



**WEST HANTS REGIONAL MUNICIPALITY
Planning Advisory Committee (PAC) Agenda
September 10, 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 # 20-08 Civic Addressing By-law (Madelyn LeMay)

4.2 Update: File # 20-14 Building Code Act By-law (Madelyn LeMay)

4.3 Update: File # 20-18 Fire Inspection Systems Policy (Madelyn LeMay)

4.4 Update: File # 20-19 Repeal of Minimum Standards By-law (Madelyn LeMay)

4.5 Update: File # 20-01 Ski Martock Rd. LUB Amendment (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 # 20-02 Cannabis in Hantsport MPS Amendment (Saira Shah)

8.2 Planning Definitions (Saira Shah and Sara Poirier)

8.3 File #20-05 Short Term Rentals (Sara Poirier; Information Report)

9.0 Notices from Adjacent Municipal Units

10.0 Questions and Comments from Public

11.0 Adjournment

ACTIVITY REPORT

For Month of August 8/31/2020

Type	Aug 2019			Aug 2020		
	Permits	Units	Value of Construction	Permits	Units	Value of Construction
Single Family	8	5	868,837	12	0	1,423,850
Duplex/Semi	2	3	590,000	0	0	0
Apartments	0	0	0	1	0	180,000
Other Residential	17	0	198,600	10	0	229,000
Commercial	2	0	51,000	0	0	0
Industrial	0	0	0	0	0	0
Inst & Gov	0	0	0	0	0	0
Agriculture	1	0	20,000	2	0	16,000
Other	2	0	43,000	0	0	0
Total	32	8	1,771,437	25	0	1,848,850
Year To Date	219	64	22,548,038	226	18	14,319,249
Demolition	0	0		3	0	
Sign Permits	0			0		
Sub Applications	3	1 (Lots Requested)		3	2 (Lots Requested)	



WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT

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

Submitted by: _____
Saira Shah, Planner

Date: 2020-09-10

Subject: File # 20-02A Cannabis in Hantsport

Background

On October 8, 2019 West Hants Council approved amendments to permit a variety of cannabis licenses in West Hants. On November 13th the Hantsport Area Advisory Committee (HAAC) asked staff to provide an overview on cannabis licenses and discuss similar amendments for Hantsport. Staff recommended permitting all cannabis licenses in the Industrial (M) zone and permitting Cannabis Analytical Testing and Research in the Institutional (I) zone in Hantsport (Attachment A).

A Public Information Meeting (PIM) was held virtually on July 7, 2020 and broadcast live on the Municipal Facebook page to consider the amendments to permit the cannabis licenses (Attachment B)

Hantsport Area Advisory Committee Recommendation

HAAC recommended in favour of the proposed cannabis amendments.

Planning Advisory Committee Recommendation

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

that PAC recommends that Council give First Reading and hold a Public Hearing to consider amending the Hantsport Municipal Planning Strategy and Land Use By-law to enable a variety of cannabis licenses in Hantsport, in a manner substantially the same as attached to the staff report to HAAC dated September 1, 2020 as Appendix A.

Attachments

Attachment A 2020-09-01 File #20-02 Cannabis in Hantsport Recommendation
Report

Attachment B 2020-09-01 File#20-02 Public Information Meeting Notes July 7,
2020

Report Reviewed by: _____

Madelyn LeMay, Director of Planning and Development

Attachment A
2020-09-01 File #20-02 Cannabis in Hantsport Recommendation Report



WEST HANTS REGIONAL MUNICIPALITY
RECOMMENDATION REPORT

To: Members of Hantsport Area Advisory Committee

Submitted by: _____
Saira Shah, Planner

Date: 2020-09-01

Subject: Cannabis in Hantsport Recommendation Report

File 20-02

LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

RECOMMENDATION

Should HAAC wish to forward a positive recommendation, the following motion would be in order:

HAAC recommends that PAC recommend that Council give First Reading and hold a Public Hearing to consider amending the Hantsport Municipal Planning Strategy and Land Use By-law to enable a variety of cannabis licenses in Hantsport, in a manner substantially the same as attached to the staff report to HAAC dated September 1, 2020 as Appendix A.

BACKGROUND

On October 8, 2019 West Hants Council approved amendments to permit a variety of cannabis licenses in West Hants. On November 13th the Hantsport Area Advisory Committee (HAAC) asked staff to provide an overview on cannabis licenses and discuss similar amendments for Hantsport. On March 11, 2020 staff gave a

presentation outlining the amendment options for cannabis. HAAC agreed, by consensus, with the staff suggestions however HAAC did not want a separation distance to apply for cannabis land uses. Staff have drafted amendments to the Hantsport Municipal Planning Strategy (HMPS) and Land Use By-law (HLUB) based on feedback received.

DISCUSSION

Based on the amendments, each license will be permitted in the following zones:

License	Zones
<i>Standard Cultivation and Processing</i> <i>Micro-Cultivation and Micro-Processing</i> Cannabis Nursery	Industrial (M)
Cannabis Analytical Testing and Research	Institutional (I)

The detailed amendments are attached as Appendix A

Analytical Testing and Research licenses will be permitted as uses accessory to cannabis operations in any zone that permits cannabis cultivation or processing. In Hantsport this would only be in the Industrial (M) zone.

HMPS General Criteria

Policy IM-3 of the HMPS states general criteria for any HLUB amendment. These criteria are examined in detail in Appendix B.

In summary, this is a text amendment and most of the considerations will depend on individual lots at the time of application for a specific use.

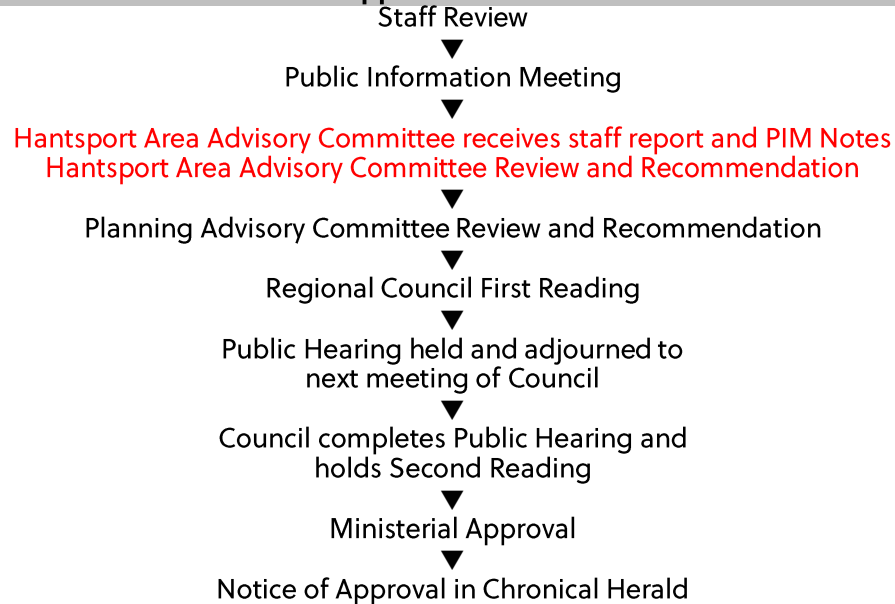
Municipal Climate Change Action Plan

This amendment has not been examined in relation to the Municipal Climate Change Action Plan (MCCAP).

NEXT STEPS

As noted above, the proposed amendments have been considered within the context of the general policies of the HMPS and are consistent with the intent, objectives and policies of the HMPS. The amendments meet the general criteria for amendment to the HLUB. As a result, it is reasonable to consider approving the Hantsport Municipal Planning Strategy and Land Use By-Law amendments to allow a variety of cannabis licenses in Hantsport.

Approval Process



FINANCIAL IMPLICATIONS

There are no financial implications associated with this application

ALTERNATIVES

In response to the HAAC recommendation, PAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the HMPS amendments as drafted or as specifically revised by direction of HAAC; or
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Appendix A Draft Amendments

Appendix B General Criteria for Hantsport Land Use-By-law Amendment

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Appendix A Draft Amendments

Text Amendments to the Hantsport Municipal Planning Strategy and Land Use By-law to allow for a variety of Federal cannabis licenses in Hantsport.

