



**WEST HANTS REGIONAL MUNICIPALITY
Planning Advisory Committee (PAC) Agenda
July 9, 2020 – 6:00p.m.
Virtual Meeting (Zoom)**

- 1.0 Call to Order**
- 2.0 Approval of Agenda and Additions**
- 3.0 Approval of Minutes**
- 4.0 Business Arising from the Minutes**
 - 4.1 Update: File # 19-13 411 King Street, Windsor, Land Use By-law Amendment (Sara Poirier)
 - 4.2 Update: File # 20-01 Ski Martock Rd. Land Use By-law Amendment (Saira Shah)
 - 4.3 Update: File # 20-16 543 O'Brien Street, Windsor, Discharge of Development Agreement (Sara Poirier)
 - 4.4 Planning Definitions (Sara Poirier and Saira Shah)
- 5.0 Hantsport Area Advisory Committee (HAAC) Updates (Bill Preston)**
- 6.0 Windsor Area Advisory Committee (WAAC) Updates (Shelley Bibby)**
- 7.0 Building and Development Activity Report**
- 8.0 New Business**
 - 8.1 File # 20-08 Civic Addressing By-law (Madelyn LeMay)
 - 8.2 File # 20-14 Building Code Act By-law (Madelyn LeMay)
 - 8.3 File # 20-18 Fire Inspection Systems Policy (Madelyn LeMay)
 - 8.4 File # 20-19 Repeal of Minimum Standards By-law (Madelyn LeMay – report to follow)
- 9.0 Notices from Adjacent Municipal Units**
- 10.0 Questions and Comments from Public**
- 11.0 Adjournment**



WEST HANTS REGIONAL MUNICIPALITY

Recommendation Report to the Planning Advisory Committee

To: Members of the Planning Advisory Committee / Heritage Advisory Committee (PAC/HAC)

Submitted by: Planners and Development Officers

Date: July 9, 2020

Subject: Definitions for Planning Documents

1.0 LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

2.0 RECOMMENDATION

In order to advance the work on the planning document Review, staff recommends that the Planning Advisory Committee forward a positive recommendation by passing the following motion:

that the Planning Advisory Committee accept and place on file the Definitions attached as Attachment A to the report entitled “*Definitions for Planning Documents*” dated July 9, 2020.

3.0 BACKGROUND

West Hants Regional Municipality has a separate Municipal Planning Strategy, Land Use By-law and Subdivision By-law for Hantsport, West Hants and Windsor. As part of the Plan Review, planning staff are working on updating the planning documents and combining the nine (9) documents into three (3) documents: a West Hants Regional Municipal Planning Strategy, Land Use By-law and Subdivision By-law. To ensure a smooth transition, staff have reviewed the definitions in each Land Use By-law to determine one consistent and enforceable definition for each term for the Region. The definitions of the Land Use By-law, although not currently directly applicable to the Municipal Planning Strategy, can

be used as a guide to the intent of the Municipal Planning Strategy. When Regional documents are recommended for approval, they will include a clause which ties the Land Use By-law definitions to the Municipal Planning Strategy. The proposed definitions are in the recommendation column in Attachment A.

An information report entitled “*Definitions for Planning Documents*” was also circulated to the Windsor Area Advisory Committee (WAAC) on July 2 and Hantsport Area Advisory Committee (HAAC) on July 7 for review.

4.0 DISCUSSION

Although feedback from the Planning Advisory Committee on any definition in Attachment A would be appreciated, there are a few definitions that planning staff need guidance on from the Committee. These definitions are described in more detail in Table 1.

Table 1 Additional Comments or Questions on Definitions

Definition	Comments or Questions to Committee
Accommodation	<p>Staff have created a definition for small-scale and large-scale accommodations. Specific types of accommodations may still be listed in certain zones (i.e. bed and breakfast) however this definition will provide more options for what can be considered as an accommodation and enable Council to regulate based on size of the accommodation as opposed to the type of accommodation.</p> <p>Does the Committee find these categories for accommodation suitable?</p>
Animal Units	<p>Staff are considering moving the animal unit livestock charts from the “Agricultural Use” definition into the General Provisions section of the Land Use By-law to be able to add more details to the description.</p> <p>How does the Committee feel about moving animal unit livestock charts to the General Provisions section?</p>

<p>Arena</p>	<p>“Arena” is defined in both Windsor and West Hants documents however it is only permitted in the Fairground (FG) Zone of the Windsor’s Land Use By-law.</p> <p>Would the Committee like to keep the “Arena” definition or include arenas as an “Indoor Recreation Use”?</p> <p>If the “Arena” definition is kept, would the Committee like to see these permitted in other zones in the Region?</p>
<p>Artisan Workshop</p>	<p>The definition was only used in the Commercial (C-1) and Mixed Commercial / Residential (C-2) Zones of the Hantsport Land Use By-law. It is recommended that this definition be removed and any zone that previously permitted this use be updated during the review to permit “Arts and Craft Studios”.</p> <p>Does the Committee have any comments on this change?</p>
<p>Automobile Body Shop vs. Automobile Repair Shop</p>	<p>There are separate definitions in the West Hants Land Use By-law for “Automobile Body Shop” and “Automobile Repair Shop”.</p> <p>The Local Industrial (LI) Zone in the West Hants Land Use By-law is the only zone that specifically lists those two uses by permitting “Auto repair and auto body shops in conjunction with a single unit dwelling”</p> <p>Both of the uses would be permitted in the Highway Commercial (HC) Zone, Industrial Zones, Shopping Centre (SC) Zone (Windsor) and Wentworth Road Commercial (WR-C) Zone (Windsor) under uses such as “Automobile service stations, car washes and repair centres;” and “Any activity connected with the</p>

	<p>automotive trade other than an automotive scrap yard or automobile-related commercial recreational establishment;”</p> <p>During the Review, should these definitions be combined into “Automobile Repair Shop” that allows repair of body work?</p> <p>Are there instances where the Committee may want an “Automobile Repair Shop” separate from an “Automobile Body Shop”?</p>
Commercial Brewery	<p>Cider is included in the current definition for Commercial Brewery however the Nova Scotia Liquor Corporation (NSLC) considers cider to be part of a Winery. The definition has been updated for the Review documents to reflect this.</p> <p>Does the Committee have any comments on this change?</p>
Church	<p>To be more inclusive and encompassing of other religions, staff are recommending removing the definition of “Church” and replace it with “Place of Religious Congregation”.</p> <p>Does the Committee have any comments on this change?</p>
Display Court vs. Outdoor Display	<p>“Display Court” is permitted in certain zones while “Outdoor Display” is restricted in specific zones. Staff are recommending combining the two definitions under “Outdoor Display”.</p> <p>Following the Review, should the documents limit where outdoor display is permitted?</p> <p>Should outdoor display be linked to sales on the same lot (i.e. can someone solely</p>

	use their property for display of items for sale which require to be purchased from a sales office on a separate lot)?
Commercial Distillery Micro Distillery	NSLC specifies two categories of craft distilling in the Craft Distillery Policy: (1) less than 75,000 liters per year and (2) less than 150,000 liters per year. To accommodate, this staff recommend classifying any facility that produces more than 150,000 liters as a Commercial Distillery. Any facility that produces less than 150,000 liters per year would be considered a Micro Distillery. Is this suitable for the Committee for the Review documents?
Dwellings	Staff are recommending removing a few of the dwelling definitions to focus on how many units the dwelling will have instead of the different variations of how those units can be constructed, as the impact on a neighbourhood comes from the number of units rather than how they are constructed. Does the Committee have any comments on this approach?
Group Home	“Group Home” is defined in the Hantsport Land Use By-law but is not used. Does the Committee want to keep this definition for the Regional document? If so, does the Committee think it is reasonable to limit the number of people to “three to ten people”? In what zones or areas would the Committee want to permit “Group Homes”?
Forestry	The revised definition includes specific size details to ensure small-scale and

	<p>large-scale permanent sawmills and shingle mills are permitted. The Land Use By-law will be amended to include larger separation distances for large-scale sawmills and shingle mills. Also, provisions will be included that temporary or portable sawmills will only be able to operate for a certain amount of days at a specific location to ensure a temporary sawmill does not become a permanent sawmill without the required separation from abutting properties.</p> <p>Does the Committee think the same requirements should apply in future to small-scale and large-scale operations or should there be different requirements depending on size?</p>
<p>Parking Structure</p>	<p>“Parking Structures” are permitted in certain zones. Staff added a definition for “Parking Structure” to differentiate from a “Parking Area”.</p> <p>Is the definition sufficient to the Committee?</p>
<p>Planting Strip</p>	<p>Staff are considering creating a separate section on “Planting Strips” in the General Provisions section of the Land Use By-law to be able to add more details to the description.</p> <p>Are there any details the Committee would like to see included?</p>
<p>Indoor Recreation Uses</p>	<ul style="list-style-type: none"> • Agricultural Priority Three Zone (WH) permits “Existing indoor recreation uses” • “Indoor Recreational establishments” are permitted in the Joint Industrial Type Two and Type Three Zones (W & WH) • Indoor Recreational uses are

	<p>permitted in the Institutional Zone (W & WH)</p> <ul style="list-style-type: none"> Indoor or outdoor recreational uses are not listed as permitted in the Recreational Commercial Zone (WH) <p>What are the Committee's thoughts? Should Indoor Recreation Uses be considered in other zones in Windsor in the Regional documents?</p>
Outdoor Recreation Uses	<ul style="list-style-type: none"> Outdoor recreation uses are permitted in the Institutional Zone (W) Outdoor recreational uses are permitted in the Open Space Zone (W & WH) Indoor or outdoor are not listed as permitted in the Recreational Commercial Zone (WH) <p>What are the Committee's thoughts? Should Outdoor Recreation Uses be considered in other zones in Windsor in the Regional documents?</p>
Support Service	<p>Support Services are only permitted in the Light Industrial (LI-1), Joint Industrial Type Two (LI-2) and Joint Industrial Type Three (LI-3) in Windsor and West Hants Land Use By-law's.</p> <p>Does the Committee want to keep the definition of "Support Service"?</p> <p>How would the Development Officer enforce if their "primary function is to provide services to industry or to businesses located in an industrial park"?</p> <p>Does it make sense to limit a "Support Service" to the Industrial Parks in the future?</p>
Winery Winery Commercial	<p>NSLC does not have a small-scale category for wineries; staff are recommending removing the "Winery</p>

	<p>Commercial” definition and updating the Winery definition to remove size requirements and expand the product listing to include wine coolers, table wine, still wine, sparkling wine, champagne and cider.</p> <p>Is this suitable for the Committee?</p>
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5.0 NEXT STEPS

Once the Planning Advisory Committees have reviewed the recommended definitions and provided comments, the accepted definitions will be incorporated into the Regional planning documents during the Plan Review.

6.0 FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents associated with the filing of this report.

7.0 ATTACHMENT

Attachment A Definition Chart

Report Prepared by: _____ Sara Poirier and Saira Shah, Planners

Definitions Reviewed by: _____ Janet Redden and Doug MacInnis, Development Officers

Report Reviewed by: _____ Madelyn LeMay, Director of Planning and Development

Attachment A

DEFINITIONS

This chart compares the definitions from the Municipal Government Act (MGA), and West Hants, Hantsport and Windsor Land Use By-laws. The goal of this exercise is to determine consistent definitions for the planning documents of the West Hants Regional Municipality. The final column is the recommended definition as determined by planning staff. There are three (3) definitions hidden in the chart which do not belong in the planning documents. Definitions that are recommended for removal are in ~~strikeout~~.

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
Abattoir		means a building or structure, or part thereof, used for the slaughtering of animals;		means a building or structure, or part thereof, used for the slaughtering of animals; (not used)	means a building or structure or part thereof used for the slaughtering of animals;
Accessory Apartment		means a self-contained dwelling unit within or attached to a main dwelling in such a way as to maintain the appearance of the structure as a single unit dwelling;		means a self-contained dwelling unit within or attached to a main dwelling in such a way as to maintain the appearance of the structure as a single unit dwelling;	means a self-contained dwelling unit within or attached to a main dwelling in a manner which maintains the appearance a single unit dwelling;
Accessory Building		or Structure means a subordinate building or structure on the same lot as the main building, devoted exclusively to an accessory use, but does not include a building attached in any way to the main building, a building located completely underground or a motor vehicle, truck body, transport trailer or any part thereof;	means a subordinate building or structure on the same lot as the main building devoted exclusively to an accessory use but does not include a building attached by means of any common wall to the main building.	or Structure means a subordinate building or structure on the same lot as the main building, devoted exclusively to an accessory use, but does not include a building attached in any way to the main building, a building located completely underground or a motor vehicle, truck body, transport trailer or any part thereof;	means a subordinate building or structure on the same lot as a main building, devoted exclusively to an accessory use excluding a building attached in any way to the main building, a building located completely underground or a motor vehicle, truck body, transport trailer or any part thereof;
Accessory Use		means a use subordinate and naturally, customarily and normally incidental to and exclusively devoted to a main use of land or building and located on the same lot;	means a use subordinate and naturally, customarily and normally incidental and exclusively devoted to a main use of land or building and located on the same lot.	means a use subordinate and naturally, customarily and normally incidental to and exclusively devoted to a main use of land or building and located on the same lot;	means a use subordinate in impact and naturally, customarily and normally incidental to a main use of land or building and located on the same lot;
Accessory Farm Sales Outlet		means a use accessory to a farm where agricultural products produced on the farm where such outlet is			means the selling of agricultural products produced primarily on the farm for sale to the public;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		located comprise the major portion of goods offered or kept for sale directly to the public;			
Accommodation					
Small-scale					means a building, part of a building or group of buildings containing a maximum of five (5) rental units used primarily for the travelling public, including but not limited to hotels, motels, cabins, bed and breakfast establishments, and country inns, and excluding temporary structures or campgrounds;
Large-scale					means a building, part of a building or group of buildings containing six (6) or more rental units used primarily for the travelling public, including but not limited to hotels, motels, cabins, bed and breakfast establishments, and country inns, and excluding temporary structures or campgrounds;
Agricultural Building or Structure				means a building or structure devoted exclusively to an agricultural use, but shall not include an abattoir;	Remove
Agricultural Support Use		means a building or structure tied to the farm operation and located on the farm property and may include abattoirs, agricultural warehousing,			means the use accessory to an agricultural operation and may include agricultural warehousing, processing, licensed micro-processing of cannabis, licensed

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		processing, Licensed Micro-Processing of cannabis, Licensed cannabis nursery sorting, grading, packaging and transport facilities;			cannabis nursery, sorting, grading, packaging and transport facilities, and an abattoir (except in the community of Windsor);
Agricultural Use		<p>means the use of land, buildings or structures for the production of crops or livestock, or both, for gain or reward which may include, but is not necessarily limited to:</p> <p>(a) the growing and harvesting of crops such as vegetables, fruits, field crops, berries, trees, maple syrup, mushrooms, flowers and landscaping materials and may include:</p> <p>(i) the erection and use of greenhouses, nurseries, Licensed Micro-Cultivation of cannabis facilities, wineries, wineries-commercial, microbreweries, and restaurants accessory to wineries, wineries-commercial, and microbreweries;</p> <p>(ii) woodlots and forestry uses;</p> <p>(b) the raising of livestock such as cattle, horses, poultry, swine, sheep, rabbits, goats, emus, llamas, fur-bearing animals, game animals, game birds and honey bees, and may include:</p>	<p>means the use of land and/or structures for the growing and/or production of farm products.</p>	<p>means the use of land, buildings or structures for raising crops, livestock or fowl for gain or reward. This definition does not apply to an “urban agricultural use” as defined herein</p>	<p>means the use of land, buildings or structures for the production of crops or livestock, or both, for gain or reward, including but not limited to:</p> <p>(a) growing and harvesting of crops such as vegetables, fruits, maple syrup, mushrooms, and landscaping materials including:</p> <ul style="list-style-type: none"> • greenhouses and nurseries, • facilities for the licensed Micro-Cultivation of cannabis, • wineries and commercial wineries, • microbreweries, and • woodlots and forestry uses; <p>(b) the raising of livestock including but not limited to cattle, horses, poultry, game animals or birds and honey bees, and may include:</p> <ul style="list-style-type: none"> • the production of eggs, cream and milk; • kennels; • riding stables;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		<p>(i) the production of eggs, cream and milk; (ii) kennels; (iii) riding stables; (c) the marketing of agricultural products produced on the farm property at an accessory farm sales outlet; (d) the process at a farm necessary to prepare a farm product for farm distribution including cleaning, grading, storage and packaging; (e) the clearing, draining, leveling, irrigating or cultivating of land; (f) the application of fertilizers, soil conditioners, pest control products or other agricultural inputs; (g) the storage, disposal or use of compost and livestock-generated waste for farm purposes (but does not include biosolids); and (h) the operation of agricultural machinery and equipment; and</p> <p>For further clarification, agricultural use shall not include an abattoir or commercial slaughter house.</p> <p>LIVESTOCK CHARTS ARE HERE</p>			<ul style="list-style-type: none"> • cleaning, grading, storage and packaging of farm products; • clearing, draining, leveling, irrigating or cultivating of land; • application of fertilizers, soil conditioners, pest control products or other materials; • storage, disposal or use of compost and livestock-generated waste not including biosolids, for farm purposes; and • operation of agricultural machinery and equipment; and <p>(c) excluding an abattoir.</p> <p>Note: Livestock charts added to animal units but could be added to the General Provision section of the LUB</p>
Urban Agriculture Use				means the keeping of chickens (laying hens) and	means the keeping of chickens (laying hens) and

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
				beekeeping on a residential property, subject to Section 5.44 of this by-law	beekeeping on a residential property in the community of Windsor;
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. <i>(not used)</i>	means a building, or part thereof, in which pinball machines, video games or other similar player-operated amusement devices are maintained;	means a building in which pinball machines, video games or other similar player-operated amusement devices are maintained;
Amusement Rides				means mechanically or electrically operated devices that carry or convey passengers along, around or over a fixed or restricted route or course or within a defined area for the purpose of giving its passengers amusement, pleasure or excitement;	means devices that convey passengers along, around or over a fixed or restricted route or course or within a defined area for the purpose of giving its passengers amusement, pleasure or excitement;
Animal Unit				means one or more farm animals as specified in the following table: Type of Livestock Number Deemed Equal to One Animal Unit Dairy Cows 1.5 Dairy Heifers 2 Beef Cows 2 Beef Feeders (150 - 500 kg) 4 Veal Calves 25 Bulls 1 Horses 1 Sheep 10 Sows Breeding/Gestation 5	means one or more livestock animals as specified in the following table: Type of Livestock Number Deemed Equal to One Animal Unit Dairy Cows 1.5 Dairy Heifers 2 Beef Cows 2 Beef Feeders (150 - 500 kg) 4 Veal Calves 25 Bulls 1 Horses 1 Sheep 10 Sows Breeding/Gestation 5

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
				Sows (Farrow to Finish) 1 Sows (Farrow to Wean) 4 Weaners 50 Hogs (Feeders) 10 Laying Hens (whole year) 500 Broiler Chickens 1,000 Turkey Broilers (5 kg) 300 Mink (female including young) 200 Rabbits (female including young) 40 Llamas/Alpacas 8 Ostrich/Emus 5	Sows (Farrow to Finish) 1 Sows (Farrow to Wean) 4 Weaners 50 Hogs (Feeders) 10 Laying Hens (whole year) 500 Broiler Chickens 1,000 Turkey Broilers (5 kg) 300 Mink (female including young) 200 Rabbits (female including young) 40 Llamas/Alpacas 8 Ostrich/Emus 5
Arena		means a building, location or premises in which to view or participate in sporting or entertainment events, including but not limited to a rink, floor or ice surface, spectator seating areas, dressing rooms, canteen facilities, lobbies, and hallways;		means a building, location or premises in which to view or participate in sporting or entertainment events including, but not limited to, a rink, floor or ice surface, spectator seating areas, dressing rooms, washrooms, canteen facilities, lobbies and hallways;	means a building, location or premises in which to view or participate in sporting or entertainment events, including but not limited to a rink, floor or ice surface, spectator seating areas, dressing rooms, canteen facilities, athletic equipment sales and repair;
Artisan Workshop			means a building or part of a building used for the production of, or the production and sale of, works of art or crafts made by small custom production processes or by hand.		Remove
Arts and Crafts Studio		means a building, or part thereof, used for the production of, or the production and sale of, works of art or crafts made by hand;		means a building, or part thereof, used for the production of, or the production and sale of, works of art or crafts made by hand;	means a building or part of a building used for the production or production and sale of works of art or crafts made by small custom production processes or by hand and may include instruction;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
Automobile Body Shop		means a building used for the repair of body work, detailing or painting of automobile bodies, or any one or more of these uses			means a building used for the repair of body work, detailing and/or painting of automobile bodies;
Automotive Repair Shop		<u>Repair Shop, Vehicle and Machinery</u> means a commercial establishment for the repair or replacement of parts in automotive, farm or forestry vehicles, machinery or equipment;	<u>Motor Vehicle Sales, Rental, and Repair</u> means an establishment excluding a private home or garage, where new and / or used vehicles, lubricants, tires, parts and accessories for motor vehicles are kept for sale, and where replacement and/or repairs to any component of a motor vehicle may be performed including autobody and/or painting uses. Motor vehicles shall include boats and other recreational vehicles. Salvage and scrap yards, and motor vehicle fueling stations are separate uses.		means a building or part of a building used for the repair, sales and/or replacement of parts, machinery or equipment in any motor vehicle;
Automobile Service Station		means a building or a clearly defined space on a lot used for the sale of lubricating oils and gasoline and may include the sale of automobile accessories, space for the repair of automobiles, a car wash facility and a convenience store	means a commercial building or part of a building or a clearly defined space on a lot used for the retail sale of lubricating oils and fuels and may include the sale of automobile accessories and the servicing and minor repairing essential to the actual operation of motor vehicles.	means a building or a clearly defined space on a lot used for the sale of lubricating oils and gasoline and may include the sale of automobile accessories, space for the repair of automobiles, a car wash facility and a convenience store;	means a building, part of a building or a clearly defined space on a lot used for the retail sale of lubricating oils, fuels, automobile accessories and service and minor repairs essential to the operation of motor vehicles and may include accessory uses such as a retail convenience store and an automotive washing establishment;
Auto Body Repair Shop				means a building used for the repair of body work,	Remove

