

Municipality of the District of Guysborough

Land Use Bylaw

Our Home, Our Future



Municipality of the District of Guysborough Land Use Bylaw

2022
Official
Land Use Bylaw

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PART 1 - Title and Purpose

- 1.1.1 This Bylaw shall be known as the "Land Use Bylaw" for the Guysborough Municipal Planning Area and shall apply to all lands within the municipal boundaries; and
- (a) May be cited as the "Land Use Bylaw" or "LUB".
 - (b) This Land Use Bylaw may also be cited as "Bylaw" when used in a self-referential manner within the text.
- 1.1.2 The purpose of this Bylaw is to:
- (a) Carry out the land use development policies found in the Municipal Planning Strategy; and,
 - (b) Establish a fair and systematic means of development control for the Municipality of the District of Guysborough (hereinafter referred to as the "Municipality") by regulating the use of land, buildings, and structures and by regulating the height, bulk, location, size and spacing of buildings and structures.
- 1.1.3 If any provision of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this Bylaw.
- 1.1.4 This By-law is passed under the authority of the *Municipal Government Act*.

PART 2 - Administration

2.1 ADMINISTRATION

2.1.1 This Bylaw shall be administered by the Development Officer appointed by Council.

2.2 INSPECTION

2.2.1 The Council, by any duly authorized officer or servant, shall have the right to enter at all reasonable times into or upon any property within the Municipality for the purpose of an inspection necessary in connection with the administration of this Bylaw.

2.3 LICENSES, PERMITS AND COMPLIANCE WITH OTHER BYLAWS

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

2.3.2 Where the provisions of this Bylaw conflict with those of any other Bylaw of the Municipality or any act or regulation of the Province or the Government of Canada, the higher or more stringent provision shall prevail.

2.4 DEVELOPMENT PERMIT

2.4.1 Unless otherwise stated in this Bylaw, no person shall undertake a development on a lot within the Guysborough Municipal Planning Area without first obtaining a development permit from the Development Officer.

2.4.2 The Development Officer shall only issue a development permit in conformance with this Bylaw, except where a variance is granted or in the case of a nonconforming use or structure, in which case a permit shall be granted in conformance with the Act.

2.4.3 A development permit shall expire within 12 months from the date issued if the development has not commenced.

2.4.4 The Development Officer may revoke a development permit where information provided on the application is found to be inaccurate.

2.5 APPLICATION FOR A DEVELOPMENT PERMIT

2.5.1 Every application for a development permit shall be made in the form prescribed by the Municipality and accompanied by a sketch or plan, in duplicate, drawn to an appropriate scale and showing:

- (a) the shape and dimensions of the lot to be used;
- (b) the distance from the lot boundaries;
- (c) dimensions of the building or structure, and height of any the buildings and structures proposed to be erected;
- (d) dimensions of any existing building or structure proposed to be retained, and height of any buildings and structures proposed to be retained;

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- (e) the distance from the lot boundaries and size of every building or structure already erected on the lot;
- (f) the proposed location and dimensions of any parking space, loading space and driveway;
- (g) the proposed use of the lot and any building or structure; and
- (h) any other information the Development Officer deems necessary to determine whether or not the proposed development conforms to the requirements of this Bylaw.

2.5.2 Where the Development Officer is unable to determine whether the proposed development conforms to this Bylaw, the Development Officer may require that the plans submitted under clause 2.5.1 be based upon a survey certified and stamped by a Nova Scotia Land Surveyor.

2.6 SIGNATURE OF APPLICANT

2.6.1 The application for a development permit shall be signed by the registered owner of the lot or by the owner's agent duly authorized in writing to act for the owner.

2.7 APPLICATION FEE

2.7.1 Every application for a development permit, application for a Land Use Bylaw amendment, Development Agreement, or a variance shall be subject to any fees established by Council.

2.8 ADVERTISING AND NOTIFICATION COSTS

2.8.1 Where an application to amend this Bylaw is made, the applicant shall deposit with the Municipal Clerk at the time of application, an amount established by the clerk to be sufficient to pay the costs of any advertising and notification required.

2.8.2 If the amount paid under clause 2.8.1 is not sufficient to cover the costs incurred, the applicant shall pay to the clerk the additional amount required. If the amount is more than sufficient, the clerk shall refund the excess amount.

2.9 ENFORCEMENT

2.9.1 Any duly authorized officer or servant appointed by Council shall have the right to enter at all reasonable times into or upon any property within the planning area for the purposes of an inspection necessary in connection with the administration of this Land Use Bylaw.

2.10 EFFECTIVE DATE

2.10.1 The effective date is the date in which the Municipal Planning Strategy and Land Use Bylaw of Municipality of the District of Guysborough came into effect, as outlined in Section 208 (10) of the *Municipal Government Act*.

2.10.2 The adoption of this Bylaw repeals any previous Land Use Bylaws adopted by the Municipality.

PART 3 - Zones and Zoning Maps

3.1 ZONING MAP(S)

Schedule "B"	District Zoning Map
Schedule "C"	Wetlands

3.2 ZONES

3.2.1 For the purpose of this Bylaw, the Guysborough Municipal Planning Area is divided into the following zones which may be referred to by the corresponding symbols shown below.

ZONES	SYMBOL
Residential General	R-1
Residential Multiple Unit	R-2
Mobile Home Park	R-3
Mixed Use Rural Residential	MRR-1
Coastal Community	CC-1
Commercial General	C-1
Major Commercial	MC-1
Industrial Light	I-1
Industrial Heavy	I-2
Industrial Resource	I-3
Green Industrial	I-4
Marine Industrial	I-5
Recreational	REC-1
Natural Resource	NR-1
Environmental Protected Area	EPA
Mineral Opportunity Overlay Zone	MOO
Wind Farm Overlay Zone	WFO
Watershed Reservoir Overlay Zone	WRO

3.3 ZONES NOT ON THE MAP

3.3.1 The zoning map may be amended, in conformance with the Municipal Planning Strategy, to utilize any zone in this Bylaw, regardless of whether or not such zone had previously appeared on any Zoning Map.

PART 4 - Interpretation

4.1 SYMBOLS

- 4.1.1 The symbols used on the Zoning Map included herein refer to the corresponding zones established in the Bylaw.

4.2 INTERPRETATION OF ZONE BOUNDARIES

Boundaries between zones shall be determined as follows:

- 4.2.1 Where a zone boundary is indicated as following a boundary survey line as recorded at the Registry of Deeds or Land Registration Office, the boundary shall follow that line;
- 4.2.2 Where a zone boundary is indicated as following a street, private road, or controlled access highway, the centerline of the street, private road, or controlled access highway shall be the boundary unless otherwise indicated;
- 4.2.3 Where a zone boundary is indicated as following a railway or utility right-of-way, the centerline of the right-of-way shall be the boundary unless otherwise indicated;
- 4.2.4 Where the zone boundary is indicated as approximately following lot lines, the boundary shall follow the lot lines;
- 4.2.5 Where the zone boundary is indicated as following the shoreline of a river, watercourse, lake or saltwater body, the mean high water mark shall be the boundary and the zone boundary shall follow any changes in mean high water mark; and
- 4.2.6 Where none of the above provisions apply, the zone boundary shall be scaled from the zoning map.

4.3 CONFLICT

- 4.3.1 In the case of any conflict between the text of this By-law and any maps or drawings used to illustrate any aspect of this Bylaw, the text shall take priority.
- 4.3.2 Colour coding throughout this By-law and the Zoning Maps is for ease of reference only and the text of the Bylaw shall take priority.
- 4.3.3 In the case of any conflict between a number written in numerals and a number written in letters, the number written in numerals shall take priority.
- 4.3.4 In the case of conflict between a written zone name and a zone symbol, the written zone name shall take priority.

4.4 INTERPRETATION OF CERTAIN WORDS

- 4.4.1 In this Bylaw, words used in the present tense include the future, words in the singular number include the plural, words in the plural include the single number, the word "used" includes "arranged to be used", "designed or intended to be used" and "intended to be used" and the word "shall" is mandatory and the word "may" permissive.

4.5 DEFINITIONS

4.5.1 For the purposes of this Bylaw, words shall have the meaning or meanings assigned to them in Part 5 - Definitions. Where a word is not defined in Part 5 the word shall have the meaning or meanings assigned by accepted English dictionaries.

4.6 PERMITTED USES

4.6.1 In this Bylaw any use not listed as a permitted use in a zone is prohibited in that zone unless otherwise indicated.

4.6.2 Where a permitted use within any zone is defined in this Bylaw, the uses permitted in the zone include any similar uses that satisfy such definition except where a definition specifically excludes any similar use.

4.7 ALL LAND TO BE ZONED

4.7.1 All lands within the Municipality shall be zoned except where specifically indicated as unzoned.

4.8 SCHEDULES

4.8.1 All schedules or figures attached to this Bylaw form an official part of the Bylaw.

4.8.2 Any appendices that may be attached to this Bylaw are for information purposes only and are not an official part of the Bylaw.

4.9 UNITS OF MEASUREMENT

4.9.1 All official measurements are Imperial. Metric measurements are provided for convenience only and where there is a discrepancy between the two, the imperial figure shall prevail.

4.9.2 Units of measurement used in this Bylaw are abbreviated and or described as follows:

metres	-	m
square metres	-	m ² or sq m
feet	-	ft
square feet	-	ft ² or sq ft

PART 5 - Definitions

5.1 PREAMBLE

- 5.1.1 For the purpose of this By-law, all words shall carry their customary meaning except for those defined hereafter in Section 5.2.
- 5.1.2 The definitions of uses group individual land uses into a specified number of classes, with common functional or physical impact characteristics. They define the range of uses which are main uses and particular accessory uses, with or without conditions, within various zones of this Bylaw.
- 5.1.3 Where a specific use does not conform to the wording of any use class definition or generally conforms to the wording of two or more definitions, the use conforms to and is included in that use class which is most appropriate in character and purpose.
- 5.1.4 Drawings are for illustrative purposes only. The text definition shall prevail in any conflict between a drawing and the text definition.

5.2 GENERAL DEFINITIONS

ABUT (or abutting) means immediately contiguous to or physically touching. When used with respect to parcels, abut means two parcels that share a common parcel line.

ACCESSORY BUILDING means a subordinate building or structure on the same lot as the main building devoted exclusively to an accessory use but does not include a building attached in any way to the main building, or a building located completely underground, nor does it include shipping containers or sea cans.

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.

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

ACT shall mean the Municipal Government Act and amendments thereto.

AGRICULTURE means the use of land and buildings for growing, rearing, producing or harvesting agricultural crops and livestock and includes processing and selling the primary agricultural products harvested, reared or produced on parcels comprising the farm. Barns, processing, and retail facilities for primary agricultural products are considered incidental to agricultural uses. This use specifically excludes the use of land, buildings or structures for the purpose of conducting household domestic farm activities, the products of which are for personal use only and not a farm business.

AERONAUTICS, SPACEPORTS AND RELATED USES means a site for launching (or receiving) spacecraft and may also include runways for takeoff and landing of aircraft to support spaceport operations.

AIRPORT means a location from which aircraft flight operations take place, regardless of whether they involve air cargo, passengers or neither. An airport can also consist of a landing area/runways, adjacent utility buildings such as control towers, hangars and terminals and other related infrastructure.

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ALTER means to change a structural component of a building, or to increase or decrease the volume of a building or structure.

AMUSEMENT PARKS, INCLUDING RACE TRACKS, AND OUTDOOR SHOOTING RANGES means a potentially obnoxious use of land for primarily open-air commercial recreation or entertainment purposes together with necessary and accessory buildings and structures and, without limiting the generality of the foregoing, includes water parks, permanent amusement rides, outdoor shooting ranges, tracks for the racing of animals or for the racing of any type of motor vehicle.

ANIMAL HOSPITALS AND VETERINARY OFFICES means an establishment primarily used for the care and treatment of domestic animals where the veterinary services primarily involve in-patient care and medical procedures involving hospitalization for extended periods of time. Any outdoor runs for animals shall be enclosed and opaque from abutting residential properties. The accessory use of animal crematoriums is permitted.

AUTOMOBILE FUELING OR CARWASH means an establishment that retails automotive fuel along with small amounts of other automotive-related products such as pre-packaged motor oil or windshield washer anti-freeze and may include the accessory sale of convenience items or food. The use may include electric vehicle charging for use by the public and may also include a vehicle washing (carwash) use.

AUTOMOBILE REPAIR AND MAINTENANCE means an establishment primarily engaged in providing motor vehicle repair and maintenance for automobiles, commercial vehicles, motorcycles, watercraft, off-road vehicles, and recreational vehicles and includes oil change and lubrication shops, autobody shops, tire repair shops and rustproofing/undercoating.

AUTOMOBILE SALES AND RENTALS means an establishment primarily engaged in retailing or renting new and used automobiles, commercial vehicles, motorcycles, watercraft, off-road vehicles, and recreational vehicles.

BANKS AND FINANCIAL INSTITUTIONS means a place that provides a range of financial services and includes a trust company or other financial institution and may include an accessory use bank machine.

BED AND BREAKFAST means a single-unit dwelling in which there is a resident owner or resident manager who provides overnight accommodation to the travelling public within a maximum of 8 sleeping units and provides at least one meal (usually breakfast, but occasionally other meals as well) to overnight guests. The bed & breakfast use shall not include provision of meals to non-guests (unless otherwise permitted as a Restaurant in the zone).

BOATHOUSE means an accessory building erected abutting the shore of a navigable body of water, or on a dock. It shall be designed and constructed to shelter boats, watercraft like canoes and kayaks, and associated marine accessories and equipment, but shall not include sleeping, living, cooking or sanitary facilities or be used for human habitation. A boathouse shall not contain any uses unrelated to the storage of boats and shall not be used to store automobiles and other related equipment.

BOARDING OR ROOMING HOUSE means a dwelling in which the proprietor supplies either room or room and board for monetary gain, with more than three but not more than six rooms and which is not open to the general public.

BUILDING means any on-site constructed or off-site constructed structure whether temporary or permanent, used or built for the shelter, accommodation, or enclosure of persons, animals, materials, or equipment but does not include a container that was originally designed for use as a means of storing and transporting cargo via ship, rail, air or truck.

CAMPGROUND OR RECREATIONAL VEHICLE PARK means an establishment providing for the public temporary accommodation for tents, yurts, geodesic domes and similar structures or recreational vehicles, but does not include a mobile home park. It may include an accessory laundry facility, washroom and shower facility, convenience store, office, storage area, and recreational facility, provided such uses are limited to the occupants of the campground or recreational vehicle park.

CEMETERY means land used for the burial of the dead and related purposes, such as a columbaria and mausoleums, and excludes a crematorium use, which is included in the definition of funeral home.

COMMERCIAL RECREATION USE means either:

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

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

COMMUNITY CENTRE means any tract of land, or building or buildings, or part of any buildings used for community activities whether used for commercial purposes or not, the control of which is vested in the Municipality, a local board or agent thereof, or a non-profit organization.

CORNER VISION TRIANGLE means a triangular area of a corner lot adjacent to the intersection of 2 streets. The area is determined by measuring from the intersection the distance required for minimum yard setbacks along each street line and joining such points with a straight line. The triangle shaped area between the intersecting lines and the straight line shall be known as the 'corner vision triangle'.

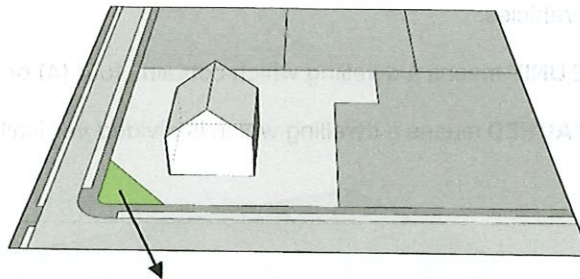


Figure 1: Corner Vision Triangle

COUNCIL shall mean the Council of the Municipality of the District of Guysborough.

CRAFT FOOD AND BEVERAGE PRODUCTION means the use of a building or part thereof for the production of:

- a) specialized food products intended for retail sale;
- b) not more than 150,000 hectolitres of beer, wine, mead, premixed cocktails, kombucha, or non-alcoholic beverages in a year; or not more than 75,000 litres of distilled spirits in a year; and
- c) may include public tasting and retail sales of the product unless a restaurant or licensed liquor establishment is permitted as a main use in the applicable zone.

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

DAYCARE CENTRE means a facility where four or more children are cared for on a temporary daily basis without overnight accommodation but does not include a school or a Daycare, Home-Based.

DAYCARE, HOME-BASED means a facility where children are cared for on a temporary daily basis within a private dwelling unit and without overnight accommodation but does not include a school or a Daycare Centre.

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

DEVELOPMENT OFFICER means the officer of the Municipality of the District of Guysborough from time to time charged by the Municipality with the duty of administering the provisions of the Land Use Bylaw in accordance with the Municipal Government Act.

DRIVE-THROUGH SERVICE means a retail, banking or financial institution, restaurant or similar use, or part thereof, where the intent is to provide either completely or in part, services or products to customers while they remain in their motor vehicles.

DWELLING means a building occupied or capable of being occupied as a home, residence, or sleeping place by one or more persons, containing one or more dwelling units, and shall include pre-manufactured homes, but shall not include accommodations, travel trailers, recreational vehicles or air supported structures such as tents or yurts.

DWELLING, CONVERTED means a building altered or converted to make a greater number of dwelling units up to but not exceeding four (4) dwelling units.

DWELLING, DUPLEX means a building containing two (2) dwelling units which are divided horizontally.

DWELLING, MOBILE HOME means a detached dwelling designed for transportation after fabrication, whether on its own wheels or on a flatbed or other trailer, that arrives at the site where it is to be occupied as a dwelling complete and ready for occupancy (except for minor and incidental unpacking and assembling operations), located on wheels, jacks, or permanent foundation, and which may be connected to utilities and a septic disposal system. The foregoing shall not include manufactured homes or recreational vehicles.

DWELLING, MULTIPLE UNIT means a dwelling which contains four (4) or more dwelling units.

DWELLING, SEMI-DETACHED means a dwelling which is divided vertically into two (2) dwelling units.

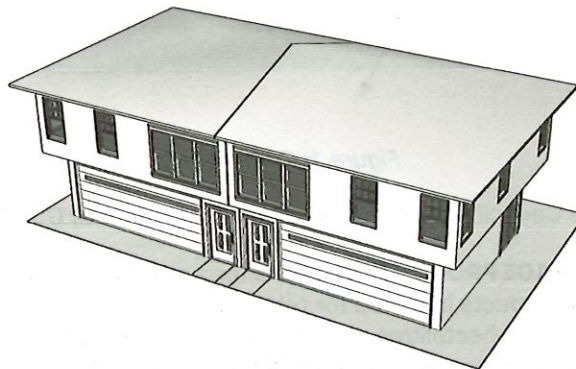


Figure 2: Semi-Detached Dwelling

DWELLING, SINGLE DETACHED means a building containing not more than one (1) dwelling unit but does not include a Mobile Home.

DWELLING UNIT means one or more habitable rooms designed or intended for use by one or more individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of such individual or individuals, with a private entrance from outside the building or from a common hallway or stairway inside the building.

DWELLING, TINY HOME means a dwelling that is a maximum of 9.8 ft (3 m) wide and not installed on a permanent foundation; which must be CSA approved for four-seasons or certified by a Professional Engineer for year-round human habitation.

DWELLING, TOWNHOUSE means a dwelling that is divided vertically into three (3) 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 UNIT see nested definition under **DWELLING**.

EXISTING means as of the effective date of this Bylaw.

HEAVY EQUIPMENT SALES AND REPAIR means an establishment primarily engaged in retailing and servicing new and used commercial vehicles, heavy equipment and industrial machinery.

ELECTRIC VEHICLE CHARGING STATION, COMMERCIAL means infrastructure that supplies energy for the charging of electric vehicles such as plug-in electric and hybrid vehicles.

FISHING USES AND STRUCTURES means the use of land, buildings, or part thereof in support of the fishery and without limiting the generality of the foregoing includes commercial storage of fishing vessels, gear, and other related materials; docks; boat launches; and repair facilities; but does not include fish processing.

FLOOR AREA

a) **With reference to a dwelling** means the maximum floor area contained within the outside walls excluding any private garage, porch, veranda, sun room, unfinished attic or basement and cellar or other room not habitable at all seasons of the year.

b) **Commercial floor area** means the total useable floor area within a building used for commercial purposes but excludes washrooms, furnace and utility rooms, and common halls between stores.

FLAG LOT refer to Lot, Flag definition.

FORESTRY USES AND STRUCTURES means the production of timber, pulp, christmas trees, and other commercial silviculture operations.

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 allowed by this Bylaw 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.

FUNERAL HOME means a building used for the preparation, temporary display, and/or funeral ceremony of deceased persons and may include a crematorium.

GREENHOUSE OR PLANT NURSERY means a building or structure and lands associated therewith, for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation together with gardening tools and implements and that are sold at retail from such buildings or lot to the general public.

