THE MUNICIPALITY OF THE COUNTY OF RICHMOND
LA MUNICIPALITÉ DU COMTÉ DE RICHMOND

Planning Advisory/Heritage Committee Meeting

Tuesday, November 17, 2026

6:00 p.m.

Council Chambers

AGENDA

1. Call to order
2. Approval of the agenda
3. Review of the Minutes, Re:
   a) October 6, 2026
4. Rezoning Application – PID 75122325: Request to rezone from Downtown Commercial (C1) to Mixed-Use Commercial (C2) to enable rental duplex development - Staff Report
5. Consolidating Richmond County Planning – Staff Memo
6. Draft Municipal Planning Strategy and Land Use By-law: Rural General Zone and Policy – Review Continued
7. Adjournment

THE MUNICIPALITY OF THE COUNTY OF RICHMOND
LA MUNICIPALITÉ DU COMTÉ DE RICHMOND

Planning Advisory/Heritage Committee Meeting

October 6, 2026

Location:	Council Chambers
Present:	Councillor Brent Sampson, Councillor Brian Marchand, Councillor Shawn Samson, Robbin Cotton, Appointed Member, Robert Walmbolt, Appointed Member
Staff Present:	Troy MacCulloch, Chief Administrative Officer, Shelley David, Municipal Clerk
Also Present:	John Bain, Director, Eastern District Planning Commission (EDPC), Hetvi Joshi, Assistant Planner, EDPC, Kristen Scanlan, Senior Planner, EDPC
Regrets:	Warden Lois Landry, Deputy Warden Amanda Mombourquette

1. Call to Order

   Councillor Brent Sampson called the meeting to order at 6:00 p.m.

2. Approval of the Agenda

   Moved by appointed member Robert Wambolt, seconded by appointed member Robbin Cotton, that the agenda be approved.

   Motion carried.

3. Review of Minutes, Re:

   a) September 15, 2026

      Moved by Councillor Brian Marchand, seconded by Councillor Shawn Samson, that the September 15, 2026, Planning Advisory/Heritage Committee meeting minutes be adopted.

      Motion carried.

4. Draft Municipal Planning Strategy and Land Use By-law: Rural General Zone

   John Bain, EDPC, continued the Committee's review of the Draft Municipal Planning Strategy and Land Use By-law, focusing on the Rural General Zone. Review will continue at the next meeting.

5. Discussion – Lots with sheds/garages but no dwelling

   Discussion ensued on lots with sheds/garages but no dwellings.

6. Next Meeting Date:

   The next meeting date is November 3, 2026

7. Adjournment

   There being no further business, the Chair adjourned the meeting at 7:50 p.m.

_____ _____

Chairperson Municipal Clerk

DRAFT

To: **Richmond Planning Advisory Committee**
Richmond County Council

From: **Planning Staff (EDPC)**

Date: **November 17th, 2026**

Reference: **A rezoning application to rezone PID 75122325 from the Downtown Commercial (C1) Zone to the Mixed-Use Commercial (C2) Zone to facilitate the development of duplexes for rental purposes.**

Recommendation:

That Municipal Council approves an amendment to the Land Use By-law to rezone the property identified by PID #75122325 from the Downtown Commercial (C-1) zone to the Mixed-use Commercial (C-2) zone.

Description	
Designation:	Commercial
Current Zoning:	Downtown Commercial (C-1)
Zoning Request:	Mixed-use Commercial (C-2)
Identification:	PID# 75122325
Total Lot Area:	34000 sq. ft.
Site Visit:	October 23rd , 2026

Background:

On September 2, 2026, the Eastern District Planning Commission received an application from Jason Landry, on behalf of R and M Landry Holdings Ltd, requesting an amendment to the St. Peters Secondary Plan Area Land Use By-law to rezone PID 75122325 from the Downtown Commercial (C-1) Zone to the Mixed-Use Commercial (C-2) Zone. The proposed rezoning is intended to facilitate the development of duplexes for rental purposes.



Figure 1: Site location satellite image.

The subject property, located in St. Peters and identified as PID 75122325, is currently zoned Downtown Commercial (C-1) and is owned by R and M Landry Holdings Ltd. The subject property is located directly behind Tim Hortons. The lot is relatively flat and cleared, with slopes along the property line adjoining Tim Hortons and at the rear lot line. The St. Peter's Coastal Trail runs along the rear of the property, beyond which natural

vegetation extends toward the St Peter's Bay. The property is bordered by the Home Hardware Centre on one side, while the adjacent lot behind the insurance agency on the other side is vacant. The surrounding land uses consist primarily of Downtown Commercial (C-1) and Mixed-Use Commercial (C-2) uses.



Figure 2: Site context – commercial uses

The Downtown Commercial (C-1) Zone permits a range of commercial and institutional uses as-of-right, including automobile service uses, retail establishments, and institutional uses. Residential uses, including the proposed duplex development, are not permitted within the C-1 Zone.



Figure 3: Site image.

The applicant is proposing to initially develop one duplex on the subject property, with the potential for the development to expand to four duplexes for a total of 8 dwelling units. As the proposed residential development is not permitted within the existing Downtown Commercial (C-1) Zone, the applicant is requesting to rezone the property to Mixed-Use Commercial (C-2) to facilitate the proposed development.

Analysis:

Policy A-5 of the Municipal Planning Strategy recognizes that lands adjacent to a particular land use designation may be considered for rezoning to a similar use without requiring an amendment to the Municipal Planning Strategy, provided that the intent of the policies of the Strategy is satisfied.

As per *Policy A-7(a)* the intent of the municipal planning strategy must be met. The Strategy states that '*To encourage an orderly evolution of commercial uses between the downtown area and the surrounding residential area, the Mixed-Use zone will be placed on lands extending from the Downtown Commercial zone into the Residential designation.'* The proposal hence meets the intent of the municipal planning strategy by rezoning Downtown Commercial (C-1) to Mixed used Commercial (C-2) and developing duplexes in phases for rental purposes.

For *Policy A-7(b),* Staff obtained comments from the Village of St. Peter's, Samsonville and Area Water Utility. The existing water system can currently support up to four rental duplexes; however, future development, pending service connections, and increasingly dry summers may affect water supply adequacy. The Water Utility is undertaking a multi-phase project to improve existing infrastructure and secure an additional water source. Fire flows along Grenville Street remain below the recommended capacity, although recent experience suggests they have been sufficient for firefighting. While no upgrades are required specifically for the proposed development, further information on the development timeline will be needed following rezoning approval to assess cumulative demand and plan necessary infrastructure improvements.

The current sewer services are adequate to support the proposed development of up to four duplexes for rental purposes. The Village of St. Peters is not in a position to accept any costs related to the proposed development, although no costs to the Village are anticipated.

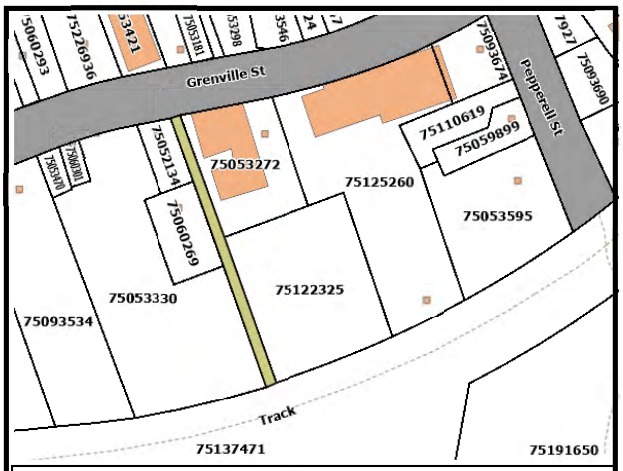


Figure 4: Image showing road access to lot.

