



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 13.1.3
Harbour East – Marine Drive Community Council
June 7, 2018

TO: Chair and Members of Harbour East – Marine Drive Community Council

SUBMITTED BY: Original Signed

Kelly Denty, Acting Director, Planning and Development
Original Signed

Jacques Dubé, Chief Administrative Officer

DATE: April 16, 2018

SUBJECT: **Case 21631: Discharge Agreement for Harbour Ridge Golf Club, 108 Harbour Ridge Drive (and surrounding properties), East Petpeswick**

ORIGIN

Application by Allen Baker of Harbour Ridge Estates.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development.

RECOMMENDATION

It is recommended that Harbour East – Marine Drive Community Council:

1. Approve, by resolution, the proposed Discharge Agreement, which shall be substantially of the same form as set out in Attachment A of this report; and
2. Require the Discharge Agreement be signed by the property owners within 240 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council, otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

Allen Baker, on behalf of Harbour Ridge Estates Limited, has applied to discharge the existing development agreement for the former Harbour Ridge Golf Course and single unit dwellings along Harbour Ridge Drive in East Petpeswick.

Subject Site	108 Harbour Ridge Drive, East Petpeswick (PID 40832800) The development agreement is also registered on nine single unit dwelling lots, at the following civic addresses: <ul style="list-style-type: none"> • 843 East Petpeswick Road (PID 40863466) • 851 East Petpeswick Road (PID 40863474) • 855 East Petpeswick Road (PID 40863482) • 9 Harbour Ridge Drive (PID 40879611) • 22 Harbour Ridge Drive (PID 41032285) • 40 Harbour Ridge Drive (PID 41032293) • 58 Harbour Ridge Drive (PID 41032301) • 96 Harbour Ridge Drive (PID 41164005) • 103 Harbour Ridge Drive (PID 41164013)
Location	Eastern Shore (West) Plan Area
Regional Plan Designation	Rural Commuter (RC)
Community Plan Designation (Map 1)	Mixed Use (MU) Designation under the Eastern Shore (West) Municipal Planning Strategy
Zoning (Map 2)	Fishing Village (FV) and Mixed Use (MU) under the Eastern Shore (West) Land Use By-law
Size of Site	66.04 ha (163.18 acres)
Street Frontage	32.30 m (105.98 ft.) on East Petpeswick Road
Current Land Use(s)	The site is no longer in operation, but contains facilities for the former Harbour Ridge Golf Club including a golf course, clubhouse, and restaurant
Surrounding Use(s)	<ul style="list-style-type: none"> • Along Harbour Ridge Drive, the subject property abuts nine properties developed with single unit dwellings that fall under the existing development agreement (see Subject Site above); • To the north is a vacant parcel zoned Mixed Use (MU) and a property with a single unit dwelling at 839 East Petpeswick Road; • To the west across the road is a single unit dwelling (854 East Petpeswick Road); and • To the south is a vacant parcel zoned Fishing Village (FV) and Mixed Use (MU) and several single unit dwellings are located along East Petpeswick Road.

Proposal Details

The applicant recently purchased 108 Harbour Ridge Drive, East Petpeswick and intends to subdivide the lands for single unit residential development. They propose to discharge the existing development agreement that enabled a golf course that no longer operates at the site. Discharging the agreement would remove the land use rights for a golf course and implement the underlying zoning in a manner identical to the surrounding community (Attachment B).

Existing Development Agreement

In 1999, the former Marine Drive, Valley and Canal Community Council approved a development agreement to permit a golf course on a portion of the subject properties (Harbour Ridge Golf Club). The agreement also provided for the balance of the lands to be regulated in accordance with the underlying

Fishing Village (FV) or Mixed Use (MU) Zones. In addition to the golf course property, nine (9) other individual lots have been subdivided and single unit dwellings constructed since the agreement was approved. Those properties are fully developed and the development agreement is no longer necessary and should be discharged.