GOVERNMENT OFFICES OR FACILITIES means facility where Crown Corporation, Municipal, Provincial or Federal government provides services directly to the public. Typical uses include, but are not limited to, taxation offices, courthouses, post offices, employment offices, and social service offices. This use does not include emergency service facilities and education services.

GROUND LEVEL means either (a) the natural ground level or (b) the finished ground level resulting from any subdivision, excavation or fill.

HAZARDOUS LANDS (or Hazardous Condition) means land which is or may be inappropriate for development by reason of having inherent or natural environmental hazards such as susceptibility to flooding or erosion,

poor drainage, unstable soils, steep slopes or any physical condition or limitation and which, if developed, would reasonably lead to the degradation or have injurious affect upon the environment, property or person.

HEALTHCARE SERVICES means an establishment primarily engaged in providing outpatient health care to the public without overnight accommodation. Typical uses include, but are not limited to, medical professionals such as dentists, chiropractors, osteopaths, physicians or occupational therapists.

HEAVY INDUSTRIAL means the use of land or buildings for manufacturing, assembly, and/or processing and which use may be located in whole or in part of the exterior of the building and which use, by the nature of its operation may cause land use conflicts. This definition shall include, but is not limited to, explosives, petrochemical, coke, or paint plants; rendering or poultry plants; tanneries; abattoirs; refineries; or industrial cleaners.

HEIGHT means the vertical distance of a building between grade and:

- a) the highest point of the roof surface or the parapet, whichever is the greater, of a flat roof;
- b) the deck line of a mansard roof; or
- c) the main level between eaves and ridges of a gabled, hip, gambrel or other type of pitched roof;
- d) but shall not include any construction used as ornament or for the mechanical operation of the building, a mechanical penthouse, chimney, tower, cupola or steeple.

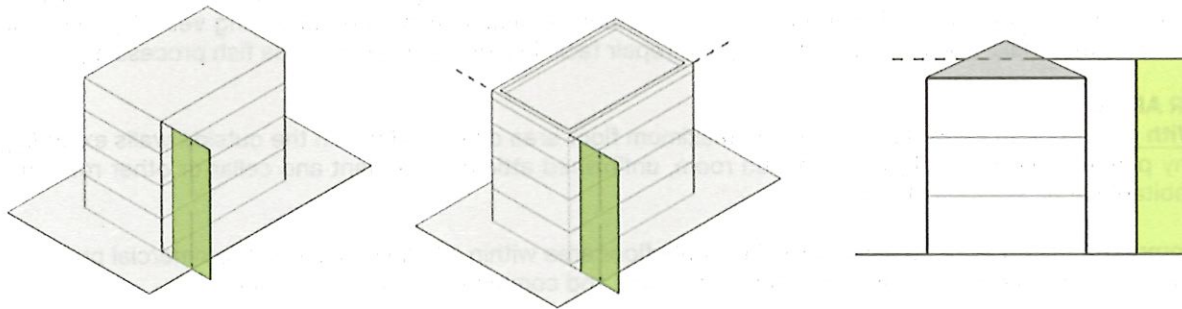


Figure 3: Building Height

HELIPORT means an area of land or structure used or intended to be used for the landing and takeoff of helicopters and includes its buildings and facilities.

HOME-BASED BUSINESS means the use of a portion of a dwelling unit or an accessory structure operating as an accessory use on the same property, which includes the dwelling's occupant(s) for gainful employment, but excludes a bed and breakfast use, a daycare use, and a home-based office use.

HOME-BASED OFFICE means an office-related activity operated within a dwelling unit that does not regularly require direct in-person contact with clients on the premises, but excludes a home occupation use.

HOSPITAL means an establishment primarily engaged in providing in-patient and outpatient health care to the public. Typical uses include, but are not limited to, community health centres and full-service hospitals.

HUNTING OR FISHING LODGE, CAMP OR COTTAGE means a building or structure which is occupied for limited times during the year as a base for hunting, fishing and similar outdoor activities, or as an occasional resort for vacation, recreation, rest and relaxation purposes, but excludes a dwelling.

INSTITUTION means a building or part of a building used by an organized body or society for promoting a particular purpose with no intent or profit such as churches, community centres, hospitals, homes for special care, senior citizen homes, schools and government buildings but shall not include a private club.

KENNEL means a commercial establishment where dogs and other domestic animals, excluding livestock, are bred, raised and sold or kept for sale or boarding.

KILOWATT (kW) is a measure of power for electrical current (1 kW=1000 watts). A Megawatt (MW) equals 1000 Kilowatts.

LARGE-SCALE SOLAR COLLECTOR SYSTEMS means an installation of solar devices, panels or structures to collect solar energy to provide for the commercial distribution of electricity to a utility or other intermediary through connection to the electrical grid. The use includes any associated solar panels, solar modules, supports or racks, inverters, electrical transformer or substations required for the operation.

LICENSED LIQUOR ESTABLISHMENT, CABARET OR LOUNGE means a cabaret, lounge licensed under the Nova Scotia Liquor Control Act or successor legislation.

LICENSED LIQUOR ESTABLISHMENT, TAVERN, BAR OR BEVERAGE ROOM means a tavern or beverage room and/or bar licensed under the Nova Scotia Liquor Control Act or successor legislation.

LIGHT INDUSTRIAL means the use of a building for machining, manufacturing, assembly, and/or processing and such use shall be wholly contained within the building and shall include cannabis production or processing facilities, but shall not include explosives, petrochemical, coke, or paint plants; rendering or poultry plants; tanneries; abattoirs; refineries; or industrial cleaners.

LOADING SPACE means a vacant area of land provided and maintained upon the same lot or lots upon which the main use is located on, which:

- a) is suitable for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle and such parking shall not be for the purpose of sale or display,
- b) is not upon or partly upon any street, or highway; and
- c) has adequate access to permit ingress and egress by means of driveways, aisles, manoeuvring areas or similar areas, no part of which shall be used for the temporary parking or storage of one or more motor vehicles.

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

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

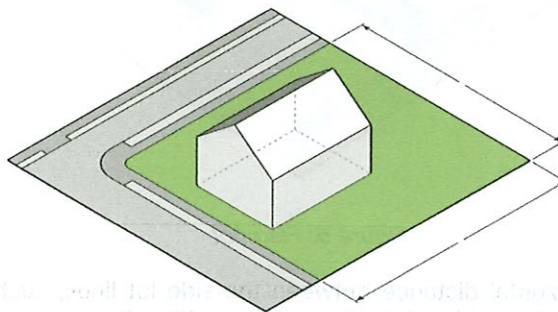


Figure 4: Lot Area

LOT DEPTH means the horizontal distance between the front and rear lot lines. Where these lot lines are not parallel, the lot depth shall be the length of a line joining the midpoints of the front (B) and rear (A) lot lines, or for pie shaped lots, the length of a line joining the midpoint (B) of the front lot line to the apex (C) of the triangle.

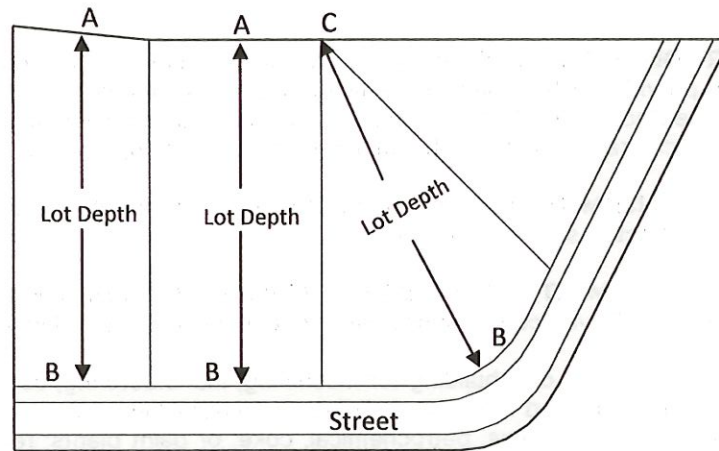


Figure 5: Lot Depth

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

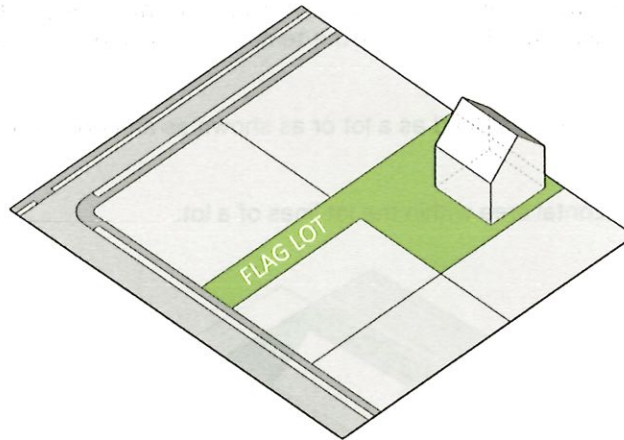


Figure 6: Flag Lot

LOT FRONTAGE means the horizontal distance between the side lot lines, such distance being measured perpendicularly to the line joining the middle of the front lot line with either the middle or the rear lot line or the apex of the triangle formed by the side lot lines and at a point therein equal in distance to the minimum applicable front yard. In the case of a corner lot with a day lighting triangle the exterior lot lines (street line) shall be deemed to extend to their hypothetical point of intersection for the purpose of calculating the frontage.

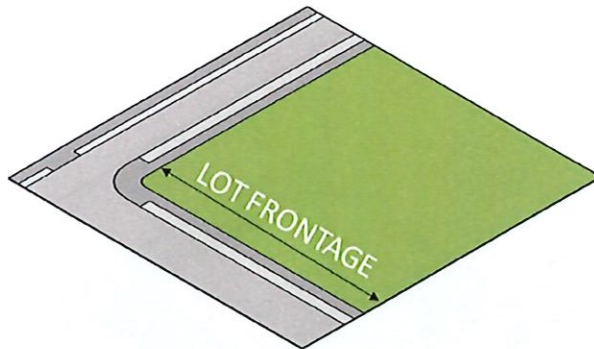


Figure 7: Lot Frontage

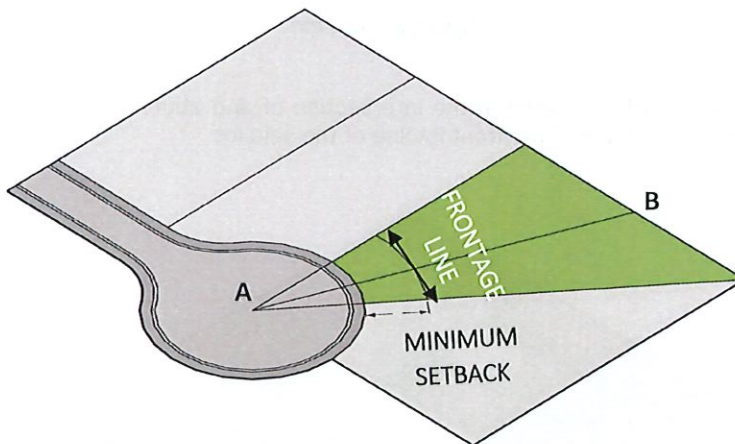


Figure 8: Lot Frontage (Cul-de-sac)

LOT LINE means a boundary line of a lot.

FLANKAGE LOT LINE means any lot line that abuts a street or private road but is not a front lot line.

FRONT LOT LINE means the line dividing the lot from the street or private road. In the case of a corner lot or a through lot that has not been built upon, it may be any boundary dividing the lot from a street, but where the lot has been built upon it is the boundary dividing the lot from the street that is faced by the main pedestrian entry to the building on the lot. In the case of an island lot with no street or private road on the island the front lot line shall be the lot line dividing the lot from the water and where multiple lot lines abut the water the developer may choose which is designated as the front lot line. In the case of a lot with no frontage on a street or private road it may be any lot line.

REAR LOT LINE means the lot line that is not a flankage lot line and is farthest from or opposite to the front lot line.

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

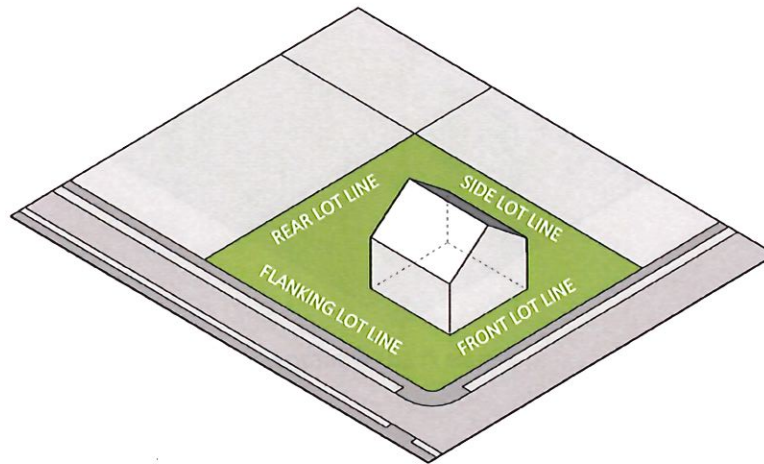


Figure 9: Lot Line

CORNER LOT means a lot situated at the intersection of and abutting on two or more streets. The shorter lot line shall be deemed the front lot line of the said lot.

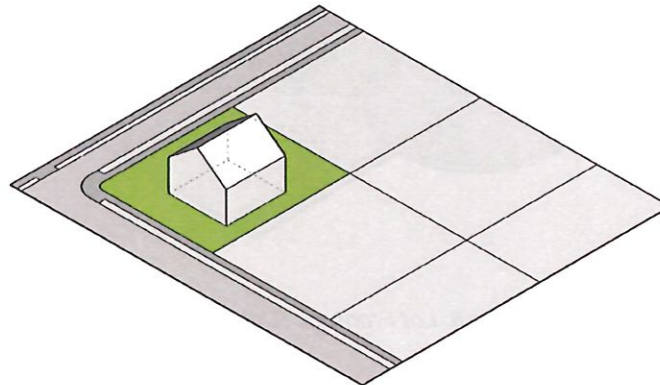


Figure 10: Corner Lot

MAIN BUILDING means the building in which the principal purpose for which the lot is to be used is carried on in.

MARINA means a commercial establishment or premise, containing docking facilities and located on a navigable waterway, where boats and boat accessories are stored, serviced, repaired, or kept for sale or rent and may include the sale of fuel and incidental supplies for the boat owners, crews and guests.

MARINE COMMERCIAL means a commercial establishment or premise that, due to its nature of the use, relies on the sea or ocean as an integral part of its operation, including but not limited to boat tours, canoe and kayak rentals, jet ski rentals, but does not include uses related to the commercial fishing industry.

MARINE INDUSTRIAL means any industrial uses requiring direct access to salt water, including the construction, maintenance and repair of marine vessels, uses related to the commercial fishing industry including fish processing, marine research, handling and storage of bulk container and general cargo, and any uses accessory to the foregoing, but does not include marine commercial uses.

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MOBILE HOME PARK means two or more Dwelling, Mobile Homes located on one lot, and may include ancillary uses such as mobile home sales, park offices, recreational facilities, or maintenance buildings which are only available to residents of the park.

MOBILE HOME DEALER means establishments primarily engaged in retailing new and used mobile homes, parts and equipment.

MUNICIPALITY means the Municipality of the District of Guysborough.

NON-PARTICIPATING LANDOWNER means a landowner/stakeholder who has not entered into a lease or legal agreement with the developer.

NURSING HOME means a building wherein nursing care room and board are provided to individuals incapacitated in some manner for medical reasons but does not include a hospital.

OFFICE AND PROFESSIONAL SERVICES means a room or rooms, building or structure where business may be transacted, a service performed, or consultation given but shall not include the manufacturing of any product or the retail selling of goods.

OUTDOOR MARKET means the use of land, buildings, structures, or part thereof for the purpose of selling seasonal fresh produce, craft products, and ready to-eat food by independent vendors.

PARKS AND PLAYGROUNDS means the use of land for passive recreation and landscaping features and shall include, but is not limited to, greens, community gardens, walking paths, play structures, ponds, fountains, and dog parks.

PARKING SPACE means an area of not less than one hundred and sixty (160) ft², measuring eight (8) ft by twenty (20) ft exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles.

PARTICIPATING LANDOWNER means a landowner/stakeholder who has entered into a lease or legal agreement with a developer that would permit the developer to construct a wind turbine, access road or other aspect of the project on or near their property or a landowner who wishes to build near an existing wind turbine.

PERSONAL SERVICE ESTABLISHMENT means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, and without limiting the generality of the foregoing may include such establishments as barber shops, beauty parlours, automatic laundry shops and depots for collecting dry cleaning and laundry, but excludes any manufacturing or fabrication of goods for sale.

PITS, QUARRIES AND MINERAL EXTRACTION means a commercial or industrial operation involving the excavation or alteration of the land for the purpose of removing sand, soil, rock or minerals.

PLACE OF WORSHIP means a building wherein persons regularly assemble for religious worship, and which is maintained and controlled by a religious body organized to sustain public worship.

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, or sorority house and a labour union hall.

PUBLIC ROAD (or Public Street or Public Highway) means any street or highway owned and maintained by the Municipality of the District of Guysborough or the Department of Public Works including all deemed and common public highways and excluding designated controlled access highways pursuant to the *Public Highways Act*.

PUBLIC RECREATION means the use of land, buildings, or parts thereof for tennis courts, lawn bowling greens, skating rinks, skateboard parks, athletic fields, band shells, pavilions, outdoor swimming pools, recreational boat launches, and similar uses to the foregoing, together with necessary and accessory buildings and structures, but not including indoor commercial recreation or outdoor commercial recreation or a track for the racing of animals, or any form of motorized vehicles.

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PUBLIC UTILITIES means any public or private system, work, plant, equipment or services which furnishes services at approved rates to or for the use of the general public.

REAR YARD means a yard extending across the full width of a lot between the rear lot line and the nearest wall of any main building or structure on the lot; and "minimum" rear yard means the minimum depth allowed by this Bylaw of a rear yard on a lot between the rear lot line and the nearest main wall of any main building or structure on the lot.

RECREATIONAL USES means the use of land for parks, playgrounds, tennis courts, indoor or outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, community centres, and similar uses to the foregoing, including associated accessory buildings and structures, but excluding a track for the racing of animals or any form of motorized vehicles.

RECREATIONAL VEHICLE means a vehicle primarily designed as temporary living quarters for recreational camping or travelling, which either has its own motor power or is mounted onto or drawn by another vehicle.

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

RESIDENTIAL CARE FACILITY means a family home, group care facility, or similar facility for the non-medical care of more than six persons in need of personal services, supervision, or assistance is essential for sustaining the activities of daily living or for the protection of the individual but does not include a facility licensed by Corrections Canada or Nova Scotia Corrections or successor bodies.

RESTAURANT means a building or part thereof where food and drink are served to the public for consumption within the building or for takeout but not for consumption in parking areas appurtenant to the building.

RETAIL AND RENTAL SERVICES means a building or part thereof in which goods; wares, merchandise, substances, articles, or things are offered or kept for sale or rent directly to the public at retail.

ROCKET LAUNCH SITE means any facility from which rockets are launched. It may contain one or more launch pads or suitable sites to mount a transportable launch pad.

SCHOOL means an establishment primarily engaged in providing instruction and training. Typical uses include, but are not limited to, grade schools, community colleges, universities, business schools, private schools, athletic instruction, and technical and trade schools.

SELF-STORAGE means an establishment primarily engaged in renting or leasing space for household self-storage. These establishments provide secure space (rooms, compartments, lockers, containers or outdoor space) where clients can store and retrieve their goods.

SERVICE SHOP means a building or part thereof used for the sale or repair of household articles and shall include radio, television, and appliance repair shops but shall not include industrial or manufacturing or motor vehicle repair shops.

SETBACK means the distance between the street line and the nearest main wall of any building or structure and extending the full width or length of the lot. For a wind turbine, the setback is measured from the base of the tower.

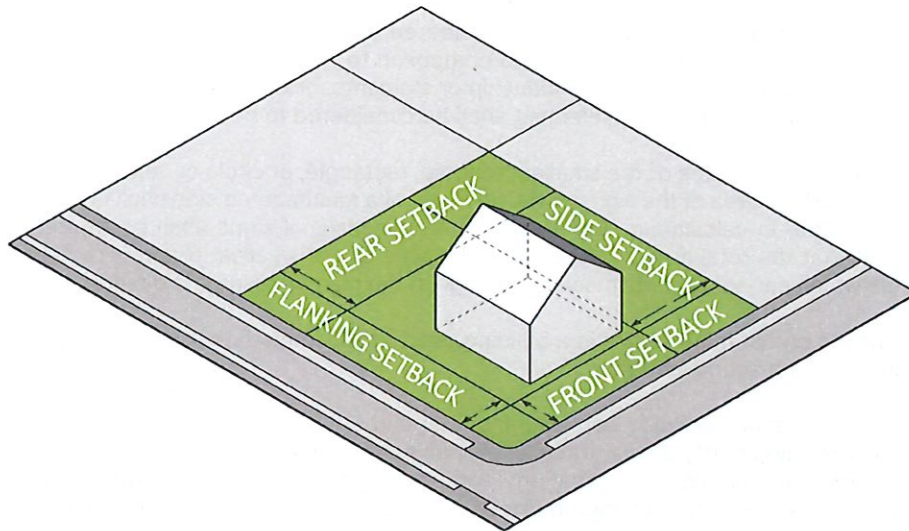


Figure 11: Setback

SHIPPING CONTAINER means a container originally designed for use as a means of storing and transporting cargo via ship, rail, air or truck.