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
				detailing and painting of automobile bodies;	
Automobile Sales Establishment		means a building or part of a building or space on a lot used for retail or wholesale sales or rental of motor vehicles and motor vehicle accessories, and includes a public garage and repair shop;		means a building or part of a building or space on a lot used for retail sales or rental of motor vehicles and motor vehicle accessories, and includes a public garage and repair shop;	means a building or part of a building or space on a lot used for the sale or rental of motor vehicles and motor vehicle accessories and may include an automotive repair shop;
Automobile Washing Establishment		means a building or part thereof used for the operation of automobile washing equipment which is automatic or semi-automatic;		means a building or part thereof used for the operation of automobile washing equipment which is automatic or semi-automatic;	means a building or part of a building used for the operation of automatic or semi-automatic automobile washing equipment;
Automotive Use		means an automobile service station, a gasoline retail outlet, a motor vehicle repair shop, an automobile sales establishment, an auto body shop or an automobile washing establishment, but shall not include a salvage yard;			means an automobile service station, repair shop, body shop, sales establishment or washing establishment, excluding a salvage or scrap yard;
Biosolids		means the solid, semi-solid or liquid residue generated during the treatment of sewage and septage sludges, as well as any mixture containing biosolids;			means the solid, semi-solid or liquid residue generated during the treatment of sewage and septage sludges or any mixture containing biosolids;
Block		means the smallest unit of land which is bound entirely by public streets, rivers, railroads, public parks or any combination thereof;		means the smallest unit of land which is bound entirely by public streets, rivers, railroads, public parks or any combination thereof;	means the smallest unit of land which is bound entirely by public streets, rivers, railroads, public parks or any combination thereof;
Boarding or Rooming House		means a single unit dwelling in which the resident supplies, for compensation,	means a single unit residential dwelling in which the primary resident/owner	means a single unit dwelling in which the resident supplies, for compensation,	means a single dwelling unit in which either room or room and board are

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		either room or room and board in more than two bedrooms but not more than five bedrooms, exclusive of those for the resident and family, and which is not open to the travelling public;	supplies either room or room and board for compensation, on a weekly or monthly basis, and which is not open to the general public.	either room or room and board in more than two rooms but not more five rooms, exclusive of those for the resident and family, and which is not open to the travelling public;	supplied in more than two rooms but not more than five rooms for compensation and which is not open to the travelling public;
Brewery Commercial Brewery		means a brewery or cidery engaged in the production of more than 15,000 hectolitres per year of beer or other related beverages where the primary business function is to sell packaged product to the Nova Scotia Liquor Commission and thence to the general public through retail liquor stores or for export;		means a brewery or cidery engaged in the production of more than 15,000 hectolitres per year of beer or other related beverages where the primary business function is to sell packaged product to the Nova Scotia Liquor Commission and thence to the general public through retail liquor stores or for export	means a brewery engaged in the production of more than 15,000 hectolitres per year of beer or other related beverages, and may include a hospitality room and retail store;
Micro Brewery		means a craft brewery or cidery primarily engaged in the production and packaging of less than 15,000 hectolitres per year of specialty or craft beer, ale, cider or other related beverages. The facility may include accessory uses such as retail sale, wholesale, tours and events or hospitality room where beverages produced at the facility can be sampled;		means a craft brewery or cidery primarily engaged in the production and packaging of less than 15,000 hectolitres per year of specialty or craft beer, ale, cider or other related beverages. The facility may include accessory uses such as retail sale, wholesale, tours and events or hospitality room where beverages produced at the facility can be sampled	means a facility primarily engaged in the production and packaging of less than 15,000 hectolitres per year of beer which may also include a hospitality room and retail store;
Building		means any structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, material or	means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials, or	means any structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, material or	means any temporary or permanent structure, used or built for the shelter, accommodation or enclosure of persons, animals, material or

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		equipment. Any tent, awning, bin, bunker, platform, vessel or vehicle used for any of the said purposes shall be deemed a building;	equipment and includes any tent, awning, bin, bunk, or platform, vessel or vehicles used for said purposes.	equipment. Any tent, awning, bin, bunker, platform, vessel or vehicle used for any of the said purposes shall be deemed a building;	equipment, including any tent, awning, bin, bunker, platform, vessel or vehicle used for any of these purposes;
Building Footprint		is the outline of the total area of a lot or site that is surrounded by the exterior walls of a building, exclusive of courtyards. In the absence of surrounding exterior walls, the building footprint shall be the area under the horizontal projection of a roof;		(used but no definition)	means the total area surrounded by the exterior walls of a building excluding courtyards or the area under the horizontal projection of a roof;
Bulk Sales Establishment		means the use of land, a building or structure for the purpose of buying and selling lumber, wood, building materials, feed, fertilizer, ice and similar material;		means the use of land, a building or structure for the purpose of buying and selling lumber, wood, building materials, feed, fertilizer, ice and similar material;	means the use of land, buildings or structures for the purpose of buying and selling bulk material, including but not limited to lumber, wood, building materials, feed, fertilizer, and ice;
By-law		means this By-law which is the <i>Municipality of the District of West Hants Land Use By-law</i> ;		means this By-law which is the Town of Windsor Land Use By-law;	Remove
Catering Establishment		means an establishment primarily involved in the preparation and transfer of finished food products for consumption upon delivery to off-premises destinations only;		means an establishment primarily involved in the preparation and transfer of finished food products for immediate consumption upon delivery to off-premises destinations only;	means an establishment primarily involved in the preparation and transfer of food products for immediate consumption upon delivery to off-premises destinations;
Chase the Ace					a form of lottery that accumulates from week-to-week until it is won. Each week participants buys lottery tickets. The lottery

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					winner also then draws a card from a deck of playing cards and wins the accumulated jackpot if the ace of spades is drawn. If not, the reduced deck is kept for the following week's game, and the jackpot rolls over to the next week.
Church		means a building dedicated to any religious worship and includes an associated hall, auditorium, Sunday School, day nursery or residence operated by the church on the same lot or an adjacent lot;	means an institutional building dedicated to religious worship, and includes a church hall, church auditorium, Sunday School, or Parish Hall.	means a building dedicated to any religious worship and includes an associated hall, auditorium, Sunday School, day nursery or residence operated by the church on the same lot or an adjacent lot;	Remove
Clinic		means a building or part of a building used for the medical, dental, surgical, or therapeutic treatment of human beings, but does not include a public or private hospital or professional office of a doctor located in his/her residence;	means a commercial building or part of a building used for the medical, dental, surgical, or therapeutic treatment of human beings, but does not include a public or private hospital or a professional office of a doctor located in his/her residence.	means a building or part of a building used for the medical, dental, surgical or therapeutic treatment of human beings, but does not include a public or private hospital or a professional office of a doctor located in his/her residence;	means a building or part of a building used for the medical, dental, surgical or therapeutic treatment of human beings, excluding a public or private hospital or a professional office of a doctor located in their residence;
Club		means a building or part of a building used as a meeting place for members of an organization and may include a lodge, a fraternity or sorority house and a labour union hall;			means a building or part of a building used as a meeting place for members of an organization including a lodge, a fraternity or sorority house and a labour union hall;
Commercial			means any use by which retail or wholesale trade is carried on, and those other uses involving sale of goods, materials, and services.		Remove

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Commercial Use				means the use of a building for the purpose of buying and selling goods and supplying services.	means the use of a building for the purpose of buying and selling goods and supplying services;
Commercial School		means an establishment which provides instruction for profit or gain including, but not limited to, secretarial schools, dance, music, drama and arts and crafts schools, and business and trade schools;		means an establishment which provides instruction for profit or gain including, but not limited to, secretarial schools, dance, music, drama, and arts and crafts schools, and business and trade schools;	means an establishment which provides instruction for profit or gain including but not limited to secretarial schools, dance, music, drama, arts, crafts, business and trade schools, excluding schools which teach any portion of a pre-kindergarten to grade 12 curriculum;
Community Centre		means any tract of land and the buildings thereon used for community activities and not used for commercial purposes, and the control of which is vested in the Municipality or local board or agent thereof;		(used but no definition)	means any lot and the buildings thereon owned or operated by the Municipality or a non-profit organization and used for primarily for community activities and not for commercial purposes;
Community of Hantsport					means the geographic area of the former Town of Hantsport;
Community of Windsor					means the geographic area of the former Town of Windsor;
Community of West Hants					means the geographic area of the former Municipality of West Hants;
Community Use / Local Commercial Building		means a building privately owned, operated and maintained by an individual or corporation primarily for the use of residents of the area under development agreement and known as 'The Crossing' and its			means a building operated and maintained by the owner or its successor in title (Landlord) primarily for the use of residents of " The Crossing " and their guests for meetings, recreation and similar activities, and which

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		guests for meetings, recreation and similar activities, and which may also contain a maximum of 2,500 sq. ft. of uses which are permitted in the Local Commercial (LC) Zone.			may also contain Local Commercial uses subject to the Land Use By-law and other applicable provisions;
Convenience Store		means a retail store that serves the primary needs of the adjacent neighbourhood and includes the sale of magazines, confectionary items and grocery items and may include a snack bar, dry cleaning drop-off depot and video rentals;		means a retail store that serves the primary needs of the adjacent neighbourhood and includes the sale of magazines, confectionary items and grocery items and may include a snack bar, dry cleaning drop-off depot and video rentals;	means a retail store that serves the needs of the neighbourhood and may include the sale of magazines, confectionary items and grocery items and may include a snack bar, laundromat, dry cleaning drop-off depot and video rentals;
Council		means the Council of the Municipality of the District of West Hants;		means the Council of the Town of Windsor;	means the Council of West Hants Regional Municipality;
Cultural Use				means the use of land or a building for natural, artistic, historic, educational, or cultural interest and may include archives, libraries, museums, galleries, theatres, studios and botanical gardens. (not used)	Remove
Day Care Facility		means a building or part thereof where children are cared for on a daily basis, for compensation, without overnight accommodation, but does not include a school;		means a building where children are cared for on a daily basis, for compensation, without overnight accommodation, but does not include a school. (a) Non-Licensed Day Care Centre serves fewer than six children;	means a building where children are cared for on a daily basis for compensation without overnight accommodation, excluding a school.

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				(b) Licensed Day Care Centre serves six or more children and is licensed by the Province of Nova Scotia under the Day Care Act.	
Non-Licensed Day Care Facility		(a) Non-Licensed Day Care Centre serves fewer than six children;			means a day care facility which serves fewer than eight (8) children;
Licensed Day Care Facility		(b) Licensed Day Care Centre serves six or more children and is licensed by the Province of Nova Scotia under the Day Care Act;			means a day care facility which serves six (6) or more children and is licensed by the Province of Nova Scotia under the Day Care Act.
Non-Residential Day Care Centre			means a place where 9 or more children are cared for without overnight accommodation but does not include a school.		Remove
Residential Day Care Centre			means that portion of a residential dwelling which is used to accommodate more than three but fewer than nine children who are looked after during the daytime hours		Remove
Depth				means a specified distance along a horizontal plane towards the interior of a building or a lot from a streetline or lot line.	means a specified distance along a horizontal plane towards the interior of a building or a lot from a streetline or lot line.
Development	"development" includes the erection, construction, alteration, placement, location, replacement or relocation of, or addition to, a structure and a change or alteration in the use made of land or structures;	includes the erection, construction, alteration, placement, location, replacement or relocation of, or addition to, a structure and a change or alteration in the use made of land or structures;		includes the erection, construction, alteration, placement, location, replacement, or relocation of, or addition to a structure and a change or alteration in the use made of land or structures;	means the erection, construction, alteration, placement, location, replacement or relocation of, or addition to, a structure and a change or alteration in the use made of land or structures;

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Development Officer	"development officer" means the person or persons appointed by a council to administer a land-use or subdivision by-law;	means the person or persons appointed by the Municipality of the District of West Hants to administer this By-law;	means the person appointed by Council to administer the Land Use By-law	Development Officer means the person or persons appointed by Town of Windsor to administer this By-law;	means the person or persons appointed by Council to administer the land-use and subdivision by-laws;
Display Court		means a display of goods on a lot for the purpose of encouraging the purchase of the display items, or items similar to the display items, and without limiting the generality of the foregoing, such displays include displays of cars, trucks, vans, motor homes, manufactured homes, trailers, boats, snowmobiles, motorcycles, swimming pools, garden ornaments and prefabricated cottages or homes;		means a display of goods on a lot for the purpose of encouraging the purchase of the display items, or items similar to the display items, and without limiting the generality of the foregoing, such displays would include displays of cars, trucks, vans, motor homes, mobile homes, trailers, boats, snowmobiles, motorcycles, swimming pools, garden ornaments, and prefabricated cottages or homes;	Remove
Distillery Commercial Distillery		means a facility in the production of more than 75,000 litres per year of liquor and spirits, other than wine or beer, where the product is blended or bottled for sale to the Nova Scotia Liquor Commission or for export;		means a facility in the production of more than 75,000 litres per year of liquor and spirits, other than wine or beer, where the product is blended or bottled for sale to the Nova Scotia Liquor Commission or for export	means a facility that produces more than 150,000 litres per year of liquor and spirits, other than wine or beer, where the product is blended or bottled, and may include a hospitality room and retail store;
Micro Distillery		means a craft distillery primarily engaged in the production and packaging of less than 75,000 litres per year of liquor and spirits, other than wine or beer. The facility may include accessory uses such as retail sale, wholesale, tours and events or hospitality room		means a craft distillery primarily engaged in the production and packaging of less than 75,000 litres per year of liquor and spirits, other than wine or beer. The facility may include accessory uses such as retail sale, wholesale, tours and events or hospitality room	means a facility primarily engaged in the production and packaging of less than 150,000 litres per year of liquor and spirits other than wine or beer and may include a hospitality room and retail store.

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		where beverages produced at the facility can be sampled;		where beverages produced at the facility can be sampled	
Driveway		means a vehicle access provided between a street or lane and a parking area or a loading space, or between two parking areas, but does not include a parking aisle;		means a vehicle access provided between a street or lane and a parking area or a loading space, or between two parking areas, but does not include a parking aisle;	Remove
Dwelling		means a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units, and shall not include a hotel, a motel, apartment hotel, recreation vehicle or travel trailer;	means a building or portion thereof, occupied or capable of being occupied as a home or residence by one or more persons, containing one or more dwelling units, and shall not include a hotel or motel.	means a building, occupied or capable of being occupied as a home, residence, or sleeping place by one or more persons, containing one or more dwelling units, and shall not include a hotel, motel, apartment hotel, recreation vehicle, or travel trailer;	means a building or portion thereof, occupied or capable of being occupied as a residence by one (1) or more persons, containing one (1) or more dwelling units, excluding a hotel, motel, country inn, recreational vehicle, or travel trailer.
Dwelling Unit	means living quarters that (i) are accessible from a private entrance, either outside the building or in a common area within the building, (ii) are occupied or, if unoccupied, are reasonably fit for occupancy, (iii) contain kitchen facilities within the unit, and (iv) have toilet facilities that are not shared with the occupants of other dwelling units;	means one or more habitable rooms designed or intended to be used by one or more individuals as a separate and independent housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of the individual or individuals for year-round occupancy as a primary residence, with a private entrance from outside of the building or from a common hallway or stairway inside the building and excludes a recreational cabin as defined in the Nova Scotia Building Code Regulations.	means one or more habitable rooms designed or intended to be used by one or more individuals as a separate and independent housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of the individual or individuals for year-round occupancy as a primary residence, with a private entrance from outside of the building or from a common hallway or stairway inside the building and excludes a recreational cabin as defined in the Nova Scotia Building Code Regulations.	means one or more habitable rooms designed or intended to be used by one or more individuals as a separate and independent housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of the individual or individuals for year-round occupancy as a primary residence, with a private entrance from outside of the building or from a common hallway or stairway inside the building and excludes a recreational cabin as defined in the Nova Scotia Building Code Regulations.	means one or more habitable rooms designed or intended to be used by one or more individuals as a separate and independent housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of the individual or individuals for year-round occupancy as a primary residence, with a private entrance from outside of the building or from a common hallway or stairway inside the building excluding a recreational cabin as defined in the Nova Scotia Building Code Regulations.

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Dwelling, Converted		means a building originally built and designed as a single dwelling unit which has been converted to two or more dwelling units;	means a building converted to contain a greater number of dwelling units than the building contained prior to that conversion.	means a building originally built and designed as a single unit dwelling which has been converted to two or more dwelling units;	Remove
Dwelling, Duplex		means a building that is divided horizontally into two dwelling units, each of which has an independent entrance directly or through a common vestibule;	means a building that is divided horizontally or vertically into two dwelling units each of which has an independent entrance either directly from outside the building or through a common vestibule.	<u>Duplex Dwelling</u> means a building that is divided horizontally into two dwelling units (only used in definitions) each of which has an independent entrance directly or through a common vestibule;	Remove
Apartment Building		<u>Apartment Dwelling</u> means a building or part thereof, other than a converted dwelling, consisting of more than three dwelling units, which have a common entrance from the street level;	means a building containing three or more dwelling units which have a common entrance from the street level.	Apartment Dwelling means a building or part thereof, other than a converted dwelling, consisting of three or more dwelling units, which have a common entrance from the street level; (not used)	Remove
Grouped Dwelling		<u>Grouped Dwellings</u> means two or more dwelling units which are contained in two or more buildings designed to be part of a group of dwellings clustered on the same lot;	means buildings designed as part of a group of dwellings on the same lot, held and maintained under single ownership, or otherwise provided under the Condominium Act, R.S.N.S. 1989.	<u>Grouped Dwellings</u> means two or more dwelling units which are contained in two or more buildings designed to be part of a group of dwellings clustered on a single lot;	means two (2) or more dwelling units contained in two (2) or more buildings, and may include shared buildings or facilities, all designed to be part of a group of dwellings located on a single lot;
Group Home			means a single housekeeping unit in a residential dwelling in which three to ten residents live together under supervision, in accordance with Provincial requirements. The home shall be licensed by the Province. "Residents," for the purpose of this		means a dwelling unit in which three to ten people live together which is licensed by the Province

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			definition shall be deemed as to exclude staff or receiving family.		
Mini-Home			means a dwelling unit built to a CSA standard which meets or exceeds a length to width ratio of 3:1.		means a dwelling unit built as a manufactured home to a CSA standard which meets or exceeds a length to width ratio of 3:1 and incorporates pitched roof.
Mobile home		means a manufactured home incorporating a bow-truss roof and designed for transportation on its own frame;			means a manufactured home incorporating a bow-truss roof and designed for transportation on its own frame;
Modular Home		means a dwelling unit manufactured in a factory which is transported in two or more sections and assembled on site;			means a dwelling unit manufactured in a factory which is transported in two or more sections and assembled on site;
Multi-Unit Dwelling		<u>Multiple</u> Unit Dwelling means a building or part thereof, other than a converted dwelling, consisting of three or more dwelling units;	means a dwelling containing three or more dwelling units, other than a townhouse		means a a building containing three (3) or more dwelling units;
Seasonal Dwelling		means a cottage or secondary residence used for recreation, rest or relaxation from time to time throughout any season of the year, but not used or intended to be used for year-round occupancy or as a principal residence;			means a cottage or secondary residence used for recreation, rest or relaxation from time to time throughout any season of the year, but not used or intended to be used for year-round occupancy or as a primary residence;
Semi-Detached Duplex Dwelling				means a building that consists of two duplexes attached to each other; (used once in the WMPS section 5.3)	Remove

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Dwelling, Semi-Detached		means a building that is divided vertically into two dwelling units, each of which has an independent entrance;	means a building that is divided vertically into two dwelling units each of which has an independent entrance.	<u>Semi Detached Dwelling</u> means a building that is divided vertically into two dwelling units each of which has an independent entrance;	Remove
Single-Unit Dwelling		means a building consisting of one dwelling unit which is constructed wholly on the site from basic materials or from components transported to the site, which is not intended or designed to be removed from the site, and is freestanding, separate and detached from other main buildings or structures;	means a detached dwelling unit and does not include a mini home unit.	<u>Single Unit Dwelling</u> means a building consisting of one dwelling unit which is constructed wholly on the site from basic materials or from components transported to the site, which is not intended or designed to be removed from the site, and is freestanding, separate and detached from other main buildings or structures;	means a building consisting of one (1) dwelling unit which is constructed wholly on the site from basic materials or from components transported to the site, which is not intended or designed to be removed from the site, and is freestanding, separate and detached from other main buildings or structures;
Triplex Dwelling		means a building that is divided horizontally into three dwelling units, each of which has an independent entrance directly or through a common vestibule;		means a building that is divided horizontally into three dwelling units, each of which has an independent entrance directly or through a common vestibule; (not used)	Remove
Townhouse		means a building that is divided vertically into three or more dwelling units, each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit;	means a dwelling unit that is divided vertically into three or more dwelling units, each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.	<u>Townhouse Dwelling</u> means a building that is divided vertically into three or more dwelling units, each of which has independent entrances to a front and rear yard, immediately abutting the front and rear walls of each dwelling unit;	means a building that is divided vertically into three (3) or more dwelling units, each of which has an independent entrance directly or through a common vestibule;
Two-Unit Dwelling		means a completely detached building containing only two dwelling units;		means a completely detached building containing only two dwelling units;	means a completely detached building containing only two (2) dwelling units;

