

Bridgetown: Agriculture

Chute, Katie | Planning Law 3010 | October 10, 2014| James Dobbin
Updated: December 26, 2015

Introduction

This paper is going to cover the following topics from the Provincial Statement of Interest, Municipal Planning Strategy (MPS), and Land Use Bylaw (LUB) for the community of Bridgetown focusing on the Agriculture section. The first thing that will be covered will be what the Provincial Statement of Interest says about Agriculture in Bridgetown. After this section I will put them into terms that will be better understood by people who don't fully understand what the document is trying to say.

The second topic will be all about the Municipal Planning Strategy (MPS) with the focus primarily on the Agriculture section(s) of the MPS. The following sub-topics will be covered in this section are: how the community of Bridgetown has followed the MPS, how has the community of Bridgetown applied the MPS, and have the community of Bridgetown even applied the MPS yet. Again just like the first section I will try and put everything into words that are easier to understand by those who don't fully understand what the MPS is stating.

Then the last topic that this paper will cover is the Land Use Bylaw (LUB) with the focus primarily on the Agriculture section(s) of the LUB. The following sub-topics will be covered in this section are: how the community of Bridgetown has followed the LUB, how has the community of Bridgetown applied the LUB, and have the community of Bridgetown even applied the LUB yet. Again just like the first section I will try and put everything into words that are easier to understand by those who don't fully understand what the LUB is stating.

The Statement of Provincial Interest

The section that you see below that is in quotes and italics is taken word for word from the Statement of Provincial Interest that was found in the MPS for the community of Bridgetown, which can be found on page 20 of the MPS, under the 2.0 Statements of Provincial Interest.

“2.0 Statements of Provincial Interest

The planning documents (planning strategy and land-use by-law) of Bridgetown must be reasonably consistent with statements of provincial interest: Municipal Government Act, Section 198 and Schedule B.

Statements of provincial interest are generally broad statements of principle necessary to protect the provincial interest in the use and development of land. Essentially, a statement of provincial interest is a direction to municipalities to consider and include certain subjects in their planning documents. The Province is bound by these statements as well.

The Municipal Government Act includes five statements of provincial interest. Planning documents may have to be amended in the event further statements are adopted.

The original statements deal with protecting the quality of water within municipal water supply watersheds, protecting public safety and property in floodplains, protecting agricultural land, making efficient use of municipal water and wastewater infrastructure and providing housing opportunities to meet the needs of all Nova Scotians.

In order to comply with the statutory requirement, planning in Bridgetown must take reasonable steps to apply these policies to the local situation.”

The Provincial Statement of Interest states that the community of Bridgetown must have planning documents that are consistent with the Provincial Statement of Interest. This statement is in place to make sure every community in the province follows the same rules and no one community thinks it's above the other communities in the province.

The Municipal Planning Strategy

The following section states the compliance with the Statement Provincial Interest that the community of Bridgetown is following in regards to agriculture land, which can be found on page 21 of the MPS under section 2.1.3 Agricultural Land.

“2.1.3 Agricultural Land

Planning documents must identify agricultural land and address its protection.

In Bridgetown there are extensive areas used for agricultural purposes. These have been identified in the mapping that accompanies this strategy.

It is important to protect and continue our agricultural economy. Nevertheless, land within an established urban area such as the Town of Bridgetown should be developed intensively to make use of the municipal infrastructure (streets and sidewalks, water and sewer, recreational facilities) to reduce the pressure for development of agricultural land outside the Town. Accordingly, this strategy does not contemplate prohibiting development on agricultural land or prohibiting the removal of topsoil from agricultural land.

Development of the agricultural land within the town will occur incrementally over a considerable period of time. In the meantime, that land will continue to be in agricultural use. Accordingly, controls have been included in the planning documents to minimize conflicts among uses and to make the best use of available land.”

This section above states what the community of Bridgetown plans to do to protect the agricultural land that is found within the community boundaries. This section also states the time frame of which the community plans to follow well making sure that the agricultural land is protected.

The Land Use Bylaw

The following statement that is in quotes and italics is taken word for word from the LUB PDF for the community of Bridgetown. This states with the community can and cannot do with agricultural land within town limits, which can be found on page 37 of the LUB under section 10 – Residential Rural (R3)Zone subsection 10.3 Restricted Agricultural Uses.

“10.3 Restricted Agricultural Uses

(a) The following shall be deemed to be prohibited agricultural uses:

- fur farm*
- hatchery*
- feed lots for pigs*

(b) The following shall be deemed to be limited agricultural uses:

- mushroom farm*
- turkey, chicken, game bird farm*
- feed lots for cattle and other livestock except pigs*

(c) No development permit shall be issued for any limited agricultural use if the use is to be located within 30 m (98.4') of any lot line.”

The section seen above states what the agricultural land can and cannot be used for when the agricultural land is within community boundaries.

At the end of this paper you will find a copy of the Municipal Planning Strategy and also the Land Use Bylaws for the community of Bridgetown and then at the end of that there is a link to the online PDF. The highlighted sections are the sections that I used for writing this paper.

MUNICIPAL PLANNING STRATEGY

TOWN OF BRIDGETOWN

October 1999, As Amended August 2003, July 2004, November 2006, August 2009, January 2012
Prepared for TOWN OF BRIDGETOWN
by Annapolis District Planning Commission

PART 1 - INTRODUCTION

1.1 Purpose of the Municipal Planning Strategy

1.1.1 General Statement of Purpose

The Town of Bridgetown Municipal Planning Strategy is an important product of the wishes and participation of the community and has been adopted by the Bridgetown Town Council to guide land use and development for the next 5 to 10 years. It is Council=s purpose within this plan to achieve orderly and economical growth within an environmentally sensitive context.

1.1.2 Statutory Statement of Purpose

The Municipal Government Act, Section 213 states the enabling legal purpose of the Bridgetown Plan:

AThe purpose of a municipal planning strategy is to provide statements of policy to guide the development and management of the municipality and, to further this purpose to establish

- (a) policies which address problems and opportunities concerning the development of land and the effects of the development;
- (b) policies to provide a framework for the environmental, social and economic development within a municipality;
- (c) policies that are reasonably consistent with the intent of statements of provincial interest; and
- (d) specify programs and actions necessary for implementing the municipal planning strategy. @

1.2 Legislative Mandate for Municipal Planning

The Town of Bridgetown is empowered by statute to carry out land use planning and development control. This authority is delegated through the Municipal Government Act Statutes of Nova Scotia, 1999. The Municipal Government Act gives municipalities in Nova Scotia the following planning powers:

- (a) to establish a Planning Advisory Committee (Section 200);
- (b) to prepare and adopt a Municipal Planning Strategy (Sections 208, 212 and 214); and
- (c) to implement a Municipal Planning Strategy through a Land Use By-law (Section 219 and 220).

After adopting the Plan, Council must follow and require others to follow the intent of the policies contained in the Plan.

The adoption of the Municipal Planning Strategy does not commit Council to undertake any of the projects suggested in the Plan, but Council cannot undertake or permit any development which is inconsistent with the Plan.

This Municipal Planning Strategy may be amended. It is Council=s policy that it shall be reviewed from time-to-time as deemed advisable, generally within ten years from the date of it=s last adoption. (Section 214). Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 2

1.3 Planning Context

1.3.1 Location

The Town of Bridgetown is situated centrally within the geographic confines of Annapolis County. It is located upon the fertile floor of the Annapolis River Valley, on the banks of the Annapolis River. The Town is approximately 180 km from Halifax and 156 km from Yarmouth. Bridgetown is the centre town in a chain of urban centres in Annapolis County extending along Highways 101 and 1. Annapolis Royal to the west and Middleton to the east are each 24 km away, while Lawrencetown, a village, lies 11 km east of the Town. Bridgetown serves as an employment, administrative and service centre for this central area.

While the Plan deals only with the Town of Bridgetown, the Council recognizes that the Town does not exist in isolation. There are significant inter-relations with the surrounding area and with the Municipality of the County of Annapolis, the Municipal government for the surrounding rural area. While the policies in the MPS are related to the Town, consideration has been given throughout the planning process to the surrounding area. An area of concern that has a growing interest to Bridgetown is the management of growth areas and the boundary adjustment that will be needed over time. The areal location of Bridgetown must be able to expand. Long range planning, in particular, requires adequate room for Bridgetown to grow, subsequent to effective decision-making about the location of the Town=s present and future urban infrastructure.

Council also recognizes that Annapolis County, and particularly the valley floor, is a unique and fragile environment. The resources and opportunities of the area must be carefully utilized and developed for the benefit of the residents of the Annapolis Valley Towns, the County and of the Province as a whole. The land itself, on the valley floor, is a valuable and limited resource which must not be used indiscriminately. In order to give the proper high priority to protecting, maintaining and encouraging the use of land capable of agricultural production for primarily agriculture uses, clustered urban development in existing centres should be encouraged. It is within this planning and development context that Council has attempted to plan for the Town of Bridgetown, to enhance its function as a service centre for the surrounding parts of the County. The underlying intent of the Municipal Planning Strategy is to enable Bridgetown to become a more viable and efficient service centre and in so doing, to meet the variety of needs of the residents within the Town and its surrounding area. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 3 Town of Bridgetown MUNICIPAL PLANNING STRATEGY

Page 4

1.3.2 History and Development

Planning has a long history in Bridgetown. As early as 1825, certain streets were granted to trustees for the benefit of the public, as a consequence of the division of the Town into certain lots. The form thus imposed upon the Town is still evident today in the area surrounding the intersection of Queen and Granville Streets, the core of the Town.

During the 1970's, as a result of Council's recognition that the planning of the use of land and the managed provision of Town services was necessary, the Council established a Planning Advisory Committee and became an active founding member of the Annapolis District Planning Commission. Council then embarked on a process of developing a Municipal Planning Strategy for the Town and a Land Use By-law to accompany it. The bulk of the work has fallen upon the Town's Planning Advisory Committee and the planning staff of the Annapolis District Planning Commission. The original Municipal Planning Strategy, its many amendments and review has grown out of an extensive and lengthy planning process.

The business of managing the use of land, the manner in which development occurs, and the provision of Town services which support urban growth, is complicated.

Prior to the advent of modern planning, land was used, development occurred and services provided in an adhoc manner. Individuals built what they wanted, where they wanted and Council provided Town services in response to the demand. While this manner of developing is acceptable to some, it is not adequate for Bridgetown for the following reasons:

1. Without planning, there is uncertainty as to how land is to be developed and hence, property owners have little protection for their properties and property value.
2. Without planning, the Town develops with no overall strategy and confusion and uncertainty exists.
3. Land use conflicts occur. Activity on an adjacent property has been and can be inconvenient to an owner by reason of noise, odour, parking, lighting, accessibility and other factors.
4. As each land use has different requirements, for example, a gas station has more need of car parking than does a single family home, some uses are placed on lots too small while other uses have ample room. On lots which are too small to accommodate parking, cars may park on the street causing, in turn, a traffic problem. Many other issues can arise due to the lack of standards.
5. From the Council's point of view, the business of extending water and sewer lines should not be carried out in a piecemeal fashion. Council=s interest is in the provision of adequate service to properties and an efficient return on a taxpayer's dollar.
6. Council is sometimes placed in the position of having to arbitrate between disputing property owners with no guidelines to which it can refer.

7. In contrast to an unplanned community where residents and businesses must respond to what happens to it, a well planned community can establish what it prefers for a physical, social, economic and environmental future and use the planning process to work toward and achieve desirable objectives.

The purpose of the Municipal Planning Strategy is to serve as the official stated development policy for the Town of Bridgetown. The Plan will serve to guide development in Bridgetown.

The Plan policies apply to everyone, both public and private, undertaking physical development within Bridgetown. These policies are implemented in large part through the regulations contained in the Land Use By-law.

This Plan focuses on physical development within the Town to achieve orderly, economical, compatible and safe growth. The Plan does not directly address issues of social, educational or welfare programs or services. These will be dealt with by Council in other ways, although the plan is integrated with them and may lead with or support measures having related community impacts. As our physical surroundings partially determine our well-being, the Plan policies are aimed at creating a convenient and attractive community in which to live, work and play. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 6

1.3.3 Population and Employment

The size of the population of the Town has, over the last century, remained steady. In 1901, the population was approximately 820. Since 1931, the census population has not varied by more than 132 residents. The Town=s present population is 994.

Bridgetown=s present population resides in 489 households. As of 1996, the average household size was approximately 2.1 persons/household. The population is 55% female and 45% male. The Town has 40 single parent families. The combined demographic cohort representing males and females over the age of 75 years continues to grow and represents nearly 14% of the population. Within the more comparable five year age cohorts, the increasing age 20-24 segment is the largest. Several other segments of Bridgetown=s population are nearly of equivalent size, including the 15-19 and 45-49 age groups. Bridgetown=s population is exhibiting characteristics of a more balanced community through all age cohorts.

Bridgetown=s economy provides employment in education, food and groceries, banking, financial services, insurance, general services, local retailing, tourism, hardware and building supplies, automobile sales and service, and government services. Approximately 58 businesses exist within the Town. The average Bridgetown business employs 3-4 persons, while the largest business employers have approximately 20 employees each. The local school system and regional library exceed the businesses in employment figures. Recently, Bridgetown=s central location and the careful conversion of the former Acadian Distiller=s plant has created a regional service centre for many public organizations and agencies. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 7 Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 8 Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 9

1.4 Planning Process

1.4.1 A Continuing Community Process

The Bridgetown planning process is an extension of the community planning which created the first plan in 1982. Since that early effort, the Planning Advisory Committee has addressed a wide variety of planning issues through amendment evaluation, public information meetings and regular Committee meetings. The Planning Advisory Committee has actively worked on the review of the Bridgetown Municipal Planning Strategy since September 1998. Complementary plan review efforts have occurred throughout the 1990's.

1.4.2 Community Household Surveys

During December 1998, a comprehensive planning survey was completed by the ADPC with the assistance of the BRHS band members. A community survey was distributed to all 489 households within Town limits. Fifty two (52%) percent of all households completed questionnaires (70% of those where residents were at home). The results were then tabulated and used in the policy development of this Plan. In survey research terms, the survey represented 95% accuracy with 4% variance. Geo-coding was used allowing the measure of sensitivities to land use issues on a neighbourhood by neighbourhood basis.

1.4.3 Business Survey

Following the community household survey, a business survey was distributed to all Town businesses identified by the Bridgetown Business Society. Of the 58 businesses in Bridgetown, 90% responded to this special purpose survey. Given the specific issues of concern to business, this survey provided a consensus around key planning policies, especially those effecting planning and design for the downtown, home occupations, parking and sign regulations.

1.4.4 >Day Resident= Survey

In May, 1999, a >day resident= survey was distributed widely to persons not residing in Bridgetown, but who work or are otherwise resident during the day on a regular basis. The population of Bridgetown increases with >day residents=. Examples of organizations with sizeable >day resident= employees include the Annapolis Valley Regional Library, the Bridgetown RCMP, Bridgetown Regional High School, Bridgetown Elementary School and the VON - Kings/Annapolis Home Support Agency. Ninety eight responses were received and evaluated. Insight was achieved in policy areas of the plan that affected this segment of Bridgetown=s non-traditional, yet participating >population=.

1.4.5 Public Information

In addition to public meetings and direct surveys of residents, >day residents= and businesses; the planning process has additionally included information flyers dealing with the plan review and newspaper coverage of detailed survey results. Media coverage provided an important opportunity for >iterative participation=, ie: the general public, PAC and Council have been able to receive the results of surveys and information on planning issues and respond to them within the ongoing process. This approach permitted a much richer appreciation of and reflection on the issues and proposed solutions. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 10

1.5 Plan Format and Interpretation

1.5.1 Plan Format

The Plan is made up of two legal sections:

- (a) Text
- (b) Maps - Map A - Future Land Use
 - Map B - Generalized Existing Land Use
 - Map C - Transportation
 - Map D - Environmental Constraints
 - Map E - Existing Services
 - Map F - Recreation

Goals, objectives and policies governing future development in Bridgetown are outlined in the text.

The spatial pattern of future development and future roads is set out in Maps A and C. It is intended that Map A, Future Land Use Map, be the leading planning tool for the Town=s development. The Future Land Use Map=s land use categories or >designated= districts are to be developed in accordance with the policies of this Plan. Areas contiguous to a given district may be considered for a rezoning without an amendment to the Plan if the intention is acceptable to Council and is reasonably consistent with the policies of the Plan.

Supplementary information such as a civic address map, and similar supporting information, are not official portions of the municipal planning strategy, but may be included with the map set for further reference.

1.5.2 Plan Interpretation

(a) Text

The Plan is a policy statement by Bridgetown Council. In implementing the Plan, Council shall have regard to the goals and policies set out in the text. No development can be permitted which is contrary to the policies of this Plan. It is intended that all figures, symbols, proposed roads and the location of development areas within the Plan shall be considered as approximate only.

Buildings and structures normally incidental or essential to and customarily associated with a primary land use may also be permitted unless otherwise stated. Text requirements for these accessory uses, buildings and structures are to be set out in the Land Use By-law, so as to ensure that these uses, buildings and structures remain accessory and do not detract from the principal use, building or structure or detract from the area in which they are located. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 11

(b) Map A - Future Land Use Map

The Town is divided into nine designated districts as shown on Map A - Future Land Use District Symbol

Downtown Commercial DC

Highway Commercial HC

Residential R

Industrial M

Agriculture A

Conservation O

Tourist Recreation TR

Comprehensive Development District CDD

Business Development BD

This map indicates generalized future land use patterns. Council shall have regard to this map when considering any amendment to the Municipal Planning Strategy or Land Use By-law.

(c) Map B - Generalized Existing Land Use Map

This map shows the generalized existing land use for Bridgetown as of April 1999. For more accurate and detailed information, reference should be made to the "Town of Bridgetown - Existing Land Use Survey, 1999".

1.6 Plan Application, Comprehensive Growth Management and Boundary Adjustment

The Municipal Planning Strategy for the Town of Bridgetown is legally applicable only within the Bridgetown boundaries. The boundaries of the Town must change over time to allow for and support an efficient development pattern. The Town, to maintain a healthy future, must plan and make room for its inevitable growth and development. Recognizing this responsibility, Bridgetown will require the ability to manage the development for the population it serves. Quite rationally, this should occur within the environment from which it draws its sustenance and into which it will grow and from which demands for urban services will come.

It is anticipated that the Town boundaries will soon need to extend a short distance east to the physical barrier of the 101 Highway and to the north, south and west sufficiently to supply, protect and maintain its urban infrastructure. Of prime importance in boundary expansion is the elimination of the incentives for multi-jurisdictional fringe development and other forms of inefficient sprawl. The Town is positively committed to emergent policies of comprehensive growth management within its developing urban area and surrounding natural environment. The Town is an evolving urban place: it has a history, its own population, and the need to build its infrastructure and grow under its own municipal jurisdiction. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 12

PART 2 - STATEMENTS OF PROVINCIAL INTEREST

2.0 Statements of Provincial Interest

The planning documents (planning strategy and land-use by-law) of Bridgetown must be reasonably consistent with statements of provincial interest: *Municipal Government Act*, Section 198 and Schedule B. Statements of provincial interest are generally broad statements of principle necessary to protect the provincial interest in the use and development of land. Essentially, a statement of provincial interest is a direction to municipalities to consider and include certain subjects in their planning documents. The Province is bound by these statements as well.