SHIPPING CONTAINER, MODIFIED means a container originally designed for use as a means of storage and transporting cargo via ship, rail, air or truck that has been modified and/or updated and has been certified by a Professional Engineer for commercial or residential related uses.

SHORT-TERM RENTAL means the use of a dwelling unit or part thereof for commercial overnight accommodations for consecutive periods of 30 days or less per party and may include the rental of the entire dwelling unit to one party or to multiple parties.

SIDE YARD means a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest wall of any building or structure on the lot; and "minimum" side yard means the minimum depth allowed by this Bylaw of a side yard on a lot between a side lot line and the nearest main wall of any main building or structure on the lot.

SIGN means a structure, device, light or natural object including the ground itself, or any part thereof, or any device attached thereto, or painted or represented thereon, which shall be used to justify, advertise, or attract attention to any object, product, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry or business, or which shall display or include any letter, work, model, number, banner, flag, pennant, insignia, device or representation used in 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 include signs which are affixed to the inside of windows and glass doors and are intended to be seen from roadways or parking lots. No other indoor sign shall be deemed a sign within this Bylaw.

GROUND SIGN means a sign supported by one or more uprights, poles or braces placed in or upon the ground.

ILLUMINATED SIGN means a sign that provides artificial light directly, or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light directed at the surface of the sign.

PROJECTING WALL SIGN means a sign which projects from and is supported by a wall of a building.

FACIAL WALL SIGN means a sign which is attached to and supported by a wall of a building.

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NUMBER OF SIGNS means a sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship or elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.

SIGN AREA means the area of the smallest triangle, rectangle, or circle or semicircle which can wholly enclose the surface area of the 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, or circle or semicircle which can totally circumscribe the sign in the plan of its largest dimension.

SLEEPING UNIT means one or more rooms in a building used to accommodate the travelling public for gain or profit by supplying sleeping accommodation.

STOREY means the portion of a building between any floor and the floor, ceiling or roof next above, provided that any portion of a building partly below grade level shall not be deemed a story unless its ceiling is at least six (6) feet above grade and provided also that any portion of a storey exceeding fourteen (14) feet in height shall be deemed an additional storey for each fourteen (14) feet or fraction thereof of such excess.

STREET means the whole and entire right-of-way of every highway, road or road allowance vested in the Province of Nova Scotia or a private road recognized by the Municipality.

STREET LINE means the boundary line of a public street.

STRUCTURE means anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other structure. A structure shall include buildings, walls, and signs and also fences exceeding six (6) feet in height.

SUPPLY AND EQUIPMENT DEPOT means the supply and indoor and/or outdoor storage of materials or fixtures that are incorporated in the structure of a building including hardware, lumber, wall-paneling and carpet. A building supply establishment excludes heavy industrial uses such as concrete mix plants and other building supply manufacturing and processing plants.

TOP OF BANK means a point or line which is the beginning of a significant change in the land surface, thence from which the land surface slopes downward towards a water course. When two or more slopes are located together, the slope that is highest and farthest away from the watercourse shall be the slope considered for the top of bank.

TEMPORARY COMMERCIAL USE means a commercial use such as a flea market, farmers market, or craft market which is to be located on a property for a specific number of days within any 12-month period, and which are permitted with the issuance of a development permit and any permit may be re-issued upon request, subject to review by the development officer.

TRADEPERSON AND CRAFTSPERSON BUSINESSES AND OFFICES means an establishment where specialized craft skills are used to fabricate, install, maintain or repair goods, equipment or real property. This use includes but is not limited to artists, sculptors, glassblowers, architectural millworkers, millwrights, cabinetmakers, electricians, welders and carpenters. This use does not include heavy industrial production.

TRAILS AND CONSERVATION means areas that have minimal impact on the natural environment through the predominant retention of a naturalized and undisturbed setting, and may include parks, trails, benches, picnic areas, soccer fields, pitches, ponds (not including storm water retention ponds) and incidental gardening areas.

TRANSIT AND GROUND TRANSPORTATION means the use of a building, structure, land, or part thereof used for the purpose of transporting people by bus, van or other vehicle, but not limited to, stations, bus stops, storage, and maintenance facilities, but does not include the transport of anything other than people.

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

WAREHOUSING means the use of a building or part therefore where industrial or commercial wares or goods are stored but shall not include a retail store.

WASTE MANAGEMENT FACILITY means a facility for the treatment and disposal of solid waste, such as garbage or compost, and includes incinerators and landfills.

WATER SUPPLY TREATMENT AND DISTRIBUTION USES means any building, structure or facility necessary to provide municipal water services.

WATERCOURSE means any lake, river, stream, ocean or other body of water.

WATERSHED means any body of water used as a public water supply.

WHARF FACILITIES means facilities for the transition of goods and products between the coastal environment and the land. In the Industrial Resource (I-3) Zone such facilities shall not be used for the permanent storage of goods or products being transported to and from the processing facility.

WIND FARM see nested definition under **WIND TURBINE**.

WIND TURBINE means either:

LARGE SCALE WIND TURBINE means a device for converting wind power to electricity, which typically has a name plate capacity of more than 100 kilowatts (kW) and generates power primarily for sale to a third party and which may be developed either as a standalone machine or be grouped with others in a wind farm.

MICRO-SCALE WIND TURBINE means a turbine that is operated for the purpose of on-site power consumption not exceeding 40 ft (12.2 m) in height being the measurement from the base of the tower to the highest point of the blade's arc, and having a rotor diameter not exceeding 2.5 meters and a name plate capacity of less than 1 kilowatt (kW).

SMALL-SCALE WIND TURBINE means a turbine not exceeding 196'-10" (60 m) in height being the measurement from the base of the tower to the highest point of the blade's arc and having a name plate capacity of less than 100 kilowatts (kW).

SUPPORTING STRUCTURE of a wind turbine includes all structures accessory to the turbine itself, including guy wires.

WIND FARM means a group of 2 or more wind turbines used for the generation of electricity.

WIND TURBINE HEIGHT means the distance from the base of the turbine to the farthest tip of a rotor blade in a vertical position.

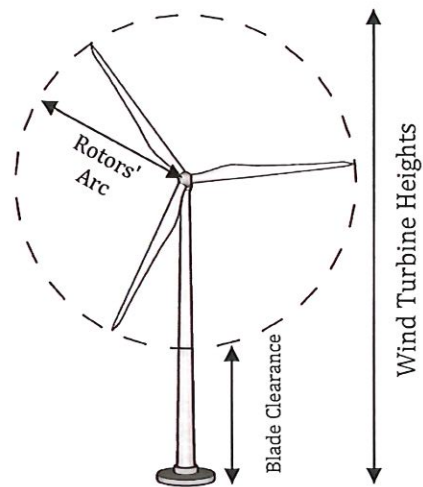


Figure 12: Wind Turbine Height

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 Bylaw. In determining yard measurements, the minimum horizontal distance from the respective lot lines to the building shall be used.

ZONE means a designated area of land shown on Map #2 of this Bylaw.

PART 6 - General Provisions for All Zones

6.1 ACCESSORY BUILDINGS AND STRUCTURES

6.1.1 Accessory uses, buildings and structures shall be permitted in any zone within the District of Guysborough Municipal Planning Area and may be used only as an accessory use to the main building or use, but it shall not:

- (a) be used for human habitation;
- (b) be located within the required front or flankage yard of a lot;
- (c) be built closer to the front lot line than the minimum distance required by this Bylaw for the main building on the lot. Where an accessory building is built on a corner lot, it shall be located in the rear yard or in the side yard which is not adjacent to the flanking street;
- (d) exceed 1,500 ft² (140 m²) in total floor area;
- (e) be built within 6 ft (1.8 m) of the main building;
- (f) be considered an accessory building if attached to the main building in any way;
- (g) be considered an accessory building if it is necessary and incidental to a farming or fishing operation;
- (h) be considered an accessory structure if located completely underground; and
- (i) be built closer than 4 ft (1.2 m) to any lot line except:
 - i) common semidetached garages may be centred on the mutual side lot line;
 - (i) accessory buildings with no windows or perforations on the side of the building which faces the subject lot line, may be located a minimum of 2 ft (0.6 m) from the subject side or rear lot line in any residential zone; and
 - (ii) boathouses and docks may be built to the lot line when the line corresponds to the water's edge or is in the water.

6.1.2 Notwithstanding anything else in this Bylaw, drop awnings, clothesline poles, flag poles, garden trellises, fences and retaining walls shall be exempted from any requirements under subsection 6.1.1.

6.1.3 No accessory building or structure shall be constructed prior to the establishment of the main use of the land where no main building is to be built.

6.1.4 Notwithstanding 6.1.3, an accessory building or structure may be constructed on an existing lot prior to the establishment of the main use of the land where no main building is to be built. Approval of such an accessory building or structure shall be subject to the satisfaction of the Development Officer that a main building or use would meet all requirements of the applicable bylaws and that the intended accessory building or structure shall not be used for human habitation. The lot must be approved for onsite/public sewer and have received driveway access approval.

6.2 ACCESSORY USE PERMITTED

6.2.1 Where this Bylaw provides that any land may be used or a building or structure may be erected or used for a purpose, the purpose includes any use accessory thereto.

6.2.2 Accessory buildings shall be a permitted use in all zones.

6.2.3 Micro-scale or Small-Scale Wind Turbines:

- (a) Permitted in all zones, subject to the requirements of section 6.36.

6.2.4 Accessory Solar collectors:

- (a) Accessory on-building solar collectors shall be permitted as an accessory use in all zones;
- (b) Accessory on-building solar collector systems shall be exempt from building height requirements;
- (c) Accessory off-building solar collector systems may be permitted as an accessory use to a maximum panel area of 100 square feet (9.3 square metres) and subject to the setback requirements for main buildings.

6.2.5 Electric Vehicle (EV) Charging:

- (a) Nothing in this Bylaw shall prevent the installation of an electric vehicle charging station where the station is not operated on a commercial basis, including for the exclusive domestic use of a dwelling unit or on a complimentary basis for employees or patrons of a business;
- (b) Electric vehicle charging stations operated on a commercial basis shall be permitted, or not, as indicated in each zone's permitted uses table.

6.3 SHIPPING CONTAINERS AS AN ACCESSORY USE

6.3.1 Shipping containers shall be permitted as accessory buildings in accordance with the provisions of this section and the following requirements:

- (a) Shall be permitted within the Commercial General (C-1) Zone, Major Commercial (MC-1) Zone, Industrial Light (L-1) Zone, Industrial Heavy (I-2) Zone, Industrial Resource (I-3) Zone, Green Industrial (I-4) Zone and Marine Industrial Zone (I-5);
- (b) Shall not be located on a lot with less than 3,720 m² minimum lot area;
- (c) Shall not be used as a boathouse;
- (d) Shall not be located closer to the front lot line than the minimum distance required for the main building, or closer than 5m to any other lot line if not stacked and 10m to any other lot line if stacked;
- (e) Shall not be located in the front yard;
- (f) Shall not exceed the maximum lot coverage when combined with the main building, as identified in the specific zone in which the accessory use is to be placed;

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- (g) Shall meet the following safety requirements:
 - i) No materials deemed hazardous shall be stored in a shipping container; and
 - ii) No materials deemed combustible shall be stored in a shipping container;
- (h) Notwithstanding the above, a shipping container shall be permitted in an industrial or commercial zone for temporary storage on construction sites but must be removed within 15 days following completion of the construction project.

6.4 ONE MAIN BUILDING PER LOT

- 6.4.1 No person shall erect more than one (1) main building on a lot except for the following:
 - (a) more than one dwelling on a lot in the R-2, R-3 Zone(s) is permitted, subject to the requirements of the zone;
 - (b) buildings located in Commercial (C-1 and MC-1) Zone(s);
 - (c) buildings located in Industrial I-1, I-2, I-3, I-4 and I-5 Zone(s);
 - (d) buildings located in Natural Resource NR-1 Zone; and
 - (e) non-residential buildings located in the MRR-1, CC-1 Zone(s).
- 6.4.2 Notwithstanding subsection 6.4.1, more than one building may be placed on a lot provided there is sufficient area and frontage to enable the creation of as many lots as there are main buildings and each building is placed in such a way that the subsequent subdivision could take place. A site plan drawn by a Nova Scotia Land Surveyor will be required at the time of application for a Building/Development Permit.

6.5 BUILDING TO BE MOVED

- 6.5.1 No person shall move any building, residential or otherwise, within the area covered by this Bylaw without obtaining a development permit from the Development Officer.

6.6 CALCULATION OF LOT FRONTAGE

- 6.6.1 The following means shall be used for the purposes of determining lot frontage:
 - (a) in the case of regularly shaped lots, lot frontage shall be measured as a straight line between the points where the two (2) side lot lines meet the front lot line;
 - (b) in the case of irregularly shaped lots, lot frontage shall be deemed to be the horizontal distance between the side lot lines measured perpendicularly to a line joining the middle of the front lot line with the middle of the rear lot line, at a point equal to the minimum applicable front yard (see Figure 13).

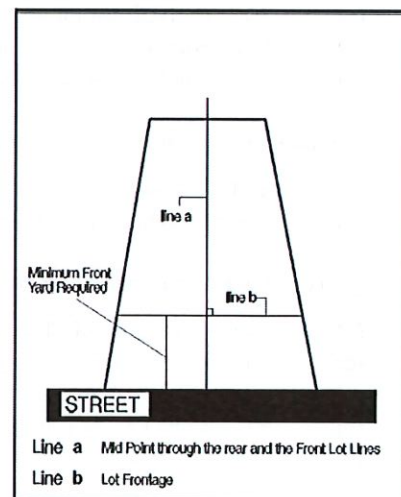


Figure 13: Lot Frontage

6.7 CAMPGROUND OR RECREATIONAL VEHICLE PARK REQUIREMENTS

Each campground or recreational vehicle park shall meet the following requirements:

- 6.7.1 It is the intention of this section to prohibit year-round permanent residency and/or occupancy in a campground or recreational vehicle park. Full time occupancy of campsites in a campground or recreational vehicle park shall be permitted between April 1 and December 31 of the same year, however, between January 1 and March 31 they may only be occupied up to 4 consecutive nights after 3 consecutive nights of non-utilization.
- 6.7.2 Every campground or recreational vehicle park shall have provisions for an appropriately designed on-site liquid waste storage facility in the form of a holding tank, septic field, or connection to municipal services for the use of occupants.
- 6.7.3 A vegetated area in the form of a hedge or other similar vegetation shall screen all the bounds of a campground or recreational vehicle park, having:
- (a) a minimum width of 4.5 m except that this requirement shall be increased to 15 m between the campground or recreational vehicle park and any existing abutting residential property not under common ownership;
 - (b) areas required for access and driveways will be exempt from this requirement, and
 - (c) none of the following prohibited uses shall be permitted within the screened area:
 - i) recreation or amenity areas;
 - ii) buildings or structures, except permitted signs and fences;
 - iii) garbage disposal areas;
 - iv) private sewage disposal system, other than the underground part of the system;
 - v) vehicle parking area(s).
- 6.7.4 Unless otherwise specified herein, every building, structure or campsite, with the exception of signs, shall comply with the lot's minimum zone requirements. No campsite in a campground or recreational vehicle park may be closer than:
- (a) 30 m to the front lot line;
 - (b) 15 m from any other lot line; and
 - (c) 3 m to an internal access roadway.
- 6.7.5 The minimum lot area of a campground or recreational vehicle park shall be the greater of:
- (a) 4,000 square metres; or
 - (b) the lot's minimum zone requirements;
- 6.7.6 Every individual campsite in a campground or recreational vehicle park shall have:
- (a) a minimum area of 111.5 square metres for tenting sites;
 - (b) a minimum width or length of 9 metres and a minimum area of 223 square metres for sites other than tenting (ie: recreational vehicles);
 - (c) a minimum of one parking space; and
 - (d) clear numbered identification of each camp/RV site space.
- 6.7.7 Service buildings or structures intended for the common use of campground or recreational vehicle park tenants, or for the administration of these facilities, such as washroom/shower building, office or store, shall be permitted up to maximum of 1,000 square metres provided subsection 6.7.3 is met.

- 6.7.8 A dwelling, single detached or dwelling, mobile home shall be permitted when accessory and incidental to the operation of the campground or recreational vehicle park. Such building or structure shall not be located closer than 3 m to any campsite.
- 6.7.9 Designated camping areas shall have access by a lane, road, or driveway having a minimum unobstructed width as follows:
- (a) where two-way traffic is permitted – 7.0 metres; and
 - (b) where one-way traffic is permitted – 3.0 metres.

6.8 VERTICAL SETBACK REQUIREMENT FOR COASTAL DEVELOPMENT

- 6.8.1 No development permit shall be issued for any building on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, having a finished floor level below a vertical elevation of 3.2 m relative to the Canadian Geodetic Vertical Datum of 2013 (CGVD2013); with the exceptions that:
- (a) any existing dwelling situated less than the required elevation may expand provided that such expansion does not further reduce the existing elevation; or
 - (b) existing buildings may be reconstructed, renovated, repaired, moved, or replaced provided that the work does not increase the floor area within the minimum coastal elevation or reduce the building's existing elevation and all other applicable requirements of this Bylaw are met; and
 - (c) buildings may be situated which are marine dependent uses including Marinas, Marine Commercial uses, Marine Industrial Uses, fishing gear sheds, open space uses, parking lots and temporary uses permitted in accordance with this by-law.

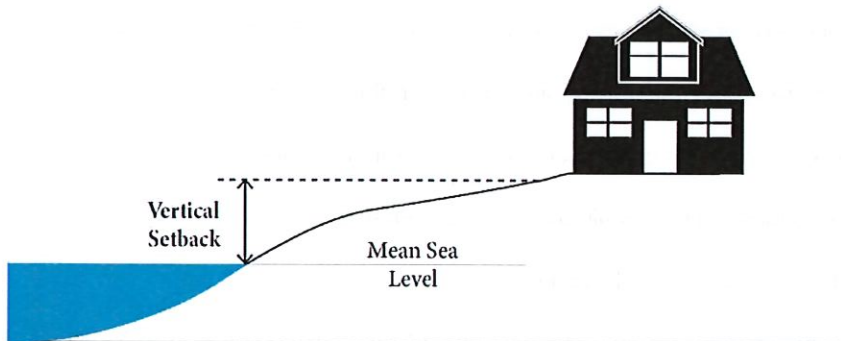


Figure 14: Vertical Setback

- 6.8.2 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.

6.9 WATERCOURSE AND WATERBODY HORIZONTAL SETBACK REQUIREMENTS

- 6.9.1 Notwithstanding any other provisions of this Bylaw, no person shall:
- (a) Erect any building to be closer than 33 ft (10 m) from the top of the bank of any natural watercourse or waterbody, including the ocean, except a boathouse. In the case of hazard lands, no part of any building shall be constructed closer than 33 ft (10 m) to the nearest point of the area to which a hazardous condition is deemed to exist;

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- (b) Use land for any Agricultural and Forestry Uses must have a minimum setback from the top of the bank of any natural watercourse or waterbody, including the ocean, of 100 ft (30.5 m) excluding drainage or irrigation channels.

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

6.9.3 No significant alteration of topography, being the cutting or filling of more than 10% of the land area within the setback or 93 m² of area within the setback, whichever is less, shall be permitted with the exception of instances where an environmental study, as outlined in Appendix D of the Land Use Bylaw, has been conducted determining that there will be no deleterious environmental impacts or impacts on adjacent properties as a result of an impairment of stormwater drainage or storage. Under no circumstances shall a significant alteration of lands in excess of 50% within the setback area, be permitted.

6.10 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

6.10.1 The following developments are exempt from development permit applications:

- (a) Interior or exterior renovations or alterations to a structure that do not result in a change in volume or gross floor area, number of dwelling units, or a change in use of the structure;
- (b) Fences that do not exceed 6 ft (1.8 m) in height;
- (c) Temporary buildings or structures erected for a period not exceeding 60 days;
- (d) Public and private utilities located within the street right-of-way;
- (e) Temporary greenhouses, or other such temporary crop structures;
- (f) Personal offices meeting the requirements of Section 8.2;
- (g) Signs permitted in all zones, as listed in Section 7.