The Provincial Department of Public Works has been contacted for comments; however, no response has been received to date. The subject property is accessed via PID 75154757, which is a road parcel with undetermined ownership. Grenville Street has a posted speed limit of 50 km/h and already accommodates access to more intensive commercial uses. Furthermore, the proposed rezoning represents a downzoning from the Downtown Commercial (C-1) Zone to the Mixed-Use Commercial (C-2) Zone. The C-1 Zone is intended to accommodate the more intensive commercial core and therefore has greater potential for traffic generation. In contrast, the C-2 Zone serves as a mixed-use and transitional zone, allowing for a greater range of residential uses and thereby potentially moderating the overall traffic impacts associated with development. For *Policy A-7(c)* The proposed duplex development is considered compatible with the surrounding land uses, as duplexes are permitted as-of-right in the Mixed Use Commercial (C-2) Zone under the St. Peter's Land Use By-law. This section of Grenville Street is transitional, including more commercial development to the east and low-density residential uses to the west. Given this transition, the proposed duplexes will fit well with the surrounding area. No significant emissions or other land-use conflicts are anticipated. Development permits will be issued only upon compliance with the applicable requirements for setbacks, building height, lot coverage, access, parking, and open storage. Signage is not applicable, and no other planning concerns have been identified. The site is

suitable for the proposed development, with no watercourses immediately adjacent to the property and no adverse impacts anticipated on nearby watercourses.

The subject property is directly adjacent to lands zoned Mixed-Use Commercial (C-2). As such, the proposed rezoning would provide for a continuation of the existing C-2 zoning pattern and would facilitate a transition between the downtown commercial area and the surrounding residential uses. Based on this context, the proposed rezoning is considered to be consistent with the intent of the Municipal Planning Strategy and does not require an amendment to the Strategy.



Figure 5: Image of the access to the site through Grenville Street.

Statements of Provincial Interest:

The purpose of the Statements of Provincial Interest (SPI) is to protect the common public interest and encourage sustainable development in municipalities. SPI are policy statements adopted by the provincial government under the powers of the Municipal Government Act. They are set out in Schedule "B" of the MGA and came into effect on April 1, 1999. Legislation requires that St. Peter's rezoning municipal planning documents are "reasonably consistent" with the SPI. As such, the following comments are offered with respect to consistency of the proposal with the SPI:

1. Drinking Water: The proposed development does not impact the provision of drinking water. The property is not located within a well field or an area covered by a Source Water Protection Plan.
2. Flood Risk Areas: Not in an identified flood risk area.
3. Agricultural Land: Not considered agricultural land or impacting agricultural lands.
4. Infrastructure: Makes use of existing municipal water with no demand for new municipal infrastructure subject to caveats identified by staff.
5. Housing: The proposed development provides housing for up to 8 units.

The proposed development is reasonably consistent with the Statements of Provincial Interest.

Conclusion

The opinion of Planning Staff is that the proposal is in conformance with the intent of the St. Peter's Municipal Planning Strategy and Land Use By-law. Staff therefore recommend that Council approve the rezoning of PID 75122325 from the Downtown Commercial (C-1) Zone to the Mixed-Use Commercial (C-2) Zone.

Proposed Motions for the Planning Advisory Committee:

Based upon the staff's recommendation, the proposed motions for PAC are:

That the Planning Advisory Committee recommend that Municipal Council approve the rezoning of PID 75122325 from the Downtown Commercial (C-1) Zone to the Mixed-Use Commercial (C-2) Zone; and

That Municipal Council gives First Reading and schedules a Public Hearing.

Appendices:

Appendix A: Evaluation Criteria's and Policies

Appendix B: Amending map for Land Use Bylaw

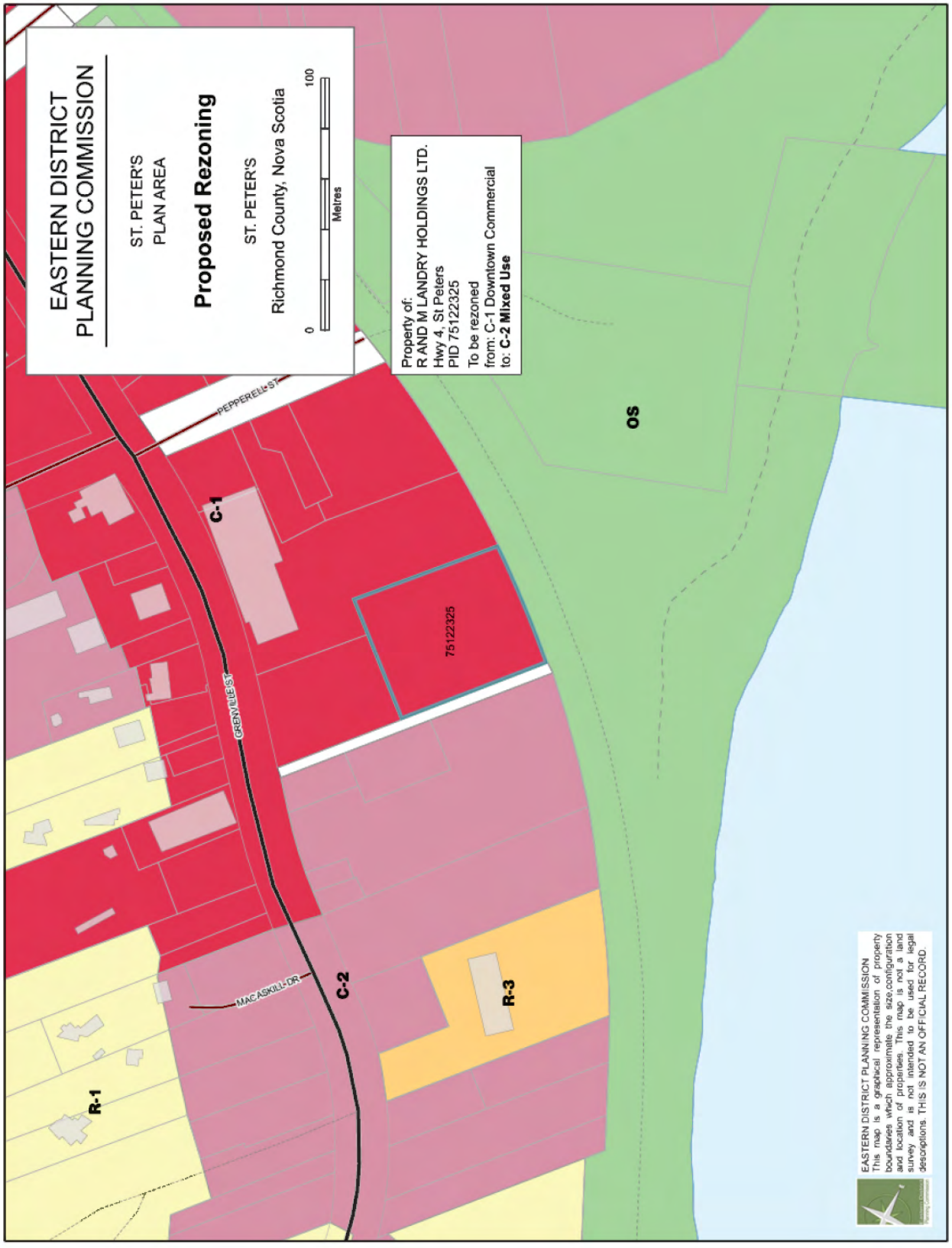
Appendix A: Evaluation Criteria's and Policies

Policy A-5
It shall be the policy of Council that areas immediately adjacent to a given land use designation on the Generalized Future Land Use Map may be considered for rezoning to a use which is similar in nature to the given designation without requiring an amendment to this strategy, provided that the intention of all other policies of the strategy are satisfied.

