises or part thereof where treatment is routinely offered or performed for the purpose of medical or therapeutic treatment and is performed or offered by or under the supervision or direction of a physician, chiropractor, osteopath, physiotherapist, or nurse licensed or registered under the laws of the Province of Nova Scotia.

Mobile Home/Mini Home - means a vehicular portable structure built upon a chassis, designed to be used with or without a permanent foundation as a dwelling unit when connected to utilities and approved by the Canada Standards Association as a mobile home as evidenced by a C.S.A. seal bearing serial number commencing with Z240; and does not include a single structure composed of separate mobile units each towable on its own chassis which when towed to the site are coupled together mechanically and electrically to form a single structure.

Mobile Home Park - means an establishment comprising land or premises under single ownership designed and intended for residential use where residence is in mobile homes exclusively, but does not include public camping grounds for seasonal use.

Motel - see definition of "hotel".

Neighbourhood Convenience Store - means a commercial retail and/or service land use that serves the needs of the neighbouring residential area and shall include items of merchandise which constitute general dry goods and grocery items, and provided that such business is conducted within a wholly enclosed building and food preparation, to mean cooking, is not conducted on site.

Neighbourhood Commercial - means a commercial, retail and service land use, within areas designated RCDD, which serves the needs of the neighbouring residential area. The commercial uses are limited to not more than 25,000 sq. ft. gross floor area. The commercial uses permitted shall be those of the Mainstreet Commercial Zone provided no retail or office use exceeds 5,000 sq. ft. in area.

Neighbourhood Park - means a parcel of land intended through design and function to provide opportunities for either active or passive recreational pursuits. Local parks may include playground equipment, hard-surfaced courts and landscaped areas for passive recreational activities, but shall not include major facilities such as playing fields, arenas, and swimming pools.

Objectionable Use - means a use, which by its nature or operation, creates a nuisance or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, oil or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material.

Office - means room or rooms where business may be transacted, a service performed or consultation given, but shall not include the manufacturing of any product or the retail sales of goods.

Office, Local - means an office building not exceeding 5,000 square feet gross leasable floor area.

Outdoor Storage - means the storage of merchandise, goods, inventory, materials, or equipment or other items which are not intended for immediate sale, other than within a buildings.

Outdoor Display and Sales - means an area set aside outside the building or structure, used in conjunction with a business located within the building or structure on the same property, for the display or sale of seasonal produce, new merchandise or the supply of services.

Parking Area/Lot - means an open area, other than a street, containing parking spaces for two or more motor vehicles, available for public use or as an accommodation for clients, customers or residents and which has adjacent access to permit ingress or egress of vehicles to a street by means of driveways, aisles or manoeuvring areas where no storage or parking of vehicles is permitted.

Parking Space - means an area, the minimum dimensions of which are indicated in the following General Provisions Section, for the temporary parking of motor vehicles, and which has adequate access to permit ingress and egress of a motor vehicle from a street by means of driveways, aisles or manoeuvring areas.

Person - includes an individual, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, and the heir, executors, or other legal representatives of a person to whom the context can apply according to law.

Personal and Household Services - means a business were professional or personal services are provided for gain and where the sale at retail of goods, wares, merchandise, articles, or things is only accessory to the provisions of such service, including but without limiting, the generality of the foregoing the following: barber shops, beauty shops, tailor shops, laundry and drycleaning depots, shoe repair, and exclusive of massage parlours.

Private Club - means a building or part of a building used as a meeting place for members of an organization and may include a lodge, a fraternity/sorority house, and a labour union hall.

Pub - means a drinking establishment which is licensed by the N.S. Liquor Licensing Board and does not exceed an area of 800 square feet.

Public Garage - means a building or place, other than a private garage, where motor vehicles are kept or stored for remuneration or repair, or a building or place used as a motor vehicle repair shop. This definition shall not include any automatic car washing equipment, a motor vehicle sales lot, a bodyshop nor an automobile service station.

Recycling Depot - means a single storey building not exceeding 750 square feet which is used as a place of deposition, separation and compaction for domestic wastes which are recyclable. This use specifically excludes any bottle exchange activity **or C&D Materials operation (RC-Sep 10/02; E-Nov 9/02)** and shall exclude processing operations such as breaking glass or compacting by means of operating machinery such as balers. Outdoor storage is prohibited, as is the parking of commercial vehicles, except when materials are being loaded for removal.

Recycling Facilities - means solid waste reduction, re-use, recovery or processing of such materials as paper, ferrous and non-ferrous metals (excluding motor vehicles), glass, certain forms of plastic, rubber, oil, food wastes, yard wastes, clothes and white goods into useable products **excluding Construction and Demolition Materials. (RC-Sep 10/02; E-Nov 9/02)**

Recreation Use - means the use of land, buildings or structures for active or passive

recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses. (RC-Jun 25/14;E-Oct 18/14)

Renovations - means the repair, strengthening and restoration of a building to a good and safe condition but shall not include its replacement.

Resident - as well as meaning a person who resides in Bedford, resident shall also refer to owners, operators and renters of business premises in Bedford.

Restaurant-Full Service - means a building or part of a building wherein food is prepared and offered for sale to the public primarily for consumption within the building and is characterised by the full or partial service of delivering to or waiting on tables or cafeteria style service. However, limited facilities may be permitted to provide for take-out food function provided such facility is clearly secondary to the primary restaurant function. A restaurant may also include the licensed sale of alcoholic beverages and a place of assembly as secondary uses.

Restaurant, Drive-In - means a building or part of a building wherein food is prepared and offered for sale to the public for consumption within or outside the building, but may also include off-premises consumption. Such use, normally known as fast food restaurant, is characterized by the customer pick up of food at a counter or drive through car pick up, and does not provide the regular service of delivering or waiting on tables nor licensed sale of alcoholic beverages. Examples of Drive-In Restaurants are McDonald's, Burger King, Dairy Queen and Tim Hortons.

Restaurant, Take-Out - means a building or part of a building wherein food is prepared and offered for sale to the public primarily for off-premises consumption. However, limited facilities may be provided for consumption within the building provided such facilities are clearly secondary and incidental to the take-out function and delivery function. Services of waiting on tables or regular delivery of food to tables are not carried on, nor is the licensed sale of alcoholic beverages. Examples of Take-Out Restaurants are Subway, Bagel Obsession and pizza establishments.

Retail Store - means a building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail value.

Scrap Yard/Salvage Yard - means a lot or premises for the storage or handling of scrap material, and without limiting the generality of the foregoing, shall include waste paper, rags, bones, bottles, machinery, vehicles, tires, metal, or other scrap material or salvage **excluding Construction and Demolition Materials**. **(RC-Sep 10/02; E-Nov 9/02)**

Screen - means a physical obstruction between incompatible land uses; a screen may include one, or a combination of, retained vegetation, fences, walls, berms, and/or newly landscaped areas.

Separation distance - means that portion of a lot which is required to physically separate incompatible land uses; a separation distance is a horizontal distance; a separation distance may include a required front, side and/or rear yard.

Seniors Residential Complex - means a residential building designed for people seeking assisted home care by the content and layout of the dwelling units (varying in size, number of bedrooms,

shared kitchens), provisions for common dining facilities, recreation areas, lounges, libraries, respite units and the accessibility of all units and facilities to the physically challenged. Provision of services such as day-care for seniors, housekeeping, security personnel, personal care, meal programs, physiotherapy, activity programs, landscaped outdoor recreation areas and open space areas may also be provided. A care component of any facility is subject to provincial regulation. Such a development will not be intended for, nor easily convertible to, a residential care facility for any other type of use.

Setback - means the distance between the street line (front property line) and the nearest wall of any building or structure and extending the full width or length of the lot.

Shipping Container - means a container originally designed for use as a means of storing and transporting cargo via ship, rail or truck. (NWCC-Jul 11/02; E-Aug 4/02)

Shopping Centre - means a building or building complex of 50,000 or more square feet on a lot designed, developed and managed as a unit by a single owner, or a group of owners or tenants, containing a group of commercial retail and office uses and is distinguished from a business area comprising unrelated individual uses and is characterized by the sharing of common parking areas and driveways and does not include the stand alone big box warehouse type retail operations.

Sign - means any structure, device, light or natural object including the ground itself, or any part thereof, or any device attached thereto, or painted or represented thereon, which shall be used to identify, advertise, or attract attention to any object, product, place, person, activity, institution, organization, firm, group, commodity, profession, enterprise, industry, or business, or which shall display or include any letter, word, model, number, flag, insignia, device or representation used as an announcement, direction or advertisement, and which is intended to be seen from off the premises or from a parking lot. The word "sign" shall not include signs regulated under HRM By-law S-800, signs located inside or on windows and glass doors of commercial activities except in the CMC Zone where a sign applied to the glass of a window or door shall constitute a "window sign". No other sign shall be deemed a signs within this by-law.

a) <u>ground sign</u> - means a sign supported by one or more uprights, poles, or braces placed in or upon the ground.
b) <u>illuminated sign</u> - means a sign which provides artificial light directly or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light focussed upon, or chiefly directed at the surface
c) <u>projecting wall sign</u> - means a sign which projects from and is supported by the wall of a building.
d) <u>facial wall sign</u> - means a sign which is attached directly to or painted upon a building wall and which does not extend there from nor extend above the roofline.
e) <u>sign area</u> - means the area of the smallest triangle, rectangle, or circle or semi-circle which can wholly enclose the surface area of a sign. All visible faces of a multifaceted sign shall be counted separately and then totalled in calculating sign area. Three dimensional signs shall be treated as dual faced signs, such that the total area shall be twice the area of the smallest triangle, rectangle, circle or semi-circle which can totally circumscribe the sign in the plane of its largest dimension.
f) <u>number of signs</u> - means that for the purpose of determining the number of signs, a sign shall be considered to be a single display surface or device containing elements

organized, related and composed to form a unit. Where matter is displayed in a random manner without organised relationships or elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered a single sign. (RC-Sep 26/06;E-Nov 18/06)

Special Care Facilities - means a building or part of a building or place in which accommodation is provided or is available to persons requiring or receiving skilled nursing care or where supervisory care or personal care is provided to four or more persons but does not include a place maintained by a person to whom the persons cared for are related by blood or marriage.

Storey - means that portion of a building between any floor and the floor or ceiling or roof next above, provided that any portion of building partly below grade level shall not be deemed to be a storey unless its ceiling is at least six feet above grade. Provided also that any portion of a storey exceeding fourteen feet in height shall be deemed an additional storey for each fourteen (14) feet or fraction of such excess.

Storey, First - means the floor of a building which is closest to established grade in the front yard.

Street - means a public street.

Street Line - means the boundary line of a street right-of-way of a street owned and maintained by the Town.

Street Frontage - means the horizontal distance between side lot lines at the street line.

Structure - means anything that is erected, built or constructed of parts joined together or any such erection fixed or supported by the soil or by any other structure. A structure shall include buildings, walls, wharves, seawalls, attached decks, and signs.

Swimming Pool - means an artificial body of water, excluding ponds, of more than one hundred square feet in area, used for bathing, swimming or diving.

Tavern - means an establishment licensed by the Nova Scotia Liquor Licensing Board as per the Liquor Control Act.

Town - shall mean the Town of Bedford.

Used Building Material Retail Outlet - means land and/or buildings or part of a building where C&D Materials are sorted and available for resale with incidental and minimal alteration of the materials and where activity primarily occurs inside a building. (RC-Sept 10/02; E-Nov 9/02)

Veterinary Clinic - means a building or portion thereof, where animals, birds or other livestock kept as domestic pets are examined, treated, groomed, or operated on and may include the indoor boarding of cats. Such use shall not include a Kennel nor be an objectionable use as defined herein. (NWCC-Nov 25/10;E-Dec 11/10)

Warehouse - means a building where wares or goods are stored but shall not include a retail store.

Water Control Structure - means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams. (RC-Jun 25/14;E-Oct 18/14)

Watercourse - means a lake, river, stream, ocean or other natural body of water. (RC-Jun 25/14;E-Oct 18/14)

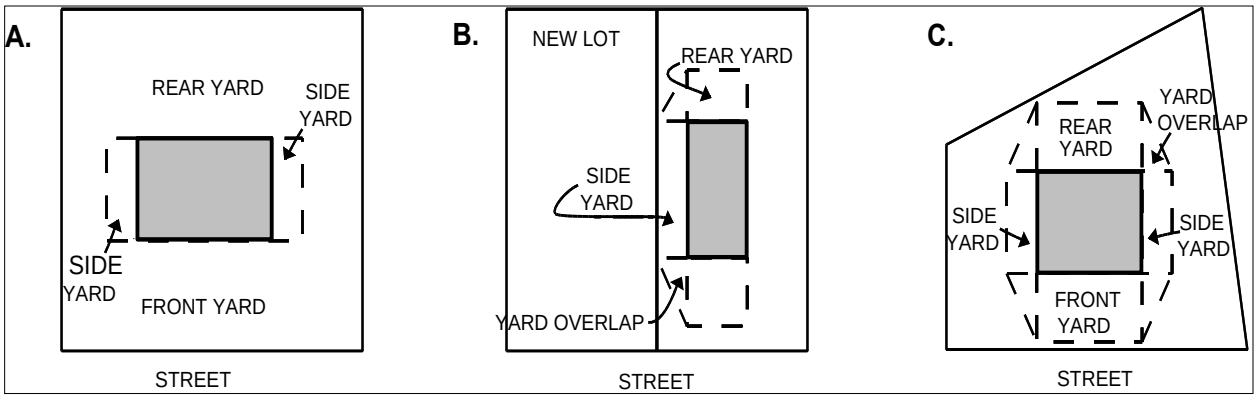
Yard - means an open, uncovered space on a lot appurtenant to a building (except a court) and unoccupied by buildings or structures, except as specifically permitted elsewhere in this By-Law.

Yard, Abutting - means a yard which is contiguous with or extends across one or more zone boundaries.

Youth Centre - means a building or part of a building which provides youth oriented activities owner and/or operated by a community non-profit organization or as a private business in association with a community centre.

Yard Measurement –

a) In determining yard measurements for a lot which is either square or rectangular in shape, the minimum horizontal distance from the respective lot lines shall be measured as illustrated in Diagram 'a' and expressed in the following definitions:
   i) flankage yard- means the side yard of a corner lot which side yard extends from the front yard to the rear yard between the flankage lot line and the nearest main wall of any building or structure.
   ii) front yard- means a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot; a "minimum" front yard means the minimum depth of a front yard on a lot between the front lot line and the nearest main wall of any main building or structure on the lot.
   iii) rear yard- means a yard extending across the full width of a lot between the rear lot line and the nearest wall of any main building or structure on the lot; a "minimum" rear yard means the minimum depth of a rear yard on a lot between a rear lot line and the nearest main wall of any main building or structure on the lot.
   iv) side yard- means a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest wall of any building or structure on the lot; a "minimum" side yard means the minimum width of side yard on a lot between a side lot line and the nearest main wall of any main building or structure on the lot.
b) For a lot which contains a dwelling unit and is being subdivided, the required minimum yards shall be measured from the respective wall(s) of the structure (Diagram 'B').
c) For an irregularly shaped lot the required front yard shall be determined as in a) above, while yards of the applicable minimum depth shall be maintained at the rear and sides of a structure for the entire length and width of the structure (Diagram 'C').



Zone - means a designated area of land shown on Schedule A of this By-Law.

PART 3: ZONES AND ZONING MAP

1. Zones

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

Residential Zones

Symbol	Description
RSU	Single Dwelling Unit Zone
RTU	Two Dwelling Unit Zone
RMU	Multiple Dwelling Unit Zone
RTH	Townhouse Zone
RCDD	Residential Comprehensive Development District
RR	Residential Reserve Zone

Commercial Zones

Symbol	Description
CGB	General Business District Zone
CSC	Shopping Centre Zone
CMC	Mainstreet Commercial Zone
CHWY	Highway Oriented Commercial Zone
CCDD	Commercial Comprehensive Development District

Industrial Zones

Symbol	Description
ILI	Light Industrial Zone
IHO	Harbour Oriented Industrial Zone
IHI	Heavy Industrial Zone
BWBC	**Bedford West Business Campus Zone (NWCC-Sep 27/12;E-Oct 20/12)**

Institutional Zones

Symbol	Description
SI	Institutional Zone
SU	Utilities Zone

Park Zones

Symbol	Description
P	Park Zone
POS	Park Open Space Zone
RPK	**Regional Park Zone (RC-Jun 25/14;E-Oct 18/14)**

Environmental Zones

Symbol	Description
FW	Floodway Zone

Other Zones

Symbol	Description
WFCDD	Waterfront Comprehensive Development District
UR	**Urban Reserve Zone (RC-Jun 25/14;E-Oct 18/14)**
US	**Urban Settlement Zone (RC-Jun 25/14;E-Oct 18/14)**

Construction & Demolition Zones

Symbol	**Description**
CD-1	**C&D Materials Transfer Stations**
CD-2	**C&D Materials Processing Facilities**
CD-3	**C&D Materials Disposal Sites (RC-Sep 10/02; E-Nov 9/02)**
ICH	**Infrastructure Charge Holding Zone (RC-May 7/02;E-Jun 29/02)**
BSCDD	**Bedford South Comprehensive Development District Zone (RC-Jul 9/02;E-Aug 31/02)**

2. Zoning Map

a) The official zoning map, Schedule A attached hereto, may be cited as the "Town of Bedford Zoning Map" and is hereby declared to form part of this By-law.
b) The extent and boundaries of all zones are shown on the official zoning map and for all such zones the provisions of this By-law shall respectively apply.
c) The symbols used on the official zoning map refer to the appropriate zones established by Section 1 above.

3. Zones Not On The Map

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

3A. Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning. (RC-Jun 25/14;E-Oct 18/14)

4. Interpretation of Zoning Boundaries

Boundaries between zones shall be determined as follows:

a) where a zone boundary is indicated as approximately following the edge of a street or highway right-of-way, a railway right-of-way, or an electrical transmission line right-of-way, the boundary of the zone shall follow a line midway between the outside limits of the right-of-way(s);
b) where a zone boundary is indicated as approximately following the edge of a watercourse, the boundary shall follow the high water mark of such watercourse;

c) where a zone boundary is indicated as approximately following lot lines the boundary shall follow such lot lines;

d) where none of the above provisions apply, and where appropriate, the zone boundary shall be scaled from the official zoning maps.

e) Notwithstanding 4.a), where any right-of-way is vacated in the manner authorized by-law, and where a lot is created from the former right-of-way through subdivision or consolidation, and where the portion of former right-of-way which is part of a newly created lot has two or more zones applied subject to 4.a), the most restrictive zone, shall apply to the former right-of-way portion of the lot. For the purposes of this section, Appendix B shall indicate the hierarchy of zones. Notwithstanding the foregoing, no property shall be zoned P - Park Zone or POS - Park Open Space Zone. (RC-Dec 10/02; E-Jan 18/03)

f) Where the boundary line of a use zone is coincident with a shoreline along Shore Drive, between Phases One of the Waterfront Development and the end of Shore Drive (south-east), the boundary line will follow any change in the shoreline. This shall not apply to the Waterfront Development District or the Moirs Mill Pond area. (RC-Mar 18/03;E-May 10/03)

5. Permitted Uses

a) In this By-law, any use not listed under the permitted uses in a particular zone is prohibited.

b) Where a permitted use within any zone is defined in Part 2, the uses permitted within that zone shall be deemed to include any similar use which satisfies such definitions.

6. Certain Words

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

7. Amendment of By-law

a) Amendments to this By-law may be considered for the following, in conformity with the Municipal Planning Strategy:
   i) addition or deletion of a permitted use within a zone
   ii) amendment of the zone requirements of a zone
   iii) amendment of the general provisions of this By-law
   iv) amendment of the Zoning Map in Schedule A

b) Any person who wishes to obtain an amendment, revision or repeal of this By-law shall submit an application in writing to the Clerk of the Town of Bedford.

c) The applicant shall deposit with the Clerk an amount estimated by the Clerk to be sufficient to pay the cost of advertising required by the Planning Act. Where Council decides not to proceed with the application, the deposit shall be returned to the applicant.

d) After the notice and advertising required under Section 42 and 61 respectively of the Planning Act has been completed, the applicant shall pay the Clerk any additional amount necessary to defray the cost of advertising or if there is surplus the Clerk shall

refund the same to the applicant.

PART 4: USES PERMITTED BY DEVELOPMENT AGREEMENT

1. Council may by resolution under the authority of Section 55 or 56 of the Planning Act, approve any specific Development proposal as provided for in the policies in the Municipal Planning Strategy.

2. Approval by Council under Part 4, Section 1 shall only be granted subject to the condition that the registered owner of the land upon which the development is to occur shall enter into an agreement with Council containing such terms and conditions as enabled by the Planning Act.