The *Municipal Government Act* includes five statements of provincial interest. Planning documents may have to be amended in the event further statements are adopted.

The original statements deal with protecting the quality of water within municipal water supply watersheds, protecting public safety and property in floodplains, protecting agricultural land, making efficient use of municipal water and wastewater infrastructure and providing housing opportunities to meet the needs of all Nova Scotians.

In order to comply with the statutory requirement, planning in Bridgetown must take reasonable steps to apply these policies to the local situation.

2.1 Compliance with Statements of Provincial Interest

2.1.1 Drinking Water

Planning documents must identify all municipal water supply watersheds within the planning area, and address the protection of drinking water within those watersheds.

The water supply of the Town of Bridgetown is located on the North Mountain north of the Town, and is entirely within the Municipality of the County of Annapolis.

Nevertheless, the Town of Bridgetown has taken steps to acquire virtually all of the watershed lands and to enforce strict controls.

2.1.1.1 It is the policy of the Town of Bridgetown to continue to protect the watershed areas of Crosskill Lake and Foster Lake, to implement further controls on land use within the watershed and to work with the Municipality of the County of Annapolis as its planning develops to confirm protection for the watershed. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 13

2.1.2 Flood Risk Areas

Planning documents must identify flood risk areas. Development must be restricted within these areas. The Town has historically been subject to some flooding from the Annapolis River, aggravated at times by ice jams. The most serious flooding preceded the establishment of the tidal dam at Annapolis Royal, and flooding is not a significant problem. There are some low areas for which flooding could be a problem if they are developed.

The Environmental Constraints Map (Map D) identifies the areas within the Town that are subject to flooding. The policy is that these lands only be developed to a minimal extent. Some areas within the 100 year floodplain may be developed or continued without constraints as changes in the Annapolis River and its management have virtually eliminated serious flooding risks.

2.1.3 Agricultural Land

Planning documents must identify agricultural land and address its protection.

In Bridgetown there are extensive areas used for agricultural purposes. These have been identified in the mapping that accompanies this strategy.

It is important to protect and continue our agricultural economy. Nevertheless, land within an established urban area such as the Town of Bridgetown should be developed intensively to make use of the municipal infrastructure (streets and sidewalks, water and sewer, recreational facilities) to reduce the pressure for development of agricultural land outside the Town. Accordingly, this strategy does not contemplate prohibiting development on agricultural land or prohibiting the removal of topsoil from agricultural land. Development of the agricultural land within the town will occur incrementally over a considerable period of time. In the meantime, that land will continue to be in agricultural use. Accordingly, controls have been included in the planning documents to minimize conflicts among uses and to make the best use of available land.

2.1.4 Infrastructure

Planning documents must promote the efficient use of existing infrastructure and reduce the need for new infrastructure.

Essentially, this strategy permits infilling where possible and encourages development in a concentrated form requiring the least additional public investment to accommodate. Development that occurs beyond existing services or a reasonable extension of them is not permitted. The Town does want to encourage reasonable development in some of its undeveloped areas in order to make more efficient use of its existing infrastructure. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 14

2.1.5 Housing

Planning documents must include statements respecting affordable housing, special-needs housing and rental accommodation, and must provide for manufactured housing.

2.1.5.1 Affordable Housing

Land prices are not a determinant of affordable housing in Bridgetown. Lot prices are reasonably consistent throughout the Town. Basic homes are available in a wide range of prices. The Town shall keep aware of the potential for a problem to develop but does not require a policy at this time.

2.1.5.2 Special-Needs Housing

The Town has accommodated special-needs housing in the past in its residential zones, and continues to do so. In the event more significant facilities are required, they can be accommodated within the institutional zone. At the present time the needs of the area are being met by facilities within the Town and in the immediate area of the Town.

2.1.5.3 Rental Accommodation

Provision for rental accommodation is included in the land-use by-law for apartment dwellings and converted homes, duplexes, triplexes and row housing. These might all be owner occupied, but the strategy and by-law accommodate the more commonly rented dwellings.

2.1.5.4 Manufactured Accommodation

Prefabricated homes are not controlled other than through the Building Code.

Mobile Homes and Mini-Homes are accommodated by definition and a specific zone. Bridgetown is a heritage community with significant older homes in excellent condition, with minimal more modern infill in many areas. The Town has developed a significant tourist trade based on its unique appearance and has invested significantly in attractions that complement this appearance. Accordingly, it is inappropriate to permit the development of mobile homes and mini-homes at random. The mobile home zone will permit the location of mobile homes on small lots in areas where there would be less conflict with the appearance of existing older development. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 15

PART 3 - PLANNING STRATEGY VISION, GOALS AND POLICIES

3.1 Introduction to Vision, Goals and Policies

The goals for Bridgetown are very broad statements of policy. The goals are elements that give shape and definition to the overall planning vision for the Town of Bridgetown. Public input and the work of Council and the Planning Advisory Committee has created the vision, goals and policy for the Bridgetown Municipal Planning Strategy. Specific policies in conjunction with Bridgetown=s goals set a context which establishes intents for town planning and the interpretation of other sections of the Municipal Planning Strategy and Land Use By-law. The Municipal Planning Strategy is a policy plan which will have effects on the growth, development, property revenues and quality of life within the Town.

The Bridgetown Municipal Planning Strategy consists of:

- (a) statements of context, which establish the *basic reasons* for and assist in the interpretation of the general goals;
- (b) goals, which are the *vision*, ideals or ends to which a planned course of action is directed;
- (c) objectives, which are *the means* by which goals are achieved; and
- (d) policy statements, which are *statements of intent* by the Council. These will be followed to achieve the goals and implement the objectives. Town of Bridgetown MUNICIPAL PLANNING STRATEGY

3.2 Goals for Bridgetown

Planning Vision: It is the intent of this plan to maintain and enhance the Town=s physical, economic, social and cultural environment in order to nurture and sustain a high quality of life for the residents of Bridgetown.

The following are the adopted goals for the Town of Bridgetown.

- 3.2.1 To encourage the present and future development of Bridgetown as a distinct growth and service centre within the Annapolis County area.
- 3.2.2 To encourage managed, moderate growth.
- 3.2.3 To guide and manage development to enhance Bridgetown's small town atmosphere and character.
- 3.2.4 To encourage the provision of a range of employment opportunities.
- 3.2.5 To encourage a diversified economic base and planned locations to accommodate new growth, eg: Bridgetown Development Centre and East End Highway Interchange.
- 3.2.6 To encourage a balanced assessment base.
- 3.2.7 To encourage a business park for light industry and business opportunities.
- 3.2.8 To encourage development that is not financially detrimental to the Town.
- 3.2.9 To ensure the costs of development and service provision are responsibly allocated.
- 3.2.10 To strengthen and encourage the tourist industry.
- 3.2.11 To strengthen and develop the downtown core area so as to:
 - improve parking and traffic flow
 - promote pedestrian movement and shopping
 - make the downtown attractive
- 3.2.12 To improve and plan recreational spaces, programs and facilities.
- 3.2.13 To encourage the provision of adequate housing of a variety of types.
- 3.2.14 To protect the banks of the Annapolis River and Solomon Chute Brook.
- 3.2.15 To develop adequate and efficient services and utility systems (ie. water, sanitary sewer, storm sewer, roads, sidewalks, lighting).
- 3.2.16 To gain planning, management and municipal control over the Town=s present and future land base.
- 3.2.17 To minimize environmental disruption and pollution.
- 3.2.18 To ensure that land uses are properly allocated to reduce land use conflict and maximize convenience.
- 3.2.19 To minimize disruption to existing land uses.
- 3.2.20 To encourage citizen participation when making decisions.
- 3.2.21 To provide information to citizens and to hold public meetings, hearings and plebiscites when necessary.
- 3.2.22 To ensure that all development and building is carried out properly and adequately (ie. according to the adopted version of the National Building Code, Land Use By-law, Subdivision By-laws and Regulations and other By-laws, Regulations, Standards and Specifications adopted by Council). Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 17

PART 4 - POPULATION POLICY

Given the near static supply of new housing, only a recent development of Highway #101, and the constrained land area of the Town; the population of the Town of Bridgetown has been stable and lacking real opportunities for growth. Bridgetown Council is with this Plan pursuing moderate population and economic growth. Population projections suggest that population growth will not be experienced to any great extent in Bridgetown without a major change in the basic economy of the Bridgetown area. The Council can encourage population growth by co-operating with senior levels of Government to improve the economy of the area, by ensuring that the Town boundaries are adjusted to accommodate growth attributed to Bridgetown=s service centre presence, and by adopting policies that encourage regional development within the Town. In this connection, Council's decisions relating to land use, Town services and natural environment protection can lead to the type of environment that will make a desirable community, avoid the hidden and sizeable costs of development sprawl, and create opportunities for managed growth.

4.1 It is the intention of Council to encourage moderate population growth.

4.2 It is the intention of Council to ensure that increases in population do not create excessive financial burdens for the Town or excessive taxation burdens for its ratepayers or exceed the ability of the Town to provide necessary services.

4.3 It is the intention of Council to evaluate decisions regarding land use, Town services and the protection of the natural environment in the light of the foregoing policies.

4.4 It is the policy of the Town to pursue and apply growth management tools and techniques to stimulate, manage and benefit from regional population growth and development. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 18

PART 5 - ENVIRONMENT AND CONSERVATION POLICY

There are approximately 358 ha (885 acres) in the Town of Bridgetown, of which 38% is currently developed for urban purposes. The remaining 62% is relatively undeveloped and is currently used for recreation, agriculture (mostly grazing and hay) or is in its natural state. Not all of this undeveloped land is suitable for development. Some lands are subject to flooding, have poor natural drainage, consist of steep slopes or consist of soils which have a poor load-bearing capacity, usually combined with poor drainage.

These environmental limitations are important considerations for the Town because they pose real constraints on the use of land and particularly in the construction of buildings and installation of sewer and water systems, storm sewers and roads. Proper engineering and technology can overcome many limitations imposed by these environmental factors, but these solutions are costly both to study and to implement. Once implemented, these measures are usually very expensive to maintain. In light of these drawbacks and the general availability of land in the Town, the preferable position is to avoid servicing and developing such areas. To date, the bulk of the urban development in Bridgetown has avoided these areas.

Council=s Environment and Conservation Goal

Council's goal is: to ensure that the development and servicing of land occurs in harmony with the natural environment.

Council=s Environment and Conservation Objectives

Council's objectives are: to avoid developing and servicing land for urban purposes in areas which exhibit hazardous environmental constraints; to establish land use standards which minimize disruption to the natural environment; and to co-operate with the Nova Scotia Department of Environment to ensure the protection of the natural environment and the preservation of existing water quality.

5.1 It shall be the policy of Council to designate areas that:

- are subject to flooding
- have unsatisfactory natural drainage

or have similar features and in which the cost of providing services would be prohibitive. These areas are indicated on Map D, the Environmental Constraints Map. Lands subject to flooding have been identified as being those lands within the 1:100 year floodplain as delineated in the Nova Scotia Power Inc. 1999 Emergency Preparedness Plan or lands located below the 6 metre contour as delineated on the LRIS 1:2000 Topographic Series, 1980.

5.2 The majority of the areas indicated as areas of constraint on Map D, the Environmental Constraints Map, are designated as Conservation on Map A, the Future Land Use Map and zoned Conservation (O2), with the intent that these lands remain primarily as conservation areas and not be developed. Jubilee Park is an exception (see Policy 9.6) and is recognized as a recreation development.

5.3 Notwithstanding Policy 5.2, the location of the boundaries of Conservation designation on Map A of this Strategy or the boundaries of the Conservation Zone on Schedule A of the Land Use By-law may be amended to reflect actual site elevations as documented by topographic survey prepared by a qualified professional. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 19

5.4 Where a property is subject to multiple Future Land Use designations, one of which is the Conservation designation, development or redevelopment for a use permitted in the adjacent designation may incorporate lands within the Conservation Designation provided that engineered design is prepared by a registered professional engineer which in the opinion of the Town mitigates the risk of flood damage, does not create increased flood risks for adjacent properties and which does not unduly impact on the environment.

5.5 Localized areas of poor drainage as indicated on Map D, the Environmental Constraints Map are designated Residential and Comprehensive Development District on Map A, the Future Land Use Map and zoned for residential and commercial uses. The intent is that these areas may be conserved or developed with caution as part of larger unconstrained development areas.

5.6 Areas within the 100 year floodplain (NSPI, Emergency Preparedness Plan 1999) or below the 6m contour (LRIS 1:2000 Topographic Series, 1980), that are not designated Conservation on Map A, the Future Land Use Map may be developed for uses permitted within the area=s particular zone. Most of these areas have pre-existing land uses, are fully serviced or exist on split zone parcels. Existing environmental constraints and appropriate design will be the sole responsibility of owners and developers of these properties.

5.7 Notwithstanding that areas designated as Conservation on Map A, the Future Land Use Map, are not intended for urban development, they may be used for non-polluting agricultural uses which do not require permanent buildings, for service or utility uses, for uses and structures related directly to conservation projects, recreation or landscape projects, or for accessory uses and structures on split zone parcels.

5.8 It shall be the policy of Council to require development to be set back from Solomon Chute Brook and the Annapolis River, the major watercourses in the Town.

5.9 When undertaking the construction of public works, Council shall, where possible, avoid areas which are wet, swampy and improperly drained; avoid areas where the slope of the land exceeds 15%; avoid areas which involve extra or prohibitive costs associated with site preparation, drainage, bank stabilization or erosion control. Council shall further consider the feasibility of undertaking conservation projects.

5.10 It shall be the policy of Council to encourage the use of watercourses for the purpose of storm drainage and where feasible, to undertake projects to maintain and upgrade watercourses to ensure adequate storm drainage.

5.11 It shall be the policy of Council, through the Bridgetown Tree Committee, to protect and maintain trees and vegetative covering in the Town. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 20

PART 6 - RESIDENTIAL POLICY

The majority of the built environment in Bridgetown is used for residential purposes. The housing stock consists of sometimes grand historic homes, older homes and a number of newer dwellings. It is a characteristic of the Town that virtually all residential uses are well maintained. Single detached dwelling units predominate, but there are a number of semi-detached dwellings, duplexes, apartments, boarding houses, bed and breakfasts and an inn. A number of these are converted older homes. Rowhouse developments are limited to the housing provided for senior citizens through efforts of the Town and the Provincial Government. There are no mobile homes in Bridgetown. All areas of the Town are safe, enjoyable and within relatively easy walking distance of the downtown, schools and recreational facilities.

At present, there are only a few incompatible land uses within the existing residential areas.

Council=s Residential Goal

Council's goal is: to assist in the provision of a variety of living environments for the people of the Town which are compatible with the existing pattern of development.

Council=s Residential Objectives

Council's objectives are: the protection and maintenance of existing residential areas, long range planning and management of future residential areas, planning and servicing new residential areas, co-operation with senior levels of Government to improve housing and residential development with the establishment of residential land use standards.

6.1 It shall be the policy of Council to designate those areas shown on Map A, the Future Land Use Map, for residential development.

6.2 Designated residential areas shall be developed and maintained primarily for residential purposes and may include uses compatible with residential uses, including parks and playgrounds, secondary business uses, bed and breakfasts, inns, boarding houses, rooming houses, funeral parlours and existing highway commercial uses.

6.3 Recreational uses, institutional uses and service/utility uses may be permitted in designated residential areas by amendment to the Land Use By-law.

6.4 The undeveloped areas designated as residential on Map A, the Future Land Use Map shall be zoned Residential Light Density (R1) or Residential Rural (R3). Existing agriculture and low density residential uses shall be conforming.

6.5 In considering an amendment to the Land Use By-law to allow residential development of land, the Council shall take into account the feasibility of extending central sewer and water systems, roads and other services to the proposed development; the compatibility of the proposed development with adjacent land uses; the direction and pattern of services which the proposed use will establish within the Town; and environmental constraints on services, utilities and development. Town of Bridgetown

Ideally, new development should occur only when central water and sewer services and roads are available or their extension is reasonable. Financial and other constraints may therefore preclude certain developments. It is appropriate to occasionally permit low density development where services are not available and Department of Environment Standards can be met.

6.6 Single family detached farm dwellings may be constructed on two hectare lots even though they cannot immediately be provided with central water and sewer services. In areas that are presently built up, Council may permit single detached and duplex dwellings without both central water and sewer services subject to larger lot size requirements and may permit single detached and duplex dwellings without central water services. Unserviced and partially serviced lots must meet Department of Environment development standards and must be infill lots that are not easily serviced or rural single detached farm dwellings. All other developments shall be permitted only where central sewer and water services are available.

6.7 Designated residential areas shall be zoned as:

Residential Light Density (R1)
Residential Multiple Density (R2) or
Residential Rural (R3)

6.8 In considering the zoning of designated residential areas and in particular amendments to the Land Use By-law or development agreements that would permit increased residential density or permit non-residential uses in residential areas, Council shall ensure that the proposed use does not alter the predominant character of the area or the amenities of the area; does not have a deleterious effect on Town services; does not result in excessive noise or traffic; and does not have extended hours of activity.

It is known that the Town has a strong residential tradition and that residential uses are typically compatible with a wide range of other land uses. It has further become evident that good quality residential redevelopment cannot always meet the standards of residential zoning, particularly when lot sizes, shapes and access are established and developed centuries ago. Given this fact and the non-conformities it produces in redevelopment planning efforts, the Town will establish comprehensive development districts known as "Residential Rehabilitation Areas". The Residential Rehabilitation Area CDD is to be applied specifically for the redevelopment of non-residential properties to multiple residential or the development of commercial/residential mixed uses. Any development in these areas can only be undertaken after a development agreement with the owner of the property proposed to be developed has been entered into with the Town.

On Church Street, the Future Land Use Map shows as CDD, a significant existing non-residential development that cannot easily be re-located and should not be made non-conforming. Where such uses are not greatly incompatible with future residential development, provision should be made for them to continue adjacent to or even as part of residential development provided they can be made to minimize any undesirable impacts. As the necessary steps to minimize conflict will almost certainly differ in each case, development agreements are an appropriate planning tool. Typical non-residential uses of low impact on adjacent residential areas can include warehousing and storage, small assembly operations, some light manufacturing applications such as electronics, and business or governmental offices. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 22

6.9 It is the intent of Council to consider development proposals only by development agreement in the area zoned Residential Rehabilitation Area CDD provided:

- the proposal includes non-residential uses that are of low impact on adjacent residential uses;
- the area is serviced by Town sewer and water systems, or the Town must have committed itself to provide such systems.

6.10 In a Residential Rehabilitation Area, permitted uses shall be:

Residential Uses:

- all uses permitted in the R1 and R2 zones
- all uses permitted in the R1 and R2 zones ~~as of right~~ where all non-residential uses are abandoned and demolished or converted to residential

The following non-residential uses:

- business and professional offices
- government administrative offices and services
- warehousing conducted and wholly contained within an enclosed building
- woodworking, metalworking, manufacturing and assembly uses conducted and wholly contained within an enclosed building.

6.11 It shall be the policy of Council to establish development and servicing standards for each residential zone, including standards respecting lot size, lot dimension, yard clearance and servicing requirements, sufficient to maintain and enhance the integrity of residential areas within the Town.