- 1. Amend Part 3 of the Hantsport Municipal Planning Strategy, *General Land Use Policies*, by inserting section “3.2.5 Licensed Cannabis Uses” following Section 3.2.4 so that Section 3.2.5 reads as follows:**

3.2.5 Licensed Cannabis Uses

On October 17, 2018 the Federal government legalized the use of recreational cannabis in Canada. As of that date, in addition to the ability to produce cannabis for personal use, property owners can apply to Health Canada to obtain licenses to cultivate, produce and perform testing on cannabis for commercial and academic purposes. Currently there are seven (7) licenses available through Health Canada:

- Standard Cultivation license
- Standard Processing license
- Micro-Cultivation license
- Micro-Processing license
- Nursery license
- Analytical Testing license
- Research license

For the purposes of the Hantsport Municipal Planning Strategy and Land Use By-law, these licenses will be discussed as “*licensed cannabis land uses*”.

Council wishes to encourage legal cannabis cultivation and processing in Hantsport. Council considers Standard Cultivation and Processing to be industrial in nature due to the size of facilities, the amount of power necessary for production and the security requirements established by Health Canada. Council considers Micro-Cultivation, Micro-Processing and Cannabis Nurseries to be compatible with industrial and agricultural uses. However, as there is no agricultural designation in Hantsport these licenses will only be permitted in industrial areas.

As a result, it shall be the policy of Council to:

Policy GP-8 Permit Analytical Testing and Research of cannabis in all zones as a use accessory to any licensed cannabis land use.

Policy GP-9 Permit Analytical Testing and Research of cannabis in the Institutional (I) Zone.

Policy GP-10 Consider Standard Cultivation and Processing of cannabis, Micro-Cultivation, Micro-Processing and Cannabis Nurseries as industrial land uses.

2. **Amend Part 5 of the Hantsport Land Use By-law, *General Provisions for all Zones*, by inserting section "5.22 Licensed Cannabis Uses" following Section 5.21 so that Section 5.22 reads as follows:**

5.22 Licensed Cannabis Uses

Permit Analytical Testing and Research of cannabis in all zones as a use accessory to any licensed cannabis use

3. **Amend the list of permitted uses in Part 10 of the Hantsport Land Use By-law, *Industrial (M) Zone*, by inserting the phrases "Licensed Cannabis Nurseries", "Licensed Micro-Cultivation of cannabis", "Licensed Micro-Processing of cannabis", and "Licensed Standard Cultivation and Processing of cannabis" so that Section 10.1 reads as follows:**

Part 10 Industrial (M) Zone

10.1 Permitted Uses

The following uses are permitted in this zone:

- Any manufacturing, industrial, assembly or warehousing operation
- Any activity connected with the automotive trade, excluding salvage yards
- Boat and Marine Supplies and Sales
- Building supply and equipment depots including the bulk storage of sand or gravel
- Licensed Cannabis Nurseries
- Licensed Micro-Cultivation of cannabis
- Licensed Micro-Processing of cannabis
- Licensed Standard Cultivation and Processing of cannabis
- Railway Uses
- Recycling Collection and Storage Facilities, excluding salvage yards
- Retail and office uses incidental to the main industrial use

7. **Amend the list of permitted uses in Part 11 of the Hantsport Land Use By-law, *Institutional (I) Zone*, by inserting the phrases "Licensed Analytical Testing of cannabis" and "Licensed Research of cannabis" so that Section 11.1 reads as follows:**

Part 11 Institutional (I) Zone

11.1 Permitted Uses

The following uses are permitted in this zone:

- all institutional uses
- non residential daycare centre
- Licensed Analytical Testing of cannabis
- Licensed Research of cannabis

Appendix C
General Criteria for Hantsport Land Use By-Law Amendment

Policy IM-3 of the MPS *"In considering amendments to the Town of Hantsport Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider"*:

	Cannabis Land Uses
(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	As this is a text amendment, this consideration will depend on individual lots.
(ii) the adequacy of school facilities;	No impact on school facilities is anticipated.
(iii) the adequacy of fire protection;	As this is a text amendment, this consideration will depend on individual lots.
(iv) the impact on adjacent uses	As this is a text amendment, this consideration will depend on individual lots.
(v) the adequacy of road networks adjacent to, or leading to the development; and	This consideration is not applicable to this amendment.
(vi) the financial capacity of the Town to absorb any costs relating to the development.	No municipal costs related to this amendment are anticipated.
(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;	This consideration is not applicable to this amendment.
(c) the adequacy of the dimensions and shape of the lot for the intended use;	As this is a text amendment, this consideration will depend on individual lots.
(d) the pattern of development which the proposal might create;	The uses permitted will not create a pattern of development that is unusual for the area.
(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;	As this is a text amendment, the criterion does not apply.
(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other	The proposed amendment meets all relevant municipal, provincial and federal regulations.

relevant municipal by laws and regulations; and	
(g) the impact of not only the use being proposed but all uses permitted in the zone	As this is a text amendment, the criterion does not apply.
(h) the site meets all of the zone requirements for the zone sought;	As this is a text amendment, the criterion does not apply.
(h) any other matter required by relevant policies of this Strategy.	There is no other matter to address.

Attachment B
2020-09-01 File# 20-02 Public Information Meeting Notes July 7, 2020

Public Information Meeting Notes
July 7, 2020
Cannabis in Hantsport

Meeting date and time	A public information meeting was held on July 7, 2020 beginning at 6:30p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance: One (1) Councillor: Deputy Mayor Morton Seven (7) Committee members: Angela Carver, Resident Member Greg Pace, Resident Member (Vice Chair) Bill Preston, Resident Member (Chair) Jane Davis, Resident Member Glenn Deering, Resident Member Elaine Warner, Resident Member Rob Frederick, Resident Member Director LeMay Planner Shah Planner Poirier Meeting Secretary Vanessa Lake As this meeting was held virtually there were no members of the public present.
Cannabis in Hantsport	Planner Shah outlined the request from the Hantsport Area Advisory Committee to amend the Hantsport Municipal Planning Strategy and Land Use By-law to permit a variety of cannabis licenses in Hantsport.
File Number	20-02
Comments	Comments from the public could be submitted by mail, drop-off at the Municipal Office, e-mail and telephone to Planner Shah. No written comments were received from the public. One (1) verbal comment was made by the public via telephone. The one (1) member of the public that made a comment had a concern with odour associated with cannabis production. Staff directed them to the Federal comment system to report an odour issue from any existing facility and informed them cannabis production would be permitted predominately in the industrial areas of Hantsport. The resident did not have an issue with permitting cannabis production in industrial areas.
Adjournment	The presentation portion of the PIM ended at 6:38 p.m.; comments could be submitted by the public by mail, drop-

	off at the Municipal Office, e-mail and telephone to Planner Shah until July 21, 2020.
--	--



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: September 10, 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 C to the report entitled "*Definitions for Planning Documents*" dated September 10, 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 C.

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. The comments provided by the WAAC (Attachment A) and HAAC (Attachment B) were incorporated into the definition chart in Attachment C.

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>Both the WAAC and HAAC found these new definitions acceptable. Does the PAC 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>Both the WAAC and HAAC agreed. How does the PAC feel about moving animal unit livestock charts to the General Provisions section?</p>
Arena	<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>The WAAC and HAAC were both in favour of removing the “Arena” definition and using the revised “Indoor Recreation Use” definition.</p> <p>Would the PAC like to keep the “Arena” definition or include arenas as an “Indoor Recreation Use”?</p> <p>If the “Arena” definition is kept, would the PAC like to see these permitted in other zones in the Region?</p>
Artisan Workshop	<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>Both WAAC and HAAC agreed with this change. Does the PAC have any comments on this change?</p>
Automobile Body Shop vs. Automobile Repair Shop	<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</p>

	<p>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 automotive trade other than an automotive scrap yard or automobile-related commercial recreational establishment;”</p> <p>Both the WAAC and HAAC agreed to combine these definitions under a revised “Automobile Repair Shop” definition.</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 PAC 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>Both WAAC and HAAC are in favour of the new definition. Does the PAC 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</p>

	<p>Congregation”.</p> <p>Both WAAC and HAAC agreed. Does the PAC 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>Both WAAC and HAAC were in favour of combining the two into a revised “Outdoor Display” definition. The HAAC commented that “Outdoor Display” should not be limited to sales on the same lot as the 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 use their property for display of items for sale which require to be purchased from a sales office on a separate lot)?</p>
Commercial Distillery Micro Distillery	<p>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.</p> <p>The WAAC and HAAC agree with the new definitions. Is this suitable for the PAC for the Review documents?</p>
Dwellings	<p>Staff are recommending removing a few</p>