6.10.2 For greater clarity, a building permit may still be required for developments that are exempt from requiring a development permit. Applicants should inquire with the Municipality prior to undertaking any development.

6.11 DRIVE-THROUGH SERVICES

Where a drive-through facility is listed as a permitted use in a zone, the development proposal shall adhere to the following design requirements, in addition to all other requirements outlined in this By-law, prior to the issuance of a development permit:

6.11.1 Layout and Design

- (a) Main structures associated with drive-through facilities shall be located near, and have their primary entrance facades towards, a public street;
- (b) Stacking lanes shall be located inside and rear yards only;
- (c) Sufficient space shall be provided in stacking lanes to avoid spill over onto public streets. Restaurant uses shall require a minimum of five (5) spaces in a stacking lane, while all other uses shall require a minimum of three (3) spaces in a stacking lane;

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- (d) Each space within a stacking lane shall have a minimum dimension of 6.5 m in length and 3 m in width. Widths shall increase where turns are present in a stacking lane;
- (e) Where a drive-through facility abuts a residential zone, the intercom shall be located as far away as practically possible from the abutting property line to the residential zone.

6.11.2 Circulation

- (a) Drive-thru stacking lanes, and all associated entrances and exits to said stacking lanes, shall be separated from parking areas, points of access, and the street using landscaped strips and islands / bump-outs, additional landscaping treatments, decorative pavement, and painted lines;
- (b) There shall be a clear and distinct separation of vehicular and pedestrian traffic to minimize potential conflicts. Pedestrian walkways shall be provided to allow safe access to the building entrance(s) from both the parking lot and the street/sidewalk. Landscaping, paving patterns, raised walkways, and other design treatments shall be used to differentiate pedestrian walkways to and from the building from driving surfaces;
- (c) Visible directional signage shall be provided at entrances and exists to stacking lanes;
- (d) Signage shall not obstruct pedestrian routes.

6.11.3 Landscaping

- (a) The developer shall maximize opportunities for on-site landscaping both along the perimeter of, and within the site;
- (b) Permeable pavement and vegetation shall be used, where possible, to minimize surface runoff and the heat island effect caused by paved areas;
- (c) The view of drive-through lanes, menus, intercoms, and other associated infrastructure shall be minimized from a public right-of-way and abutting properties by a vegetated buffer(s) that is a minimum of 1.5 m wide;
- (d) Vegetated buffer(s) shall be established in the following possible locations, to the satisfaction of the Development Officer:
 - i) Along the edge of the abutting side and rear yards;
 - ii) Along the edge of lease hold boundary lines;
 - iii) Along the perimeter of the drive-through;
 - iv) Along the edge of the public right-of-way when the drive-through is visible from a public street or sidewalk.

6.12 ENCROACHMENTS PERMITTED

6.12.1 Except for accessory buildings, every part of any yard required by this Bylaw shall be open and unobstructed by any structure from the ground to the sky, provided that those structures listed in the following table shall be permitted into yards indicated as follows:

Structure	Maximum Projection from Main Wall Permitted
Sills, belt courses, cornices, eaves, gutters, chimneys, pilasters and canopies	2 ft (0.6 m)
Window bays, cantilevers, oil tanks and propane tanks	3 ft (0.9 m), maximum width 10 ft (3 m)

Exterior staircases, wheelchair ramps and fire escapes	6 ft (1.8 m)
Balconies or carports	6 ft (1.8 m)
Verandas, porches and attached decks	8 ft (2.4 m)

6.13 EXISTING BUILDINGS

6.13.1 Where a building has been erected on or before the effective date of this Bylaw on a lot having less than the minimum frontage or area, or having less than the minimum front yard, side yard or rear yard required by this Bylaw, the building may be enlarged, reconstructed, repaired or renovated provided that:

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

6.13.2 Notwithstanding anything else in this Bylaw, the use of a building existing on a lot on the effective date of this Bylaw may be changed to a use permitted on the lot where the lot frontage, front yard, or area required or any two or all of these is less than the requirements of this Bylaw provided that all other requirements of this Bylaw are satisfied.

6.14 EXISTING UNDERSIZED LOTS

6.14.1 Notwithstanding anything else in this Bylaw, a vacant lot held in separate ownership from adjoining parcels in existence prior to the effective date of this Bylaw, having less than the minimum frontage or area or both required by this Bylaw, may be used for a purpose permitted in the Zone in which the lot is located and a building may be erected on the lot provided that all other applicable provisions in this Bylaw are satisfied or any other applicable regulations.

6.14.2 An existing undersized lot which is increased in area or frontage or both, but remains undersized, is still considered an existing undersized lot for the purposes of this section.

6.15 CORNER VISION TRIANGLE

6.15.1 Notwithstanding any other provision of this By-law, no vegetation, building or structure including, but not limited to, fences and signs are permitted to exceed 2 feet (0.6 metres) in height above the grade of the abutting streets in a corner vision triangle.

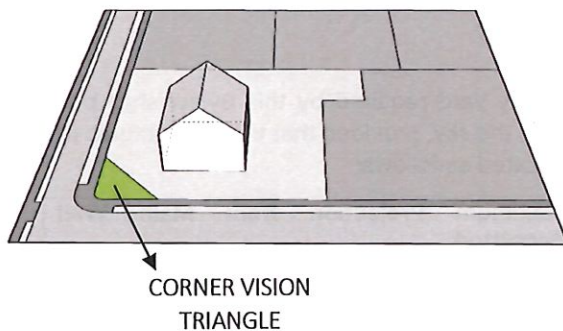


Figure 15: Corner Vision Triangle

6.16 FRONTAGE ON A STREET

- 6.16.1 No development permit shall be issued unless the lot or parcel of land intended to be used or upon which a building or structure is to be erected abuts a public road, private road or a road indexed in Schedule "B" of the Provincial Subdivision Regulations.
- 6.16.2 Notwithstanding subsection 6.15.1 a development permit may be issued for a lot which has been created without road frontage pursuant to Section 5(1) of the Provincial Subdivision Regulations or a lot on an island pursuant to Section 6(2) of the Provincial Subdivision Regulations.

6.17 HEIGHT REGULATION EXEMPTION

- 6.17.1 The height regulations of this By-law shall not apply to spires related to a place of worship, water tanks, elevator enclosures, silos, flagpoles, chairlifts, television or radio antennae, skylights, barns, chimneys, clock towers, power transmissions, lookout towers, satellite discs, and roof-mounted solar collector devices.

6.18 TELECOMMUNICATION INFRASTRUCTURE EXEMPTION

- 6.18.1 All communication towers are federally regulated and subject to policies as provided by Innovation, Science, and Economic Development (ISED) Canada (formerly Industry Canada).

6.19 ILLUMINATION

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

6.20 ISLANDS

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

6.21 KENNELS

Where kennels are permitted by this Bylaw, the following special provisions shall apply:

6.21.1 Breeding Kennels:

- (a) shall be located in the rear yard and shall have a minimum separation distance of 150 ft (45.7 m) between the animal structure and the rear and side yard lot lines; and
- (b) shall have a minimum lot size of 2.5 acres (1 ha).

6.21.2 Boarding Kennels:

- (a) shall be located in the side or rear yard and shall have a minimum setback distance of 50 ft (15 m) between the animal structure and the side and rear yard lot lines;
- (b) kennels located in the side yard shall have a minimum setback distance of 25 ft (7.6 m) from the front lot line;
- (c) be an enclosed structure that is constructed for the sheltering of the animal(s);
- (d) kennels are only permitted on those properties upon which a permanent residence has been constructed;

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- (e) the owner of the kennel operation must reside on the property upon which the kennel operation is located;
- (f) said structure shall be located 100 ft (30.5 m) from any watercourse or well not on the same property.

6.22 LARGE SCALE SOLAR COLLECTOR SYSTEMS

6.22.1 Large Scale Solar Collector Systems shall only be permitted within the zones where they are listed as a permitted use.

6.22.2 In addition to all information normally required for development permit application, applications for Large Scale Solar Collector Systems, shall be accompanied by the following information:

- (a) A site plan prepared by a qualified professional and drawn to scale, showing:
 - i) The location of all solar collectors and accessory uses;
 - ii) The dimensions and boundaries of all parcels of land;
 - iii) The location of all existing and proposed buildings, structures and uses;
 - iv) Proposed alterations to natural features;
 - v) All required setbacks and separation distances (if any); and
 - vi) Any other information that may be necessary to determine whether the proposed development meets the requirements of this by-law.
- (b) Evidence and results of any public consultation conducted;
- (c) Copies of all notification to other governments and approval agencies; and
- (d) A decommissioning plan.

6.22.3 The following screening requirements shall apply to Large Scale Solar Collector Systems:

- (a) Large Scale Solar Collector Systems shall be screened from any public highway or roadway by a continuous row of trees, shrubs, or a combination of the foregoing arranged to form a dense or opaque screen having a continuous minimum planted area depth of 32.8 ft (10 m) between the main use and the front property line, excluding any driveway areas; and
- (b) A vegetated area with a minimum width of 49.2 ft (15 m) shall screen the full width of any property line between a Large-Scale Solar Collector System use and any existing, abutting residential property containing a residential use; and
- (c) Landscaped areas further to this section shall be a retained naturalized stand, or be planted to contain a mix of nursery-stock trees at maximum spacing of ten (10) feet (3 m) on centre, or a mix of shrubs at a spacing of six (6) feet (1.85 m) on centre, or a combination of nursery-stock trees and shrubs at the required spacing.

6.23 MULTIPLE USES

6.23.1 Where any land or building is used for more than one purpose, all provisions of this Bylaw relating to each use shall be satisfied. Where there is conflict, such as in the case of lot size or lot frontage, the higher or more stringent standard shall prevail.

6.24 NONCONFORMING USES

6.24.1 Any use of land or a building or structure constructed, or being constructed, on or before the effective date of this Bylaw that does not conform to the requirements of this Bylaw shall be subject to the provisions of the Municipal Government Act respecting nonconforming uses and structures.

6.24.2 Notwithstanding 6.23.1, a nonconforming industrial use shall be permitted to change to a less obnoxious or less intensive industrial use in terms of traffic generated, hours of operation, outdoor storage, noise and fumes.

6.25 PARKING & LOADING REQUIREMENTS

6.25.1 For every building or structure to be erected, enlarged or changed in use off-street parking located within the same lot and zone as the use and having unobstructed access to a public street shall be provided and maintained in conformity with the following schedule. However, in commercial core areas providing on street parking, total parking spaces may include 1 parking space for each 20 ft (6 m) of lot frontage.

Type of Building	Minimum Parking Requirement
A dwelling containing less than 3 dwelling units	1 parking space per dwelling unit
All other dwellings	1.5 parking spaces for each dwelling unit
Boarding and rooming homes	1 parking space for the dwelling unit plus 1 parking space for every 2 rooms available for rent
Places of Worship, halls, auditoria, restaurants, theatres, arenas, stadia, private clubs and other places of assembly	Where there are fixed seats, 1 parking space for every 5 seats, or 10 ft (3 m) of bench space; where there are no fixed seats, 1 parking space for every 110 ft ² (10 m ²) of floor area
Hospitals and nursing homes	1 parking space for every 2 beds or 430 ft ² (40 m ²) of floor area, whichever is greater
Senior citizen housing	1 parking space for every 2 dwelling units
Accommodations	1 parking space for every 2 beds or 430 ft ² (40 m ²) of floor area, whichever is greater
Offices	1 parking space for every 320 ft ² (30 m ²) of floor area used for offices
Funeral homes	1 parking space for every 50 ft ² (4.6 m ²) of assembly floor area
Bowling alleys and curling rinks	4 parking spaces for each bowling lane or curling sheet plus 1 parking space for every 110 ft ² (10 m ²) of other public floor space
All other commercial uses	1 parking space for every 320 ft ² (30 m ²) of floor area
Elementary schools	1.5 parking spaces for each teaching classroom
Junior and senior high schools	4 parking spaces for each teaching classroom
All industrial uses	1 parking space for every 500 ft ² (46 m ²) of floor area

6.25.2 A parking space shall measure 8 ft x 20 ft (2.5 m x 6m) exclusive of driveways and manoeuvring aisles.

6.25.3 One loading space shall be provided for every 32,400 ft² (3,000 m²) of commercial, industrial and institutional floor space to a maximum of 6 loading spaces.

6.25.4 A loading space is not required for any building less than 1,500 ft² (140 m²) in area.

6.25.5 A loading space shall be:

- (a) a minimum of 12 ft x 41 ft (3.5 m x 12.5 m) with a minimum height clearance of 15 ft (4.5 m);
- (b) located in the rear or side yard only and screened from adjoining residential or park uses;
- (c) constructed with a stable surface which is treated to prevent the raising of dust or loose particles; and
- (d) have access to the street by means of a minimum 10 ft (3 m) wide driveway for one way and 20 ft (6 m) wide driveway for two-way traffic.

6.26 PARKING LOT STANDARDS

6.26.1 Where parking facilities for more than four automobiles are required or provided, the facilities shall meet the following requirements:

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- (a) The parking area shall be maintained with a stable surface that is treated to prevent the raising of dust or loose particles;
- (b) The lights used for illumination of the parking lot or parking station shall be so arranged as to divert the light away from streets, adjacent lots and buildings;
- (c) A structure, not more than 15 ft (4.6 m) in height and not more than 5 square metres in area may be erected in the parking area for the use of attendants;
- (d) The parking area shall be within 328 ft (100 m) of the location it is intended to serve and shall be situated in the same zone. When the parking area is of a permanent hard surface, each parking space shall be clearly marked and maintained as such;
- (e) Approaches or driveways to any parking area, other than that required for a single detached dwelling, semi-detached dwelling, or a duplex dwelling shall be defined by a curb of concrete or rolled asphalt and the limits of the parking area shall be defined by a fence, curb or other suitable obstruction designed to provide a neat appearance;
- (f) The location of approaches or driveways shall not be closer than 50 ft (15 m) from the limits of the right-of-way at a street intersection;
- (g) Exit and entrance ramps to parking areas shall not exceed two (2) in number on any one street and each ramp shall be at least 20 ft (6 m) in width and not greater than 30 ft (9 m) at the street line. Where frontage exceeds 150 metres on one street, three (3) ramps may be permitted on that street;
- (h) The width of a driveway leading to parking or loading areas, or of a driveway or aisle in a parking area, shall be a minimum of 3 metres for one-way traffic and a minimum of 6 for two-way traffic, and the maximum width of a driveway shall be 9 metres;

6.27 PARKING FOR PEOPLE WITH DISABILITIES

- 6.27.1 In addition to the parking requirements found in 6.24 and 6.25, where off street parking is to be provided on the same lot as the building, one space dedicated to people with disabilities shall be provided for every 100 spaces required, or part thereof.
- 6.27.2 Such parking spaces shall be 12 ft (3.7 m) wide and be not more than 164 ft (50 m) away from the entrance designed for use by people with disabilities.

6.28 PARKING STANDARDS FOR A CHANGE OF USE

- 6.28.1 Notwithstanding 6.24 of this Part where a change of use is to occur to an existing recreational, commercial or industrial use and the new use is unable to comply with additional parking requirements, the additional parking requirements will be waived.

6.29 PARKS, PLAYGROUNDS AND COMMUNITY CENTRES

- 6.29.1 Parks, Playgrounds and Community Centres shall be permitted in any zone provided:
 - (a) any maintenance or storage building accessory to the park or playground does not exceed 650 ft² (60 m²) in floor area; and

(b) Any signage conforms to the signage requirements of this Bylaw.

6.29.2 Parks and Playgrounds and Community Centres shall be exempt from the lot standards requirements of this By-law.

6.30 PERMITTED USES

6.30.1 For the purpose of this By-law, if a use is not listed as a permitted or conditional use in any zone, it shall be deemed to be a prohibited use in that zone, unless otherwise stated.

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

6.30.3 Notwithstanding, 6.29.1 of the Bylaw, buildings, facilities and infrastructure shall be permitted in any zone where such development is on land owned by the Municipality of the District of Guysborough and such uses are public.

6.31 PUBLIC AND PRIVATE UTILITIES

6.31.1 Public and Private Utilities shall be permitted in any zone provided that such use conforms to the applicable lot standards of that particular zone.

6.32 PUBLIC USES PERMITTED

6.32.1 Government buildings and facilities shall be permitted in any zone provided that such use conforms to the applicable lot standards of that particular zone.

6.33 REDUCED LOT REQUIREMENTS

6.33.1 Notwithstanding the minimum lot area and frontage requirements found elsewhere in the Bylaw a development permit may be issued for lots which have been created pursuant to the Provincial or Municipal Subdivision Regulations.

6.34 RESTORATION TO A SAFE CONDITION

6.34.1 Nothing in this Bylaw shall prevent the strengthening or restoring to a safe condition of any building or structure, provided in the case of a nonconforming use the provisions of the Municipal Government Act of Nova Scotia shall prevail.

6.35 RESIDENTIAL LAND USES ADJACENT TO PITS, QUARRIES, AND MINERAL EXTRACTION OPERATIONS

6.35.1 No development permit shall be issued for a dwelling on a lot abutting a pit, quarry activity or mineral extraction operation, unless the dwelling is located beyond 150 m from the licensed area of the nearest pit or quarry, except where the residential use is directly related to the pit or quarry property.

6.35.2 Where it is not practicable to meet the 150 m separation due to the proximity of existing parcels that in the opinion of the Development Officer, would otherwise be non-developable, the separation distance for existing approved lots may be reduced to 30 m.

6.36 SIDE YARDS ON CORNER LOTS

6.36.1 Notwithstanding anything else in this Bylaw, on a corner lot in any zone, no part of any building or accessory building shall be erected closer to the lot line of the flanking street than 25 ft (7.6 m).

6.37 MICRO-SCALE AND SMALL-SCALE WIND TURBINES

6.37.1 Micro-scale wind turbines are permitted throughout the Bylaw area, subject to the requirements of this section. A maximum of one micro-scale or small-scale wind turbine shall be permitted per lot, unless otherwise allowed as a wind farm use.

6.37.2 No development permit shall be issued for a micro-scale wind turbine except in conformity with the following:

- (a) Small-scale wind turbines shall not exceed 40 ft (12.2 m) in height being the measurement from the base of the tower to the highest point of the blade's arc;
- (b) Small-scale wind turbines shall be setback 1.25 times the height of the turbine, measured from grade to the highest point of the rotors arc, from adjoining residential property lines;
- (c) Micro scale wind turbines shall have a rotor diameter not exceeding 8'2" (2.5 m) and have a generating capacity not exceeding 1 kilowatts (kW).

6.37.3 No development permit shall be issued for a small-scale wind turbine except in conformity with the following:

- (a) Small-scale wind turbines shall not exceed 197 ft (60 m) in height being the measurement from the base of the tower to the highest point of the blade's arc;
- (b) Small scale wind turbines shall have a generating capacity of 100 kilowatts (kW) or less;
- (c) The minimum rotor clearance shall be 26'3" (8 m) from established grade;
- (d) Minimum setback from all property lines shall be one and a half times (1.5x) the maximum height of the turbine;
- (e) Minimum setback from a dwelling unit on an adjoining or adjacent lot shall be two times (2x) the maximum height of the turbine;
- (f) Minimum setback from a public or private road shall be two times (2x) the maximum height of the turbine;
- (g) Minimum setback from institutional uses such as, hospitals, daycares, libraries, etc., on an adjoining or adjacent lot shall be the greater of three times (3x) the maximum height of the turbine;
- (h) The only signage that shall appear on the wind turbine is the owner's or manufacturer's identification, which shall not exceed 5% of the total surface area of the wind turbine;
- (i) To limit climbing access, a fence a minimum of 6 ft (1.8 m) high with a locking portal shall be placed around the facility's tower base, or the tower climbing apparatus shall be limited to no lower than 12 ft (3.65 m) from the ground, or the tower shall not be climbable.

6.38 SHIPPING CONTAINERS

6.38.1 Shipping containers shall be permitted as an accessory structure within commercial and industrial zones, where indicated. In Commercial and Industrial Zones, no more than three (3) shipping containers shall be permitted on any lot.

6.38.2 Shipping containers shall not be used in any zone as a dwelling or other form of accommodation except where they are modified suitable for human habitation and certified by a Professional Engineer or Licensed Architect.

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6.38.3 The following requirements shall apply to any shipping container located on a lot:

- (a) Shipping containers shall not be permitted to be located in a front or flanking yard;
- (b) Where a shipping container is located in a commercial or industrial zone which abuts a residential or institutional zone or use, the shipping container shall be screened from view by a continuous fence, hedge, row of trees or combination thereof, that effectively screens the view of the container from the residential or institutional zone or use; and
- (c) A maximum spacing of ten (10) feet (3 m) on centre, or a mix of shrubs at a spacing of six (6) feet (1.85 m) on centre, or a combination of nursery-stock trees and shrubs at the required spacing.