6.12 It shall be the policy of Council to co-operate with senior levels of Government, Central Mortgage and Housing Corporation, and other agencies to assist in providing residential areas, servicing for residential development, improvements to housing quality and encouraging energy conservation, including senior citizens complexes, residential rehabilitation programs, residential home improvement programs and the like. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 23

Bridgetown does not have mobile homes or mobile home parks within the Town. Council recognizes that such uses provide a valid form of housing, but considers that they are not readily compatible with other forms of development within the Town, given their narrow dimensions, low profile, prefabricated construction and non-traditional appearance.

6.13 Mobile homes and mini homes shall be permitted within the Town only by rezoning land to the Residential Mobile Home Zone provided the area being rezoned has a minimum area of 150,000 sq. ft. The Residential Mobile Home (MH) Zone shall have development standards which shall enable conversion of the mobile home subdivision to a single detached dwelling subdivision without the need to redevelop water and sewer servicing and other infrastructure.

Bridgetown currently has bed and breakfasts, inns, boarding houses and rooming houses in a number of areas of the Town. These uses provide necessary accommodation to a portion of the population of the Town, as well as a source of income to some Town residents and accommodation for the travelling public. Council considers that these uses and similar uses can be compatible in residential areas.

6.14 Bed and breakfasts, inns, boarding houses and rooming houses shall be permitted in the Residential Multiple (R2) zone provided that:

S additions or alterations that change the roofline or increase the height of the dwelling (except for the addition of dormers) or that extend into the front, or side yard of the lot (except for fire escapes), shall not be permitted.

6.15 Bed and breakfasts or small residential care facilities up to 3 rooms may be permitted in the Residential Light Density (R1) Zone subject to a development agreement between the owner and the Town.

A number of business uses are at present located within the designated residential areas, whether within a dwelling or in an accessory building on a lot. These uses create an interesting community, strengthen the economy and provide sources of income for Town residents. Council recognizes that these uses can be beneficial to the Town. However, care must be taken in regulating them so as to maintain the residential character of the properties and the neighbourhoods and also to avoid detracting from the commercial viability of the downtown area.

6.16 Business uses permitted in a designated residential area shall be secondary to a residential use; shall not alter the predominant character of the neighbourhood or its amenities; and shall not create noise or traffic to an extent inconsistent with the predominately residential character of the area. The Land Use By-law shall have definitions and criteria to regulate home offices and home occupations. For greater certainty, where there is any doubt about whether an application meets the criteria fully, the application shall be modified or refused.

6.17 It shall be the policy of Council to require the provision of amenities areas in connection with higher density residential development. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 24

Highway commercial uses are not normally permitted in a residential area because of the land use conflict and excessive vehicular traffic generated. However, in Bridgetown, an existing highway commercial use, the Bridgetown Motor Hotel, is located in a designated residential area. Council has considered whether this use could be zoned residential, making it non-conforming; whether the use could be highway commercial; or whether the use could be specifically permitted as an additional use allowable within the residential zone. Making the use non-conforming restricts more than Council considers essential, while zoning the use as highway commercial could permit more incompatible uses to be developed on the property. Council therefore chooses the third alternative, allowing the use to continue and to be rebuilt, but allowing it only to be changed to uses permitted in a designated residential area. This compromise solution is an attempt to avoid undue hardship without permitting serious land use conflict to develop.

6.18 Council shall permit the existing highway commercial use (Bridgetown Motor Hotel) in a designated residential area, provided that:

- (a) the use shall not be expanded to cover an area of land greater than the lot so used at the time of the adoption of this Plan;
- (b) the use shall not be converted to any use other than that existing when this Plan is adopted, except for a use permitted under the accompanying By-law in an R2 zone and if the use is converted to another permitted use, the property may not again be used for a highway commercial use;
- (c) the erection, expansion or reconstruction of any building or structure used or intended to be used for an existing highway commercial use shall meet the least restrictive of:
 - (i) the requirements of the C2 zone; and
 - (ii) the existing yard depths;
- (d) once the use is converted to another use permitted in the R2 zone, Council shall consider amending the Land Use By-law to delete the existing use as a permitted use in the R2 zone.

6.19 It shall be the policy of Council to permit existing residential uses in the downtown commercial area to continue, but Council shall limit new residential development. Existing residential uses within the designated downtown shall be zoned residential R1 or R2 according to the present use.

6.20 Land zoned residential within the downtown commercial area may be rezoned to commercial, but land zoned commercial may not be rezoned to residential unless the property was formerly zoned residential, continues to have a structure readily usable for residential purposes, and has experienced extended vacancy. Land zoned residential may not be rezoned to any other residential zone.

6.21 Dwelling units are permitted in the areas zoned commercial in the downtown commercial zone, provided that if a dwelling unit is located on a parcel fronting Queen Street or Granville Street that it is located above or to the rear of the first storey of another permitted use.

6.22 It is the intention of Council to consider applications to develop grouped dwellings in the Residential Multiple (R2) Zone by development agreement in accordance with the evaluative criteria set out in Policy 23.7.1. In considering such agreements Council shall have regard to Policy 23.6.3 and have particular regard to the impact the proposed development will have on surrounding neighborhood uses, particularly the adjacent residential uses, and the existing development pattern of the area in terms of architectural compatibility, parking, traffic circulation, road capacity, site access, landscaping, setbacks and the provision of municipal services. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 25

PART 7 - COMMERCIAL POLICY

Bridgetown is a service centre for the residents of the central portion of Annapolis County. It has a strong and relatively stable downtown commercial area. While growth is slow, definite improvements have been made in recent years, including the provision of public parking, retail and business conversions and property improvements. The Town and downtown businesses remain actively engaged in downtown improvement projects to serve the region and increasing numbers of tourists.

In the downtown, the commercial uses generally occupy older buildings, some of which are of architectural or historical interest. There are a few new buildings in the area, the largest being the Bridgetown Pharmacy. The downtown is home to three banks, finance, insurance, retail, travel, hardware and building supplies, business and professional office, department store, food and grocery businesses. While there is still room in the downtown for new construction, Council anticipates that it is more likely that new commercial uses will first occupy existing buildings, renovating them to suit their needs. There are still some residential uses in the downtown, consisting of single detached dwellings and apartment units associated with commercial uses. Single detached dwellings in the area, particularly along Queen Street, will continue to convert to commercial uses. There are a few highway commercial uses in the downtown area. These uses are historic mainstays of the downtown economy, attracting people to the centre of Bridgetown. Although now lacking the primary Provincial highway for a location and arguably not in basic harmony with traditional downtown design, these uses should be permitted to continue indefinitely until relocation to the East End Interchange with Highway 101 is feasible.

Bridgetown=s commercial prospects and advantages have changed. With the building of Highway 101, two off ramps lead to the downtown core. Exit 21 brings traffic across the bridge into downtown. Stores and business at the south entrance are showing positive activity which may be capitalized upon further. The south entrance to Bridgetown should be improved for clear traffic flow and parking/shopping opportunities. Exit 20, has created a terrific location for highway commercial, professional office, corporate office and shopping plaza opportunities. The Apple Pit service station, a major coffee and pastry shop and a farm market are the first successes at this new commercial location. The East End Interchange can greatly assist the downtown by attracting traffic which will, particularly for tourists, lead to a trip to the downtown on Highway 1.

Some highway commercial uses in the Town are located in or adjacent to residential areas. As these long established uses have been accepted and integrated into their surrounding they do not represent potential for significant land use conflict and their continued use and redevelopment can be encouraged. .New highway commercial development, other than the redevelopment or expansion of existing highway commercial uses, should be permitted only as part of a comprehensive development at the East End Interchange in order to avoid conflicts with the older and residential areas of the Town and to protect the attractiveness of major entrances to the Town.

A Business Development Centre has been created by the Town at the former Acadian Distillers site. The adaptive reuse of the abandoned facilities of the former primary employer in the Town has been very successful in recent years. Business offices, the regional library, development agencies, light industry, international exporters and large commercial activities are now to the point where total employment exceeds that of Acadian Distillers at its peak. The BDC has it=s own adaptive reuse zone and is set to complement the downtown by making space for large business uses which could adversely compete with small retailers for downtown locations. Town of Bridgetown MUNICIPAL PLANNING STRATEGY

Council's Commercial Goal

Council's goal is: to assist in achieving an economically viable and vibrant commercial base that serves the needs of the residents of the Town, residents of its region, and visitors to the community.

Council's Commercial Objectives

Council's Commercial Objectives are: to ensure that a variety of commercial uses is integrated into the existing pattern of development in a compatible manner, to assist in maintaining an attractive and convenient downtown commercial area, to exploit new commercial locations and innovations that are beneficial to the community, and to establish commercial development standards.

7.1 It shall be the policy of Council to designate the downtown commercial area as shown on Map A, the Future Land Use Map.

It is intended that the downtown commercial area be primarily a retail and service centre, with relatively high density. Parking is an important factor. Lot size, dimension and setback requirements should be minimal.

7.2 The downtown commercial area shall be primarily a retail and service area, including offices, stores, places of entertainment and institutions. The area shall be oriented for the convenience of pedestrians, with the emphasis on high density commercial developments including the multiple use of buildings and provision of off-street parking. The designated commercial area shall be zoned for commercial and institutional uses. Existing residential uses shall be zoned as provided in Policy 6.19, and additional dwelling units shall be permitted within the commercial zone as provided in Policies 6.20 and 6.21.

Highway commercial uses in the downtown reduces the compactness of commercial development and makes it much less attractive to pedestrians. While vehicular traffic is associated with these uses, it could be better accommodated in CDD or Highway Commercial designations. Highway commercial uses in the downtown limit the development of retail commercial uses by occupying large areas of land. Currently, there are three highway commercial uses in the designated downtown, consisting of a gasoline service station, an automotive shop and a car sales dealership. Council has considered the three options discussed in connection with Policy 6.18 and for the reasons set out there, has adopted a similar solution, but will permit other highway commercial uses.

7.3 New highway commercial uses in downtown commercial areas are prohibited, except on lands on which there are existing highway commercial uses.

7.4 Council shall permit the existing highway commercial uses in the designated downtown area with Land Use By-law conditions in keeping with the policies of this plan. Town of Bridgetown
MUNICIPAL PLANNING STRATEGY Page 27

Highway commercial uses are commercial uses primarily oriented to vehicular traffic. Highway commercial uses are most successful in a community when developed in suitable locations. These uses tend to occupy larger areas of land than the more traditional downtown commercial uses, usually require outdoor storage and display areas and are less compatible with residential or more traditional forms of development. At the present time, highway commercial locations are scattered within the Town. In two specific cases large highway commercial uses are located in residential areas. By virtue of Policies 6.18 and 7.5, Council has concluded that existing highway commercial uses may be continued, redeveloped and replaced, if necessary. New highway commercial uses in downtown and residential areas are prohibited.

7.5 It shall be the policy of Council to permit highway commercial areas, permitting uses related to automobile sales and servicing, tourist accommodation facilities, sale of goods from outdoor displays, indoor commercial recreational facilities and similar commercial activities oriented to vehicular traffic or requiring extensive parking. Given that highway commercial activity is now anticipated and favoured at the East End Interchange within the CDD designation, no Highway Commercial parcels are depicted on the Future Land Use Map. A remnant highway commercially zoned parcel is located at the north side of Faye Road and Granville Street in a residential area. The commercial use of the property has been deemed compatible with the adjacent residential area and continued use and potential redevelopment of the property shall be permitted. Given that the property is located within the Residential Generalized Future Land Use designation it will be possible for the property to be converted to residential use in the future through rezoning.

Historically, inconvenience to vehicular and pedestrian traffic, increases in traffic congestion and decreases the attractiveness of the downtown as a pedestrian-oriented retail and service centre were cited as major problems. Unfortunately, the concentration of stores along Queen Street did not permit provision of sufficient parking with direct access from Queen Street. Council has implemented a number of projects to provide and improve parking. An emphasis on using back lots with pedestrian access through to Queen Street and the commercial conversion of more residential uses along Middle Street should greatly improve parking and expand locations for downtown activity over time. It is the intent of Council to refer to the Town Improvement Plan (TIP) prepared by the Annapolis District Planning Commission to improve traffic flows, signage and parking, all of which will support a stronger developing downtown as depicted on the Future Land Use Map. In order to continue the parking solutions, Council shall require new developments to provide necessary parking facilities, provided that these requirements shall not be imposed on developments occurring where parking cannot reasonably be provided.

7.6 New developments shall be required and encouraged to provide a reasonable amount of off-street parking as set out in standards prescribed by the Land Use By-law. Council may designate in the By-law certain areas, particularly the northern portion of Queen Street, which are exempt from these requirements due to the virtual impossibility of complying with them owing to the existing pattern of development. Council shall also co-operate with property owners in the downtown to help solve the parking problems, and where feasible, shall assist in the provision of public parking areas near the downtown.

7.7 It shall be the policy of Council to encourage property owners in the business community to work together to determine ways to make the downtown a more convenient and safe place to visit, shop and work. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 28

Council recognizes that business uses in association with dwellings are a characteristic of the Town and these shall be permitted in accordance with Policy 6.16.

Council has concern over the establishment of a shopping plaza, mall or centre outside of the Town.

Council considers that such a development would seriously affect the downtown commercial base and would be a form of low density urban sprawl. All commercial development on the fringe of Bridgetown should be opposed unless it is planned, managed and serviced as part of an annexation to the Town. No urban services should be extended to such developments.

7.8 It shall be the policy of Council to oppose the development of shopping plazas, shopping malls and shopping centres outside of the Town and within 10 kilometres of the Town boundaries. Urban infrastructure shall not be extended to service commercial development outside of the Town.

7.9 It shall be the policy of Council to closely scrutinize any proposed shopping centre, of which it receives notice pursuant to the Shopping Centre Development Act, and to make representation against permitting such development to proceed if Council in consultation with the downtown merchants, concludes that such a development would have a damaging effect on the downtown commercial area of the Town.

The beginning of strong development pressure is being felt in the area abutting the Town boundary on Granville Street East due primarily to the completion of Highway 101. In addition to servicing concerns, Council must have regard to compatibility with the existing residential and agricultural land uses, and must also endeavor to see that highway commercial developments do not have an adverse effect upon the downtown commercial area or planned residential areas west of the CDD and south of Granville Street. New uses such as emergency services, corporate and professional offices, shopping centres and plazas and government offices all may be designed to fit within the CDD zone and the anticipated transportation network outlined on the Transportation Map, Map C. Proper phasing of development must be sought. In addition, Council is concerned over the general appearance of the eastern entrance to the Town from Highway 101 and wishes to ensure that it remains attractive and inviting.

7.10 It shall be the policy of Council to designate comprehensive development districts according to Map A, the Future Land Use Map. Those districts proximate to the Highway 101 interchange shall be suitable for a variety highway commercial, business, office and retail developments of a planned and integrated nature. All developments in a highway commercial CDD shall be developed by development agreement.

Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 29

PART 8 - INSTITUTIONAL POLICY

Institutional uses are generally those providing essential public services or enhancing the quality of life, including churches, Government services, schools and hospitals. Most of these uses occupy separate buildings, usually occupying large areas of land and generating vehicular and pedestrian traffic. They normally require central water and sewer services. In Bridgetown, institutional uses are well maintained and often contained in attractive and unique buildings. At present, these uses are located in residential areas and in the downtown and in the Bridgetown Development Centre. It is not foreseen that there will be a heavy increase in demand for services provided by the institutions, but the Plan now permits institutional uses in the East End CDD, the Bridgetown Development Centre as well as the existing uses that are designated Institutional on the Future Land Use Map.

Council=s Institutional Goal

Council's goal is: to maintain and develop institutional programs, services and facilities which meet the needs of residents of the Town and its surrounding area.

Council=s Institutional Objectives

Council's objectives are: to provide and maintain the existing institutional facilities, services and programs; to encourage and accommodate new institutional facilities, services and programs; to co-operate with senior levels of Government to improve institutional facilities, services and programs; and to establish institutional land use standards.

8.1 It shall be the policy of Council to permit existing institutional uses to continue in the designated downtown commercial area.

8.2 Existing institutional uses in designated residential areas and in the designated downtown commercial area shall be zoned institutional unless permitted by the R2 or C1 zoning.

8.3 When considering amendments to the Land Use By-law for institutional uses within residential or downtown commercial areas, Council shall consider whether the proposed use is compatible with adjacent land uses and the character of the area; the impact on Town services; alternative locations for the proposed use; and whether or not the proposed use is premature for the area, taking into account the direction and pattern of development established for the Town.

8.4 Institutional uses, with the exception of cemeteries, shall only be permitted where central sewer and water systems are available.

8.5 Cemeteries shall not be permitted within the designated downtown commercial area.

8.6 Institutional uses shall be permitted in the Business Development and CDD designations on the Future Land Use Map. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 30

PART 9 - RECREATION POLICY

Bridgetown enjoys a variety of well maintained and well managed recreational facilities serving the residents of the Town and the surrounding area. Other than new multi-purpose trail developments, these are located in the central areas of the Town, providing easy access for residents. A new Recreation Map, Map F depicts the inventory of recreation facilities, both public and private, existing and proposed. Council will continue to encourage and participate in the development of recreational facilities and programs.

Given the recognition that new subdivisions create developments with associated recreation demands, a parks levy is associated with new parcel development. The Town has policy that concentrates this levy to support recreation to its greatest advantage.

Council=s Recreation Goal

Council's goal is: to achieve a variety of well planned recreational programs, services and facilities to serve the needs of the residents of the Town, the residents of the Bridgetown Region and Town visitors.

Council=s Recreation Objectives

Council's objectives are: maintaining and enhancing the existing recreational facilities and programs; encouraging and participating in the development of new recreational facilities and programs; co-operating with senior levels of Government, Annapolis County and recreational groups to improve both public and private recreational facilities and programs.

9.1 The areas indicated on Map A, the Future Land Use Map, shall be designated as the Recreation area. This is primarily Town owned lands and existing facilities.

9.2 As permitted under Section 273 of the Municipal Government Act, Council shall, through the Subdivision By-law, require for all subdivisions resulting in a net increase in lots that a cash payment be made to the Town comprising of 5% of the value of the area shown on the final plan of subdivision.

9.3 As open space recreational developments are compatible with virtually any form of development, it shall be the policy of Council to permit parks and playgrounds in any zone in the Town, together with any necessary accessory building or structure. Maximum sizes for accessory buildings or structures shall be as set out in the Land Use By-law.

9.4 Existing and proposed recreational uses shall be zoned Open Space (O1).

9.5 It shall be the policy of Council to permit recreational uses to occur in association with institutional uses where recreation uses are ancillary to the main object of the institution.

9.6 Recreational uses which require permanent buildings shall be prohibited in designated conservation areas except for Jubilee Park. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 31

9.7 New recreational uses may be permitted in any area of the Town by amendment to the Land Use By-law, and in considering amendments to the Land Use By-law, Council shall take into account the compatibility of the proposed use with adjacent land uses; the direction and pattern of development created in the Town by the proposed use; the availability and the necessity of services; alternative locations for the proposed use, the desirability of new recreational uses locating relatively close to the existing recreational facilities and the impact on vehicular and pedestrian traffic.

9.8 Should an existing recreational use be rebuilt or altered, Council shall exempt it from meeting established parking requirements if it would create unnecessary hardship.