Discharge of Development Agreements

The *Halifax Regional Municipality Charter* provides Council with a mechanism to discharge development agreements. Part VIII, Clause 244, identifies that Council may discharge a development agreement, in whole or in part, in accordance with the terms of the agreement or with the concurrence of the property owner(s). The Charter does not require a public hearing for the discharge of an agreement or a portion thereof. A development agreement may be discharged by resolution of Community Council.

The property owners of 108 Harbour Ridge Drive and the nine residential lots are required to sign the proposed discharge agreement. Given the number of signatories required, staff have proposed a doubling of the time allowed to complete the signing from the typical 120 days to 240 days.

Previous Application for Discharge Agreement

On November 10, 2016, Harbour East – Marine Drive Community Council approved a similar discharge agreement for the subject properties based on the same rationale. This discharge agreement was not signed within the 240-day time limit as required by Council. As a result, the discharge agreement never came into effect and the development agreement remains in place.

Subsequently, the former Golf Course was sold. The current owner has no intentions to operate a golf course and wishes to subdivide the property for residential development in accordance with the underlying zoning. However, residential development cannot occur unless the agreement is discharged.

COMMUNITY ENGAGEMENT

The community engagement process on this file was consistent with the intent of the HRM Community Engagement Strategy. A public information meeting or a public hearing is not required, nor is it the practice to hold such meetings for the discharge of a development agreement. The decision to discharge a development agreement is made by resolution of Community Council.

The proposed discharge will have minimal impact on local residents, property owners or other stakeholders.

DISCUSSION

Staff reviewed the proposal relative to all relevant policies and advise that it is reasonably consistent with the intent of the MPS.

The development agreement requires compliance with the underlying Fishing Village (FV) Zone or the Mixed Use (MU) Zone for all uses other than the golf course. Discharge of the agreement would eliminate the golf course provisions but no other development rights would change upon its discharge. Subdivision of the former golf course property cannot occur unless the agreement is discharged.

Staff recommend that Harbour East – Marine Drive Community Council discharge the existing development agreement.

FINANCIAL IMPLICATIONS

There are no budget implications. The applicant will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this proposed development agreement.

The administration of the proposed development agreement can be carried out within the approved 2018/2019 budget and with existing resources.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. This application may be considered under existing MPS policies. Community Council has the discretion to make decisions that are consistent with the MPS, and such decisions may be appealed to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed discharge agreement are contained within the Discussion section of this report.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified beyond those identified in this report.

ALTERNATIVES

1. Harbour East – Marine Drive Community Council may choose not to discharge the existing development agreement and therefore, development on the property would remain subject to the conditions of the development agreement. A decision of Council to refuse to discharge a development agreement is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