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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;	means to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing shall be taken to include preliminary physical operation such as excavating, or structurally altering any existing building or structure by an addition, deletion, enlargement, or extension.	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;	means to build, construct, reconstruct, alter or relocate including but not limited to preliminary physical operation such as excavating, or structurally altering any existing building or structure by an addition, deletion, enlargement, or extension;
Exhibition Grounds				means an area used for the temporary display, demonstration and sale of arts, crafts, livestock, commercial or industrial products, recreational vehicles or automobiles, and may include amusement rides, amusement arcades or recreation areas;	means an area used for the temporary display, demonstration and sale of arts, crafts, livestock, commercial or industrial products, recreational vehicles or automobiles, and may include amusement rides, amusement arcades or recreation areas;
Existing		means legally existing as of the effective date of this By-law;	means in reference to a use or structure, that it existed on the effective date of the 1988 Land Use By-law except for references to existing mini homes or two unit dwellings in which case existing shall mean the effective date of this by-law.	means legally existing on the effective date of this By-law;	Remove
Farm Market		means a building or part thereof in which farm produce comprises the major portion of goods offered or kept for sale directly to the public at retail value; where a farm market is permitted in a resource zone		means a building or part thereof in which farm produce comprises the major portion of goods offered or kept for sale directly to the public at retail value;	means a building or part thereof in which agricultural produce comprises the major portion of goods offered or kept for sale directly to the public at retail value;

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		as part of an agricultural operation, the majority of the farm produce offered or kept for sale shall be grown or produced on farm property owned by the farm market operator;			
Fill		means natural earth or material deposited on a lot to alter the land level and contour of the lot; (not used)		means natural earth or gravel material deposited on a lot to alter the land level and contour of the lot; (not used)	means natural earth or material deposited on a lot to alter the land level and contour of the lot;
Floor Area			(a) in reference to a structure, the total area contained within the outside walls.		with reference to a structure means the total area contained within the outside walls;
Commercial Floor Area		Commercial Floor Area means the total usable floor area within a building used for commercial purposes but excludes washrooms, utility and mechanical rooms, storage rooms and common malls between stores;	Commercial structure floor area means the area within the outside walls of the structure measured at a level of the main floor or floors. Commercial structure gross floor area means the area within the outside walls of the structure at all floor levels including the basement.	means the total useable floor area within a building used for commercial purposes but excludes washrooms, utility and mechanical rooms, storage rooms and common malls between stores;	means the total usable floor area within a building used for commercial purposes excluding washrooms, utility and mechanical rooms, storage rooms and common malls between stores;
Floor Area, Dwelling		With reference to a dwelling means the maximum area contained within the outside walls excluding any private garage, porch, veranda, sunroom, unfinished attic, basement or cellar or other room not habitable at all seasons of the year;	dwelling floor area means the area within the outside walls of the structure at the level of the main floor area or floors.	With reference to a dwelling means the maximum area contained within the outside walls excluding any private garage, porch, veranda, sunroom, unfinished attic, basement or cellar, or other room not habitable at all seasons of the year;	with reference to a dwelling means the maximum area contained within the outside walls excluding any private garage, porch, veranda, sunroom, unfinished attic, basement or cellar or other room not habitable at all seasons of the year;
Dwelling Structure Gross Floor Area			means the area within the outside walls of the structure		Remove

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			on all floor areas including the basement.		
Commercial Structure Net Floor Area			means the area within the inside finished walls on all floor levels, exclusive of utility, storage, and common wall areas. (not used)		Remove
Gross Floor Area		means the aggregate of the floor area of a building above or below grade, measured between the exterior faces of the exterior walls of 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;	means the aggregate of the floor area of the building above or below grade, measured between the exterior faces of the exterior walls of 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.	means the aggregate of the floor areas of a building above or below grade, measured between the exterior faces of the exterior walls of 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;	means the aggregate of the floor area of a building above or below grade, measured between the exterior faces of the exterior walls of 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;
Floor Area Ratio				means the gross area of all floors in a building, measured from the outside of external walls, divided by the area of the lot.	means the gross area of all floors in a building, measured from the outside of external walls, divided by the area of the lot;
Fonzie					a fictional character played by Henry Winkler in the American sitcom Happy Days;
Fuel Storage Depot		means the bulk storage of petroleum gasoline, fuel oil, gas or inflammable liquid or fluid legally and properly kept in a tank for storage;		means the bulk storage of petroleum gasoline, fuel oil, gas or inflammable liquid or fluid legally and properly kept in a tank for storage;	means the bulk storage of petroleum gasoline, fuel oil, gas or inflammable liquid or fluid legally and properly kept in a tank for storage;
Forestry and Related Activities		means the growing and harvesting of trees for commercial purposes together with the processing of the forestry products and, without limiting the			means the growing and harvesting of trees for commercial purposes together with the processing of the forestry products including but not limited to

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		generality of the foregoing, shall include temporary uses such as portable sawmills, lumber yards and equipment storage facilities and small-scale permanent structures such as saw mills and shingle mills acquiring less than 2,270 cords (5,000 m ³) of round wood from private woodlands per calendar year;			temporary uses such as portable sawmills, lumber yards and equipment storage facilities, small-scale permanent structures such as saw mills and shingle mills acquiring less than 2,270 cords (5,000 m ³) of round wood per calendar year and large-scale permanent structures acquiring more than 2,270 cords (5,000 m ³) of round wood per calendar year;
Grade, Average				means the average of the neighbouring street elevations on the street which the building fronts	means the average of the elevations of the street which the building fronts;
Bed and Breakfast Country Inn Guest House		<p><u>Bed and Breakfast</u> means a single unit dwelling in which the resident supplies, for compensation, not more than four bedrooms for the temporary accommodation of the travelling public;</p> <p><u>Country Inn</u> means a building with three or more bedrooms for the temporary accommodation of the travelling public for gain or profit and may include a public dining room and/or guest house</p> <p><u>Guest House</u> means a building without kitchen facilities on the same lot as a country inn which is used for the temporary</p>	means a dwelling where the property owner??supplies either room or room and board for monetary gain and is open to the travelling public.	<p><u>Bed and Breakfast</u> means a single unit dwelling in which the resident supplies, for compensation, not more than four rooms for the temporary accommodation of the travelling public;</p> <p><u>Country Inn</u> means a building with three or more rooms for the temporary accommodation of the travelling public for gain or profit and may include a public dining room and/or guest house.</p> <p><u>Guest House</u> means a building without kitchen facilities on the same lot as a country inn which is used for the temporary</p>	<p><u>Bed and Breakfast</u> means a single dwelling unit in which the resident supplies bedrooms for the temporary accommodation of the travelling public for compensation;</p> <p><u>Country Inn</u> means a building with three or more rooms for the temporary accommodation of the travelling public for compensation and may include a public dining room and/or guest house.</p> <p><u>Guest House</u> means a building without kitchen facilities on the same lot as a Country Inn which is used for the temporary</p>

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		accommodation of the travelling public;		accommodation of the travelling public; (not used)	accommodation of the travelling public;
Hazardous Material		means a material which, by reason of its properties, is a hazard to health or to the environment and which is explosive, gaseous, flammable, poisonous, radioactive, corrosive, oxidizing or leachable, or is designated as a hazardous material under federal or provincial legislation;		means a material which, by reason of its properties, is a hazard to health or to the environment and which is explosive, gaseous, flammable, poisonous, radioactive, corrosive, oxidizing or leachable, or is designated as a hazardous material under federal or provincial legislation;	means a material which, by reason of its properties, is a hazard to health or to the environment and which is explosive, gaseous, flammable, poisonous, radioactive, corrosive, oxidizing or leachable, or is designated as a hazardous material under federal or provincial legislation;
Height		Height means the vertical distance on a building between the established grade and: (a) the highest point of the roof surface or the parapet, whichever is the greater, of a flat roof; (b) the declivity of a mansard roof; or (c) the mean level between eaves and ridges of a gabled, hip, gambrel or other type of pitched roof; but shall not include any construction used as ornament or for the mechanical operation of the building, such as a mechanical penthouse, chimney, tower, cupola or steeple;	means the vertical distance on a building between the established grade, and (a) the highest point of the roof surface, or the parapet, whichever is greater, of a flat roof; or (b) the declivity of a mansard roof; or (c) the mean level between eaves and ridge of a gabled, hip, gambrel roof or other type of pitched roof; but shall not include any construction used as ornament or for the operation of the building, such as a mechanical penthouse, chimney, tower, steeple, solar collector, or satellite receiving dish.	Height means the vertical distance on a building between the established grade and: (a) the highest point of the roof surface or the parapet, whichever is the greater, of a flat roof; (b) the declivity of a mansard roof; or (c) the mean level between eaves and ridges of a gabled, hip, gambrel or other type of pitched roof; but shall not include any construction used as ornament or for the mechanical operation of the building, a mechanical penthouse, chimney, tower, cupola or steeple;	means the vertical distance on a building between the established grade, and (a) the highest point of the roof surface, or the parapet, whichever is greater, of a flat roof; or (b) the declivity of a mansard roof; or (c) the mean level between eaves and ridge of a gabled, hip, gambrel roof or other type of pitched roof; excluding any construction used as ornament or for the operation of the building, such as a mechanical penthouse, chimney, tower, steeple, solar collector, or satellite receiving dish.
Home Based Business		means the accessory use of a dwelling by any resident of that dwelling unit for gainful employment involving the production, sale, or	means a business activity carried on wholly within a residential structure or accessory structure, without limiting the generality of the	means the accessory use of a dwelling by any resident of that dwelling unit for gainful employment involving the production, sale, or	means the accessory use of a dwelling or accessory building by a resident for gainful employment involving the production,

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		provision of goods and services, on a small scale;	foregoing, includes: office uses, personal services shops, craft shops, and the repair of minor household appliances. Home occupations do not include the sale, rental, or repair of automobiles.	provision of goods and services, on a small scale;	sale, or provision of goods and services on a small scale;
Home for Special Care		means a nursing home, a home for the aged, a home for the disabled and a residential care facility as defined in the <i>Homes for Special Care Act</i> ;	means facilities licensed under The Homes for Special Care Act.	Home for Special Care means a nursing home, a home for the aged, a home for the disabled or a residential care facility as defined in The Homes for Special Care Act;	means a dwelling unit where people live together and receive care, and can include a nursing home, a home for the aged, a home for the disabled and a residential care facility as defined in the Homes for Special Care Act;
Hospital		means an institution for the treatment of persons afflicted with or suffering from sickness, disease or injury;		means an institution for the treatment of persons afflicted with or suffering from sickness, disease or injury;	means an institution for the treatment of persons afflicted with or suffering from sickness, disease or injury;
Hotel or Motel		<u>Hotel</u> means a building with six or more units that are internally accessible, with private bathrooms, used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation, with or without meals; <u>Motel</u> means a building or a group of buildings with three or more units, each with external access and private bathrooms, used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation;	means a building or buildings or part thereof on the same lot used to accommodate the traveling public for gain or profit, by supplying them with sleeping accommodation with or without meals.	<u>Hotel</u> means a building with six or more units that are internally accessible with private bathrooms used to accommodate the travelling public, for gain or profit, by supplying them with sleeping accommodation with or without meals <u>Motel</u> means a building or a group of buildings with three or more units, each with external access, and private bathrooms, used to accommodate the travelling public, for gain or profit, by supplying them with sleeping accommodation;	<u>Hotel</u> means a building with six or more internally accessible units with private bathrooms used to accommodate the travelling public for compensation by supplying them with sleeping accommodation, with or without meals; <u>Motel</u> means a building or a group of buildings with three or more units each with external access and private bathrooms, used to accommodate the travelling public for compensation, by supplying them with sleeping accommodation;

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Housing Affordability				means all types of housing whereby the provincial government provides some form of subsidy or rent assistance, including public, non-profit and co-operative housing, as well as rent supplements for people living in private market housing (not used)	Remove
Industrial Use			means one involving manufacturing, processing, fabrication or outdoor storage.		means the use of land or buildings or structures for manufacturing, processing, fabrication or outdoor storage.
Institutional Use		means the use of land, buildings or structures for a public or non-profit purpose and, without limiting the generality of the foregoing, may include such uses as schools, places of worship, public hospitals, homes for special care and government buildings, but shall not include a private club;	means a place of worship, school, or hospital or any health care facility, whether public or privately operated, including Homes for Special Care, and any public use.	means the use of land, buildings or structures for a public or non-profit purpose and, without limiting the generality of the foregoing, may include such uses as schools, places of worship, public hospitals and government buildings, but shall not include a private club;	means the use of land, buildings or structures for a public or non-profit purpose including but not limited to schools, places of worship, public hospitals, homes for special care and government buildings excluding a private club;
Interpretive Centre		means an establishment that provides cultural or natural heritage information to the public and may include accessory uses such as a tea room or other small restaurant, gift shop and similar uses;			means an establishment that provides cultural or heritage information to the public;
Kennel		Kennel means a building or structure where four or more dogs over the age of six months are kept, bred, boarded or trained, and may	means a building or structure used for the enclosure of dogs, which are kept for the purposes of commercial breeding or	means a lot, building or structure on or within which four or more domesticated animals are housed, groomed, bred, boarded,	means a lot, building or structure on or within which domesticated animals are housed, groomed, bred,

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		<p>also include breeding and boarding facilities for cats, and pet grooming, but shall not include a veterinary clinic or the retail sale of pet supplies;</p> <p><u>Commercial Kennel</u> means a kennel involving eight or more dogs;</p> <p><u>Hobby Kennel</u> means a kennel accessory to a residential use involving fewer than eight dogs;</p>	showing or for commercial boarding. (not used)	trained or sold for monetary gain and which may offer provisions for minor medical treatment;	<p>boarded, trained or sold for monetary gain:</p> <p><u>Commercial Kennel</u> means a kennel which may provide overnight accommodations eight (8) or more domesticated animals;</p> <p><u>Hobby Kennel</u> means a kennel accessory to a residential use which may provide overnight accommodations for fewer than eight (8) domesticated animals;</p>
Kiosk				means a small structure, open at one or more sides, used for the display and retail sale of goods, merchandise or farm produce, or for the limited preparation and sale of food or beverages, but shall not include a motor vehicle;	means a small structure, open at one or more sides, used for the display and retail sale of goods, merchandise or farm produce, or for the limited preparation and sale of food or beverages, excluding a motor vehicle;
Landscaped Open Space		means the open space which is used for the growth and maintenance of grass, flowers, shrubbery and other landscaping including any surfaced walk, patio and similar area and not occupied by a building or used as a driveway or parking space;		means the open space which is used for the growth and maintenance of grass, flowers, shrubbery and other landscaping including any surfaced walk, patio and similar area and not occupied by a building or used as a driveway or parking space;	means open space used for the growth and maintenance of grass, flowers, shrubbery and other landscaping including any surfaced walk, patio and similar area which is not occupied by a building or used as a driveway or parking space;
Landscaping			means any combination of trees, shrubs, flowers, grass, or other horticultural elements, decorative stonework, paving,	Landscaping means the use of any combination of horticultural elements, decorative stone work, paving, fencing or other	means the use of any combination of horticultural elements, decorative stone work, paving, fencing or other architectural elements

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			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. (not used)	architectural elements to enhance the visual quality of a property or to provide a visual barrier between one property and another;	to enhance the visual appearance of a property or to provide a visual barrier between one property and another;
Livestock Operation, Household		means a livestock operation consisting of not more than eight animal units which is accessory to the main use on a lot;			means a livestock operation consisting of not more than eight (8) animal units which is accessory to the main use on a lot;
Livestock Operation, Intensive		means an agricultural use in which a minimum of 20 animal units are confined to a barn, feedlot or other facility for feeding, breeding, milking, holding for eventual sale or egg production. Combinations of different types of livestock are allowed provided the maximum number of animal units is not exceeded;		means an agricultural use in which a minimum of 20 animal units are confined to a barn, feedlot or other facility for feeding, breeding, milking, holding for eventual sale, or egg production. Combinations of different types of livestock are allowed provided the maximum number of animal units is not exceeded	means an agricultural use in which a minimum of 20 animal units are confined to a barn, feedlot or other facility for feeding, breeding, milking, holding for eventual sale or egg production;
Livestock Operation, Non-intensive		means an agricultural use consisting of not more than 19 animal units. Combinations of different types of livestock are allowed provided the maximum number of animal units is not exceeded;		means an agricultural use consisting of not more than 19 animal units. Combinations of different types of livestock are allowed provided the maximum number of animal units is not exceeded. This definition does not apply to an "urban agricultural use" as defined herein (the intent is in the last sentence)	means an agricultural use other than an "urban agricultural use" or "household livestock use" as defined herein consisting of not more than 19 animal units.

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Loading Space		<p>means an unencumbered area of land provided and maintained upon the same lot or lots upon which the principal use is located and which:</p> <p>(a) is suitable for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle, and such parking shall not be for the purpose of sale or display;</p> <p>(b) is not upon or partly upon any street; and</p> <p>(c) has adequate access to permit ingress and egress by means of driveways, aisles, manoeuvring areas or similar areas, no part of which shall be used for the temporary parking or storage of one or more motor vehicles</p>		<p>means an unencumbered area of land provided and maintained upon the same lot or lots upon which the principal use is located and which area:</p> <p>(a) is suitable for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle, and such parking shall not be for the purpose of sale or display;</p> <p>(b) is not upon or partly upon any street or highway; and</p> <p>(c) has adequate access to permit ingress and egress by means of driveways, aisles, manoeuvring area or similar areas, no part of which shall be used for the temporary parking or storage of one or more motor vehicles;</p>	<p>means an unencumbered area of a lot which:</p> <p>(a) is suitable for the temporary parking of one (1) commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle; and</p> <p>(b) has adequate access to permit ingress and egress by means of driveways, aisles, manoeuvring areas or similar areas, no part of which shall be used for the temporary parking or storage of one (1) or more motor vehicles;</p>
Local Commercial		<p>is a small scale commercial operation that serves a relatively small market area and is of a local nature and, without limiting the generality of the foregoing, may include convenience stores and arts, crafts, antiques or personal service shops. For the purpose of this By-law, local commercial</p>		<p>is a small scale commercial operation that serves a relatively small market area and is of a local nature and, without limiting the generality of the foregoing, may include convenience stores and art/craft/antique and personal service shops. For the purpose of this By-law, local commercial uses</p>	<p>means a small commercial operation including but not limited to convenience stores, arts, crafts or antique shops, personal service shops, licensed day care centres, country inns, small restaurants, offices and video stores, that serves a relatively small market area of a primarily local nature</p>

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		uses may include other uses which have traditionally been considered local commercial even though they may serve an extended market and which are compatible with residential areas such as licensed day care centres, country inns, small restaurants or cafés, offices and video stores		may include other uses which have traditionally been considered local commercial even though they may serve an extended market and which are compatible with residential areas such as licensed day care centres, country inns, small restaurants or cafes, offices and video stores;	and is compatible with residential uses;
Lot		means a parcel of land described in a deed or as shown in a registered plan of subdivision;	means an area of land separated from adjacent areas of land by being described in a deed or shown on an approved plan of subdivision.	means a parcel of land described in a deed or as shown on a registered plan of subdivision	means a parcel of land described in a deed or as shown on a registered plan of subdivision;
Corner Lot		means a lot situated at the intersecting corner of two or more streets. The shorter lot line shall be deemed the front line of the said lot;	means a lot situated at the intersection of and abutting on two or more streets. The shorter line shall be deemed the front line of the said lot.	means a lot situated at the intersecting corner of two or more streets. The shorter lot line shall be deemed the front line of the said lot;	means a lot situated at the intersection of and abutting two (2) or more streets;
Flag Lot		means a lot with a configuration that resembles a fully outstretched flag at the top of a flag pole and where the “pole” portion of the lot contains the required lot frontage; a lot with a “foot” at the end of the pole that meets the frontage requirement shall also be considered a flag lot; (not used)			means a lot with a configuration that resembles a fully outstretched flag at the top of a flag pole where the pole portion contains the required lot frontage; a lot with a foot at the end of the pole that meets the frontage requirement shall also be considered a flag lot;
Interior Lot		means a lot situated between two lots and having access to one street; (not used)		means a lot abutting only one street the full width of the lot (not used)	Remove

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Through Lot		means a lot bounded on two opposite sides by streets provided, however, that if any lot qualifies as being both a corner lot and a through lot as hereinbefore defined, such lot shall be deemed to be a corner lot for the purpose of this By law;	means a lot bounded on two opposite sides by streets or highways provided however, that if any lot qualifies as being both a corner lot and a through lot as hereinbefore defined, such lot shall be deemed to be a corner lot for the purpose of this By-law.	means a lot that is not a corner lot that abuts two streets;	means a lot that abuts two (2) streets but is not a corner lot;
Lot Area		means the total horizontal area within the lot lines of a lot; minimum lot area means the smallest allowable area a lot can be created;	means the total horizontal area within the lot lines of a lot.	means the total horizontal area within the lot lines of a lot;	means the total horizontal area within the lot lines of a lot;
Minimum Lot Area				means the smallest allowable area a lot can be created;	Remove
Lot Coverage		means the percentage of the lot that is covered by buildings, also known as the building footprint; maximum lot coverage means the largest allowable area that can be covered by any building or buildings on a lot;		means the percentage of the lot that is covered by buildings, also known as the building footprint; maximum lot coverage means the largest allowable area that can be covered by any building or buildings on a lot;	means the percentage of the lot that is covered by buildings; maximum lot coverage means the largest allowable area that can be covered by a building or buildings;
Lot Depth			means the horizontal distance between the front and rear lot lines. Where these lot lines are not parallel, the lot depth shall be the length of a line joining the midpoints of the front and rear lot lines. (not used)		Remove
Lot Frontage		means the length of a line between the two side lot lines measured at the front	means the horizontal distance between the side lot lines measured along the	means the length of a line between the two side lot lines measured at the front	means the horizontal distance between the side lot lines measured:

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		of the lot; minimum lot frontage means the shortest allowable distance lot frontage can be measured	front lot line. In the case of irregular shaped lots frontage may be measured perpendicularly to a line joining the mid points of the front and rear lot lines, and at a point equal in distance from the front lot line to the required front yard.	of the lot; minimum lot frontage means the shortest allowable distance lot frontage can be measure	(i) 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 lots lines and at a point therein equal in distance to the minimum required front yard, or, (ii) at the front lot line, whichever is greater.
Lot Line		means a boundary line of a lot;	means a boundary line of a lot.	means a boundary line of a lot	means a boundary line of a lot;
Exterior Lot Line		Exterior means a side lot line which abuts the street on a corner lot; (not used)		means a side lot line which abuts the street on a corner lot; (not used)	Remove
Front Lot Line		means the line dividing the lot from the streets; in the case of a corner lot, the shorter boundary line abutting the street shall be deemed the front lot line and the longer boundary line abutting the street shall be deemed the side 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 shall be deemed to be the front lot line. In the case of a lot served by a right of way easement, the lot line nearest the street shall be deemed the 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 shall be deemed the front lot line and where such lot lines are of equal length the front lot line shall be either of the two lines. In the case of a through lot, each boundary dividing the lot from a street shall be deemed to be a 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 shall be deemed the front lot line and the longer boundary line abutting the street shall be deemed the side 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 shall be deemed to be the front lot line;	means the line dividing the lot from the street; in the case of a corner lot the front lot line shall be either of the two lines. In the case of a through lot, each boundary dividing the lot from a street shall be deemed to be a front lot line;