6.39 SWIMMING POOLS

6.39.1 All outdoor swimming pools situated at grade, above-ground pools accessible from ground level, or below grade shall be completely enclosed by a fence. All fences and gates shall be a minimum of 1.5 metres in height above the grade level and shall be secured from unauthorized access.

6.40 TEMPORARY USES AND STRUCTURES PERMITTED

6.40.1 Nothing in this Bylaw shall prevent uses and structures incidental to construction such as a construction camp or other such temporary employee accommodations, a tool shed, scaffold, or similar building incidental to construction providing that the uses or structures are removed from the site within 14 days after completion of the construction project and provided a development permit has been issued.

6.40.2 Nothing in this Bylaw shall prevent uses and structures erected for special occasions and holidays provided only that no such use remains in place more than 21 consecutive days. A development permit shall not be required.

6.41 TRUCK, BUS AND COACH BODIES

6.41.1 No trucks, bus, coach or structure of any kind, other than a dwelling unit, mobile home erected and used in accordance with this and all other bylaws of the Municipality, shall be used for human habitation within the Guysborough Municipal Planning Area, whether or not same is mounted on wheels.

6.42 USES BY DEVELOPMENT AGREEMENT

6.42.1 Notwithstanding all other provisions under this Bylaw, Council may, by resolution, approve development agreements for specified developments which would otherwise not be permitted under this Bylaw through the enabling legislation of the Municipal Government Act and as provided for by the applicable policies with the Municipal Planning Strategy for the District of Guysborough, such uses are as follows:

- (a) Residential developments of 36 units or greater within the Residential Multiple Unit Zone (R-2).
- (b) Salvage Yards within the Heavy Industrial (I-2) and Resource Industrial (I-3) Zones.
- (c) Large scale wind turbine(s) in excess of 197 ft (60 m) in height, being the measurement from the base of the tower to the highest point of the blade's arc throughout the plan area, excluding the residential growth centre designation. Development Agreements are not required where Large Scale Wind Turbines are listed as a permitted use in the zone.
- (d) Amusement Parks, including Race tracks, and Outdoor Shooting Ranges in the Major Commercial (MC-1) Zone.

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6.42.2 In addition to the use-specific development agreements, Council may also consider the development of the following within any zone except for the EPA Zone, provided the intent and provisions of the Municipal Planning Strategy are satisfied, particularly the Development Agreement Criteria sections:

- (a) Any accessory building in excess of the Land Use Bylaw requirements;
- (b) Accessory Buildings or Structures larger than what is permitted in the Land Use Bylaw;
- (c) The expansion of legal nonconforming uses of land, nonconforming structures; and
- (d) The development of uses that are extensions of development agreements in effect on an abutting property.

6.42.3 Providing that the intentions of all other policies of this strategy are satisfied, and a leap- frog development pattern is not being established, Council may, for the purposes of providing for the development of similar uses on abutting land parcels, consider the following by development agreement:

- (a) The development of uses on a property within a designation that are permitted uses within a zone supported by the abutting designation;
- (b) The development of uses that are permitted within the zone and designation on an abutting property; and
- (c) The development of uses within a designation that are extensions of development agreements in effect on an abutting property within the abutting designation.

6.43 VARIANCE

6.43.1 Notwithstanding the general requirements set out for each zone in this Bylaw, the Development Officer may grant a variance subject to the requirements of the *Municipal Government Act* as amended from time to time, including for the following matters:

- (a) Percentage of land that may be built upon;
- (b) Size or other requirements relating to yards;
- (c) Lot frontage or lot area, or both, if
 - i) the lot existed on the effective date of the bylaw, or
 - ii) a variance was granted for the lot at the time of subdivision approval.
- (d) Number of parking spaces and loading spaces required;
- (e) Ground area and height of a structure;
- (f) Floor area occupied by a home-based business; and
- (g) Height and area of a sign.

6.43.2 Where a variance is granted or refused, the appeal and the notice provisions of the *Municipal Government Act* shall be complied with and the applicant shall pay to the Municipal Clerk the cost of notifying affected land owners.

6.43.3 The Development officer may refer requests for variances that exceed 25% to Council for their advice and recommendation from time to time.

PART 7 - Signs

7.1 SIGNAGE

- 7.1.1 No person shall erect a sign exceeding 37.6 ft² (3.5 m²) in size in the Guysborough Municipal Planning Area without first obtaining a development permit from the Development Officer.

7.2 SAFETY AND MAINTENANCE

- 7.2.1 All signs and all parts thereof, including copy, framework, supports, background, and anchors shall be kept in a good state of repair.
- 7.2.2 If the business, service or other enterprise for which the sign is erected is no longer in operation the sign shall be removed, by the owner, within 60 days of the date the operations cease. Removal of a sign includes the support structure or apparatus to which it is attached.
- 7.2.3 In the case of a seasonal enterprise that normally closes during part of the year, a sign advertising a seasonal enterprise shall indicate the time of the year the enterprise is in operation or, conversely, the time of the year it is not in operation.
- 7.2.4 Notwithstanding anything else contained within this Bylaw, a sign erected on a Commercial or Industrial Property which abuts a residential or institutional use shall be set back a minimum distance of 33 ft (10 m) from the abutting property line.
- 7.2.5 Signs may be internally illuminated or illuminated through the use of shielded downlighting but such illumination shall not flash.

7.3 GENERAL

- 7.3.1 Any ground sign, facial wall sign, portable sign, canopy sign, or projecting wall sign shall conform with the following requirements, regardless of whether or not a development permit is required for the sign:
- (a) There are no more than the greater of:
 - i) Three (3) signs on the lot containing the business or use being advertised; or
 - ii) One sign plus an additional one sign per business being advertised on the premises.
 - (b) In the case of a ground sign:
 - i) The sign shall not exceed a maximum height of 33 ft (10 m)
 - ii) The sign shall not exceed 43 ft² (4 m²) in area except for properties abutting a public road, in which case the sign shall not exceed a maximum area of 215 ft² (20 m²) provided the signage is not situated within 492 ft (150 m) of a dwelling;
 - iii) No portion of the sign (base, post, frame, or face) shall be located within 10 ft (3 m) of any public right-of-way or common property line;
 - (c) In the case of a facial wall sign, the sign shall not:
 - i) Extend beyond extremities of the wall to which it is affixed;
 - ii) Have an area greater than 10% of the area of the wall to which it is affixed;
 - (d) In the case of a projecting wall sign or canopy sign, the sign shall not:
 - i) Project nearer than 0.5 m to a public right-of-way;
 - ii) Project more than 6'-6" (2 m) from the wall to which it is affixed;
 - iii) Be erected below a height of 8'-2" (2.5 m) above grade.

PART 8 - General Provisions for Residential Zones

8.1 REGULATION OF USES

8.1.1 No development shall be permitted within the Municipality except for those developments that are listed herein as permitted, or those developments that are accessory to a permitted use listed herein.

8.2 MAIN USE TABLE

8.2.1 In the table below, land uses and activities are classified into general 'use categories' based on common functional or physical characteristics, such as:

- (a) The type and / or intensity of land use;
- (b) The type and / or number of residents or customers;
- (c) How goods and / or services are managed or delivered; or
- (d) Other site-specific conditions.

8.2.2 This classification system provides a method for assigning present and future land uses into appropriate Zones. This classification does not list every use or activity that may exist, and some uses may be listed in one category when they may reasonably be listed in another.

8.2.3 In the table below:

- (a) A bullet "●" in a cell indicates a use is permitted in the associated Zone;
- (b) A 'DA' in a cell indicates that a use is permitted to be considered by Development Agreement, subject to the requirements of the Municipal Planning Strategy.
- (c) A blank cell indicates a use is prohibited in the associated Zone.

8.3 PERMITTED USES

8.3.1 The table below summarizes the uses permitted within each residential zone. For specific conditions associated with the uses, see the section referencing that zone.

- (a) R-1: General Residential
- (b) R-2: Residential Multiple Unit
- (c) R-3 Mobile Home Park
- (d) MRR-1: Mixed Use Rural Residential
- (e) CC-1: Coastal Community

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8.3.2 Subject to all other provisions of this Bylaw, on any parcel in the zones identified in the following table, the following uses shall be permitted:

Use	R-1	R-2	R-3	MRR-1	CC-1
Accessory Dwellings, Single Detached	●	●			
Agriculture				●	●
Bed and Breakfasts	●	●		●	●
Boarding or Rooming Houses	●	●		●	●
Campgrounds or Recreational Vehicle Parks				●	●
Cemeteries	●	●		●	●
Commercial (C-1) Zone uses				See zone	See zone
Community Centres	●			●	●
Daycare Centres	●	●	●	●	●
Daycares, Home-Based	●	●	●	●	●
Dwellings, Converted containing four (4) or more units		●			
Dwellings, Duplex	●	●	●	●	●
Dwellings, Mobile Home	●	●	●	●	●
Dwellings, Multiple Unit	● (4 Units or Less)	● 36 Units or Less (More by DA)	● 4 Units or Less (More by DA)	● (4 Units or Less)	● (4 Units or Less)
Dwellings, Semi-Detached	●	●	●	●	●
Dwellings, Single Detached	●	●	●	●	●
Dwellings, Tiny Home	●	●	●	●	●
Dwellings, Townhouse containing four (4) units or less	●	●	●	●	●
Fishing Uses and Structures				●	●
Forestry Uses and Structures				●	●
Institutions	●			●	●
Kennels				●	●
Large-Scale Solar Collector Systems				●	●
Light Industrial (I-1) Zone uses				See zone	See zone
Mobile Home Parks			●		
Nursing Homes	●	●	●	●	●
Parks and Playgrounds	●	●	●	●	●
Places of Worship	●	●	●	●	●
Recreation Uses	●	●	●	●	●
Residential Care Facilities	●	●		●	●
Schools	●	●	●	●	●
Short-Term Rentals	● (1 Unit or Less)	● (1 Unit or Less)		● (1 Unit or Less)	● (1 Unit or Less)
Lawfully Existing Uses	●	●	●	●	●

8.4 HOME OCCUPATIONS

8.4.1 Any dwelling or building accessory thereto may be used for a home occupation provided that:

- (a) the dwelling is occupied as the principal residence of the operation of the home occupation;
- (b) the external appearance of the dwelling is not changed by the home occupation;
- (c) there are no more than two assistants employed in the home occupation who are not resident of the dwelling;
- (d) the home occupation does not exceed 25 percent of the total floor area of the dwelling and accessory building;
- (e) one off-street parking space, other than that required by the dwelling, is provided for every 220 ft² (20 m²) of floor space occupied by the home occupation;
- (f) no signage shall be permitted other than a non-illuminated business identification sign no larger than 5 ft² (0.5 m²) in area;
- (g) open storage shall be limited to the rear yard and screened from adjacent residential properties by a continuous row of trees, a hedge, a fence or a combination of the foregoing arranged to form a dense or opaque screen; and
- (h) There is no outdoor display unless it is screened or located in the rear yard.

8.4.2 A home occupation shall include the following types of uses:

- (a) Health care professional, lawyer, business management consultant, accountant, public engineer, architect, business broker, marketing or sales agents, real-estate agent, technology or arts professionals, insurance or property appraisal practitioners, administrative and consulting services, and other business or professional services;
- (b) Business representatives managing a direct sales organization for product distribution, but not regular direct sales of product from residence;
- (c) Dressmaking and tailoring, hairdressing and barber shops, private instruction or tutoring in the arts, sciences or technologies, the crafting or repair of household goods, small engines and motors and appliances, computers, recreational equipment (not recreational motorized vehicles), personal affects or upholstery, residential day-care, seasonal retailing of garden produce, bedding plants, and shrubbery, engraving wood, metal, stone setting and selling, and the making and selling of crafts;
- (d) Where a business use is not listed above, the business shall be similar in nature to the above listed and shall be at the discretion of the Development Officer, provided all other applicable provisions under this By-law are met.

8.4.3 The following special provisions shall apply to Bed and Breakfasts:

- (a) Bed and Breakfasts shall not be subject to the size restrictions specified in 8.2.1 of this Bylaw;
- (b) Bed and breakfast uses shall not serve food to non-guests unless a restaurant is a permitted use in the applicable use zone;
- (c) Bed and breakfast uses shall be limited in size to eight (8) sleeping units;
- (d) in addition to the normal parking requirements for the dwelling, one parking space shall be provided for each sleeping unit.

8.5 SHORT-TERM RENTALS

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

8.6 TINY HOME DWELLING REQUIREMENTS

8.6.1 A development permit may be issued to permit a tiny home dwelling unit provided the following requirements are met:

- (a) Shall be permitted within the Residential General (R-1) Zone, Mobile Home Park (R-3) Zone, Mixed Use Rural Residential (MRR-1) Zone, and Coastal Community (CC-1) Zone;
- (b) There is a limit of 1 tiny home dwelling unit per property either as a main use, or as an accessory dwelling unit;
- (c) A tiny home dwelling shall adhere to the front, side and rear yard setback requirements, lot area and lot coverage as the zone of the lot in which the dwelling unit is to be located;
- (d) The maximum building width shall be 9.8 ft (3 m) and have a maximum area of 400 ft² (37 m²); and
- (e) Shipping containers shall not be used in any zone as a dwelling or other form of accommodation except where they are modified suitable for human habitation and certified by a Professional Engineer or Licensed Architect; and
- (f) A tiny home dwelling shall not exceed a maximum height of 25 ft (7.6 m).

8.7 RECREATIONAL VEHICLES IN RESIDENTIAL ZONES

8.7.1 Recreational vehicles may be stored on a property within the Residential General (R-1), Residential Multiple Unit (R-2), Mixed Use Rural Residential (MRR-1) or Coastal Community (CC-1) zones provided the following requirements are met:

- (a) A maximum of two recreational vehicles shall be permitted per property;
- (b) Recreational vehicles stored on a residential use property shall only be permitted for personal use and shall not be used as a part of a commercial enterprise.

PART 9 - Residential General (R-1) Zone

9.1 PERMITTED USES

9.1.1 No development permit shall be issued in a Residential General (R-1) Zone except for one or more of the following uses:

- (a) Accessory Dwellings, Single Detached
- (b) Bed and Breakfasts
- (c) Boarding or Rooming Houses
- (d) Cemeteries
- (e) Community Centres
- (f) Daycare Centres
- (g) Daycares, Home-Based
- (h) Dwellings, Duplex
- (i) Dwellings, Mobile Home
- (j) Dwellings, Multiple Unit with a maximum of four (4) units
- (k) Dwellings, Semi-Detached
- (l) Dwellings, Single Detached
- (m) Dwellings, Tiny Home
- (n) Dwellings, Townhouse with a maximum of four (4) units
- (o) Institutions
- (p) Lawfully Existing Uses
- (q) Nursing Homes
- (r) Parks and Playgrounds
- (s) Places of Worship
- (t) Recreation Uses
- (u) Residential Care Facilities
- (v) Schools
- (w) Short-Term Rentals
- (x) Lawfully Existing Uses

9.2 GENERAL LOT REQUIREMENTS

9.2.1 In any Residential General (R-1) Zone, no development permit shall be issued except in conformity with the following:

Requirement	Standard with Central Sewer Services	Standard with Central Sewer and Water Services	Standard without Central Sewer or Water Services
Minimum Lot Area All uses listed above except for Dwellings, Semi-Detached and Dwellings, Multiple Unit up to 4 dwelling units.	10,000 ft ² (929 m ²)	5,000 ft ² (464.5 m ²)	30,000 ft ² (2,787 m ²) (final lot size determined by DOE)
Minimum Lot Area Dwellings, Semi-Detached and Dwellings, Multiple Unit up to 4 dwelling units and Short-Term Rentals.	5,000 ft ² (464.5 m ²) per dwelling unit	2,500 ft ² (232 m ²) per dwelling unit	30,000 ft ² (2,787 m ²) (final lot size determined by DOE)

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Minimum Lot Frontage All uses listed above except for Dwellings, Semi-Detached and Dwellings, Townhouse.	70 ft (21.3 m)	50 ft (15.2 m)	100 ft (30.5 m)
Minimum Lot Frontage Dwellings, Semi-Detached and Dwellings, Townhouse.	35 ft (10.7 m) per dwelling unit	25 ft 7.6 per dwelling unit	100 ft (30.5 m)
Maximum Lot Coverage	55 percent		40 per cent
Minimum Front, Flankage & Rear Yard	18 ft (5.5 m)		
Minimum Side Yard	10 ft (3 m), except 0 ft where subdivided along a common wall in the case of a semi-detached dwelling or multiple-tenancy commercial building.		
Maximum Building Height	35 ft (10.7 m)		

9.3 BUILDING HEIGHT WATERFRONT REQUIREMENTS

9.3.1 Notwithstanding the height provisions of this by-law the purpose of this section is to provide vistas of Chedabucto Bay and across Milford Haven River. The further intent is to conserve panoramic views of the river valley and ocean from Route 16. Building height shall not exceed the following:

- (a) 35 ft (10.7 m):
 - i) In the area up to 200 ft (61 m) inland from the ordinary high-water mark
 - ii) In areas where base grade elevation exceeds 30 ft (9 m) above sea level.
- (b) 45 ft (13.7 m):
 - i) In the area beyond 200 ft (61 m) inland from the ordinary high-water mark except where base grade elevation exceeds 50 ft (15 m) above sea level.

9.4 DETACHED ACCESSORY SINGLE DWELLING UNIT

9.4.1 A development permit may be issued to permit a single accessory dwelling unit to a single detached dwelling providing the following requirements are met:

- (a) An accessory dwelling shall not exceed 800 ft² (74 m²);
- (b) An accessory dwelling shall contain independent kitchen and bathroom facilities;
- (c) An accessory dwelling shall have an independent entrance;
- (d) An accessory dwelling shall not exceed a maximum height of 25 ft (7.6 m);
- (e) An accessory dwelling shall require at least one off-street parking spot in addition to any parking requirements for the primary single detached residence;
- (f) an accessory dwelling is not permitted for any dwelling type other than a single dwelling unit;
- (g) Only one accessory dwelling unit is permitted per property;
- (h) A property containing a detached accessory dwelling shall not be subdivided so that the accessory becomes the primary residence of a resulting property unless the resulting properties and dwellings meet all necessary lot requirements and building standards;
- (i) An accessory dwelling must meet all applicable building standards and requirements; and
- (j) an accessory dwelling must meet/comply with all setbacks and separation standards and the separation distance between a detached accessory dwelling and the primary residence shall be at least twice the side yard setback.

9.5 KEEPING OF HOOFED ANIMALS (UNGULATES) FOR PERSONAL USE

9.5.1 The occupants of a dwelling in an R-1 Zone shall be permitted to keep hoofed animals (ungulates) for use as pets or other non-commercial purposes, provided the following conditions are met:

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- (a) An enclosed structure is constructed for the sheltering of the animal(s), and said structure is an accessory use on a residential lot with a dwelling unit situate;
- (b) Said structure shall not be located in the front yard and shall have a minimum setback distance of 20 ft (6.1 m) from the rear and side yard lot lines;
- (c) Said structure shall not cover more than fifty (50) percent of the available rear yard;
- (d) A minimum lot size requirement of 1 acre (0.4 ha) shall be required for the first single animal and an additional 0.5 acres (0.2 ha) for each additional animal; and
- (e) An existing accessory building that does not conform to the setback and coverage requirements prescribed in clauses (b) and (c) may be used for the sheltering of the animal(s) provided the structure is not situated within 10 ft (3.1 m) of any property line.