9.9 Subject to requirements regarding fencing and location on the lot, swimming pools shall be permitted in any zone. Council shall pass a Swimming Pool By-law to ensure that swimming pools in the Town are safe and do not create a hazard, particularly for children.

9.10 Council shall encourage the continuing development of waterfront improvements, walks, multi-purpose corridors and bicycle racks throughout the Town. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 32

PART 10 - SERVICE/UTILITY POLICY

Service/utility uses are those involved in the provision of services by Governments and corporations, including the Town and public utilities, such as the Nova Scotia Power Incorporated and Maritime Telegraph and Telephone Limited. Examples include the sewage treatment plant, the Municipal School Bus Garage, emergency services, power and communication facilities. Often, these uses require certain specific locations to operate maximum efficiency. A certain degree of land use incompatibility may need to be accepted as a result.

Council=s Service/Utility Goal

Council's goal is: to achieve and accommodate a level of service/utility uses that will adequately and flexibly meet the needs of the population and the services and systems designed to support development.

Council=s Service/Utility Objectives

Council's objectives are: maintaining and improving the existing service/utility uses; co-operation with senior levels of Government, private corporations and public agencies to plan and maintain service/utility land use standards designed to increase safety, protect the environment and minimize land use incompatibility.

10.1 It shall be the policy of Council to exempt rights-of-way, pumping stations, transformer stations, service easements and utility easements from the requirements of the Land Use By-law. Other service/utility uses shall be permitted in any area within the Town by amendment to the Land Use By-law.

10.2 It shall be the policy of Council to establish a zone (S/U) for service/utility uses, and existing service/utility uses shall be zoned S/U. New service/utility uses shall be permitted only in zones permitting such uses or by amendment to the By-law. In considering amendments, Council shall encourage the location of service/utility uses in light industrial areas and highway commercial areas, and away from the downtown, residential areas and environmentally sensitive areas. When considering amendments to the Land Use By- law, Council shall take into account the necessity of the proposed use, the alternative locations within the Town for the proposed use, the pattern of development and direction of growth which would be established within the Town by the proposed use, compatibility with adjacent land uses, servicing requirements of the proposed use, and the impact on vehicular and pedestrian traffic.

10.3 It shall be the policy of Council to establish requirements for service/utility uses that increase public safety, minimize the effect on the environment and minimize land use conflicts.

10.4 Council shall encourage the underground installation of power and telephone services; the joint use of power and telephone poles permitting the placement of poles in the rear yard of properties; and notification of the Bridgetown Tree Committee of service/utility uses and activities which involve the pruning and removal of trees within the Town. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 33

PART 11 - INDUSTRIAL POLICY

Bridgetown currently has light industrial land uses, including warehousing, wholesaling, manufacturing, processing, covered storage uses, and so on, which are not offensive by reason of odour, sight, sound, vibration or impact on adjacent land use and Town services. These uses are located in various areas of the Town and are generally well maintained. Industrial development of the Town is unlikely to occur rapidly, but it is the intent of Council to encourage appropriate industrial development. This does not include heavy industrial use such as steel processing, pulp and paper mills or shipbuilding which are offensive by reason of noise, odour, vibration, dangerous materials or processes.

Council=s Industrial Goal

Council's goal is: to encourage industrial uses within the Town which provide job opportunities and economic stability for the residents of the Town and surrounding communities.

Council=s Industrial Objectives

Council's objectives are: co-operation with senior levels of Government to attract and develop industrial uses in the Town; to prevent industrial sprawl on the periphery of the Town; the accommodation and encouragement of new and existing industrial uses compatible with other land uses; the adaptive reuse of industrial sites as business development centres; and the establishment of industrial land use standards.

11.1 It shall be the policy of Council to designate areas Business Development for existing and future industrial use and adaptive reuse according to Map A, the Future Land Use Map.

11.2 Designated Business Development areas shall be developed primarily for industrial purposes including manufacturing, warehousing, bulk storage, railway uses, automotive repair, equipment depots and breweries and the adaptive reuse of industrial sites as business development centres.

11.3 New residential uses shall not be permitted in designated Business Development areas.

11.4 Business Development areas should permit the adaptive re-use of former industrial facilities, in particular their conversion to mixed industrial, commercial and institutional uses, designed to fully utilize structures no longer used for their original designed purpose.

11.5 Council may exempt adaptive reuse and industrial uses which abut former railway rights-of-way from yard depth and setback provisions of the Land Use By-law.

11.6 Small industries may be permitted in the downtown commercial area if they have a significant retail component.

11.7 Existing industrial uses shall be zoned Industrial (M1), even if located in areas intended for different future development, allowing reconstruction and repair and encouraging more stringent setback requirements, but not allowing rezoning to uses other than anticipated by the Future Land Use Map. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 34

PART 12 - AGRICULTURE POLICY

A declining portion of the land within the limits of the Town of Bridgetown is currently in non-intensive agriculture uses. These uses are unlikely to increase in intensity to any significant extent. Council considers that this land is potentially available for development when required. However, Council considers that the land currently used for agriculture may continue until development groups design integrated residential and highway commercial developments, particularly in the eastern third of the Town.

Council=s Agriculture Goal

It is the goal of Council to: ensure that the transition from agricultural uses to urban development occurs with minimal adverse effects to the property owner and to the Town.

Council=s Agriculture Objectives

Council's objectives are: the accommodation of agricultural land uses within the Town in a manner compatible with urban development on agricultural land.

12.1 It shall be the policy of Council to designate areas for agricultural uses within the Town according to Map A, the Future Land Use Map. Only those uses which require few Town services and have a low population density shall be permitted in designated agricultural areas. These uses include agriculture, forestry and animal related uses, but the Land Use By-law shall establish restrictions on these uses designed to minimize conflicts with higher density urban development.

12.2 Designated agricultural areas shall be zoned residential rural (R3). The R3 zone shall allow single family detached development, with large lot sizes, and shall also permit agricultural, forestry and related uses. Recreational uses and service/utility uses may be permitted in designated agricultural areas Aas of right@ or by amendment to the Land Use By-law.

12.3 It shall be the policy of Council to zone most R3 uses existing at the time of the adoption of this bylaw to R1 or CDD given plans and policies recently established for urban development. Existing rural residential uses shall be conforming uses in the R1 and CDD zones. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 35

PART 13 - LAND USE CONFLICTS POLICY

It is recognized that where different zones or designated areas abut, there may be conflicts. As well, there may be conflicts with permitted uses, such as the agricultural uses or business uses to be permitted in designated residential areas.

Council=s Land Use Conflicts Goal

It is the goal of Council throughout this Plan: to avoid land use conflicts.

Council=s Land Use Conflicts Objective

It is Council's objective: to prescribe conditions designed to minimize conflicts, such as those intended to apply to agricultural and similar uses in R3 zones and business uses in residential areas.

13.1 It shall be the policy of Council to prescribe additional requirements to minimize land use conflicts where commercial or industrial zones abut residential, recreational or institutional zones.

13.2 Council may prohibit outdoor storage or display of goods and may limit the extent to which outdoor storage and display is permitted in yards abutting lands zoned other than industrial and highway commercial. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 36

PART 14 - TOWN SERVICES POLICY

The Town of Bridgetown has committed itself to policies that encourage or require compact, cost-effective growth and development for the community. Generally, new subdivisions will be permitted where municipal services are available. Services will typically be extended in an incremental pattern, that avoids leapfrog sprawl. Piped services and other >hard= infrastructure will not be extended beyond Town boundaries. Engineering specifications to regulate all subdivision developments shall be according to the Town Engineer until amendments are made to the new Town of Bridgetown Subdivision By-law. The Town of Bridgetown shall support the active use and development of geographic information systems for the proper management of its services.

14.1 Service and Utility rights-of-way and accessory structures shall be permitted throughout the Town without regard to the Land Use By-law.

14.2 Outdoor storage of materials required for Service and Utility uses shall be permitted only in accordance with the Land Use By-law.

14.3 Service and Utility offices shall be regarded and treated under the Land Use By-law as any other business office.

14.4 Plans for new Service and Utility rights-of-way which are intended to be built through lands designed as "Conservation" on Map A shall be submitted to the Department of the Environment for comments on methods of alleviating/eliminating the detrimental impacts of construction on these areas.

14.5 Geographic information systems shall be used for Town services planning, budgeting and maintenance and the Town shall consistently work toward their advancement.

14.6 Engineering specifications to regulate all subdivision developments shall be according to the Town Engineer until amendments are made to the new Town of Bridgetown Subdivision By-law. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 37

PART 15 - SANITARY SEWER POLICY

15.1 Council shall maintain a program to separate, as far as possible, the storm water drainage from the sanitary sewer system.

15.2 Council shall require all subdividers to install and bear the costs of sanitary sewer mains and laterals within any new subdivision in an area requiring these services. Subdividers shall also bear all costs of installation of mains required to connect to the existing Town mains. Subdivision requiring servicing shall typically abut an existing serviced area.

15.3 All additional sanitary sewer lines shall be constructed to meet the standards set out in the Subdivision By-law.

15.4 The Town shall not allow the extension of municipal sanitary sewer beyond its municipal boundaries.

PART 16 - STORM DRAINAGE POLICY

16.1 Council shall establish an on-going program of storm sewer installation where required.

16.2 Council shall encourage all owners who currently have storm sewer lines hooked into the Town sanitary sewer system and who are located within 100' of a storm sewer of adequate depth to disconnect these lines from the sanitary sewer system and connect them to the storm sewer or use the natural drainage system.

16.3 Council shall require that adequate storm drainage is installed within all new subdivisions and that all new developments are connected to the Municipal Storm Drainage System or provided with private storm drainage systems satisfactory to the Town at the time of development. The developer shall bear all costs of installation and connection of storm drainage.

16.4 All storm sewer lines shall be constructed to meet the standards set out in the Subdivision By-law.

16.5 Council shall prohibit the connection of any sanitary sewer line with the storm drainage system.

16.6 The Town shall not allow the extension of municipal storm sewer beyond its municipal boundaries.

Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 38

PART 17 - WATER POLICY

17.1 Council shall continue to upgrade and maintain the present water supply system of the Town.

17.2 Council shall investigate various methods of protection of the watershed area. The Town shall co-operate with the County to ensure the most beneficial and expedient method of protection of the watershed area.

17.3 Council shall require all subdividers to install and pay for water mains and it shall be the policy of the Town only to permit new serviced subdivisions where the subdivision has available servicing or abuts an existing serviced area. The Town may, however, at the discretion of Council, construct water mains under a capital contribution agreement with a developer or subdivider.

17.4 All water lines shall be constructed to meet the standards set out in the Subdivision By-law.

PART 18 - SOLID WASTE POLICY

18.1 Council shall supervise the operations, collection and storage of solid waste to ensure that the solid waste disposal is being carried out in a safe and sanitary manner.

PART 19 - FIRE AND SAFETY POLICY

19.1 Council shall continue to support the Bridgetown Fire Department and the Bridgetown detachment of the RCMP.

19.2 Emergency access shall be provided to as much development in Town as possible.

19.3 Council shall continue to support the Bridgetown Emergency Measures Organization.

PART 20 - TRANSPORTATION POLICY

The Town of Bridgetown has a clear hierarchy of highways, streets and roads. The Town is interested in traffic flows that efficiently serve land uses throughout the community without excessively burdening any particular area with non-local vehicular movements.

The classification of existing streets and the provision for continuity and good distribution of new streets is important. Future road patterns are of planning concern to Council recognizing that short-term new development should not interfere with long term development needs.

Parking is required on-site for most new developments to allow for convenience, efficiency, and effective traffic flow. The parking of cars and the encouragement of pedestrian traffic is of prime concern, especially in the downtown. Bicycle traffic is being encouraged through new policy on bicycle paths and racks. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 39

20.1 STREETS

20.1.1 Existing streets shall be classified as shown on, Map C, Transportation Map.

20.1.2 When land is being subdivided within the Town, the rights-of-way as shown on Map C shall be generally considered for collector and arterial roads. The precise location and width of roads shall be determined at the time of subdivision.

20.1.3 All new local streets and extensions of existing streets shall be laid out in a manner which improves the general traffic flow of the area.

20.1.4 All new streets shall have the following minimum width rights-of-way:

Arterial Road - 20 m

Collector Road - Industrial Zone 18 m

- Residential Zone 16 m

Local Road - 16 m Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 40

20.1.5 The right-of-way width of an extension to an existing street shall be based on the classification of the existing street and consideration of the width of the existing right-of-way. Council shall make the final determination of the width of a proposed extension, but such width shall not be less than 16 m.

20.1.6 All new streets or extensions to existing streets shall be constructed in accordance with the standards set out in the Town's Subdivision By-law.

20.1.7 All designated public streets within the Town, with the exception of designated Provincial highways, are recognized as being the responsibility of the Town for maintenance and upkeep.

20.1.8 Council shall annually direct the Transportation Services Committee to inspect designated access rights-of-way. All obstructions or obstacles within the rights-of-way shall be removed by the Town.

20.1.9 Distances between intersections shall be as set out in the Town Subdivision By-law.

20.1.10 Council shall eliminate visibility hazards which exist on public and privately owned land at street intersections and street right-of-ways throughout the Town.

20.1.11 Council shall require second accesses to municipal roads in accordance with its Subdivision By-law.

20.2 PARKING

20.2.1 All new developments in the Town shall be required to provide suitable parking with the exception of downtown uses specifically allowed partial or full exemption in the Land Use By-law.

20.2.2 Council shall encourage existing business firms to provide off-street parking incentives for employees.

20.2.3 Council shall investigate the possibility of purchasing and/or leasing any lands for use as public parking lots.

20.2.4 Council shall require new businesses and industries within the Town to provide off-street loading and unloading facilities where physically possible. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 41

20.3 PEDESTRIAN

20.3.1 Council shall continue the sidewalk construction and repair program.

20.3.2 Council shall encourage developers to provide pedestrian pathways or walkways through new residential areas. Such walkways shall be incorporated into the subdivision and shall be deeded to the Town. Maintenance shall be the responsibility of the Town.

20.4 BICYCLE PATHS

20.4.1 Council shall encourage the design and development of bicycle paths within the Town and the provision of bicycle racks in convenient locations. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 42

PART 21 - SIGN POLICY

The Town of Bridgetown is interested in the regulation of signs in order to present an attractive and orderly environment in which messages can be effectively conveyed for safety, direction, public information and commercial purposes. Council will allow commercial messages on-site and limited directional and other messages throughout the community.

21.1 Sign requirements shall be included in the sign section of the Land Use By-law which, for public safety and visual appearance reasons, shall include provisions dealing with size, location, lumination, type and number of signs. In addition, certain types of signs, as specified, shall be prohibited completely or prohibited from specific zones and other types of signs shall be permitted in all zones.

PART 22 - FINANCES POLICY

Council's responses to demands for the establishment and extension of various services are affected by limited revenues, increasing costs and slow increases in the assessment base of the Town. The Town, with this Plan, is aggressively pursuing continued diversification of its economic base. The Town also believes that Bridgetown should contain as the regional growth centre, the commercial and industrial development and tax base. Any other form of development is promoting urban sprawl.

22.1 It shall be the policy of Council to co-ordinate development and servicing projects with the capital expenditure estimates.

22.2 It shall be the policy of Council to assess development and servicing proposals on a comprehensive basis, including their impact on the finances of the Town.

22.3 It shall be the policy of the Town to pursue growth management, effecting compact growth in the Bridgetown region in order to avoid commercial and industrial sprawl, a fragmented tax base and higher infrastructure costs in the region. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 43

PART 23 - IMPLEMENTATION POLICY

23.1 General

Bridgetown=s Municipal Planning Strategy is the primary policy document providing the framework by which the future growth and development of the Town shall be encouraged, controlled and coordinated. The value of its policy statements are ultimately, not only dependent on their acceptance by the majority of people for whom they are prepared, but also upon the means and feasibility of implementation. The Town Council has a variety of tools at its disposal, each of which is only applicable in certain situations. The implementation function is, in effect, carried out through a series of adopted by-laws and programs designed to control and shape changes in the Town. The by-laws referred to included for example, the Land Use By-law and the Subdivision By-law while the programs are reflected through public works projects and capital improvement programs.

23.1.2 This Municipal Planning Strategy shall be implemented by means of the powers conferred upon the council by The Municipal Government Act and other Provincial Statutes as may be applicable.

23.1.3 In addition to employing specific implementation measures it shall be the intention of Council to maintain an ongoing monitoring and planning process through its Planning Advisory Committee.

23.2 Municipal Planning Strategy Amendments

23.2.1 It shall be the intention of council to require amendments to the policies and maps of the Municipal Planning Strategy in the following situations:

- (a) where any policy intent is to be changed;
- (b) where the Municipal Planning Strategy is in conflict with applicable provincial land-use policies or regulations in accordance with the Municipal Government Act;
- (c) where a requested amendment to the Land Use By-law is in conflict with this planning strategy and there are valid reasons for the amendment; or
- (d) where a secondary planning strategy is to be incorporated into the Municipal Planning Strategy.

23.2.2 Planning Strategy amendments shall require the approval of the Provincial Director of Planning acting on behalf of the Minister of Housing and Municipal Affairs and shall be carried out in accordance with the provisions of the Municipal Government Act. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 44

23.3 Actions Not Requiring a Planning Strategy Amendment

Since the Future Land Use Map is not intended to be a precise representation of the configuration of future land use pattern in the Town it is wise to provide some flexibility for those land uses on the boundary or fringe areas for which plan amendments might otherwise be required.

23.3.1 Areas immediately adjacent to a given land use designation on the Future Land Use Map may be considered for a zoning amendment to a use permitted in that given designation without requiring an amendment to this strategy provided that the intents of all other policies of the Strategy are satisfied.

23.4 Land Use By-law

The Town of Bridgetown Land-Use By-law is the main implementation instrument for those policies within this Municipal Planning Strategy which make statements with respect to the control of land use and development. The Land-Use By-law establishes certain zones, identifies their location by way of a Zoning Map, and indicates the uses permitted and the development standards required.

23.4.1 It shall be the intention of council to initially include the following zones in the Bridgetown Zoning By-law:

Residential Light Density R1

Residential Multiple R2

Residential Rural R3

Residential Rehabilitation Area CDD RRA

Downtown Commercial C1

Highway Commercial C2

Comprehensive Development District CDD

Business Development BD

Institutional I1

Industrial M1

Service/Utility S/U

Open Space O1

Conservation O2

Tourist Recreation O3

Residential Mobile Home MH

23.4.2 It shall be the intention of Council that the Land-Use By-law may be amended to allow additional uses provided that they are consistent with the policies of this Strategy.

It is not intended that all land shall be pre-zoned at the outset as indicated by the policies of this strategy or as indicated on the Future Land Use Map. Rather, in order that Council may maintain a comparatively high degree of control and is able to monitor future development, initial zoning provisions will be comparatively restrictive and development will be permitted by an amendment to the Land Use By-law or by development agreement, in accordance with the policies of this Municipal Planning Strategy. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 45

23.5 Amending the Land Use By-law

It may be necessary from time to time to amend the Land-Use By-law, although the by-law must always be amended in conformity with the Municipal Planning Strategy. Those situations for which there is provision to initiate the process of amending a Land-Use By-law include:

- (a) a request by an individual to amend the by-law;
- (b) a motion by a member of council to amend the by-law; or
- (c) the amendment of the Municipal Planning Strategy such that the Land-Use By-law is not longer in conformance with the strategy.