Map 1: Generalized Future Land Use
Map 2: Zoning

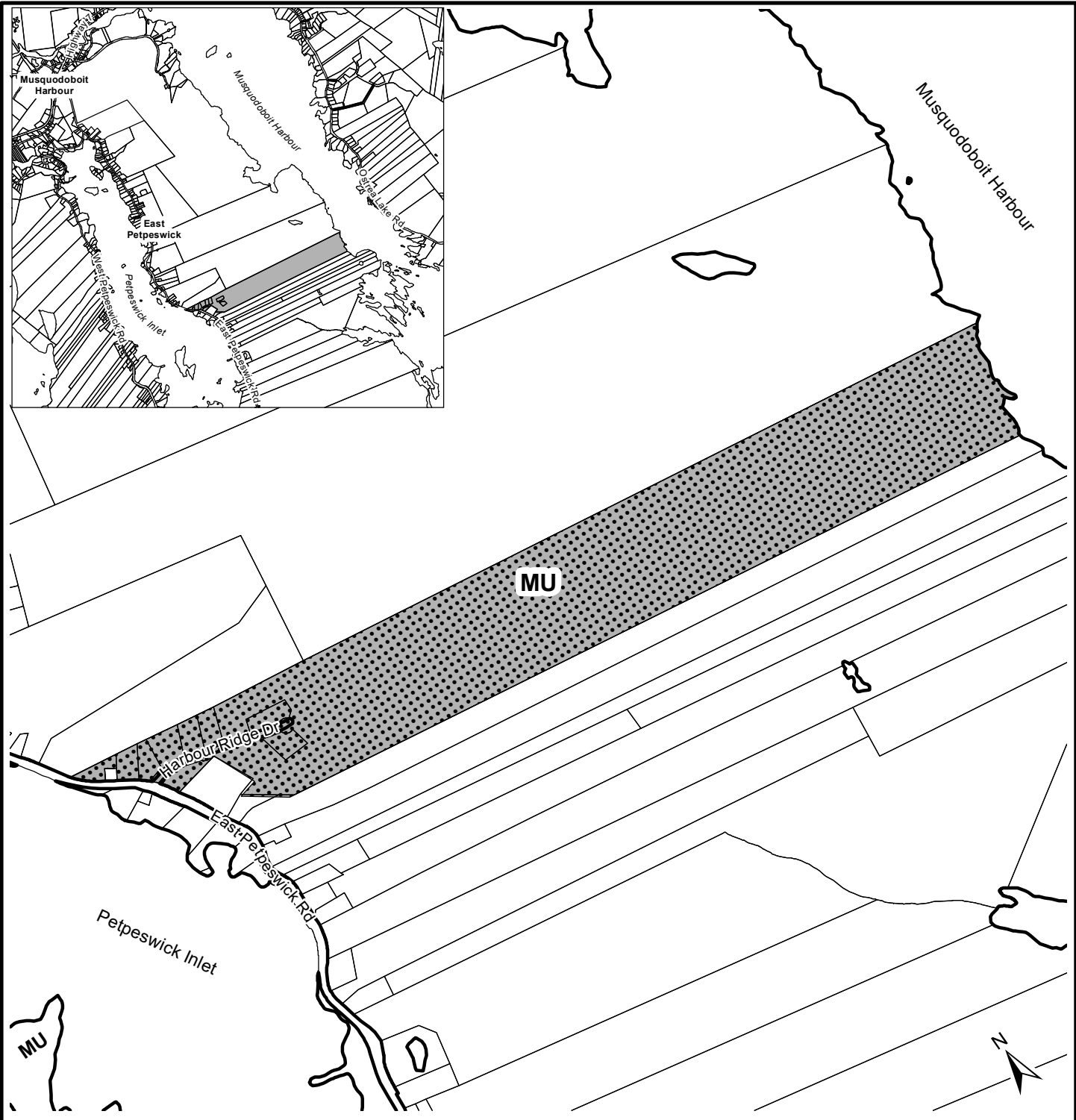
Attachment A: Proposed Discharge Agreement
Attachment B: Zone Requirements

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Stephanie Salloum, Planner II, Current Planning, 902.490.4223

Original Signed

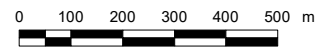
Report Approved by: _____
Steve Higgins, Manager of Current Planning, 902.490.4382




Map 1 - Generalized Future Land Use

108 Harbour Ridge Drive,
East Petpeswick

HALIFAX



 Area of Existing Development Agreement to be Discharged

Designation

MU Mixed Use

Eastern Shore (West)
Plan Area

This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

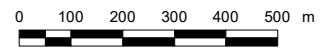
The accuracy of any representation on this plan is not guaranteed.




Map 2 - Zoning

HALIFAX

108 Harbour Ridge Drive,
East Petpeswick



 Area of Existing Development Agreement to be Discharged

This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

Zone

MU Mixed Use
FV Fishing Village

The accuracy of any representation on this plan is not guaranteed.