3. The Municipal Planning Strategy provides that the following shall be dealt with by Development Agreement in accordance with Residential Policies R-8 to R-17, R-27, **R-27A, R-27B (RC-Jan 13/09;E-Feb 28/09),** R-28 **and R-31 (RC-Mar 6/07;E-Apr 7/07)**; Commercial Policies C-4, **C-4a (RC-Mar 6/07;E-Apr 7/07)**, C-5, C-7 to C-15, C-18, C-20, C-29A, C-31 to C-32; Waterfront Policies WF-20 to WF-23; Industrial Policies I-2, I-4 and I-7; Institutional Policy S-7 ; Environmental Policies E-4 to E-8, E-11, E-14 and E-45; and Implementation Policy Z-2.

   a) Within the Residential Designation on the Generalized Future Land Use Map, a development agreement may be considered for the following uses:
      i) the addition of an apartment unit to a single unit dwelling within established residential areas, other housing options as identified in Policies R-18 and R-19. Apartment units added within single unit dwellings shall not exceed 700 sq. ft. in area and detached garden flats shall not exceed 700 sq. ft. in area (Policy R-8);
      ii) construction of dwellings on existing vacant lots within the residential development boundary which do not have frontage on a public street (Policy R-28);
      iii) to permit excavation or in-filling to within 35 feet of any watercourse or water retention identified on the map showing environmentally sensitive areas in the Town (Policy E-4);
      iv) the creation of flag lots (Policy R-27) **and the creation of lots with reduced frontage (Policy R-27A) (RC-Jan 13/09;E-Feb 28/09)**;
      v) a single multiple unit building in accordance with Policy R-29 on the properties known as 25, 27, and 35 Dartmouth Road that does not comply with the zone requirements; (RC-Jan 15/02;E-Feb 2/02)
      vi) a multiple unit dwelling on the former Crestview CCDD site (Policy R-31).
   b) Within the Residential Comprehensive Development District designation on the Generalized Future Land Use Map, a development agreement may be considered for a mixed residential development including senior residential complexes and mobile home parks and/or subdivisions (Policy R-9 and R-13);
   c) Within the Commercial Designation on the Generalized Future land use Map, a development agreement may be considered for the following uses:
      i) office buildings in the Sunnyside area and within the CSC Zone which are in excess of the permitted height specified by the zone (Policy C-4);
      ii) new shopping centres (Policy C-5);
      iii) drinking establishments outside of the areas identified in Policy C-30 (Policy C-31);
      iv) adult entertainment uses (Policy C-32);

v) multi-purpose convention centre (Policy C-18);
vi) highway commercial uses (Policy C-6).
vii) senior residential complexes (Policy C-7)
viii) **residential dwelling units in excess of 50% of the gross floor area of a commercial/residential mix use building located at 1091-1095 Bedford Highway (C-21); and**
ix) **new multiple unit dwellings or renovations and expansions to existing multiple unit dwellings within the CMC Zone (C-21(a)). (RC-Jul 8/03;E-Aug 16/03)**
iix mixed use commercial/residential development on the south corner of the Bedford Highway and Moirs Mill Road (C-4a) (RC-Aug 8/06;E-Sep 9/06)

d) Within the Commercial Comprehensive Development District designation on the Generalized Future Land Use Map, a development agreement may be considered for mixed commercial and residential development as provided for in Policies C-7 to C-15.

e) Within the Mainstreet Commercial designation on the Generalized Future Land Use Map, a development agreement may be considered to permit the modification of front and sideyard setbacks as well as front yard parking provisions in cases involving the redevelopment of existing buildings (Policy C-20). A development agreement also may be considered for residential uses per Policy C-29-A and C-20.;

f) Within the WFCDD designation on the Generalized Future Land Use Map, a development agreement may be considered for a mixed use development which includes residential, commercial, institutional, and recreational land uses (Policy WF-20 to WF-22);

g) Within the Industrial designation on the Generalized Future Land Use Map, a development agreement may be considered for the following uses:
i) commercial office uses permitted within the CGB General Business District Zone in Atlantic Acres Industrial Park, the Bedford Business park, and the southern portion of the Bedford Industrial Park [Policy I-2 (a)];
ii) salvage yards in areas zoned Heavy Industrial (Policy I-4);
iii) structures associated with pits and quarries in areas designated industrial and zoned IHI Heavy Industrial (Policy I-7);
iv) industrial uses which produce, use, or store hazardous materials (Policy E-45);

h) Within areas identified as environmentally sensitive, a development agreement may be considered to permit the development of environmentally sensitive lands consistent with the zoning on the property, subject to an environmental study being undertaken (Policy E-14);

i) Within the Floodway designation on the Generalized Future Land Use Map, a development agreement may be considered to permit the redevelopment of existing uses within the 1:20 year floodway subject to the restoration or enhancement of the capabilities of the floodway (Policy E-11);

j) Within all designations on the Generalized Future Land Use Map, a development agreement may be considered for a multi-service centre or special care facilities for 11 or more persons (Policy S-7);

k) Within all designations on the Generalized Future Land Use Map except Residential, a development agreement may be considered for a hospital (Policy S-7);

l) Within areas designated Industrial on the Generalized Future Land Use Map a development agreement may be considered for a correctional centre (Policy S-7);

m) Within all commercial zones and the ILI, IHI, and **SI** Zones, a development agreement

may be considered to permit the erection of a commercial, **institutional,** industrial, or multiple unit residential structure or excavation or in-filling of land within 100 feet but not less than 50 feet of any watercourse or water retention area identified on the map showing environmentally sensitive areas in the Town, following the completion of an environmental study (Policy E-8); **(RC-Mar 18/03;E-May 10/03)**

n) Within any designation on the Generalized Future Land Use Map, a development agreement may be considered to permit a use which would not normally be permitted by a zone, but falls within the potentially permitted uses of the Generalized Future Land Use categories as shown on Table III within the Municipal Planning Strategy (Policy Z-2).

o) Within the Bedford South Secondary Planning Strategy Designation on the Generalized Future Land Use Map, a development agreement may be considered in accordance with the applicable policies of the Bedford South Secondary Planning Strategy. (RC-Jul 9/02;E-Aug 31/02)

p) Within the Bedford West Secondary Planning Strategy Designation on the Generalized Future Land Use Map, a development agreement may be considered in accordance with the applicable policies of the Bedford West Secondary Planning Strategy. (NWCC-Mar 24/11;E-Apr 9/11)

4. Notwithstanding anything in this by-law, in areas designated Rural Commuter under the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement:

(a) Conservation Design Developments in accordance with policies S-14, S-15, S-16 and S-17 of the Regional Municipal Planning Strategy, as applicable. (RC-Jun 25/14;E-Oct 18/14)

PART 5: GENERAL PROVISIONS FOR ALL ZONES

1. Administration

a) This By-law shall be administered by the Development Officer.
b) The Development Officer of the Town of Bedford or any of his assistants are hereby authorized to enter, at all reasonable times, into or upon any property within the Town of Bedford for the purposes of any inspection necessary in connection with the administration of the Land Use By-law.
c) Any person who violates a provision of this By-law shall be subject to prosecution as provided for in Section 120 of the Planning Act (R.S.N.S, Chapter 346, 1989).
d) This By-law shall take effect when approved by the Minister of Municipal Affairs.

2. Scope

a) Nothing in this By-law shall exempt any person from complying with the requirements of the Building By-law or any other by-law in force within the Town or to obtain any license, permission, permit, authority or approval required by this or any other By-law of the Town of Bedford.
b) Nothing in this By-law shall prevent the strengthening or restoring to a safe condition of any building or structure, provided in the case of a non-conforming use the provisions of Section 93 (b) of the Planning Act of Nova Scotia shall prevail.
c) Where the provisions in this By-law conflict with those of any other municipal or provincial regulations, by-laws, or codes, the higher or more stringent requirement shall prevail.

3. Development Permits

a) No building or structure shall be erected or altered, nor the use of any building, structure or lot be changed unless a development permit has been issued and no development permit shall be issued unless all the provisions of this by-law are satisfied.
b) No building, residential or otherwise shall be moved within or into the area covered by this By-law without obtaining a development permit from the Development Officer.
c) A development permit application shall be signed by the registered owner of the lot or by the owner's agent duly authorized thereunto in writing and shall set forth in detail the current and proposed use of the lot and each building or structure, or part of each building or structure, together with all information necessary to determine whether or not every such proposed use of land, building or structure conforms with the requirements of this by-law.
d) Except for applications for permits for developments which are to have one (1) or two (2) residential units on one lot (including any existing units at the time of the application) applications for development permits shall be accompanied by a site plan properly drawn to scale showing the following:
    i) accurate dimensions of the site;
    ii) the location and dimensions of all existing and proposed buildings and accessory structures;

iii) identification and location of all parking areas including driveways, entrances and exits to parking areas, manoeuvring areas for vehicles, service areas, visitors parking and loading areas; the location of garbage receptacles;
iv) the existing and proposed elevations of the lot and the elevations of roof levels related to the site elevations;
v) identification and location of any significant natural and historic features of the site;
vi) any additional information related to the site, buildings, or adjoining properties as may be required by the Development Officer to determine if the proposal conforms to the provisions of this By-law of the Town.
vii) where the Development Officer is unable to determine whether the proposed development conforms to this By-law he may require that the plans submitted under Section 28 be based upon an actual survey by a Provincial Land Surveyor.

e) Any development permit issued shall expire twelve (12) months from the date of issue of such permit should no development begin within the aforementioned time period. The expiry date of a development permit shall not be extended beyond the initial twelve months. A new application for a development permit may be completed.

3A. Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning. (RC-Jun 27/06;E-Aug 26/06)

GENERAL PROVISIONS: USES

4. Multiple Uses and Zones

a) Where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be satisfied. Where there is conflict such as in the case of lot size or lot frontage, the higher standard shall prevail.
b) More than one zone may be applied to any given area within the Town and when land is zoned in this manner, the regulations under the zone appropriate to the proposed use shall be applied.

5. Non-Conforming Uses

Non-conforming uses shall be subject to Sections 90 - 94 of the Planning Act of Nova Scotia, Chapter 346 of the Revised Statutes, 1989.

6. Temporary Construction Uses Permitted

Nothing in this By-law shall prevent the use of land or the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which

serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(a) A rock crusher may be used at the site of a demolition of a structure or building, the site of construction of primary or secondary services pursuant to the Regional Subdivision By-law, or at the site of development permitted pursuant to this By-law, provided a development permit has been issued for such use.

(b) A development permit may only be issued for the temporary use of a rock crusher.

(c) A development permit issued for the use of a temporary rock crusher accessory to demolition of a structure or building pursuant to this By-law or a development pursuant to this By-law shall be valid for any period specified not exceeding sixty (60) days. A development permit issued under this clause may be renewed for a period not to exceed thirty (30) days at a time, if a development officer determines that an extension of the period is necessary. No rock crusher shall be located or used within three (3) metres of any property boundary.

(d) A development permit issued for the use of a temporary rock crusher accessory to the construction of primary or secondary services pursuant to the Regional Subdivision By-law shall be valid for any period which does not exceed the construction time schedule specified in the subdivision agreement. No rock crusher for which a permit has been issued under this clause shall be located or used within sixty (60) metres of any building used for residential or institutional purposes; with the exception of fire stations, police stations, public works facilities, cemeteries, historic sites and monuments, and recreational trails where no rock crusher shall be located or used within three (3) metres of any property boundary.

(e) Notwithstanding any other provision of this By-law, a temporary rock crusher accessory to construction in progress shall not be used to process material for export to another site nor to process material imported to the site.

(f) A temporary rock crusher may be used as an accessory to demolition in progress to process demolished material for export to another site subject to disposal in accordance with the requirements of this By-law and the C&D Materials Recycling and Disposal License By-law.
(RC-Jan 20/09;E-Feb 7/09)

7. Temporary Commercial Uses Permitted

Nothing in this By-law shall prevent the use of land or the erection of a temporary building or structure including a sales or rental office incidental to construction in progress until such construction has been finished or discontinued for a period of thirty days and provided that such temporary structures or buildings are located on an approved building lot and meet the zone setbacks; or the temporary use of land for such purpose as midways, circuses, fairs, festivals, the display of artwork and crafts, or artistic performances provided that such remain in place no longer than five (5) days. Christmas tree sales are permitted in all zones for a maximum period of thirty (30) days per year. Mobile vendors and canteens are permitted in all zones except Residential Zones in conjunction with a special event including but not limited to, recreational events, Town events, community events, for a

maximum period of four (4) days, per event. Mobile vendors and canteens also require a license pursuant to the Town's Trade and Licensing By-law. Flea Markets shall be considered as an accessory uses within the Shopping Centre (CSC) Zone and conducted within enclosed buildings. **Temporary ice cream stands are permitted within the Mainstreet Commercial (CMC) Zone and CGB(General Business) Zones and shall be exempt from landscaping general and zone specific landscaping, fencing and roof design and siding requirements. Temporary ice cream stands shall also be exempt from zone yard requirements and shall have a minimum 20 foot front yard and 8 foot rear and side yards. Temporary ice cream stands shall be permitted for a maximum period of six (6) months per year. Temporary uses are not required to connect to municipal services provided they have adequate measures in place for sanitation as approved by the Municipality and any other regulatory agency with jurisdiction. (NWCC-Jul 7/05;E-Dec 5/05)** Any development permit issued for a special use under this section shall be in force for a maximum period of one (1) year from the date of issue and any permit may be reissued upon request, subject to review by the Development Officer.

8. Home Occupations

A home occupation shall be permitted in any dwelling in an RSU, RTU, RMU, RMH, RR, RTH or RCDD zone provided:

a) it shall be conducted by the resident occupant in his or her residence; **(NWCC-Mar 24/05;E-Apr 2/05)**
b) it shall be clearly accessory and incidental to the use of the dwelling as a residence;
c) it shall be conducted within the enclosed living areas of the dwelling; **(NWCC-Mar 24/05;E-Apr 2/05)**
d) no alterations shall be made which would change the physical character of the dwelling as a residence;
e) no outside storage of any kind shall be associated with the home occupation;
f) there shall be no exterior evidence of the conduct of a home occupation except for a business identification plate or sign of a maximum two (2) square feet in area **which shall not be backlit**; **(NWCC-Mar 24/05;E-Apr 2/05)**
g) the maximum size of any home occupation [excluding **day cares facilities (RC-Mar 3/09;E-Mar 21/09)**] shall be not more than 25% of the total floor area of the dwelling unit to a maximum of 500 square feet;
h) one off-street parking space, other than those required for the dwelling, shall be provided for each 250 square feet of floor space occupied by the home occupation;
i) it shall not be an objectionable use;
j) no stock in trade, except articles produced by members of the immediate family esiding in the dwelling shall be displayed or sold within the dwelling; **(NWCC-Mar 24/05;E-Apr 2/05)** and,
k) the following are deemed not to be home occupations and are not permitted within the residential zones:
    i) automotive repair shop
    ii) autobody repair shop
    iii) auto paint shop
    iv) machine shop
    v) welding
    vi) retail sales outlets, except articles produced by members of the immediate

family in the dwelling; **(NWCC-Mar 24/05;E-Apr 2/05)**

vii) restaurants

viii) amusement centre

ix) any use involving the care of animals (NWCC-Mar 24/05;E-Apr 2/05)

l) the following shall apply to Bed and Breakfast/Guest Home establishments:

i) bed and breakfast/guest homes shall be permitted in single detached dwellings only within the zones permitted by this section.

ii) notwithstanding section 8 g), it shall occupy not more than three rooms as sleeping rooms for overnight guests.

iii) notwithstanding section 8 h), one off-street parking space, other than those required for the dwelling, shall be provided for each bedroom rented for overnight guests.

9. Day Care Facilities (RC-Mar 3/09;E-Mar 21/09)

Day care facilities **(RC-Mar 3/09;E-Mar 21/09)** and after school care shall be permitted in any dwelling in any RSU, RTU, RMU, RCDD, RR, and RTH Zone provided that:

a) **it shall be conducted by the resident occupants in their residence who may employ as well not more than two employees; (NWCC-Mar 24/05;E-Apr 2/05)**

b) the maximum number of children in each facility shall not exceed 14;

c) the building must be occupied as a dwelling unit;

d) there is clear sight distance for 200 feet on either side of the driveway(s), except on a cul-de-sac;

e) these facilities must be located no closer than 500 feet to one another;

f) a maximum of 50% of the dwelling floor area may be devoted to the child care use;

g) there is a minimum street distance of 500 feet between daycare facilities; and

h) subject to b),c),d),e),and f), of Section 8 pertaining to home occupations.

Notwithstanding (a) and (h), outdoor play areas and play equipment shall be permitted. (NWCC-Mar 24/05;E-Apr 2/05)

10. Boarders and Lodgers

The leasing of not more than two rooms in any dwelling unit in an RSU, RTU, RMU, RTH, RCDD or RR zone shall be permitted but no window display or sign in excess of two (2) square feet in respect to the use permitted by this clause shall be allowed. One off-street parking space, other than those required for the dwelling, shall be provided for each room devoted to boarders.

11. Mobile Homes

No mobile home shall be located except in a mobile home park or mobile home subdivision within a Residential Comprehensive Development District.

12. Truck, Bus, and Coach Bodies

No truck, bus, coach or streetcar body, or railway car, or structure of any kind other than a

mobile home or dwelling unit erected and used in accordance with this and all other By-laws of the Town shall be used for human habitation within the Town of Bedford, whether or not it is mounted on wheels.

12A. Public Transit Facilities

Public transit facilities shall be permitted in all zones with frontage on minor and major collector roads, arterial roads and expressways and shall not be required to conform to any zone requirements.

12B. Public Transit Facilities within the Floodway Zone (FW)

Notwithstanding Section 12A, within the Floodway Zone (FW), public transit facilities shall be limited to transit shelters and stops, and for greater certainty shall excludes transit terminals. (RC-Jun 25/14; M-Sep 16/14; E-Oct 18/14)

12C. Cannabis-Related Uses

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC). (RC-Sep18/18; E-Nov 3/18)

GENERAL PROVISIONS: LOTS AND YARDS AND OTHER STANDARDS

13. Buildings To Be Erected On A Lot

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

14. Frontage On A Street

Except as provided for within the Bedford West Business Campus (BWBC) Zone, no building, structure or use shall be permitted unless the lot or parcel of land intended to be used or upon which the building or structure is to be erected abuts and fronts upon a public street; except for alterations, renovations and additions to existing structures located on private streets or for construction of dwellings on existing, vacant lots as per Policy R-28. (NWCC-Sep 28/06;E-Oct 14/06)

15. One Main Building On A Lot

No person shall erect more than one (1) main building on a lot in a RSU, RTU, RMU, RTH, RCDD, or RR zone.

16. Existing Vacant Undersized Lots

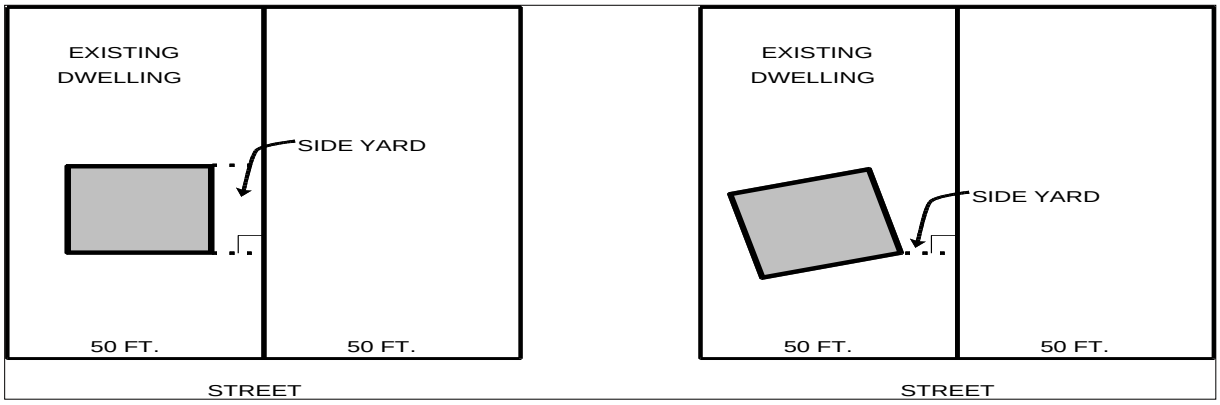
Notwithstanding anything else in this By-law regarding lot area and frontage, a vacant lot held in separate ownership, prior to September 1982, from adjoining parcels having frontage on a public street which is less than the minimum frontage or area required by this By-law, may be used for a purpose permitted in the zone in which the lot is located and a

building may be erected on the lot provided that all other applicable provisions in this By-law are satisfied. Developments located in areas where municipal central sewer and water services are not available shall be referred to the Town of Bedford Board of Health.

17. Reduced Lot Frontage and Area Requirements

Lots which have been granted Subdivision approval under the following criteria as per Section 11.2.3 of the Subdivision By-law may be used for a purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in this By-law are satisfied.

a) The subdivision of a vacant lot located within a RSU and RTU zone held in separate ownership from adjoining parcels prior to October 9, 1991, having less than one hundred twenty (120) feet of frontage, which has been subdivided to create two lots, each of which shall have a frontage of not less than fifty (50) feet and an area of not



less than six thousand (6,000) square feet, provided that each lot created is serviced with municipal central sewer facilities and water service.

b) The subdivision of a lot created within a RSU or RTU zone containing an existing dwelling and held in separate ownership from adjoining parcels prior to October 9, 1991, which was subdivided to create two lots, each of which shall have a frontage of not less than fifty (50) feet and an area of not less than six thousand (6,000) square feet, provided that each lot created is serviced with municipal central sewer facilities and water service, and the common lot is located no closer than a hypothetical line extending from the front lot line to the rear lot line drawn perpendicular to the nearest main wall of the existing dwelling or attached garage at a distance specified by the minimum applicable yard requirement for the zone in which the lot is located (see diagram below).

c) Notwithstanding anything else in this By-law, the minimum lot frontage for unserviced lots within an RR Zone may be reduced to one hundred twenty (120) feet and the minimum lot area reduced to one (1) acre where the following conditions are met:

   i) the original parcel of land contains a dwelling which was constructed on or before October 9, 1991; and,

   ii) the lot completely fronts on a street which was public on or before October 9, 1991.

d) Notwithstanding the Lot Frontage and Lot Area requirements of any zone, a lot containing a cemetery in existence on the effective date of this amendment may be subdivided and a development permit issued provided that:

(i) the cemetery lot does not contain a dwelling and/or buildings other than accessory buildings or structures;

(ii) where a cemetery lot does not abut a public street or highway or private road, a right-of-way or easement of access of a minimum width of twenty (20) feet, extending from the cemetery lot to its point of intersection with the public street or highway or private road shall be shown on the plan of subdivision;

(iii) the easement or right of way appurtenant to the cemetery lot, shall be provided by the subdivider concurrently with the conveyance of the cemetery lot;

(iv) notwithstanding the requirements of any zone, accessory buildings and structures permitted in conjunction with cemetery lots shall be subject to the provisions of Part 5, Section 28-29A of the this By-law;

e) **the remaining lands meet the requirements of the applicable zone. (NWCC-Dec 18/03;E-Jan 11/04)**

18. Existing Buildings

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

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

19. Setbacks In Residential Zones

Notwithstanding anything else in the By-law, in any Residential Zone, structures built between existing buildings within two hundred (200) feet [measured between buildings] on the same block shall be built with a setback equal to the average setback of the adjacent buildings, but this depth shall not be less than ten (10) feet from the front lot line and need be no greater than setback regulations prescribed in the zone in which it is situated.

20. Special Requirements: Corner Lots

On a corner lot, a fence, sign, hedge, shrub, bush or tree, or any other structure or vegetation which obstructs vision shall not be erected or permitted to grow to a height greater than two (2) feet above grade of the streets that abut the lot within the triangular area included within the street lines for a distance of twenty (20) feet from their point of intersection.

21. Watercourse Setbacks and Buffers (RC-Jun 25/14;E-Oct 18/14)

(1) (a) No development permit shall be issued for any development within 20m of the ordinary highwater mark of any watercourse.

(b) Where the average positive slopes within the 20m buffer are greater than 20%, the buffer shall be increased by 1 metre for each additional 2% of slope, to a maximum of 60m.

(c) Within the required buffer pursuant to clauses (a) and (b), no excavation, infilling, tree, stump and other vegetation removal or any alteration of any kind shall be permitted in relation to a development.

(d) Within the required buffer pursuant to clauses (a) and (b), activity shall be limited to the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m^2 or a combination of an accessory structure and attached deck not exceeding 20 m^2 , fences, boardwalks, walkways and trails not exceeding 3 metres in width, wharfs, boat ramps, marine dependent uses, fisheries uses, conservation uses, parks on public lands, historic sites and monuments, and public road crossings, driveway crossings and wastewater, storm and water infrastructure, and water control structures.

(e) Notwithstanding clause (a), the required buffer for construction and demolition operations shall be as specified under the applicable CD Zone.

(f) Within the buffer required pursuant to clause (e), no excavation, infilling, tree, stump and other vegetation removal or any alteration of any kind shall be permitted in relation to a development.

(g) Notwithstanding clause (a), multiple unit dwellings, and commercial buildings shall be setback a minimum of 30.5 m from any watercourse or water retention area shown on the Environmentally Sensitive Areas map or as determined by the Province of Nova Scotia under the Environment Act and no excavation or infilling shall be permitted within this buffer area except by development agreement.

(h) Notwithstanding clause (a), in all commercial zones and the ILI and IHI industrial zones, and the SI institutional zone, no building structure or use shall be permitted within 30.5 m of any watercourse or water retention area shown on the Zoning or Environmentally Sensitive Areas Map or as determined by the Province of Nova Scotia under the Environment Act, and no excavation or infilling within this area shall be permitted, except possibly through the provisions of a development agreement through the provisions of Policy E-8. The 30.5 m area shall be maintained with existing vegetation or shall be landscaped. Single unit, two unit and townhouses within the CCDD Zone shall be regulated by (a) above.