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Rear Lot Line		means the lot line furthest from or opposite to the front lot lines;	means the lot line furthest from or opposite to the front lot line.	means the lot line furthest from or opposite to the front lot line;	means the lot line furthest from or opposite to the front lot line;
Side Lot Line		means a lot line other than a front or rear lot line	means a lot line other than a front or rear lot line.	means a lot line other than a front or rear lot line;	means a lot line other than a front or rear lot line;
Flankage Lot Line			means the lot line which abuts a street on a corner lot other than the front lot line. (not used)		means the lot line which abuts a street on a corner lot other than the front lot line;
Low-rise building				means a building or that portion of a building that is less than 11 metres in height.	means a building or that portion of a building that is less than 11 m (36 ft) in height;
Main building		means the building on a lot in which the principal use of the lot is carried out;	means the building in which is carried on the principal purpose for which the lot is used.	means the building on a lot in which the principal use of the lot is carried out;	means the building in which the principal use of the lot is carried out;
Medical Clinic			means a building or structure where members of the medical profession, dentists, chiropractors, osteopaths, and physicians or occupational therapists provide diagnosis and treatment to the general public without overnight accommodation and shall include such uses as reception areas, offices, coffee shop, consultation rooms, x-ray and minor operating rooms and a dispensary.		Remove
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;		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;	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;
Manufactured Home		means a dwelling unit			Remove

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		<p>manufactured in a factory and designed for transportation after fabrication, whether on its own wheels or a trailer, which arrives at the site where it is to be occupied as a dwelling complete and ready for occupancy (except for minor unpacking and assembling operations to place the building on an acceptable foundation), and having a width of not more than 6 m (20 ft), but does not include a travel trailer or recreational vehicle. Manufactured home includes a mobile home and a mini home, but does not include a modular or sectional home transported in two or more sections and assembled on site;</p>			
Manufactured Home Park		<p><u>Manufactured Home Park:</u> means a lot on which spaces are provided for more than one manufactured home and includes any accessory service and recreation buildings, but does not include campgrounds;</p>	<p><u>Mini Home Park:</u> means a lot used for the renting of spaces for mini homes.</p>		means a lot or lots used for the grouped placement of mini homes and mobile homes including any accessory service and recreation buildings and excluding campgrounds;
Manufactured Home Space		<p>means an area within a manufactured home park designated for the accommodation of one manufactured home;</p>			Remove
Motor Vehicle Sales, Rental, and Repair (moved to Automotive Repair Shop)			<p>means an establishment excluding a private home or garage, where new and / or</p>		Remove

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			used vehicles, lubricants, tires, parts and accessories for motor vehicles are kept for sale, and where replacement and/or repairs to any component of a motor vehicle may be performed including autobody and/or painting uses. Motor vehicles shall include boats and other recreational vehicles. Salvage and scrap yards, and motor vehicle fueling stations are separate uses.		
Municipality		means the Municipality of the District of West Hants;			means the West Hants Regional Municipality;
Non-Conforming	<p>“nonconforming structure” means a structure that does not meet the applicable requirements of a land-use by-law; (j) “nonconforming use of land” means a use of land that is not permitted in the zone; (k) “nonconforming use in a structure” means a use in a structure that is not permitted in the zone in which the structure is located;</p>	means a use, building or structure or part thereof which does not conform or comply with the permitted uses and regulations of this By-law as of the effective date;		means a use, building or structure or part thereof which does not conform or comply with the permitted uses and regulations of this By-law as of the effective date;	<p>“nonconforming structure” means a structure that does not meet the applicable requirements of a land-use by-law;</p> <p>“nonconforming use of land” means a use of land that is not permitted in the zone;</p> <p>“nonconforming use in a structure” means a use in a structure that is not permitted in the zone in which the structure is located;</p>
Nursing Home			means a building wherein nursing care, room and board are provided to individuals incapacitated in some manner for medical		Remove

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			reasons but does not include a hospital.		
Obnoxious Use		means a use which, from its nature or operation creates a nuisance, pollution or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, oil or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material;	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, or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste, or other material (not used)	means a use which, from its nature or operation, creates a nuisance, pollution or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, oil or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material;	means a use which, from its nature or operation creates a nuisance or pollution or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, oil or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material;
Office		<u>Office, Business</u> means a building or part thereof in which one or more persons is employed in the management, direction or conducting of a public or private agency, a business, a brokerage or a labour or fraternal organization including, but not so as to limit the generality of the foregoing, an office accessory to a permitted non-residential use, a bank or other financial institution, the premises of a real estate or insurance agency, a data processing establishment, a newspaper publisher or a radio or television broadcasting station and related studios or theatres, but does not include a retail store or a professional office;	means a structure in which business is conducted which may include but is not limited to consultation services, a bank or other financial institution, a real estate or insurance agency, a data processing establishment, an online retailer, or legal and other personal professional services. This shall not include the manufacturing of any products. <u>Professional Office</u> 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 selling of goods.	<u>Office (Business)</u> means a building or part thereof in which one or more persons is employed in the management, direction or conducting of a public or private agency, a business, a brokerage or a labour or fraternal organization including, but not so as to limit the generality of the foregoing, an office accessory to a permitted non-residential use, a bank or other financial institution, the premises of a real estate or insurance agency, a data processing establishment, a newspaper publisher or a radio or television broadcasting station and related studios or theatres, but does not include a retail store or a professional office;	<u>Business Office</u> means a building or part thereof in which one (1) or more persons is employed in the management, direction or conducting of a public or private agency, a business, a brokerage or a labour or fraternal organization including but not limited to an office accessory to a permitted use and excluding a retail store or a professional office; <u>Professional Office</u> means a building or part thereof in which a legal, medical or other personal professional service is performed or consultation given including, but not limited to a clinic and the offices of a lawyer, architect, surveyor, engineer or chartered

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		Office, Professional means a building or part thereof in which a legal, medical or other personal professional service is performed or consultation given including, but not necessarily restricted to, a clinic and the offices of a lawyer, architect, surveyor, engineer or chartered accountant, but does not include a personal service shop, a business office or a veterinary clinic;		Office (Professional) means a building or part thereof in which a legal, medical or other personal professional service is performed or consultation given including, but not necessarily restricted to, a clinic and the offices of a lawyer, an architect, surveyor, engineer or a chartered accountant, but does not include a personal service shop, a business office or a veterinary clinic;	accountant, and excluding a personal service shop, a business office or a veterinary clinic;
Open Space		means an area of land on a lot not covered by buildings or structures;		means an area of land on a lot not covered by buildings, or structures means land that has been reserved for the purpose of formal and informal sport and recreation, leisure, preservation of natural environments, and the provision of green space.	means an area of land on a lot not covered by buildings, or structures;
Outdoor Furnace			means a furnace which is located adjacent to a structure, and is intended to provide heat to that structure, via combustion and the heating of water, or otherwise.		means a hand-fed furnace designed and used to burn only untreated wood, located outside the main building and intended to provide heat to that building;
Outdoor Display		means the display of goods or merchandise in the open air which are available for sale to the general public from a retail store on the same lot;		means the display of goods or merchandise in the open air which are available for sale to the general public from a retail store on the same lot;	means a display of goods or merchandise in the open air which are available for sale to the general public which may include, but is not limited to, displays of cars, trucks, vans, motor homes,

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					manufactured homes, trailers, boats, snowmobiles, motorcycles, swimming pools, garden ornaments and prefabricated cottages or homes;
Outdoor Storage		<u>Open Storage</u> means the outdoor storage of merchandise, goods or inventory of any kind, materials, equipment or other items not intended for immediate sale;	means items such as merchandise, goods, inventory materials or equipment which items are not intended for immediate sale and which are stored within a structure.	<u>Open Storage</u> means the outdoor storage of merchandise, goods or inventory of any kind, materials, equipment or other items not intended for immediate sale;	means the outdoor storage of merchandise, goods or inventory of any kind, materials, equipment or other items not intended for immediate sale;
Park		means an area reserved for passive recreational uses, with limited need for accessory buildings or structures;		means an area reserved for passive recreational uses with limited need for accessory buildings or structures;	means an area reserved for passive recreational uses with limited need for accessory buildings or structures;
Parking Area		means an open area containing parking spaces, other than a street, for two or more motor vehicles, available for public use or as an accommodation for clients, customers or residents and which has adjacent access to permit ingress or egress of motor vehicles to a street by means of driveways, aisles or manoeuvring areas where no parking or storage of motor vehicles is permitted;	means an area containing parking spaces, other than a street, for two or more motor vehicles, available for public use or as an accommodation for clients, customers, or residents with access for motor vehicles to and from a street or highway by means of driveways, aisles, or maneuvering areas where no parking or storage of motor vehicles is permitted.	means an open area containing parking spaces, other than a street, for two or more motor vehicles, available for public use or as an accommodation for clients, customers or residents and which has adjacent access to permit ingress or egress of motor vehicles to a street or highway by means of driveways, aisles or manoeuvring areas where no parking or storage of motor vehicles is permitted;	means an open area on a lot containing parking spaces for two (2) or more motor vehicles which has access to a street by means of driveways, aisles or manoeuvring areas where no parking or storage of motor vehicles is permitted;
Parking Space		means a space, exclusive of driveways, ramps or aisles, to park one vehicle for purposes other than the display or offering of sale of commodities;		means a space, exclusive of driveways, ramps or aisles, to park one vehicle for purposes other than the display or offering of sale of commodities;	means a space, exclusive of driveways, ramps or aisles, to park one vehicle for purposes other than the display or offering of sale of commodities;

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Parking Structure					a partially open and/or enclosed structure used for the parking of motor vehicles for commercial purposes may include but not necessarily limited to car washing facilities, commercial businesses, and car rental agencies;
Person		includes an individual, association, firm, partnership, corporation, organization or group and includes their legal representative		includes an individual, association, firm, partnership, corporation, organization or group and includes any person legally representing these;	includes an individual, association, firm, partnership, corporation, organization or group and means their legal representative;
Personal Service Shop		means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons and, without limiting the generality of the foregoing, may include the premises of a barber, hairdresser, beautician, masseur, tailor, dressmaker and shoemaker, as well as a sun tanning shop, a formal rental shop and depots for collecting dry cleaning and laundry, but excludes any manufacturing or fabrication of goods for sale. The sale of merchandise shall be permitted only as an accessory use to the personal service provided;	means a building or part of a building which persons are employed in furnishing services or otherwise administering to the individual and personal needs of persons and may include such establishments as barber shops, beauty parlours, hairdressing shops, shoe repair, and depots for collecting dry-cleaning and laundry, but excludes any manufacturing or fabrication of goods for sale.	means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, and without limiting the generality of the foregoing may include the premises of a barber, hairdresser, beautician, masseur, tailor, dressmaker and shoemaker, as well as a sun tanning shop, a formal rental shop and depots for collecting dry cleaning and laundry, but excludes any manufacturing or fabrication of goods for sale. The sale of merchandise shall be permitted only as an accessory use to the personal service provided;	means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons including but not limited to a barber, hairdresser, beautician, masseur, tailor, dressmaker and shoemaker, tanning shop, formal rental shop and depots for collecting dry cleaning and laundry, and excluding any manufacturing or fabrication of goods for sale;

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Pilaster		means a rectangular column that usually projects about a third of its width from the wall to which it is attached;		means a rectangular column that usually projects about a third of its width from the wall to which it is attached;	means a rectangular column that usually projects about a third of its width from the wall to which it is attached;
Place of Religious Congregation					means a building dedicated to any religious congregation and/or worship including a church, synagogue, temple or assembly hall and may include such accessory uses as an auditorium, a nursery school, a school of religious education, convent, monastery, parish hall or residence operated by the place of religious congregation on the same lot or an abutting lot;
Planting Strip		Planting Strip means an area of landscaped open space located immediately adjacent to a lot line or portion thereof and on which is situated one or more of the following: (a) a continuous row of trees; (b) a continuous hedge of evergreens or shrubs; (c) a berm; (d) a wall; or (e) an opaque fence; arranged in such a way as to form a dense or opaque screen;		means an area of landscaped open space located immediately adjacent to a lot line or portion thereof and on which is situated one or more of the following: (a) a continuous row of trees; (b) a continuous hedge of evergreens or shrubs; (c) a berm; (d) a wall; or (e) an opaque fence; arranged in such a way as to form a dense or opaque screen;	Where a planting strip is required (i) a planting strip having a minimum width of 10 ft measured perpendicular to the lot line shall be planted with coniferous trees a minimum of 6' in height at the time of planting with an average maximum spacing of 10 feet, intermixed with deciduous trees a minimum of 10' in height at time of planting with an average maximum spacing of 15 feet; or (ii) a 6 foot high opaque wooden fence shall be constructed and deciduous trees a minimum of 10' in height at the time of

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					planting with an average maximum spacing of 20' shall be planted on the property which is providing the planting strip within 20 ft. of the lot line.
Post Office		means a facility owned and operated by Canada Post Corporation for the purpose of providing postal retail sales and services including counter and delivery services and may include a sorting station;		means a facility owned and operated by Canada Post Corporation for the purpose of providing postal retail sales and services including counter and delivery services and may include a sorting station. (not used)	means a facility owned and operated by Canada Post Corporation for the purpose of providing postal retail sales and services including counter and delivery services and may include a sorting station;
Postal Outlet		means an outlet owned and operated by an individual or corporation under a specific agreement with Canada Post Corporation, for the purpose of providing postal retail sales and services and, in some cases, limited delivery services to the general public;		means an outlet owned and operated by an individual or corporation under a specific agreement with Canada Post Corporation, for the purpose of providing postal retail sales and services and, in some cases, limited delivery services to the general public. (not used)	means an outlet owned and operated by an individual or corporation under a specific agreement with Canada Post Corporation, for the purpose of providing postal retail sales and services and in some cases limited delivery services to the general public;
Protected Watershed		means a watershed designated as a Protected Water Area under the <i>Nova Scotia Environment Act</i> ; (not used)			Remove
Public Building			means a building owned or used by a Federal, Provincial or Municipal Government. (not used)		Remove
Public Use		means a use, building or structure of a public authority to provide a service to the public;		means a use, building or structure of a public authority to provide a service to the public;	means a use, building or structure owned or used by a public authority to provide a service to the public;
Public Façade				means any façade that fronts a public street including the portion of the	Remove

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				roof which is visible from a public street. In the case of a corner lot, both sides of the building that are visible from the public street are considered to be public façades; (not used)	
Public Authority		means any Ministry, Department, Authority, Board, Agency, Commission or Committee of the Municipality of the District of West Hants established or exercising any power or authority under any general or specific statute of Canada and Nova Scotia with respect to any of the affairs or purposes of the municipality or a portion thereof and includes any committee or local authority established by law of the municipality and any public utility;		means any Ministry, Department, Authority, Board, Agency, Commission or Committee of the Town of Windsor established or exercising any power or authority under any general or specific statute of Canada and 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 the Town and any public utility;	means any Ministry, Department, Authority, Board, Agency, Commission or Committee of the Municipality established or exercising any power or authority under any general or specific statute of Canada and Nova Scotia with respect to any of the affairs or purposes of the Municipality or a portion thereof and includes any committee or local authority established by law of the Municipality and any public utility;
Queen					a British rock band formed in London in 1970;
Recreational Space		means a space provided in common and exclusively for the occupants of a building or part thereof in which or on which recreation uses are carried out;		means a space provided in common and exclusively for the occupants of a building or part thereof in which or on which recreational uses are carried out;	means a space provided for the exclusive use for the occupants of a building or part thereof in which or on which recreational uses are carried out;
Recreational Use		<u>Recreation Uses, Indoor</u> means a wholly enclosed building used for the provision of sports and recreation facilities including bowling alleys, curling rinks, climbing walls, fitness clubs,	means the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor ice skating rinks, athletic fields, swimming pools, golf courses, and similar uses to	<u>Recreation Uses, Indoor</u> means a wholly enclosed building used for the provision of sports and recreation facilities including bowling alleys, curling rinks, climbing walls, fitness clubs,	<u>Indoor Recreation Uses</u> means a building used for the provision of sports and recreation facilities including but not limited to bowling alleys, curling rinks, climbing walls, fitness clubs, racquet

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		<p>racquet courts, gymnasias, indoor swimming pools, indoor skating rinks and other similar recreational facilities and may include accessory uses such as pro shops, canteens and offices for fitness professionals;</p> <p><u>Recreation Uses, Outdoor</u> means the use of land for parks, playgrounds, tennis courts, lawn bowling greens, outdoor skating rinks, athletic fields, golf courses, driving ranges, picnic areas, outdoor swimming pools, day camps, and similar uses to the foregoing together with necessary and accessory buildings and structures but shall not include a track for the racing of animals, or any form of motorized vehicles;</p>	<p>the foregoing, together with necessary and accessory buildings and structures, but not including commercial recreation centres or a track for the racing of animals, or any form of motorized vehicles</p>	<p>racquet courts, gymnasias, indoor swimming pools, indoor skating rinks and other similar recreational facilities and may include accessory uses such as pro shops, canteens and offices for fitness professionals;</p> <p><u>Recreation Uses, Outdoor</u> means the use of land for parks, playgrounds, tennis courts, lawn bowling greens, skating rinks, athletic fields, golf courses, driving ranges, picnic areas, swimming pools, day camps, and similar uses to the foregoing together with necessary and accessory buildings and structures but shall not include a track for the racing of animals or any form of motorized vehicles;</p>	<p>courts, gymnasias, indoor swimming pools, indoor skating rinks</p> <p><u>Outdoor Recreation Uses</u>, means the use of land for the provision of sports and recreation facilities including but not limited to parks, playgrounds, tennis courts, lawn bowling greens, outdoor skating rinks, athletic fields, golf courses, driving ranges, picnic areas, outdoor swimming pools, and day camps but shall not include a track for the racing of animals or any form of motorized vehicles;</p>
Recreational Vehicle		<p>means a licensed vehicle constructed to CSA standards that is capable of being towed behind a motor vehicle or is self-propelled and is primarily designed as temporary mobile accommodation for personal travel and recreation purposes;</p>			<p>means a licensed vehicle constructed to CSA standards that is capable of being towed behind a motor vehicle or is self-propelled and is primarily designed as temporary mobile accommodation for personal travel and recreation purposes;</p>
Recreational Vehicle Sales and Service		<p>means a building or lot used for the display, service, sale or rental of motor homes, travel trailers, boats, snowmobiles, personal</p>		<p>means a building or lot used for the display, service, sale and/or rental of motor homes, travel trailers, boats, snowmobiles, personal</p>	<p>means a building, part of a building or a clearly defined space on a lot used for the display, service, sale or rental of recreational</p>

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		watercraft, all-terrain vehicles or other similar recreational vehicles;		watercraft, all-terrain vehicles or other similar recreational vehicles;	vehicles including but not limited to motor homes, travel trailers, boats, snowmobiles, personal watercraft, or all-terrain vehicles;
Recycling Depot		<u>Recycling Depot</u> means a collection site for materials in a municipal or provincial recycling program but does not include a scrap or salvage yard;	means a building in which used material is separated and processed prior to shipment but does not include salvage and scrap yards.	<u>Recycling Depot</u> means a collection site for materials in a municipal recycling program but does not include a scrap or salvage yard;	means a collection site for materials in a municipal or provincial recycling program but does not include a scrap or salvage yard;
Repair and Rental Establishment		means a premise engaged in maintaining, repairing, installing or renting articles and equipment for household and personal use such as radio and television, refrigerator and air conditioning, appliances, watches, clocks, jewelry and upholstery and furniture repairs;		means a premise engaged in maintaining, repairing, installing, and renting articles and equipment for household and personal use such as radio and television, refrigerator and air conditioning, appliances, watches, clocks, jewellery, and upholstery and furniture repairs;	means a premise engaged in maintaining, repairing, installing, and renting articles and equipment for personal use including but not limited to radio and television, refrigerator and air conditioning, appliances, watches, clocks, jewellery, and upholstery and furniture repairs;
Repair Shop, Vehicle and Machinery (moved to Automotive Repair Shop)		means a commercial establishment for the repair or replacement of parts in automotive, farm or forestry vehicles, machinery or equipment;			Remove
Residential Care Facility		means a licensed residential institution where 24-hour supervisory care or personal care is provided for four or more persons but does not include a nursing home, correction facility or a hospital;	means a community-based group living arrangement, in a single housekeeping unit, for eight (8) or more individuals, exclusive of staff and/or receiving family, with social, legal, emotional, mental and/or physical handicaps or problems, that is developed for the well-being of its residents	means a licensed residential institution where 24 hour supervisory care or personal care is provided for four or more persons, but does not include a nursing home, correctional facility or hospital;	Remove

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			through self-help, professional care, guidance and supervision unavailable in the resident's own family, an institution or in an independent living situation. A Residential Care Facility is licensed, funded or approved by the Province of Nova Scotia. (not used)		
Resource Use		means the use of land for forestry, agriculture, land based aquaculture or mineral use;			means the use of land for forestry, agriculture, land based aquaculture or mineral use;
Restaurant		means a building or part thereof where food and drink is prepared and served to the public for consumption within the building or for take out but not for consumption in parking areas appurtenant to the building; (a) Drive-through Restaurant means an establishment where food is served to the public through a service window and may include an eat-in area.	means a building or part thereof where food and drink are served to the public for consumption within the building. (not used)	means a building or part thereof where food and drink is served to the public for consumption within the building or for take-out, but not for consumption in parking areas appurtenant to the building; (a) Drive-through Restaurant means an establishment where food is served to the public through a service window and may include an eat-in area;	means a building or part thereof where food and drink are prepared and served to the public for consumption within the building or for takeout;
Restaurant, Drive-through					means a building or part thereof where food and drink are prepared and served to the public through a service window and may include an eat-in area;
Retail Store		means a building or part thereof with a total commercial floor area of 20,000 ft ² (1,858.00 m ²) or	means a building or part thereof in which goods, wares, or merchandise is offered or kept for sale	means a building or part thereof with a total commercial floor area of 20,000 ft ² (1858.00 m ²) or	means a building or part thereof with a total commercial floor area of 20,000 ft ² (1,858.00 m ²) or