Eastern Shore (West)
Plan Area

**ATTACHMENT A
DISCHARGING DEVELOPMENT AGREEMENT**

THIS DISCHARGING AGREEMENT made this day of **[Insert Month]**, 20___,

BETWEEN:

HARBOUR RIDGE ESTATES LIMITED,
a body corporate, in the Province of Nova Scotia

- and -

[INSERT NAME HERE],
an individual, in the Town of [insert town name]
in the Province of Nova Scotia

- and -

[INSERT NAME HERE],
an individual, in the Town of [insert town name]
in the Province of Nova Scotia

- and -

[INSERT NAME HERE],
an individual, in the Town of [insert town name]
in the Province of Nova Scotia

- and -

[INSERT NAME HERE],
an individual, in the Town of [insert town name]
in the Province of Nova Scotia

- and -

[INSERT NAME HERE],
an individual, in the Town of [insert town name]
in the Province of Nova Scotia

- and -

[INSERT NAME HERE],
an individual, in the Town of [insert town name]
in the Province of Nova Scotia

- and -

[INSERT NAME HERE],
an individual, in the Town of [insert town name]
in the Province of Nova Scotia

- and -

[INSERT NAME HERE],

an individual, in the Town of [insert town name]
in the Province of Nova Scotia

- and -

[INSERT NAME HERE],

an individual, in the Town of [insert town name]
in the Province of Nova Scotia
(hereinafter jointly called the "Developers")

OF THE FIRST PART

- and -

HALIFAX REGIONAL MUNICIPALITY,

a municipal body corporate, in the Province of Nova Scotia
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS the Developers are the registered owners of certain lands located at 843, 851 and 855 East Petpeswick Road and 9, 22, 40, 58, 96 and 103, and 108 Harbour Ridge Drive, East Petpeswick and which said lands are more particularly described in Schedule A hereto (hereinafter jointly called the "Lands");

AND WHEREAS on December 6, 1999 the former Marine Drive, Valley and Canal Community Council approved an application to enter into a development agreement to allow for the construction of a golf course and associated uses on the Lands, which said development agreement was registered at the Registry of Deeds in Halifax as Document Number 6445 in Book Number 6528 at Pages 926 to 952 (hereinafter called the "Existing Agreement");

AND WHEREAS the Developers at 108 Harbour Ridge Drive have requested that the Existing Agreement be discharged from the Lands;

AND WHEREAS, pursuant to the procedures and requirements contained in the *Halifax Regional Municipality Charter*, the Harbour East – Marine Drive Community Council of the Municipality approved this request by resolution at a meeting held on **[INSERT - date]**, referenced as Municipal Case Number 21631;

THEREFORE in consideration of the benefits accrued to each party from the covenants herein contained, the parties agree as follows:

1. The Existing Agreement is hereby discharged as it applies to the Lands and shall no longer have any force or effect.
2. Any future development of the Lands shall conform with all applicable provisions and requirements of the Eastern Shore (West) Land Use By-law, as amended from time to time.

IN WITNESS WHEREAS the said parties to these presents have hereunto set their hands and affixed their seals the day and year first above written.

SIGNED, SEALED AND DELIVERED in the presence of:

(Insert Registered Owner Name)

Witness

SIGNED, SEALED AND DELIVERED in the presence of:

(Insert Registered Owner Name)

Witness

SIGNED, SEALED AND DELIVERED in the presence of:

(Insert Registered Owner Name)

Witness

SIGNED, SEALED AND DELIVERED in the presence of:

(Insert Registered Owner Name)

Witness

SIGNED, SEALED AND DELIVERED in the presence of:

(Insert Registered Owner Name)

Witness

SIGNED, SEALED AND DELIVERED in the presence of:

(Insert Registered Owner Name)

Witness

SIGNED, SEALED AND DELIVERED in the presence of:

(Insert Registered Owner Name)

Witness

SIGNED, SEALED AND DELIVERED in the presence of:

(Insert Registered Owner Name)

Witness

SIGNED, SEALED AND DELIVERED in the presence of:

(Insert Registered Owner Name)

Witness

SIGNED, SEALED AND DELIVERED in the presence of:

(Insert Registered Owner Name)

Witness

SIGNED, DELIVERED AND ATTESTED to by the proper signing officers of Halifax Regional Municipality, duly authorized in that behalf, in the presence of:

HALIFAX REGIONAL MUNICIPALITY

Witness

Per: _____
MAYOR

Witness

Per: _____
MUNICIPAL CLERK

**ATTACHMENT B:
ZONE REQUIREMENTS
Eastern Shore (West) Land Use By-law**

PART 6: MU (MIXED USE) ZONE

6.1 MU USES PERMITTED

No development permit shall be issued in any MU (Mixed Use) Zone except for the following:

Residential Uses

Single unit dwellings
Two unit dwellings
Senior citizen housing
Existing multiple unit dwellings
Mobile dwellings on individual lots
Garden suites in conjunction with permitted single unit dwellings
Daycare facilities
Home business uses in conjunction with permitted dwellings
Boat sheds

Commercial Uses

Antique shops
Craft shops
Commercial entertainment uses
Convenience stores
Bed and breakfasts
Personal service shops
Service shops
Commercial schools
Theatres and cinemas
Trade contracting services and shops
(Deletion: MDVCCC-Jan 23/02;E-Feb 10/02)
Medical clinics
Restaurants including full-service, drive-in and take-out
Service stations and automobile repair outlets
Bakeries
Banks and financial institutions
Offices
Funeral parlours and undertaking establishments including crematoriums
Garden centers
Outdoor display court
Photographic studios
Retail stores
Grocery stores
Variety stores
Research facilities
Printing establishments

- Taxi and bus stations
- Veterinary clinics
- Warehousing and wholesaling
- Manufacturing and assembly uses
- Service industry uses
- Utility and communication buildings or structures
- Shipways, wharves and boathouses
- Marinas and charter boat services
- Wilderness and recreation outfitters
- Composting operations
- Existing kennels

**Commercial Accommodation Uses
(MDVCCC-Jan 23/02;E-Feb 10/02)**

Resource and Traditional Uses

- Agricultural uses
- Forestry uses
- Fishery support uses
- Fish sheds and boat sheds
- Existing fishery support uses larger than 3,000 ft² (278.7 m²)
- Existing fishery uses
- Extractive facilities
- Hunting and fishing camps
- Traditional uses

Community Uses

- Institutional uses
- Open space uses
- Recreation uses
- Private clubs and lodges

6.2 MU ZONE REQUIREMENTS

Where uses are permitted as Residential, Commercial, Resource and Traditional, and Community Uses (except open space uses) in any MU Zone, no development permit shall be issued except in conformity with the following:

Minimum lot area	40,000 square feet (3716 m ²)
Minimum frontage	150 feet (45.7 m) on collector roads, 100 feet (30.5 m) on local roads
Minimum waterfrontage lot width	100 feet (30.5 m)
Minimum front or flankage yard	30 feet (9.1 m)
Minimum rear or side yard	8 feet (2.4 m)
Maximum lot coverage	35 percent
Maximum height of main building	35 feet (10.7 m)

6.3 OTHER REQUIREMENTS: GARDEN SUITES

Where a garden suite is permitted in any MU Zone, the following shall apply:

- (a) A garden suite shall only be accessed by the driveway serving the main dwelling;
- (b) The gross floor area of a garden suite shall not exceed 650 square feet (60.4 m²) except where the garden suite and single unit dwelling area located on an area of land that is capable of meeting subdivision requirements and a preliminary subdivision examination has been completed in accordance with the municipal Subdivision By-law;
- (c) A mobile home shall not be permitted to be used as a garden suite;
- (d) A garden suite may be constructed as an upper level over an accessory building;
- (e) A garden suite or structure containing a garden suite shall not exceed two storeys in height; and
- (f) A garden suite shall be situated a minimum of sixteen (16) feet (4.9 m) from the main dwelling.