PART 10 - Residential Multiple Unit (R-2) Zone

10.1 PERMITTED USES

10.1.1 No development permit shall be issued in a Residential Multi-unit (R-2) Zone except for one or more of the following:

- (a) Accessory Dwellings, Single Detached
- (b) Bed and Breakfasts
- (c) Boarding or Rooming Houses
- (d) Cemeteries
- (e) Community Centres
- (f) Daycare Centres
- (g) Daycares, Home-Based
- (h) Dwellings, Converted containing four (4) or more units
- (i) Dwellings, Duplex
- (j) Dwellings, Mobile Home
- (k) Dwellings, Multiple Unit with 36 units or less (More units by DA only)
- (l) Dwellings, Semi-Detached
- (m) Dwellings, Single Detached
- (n) Dwellings, Tiny Home
- (o) Dwellings, Townhouse with a maximum of four (4) units
- (p) Institutions
- (q) Lawfully Existing Uses
- (r) Nursing Homes
- (s) Parks and Playgrounds
- (t) Places of Worship
- (u) Recreation Uses
- (v) Residential Care Facilities
- (w) Schools
- (x) Short-Term Rentals
- (y) Lawfully Existing Uses

10.2 GENERAL LOT REQUIREMENTS

10.2.1 In any Residential Multi-unit (R-2) zone, no development permit shall be issued except in conformity with the following requirements:

Requirement	Standard with Central Sewer Services	Standard with Central Sewer and Water Services	Standard without Central Sewer or Water Services
Minimum Lot Area	10,000 ft ² (929 m ²)	10,000 ft ² (929 m ²)	40,000 ft ² (3,716 m ²) (final lot size determined by DOE)
Minimum Lot Frontage Dwellings, Single Detached or Dwellings, Duplex	70 ft (21.3 m)	50 ft (15.2 m)	100 ft (30.5 m)
Minimum Lot Frontage: Dwellings, Townhouse	20 ft (6 m) per unit		

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Minimum Lot Frontage: All uses listed above including Dwellings, Multiple Unit; Dwellings, Converted	100 ft (30.5 m)
Minimum Front, Flankage & Rear Yard	18 ft (5.5 m)
Minimum Side Yard	10 ft (3 m), except 0 m where subdivided along a common wall in the case of a Dwelling, Semi-Detached or Dwelling, Townhouse.
Maximum Building Height	35 ft (10.6 m), or 45 ft (13.7 m) as described in section 10.3
Maximum Lot Coverage	Areas with Central Sewer Services: 55 per cent Areas without Central Sewer Services: 40 per cent

10.3 BUILDING HEIGHT WATERFRONT REQUIREMENTS

10.3.1 The purpose of this section is to provide vistas of Chedabucto Bay and across Milford Haven River. The further intent is to conserve panoramic views of the river valley and ocean from Route 16. Building height shall not exceed the following:

- (a) 35 ft (10.7 m):
 - i) In the area up to 200 ft (61 m) inland from the ordinary high-water mark;
 - ii) In areas where base grade elevation exceeds 30 ft (9 m) above sea level.
- (b) 45 ft (13.7 m):
 - i) In the area beyond 200 ft (61 m) inland from the ordinary high-water mark except where base grade elevation exceeds 50 ft (15 m) above sea level.

PART 11 - Mobile Home Park (R-3) Zone

11.1 PERMITTED USES

11.1.1 No development permit shall be issued in a Residential Mobile Home Park (R-3) zone except for one or more of the following uses:

- (a) Daycare Centres
- (b) Daycares, Home-Based
- (c) Dwellings, Duplex
- (d) Dwellings, Mobile Home
- (e) Dwellings, Multiple Unit with a maximum of four (4) units
- (f) Dwellings, Semi-Detached
- (g) Dwellings, Single Detached
- (h) Dwellings, Tiny Home
- (i) Dwellings, Townhouse with a maximum of four (4) units
- (j) Lawfully Existing Uses
- (k) Mobile Home Parks
- (l) Nursing Homes
- (m) Parks and Playgrounds
- (n) Places of Worship
- (o) Recreation Uses
- (p) Schools
- (q) Lawfully Existing Uses

11.2 GENERAL LOT REQUIREMENTS

11.2.1 In any Mobile Home Park (R-3) Zone, no development permit shall be issued except in conformity with the following requirements:

Requirement	Standard
Minimum Lot Area	40,000 ft ² (3,716 m ²) with final lot size to be determined by DOE.
Minimum Lot Frontage	200 ft (61 m)
Minimum Front or Flankage Yard	18 ft (5.5 m)
Minimum Side Yard	10 ft (3 m)
Minimum Rear Yard	25 ft (7.6 m)
Maximum Building Height	25 ft (7.6 m)

11.3 MOBILE HOME SPACE REQUIREMENTS

11.3.1 Each mobile home space within a mobile home park shall be clearly and permanently marked on the ground in accordance with the following requirements:

Minimum Area	4,000 ft ² (372 m ²)
Minimum Frontage	40 ft (12 m)

11.4 SPECIAL PROVISIONS: APPEARANCE

- 11.4.1 All accessory structures such as patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereto, so that design and construction will complement the mobile home.
- 11.4.2 The undercarriage of each mobile home shall be screened from view by skirting or such other means satisfactory to the Development Officer.

PART 12 - Mixed Use Rural Residential General (MRR-1) Zone

12.1 PERMITTED USES

12.1.1 No development permit shall be issued in a Mixed Use Rural Residential General (MRR-1) Zone except for one or more of the following uses:

- (a) Agriculture
- (b) Bed and Breakfasts
- (c) Boarding or Rooming Houses
- (d) Campgrounds or Recreational Vehicle Parks
- (e) Cemeteries
- (f) Commercial (C-1) uses having a maximum building size of 1,200 ft² (112 m²) of floor space and/or 1,200 ft² (112 m²) of outdoor storage space provided the general and special lot requirements for a Commercial General (C-1) Zone are complied with
- (g) Community Centres
- (h) Daycare Centres
- (i) Daycares, Home-Based
- (j) Dwellings, Duplex
- (k) Dwellings, Mobile Home
- (l) Dwellings, Multiple Unit with a maximum of four (4) units
- (m) Dwellings, Semi-Detached
- (n) Dwellings, Single Detached
- (o) Dwellings, Tiny Home
- (p) Dwellings, Townhouse with a maximum of four (4) units
- (q) Fishing Uses and Structures
- (r) Forestry Uses and Structures
- (s) Institutions
- (t) Kennels
- (u) Large-Scale Solar Collector Systems
- (v) Lawfully Existing Uses
- (w) Light Industrial (I-1) uses having a maximum building size of 1,200 ft² (112 m²) of floor space and/or 1,200 ft² (112 m²) outdoor storage space provided the general and special lot requirements for the Light Industrial (I-1) Zone are complied with
- (x) Nursing Homes
- (y) Parks and Playgrounds
- (z) Places of Worship
- (aa) Recreation Uses
- (bb) Residential Care Facilities
- (cc) Schools
- (dd) Short-Term Rentals
- (ee) Lawfully Existing Uses

12.2 GENERAL LOT REQUIREMENTS

12.2.1 In any Mixed Use Rural Residential General (MRR-1) Zone, no development permit shall be issued except in conformity with the following:

Requirement	Standard with Central Sewer Services	Standard with Central Sewer and Water Services	Standard without Central Sewer or Water Services
Minimum Lot Area All uses above except Dwellings, Semi-Detached and Dwellings, Multiple Unit up to 3 dwelling units.	10,000 ft ² (929 m ²)	5,000 ft ² (464.5 m ²)	30,000 ft ² (2,787 m ²) (final lot size determined by DOE)
Minimum Lot Area Dwellings, Semi-Detached and Dwellings, Multiple Unit up to 4 dwelling units.	5,000 ft ² (465 m ²) per dwelling unit	2,500 ft ² (232 m ²) per dwelling unit	30,000 ft ² (2,787 m ²) (final lot size determined by DOE)
Minimum Lot Frontage All uses listed above except Dwellings, Semi-Detached	70 ft (21 m)	50 ft (15 m)	100 ft (30.5 m)
Minimum Lot Frontage Dwellings, Semi-Detached	35 ft (10.7 m) per dwelling unit	25 ft (7.6 m) per dwelling unit	100 ft (30.5 m)
Minimum Front, Flankage & Rear Yard	25 ft (7.6 m)		
Minimum Side Yard	10 ft (3 m), except 0 ft where subdivided along a common wall in the case of a Dwelling, Semi-Detached or multiple-tenancy commercial building.		
Maximum Building Height	35 ft (10.7 m)		
Maximum Lot Coverage	Areas with Central Sewer Services: 55 per cent Areas without Central Sewer Services: 40 per cent		

12.3 WATERCOURSE SETBACK REQUIREMENTS FOR AGRICULTURAL & FORESTRY USES

12.3.1 Notwithstanding anything else in this Bylaw all Agricultural and Forestry Uses in the Mixed Use Rural Residential General (MRR-1) Zone must have a minimum setback from any natural water body or the natural channel for a perennial or intermittent watercourse of 100 ft (30.5 m) excluding a drainage or irrigation channel.

12.4 SPECIAL REQUIREMENTS FOR FORESTRY USES

12.4.1 Forestry uses shall be subject to the following special requirements:

- (a) A separation distance of 492 ft (150 m) shall be required between any sawmill, shingle mill, or wood finishing mill adjacent to residential or institutional uses;
- (b) Outdoor storage relating to sawmills, shingle mills, or wood finishing mills shall be screened from view by fence a minimum 4.9 ft (1.5 m) in height or vegetative screen, where the yard used for storage abuts a residential or institutional use.

12.5 SPECIAL REQUIREMENTS FOR AGRICULTURAL USES

12.5.1 Notwithstanding the general lot requirements of Mixed Use Rural Residential General (MRR-1) Zone in the case of:

- (a) A building or structure hereafter altered or used for the raising or keeping of livestock the yard requirements are as follows:
 - i) Minimum front or flankage yard 65 ft (20 m)
 - ii) Minimum interior side yard 100 ft (30.5 m)
 - iii) Minimum flankage yard 300 ft (91 m)
 - iv) Minimum rear yard 100 ft (30.5 m)
- (b) A building or structure hereafter altered or used for the raising or keeping of large-scale and intensive livestock operations including poultry, feedlots and livestock waste storage facilities shall provide:
 - i) A minimum distance of 2,000 ft (610 m) from land intended for residential uses including R-1, R-2 and R-3;
 - ii) A minimum distance of 1,000 ft (305 m) from dwellings on adjacent property;
 - iii) A minimum distance of 300 ft (91 m) from the centreline of any public road;
 - iv) A minimum distance of 200 ft (61 m) from the lot line of the site on which the production unit is situated.
- (c) A building or structure hereafter erected, altered or used for the raising or keeping of mink or other fur bearing animals, the yard requirements are as follows:
 - i) Minimum or flankage yard 400 ft (122 m)
 - ii) Minimum interior side yard 100 ft (31 m)
 - iii) Minimum flankage yard 400 ft (122 m)
 - iv) Minimum rear yard 100 ft (31 m)
- (d) The maximum area of any lot which is occupied by buildings, structures, decks, patios, accessory buildings, driveways and parking areas shall not exceed fifty (50) percent of the lot area.

PART 13 - Coastal Community (CC-1) Zone

13.1 PERMITTED USES

13.1.1 No development permit shall be issued in a Coastal Community (CC-1) Zone except for one or more of the following uses:

- (a) Agriculture
- (b) Bed and Breakfasts
- (c) Boarding or Rooming Houses
- (d) Campgrounds or Recreational Vehicle Parks
- (e) Cemeteries
- (f) Commercial (C-1) uses with a maximum building size of 7,500 ft² (697 m²) of floor space and/or 2,400 ft² (223 m²) of outdoor storage space provided the general and special lot requirements for a Commercial General C-1 Zone are complied with
- (g) Community Centres
- (h) Daycare Centres
- (i) Daycares, Home-Based
- (j) Dwellings, Duplex
- (k) Dwellings, Mobile Home
- (l) Dwellings, Multiple Unit with a maximum of four (4) units
- (m) Dwellings, Semi-Detached
- (n) Dwellings, Single Detached
- (o) Dwellings, Townhouse
- (p) Dwellings, Tiny Home
- (q) Fishing Uses and Structures
- (r) Forestry Uses and Structures
- (s) Institutions
- (t) Nursing Homes
- (u) Parks and Playgrounds
- (v) Places of Worship
- (w) Light Industrial (I-1) uses with a maximum building size of 7,500 ft² (697 m²) of floor space and/or 2,400 ft² (223 m²) outdoor storage space provided the general and special lot requirements for a Light Industrial (I-1) Zone are complied with
- (x) Large-Scale Solar Collector Systems
- (y) Recreation Uses
- (z) Residential Care Facilities
- (aa) Schools
- (bb) Short-Term Rentals
- (cc) Lawfully Existing Uses

13.2 GENERAL LOT REQUIREMENTS

13.2.1 In any Coastal Community (CC-1) Zone, no development permit shall be issued except in conformity with the following:

Requirement	Standard with Central Sewer Services	Standard with Central Sewer and Water Services	Standard without Central Sewer or Water Services
Minimum Lot Area All uses above except Dwellings, Semi-Detached and Dwellings, Multiple Unit up to 4 dwelling units.	10,000 ft ² (929 m ²)	5,000 ft ² (464.5 m ²)	30,000 ft ² (2,787 m ²) (final lot size determined by DOE)
Minimum Lot Area Dwellings, Semi-Detached and Dwellings, Multiple Unit up to 4 dwelling units.	5,000 ft ² (465 m ²) per dwelling unit	2,500 ft ² (232 m ²) per dwelling unit	30,000 ft ² (2,787 m ²) (final lot size determined by DOE)
Minimum Lot Frontage All uses listed above except Dwellings, Semi-Detached	70 ft (21 m)	50 ft (15 m)	100 ft (30.5 m)
Minimum Lot Frontage Dwellings, Semi-Detached	35 ft (10.7 m) per dwelling unit	25 ft (7.6 m) per dwelling unit	100 ft
Minimum Front, Flankage & Rear Yard	25 ft (7.6 m)		
Minimum Side Yard	10 ft (3 m), except 0 m where subdivided along a common wall in the case of a Dwelling, Semi-Detached or multiple-tenancy commercial building.		
Maximum Building Height	35 ft (10.7 m)		
Maximum Lot Coverage	50 per cent		

13.3 SPECIAL REQUIREMENTS FOR AGRICULTURAL USES

13.3.1 Notwithstanding the general lot requirements of Coastal Community (CC-1) Zone in the case of:

- (a) A building or structure hereafter altered or used for the raising or keeping of livestock the yard requirements are as follows:
 - v) Minimum front or flankage yard 65 ft (20 m)
 - vi) Minimum interior side yard 100 ft (30.5 m)
 - vii) Minimum flankage yard 300 ft (91 m)
 - viii) Minimum rear yard 100 ft (30.5 m)
- (b) A building or structure hereafter altered or used for the raising or keeping of large-scale and intensive livestock operations including poultry, feedlots and livestock waste storage facilities shall provide:
 - v) a minimum distance of 2,000 ft (610 m) from land intended for residential uses including R-1, R-2 and R-3;
 - vi) a minimum distance of 1,000 ft (305 m) from dwellings on adjacent property;
 - vii) a minimum distance of 300 ft (91 m) from the centreline of any public road;
 - viii) a minimum distance of 200 ft (61 m) from the lot line of the site on which the production unit is situated;
- (c) A building or structure hereafter erected, altered or used for the raising or keeping of mink or other fur bearing animals, the yard requirements are as follows:
 - v) Minimum or flankage yard 400 ft (122 m)
 - vi) Minimum interior side yard 100 ft (31 m)

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- vii) Minimum flankage yard 400 ft (122 m)
 - viii) Minimum rear yard 100 ft (31 m)
- (d) The maximum area of any lot which is occupied by buildings, structures, decks, patios, accessory buildings, driveways and parking areas shall not exceed fifty (50) percent of the lot area.

PART 14 - General Provisions for Non-Residential Zones

14.1 REGULATION OF USES

14.1.1 No development shall be permitted in the Municipality except for those developments that are listed herein as permitted, or those developments that are accessory to a permitted use listed herein.

14.2 PRINCIPAL USE TABLE

14.2.1 In the table below, land uses and activities are classified into general 'use categories' based on common functional or physical characteristics, such as:

- (a) The type and / or intensity of land use;
- (b) The type and / or number of residents or customers;
- (c) How goods and / or services are managed or delivered; or
- (d) Other site-specific conditions.

14.2.2 This classification system provides a method for assigning present and future land uses into appropriate Zones. This classification does not list every use or activity that may exist, and some uses may be listed in one category when they may reasonably be listed in another.

14.2.3 In the table below:

- (a) A bullet "●" in a cell indicates a use is permitted in the associated Zone;
- (b) A "DA" in a cell indicates that a use is permitted to be considered by development agreement, subject of the requirements of the Municipal Planning Strategy.
- (c) A blank cell indicates a use is prohibited in the associated Zone.

14.3 PERMITTED USES

The table below summarizes the uses permitted within each commercial or industrial zone. For specific conditions associated with the uses, see the section referencing that zone.

- C-1: Commercial General
- MC-1: Major Commercial
- I-1: Light Industrial
- I-2: Heavy Industrial
- I-3: Resource Industrial
- I-4: Green Industrial
- I-5: Marine Industrial
- NR-1: Natural Resources

14.3.1 Subject to all other provisions of this Bylaw, on any parcel in the zones identified in the following table, the following uses shall be permitted:

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Comm/Ind Uses	C-1	MC-1	I-1	I-2	I-3	I-4	I-5	REC	NR-1
Accommodations	●	●			● (Employee Accommodations)				
Aeronautics, Spaceports and Related Uses	● (Per Federal <i>Aeronautics Act</i> Regulations)								
Agriculture	●	●	●	●	●	●	●	●	●
Amusement Parks including Race Tracks and Outdoor Shooting Ranges		DA							
Animal Hospitals and Veterinary Offices	●	●	●	●	●				
Automobile Fueling or Carwash	●	●	●	●	●	●	●		
Automobile Repair and Maintenance	●	●	●	●	●	●	●		
Automobile Sales and Rentals		●	●	●	●				
Banks and Financial Institutions	●	●	●						
Cemeteries								●	●
Commercial Recreation, Outdoor	●	●			●	●		●	●
Commercial Recreation, Indoor	●	●			●	●		●	
Craft Food and Beverage Production	●	●	●	●	●	●	●		
Cultural Establishments (museums, etc.)	●	●					●	●	
Daycare Centres	●	●	●	●	●	●			
Daycare, Home-Based	●	●							
Drive-Throughs		●	●	●	●				
Electric Vehicle Charging, Commercial	●	●	●	●	●	●	●		●
Fishing Uses and Structures			●	●	●	●	●		●
Forestry Uses and Structures			●	●	●	●	●		●
Funeral Homes	●	●	●	●	●	●			
Government Offices or Facilities	●	●	●	●	●	●	●	●	●
Greenhouse or Plant Nursery	●	●				●	●		
Healthcare Services	●	●	●	●	●	●			
Heavy Industrial				●	●	●			
Home-Based Businesses	●	●	●	●	●	●	●		●
Home-Based Offices	●	●	●	●	●	●	●		●
Hospitals	●	●		●	●	●	●		

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Comm/Ind Uses	C-1	MC-1	I-1	I-2	I-3	I-4	I-5	REC	NR-1
Hunting or Fishing Lodge, Camp or Cottage				●	●	●	●		●
Kennels			●	●	●	●	●		
Large-Scale Solar Collector Systems			●	●	●	●			●
Large Scale Wind Turbines and Wind Farms				●	●	●			●
Licensed Liquor Establishments	●	●							
Light Industrial			●	●	●	●	●		
Liquor Stores	●	●							
Marinas	●		●		●		●	●	●
Marine Commercial					●		●		
Marine Industrial					●		●		
Offices and Professional Services	●	●			●				
Outdoor Markets	●	●					●		
Parks and Playgrounds	●	●	●	●	●	●	●	●	●
Personal Care Services	●	●							
Places of Worship	●	●							
Public Recreation	●	●	●	●	●	●	●	●	●
Pits, Quarries and Mineral Extraction				●	●				●
Recycling Depots			●	●	●	●	●		
Restaurants	●	●			●		●		
Retail and Rental Services	●	●					●		
Salvage Yards				DA	DA				
Schools	●	●	●	●	●	●			
Self-Storage		●	●	●	●				
Supply and Equipment Depots			●	●	●				
Tradesperson and Craftsperson Businesses and Offices	●	●	●						
Trails and Conservation	●	●	●	●	●	●	●	●	●
Transit and Ground Transportation	●	●	●	●	●	●	●		
Transportation and Logistics	●	●	●	●	●	●	●		
Warehousing	●	●	●	●	●	●	●		
Waste Management Facilities						●			●

Comm/Ind Uses	C-1	MC-1	I-1	I-2	I-3	I-4	I-5	REC	NR-1
Lawfully Existing Uses	●	●	●	●	●	●	●	●	●

14.4 SPECIAL REQUIREMENT – COMMERCIAL OUTDOOR DISPLAY ABUTTING RESIDENTIAL AND INSTITUTIONAL ZONES

14.4.1 Where the yard of a lot located within any commercial zone abuts a lot used for a residential or institutional use, the following standards shall apply:

- (a) The minimum setback of the commercial use from the abutting lot line shall be 20 ft (6 m);
- (b) The required abutting setback shall be planted with a mix of coniferous and deciduous trees planted at a maximum spacing of ten (10) feet (3 m) on centre, or a mix of shrubs at a spacing of six (6) feet (1.85 m) on centre, or a combination of nursery-stock trees and shrubs at the required spacing.
- (c) No parking space is permitted in an abutting yard within 3.2 ft (1 m) of a side or rear lot line.

14.5 SCREENING OF REFUSE CONTAINERS

14.5.1 In any commercial zone where refuse and recycling containers are located outside the building they shall be screened from a commercial, residential, or institutional use on an adjacent property and the street through the use of landscaping or opaque fencing.