Policy A-7 In considering amendments to the Land Use By-law, in addition to all other criteria set out in various policies of this strategy, Council shall have regard to the following matters:	
(a) That the proposal is in conformity with the intent of this strategy;	Complies – See Staff Report
(b) That the proposal is not premature or inappropriate by reason of:	
i. the financial capability of the Municipality or Village to absorb any costs relating to the development;	Complies – See referral letter
ii. the adequacy of sewer services and utilities or if services are not provided, the adequacy of physical site conditions for private on-site sewer and water systems;	Complies – See referral letter
iii. the adequacy and proximity of school, recreation, and any other community facilities;	N.A.
iv. the adequacy of road networks in, adjacent to, or leading to the development;	Complies – See referral letter
v. the potential for the contamination of water courses or the creation of erosion or sedimentation.	N.A.
(c) That adequate requirements are contained in the Land Use By-law to reduce conflict between the development and any other adjacent or nearby land use by reason of:	
i. type of use;	Complies – See Staff Report
ii. emissions including air and water pollutants and noises;	Complies – See Staff Report

iii.	height, setback and lot coverage of the proposed building;	Complies – See Staff Report
iv.	access to and egress from the site and parking;	Complies – See Staff Report
v.	open storage;	Complies – See Staff Report
vi.	signs;	N.A.
vii.	similar matters of planning concern.	Complies – See Staff Report
viii.	Suitability of the proposed site in terms of steepness of grades, and/or location of watercourses.	Complies – See Staff Report

Appendix B: Amending map for Land Use Bylaw



To: **Richmond County Planning Advisory Committee**

Richmond County Council

From: **Planning Staff (EDPC)**

Date: **November 13, 2026**

Reference: **RI-635 Consolidating Richmond County Planning**

Background

The Municipality of the County of Richmond has several plan areas which apply different policies and land use development rules to different areas. In 2024, the "Plan Richmond" Municipal Planning Strategy and Land Use By-law were adopted, which implemented planning rules in all previously unplanned areas of the County. The Eastern District Planning Commission (EDPC) has been asked to consolidate the Strategies and By-laws in place for both the "Plan Richmond" and secondary planning areas, beginning with rural areas.

Updates to Working Document

The EDPC has been working with the Richmond County Planning Advisory Committee (PAC) on consolidating the documents. To date, work has focused on reviewing the content of the existing plans and by-laws. Through this review, several items have been identified for changes under the future consolidated documents. The following items have been revised in the working draft:

1. Removing Rural Commercial Zone from MPS ad LUBs.
2. Removing rezoning policies for Rural Commercial Zone.
3. More detailed provisions under Kennels especially for Noise reduction.
4. Removal of Self storage from the General Provisions and permitted under conditions and allowing them as of right.
5. Removing accessory agricultural uses from permitted under conditions.
6. Changing the definition of Dwelling and Dwellings units
7. Changing the definition of Craft and Food Beverage Production based on building size and not volume.
8. Adding additional provisions under agricultural uses for fences.

Several items require further PAC direction or require further staff revision. EDPC will make changes based on the discussions and bring further revisions to a future PAC meeting for the following:

1. Site Plan Approval criteria – Residential, Campgrounds and Scrap Yards
2. Threshold for the number of units permitted as-of-right
3. Development Agreement criteria and unit threshold.
    a. Policy 8-3, Policy 7-22 and Policy 2-6.
4. Special criteria for overlays – agricultural, conservation, and Sporting Mountain.

Multi-Unit Residential in Rural Areas

One purpose of this memo is to seek input from the Planning Advisory Committee (PAC) on the municipality's approach to multi-unit residential development in rural areas, particularly on properties without municipal water and sewer services.

The municipality is considering how multi-unit residential development should be accommodated through the Land Use By-law, including the number of units permitted as-of-right, the use of site plan approval, and when a development agreement may be appropriate.

Before developing specific amendments or establishing unit thresholds, staff are seeking direction on the priorities and considerations that should guide the approach.

1. Planning Priorities

The following priorities may help guide the approach to multi-unit residential development:

Housing availability and affordability

- Support additional housing opportunities and a range of housing options.
- Avoid unnecessary regulations that increase development costs or delay housing.

Rural character and compatibility

- Consider the scale of development and its relationship to surrounding properties.
- Minimize potential impacts on rural character, neighbouring uses, and existing development patterns.

Location and infrastructure

- Consider whether larger residential developments should be directed toward areas with municipal water, sewer, and other services.
- Recognize that many rural areas rely on private wells, onsite sewage disposal, and existing roads that may not be as suitable for higher-density development.

Private development potential

- Consider a “light touch” or the simplest regulatory approach that achieves the municipality’s planning objectives.
- Consider easing opportunities for private development as much as possible.

2. On-site Servicing

One key consideration for determining a unit threshold for as-of-right development is the capacity and complexity of on-site servicing. Staff have investigate the matter by carrying out a jurisdictional review, reviewing provincial guidance, and discussing with various professionals.

Larger multi-unit residential developments in unserviced areas may require more complex sewage disposal systems designed by an engineer. Discussions with provincial staff indicate that systems with a design flow of approximately 10,000 litres per day begin to resemble larger-scale sewage treatment systems. There is also some concern about potential pressure on municipalities to assume responsibility for these systems.

While design flows vary, a standard single-unit dwelling is generally estimated to generate approximately 1,000 litres per day. On this basis, a 10,000-litre design flow is equivalent to approximately **10 dwelling units.**

Larger residential developments in unserviced areas would also rely on private potable water sources, which may be drawn from groundwater sources. Increased groundwater demand has the potential to interfere with neighbouring wells and affect the availability of groundwater for existing users.

The Nova Scotia Department of Environment's *Guide to Groundwater Assessments for Subdivisions Serviced by Private Wells* (July 2011) recommends that municipalities require a Level 1 (desktop) groundwater assessment for subdivisions with 10 to 25 lots (see table below). The guide focuses on subdivisions but offers a rationale for assessing groundwater impacts for **10 or more units.**

The Municipality of the District of Lunenburg has incorporated requirements based on the groundwater guide into its planning documents. Developments containing 10 or more units must demonstrate through a groundwater assessment that adequate and sustainable water supplies are available and that the development will not adversely affect neighbouring wells or groundwater sources.

Table 1: Guide for Determining Level 1 and Level 2 Assessment Requirements

No. of Lots	Comments	Assessment
<10	A groundwater assessment is not required for subdivisions with less than ten lots, each having a minimum size of 2,787 m^2 (30,000 ft^2), unless the area has known groundwater quality or quantity problems.	**No assessment required**
10 to 25	A proposed subdivision with 10 to 25 lots requires a Level 1 assessment. If the Level 1 assessment report recommends a Level 2 assessment, the municipality may request a Level 2 assessment. A level 2 assessment is recommended for subdivisions with 10 or more lots where open-loop groundwater heat pumps are proposed.	**Level 1 assessment**
>25	A proposed subdivision with greater than 25 lots requires a Level 2 assessment.	**Level 2 assessment**

Source: Guide to Groundwater Assessments for Subdivisions Serviced by Private Wells. Nova Scotia Department of Environment, July 2011.