(i) Activity within the required buffer pursuant to clauses (g) and (h), shall be limited to the placement of board walks, walkways and trails, conservation uses, parks on public lands, historic sites and monuments, public roads and wastewater, storm and water infrastructure, and water control structures.

(2) Notwithstanding subsection (1), where an existing residential building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no

closer to the watercourse than the existing main building.

(3) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.

(4) Notwithstanding subsection (1), nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

(5) Notwithstanding subsection (1), the selective removal of vegetation to maintain the overall health of the buffer may be authorized by the Development Officer where a management plan is submitted by a qualified arborist, landscape architect, forester or forestry technician.

(6) Every application for a development permit for a building or structure to be erected pursuant to this section, shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and contours and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the requirements of this section.

(7) Subsection (1) does not apply to lands within the area designated on the Generalized Future Land Use Map in the Regional Municipal Planning Strategy as Harbour.

21A. Coastal Areas (RC-Jun 25/14;E-Oct 18/14)

(1) No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).

(2) Subsection (1) does not apply to:

(a) any residential accessory structures, marine dependent uses, open space uses, parking lots and temporary uses permitted in accordance with this by-law; and
(b) lands within the area designated on the Generalized Future Land Use Map in the Regional Municipal Planning Strategy as Harbour.

(3) Notwithstanding subsection (1), any existing dwelling situated less than the required elevation may expand provided that such expansion does not further reduce the existing elevation.

(4) Every application for a development permit for a building or structure to be erected pursuant to this section, shall be accompanied by plans drawn to an appropriate scale showing the required elevations, contours and lot grading

information to determine that the proposed building or structure will meet the requirements of this section.

22. Natural Hazards And Yard Requirements

Where in this by-law a front yard, side yard or rear yard is required and part of the area of the lot is usually covered by water or marsh, or is beyond the rim of a river bank or watercourse, or between the top and toe of a cliff or embankment having a slope of 20% or more from the horizontal, then the required yard shall be measured from the nearest main wall from the main building or structure on the lot to the edge of the said area covered by water or marsh, or to the rim of the said river bank or watercourse, or to the top of the said cliff or embankment if the said area is closer than the lot line.

23. Permitted Encroachments in Yards

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

STRUCTURE	**YARD IN WHICH PROJECTION PERMITTED**	**MAXIMUM PROJECTION INTO REQUIRED YARDS**
Cornices, eaves, gutters, chimneys, pilasters, footings	Any Yard	2 feet
Exterior staircase (landing and stairs)	Any Yard	4 feet
Patio decks	Rear Yard	10 feet
	Side Yard	4 feet
Canopies, awnings	Any Yard	4 feet
Mobility Disabled Access Ramps (NWCC-Apr 8/03;E-Apr 12/03)	**Any Yard**	**No required setback**

24. Abutting Zone Requirements

Where a commercial or industrial zone abuts existing residential uses and/or zones, or park uses and/or zones, in order to provide a visual and noise barrier between these uses, the following shall apply to the abutting yards:

a) the minimum distance between the main buildings shall be 40 feet, except for shopping centres where the minimum distance shall be 60 feet;
b) no open storage nor outdoor display shall be permitted in the required abutting yard in the Commercial or Industrial Zone;
c) where parking spaces are provided in an abutting yard in any commercial zone such parking spaces shall be screened by a buffer, fence, or combination thereof;

d) in addition to the provisions of Part 5, Section 38, signs located in an abutting yard shall be subject to the following requirements:
   i) all signs shall be non-illuminated;
   ii) only directional or business identification signs shall be permitted;
   iii) the maximum sign area shall be twenty (20) square feet;
   iv) the maximum height of a ground sign from the grade level to the highest part of the sign (including the sign structure) shall be fifteen (15) feet;
   v) all signs shall be setback at least ten (10) feet from the abutting property line.

e) objectionable uses shall not be located in abutting yards.

25. Height Regulations

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, solar panels, ventilators, skylights, **satellite dishes (NWCC-Apr 8/03;E-Apr 12/03),** chimneys or clock towers.

26. Illumination

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

27. Special Requirement: 1:100 Floodway Fringe

No **building, structure or use** shall be **permitted (NWCC-Apr 8/03;E-Apr 12/03)** within the 1 in 100 year floodway fringe as identified on the Zoning Map, unless the following special requirements are met:

a) The "minimum opening elevation", which is to mean the lowest point in a building, such as a door sill or window sill, through which flood waters may flow into the building, shall be above the regulatory flood-protection elevation (as determined by the floodplain map for the Sackville river).

b) Fill shall be permitted to be placed on lots within the 1 in 100 year floodway fringe only when:
   i) the amount of fill is restricted to that area over which the main structure is located as well as three (3) metres from the perimeter of the foundation of the said building.
   ii) the fill shall be placed to a height within six (6) inches of the applicable minimum opening elevation.
   iii) such fill when placed has a minimum perimeter slope of three to one (3:1).
   iv) the slopes are stabilized through the use of landscaping or other means to prevent erosion.

c) Notwithstanding Section (b) (i) the area of fill around the main structure may be increased in width if it is determined by a qualified engineer that such an increase is required to prevent hydraulic loading on the foundation.

GENERAL PROVISIONS: ACCESSORY BUILDINGS OR STRUCTURES

28. Accessory Uses Permitted

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

29. Accessory Buildings

a) Accessory uses, buildings and structures shall be permitted in any zone within the Town but shall not:
   i) be used for human habitation;
   ii) be located within the required front yard of a lot;
   iii) be built closer than four (4) feet to any lot line except for common semi-detached garages which may be centred on the mutual side lot line or boat houses and boat docks which may be built to the lot line when the line corresponds to the high water mark of the Bedford Basin;
   iv) exceed fifteen feet (15) feet in height in any Residential Zone;
   v) exceed 750 square feet in total floor area for all accessory space on a lot in any Residential Zone, except for public buildings and uses *and* swimming pools;
   vi) be built within six (6) feet of the main building;
   vii) be considered an accessory building if attached to the main building in any way or be considered an accessory structure if located completely underground.

b) Notwithstanding anything else in this by-law, drop awnings, clothes poles, flag poles, garden trellises, fences, **children play structures, satellite dishes (NWCC-Apr 8/03;E-Apr 12/03),** uncovered decks no higher than 2 (two) feet and retaining walls shall be exempted from any requirements for accessory uses under subsection (a.)

c) Garbage collection bins and stalls shall be subject to the accessory building provisions of this section and shall be fenced or otherwise enclosed by a structure so as not to be visible from any street or adjacent residential property.

d) Swimming pools shall be completely enclosed with fencing, a minimum of five (5) feet in height.

29A. Shipping Containers as Accessory Buildings (NWCC-Jul 11/02;E-Aug 4/02)

a) Shipping containers may not be used as accessory buildings to a residential use or in a commercial zone. Shipping containers may be used as accessory buildings only in an industrial zone, pursuant to applicable requirements for accessory buildings and pursuant to applicable zone standards including those relating to setbacks, screening and landscaping. Where a shipping container is to be placed on an property which abuts a residential, park, or institutional zone, the shipping container shall be fully screened from view from any such property through the use of landscaping, opaque fencing or a combination of fencing and landscaping.

b) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.

c) No shipping container may be used in any zone as a dwelling or other form of accommodation, including offices.

30. Fences

a) For the purpose of this by-law, fences shall be deemed to be structures and therefore shall require a development permit.
b) Fences shall be permitted in any zone within the Town but shall not:
    i) exceed six (6) feet in height;
    ii) be located within the required front yard of a lot or be located closer to the front lot line than the main building on the lot if the fence is more than three feet in height.

31. Restrictions On Outdoor Storage/Outdoor Display and Sales

a) Except for CHWY, ILI, IHO, and IHI Zones, no outdoor storage shall be permitted. Except for CHWY, CSC, ILI, IHO, and IHI, no outdoor display and sales shall be permitted.
b) Where a lot is to be used primarily for outdoor storage or outdoor display and sales, the following restrictions shall apply:
    i) no outdoor storage or outdoor display and sales shall be permitted within any required front yard of a lot; and
    ii) the area devoted to outdoor storage or outdoor display and sales shall not exceed fifty (50) per cent of the total lot area.
c) Notwithstanding section a) outdoor storage associated with garden markets is permitted within the CSC Zone providing it is screened with opaque screening, excluding chain-link or any other type of open fencing.

GENERAL PROVISIONS: LANDSCAPING AND ARCHITECTURAL GUIDELINES

32. Landscaping Requirements For Commercial Zones

In all commercial zones except the Mainstreet Commercial CMC Zone, there shall be a landscaped area of at least fifteen (15) feet in depth that runs the length of and directly abuts the front lot line, excluding driveway openings, and such land within this required landscaped area shall be grassed (or other appropriate vegetation ground cover) and trees and shrubs shall be planted or existing trees and shrubs shall be maintained at a minimum rate of one (1) plant per each ten (10) feet of frontage.

33. Architectural Requirements For Commercial Uses

In all commercial zones, except the Mainstreet Commercial (CMC) Zone, the Shopping Centre Zone (CSC) and excluding office tower uses, the following architectural requirements shall be observed:

a) The architectural requirements shall apply to only those facades which are visible from the street on which the building fronts. In the case of a building generally parallel or perpendicular to the street, this shall include the front and side facades.
b) Windows, except for commercial storefronts at grade, shall be treated as individual openings in the wall surface; continuous bands of horizontal glazing will not be permitted except for storefronts at grade. For square and rectangular windows the height of window sashes shall exceed the width. Total window area per building face shall not exceed 50%. Windows shall be accentuated by design details (i.e.arches,

hoods, mouldings, decorative lintels, pediments, sills).

c) The predominant roof slope shall be pitched with a minimum slope of 10 degrees. Mansard roofs shall not project beyond the face of the wall below except to permit eaves for ventilation. The upper floor of any structure shall be articulated with a roof design which incorporates features such as dormers, bay windows, sheds, roof windows, roof terraces. Every effort shall be made to have roof mounted mechanical equipment or other protrusions housed in an enclosure which is visually integrated into the roof design.

d) Building lines shall be generally parallel and perpendicular to the street line.

e) Replaced by Part 5 Section 35 (o)

GENERAL PROVISIONS: PARKING AND LOADING FACILITIES

34. Parking Requirements

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

TYPE OF BUILDING	PARKING REQUIRED
A dwelling containing dwelling units	Two (2) parking spaces not more than three (3) for each dwelling unit.
All other dwellings	One and one-half (l.50) spaces for each dwelling unit.
Churches, church halls,	Where there are fixed auditoria seats one (1) parking space for every (5) five seats, or ten (10) feet benchspace. Where there are no fixed seats, one (l) parking space for each one hundred (100) square feet of floor area devoted to public use.
Elementary schools	One and one-half (1.50) parking spaces per each teaching classroom.
High schools	Four (4) parking spaces for each teaching classroom.
Hospitals and nursing homes	One (1) parking space for each two (2) beds or each four hundred (400) square feet of floor area, whichever is the greater.
Senior Citizen apartments	One (1) parking space for every two (2) dwelling units.
Hotels, motels, staff houses,	One (1) parking space per tourist cabins, guest houses bedroom plus parking spaces as per the listed requirements for accessory uses such as restaurants, lounges, retail space, etc.
Ice Cream Stand	**Five (5) spaces or five (5) spaces per thousand (1000) square feet of floor area devoted to public use, whichever is**

	greater. (NWCC-July7/05;E-Dec5/05)
General Retail	Four and one half (4.5) parking spaces per thousand (1000) square feet of gross leasable floor area.
Office Commercial	Three and one half (3.5) parking spaces per thousand (1000) square feet of gross leasable floor area.
Shopping Centres	Five and one half (5.5) parking spaces per thousand (1000) square feet of gross leasable floor area.
Restaurants	
Full Service	One (1) space for every four (4) seats provided or 20 spaces per thousand (1000) square feet of floor area devoted to public use, whichever is greater.
Drive-in/Fast Food	Twenty-seven (27) spaces per thousand (1000) square feet of floor area devoted to public use.
Take out	Sixteen (16) spaces per thousand (1000) square feet of floor area devoted to public use.
Medical/Dental	**Two (2) spaces per consulting room (RC-Aug 5/08;E-Aug 23/08)**
Banks and Trust Companies	Five (5.0) parking spaces per thousand (1000) square feet of gross leasable area.
Entertainment/Recreational	One (1.0) parking spaces per six (6) seats.
All other commercial uses	Four and one half (4.5) parking spaces per thousand (1000) square feet of gross leasable space.
Industrial Uses	One (1) parking space for every one thousand (1000) square feet of gross floor area, plus parking space as per Subsection (h) for any office space.
Warehouses	One (1) parking space for every three thousand (3000) square feet of gross floor area, plus parking space as per the requirements for any office space.
Day Care Facilities	**1.5 spaces per 400 square (37.2 m^2) of gross (NWCC-Apr 8/03;E-Apr 12/03)floor area**

(RC-Mar 3/09;E-Mar 21/09)

b) Handicapped parking stalls shall be provided at a ratio of four (4) percent of the total required in each lot with a minimum of one (l) stall per lot where required parking is for five (5) stalls or greater. These spaces shall be located near building entrances which shall be wheelchair accessible.

c) The parking requirements for multiple occupancy buildings which contain a mix of different uses shall be determined by calculating the sum of the parking requirements for each use and then reducing the number by twenty percent to allow for the shared usage of spaces by building occupants.

35. Standards For Parking Areas

Where parking facilities for more than three (3) vehicles are required or permitted:

a) all parking areas including individual parking spaces, visitors and service spaces, shall be clearly marked;
b) individual parking spaces shall be 9' x 18' except in the case of handicapped parking. Handicapped parking spaces shall be 13' feet wide unless two are located together in which case a total width of 21' is acceptable. Parking stalls for small cars, where provided, shall be 8' x 15' and shall not exceed 25% of the total parking spaces provided. Curb parking shall be 8' x 21. All parking areas including driveways and manoeuvring areas shall be maintained with a permanent hard surface and shall be defined by a concrete curb, ornamental brick, planting or other landscaped feature.
c) all parking areas must provide for ingress and egress of motor vehicles to a street or highway by means of driveways, aisles or manoeuvring areas where no parking or storage of motor vehicles is permitted;
d) curbs or other appropriate methods of delineating a pedestrian right of way shall be provided to ensure safety between pedestrian and vehicular movements in all parking lots that have greater than ten (10) parking stalls;
e) no parking area shall be immediately adjacent to doors or passage ways from buildings;
f) all parking areas shall provide manoeuvring areas to permit vehicles to leave the property in a forward motion;
g) all parking layouts shall make provision for the stock-piling of snow in a manner which will not reduce the amount of required parking space available; or reduce visibility within corner vision triangles of adjacent street intersections as defined in Section 21 of this Part and corner vision triangles at the intersection of the driveway(s) with the street.
h) where a parking area for a multiple-unit residential building, a commercial building, or an industrial building abuts existing or designated residential uses, such parking areas shall be screened by a buffer, fence, or combination thereof;
i) where windows and doors exist on the ground floor of a residential building, no parking shall be located within twenty (20) feet of such windows and doors;
j) for institutional and commercial land uses, if off street parking is available on a permanent basis within three hundred (300) feet of the building and is zoned commercial or institutional, as well as being clearly signed to indicate the use it is intended to serve, the parking requirements shall be deemed to be satisfied.
k) the approaches or driveways shall not be closer than fifty (50) feet from the limits of the right-of-way at a street intersection;
l) entrance and exit ramps to parking areas shall not exceed two (2) in number and each such ramp shall be a maximum width of twenty-five (25) feet at the street line and edge of pavement; said ramps shall not be contiguous;
m) the width of a driveway leading to a parking or loading area, or aisle in a parking area, shall be a minimum width of ten (10) feet for one-way traffic and twenty (20) feet for two-way traffic, unless the driveway is fulfilling the function of a fire access in which case the driveway shall be a minimum width of twenty (20) feet.
n) in all parking lots with twenty (20) or more parking spaces, such parking lots shall have ten (10) percent of their area landscaped with vegetation such that the parking lots do not have groups of parking stalls greater than twenty (20) in an uninterrupted area, except for parking lots in CGB and CMC zones where all parking is located in rear

yards and/or side yards.

o) in all commercial zones except Mainstreet Commercial (CMC) Zones and the Shopping Centre (CSC) Zones parking shall be in the rear yard and side yards, however, not more than 25% of the parking shall occur in the side yard. All rear parking lots shall be illuminated with lighting directed away from abutting residential properties. All side yard parking lots shall be screened with a natural vegetative buffer along the front property line adjacent the road way. Commercial parking lots are subject to this landscaping requirement. These requirements are not exclusive of any other requirements containing this by-law, including the abutting zone requirements on Part 5, Section 24.

36. Commercial Motor Vehicles In Residential Zones

a) For the purpose of this Part, "Commercial Motor Vehicles" shall mean any motor vehicle which is used for a commercial purpose, including but not limited to, ambulances, hearses, motor buses, tractors, panel vans, transport and dump trucks, whether or not it displays commercial licenses or signage.

b) Not more than one commercial motor vehicle shall be kept in a Residential Zone and this vehicle shall be owned or operated by the occupant of the lot, and parked on the lot.

37. Loading Spaces

a) In any zone, no person shall erect or use any building or structure for manufacturing, storage, warehouse, department store, retail store, wholesale store, market, freight or passenger terminal, hotel, hospital, or other uses involving the frequent shipping, loading or unloading of animals or goods, unless there is maintained on the same premises with every such building, structure or use:

Gross Floor Area	No. of Spaces
Less than 4999 sq. ft.	0
5000-14,999 sq. ft.	1
15,000-34,999 sq. ft.	2
More than 35,000 sq. ft.	3

b) Each loading space shall be at least twelve (12) feet by forty (40) feet with a minimum of fourteen (14) feet height clearance. No such loading spaces shall be located within any required front yard or be located within any required yard which abuts a Residential or Park Zone.

c) Each loading space shall not be obstructed by any other parking space or accessory structure;

d) The requirements in a), b), and c) above may be waived if it is indicated that the uses which are to occupy a building do not require loading space(s).

37A Bicycle Parking Facilities (RC-Jun 25/14;E-Oct 18/14)

(1) For the whole of every building or structure to be erected or for the portion of a building or structure which is to be enlarged, on-site bicycle parking shall be provided in accordance with the following table:

Use	Bicycle Parking Requirement
Multiple Unit Dwelling	**0.5 spaces per dwelling unit** **80% Class A, 20% Class B**
Hotels/ Motels/Inns	**1 space for every 20 rooms** **80% Class A, 20% Class B** **Minimum 2 Class B spaces**
General Retail, Trade and Service, **Food Store, Shopping Centre,** **Restaurants**	**1 space per 300m² GFA** **20% Class A/ 80% Class B** **Minimum 2 Class B spaces**
General Office, Banks, Medical **Clinics, Institutional Uses,** **Government Buildings**	**1 space per 500m² GFA** **50% Class A/ 50% Class B** **Minimum 2 Class B spaces**
Auditoriums, Theatres, Stadiums, **Halls**	**1 space for every 20 seats** **20% Class A/ 80% Class B** **Minimum of 2 Class B spaces** **Maximum of 50 spaces**
Schools, Colleges, Universities	**1 space for every 250m² GFA** **20% Class A/ 80% Class B**
Recreation Facilities, Community **Centres, Libraries**	**1 space per 200m² GFA** **20% Class A/ 80% Class B** **Minimum of 2 Class B spaces**
General Industrial Uses	**1 space per 1000 m² GFA** **80% Class A/ 20% Class B** **Minimum of 2 Class B spaces** **Maximum of 20 spaces**
Commercial Parking Structures/Lots **(>20 Motor Vehicle Spaces)**	**5% of motor vehicle parking provided** **Minimum of 2 Class B spaces** **Maximum of 50 spaces**
Any Uses Not Specified Above	**1 space per 500 m² GFA** **50% Class A/ 50% Class B**

(2) Bicycle parking requirements shall not be required for the following land uses:

single, two and three unit dwellings, townhouses, self storage facilities, car washes, cemeteries and funeral homes.

(3) Each Class B bicycle parking space shall:

(a) be a minimum of 0.6m wide and 1.8m long;
(b) have a minimum overhead clearance of 2.0m;
(c) be located a minimum of 0.6m from any wall or other obstruction.

(4) Access to and exit from Class B bicycle parking spaces shall be provided with an aisle of not less than 1.2m in width, to be provided and maintained beside or between each row of bicycle parking.

(5) Class A bicycle parking spaces shall have a minimum door opening of 0.6m, be no less than 1.8m long and 1.2m in height, with an aisle width of not less than 1.5m. Bicycle rooms and cages for the storage of multiple bicycles shall contain Class B racks so that individual bicycles are supported.

37B Location of Bicycle Parking (RC-Jun 25/14;E-Oct 18/14)

(1) Class B bicycle parking shall be located no more than 15m from an entrance. Where there are shelters such as building awnings or overhangs or special purpose-designed shelters that protect bicycles from the elements, bicycle parking may be located up to 30m from an entrance.

(2) Class A bicycle parking may be located up to 200m from an entrance.

(3) All bicycle parking spaces shall be located on hard surfaces in areas that are visible and well illuminated.

(4) Class B spaces shall be located at ground level and visible to passers-by or building security personnel. Where not immediately visible to passers-by, directional signage shall be provided.

37C Special Bicycle Parking Facility Requirements (RC-Jun 25/14;E-Oct 18/14)

(1) Where six (6) bicycle spaces are provided, a reduction of one (1) regular required motor vehicle parking space may be permitted up to a maximum of two (2) spaces.

(2) In any case where enhanced bicycle parking facilities are provided, for every two enhanced parking spaces, one regular required motor vehicle space may be eliminated up to a maximum reduction of 10% of the required motor vehicle parking.

(3) In cases of 100% lot coverage, Class B bicycle parking may be installed within the street right-of-way, in accordance with the provisions of the Streets By-law (S-300), provided it is within 91.4m from the location they are to serve.

37D Appendix C - Areas of Elevated Archaeological Potential (RC-Jun 25/14;E-Oct 18/14)

Where excavation is required for a development on any lot identified on Appendix C attached to this by-law, a development permit may be issued and the application may be referred to the Nova Scotia Department of Communities, Culture and Heritage, Heritage Division for any action it deems necessary with respect to the preservation of archaeological resources in accordance with provincial requirements.

37E Appendix D – Wetlands (RC-Jun 25/14;E-Oct 18/14)

Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands identified on Appendix D attached to this by-law, within and adjacent to the lot. Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within any such wetland.