6.4 OTHER REQUIREMENTS: HOME BUSINESS USES

Where home business uses in conjunction with a dwelling are permitted in any MU Zone the following shall apply:

- (a) Any lot that is used for such purposes shall be the principle residence of the operator of the business;
- (b) No more than twenty-five (25) percent of the total gross floor area of the dwelling unit shall be devoted to home business uses within the dwelling, and in no case shall the total gross floor area of structures devoted to home business uses exceed one thousand (1,000) square feet (92.9 m²);
- (c) One off-street parking space, other than that required for the dwelling, shall be provided for every three hundred (300) square feet (27.9 m²) of floor area devoted to any home business;
- (d) No materials or equipment shall be used except that which is reasonable consistent with that business and shall not be obnoxious or create a nuisance by virtue of noise, vibration, odour or glare;
- (e) No outdoor storage or outdoor display shall be permitted in any yard where such yard abuts any residential uses, except where a fence or a landscaped area providing a visual barrier and measuring at least six (6) feet (1.8 m) in height is provided;
- (f) No outdoor storage shall be permitted in any front yard;
- (g) No exterior alterations to any dwelling related to the business use shall be permitted except to meet fire safety, structural safety, or health regulations; and
- (h) No retail operation shall be permitted except where retail is accessory to a business use which involves the production of goods or crafts or the provision of a service.

6.5 OTHER REQUIREMENTS: DAY CARE USES

Where day care facilities are permitted in any MU Zone, the following shall apply:

- (a) One off-street parking space shall be provided for every three hundred (300) square feet (27.9 m²) of floor area devoted to any day care facility.

6.6 OTHER REQUIREMENTS: COMMERCIAL USES

Where uses are permitted as Commercial Uses in any MU Zone, the following shall apply:

- (a) The footprint of all buildings devoted to a commercial use shall not exceed five thousand (5,000) square feet (464.5 m²);
- (b) No portion of any lot shall be used for the collection and storage of refuse unless the refuse containers are screened;
- (c) No outdoor storage shall be permitted in any front yard;
- (d) Except where a commercial use abuts another commercial use, no portion of any parking space shall be located within any required side or rear yard except where a fence or other visual and physical barrier is erected; and
- (e) Within the front yard area, the first ten (10) feet (3.1 m) bordering the road right-of-way shall be landscaped. In the case of an existing building which is set back less than ten (10) feet (3.1 m) from the road right-of-way, this setback area shall be landscaped.

6.7 OTHER REQUIREMENTS: MEDICAL CLINICS

Notwithstanding the provisions of Sections 6.2 and 6.6, where medical clinics are permitted in any MU Zone, the following shall apply:

- (a) No medical clinic shall be located less than thirty (30) feet (9.1 m) from any lot line nor less than fifty (50) feet (15.2 m) from any dwelling).

6.8 OTHER REQUIREMENTS: MARINAS

Notwithstanding the provisions of Sections 6.2 and 6.6, where marinas are permitted in any MU Zone, the following shall apply:

- (a) The total floor area of all buildings devoted to a marina shall not exceed five thousand (5,000) square feet (464.5 m²); and
- (b) The total area devoted to outdoor storage of marine craft and equipment shall not exceed ten thousand (10,000) square feet (929 m²).

6.9 OTHER REQUIREMENTS: AGRICULTURE USES

Notwithstanding the provisions of Section 6.2, where agricultural uses are permitted in any MU Zone, and where any barn, stable or other building intended for the keeping of domestic fowl or other animals is to be erected, no structure shall:

- (a) Be less than fifty (50) feet (15.2 m) from any side lot line;
- (b) Be less than three hundred (300) feet (91.4 m) from any residential dwelling or potable water supply except a dwelling or water supply on the same lot or directly related to the agricultural use; and
- (c) Be less than three hundred (300) feet (91.4 m) from any water course or water body.

6.10 OTHER REQUIREMENTS: FISHERY SUPPORT USES

Notwithstanding the provisions of Section 6.2, where fishery support uses are permitted in any MU Zone, the following shall apply:

- (a) The combined gross floor area of all buildings directly related to a fishery support use, excluding a boat shed, shall not exceed three thousand (3,000) square feet (278.7 m²); and
- (b) All buildings shall be set back a minimum of eight (8) feet (2.4 m²) from the rear and side lot lines, unless the lot line corresponds to the high water mark, in which case a setback shall not be required.