3. Minimum Lot Area and Maximum Unit Density

Council may wish to consider establishing a minimum lot area, maximum unit density, or minimum lot area required per dwelling unit. A maximum density requirement may be unnecessary if developments exceeding 10 units are required to proceed through a development agreement. However, density requirements could provide an additional means of addressing concerns about the suitability of larger developments on smaller lots, beyond those related to servicing.

There is also a risk that the by-law could be interpreted to permit the maximum number of units on any lot, regardless of its size or suitability. Establishing minimum lot area or density requirements could help clarify that development potential is also dependent on the size and characteristics of the property.

The jurisdictional review (see below) found that most municipalities rely on provincial on-site sewage disposal regulations to establish minimum lot sizes and only require the minimum size based on ideal soil conditions (2700 square metres). Some municipalities do require a larger size, but EDPC staff were unable to identify a clear rationale in their respective Municipal Planning Strategies.

Some municipalities include additional lot area or density requirements for multi-unit developments. West Hants requires a development agreement for developments containing three or more units, a minimum lot area of 10 acres, and a maximum density of one unit per acre. Colchester County requires a minimum lot area of 2,700 square metres for the first four units, with an additional 2,700 square metres required for each unit beyond the first four.

Jurisdictional Review Summary

	Rural General Type Zoning	Lot Area Requirements
MODL	Up to 5 units AOR 6 or more units by SPA Cluster dwellings by DA only	Minimum of 2700 sq. m
East Hants	Up to 2 units AOR (either 2-unit or single and ADU) Up to 8 units by DA	Minimum of 3720 sq. m
West Hants	Up to 2 units AOR Cluster dwellings or 3 or more units by DA	Minimum of 3716 sq. m DA requires a minimum of 10 acres and density not exceeding 1 unit per acre
CBRM	Up to 2 units AOR Maximum lot coverage 30% (building only) No policy for rezoning or DA for multi-units	No minimum lot area identified
Colchester	Up to 4 units AOR Up to 16 clustered units by SPA (no more than 4 units per building) Over 16 units by DA	Minimum 2700 sq. m for first 4 units 2700 sq. m for each additional unit over four

4. Building Scale and Compatibility

Planning documents often address building scale and compatibility with the surrounding area. As-of-right permissions generally rely on simple standards like maximum building height and yards to control building scale and massing. As-of-right controls and cannot effectively account for site-specific context because they apply to large swathes of land throughout an entire zone. Rezoning and development agreement processes provide opportunities for a more detailed review of compatibility with a given area.

To illustrate the potential scale of larger residential buildings, EDPC staff prepared a model of a 16-unit apartment building. The model assumes an average apartment size of 1,050 square feet (97.55 square metres), with a total building footprint of 60 feet by 60 feet (3,600 square feet or 334.5 square metres) and a height of four storeys.

The model building was placed on a sample lot just outside the River Bourgeois hamlet designation, near Church Point Road and Fix Auto. Figures 1–4 on the following pages illustrate how a building of this scale and massing could fit within the surrounding area. The brown box represents the model building, while the grey boxes represent approximations of existing buildings.

Figure 1. View from Church Street Point Road

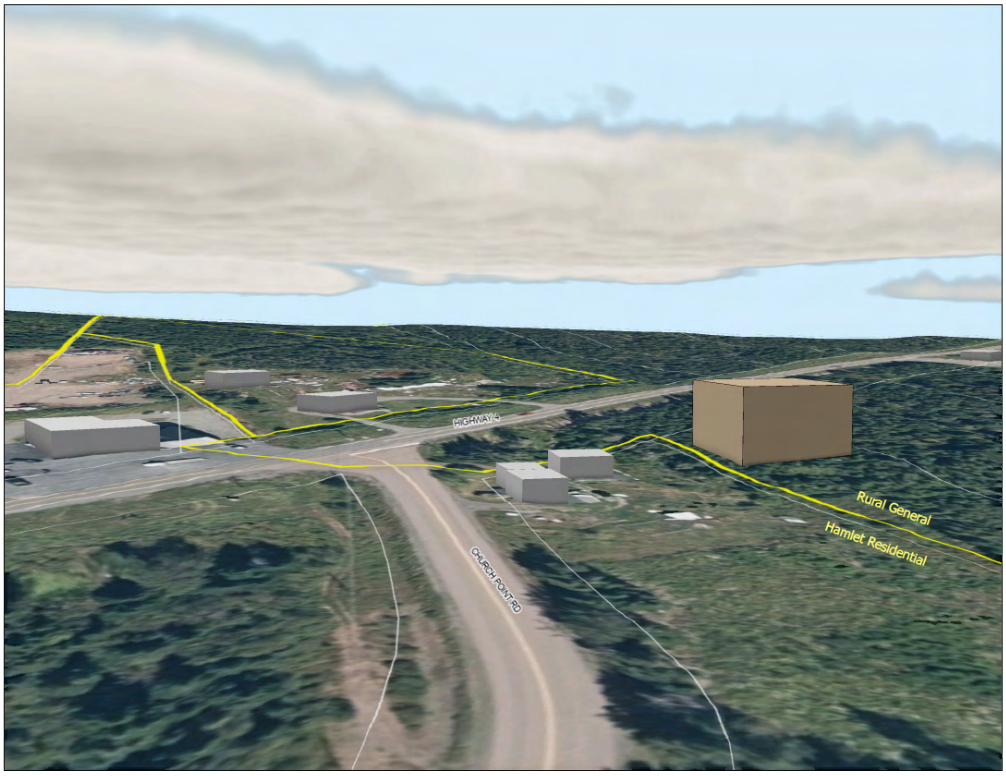


Figure 2. Highway 4 looking north.

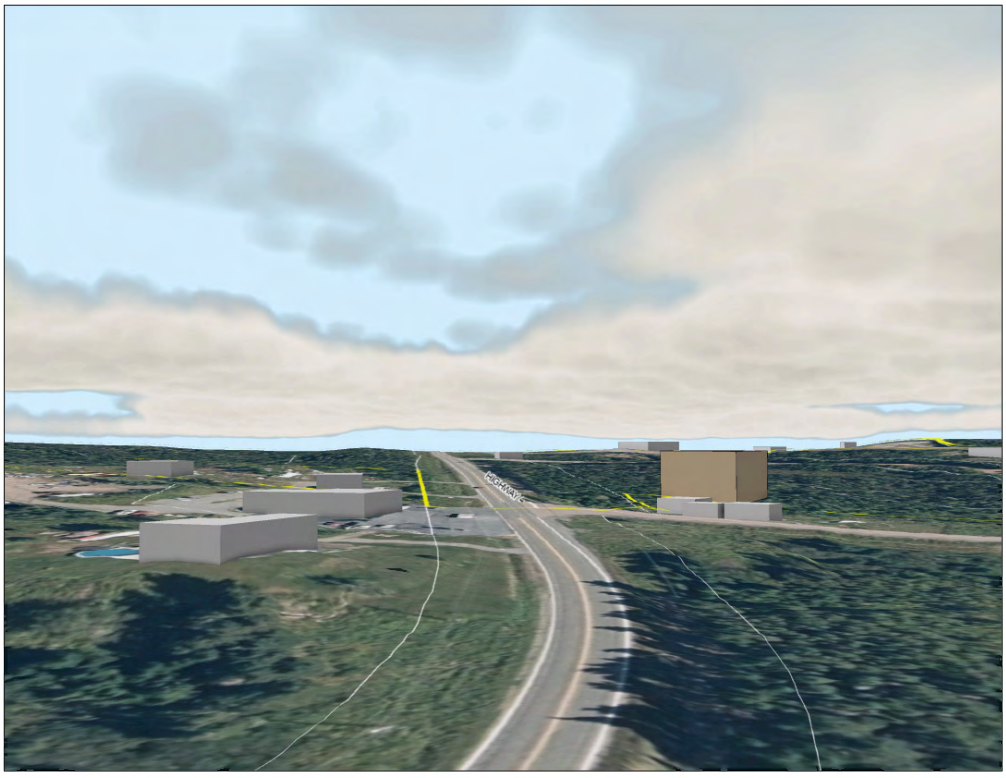


Figure 3. Highway 4 looking south.