GENERAL PROVISIONS: SIGNS

38. Signs

1. General

a) No person shall erect a sign without first obtaining a development permit from the Development Officer;
b) All signs shall be located on the lot containing the business being advertised;
c) Not more than two signs per business shall be permitted;
d) The following sign provisions in Subsections 4, 5, 6, and 7 do not apply to the CMC Mainstreet Commercial Zone.
e) Notwithstanding c) above not more than one ground sign per lot shall be permitted except for Bedford Place Mall, Sunnyside Mall and Sobey's Mill Cove Shopping Centre where not more than two ground signs per lot shall be permitted.
f) Notwithstanding b), c) and 38.3(h) the *Northgate Retail Complex (as shown on Schedule B) (NWCC-Nov 25/10;E-Dec 11/10)* shall be permitted to contain two shared ground signs in addition to all other permitted signs. These ground signs shall be located adjacent to the main entrance on Duke Street and adjacent Highway 102. No more than one sign shall be permitted in either location. (NWCC-May 25/06;E-Jun 16/06)

1A. Temporary Signage

(a) This By-law shall not apply to any sign regulated under HRM By-law S-800 (A By-law Respecting Requirements for the Licensing of Temporary Signs); and
(b) Any sign provision within this By-law referring to temporary signage, as regulated under HRM By-law S-800, is superceded. (RC-Sep 26/06;E-Nov 18/06)

2. Signs Permitted In All Zones

The following signs shall be permitted in all zones;

a) name and street number of residential and non-residential buildings;
b) "No Trespassing" signs and other such signs regulating the use of a property, provided said sign does not exceed two (2) square feet in area;
c) "For Sale" or "For Rent" signs, provided such signs do not exceed six (6) square feet per face in any residential zone and thirty-two (32) square feet per face in any non-residential zone;
d) signs regulating traffic within the lot or giving direction or identifying the function of part or all of a building, provided that such signs do not exceed five (5) square feet in area;
e) signs erected by a governmental body or public authority such as traffic signs, railroad crossing signs, signs identifying public properties and buildings without limitation as to the maximum sign areas, and lists of electors;
f) memorial signs or tablets and signs denoting the date or erection of a building as well as signs identifying historic sites;
g) flag, pennant, or insignia of any government or religious, charitable, or fraternal organization;
h) signs which are incidental to construction and are located on the same lot, provided that such sign shall not exceed sixty-four (64) square feet in area;
i) notices of religious or patriotic demonstrations and public exhibitions.

3. Signs Prohibited In All Zones

The following signs shall not be permitted or erected in any zone, notwithstanding anything else contained in this By-law:

a) signs having flashing or moving illumination which varies in intensity or colour, signs having moving parts, whether caused by mechanical apparatus, electrical pulsation, or normal wind current;
b) portable signs except for once per business for a maximum period of sixty (60) continuous days for new business openings;
c) any sign which creates a hazard to public safety;
d) any sign proximate to a roadway or driveway which obstructs the vision of vehicular drivers whether by virtue of its sign location, appearance or illumination or which obscures or obstructs any traffic control sign or device of any public authority;
e) any sign which obstructs access to or from a fire escape, door, window, or other required fire exit;
f) signs which resemble traffic control signs of any public authority, whether by shape, colour, message or location which would interfere with or confuse traffic along a public road;
g) any sign which advertises a product which is no longer sold or a business which is no longer in operation;
h) signs which are not located on the same lot as the commercial establishment, which state the name of the said establishment and the type of business or products of said establishments;
i) signs on public property or public rights-of-way unless erected by a public authority or specifically permitted by the Town;
j) string lights, other than for temporary holiday decoration whose illumination is

unshielded from adjacent properties;

k) searchlights, pennants, spinners, banners, and streamers, except for temporary uses such as grand openings and exhibitions;

l) signs located on or affixed to the roof of any structure;

m) signs affixed to natural objects (trees, stones).

4. Facial Wall Signs

No facial wall sign shall:

a) extend above the top of the wall on which it is affixed;

b) extend beyond the extremities of the wall on which it is affixed;

c) include more than one message for each business premise in the building on which it is affixed where the building contains multiple occupancies;

d) have an area which exceeds ten (10) percent of the area of the wall on which it is attached;

e) within the Northgate Retail Complex, no single facia sign shall exceed 10 percent of the area of the wall on which it is attached and the total area of all facia signs on a wall shall not exceed 15 percent of the area of the wall to which it is attached. For the purposes of this section all facia wall signs shall count as one sign. Signs on an individual building may contain more than one message per business premise. (NWCC-May 25/06;E-Jun 16/06)

5. Projecting Wall Signs

No projecting wall sign shall:

a) project over a public right-of-way unless otherwise provided for in this By-law;

b) project more than six (6) feet from the wall on which it is attached;

c) project above the eaves, parapet or roof line of a building;

d) be erected below a height of ten (l0) feet above grade;

e) have a single face area greater than sixteen (16) square feet;

f) canopies and awnings incorporating signage are not subject to subsections a), c), d), and e);

g) within the Northgate Retail Complex, canopies and awnings incorporating signage shall be considered facia wall signs. (NWCC-May 25/06;E-Jun 16/06)

6. Ground Signs Or Free Standing Signs

No ground sign shall:

a) exceed a height of fifteen (15) feet from the grade to the highest part of the sign;

b) be set back less than five (5) feet from the front lot line, or the flankage lot line of a corner lot, in any commercial zone, subject to Section 20, Part 5;

c) notwithstanding a) and b) the Northgate Retail Complex (near Duke Street and Highway 102), no sign shall exceed 35 feet in height or exceed 250 square feet in size per face for buildings greater than 20,000 square feet or greater in size. No sign shall be set back less than ten (10) feet from the front lot line, or the flankage lot line of a corner lot, subject to Part 5, Section 20. Furthermore the supporting

structure of such ground sign shall not include exposed metal pole(s) or beams, but should be surrounded by a decorative cover or wrap which includes architectural elements compatible with the sign. Pole covers shall be made of a shell of stone, brick, ornamental metal or similar materials.

d) notwithstanding a) the Northgate Retail Complex (near Duke Street and Highway 102), no sign shall exceed 20 feet in height or exceed 250 square feet in size per face for buildings smaller than 20,000 square feet in size. No sign shall be set back less than five (5) feet from the front lot line, or the flankage lot line of a corner lot, subject to Section 20, Part 5. (NWCC-May 25/06;E-Jun 16/06)

6A. Shared Ground Signs (Northgate Retail Complex) (NWCC-May 25/06;E-Jun 16/06)

No shared ground sign enabled under Section 38. 1. f) shall:

a) exceed 60 feet in height or 500 square feet in area, adjacent to Highway 102;
b) exceed 40 feet in height or 500 square feet in area, adjacent to Duke Street.

Furthermore the supporting structure of such ground sign shall not include exposed metal pole(s) or beams, but should be surrounded by a decorative cover or wrap which includes architectural elements compatible with the sign. Pole covers shall be made of a shell of stone, brick, ornamental metal or similar materials.

7. Signs In A Residential Zone

Unless otherwise regulated in this By-law, no sign in any Residential Zone shall exceed three (3) square feet in sign area or be higher than five (5) feet from grade to the top of the sign in the case of a ground sign.

GENERAL PROVISIONS: WIND ENERGY FACILITIES (RC-Jun 25/14;E-Oct 18/14)

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

a) "Habitable Building" means a dwelling unit, hospital, hotel, motel, nursing home or other building where a person lives or which contains overnight accommodations.
b) "Nacelle" means the frame and housing at the top of the tower that encloses the gearbox and generator.
c) "Nameplate Capacity" means the manufacturer's maximum rated output of the electrical generator found in the nacelle of the wind turbine;
d) "Total Rated Capacity" means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;

e) "Tower Height" means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building's foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;

f) "Turbine" means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.

g) "Wind Energy Facility" means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines:

- **i) "Micro Facility" means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.**
- **ii) "Small Facility" means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.**
- **iii) "Medium Facility" means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.**
- **iv) "Large Facility" means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.**

II ZONES

For the purpose of this section the following zones apply as shown on the attached Appendix E - Wind Energy Zoning Map. Such zones are:

(UW-1) Urban Wind Zone
(RW-2) Rural Wind Zone
(R) Restricted Zone

a) URBAN WIND ZONE (UW-1)

- **i) All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).**
- **ii) All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.,**

iii) All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,

iv) Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.

v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.

vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.

b) RURAL WIND ZONE (RW-2)

i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).

ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.

iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:

1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;

2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:

1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;

2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:

1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;

2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:

1) A minimum distance of 1000 metres (3281 feet) from any habitable building on an adjacent property;

2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

c) RESTRICTED ZONE (R)

i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;

b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;

c) identification and location of the properties on which the proposed Wind Energy Facility will be located;

d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;

e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the *Aviation Act;* and,

f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.

IV ADDITIONAL PERMIT REQUIREMENTS

a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:

- **i) not attached to a building and is not connected to the power grid;**
- **ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.**

b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:

i)	**Micro**	**140 metres (460 ft)**
ii)	**Small**	**360 metres (1180 ft)**
iii)	**Medium**	**500 metres (1640 ft)**
iv)	**Large**	**2000 metres (6560 ft)**

c) The notice pursuant to section b) shall include the following information:

- **i) a site plan that includes property boundaries and the location of the proposed wind energy facility;**
- **ii) a description of the type of wind energy facility; and**
- **iii) the applicant's contact information which shall include a mailing address.**

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

a) Wind Energy Facilities shall not be permitted in the following zones of the Bedford Land Use By-law:
  i) RPK (Regional Park) Zone.

VII INSTALLATION AND DESIGN

a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.
b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.
c) All electrical wires shall, to the maximum extent possible, be placed underground.
d) The visual appearance of the Wind Energy Facility shall at a minimum:
  i) be a non-obtrusive colour such as white, off-white or gray;
  ii) not be artificially lit, except to the extent required by the *Federal Aviation Act* or other applicable authority that regulates air safety; and,
  iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.
b) The siting of Wind Energy Facilities is subject to the requirements for Watercourse Setbacks and Buffers as set out in the Land Use By-law.
c) The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law

IX SCHEDULES/ APPENDICES

a) Appendix E – Wind Energy Zoning Map.

PART 6: RESIDENTIAL SINGLE DWELLING UNIT (RSU) ZONE

No development permit shall be issued in a Residential Single Dwelling Unit (RSU) Zone except for one or more of the following uses:

a) single detached dwelling units;
b) neighbourhood parks;
c) special care facilities for up to 10 residents;
d) uses accessory to the foregoing uses.
e) existing two unit dwellings as follows:

Address
11 Olive Avenue (LRIS # 419440)
37 Olive Avenue (LRIS # 419465)
65 Olive Avenue (LRIS # 487868)
24 Olive Avenue (LRIS # 40566630)
380 & 382 Hammonds Plains Road (LRIS #s 473405, 40080616)
384 & 386 Hammonds Plains Road (LRIS #s 473413, 40070765)
388 & 390 Hammonds Plains Road (LRIS #s 473421, 417345)
20 Emmerson Street (LRIS #433631) (RC-Jul 8/04;E-Jul 10/04)
23 Olive Avenue (LRIS # 41399692) (NWCC-Sep 15/14;E-Oct 11/14)
165 & 167 High Street (LRIS # 41056110) (NWCC-Sep 15/14;E-Oct 11/14)

ZONE REQUIREMENTS RSU

In any Residential Single Dwelling Unit (RSU) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area .....6,000 Sq. Ft. serviced;
Minimum Lot Frontage..... 60 Ft.
Minimum Front Yard.....Local and Collector Streets 15 Ft.; 30 Ft. Arterial Streets
Minimum Rear Yard..... 20 Ft.
Minimum Side Yard ..... 8 Ft.
Minimum Flankage Yard.....15 Ft. Local and Collector Streets; 30 Ft. Arterial Streets
Maximum Height of Building..... 35 Ft.
Maximum Number of Dwelling Units on Lot 1
Maximum Lot Coverage..... 35%

PART 7: RESIDENTIAL TWO DWELLING UNIT (RTU) ZONE

No development permit shall be issued in a Residential Two Dwelling Unit (RTU) Zone except for one or more of the following uses:

a) all uses permitted in the RSU Zone subject to the RSU Zone requirements;
b) a semi-detached dwelling;
c) a duplex dwelling;
d) a linked dwelling;
e) a basement apartment added to a single dwelling unit so that the building contains only two dwelling units;
f) special care facilities for up to 10 residents
g) neighbourhood park;
h) uses accessory to the foregoing uses.

ZONE REQUIREMENTS RTU

In any Residential Two Dwelling Unit (RTU) Zone, no development permit shall be issued except in conformity with the following requirements:

	Duplex Dwellings & Singles with Basement Apartment	Each Semi-Detached Unit or Linked Dwelling Unit
Minimum Lot Area	6,000 Sq.Ft.	3,000 Sq.Ft.
Minimum Lot Frontage	60 Ft.	30 Ft.
Minimum Front Yard	15 Ft. on Local and Collector Streets; 30 Ft. on Arterial	15 Ft. on Local and Collector Streets; 30 Ft. on Arterial
Minimum Rear Yard	20 Ft.	20 Ft.
Minimum Side Yard	8 Ft.	8 Ft.
Minimum Common Side Yard For Link Homes	N/A	2.5 Ft.
Minimum flankage yard	15 Ft. on Local and Collector Streets; 30 Ft. on Arterial	15 Ft. on Local and Collector 30 Ft. on Arterial
Maximum Height of Building	35 Ft.	35 Ft.
Maximum Number of Dwelling Units Per Lot	2	1
Maximum Lot Coverage	35%	35%

PART 8: RESIDENTIAL MULTIPLE DWELLING UNIT (RMU) ZONE

No development permit shall be issued in a Residential Multiple Dwelling Unit (RMU) Zone except for one or more of the following uses:

a) apartment building;
b) special care facilities for up to 10 residents;
c) neighbourhood parks;
d) uses accessory to the foregoing uses.

ZONE REQUIREMENTS RMU

In any Residential Multiple Dwelling Unit (RMU) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area	10,000 Sq.Ft.
Minimum Lot Frontage	100 Ft.
Minimum Front Yard	30 Ft.
Minimum Rear Yard	40 Ft.
Minimum Side Yard	15 feet minimum or 1/2 the height of the building, whichever is greater
Flankage Yard	30 Ft.
Maximum Height of Main Building	35 Ft.
Maximum Number of Dwelling Units/Lot	36 Units
Lot Coverage	35%

	Type of Dwelling Unit	Lot Area Required Per Dwelling Unit
Density	Bachelor, Bedsitting & One Bedroom	1,500 Sq.Ft
	Two or more Bedrooms	2,000 Sq.Ft.
Recreation Space	One Bedroom, Bachelor or Bedsitting	200 Sq.Ft
	Two Bedroom	575 Sq.Ft.
	Three Bedroom	950 Sq.Ft.
	Four or More Bedrooms	1,325 Sq.Ft.

A recreational space shall be a space set aside for recreational purposes such as common recreational areas: play areas, recreational rooms, roof decks, swimming pools and tennis courts. A recreational space shall have no dimension less than thirty (30) feet and a minimum of 50 percent of the outdoor recreational space shall have grades between 0-8 percent.

PART 9: RESIDENTIAL TOWNHOUSE (RTH) ZONE

No development permit shall be issued in a Residential Town House (RTH) Zone except for one or more of the following uses:

a) rowhouse or townhouse dwelling;
b) special care facilities for up to 10 residents;
c) neighbourhood parks
d) uses accessory to the foregoing uses;

ZONE REQUIREMENTS RTH

In any Residential Townhouse (RTH) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area	2,000 sq. ft. per unit
Minimum Lot Frontage	20 ft. per unit
Minimum Front Yard	15 ft. on local or collector streets where a garage is within or attached to the dwelling or where off-site parking is provided; 30 ft. on arterial streets
Minimum Rear Yard	20 ft.
Minimum Side Yard	10 ft.
Flankage Yard	15 ft. on local and collector streets; 30 ft. on arterial streets
Maximum Height of Building	35 ft.
Number of Dwelling Units Per Lot	1
Lot Coverage	35%

The maximum density of Rowhouse or Townhouse units permitted in this zone shall be 15 units per net acre.

PART 10: RESIDENTIAL COMPREHENSIVE DEVELOPMENT DISTRICT (RCDD) ZONE

1) No Development Permit shall be issued for a development in a Residential Comprehensive Development District (RCDD), unless the proposed development is in conformance with a development agreement which has been approved by a resolution of Council.

2) The following uses may be permitted in a RCDD zone:

   a) Single Detached Unit dwellings;
   b) Two Unit attached;
   c) Townhouse dwellings;
   d) Multiple Unit dwellings;
   e) Mobile homes;
   f) Senior Residential Complexes
   g) Neighbourhood convenience stores;
   h) Neighbourhood Commercial Uses (see definition);
   i) Institutional Uses;
   j) Parks and Recreational Uses;
   k) Any uses accessory to the foregoing.

PART 10A: BEDFORD SOUTH COMPREHENSIVE DEVELOPMENT DISTRICT (BSCDD) ZONE (RC-Jun 20/06;E-Jul 29/06)

1) No development permit shall be issued for a development with a Bedford South Comprehensive Development District (BSCDD) Zone except in accordance with a development agreement approved pursuant to policies contained in the Bedford South Secondary Planning Strategy.

PART 10B: BEDFORD WEST COMPREHENSIVE DEVELOPMENT DISTRICT (BWCDD) ZONE (RC-Jun 20/06;E-Jul 29/06)

1) No development permit shall be issued for a development with a Bedford West Comprehensive Development District (BWCDD) Zone except in accordance with a development agreement approved pursuant to policies contained in the Bedford West Secondary Planning Strategy.

PART 11: RESIDENTIAL RESERVE (RR) ZONE

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

a) single unit dwellings;
b) neighbourhood parks;
c) homes for special care for up to 10 residents;
d) uses accessory to the foregoing uses.

ZONE REQUIREMENTS RR

In any Residential Reserve (RR) Zone no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area ..... 5 acres
Minimum Lot Frontage.....360 feet
Minimum Front Yard..... 30 ft. setback
Minimum Rear Yard..... 50 ft.
Minimum Side Yard ..... 8 ft.
Maximum Height of Building..... 35 ft.
Maximum Number of Dwelling Units on Lot 1
Lot Coverage 10%

SPECIAL REQUIREMENTS - UNSERVICED LOTS

Notwithstanding anything else in this By-law, the minimum lot frontage for unserviced lots within as RR zone may be reduced to one hundred twenty (120) feet and the minimum lot area reduced to one (1) acre where the following conditions are met:

a) the original parcel of land contains a dwelling which was constructed on or before October 9, 1991 by-law: and,
b) the lot completely fronts on a street which was public on or before October 9,1991.

Notwithstanding anything else in this By-law, for 700 Kearney Lake Road (PID 40648370), the minimum lot frontage is reduced to one hundred fifty (150) feet and the minimum lot area is reduced to two (2) acres. (RC-Apr 24/01;E-May 25/01)

PART 12: GENERAL BUSINESS DISTRICT (CGB) ZONE

No development permit shall be issued in a General Business District (CGB) Zone except for one or more of the following uses:

a) Office Uses
b) Private Clubs (social)
c) Full- Service Restaurants
d) Day Care Facilities (RC-Mar 3/09;E-Mar 21/09)
e) Neighbourhood Convenience Stores
f) General Retail exclusive of mobile home dealerships
g) Personal and Household Services, exclusive of massage parlours
h) Commercial Photography
i) Lounges & Taverns (Taverns not exceeding 1,500 Sq.Ft. gross area)
j) All Age/Teen Clubs
k) Hotels, Motels, Cabins, Guest Houses
l) Recycling depots
m) Drycleaning Depots
n) Commercial parking lots
o) Funeral Homes
p) Institutional (SI) uses, excluding cemeteries
q) Ice cream stands (NWCC-Jul 7/05;E-Dec 5/05)
r) Veterinary clinics (NWCC-Sep 27/07;E-Oct 13/07)
~~**s) Uses accessory to the foregoing uses (NWCC-Sep 27/07;E-Oct 13/07)**~~
s) Banks and Financial Institutions (NWCC-Jul 8/13;E-Jul 27/13)
t) Uses accessory to the foregoing uses (NWCC-Jul 8/13;E-Jul 27/13)

ZONE REQUIREMENTS CGB

In any General Business District (CGB) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area ..... 10,000 Sq.Ft.
Minimum Lot Frontage ..... 60 Ft.
Minimum Front Yard ..... 15 Ft. setback
Minimum Rear Yard ..... 0 Ft.; Except 40 Ft. where abutting Residential Zoned property
Minimum Side Yard ..... 0 Ft.; Except 20 Ft. or half the height of the building, whichever greater, where abutting Residential Zoned land
Maximum Height of Building ..... 3 floors above established grade
Units on Lot 0
Lot Coverage 50%
Access ..... 1 driveway access for each 150 feet of lot frontage

PART 13: SHOPPING CENTRE (CSC) ZONE

No Development Permit shall be issued in a Shopping Centre (CSC) Zone except for one or more of the following uses:

a) Shopping Centres containing any of the following uses;
   i) Banks and Financial Institutions
   ii) Offices
   iii) Dressmaking and Tailoring
   iv) Medical Clinics
   v) Movie Theatres
   vi) Restaurants, Taverns and Lounges
   vii) All Age/Teen Clubs
   viii) Billiard/Snooker Club
   ix) Drycleaning Depots
   x) Garden Markets
   xi) Retail Stores
   xii) Service and Personal Service Shops
   xiii) Taxi and Bus Stations
   xiv) Amusement Centre
   xv) Recycling depots
b) Uses permitted in the CGB Zone
c) Office towers in excess of the permitted height by development agreement
d) Uses accessory to the foregoing uses.

ZONE REQUIREMENTS CSC

In any Shopping Centre (CSC) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area ..... 5 Acres
Minimum Lot Frontage ..... 500 Ft.
Minimum Front Yard .....30 Ft.Setback
Minimum Rear Yard .....0 Ft., except 40 Ft. where abutting a residential zone
Minimum Side Yard .....0 Ft., except 40 Ft. where abutting a residential zone
Maximum Height ..... 52 Ft.(Four floors above grade)
Lot Coverage Maximum 50%

SPECIAL REQUIREMENTS - TAVERNS AND LOUNGES

a) Drinking establishments located within shopping centres shall not exceed an area of 3300 square feet devoted to public use.

PART 14: MAINSTREET COMMERCIAL (CMC) ZONE

No development permit shall be issued in a Mainstreet Commercial (CMC) Zone except for one or more of the following uses:

a) dwelling units not to exceed 50% of the gross floor area and not to be located fronting on a street on the first floor
b) day care facilities (RC-Mar 3/09;E-Mar 21/09)
c) business and professional offices
d) medical, veterinary, and health service clinics; (NWCC-Nov 25/10;E-Dec 11/10)
e) bed and breakfast/guest home establishments not exceed three (3) units per establishment
f) inn and country inn establishments not exceed ten (10) units per establishment
g) full Service Restaurant
h) food stores not to exceed 5,000 sq.ft. per business
i) post office
j) general retail stores not to exceed 5,000 square feet per business (excluding mobile home dealers)
k) personal and household service shops (exclusive of massage parlours)
l) banks and financial institutions
m) commercial parking lots
n) pub, lounge to a maximum of 800 sq. feet devoted to public use
o) all age/teen clubs
p) recycling depots
q) drycleaning depots
r) notwithstanding a) seniors residential complexes by development agreement in accordance with Policy R-19A
s) uses accessory to the foregoing uses
t) existing residential uses
u) existing motel, inn, hotel uses
v) funeral homes
w) existing uses located at 1067, 1111, 1180, 1189, 1239, 1312 and 1350 Bedford Highway as described in Appendix B
x) Ice cream stands (NWCC-Jul 7/05;E-Dec 5/05)

ZONE REQUIREMENTS CMC

In any Mainstreet Commercial (CMC) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area .....4,000 sq. ft
Minimum Lot frontage ..... 40 ft.
Minimum Rear Yard ..... 40 ft.
Minimum Front Yard ..... 0 ft.
Minimum Sideyard .....0 feet; 25 ft. corner vision triangle required for corner lots.
Maximum Height of Building.....2 floors above Bedford Highway
Maximum Lot Coverage ..... 50 %
Driveway Opening Width ..... 25 ft. maximum (curb cut)
Number of Driveway Openings ..... Maximum number of driveway openings is one per lot for lots having less than 150 ft. of frontage. Additional

driveways (maximum width of 20 ft.) shall be based on one per 150 ft. of additional frontage. Shared driveways are encouraged.