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		<p>less in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail value;</p> <p><u>Retail Store, Large Format (Big Box Store)</u> means a maximum of two retail commercial uses in a single structure with a total commercial floor area greater than 20,000 ft² (1,858.00 m²);</p>	<p>directly to the public at retail. (not used except in warehouse definition)</p>	<p>less in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail value.</p> <p><u>Retail Store, Large Format (Big Box Store)</u> means a maximum of two retail commercial uses in a single structure with a total commercial floor area greater than 20,000 ft² (1858.00 m²).</p>	<p>less in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail value;</p> <p><u>Large Format Retail Store,</u> means a maximum of two (2) retail commercial uses in a single structure with a total commercial floor area greater than 20,000 ft² (1,858.00 m²);</p>
Retirement Home				<p>means a residence providing accommodation primarily for retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall and where common facilities for the preparation of and consumption of food may be provided, and common lounges, recreation rooms and medical care facilities may also be provided; (not used)</p>	Remove
Riding Stable		<p>means an establishment where horses and ponies are boarded and cared for, where instruction in riding may be offered or where the general public, for a fee, may hire horses for riding;</p>			<p>means an establishment where horses and ponies are boarded and cared for, where instruction in riding may be offered or where the general public, for a fee, may hire horses for riding;</p>
Salvage Yard		<p><u>Salvage Yard</u> means any premise where used bodies or parts of automobiles, or</p>	<p>means a premises used for keeping or storing used bodies or parts of motor</p>		<p>means any premise where used bodies or parts of automobiles, or used bodies</p>

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		used bodies or parts of other vehicles or machinery, are placed, stored or kept; and a salvage yard under this By-law is not limited to a salvage yard as defined by provincial legislation and it does not include a scrap operation;	vehicles or any other type of used equipment, vehicles, machinery, or materials of any kind. (term not used; salvage and scrap yard used)		or parts of other vehicles or machinery are placed, stored or kept and is not limited to a salvage yard as defined by provincial legislation and excludes a scrap yard;
Scrap Yard		means an area of land used for the storage, handling, processing and sale of scrap materials including, but not limited to, scrap metal, tires, waste paper or rags, but shall not include hazardous waste materials or a salvage yard;	Term is used in document but not defined.	means an area of land used for the storage, handling, processing and sale of scrap materials including, but not limited to, scrap metal, vehicles, tires, and car batteries, but shall not include hazardous waste materials;	means an area of land used for the storage, handling, processing and sale of scrap materials including, but not limited to, scrap metal, tires, waste paper or rags, and excluding hazardous waste materials and salvage yards;
Storage Indoor Storage Facility		means the accessory use of a building on a lot used for agricultural purposes for the temporary commercial indoor storage of items including but not limited to recreational vehicles, cars and boats;			means the accessory use of a building on a lot used for agricultural purposes for the temporary commercial indoor storage of items including but not limited to recreational vehicles, cars and boats;
Self Storage		means a building or buildings consisting of small, self-contained units that are leased or owned for the storage of business and household goods or contractors supplies;			means a building or buildings which contain small, self-contained units that are leased for the storage of goods;
Senior Citizen Housing		means a multiple unit dwelling designed for occupation by senior citizens and constructed and maintained by a public housing authority or non-profit organization;		means a multiple unit dwelling designed for occupation by senior citizens and constructed and maintained by a public housing authority or non-profit organization;	Remove

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Service Industry		means any industry involved in the processing of milk and dairy products, a bakery, a garage including engine and body repair shop, a printing establishment, a paint shop, a plumbing shop, a sheet metal shop and similar uses;		means any industry involved in the processing of milk and dairy products, a bakery, a garage including engine and body repair shop, a printing establishment, a paint shop, plumbing shop, sheet metal shop and similar service shops;	means a building or part of a building in which persons carry out household or business needs including but not limited to dairy product facility, a bakery, a garage including engine and body repair shop, a printing shop, a painter's shop, a carpenter's shop, a plumbing shop, a tinsmith's shop, a sheet metal shop, a electrician's shop, a welder's shop, a blacksmith's shop, a farrier's shop, an upholsterer's shop, a powder coating shop, a machine shop, a monument engraving shop, or a catering establishment;
Service Shop		means an establishment, other than an automotive use, that provides a non-personal service or craft to the public including, but not necessarily restricted to, a printer's shop, a plumber's shop, a tinsmith's shop, a painter's shop, a carpenter's shop, an electrician's shop, a welding shop, a blacksmith shop, a farrier's shop, an upholstery shop, a bakery, a dairy, a catering establishment, a machine shop, or a monument engraving shop;		means an establishment, other than an automotive use, that provides a non-personal service or craft to the public including, but not necessarily restricted to, a printer's shop, a plumber's shop, a tinsmith's shop, a painter's shop, a carpenter's shop, an electrician's shop, a welding shop, a blacksmith shop, a farrier's shop, an upholstery shop, a bakery, a dairy, a catering establishment, a machine shop, or a monument engraving shop;	Remove
Setback		means the distance between the street line and the nearest main wall of any	means the distance between the street line and the nearest main wall of any	means the distance between the street line and the nearest main wall of any	means the distance between the street line and the nearest main wall of any

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		building or structure and extending the full width or length of the lot;	building or structures and extending the full width or length of a lot.	building or structure and extending the full width or length of the lot;	building or structure and extending the full width or length of the lot;
Shopping Centre or Mall		<p><u>Shopping Centre, Local</u> means two or more predominantly retail commercial uses with a total commercial floor area of 20,000 ft² (1,858.00 m²) or less that is designed, developed and managed as a unit with shared parking facilities and which may or may not have enclosed common walkways;</p> <p><u>Shopping Centre, Regional</u> means a group of three or more predominantly retail commercial uses with a total commercial floor area greater than 20,000 ft² (1,858.00 m²) that is designed, developed and managed as a unit with shared parking facilities and which may or may not have enclosed common walkways. Land uses that meet the definition of "large format retail store" are not deemed to be a "shopping centre" for the purposes of this By-law;</p>	<p>means a commercial use of land and structures designed, developed, and managed as an interrelated group of commercial uses. (not used)</p>	<p><u>Shopping Centre, Local</u> means two or more predominantly retail commercial uses with a total commercial floor area of 20,000 ft² (1858.00 m²) or less that is designed, developed and managed as a unit with shared parking facilities and which may or may not have enclosed common walkways.</p> <p><u>Shopping Centre, Regional</u> means a group of three or more predominantly retail commercial uses with a total commercial floor area greater than 20,000 ft² (1858.00 m²) that is designed, developed and managed as a unit with shared parking facilities and which may or may not have enclosed common walkways. Land uses that meet the definition of "large format retail store" are not deemed to be a "shopping centre" for the purposes of this By-law.</p>	<p><u>Local Shopping Centre</u> means two (2) or more predominantly retail commercial uses with a total commercial floor area of 20,000 ft² (1,858.00 m²) or less that is designed, developed and managed as a unit with shared parking facilities and which may or may not have enclosed common walkways;</p> <p><u>Regional Shopping Centre</u> means a group of three (3) or more predominantly retail commercial uses with a total commercial floor area greater than 20,000 ft² (1858.00 m²) designed, developed and managed as a unit with shared parking facilities and which may or may not have enclosed common walkways but does not include a large format retail store</p>
Sign		means any structure or device, whether illuminated or not, used to advertise or draw attention to any product, place, person, business, institution,	means any structure or device intended to identify or advertise a business or commercial activity.	means any structure or device, whether illuminated or not, used to advertise or draw attention to any product, place, person, business, institution,	means any structure or device, whether illuminated or not, used to advertise or draw attention to any product, place, person, business, institution,

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		organization or event, including any directional or way finding purpose;		organization, or event, including any directional or way finding purpose;	organization, or event, including any directional or way finding purpose;
Ground Sign		means a sign supported by one or more posts, poles, or braces placed in or upon the ground	means a sign supported by the ground directly or by structural members	means a sign supported by one or more posts, poles, or braces placed in or upon the ground;	means a sign supported by the ground directly or by structural members
Sign Face		means the area of a sign upon which the message is placed;		means the area of a sign upon which the message is placed;	means the area of a sign upon which the message is placed;
Facia Sign		Facial Wall Sign means a sign that is painted on, attached to or erected against a wall of a building, with the face horizontally parallel to the building wall and with no space between the back of the sign face and the building wall;	means a sign attached to, or painted on the wall of a structure.	<u>Facial Wall Sign</u> means a sign that is painted on, attached to or erected against a wall of a building, with the face horizontally parallel to the building wall and with no space between the back of the sign face and the building wall;	means a sign painted on, attached to or erected against a wall of a building, with the face horizontally parallel to the building wall and with no space between the back of the sign face and the building wall;
Mobile Sign		means a sign designed and intended to be moved from one site to another and not permanently affixed to the ground or a building, but shall not include the side, body or trailer of a commercial motor vehicle;		means a sign designed and intended to be moved from one site to another and not permanently affixed to the ground or a building, but shall not include a sandwich board sign or the side, body or trailer of a commercial motor vehicle;	means a sign designed and intended to be moved from one site to another and not permanently affixed to the ground or a building, excluding the side, body or trailer of a commercial motor vehicle;
Sandwich Board Sign		means a self supporting, two sided, A-frame style sign that is not affixed to the ground;		means a self-supporting, two-sided, A-frame style sign that is not affixed to the ground;	means a self-supporting, two-sided, A-frame style sign that is not affixed to the ground;
Projecting Sign		means a sign that projects from and is supported by the wall of a building;		means a sign that projects from and is supported by the wall of a building;	means a sign that projects from and is supported by the wall of a building;
Stacking Space		means a portion of a parking area or a parking lot, other than a parking aisle or a parking space, which		means a portion of a parking area or a parking lot, other than a parking aisle or a parking space, which	means a space other than a parking space which provides standing room for a vehicle in a queue,

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		provides standing room for a vehicle in a queue and, without limiting the generality of the foregoing, this may include a queue for a drive-through business such as a drive-through restaurant, a drive-through bank or a drive-through car wash;		provides standing room for a vehicle in a queue and, without limiting the generality of the foregoing, this may include a queue for a drive-through business such as a drive-through restaurant, a drive-through bank or a drive-through car wash.	including but not limited to a queue for a drive-through business such as a drive-through restaurant, a drive-through bank or a drive-through car wash;
Stepback				means a specified horizontal recess from the top of a streetwall, which shall be unobstructed from the streetwall to the sky except as otherwise specified.	means a specified horizontal recess from the top of a streetwall, which shall be unobstructed from the streetwall to the sky except as otherwise specified;
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 6 ft (1.83 m) above grade. Provided also that any portion of a storey exceeding 14 ft (4.27 m) in height shall be deemed an additional storey for each 14 ft (4.27 m) or fraction thereof of such excess;		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 6 ft (1.83 m) above grade. Provided also that any portion of a storey exceeding 14 ft (4.27 m) in height shall be deemed an additional storey for each 14 ft (4.27 m) or fraction thereof of such excess;	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 6 ft (1.83 m) above grade, and provided that any portion of a storey exceeding 14 ft (4.27 m) in height shall be deemed an additional storey for each 14 ft (4.27 m) or fraction thereof of such excess;
Strategy		means the Municipal Planning Strategy for the Municipality of the District of West Hants;		means the Municipal Planning Strategy for the Town of Windsor; Street Line means the boundary line of a street;	Remove
Street Line		means the boundary line of a street;			means the boundary line of a street;

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Street or Road Public Street or Road					means the whole and entire right of way of every highway, road, or road allowance vested in the Province of Nova Scotia or the Municipality;
Arterial Street or Road					means a street designed to move large volumes of vehicular traffic between major centres;
Collector Street or Road					means a street designed to move vehicular traffic from residential neighbourhoods to commercial and institutional areas and to arterial streets;
Local Street or Road					means a street designed to serve vehicular traffic in residential neighbourhoods;
		<p>Street, Highway or Road, Public means the whole and entire right of way of every highway, road or road allowance vested in the Province of Nova Scotia or the Municipality;</p> <p>(a) Arterial Street or Road means a street designed to move large volumes of vehicular traffic between major centres;</p> <p>(b) Collector Street or Road means a street designed to move vehicular traffic from residential neighbourhoods to</p>	<p>(a) any street or highway owned or maintained by the Department of Transportation excluding designated controlled access highways pursuant to Section 21 of The Public Highways Act, or</p> <p>(b) any street owned and maintained by the Municipality.</p>	<p>Street or Road 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 of Windsor;</p> <p>(a) Arterial Street or Road means a street designed to move large volumes of vehicular traffic between major centres;</p> <p>(b) Collector Street or Road means a street designed to move vehicular traffic from residential neighbourhoods to commercial and institutional areas and to arterial streets;</p>	

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		commercial and institutional areas and to arterial streets; (c) Local Street or Road means a street designed to serve vehicular traffic in residential neighbourhoods;		(c) Local Street or Road means a street designed to serve vehicular traffic in residential neighbourhoods;	
Private Street or Road		<u>Street, Highway or Road, Private</u> means any street or road which is not public shown on a plan of subdivision, which: (a) has been approved by the Nova Scotia Department of Transportation and Public Works or the Municipality; and (b) extends to and has access to a public street and where not totally located within an area of land proposed to be subdivided, it shall have an easement for right-of-way and access which is assignable and perpetual and which has been clearly granted by deed, will, Crown grant or other registerable instrument, registered in the Registry of Deeds for the Municipality;			means any street or road which is not public and which is shown on a plan of subdivision, which: (a) has been approved by the Provincial authority having jurisdiction or the Municipality; and (b) extends to and has access to a public street and where not totally located within an area of land proposed to be subdivided, shall have an easement for right-of-way and access which is assignable and perpetual and which has been clearly granted by deed, will, Crown grant or other registerable instrument, registered in the Land Registry Office for the Municipality;
Streetwall				means the wall of a building or portion of a wall facing a streetline that is below the height of a specified stepback or angular plane, which does not include	means the wall of a building or portion of a wall facing a streetline that is below the height of a specified stepback or angular plane, which does not include

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
				minor recesses for the elements such as doorways or intrusions such as bay windows.	minor recesses for the elements such as doorways or intrusions such as bay windows.
Streetwall Height				means the vertical distance between the top of the streetwall and the streetwall grade, extending across the width of the streetwall	means the vertical distance between the top of the streetwall and the streetwall grade, extending across the width of the streetwall
Streetwall Setback				means the distance between the streetwall and streetline.	means the distance between the streetwall and streetline.
Structure		means anything that is erected, built, or constructed, or parts joined together or any such erection, fixed to or supported by the soil or any other structure. A structure shall include buildings, walls, signs and fences exceeding six feet in height;	means anything erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other structure, not including benches and picnic tables or similar portable structures.	means anything that is erected, built, or constructed or parts joined together or any such erection fixed to or supported by the soil or by any other structure. A structure shall include buildings, walls, signs and fences;	means anything that is erected, built, or constructed, or parts joined together or any such erection, fixed to or supported by the soil or any other structure, including buildings, walls, signs and fences exceeding six feet (1.82 m) in height;
Support Service		means a building or part of a building in which the primary function is to provide services to industry or to businesses located in an industrial park and, without limiting the generality of the foregoing, shall include copying, printing and micro-filming establishments, the offices of an industry or of engineering, architectural, design and similar consultants, business management, marketing and similar firms and manufacturers- agents, and building, equipment and		means a building or part of a building in which the primary function is to provide services to industry or to businesses located in an industrial park and, without limiting the generality of the foregoing, shall include copying, printing, and micro-filming establishments, the offices of an industry or of engineering, architectural, design and similar consultants, business management, marketing and similar firms and manufacturers' agents, and building, equipment and	means a building or part of a building in which the primary function is to provide services to industry or to businesses located in an industrial park including but not limited to copying, printing and micro-filming establishments, the offices of an industry or of engineering, architectural, design and similar consultants, business management, marketing and similar firms and manufacturers agents, and building, equipment and grounds maintenance companies;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		grounds maintenance companies;		grounds maintenance companies;	
Town				means the incorporated Town of Windsor;	Remove
Town Administrator				means the Chief Administrative Officer for the Town of Windsor;	Remove
Transport Depot		means a premises used for the transfer of goods primarily involving loading and unloading of freight-carrying vehicles and, secondarily, involving the storing, parking, servicing and dispatching of freight-carrying vehicles;		means a premises used for the transfer of goods primarily involving loading and unloading of freight-carrying vehicles, and secondarily, involving the storing, parking, servicing and dispatching of freight-carrying vehicles;	means premises used for the transfer of goods primarily involving loading and unloading of freight-carrying vehicles and secondarily, involving the storing, parking, servicing and dispatching of freight-carrying vehicles;
Utility		means a water works or water supply system, sewage works, electrical power or energy generating, transmission or distribution system, street lighting system, natural or artificial gas works or supply system, a transportation system or a telecommunications system, and includes any lands, buildings or equipment required for the administration or operation of any such system		means a water works or water supply system, sewage works, electrical power or energy generating, transmission or distribution system, street lighting system, natural or artificial gas works or supply system, a transportation system or a telecommunications system, and includes any lands, buildings or equipment required for the administration or operation of any such system;	means a water works or water supply system, sewage works, electrical power or energy generating, transmission or distribution system, street lighting system, natural or artificial gas works or supply system, a transportation system or a telecommunications system, and includes any lands, buildings or equipment required for the administration or operation of any such system;
Veterinary Clinic		means a building or part thereof with or without related structures, wherein animals of all kinds are treated or kept for treatment by a registered veterinarian;		means a building or part thereof with or without related structures, wherein animals of all kinds are treated or kept for treatment by a registered veterinarian;	means a building or part thereof with or without related structures, wherein animals of all kinds are treated or kept for treatment by a registered veterinarian;
Warehouse		means a building where wares or goods are stored but does not include a retail	means a building where wares or goods are stored,	means a building where wares or goods are stored	means a building where wares or goods are stored excluding a retail store;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		store. Warehouse also includes self storage operations as defined elsewhere in this Land Use By-law;	but shall not include a retail store.	but does not include a retail store;	
Wholesale Establishment		means a building or part of a building used for the selling of goods in large bulk or quantity, for delivery or from the premises, to a person other than to the ultimate consumer but does not include a retail store;		means a building or part of a building used for the selling of goods in large bulk or quantity for delivery or from the premises to a person other than to the ultimate consumer but does not include a retail store;	means a building or part of a building used for the selling of goods in large bulk or quantity for delivery or from the premises, to a person other than to the ultimate consumer excluding a retail store;
Winery		means an establishment engaged in the production of wine less than 10,000 litres per year and includes facilities on the same lot where wine may be blended, mixed, stored or packaged and may include accessory uses such as retail sale, wholesale, tours and events or hospitality room where beverages produced at the facility can be sampled;			means a facility where wine is manufactured or blended and bottled, and may include a hospitality room, restaurant or retail store.
Winery, Commercial		means a manufacturing plant to which a permit has been issued by the NSLC and where wine is manufactured or blended and bottled for sale to the NSLC or for export.			Remove
Wind Farm		means an array of two or more large wind turbines connected directly to the utility grid;			means an array of two or more large wind turbines on one or more lots connected directly to the utility grid;
Wind Turbine		includes a windmill used for pumping water and a wind energy conversion system			means a windmill used for pumping water and a wind energy conversion system

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		<p>consisting of a wind turbine, a tower and associated control or conversion electronics;</p> <p>(a) Small Wind Turbine means a wind turbine which has a rated capacity of not more than 100 kW and which is intended primarily to reduce on-site consumption of utility power;</p> <p>(b) Large Wind Turbine means a wind turbine with a production capacity greater than 100 kW;</p>			<p>consisting of a wind turbine, a tower and associated control or conversion electronics;</p> <p>(a) Small Wind Turbine means a wind turbine which has a rated capacity of not more than 100 kW and is intended primarily to reduce on-site consumption of utility power;</p> <p>(b) Large Wind Turbine means a wind turbine with a production capacity greater than 100 kW;</p>
Woods Camp		<p>means a building or structure intended to provide basic shelter for a person or group of persons engaged in hunting, fishing or other outdoor activities on an occasional or seasonal basis in a remote location where electricity and municipal or community services are not available. Such structure may be described as being of light frame construction with no running water or electricity, not designed for residency and not satisfying the requirements for a dwelling under the <i>National Building Code</i></p>			<p>means a building or structure intended to provide basic shelter for a person or group of persons engaged in hunting, fishing or other outdoor activities on an occasional or seasonal basis in a remote location where electricity and municipal or community services are not available. The building may be of light frame construction with no running water or electricity, not designed for residency and not satisfying the requirements for a dwelling under the <i>National Building Code</i>;</p>
Watercourse	means a lake, river, stream, ocean or other body of water.		means the bed and shore between ordinary high water marks of each bank of every river or stream, and the		means a lake, river, stream, ocean or other body of water;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
			water therein, whether it contains water or not.		
Yard		<u>Yard</u> 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;	means an open, uncovered, area of land on a lot measured inward and horizontally from a lot line.	<u>Yard</u> 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;	means an open, uncovered space on a lot belonging 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;
Flankage Yard		<u>Flanking Yard</u> means the side yard of a corner lot that abuts the side street line;	means the side yard that abuts a street on a corner lot, and it extends from the front to the rear lot line.	<u>Flanking Yard</u> means the side yard of a corner lot that abuts the street line;	means the side yard on a corner lot extending from the front yard to the rear yard between the flankage lot line and the nearest main wall of any building or structure;
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; minimum front yard means the smallest allowable distance a front yard can be measured;	means a yard that extends across a lot between the side lot lines, abutting the front lot line.	<u>Front Yard</u> 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; minimum front yard means the smallest allowable distance a front yard can be measured;	means a yard extending across the full width of a lot between the front lot line and the nearest main wall of any building or structure;
Rear Yard		means a yard extending across the full width of a lot between the rear lot line and the nearest wall of any building or structure on the lot; minimum rear yard means the smallest	means a yard that extends across a lot between the side lot lines, abutting the rear lot lines.	<u>Rear Yard</u> means a yard extending across the full width of a lot between the rear lot line and the nearest wall of any building or structure on the lot; minimum rear yard means the smallest	means a yard extending across the full width of a lot between the rear lot line and the nearest main wall of any building or structure on the lot;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		allowable distance a rear yard can be measured;		allowable distance a rear yard can be measured;	
Side Yard		means a yard extending from the front yard to the rear yard of a lot between the side lot line and the nearest wall of any building or structure on the lot; minimum side yard means the smallest distance a side yard can be measured;	means a yard that extends from the front to rear lot lines.	<u>Side Yard</u> means a yard extending from the front yard to the rear yard of a lot between the side lot line and the nearest wall of any building or structure on the lot; minimum side yard means the smallest distance a side yard can be measured;	means a yard extending from the front yard to the rear yard of a lot between the side lot line and the nearest main wall of any building or structure on the lot;
Zone		means a designated area of land shown on the zoning map for which specific development control regulations are applied.	means an area identified on a zoning map.	means a designated area of land shown on the zoning map for which specific development control regulations are applied.	means a specified area of land shown on Schedule "A", the Zoning Map of this By-law.