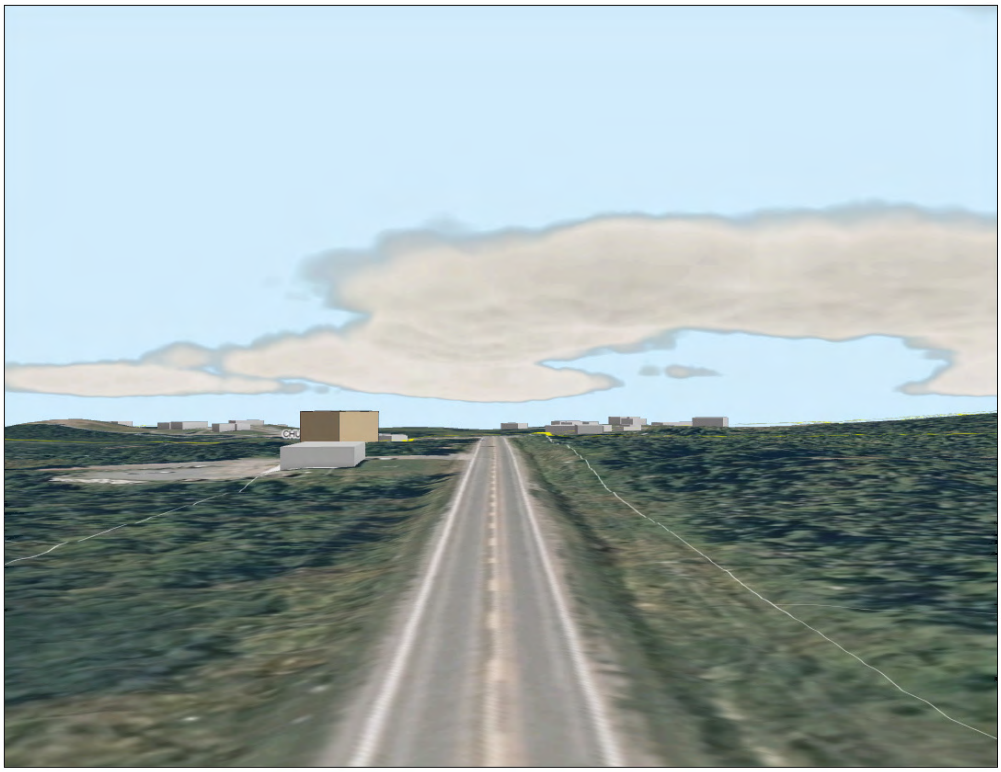


Figure 4. Oblique view.



5. Standards for Site Design

Land Use By-laws typically include provisions that regulate certain aspects of site design. Where larger-scale residential developments are permitted, Council may wish to consider additional requirements to establish a minimum standard for site design and to ensure developments function appropriately.

Additional considerations could include landscaping, site circulations, parking, waste storage, and stormwater management. Some of these matters are better addressed through site plan approval, which allows the Development Officer to undertake a more nuanced review of the site design and conditions.

Staff are seeking direction on whether any of the following should be addressed through the Land Use By-law or by site plan approval for larger-scale residential developments:

- Landscaping
- Location and screening of outdoor site elements such as waste containers, parking areas
- Vehicular circulation, including access for emergency response vehicles
- Parking requirements
- Pedestrian circulation, such as provision of walkways between buildings and adequate separation from parking areas and driveways
- Stormwater management

6. Cluster Developments or Grouped Dwellings

Some municipalities have different rules for developments with clusters or groups of residential buildings on one lot. Depending on how they are defined, mobile home parks, tiny home parks, and co-housing developments could be considered cluster/grouped dwellings.

These developments can present different site design and servicing considerations. Unlike an apartment building, where multiple units are contained within one building, grouped dwellings may involve several buildings distributed across a property, each with its own access and parking. This can result in greater demands on the property in terms of land area, internal roads and driveways, pedestrian circulation, landscaping, and the provision of on-site sewage disposal and water services.

Some municipalities establish separate definitions and requirements for these types of developments to ensure that the overall layout, density, access, and servicing are appropriate for the property. Separate provisions can also help distinguish between a development consisting of multiple residential buildings and a traditional multi-unit building, even where the total number of dwelling units is the same.

Council may wish to consider whether grouped or cluster developments should be permitted under the same provisions as other multi-unit residential developments or whether separate definitions, unit limits, lot area requirements, or development agreement criteria are warranted.

Summary of Discussion Questions for Planning Advisory Committee:

1. Number of units permitted as-of-right – is 10 an appropriate number?
2. Should there be a minimum to area or maximum density requirement in addition to provincial on-site sewage disposal regulations?
3. Are height and yard requirements sufficient to address scale and compatibility for as-of-right residential units? And should compatibility be considered for larger scale projects?
4. Which matters are of concern for as-of-right development (see Section 5 Site Design Standards)? And for larger scale?
5. Should cluster or grouped dwellings be considered differently than apartment buildings?

Municipality of Richmond County

Municipal Planning Strategy

and

Land Use By-law

To:	**Richmond County Planning Advisory Committee** **Richmond County Council**
From:	**Planning Staff (EDPC)**
Date:	**November 17, 2026**
Reference:	**RI-635 Consolidating Richmond County Planning Documents – Draft Rural General (RG) Zone and Policy.**

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Municipality of Richmond County

MUNICIPAL PLANNING STRATEGY

DRAFT

Please refer to **Appendix A** for existing zones being converted to Rural General (RG).

This is a draft policy and zoning bylaw for Rural Designation.

Rural Designation

The Rural Designation and Permitted Zones

The varying, unique landscape of the Municipality of the County of Richmond has been vital in shaping the history, culture, and economy of the community. Forests, agricultural lands, marshes, beaches, and inland watercourses and waterbodies dominate the landscape.

These lands are often associated with the resource-based industries— forestry, fishing, and agriculture make up a significant portion of the municipality's economy, while low density residential development, varying commercial and industrial uses, marine-based development, and recreational properties are also present in these areas of the municipality. These land uses are often characterized by development on large lots.

While the adoption of this Municipal Planning Strategy will result in land use controls placed on the rural areas of the municipality, it is Council's intention to limit the scope of land use regulations to ensure rural and resource-based land uses can continue with relative ease all the while establishing a framework to reduce the potential for land use conflicts and to promote sustainable growth and development.

The Rural Designation is meant to guide land use planning and development decisions with respect to the rural lands in the municipality.

Policy 1-1: Council shall, on Schedule 'A', the Future Land Use Map, designate as "Rural" lands that are rural in nature and which accommodate residential development, resource-based uses, or are undeveloped or are not serviced by central water or sewer.