	<p>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.</p> <p>Both WAAC and HAAC were in favour of this change. However, the WAAC did comment that some specifics may be required to ensure new residential construction fits with the neighbourhood. Does the PAC have any comments on this approach?</p>
Forestry	<p>The revised definition includes specific size details to ensure small-scale and 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>The WAAC and HAAC were in agreement with the new definition and stated that future discussion should be held to determine set back distances from these uses.</p> <p>Does the PAC 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>Group Home</p>	<p>“Group Home” is defined in the Hantsport Land Use By-law but is not used.</p> <p>This definition was not discussed with the HAAC or WAAC as staff were awaiting clarification on another term which turned out not to be used by the Province.</p> <p>Does the Committee want to keep this definition for the Regional document?</p> <p>If so, does the Committee think it is reasonable to limit the number of people to “three to ten people”?</p> <p>In what zones or areas would the Committee want to permit “Group Homes”?</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>The WAAC and HAAC were in favour of the new definition for “Parking Structure”. Is the definition sufficient to the PAC?</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>Both the WAAC and HAAC were in agreement that the planting strip information be moved to the General Provisions. The Committees wanted further discussion regarding the regulations (i.e. height, maintenance, etc.) that would be developed for planting strips.</p> <p>Are there any details the PAC 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 permitted in the Institutional Zone (W & WH) • Indoor or outdoor recreational uses are not listed as permitted in the Recreational Commercial Zone (WH) <p>The WAAC and HAAC determined that both small scale indoor recreation uses (i.e. yoga and dance studios) should be permitted in more areas of the Municipality and larger scale indoor recreational uses (i.e. trampoline parks) could be accommodated in the Highway Commercial or Industrial zones as they may require larger parking areas or other infrastructure.</p> <p>What are the PAC thoughts? Should Indoor Recreation Uses be considered in other zones in Windsor in the Regional documents?</p>
<p>Outdoor Recreation Uses</p>	<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>The WAAC and HAAC determined that outdoor recreation uses should be permitted in more areas of the Municipality to encourage healthy active</p>

	<p>communities.</p> <p>What are the Committee's thoughts? Should Outdoor Recreation Uses be considered in other zones in Windsor in the Regional documents?</p>
<p>Support Service</p>	<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>The WAAC and HAAC determined that "Support Services" should not be exclusive to the Industrial Park and should be permitted in any commercial areas.</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>
<p>Winery</p>	<p>NSLC does not have a small-scale category for wineries; staff are recommending removing the "Winery 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>Both WAAC and HAAC agreed with this revision. Is this suitable for the Committee?</p>

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 Windsor Area Advisory Committee Comments - July 2, 2020

Attachment B Hantsport Area Advisory Committee Comments - July 7, 2020

Attachment C 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
Windsor Area Advisory Committee Comments - July 2, 2020

Definitions for Planning Documents

Definition	WAAC Comment
Accommodation Small-scale Large-scale	The WAAC agreed that the new categories for small-scale and large-scale accommodations are suitable.
Animal Units	The WAAC is in favour with moving the animal unit livestock charts to the General Provisions section. There was a question about the size and type of livestock that is permitted in each community. Current regulations on size and type of livestock in each community would still apply however this may be a topic that staff review during the Plan Review and bring back to the Committees for further discussion at a later date.
Arena	The WAAC is in favour of removing the “Arena” definition and combining with “Indoor Recreation Uses”. The WAAC suggested revising the definition of “Indoor Recreation Uses” to <i>“means a building, location or premises in which to view or participate in sporting or entertainment events including but not limited to bowling alleys, curling rinks, climbing walls, fitness clubs, racquet courts, gymnasia, indoor swimming pools, and indoor skating rinks, which may include spectator seating areas, dressing rooms, canteen facilities, athletic equipment sales and repair and other accessory uses;”</i>
Artisan Workshop	The WAAC agreed with the staff recommendation to remove the definition of “Artisan Workshop” and replace it with “Arts and Crafts Studio”.
Automobile Body Shop vs. Automobile Repair Shop	The WAAC members wondered if there would be more noise associated with the “Automobile Body Shop” versus the “Automobile Repair Shop” and the WAAC discussed where these uses would be permitted. One WAAC member suggested that small repairs such as oil changes and tire changes would be suitable for Wentworth Road, but large repairs or body work would be better suited to the industrial areas. Staff commented that there may be noise associated with the uses however they are already both permitted in the same zones and would be permitted in zones that are industrial and commercial in nature. Staff emphasized the focus on definitions and that there will be more opportunities to

	<p>discuss where the uses are permitted in the Plan Review.</p> <p>Another WAAC member commented that the way the “Automobile Repair Shop” definition is currently written makes it seem like vehicles sales may be possible. Staff commented that they would work on revising the definition to clarify that vehicle sales are not permitted under this definition.</p> <p>The WAAC agreed that the definitions could be combined into one revised “Automobile Repair Shop” definition.</p> <p>The revised definition would be similar to “Automobile Repair Shop” <i>“means a building or part of a building used for the alteration, repair, replacement and/or sales of parts, machinery or equipment in any motor vehicle and may include repair of body work, detailing and/or painting of automobile bodies;”</i></p>
Church	<p>The WAAC discussed the terms for other religious organizations and considered adding those specific terms to the document instead of removing the term church. Staff clarified that although several religious places could be named in the planning documents, there would be no way to ensure all potential religious places are covered in the definitions which is why one broad definition would be beneficial. The WAAC agreed that the planning documents should be more inclusive of other religions and is in favour of removing the “Church” definition and replacing it with “Place of Religious Congregation”. There was discussion about the tax incentives for churches but staff stated the change in definition would not impact tax incentives.</p>
Display Court vs. Outdoor Display	<p>The WAAC is in favour of combining the “Display Court” and “Outdoor Display” definition into a new “Outdoor Display” definition.</p> <p>The WAAC discussed if this would prohibit an individual from having temporary sales on their property such as selling plants or their personal vehicle. Staff responded that it would not as “Outdoor Display” is a permanent main use of a lot.</p>
Commercial Brewery	<p>The WAAC discussed the difference between hard cider and apple cider and requested a distinction added to the definitions to state that it applies to alcoholic beverages.</p> <p>The WAAC also asked staff if cidery was moved to “Winery” as NSLC categorizes it, would cideries be</p>

	<p>permitted in downtown Windsor? The WAAC did not want land use regulations to make it harder to start these types of businesses. Staff specified that already-permitted cideries would remain and this would only apply to any new cideries once the new definitions were incorporated into the planning documents following Plan Review. Staff will look into where each beverage type production is permitted and consider options to increase opportunities.</p> <p>The WAAC is in favour of the updated definition.</p>
Commercial and Micro Distillery	<p>WAAC members discussed the volumes of liquor that were being proposed. The WAAC is in favour of the revised definitions for both “Commercial Distillery” and “Micro Distillery”.</p>
Winery	<p>The WAAC was in favour of the staff recommendation to remove the “Winery Commercial” definition and update the “Winery” definition.</p>
Dwellings	<p>The WAAC discussed the change from specific configuration of dwellings (i.e. townhouses, etc.) to only specifying the number of units. In general the WAAC was in favour of the change but did think that some specifics may be required to ensure that new residential construction fits with the neighbourhood.</p>
Group Home	<p>The WAAC skipped the discussion on “Group Home” as new information may be received from the Province regarding similar uses shortly.</p>
Forestry	<p>The WAAC is in favour of the definition change to distinguish between small-scale and large-scale operations.</p> <p>The WAAC discussed the noise level, traffic and space required for forestry uses. Some WAAC members were in favour of a larger separation distance between the large-scale forestry uses from residential uses, however other members discussed that a larger separation distance should be used for all forestry uses regardless of scale to ensure adequate separation from residential uses.</p>
Parking Structure	<p>Staff stated a “Parking Structure” will be considered a stand-alone use of a lot as opposed to a use in association with a residential or commercial development to meet minimum parking requirements. The WAAC was in favour of the addition of the “Parking Structures” definition in the planning documents.</p>

	<p>One of the WAAC members asked if there was any information on the feasibility of underground parking in downtown Windsor. Chair Murley clarified this would be up to the property owner to determine if their property is suitable for underground parking.</p>
Planting Strip	<p>The WAAC was in favour of moving the “Planting Strip” provisions to the General Provisions section of the Land Use By-law.</p> <p>The WAAC discussed height of the planting strip and determined that there should be differentiation of height based on location or zone. The WAAC also discussed the need for specific requirements on maintenance of the planting strip.</p>
Indoor and Outdoor Recreation Uses	<p>The WAAC discussed the need for more indoor and outdoor recreation uses to promote a healthy active community. The WAAC would like to see both of these uses permitted in more zones in Windsor.</p>
Support Service	<p>The WAAC agreed that these uses should not be exclusive to the Industrial Park and that the uses listed in the definition could be accommodated in any of the commercial areas especially in downtown Windsor.</p>