23.5.1 The Council in considering an amendment to the Land-Use By-law shall comply with all requirements as provided for in the Municipal Government Act, and this strategy.

23.5.2 It shall be the intent of Council that the following uses, within the designations specified, shall only be considered by amendment to the land use by-law:

- (a) mobile homes in the Residential Designation (Policy 6.13);
- (b) recreational uses, institutional uses and service/utility uses may be permitted in designated residential areas (Policy 6.3).

23.5.3 In considering an amendment to the Land-Use By-law the Council shall have regard for those matters identified in Policy 23.7.1 as well as those criteria set out in other applicable policies of this Strategy.

23.5.4 In considering amendments to the Land-Use By-law, it shall be the intention of Council to:

- (a) request a report from the development officer;
- (b) refer the matter to the Planning Advisory Committee for their report with respect to any other policies of this strategy which affect the proposed amendment.

23.5.5 In considering an amendment to the Land Use By-law, Council shall hold a public hearing in accordance with the provisions of the Municipal Government Act. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 46

23.6 Development Agreements

A development agreement is, like traditional zoning, a tool for implementing a Municipal Planning Strategy, but unlike it, an approach which provides flexibility although not at the expense of adequate controls. A development agreement is a formal written agreement between a council and a developer and as such is binding on both those involved. As provided for under the Municipal Government Act, where a Council intends to regulate development by Development Agreement, a Municipal Planning Strategy is required to have policy with regard to the following three matters: (1) the types of developments and the areas in which those developments shall be considered by development agreement, (2) those matters which the Council shall consider prior to entering into a development, (3) those matters which may form a part of the development agreement.

23.6.1 It shall be the intent of Council that the following uses shall only be considered by development agreement and that this shall only be within the designations indicated:

- (a) Non-residential uses near residential uses in the Residential Rehabilitation Area CDD designation (Policies 6.9 and 6.10);
- (b) All uses in the East End Interchange CDD designation (Policy 7.10);
- (c) Bed and breakfast or small residential care facilities uses up to three units in the R1 Zone (Policy 6.15).
- (d) Grouped dwellings in the R2 Zone (Policy 6.22).

23.6.2 In considering entering into a development agreement, the Council shall have regard for those matters identified in Policy 23.7.1 as well as those criteria set out in other applicable policies of the strategy. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 47

23.6.3 It shall be the intention of Council that a development agreement made pursuant to the Municipal Government Act may contain such terms and conditions that it feels necessary to ensure that the development agreement is consistent with the policies of this Strategy, to this end, the agreement may include, but is not limited to, some or all of the following:

- (a) The specific use and size of the structure, either new or an expansion of an existing structure;
- (b) The location of any structure within a development;
- (c) The percentage of land that may be built upon and the size of yards, courts or other open spaces;
- (d) The maximum density of the population within the development;
- (e) The architectural design or external appearance of structure, in particular its compatibility with adjacent structures;
- (f) The provision of services and utilities;
- (g) Traffic generation, ingress to and egress from the site to abutting streets and parking;
- (h) The landscaping or buffering of developments which may include fencing, walkways and outdoor lighting;
- (i) Alteration of land levels;
- (j) Open storage;
- (k) Public display of advertising;
- (l) Any other similar matter that may be addressed in a Land-Use By-Law which Council feels is necessary to ensure to general compatibility of the use and structure with adjacent areas.

Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 48

23.7 Criteria for Amendment to the Land Use By-law and Evaluation of Proposals for Development Agreements

Zoning and Development Agreements are mechanisms for implementing land use aspects of Municipal Planning Strategies (MPS). As such they must be in conformity with the MPS. An Amendment to a Land Use By-law or entering into a Development Agreement can have a significant impact on fiscal, land use and other matters in the Town. With this in mind, the Municipal Government Act provides that a Municipal Planning Strategy contain the criteria to be used by council when considering an amendment to a Land Use By-law or entering into a Development Agreement.

23.7.1 In considering amendments to the zoning in the by-law or, entering into development agreements, in addition to all other criteria as set out in various policies of this planning strategy, Council shall have regard for the following matters:

That the proposal is in conformance with the intents of this Strategy and with the requirements of all other Town By-laws and regulations;

- (a) That the proposal is not premature or inappropriate by reason of:
 - (i) the financial capability of the Town to absorb any costs relating to the development;
 - (ii) the adequacy of sewer and groundwater to support the proposed density of development;
 - (iii) the adequacy and proximity of school, recreation and other community facilities;
 - (iv) the adequacy of road networks adjacent to, or leading to the development;
 - (v) the potential for the contamination of water courses or the creation of erosion or sedimentation;
 - (vi) stored water capacity for fire protection;
 - (vii) the potential for damage to or destruction of historical buildings and sites.

Town of Bridgetown
MUNICIPAL PLANNING STRATEGY Page 49

(b) That controls are contained in a Land Use By-Law or a development agreement so as to reduce conflict between the development and any other adjacent or nearby land use by reason of :

- (i) type of use;
- (ii) emissions including air and water pollutants and noise;
- (iii) height, bulk, and lot coverage of the proposed building;
- (iv) traffic generation, access to and egress from the site, and parking;
- (v) open storage;
- (vi) signs;
- (vii) similar matters of planning concern.

(c) Suitability and development costs of the proposed site in terms of steepness of grades, soil and geological conditions, marshes, swamps, or bogs and proximity of highway ramps, railway rights-of-way and other nuisance factors.

(d) Provision is made for buffering, landscaping, screening and access control to reduce potential incompatibility with adjacent land uses and traffic.

(e) Development is located so as not to obstruct any natural drainage channels or watercourses.

23.8 Subdivision Control

The Town of Bridgetown presently has a Subdivision Bylaw, which was put in place April 1, 1999. Pursuant to the provisions of The Municipal Government Act, the province prescribed Provincial Subdivision Regulations. An amended Subdivision By-law for the Town of Bridgetown should be considered to add provisions such as engineering specifications for subdivision developments.

23.8.1 It shall be the intent of Council to review the existing Subdivision By-law for the Town of Bridgetown. Town of Bridgetown MUNICIPAL PLANNING STRATEGY Page 50

23.9 Development Officer

23.9.1 In accordance with Sections 243 (1) and 243 (2) of The Municipal Government Act it shall be the intention of Council to appoint a development officer who shall administer the Land Use By-law and Subdivision By-law and as such shall be responsible for the granting of development permits and approvals of plans of subdivision.

23.10 Building By-law

23.10.1 It shall be the intent of Council to administer the Building By-law and update it as warranted in order to effectively regulate the safety and structural sufficiency of buildings in the Town.

23.11 Sewer By-law

23.11.1 It shall be the intent of Council to administer the Sewer By-law and update as required in order to clearly define the responsibilities of the user and effectively regulate the type, strength and volume of effluent discharged.

23.12 Unsightly Premises

23.12.1 It shall be the intent of Council to maintain properties in the Town by applying the relevant sections of the Municipal Government Act to deal with unsightly premises.

23.13 Capital Program

In addition to controlling private development Council may undertake programs of its own to encourage development in certain areas, to enhance, improve, or protect the environment of the Town, or to provide a greater range of social, recreation, cultural or educational facilities and activities. It is one purpose of this Strategy to aid in establishing such programs.

23.13.1 It shall be the intent of Council to incorporate policies and provisions of this Strategy into the Capital Budget and the three year Capital Program of the Town to the greatest extent possible, with the goal of eventual integration of planning, capital programming, and budgeting.

23.13.2 To assist in co-ordinating planning and budgeting, it shall be the intent of Council to provide a copy of the budget to the PAC prior to the approval of the annual Capital Budget.

LAND USE BY-LAW

TOWN OF BRIDGETOWN

October 1999, As Amended September 2007, October 2008, July 2009, August 2009, September 2010,
January 2012, May 2012, November 2013

PART 2 - DEFINITIONS

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

1. ACCESSORY BUILDING means a subordinate building or structure located on the same lot as a main building devoted exclusively to an accessory use.
2. ACCESSORY USE means any use subordinate, customarily and normally incidental to and exclusively devoted to a main use of land or building and located on the same lot.
3. ALTER means any change in a structural component of a building or structure or any increase or decrease in the volume of a building or structure.
4. AMUSEMENT ARCADE means a wholly enclosed "place of amusement" as defined by the Theatres and Amusement Act, limited to four (4) or more video amusement devices, pool tables and similar amusement machines, but does not include any activity of gambling or any gambling device.
5. APARTMENT BUILDING means a building containing three or more dwelling units which have a common entrance from the street level and the occupants of which have the right to use in common certain areas of the building.
6. AUTOMOBILE SERVICE STATION OR SERVICE STATION means a building or part of a building or a clearly defined space on a lot used for the retail sale of lubricating oils and gasolines and may include the sale of automobile accessories and the servicing and minor repairing essential to the actual operation of motor vehicles other than an automobile washing establishment or an automobile sales establishment.
7. BED AND BREAKFAST means a dwelling where the proprietor supplies either room or room and breakfast for monetary gain on a temporary basis, where not more than ten rooms are so used, and which is open to the travelling public.
8. BOARDING OR ROOMING HOUSE means a single unit residential dwelling in which the primary resident/owner supplies either room or room and board for compensation, on a weekly or monthly basis, and which is not open to the general public.
9. BUILDING means any structure whether temporary or permanent, used, or built for the shelter, accommodation or enclosure of persons, animals, material or equipment. Any awning, bin, bunker, platform, or vehicle used for any of the said purposes is a building or part thereof.
10. CHURCH means a building dedicated to religious worship and includes a church hall, church auditorium, Sunday School, parish hall and day care facility operated by the church.
11. COMMERCIAL SCHOOL means a building or part of a building used for monetary gain as a place of learning and education for seven or more pupils gathered together at one time and includes a secretarial school, language school and driving school, but does not include a day-care facility.

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

13. CONVERTED DWELLING means a building originally built and designed as a single detached dwelling unit which has been altered to contain three or more dwelling units.

14. CORNER VISION TRIANGLE means that part of a corner lot adjacent to the intersection of the exterior lot lines measured from such intersection the distance required by this By-law along each such street line and joining such points with a straight line. The triangular shaped land between the intersecting lines and the straight line joining the points the required distance along the street lines shall be known as the "corner vision triangle" (see figure on page 7).

15. COUNCIL means the Council of the Town of Bridgetown.

16. DAY-CARE FACILITY means a building or part thereof in which services pertinent to a child's physical, social, emotional and intellectual development are or may be provided apart from the child's parent or guardian, but does not include a hospital, school, home for special care or a building or part thereof in which the services provided are organized recreational or religious activities.

17. DEVELOPMENT includes any erection, construction, addition, alteration, replacement or relocation of or to any building or structure.

18. DEVELOPMENT OFFICER means the officer from time to time charged by the Council with the duty of administering the provisions of the Land Use By-law.

19. DOUBLE DUPLEX means a building that consists of two duplexes attached to each other.

20. DRY CLEANING OR LAUNDRY ESTABLISHMENT means a building where dry cleaning, dry dyeing, cleaning or pressing of articles or goods or fabric is carried on and in which only solvents are or can be used which emit no odours or fumes and in which no noise or vibration causes a nuisance or inconvenience outside of the premises.

21. DUPLEX means a building that is divided horizontally into two dwelling units, each of which has a private entrance either directly or through a common vestibule or from outdoors.

22. 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 but does not include, a mobile home, a mini home, a hotel, a motel or apartment hotel.

23. 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.

24. ENVIRONMENT means any combination of air; soil and water; plant and animal life; social and cultural conditions; buildings and other structures; or any impacts on the foregoing resulting directly or indirectly from human activities

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

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

27. EXISTING means existing as of the effective date of this By-law.

28. FLOOR AREA means:

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

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

(c.) Gross floor area means the aggregate of the floor areas of a building above or below grade, measured between the exterior faces of the exterior walls or the building at each floor level but excluding car parking areas within the building; and for the purpose of this clause, the walls of an inner court shall be deemed to be exterior walls.

(d.) With reference to a dwelling unit where more than one unit is contained within a building, means the maximum floor area contained within the finished wall surfaces of an individual dwelling unit, excluding closets, built-in cabinets and storage areas and balconies.

29. GROUPED DWELLINGS means two or more architecturally similar and thematically designed residential units which are pre-serviced and contained within two or more buildings located on the same lot.

30. HEIGHT means the vertical distance on a building between the established grade and

(a.) the highest point of the roof surface or the parapet of a flat roof, whichever is greater;

(b.) the deckline of a mansard roof; and

(c.) the mean level between eaves and ridges on a gabled, hip, gambrel or other type of pitched roof; but shall not include any construction used as an ornament or a mechanical penthouse, chimney, tower, cupola or steeple.

31. HOME FOR SPECIAL CARE means an extended or intermediate care facility licensed under the Homes for Special Care Act or the Children=s Services Act to provide full time care to individuals who, by reason of age, chronic illness or infirmity, are unable to care for themselves; or to provide custodial or supervisory care such as a transition house, or youth assessment centre providing counselling and assessment.

32. HOME OCCUPATION means activities, accessory to residential use, carried on wholly within the boundaries of a property, upon which property is located the residence of the operator of the home occupation, and such activities involve the manufacture of goods or the provision of services and marketing of those goods or services and, without limiting the generality of the foregoing, shall include home businesses and offices, dressmaking, tailoring, photography, arts and crafts, ceramics, pottery, upholstery, dealing in antiques, household appliance repair and small motor repair, and shall not include retail merchandising operations such as operating a store or canteen, or noisy or potentially disruptive enterprise such as trucking and transport business, taxi services or autobody shops.

33. HOME OFFICE means a room or rooms, accessory to a residential use, not exceeding a total of 25 m² (269 sq. ft.) where business of a quiet and isolated nature may be conducted by residents of the dwelling but shall not include the manufacturing or on-site provision of any goods or services.

34. HOTEL means a building or buildings or part thereof on the same site used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation with or without meals, but without private cooking facilities.

35. INN means a dwelling where the proprietor supplies either room and board or meals for monetary gain on a temporary basis, where not more than twenty rooms are so used, and which is open to the travelling public.

36. INSTITUTION means an organized body or society for promoting a particular purpose with no intent of profit, but shall not include a private club.

37. KENNEL means a building or structure where animals, birds or other livestock intended or used as domestic household pets are kept or boarded.

38. LANDSCAPING means any combination of trees, shrubs, flowers, grass or other horticultural elements, decoration stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property or to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.

39. LOADING AND UNLOADING AREA means a vacant area of land which:

(a.) is suitable for the temporary parking of one commercial 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 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.

40. LOT means any parcel of land described in a deed or as shown in a registered plan of subdivision.

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

42. INTERIOR LOT means a lot situated between two lots and having access to one street.

43. THROUGH LOT means a lot bounded on two opposite sides by streets or highways, however, if any lot qualifies as being both a corner lot and a through lot, such lot shall be deemed to be a corner lot for the purpose of this By-law.

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

45. 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 of 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 maximum applicable front yard. In the case of a corner lot, the exterior lot lines (street lines) shall be deemed to extend to their hypothetical point of intersection for the purpose of calculating the frontage. (see figure on page 7)

46. LOT LINE means a boundary line of a lot.

47. FRONT LOT LINE means the line dividing the lot from the street; in the case of a corner lot the shorter boundary line abutting the street is the front lot line and where such lot lines are of equal length the front lot line shall be either of the lot lines. In the case of a through lot, any boundary dividing the lot from a street may be the front lot line.

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

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

50. MAIN BUILDING means a building in which the principal use of the lot occurs.

51. MAIN WALL means the exterior front, side or rear wall of a building and all structural members essential to the support of a fully or partially enclosed space or roof.

52. MOBILE HOME or MINI HOME means a structure which is designed for transportation after fabrication, whether or not on its own wheels or on a flatbed or other trailer, and which arrives at the site where it is complete and ready for occupancy, except for minor and incidental unpacking, assembly and service connections.

53. MOTEL means a building or buildings or part thereof on the same site used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation, with or without meals.

54. 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.

55. OBNOXIOUS USE means a use which, from its nature or operation creates a nuisance or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, oil or objectionable odour, or by refuse matter, waste or other material.

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

Lot Frontage

57. OUTDOOR WOOD FURNACE means an outdoor woodburning appliance or a solid-fuel burning appliance, which is used for the space heating of buildings, the heating of water or other such purpose and which is either freestanding or located in or attached to a separate building or on the exterior of the building which it serves.

58. PARKING AREA means an area other than a street containing two or more parking spaces, which is available for the use of the public or provided as an accommodation for clients, customers, residents or employees.

59. PARKING SPACE means an area of not less than 12.5 m² (134.5 sq. ft.) measuring 2.5 m (8.2 ft.) by 5 m (16.4 ft.) exclusive of necessary driveway or aisles, for the temporary parking or storage of motor vehicles, and which has adequate access to permit ingress and egress of a motor vehicle to and from a street or highway by means of driveways, aisles or manoeuvring areas.

60. PROFESSIONAL USE means a use carried out by a person or persons registered in Nova Scotia as professionals in connection with practice of that profession and typically include the offices of lawyers, accountants, architects, engineers, doctors and dentists.

61. PROTECTED LANDS means lands which are subject to flooding or lands on which, owing to unsatisfactory natural drainage, steep slopes, rock formations or other similar features, the cost of providing adequate water, sewer, sewage disposal and other municipal services and facilities would, in the opinion of Council, be prohibitive.

62. PUBLIC AUTHORITY means any Board, Commission or Committee of the Town of Bridgetown established or exercising any power or authority under any general or specific Statute of Nova Scotia with respect to any of the affairs or purposes of the Town or a portion thereof and includes any Committee or local authority established by By-law of the Town.

63. RECREATIONAL USE means the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, community centres and similar uses, together with necessary and accessory buildings and structures, but does not include the use of land for the racing of animals or any form of motorized vehicles.

64. RESTAURANT means a building or part thereof where food and drink are served to the public for consumption within the building or for take-out.

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

66. ROWHOUSE OR TOWNHOUSE DWELLING means a building that is divided vertically into three or more dwelling units, each of which has independent entrances.

67. SCRAP YARD means a lot or premises for the storage or handling of scrap material, and without limiting the generality of the foregoing, shall include waste paper, rags, bones, bottles, used bicycles, vehicles, tires, metal or other scrap material or salvage.

68. SEMI-DETACHED DWELLING means a building that is divided vertically into two dwelling units each of which has an independent entrance.

Town of Bridgetown LAND USE BY-LAW Page 9

69. SERVICE AND UTILITY USES means public and quasi-public uses which provide the support systems for the built environment. These shall include facilities provided by Government such as sewage treatment plants, rights-of-way, school bus garages, fire stations and facilities provided by companies such as the Nova Scotia Power Incorporated and Maritime Tel. & Tel., etc.

70. 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 identify, 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 as an announcement, direction or advertisement, and which is intended to be seen from off the premises or from a parking lot. The word "sign" shall 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 By-law.

71. SMALL RESIDENTIAL CARE FACILITY means any building or place, or part of a building or place, where supervisory care or personal care is legally provided on a licensed or unlicensed basis to a maximum of three persons and in all other respects is defined as a Residential Care Facility In the Homes for Special Care Act.