SPECIAL REQUIREMENT: PARKING

a) Parking within the front yard shall not be permitted. Parking shall be permitted in the rear and side yard.
b) Where parking is provided in the side yard all parking lots shall be screened with a natural vegetative buffer along the front property line adjacent the street.
c) Where Commercial parking lots are permitted in the zone all parking lots shall be screened with six (6) feet of natural vegetative buffer along the front property line adjacent the street.

SPECIAL REQUIREMENTS: LANDSCAPING

Front yards, if provided are to be landscaped. No asphalt other than for driveways and parking areas shall be permitted.

SPECIAL REQUIREMENTS: ARCHITECTURAL GUIDELINES

a)	Building Requirements	Buildings of over 50 feet width measured parallel to the street shall have the appearance of two or more buildings by altering the appearance of the facade and/or roof in increments no greater than 50 feet.
b)	Roof Design Requirements	Pitched roofs shall have a minimum slope of 10 degrees. Dormers and gables are permitted. Mansard roofs shall not project beyond the face of the wall below, except to permit eaves for ventilation.
c)	Exterior Cladding	bricks, wood shingles, wood siding, wood clapboard, stone **and acceptable equivalent, however no vinyl siding shall be permitted**. **(NWCC-Apr 3/03;E-Apr 12/03)** .
d)	Windows	Windows, except for commercial storefronts at grade, shall be treated as individual openings in the wall surface; continuous bands of horizontal glazing will not be permitted except for storefronts at grade. For square and rectangular window openings, the height of window sashes shall exceed the width. Total window area per building face shall not exceed 50% of the area of the building face (in order to maintain the visual emphasis on the wall surface). Windows shall be accentuated by design details (i.e. arches, hoods, mouldings, decorative lintels, pediments, sills);
e)	Additions to existing buildings	Additions to the fronts and sides of existing buildings are to conform to these design standards.

SPECIAL REQUIREMENTS: SIGNS

Signs in the Mainstreet Commercial Zone shall be subject to the following general provisions:

1. Permitted signs include signboards, facial wall signs, projecting wall signs, ground signs,

window signs, or as an integral part of a canopy, awning or similar device.

2. Signs are to be constructed of wood or have a wood-like appearance, with exterior shielded illumination.
3. Signs shall not obstruct the corner vision triangle at street intersections.
4. The maximum number of permitted signs is 2 per facade, or one (1) per each business in a multiple occupancy building.
5. Signs within the Mainstreet Commercial zone shall also be subject to sub-sections 1, 2, and 3 of Section 38 of the General Provisions.

Signboards
Signboards shall form an integral part of the building facade by being located between the top of the ground floor windows and the bottom of the second storey windows. Signboards shall not exceed a height of 3 feet and shall extend the entire length of the facade.

Facial Wall Signs
Facial wall signs shall not exceed twenty (20) square feet in area and shall not extend beyond the top and extremities of the wall on which it is affixed.

Projecting Wall Signs
Projecting wall signs shall not: a) project more than four feet over a public sidewalk; b) project more than six feet from the building to which it is attached; c) hang closer than nine feet above a sidewalk or public right of way; d) exceed an area of 16 sq. ft.

Ground Signs
Ground signs shall not: a) exceed a height of eight feet; b) exceed an area of 20 sq. ft. per side; c) be within 2 feet of the street right-of-way; d) be within 10 feet of a side property line or driveway.

Sandwich Boards - deleted (RC-Sep 26/06;E-Nov 18/06)

Canopies/Awnings
Canopies and awnings attached to walls shall not project more than 4 feet over a public sidewalk. Canopies and awnings shall be self supporting and shall be placed a minimum height of 9 feet above a sidewalk. Signage may be included as an integral part of an awning or canopy.

Mobile Signs - deleted (RC-Sep 26/06;E-Nov 18/06)

Window Signs
Window signs shall not: a) exceed 25% of the window area; b) exceed 25% of the glass area of a door; area shall be calculated on the basis of the smallest geometric shape which will contain all of the message.

PART 15: HIGHWAY ORIENTED COMMERCIAL (CHWY) ZONE

No development permit shall be issued in a Highway Oriented Commercial (CHWY) Zone except for one or more of the following uses:

a) service stations
b) automotive vehicles, parts, & accessories sales and services
c) clinics
d) drive-in and take-out restaurants
e) garden markets
f) motels, hotels, guest homes
g) trailer/mobile home sales
h) neighbourhood convenience stores
i) commercial parking lots
j) display or model homes
k) public garages
l) general retail and rental shops
m) drycleaning depots
n) funeral homes
o) veterinary clinics
p) recycling depots
q) office uses
r) uses accessory to the foregoing uses. (NWCC-Aug 9/07;E-Sep 1/07)

ZONE REQUIREMENTS CHWY

In any Highway Oriented Commercial (CHWY) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area ..... 20,000 sq. feet
Minimum Lot Frontage ..... 100 ft.
Minimum Front Yard ..... *15 ft. setback*
Minimum Rear Yard .....0 ft., except 40 ft. from property zoned residential
Minimum Side Yard .....0 ft., except 40 ft. from property zoned residential
Maximum Height of Building..... 35 ft.
Maximum Number of Dwelling Units/Lot 0
Lot Coverage 50%

SPECIAL REQUIREMENTS: OFFICE USES

Where office uses are not accessory to other permitted uses in this zone, they shall not be located on the ground floor of any building.

PART 16: COMMERCIAL COMPREHENSIVE DEVELOPMENT DISTRICT (CCDD) ZONE

1) No development permit shall be issued for a development in a CCDD Zone unless the proposed development is in conformance with a development agreement which has been approved by a resolution of Council.

2) The following uses maybe permitted in a CCDD Zone:

   a) single unit dwellings
   b) two unit dwellings
   c) townhouse dwellings;
   d) multiple unit buildings;
   e) neighbourhood commercial uses;
   f) office buildings;
   g) Central Business District uses (CGB Zone uses);
   h) convention facilities;
   i) institutional facilities (SI Zone uses);
   j) parks and recreational uses;
   k) existing uses, as follows: Traveller's Motel, Esquire Motel, Clearwater Lobsters Ltd., and residential uses at Civic # 1763 to 1805 Bedford Highway;
   l) recycling depot
   m) billiard/snooker club
   n) any uses accessory to the foregoing uses.

3) A CCDD Zone shall be applied only to sites identified CCDD on the Generalized Future Land Use Map.

4) In the event Council approves the proposal, approval shall only be granted subject to the condition that the registered owner of the land upon which the development is to occur shall enter into an agreement with Council containing such terms and conditions as Council may direct. This agreement shall be registered with the land and be binding on any subsequent owners of the land. Council may discharge the agreement upon the completion of particular phases of the development pursuant to Policy C-9 of the Municipal Planning Strategy.

5) Notwithstanding anything in this By-law, the lot size, front yard, side yard, rear yard and height restrictions shall be described in the Development Agreement made between Council and the developer pursuant to Sections 66 and 67 of the Planning Act and policies C-7 to C-15 of the Municipal Planning Strategy.

6) <u>SPECIAL REQUIREMENTS FOR EXISTING USE: 757 BEDFORD HIGHWAY</u> (NWCC-Jul 9/18;E-Jul 2/18)

Notwithstanding Clauses (1) to (5) of this Part, the following shall apply to the property at 757 Bedford Highway:

a) In this Clause, "building" means the building legally in place on July 9, 2018;
b) The building and lands shall be used only for the purposes of retail and

wholesale sales of seafood products and associated office and service space;

c) Retail uses are permitted only on the ground floor and must face the Bedford Highway;

d) The second, third and fourth floors shall be used for office space;

e) On the portion of 757 Bedford Highway zoned CCDD, the building may be expanded to extend within the Halifax Plan Area, subject to the requirements of the Halifax Mainland Land Use By-law. No addition within the CCDD Zone shall be closer to the front property line than the building, nor shall the addition be taller than the building;

f) Outdoor storage in any service area shall be screened with a combination of shrubs and an opaque fence.

Any development on 757 Bedford Highway other than the uses permitted under Clause (6) of this Part shall comply with the requirements of Clauses (1) to (5) of this Part.

PART 17: LIGHT INDUSTRIAL (ILI) ZONE

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

a) warehouses and storage and distribution centres
b) manufacturing, processing, assembly, recycling, or warehousing operations which are not objectionable uses;
c) parking and or storage of industrial or heavy commercial vehicles, equipment and similar goods;
d) trade centres
e) building supplies sales
f) auto service and supplies centres/outlets
g) uses permitted in the Shopping Centre Zone (CSC);
h) wholesalers
i) full service and take-out restaurants
j) furniture stores
k) uses permitted in the CGB Zone, except office buildings, subject to CGB Zone provisions
l) day care facilities; (RC-Mar 3/09;E-Mar 21/09)
m) dry cleaning depot
n) recycling depot
o) uses permitted in the SU Zone
p) bingo halls
q) billiard/snooker club
qa) Auto body repair shops on properties identified on Schedules C-1 and C-2 **(NWCC-Mar 21/16; E-Apr 2/16)**
qb) **Service stations and gas bars on properties identified on Schedule C-3 (RC-Sep5/17;E-Oct21/17)**
qc) cannabis production facilities (RC-Sep18/18; E-Nov 3/18)
r) any uses accessory to the foregoing uses.

ZONE REQUIREMENTS ILI

In any Light Industrial (ILI) Zone no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area ……5,000 sq. ft.
Minimum Lot Frontage.....50 ft.
Minimum Front Yard.....30 ft. setback
Minimum Rear Yard..... 0 ft. except 40 ft. where abutting a residential zone
Minimum Side Yard ..... 0 ft. except 40 ft. where abutting a residential zone
Maximum Height of Building.....52 ft.
Maximum Lot Coverage..... 70%

SPECIAL REQUIREMENTS: LANDSCAPING/ OUTDOOR DISPLAY AND STORAGE

a) There shall be a landscaped area of at least 15 feet in depth running the length of and directly abutting the front lot line. This landscaped area shall extend the length of the front lot line and of the flankage lot line for a corner lot. Landscaping shall consist of existing vegetation

and/or plantings as per *Part 5, Section 32*.

b) A buffer 40 feet wide, beginning at the property line, shall be required for the for side or rear yards in an Industrial Zone which abut an existing residential use, vacant land zoned for residential use, or a Park or Institutional Zone.

c) No outdoor storage shall be located:
   i) within any required yard; nor
   ii) within any yard which abuts lands fronting on an arterial road; except where a fence or other visual barrier is provided to completely screen the use.

d) Outdoor display may be permitted provided it does not occur on the required 15 Ft. landscaped area described above and required abutting yards as per Part 5, Section 24 b).

e) External fuel storage tanks shall be screened unless located at the rear of the building.

SPECIAL REQUIREMENTS: CANNABIS PRODUCTION FACILITIES (RC-Sep18/18; E-Nov 3/18)

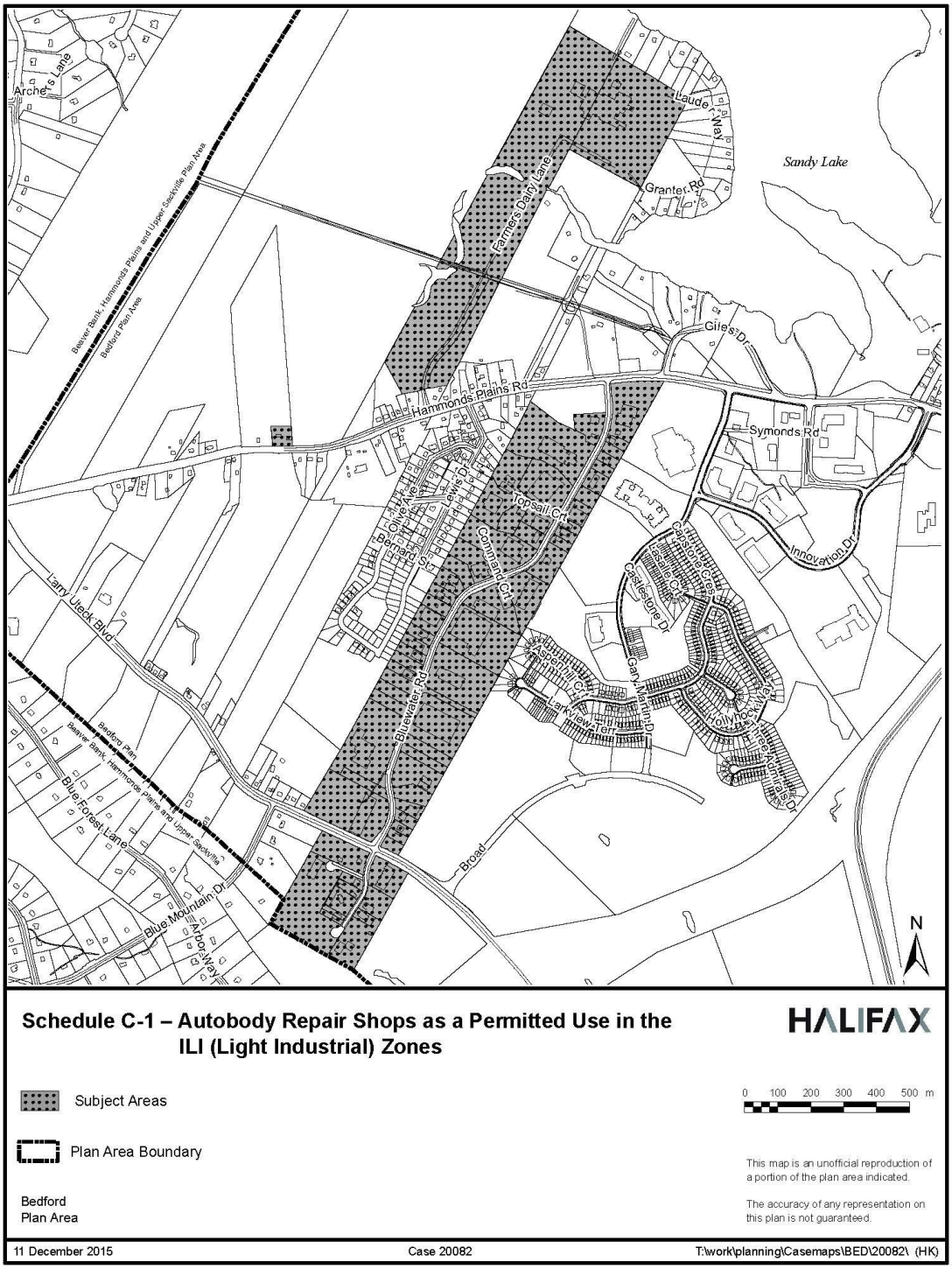
(a) Where a lot containing a cannabis production facility abuts a lot

(i) zoned or used for residential purposes, or

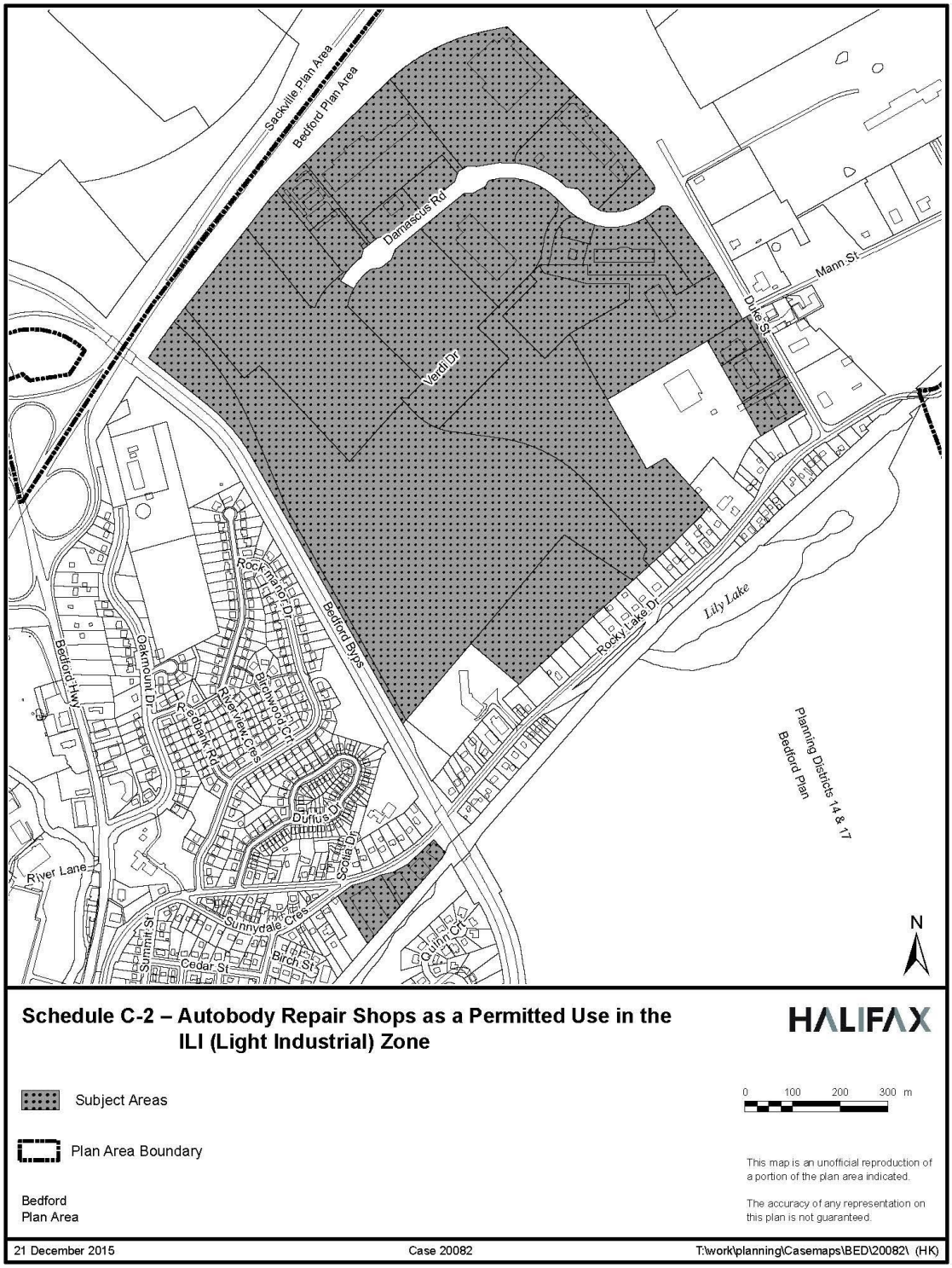
(ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

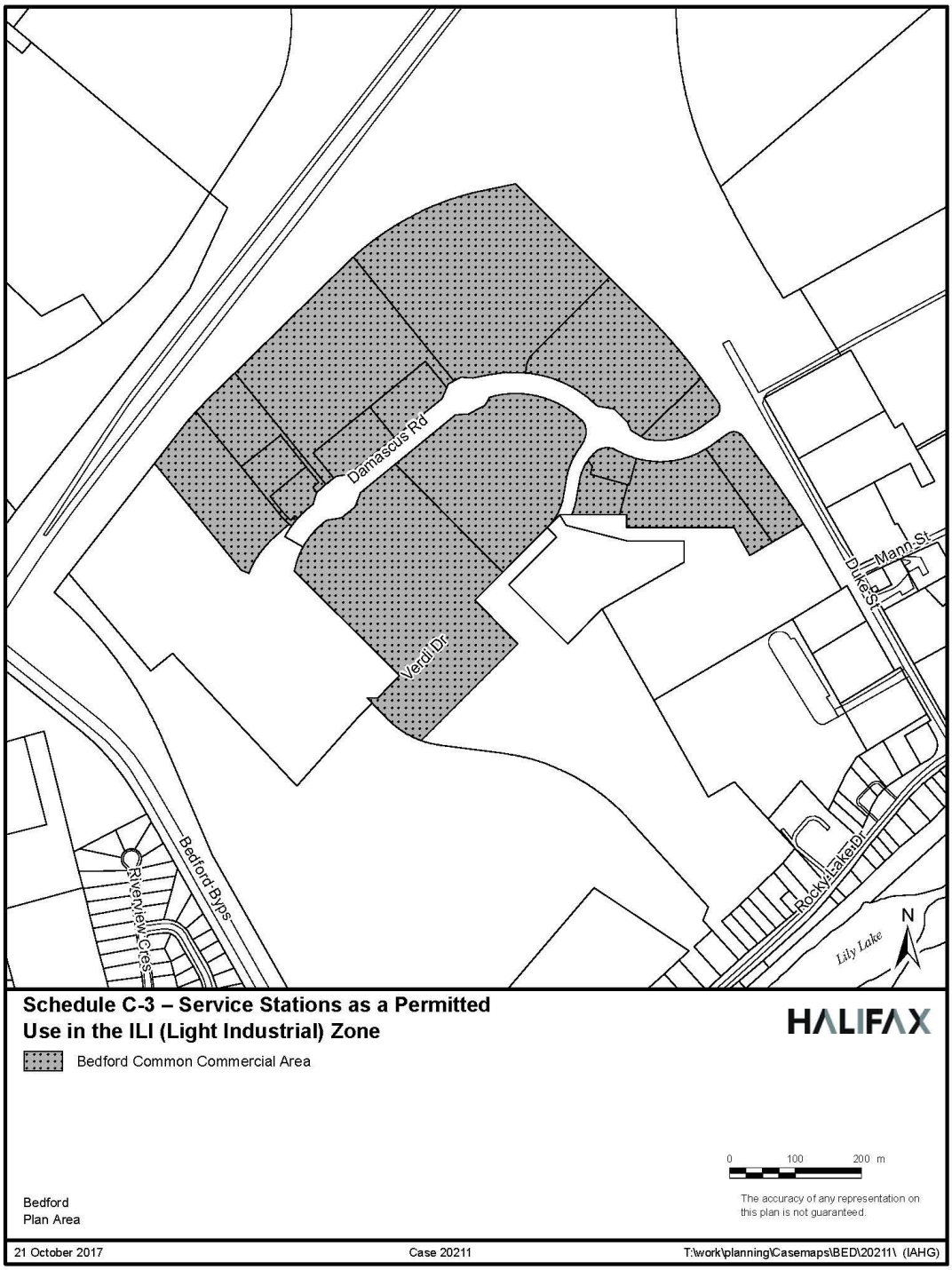
SCHEDULE C-1: Auto Body Repair Shops as Permitted Use in the ILI (Light Industrial) Zone (NWCC-Mar 21/16; E-Apr 2/16)



SCHEDULE C-2: Auto Body Repair Shops as Permitted Use in the ILI (Light Industrial) Zone (NWCC-Mar 21/16; E-Apr 2/16)



SCHEDULE C-3: Service Stations as Permitted Use on ILI (Light Industrial) Zone (RC-Sep5/17;E-Oct21/17)



PART 18: HARBOUR ORIENTED INDUSTRIAL (IHO) ZONE

No development permit shall be issued in a Harbour Oriented Industrial (IHO) Zone except for one or more of the following uses:

a) industrial uses requiring direct access to salt water;
b) construction, maintenance and repairs of marine vessels;
c) marine technology and research;
d) handling and storage of bulk containers or general cargo;
e) recreational uses;
f) any uses accessory to the foregoing uses.