Policy 1-2: Council shall, on the maps of the Land Use By-law, permit the following zones in the Rural Designation:

a) Rural General Zone,
b) Source Water Protection Zone
c) Source Water Protection 2 Zone

Policy 1-3: Council shall, on the maps of the Land Use By-law, permit the following overlays in the Rural Designation:

a) Agriculture Potential Overlay
b) Conservation Overlay

DRAFT

c) Sporting Mountain Overlay

Policy 1-4: Council shall, under the Rural Designation, consider permitting the following uses by site plan approval:

a) Campgrounds in:
    i. the Rural General (RG) Zone according to Land use By-law Section 29.3;
b) Dwellings with 7 to 36 dwelling units per lot in:
    i. the Rural General (RG) Zone according to Land use By-law Section 29.2;
c) Scrap Yards in:
    i. the Rural General (RG) Zone according to Land use By-law Section 29.4;

Policy 1-6: Council shall consider, under the Rural Designation, consider permitting the following uses by development agreement:

a) Dwellings with more than 36 dwelling units per lot in:
    i. the Rural General (RG) Zone according to Policy 2-6;
b) Energy Generation Systems in:
    i. the Rural General (RG) Zone according to Policy 2-7;
c) Heavy Industrial Uses on lots larger than 10,000 m^2 in:
    i. the Rural General (RG) Zone according to Policy 2-8
d) Solid Waste Disposal Facilities
    i. the Rural General (RG) Zone according to Policy 2-9

Rural General Zone

Much of the municipality's landscape remains undeveloped or is used for traditional resource-based activities such as forestry or aggregate extraction. These types of uses occur along the major roads and Rurals or in the inland areas away from major transportation routes. In the case of the latter, these resource areas are accessed from a series of interconnecting 'back roads' that allow commercial trucks to move to and from the extraction sites. Because of the rural nature of the municipality, these types of uses are expected to take place here.

Where residential development does occur, it usually locates along (or near) the major roads and Rurals in the municipality such as Rural 4 and St. Peter's Fourchu Road. Because of the limited land use controls that have existed in parts of the municipality, commercial and industrial developments may also be present. Council intends to permit a range of uses in the Rural General Zone, including limited commercial and industrial uses, that coincide with the mixed development pattern that was traditionally established.

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Policy 2-1: The Rural General Zone shall be applied on the zoning map of the Land Use By-law to those areas of the municipality which support resource-based uses, or are undeveloped.

Policy 2-2: Council shall, through the Land Use By-law, establish the Rural General Zone. This land use zone is intended to support residential, commercial, and industrial land uses, in addition to resource-based uses, including, but not limited to, forestry and agriculture, and limited development on existing transportation routes and private roads.

Policy 2-3: Council shall, through the Land Use By-law, permit Home-based Business – Level I and Level II, Kennels, Light Industrial, and Storage Buildings by the conditions placed upon it, is equally or less impactful to the surrounding area in terms of noise, odour, traffic generation, and aesthetics than the use it replaces.

Policy 2-4: Council shall consider, by site plan approval review, proposals for campgrounds, dwellings with 7 to 36 dwelling units, and scrap yards within the Rural General (RG) Zone subject to the site plan approval criteria found in the Land Use By-law.

Policy 2-6: Council shall consider entering into a development agreement to enable proposals for residential developments with more than 36 dwelling units per lot in the Rural General (RG) Zone. When considering such developments, special considerations shall be given to the following:

a) landscaping, fencing or similar visual barriers shall be provided around structures, parking, and open storage areas including solid waste facilities to minimize visual impacts and privacy intrusion on surrounding residential properties to a reasonable extent;
b) where possible, on-site vegetation shall be retained and incorporated into the site landscaping, particularly for protection of environmentally sensitive or significant areas;
c) mature trees on the lot shall be preserved whenever possible;
d) where a sidewalk, trail, or similar walking path is available abutting the subject site, the primary entrance(s) of all dwelling units shall be connected to such walking paths by a means of a barrier free (accessible) pedestrian walkway at least 1.5 metres (4.92 feet) in width and paved with asphalt, concrete, bricks, or interlocking pavers;
e) other pedestrian walkways shall be clearly delineated on the property and allow for efficient movement throughout the site;
f) vehicle circulation on-site shall be designed to support efficient movement, enable emergency services access and avoid obvious points of conflict;

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g) stormwater runoff from impervious areas is appropriately managed and unlikely to cause disturbance on neighbouring properties; and
h) the proposal complies with the general development agreement review Policy 7-22.

Policy 2-7: Council shall consider entering into a development agreement to enable energy generation systems within the Rural General (RG) Zone, subject to Policy 7-22.

Policy 2-8: Council shall consider entering into a development agreement to enable heavy industrial uses on lots 10,000 square metres or greater within the Rural General (RG) Zone, subject to Policy 7-22.

Policy 2-9: Council shall consider, by development agreement, proposals for non-municipal solid waste disposal sites within the Rural General (RG) Zone, except within the Sporting Mountain Overlay where solid waste uses shall not be permitted, provided Council is satisfied the proposal:

a) has an adequate level of servicing, including, but not limited to, firefighting capacity, for the scale of the proposed use;
b) can be adequately scaled if future expansions are necessary;
c) supports the municipality's general approach to solid waste disposal; and
d) conforms to the general "Development Agreement" policies section in this plan.

Agriculture Potential Overlay

Municipalities in Nova Scotia are, by way of the Municipal Government Act, required to identify and protect high-value agricultural soils, which is defined as Class 2, Class 3, and actively farmed Class 4 soils as identified by the Canada Land Inventory (Nova Scotia has no Class 1 soils).

The Municipality of the County of Richmond does not have a significant amount of high-quality, arable land, though there are areas with soils capable of supporting agriculture. The areas south of Sporting Mountain and the most western areas along the Bras d'Or Lakes contain Class 3 soils in the municipality.

Soils are not always a good indication of agricultural activity. Poor climate or difficult terrain can make otherwise fertile soils unsuitable for farming, while some crops (such as blueberries) thrive on very poor soils.

Council recognizes the importance of agriculture to the municipality and the need to ensure active agricultural lands and lands with agricultural potential are protected for the long-term benefit of residents in the municipality and the province beyond. Council also recognizes that the climate and terrain within the municipality do not always align with good soils. As a result, Council will establish the Agriculture Potential Overlay. The overlay is intended to

identify good agricultural soils, as well as well established agricultural areas that are not located on "good" soils, and prioritize agricultural activities in these areas. However, rather than take an overly strict approach to other types of development in these areas, Council will focus on avoiding the fragmentation of lands with agricultural potential by permitting other uses but directing such development to established roads.

Policy 4-1: Council shall, through the Land Use By-law, establish the Agriculture Potential Overlay. This land use overlay is intended to prioritize agricultural development on good agricultural soils as well as well established agricultural areas even if they are not located on ideal agricultural soils.

Policy 4-2: The Agriculture Potential Overlay shall initially be applied on the zoning map of the Land Use By-law to all Class 2, Class 3, and active Class 4 soils in the municipality as identified in the Canada Land Inventory.

Policy 4-3: Council shall, through the Land Use By-law, prohibit development, with the exception of agricultural or forestry development, on private roads, created after the adoption of this plan, that provide access or are intended to provide access to more than six lots in the Agriculture Potential Overlay.

Conservation Overlay

The Conservation Overlay is intended to protect ecological integrity and ecosystem and natural services that make Richmond County a spectacular place to live and visit. Permitted land uses and development in the Conservation overlay will be very limited to minimize potential disturbances to environmentally or culturally sensitive and significant areas.

Policy 5-1: Council shall, through the Land Use By-law, establish the Conservation overlay. This land use overlay is intended to protect environmentally and culturally sensitive and significant areas. Land uses permitted in the Conservation overlay shall be limited to low-impact recreational uses and uses dedicated to the scientific or cultural study of the conservation areas.

Policy 5-2: Council shall, on the zoning map of the Land Use By-law, apply the Conservation overlay to all lands within the Rural Designation.