**WEST HANTS REGIONAL MUNICIPALITY
RECOMMENDATION REPORT**

To: Members of Planning Advisory Committee/Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: July 9, 2020

Subject: Civic Addressing By-law
File # 20-08

1.0 LEGISLATIVE AUTHORITY

Municipal Government Act (MGA) s.313

2.0 RECOMMENDATION

If PAC/HAC wishes to forward a positive recommendation the following motion would be in order:

PAC/HAC recommends that Council give First Reading and proceed to a Public Hearing regarding the Civic Addressing By-law, RC-001, which is substantively the same as that included as Attachment C to the report entitled *Civic Addressing By-law* dated July 9, 2020.

3.0 BACKGROUND

Windsor and West Hants each have a Civic Addressing By-law which applies to the respective community. Over the past two years the By-laws have been aligned as closely as possible in order to make it easier to develop one By-law for the Region.

4.0 DISCUSSION

There is only one area of real difference between the Windsor and West Hants Civic Addressing By-laws: applicants in the community of Windsor are restricted when choosing a name for a road. Names must be based on a list developed by the West Hants Historical Society and were approved by Windsor Council, or the applicant could request Council approve a specific name which the applicant had researched by the West Hants Historical Society. This difference has been kept in the draft Civic Addressing By-law for the Region by inserting clauses 6.3 (a) and (b) in Part 6, *Road Naming Evaluation Criteria* of the draft Civic Addressing By-law. Applicants in the community of West Hants will be guided only by clauses (c) through (s) of Part 6.

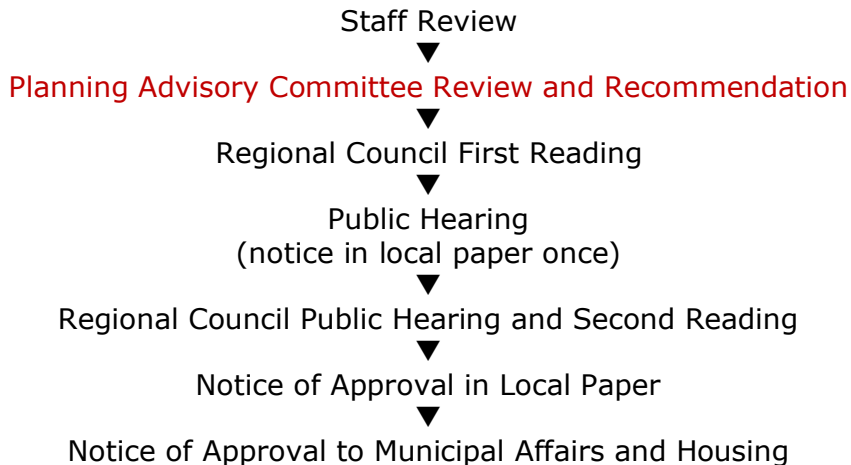
The proposed changes will provide the Region with one Civic Addressing By-law, which will be easier for residents to understand and staff to administer.

Should Council not approve the Civic Addressing By-law, each former municipal unit's By-law will remain in force. This may create some confusion for residents and require some differences in administration and time to process applications.

A revised Civic Addressing By-law will provide rules consistent across the Region and an assured process for residents, staff and Council.

5.0 NEXT STEPS

The following process is being used for adoption of the proposed by-law:



6.0 FINANCIAL IMPLICATIONS

There are no financial implications for the Region associated with replacing the existing By-laws with the proposed By-law.

7.0 ALTERNATIVES

Should PAC/HAC not wish to recommend this draft By-law to Council, PAC/HAC may:

- recommend specific amendments to the proposed draft;
- recommend that a Civic Addressing By-law for the Region is not needed at this time; or
- provide alternative direction, such as requesting further information on a specific topic.

8.0 ATTACHMENTS

Attachment A	Windsor Civic Addressing By-law
Attachment B	West Hants Civic Addressing By-law
Attachment C	Proposed Civic Addressing By-law, RC-001



Report Prepared by:

Madelyn LeMay, Director, Planning and Development



Report Reviewed by: _____

Rhonda Brown, Municipal Clerk

**ATTACHMENT A
TOWN OF WINDSOR
CIVIC ADDRESSING BY-LAW**

31.1.0 TITLE

This By-law is made pursuant to the Municipal Government Act, RSNS 1998, as amended from time-to-time and hereinafter referred to as the “Act” and shall be known and may be cited as the Civic Addressing By-law.

31.2.0 DEFINITIONS

In this By-law:

- 31.2.1** “building” means any structure used, or intended to be used, to support or shelter any use or occupancy, and includes an incomplete building once the footings have been constructed, but does not include a structure accessory to another structure on the same lot or a structure which, if it were now being built for the first time, would not require a Building Permit to authorize its construction;
- 31.2.2** “civic address” means the combination of an assigned civic number, the road name and the community;
- 31.2.3** “Civic Address File” means the database maintained by the Town of Windsor containing geographically referenced civic address information including civic points, street network files, and community boundaries;
- 31.2.4** “Civic Addressing Coordinator” means the person who administers this By-law;
- 31.2.5** “civic number” means the number assigned to a lot or building by the Civic Addressing Coordinator in accordance with this By-law;
- 31.2.6** “owner” has the same meaning as the owner of property in the Municipal Government Act or successor legislation from time to time;
- 31.2.7** “private road” means any street, road, lane, bridge or other thoroughfare accessible to motor vehicles which is not a public road defined in clause 2.0 (k) and which serves as a principal vehicular access to three or more dwelling units;

- 31.2.8** “property” means a lot of land;
- 31.2.9** “public road” means a road or highway owned and maintained by the Town or the Province of Nova Scotia;
- 31.2.10** “road name” means the official name of a street, road, or highway as it appears in the Civic Address File; and
- 31.2.11** “Town” means the Town of Windsor.

31.3 DUTIES of CIVIC ADDRESSING COORDINATOR

The Civic Addressing Coordinator shall be responsible for:

- (a) assigning or re-assigning civic numbers to lots or buildings and the keeping of the Civic Address File;
- (b) reviewing and approving all proposed road names for new public and private roads created through the subdivision approval process;
- (c) reviewing and approving all proposed road names for existing unnamed roads; and
- (d) reviewing and recommending to Town Council the acceptance or rejection of proposed road names submitted through the application process for changing an existing Provincial or Town road name.

31.4 CIVIC NUMBERS

31.4.1 Existing Civic Numbers

A civic number that is recorded in the Civic Address File for a lot or building on the date of the first reading of this By-law is hereby assigned to that lot or building until such time as the Civic Addressing Coordinator, by written notice to an owner, directs otherwise.

31.4.2 Assignment of Civic Numbers

- 31.4.2.1** The Civic Addressing Coordinator may assign civic numbers to:
- (a) buildings that have permanent or temporary occupancy or use; and
 - (b) vacant lots or developed sites and in the assignment of a number shall take into consideration the public use thereof which may require emergency services, such as parks, playgrounds and trails where public activity will occur.
- 31.4.2.2** The Civic Addressing Coordinator may assign more than one civic number to a lot or building.
- 31.4.2.3** The Civic Addressing Coordinator shall assign new civic numbers using a spatial formatting system which has all roads divided into intervals and numbers are assigned depending upon where the driveway intersects the road.
- 31.4.2.4** The Civic Addressing Coordinator may assign a new civic number with a spatial formatting system based on the surrounding civic numbers where an existing civic number prevents the use of the usual spatial formatting system.
- 31.4.2.5** The Civic Addressing Coordinator shall assign a new civic number where:
- (a) a building permit has been issued; or
 - (b) there is no building permit issued, once a site inspection has been done by the Building Inspector or Civic Addressing Coordinator to confirm whether a civic number is required.

31.4.3 Deletion of civic numbers

Deletion of civic numbers shall be at the discretion of the Civic Addressing Coordinator.

31.4.4 Refusal of Civic Number

The Civic Addressing Coordinator shall not issue a civic number if they are made aware of an outstanding order against the property under the National Building Code, Fire Safety Act, or the Municipal Government Act.

31.4.5 Change and reassignment of existing civic numbers

- (a) The Civic Addressing Coordinator may, by sixty (60) days written notice to an owner, change or reassign civic numbers where necessary to avoid potentially confusing numbering irregularities and to assure an adequate supply of civic numbers for existing and future development.
- (b) The Town shall not be liable for any costs or damages whatsoever that may be incurred by an owner related to the reassignment of a civic number.

31.5 POSTING of CIVIC NUMBERS

31.5.1 Civic Number Specifications

The owner of a property for which a civic number is issued shall keep the assigned civic number posted on the lot or building in the following manner:

- (a) civic numbers shall be in Arabic numerals;
- (b) the numerals shall be right side up;
- (c) the colour of the numerals shall clearly contrast with the background upon which the numbers are displayed;
- (d) civic numbers shall either be composed of highly reflective material or be effectively illuminated during the hours of darkness;
- (e) the bottom of the numbers shall be a minimum of 36 inches (90 centimeters) above grade;
- (f) the height of the numerals shall not be less than 2.5 inches (65 millimeters);
- (g) civic numbers shall be posted between 12 feet and 50 feet (3.6 and 15 meters) of the closest edge of the traveled portion of the public road or private road which forms part of the civic address for the lot or building;
- (h) the civic number shall be posted on the building or on a gatepost, signpost, or other structure on the lot on which the

building is situated, excluding a utility pole for electrical, telephone, or other utility service;

- (i) civic numbers shall face towards the public road or private road upon which the lot or building is situated and which forms part of the civic address for the lot or building, except that double-sided signage may be used, in which event the civic number shall be on both sides of the sign and perpendicular to the public road or private road;
- (j) civic numbers shall be posted in a location which is not obstructed from view when viewed from the closest place on the traveled portion of the public or private road upon which the lot or building is situated or from which it has access and from all points at least 33 feet (10 meters) in either direction from that place, except that an intervening tree trunk or a vertical pole or post shall not alone be considered an obstruction for purposes of this subsection; and
- (k) no person shall post or permit to be posted a number that could be reasonably confused with a civic number as determined by the Civic Addressing Coordinator.

31.5.2 Occupancy Permit

An occupancy permit shall not be issued for a property unless a civic number is posted on that property.

31.6.0 ROAD NAMING

31.6.1 Application Process for Naming New Roads Created through Subdivision Approval

- (a) the Civic Addressing Coordinator will give the applicant the current list of available heritage names prepared by the West Hants Historical Society and approved by Council;
- (b) if the applicant proposes a road name not included on the Heritage Names list, the applicant shall have the proposed name(s) researched by the West Hants Historical Society at the cost of the applicant;

- (c) The applicant will complete the “Application to Name a Road” form and submit it to the Civic Addressing Coordinator;
- (d) The Civic Addressing Coordinator will review the application;
- (e) If the road name does not meet the evaluation criteria, the Civic Addressing Coordinator will advise the applicant and provide an explanation for the rejection;
- (f) If the road name meets the evaluation criteria, the Civic Addressing Coordinator will approve the name;
- (g) Within one week of notification of final approval of the plan of subdivision, the Civic Addressing Coordinator will notify the appropriate agencies. Once the road is constructed the Civic Addressing Coordinator will record the location of the road in the Civic Address File;
- (h) If a subdivision plan creating a new road is repealed, all agencies notified of the new road name(s) shall be notified of the repeal; and
- (i) The Civic Addressing Coordinator will contact all property owners on the road(s) to inform them of the name of the new road(s).

31.6.2 Application Process for Naming an Existing Unnamed Road or Changing an Existing Road Name

- (a) the Civic Addressing Coordinator will give the applicant the current list of available heritage names prepared by the West Hants Historical Society and approved by Council;
- (b) if the applicant proposes a road name not included on the Heritage Names list, the applicant shall have the proposed name(s) researched by the West Hants

Historical Society at the cost of the applicant;

- (c) Application must be made by completing the “Application to Name a Road” form and submitting it to the Civic Addressing Coordinator. The application must be accompanied by a petition signed by the owners of seventy-five percent (75%) of the lots with frontage on the road;
- (d) The Civic Addressing Coordinator will review the application;
- (e) If the road name does not meet the evaluation criteria, the Civic Addressing Coordinator will advise the applicant and provide an explanation for the rejection;
- (f) If the application meets the evaluation criteria, the Civic Addressing Coordinator will:
 - (i) seek approval from the authority having jurisdiction over the road, if applicable, and approve the name; or
 - (ii) seek approval from Council when an existing Provincial or Town Road name is to be changed.
- (g) Within one week of the approval of the new road name, the Civic Addressing Coordinator will record the new name in the Civic Address File and notify the appropriate agencies; and
- (h) The Civic Addressing Coordinator will contact all owners of property on the road to inform of the new road name.

31.6.3 Road Naming Evaluation Criteria

- (a) The name must be easy to pronounce and spell and have recognizable words or an acceptable combination of words;
- (b) Consideration must be given to the long-standing local usage of the name by the local public;
- (c) Road names must be in good taste;
- (d) Qualifying words (such as Upper, Lower, New, Old, etc.) should be avoided, but may be accepted in cases where the qualifier has been applied in an official context (e.g., as found in the Nova Scotia Gazetteer);

- (e) All names must have an associated road type and the road type must be checked against a standard list before the submitted name can be accepted;
- (f) Road names must be alphanumeric (e.g. First Street); name submissions using a numeral (e.g. 1st Street) will be rejected;
- (g) Where a new road is a continuation of an existing road, wherever possible the new road will be given the same name as the existing road;
- (h) There must be no duplication of road names within the Town and, if possible, duplication of road names used in immediately adjoining municipal units will be avoided;
- (i) All road name submissions must be checked against the alias field in the road names database both for the community in question and its adjacent communities. If the suggested name appears as an alias, it must be rejected;
- (j) There should be no like-sounding names within the Town;
- (k) Official road names, including road type, must have no more than 35 characters (including special characters and spaces);
- (l) If the road is named after a topographic feature, the name must reflect the official name found in the Nova Scotia Gazetteer;
- (m) A personal name (given name and surname) should not be applied to a road unless such application is in the public interest. The person commemorated should have contributed significantly to the area where the road is located. The adoption of a personal name during the lifetime of the person concerned should only be made in exceptional circumstances and with the person's written consent;
- (n) No formal titles of distinction may be associated with the personal name (e.g., Captain, Major);
- (o) Company or commercial product names, as well as names associated with copyright or trademarks, will be avoided;
- (p) The spelling and accenting of names must agree with the rules of the language in which they are written; and

- (q) Changes to established existing road names will be discouraged unless there are recognized difficulties with the existing name.

31.7.0 POSTING ROAD SIGNS

31.7.1 Public Road Signs

Identification of provincially or Town owned public roads is the responsibility of the respective jurisdiction.

31.7.2 Private Road Signs

The owners of a private road shall ensure that a road sign is erected and maintained according to specifications outlined in the Civic Addressing By-law.

31.7.3 Posting Private Road Signs through the Nova Scotia Department of Transportation (DTIR)

31.7.3.1 Private roads which intersect with public roads may be identified only by an approved road name sign.

31.7.3.2 Private roads which intersect with public roads and are not already identified by an approved road name sign shall be provided with a road name sign upon the written request of one or more residents of the road subject to the following criteria:

- (a) prior to approval of a sign by the Civic Addressing Coordinator the applicant(s) has paid to the Town one hundred percent (100%) of the fees charged by DTIR for such purchase; and
- (b) the name of the road is to be that designated by the Civic Addressing Coordinator; and
- (c) the administrative process developed by the Town from time-to-time shall be followed for the erection of private road signs.

31.7.3.3 When a private road sign requires repair, removal or replacement, costs shall be determined by DTIR and borne by the Applicant.

31.7.4 Posting Private Road Signs by Applicant

31.7.4.1 The applicant shall erect, maintain in good condition and replace as necessary, a sign and signpost at the intersection of the private road and the public street in a manner consistent with any conditions attached to such permission and other lawful requirements; and

31.7.4.2 The residents of a private road shall apply for and obtain permission to erect an identifying sign and a signpost from any person or regulatory authority whose permission is required by law to erect an identifying sign and a signpost, subject to the following requirements:

- (a) the cost of fabrication and installation of such sign shall be the responsibility of the residents;
- (b) it will be the residents' responsibility to install, maintain in good condition and replace as necessary the sign and signpost;
- (c) the name of the road is to be that designated by the Civic Addressing Coordinator;
- (d) to the extent possible, the signpost is to be located in an unobstructed line of sight for vehicles approaching the private road from either direction along the intersecting public street, and is to be set back a minimum of 5 feet (1.5 meters) from the outside edge of the travel lane of the intersecting public road;
- (e) double-sided signage placed perpendicular to the intersecting road shall be used so that the name of the road is visible for vehicles approaching the private road from either direction;
- (f) lettering of the private road name shall be 4 inches (100 millimeters) in height and in uppercase letters;
- (g) the sign shall be painted with reflective paint with lettering in black against a white background;
- (h) the bottom of the sign shall be between 5 feet (1.5 meters) and 8 feet (2.5 meters) above the road grade of the intersecting public road; and

- (i) the signpost shall be made of pressure-treated lumber with cross-sectional dimensions not less than 3.3 inches (85 millimeters) by 3.3 inches (85 millimeters), or rigid non-ferrous metal, and sufficiently fastened to the ground to hold the sign rigidly in place and to prevent turning of the sign.

31.8.0 COMPLIANCE

31.8.1 Special Conditions

31.8.1.1 Upon application by an owner, the Civic Addressing Coordinator may provide written authorization for signage for civic numbers or road names to vary from the standards contained in the By-law, with or without conditions, when:

- (a) compliance with the standards is not reasonably possible, due to the physical features of the site or other matters; or
- (b) compliance with this By-law would not as effectively meet the objectives of this By-law as an alternative approach.

31.8.1.2 The Civic Addressing Coordinator may revoke or vary an authorization under this section. Owners shall comply with any conditions contained within authorizations granted under this section.

31.9.0 VIOLATIONS

31.9.1 It shall be an offence for a person to refuse or fail to comply with a written notice issued by the Civic Addressing Coordinator to an owner which assigns, reassigns, or deletes a civic number of a lot or building.

31.9.2 Any person who violates any provision of this By-law shall be liable on summary conviction to a penalty of not less than \$200.00 and not more than \$5,000.00, and in default of payment to imprisonment for a period of not more than 90 days.

31.9.3 In the event of contravention of this By-law, the Town may, initially or in addition to any prosecution or other remedy:

- (a) prepare and serve a notice in writing to an owner to undertake work including, but not limited to, the posting or re-posting of a civic number on a building or lot, the erection

or re-erection of signage for a private road, or the removal of a civic number or signage for a private road;

- (b) in the event that:
 - (i) required remedial work regarding a road sign has not been completed within thirty (30) days; or
 - (ii) required remedial work regarding a civic number has not been completed within fourteen (14) days,

of the date of service of the notice, the Town, by its servants, agents, or independent contractors, may enter upon the property of the owner and undertake the work and the cost of the work, with interest from the date of completion until the date of payment, at the same rate as taxes, shall be a first lien on the property upon which, or for the benefit of which, the work was done.

31.9.4 The notice required to be served pursuant to this By-law may be served:

- (a) in person;
- (b) by regular mail to the address shown on the Assessment Roll;
- (c) by electronic mail; or
- (d) by facsimile.

A notice is deemed to have been served on the seventh (7th) day after it was sent.

31.10.0 REPEAL

31.10.1 The Civic Addressing By-law dated September 1, 2005 is hereby repealed.

**ATTACHMENT B
MUNICIPALITY OF THE DISTRICT OF WEST HANTS
CIVIC ADDRESSING BY-LAW C-003**

1.0 TITLE

- 1.1** This By-law is made pursuant to the Municipal Government Act, RSNS 1998, as amended from time-to-time and hereinafter referred to as the "Act" and shall be known and may be cited as the Civic Addressing By-law.

2.0 DEFINITIONS

In this By-law:

- (a) "building" means any structure used, or intended to be used, to support or shelter any use or occupancy, and includes an incomplete building once the footings have been constructed, but does not include a structure accessory to another structure on the same lot or a structure which, if it were now being built for the first time, would not require a Building Permit to authorize its construction;
- (b) "civic address" means the combination of an assigned civic number, the road name and the community;
- (c) "Civic Address File" means the database maintained by the Municipality of the District of West Hants containing geographically referenced civic address information including civic points, street network files, and community boundaries;
- (d) "Civic Addressing Coordinator" means the person who administers this By-law;
- (e) "civic number" means the number assigned to a lot or building by the Civic Addressing Coordinator in accordance with this By-law;
- (f) "community" means a geographic area contained within the Municipality;
- (g) "Municipality" means the Municipality of the District of West Hants;
- (h) "owner" has the same meaning as the owner of property in the Municipal Government Act or successor legislation from time to time;
- (i) "private road" means any street, road, lane, bridge or other thoroughfare accessible to motor vehicles which is not a public

road defined in clause 2.0 (k) and which serves as a principal vehicular access to three or more dwelling units;

- (j) "property" means a lot of land;
- (k) "public road" means a road or highway owned and maintained by the Municipality or the Province of Nova Scotia;
- (l) "road name" means the official name of a street, road, or highway as it appears in the Civic Address File.