Attachment B
Hantsport Area Advisory Committee Comments - July 7, 2020

Definitions for Planning Documents

Definition	HAAC Comment
Accommodation Small-scale Large-scale	<p>The HAAC agreed with adding the proposed definitions for small-scale and large-scale accommodation uses to the Regional documents.</p> <p>The HAAC members had questions about lot size requirements for these types of accommodations, where they would be permitted and commented on infrastructure (i.e. water and sewer) requirements. Staff reminded the Committee that they are only reviewing definitions at this time and that future discussions will include where specific uses are permitted and the requirements for those uses.</p> <p>A HAAC member asked how neighbouring municipalities differentiate between the size of accommodations. Staff responded that the number of units these accommodations can have was provided at as a starting point for discussion and that regulations in other municipalities were not reviewed prior to providing these to the Committee.</p>
Animal Units	The HAAC is in favour of moving the livestock charts to the General Provisions section of the Land Use By-law as it would be easier to find and use.
Arena	The HAAC is in favour of using “Indoor Recreation Uses” instead of having a separate definition for “Arena”. HAAC members commented that the “Arena” definition is too limiting and that the “Indoor Recreation Uses” definition comprises most of the recreational uses that the Committee may want to consider in Hantsport.
Artisan Workshop	The HAAC agreed that “Artisan Workshop” can be replaced with “Arts and Craft Studio” as it is more inclusive.
Automobile Body Shop vs. Automobile Repair Shop	<p>The HAAC is in favour of combining the definitions under a revised “Automobile Repair Shop” definition. The Committee felt that keeping them separate may limit property owners and some owners may already do a combination of repair and body work.</p> <p>HAAC also discussed volatile materials and odours that may be associated with the uses as techniques involved in the work may have changed. Staff suggested that</p>

	<p>amendments could be made to the General Provision section and larger separation distances could be required for these uses to ease the effect of the impacts on neighbouring uses. Staff added that this would be discussed in more detail when looking at the types of uses permitted in each zone.</p>
Church	<p>HAAC agrees to replace the term “Church” with “Place of Religious Congregation”.</p>
Display Court vs. Outdoor Display	<p>The HAAC agreed with a revised definition for “Outdoor Display” that does not require sales to take place on the same lot as the displayed items. Staff will bring back the revised definition at a later date.</p> <p>The Committee discussed if outdoor display should be permitted on a vacant lot or linked to the lot where sales occur and determined that as long as the lot is zoned for commercial purposes outdoor display should be permitted without having the sales on the same lot.</p> <p>Committee members asked how this change would affect existing uses and if there were specific examples staff could provide associated with this definition change. Staff responded that existing uses would continue to be permitted, that there were no specific examples associated with this change. This discussion was brought forward when reviewing the definitions, as “Display Court” does not require sales on the same property and “Outdoor Display” does require sales on the same property.</p> <p>A HAAC member also asked about how this may affect stores having sidewalk sales. Staff responded that there is a difference between permitting sales on public infrastructure versus private property and that they would look into examples of these sorts of uses from Windsor.</p>
Commercial Brewery	<p>The HAAC agrees with the proposed “Commercial Brewery” definition.</p>
Commercial and Micro Distillery	<p>The HAAC is in favour of the proposed Commercial and “Micro Distillery” definitions.</p> <p>The Committee discussed if there would be any commercial distilleries in the Annapolis Valley that would exceed the Micro definition and agreed that this would open the opportunity up for businesses.</p>
Winery	<p>The HAAC agrees with the proposed “Winery” definition.</p>

Dwellings	<p>The HAAC agrees with removing the definitions that discuss the construction type of the dwelling and focusing on the number of units.</p> <p>HAAC members commented that using “Two Unit Dwelling” instead of a definition like “Duplex” makes it very straight forward and leaves nothing to the imagination.</p>
Forestry	<p>The HAAC is in favour of the distinction between small-scale and large-scale saw mills and shingle mills in the “Forestry” definition. The Committee stated that larger saw mills should not be permitted as close to residential areas as the small scale temporary ones. The Committee asked what other municipalities, specifically Kings County, had for their setbacks from these types of uses. Staff responded that the setbacks will be reviewed and brought back for consideration when the Committee is reviewing where these uses are permitted.</p> <p>A Committee member asked where the distinction on cord limit came from for the definition. Staff responded that this is from the Provincial Forestry Act.</p>
Parking Structure	<p>The HAAC agreed that a differentiation is required between “Parking Area” and “Parking Structure” and that the proposed definition for “Parking Structure” was sufficient.</p>
Planting Strip	<p>The HAAC agreed that staff could move the “Planting Strip” definition into the General Provisions section. However, the Committee members were concerned about the height of the planting strip and how it may affect power lines and lines of sight at intersections. Staff responded that there are currently provisions in the respective Land Use By-laws regarding day lighting triangles to prevent obstructed views at intersections.</p> <p>Some Committee members were worried that planting strips would become overregulated and wondered if it would go as far as regulating the specific types of trees to be planted. Staff said they may not go as far as the type of tree but could include the height and size of tree which may be more conducive to some type of trees than others. Staff reminded HAAC that planting strips are only used as a form of buffer or separation between one type of use (i.e. commercial or industrial) from another (i.e. residential) and is normally located at a right angle to the street line along the adjoining property line.</p>

	<p>The Committee discussed who would be required to plant and maintain the planting strip, and concerns were raised regarding the planting strip becoming unsightly. Staff responded that the property owner would be required to plant and maintain the planting strip. The Committee specified that there would need to be precise language as to what type of material is used, who maintains it and how it would be enforced. A HAAC member also had concerns about the way the planting strip was developed, citing that it might affect the watershed and reduce the water available to neighbouring properties.</p> <p>The HAAC concluded that implementation may be harder than defining what the planting strip is and that the Committee would like more time to discuss this further. Staff stated that this was just the beginning of the discussion on this topic and once staff have reviewed and compared what is used elsewhere they will bring it back to the Committees for discussion.</p>
<p>Indoor and Outdoor Recreation Uses</p>	<p>The HAAC discussed where “Indoor Recreation Uses” are permitted and zones that these uses could be permitted in. Some Committee members thought that “Indoor Recreation Uses” could be allowed in any commercial zone with the exception of zones that allow heavy industrial uses which have greater truck traffic. Staff pointed out that these uses are currently mainly permitted in the Joint Industrial Park zones.</p> <p>The HAAC discussed that size would be a factor as the larger facilities may need more parking and infrastructure. The Committee concluded that smaller scale “Indoor Recreation Uses” such as yoga and dance studios could be considered in the core commercial areas but larger facilities such as a trampoline park would be more appropriate outside the commercial core.</p> <p>---</p> <p>The HAAC discussed “Outdoor Recreation Uses” and concluded that these uses should be permitted in most zones or through the option to rezone a property to permit “Outdoor Recreation Uses”.</p> <p>HAAC members discussed two large industrial lots that are not currently being used which could be considered for “Outdoor Recreation Uses”. The HAAC agreed that there should be less limitations on these types of uses.</p>

Support Service	<p>The HAAC agreed with keeping a revised version of “Support Service” that does not tie the use to the Industrial park.</p> <p>The HAAC stated that it does not make sense to limit these types of businesses to the industrial park and that they would be welcome in commercial areas in Hantsport.</p>
-----------------	--

Other questions

- 1. A HAAC member asked when can the public comment on these definitions?

Staff responded that the meeting packages are available to the public for review and that staff will be bringing these definitions back to the Committees for review and approval when the draft Regional documents are ready. The draft Regional documents, which will include the definitions, will be taken back to the public in public meeting setting for comments before going to Council for review and approval.