6.11 OTHER REQUIREMENTS: FORESTRY USES

Notwithstanding the provisions of Section 6.2, where forestry uses are permitted in any MU Zone, the following shall apply:

- (a) The combined gross floor area of all buildings directly relating to a forestry use shall not exceed three thousand (3,000) square feet (278.7 m²); and
- (b) Any area devoted to open storage shall not be permitted within any required front yard or side yard and shall not exceed twenty-five (25) percent of the lot area.

6.12 OTHER REQUIREMENTS: EXTRACTIVE FACILITIES

Notwithstanding the provisions of Section 6.2, where extractive facilities are permitted in any MU Zone, the following shall apply:

- (a) The combined gross floor area of all buildings and structures directly relating to an extractive facility shall not exceed three thousand (3,000) square feet (278.7 m²); and
- (b) No extractive facilities shall be located:
 - (i) less than one hundred (100) feet (30.5 m) from any lot line;
 - (ii) less than three hundred (300) feet (91.4 m) from any dwelling or potable water supply except a dwelling or supply on the same lot;
 - (iii) less than three hundred (300) feet (91.4 m) from any R-6 Zone; and
 - (iv) less than three hundred (300) feet (91.4 m) from any watercourse.

6.13 OTHER REQUIREMENTS: OPEN SPACE USES

Where open space uses are permitted in any MU Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard 30 feet (9.1 m)
Minimum Rear or Side Yard 30 feet (9.1 m)

6.14 EXEMPTION: OPEN SPACE USES

Notwithstanding the provisions of Section 4.1(a) where open spaces uses are permitted, and where such uses involve no buildings or structures, no development permit shall be required.

6.15 OTHER REQUIREMENTS: TRADITIONAL USES

Where traditional uses are permitted in any MU Zone, the following shall apply:

- (a) Any materials associated with the traditional use shall be contained within a building or otherwise enclosed by a fence, vegetation or other means which provide a visual and physical barrier.

6.16 OTHER REQUIREMENTS: EXISTING KENNELS

Where an existing kennel is temporarily closed, destroyed or damaged, its operation may recommence or the building(s) may be rebuilt within twelve (12) months of the date of closure/destruction, subject to the following:

- (a) Any recommencement, reconstruction, repair or renovation of any building or structure used for the existing kennel shall not result in an increase of the existing floor area nor shall it result in any reduction of the existing setbacks from any property line; and
- (b) Any reconstruction of an enclosed outdoor exercise area or outdoor run shall incorporate the use of berms, opaque fencing or vegetation (or combination thereof) to screen the structure from adjacent properties.

6.17 OTHER REQUIREMENTS: FISH SHEDS AND BOAT SHEDS

Notwithstanding the provisions of Section 6.2, where fish sheds and boat sheds are permitted in any MU Zone, the following shall apply:

Minimum front or side yard	4 feet (1.2 m)
Maximum lot coverage	50 percent

PART 9: FV (FISHING VILLAGE) ZONE

9.1 FV USES PERMITTED

No development permit shall be issued in any FV (Fishing Village) Zone except for the following:

Fishery Related Uses

Fishing support uses
Fish sheds and boat sheds
Charter boat services

Residential Uses

Single unit dwellings
Auxiliary dwelling units
Mobile dwellings on individual lots
Garden suites in conjunction with permitted dwellings
Home business uses in conjunction with permitted dwellings

Commercial Uses

Personal service shops
Bed and breakfast establishments
Craft shops
Antique shops
Art studios
Bakeries
Wilderness and recreation outfitters
Existing uses

Resource and Traditional Uses

Agricultural uses
Forestry uses excluding permanent sawmills or industrial mills
Traditional uses