ZONE REQUIREMENTS IHO

In any Harbour Oriented Industrial (IHO) Zone, no development permits shall be issued except in conformity with the following requirements:

Minimum Lot Area ..... 1 acre
Minimum Lot Frontage ..... 100 ft.
Minimum Front Yard ..... 30 foot setback
Minimum Rear Yard ..... 0 ft., except 40 ft. where abutting a residential zone
Minimum Side Yard ..... 0 ft., except 40 ft. where abutting a residential zone
Maximum Height of Building ..... 52 ft.
Maximum Number of Units/Lot 0

SPECIAL REQUIREMENTS: LANDSCAPING/ OUTDOOR DISPLAY AND STORAGE

a) There shall be a landscaped area of at least 15 feet in depth running the length of and directly abutting the front lot line. This landscaped area shall extend the length of the front lot line and of the flankage lot line for a corner lot. Landscaping shall consist of existing vegetation and/or plantings as per *Part 5, Section 32.*
b) A buffer 40 feet wide, beginning at the property line, shall be required for the for side or rear yards in an Industrial Zone which abut an existing residential use, vacant land zoned for residential use, or a Park or Institutional Zone.
c) No outdoor storage shall be located:
    i) within any required yard; nor
    ii) within any yard which abuts lands fronting on an arterial road; except where a fence or other visual barrier is provided to completely screen the use.
d) Outdoor display may be permitted provided it does not occur on the required 15 Ft. landscaped area described above and required abutting yards as per Part 5, Section 24 b).
e) External fuel storage tanks shall be screened unless located at the rear of the building.

PART 19: HEAVY INDUSTRIAL (IHI) ZONE

No development permit shall be issued in a Heavy Industrial (IHI) Zone except for one or more of the following uses:

a) warehouse and storage distribution centres;
b) manufacturing, processing, assembly or warehousing;
c) railway uses;
d) parking and/or storage of industrial or heavy commercial vehicles, equipment and similar goods;
e) trade centres, building supplies sales and wholesalers,
f) recycling facilities;
g) construction industries;
h) concrete, brick and asphalt plants;
i) utilities
j) bulk storage facilities
k) drycleaning establishments;
l) local solid waste transfer stations
la) Auto body repair shops **(NWCC-Mar 21/16; E-Apr 2/16)**
m) uses permitted in the ILI Zone, subject to the ILI Zone provisions
n) uses accessory to the foregoing uses.

ZONE REQUIREMENTS IHI ZONE

In any Heavy Industrial (IHI) Zone no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area .....5,000 sq. ft.
Minimum Lot Frontage.....50 feet
Minimum Front Yard .....30 feet
Minimum Side Yard .....15 feet
Maximum Lot Coverage..... 70%

SPECIAL REQUIREMENTS: LANDSCAPING/ OUTDOOR DISPLAY AND STORAGE

a) There shall be a landscaped area of at least 15 feet in depth running the length of and directly abutting the front lot line. This landscaped area shall extend the length of the front lot line and of the flankage lot line for a corner lot. Landscaping shall consist of existing vegetation and/or plantings as per *Part 5, Section 32.*
b) A buffer 40 feet wide, beginning at the property line, shall be required for the for side or rear yards in an Industrial Zone which abut an existing residential use, vacant land zoned for residential use, or a Park or Institutional Zone.
c) No outdoor storage shall be located:
    i) within any required yard; nor
    ii) within any yard which abuts lands fronting on an arterial road; except where a fence or other visual barrier is provided to completely screen the use.
d) Outdoor display may be permitted provided it does not occur on the required 15 Ft. landscaped area described above and required abutting yards as per Part 5, Section 24 b).
e) External fuel storage tanks shall be screened unless located at the rear of the building.

PART 19A: BEDFORD WEST BUSINESS CAMPUS (BWBC) ZONE (RC-Jun 20/06;E-Jul 29/06)

No development permit shall be issued on lands within the "A"Area of the Bedford West Business Campus (BWBC) Zone, as illustrated on Schedule I, except for one or more of the following uses:

a) Educational, research and development, and design facilities, excluding public schools;
b) Laboratories and accessory research and processing facilities;
c) Offices
d) Data processing and computer centres, including service and maintenance of electronic data processing equipment;
e) Legal, medical, veterinarian, engineering, surveying, accounting, architectural, scientific and similar professional offices;
f) Radio and television broadcasting stations as well as activities related to telecommunications research and development;
g) Assembly, warehousing and distribution operations;
h) Utility and public service facilities and uses needed to service the immediate vicinity;
i) Recreational facilities;
j) Hotels and motels;
k) Day care facilities (RC-Mar 3/09;E-Mar 21/09);
l) Special Care Facilities;
m) Park and ride facilities;
n) Restaurant Full-Service, Restaurant Take-Out, and retail uses in association with any other permitted uses;
o) Accessory buildings and use, including assembly operations limited to the development of prototypes, which are customarily incidental or specifically related to a principal permitted use are permitted.

No development permit shall be issued on lands within the "B" Area of the Bedford West Business Campus (BWBC) Zone, as illustrated on Schedule I, except for one or more of the following uses:

a) all uses permitted within the "A" Area;
b) retail stores;
c) food stores not exceeding 5,000 square feet of gross floor area per business;
d) personal and household service shops
e) medical, veterinary and health service clinics; (NWCC-Nov 25/10;E-Dec 11/10)
f) banks and financial institutions;
g) dry cleaning depots;
h) automotive service and supplies centre/outlet;
i) welding, plumbing and heating, electrical and other trade contracting or sales and Service shops
j) outdoor display and sales, excluding automobile sales;
k) funeral homes;
l) amusement centres;
m) garden markets;
n) billiards and snooker clubs;

o) full service, take out and drive through restaurants;
p) commercial recreation uses such as fitness clubs and other similar recreation uses; and
q) gas bars (RC-May 20/14;E-Jun 14/14)

SUBDIVISION AND BUILDING REQUIREMENTS

In any Bedford West Business Campus (BWBC) Zone no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area…….. 2,023 m² (0.5 acres or 21,780 sq.ft.) (NWCC-Sep 27/12;E-Oct 20/12)
Maximum Lot Area for Area "B"…….2 Hectares (5 Acres)
Minimum Front Yard or Flankage Yard.....6 m (20 ft.) or a distance which is equal to the height of the building to a maximum of 15.8 m (52 ft.) whichever is greater (NWCC-Sep 27/12;E-Oct 20/12)
Minimum Rear Yard ..... 6 m (20 ft.)
Minimum Side Yard .....6 m (20 ft.)
Minimum Common Side Yard for Multi-Commercial Buildings…….N/A (NWCC-Sep 27/12;E-Oct 20/12)
Maximum Height of Building .....15.8 m (52 ft.)
Maximum Impervious Surface Coverage…….....75%

Where the "A" uses are permitted within the "B" area, the Maximum Lot Area requirements of this section shall not apply. (NWCC-Sep 28/06;E-Oct 14/06)

SPECIAL REQUIREMENTS

1. Restaurants and Retail Uses

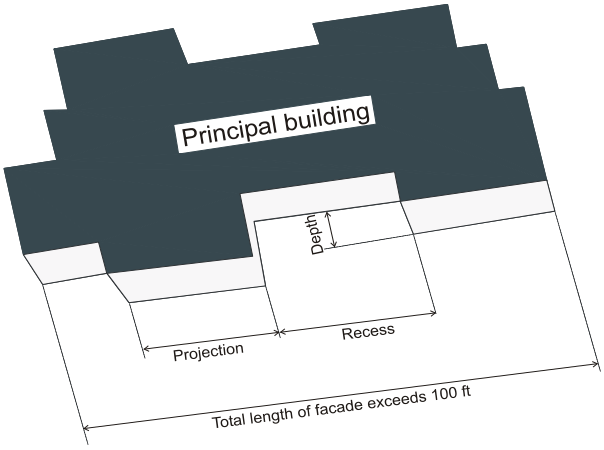
Within the "A" Area, no restaurant or retail use shall occupy more than ten percent (10%) of the gross floor area of a building except that a restaurant in association with a hotel or motel may occupy a maximum of twenty percent (20%) of the gross floor area of a building

2. Height

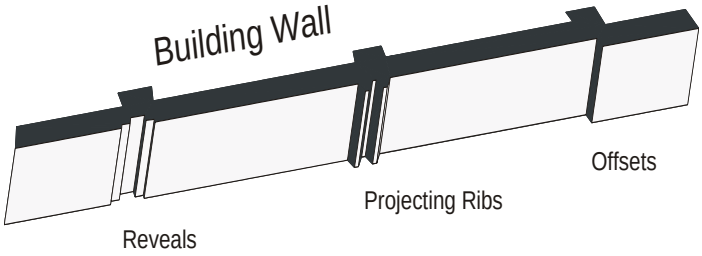
Notwithstanding the Maximum Height of Building Requirements in the Subdivision and Building Requirements section, within the "A" area the maximum height for a hotel, motel or office may be increased to 120 ft. where the separation distance of at least the height of the building is maintained from any residentially zoned property line. (NWCC-Sep 28/06;E-Oct 14/06)

3. Architectural Requirements

a) A combination of arcades, display windows, entry areas, awnings or other such features shall be incorporated into all building facades along not less than 60% of their horizontal length facing a public street.







b) No interrupted length of any facade facing a public street shall exceed 30.5 horizontal metres (100 feet). Wall plane projections or recesses shall be incorporated into all facades greater than 30.5 horizontal metres (100 feet) in length, measured horizontally, having a depth of at least 3 of the length of the facade and extending at least 20% of the length of the f acade. This clause shall not apply to office buildings *that are over three storeys or 35' in height*. (NWCC-Sep28/06;E-Oct14/06)

c) One clearly defined, visible entrance way shall be provided on the facade oriented to the public street shall be provided. The entrance way and front facade shall include no less than three of the following elements:

- **i canopies or porticos**
- **ii overhangs**
- **iii recesses/projections**
- **iv arcades**
- **v raised corniced parapets over the door**
- **vi peaked roof forms**
- **vii display windows**

viii architectural details such as tile work, and moldings which are integrated into the building

ix integral planters or wing walls that incorporate landscaped areas and sitting places; and

x or any other similar architectural treatment deemed to be an acceptable equivalent;

d) Rooftop equipment, including, but not limited to, satellite and other telecommunication equipment, air handling units, elevator equipment, cooling towers and exhaust fans shall to be screened (visually). The screening shall include but not limited to parapets and enclosures. Building screens shall be part of the architectural design with similar detailing and materials and not appear as add-ons.

4. <u>Landscaping</u>

a) A minimum of 25% of the property shall be landscaped. Landscaping shall include the retention of natural vegetation.

b) At least 50% of the area between the street(s) and buildings shall be landscaped. Trimming and selective cutting of natural vegetation is permitted.

c) A 15 foot landscape strip shall be installed along all street property lines, exclusive of driveways, walks and railroads rights-of-way. When the 15 foot landscape strip occurs between a parking area or vehicle manoeuvring area, loading area and the street, a landscape shrub screen of at least 50% opaqueness and a minimum of four feet in height within one year after installation is required. Mature trees at a maximum spacing of twenty feet may be substituted for or combined with a scrub screen. The landscaping may be calculated as part of the 25% landscaping requirement in (a) above.

d) All other landscaped areas shall be grassed, or alternatively, natural ground covers such as water features, stone (washed or flat), mulch, perennials, annuals, may be utilized. Within the landscaped area, trees, walls made of natural materials, planters, and shrubs shall be utilized and shall be planted at a rate of one (1) tree (minium of 45mm caliber) and three (3) shrubs per 4.6 metres (15 feet) of lot frontage. Tree Species from Appendix A shall be utilized. Planting of one (1) tree and three (3) shrubs per 4.6 metres (15 feet) feet of lot frontage shall reflect a natural setting thereby grouping of trees and shrubs is encouraged.

e) Existing trees and shrubs may be incorporated into the 6.1 metres (15 foot) landscaped strip, and where possible may be calculated as part of the one (1) tree and three (3) shrubs per 4.6 metres (15 feet) feet requirement specified under clause d).

5. <u>Accessory Uses/Storage</u>

a) All permitted uses and accessory activities, including the storage of equipment or supplies used in any production or assembly shall be confined within an enclosed building. Accessory activities involving toxic or flammable products which cannot be located within an enclosed building shall be screened from view from all adjacent properties and public streets.

b) External fuel storage tanks utilized as part of the heating equipment of an establishment or bulk storage of any materials used in any production or assembly shall be screened from view from all adjacent properties and public streets.

c) All refuse shall be collected and stored in containers which shall be screened from view from all adjacent properties and public streets.

d) Utility and public service facilities and uses need to service the immediate vicinity shall be screened from view from all adjacent properties and public streets.

6. Driveway Access

No use located within the "B" Area shall be permitted to have driveway access to the Hammonds Plains Road as illustrated on Schedule I. (NWCC-Feb 28/08;E-Mar 15/08)

7. Parking

No parking spaces may be located within required yards, except that an area equivalent to not more than 50% of the total area of all required parking spaces may be located within a required yard for use as parking space for visitors, selected personnel and minor deliveries.

8. Loading

Notwithstanding the general loading space regulations in Part 5, Section 37, (General Provisions), the following shall apply:

a) All loading must be on site and no on-street loading is permitted.

b) Truck loading facilities shall be at the rear or side of the building and shall be screened from view from any adjacent residential property.

c) Loading space areas, including driveways leading to such area, shall be paved with a dust free all-weather surface, be well drained and be of a strength adequate for the truck traffic expected.

9. Signage

Notwithstanding the general signage regulations in Part 5, Section 38, (General Provisions), the following shall apply:

a) No more than two signs per business shall be permitted.

b) Signs shall be restricted to advertising only the person, firm, company, or corporation operating the use conducted on the site or products sold therein.

c) Signs shall have an area not to exceed one (1) square feet of surface for each one (1) foot of lineal frontage of building. However, no sign shall exceed one hundred (100) square feet per face.

d) No more than one free-standing or ground mounted sign may be permitted per lot.

e) Ground signs shall not exceed eight (16) feet above grade in vertical height and shall be setback a minimal of 10 feet from any street line.

f) Businesses located in multiple tenant buildings may have a maximum of two (2) signs with a maximum of one (1) sign for each facade. Each sign shall not exceed an area equal to ten (10) percent of the business face upon which it is located. However, no sign shall exceed thirty-five (35) square feet in area.

g) Directory listing signs: Detailed signs for multi-tenant buildings may list

building tenants. The portion of the sign area devoted to such a listing shall be limited to 60% of the total permitted sign area, and the tenant listing shall be uniform in size, type, and lettering. It is understood, however, than tenant "logos" are permitted to be depicted on such signs, the size of the logo to be appropriate to the size of the sign lettering. Each sign shall not exceed twenty (20) feet in height.

h) One temporary announcement/construction sign per lot is permitted during active construction of building. Announcement/construction signage shall not exceed 200 square feet in area per face.

i) No signs shall be located on the roof of a building and billboards shall be prohibited.

<u>Business Park Identification and Directory Signs</u>

j) Identification Sign: One identification sign with the park logo at each entrance or along each street abutting the boundaries of the tract shall be permitted. The maximum area of each sign face shall be one hundred and fifty (150) square feet.

k) Directory Signs: Signs identifying companies in the research and development park shall be permitted within 300 feet from the maximum of two (2) major arterial streets. The sign(s) shall have a maximum height of twelve (12) feet and shall not exceed one hundred and fifty (150) square feet per face.

l) A map locator directory sign identifying companies in a research and development park shall be permitted. A maximum of two (2) such signs shall be permitted within 300 feet from the maximum of two (2) major arterial streets. The sign (s) shall have a maximum height of twelve (12) feet and shall not exceed one hundred and fifty (150) square feet per face.

m) Spaces on such directory signs allocated for company identification shall be of equal area, and letters and typeface must be of equal value and uniform throughout the sign.

n) There shall be a maximum of two (2) directory signs.

9A. <u>Additional Requirements for Gas Bars</u> (RC-May 20/14;E-Jun 14/14)

o) All buildings and pump islands shall be designed so that all sides are a consistent architectural style.

p) Transparent windows and doors for retail buildings shall be provided between the store, the pump islands and surrounding streets along not less than 50% of their horizontal length.

q) Where driveways or stacking lanes cross walkways, pavement markings shall be provided to identify the walkway crossing.

r) Where stacking lanes are adjacent a residential use, a solid board wood or equivalent opaque type fence no less than five feet and no greater than six feet in height shall be provided.

s) Access points for stacking lanes shall be located such that queued vehicles do not block traffic along public streets or the movement of other vehicles on site.

t) Where two drive-through uses facilities exist on the same site, separate stacking lanes shall be provided for each use.

u) Stacking lanes shall be separated from parking areas and driveways by a combination of landscaped islands, decorative pavement, pervious islands and painted lines.

v) On-site circulation shall be designed to facilitate unobstructed forward movement by tanker trucks and the safe unloading of fuels.

w) Walkways shall be distinguished from driving surfaces by a raised curb and by paving material.

x) Bicycle parking shall be located in a manner that does not impede pedestrian movement.

10. <u>Site Plan Approval</u>

Site plan approval shall be required for any new development, excluding internal renovation or change in occupancy with no external renovations, within the Bedford West Business Campus (BWBC) Zone and no site plan approval shall be granted unless the following criterion are satisfied:

a) no outdoor storage or outdoor display and sales shall be permitted within the "A" Area and any outdoor waste containers shall be screened in both Areas;

b) open spaces are integrated into the layout and where feasible, larger trees are retained;

c) landscaping is introduced to all areas disturbed during construction;

d) preference is given to limiting parking spaces between a building and the front lot line and no loading bays shall be located on the building facade facing a public street;

e) natural vegetation, landscaping or screening is employed around parking areas and measures are taken to allow for safe and convenient pedestrian access to public entrances of buildings;

f) bicycle storage facilities are provided near the main entrances to the building or in designated public spaces;

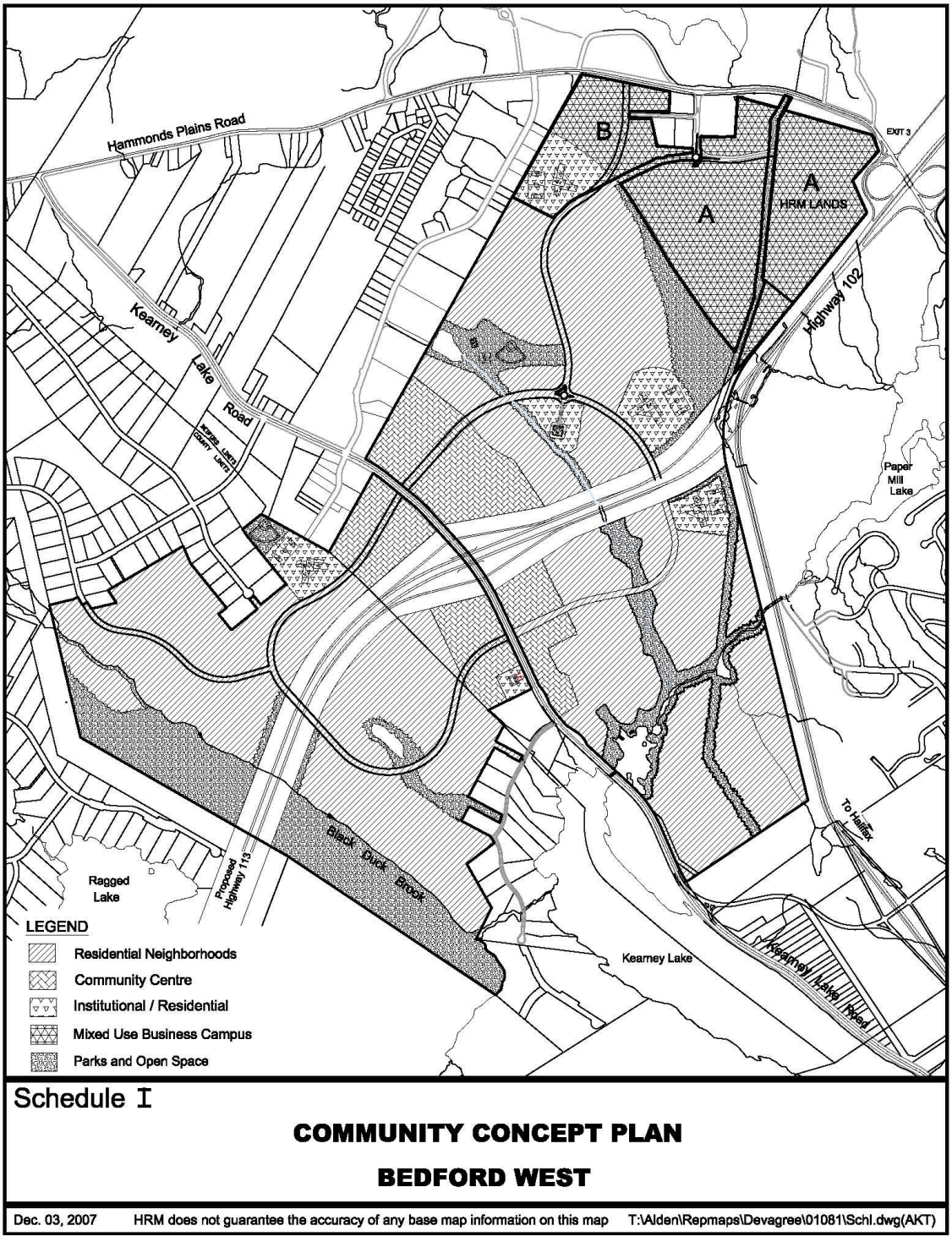
g) walkways shall extend from the entrances of buildings to a public sidewalk in front of the building and to any public trail system abutting the property and, unless otherwise not possible, shall not cross any driveways or parking areas;

h) buildings, structures and parking lots are located on a lot so as to minimize the alteration of natural grades and to minimize the area of impervious surfaces; and

i) a storm water management plan has been prepared by a Professional Engineer with any measures required to prevent the contamination of watercourses and, where possible, allows surface water flows to be directed to permeable surfaces.

(RC-Jun 20/06;E-Jul 29/06)

Schedule I: Bedford West Community Concept Plan (RC-Jun 20/06;E-Jul 29/06 & NWCC-Feb 18/08;E-Mar 15/08)



PART 20: INSTITUTIONAL (SI) ZONE

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

a) churches;
b) schools;
c) cemeteries;
d) fire stations;
e) libraries;
f) police stations;
g) public buildings;
h) post offices;
i) private recreational facilities and clubs;
j) museums
k) P and POS uses, subject to the P and POS Zone requirements
l) special care facilities
m) day care facilities (RC-Mar 3/09;E-Mar 21/09);
n) recycling depot
o) any uses accessory to the foregoing uses.

ZONE REQUIREMENTS SI

In any Institutional (SI) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area .....10,000 sq. ft
Minimum Lot Frontage..... 100 ft.
Minimum Front Yard..... Local Street 20 ft; Collector or Arterial 30 ft.
Minimum Rear Yard..... 20 ft.
Minimum Side Yard .....8 ft., or half the height of the building, whichever is greater
Flankage Yard ..... Local Street 20 ft; Collector or Arterial 30 ft.
Maximum Height of Building..... 35 ft.
Lot Coverage 35%

PART 21: UTILITIES (SU) ZONE

No development permit shall be issued in a Utilities (SU) Zone except for one or more of the following requirements:

a) telephone switching stations;
b) electrical substations;
c) public water reservoirs,
d) public sewage treatment plants;
e) natural gas facilities;
f) highway utilities;
g) telecommunications towers;
h) recycling depot
i) any uses accessory to the foregoing uses.