Attachment C Definition Chart

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	Move to the General Provision section of the Land Use By-law 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

	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	Bulls 1 Horses 1 Sheep 10 Sows Breeding/Gestation 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;	Remove
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,		means a building, or part thereof, used for the production of, or the production and sale of,	means a building or part of a building used for the production or production and sale of works of art or

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		works of art or crafts made by hand;		works of art or crafts made by hand;	crafts made by small custom production processes or by hand and may include instruction;
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			Remove
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 alteration, repair, replacement and/or sales of parts, machinery or equipment in any motor vehicle and may include repair of body work, detailing and/or painting of automobile bodies;
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	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

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
			actual operation of motor vehicles.		an automotive washing establishment;
Auto Body Repair Shop				means a building used for the repair of body work, detailing and painting of automobile bodies;	Remove
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		means the smallest unit of land which is bound entirely by public streets, rivers,	means the smallest unit of land which is bound entirely by public streets, rivers,

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		combination thereof;		railroads, public parks or any combination thereof;	railroads, public parks or any combination thereof;
Boarding or Rooming House		means a single unit dwelling in which the resident supplies, for compensation, 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;	means a single unit residential dwelling in which the primary resident/owner supplies either room or room and board for compensation, on a weekly or monthly basis, and which is not open to the general public.	means a single unit dwelling in which the resident supplies, for compensation, 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;	means a single dwelling unit in which either room or room and board are 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;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
Building		means any structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, material or equipment. Any tent, awning, bin, bunker, platform, vessel or vehicle used for any of the said purposes shall be deemed a building;	means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials, or equipment and includes any tent, awning, bin, bunk, or platform, vessel or vehicles used for said purposes.	means any structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, material or equipment. Any tent, awning, bin, bunker, platform, vessel or vehicle used for any of the said purposes shall be deemed a building;	means any temporary or permanent structure, used or built for the shelter, accommodation or enclosure of persons, animals, material or 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 <i>Town of Windsor Land Use By-law</i> ;	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		means an establishment primarily involved in the preparation and transfer of finished food products for immediate consumption	means an establishment primarily involved in the preparation and transfer of food products for immediate consumption upon delivery to off-premises destinations;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		only;		upon delivery to off-premises destinations only;	
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 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			means a building or part of a building used as a meeting place for members of an organization including a lodge, a fraternity or

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		labour union hall;			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
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;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
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 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.			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 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		means a building where children are cared for on a daily basis, for	means a building where children are cared for on a daily basis for compensation

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		compensation, without overnight accommodation, but does not include a school;		compensation, without overnight accommodation, but does not include a school. (a) Non-Licensed Day Care Centre serves fewer than six children; (b) Licensed Day Care Centre serves six or more children and is licensed by the Province of Nova Scotia under the Day Care Act.	without overnight accommodation, excluding a school.
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,	includes the erection, construction, alteration,		includes the erection, construction, alteration,	means the erection, construction, alteration,

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
	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;	placement, location, replacement or relocation of, or addition to, a structure and a change or alteration in the use made of land or structures;		placement, location, replacement, or relocation of, or addition to a structure and a change or alteration in the use made of land or structures;	placement, location, replacement or relocation of, or addition to, a structure and a change or alteration in the use made of land or structures;
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		means a craft distillery primarily engaged in the production and packaging of less than 75,000 litres per	means a facility primarily engaged in the production and packaging of less than 150,000 litres per year of

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		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 where beverages produced at the facility can be sampled;		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 where beverages produced at the facility can be sampled	liquor and spirits other than wine or beer and may include a hospitality room and retail store.
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	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	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	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

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		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.	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.	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.	building or from a common hallway or stairway inside the building excluding a recreational cabin as defined in the Nova Scotia Building Code Regulations.
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		means a dwelling unit in which three (3) to ten (10) people live together which is licensed by the Province

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
			together under supervision, in accordance with Provincial requirements. The home shall be licensed by the Province. "Residents," for the purpose of this 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;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
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
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	Remove

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
				front and rear walls of each dwelling unit;	
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;
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		means a building or part thereof in which farm	means a building or part thereof in which agricultural

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		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 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;		produce comprises the major portion of goods offered or kept for sale directly to the public at retail value;	produce comprises the major portion of goods offered or kept for sale directly to the public at retail value;
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,	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,	with reference to a dwelling means the maximum area contained within the outside walls excluding any private garage, porch, veranda,

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		sunroom, unfinished attic, basement or cellar or other room not habitable at all seasons of the year;		sunroom, unfinished attic, basement or cellar, or other room not habitable at all seasons of the year;	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 on all floor areas including the basement.		Remove
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;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
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 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;			means the growing and harvesting of trees for commercial purposes together with the processing of the forestry products including but not limited to 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		<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; <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	means a dwelling where the property owner??supplies either room or room and board for monetary gain and is open to the travelling public.	<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; <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.	<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; <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.

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		<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 accommodation of the travelling public;</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 accommodation of the travelling public; (not used)</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 accommodation of the travelling public;</p>
Hazardous Material		<p>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;</p>		<p>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;</p>	<p>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;</p>
Height		<p>Height means the vertical distance on a building between the established grade and:</p> <p>(a) the highest point of the roof surface or the parapet, whichever is the greater, of a flat roof;</p> <p>(b) the declline of a mansard roof; or</p> <p>(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,</p>	<p>means the vertical distance on a building between the established grade, and</p> <p>(a)the highest point of the roof surface, or the parapet, whichever is greater, of a flat roof; or</p> <p>(b)the declline of a mansard roof; or</p> <p>(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.</p>	<p>Height means the vertical distance on a building between the established grade and:</p> <p>(a) the highest point of the roof surface or the parapet, whichever is the greater, of a flat roof;</p> <p>(b) the declline of a mansard roof; or</p> <p>(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;</p>	<p>means the vertical distance on a building between the established grade, and</p> <p>(a) the highest point of the roof surface, or the parapet, whichever is greater, of a flat roof; or</p> <p>(b) the declline of a mansard roof; or</p> <p>(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.</p>

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		chimney, tower, cupola or steeple;			
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 provision of goods and services, on a small scale;	means a business activity carried on wholly within a residential structure or accessory structure, without limiting the generality of the 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.	means the accessory use of a dwelling by any resident of that dwelling unit for gainful employment involving the production, sale, or provision of goods and services, on a small scale;	means the accessory use of a dwelling or accessory building by a resident for gainful employment involving the production, 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	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	<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

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		with external access and private bathrooms, used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation;		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;	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;
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			means an establishment that provides cultural or heritage information to the public;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		restaurant, gift shop and similar uses;			
Kennel		<p>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 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>	means a building or structure used for the enclosure of dogs, which are kept for the purposes of commercial breeding or showing or for commercial boarding. (not used)	means a lot, building or structure on or within which four or more domesticated animals are housed, groomed, bred, boarded, trained or sold for monetary gain and which may offer provisions for minor medical treatment;	<p>means a lot, building or structure on or within which domesticated animals are housed, groomed, bred, 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		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	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

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		parking space;		used as a driveway or parking space;	used as a driveway or parking space;
Landscaping			means any combination of trees, shrubs, flowers, grass, or other horticultural elements, decorative stonework, paving, screening, or other architectural elements, all of which is designed to enhance the visual amenity of a property or to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land. (not used)	Landscaping means the use of any combination of horticultural elements, decorative stone work, paving, fencing or other architectural elements to enhance the visual quality of a property or to provide a visual barrier between one property and another;	means the use of any combination of horticultural elements, decorative stone work, paving, fencing or other architectural elements 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		means an agricultural use consisting of not more than 19 animal units. Combinations of different types of livestock are allowed provided the	means an agricultural use other than an "urban agricultural use" or "household livestock use" as defined herein consisting of

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		maximum number of animal units is not exceeded;		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)	not more than 19 animal units.
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		is a small scale commercial operation that serves a relatively small market area and is of a local nature and, without limiting the		is a small scale commercial operation that serves a relatively small market area and is of a local nature and, without limiting the	means a small commercial operation including but not limited to convenience stores, arts, crafts or antique shops, personal service

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		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 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		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 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;	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 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			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;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		considered a flag lot; (not used)			
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
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		Remove

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
			joining the midpoints of the front and rear lot lines. (not used)		
Lot Frontage		means the length of a line between the two side lot lines measured at the front of the lot; minimum lot frontage means the shortest allowable distance lot frontage can be measured	means the horizontal distance between the side lot lines measured along the 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.	means the length of a line between the two side lot lines measured at the front of the lot; minimum lot frontage means the shortest allowable distance lot frontage can be measure	means the horizontal distance between the side lot lines measured: (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	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;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		lot served by a right of way easement, the lot line nearest the street shall be deemed the front lot line;			
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		means the exterior front, side or rear wall of a building, and all structural	means the exterior front, side or rear wall of a building and all structural

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		members essential to the support of a fully or partially enclosed space or roof;		members essential to the support of a fully or partially enclosed space or roof;	members essential to the support of a fully or partially enclosed space or roof;
Manufactured Home		<p>means a dwelling unit 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>			Remove
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		means an area within a manufactured home park designated for the accommodation of one			Remove