3.0 DUTIES of CIVIC ADDRESSING COORDINATOR

The Civic Addressing Coordinator shall be responsible for:

- (a) assigning or re-assigning civic numbers to lots or buildings and the keeping of the Civic Address File;
- (b) reviewing and approving all proposed road names for new public and private roads created through the subdivision approval process;
- (c) reviewing and approving all proposed road names for existing unnamed roads; and
- (d) reviewing and recommending to Municipal Council the acceptance or rejection of proposed road names submitted through the application process for changing an existing Provincial or Municipal road name.

4.0 CIVIC NUMBERS

4.1 Existing Civic Numbers

A civic number that is recorded in the Civic Address File for a lot or building on the date of the first reading of this By-law is hereby assigned to that lot or building until such time as the Civic Addressing Coordinator, by written notice to an owner, directs otherwise.

4.2 Assignment of Civic Numbers

4.2.1 The Civic Addressing Coordinator may assign civic numbers to:

- (a) buildings that have permanent or temporary occupancy or use; and
- (b) vacant lots or developed sites and in the assignment of a number shall take into consideration the public use thereof

which may require emergency services, such as parks, playgrounds and trails where public activity will occur.

- 4.2.2 The Civic Addressing Coordinator may assign more than one civic number to a lot or building.
- 4.2.3 The Civic Addressing Coordinator shall assign new civic numbers using a spatial formatting system which has all roads divided into intervals and numbers are assigned depending upon where the driveway intersects the road.
- 4.2.4 The Civic Addressing Coordinator may assign a new civic number with a spatial formatting system based on the surrounding civic numbers where an existing civic number prevents the use of the usual spatial formatting system.
- 4.2.5 The Civic Addressing Coordinator shall assign a new civic number where:
 - (a) a building permit has been issued; or
 - (b) there is no building permit issued, once a site inspection has been done by the Building Inspector or Civic Addressing Coordinator to confirm whether a civic number is required.

4.3 Deletion of civic numbers

Deletion of civic numbers shall be at the discretion of the Civic Addressing Coordinator.

4.4 Refusal of Civic Number

The Civic Addressing Coordinator shall not issue a civic number if they are made aware of an outstanding order against the property under the National Building Code, Fire Safety Act, or the Municipal Government Act.

4.5 Change and reassignment of existing civic numbers

- (a) The Civic Addressing Coordinator may, by sixty (60) days written notice to an owner, change or reassign civic numbers where necessary to avoid potentially confusing numbering irregularities and to assure an adequate supply of civic numbers for existing and future development.
- (b) The Municipality shall not be liable for any costs or damages whatsoever that may be incurred by an owner related to the reassignment of a civic number.

5.0 POSTING of CIVIC NUMBERS

5.1 Civic Number Specifications

The owner of a property for which a civic number is issued shall keep the assigned civic number posted on the lot or building in the following manner:

- (a) civic numbers shall be in Arabic numerals;
- (b) the numerals shall be right side up;
- (c) the colour of the numerals shall clearly contrast with the background upon which the numbers are displayed;
- (d) civic numbers shall either be composed of highly reflective material or be effectively illuminated during the hours of darkness;
- (e) the bottom of the numbers shall be a minimum of 36 inches (90 centimeters) above grade;
- (f) the height of the numerals shall not be less than 2.5 inches (65 millimeters);
- (g) civic numbers shall be posted between 12 feet and 50 feet (3.6 and 15 meters) of the closest edge of the traveled portion of the public road or private road which forms part of the civic address for the lot or building;
- (h) the civic number shall be posted on the building or on a gatepost, signpost, or other structure on the lot on which the building is situated, excluding a utility pole for electrical, telephone, or other utility service;
- (i) civic numbers shall face towards the public road or private road upon which the lot or building is situated and which forms part of the civic address for the lot or building, except that double-sided signage may be used, in which event the civic number shall be on both sides of the sign and perpendicular to the public road or private road;
- (j) civic numbers shall be posted in a location which is not obstructed from view when viewed from the closest place on the traveled portion of the public or private road upon which the lot or building is situated or from which it has access and from all points at least 33 feet (10 meters) in either direction from that place, except that an intervening tree trunk or a vertical pole or post shall not alone be considered an obstruction for purposes of this subsection; and

- (k) no person shall post or permit to be posted a number that could be reasonably confused with a civic number as determined by the Civic Addressing Coordinator.

5.2 Occupancy Permit

An occupancy permit shall not be issued for a property unless a civic number is posted on that property.

6.0 ROAD NAMING

6.1 Application Process for Naming New Roads Created through Subdivision Approval

- (a) The applicant will complete the "Application to Name a Road" form and submit it to the Civic Addressing Coordinator;
- (b) The Civic Addressing Coordinator will review the application;
- (c) If the road name does not meet the evaluation criteria, the Civic Addressing Coordinator will advise the applicant and provide an explanation for the rejection;
- (d) If the road name meets the evaluation criteria, the Civic Addressing Coordinator will approve the name;
- (e) Within one week of notification of final approval of the plan of subdivision, the Civic Addressing Coordinator will notify the appropriate agencies. Once the road is constructed the Civic Addressing Coordinator will record the location of the road in the Civic Address File;
- (f) If a subdivision plan creating a new road is repealed, all agencies notified of the new road name(s) shall be notified of the repeal; and
- (h) The Civic Addressing Coordinator will contact all property owners on the road(s) to inform them of the name of the new road(s).

6.2 Application Process for Naming an Existing Unnamed Road or Changing an Existing Road Name

- (a) Application must be made by completing the "Application to Name a Road" form and submitting it to the Civic Addressing Coordinator. The application must be accompanied by a

petition signed by the owners of seventy-five percent (75%) of the lots with frontage on the road;

- (b) The Civic Addressing Coordinator will review the application;
- (c) If the road name does not meet the evaluation criteria, the Civic Addressing Coordinator will advise the applicant and provide an explanation for the rejection;
- (d) If the application meets the evaluation criteria, the Civic Addressing Coordinator will:
 - (i) seek approval from the authority having jurisdiction over the road, if applicable, and approve the name; or
 - (ii) seek approval from Council when an existing Provincial or Municipal Road name is to be changed.
- (e) Within one week of the approval of the new road name, the Civic Addressing Coordinator will record the new name in the Civic Address File and notify the appropriate agencies; and
- (f) The Civic Addressing Coordinator will contact all owners of property on the road to inform of the new road name.

6.3 Road Naming Evaluation Criteria

- (a) The name must be easy to pronounce and spell and have recognizable words or an acceptable combination of words;
- (b) Consideration must be given to the long-standing local usage of the name by the local public;
- (c) Road names must be in good taste;
- (d) Qualifying words (such as Upper, Lower, New, Old, etc.) should be avoided, but may be accepted in cases where the qualifier has been applied in an official context (e.g., as found in the Nova Scotia Gazetteer);
- (e) All names must have an associated road type and the road type must be checked against a standard list before the submitted name can be accepted;
- (f) Road names must be alphanumeric (e.g. First Street); name submissions using a numeral (e.g. 1st Street) will be rejected;
- (g) Where a new road is a continuation of an existing road, wherever possible the new road will be given the same name as the existing road;

- (h) There must be no duplication of road names within the Municipality and, if possible, duplication of road names used in immediately adjoining municipal units will be avoided;
- (i) All road name submissions must be checked against the alias field in the road names database both for the community in question and its adjacent communities. If the suggested name appears as an alias, it must be rejected;
- (j) There should be no like-sounding names within the municipal unit;
- (k) Official road names, including road type, must have no more than 35 characters (including special characters and spaces);
- (l) If the road is named after a topographic feature, the name must reflect the official name found in the Nova Scotia Gazetteer;
- (m) A personal name (given name and surname) should not be applied to a road unless such application is in the public interest. The person commemorated should have contributed significantly to the area where the road is located. The adoption of a personal name during the lifetime of the person concerned should only be made in exceptional circumstances and with the person's written consent;
- (n) No formal titles of distinction may be associated with the personal name (e.g., Captain, Major);
- (o) Company or commercial product names, as well as names associated with copyright or trademarks, will be avoided;
- (p) The spelling and accenting of names must agree with the rules of the language in which they are written; and
- (q) Changes to established existing road names will be discouraged unless there are recognized difficulties with the existing name.

7.0 POSTING ROAD SIGNS

7.1 Public Road Signs

Identification of provincially or municipally owned public roads is the responsibility of the respective jurisdiction.

7.2 Private Road Signs

The owners of a private road shall ensure that a road sign is erected and maintained according to specifications outlined in the Civic Addressing By-law.

7.3 Posting Private Road Signs through the Nova Scotia Department of Transportation (DTIR)

7.3.1 Private roads which intersect with public roads may be identified only by an approved road name sign.

7.3.2 Private roads which intersect with public roads and are not already identified by an approved road name sign shall be provided with a road name sign upon the written request of one or more residents of the road subject to the following criteria:

- (a) prior to approval of a sign by the Civic Addressing Coordinator the applicant(s) has paid to the Municipality one hundred percent (100%) of the fees charged by DTIR for such purchase; and
- (b) the name of the road is to be that designated by the Civic Addressing Coordinator; and
- (c) the administrative process developed by the Municipality from time-to-time shall be followed for the erection of private road signs.

7.3.3 When a private road sign requires repair, removal or replacement, costs shall be determined by DTIR and borne by the Applicant.

7.4 Posting Private Road Signs by Applicant

7.4.1 The applicant shall erect, maintain in good condition and replace as necessary, a sign and signpost at the intersection of the private road and the public street in a manner consistent with any conditions attached to such permission and other lawful requirements; and

7.4.2 The residents of a private road shall apply for and obtain permission to erect an identifying sign and a signpost from any person or regulatory authority whose permission is required by law to erect an identifying sign and a signpost, subject to the following requirements:

- (a) the cost of fabrication and installation of such sign shall be the responsibility of the residents;
- (b) it will be the residents' responsibility to install, maintain in good condition and replace as necessary the sign and signpost;
- (c) the name of the road is to be that designated by the Civic Addressing Coordinator;

- (d) to the extent possible, the signpost is to be located in an unobstructed line of sight for vehicles approaching the private road from either direction along the intersecting public street, and is to be set back a minimum of 5 feet (1.5 meters) from the outside edge of the travel lane of the intersecting public road;
- (e) double-sided signage placed perpendicular to the intersecting road shall be used so that the name of the road is visible for vehicles approaching the private road from either direction;
- (f) lettering of the private road name shall be 4 inches (100 millimeters) in height and in uppercase letters;
- (g) the sign shall be painted with reflective paint with lettering in black against a white background;
- (h) the bottom of the sign shall be between 5 feet (1.5 meters) and 8 feet (2.5 meters) above the road grade of the intersecting public road; and
- (i) the signpost shall be made of pressure-treated lumber with cross-sectional dimensions not less than 3.3 inches (85 millimeters) by 3.3 inches (85 millimeters), or rigid non-ferrous metal, and sufficiently fastened to the ground to hold the sign rigidly in place and to prevent turning of the sign.

8.0 COMPLIANCE

8.1 Special Conditions

8.1.1 Upon application by an owner, the Civic Addressing Coordinator may provide written authorization for signage for civic numbers or road names to vary from the standards contained in the By-law, with or without conditions, when:

- (a) compliance with the standards is not reasonably possible, due to the physical features of the site or other matters; or
- (b) compliance with this By-law would not as effectively meet the objectives of this By-law as an alternative approach.

8.1.2 The Civic Addressing Coordinator may revoke or vary an authorization under this section. Owners shall comply with any conditions contained within authorizations granted under this section.

9.0 VIOLATIONS

9.1 It shall be an offence for a person to refuse or fail to comply with a written notice issued by the Civic Addressing Coordinator to an owner which assigns, reassigns, or deletes a civic number of a lot or building.

9.2 Any person who violates any provision of this By-law shall be liable on summary conviction to a penalty of not less than \$200.00 and not more than \$5,000.00, and in default of payment to imprisonment for a period of not more than 90 days.

9.3 In the event of contravention of this By-law, the Municipality may, initially or in addition to any prosecution or other remedy:

(a) prepare and serve a notice in writing to an owner to undertake work including, but not limited to, the posting or re-posting of a civic number on a building or lot, the erection or re-erection of signage for a private road, or the removal of a civic number or signage for a private road;

(b) in the event that:

(i) required remedial work regarding a road sign has not been completed within thirty (30) days; or

(ii) required remedial work regarding a civic number has not been completed within fourteen (14) days,

of the date of service of the notice, the Municipality, by its servants, agents, or independent contractors, may enter upon the property of the owner and undertake the work and the cost of the work, with interest from the date of completion until the date of payment, at the same rate as taxes, shall be a first lien on the property upon which, or for the benefit of which, the work was done.

9.4 The notice required to be served pursuant to this By-law may be served:

(a) in person;

(b) by regular mail to the address shown on the Assessment Roll;

(c) by electronic mail; or

(d) by facsimile.

A notice is deemed to have been served on the seventh (7th) day after it was sent.

10.0 REPEAL

10.1 The Civic Addressing By-law dated September 1, 2005 is hereby repealed.

I, Rhonda Brown, Municipal Clerk of the Municipality of the District of West Hants, the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the Municipality of the District of West Hants at a meeting duly called and held on the ___ day of _____, 2018.

R. N. Brown
Municipal Clerk

By-Law Adoption	
First Reading:	
Notice Published:	
Second Reading & Approval	
Final Publication	
Notice to Municipal Affairs	
Description:	

*CIVIC ADDRESSING BY-LAW***ATTACHMENT C****1.0 TITLE**

- 1.1** This By-law is made pursuant to the Municipal Government Act, RSNs 1998, as amended from time-to-time and hereinafter referred to as the "Act" and shall be known and may be cited as the Civic Addressing By-law.

2.0 DEFINITIONS

In this By-law:

- (a) "building" means any structure used, or intended to be used, to support or shelter any use or occupancy, and includes an incomplete building once the footings have been constructed, but does not include a structure accessory to another structure on the same lot or a structure which, if it were now being built for the first time, would not require a Building Permit to authorize its construction;
- (b) "civic address" means the combination of an assigned civic number, the road name and the community;
- (c) "Civic Address File" means the database maintained by the Region containing geographically referenced civic address information including civic points, street network files, and community boundaries;
- (d) "Civic Addressing Coordinator" means the person who administers this By-law;
- (e) "civic number" means the number assigned to a lot or building by the Civic Addressing Coordinator in accordance with this By-law;
- (f) "community" means a geographic area contained within the Region of Windsor and West Hants;
- (h) "owner" has the same meaning as the owner of property in the Municipal Government Act or successor legislation from time to time;

CIVIC ADDRESSING BY-LAW

- (i) "private road" means any street, road, lane, bridge or other thoroughfare accessible to motor vehicles which is not a public road defined in clause 2.0 (k) and which serves as a principal vehicular access to three or more dwelling units;
- (j) "property" means a lot of land;
- (k) "public road" means a road or highway owned and maintained by the Region or the Province of Nova Scotia;
- (l) "Region" Region" or "Region of Windsor and West Hants Municipality" means the Municipality incorporated by the Region of Windsor and West Hants Act, SNS 2018, c.26 irrespective of whether it has had its name changed by virtue of Section 11 of that Act or otherwise ;
- (m) "road name" means the official name of a street, road, or highway as it appears in the Civic Address File.

3.0 DUTIES of CIVIC ADDRESSING COORDINATOR

The Civic Addressing Coordinator shall be responsible for:

- (a) assigning or re-assigning civic numbers to lots or buildings and the keeping of the Civic Address File;
- (b) reviewing and approving all proposed road names for new public and private roads created through the subdivision approval process;
- (c) reviewing and approving all proposed road names for existing unnamed roads; and
- (d) reviewing and recommending to Regional Council the acceptance or rejection of proposed road names submitted through the application process for changing an existing Provincial or Regional road name.

4.0 CIVIC NUMBERS**4.1 Existing Civic Numbers**

CIVIC ADDRESSING BY-LAW

A civic number that is recorded in the Civic Address File for a lot or building on the date of the first reading of this By-law is hereby assigned to that lot or building until such time as the Civic Addressing Coordinator, by written notice to an owner, directs otherwise.

4.2 Assignment of Civic Numbers

4.2.1 The Civic Addressing Coordinator may assign civic numbers to:

- (a) buildings that have permanent or temporary occupancy or use; and
- (b) vacant lots or developed sites and in the assignment of a number shall take into consideration the public use thereof which may require emergency services, such as parks, playgrounds and trails where public activity will occur.

4.2.2 The Civic Addressing Coordinator may assign more than one civic number to a lot or building.

4.2.3 The Civic Addressing Coordinator shall assign new civic numbers using a spatial formatting system which has all roads divided into intervals and numbers are assigned depending upon where the driveway intersects the road.

4.2.4 The Civic Addressing Coordinator may assign a new civic number with a spatial formatting system based on the surrounding civic numbers where an existing civic number prevents the use of the usual spatial formatting system.

4.2.5 The Civic Addressing Coordinator shall assign a new civic number where:

- (a) a building permit has been issued; or
- (b) there is no building permit issued, once a site inspection has been done by the Building Inspector or Civic Addressing Coordinator to confirm whether a civic number is required.

4.3 Deletion of Civic Numbers

CIVIC ADDRESSING BY-LAW

Deletion of civic numbers shall be at the discretion of the Civic Addressing Coordinator.

4.4 Refusal of Civic Number

The Civic Addressing Coordinator shall not issue a civic number if they are made aware of an outstanding order against the property under the National Building Code, Fire Safety Act, or the Municipal Government Act.

4.5 Change and Reassignment of Existing Civic Numbers

- (a) The Civic Addressing Coordinator may, by sixty (60) days written notice to an owner, change or reassign civic numbers where necessary to avoid potentially confusing numbering irregularities and to assure an adequate supply of civic numbers for existing and future development.
- (b) The Region shall not be liable for any costs or damages whatsoever that may be incurred by an owner related to the reassignment of a civic number.

5.0 POSTING of CIVIC NUMBERS**5.1 Civic Number Specifications**

The owner of a property for which a civic number is issued shall keep the assigned civic number posted on the lot or building in the following manner:

- (a) civic numbers shall be in Arabic numerals;
- (b) the numerals shall be right side up;
- (c) the colour of the numerals shall clearly contrast with the background upon which the numbers are displayed;
- (d) civic numbers shall either be composed of highly reflective material or be effectively illuminated during the hours of darkness;

CIVIC ADDRESSING BY-LAW

- (e) the bottom of the numbers shall be a minimum of 90 centimeters (36 inches) above grade;
- (f) the height of the numerals shall not be less than 65 millimeters (2.5 inches);
- (g) civic numbers shall be posted within 6 meters (20 feet) of the closest edge of the traveled portion of the public road or private road which forms part of the civic address for the lot or building;
- (h) the civic number shall be posted on the building or on a gatepost, signpost, or other structure on the lot on which the building is situated, excluding a utility pole for electrical, telephone, or other utility service;
- (i) civic numbers shall face towards the public road or private road upon which the lot or building is situated and which forms part of the civic address for the lot or building, except that double-sided signage may be used, in which event the civic number shall be on both sides of the sign and perpendicular to the public road or private road;
- (j) civic numbers shall be posted in a location which is not obstructed from view when viewed from the closest place on the traveled portion of the public or private road upon which the lot or building is situated or from which it has access and from all points at least 10 meters (33 feet) in either direction from that place, except that an intervening tree trunk or a vertical pole or post shall not alone be considered an obstruction for purposes of this subsection; and
- (k) no person shall post or permit to be posted a number that could be reasonably confused with a civic number as determined by the Civic Addressing Coordinator.

5.2 Occupancy Permit

An occupancy permit shall not be issued for a property unless a civic number is posted on that property.

6.0 ROAD NAMING

*CIVIC ADDRESSING BY-LAW***6.1 Application Process for Naming New Roads Created Through Subdivision Approval**

- (a) The applicant shall complete the "Application to Name a Road" form and submit it to the Civic Addressing Coordinator;
- (b) The Civic Addressing Coordinator shall review the application;
- (c) If the road name does not meet the evaluation criteria, the Civic Addressing Coordinator shall advise the applicant and provide an explanation for the rejection;
- (d) If the road name meets the evaluation criteria, the Civic Addressing Coordinator shall approve the name;(e) Within one week of notification of final approval of the plan of subdivision, the Civic Addressing Coordinator shall notify the appropriate agencies. Once the road is constructed the Civic Addressing Coordinator shall record the location of the road in the Civic Address File;
- (f) If a subdivision plan creating a new road is repealed, all agencies notified of the new road name(s) shall be notified of the repeal; and
- (h) The Civic Addressing Coordinator shall contact all property owners on the road(s) to inform them of the name of the new road(s).

6.2 Application Process for Naming an Existing Unnamed Road or Changing an Existing Road Name

- (a) Application must be made by completing the "Application to Name a Road" form and submitting it to the Civic Addressing Coordinator. The application must be accompanied by a petition signed by the owners of seventy-five percent (75%) of the lots with frontage on the road;
- (b) The Civic Addressing Coordinator shall review the application;

CIVIC ADDRESSING BY-LAW

- (c) If the road name does not meet the evaluation criteria, the Civic Addressing Coordinator shall advise the applicant and provide an explanation for the rejection;
- (d) If the application meets the evaluation criteria, the Civic Addressing Coordinator shall:
 - (i) seek approval from the authority having jurisdiction over the road, if applicable, and approve the name; or
 - (ii) seek approval from Council when an existing Provincial or Regional Road name is to be changed.
- (e) Within one week of the approval of the new road name, the Civic Addressing Coordinator shall record the new name in the Civic Address File and notify the appropriate agencies; and
- (f) The Civic Addressing Coordinator shall contact all owners of property on the road to inform of the new road name. If a subdivision plan creating a new road is repealed, all agencies notified of the new road name(s) shall be notified of the repeal.