ZONE REQUIREMENTS SU

In any Utilities (SU) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area .....6,000 sq. ft.
Minimum Lot Frontage..... 60 ft.
Minimum Front Yard.....Local Street 20 ft., Collector or Arterial 30 ft.
Minimum Rear Yard..... 20 ft.
Minimum Side Yard ..... 8 ft.
Minimum Flankage Yard.....Local Street 20 ft, Collector or Arterial 30 ft.
Maximum Height of Building..... 35 ft.
Lot Coverage 35%

PART 22: PARK (P) ZONE

No development permit shall be issued in a Park (P) Zone except for one or more of the following uses:

a) community and recreational centres;
b) playgrounds, playing fields;
c) recreational uses;
d) public parks;
e) uses of a similar nature to the foregoing;
f) any uses accessory to the foregoing uses including a refreshment booth or pavilion;

ZONE REQUIREMENTS P

In any Park (P) Zone, no development permit shall be issued for a building except in conformity with the following requirements:

Minimum Lot Area .....6,000 sq. ft.
Minimum Lot Frontage..... 60 ft.
Minimum Front Yard..... Local Street 20 ft.; Collector or Arterial 30 ft.
Minimum Rear Yard..... 20 ft.
Minimum Side Yard .....8 ft. or half the height of the building, whichever is greater
Minimum Flankage Yard..... Local Street 20 ft.; Collector or Arterial 30 ft.
Maximum Height of Building..... 35 ft.
Maximum Lot Coverage..... 35%

PART 23: PARK OPEN SPACE (POS) ZONE

No Development Permit shall be issued in a Park Open Space (POS) Zone except for one or more of the following uses:

a) public parks for passive recreational activities;
b) nature trails and educational trails;
c) picnic parks;
d) uses of a similar nature to the foregoing; and,
e) uses accessory to the foregoing uses, including washrooms, refreshment booth, or pavilion/interpretative centre.

ZONE REQUIREMENTS POS:

In any Park Open Space (POS) Zone, no development permit shall be issued for a building except in conformity with the following requirements:

Minimum Lot Area .....20,000 sq. ft.
Minimum Lot Frontage..... 60 ft.
Minimum Front & Flankage Yards..... Local Street 20 ft.; Collector or Arterial 30 ft.
Minimum Rear Yard..... 20 ft.
Minimum Side Yard ..... 8 ft.
Maximum Height of Building..... 20 ft.
Maximum Lot Coverage 10%

PART 23A: REGIONAL PARK (RPK) ZONE (RC-Jun 25/14;E-Oct 18/14)

RPK USES PERMITTED

23A.1 No development permit shall be issued in a Regional Park (RPK) Zone except for one or more of the following uses:

Recreation uses
Conservation uses
Uses accessory to the foregoing uses

RPK ZONE REQUIREMENTS

23A.2 In any Regional Park (RPK) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Front or Flankage Yard:	**20m**
Minimum Side or Rear Yard:	**20m**
Maximum Lot Coverage:	**50% for lots less than 4 ha in area, or 5% for lots 4 ha or more in area**

PART 24: FLOODWAY (FW) ZONE

No development permit shall be issued in any Floodway (FW) Zone except for one or more of the following uses:

1. a) public and private parks and playgrounds
   b) playing fields
   c) outdoor tennis courts
   d) roadways which permit access to the foregoing uses
   e) parking areas, provided the land is not filled or altered or the capacity of the floodway is not reduced
   f) uses of a similar nature to the foregoing
   g) uses accessory to any of the foregoing uses including, but not limited to, benches, bleachers, lighting structures, playground, equipment
   h) conservation related uses~~.~~
   i) water control structures (RC-Jun 25/14;E-Oct 18/14)
   j) wastewater, storm water and water infrastructure. Treatment facilities for wastewater, storm water and water infrastructure shall be limited to those facilities that existed on or before, June 25, 2014. (RC-Jun 25/14; M-Sep 16/14; E-Oct 18/14)

2. SPECIAL REQUIREMENTS: ERECTION OF STRUCTURES

   a) No structure shall be erected or constructed to be used for human habitation, whether permanent or temporary, in any FW Zone.
   b) A structure or structures, if permitted, shall be constructed and placed on the site so as to offer the minimum obstruction to the flow of flood waters and shall be firmly anchored to prevent floatation.

3. SPECIAL PROVISIONS: ALTERATION OF LAND LEVELS

   a) Within the 1 in 20 year floodway, and unless otherwise permitted in this Part, no alteration of land levels or filling in of the floodplain is permitted for the purpose of erecting a permanent structure or building.
   b) Within the 1 in 20 year floodway no alteration of land levels or filling in of the floodplain is permitted which affects the capacity of the floodway or increases flood heights.
   c) Such fill and other materials shall be stabilized through the use of landscaping or other appropriate means to prevent erosion.

PART 25: WATERFRONT COMPREHENSIVE DEVELOPMENT DISTRICT (WFCDD) ZONE

1) The purpose for which land in a WFCDD Zone is to be developed shall be to achieve a mixed-use urban waterfront development containing public spaces and activities with residential, commercial, cultural, accommodation and institutional uses.

2) Subject to Policies WF-l through WF-23 inclusive of the Municipal Planning Strategy, the following uses are permitted if provided for by a development agreement:

a) Townhouse dwellings:
b) Multiple Unit dwellings (to a max. 8 storeys);
c) Senior Residential Complexes
d) Neighbourhood convenience stores
e) Retail commercial uses;
f) Commercial Entertainment Uses;
g) Commercial Service;
h) Food and Beverage uses;
i) Office uses;
j) Convention facilities;
k) Hotel facilities;
l) Institutional (SI/SU)
m) Parks and Recreational
n) Cultural uses;
o) Marine related uses;
p) Any uses accessory to the foregoing uses;

PART 26: C&D MATERIALS TRANSFER STATIONS (CD-1) ZONE (RC-Sep 10/02; E-Nov 9/02)

26.1 CD -1 USES PERMITTED

No development permit shall be issued in any CD-1 (Transfer Stations) Zone except for the following, pursuant to the Site Plan Approval process:
Construction and Demolition Materials Transfer Stations
Uses accessory to permitted use

26.2 CD-1 ZONE REQUIREMENTS

In any CD-1 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	**3,716 square metres (40,000 square feet) - central services**
	11,148 square metres (120,000 square feet) - on-site services
Minimum Frontage	**15 metres (49.2 feet) - central services**
	30 metres (98.4 feet) - on-site service
Minimum Front Yard	**25 metres (82.0 feet)**
Minimum Side Yard	**30 metres (98.4 feet)**
Minimum Rear Yard	**30 metres (98.4 feet)**
Maximum Lot Coverage	**50 %**
Maximum Height	**11 metres (36.0 feet)**

26.3 OTHER REQUIREMENTS: C&D Materials Transfer Stations

No development permit shall be issued for a C&D Materials Transfer Station except in compliance with the following provisions:

a) any building or structure shall meet the following separation distances:

i)	**from any property line**	**30 metres (98.4 feet)**
ii)	**from the nearest residential dwelling or institutional use**	**60 metres (196.9 feet)**
iii)	**from a watercourse**	**30 metres (98.4 feet)**

b) notwithstanding Section 26.3(a), where a building or structure is not to be located within 250 metres of a residential or institutional use or building, the building setback from any property line may be reduced to 10 metres (32.8 feet).

c) notwithstanding Section 26.3(a), any C&D Materials Transfer Station which is to be totally enclosed within a building (no outdoor storage of material, product, or equipment) setback from any property line may be reduced to 10 metres (32.8 feet).

26.4 General Requirements: C&D Materials Operations

No development permit shall be issued for a C&D Materials Operation except in compliance with the following provisions:

a) no operation shall be permitted, result in, causes or produces any of the following effects discernible outside any building or structure or affecting any adjacent property:

- **i) noise or sound which is obnoxious because of its volume, duration, intermittent beat, frequency, or shrillness;**
- **ii) dissemination of smoke, fumes, gas, dust, odour, or any atmospheric pollutant; or**
- **iii) discharge of any waste material whatsoever into a watercourse or water resource except in accordance with the applicable government requirements.**

b) notwithstanding any other provisions of this by-law, C&D Materials Operation may occur either inside or outside of a building;

c) there shall be a landscaped area of at least 4.5 metres (14.8 feet) in depth that runs the length of and directly abuts the front lot line, excluding driveway openings, and such land within this required landscaped area shall be grassed (or other appropriate vegetation ground cover) and trees and shrubs shall be planted (trees shall be a minimum of 1.8 metres (6 feet) in height) or existing trees and shrubs shall be maintained at a minimum rate of one (1) plant per each 2 metres (6.6 feet) of frontage;

d) notwithstanding Section 26.4(c), if the front yard area is treed, the landscaped area is not required but all vegetation within 10 metres of the front lot line shall be retained and maintained;

e) no portion of the operation shall be located within any side, rear, or front yard setback;

f) no operation shall have direct access to either a local or subdivision road, as determined by the Municipality's Traffic and Transportation Services Division and any access road for such operations shall not occur through lands zoned for residential (RSU, RTU, RMU, RCDD, and RR) or community use (SI, SU, P, POS, and FW); and

g) no portion of the operation shall be located within a 1:100 year floodplain.

26.5 General Requirements: Site Plan Approval

All C&D operations are subject to approval of a site plan. The Development Officer shall approve a site plan where the following matters have been addressed:

a) driveway access to the site shall be located in such a manner to minimize land use impacts on adjacent land uses;

b) separation distances shall be provided from any structure on the site and abutting residential or community facility properties to ensure the development does not negatively impact upon surrounding properties;

c) all off-street loading and unloading areas, stockpiles, processing areas, and parking facilities shall be located on the site such that no aspect impacts upon adjacent uses or streets and screening can be in the form of fencing, berms, vegetation, or a combination of elements;

d) a landscaping plan shall be prepared that protects and minimize land use impacts on adjoining lands and the plan shall indicate the type, size, and location of all landscaping elements including the landscaping along the front of the property, to achieve the objective of the plan;

e) within any designated side and rear yards, existing vegetation shall be retained unless it does not provide for adequate screening measures;

f) all outdoor lighting shall be oriented such that it is directed away from adjacent properties;

g) all solid waste storage containers shall be screened from view from adjacent properties and streets;

h) impact of the location, number and size of signs;

i) measures, including but not limited to lot grading, berms, shall be required to adequately address the management of stormwater and surface water; and

j) provisions are established to ensure the operation and any required site improvements are maintained to a high standard.

PART 27: C&D MATERIALS PROCESSING FACILITIES (CD-2) ZONE (RC-Sep 10/02; E-Nov 9/02)

27.1 CD-2 USES PERMITTED

No development permit shall be issued in any CD-2 (C&D Recycling) Zone except for the following, pursuant to the Site Plan Approval process:

Construction and Demolition Materials Processing Facilities
All CD-1 Zone uses
Uses Accessory to permitted uses, excluding construction and demolition disposal
Accessory dwelling unit which are provided for the purposes of safety, security, or maintenance

27.2 CD-2 ZONE REQUIREMENTS

In any CD-2 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	**3,716 square metres (40,000 square feet) central services** **11,148 square metres (120,000 square feet) on-site services**
Minimum Frontage	**15 metres (49.2 feet) central services** **30 metres (98.4 feet) on-site services**
Minimum Front Yard	**30 metres (98.4 feet)**
Minimum Side Yard	**30 metres (98.4 feet)**
Minimum Rear Yard	**30 metres (98.4 feet)**
Maximum Lot Coverage	**50 %**
Maximum Height	**11 metres (36.0 feet)**

27.3 OTHER REQUIREMENTS: C&D Materials Transfer Stations

In any CD-2 Zone, no development permit shall be issued for any C&D Materials Transfer Stations except in conformity with the provision for such a use as contained within the CD-1 Zone.

27.4 OTHER REQUIREMENTS: C&D Materials Processing Facilities

No development permit shall be issued for C&D materials processing facility except in compliance with the following provisions:

a) any building, structure or area used for processing shall meet the following separation distances:
- **i) from any property line — 60 metres (196.8 feet)**
- **ii) from the nearest residential dwelling or institutional use — 90 metres (295.3 feet)**
- **iii) from a watercourse — 60 metres (196.8 feet)**

b) notwithstanding Section 27.4(a), where a building or structure is not to be located

within 250 metres of a residential or institutional use or building, the building setback from any property line may be reduced to 10 metres (32.8 feet).

c) notwithstanding Section 27.4(a), any C&D Materials Processing Facility which is to be totally enclosed within a building (no outdoor storage of material, product, processing area, or equipment) setback from any property line may be reduced to 10 metres (32.8 feet).

27.5 General Requirements: C&D Materials Operations

No development permit shall be issued for a C&D Materials Operation except in compliance with the following provisions:

a) the operation complies with the general zone requirements as outlined in Section 26.4.

b) notwithstanding Sections 27.2 to 27.4, inclusive, more than one C&D Materials operation is permitted on a site and each use shall be subject to the applicable standards unless the uses are not clearly differentiated than the more stringent requirements shall apply to the permitted uses.

27.6 General Requirements: Site Plan Approval

C&D Materials Operations are subject to approval of a site plan. The Development Officer shall approve a site plan for each use which deals with those matters outlined in Section 26.5.

PART 28: C&D MATERIALS DISPOSAL SITES (CD-3) ZONE (RC-Sep 10/02; E-Nov 9/02)

28.1 CD-3 USES PERMITTED

No development permit shall be issued in any CD-3 (C&D Disposal) Zone except for the following, pursuant to the Site Plan Approval process:

Construction and Demolition Materials Disposal Sites
All CD-2 zone uses
Uses Accessory to permitted uses
Accessory dwelling unit which are provided for the purposes of safety, security, or maintenance

28.2 CD-3 ZONE REQUIREMENTS

In any CD-3 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	**11,148 square metres (120,000 square feet)**
Minimum Frontage	**15 metres (49.2 feet) central services**
	30 metres (98.4 feet) on-site services
Minimum Front Yard	**50 metres (164 feet)**
Minimum Side Yard	**50 metres (164 feet)**
Minimum Rear Yard	**50 metres (164 feet)**
Maximum Lot Coverage	**50 %**
Maximum Height	**11 metres (36.1 feet)**

28.3 OTHER REQUIREMENTS: CD-1 and CD-2 Zone Uses

In any CD-3 Zone, no development permit will be issued for any:

a) C&D Materials Processing Facility except in conformity with the provision for such a use as contained within the CD-2 Zone; and
b) C&D Materials Transfer Station except in conformity with the provision for such a use as contained within the CD-1 Zone.

28.4 OTHER REQUIREMENTS: C&D Materials Disposal Sites

No development permit shall be issued for C&D disposal site except in compliance with the following provisions:

a) no portion of the operation shall be located within 60 metres (196.8 feet) of any side or rear property line abutting a residential or community facility use;
b) any building or structure used in conjunction with a disposal operation shall meet the following separation distances:
  i) from any property line 50 metres (164 feet)
  ii) from the nearest residential

	dwelling or institutional use	**90 metres (295.3 feet)**
iii)	**from a watercourse**	**60 metres (196.8 feet)**

28.5 GENERAL REQUIREMENTS: C&D Materials Operations

No development permit shall be issued for a C&D Materials Operation except in compliance with the following provisions:

a) the operation complies with the general zone requirements as outlined in Section 26.4.

b) Notwithstanding Sections 28.2 to 28.4, inclusive, more than one C&D Materials operation is permitted on a site and each use shall be subject to the applicable standards unless the uses are integrated than the more stringent requirements shall apply to the permitted uses.

28.6 GENERAL REQUIREMENTS: Site Plan Approval

C&D Material Operations are subject to approval of a site plan. The Development Officer shall approve a site plan for each use which deals with those matters as outlined in Section 26.5.

PART 29: INFRASTRUCTURE CHARGE HOLDING (ICH) ZONE (RC-May 7/02;E-Jun 29/02)

29.1 ICH USES PERMITTED

No development permit shall be issued in any ICH Zone except on lots in existence on the date of adoption (July 2, 2002) of this zone for the following:
Single Unit Dwellings
Open Space Uses

29.2 ICH ZONE REQUIREMENTS

In any ICH Zone, no development permit shall be issued except in conformity with the requirements of the RSU Zone.

PART 30: URBAN RESERVE (UR) ZONE (RC-Jun 25/14;E-Oct 18/14)

30.1 UR USES PERMITTED

No development permit shall be issued in an Urban Reserve (UR) Zone except for one or more of the following uses:

Single unit dwellings, on existing lots provided that a private on-site sewage disposal system and well are provided on the lot

Passive recreation uses

Uses accessory to the foregoing uses

30.2 UR ZONE REQUIREMENTS

In any Urban Reserve (UR) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Front or Flankage Yard:	**9.1m**
Minimum Side Yard:	**2.5m**
Minimum Rear Yard:	**2.5m**
Maximum Lot Coverage:	**35%**
Maximum Height of Main Building:	**11m**

PART 31: URBAN SETTLEMENT (US) ZONE (RC-Jun 25/14;E-Oct 18/14)

31.1 US USES PERMITTED

No development permit shall be issued in an Urban Settlement (US) Zone except for one or more of the following uses:

Single unit dwellings, on lots on an existing road(s) provided that a private on-site sewage disposal system and well are provided on the lot
Public parks and playgrounds
Uses accessory to the foregoing uses

31.2 US ZONE REQUIREMENTS

In any Urban Settlement (US) Zone, no development permit shall be issued except in conformity with the following requirements:

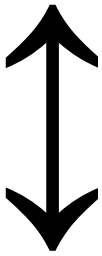
Minimum Frontage:	**110 m**
Minimum Lot Area:	**2 ha**
Minimum Front or Flankage Yard:	**9.1m**
Minimum Side Yard:	**2.5m**
Minimum Rear Yard:	**2.5m**
Maximum Lot Coverage:	**35%**
Maximum Height of Main Building:	**11m**

APPENDIX A: EXISTING USES WITHIN CMC ZONE

Civic Address	LIMS	Owner	Name of Business	Use
1350 Bedford Highway	00428565	R & S Realty Ltd.	Atlantic Fabrics	Office Uses
1312 Bedford Highway	00428490	Charles Chediac	Bedford Discount Meats	convenience store
			Claddagh Cleaners depot	drycleaning
			Ambassador Pizza	takeout restaurant
1239 Bedford Highway	00429159	Thomas Michael	Video Difference Needs	rental store convenience store
			Bagel Obsession	take out restaurant
1189 Bedford Highway	00429217	Aref Jebailey	Dino Pizza	take out restaurant
			Bailey's Meat Market	convenience store
			Scissors Hair Salon	personal service
1180 Bedford Highway	00428870	Richmond Row Dev.	Martial Art Academy	personal service
			Tabrizi Oriental Rug	general retail
			Hair Styling Salon	personal service
			MindWorks	general retail
			Heating Ventation	office space
1111 Bedford Highway	00429225	Ultramar Canada Inc.	Ultramar Service Station	service station
1067 Bedford Highway	40307936	Nova Scotia Ltd.	Stardust Motel	motel

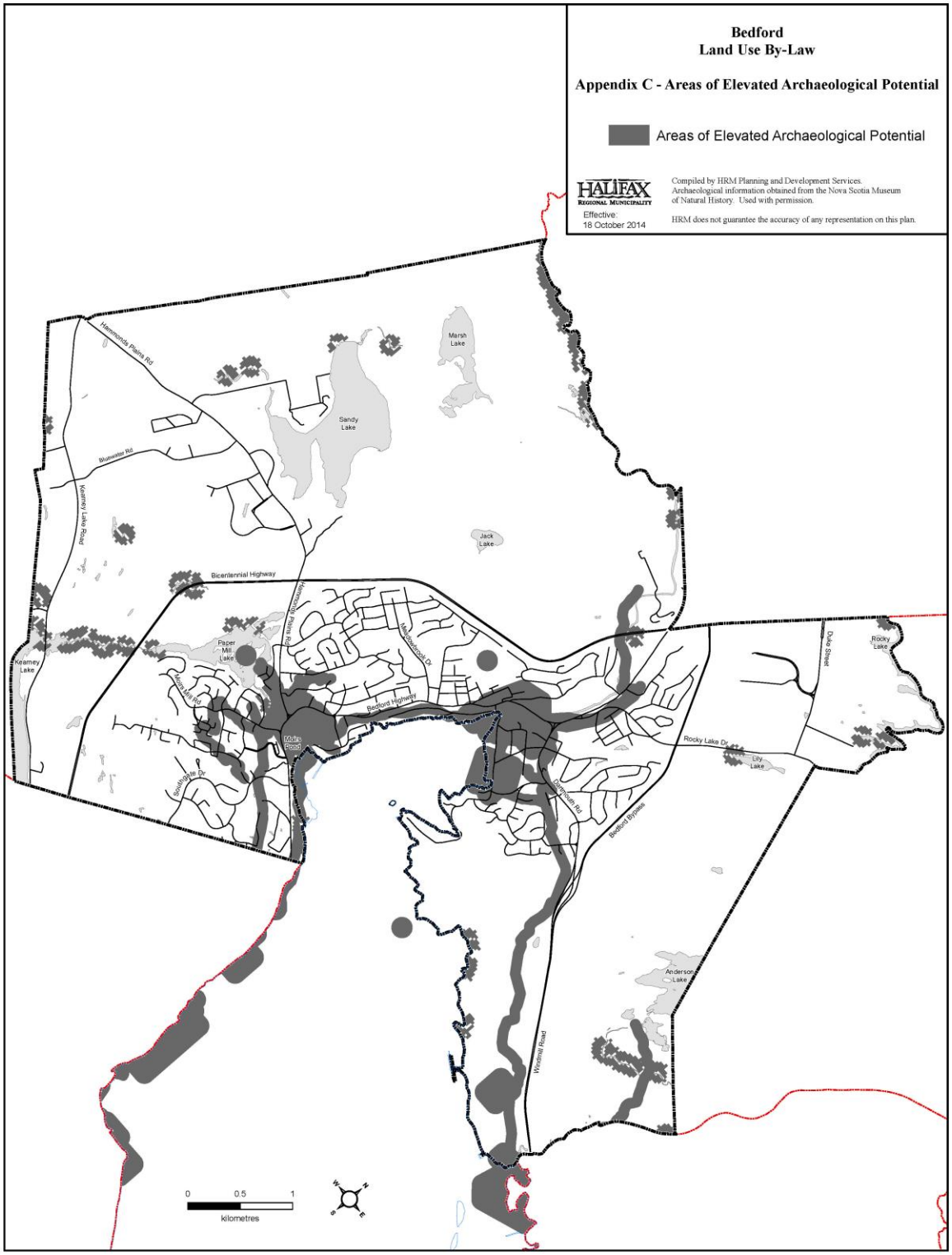
APPENDIX B: Hierarchy of Zones

FW - Floodway Zone — **Most Restrictive**
RR - Residential Reserve
ICH - Infrastructure Charge Holding Zone
RSU - Single Dwelling Unit Zone
RTU - Two Dwelling Unit Zone
RTH - Townhouse Zone
RMU - Multiple Dwelling Unit Zone
RCDD - Residential Comprehensive Development District
BSCDD - Bedford South Comprehensive Development District
SI - Institutional Zone
CMC - Mainstreet Commercial Zone
CGB - General Business District Zone
CCDD - Commercial Comprehensive Development District
WFCDD - Waterfront Comprehensive Development District
CSC - Shopping Centre Zone
CHWY - Highway Oriented Commercial Zone
ILI - Light Industrial Zone
SU - Utilities Zone
IHO - Harbour Oriented Industrial Zone
ITR - Information, Technology, and Research Zone
IHI - Heavy Industrial Zone — **Least Restrictive**