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
Motor Vehicle Sales, Rental, and Repair (moved to Automotive Repair Shop)		manufactured home;	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.		Remove
Municipality		means the Municipality of the District of West Hants;			means the West Hants Regional Municipality;
Non-Conforming	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;	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;	"nonconforming structure" means a structure that does not meet the applicable requirements of a land-use by-law; "nonconforming use of land" means a use of land that is not permitted in the zone; "nonconforming use in a structure" means a use in a structure that is not permitted in the zone in which the structure is located;
Nursing Home			means a building wherein nursing care, room and		Remove

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
			board are provided to individuals incapacitated in some manner for medical 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,	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	<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,	<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

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		<p>but does not include a retail store or a professional office;</p> <p><u>Office, Professional</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 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;</p>	<p>manufacturing of any product or selling of goods.</p>	<p>but does not include a retail store or a professional office;</p> <p><u>Office (Professional)</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 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;</p>	<p>a clinic and the offices of a lawyer, architect, surveyor, engineer or chartered accountant, and excluding a personal service shop, a business office or a veterinary clinic;</p>
Open Space		<p>means an area of land on a lot not covered by buildings or structures;</p>		<p>means an area of land on a lot not covered by buildings, or structures</p> <p>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.</p>	<p>means an area of land on a lot not covered by buildings, or structures;</p>
Outdoor Furnace			<p>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.</p>		<p>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;</p>
Outdoor Display		<p>means the display of goods or merchandise in the open air which are available for sale to the general public</p>		<p>means the display of goods or merchandise in the open air which are available for sale to the general public</p>	<p>means a display of goods or merchandise in the open air which are available for sale to the general public which</p>

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		from a retail store on the same lot;		from a retail store on the same lot;	may include, but is not limited to, displays of cars, trucks, vans, motor homes, 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		means a space, exclusive of driveways, ramps or aisles, to park one vehicle for	means a space, exclusive of driveways, ramps or aisles, to park one vehicle for

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		purposes other than the display or offering of sale of commodities;		purposes other than the display or offering of sale of commodities;	purposes other than the display or offering of sale of commodities;
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	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	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;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		accessory use to the personal service provided;		accessory use to the personal service provided;	
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

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
					trees a minimum of 10' in height at the time of 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;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
Public Façade				means any façade that fronts a public street including the portion of the 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)	Remove
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	means the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor ice	<u>Recreation Uses, Indoor</u> means a wholly enclosed building used for the provision of sports and	<u>Indoor Recreation Uses</u> means a building, location or premises in which to view or participate in sporting or

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		<p>recreation facilities including bowling alleys, curling rinks, climbing walls, fitness clubs, 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>skating rinks, athletic fields, swimming pools, golf courses, and similar uses to 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>recreation facilities including bowling alleys, curling rinks, climbing walls, fitness clubs, 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>entertainment events including but not limited to bowling alleys, curling rinks, climbing walls, fitness clubs, racquet courts, gymnasias, indoor swimming pools, and indoor skating rinks, which may include spectator seating areas, dressing rooms, canteen facilities, athletic equipment sales and repair and other accessory uses;</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>

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
Recreational Vehicle Sales and Service		means a building or lot used for the display, service, sale or rental of motor homes, travel trailers, boats, snowmobiles, personal watercraft, all-terrain vehicles or other similar recreational vehicles;		means a building or lot used for the display, service, sale and/or rental of motor homes, travel trailers, boats, snowmobiles, personal watercraft, all-terrain vehicles or other similar recreational vehicles;	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 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,	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	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,	Remove

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		correction facility or a hospital;	social, legal, emotional, mental and/or physical handicaps or problems, that is developed for the well-being of its residents 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)	correctional facility or hospital;	
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

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
					a service window and may include an eat-in area;
Retail Store		<p>means a building or part thereof with a total commercial floor area of 20,000 ft² (1,858.00 m²) or 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>means a building or part thereof in which goods, wares, or merchandise is offered or kept for sale directly to the public at retail. (not used except in warehouse definition)</p>	<p>means a building or part thereof with a total commercial floor area of 20,000 ft² (1858.00 m²) or 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>means a building or part thereof with a total commercial floor area of 20,000 ft² (1,858.00 m²) or 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</p>			<p>means an establishment where horses and ponies are boarded and cared for, where instruction in riding</p>

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		may be offered or where the general public, for a fee, may hire horses for riding;			may be offered or where the general public, for a fee, may hire horses for riding;
Salvage Yard		<u>Salvage Yard</u> means any premise where used bodies or parts of automobiles, or 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;	means a premises used for keeping or storing used bodies or parts of motor vehicles or any other type of used equipment, vehicles, machinery, or materials of any kind. (term not used; salvage and scrap yard used)		means any premise where used bodies or parts of automobiles, or used bodies 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;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
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
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		means an establishment, other than an automotive use, that provides a non-personal service or craft to the public including, but not necessary 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	Remove

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		dairy, a catering establishment, a machine shop, or a monument engraving shop;		dairy, a catering establishment, a machine shop, or a monument engraving shop;	
Setback		means the distance between the street line and the nearest main wall of any building or structure and extending the full width or length of the lot;	means the distance between the street line and the nearest main wall of any building or structures and extending the full width or length of a lot.	means the distance between the street line and the nearest main wall of any building or structure and extending the full width or length of the lot;	means the distance between the street line and the nearest main wall of any building or structure and extending the full width or length of the lot;
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</p>	means a commercial use of land and structures designed, developed, and managed as an interrelated group of commercial uses. (not used)	<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"</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 (1,858.00 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>

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		By-law;		for the purposes of this By-law.	
Sign		means any structure or device, whether illuminated or not, used to advertise or draw attention to any product, place, person, business, institution, organization or event, including any directional or way finding purpose;	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, organization, or event, including any directional or way finding purpose;	means any structure or device, whether illuminated or not, used to advertise or draw attention to any product, place, person, business, institution, 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.	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 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		means a self-supporting, two-sided, A-frame style	means a self-supporting, two-sided, A-frame style

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		that is not affixed to the ground;		sign that is not affixed to the ground;	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 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;		means a portion of a parking area or a parking lot, other than a parking aisle or a parking space, which 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.	means a space other than a parking space which provides standing room for a vehicle in a queue, 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		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	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

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		of such excess;		ft (4.27 m) or fraction thereof of such excess;	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;
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;
		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; (a) Arterial Street or Road means a street designed to move large	(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 (b) any street owned and maintained by the Municipality.	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; (a) Arterial Street or Road means a street designed to move large volumes of vehicular traffic between major centres;	

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		<p>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> <p>(c) Local Street or Road means a street designed to serve vehicular traffic in residential neighbourhoods;</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> <p>(c) Local Street or Road means a street designed to serve vehicular traffic in residential neighbourhoods;</p>	
Private Street or Road		<p><u>Street, Highway or Road, Private</u> means any street or road which is not public shown on a plan of subdivision, which:</p> <p>(a) has been approved by the Nova Scotia Department of Transportation and Public Works or the Municipality; and</p> <p>(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</p>			<p>means any street or road which is not public and which is shown on a plan of subdivision, which:</p> <p>(a) has been approved by the Provincial authority having jurisdiction or the Municipality; and</p> <p>(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</p>

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		Registry of Deeds for the Municipality;			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 setback or angular plane, which does not include minor recesses for the elements such as doorways or intrusions such as bay windows.	means the wall of a building or portion of a wall facing a streetline that is below the height of a specified setback or angular plane, which does not include 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		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	means a building or part of a building in which the primary function is to provide services to industry including but not limited to copying, printing and micro-filming establishments, the offices of an industry or of engineering, architectural, design and similar

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		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;		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;	consultants, business management, marketing and similar firms and manufacturers agents, and building, equipment and 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;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
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 store. Warehouse also includes self storage operations as defined elsewhere in this Land Use By-law;	means a building where wares or goods are stored, but shall not include a retail store.	means a building where wares or goods are stored but does not include a retail store;	means a building where wares or goods are stored excluding 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			Remove

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		and bottled for sale to the NSLC or for export.			
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 consisting of a wind turbine, a tower and associated control or conversion electronics; (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; (b) Large Wind Turbine means a wind turbine with a production capacity greater than 100 kW;			means a windmill used for pumping water and a wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics; (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; (b) Large Wind Turbine means a wind turbine with a production capacity greater than 100 kW;
Woods Camp		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			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

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
		and not satisfying the requirements for a dwelling under the <i>National Building Code</i>			requirements for a dwelling under the <i>National Building Code</i> ;
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 water therein, whether it contains water or not.		means a lake, river, stream, ocean or other body of water;
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;

	MGA	WEST HANTS	Hantsport	Windsor	Recommended
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 allowable distance a rear yard can be measured;	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 allowable distance a rear yard can be measured;	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;
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
Information Report to the Planning Advisory Committee

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

Submitted by: Sara Poirier, Planner

Date: September 10, 2020

Subject: Short Term Rentals

1.0 LEGISLATIVE AUTHORITY

Municipal Government Act Section 214.