Sporting Mountain Overlay

In addition to all other regulations of this By-law, the area within the Sporting Mountain Overlay, shall be subject to the provisions of this Section.

Policy 6-1: Notwithstanding anything else in this By-law, heavy industrial uses shall be prohibited within the Sporting Mountain Overlay.

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Policy 6-2: Notwithstanding the requirements of this By-law, any proposal that includes a light industrial use within the Sporting Mountain Overlay shall:

a) not be located within 100.0 metres (328.08 feet) of the high watermark of the Bras d'Or Lakes; and
b) not have a building height greater than 9.15 metres (30 feet).

Site Plan Approval

Site plan approval is a development process by which applicants must meet additional standards established and outlined in the Land Use By law. The Municipal Government Act outlines what these additional requirements may pertain to, including where structures and parking is located on a lot, retention of vegetation, and the location of walkways. Uses that are enabled by the site plan approval process must be prescribed in this Municipal Planning Strategy. Unlike the "as-of-right" development process, the additional standards and requirements part of site plan approval are often qualitative, giving the Development Officer greater flexibility and the ability to negotiate with an applicant. The Development Officer must be satisfied that the proposal meets the applicable standards, at which point a site plan approval is established and the Development Officer can issue development permits.

Policy 7-1: Council shall enable the use of the site plan approval process within the Land Use By-law as a tool to review developments that require additional oversight or management or where Council sees benefit in providing flexibility for land use proposals.

Policy 7-2: Council shall establish a notification area of 30 metres from the property boundaries of a subject property undergoing the site plan approval process.

Development Agreements

Development agreements are planning tools, enabled by the Municipal Government Act, that give Municipal Council a finer level of control over a proposed development. They are written legal documents between Municipal Council and the property owner and are registered upon the title of the land (the agreement does not cease if the land is sold or if the property owner dies).

Development agreements are intended to enable staff, Council, and the public to give input on aspects of a development that would otherwise not be permitted through the standards in the Land Use By-law. This allows the Municipality to holistically evaluate a proposal and implement measures to mitigate potential impacts that may arise. Like uses enabled by site

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plan approval, the Municipal Planning Strategy must outline uses that are permitted by a development agreement.

Policy 8-1: Council shall consider, permitting the following uses by development agreement:

a) Dwellings with more than 36 dwelling units per lot in:
    i. the Rural General (RG) Zone according to Policy 2-6;
b) Energy Generation Systems in:
    i. the Rural General (RG) Zone according to Policy 2-7;
c) Heavy Industrial Uses on lots larger than 10,000 m^2 in:
    i. the Rural General (RG) Zone according to Policy 2-8
d) Solid Waste Disposal Facilities
    i. the Rural General (RG) Zone according to Policy 2-9

Policy 8-2: A development agreement that has been approved by Council shall:

a) specify the development, expansion, alteration, or change permitted;
b) specify the conditions under which the development may, or may not, occur; and
c) set terms and conditions by which Council may amend or terminate and discharge the agreement.

Policy 8-3: Council may specify conditions in the development agreement to bring the proposal into alignment with the enabling policy and general criteria set out in Policy 7-22. Such conditions may include, but are not limited to:

a) servicing;
b) the type, location, and orientation of structures;
c) the architectural design of structures, including, but not limited to, bulk, scale, height, roof shape, building and cladding materials, and the shape and size and placement of doors and windows;
d) the provision of open space and amenities;
e) the type, size, and location of signage;
f) the type and orientation of exterior lighting;
g) management of solid waste, compost, and recycling;
h) pedestrian, bicycle, public transit, and vehicular circulation;
i) connections to existing or planned pedestrian, bicycle, and vehicular networks;
j) the location and number of bicycle and vehicular parking and loading spaces;
k) access for emergency vehicles;
l) the location and type of landscaping, including fences and other forms of screening;
m) stormwater management;
n) grading and erosion control;

o) the emission of noise, odour, light, liquids, gases, and dust;
p) the type of materials stored and/or sold on site;
q) hours of operation;
r) the phasing of development;
s) financial bonding for the construction and maintenance of components of the development, including, but not limited to, roads and landscaping;
t) mitigation measures for construction impacts;
u) time limits for the initiation and/or completion of development; and

all other matters enabled in Section 227 of the Municipal Government Act.

Policy 7-22: Council shall not amend the Land Use By-law or enter into a development agreement unless Council is satisfied the proposal:

a) is consistent with the intent of this Municipal Planning Strategy;
b) does not conflict with any Municipal or Provincial programs, by-laws, or regulations in effect in the municipality;
c) is not premature due to:
    i. the ability of the Municipality to absorb public costs related to the proposal;
    ii. impacts on existing drinking water supplies, both private and public;
    iii. the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;
    iv. the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;
    v. the adequacy of fire protection services and equipment;
    vi. the adequacy and proximity of schools and other community facilities;
    vii. the creation of a new, or worsening of a known, pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses;
    viii. site-specific climate change risks such as projected sea level rise on the subject site;
    ix. the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;
    x. impacts on known habitat for species at risk, as identified in the Department of Natural Resources Significant Species and Habitats Database, or any successor database; and

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xi. the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility rights-of-way.

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Municipality of Richmond County

LAND USE BY-LAW

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Site Plan Approval

4.10 Site Plan Approval

4.10.1 This By-law states the types of land uses that are subject to site plan approval through the permitted use tables and/or lists for each zone.

4.10.2 The approval and appeal procedures for site plan approval shall follow the requirements of the Municipal Government Act.

4.10.3 All other applicable criteria of this Land Use By-law shall still apply to any development proposed and undertaken through site plan approval, except for the following which may be varied by the Development Officer:

a) requirements related to yards;
b) lot coverage; and,
c) minimum parking requirements.

4.10.4 In addition to the requirements of Sections 4.4, 4.5, and 4.6, applications for site plan approval shall meet the following requirements:

a) The application shall be accompanied by a written request, including a rationale and any necessary supporting illustrations addressing each of the applicable criteria outlined in Part 29.
b) The application shall be accompanied by a fee, in the amount established by resolution of Council.

4.1.1 Site Plan Approval Exemptions

4.11.1 Notwithstanding zone requirements for site plan approval, the following developments shall be exempt from site plan approval, provided all other requirements of this By-law are met:

a) Interior building reconfigurations, or additions of up to a gross floor area of 25.0 square metres (269.1 square feet).
b) Installation, replacement, or repair of building features, and building repairs or additions that neither change the footprint of the building nor increase parking requirements.
c) Accessory structures with a footprint of less than 25.0 square metres (269.1 square feet) on a property which is not subject to a previously approved site plan, or where accessory structures are not indicated on a previously approved site plan.

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d) Changes to signage on a property which is not subject to a previously approved site plan, or where signage was not indicated on a previously approved site plan.
e) Temporary uses.

4.12 Site Plan Approval Review

4.12.1 The Development Officer shall review applications for new developments permitted by site plan approval, and amendments to existing site plan approvals, against all applicable criteria of this Land Use By-law and the applicable criteria in Part 29.

4.13 Site Plan Approval Notification

4.13.1 Where the Development Officer has granted a site plan approval, notification of the approval shall be served upon all assessed properties that lie within 30.0 metres (98.42 feet) of the property subject to the site plan approval.

4.4 Application Requirements

4.4.1 Every application for a development permit shall be made in writing on an approved form and shall include:

a) the signature of the registered landowner or their duly authorized agent;
b) application fees in conformance with the fee schedule adopted by resolution of Council;
c) a statement of the proposed use of the land;
d) a statement of the estimated commencement and completion date of development;
e) a lot plan, as detailed in Section 4.5; and
f) any other information required by this Land Use By-law.