14.6 LARGE SCALE WIND TURBINES

14.6.1 Large scale wind turbines shall only be permitted within the zones where they are listed as a permitted use.

14.6.2 In addition to all information normally required for development permit application, applications for large scale wind turbines shall be accompanied by the following information:

- (a) A site plan prepared by a qualified professional and drawn to scale, showing:
 - i) The location of all wind turbines and accessory uses;
 - ii) The dimensions and boundaries of all parcels of land;
 - iii) The location of all existing and proposed buildings, structures and uses;
 - iv) Proposed alterations to natural features;
 - v) All required setbacks and separation distances; and
 - vi) Any other information that may be necessary to determine whether the proposed development meets the requirements of this by-law;
- (b) Evidence and results of any public consultation conducted;
- (c) Copies of all notification to other governments and approval agencies; and
- (d) A decommissioning plan.

14.6.3 Large scale wind turbines shall comply with the following setbacks:

- (a) A large scale wind turbine shall be located not less than four (4) times the height of the turbine, measured from grade to the highest point of the rotor's arc, from adjoining property lines;
- (b) In the case of wind farms, where the impact study demonstrates that a lesser or greater setback is appropriate, setbacks may be amended from the minimum setback depending on the number of wind turbines in a group or the proximity to an existing wind farm; in addition, if the owner of a neighbouring property agrees to a reduced setback in writing, then the large scale wind turbines may be set back to a minimum of one and a half (1.5) times the height of the turbine; and

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- (c) Large scale wind turbines may be set back a minimum of one and a half (1.5) times the height of the turbine from publicly owned lands if the publicly owned lands are determined to be culturally insignificant.

14.6.4 The minimum blade clearance from grade shall be 26 ft (8 m).

14.6.5 Signage on wind turbines shall be limited to the owner or manufacturer's identification and shall be limited to a maximum of five percent (5%) of the total surface area of the turbine.

14.7 SPECIAL REQUIREMENTS IN INDUSTRIAL ZONES: ABUTTING ZONE REQUIREMENTS

14.7.1 In addition to all other applicable requirements of this Bylaw, uses in the Light Industrial (I-1), Heavy Industrial (I-2), Industrial Resource (I-3), Green Industrial (I-4) and Marine Industrial Zones shall be subject to the following requirements indicated in s. 14.7.2 and 14.7.3:

14.7.2 Where a commercial or industrial use in Light Industrial (I-1) or Marine Industrial (I-5) Zone abuts a General Residential (R-1), Residential Multiple Unit (R-2) Mobile Home Park (R-3), or Recreation (REC-1) Zone, the following restrictions shall apply to an abutting yard within the Industrial Zone:

- (a) The minimum side and rear yard setbacks for an abutting yard shall be 39 ft (12 m);
- (b) Outdoor storage and outdoor display shall not be permitted in an abutting yard within 25 ft (7.5 m) of a side or rear lot line;
- (c) Parking spaces, driveways and travel surfaces shall not be permitted in an abutting yard within 25 ft (7.5 m) of a side or rear lot line; and
- (d) Where open storage and outdoor display, parking spaces, driveways and travel surfaces are located within the 39 ft (12 m) minimum side and rear setbacks, such uses shall be screened from view by an opaque wooden fence a minimum of 6 ft (1.8 m) in height.

14.7.3 Where a proposed commercial or industrial use in the Heavy Industrial (I-2), Resource Industrial (I-3) or Green Industrial (I-4) Zone abuts a Residential (R-1, R-2, R-3) Zone or Recreation (REC-1) Zone, the following requirements shall apply to an abutting yard within the Industrial Zone:

- (a) The minimum side and rear yard setbacks for an abutting yard shall be 60 ft (18 m);
- (b) Outdoor storage and outdoor display shall not be permitted in an abutting yard;
- (c) Parking spaces, driveways, and travel surfaces shall not be permitted in an abutting yard within 25 ft (7.5 m) of a side or rear lot line;
- (d) Where parking spaces, driveways, and travel surfaces are located within the 60 ft (18 m); minimum side and rear setbacks, such uses shall be screened from view by an opaque wooden fence a minimum of 6 ft (1.8 m) in height; and
- (e) No vehicle exceeding 2200 lb (1 ton) capacity shall be parked within the 60 ft (18 m); minimum side or rear setback.

PART 15 - Commercial General (C-1) Zone

15.1 PERMITTED USES

15.1.1 No development permit shall be issued in a Commercial General (C-1) Zone except for one or more of the following uses:

- (a) Accessory use - shipping containers (subject to the general provisions requirements)
- (b) Accommodations
- (c) Aeronautics, Spaceports and Related Uses (as per *Federal Aeronautics Act*)
- (d) Agriculture
- (e) Animal Hospitals and Veterinary Offices
- (f) Automobile Fueling or Carwash
- (g) Automobile Repair and Maintenance
- (h) Banks and Financial Institutions
- (i) Commercial Recreation, Outdoor
- (j) Commercial Recreation, Indoor
- (k) Craft Food and Beverage Production
- (l) Cultural Establishments
- (m) Daycare Centres
- (n) Daycares, Home-Based
- (o) Drive-Throughs
- (p) Electric Vehicle Charging, Commercial
- (q) Funeral Homes
- (r) Government Offices or Facilities
- (s) Greenhouse or Plant Nursery
- (t) Healthcare Services
- (u) Home-Based Businesses
- (v) Home-Based Offices
- (w) Hospitals
- (x) Lawfully Existing Uses
- (y) Licensed Liquor Establishments
- (z) Liquor Stores
- (aa) Marinas
- (bb) Offices and Professional Services
- (cc) Outdoor Markets
- (dd) Parks and Playgrounds
- (ee) Personal Care Services
- (ff) Places of Worship
- (gg) Public Recreation
- (hh) Residential dwellings located in the same building as a commercial use, up to 36 dwelling units in a single building
- (ii) Restaurants
- (jj) Retail and Rental Services
- (kk) Schools
- (ll) Tradesperson and Craftsperson Businesses and Offices
- (mm) Trails and Conservation
- (nn) Transit and Ground Transportation
- (oo) Transportation and Logistics
- (pp) Warehousing
- (qq) Lawfully Existing Uses

15.2 GENERAL LOT REQUIREMENTS

15.2.1 In any Commercial General (C-1) Zone, no development permit shall be issued except in conformity with the following:

Requirement	Standard with Central Sewer Services	Standard with Central Sewer and Water Services	Standard without Central Sewer or Water Services
Minimum Lot Area	10,000 ft ² (929 m ²)	5,000 ft ² (464.5 m ²)	30,000 ft ² (2,787 m ²) (final lot size determined by DOE)
Minimum Lot Frontage	75 ft (23 m)	50 ft (15 m)	100 ft (30.5 m)
Minimum Front or Flankage Yard	15 ft (4.6 m)	15 ft (4.6 m)	18 ft (5.5 m)
Minimum Side Yard	5 ft (1.5 m)	5 ft (1.5 m)	10 ft (3 m)
Minimum Rear Yard	15 ft (4.6 m)	15 ft (4.6 m)	25 ft (7.6 m)
Maximum Building Height	35 ft (10.7 m)		

15.2.2 Commercial uses with a total floor area of 1,200 ft² (112 m²) and/or outdoor storage area of 1,200 ft² (112 m²) shall be permitted as-of-right in MRR-1 Zone provided the general and special lot requirements for a Commercial General C-1 Zone are complied with. Commercial uses with a total floor area of 7,500 ft² (697 m²) and/or outdoor storage area of 2,400 ft² (222.9 m²) shall be permitted as-of-right in CC-1 Zone provided the general and special lot requirements for a Commercial General C-1 Zone are complied with.

15.3 MODIFIED SHIPPING CONTAINERS AS AN ACCESSORY OR MAIN BUILDING USE

15.3.1 Modified shipping containers shall be permitted as a commercial building in accordance with the following requirements:

- (a) There is a limit of 1 modified shipping container per property;
- (b) A modified shipping container shall adhere to the front, side and rear yard setback requirements, lot area and lot coverage as the zone of the lot in which the modified shipping container is to be located;
- (c) Be required to be screened from adjacent residential and park zones and/or uses by a continuous row of trees, a hedge, a fence or a combination of the foregoing arranged to form a dense or opaque screen; and
- (d) The following commercial uses are permitted within a modified shipping container:
 - i) Banks and Financial Institutions
 - ii) Greenhouse or Plant Nursery
 - iii) Offices and Professional Services;
 - iv) Personal Care Services
 - v) Restaurants
 - vi) Retail and Rental Services

PART 16 - Major Commercial (MC-1) Zone

16.1 PERMITTED USES

16.1.1 No development permit shall be issued in a Major Commercial (MC-1) Zone except for commercial activities that are land intensive, such as one or more of the following uses:

- (a) Accessory use - shipping containers (subject to the general provisions requirements)
- (b) Accommodations
- (c) Aeronautics, Spaceports and Related Uses (as per *Federal Aeronautics Act*)
- (d) Agriculture
- (e) Animal Hospitals and Veterinary Offices
- (f) Automobile Fueling or Carwash
- (g) Automobile Repair and Maintenance
- (h) Automobile Sales and Rentals
- (i) Banks and Financial Institutions
- (j) Commercial Recreation, Outdoor
- (k) Commercial Recreation, Indoor
- (l) Craft Food and Beverage Production
- (m) Cultural Establishments
- (n) Daycare Centres
- (o) Daycares, Home-Based
- (p) Drive-Throughs
- (q) Funeral Homes
- (r) Government Offices or Facilities
- (s) Greenhouse or Plant Nursery
- (t) Healthcare Services
- (u) Home-Based Businesses
- (v) Home-Based Offices
- (w) Hospitals
- (x) Lawfully Existing Uses
- (y) Licensed Liquor Establishments
- (z) Liquor Stores
- (aa) Offices and Professional Services
- (bb) Outdoor Markets
- (cc) Parks and Playgrounds
- (dd) Personal Care Services
- (ee) Places of Worship
- (ff) Public Recreation
- (gg) Residential dwellings located in the same building as commercial use
- (hh) Restaurants
- (ii) Retail and Rental Services
- (jj) Schools
- (kk) Self-Storage
- (ll) Supply and Equipment Depots
- (mm) Tradesperson and Craftsperson Businesses and Offices
- (nn) Trails and Conservation
- (oo) Transit and Ground Transportation
- (pp) Transportation and Logistics
- (qq) Warehousing

16.2 GENERAL LOT REQUIREMENTS

16.2.1 In any Major Commercial (MC-1) Zone, no development permit shall be issued except in conformity with the following:

Requirement	Standard with Central Sewer Services	Standard with Central Sewer and Water Services	Standard without Central Sewer or Water Services
Minimum Lot Area	80,000 ft ² (7,432 m ²)	65,000 ft ² (6,039 m ²)	100,000 ft ² (9,290 m ²) (final lot size determined by DOE)
Minimum Lot Frontage	75 ft (23 m)	50 ft (15 m)	100 ft (30.5 m)
Minimum Front, Flankage or Rear Yard	15 ft (4.6 m)	15 ft (4.6 m)	25 ft (7.6 m)
Minimum Side Yard	5 ft (1.5 m)	5 ft (1.5 m)	10 ft (3 m)
Maximum Building Height	35 ft (10.7 m)		

16.3 MODIFIED SHIPPING CONTAINERS AS AN ACCESSORY OR MAIN BUILDING USE

16.3.1 Modified shipping containers shall be permitted as a commercial building in accordance with the following requirements:

- (a) There is a limit of 1 modified shipping container per property;
- (b) A modified shipping container shall adhere to the front, side and rear yard setback requirements, lot area and lot coverage as the zone of the lot in which the modified shipping container is to be located;
- (c) Be required to be screened from adjacent residential and park zones and/or uses by a continuous row of trees, a hedge, a fence or a combination of the foregoing arranged to form a dense or opaque screen; and
- (d) The following commercial uses are permitted within a modified shipping container:
 - i) Banks and Financial Institutions
 - ii) Greenhouse or Plant Nursery
 - iii) Offices and Professional Services;
 - iv) Personal Care Services
 - v) Restaurants
 - vi) Retail and Rental Services

PART 17 - Light Industrial (I-1) Zone

17.1 PERMITTED USES

17.1.1 No development permit shall be issued in an Industrial Light (I-1) Zone except for one or more of the following uses:

- (a) Accessory use - shipping containers (subject to the general provisions requirements)
- (b) Aeronautics, Spaceports and Related Uses (as per *Federal Aeronautics Act*)
- (c) Agriculture
- (d) Animal Hospitals and Veterinary Offices
- (e) Automobile Fueling or Carwash
- (f) Automobile Repair and Maintenance
- (g) Automobile Sales and Rentals
- (h) Banks and Financial Institutions
- (i) Craft Food and Beverage Production
- (j) Daycare Centres
- (k) Drive-Throughs
- (l) Fishing Uses and Structures
- (m) Forestry Uses and Structures
- (n) Funeral Homes
- (o) Government Offices or Facilities
- (p) Greenhouse or Plant Nursery
- (q) Healthcare Services
- (r) Home-Based Businesses
- (s) Home-Based Offices
- (t) Kennels
- (u) Large-Scale Solar Collector Systems
- (v) Lawfully Existing Uses
- (w) Light Industrial Uses
- (x) Marinas
- (y) Modified shipping containers as a main commercial use
- (z) Parks and Playgrounds
- (aa) Public Recreation
- (bb) Recycling Depots
- (cc) Schools
- (dd) Self-Storage
- (ee) Supply and Equipment Depots
- (ff) Tradesperson and Craftsperson Businesses and Offices
- (gg) Trails and Conservation
- (hh) Transit and Ground Transportation
- (ii) Transportation and Logistics
- (jj) Warehousing

17.2 GENERAL LOT REQUIREMENTS

17.2.1 In any Industrial Light (I-1) Zone, no development permit shall be issued except in conformity with the following requirements:

Requirement	Standard
Minimum Lot Area	30,000 ft ² (2,787 m ²)
Minimum Lot Frontage	100 ft (30.5 m)
Minimum Front or Flankage Yard	18 ft (5.5 m)
Minimum Side Yard	15 ft (4.6 m)
Minimum Rear Yard	25 ft (7.6 m)
Maximum Building Height	45 ft (13.7 m)

17.2.2 Industrial Light (I-1) uses with a maximum floor area of 1,200 ft² (112 m²) and/or a maximum outdoor storage area of 1,200 ft² (112 m²) shall be permitted as-of-right in a Mixed Use Rural Residential General (MRR-1) Zone provided the general and special lot requirements for an Industrial Light I-1 Zone are complied with. Industrial Light (I-1) uses with a maximum floor area of 7,500 ft² (697 m²) and/or a maximum outdoor storage area of 2,400 ft² (223 m²) shall be permitted as-of-right in a Coastal Community (CC-1) Zone provided the general and special lot requirements for an Industrial Light I-1 Zone are complied with.

17.3 SPECIAL REQUIREMENTS

17.3.1 Abutting Yard Requirements:

- (a) Where a yard or lot located within an Industrial Light (I-1) Zone abuts a Residential Zone, the following restrictions shall apply:
 - i) No open storage or display shall be permitted in an abutting yard within 20 ft (6m) of a side or rear lot line; and
 - ii) No parking space shall be permitted in an abutting yard within 20 ft (6m) of a side or rear lot line.

PART 18 - Heavy Industrial (I-2) Zone

18.1 PERMITTED USES

18.1.1 No development permits shall be issued in a Heavy Industrial I-2 zone except for one or more of the following uses:

- (a) Accessory use - shipping containers (subject to the general provisions requirements)
- (b) Aeronautics, Spaceports and Related Uses (as per *Federal Aeronautics Act*)
- (c) Agriculture
- (d) Animal Hospitals and Veterinary Offices
- (e) Automobile Fueling or Carwash
- (f) Automobile Repair and Maintenance
- (g) Automobile Sales and Rentals
- (h) Craft Food and Beverage Production
- (i) Daycare Centres
- (j) Drive-Throughs
- (k) Fishing Uses and Structures
- (l) Forestry Uses and Structures
- (m) Funeral Homes
- (n) Government Offices or Facilities
- (o) Greenhouse or Plant Nursery
- (p) Healthcare Services
- (q) Heavy Industrial Uses
- (r) Home-Based Businesses
- (s) Home-Based Offices
- (t) Hospitals
- (u) Hunting or Fishing Lodge, Camp or Cottage
- (v) Kennels
- (w) Large-Scale Solar Collector Systems
- (x) Large-Scale Wind Turbines and Wind Farms
- (y) Lawfully Existing Uses
- (z) Light Industrial Uses
- (aa) Modified shipping containers as a main commercial use
- (bb) Parks and Playgrounds
- (cc) Pits, Quarries and Mineral Extraction
- (dd) Public Recreation
- (ee) Recycling Depots
- (ff) Salvage Yards (by DA only)
- (gg) Schools
- (hh) Self-Storage
- (ii) Supply and Equipment Depots
- (jj) Trails and Conservation
- (kk) Transit and Ground Transportation
- (ll) Transportation and Logistics
- (mm) Warehousing

18.2 GENERAL LOT REQUIREMENTS

18.2.1 In any Industrial (I-2) Zone, no development permit shall be issued except in conformity with the following requirements:

Requirement	Standard
Minimum Lot Area	108,000 ft ² (10,000 m ²)
Minimum Lot Frontage	215 ft (66 m)
Minimum Front or Flankage Yard	33 ft (10 m)
Minimum Side Yard	33 ft (10 m)
Minimum Rear Yard	65 ft (20 m)
Maximum Building Height	50 ft (15 m)

18.3 SPECIAL REQUIREMENTS

18.3.1 Abutting Yard Requirements: Where a yard or lot located within an Industrial (I-2) Zone abuts a Residential or Commercial Zone, the following restrictions shall apply:

- (a) No open storage or display shall be permitted in an abutting yard within 20 ft (6 m) of a side or rear lot line;
- (b) No parking space shall be permitted in an abutting yard within 20 ft (6 m) of a side or rear lot line; and
- (c) All special provisions identified under Subsection 14.7 shall apply to the I-2 Zone. Where separate clauses include requirements for the same yards, the most stringent shall prevail.

PART 19 - Industrial Resource (I-3) Zone

19.1 PERMITTED USES

19.1.1 No development permits shall be issued in an Industrial Resource I-3 Zone except for one or more of the following uses:

- (a) Accessory use - shipping containers (subject to the general provisions requirements)
- (b) Aeronautics, Spaceports and Related Uses (as per *Federal Aeronautics Act*)
- (c) All uses permitted within the I-2 Zone subject to the I-2 Zone requirements
- (d) Accommodations (employee accommodations only)
- (e) Commercial Recreation, Outdoor
- (f) Commercial Recreation, Indoor
- (g) Government Offices or Facilities
- (h) Marinas
- (i) Marine Commercial Uses
- (j) Marine Industrial Uses
- (k) Restaurants

19.2 GENERAL LOT REQUIREMENTS

19.2.1 In any Industrial Resource (I-3) Zone, no development permit shall be issued except in conformity with the following requirements:

Requirement	Standard
Minimum Lot Area	215,000 ft ² (20,000 m ²)
Minimum Lot Frontage	230 ft (70 m)
Minimum Front or Flankage Yard	65 ft (20 m)
Minimum Side Yard	65 ft (20 m)
Minimum Rear Yard	65 ft (20 m)
Maximum Building Height	100 ft (30.6 m)

* (greater setbacks may apply under Special Provisions)

19.3 SPECIAL PROVISIONS

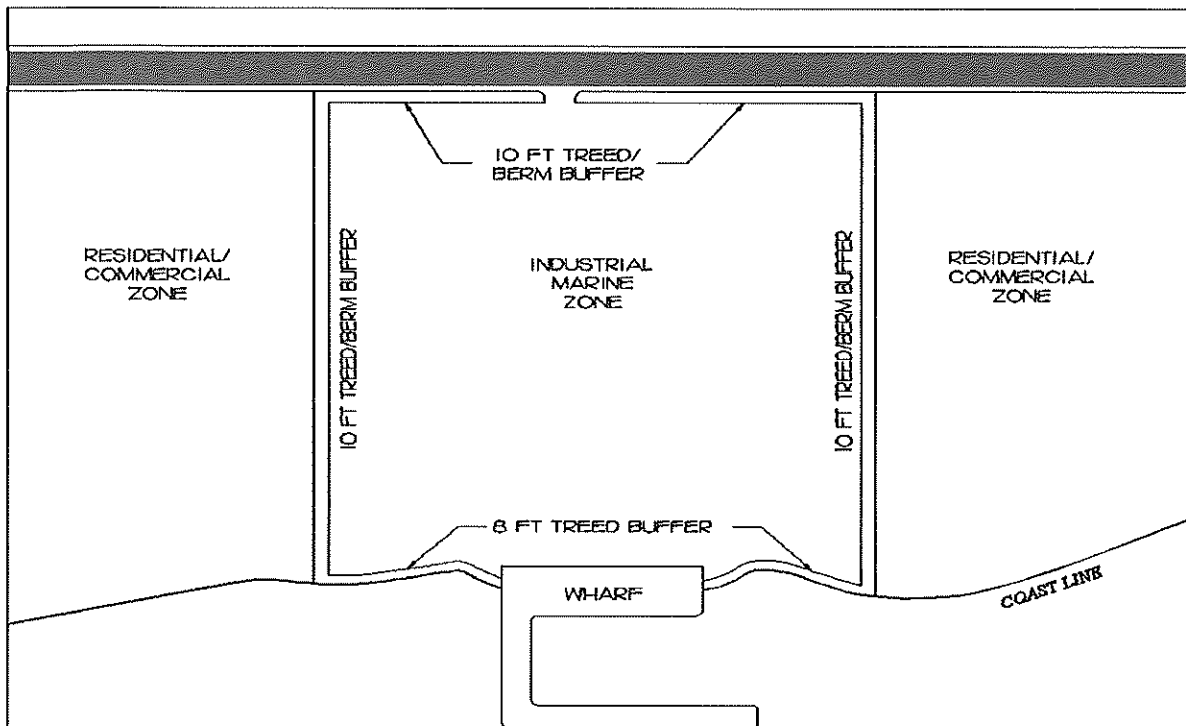
19.3.1 The following special provisions shall apply to mining structures, oil refineries and manufacturing, gas processing, including petrochemical facilities, LNG plants, marine/container terminals, including wharfs and storage facilities, power generation facilities, wind turbines or wind farms and temporary uses:

- (a) **Landscaping:** The front and side boundaries shall either contain a 10 ft (3 m) in depth landscape strip consisting of tree saplings spaced at intervals no greater than 20 ft (6 m) or an earthen berm no less than 10 ft (3 m) above established grade. Notwithstanding, the Development Officer may determine that the existing natural characteristics of the terrain and/or vegetation to be retained will satisfy the provision of a screen separation between the buildings/structures and adjoining properties/roads (refer to diagram below). This strip can only be interrupted by crossings required to access the site. The owner shall be

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responsible for replacing any trees that die within this landscape strip during the life of the project.