2.0 BACKGROUND

A group of Dalhousie University Master of Planning candidates completed a project entitled "*Impact of Short Term Rentals in the Region of Windsor and West Hants Municipality*" in April 2020 which provided the Planning and Development Department insights into short term rentals in the Region.

3.0 DISCUSSION and DOCUMENT REVIEW

3.1 Short Term Rental Accommodations

A short term rental is a form of roofed accommodation that is offered to the traveling public for less than 28 consecutive days, usually as a private dwelling or room in a dwelling. In comparison, a long term rental is a form of housing that is rented by a resident for over 28 days.

As an often less expensive alternative to renting a room in a hotel or motel, short term rentals have become popular with tourists over the last decade. Due to that

popularity, communities across North America are finding that there are multiple pros and cons that can be associated with short term rentals (Table 1).

Table 1: Potential Pros and Cons of Short Term Rentals

Pros	Cons
Extra income for property owners	May impact availability and / or affordability of long term rentals
Encourages tourism and gives a more authentic experience of a community	Increase in nuisance complaints (i.e. noise, traffic, etc.)
Encourages renovations to older homes	Threatened sense of community identity
	Threatened loss of community services (i.e. libraries, grocery stores)

The Planning and Development Department have not received any specific complaints about short term rentals in the Region to date. However, there have been a few comments received from residents when accommodation type uses were proposed in their neighbourhood. The comments include concerns about:

- safety, associated with the rapid turnover of renters; and
- increased noise, traffic and pollution which could take away from the rural lifestyle.

The current planning documents in the Region do not recognize or regulate short term rentals. The Development Officers would allow a short term rental in any zone that permits a single unit dwelling and they have issued permits in the past for accessory apartments or bed and breakfast establishments. Bed and breakfast establishments are permitted as a home-based business.

Updates to the Provincial tourist accommodations legislation in Nova Scotia includes the adoption of the *Tourist Accommodations Registration Act (2020)* which requires that operators or hosts of short term rentals register their short term rentals if they are not their primary residence. The *Act* defines a short term rental as the “*provision of roofed accommodations to a single party or group, for payment or compensation, for a period of 28 days or less*”. The Provincial website lists the types of tourist accommodations that would need to be registered which includes a: bed and breakfast, cottage or cabin, hostel, hotel, inn, manufactured (mobile) home, motel, resort, vacation home, unusual lodging (i.e. a tiny home, yurt or dome) or a room in a tourist home. It also states that campgrounds only need to register if they offer roofed accommodations similar to cabins, cottages or yurts.

3.2 Dalhousie University Short Term Rental Report

Although the Planning and Development Department has not received any complaints to date specifically regarding short term rentals, a lot of other municipalities in Nova Scotia and North America have been feeling the impact of short term rentals, particularly in residential zones, and are determining how to regulate them. The Planning and Development Department asked Dalhousie University planning students to investigate the impact that short term rentals may have in the Region and whether regulations should be adopted to control these uses before potential issues arise.

The Dalhousie University report (2020) discusses the residential real estate market and tourism in the Region, explores short term rental trends across Canada and Nova Scotia, and provides an impact assessment on housing, traditional lodging and heritage, before summarizing findings and making recommendations for the Region.

There are three types of hosts of short term rentals as specified in the report. These are:

- (1) Principal residents - residents who are renting out a room or live on the same property
- (2) Owner of seasonal dwelling – residents who rent out their home or cottage seasonally when they are not occupying it
- (3) Commercial property owners – property owners who solely use the property as a short term rental

The planning students determined that there are currently 59 short term rentals available in the Region, concentrated in the communities of Vaughan, Windsor Forks, Windsor / Falmouth. These rentals are available for an average of 217 days per year, rent for an average daily rate of \$142, and earn their hosts an average annual revenue of \$14,335.

The report discusses the methods that other municipalities are using to regulate short term rentals. These include:

Table 2: Methods Used to Regulate Short Term Rentals

Method	Description
Business licenses	<p>A municipality requires the short term rental to apply for a license to operate. Many municipalities put a limit on how many business licenses are available per year and charge a fee for the license.</p> <p>The business license ensures the municipality is aware of the business to be able to track non-</p>

	<p>compliance. The municipality can also create requirements prior to receiving a license such as requiring a fire inspection.</p>
<p>Platform regulations</p>	<p>A municipality or province can require the platforms that advertise the short term rentals (i.e. Airbnb, HomeAway, etc.) to register, adhere to specific policies (i.e. displaying permit numbers) and pay a fee to provide the service to tourists in the specific area.</p> <p>This method is typically seen in larger cities such as Toronto where there are thousands of short term rentals available.</p>
<p>Land Use By-law regulations</p> <ul style="list-style-type: none"> • principle residence only • separation distance requirements 	<p>Municipalities can regulate short term rentals through their Land Use By-laws by listing short term rentals as a specific use in certain zones, creating restrictions including that the short term rental must only be operated in a principle residence, and requiring a separation distance between short term rentals to ensure they do not dominate the land use in a community.</p> <p>Any regulations that are created in the Land Use By-law would need to be able to be enforced by the Development Officer.</p>

The Dalhousie University report concludes that short term rentals in the Region are currently filling a gap where regular tourist accommodations such as campgrounds or hotels/motels are not available. It also states that as short term rentals are not currently causing problems in the Municipality, specific regulations to deal with short term rentals are not necessary at this time.

The report provides three recommendations for the Region:

- (1) Define short term rentals in the Land Use By-laws;
- (2) Engage the public to gain an understanding of community attitudes towards short term rentals; and
- (3) Monitor the signs that short term rentals are impacting the community including new tourism attractions, decline in rental housing vacancy, increase in rental housing costs, increase in housing costs, construction of purpose

built short term rentals, and increased number of commercial operators of short term rentals.

3.3 Regional Planning Documents

The planning documents for the Region are the Hantsport, West Hants and Windsor Municipal Planning Strategies and Land Use By-laws. Staff reviewed these planning documents for policies regarding housing, tourist accommodations and home-based businesses.

The Hantsport Municipal Planning Strategy (HMPS) includes a goal of “*providing housing opportunities to encourage new residents*” to the area. Policy 4.11.1 of the West Hants Municipal Planning Strategy (WHMPS) states that Council shall “*encourage the provision of housing adequate to meet the needs of all citizens of West Hants. Affordable housing, special-needs housing and rental accommodation shall be encouraged to develop in a manner that is sensitive to the needs of the community and those being served.*” The Windsor Municipal Planning Strategy (WMPS) outlines specific principles for development in the community of Windsor including providing more flexibility in allowing the consideration of mixed-use development and encouraging compact residential and commercial growth.

All of the planning documents encourage home-based businesses by permitting these uses in dwellings or buildings accessory to a dwelling, with certain restrictions to minimize impacts on adjacent residential uses. A summary of the regulations on home-based businesses can be found in Table 3.

Table 3: Regulations on Home-Based Businesses

	Hantsport LUB	West Hants LUB	Windsor LUB
Total Floor Area of the Dwelling and Accessory Building	Up to 25% or 538.2 ft ² (50 m ²), whichever is less	<u>Growth Centre and Village designation:</u> Up to 25% to a maximum of 500 ft ² (46.45 m ²) <u>Hamlet, Agriculture and Resource designations:</u> Up to 25% to a maximum of 1,000 ft ² (92.90 m ²)	Up to 25% to a maximum of 500 ft ² (46.45 m ²)
Exterior Appearance	Cannot change the exterior of the building		
Employees	Up to two (2) assistants that are not residents of the property		

Parking	One (1) off street parking space for every 269.1 ft ² (25 m ²) occupied by the business	One (1) off street parking space for every 200 ft ² (18.58 m ²) occupied by the business
Additional		Specifically lists the types of uses that can be considered as a home-based business and lists those uses that cannot

In the West Hants and Windsor planning documents a bed and breakfast establishment can be considered as a home-based business. Bed and breakfast establishments are not subject to the size requirements similar to other home-based businesses and can rent up to four (4) rooms to the traveling public. In Hantsport, bed and breakfast establishments are permitted in the Two Unit Residential (R-2) and Mixed Commercial / Residential (C-2) Zone subject to specific requirements.