72. SINGLE DETACHED DWELLING means a dwelling containing only one dwelling unit, but does not include a mini home or mobile home.

73. STOREY means that 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 storey unless its ceiling is at least 1.8 m (5.9 ft.) above grade. Provided also that any portion of a storey exceeding 4.3 m (14.1 ft.) in height shall be deemed an additional storey for each 4.3 m (14.1 ft.) or fraction thereof of such excess.

74. STREET means the whole and entire right-of-way of every highway, road or road allowance vested in the Province of Nova Scotia or the Town or Bridgetown.

75. STREET LINE means the boundary line of a street.

76. STRUCTURE means anything that is erected, built, or constructed or any such erection, building or construction fixed to or supported by the soil or by any other structure. A structure shall include buildings, walls and signs and also fences exceeding 2 m (6.56 ft.) in height.

77. SWIMMING POOL means an artificial body of water, excluding ponds, of more than 10 m² (107.6 sq. ft.), used for bathing, swimming or diving.

78. TOWN means the Municipality of the Town of Bridgetown.

79. TRIPLEX DWELLING means a building that is divided into three dwelling units, each of which has an independent entrance either directly or through a common vestibule.

80. VETERINARY ESTABLISHMENT means the premises where animals, birds or other livestock are treated or treated and kept for monetary gain.

81. WAREHOUSE means a building where wares or goods are stored but shall not include a retail store.
Town of Bridgetown LAND USE BY-LAW Page 10

82. YARD means an open, uncovered space on a lot appurtenant to a building (except a court) and unoccupied by buildings or structures except as specifically permitted elsewhere in this By-law. In determining yard measurements the minimum horizontal distance from the respective lot lines shall be used.

(a) Front Yard means a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot; a "minimum" front yard means the minimum depth of a front yard on a lot between the front lot line and the nearest wall of any main building or structure on the lot.

(b) Rear Yard means a yard extending across the full width of a lot between the rear lot line and the nearest wall or any main building or structure on the lot; and "minimum" rear yard means the minimum depth of a rear yard on a lot between the rear lot line and the nearest wall of any main building or structure on the lot.

(c) 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 main building or structure on the lot.

(d) Flankage Yard means the side yard of a corner lot which side yard extends from the front yard to the rear yard between the flankage lot line and the nearest wall of any building or structure.

83. ZONE means a designated area of land shown on the Schedule of this By-law.

PART 3 - ZONES AND ZONING MAP

3.1 Zones

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

Zone Symbol

Residential Light Density R1

Residential Multiple R2

Residential Rural R3

Residential Rehabilitation Area CDD RRA

Residential Mobile Home MH

Downtown Commercial C1

Highway Commercial C2

Business Development BD

Comprehensive Development District CDD

Institutional I1

Service/Utility S/U

Industrial M1

Open Space O1

Conservation O2

Tourist Recreation O3

3.2 Zoning Map

Schedule "A" attached hereto may be cited as the "Zoning Map" and is hereby declared to form part of the By-law.

3.3 Interpretation

The symbols used on Schedule "A" attached hereto refer to the appropriate zones established in this By-law.

3.4 Application

The extent and boundaries of all zones are shown on Schedule "A" attached hereto and for all such zones the provisions of this By-law shall respectively apply

3.5 Interpretation of Zoning Boundaries

Boundaries between zones shall be determined as follows:

- 3.5.1 Where a zone boundary is indicated as following a street or highway, the boundary shall be the centre line of such street or highway.
- 3.5.2 Where a railroad right-of-way, electrical transmission line right-of-way or watercourse is included on the Zoning Map and serves as a boundary between two or more different zones, a line midway on such right-of-way or watercourse and extending in the general direction of the long division thereof shall be considered the boundary between zones unless specifically indicated otherwise.
- 3.5.3 Where a zone boundary is indicated as approximately following lot lines, the boundary shall follow such lines.
- 3.5.4 Where a zone boundary is indicated as following the limits of the Town boundary, the limits shall be the boundary.

3.6 Certain Words

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

3.7 Development Agreements

Uses Considered by Development Agreement

Not notwithstanding anything else in this By-law, certain uses which may not be permitted as of right in any zone may be considered for development by development agreement as provided for in Sections 225-230 of the Municipal Government Act. As provided for in the Municipal Planning Strategy, these are as follows:

- 3.7.1 Bed and breakfast uses in an R1 Light Residential Zone up to three units (MPS Policy 6.15).
- 3.7.2 Residential Rehabilitation Area CDD uses (MPS Policies 6.9 and 6.10).
- 3.7.3 Comprehensive Development District CDD Uses in the vicinity of the East Highway #101 Interchange (MPS Policy 7.10).
- 3.7.4 Grouped dwellings in the R2 Zone (Policy 6.22)

PART 4 - GENERAL PROVISIONS FOR ALL ZONES

4.1 Scope

4.1.1 No building or structure shall hereafter be erected or the use of any building changed, unless a development permit has been issued or the proposed work is excluded in subsection 4.1.4, and no development permit shall be issued unless all the provisions of this By-law are satisfied.

4.1.2 For the purpose of this By-law, if a use is not described as a permitted use in a zone or it is not an accessory use permitted in a zone, it shall be deemed to be a prohibited use in that zone.

4.1.3 Any person who violates a provision of this By-law shall be subject to the penalties as provided for under Section 505 of the Municipal Government Act of Nova Scotia.

4.1.4 Although a Heritage Permit may be required for properties registered under the Heritage Property Act, no development permit is required for: shingling of roofs, ground level walkways, non-structural replacement/addition/repairs to windows, storm windows, doors or storm doors; installation of siding over an existing exterior finish; insulation; fences less than 2 m (6.56 ft.) in height; interior/exterior renovations which do not involve the addition or replacement of structural members of the building.

4.2 Multiple Uses

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

4.3 Frontage on Street

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

- (a) abuts and fronts upon a public street; or
- (b) abuts and fronts upon an existing private street or road.

4.4 Licenses, Permits and Compliance with Other By-laws

4.4.1 Nothing in this By-law shall exempt any person from complying with the requirements of the Building By-law or any other By-law in force within the Town or from obtaining any license, permission, permit, authority or approval required by any other By-law of the Town of Bridgetown.

4.4.2 Where the provisions in this By-law conflict with those of any other Municipal or Provincial requirements, the higher or more stringent regulations shall prevail

4.5 Non-Conforming Uses

Non-conforming uses shall be subject to Sections 238-242 of the Municipal Government Act of Nova Scotia.

4.6 Existing Buildings

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

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

4.7 Existing Uses

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

4.8 Existing Undersized Lots

Notwithstanding anything else in this By-law, a vacant lot held in separate ownership from adjoining parcels on the effective date of this By-law, having less than the minimum width or area required by this By-law, may be used for a purpose permitted in the zone in which the lot is located and a building may be erected on the lot provided that all other applicable provisions in this By-law are satisfied and also provided that the necessary permits are secured for any private sewage disposal systems. This Section applies even though the lot has been increased in size after the effective date of this By-law.

4.9 Height Regulations

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae or towers, ventilators, skylights, barns, chimneys, clock towers, weather vanes, lightning rods, wind generators, etc.

4.10 Conformity with Existing Setbacks

Notwithstanding anything else in the By-law, in any Residential zone, structures built between existing buildings within 60 m (196.8 ft.) on the same block may be built with a setback equal to the average setback of the adjacent buildings, but this depth shall not be less than 3 m (9.84 ft.) from the front lot line.

4.11 Temporary Uses Permitted

4.11.1 Nothing in this By-law shall prevent uses incidental to construction such as a construction camp or other such temporary work camp, a tool shed, scaffold, or similar building incidental to construction provided that a development permit has been issued.

4.11.2 A development permit issued pursuant to Subsection (1) ceases to have effect sixty days after the construction has been discontinued unless within that sixty days the construction has recommenced.

4.11.3 Nothing in this By-law shall prevent uses erected for special occasions and holidays provided only that no such use remains in place more than fourteen consecutive days after the date of the special occasion.

4.12 Building to be Moved

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

4.13 Restoration to a Safe Condition

Nothing in this By-law shall prevent the strengthening or restoring to a safe condition of any building or structure, provided in the case of a non-conforming use the provisions of Sections 238-242 of the Municipal Government Act of Nova Scotia shall prevail.

4.14 Truck, Bus and Coach Bodies

No truck, bus, coach, street car or aircraft body shall be used for human habitation or occupancy within the Town of Bridgetown.

4.15 Building to be Erected on a Lot

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

4.16 Accessory Uses

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

4.17 Accessory Buildings

4.17.1 Accessory uses, buildings and structures shall be permitted in any zone within the Town of Bridgetown but shall not:

- (a) be used for human habitation except where a dwelling is a permitted accessory use;
- (b) be located in the front or flankage yard;
- (c) exceed 4.5 m (14.76 ft.) in height;
- (d) be built closer than 1 m (3.28 ft.) to a lot line in any zone except that:
 - (i) common semi-detached garages may be centered on the mutual side lot line;
 - (ii) accessory buildings with no windows or perforations on the side of the building which faces the said lot lines, may be located a minimum of 0.6 m (1.96 ft.) from the said lot line in any residential zone; and
 - (iii) boat houses and boat docks may be built to the lot line when the line corresponds to the water-edge;
- (e) be built within 2 m (6.56 ft.) of the main building; and
- (f) be built within an environmental setback.

4.17.2 Notwithstanding anything else in this By-law, wheelchair ramps, drop awnings, clothes poles, flagpoles, garden trellises, fences under 2 m (6.56 ft.) in height or fences in side or rear yards, and retaining walls shall be exempt from any requirements under Subsection (1).

4.18 Illumination

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

4.19 Corner Vision Triangle

On a corner lot or lot abutting the entrance or exit to a public parking lot, a fence, sign, hedge, shrub, bush or tree or any other structure or vegetation shall not be erected or permitted to grow to a height greater than 0.5 m (1.64 ft.) above grade of the streets that abut the lot within the triangular area included within the street lines for a distance of 6 m (19.68 ft.) from their point of intersection.

4.20 Watercourse Environment Setback

With the exception of trails, bridges, boat ramps, boat houses, boat docks and notwithstanding development permitted pursuant to Part 20.3 of this By-law, no permanent development is allowed within 8 m (26.2 ft.) of Solomon Chute Brook or the Annapolis River

4.21 Yard Exceptions

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

Notwithstanding anything else in this By-law, where a front, side or rear yard setback is required and where an environment setback is also required from a stream or other watercourse, the greater setback shall prevail and the lesser setback shall be waived.

4.22 Side Yards on Corner Lots

Notwithstanding anything else in this By-law, 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 the established front setback for the street.

4.23 Front Yard for a Through Lot

In the case of a through lot, there shall be deemed to be two front yards and the setback requirements for the zone shall be observed.

4.24 Permitted Encroachments in Yards

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

STRUCTURE

	YARD IN WHICH PROJECTION IS PERMITTED	MAXIMUM PROJECTION FROM MAIN WALL PERMITTED
Sills, belt courses, cornices, eaves gutters, chimneys, pilasters, or canopies	Any yard	1 m (3.28 ft.)
Window bays	Any yard	1 m (3.28 ft.) over a maximum width of 3 m (9.84 ft.)
Fire escapes and exterior staircases	Rear and side yard only	1.5 m (4.92 ft.) Over a maximum width of 3 m (9.84 ft.)
Balconies	Front, rear and flankage yards only for single detached, semi-detached, duplex and triplex dwellings, any yard for other residential buildings	2 m (6.56 ft.)
Open, roofed porches not exceeding one storey in height; uncovered terraces	Front, rear and flankage yards only	2.5 m (8.2 ft.) including eaves and cornices

4.25 Abutting Zone Requirements

Where an Institutional, Highway Commercial, Service/Utility, Industrial, or Open Space zone abuts a Residential Light Density (R1) or Residential Multiple (R2) zone, the following restrictions shall apply to an abutting yard within the Institutional, Highway Commercial, Service/Utility, Industrial, or Open Space zone:

- (a) the minimum setback requirements for the abutting side yard shall be 6 m (19.68 ft.);
- (b) no open storage or outdoor display shall be permitted within the required abutting yard;
- (c) the 6 m (19.68 ft.) setback shall be planted with trees and landscaped upon development of the property;
- (d) no parking or loading space shall be permitted closer than 3m (9.8 ft.) To a side or rear lot line.

4.26 One Main Building on a Lot

No person shall erect more than one main building on a lot except for:

- (a) buildings located in a Comprehensive Development District CDD zone, Industrial (M1) zone; and
- (b) grouped dwellings located in a Residential Multiple (R2) zone.

4.27 Yard Sales, Community Organization Sales, Flea Markets

Notwithstanding anything else in this Bylaw, while regular or frequent yard sales are not permitted within the Town, community organization sales and flea markets may be held, with landowner consent, by service clubs and other non-profit organizations in any non-residential zone and no development permit shall be issued unless at least 20 on-site parking spaces are available for the subject sale or flea market.

4.28 Mobile Home or Mini Home Structures

A mobile home or mini home structure may only be located in the Residential Mobile Home Zone (MH) subject to Section 4.11.

4.29 Outdoor Wood Furnaces

Notwithstanding any other provision in this By-law, an outdoor wood furnace in any zone shall:

- (a) be located in the rear yard and at least 100 m from the nearest lot line or any proposed public street or road;
- (b) have a chimney or exhaust height greater than the height of the roof of the tallest building on the lot; and
- (c) be CSA approved.

4.30 Permitted Uses

For the purpose of this By-law, if a use in the Business District (BD) Zone, Downtown Commercial (C1) Zone or Highway Commercial (C2) Zone is not considered by the Development Officer to be essentially similar to and typical of the uses of the zone, or is not specifically listed as a permitted use in a zone, for greater certainty it shall be deemed to be a prohibited use in that zone. A specific use may be added by amendment to the Land Use Bylaw as long as it does not contradict the intent or policy of the MPS.

PART 5 - LOADING REQUIREMENTS FOR ALL ZONES

5.1 In any zone, no person shall erect any building or structure for manufacturing, storage, warehouse, department, store, retail store, wholesale store, market, freight or passenger terminal, hotel, hospital, mortuary or other uses involving the frequent shipping, loading or unloading of persons, animals, or goods, unless there is maintained on the same premises with every such building, structure or use one off-street space for standing, loading and unloading for every 2,500 m₂ (26,910.65 sq. ft.) or fraction thereof of building floor area used for any such purpose to a maximum of six loading spaces.

5.2 Each loading space shall be at least 3.5 m (11.48 ft.) by 12 m (39.37 ft.) with a minimum of 4.5 m (14.76 ft.) height clearance.

5.3 The provision of a loading space for any building with less than 1,400 m₂ (15,069.96 sq. ft.) floor area shall be optional.

5.4 No such loading spaces shall be located within any required front yard or be located within any yard which abuts a Residential Light Density (R1), Residential Multiple (R2), Open Space or Institutional zone.

5.5 Loading space areas, including driveways leading thereto, shall be constructed of and maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

5.6 Ingress and egress, to and from the required loading space areas shall be provided by means of unobstructed driveways of a minimum width of 3.5 m (11.48 ft.) for one-way traffic and a minimum width of 7 m (22.96 ft.) for two-way traffic

PART 6 - PARKING REQUIREMENTS FOR ALL ZONES

6.1 Parking Requirements

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

	MINIMUM PARKING REQUIREMENTS
(a) a dwelling containing not more than two dwelling units	1 parking space for each dwelling unit
(b) nurses residences	0.75 parking spaces for each unit
(c) all other dwellings	1.5 parking spaces for each dwelling unit
(d) church halls, auditoria, restaurants, theater, arenas, halls, stadia private clubs and other places of assembly	1 parking space for every 10 fixed seats or for every 10 m ² (107.6 sq. ft.) devoted to public use where there are no fixed seats
(e) hospitals	0.5 parking spaces for each bed or 1 parking space for each 37m ² (398.27 sq. ft.) of floor area, whichever is the greater plus 0.5 for each employee and 1 for each doctor
(f) senior citizen apartment	0.5 parking spaces for each dwelling unit
(g) nursing, rest or convalescent home	0.5 parking spaces for each bed
(h) hotels, staff houses, motels, tourist cabins	1.0 parking spaces for each suite or rental unit plus 1 additional parking space for each 20 m ² (215.28 sq. ft.) of floor area devoted to public use exclusive of lobbies and halls
(i) offices, clinics	1 parking space for each 20 m ² (215.28 sq. ft.) of floor area
(j) shopping centre	parking area to be three times floor area, exclusive of common malls between stores
(k) funeral homes	0.2 parking spaces for each seat of the chapel
(l) bowling alleys & curling rinks	0.5 parking spaces for each person in the designed capacity of the establishment (designed capacity shall mean six persons per bowling lane and eight persons per curling sheet.) In other parts of the building, additional parking spaces shall be provided in accordance with the requirements set out in this By-law for the use to which the other parts of the building may be put.
(m) elementary schools	1.5 parking spaces for each teaching classroom
(n) high schools	2 parking spaces for each teaching classroom
(o) nursery schools and day care centres	1 parking space for each employee
(p) bed and breakfasts, inns & boarding houses	1.5 spaces for each permanent dwelling unit and 1.0 space for each unit available to transients or boarders
(q) highway commercial uses other than those specified above	1 space for every 20 m ² (215.28 sq ft.) of interior or exterior retail area
(r) manufacturing and industrial uses	1 space for each 75 m ² (807.31 sq. ft.) of gross floor area, plus parking space as in (i), above, for any offices included in the development

(s) all other retail uses and commercial & office uses in a residential zone	1 space for each 30 m ² (322.93 sq. ft.) of floor area
--	---

6.2 Standards for Parking Areas

Where parking facilities for more than four vehicles are required:

- (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 3 m (9.84 ft.) in height and not more than 4.5 m² (14.76 sq. ft.) in area may be erected in the parking area for the use of attendants;
- (d) the parking area shall be within 90 m (295.27 ft.) of the location which it is intended to serve and shall be situated in the same zone;
- (e) when the parking area is of a permanent hard surfacing, each parking space shall be clearly demarcated and maintained as such;
- (f) no gasoline pumps or other service station equipment shall be located or maintained on the parking lot;
- (g) approaches or driveways to any parking area, other than that required for a single family dwelling, semi-detached or 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;
- (h) the location of approaches or driveways shall be not closer than 15 m (49.21 ft.) from the limits of the rights-of-way at a street intersection;
- (i) entrance and exit ramps to a parking area shall not exceed two in number on any one street and each such ramp shall be a width of 7 m (22.96 ft.) at the street line and edge of pavement;
- (j) the width of a driveway leading to a parking area intended primarily for cars, or of a driveway or aisle in such area, shall be a minimum of 3 m (9.84 ft.) for one-way traffic and a minimum of 5.5 m (18.04 ft.) for two-way traffic and the maximum width of a driveway shall be 7 m (22.96 ft.); and
- (k) the width of a driveway leading to a parking area or loading area intended primarily for trucks, or of a driveway or aisle in such area, shall be a minimum of 3.5 m (11.48 ft.) for one-way traffic and a minimum of 7 m (22.96 ft.) for two-way traffic and the maximum width of a driveway shall be 13 m (42.65 ft.).

PART 7 - SIGNS

7.1 General

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

7.1.2 No person shall erect a sign without first obtaining a permit and no permit to erect a sign shall be issued unless intention to fulfil all the sign provisions of this By- law is shown.