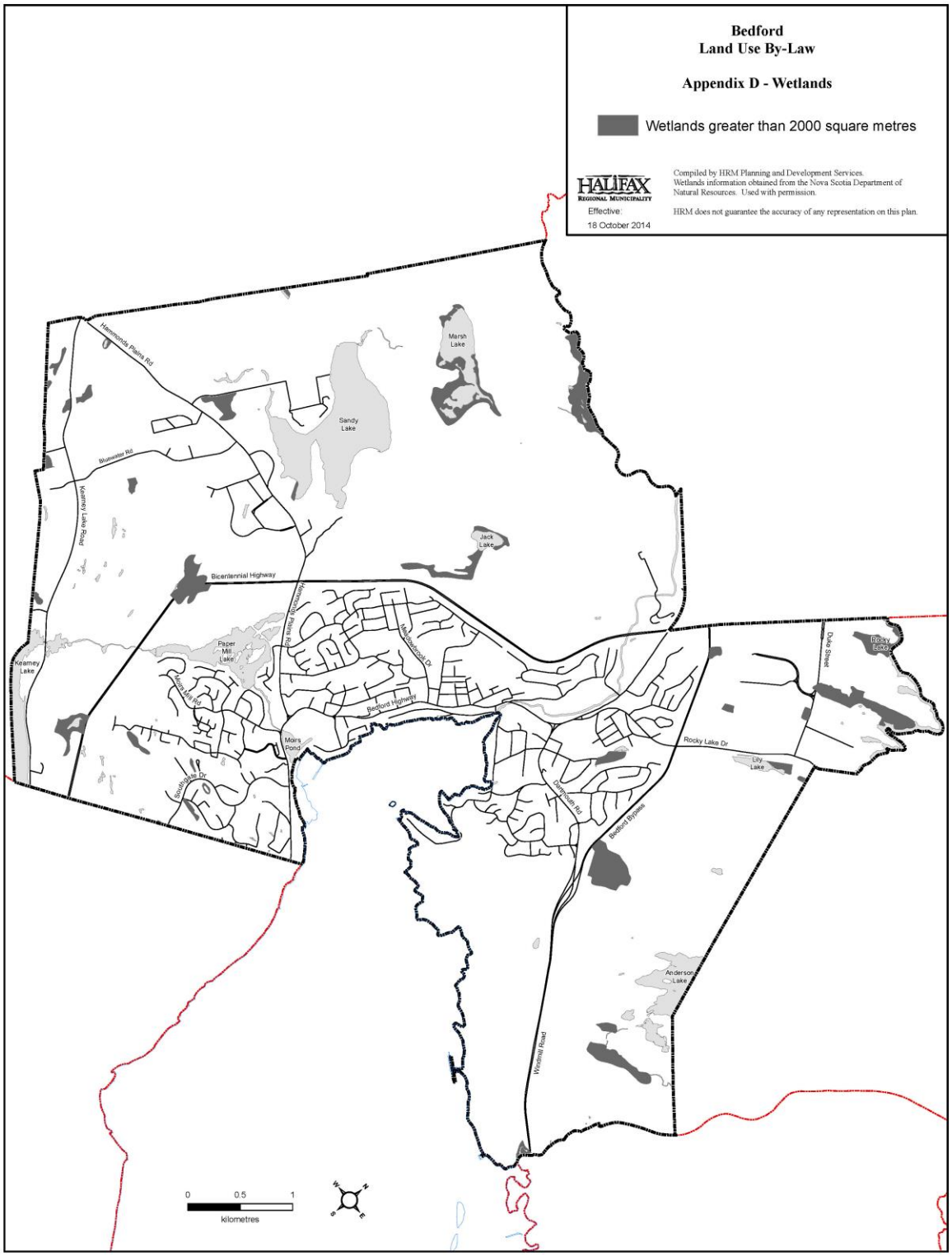


(RC-Dec 10/02; Eff-Jan 18/03)

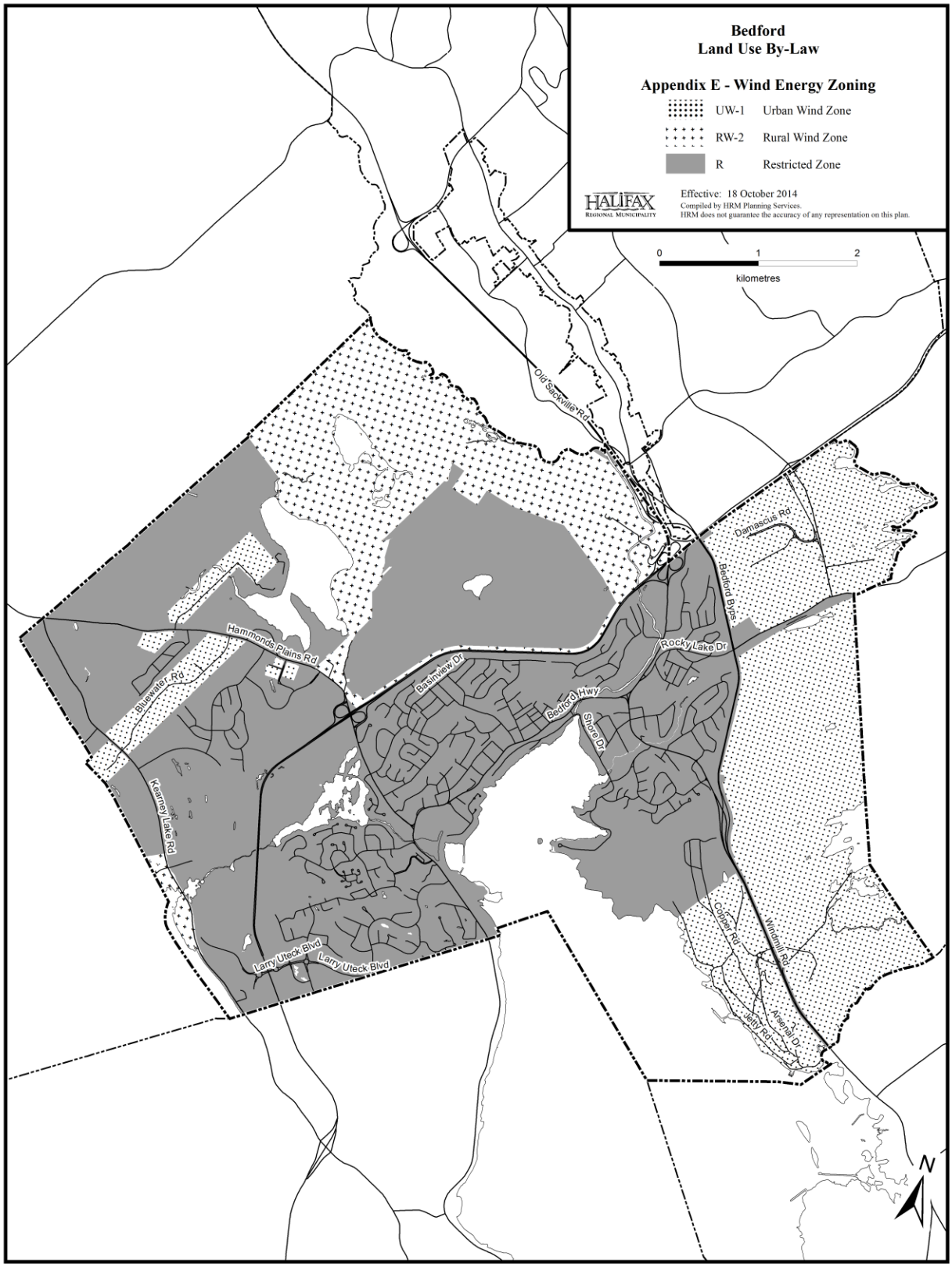
APPENDIX C: Areas of Elevated Archaeological Potential (RC-Jun 25/14;E-Oct 18/14)



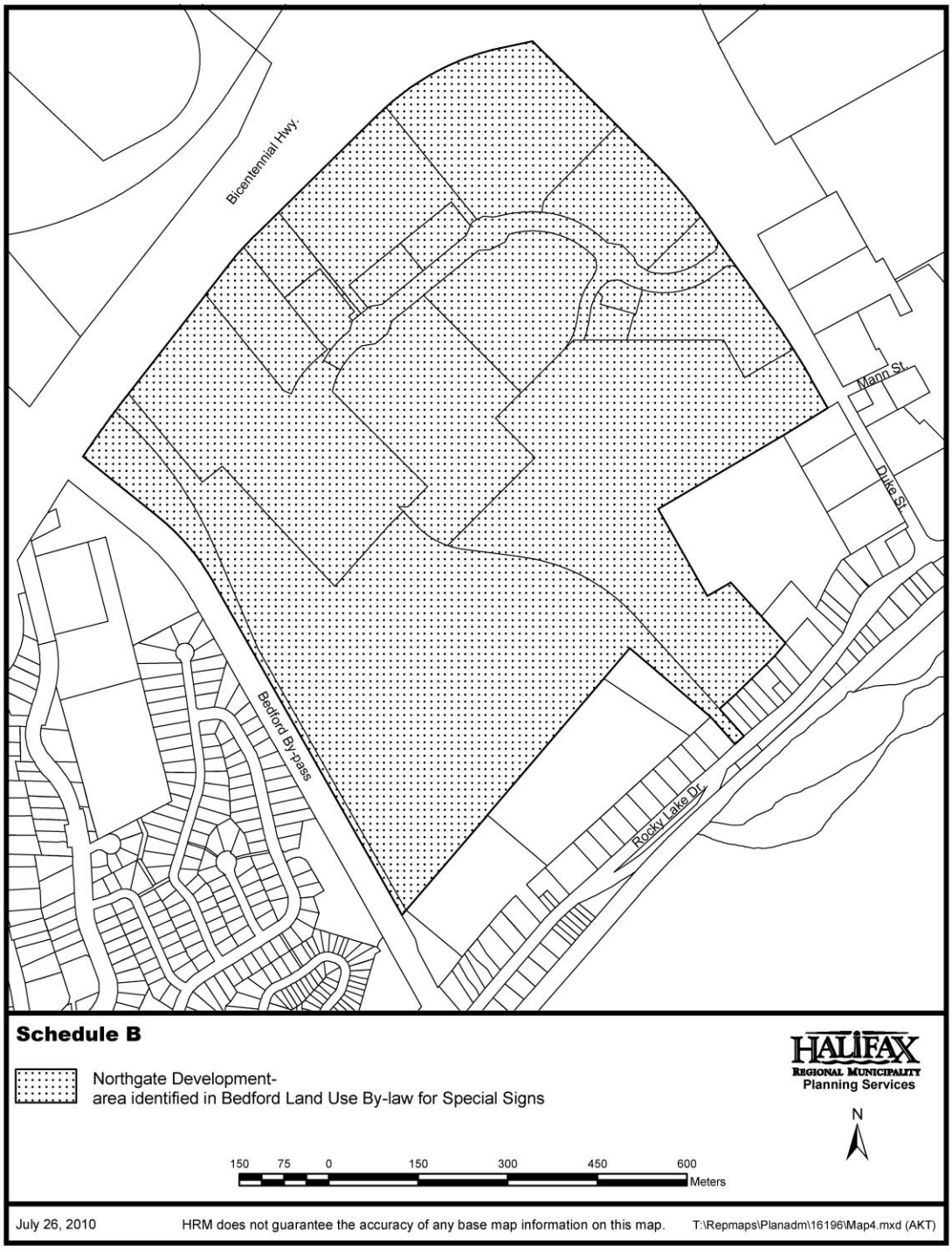
APPENDIX D: Wetlands (RC-Jun 25/14;E-Oct 18/14)



APPENDIX E: Wind Energy Zoning Map (RC-Jun 25/14;E-Oct 18/14)



SCHEDULE B: Northgate Retail Complex (NWCC-Nov 25/10;E-Dec 11/10)



LAND USE BY-LAW
AMENDMENTS - BEDFORD

Amendment Number	Policies/Maps	Subject	Council Adoption	Effective Date
1	Part 11, Residential Reserve (amended)	Case No. 00261 - 700 Kearney Lake Road	C - April 24, 2001	Effective May 25, 2001
2	Part 4, section 3 a)v (added); Residential Town House	Case No. 00331 - 25, 27 and 35 Dartmouth Road	C - January 15, 2002	Effective February 2, 2002
3	Part 3 amended, Part 29.1 and 29.2 added to include Infrastructure Charge Holding Zone.	Project 00083 - Infrastructure Charges	C - May 7, 2002	E - June 29, 2002
4	Part 2, include definition of "shipping containers"; Part 5, section 29A, shipping containers as accessory buildings; Part 5, section 6, include the words "shipping container".	Case No. 00474 - Districts 20 and 21	C - July 11, 2002	Effective August 10, 2002
5	Amended by adding Capital Cost Contribution: Section 3.1 - add "Infrastructure Charge Zone"; add Part 29.	Project No. 00423	C - July 2, 2002	E - August 17, 2002
6	Amended to include BSCDD - Bedford South Comprehensive Development District Zone; amend Section 3.1; adding clause (o) to Part 4; and amend schedule A (Zoning Map).	Project No. 00086	C - July 9, 2002	E - August 31, 2002
7	Amended to include CD-1, CD-2, & CD-3 Zones; adding Part 26, 27 & 28.	Project No. 00082	C - September 10, 2002	E - November 9, 2002
8	Amended zoning map by zoning lot AB-High St, Bedford (PID41034505), RSU; replacing Part 3, section 4, with section 4 a), b), c), d), and e), and Appendix B; and, amend zoning map by zoning CN Rail Station (PID 40918971) CMC Zone.	Case No. 00490	C - December 10, 2002	E - January 18, 2003
9	Amended be rezoning Sandy Lake Academy from RR to SI (zoning map); zoning Phase II of the Waterfront Development lands (zoning map); and housekeeping amendments to the Land Use By-law.	Case No. 00511	C - April 8, 2003 (NWCC)	E - April 12, 2003

10	Amended by adding Adding Part 3 Section 4 (f) (**Infilled Water Lots along Shore Drive);** amend the Bedford Zoning Map (Schedule A) (1:20 and 1:100 Floodway of the Sackville River); andamend Part 4 Section 3(m) and Part 5 Section 21 (b)**.**	Case No. 00511	C - March 18, 2003	E - May 10, 2003
11	Amended by adding Part 4 Subsection 3(c)(viii) and (ix) (Policy C21 - residential/commercial mixed uses and multiple unit dwellings).	Case No. 00414	C - July 8, 2003	E - August 16, 2003
12	Part 2, add the definition of "cemetery"; add Part 5.17 (d) - reduced lot frontage and area requirements.	Case No. 00499	December 18, 2003 (NWCC)	E - January 11, 2004
13	Part 6, add 20 Emmerson Street.	Case No. 00651	C - July 8, 2004	E - July 10, 2004
14	Part 5, Sections 8 and 9, were amended regarding child care and home occupation uses within residential zones.	Case No. 00660	C - March 24, 2005	E - April 2, 2005
15	The Bedford Zoning Map was amended by rezoning a portion of 196 Rocky Lake Road (PID #40293052) from SI (Institutional) Zone to LI (Light Industrial) Zone - Map 2.	Case No. 00712	C - April 12, 2005	E - May 28, 2005
16	Part 2, 5, 12 and 14 regarding Ice Cream Stands.	Case No. 00802	July 7, 2005 (NWCC)	E - December 5, 2005
17	Added 38 1f); 38 4e); 38 5g); 38 6c) & d); and 38 6A a) & b); re: signs.	Case No. 00868	C - May 25, 2006	E - June 16, 2006
18	The Zoning maps was amended by rezoning a portion of PID#40698359 from ITR to RSU Zone.	Case No. 00832	C - May 30, 2006	E - July 8, 2006
19	Add Part 10A and Part 10B re: Bedford West; replace Part 19A and amend the zoning map.	Case No. 00382	C - June 20, 2006	E - July 29, 2006
20	Amend Zoning Map; Add Appendices C and D; Add 3 definitions regarding Bicycle Parking, Commercial Recreation Use, Conservation Use; Replace the definition Recreation Use and Watercourse; Add Part 4 Section 3; Replace Part 5 Section 21; Add Part 5 Section 21A, 37A, 37B, 37C, 37D, 37E, Part 23A, Part 30, Part 31.	Regional Plan	C - June 27, 2006	E - August 26, 2006

21	Replace the definition for Personal Service Use; Add the definition for Health and Wellness Centre; Amend Part 4 Section 4.24; Replace the words "Personal Service Shop" with "Personal Service Use".	Case No. 00723	C - August 8, 2006	E - September 9, 2006
22	Replace Part 5 Section 14; Delete "Min Lot Frontage 100ft" from Part 19A; Add to Part 19A Subdivision and Building Requirements; Replace Part 19A Section 2; Add to Part 19A Section 3(b).	Case No. 00938	NWCC-September 28, 2006	E - October 14, 2006
23	Add Section 38(1A) - Temporary Signage; Replace the definition of Sign; Delete references to "Sandwich Boards" and "Mobile Signs"	Case No. 00327	RC - September 26, 2006	E - November 18, 2006
24	Amended Part 4, Section 3 (Crestview CDD); Amend Zoning Map (PID#'s 00430298, 00430306, 00430363, 40741480, 40787137, 40628901).	Case No. 00690	C - March 6, 2007	E - April 7, 2007
25	Amend Part 15 by replacing Subsection (q) and adding (r); adding a Special Requirements section for Office Uses.	Case No. 00950	NWCC - August 9, 2007	E - September 1, 2007
26	Amend Part 12 by replacing Subsection (r) and adding (s).	Case No. 01038	NWCC - September 27, 2007	E - October 13, 2007
27	Replace Part 19A, Section 6 re: Driveway Access; Replaced Schedule I to show revised location of the Community Collector Road	Case No. 01081	NWCC - February 28, 2008	E - March 15, 2008
28	Amend Schedule B - Zoning Map.	Case No. 00762	C - March 4, 2008	E - April 19, 2008
29	Replace Part 5 Section 34: Parking Requirements.	Case No. 01119	C - August 5, 2008	E - August 23, 2008
30	Amend Part 5 Section 6 re: Temporary Construction Uses Permitted	Case No. 01058	RC - January 20, 2009	E - February 7, 2009
31	Amend Part 2: Definition for flag lots; Amend Part 4; Section 3 and Part 4, Section 3 Clause a)iv) re: flag lots	Case No. 00790	RC - January 13, 2009	E - February 28, 2009

32	Amend Zoning Map to rezone PID #s 00418145, 00418178, 400454678, 40648404, 40054579, 00417873, 00417881 and 41055534 (Civic 337, 341, 343, 345, 353 and 357 Kearney Lake Road and Civic 36 to 54 Gem Lane) from BWCDD (Bedford West Comprehensive Development District) Zone to RR (Residential Reserve) Zone	Case No. 01193	NWCC - February 26, 2009	E - March 14, 2009
33	Amend Part 2; Part 2, Section 8, Subsection (g); Part 2, Section 9; Part 2, Section 34, Subsection (a); Part 12, Subsection (d); Part 14, Subsection (b); Part 17, Subsection (l); Part 19A, Subsection (k); and Part 20, Subsection (m); re: Day Care Facilities.	Case No. 01074	RC - March 3, 2009	E - March 21, 2009
34	Replace Day Car Facility definition in Part 2.	Case No. 01288	NWCC - September 24, 2009	E - October 17, 2009
35	Amend Zoning Map to rezone 70 Torrington Drive from RSU to POS Zone.	Case No. 01340	NWCC - January 28, 2010	E - February 13, 2010
36	Amend Part 2: Definitions - Kennel and Veterinary Clinic; Delete "**outdoor kennels associated with veterinary clinics are prohibited**" from Part 14 (d) and Part 19A (e)(second one).	Case No. 16196	NWCC - November 25, 2010	E - December 11, 2010
37	Add Part 4, Section 3(p)	Case No. 16727	NWCC - March 24, 2011	E - April 9, 2011
38	Amend Zoning Map to rezone 345 Kearney Lake Road from RR to SI.	Case No. 16643 (formerly Case No. 01307)	RC - March 15, 2011	E - May 28, 2011
39	Amend Part 5 by adding **Section 39 GENERAL PROVISIONS: WIND ENERTY FACILITIES.**	Project No. 00953	RC – August 16, 2011	E – October 29, 2011
40	Amend Part 5, Section 39 IV by adding **b)** and **c)** after a): Wind Energy Facilities.	Project No. 00953	RC – October 18, 2011	E – October 29, 2011
41	Amend the Zoning Map to rezone 1040 Bedford Highway from RSU to SI	Case No. 16792	NWCC – October 20, 2011	E – November 5, 2011
42	Amend Part 3, Section 1: Replace ITR Zone with BWBC Zone; Amend Part 19A by replacing Min. Lot Area, Min. Front Yard or Flankage Yard, and add Min. Common Side Yard for Multi-Comm. Bldgs.	Case No. 17424	NWCC – September 27, 2012	E – October 20, 2012

43	Amend Part 12, CGB Zone, Subsection (s) re: banks and financial institutions; and add Subsection (t).	Case No. 18304	NWCC – July 8, 2013	E – July 27, 2013
44	Add Gas Bars to Part 2: Definitions; Add **9A – Additional Requirements for Gas Bars** to Part 19A.	Case No. 18423	RC – May 20, 2014	E – June 14, 2014
45	Part 6, Subsection e) insert the following two addresses directly after 20 Emmerson Street: 2**3 Olive Avenue, 165 & 167 High Street**	Case No. 19218/19303	NWCC – September 15, 2014	E – October 11, 2014
46	**Repeal/**Readopt some definitions, Parts of 3.1, 3.3; Part 4, Section 3; Part 5, Section 21, 21A, 37A, 37B, 37C, 37D, 37E, 38; Part 23A, 30, 31; Schedule A, C, D, E; **Add** some definitions; Part 5 Section 12A, 12B; **Amend** Part 4, Section 4; Part 5, Section 21, 21A, 39; Part 24; Appendix C, D, E.	RP+5	RC – June 25, 2014	E – October 18, 2014
47	Added schedules C-1 and C-2, Add Auto Body Repair Shop to Part 2: Definitions; Amend Part 17, by adding Subsection (qa) re: Auto repair shops; and Part 19, by adding Subsection (la) re: Auto body repair shops	Case No. 20082	NWCC – March 21, 2016	E – April 2, 2016
48	Amend Part 17, by adding Subsection (qd) re: Service Stations and gas bars; Amend Part 2, by adding text re: Service Stations and gas bars; Add Schedule C-3	Case No. 20211	RC – September 5, 2017	E – October 21, 2017
49	**Amend** Part 16, by adding Clause (6): 757 Bedford Highway	Case 21094	NWCC – July 9, 2018	E – July 28, 2018
50	**Amend** the Bedford Land Use By-law Zoning Map	Case 20976	RC – July 4, 2018	E- August 11, 2018
51	**Amend** several sections to add Cannabis related uses Nov 3/18	Case 21331	RC - Sep 18, 2018	E- November 3, 2018