An accessory apartment is defined as *“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”*. The West Hants and Windsor planning documents permit one (1) accessory apartment in the residential zones (except the Rural Residential (R-4) and Manufactured Home Park (MHP) Zones in the West Hants documents) within or attached to the main dwelling. The West Hants planning documents restrict accessory apartments to 700 ft² (65.03 m²) of floor area and they are restricted to 25% of the total floor area in Windsor. Accessory apartments are not defined or listed as a permitted use in any zone in Hantsport, however secondary suites are permitted as per the Building Code.

In Hantsport, new residential uses are permitted in the Commercial (C-1) zone provided they do not occupy more than 50% of the gross floor area of the structure and are located above, behind or below a commercial use, office, museum, or medical clinic which has frontage on the street. All types of residential uses are permitted in the Mixed Commercial / Residential (C-2) Zone.

In West Hants, a variety of tourist accommodations are permitted in the commercial zones. Residential uses are permitted in the same building as the commercial use in the commercial zones. Seasonal dwellings on private roads are permitted in the General Resource (GR) zone. Campgrounds and ski lodges are permitted in the Recreational Commercial (RecC) zone.

In Windsor, mixed use commercial / residential development can be considered by Council in the Residential designation by development agreement. There are a variety of commercial designations and zones established in Windsor which permit a range of commercial uses, tourist accommodations and entertainment uses.

Although commercial uses are to be the predominant use in these areas, residential uses are permitted with some restrictions.

3.4 Housing in the Region

The 2016 census reported a population of 15,368 in West Hants and a population of 3,648 in Windsor, bringing the Regional population to approximately 19,000 residents. The population density per square kilometer of West Hants in 2016 was 12.4 and for Windsor was 400.6.

Only 13% of the population in West Hants rent whereas 87% own their homes. The majority (89%) of homes in West Hants are single detached dwellings. Comparatively, in Windsor, 55% of the population rent compared to 45% of residents that own their homes. Almost half (48%) of the homes in Windsor are single detached dwellings, 38% are apartments under five (5) stories in height and 13% are semi-detached, row houses, or apartments in a duplex.

Affordable housing is defined as spending 30% or less of your gross income on good quality shelter. Table 4 shows a comparison of the percent of households living in an unaffordable housing situation. In Nova Scotia, 12% of owner households and 43% of tenant households live in an unaffordable housing situation. In West Hants, 14% of owner households and 37% of tenant households spend over 30% of their income on housing. Whereas, in Windsor, 17% of owner households and 52% of tenant households are in an unaffordable housing situation.

Table 4: Percent of Households Spending 30% or more on Shelter Costs

2016 Census Data	Nova Scotia	West Hants	Windsor
Percent of owner households spending 30% or more of its income on shelter cost	12%	14%	17%
Percent of tenant households spending 30% or more of its income on shelter cost	43%	37%	52%

3.5 Discussion

The intention behind short term rentals was to normalize a type of home share model where someone could rent out an extra room in their house, or their whole house if they were going away on vacation. The problem now is that online platforms are making it easier to advertise these rentals, making it more convenient

for people to become commercial operators by converting their long term rental units into short term rental units or by purchasing or building single unit dwellings to specifically convert them to short term rentals.

Planning and Development Department staff discussed the Dalhousie University report, the planning documents, the current housing situation in the Region, and potential options for consideration.

The Planning and Development Department proposes that the definition of short term rentals for the Region be *“Short Term Rental means a form of accommodation that is offered to the traveling public for less than 28 consecutive days within a private dwelling.”* This definition specifically ties short term rentals to dwellings to ensure short term rentals in residential areas are compatible with surrounding community. As tourist accommodations such as hotels, motels and campgrounds are permitted in a variety of zones across the Region already, this definition will allow Council to explicitly state that short term rentals must be within a dwelling when they are permitted in a zone.

To ensure that the majority of short term rentals that are being developed in residential areas are accessory to residential uses and operated by principle residents, staff believe short term rentals should be permitted as home based businesses in the Regional Municipality. This would allow a resident to earn extra income from renting out a space in their home or on their property for a short term rental but would also ensure that short term rentals have minimal impact on the surrounding neighbourhood. Development permits are required from the Planning and Development Department to operate a home-based business and they would be restricted to certain requirements as described in Table 3.

As approximately half (52%) of the population in Windsor rent and over half (52%) of those residents that rent are already facing an unaffordable situation, staff believe that short term rentals as the main use of the lot should be prohibited in the community of Windsor. Prohibiting stand alone short term rentals in Windsor will ensure that the challenges facing residents that rent in Windsor are not further exacerbated. If short term rentals were permitted as the main use of the lot in Windsor they could increase the cost and decrease the availability of long term rentals in the community.

In West Hants and Hantsport, staff request direction on whether short term rentals should be permitted as the main use of the lot in residential zones. The residential zones are intended to accommodate future residential growth. If stand alone short term rentals are permitted in residential zones it would permit a property owner to rent out their entire property instead of just the portion of the property as permitted by the home-based business regulations. Any purpose-built short term rental in a

residential zone would need to meet the requirements of the underlying zone to ensure compatibility with the surrounding neighbourhood.

In West Hants and Hantsport, short term rentals as the main use of the lot should be permitted in commercial areas where residential uses and other tourist accommodations are permitted. The Resource and Agricultural zones in West Hants were intended to have resource and agricultural uses as the dominant land use. Staff request direction on whether the committees and Council would also like to permit stand alone short term rentals in the Resource and Agriculture zones.

Planning and Development Department staff discussed having further restrictions on short term rentals such as separation distances, time limits (i.e. 150 days per year), lot requirements (i.e. one short term rental per lot), fire inspection or proof of insurance. As there are already specific requirements of home-based businesses, bed and breakfast establishments, and other commercial uses in the commercial zones staff do not believe that stand alone short term rentals should have to meet any further requirements. Staff would require direction if specific restrictions on short term rentals are to be pursued.

Community engagement would be required to gain an understanding of community attitudes towards short term rentals. It would allow staff to determine how different communities feel about short term rentals as home-based businesses and as stand alone operations in residential zones, and if they would like further requirements placed on short term rental hosts prior to being able to operate in the Region.

An information report entitled "*Short Term Rentals*" was also circulated to the Hantsport Area Advisory Committee (HAAC) on September 1 and the Windsor Area Advisory Committee (WAAC) on September 3.

4.0 OPTIONS

4.1 Option 1: Business as Usual

Continue permitting short term rentals in zones that permit single unit dwellings as a single unit dwelling, accessory apartment or bed and breakfast establishment.

4.2 Option 2: Follow Dalhousie University Report Recommendations

- (i) Define short term rentals in the Land Use By-laws (*Note: if a term is defined in the LUB and then it is not listed as a permitted use in a zone, it is purposely excluded from being permitted in that zone, and this can be extended to all zones*)

- (ii) Engage the public to gain an understanding of community attitudes towards short term rentals
- (iii) Monitor the signs that short term rentals are impacting the community

4.3 Option 3: Additional Considerations to the Dalhousie University Report Recommendations - *Recommended*

- (i) Engage the public to determine their opinion on short term rentals and appropriate regulations
- (ii) Define short term rentals in the Land Use By-laws
- (iii) Consider permitting short term rentals as a home-based business in the Regional planning documents which would restrict short term rentals to an accessory use to residential uses
- (iv) Prohibit short term rentals as the main use of the lot in all areas in Windsor
- (v) Determine where short term rentals should be permitted as the main use of the lot in West Hants and Hantsport
- (vi) Determine if specific regulations are required for short term rentals and determine how these will be administered and enforced
- (vii) Monitor the signs that short term rentals are impacting the community

5.0 FINANCIAL IMPLICATIONS

There are no financial implications associated with the filing of this report.

6.0 CONCLUSION

This report gives the PAC options to discuss and consider on how to accommodate short term rentals in the Region. Staff requires direction from the Committee on the following items:

- What are the Committee's thoughts on:
 - permitting short term rentals as home-based businesses?
 - prohibiting short term rentals as the main use of the lot in Windsor?
 - permitting short term rentals as the main use of the lot in the residential areas elsewhere in the Region?
- What options (if any) staff should move forward with?

Report Reviewed by:

Madelyn LeMay, Director, Planning and Development