7.2 Safety and Maintenance

7.2.1 Every sign and all parts thereof, including framework, supports, background, anchors and wiring systems shall be constructed and maintained in compliance with the Building, Electrical and Fire Prevention By-laws.

7.2.2 All signs and all parts thereof shall be kept in a good state of repair and maintenance and shall not be allowed to become unsightly or dangerous.

7.3 Limit on Number of Signs

7.3.1 For the purpose of this section, where a multiple tenancy building is occupied by more than one business, each business area shall be considered as separate premises.

7.3.2 Notwithstanding anything else in this By-law or elsewhere, not more than four signs may be erected on any premises at any one time provided that:

- (a) a double faced sign shall count as a single sign;
- (b) signs enumerated in Section 7.4 of this Part shall not be counted in calculating the total;
- (c) not more than one ground sign shall be permitted on any one lot except in the case of a service station, where a maximum of two ground signs shall be permitted;
- (d) not more than one facial wall sign per wall shall be permitted for each business premises; and
- (e) not more than one projecting wall sign per wall shall be permitted for each business premises.

7.4 Signs Permitted in all Zones

The following signs are permitted in all zones:

- (a) signs identifying name and address of resident and of not more than 0.2 m² (2.15 sq. ft.) in sign area;
- (b) "no trespassing" signs or other such signs regulating the use of property and of not more than 0.2 m² (2.15 sq. ft.);
- (c) real estate signs not exceeding 0.5 m² (5.38 sq. ft.) in sign area in a residential zone and 1.5 m² (16.15 sq. ft.) in other zones, which advertise the sale, rental or lease of the premises;
- (d) signs regulating or denoting on-premises traffic, or parking or other signs denoting the direction or function of various parts of a building or premise provided that such signs are less than 0.5 m² (5.38 sq. ft.) in area;
- (e) signs erected by a governmental body, or under the direction of such a body;
- (f) memorial signs or tablets and signs denoting the date of erection of a structure;
- (g) the flag, pennant, or insignia of any government, or of any religious, charitable or fraternal organization;
- (h) a sign having an area of not more than 4.5 m² (48.44 sq. ft.) incidental to construction and within the area designated for such purposes; and
- (i) signs relating to an election provided they are erected not more than forty five days preceding the ordinary polling date and are removed within seven days after the ordinary polling date.

7.5 Signs Prohibited in all Zones

The following signs shall not be permitted in any zone:

- (a) signs which incorporate in any manner any flashing or moving illumination which varies in intensity or which varies in colour and signs which have any visible moving part, visible revolving parts or visible mechanical movement achieved by electrical pulsations or by actions of normal wind currents;
- (b) any sign or sign structure which constitutes a hazard to public safety or health;
- (c) signs which by reason of size, location, content, colouring or manner of illumination obstruct the vision of drivers, either when leaving a roadway or driveway, or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets and roads;
- (d) any sign which obstructs free ingress to or egress from a fire escape door, window or other required exit way;
- (e) signs not erected by a public authority which make use of words such as "STOP" "LOOK", "ONE-WAY", "DANGER", "YIELD" or any similar words, phrases, symbols, lights, or characters in such manner as to interfere with, mislead, or confuse traffic along a public road;
- (f) any sign which no longer advertises a bonafide business conducted or a product sold;
- (g) signs on public property or public right-of-way, unless erected by a government body, or unless directed to be so located by order of a governmental body, or projecting wall signs or signs as may be permitted by request of a government body;
- (h) signs painted on a tree, stone, cliff or other natural object;
- (i) signs not related to any business or use located on the lot or premises unless specifically approved by Council;
- (j) portable signs on wheels or metal frames not affixed to the ground; and
- (k) search lights, pennants, spinners, banners and streamers, provided that on occasions such as grand openings, county fairs, public festivals, exhibitions and similar occasions, the same are permitted for a period not to exceed two weeks.

7.6 Projecting Wall Signs

No projecting wall sign shall:

- (a) exceed 2 m² (21.53 sq. ft.) in sign area;
- (b) project more than 2 m (6.56 ft.) from the wall upon which it is attached; and
- (c) hang lower than 2.5 m (8.2 ft.) above grade.

7.7 Ground Signs

No ground sign shall:

- (a) extend beyond a property line or project over a right-of-way, other adjoining lands, daylighting triangles or any driveway or parking space; and
- (b) be set back less than 1 m (3.28 ft.) from any street line, common lot boundary, driveway, aisle or parking area.

7.8 Facial Wall Signs

No facial wall sign shall:

- (a) extend above the wall on which it is placed;
- (b) extend beyond the extremities of the wall to which it is attached;
- (c) project more than 40 cm (15.7") from the wall of the building to which it is attached; and
- (d) exceed 10 m² (107.6 sq. ft.) in sign area.

7.9 Special Requirement: Roof Signs

Roof signs shall be permitted only in the Comprehensive Development District and shall be subject to the following conditions:

- (a) roof signs must be designed and engineered to have no superstructure; and
- (b) the sign shall not exceed 1.5 m (4.92 ft.) in height and 15 m (49.21 ft.) in length and shall not project beyond any wall of the building.

7.10 Special Requirement: Business Signs for Uses in Residential Zone

In the case of a business use permitted in a Residential Light Density (R1) zone, Residential Multiple (R2) zone, or Residential Rural (R3) zone, one sign which does not exceed 0.5 m² (5.38 sq. ft.) in sign area, is permitted for each such use unless the use fronts on Queen Street, or Granville Street, in which case one business sign which does not exceed 1 m² (10.76 sq. ft.) in sign area is permitted.

PART 8 - RESIDENTIAL LIGHT DENSITY (R1) ZONE

8.1 Uses Permitted

No development permit shall be issued in a Residential Light Density Zone (R1) except for one or more of the following uses:

single detached dwellings

duplex dwellings

semi-detached dwellings

day-care facility

parks & playgrounds

bed and breakfasts to a maximum of three units by development agreement

small residential care facilities by development agreement

funeral parlours with one dwelling unit

any use permitted in the R3 zone and subject to R3 requirements on the following properties existing in the R3 zone at the time of the effective date of this By-law:

Pid(s): 05146733, 05144035, 05144027(Civic#532 GS East), 05144019, 05144001, 05143961, 05143953, 05143979, 05200464, 05149166, 05148788, 05146915, 05146907, 05141346(Civic#505 GS East), 05146857, 05146824, 05146790(Civic#559 GS East), 05146782(Civic#557 GS East).

8.2 Zone Requirements

In any Residential Light Density (R1) zone, no development permit shall be issued except in conformity with the following requirements:

(a) Where Municipally approved central sanitary sewers and piped water are available: Single Detached Dwellings	Duplex Dwelling; Day-Care Facility	Semi-Detached Dwelling
Minimum Lot Area	700 m ² (7,535 sq. ft.)	1,115 m ² (12,002.1 sq. ft.)
Minimum Front Lot Line	23 m (75.5 ft.)	28 m (91.9 ft.)
Minimum Depth of Front Yard	10 m (32.8 ft.)	10 m (32.8 ft.)
Minimum Depth of Rear Yard	11 m (36.0 ft.)	11 m (36.0 ft.)
Minimum Depth of Side Yard	1.5 m (4.9 ft.) 3 m (9.8 ft.)	2 m (6.5 ft.) 3 m (9.8 ft.)
(i) One Side		
(ii) Other Side		
Maximum Height of Main Building	11 m (36.0 ft.)	11 m (36.0 ft.)

8.3 Home Occupations

Within a residential dwelling; or in an accessory building on the same lot within the Residential Light Density (R1) Zone, Residential Multiple (R2) Zone or Residential Rural (R3) Zone, provided that the following criteria are met:

- (a) home occupation uses occupy less than twenty-five percent of the total floor area of the dwelling unit, to a maximum of 65 m² (699.7 sq. ft.);
- (b) no more than three persons, including the residential tenant, are employed;
- (c) home occupation uses do not produce any hazard to the public or any noise, smoke, odour, vibration, or interference to electrical equipment perceptible on an adjacent lot;
- (d) two home occupation uses shall be permitted in a single dwelling unit provided that both uses are owned or operated by the residential tenant, the total floor area of both uses is less than twenty-five percent of the total floor area of the dwelling unit and no more than three persons including the residential tenant, are employed;

- (e) when only one home occupation use is operated within any dwelling unit, it must be owned or operated by the residential tenant;
- (f) the exterior appearance of the residence is not substantially altered;
- (g) adequate parking is provided as set out in the Land Use By-law; and
- (h) no outdoor storage or display is permitted.

8.4 Frontage on Corner Lots

The minimum front lot line of a corner lot shall not be less than 25 m (82.0').

PART 9 - RESIDENTIAL MULTIPLE (R2) ZONE

9.1 Uses Permitted

No development permit shall be issued in a Residential Multiple (R2) zone except for one or more of the following uses:

- all uses permitted in the R1 zone subject to the R1 zone requirements
- apartment dwellings
- bed and breakfasts
- boarding houses and rooming houses
- converted dwellings
- double duplex dwellings
- inns
- rowhouse dwellings
- triplex dwellings
- homes for special care
- homes for the aged
- nursing homes
- parks & playgrounds
- senior citizen complexes and administrative offices
- funeral homes with one dwelling unit
- existing highway commercial uses subject to the requirements in Section 9.3.7
- grouped dwellings by development agreement

9.2 Zone Requirements

In any Residential Multiple Density (R2) zone, no development permit shall be issued except in conformity with the following requirements:

(a) Where Municipally approved central sanitary sewers and piped water are available: Triplex Dwelling	Rowhouse Dwelling	Apt.; Double Duplex Dwellings	Senior Citizen Complexes	Nursing; or Homes for Aged; Funeral Parlours	Boarding; or Rooming Houses; B & B Inns
Minimum Lot Area	1,115 m ² (12,002 sq.ft.)	370 m ² (3,982.7 sq. ft.) Per Unit	1,115 m ² (12,002 sq.ft.) For first 4 units plus 140 m ² (1,506.9 sq.ft.) For each additional unit	840 m ² (9,041.9 sq.ft.) For first 5 units plus 93 m ² (1,001.1 sq.ft.) For each additional unit	1,115 m ² (12,002 sq.ft.) For first 4 units plus 140 m ² (1,506.9 sq.ft.) For each additional unit
Minimum Front Lot Line	28 m (91.9 ft.)	10 m (32.8 ft.) Per Unit	30 m (98.4 ft.)	23 m (75.5 ft.)	30 m (98.4 ft.)
Minimum Depth of Front Yard	10 m (32.8 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)
Minimum Depth of Rear Yard	14 m (45.9 ft.)	11 m (36.0 ft.)	14 m (45.9 ft.)	11 m (36.0 ft.)	11 m (36.0 ft.)

Minimum Depth of Side Yard	3 m (9.8 ft) 3 m (9.8 ft.)	4.5 m (14.7 ft.)	2 m (6.5 ft.)	2 m (6.5 ft.)	2 m (6.5 ft.)	2 m (6.5 ft.)
(i) One Side		4.5 m (14.7 ft.)	4.5 m (14.7 ft.)	4.5 m (14.7 ft.)	4.5 m (14.7 ft.)	3 m (9.8 ft.)
(ii) Other Side						
Maximum Height of Main Building	11 m (36.0 ft.)	11 m (36.0 ft.)	3 Stories	11 m (36.0 ft.)	11 m (36.0 ft.)	11 m (36.0 ft.)

9.3 Uses Permitted with Conditions

9.3.1 Converted Dwellings, to a maximum of four dwelling units, provided that municipal services are available in the area.

In addition to all other requirements, the following special provisions shall apply to converted dwellings:

- (a) no addition or alteration may be undertaken that:
 - (i) changes the roof line or increases the height of the building except for the addition of dormers, or
 - (ii) extends into the front or side yard of the lot, except for fire escapes; and
- (b) for each unit in a converted dwelling, a useable amenity area in the side or rear yards, unobstructed by buildings or vehicular parking, shall be provided according to the schedule for Amenity Space Part 9.3.6.

9.3.2 Apartments or rowhousing containing seven or more units provided that the following criteria are met:

- (a) rowhousing shall not contain more than six attached units, but more than one rowhouse may be located on the same lot;
- (b) the use shall be located in an area where sewer, water, and storm drainage services are available;
- (c) parking space shall be provided in the side or rear yard as required by clause (c) of Section 6.1 and 6.2 of Part 6;
- (d) the development shall be located on an arterial or collector street; and
- (e) for each unit in a rowhouse or apartment dwelling, a useable amenity area in the side or rear yards, unobstructed by buildings or vehicular parking, shall be provided according to the schedule for Amenity Space Part 9.3.6.

9.3.3 Bed and breakfasts, inns, rooming houses and boarding houses provided the following criteria are met:

- (a) parking space shall be provided in the side or rear yard as required by clause (p) of Section 6.1 and Section 6.2 of Part 6;
- (b) the owner, owners or manager of the bed and breakfast, inn or boarding house shall live on or adjacent to the property;
- (c) no changes are made to the roof line or increases the height of the dormers;
- (d) no additions or alterations extend into the front or side yard of the lot, except for fire escapes;
- (e) where permitted, the total area occupied for kitchen and dining use shall not exceed fifty percent of the total ground floor area of the dwelling;
- (f) opaque screening, either vegetative or fencing, at least 1.2m (4') high shall be provided in the rear yard along the boundary of abutting residential properties.

9.3.4 Home Occupations

Within a residential dwelling; or in an accessory building on the same lot within the Residential Multiple (R2) Zone, provided that the following criteria are met:

- (a) home occupation uses occupy less than twenty-five percent of the total floor area of the dwelling unit, to a maximum of 65 m² (699.7 sq. ft.);
- (b) no more than three persons, including the residential tenant, are employed;
- (c) home occupation uses do not produce any hazard to the public or any noise, smoke, odour, vibration, or interference to electrical equipment perceptible on an adjacent lot;
- (d) two home occupation uses shall be permitted in a single dwelling unit provided that both uses are owned or operated by the residential tenant, the total floor area of both uses is less than twenty-five percent of the total floor area of the dwelling unit and no more than three persons including the residential tenant, are employed;

- (e) when only one home occupation use is operated within any dwelling unit, it must be owned or operated by the residential tenant;
- (f) the exterior appearance of the residence is not substantially altered;
- (g) adequate parking is provided as set out in the Land Use By-law; and
- (h) no outdoor storage or display is permitted.

9.3.5 Services Required

No development permit shall be issued in a Residential Multiple (R2) zone where Municipally approved piped water and Municipal piped sanitary sewers are not available.

9.3.6 Amenity Space - Multiple Dwellings

No development permit shall be issued for an apartment building, rowhouse, converted dwelling, rooming or boarding house unless an amenity area unobstructed by buildings or vehicular parking is provided on the same lot according to the following schedule:

- Bachelor unit 14 m² (150.7 sq.ft.)/unit
- 1 bedroom unit 19 m² (204.5 sq.ft.)/unit
- 2 bedroom units 54 m² (581.3 sq.ft.)/unit
- 3 bedroom units 90 m² (968.8 sq.ft.)/unit
- 4 bedroom units 125 m² (1,345.5 sq.ft.)/unit

9.3.7 Existing Highway Commercial Uses

(1) The following use is deemed to be the only existing Highway Commercial use in an R2 zone:

Land Civic Address PID

1. Bridgetown Motor Hotel Civic #396 GS East 05148531

(2) An existing highway commercial use shall not be expanded to cover an area greater than the lot so used at the time of the passing of this By-law.

(3) An existing highway commercial use may not be converted to any use other than that existing when the By-law comes into force except for a use permitted in an R2 zone and if the use is converted to another permitted use the property may not again be used for a highway commercial use.

(4) The erection, expansion or reconstruction of any building or structure used or intended to be used for an existing highway commercial use shall meet the least restrictive of:

- (a) the requirements of the C2 zone; and
- (b) the existing yard depth.

PART 10 - RESIDENTIAL RURAL (R3) ZONE

10.1 Uses Permitted

No development permit shall be issued in a Residential Rural (R3) zone except for one or more of the following uses:

agricultural uses subject to Section 10.3

apiaries

animal kennels or stables

forestry

garden nurseries, market gardens

aviaries

parks & playgrounds

single detached dwellings

10.2 Zone Requirements

In a Residential Rural (R3) zone, no development permit shall be issued except in conformity with the following requirements:

Minimum lot area 2 ha (4.9 acres)

Minimum front lot line 120 m (396.9')

Minimum depth of front yard 12 m (39.4')

Minimum depth of rear yard 8 m (26.3')
Minimum depth of side yard
i) one side 2 m (6.5')
ii) other side 3 m (9.8')
Maximum height of main building 11 m (36.0')

10.3 Restricted Agricultural Uses

(a) The following shall be deemed to be prohibited agricultural uses:

- fur farm
- hatchery
- feed lots for pigs

(b) The following shall be deemed to be limited agricultural uses:

- mushroom farm
- turkey, chicken, game bird farm
- feed lots for cattle and other livestock except pigs

(c) No development permit shall be issued for any limited agricultural use if the use is to be located within 30 m (98.4') of any lot line.

10.4 Special Requirements: Buildings Intended for the Keeping of Animals

No development permit shall be issued for any barn, kennel, stable or other building intended for the keeping of animals that is located within 30 m (98.4') of any lot line.

PART 11 - RESIDENTIAL REHABILITATION AREA CDD (RRA) ZONE

11.1 Development Agreements

All non-residential developments in the Residential Rehabilitation area (RRA) CDD shall be permitted only by development agreement.

11.2 Uses Permitted

Residential Uses: all uses permitted in the R1 and R2 zones subject to R1 and R2 zone requirements.

Non-Residential uses:

business and professional offices

government administrative offices and services

warehousing conducted and wholly contained within an enclosed building

woodworking, metalworking, manufacturing and assembly uses conducted and wholly contained within an enclosed building.

PART 12 - DOWNTOWN COMMERCIAL (C1) ZONE

12.1 Uses Permitted

No development permit shall be issued in a Downtown Commercial (C1) zone except for one or more of the following uses:

amusement arcade
art galleries
bank and financial offices
barbershops
beauty parlours
bottle exchanges
building supply outlets
business and professional offices and buildings
commercial schools
dressmaking and tailoring uses
dry cleaning or laundry depots
dwelling units provided that if they are located on a parcel fronting on Queen Street or Granville Street that they are located above or at the rear of the first storey of another permitted use
existing highway commercial uses subject to the requirements below
fitness centres
government administrative offices and services
laundromats
libraries
liquor outlets
manufacturing uses under 1,208 m²(13,003.2 sq.ft.)in connection with a retail outlet
manufacturing, warehousing and assembly uses on present or former railway properties
medical clinics
music studios
parking lots and parking structures
parks & playgrounds
photography studios
private reception, banquet and meeting facility
repair shops (excluding automotive repairs)
retail stores and shops
restaurants and eating establishments
shoe repair shops
tanning salons
taverns
taxis and bus stations
tearooms

12.2 Zone Requirements

In a Downtown Commercial (C1) zone, no development permit shall be issued except in conformity with the following requirements:

Minimum rear yard 3 m (9.8')

Maximum height of main building 11 m (36.0')

12.3 Boundary Setback

Where a C1 zone abuts lands designated Residential on the Municipal Planning Strategy Future Land Use Map, the minimum depth of the abutting yard in the C1 shall be shall be 6 m (19.7').