6.3 Road Naming Evaluation Criteria

- (a) In the community of Windsor, the Civic Addressing Coordinator shall give the applicant the current list of available heritage names prepared by the West Hants Historical Society and approved by Regional Council;
- (b) In the community of Windsor, if the applicant proposes a road name not included on the Heritage Names list, the applicant shall have the proposed name(s) researched by the West Hants Historical Society at the cost of the applicant;
- (c) The name must be easy to pronounce and spell and have recognizable words or an acceptable combination of words;

CIVIC ADDRESSING BY-LAW

- (d) Consideration must be given to the long-standing local usage of the name by the local public;
- (e) Road names must be in good taste;
- (f) Qualifying words (such as Upper, Lower, New, Old, etc.) should be avoided, but may be accepted in cases where the qualifier has been applied in an official context (e.g., as found in the Nova Scotia Gazetteer);
- (g) All names must have an associated road type and the road type must be checked against a standard list before the submitted name can be accepted;
- (h) Road names must be alphanumeric (e.g. First Street); name submissions using a numeral (e.g. 1st Street) shall be rejected;
- (i) Where a new road is a continuation of an existing road, wherever possible the new road shall be given the same name as the existing road;
- (j) There must be no duplication of road names within the Region and, if possible, duplication of road names used in immediately adjoining municipal units shall be avoided;
- (k) All road name submissions must be checked against the alias field in the road names database both for the community in question and its adjacent communities. If the suggested name appears as an alias, it must be rejected;
- (l) There should be no like-sounding names within the Region;
- (m) Official road names, including road type, must have no more than 35 characters (including special characters and spaces);
- (n) If the road is named after a topographic feature, the name must reflect the official name found in the Nova Scotia Gazetteer;
- (o) A personal name (given name and surname) should not be applied to a road unless such application is in the public

CIVIC ADDRESSING BY-LAW

interest. The person commemorated should have contributed significantly to the area where the road is located. The adoption of a personal name during the lifetime of the person concerned should only be made in exceptional circumstances and with the person's written consent;

- (p) No formal titles of distinction may be associated with the personal name (e.g., Captain, Major);
- (q) Company or commercial product names, as well as names associated with copyright or trademarks, shall be avoided;
- (r) The spelling and accenting of names must agree with the rules of the language in which they are written; and
- (s) Changes to established existing road names shall be discouraged unless there are recognized difficulties with the existing name.

7.0 POSTING ROAD SIGNS**7.1 Public Road Signs**

Identification of provincially or municipally owned public roads is the responsibility of the respective jurisdiction.

7.2 Private Road Signs

The owners of a private road shall ensure that a road sign is erected and maintained according to specifications outlined in this Civic Addressing By-law.

7.3 Posting Private Road Signs through the Nova Scotia Department of Transportation (DTIR)

7.3.1 Private roads which intersect with public roads shall be identified only by an approved road name sign.

7.3.2 Private roads which intersect with public roads and are not already identified by an approved road name sign shall be provided with a

CIVIC ADDRESSING BY-LAW

road name sign upon the written request of one or more residents of the road subject to the following criteria:

- (a) prior to approval of a sign by the Civic Addressing Coordinator the applicant(s) has paid to the Region one hundred percent (100%) of the fees charged by DTIR for such purchase; and
- (b) the name of the road is to be that designated by the Civic Addressing Coordinator; and
- (c) the administrative process developed by the Region from time-to-time shall be followed for the erection of private road signs.

7.3.3 When a private road sign requires repair, removal or replacement, costs shall be determined by DTIR and borne by the applicant.

7.4 Posting Private Road Signs by Applicant

7.4.1 The applicant shall erect, maintain in good condition and replace as necessary, a sign and signpost at the intersection of the private road and the public street in a manner consistent with any conditions attached to such permission and other lawful requirements; and

7.4.2 The residents of a private road shall apply for and obtain permission to erect an identifying sign and a signpost from any person or regulatory authority whose permission is required by law to erect an identifying sign and a signpost, subject to the following requirements:

- (a) the cost of fabrication and installation of such sign shall be the responsibility of the residents;
- (b) it shall be the residents' responsibility to install, maintain in good condition and replace as necessary the sign and signpost;
- (c) the name of the road is to be that designated by the Civic Addressing Coordinator;

CIVIC ADDRESSING BY-LAW

- (d) to the extent possible, the signpost is to be located in an unobstructed line of sight for vehicles approaching the private road from either direction along the intersecting public street, and is to be set back a minimum of 5 feet (1.5 meters) from the outside edge of the travel lane of the intersecting public road;
- (e) double-sided signage placed perpendicular to the intersecting road shall be used so that the name of the road is visible for vehicles approaching the private road from either direction;
- (f) lettering of the private road name shall be 4 inches (100 millimeters) in height and in uppercase letters;
- (g) the sign shall be painted with reflective paint with lettering in black against a white background;
- (h) the bottom of the sign shall be between 5 feet (1.5 meters) and 8 feet (2.5 meters) above the road grade of the intersecting public road; and
- (i) the signpost shall be made of pressure-treated lumber with cross-sectional dimensions not less than 3.3 inches (85 millimeters) by 3.3 inches (85 millimeters), or rigid non-ferrous metal, and sufficiently fastened to the ground to hold the sign rigidly in place and to prevent turning of the sign.

8.0 COMPLIANCE**8.1 Special Conditions**

8.1.1 Upon application by an owner, the Civic Addressing Coordinator may provide written authorization for signage for civic numbers or road names to vary from the standards contained in this By-law, with or without conditions, when:

- (a) compliance with the standards is not reasonably possible, due to the physical features of the site or other matters; or
- (b) compliance with this By-law would not as effectively meet the objectives of this By-law as an alternative approach.

CIVIC ADDRESSING BY-LAW

8.1.2 The Civic Addressing Coordinator may revoke or vary an authorization under this section. Owners shall comply with any conditions contained within authorizations granted under this section.

9.0 VIOLATIONS

9.1 It shall be an offence for a person to refuse or fail to comply with a written notice issued by the Civic Addressing Coordinator to an owner which assigns, reassigns, or deletes a civic number of a lot or building.

9.2 Any person who violates any provision of this By-law shall be liable on summary conviction to a penalty of not less than \$200.00 and not more than \$5,000.00, and in default of payment to imprisonment for a period of not more than 90 days.

9.3 In the event of contravention of this By-law, the Region may:

(a) prepare and serve a notice in writing to an owner to undertake work including, but not limited to, the posting or re-posting of a civic number on a building or lot, the erection or re-erection of signage for a private road, or the removal of a civic number or signage for a private road;

(b) in the event that:

(i) required remedial work regarding a road sign has not been completed within thirty (30) days; or

(ii) required remedial work regarding a civic number has not been completed within fourteen (14) days,

of the date of service of the notice, enter upon the property of the owner and undertake the work, and the cost of the work with interest at the same rate as taxes from the date of completion until the date of payment, shall be a first lien on the property upon which, or for the benefit of which, the work was done.

9.4 The notice required to be served pursuant to this By-law may be served:

CIVIC ADDRESSING BY-LAW

- (a) in person;
- (b) by regular mail to the address shown on the Assessment Roll;
- (c) by electronic mail; or
- (d) by facsimile.

A notice is deemed to have been served on the seventh (7th) day after it was sent.

10.0 REPEAL

10.1 The Town of Windsor Civic Addressing By-law dated November 19, 2019 and the Municipality of the District of West Hants Civic Addressing By-law dated November 27, 2018, C-003, are hereby repealed.

I, Rhonda Brown, Municipal Clerk of the Region of Windsor and West Hants, the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the Region of Windsor and West Hants at a meeting duly called and held on the ____ day of _____, 2020.

 R. N. Brown
 Municipal Clerk

By-Law Adoption	
First Reading:	
Notice Published:	
Second Reading & Approval	
Final Publication	
Notice to Municipal Affairs	
Description:	

CIVIC ADDRESSING BY-LAW



**WEST HANTS REGIONAL MUNICIPALITY
RECOMMENDATION REPORT**

To: Members of Planning Advisory Committee/Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: July 9, 2020

Subject: Fire Inspection System Policy
File # 20-17

1.0 LEGISLATIVE AUTHORITY

Nova Scotia Fire Safety Act, 2002, as amended.

2.0 RECOMMENDATION

If PAC/HAC wishes to forward a positive recommendation, the following motion would be in order:

PAC/HAC recommends that that Council approve the Fire Inspection System Policy, RCOPL-002.00, in a manner substantively the same as that included as Attachment B to the report entitled *Fire Inspection System Policy* dated July 9, 2020.

3.0 BACKGROUND

West Hants has a Fire Inspection System Policy which applies only within the West Hants municipality. Windsor does not have a similar policy.

4.0 DISCUSSION

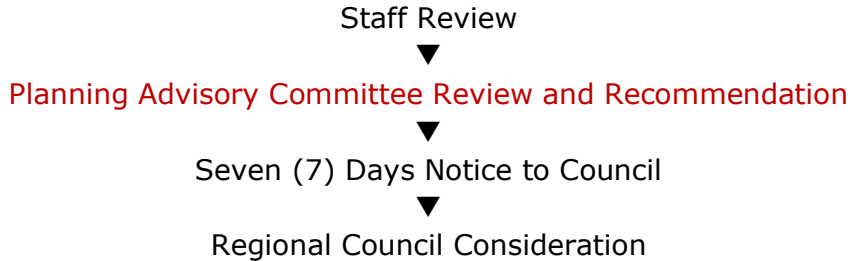
The wording of the Fire Safety Act is mandatory:

Duties of a municipality 19 (1) A municipality shall (a) establish a system of fire-safety inspections of land and premises situate within its jurisdiction, as required by the regulations, to provide for compliance with this Act, the regulations and the Fire Code;

There does not appear to be an opportunity to not have a Fire Inspection System Policy. The proposed Policy will provide the Region with one Fire Inspection System Policy for the entire geographic area which will be clear and fair for all residents and provide an assured process for residents, staff and Council.

5.0 NEXT STEPS

The following process is being used for adoption of the proposed policy:



6.0 FINANCIAL IMPLICATIONS

There are no financial implications for the Region associated with this proposed Policy.

7.0 ALTERNATIVES

Should PAC/HAC not wish to recommend this draft Policy to Council, PAC/HAC may:

- recommend specific amendments to the proposed draft; or
- provide alternative direction, such as requesting further information on a specific topic.

8.0 ATTACHMENTS

Attachment A West Hants Fire Inspection System Policy

Attachment B Proposed Fire Inspection System Policy, RCOPL-002.00



Report Prepared by: _____
Madelyn LeMay, Director, Planning and Development

Report Reviewed by: _____
Tim Leslie, Manager, Building and Fire inspection Services

Report Reviewed by: Rhonda Brown
Rhonda Brown, Municipal Clerk

MUNICIPALITY OF THE DISTRICT OF WEST HANTS
A POLICY RESPECTING A SYSTEM OF MUNICIPAL FIRE INSPECTIONS

1. This policy is entitled the "System of Municipal Fire Inspections":
2. In this Policy:
 - (a) **ASSEMBLY OCCUPANCY (GROUP A)**, means the Assembly Occupancy as defined in the National Building Code of Canada (2005), as amended from time to time;
 - (b) **RESIDENTIAL OCCUPANCY (GROUP C)**, means a Residential Occupancy as defined in the National Building Code of Canada (2005) as amended from time to time;
 - (c) **BUSINESS AND PERSONAL SERVICE OCCUPANCY (GROUP D)**, means a Business and Personal Service Occupancy as defined in the National Building Code of Canada (2005), as amended from time to time;
 - (d) **MERCANTILE OCCUPANCY" (GROUP E)**, means a Mercantile Occupancy as defined in the National Building Code of Canada (2005), as amended from time to time;
 - (e) **INDUSTRIAL OCCUPANCY (GROUP F)**, means Industrial Occupancy as defined in the National Building Code of Canada (2005), as amended from time to time;
 - (f) **MUNICIPAL FIRE INSPECTOR**, means a person appointed by the Municipality as a Municipal Fire Inspector pursuant to Fire Safety Act, Chapter 6 of the Acts of 2002, as amended from time to time;
 - (g) **FIRE SAFETY ACT**, means "An Act to Promote and Encourage Fire Safety" Chapter 6 of the Acts of 2002, Nova Scotia, as amended from time to time, and any other successor legislation;
 - (h) **FIRE SAFETY REGULATIONS**, means the "Regulations Respecting Fire Safety" made by the Governor in Council pursuant to Section 51 of Chapter 6 of the Acts of 2002, the Fire Safety Act., as amended from time to time;
 - (i) **COUNCIL**, means the Council of the Municipality of the District of West Hants;
3. Pursuant to Section 19 of the Fire Safety Act this Policy established a "System of Municipal Fire Inspections" to provide for compliance with that Act and the Fire Safety Regulations and that recognizes municipal resources, geography and priorities based upon a risk assessment.
4. **Municipal Fire Inspector**
Pursuant to Section 19 of the Fire Safety Act, Council shall appoint one or more Municipal Fire Inspectors, whom shall carry out the System of Municipal Fire Inspections in accordance with the requirements of the Fire Safety Act and Fire Safety Regulations

5. **Systems of Inspections**

Pursuant to Section 3 of this Policy, Council hereby establishes the following "System of Municipal Fire Inspections":

a) Assembly Occupancies (Group A) – As per Section 13 Fire Safety Regulations.
(every 3 years)

b) Residential Occupancies (Group C)

i) **Buildings with more than three units**, and not regulated under the Homes for Special Care

Buildings will be inspected commencing in the year 2010 and re-inspected every 3 years, unless the Municipal Fire Inspector deems that, to reduce risk of fire and loss of life, a more frequent inspection of one or more particular buildings is required.

c) Mercantile Occupancies (Group E)

Buildings will be inspected commencing in the year 2011 and re-inspected every 5 years, unless the Municipal Fire Inspector deems, that to reduce risk of fire and loss of life, a more frequent inspection of one or more particular buildings is required.

d) Business and Personal Service Occupancies (Group D)

Buildings will be inspected commencing in the year 2011 and re-inspected every 5 years, unless the Municipal Fire Inspector deems that, to reduce risk of fire and loss of life, a more frequent inspection of one or more particular buildings is required.

e) Industrial Occupancies

Buildings will be inspected commencing in the year 2012 and re-inspected every 5 years, unless the Municipal Fire Inspector deems that, to reduce risk of fire and loss of life, a more frequent inspection of one or more particular buildings is required.

6. **Failure to Comply with Order**

a) Summary Conviction

Where the owner of a building, land or premises fails to comply with an Order to Comply issued by the Municipal Fire Inspector, the Municipal Fire Inspector may take action as set out in Section 44 of the Fire Safety Act.

b) Carrying on Matters not done by Owner

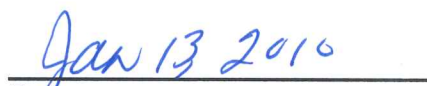
Pursuant to the Fire Safety Act, and subject to the approval of the Fire Marshall and Chief Administrative Officer, where an owner of a building, land or premises fails to comply with an Order issued by the Municipal Fire Inspector, the Municipal Fire Inspector may carry out or cause to be carried out an Order.

Approved by Council:

January 12, 2010

I certify that this Policy was adopted by Council as is indicated above.


Chief Administrative Officer


Date

Municipality of the District of West Hants
Residential Fire Inspection Form under Section 23 (2) of the Fire Safety Act
(Three (3) Dwelling Units or less/Woodstove)

- Inspection request initiated by owner(s) PID# _____
- Inspection request initiated by authorized agent Civic# _____
- Inspection request initiated by tenant Owners Name _____
- Inspection request initiated by complainant Date _____

Anonymous Complaint

Written Complaint

Reason for Inspection - _____

Inspection Results:

Pursuant to Subsection 23 (2) of the Fire Safety Act, and subclauses 5 (b) (ii) and 5 (b) (iii) of Policy MDL – 26 – A Policy Respecting a System of Municipal Fire Inspections in the Municipality of the District of West Hants – the Municipal Fire Inspector can only conduct a Fire Inspection on residential dwellings with three or less units (including wood stove inspections) where the owners written consent has been received and the owner has confirmed in writing that the Fire Inspection requested is for non-insurance purposes, or where a warrant has been obtained under Section 24 of the Fire Safety Act.

I/we hereby certify that:

- a) I/we are the owners of the dwelling in which the Fire Inspection is requested as noted in this application;
- b) That the inspection requested in this application is for non-insurance purposes; and
- c) That I/we acknowledge that any deficiencies noted as a result of this Fire Safety Act requiring that any or all noted deficiencies be corrected by the owner (s).

Owners Signature _____

Date _____

- Owner Refused Entry
- Order to be issued

Fire Inspectors Signature _____

System of Municipal Fire Inspections Policy

1.0 This Policy is entitled the "System of Municipal Fire Inspections".

2.0 Definitions

In this Policy:

"Assembly Occupancy (Group A)" means the Assembly Occupancy as defined in the Building Code;

"Business and Personal Service Occupancy (Group D)" means a Business and Personal Service Occupancy as defined in the Building Code;

"Building Code" means the National Building Code of Canada as amended;

"Council" means Council of the West Hants Regional Municipality;

"Fire Safety Act" means "An Act to Promote and Encourage Fire Safety", Chapter 6 of the Acts of 2002, Nova Scotia, as amended from time to time, and any other successor legislation;

"Fire Safety Regulations" means the "Regulations Respecting Fire Safety" made by the Governor in Council pursuant to Section 51 of Chapter 6 of the Acts of 2002, the Fire Safety Act, as amended from time to time;

"Industrial Occupancy (Group F)" means Industrial Occupancy as defined in the Building Code;

"Mercantile Occupancy (Group E)" means a Mercantile Occupancy as defined in the Building Code;

"Municipal Fire Inspector" means a person appointed by the Municipality as a Municipal Fire Inspector pursuant to Fire Safety Act, Chapter 6 of the Acts of 2002, as amended from time to time;

"Residential Occupancy (Group C)" means a Residential Occupancy as defined in the Building Code;

3.0 Municipal Fire Inspector

Pursuant to Section 19 of the Fire Safety Act, Council shall appoint one or more Municipal Fire Inspectors to carry out the System of Municipal Fire Inspections in accordance with the requirements of the Fire Safety Act and Fire Safety Regulations.

4.0 Systems of Inspections

-
- 4.1 This Policy establishes a "System of Municipal Fire Inspections" to provide for compliance with the Fire Safety Act and the Fire Safety Regulations and which recognizes municipal resources, geography and priorities based on a risk assessment.
- 4.2 Council hereby establishes the following "System of Municipal Fire Inspections". Unless the Municipal Fire Inspector deems that to reduce risk of fire and loss of life a more frequent inspection of one (1) or more particular buildings is required, inspections will be carried out as follows beginning in 2020:
- (a) Assembly Occupancies (Group A)
Every three (3) years in accordance with Section 13 of the Fire Safety Regulations;
 - (b) Residential Occupancies (Group C)
Buildings with more than three units and not regulated under the Homes for Special Care Act every 3 years;
 - (c) Business and Personal Service Occupancies (Group D)
Buildings will be inspected every five (5) years;
 - (d) Mercantile Occupancies (Group E)
Buildings will be inspected every five (5) years;
 - (e) Industrial Occupancies (Group F)
Buildings will be inspected every five (5) years.
- 5.0 **Failure to Comply with Order**
- 5.1 Summary Conviction
Where the owner of a building, land or premises fails to comply with an Order to Comply issued by the Municipal Fire Inspector, the Municipal Fire Inspector may take action as set out in Section 44 of the Fire Safety Act.
- 5.2 Carrying Out Matters Not Done by Owner
Pursuant to the Fire Safety Act, and subject to the approval of the Fire Marshall and Chief Administrative Officer, where an owner of a building, land or premises fails to comply with an Order issued by the Municipal Fire Inspector, the Municipal Fire Inspector may carry out or cause to be carried out an Order.
- 6.0 **Repeal**
- 6.1 The System of Municipal Fire Inspection dated January 12, 2010 of the former Municipality of the District of West Hants is hereby repealed.

I, Rhonda Brown, Municipal Clerk of West Hants Regional Municipality, Province of Nova Scotia, do hereby certify that this is a true copy of the

policy as adopted by the Council of West Hants Regional Municipality at a meeting duly called and held on the ____ day of _____(month), _____ 2020.

(Signature of Municipal Clerk) _____

R.N Brown
Municipal Clerk

Adoption	
Notice to Council:	Date
Approval:	Date
Description:	

Residential Fire Inspection Form

under Section 23 (2) of the Fire Safety Act (Three (3) Dwelling Units or less/Woodstove)

<input type="checkbox"/> Inspection request initiated by owner(s)	PID#
<input type="checkbox"/> Inspection request initiated by authorized agent	Civic#
<input type="checkbox"/> Inspection request initiated by tenant	Owners Name
<input type="checkbox"/> Inspection request initiated by complainant	Date

- Anonymous Complaint Written Complaint
 Owner Refused Entry

Reason for Inspection:**Inspection Results:**

Pursuant to Subsection 23 (2) of the Fire Safety Act, and Policy RCOPL-002.04, a Policy Respecting a System of Municipal Fire Inspections in the Region of Windsor and West Hants Municipality, the Municipal Fire Inspector can only conduct a Fire Inspection on residential dwellings with three or fewer units (including wood stove inspections) where the owners written consent has been received and the owner has confirmed in writing that the Fire Inspection requested is for non-insurance purposes, or where a warrant has been obtained under Section 24 of the Fire Safety Act.

I/we hereby certify that:

- (a) I/we are the owners of the dwelling in which the Fire Inspection is requested as noted in this application;
 (b) the inspection requested in this application is for non-insurance purposes; and
 (c) I/we acknowledge that any deficiencies noted as a result of this Fire Safety Act must be corrected by the owner(s).

Owners Signature

Date

- Order to be issued

Fire Inspectors Signature