Community Uses

Daycare facilities
Open space uses
Private clubs

9.2 FV ZONE REQUIREMENTS

In any FV Zone, where uses are permitted as Fishery Related Uses, no development permit shall be issued except in conformity with the following:

Minimum lot area	20,000 square feet (1858 m ²)
Minimum frontage	100 feet (30.5 m)
Minimum front or flankage yard	30 feet (9.1 m)
Minimum rear or side yard	8 feet (2.4 m)
Maximum lot coverage	35 percent

Maximum height 35 feet (10.7 m)

9.3 FV ZONE REQUIREMENTS

In any FV Zone, where uses are permitted as Residential, Commercial, Resource, Traditional and Community Uses (excluding open space uses), no development permit shall be issued except in conformity with the following:

Minimum lot area	40,000 square feet (3716.1 m ²)
Minimum frontage	100 feet (30.5 m)
Minimum front or flankage yard	30 feet (9.1 m)
Minimum rear or side yard	8 feet (2.4 m)
Maximum lot coverage	35 percent
Maximum height	35 feet (10.7 m)

9.4 OTHER REQUIREMENTS: FISHING SUPPORT USES AND CHARTER BOAT SERVICES

Notwithstanding the provisions of Section 9.2, where a fishing support use or charter boat service is permitted in any FV Zone, the following shall apply:

- (a) The combined gross floor area of all buildings directly related to a fishing support use (excluding a building used for boat storage) shall not exceed three thousand (3,000) square feet (278.7 m²); and
- (b) All buildings shall be set back a minimum of eight (8) feet (2.4 m²) from the rear and side lot lines, unless the lot line corresponds to the high water mark, in which case a setback shall not be required.

9.5 OTHER REQUIREMENTS: FISH SHEDS AND BOAT SHEDS

Notwithstanding the provisions of Section 9.2, where fish sheds and boat sheds are permitted in any FI Zone, the following shall apply:

Minimum front or side yard 4 feet (1.2 m)
Maximum lot coverage 50 percent

9.6 OTHER REQUIREMENTS: AUXILIARY DWELLING UNITS

Where an auxiliary dwelling unit is permitted in any FV Zone, the provisions of Section 7.3 shall apply.

9.7 OTHER REQUIREMENTS: GARDEN SUITES

Where a garden suite is permitted in any FV Zone, the provisions of Section 7.4 shall apply.

9.8 OTHER REQUIREMENTS: HOME BUSINESS USES

Where a home business uses in conjunction with a dwelling is permitted in any FV Zone, the provisions of Section 7.5 shall apply.

9.9 OTHER REQUIREMENTS: BED AND BREAKFAST ESTABLISHMENTS

Where a bed and breakfast establishment is permitted in any FV Zone, the provisions of Section 7.7 shall apply.

9.10 OTHER REQUIREMENTS: PERSONAL SERVICE SHOPS, CRAFT SHOPS, ANTIQUE SHOPS, ART STUDIOS, BAKERIES AND WILDERNESS AND RECREATION OUTFITTERS

Where a personal service shop, craft shop, antique shop, art studio, bakery or wilderness and recreation outfitter is permitted in any FV Zone, the provisions of Section 7.8 shall apply.

9.11 OTHER REQUIREMENTS: AGRICULTURAL USES

Where an agricultural use is permitted in any FV Zone, the provisions of Section 7.10 shall apply.

9.12 OTHER REQUIREMENTS: FORESTRY USES

Where a forestry use is permitted in any FV Zone, the provisions of Section 7.11 shall apply.

9.13 OTHER REQUIREMENTS: TRADITIONAL USES

Where a traditional use is permitted in any FV Zone, the provisions of Section 7.13 shall apply.

9.14 OTHER REQUIREMENTS: DAY CARE FACILITIES

Where a day care facility is permitted in any FV Zone, the provisions of Section 7.14 shall apply.

9.15 OTHER REQUIREMENTS: OPEN SPACE USES

Where an open space use is permitted in any FV Zone, the provisions of Sections 7.16 and 7.17 shall apply.