12.4 Parking

Notwithstanding any other provision of this By-law, all uses located on lots which abut Queen Street between Granville Street and the Annapolis River, lands on the west side of Post Office Street between Granville Street and Rink Street, residential dwellings not fronting on Queen Street and Granville Street which are within 30 metres of a public parking lot, and lots zoned Downtown Commercial (C1) which abut Middle Street shall be exempt from the on-site parking requirements of this By-law.

12.5 Open Storage

Open storage is not permitted on lots in a C1 zone.

12.6 Existing Highway Commercial Uses

(1) The following uses are deemed to be the only existing Highway Commercial uses in a C1 zone:

Land Pid # Civic #

1. Irving Oil 05149968 275 Granville St. East
2. (a) Everett & Smith 05147913 7 Post Office Street
- (b) Everett & Smith 05148010
- (c) Everett & Smith 05147087
- (d) Everett & Smith 05147921
- (e) Everett & Smith 05147939

3. H.E. Jefferson 05144472 42 Queen Street

(2) An existing highway commercial use in a C1 zone shall be permitted to expand beyond the limits of lands identified in Subsection 1 above only to an immediately abutting lot existing at the effective date of this by-law.

(3) The erection, expansion or reconstruction of any building or structure used or intended to be used for an existing highway commercial use shall meet the least restrictive of the requirements of the C2 zone and the existing yard depths.

(4) An existing highway commercial use in a C1 zone may be used for any use permitted in the C2 zone or a use permitted in the C1 zone.

PART 13 - HIGHWAY COMMERCIAL (C2) ZONE

13.1 Uses Permitted

No development permit shall be permitted in a Highway Commercial (C2) zone except for one or more of the following uses:

ambulance and emergency services
animal hospitals or veterinary establishments
automobile sales establishments
automobile repair shops; automobile service stations
automobile washing establishments
boat, trailer and snowmobile sales and rentals
bus and transit service office and depot
drive-in businesses where people are served in vehicles
dry cleaning establishments
existing residential uses
farm implements sales, service or repair
fruit, vegetable and flower sales
funeral homes
garden nurseries
heavy equipment maintenance and storage
hotels and apartment hotels including recreational uses accessory thereto
indoor commercial recreational establishments including premises for billiards, bowling, curling, dancing, roller-skating, theatre, cinemas
parks & playgrounds
places for the sale of large goods from outdoor displays including swimming pools, decorative, fountains, prefabricated cottages, modular homes and mobile homes
restaurants and drive-in restaurants
retail sales of lumber and home improvement supplies
retail sales within wholly enclosed buildings of the following:
arts and crafts objects
antiques
marina and camping accessories and equipment
equipment and machinery for businesses,
professionals, schools and educational institutions
tourist trailer parks

13.2 Zone Requirements

In a Highway Commercial (C2) zone, no development permit shall be issued except in conformity with the following requirements:

Minimum lot area 2,230 m² (24,004 sq.ft.)
Minimum front lot line 37 m (121.4')
Minimum depth of rear yard 8 m (26.2')
Minimum depth of front yard 12 m (39.4')
Minimum depth of side yard 4.5 m (14.7')
Maximum height of main building 11 m (36.0')

13.3 Outdoor Storage and Display

Outdoor storage of goods and equipment and outdoor display of merchandise for sale is permitted on a lot in a C2 zone subject to the following restrictions:

- (a) no outdoor storage of goods or equipment not for sale shall be permitted within the front yard; and
- (b) outdoor storage or outdoor display of explosive, inflammable, poisonous or corrosive materials is prohibited.

13.4 Abutting Another Zone

Where a C2 zone abuts a residential R1, R2 or R3, open space (O1) or institutional (I1) zone, the following restrictions shall apply to any yard that abuts one of those zones:

- (a) the minimum depth of the abutting yard shall be 6 m (19.7');
- (b) outdoor storage and outdoor display of merchandise for sale shall not be permitted nearer than 3 m (9.8') to the lot line; and
- (c) no parking space or loading space shall be permitted closer than 3 m (9.8') to the side or rear lot line.

13.5 Permitted Residential Uses

One dwelling unit is permitted in association with a funeral home, apartment hotel, hotel or tourist trailer park in a C2 zone.

13.6 Special Requirements Automobile Service Stations

The following special provisions shall apply to automobile service stations in a C2 zone:

- (a) the minimum front lot line shall be 46 m (150.9');
- (b) no portion of any pump island shall be located closer than 6 m (19.7') from any street line;
- (c) the minimum distance between ramps or driveways shall be 10 m (32.8');
- (d) the minimum distance from a ramp or driveway to a street intersection shall be 15 m (49.2');
- (e) the minimum angle of intersection of a ramp or driveway to a street line shall be forty-five degrees; and
- (f) a ramp or driveway shall be at least 6 m (19.7') wide, but no more than 8 m (26.2').

PART 14 - COMPREHENSIVE DEVELOPMENT DISTRICT (CDD)

ZONE

14.1 Development Agreements

All developments in the Comprehensive Development District shall be permitted only by development agreement.

14.2 Uses Permitted

ambulance and emergency services

automobile service stations and associated convenience retail uses

automobile sales, service and repair

business offices and office complexes with a floor area exceeding 15,000 square ft.

car washes ancillary to an automobile service station

drive-in businesses where people are served in vehicles

fruit, garden and flower sales

funeral homes

garden nurseries and greenhouses

government offices

hotels and apartment hotels including ancillary recreation uses

parks & playgrounds

professional uses

restaurants and drive-in restaurants

retail sales and business offices in plazas or shopping centres

retail sales within wholly enclosed buildings accessory to a main use

retail stores with a floor area exceeding 15,000 square ft.

any use permitted in the R3 zone and subject to R3 requirements on the following properties existing in the R3 zone at the time of the effective date of this By-law:

Pid(s): 05146741(Civic# 607)

PART 15 - INSTITUTIONAL (I1) ZONE

15.1 Uses Permitted

No development permit shall be issued in an Institutional (I1) zone except for one or more of the following uses:

cemeteries
community centres
charitable and non-profit clubs and organizations
churches, places of worship and religious institutions
colleges, universities and schools other than commercial schools
day-care facilities
government offices
hospitals and medical clinics
libraries, museums and art galleries
mental health clinics
nursery facilities
parks & playgrounds
post offices
Royal Canadian Legion branches
Royal Canadian Mounted Police offices
Town Hall and Town offices

15.2 Zone Requirements

In an Institutional (I1) zone, no development permit shall be issued except in conformity with the following requirements:

Minimum lot area 2,230 m² (24,004 sq.ft.)
Minimum front lot line 37 m (121.4')
Minimum depth of front yard 10 m (32.8')
Minimum depth of rear yard 11 m (36.0')
Minimum depth of side yard 4.5 m (14.7')
Maximum height of main building 11 m (36.0')

15.3 Services

(1) No development permit shall be issued in an I1 zone where Town-approved piped water and Town-approved sewers are not available.
(2) Subsection (1) does not apply to cemeteries or parks and playgrounds.

15.4 Permitted Residential Uses

A dwelling unit located in the same building as a church or place of worship or as a separate building located on the same lot as a church or place of worship is a permitted use in an I1 zone notwithstanding any other provision of this By-law.

Town of Bridgetown LAND USE BY-LAW Page 40

15.5 Parking in Downtown Commercial Area

Notwithstanding any other provision of this By-law, all Institutional uses in the designated Downtown Commercial area shall be exempt from the on-site parking requirements of this By-law.

15.6 Open Storage

Open storage is not permitted in the Institutional Zone.

PART 16 - SERVICE/UTILITY (S/U) ZONE

16.1 Uses Permitted

No development permit shall be issued in a Service/Utility zone except for one or more of the following uses:

ambulance services and facilities
emergency services and facilities
fire and police stations
government maintenance buildings
power and communications facilities
public works facilities
school bus garages
sewage treatment plants
water utility buildings and facilities

16.2 Zone Requirements

In a Service/Utility (S/U) zone, no development permit shall be issued except in conformity with the following requirements:

Minimum front lot line 15 m (49.2')
Minimum depth of front yard 10 m (32.8')
Minimum depth of rear yard 10 m (32.8')
Minimum depth of side yard 10 m (32.8')
Maximum height of main building 11 m (36.0')

16.3 Outdoor Storage

(a) Where any materials are stored outdoors in an S/U zone, the area where the materials are stored shall be fenced in a manner so as to preclude ready public access thereto.
(b) Outdoor storage shall not be permitted in the front yard in an S/U zone.
(c) Outdoor storage of explosives, inflammable, poisonous or corrosive materials is prohibited.

16.4 Loading Spaces

One loading space shall be provided on site where heavy equipment or materials are used or handled on a regular basis.

16.5 Warnings

Where any use in an S/U zone involves dangerous materials or activities which may jeopardize public safety, signs shall be posted warning the public of such danger. Town of Bridgetown LAND USE BY-LAW Page 42

16.6 Linear Facilities

Pumping stations, transformer stations, telephone booths and rights-of-way and easements for sewer, water, power and telephone services and utilities are exempt from any requirements under this By-law and a development permit shall not be required.

PART 17 - INDUSTRIAL (M1) ZONE

17.1 Uses Permitted

No development permit shall be issued in an Industrial (M1) zone except for one or more of the following uses:

automobile repair shops

parks & playgrounds

any manufacturing, industrial, assembly or warehousing operation conducted and wholly contained within an enclosed building which is not obnoxious by reason of sound, odour, dust, fumes, smoke or other emission or refuse matter or water carried waste.

17.2 Zone Requirements

In an Industrial (M1) zone, no development permit shall be issued except in conformity with the following requirements:

Minimum lot area 3,729 m² (40,043 sq.ft.)

Minimum front lot line 23 m (75.5')

Minimum depth of front yard 12 m (39.4')

Minimum depth of rear yard 10 m (32.8')

Minimum depth of side yard 6 m (19.7')

Maximum height of main building 11 m (36.0')

17.3 Abutting Other Zones

Where an industrial zone abuts a residential R1, R2 or R3, open space (O1) or institutional (I1) zone, the following restrictions shall apply to the yard that so abuts one of those zones:

- (a) the minimum depth of an abutting side yard shall be 10 m (32.8');
- (b) the minimum depth of the abutting rear yard shall be 12 m (39.4');
- (c) no open storage and no outdoor storage or display of merchandise for sale shall be permitted in an abutting yard within 6 m (19.7') of the side or rear lot line; and
- (d) no parking or loading space shall be permitted within 6 m (19.7') of a side or rear lot line.

17.4 Outdoor Storage and Outdoor Display

(1) No open storage shall be permitted within the front yard of a lot.

(2) Outdoor storage of explosive, inflammable, poisonous or corrosive material is prohibited.

17.5 Yards Adjacent to a Railway

There is no minimum required depth for a yard in an M1 zone that directly abuts a present or former railway right-of-way.

PART 18 - BUSINESS DEVELOPMENT (BD) ZONE

18.1 Uses Permitted

No development permit shall be issued in a Business Development (BD) zone except for one or more of the following uses:

ambulance services and facilities
automobile repair shops
bakeries
breweries
building supply and equipment depots
business offices
commercial schools with accessory dormitory facilities
distilleries
dry cleaning and laundry establishments
emergency services and facilities
farm implement sales and service repair
fire and police stations
information technology establishments
libraries
medical clinics and offices
parks & playgrounds
professional offices
retail establishments with a commercial floor area in excess of 10,000 sq.ft.
retailing associated with an on-site manufacturing or assembly
use
uses permitted in the Institutional (I1) Zone
uses permitted in the Service and Utility (S/U) Zone
wineries
any manufacturing, industrial, assembly or warehousing operation conducted and wholly contained within an enclosed building which is not obnoxious by reason of sound, odour, dust, fumes, smoke or other emission or refuse matter or water carried waste.

18.2 Zone Requirements

In the (BD) zone, no development permit shall be issued except in conformity with the following requirements:

Minimum lot area 3,720 m² (40,043 sq.ft.)
Minimum front lot line 46 m (150.9')
Minimum depth of front yard 12 m (39.4')
Minimum depth of rear yard 10 m (32.8')
Minimum depth of side yard 6 m (19.7')
Maximum height of main building 11 m (36.0')

18.3 Abutting Other Zones

Where a Business Development (BD) zone abuts a residential R1, R2 or R3, Open Space (O1) or Institutional (I1) zone, the following restrictions shall apply to the yard that so abuts one of those zones:

- (a) the minimum depth of an abutting side yard shall be 10 m (32.8');
- (b) the minimum depth of the abutting rear yard shall be 12 m (39.4');
- (c) no open storage and no outdoor storage or display of merchandise for sale shall be permitted in an abutting yard within 6 m (19.7') of the side or rear lot line; and
- (d) no parking or loading space shall be permitted within 6 m (19.7') of a side or rear lot line.

18.4 Outdoor Storage and Outdoor Display

- (1) No open storage shall be permitted within the front yard of a lot.
- (2) All storage areas must be screened from view and fenced.
- (3) Outdoor storage of explosive, inflammable, poisonous or corrosive material is prohibited.

Town of Bridgetown LAND USE BY-LAW Page 46

PART 19 - OPEN SPACE (O1) ZONE

19.1 Uses Permitted

No development permit shall be issued in an Open Space (O1) zone except for one or more of the following uses:

parks
tennis courts
lawn bowling greens
indoor and outdoor curling and skating rinks
athletic fields
golf courses
picnic areas
swimming pools
bowling alleys
gymnasiums
fitness, health & nutrition centres
tanning salons
trails, bicycle paths and multi-purpose corridors
camps
public/private commercial recreation
community centres
municipal recreation facilities
bandshells and pavilions
buildings and structures accessory to the foregoing

19.2 Zone Requirements

In any Open Space (O1) zone, no development permit shall be issued except in conformity with the following requirements:

Minimum depth of front yard 12 m (39.4')
Minimum depth of rear yard 10 m (32.8')
Minimum depth of side yard 6 m (19.7')
Maximum height of main building 11 m (36.0')

19.3 Parking

The parking requirements of this By-law and the provisions of Section 2 of this Part do not apply to the following uses shown on Map AF@ Recreation:

- (a) the Bridgetown Curling Club;
- (b) the Bridgetown Lawn Bowling Club;
- (c) the Memorial Arena; and
- (d) the V.J. Rice Tennis Courts

19.4 Prohibited Uses

Tracks for the racing of animals or any form of motorized vehicles are not permitted in an O1 zone.

PART 20 - CONSERVATION (O2) ZONE

20.1 Uses Permitted

No development permit shall be issued in a Conservation (O2) zone except for one or more of the following uses:

- agricultural uses which do not require permanent buildings
- recreational uses which do not require permanent buildings - except in Jubilee Park
- uses directly related to flood control or erosion abatement projects
- landscape projects

20.2 Permitted Structures

No building or structure may be erected or altered in a Conservation (O2) zone except for a building or structure directly related to recreation uses in Jubilee Park, flood control or erosion abatement or landscape projects.

20.3 Development Subject to Engineering Design

Notwithstanding Parts 20.1 and 20.2 where a lot contains multiple zones, one of which is the Conservation (O2) zone, that portion of the lot subject to the O2 Zone may be developed or redeveloped for a use permitted in the adjacent zone subject to the requirements of the adjacent zone and engineering design prepared by a registered professional engineer which mitigates the risk of flood damage, does not increase flood risk for adjacent properties and which does not unduly impact on the environment. 49

PART 21 - TOURIST RECREATION (O3) ZONE

21.1 Uses Permitted

No development permit shall be issued in a Tourist Recreation (O3) zone except for one or more of the following uses:

- marinas
- recreational campgrounds and cabins
- recreational travel-trailer parks
- laundromats, private clubs, restaurants and variety stores accessory to the above

21.2 Yard and Setbacks

In a Tourist Recreation (O3) zone:

- (a) no structure shall be located closer than 7.5 m (26.6') to the top of the river bank;
- (b) no structure shall be located closer than 6 m (19.7') to any other structure;
- (c) no structure shall be located closer than 6 m (19.7') to a lot line.

21.3 Abutting Other Zones

Where an O3 zone abuts a Residential (R1, R2 or R3), Open Space (O1) or Institutional (I1) zone, the minimum depth of the abutting yard shall be 6 m (19.7') and no parking or loading space shall be permitted closer than 3 m (9.8') to a side or rear lot line. Town of Bridgetown LAND USE BY-LAW Page 50.

PART 22 - RESIDENTIAL MOBILE HOME (MH) ZONE

22.1 Uses Permitted

The following uses shall be permitted in the Residential Mobile Home (MH) Zone:

- mobile home dwelling units
- mini home dwelling units

22.2 Zone Requirements

The following requirements shall apply to all uses permitted in the Residential Mobile Home (MH) Zone:

Minimum lot area 700 m² (7,535 sq. ft.)

Minimum lot frontage 23 m (75.5 ft.)

Minimum front yard 10 m (32.8ft.)

Minimum rear yard 11m (36.0ft.)

Minimum side yard 3 m (9.84 ft.)

22.3 Special Requirement - Skirting

In the Residential Mobile Home (MH) Zone the entire undercarriage of a mobile home dwelling unit shall be skirted with an opaque material.

22.4 Conversion Requirements

All mobile home developments shall be designed to be easily converted to single detached dwelling subdivisions. Town of Bridgetown LAND USE BY-LAW Page 51

PART 23 - ADMINISTRATION

23.1 Administration

This By-law shall be administered by the Development Officer.

23.2 Scope of Application

23.2.1 Every application for a development permit shall be accompanied by plans, in duplicate, drawn to an appropriate scale and showing:

- the true shape and dimensions of the lot to be used, and upon which it is proposed to erect any building or structure;
- the proposed location, height and dimensions of the building, structure, or work in respect of which the permit is applied for;
- the location or every building or structure already erected on or partly on such lots, and the location of every building upon contiguous lots;
- the proposed location and dimensions of parking spaces, loading spaces, driveways; and
- such other information as may be necessary to determine whether or not every such building, development, reconstruction or redevelopment conforms with the requirements of this By-law.

23.2.2 Where the Development Officer is unable to determine whether the proposed development conforms to this By-law and other by-laws and regulations in force which affect the proposed development he may require that the plans submitted under Subsection 1 be based upon an actual survey by a Provincial Land Surveyor.

23.3 Signature for Application

The application shall be signed by the registered owner of the lot or by the owner's agent duly authorized thereunto in writing and shall set forth in detail the current and proposed use of the lot and each building or structure, or part of each building or structure, together with all information necessary to determine whether or not every such proposed use of land, building or structure conforms with the requirements of this By-law.

23.4 Penalty

Any person who violates a provision of this By-law shall be subject to penalties provided for under Section 505 of the Municipal Government Act. Town of Bridgetown LAND USE BY-LAW Page 52

23.5 Date of this By-law

This By-law shall take effect upon notice in a newspaper of its adoption.

23.6 Liability for Costs

Where Council does not initiate an amendment to this By-law or development agreement pertaining to this By-law, any other applicant shall deposit with the Clerk an amount estimated by the Clerk to be sufficient to pay the cost of advertising, fees for processing and other associated costs. If insufficient, after advertising has been completed, the applicant shall pay to the Clerk any additional amount.