- (b) **Coastal Site Landscaping:** The boundary(s) adjoining the coast shall provide a landscaped strip 10 ft (3 m) in depth starting from the vegetation line. The Development Officer shall determine the vegetation line. This landscape strip shall consist of trees spaced at intervals no greater than 10 ft (3 m) unless the Development Officer agrees that the existing natural characteristics of the terrain and/or vegetation to be retained will provide a reasonable screen separation between the buildings/structures and coastline (refer to diagram below). This strip can only be interrupted by crossings required to access the site and wharf facilities. The owner/operator shall be responsible for replacing any trees that die within this landscape strip during the life of the project.



- (c) **Materiality:** All structures and buildings exceeding a height greater than 33 ft (10 m) shall consist of non-reflective materials/colours.
- (d) **Lake Edge Setbacks:** With the exception of pump stations and supporting pipes for the purposes of accessing water, no building or storage of material shall be permitted within 330 ft (100 m) of a lake edge.

PART 20 - Green Industrial (I-4) Zone

20.1 PERMITTED USES

20.1.1 No development permits shall be issued in a Green Industrial (I-4) Zone except for one or more of the following uses:

- (a) Accessory use - shipping containers (subject to the general provisions requirements)
- (b) Aeronautics, Spaceports and Related Uses (as per *Federal Aeronautics Act*)
- (c) Agriculture
- (d) Automobile Fueling or Carwash
- (e) Automobile Repair and Maintenance
- (f) Commercial Recreation, Outdoor
- (g) Commercial Recreation, Indoor
- (h) Craft Food and Beverage Production
- (i) Daycare Centres
- (j) Electric Vehicle Charging, Commercial
- (k) Fishing Uses and Structures
- (l) Forestry Uses and Structures
- (m) Funeral Homes
- (n) Government Offices or Facilities
- (o) Greenhouse or Plant Nurseries
- (p) Healthcare Services
- (q) Heavy Industrial Uses
- (r) Home-Based Businesses
- (s) Home-Based Offices
- (t) Hospitals
- (u) Hunting or Fishing Lodge, Camp or Cottage
- (v) Kennels
- (w) Large-Scale Solar Collector Systems
- (x) Large-Scale Wind Turbines and Wind Farms
- (y) Lawfully Existing Uses
- (z) Light Industrial Uses
- (aa) Marinas
- (bb) Parks and Playgrounds
- (cc) Public Recreation
- (dd) Recycling Depots
- (ee) Schools
- (ff) Trails and Conservation
- (gg) Transit and Ground Transportation
- (hh) Transportation and Logistics
- (ii) Warehousing
- (jj) Waste Management Facilities

20.2 GENERAL LOT REQUIREMENTS

20.2.1 In any Green Industrial (I-4) Zone, no development permit shall be issued except in conformity with the following requirements:

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Requirement	Standard
Minimum Lot Area	80,000 ft ² (7,432 m ²)
Minimum Lot Frontage	200 ft (61 m)
Minimum Front or Flankage Yard	50 ft* (15 m)
Minimum Side Yard	50 ft* (15 m)
Minimum Rear Yard	50 ft* (15 m)
Maximum Building Height	50 ft* (15 m)

* (greater setbacks may apply under Special Provisions)

20.3 SPECIAL PROVISIONS: NUISANCE OR HAZARD

20.3.1 Where the operation of a permitted use within the I-4 Zone would cause a nuisance or hazard to adjacent residential uses and residential zones as determined by the Development Officer the following shall apply:

- (a) Such uses shall be located:
 - i) Not less than 100 ft (30.5 m) from any lot line;
 - ii) Not less than 650 ft (198 m) from any dwelling or potable water supply except a dwelling or supply on the same lot; and
 - iii) Not less than 330 ft (100 m) from any R-1, R-2, R-3, MRR-1 Zone.
- (b) All special provisions identified under Subsection 14.7 shall apply to the I-4 Zone. Where separate clauses include requirements for the same yards, the most stringent shall prevail.

PART 21 - Marine Industrial (I-5) Zone

21.1 PERMITTED USES

21.1.1 No development permits shall be issued in the Marine Industrial (I-5) Zone except for one or more of the following uses:

- (a) Accessory use - shipping containers (subject to the general provisions requirements)
- (b) Aeronautics, Spaceports and Related Uses (as per *Federal Aeronautics Act*)
- (c) Agriculture
- (d) Automobile Fueling or Carwash
- (e) Automobile Repair and Maintenance
- (f) Craft Food and Beverage Production
- (g) Cultural Establishments
- (h) Electric Vehicle Charging, Commercial
- (i) Fishing Uses and Structures
- (j) Forestry Uses and Structures
- (k) Government Offices or Facilities
- (l) Greenhouse or Plant Nurseries
- (m) Home-Based Businesses
- (n) Home-Based Offices
- (o) Hospitals
- (p) Hunting or Fishing Lodge, Camp or Cottage
- (q) Kennels
- (r) Lawfully Existing Uses
- (s) Light Industrial Uses
- (t) Marinas
- (u) Marine Commercial
- (v) Marine Industrial
- (w) Outdoor Markets
- (x) Parks and Playgrounds
- (y) Public Recreation
- (z) Retail and Rental Services
- (aa) Restaurants
- (bb) Trails and Conservation
- (cc) Transit and Ground Transportation
- (dd) Transportation and Logistics
- (ee) Warehousing

21.2 GENERAL LOT REQUIREMENTS

21.2.1 In any Marine Industrial (I-5) Zone, no development permit shall be issued except in conformity with the following requirements:

Requirement	Standard
Minimum Lot Area	80,000 ft ² (7,432 m ²)
Minimum Lot Frontage	200 ft (61 m)
Minimum Front or Flankage Yard	18 ft* (5.5 m)
Minimum Side Yard	15 ft* (4.6 m)

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Minimum Rear Yard	25 ft* (7.6 m)
Maximum Building Height	50 ft* (15 m)

* (greater setbacks may apply under Special Provisions)

21.3 SPECIAL PROVISIONS: NUISANCE OR HAZARD

21.3.1 Where the operation of a permitted use within the I-5 Zone would cause a nuisance or hazard to adjacent residential uses and residential zones as determined by the Development Officer the following shall apply:

- (a) Such uses shall be located:
 - iv) Not less than 100 ft (30.5 m) from any lot line;
 - v) Not less than 650 ft (198 m) from any dwelling or potable water supply except a dwelling or supply on the same lot; and
 - vi) Not less than 330 ft (100 m) from any R-1, R-2, R-3, MRR-1 Zone.
- (b) All special provisions identified under Subsection 14.7 shall apply to the I-5 Zone. Where separate clauses include requirements for the same yards, the most stringent shall prevail.

PART 22 - Recreation (REC-1) Zone

22.1 PERMITTED USES

22.1.1 No development permit shall be issued in a Recreational (REC-1) Zone except for one or more of the following uses:

- (a) Aeronautics, Spaceports and Related Uses (as per *Federal Aeronautics Act*)
- (b) Agriculture
- (c) Cemeteries
- (d) Commercial Recreation, Outdoor
- (e) Commercial Recreation, Indoor
- (f) Cultural Establishments
- (g) Government Offices or Facilities
- (h) Marinas
- (i) Parks and Playgrounds
- (j) Public Recreation
- (k) Trails and Conservation

22.2 GENERAL LOT REQUIREMENTS

22.2.1 In any Recreational (REC-1) Zone, no development permit shall be issued except in conformity with the following requirements:

Requirement	Standard
Minimum Lot Area	40,000 ft ² (3,716 m ²)
Minimum Lot Frontage	200 ft (61 m)
Minimum Front or Flankage Yard	18 ft (5.5 m)
Minimum Side Yard	10 ft (3 m)
Minimum Rear Yard	25 ft (7.6 m)
Maximum Building Height	25 ft (7.6 m)

22.3 PLAYGROUNDS AND PUBLIC RECREATIONAL USE

22.3.1 Notwithstanding Part 22.2.1, development permits for neighbourhood parks, playgrounds, and trails and walkways may be issued where the lot does not have the required minimum lot area and/or minimum lot frontage.

PART 23 - Natural Resource (NR-1) Zone

23.1 PERMITTED USES

23.1.1 No development permit shall be issued in any Natural Resource (NR-1) Zone except for the following:

- (a) Accessory use - shipping containers (subject to the general provisions requirements)
- (b) Aeronautics, Spaceports and Related Uses (as per *Federal Aeronautics Act*)
- (c) Agriculture
- (d) Cemeteries
- (e) Commercial Recreation, Outdoor
- (f) Electric Vehicle Charging, Commercial
- (g) Fishery Uses and Structures
- (h) Forestry Uses and Structures
- (i) Government Offices or Facilities
- (j) Home-Based Businesses
- (k) Home-Based Offices
- (l) Hunting or Fishing Lodge, Camp or Cottage
- (m) Large-Scale Solar Collector Systems
- (n) Large-Scale Wind Turbines and Wind Farms
- (o) Marinas
- (p) Parks and Playgrounds
- (q) Pits, Quarries and Mineral Extraction
- (r) Public Recreation
- (s) Trails and Conservation
- (t) Waste Management Facilities

23.2 GENERAL LOT REQUIREMENTS

23.2.1 In any Natural Resource (NR-1) Zone no development permit shall be issued except in conformity with the following:

Requirement	Standard
Minimum Lot Area	110,000 ft ² (10,219 m ²)
Minimum Lot Frontage	330 ft (100 m)
Minimum Front or Flankage Yard	18 ft (5.5 m)
Minimum Side Yard	15 ft (4.6 m)
Minimum Rear Yard	25 ft (7.6 m)

23.3 WATERCOURSE SETBACK REQUIREMENTS

23.3.1 All permitted uses in a Natural Resource (NR-1) Zone must be set back a minimum of 100 ft (30.5 m) of the ordinary high-water mark of any watercourse.

23.4 OTHER REQUIREMENTS: FORESTRY USES

23.4.1 Where forestry uses are permitted in any NR-1 Zone, the following shall apply:

- (a) No forest processing operation shall be located:

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- i) less than 20 ft (6 m) from any lot line;
- ii) less than 500 ft (152 m) from any dwelling except a dwelling on the same lot;
- iii) less than 165 ft (50 m) from any R-1 Zone;
- iv) less than 330 ft (100 m) from any watercourse; and
- v) less than 330 ft (100 m) from any potable water supply (well) on the same lot.

23.5 OTHER REQUIREMENTS: AGRICULTURAL USES

23.5.1 Where agricultural uses are permitted in any NR-1 Zone, the following shall apply:

- (a) No barn, stable, or other building intended for the keeping of domestic fowl or other livestock shall be located:
 - i) less than 50 ft (15 m) from any side lot line;
 - ii) less than 330 ft (100 m) from any dwelling or potable water supply except a dwelling or supply on the same lot or directly related to the agricultural use; and
 - iii) less than 330 ft (100 m) from any watercourse.
- (b) No intensive agricultural use shall be less than 500 ft (152 m) from any mixed use or residential (R-1, R-2, R-3, MRR-1) Zone nor shall it have access through a mixed use or residential (R-1, R-2, R-3, MRR-1) Zone, except where no other access can be granted by the Municipality or the Province.

PART 24 - Environment Protected Area (EPA) Zone

24.1 PERMITTED USES

24.1.1 The following uses are permitted in an EPA Zone:

- (a) Infrastructure of a municipal drinking water supply;
- (b) Conservation-related uses for scientific study and education;
- (c) Trails and similar public, conservation and recreational uses; and
- (d) Other uses as determined through detailed area management plans as per the *Wilderness Areas Protection Act*, or the *Special Places Protection Act*

24.2 GENERAL LOT REQUIREMENTS

24.2.1 In any EPA Zone no development permit shall be issued except in conformity with the following:

Requirement	Standard
Minimum Lot Area	110,000 ft ² (10,219 m ²)
Minimum Lot Frontage	330 ft (100 m)
Minimum Front or Flankage Yard	18 ft (5.5 m)
Minimum Side Yard	15 ft (4.6 m)
Minimum Rear Yard	25 ft (7.6 m)

PART 25 - Mineral Opportunity Overlay (MOO) Zone

25.1 GENERAL PROVISIONS FOR THE MINERAL OPPORTUNITY OVERLAY (MOO) ZONE

25.1.1 The following uses are permitted in the Mineral Opportunity Overlay (MOO) Zone in relation to a comprehensive development for a Pits, Quarries and Mineral Extraction operation:

- (a) Underlying zone uses subject to the requirements of that zone;
- (b) Pits, Quarries and Mineral Extraction;
- (c) Employee Accommodations related to a Pits, Quarries and Mineral Extraction operation; and
- (d) Uses accessory to the foregoing Pits, Quarries and Mineral Extraction or Employee Accommodations uses

25.2 APPLICATION REQUIREMENTS FOR A DEVELOPMENT PERMIT

25.2.1 Nothing in the Bylaw shall exempt developers from obtaining all necessary approvals from agencies such as but not limited to Nova Scotia Environment, Nova Scotia Department of Natural Resources, Transport Canada, and Nova Scotia Power.

25.2.2 As a condition of a development permit issued pursuant to this zone, if a Pits, Quarries and Mineral Extraction or Employee Accommodations use discontinues operation for a minimum of 1 year the operator shall provide the Municipality with a status report identifying future plans for the site.

25.2.3 As a condition of a development permit issued pursuant to this zone, if a Pits, Quarries and Mineral Extraction or Employee Accommodations use discontinues operation for a minimum of 3 years the Development Officer shall be empowered to revoke the development permit(s) issued, requiring the site be returned to a remediated state.

25.2.4 Every application for a development permit shall be made in the form prescribed by the Municipality and accompanied by a Site Plan drawn to scale showing:

- (a) The exact shape and dimension of the lot to be used or upon which the development is proposed, including any significant natural features;
- (b) The proposed location, including height and dimensions of any building or structure for which the permit is applied as well as the location of any watercourses in relation to the proposed building/structure;
- (c) The location of structures in relation to lot lines and adjacent dwelling(s) clearly showing that the buildings and structures meet prescribed setbacks;
- (d) The location of fencing. Fencing detail shall include height and the type of fencing proposed; and
- (e) Any other information that may be necessary to determine whether the proposed development meets the requirements of this bylaw.

PART 26 - Wind Farm Overlay (WFO) Zone

26.1 GENERAL PROVISIONS FOR THE WIND FARM OVERLAY (WFO) ZONE

26.1.1 The following uses are permitted in the Wind Farm Overlay (WFO) Zone:

- (a) Underlying zone uses subject to the requirements of that zone;
- (b) Large-Scale Wind Turbines;
- (c) Large Scale Wind Turbine(s) in excess of 197 ft (60 m) in height, being the measurement from the base of the tower to the highest point of the blade's arc, and generating 100 kilowatts or more;
- (d) Wind Farms;
- (e) Uses accessory to the generation and transmission of wind turbine energy.

26.2 APPLICATION FOR LARGE SCALE WIND TURBINE DEVELOPMENT PERMIT

26.2.1 Every application for a development permit shall be made in the form prescribed by the Municipality and accompanied by a Site Plan drawn to scale showing:

- (a) The exact shape and dimension of the lot to be used or upon which the development is proposed, including any significant natural features;
- (b) The proposed location, including height and dimensions of any building or structure for which the permit is applied as well as the location of any watercourses in relation to the proposed building/structure;
- (c) Location of structure in relation to lot lines, adjacent dwelling(s) clearly showing that the turbine meets prescribed setbacks;
- (d) Location of fencing, warning signage, etc. Fencing detail to include height and type of fencing proposed;
- (e) Location of warning lights, including mandatory Transport Canada lighting, markings, etc.
- (f) Turbine hub height, blade sweep area, minimum ground clearance and maximum tip height (turbine geometry); and
- (g) Any other information that may be necessary to determine whether the proposed development meets the requirements of this bylaw.

26.3 GENERAL LOT REQUIREMENTS

26.3.1 In an area designated as Schedule "B", no development permit shall be issued except in conformity with the following:

- (a) The minimum setback from any dwelling except a dwelling on the same lot shall be two times (2.0 x) the maximum height of the turbine;
- (b) Notwithstanding 26.3.1 (a) of this Bylaw, a dwelling unit constructed after the establishment of a wind turbine on an adjacent lot shall have no setback requirement;
- (c) The minimum setback from a public road shall be two times (2 x) the maximum height of the turbine;
- (d) The minimum rotor clearance shall be 26 ft (8 m) from established grade;
- (e) The minimum setback from institutional uses such as, hospitals, daycares, schools, libraries, residential care facilities, etc., on an adjoining or adjacent lot shall be the greater of four times (4 x) the maximum height of the turbine;
- (f) Signage shall be limited to the gear box of the turbine and only indicate the operator and/or manufacturer of the turbine;

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- (g) The minimum separation distance between turbines shall be equal to the maximum height of the tallest turbine.

PART 27 - Watershed Reservoir Overlay (WRO) Zone

27.1 WRO PERMITTED USES

27.1.1 In an area designated as Schedule "C", the following uses are permitted

- (a) Existing Dwellings
- (b) Forestry Uses and Structures
- (c) Trails and Conservation
- (d) Uses compatible with an established watershed management plan

27.2 WRO GENERAL LOT REQUIREMENTS

27.2.1 In an area designated as Schedule "C", no development permit shall be issued except in conformity with the following requirements:

Requirement	Standard
Minimum Lot Area	110,000 ft ² (10,219 m ²)
Minimum Lot Frontage	330 ft (100 m)
Minimum Front or Flankage Yard	25 ft (7.6 m)
Minimum Side Yard	15 ft (4.6 m)
Minimum Rear Yard	25 ft (7.6 m)
Maximum Building Height	35 ft (10.7 m)

27.3 WRO RESTRICTIONS ON PERMITTED USES

27.3.1 All permitted uses in the underlying zone are subject to the following restrictions:

- (a) No use of land is permitted which results in the escape or disposal of a waste product which would constitute a toxic substance harmful to the sustained purity and flow of water in the Watershed Reservoir (WRO) Overlay Zone;
- (b) No use of land is permitted which results in the storage of materials which produces a leachate which would constitute a toxic substance harmful to the sustained purity and flow of water in the Watershed Reservoir (WRO) Overlay Zone.

27.4 WRO SPECIAL SETBACK REQUIREMENTS

- (a) Notwithstanding anything else in this Bylaw, within the Watershed Reservoir (WRO) Overlay Zone, no structure, other than a water treatment or distribution facility, shall be located closer than 338 ft (100 m) from Wilkins Lake or Grant Lake;
- (b) All permitted uses within the Watershed Reservoir (WRO) Overlay Zone must be set back a minimum of 100 ft (30.5 m) from any body of water or watercourse except for Wilkins Lake or Grant Lake where a 330 ft (100 m) setback shall apply;
- (c) In relation to a development, the natural vegetation surrounding a watercourse shall be maintained for a distance of 100 ft (30.5 m) from the shoreline.

Schedule A Amendments in Chronological Order

Amendment Number	Reference	Subject	Council Effective Date	Adoption Date