4.4.2 In addition to 4.4.1, applications for commercial or industrial development with a footprint of 1,000 square metres (10,763.9 square feet) or greater shall include a stormwater management plan prepared by a Professional Engineer or Landscape Architect licensed to practice in Nova Scotia. Such plans shall include design calculations that confirm the development, at a minimum, meets the following criteria:

a) retains on-site stormwater runoff generated from the first 10 mm depth of a rainfall event; and
b) balances stormwater runoff generated after the first 10 mm of a rainfall event to ensure matching of the pre- and post development stormwater runoff conditions.

4.5 Lot Plan Requirements

4.5.1 Every application for a development permit shall be accompanied by a lot plan of the proposed development, drawn to an appropriate scale and showing:

a) the true shape and dimensions of all lots to be used;
b) the proposed location, height, and dimensions of the building, structure, or work for which the permit is applied;
c) the approximate location of rights-of-way and easements within the subject property;
d) the location of every building or structure already erected on or partly erected on such lot;
e) the proposed location and dimensions of parking spaces, loading spaces, driveways, solid waste storage areas, and landscaping areas, where applicable;
f) the approximate location of all watercourses on the property; and
g) other such information as necessary to determine whether or not every development conforms to the requirements of this By-law.

4.5.2 Notwithstanding Section 4.5.1, a lot plan shall not be required for changes in the use of a building that do not alter the exterior of the building, change the parking requirements, or change landscaping and buffering requirements, unless specifically requested by the Development Officer.

4.6 Additional Plan Information

4.6.1 Where the Development Officer is unable to determine whether the proposed development conforms to this By-law or other by-laws and regulations in force, they may require that the lot plan submitted under Section 4.5 shows:

a) the precise location of rights-of-way, easements, and watercourses; the location of every building erected upon any abutting lot;
b) the location of existing and proposed walkways;
c) the type and location of existing and proposed outdoor lighting;
d) the type, location, and height of any existing and/or proposed retaining walls, fences, hedges, trees, shrubs, or groundcover, as well as any retained natural vegetation;
e) the location and type of any amenity area or facilities provided for users of the development; and/or,
f) existing and proposed service connections or on-site services.

Site Plan Approval

29.1 Introduction to Approval Criteria

29.1.1 This Part contains criteria to be considered in addition to all other requirements of this By-law when approving development through the site plan approval process.

29.1.2 Site Plans Approvals under this document are intended to be applied in a flexible manner through a negotiated process between the applicant and the Development Officer.

29.1.3 Development shall reasonably meet all site planning criteria of the following sections, as they apply to certain types of development.

29.1.4 The Development Officer may waive the requirement for compliance with certain criteria if they are deemed irrelevant for the quality of the resulting development in the particular context of the application for Site Plan Approval.

29.2 Residential Site Plan Approval

29.2.1 Where a zone permits dwellings or boarding houses by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the matters of Section 29.2 have been addressed.

Planting, Landscaping and Adverse Effect Mitigation

29.2.2 Landscaping, fencing or similar visual barriers shall be provided around structures, parking, open storage areas, and waste management facilities to minimize visual impacts and privacy intrusion on surrounding residential properties to a reasonable extent.

29.2.3 Where possible, vegetation on-site shall be retained and incorporated into the site landscaping, particularly for the protection of environmentally sensitive or significant areas.

29.2.4 Mature trees on the lot shall be preserved whenever possible.

29.2.5 Stormwater run-off from parking areas and other impervious surfaces shall be addressed.

26.2.6 Where on-site septic systems are employed, potential run-off on neighbouring properties shall be addressed.

Movement Through the Site

29.2.7 Where a sidewalk, trail or similar walking paths are available abutting the subject property, the primary entrance(s) of all dwelling units shall be connected to such walking paths by means of a barrier-free (accessible) pedestrian walkway at least 1.5 metres (4.92 feet) in width and paved with asphalt, concrete, bricks, or interlocking pavers.

29.2.8 Other pedestrian walkways shall be clearly delineated on the property and allow for efficient movement throughout the site.

29.2.9 Vehicle access and egress to and from the property shall be clearly demarcated and designed with pedestrian safety in mind. The driveway(s) shall not measure more than 3.0

metres (9.84 feet) in width for single-lane and 6.0 metres (19.68 feet) in width for double-lane driveways. Where more than one driveway on a public road is sought, the driveway accesses shall be approved by the government having authority over that road.

29.2.10 Vehicle circulation on-site shall be designed to support efficient movement, enable emergency service access and avoid obvious points of conflict.

29.3 Campground Site Plan Approval

29.3.1 Where a zone permits campgrounds by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the matters Section 29.3 have been addressed.

Campground Layout

29.3.1 Campgrounds shall be designed to avoid undue hazards for traffic circulation or create pedestrian hazards.

29.3.2 All building and non-building uses associated with a campground and RV park, including, but not limited to, campsites, playgrounds, parks, parking, solid waste, RV pumping stations, roadways, public gathering areas, washrooms, and outdoor storage, shall be set back a minimum of 15.0 metres (49.21 feet) from all lot lines.

29.3.3 The development shall have adequate emergency service access.

29.3.4 Garbage, recycling, and refuse collection shall be fully enclosed and concealed, and they shall be available to all users of the campground. Any containers used for garbage, recycling, and refuse collection shall be locking or include mechanisms that prevent access by wildlife.

Landscaping and Grading

29.3.5 Where possible, vegetation on site shall be retained and incorporated into the site landscaping, particularly for the protection of environmentally sensitive or significant areas and to create buffers along the campground perimeter.

29.3.6 All areas disturbed by development shall be landscaped.

29.3.7 Measures including lot grading and stormwater management practices shall be integrated in the site concept to adequately dispose, retain, and manage stormwater and surface water.

29.3.8 Where on-site septic systems are employed, potential run-off on neighbouring properties shall be addressed.

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Campsites Spaces

29.3.9 Each campsite shall be clearly delineated on the site plan.

29.3.10 Any fireplaces wood burning devices shall be located a minimum of 30.0 metres (98.42 feet) from all lot lines.

Movement through the Site

29.3.12 Pedestrian walkways and trails within the camping site shall be clearly delineated on the plan.

29.3.13 Where a sidewalk, trail or similar active transportation infrastructure are available abutting the subject site, the on-site paths and trails shall connect to the external walkways wherever possible.

29.3.14 Vehicle access and egress to and from the campground shall be clearly demarcated and designed with pedestrian safety in mind. Where more than one driveway on a public road is sought, the driveway accesses shall be approved by the government having authority over that road.

29.3.15 Vehicle circulation on-site shall be designed to support efficient movement, enable emergency service access and avoid obvious points of conflict.

29.4 Scrap Yard Site Plan Approval

29.4.1 Where a zone permits scrap yards by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the matters of Section 29.4 have been addressed.

29.4.2 Landscaped buffers, fencing, or similar visual barriers shall be provided in all locations where parked vehicles, technical parts, garbage, or other debris could be otherwise seen from adjacent lots or streets.

29.4.3 Where possible, vegetation on-site shall be retained and incorporated into the site landscaping, particularly for the protection of environmentally sensitive or significant areas.is

29.4.4 A detailed stormwater management plan, prepared by a Professional Engineer or Landscape Architect licensed to practice in Nova Scotia shall be included within the site plan.

29.4.5 No storage or deposit areas shall be located within 30.0 metres (98.42 feet) from the ordinary high water mark of any watercourse or the ocean.

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29.5 Conversion of a Non-conforming Use

29.5.1 Where a proposal includes the conversion of a non-conforming use to another non-conforming use by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the matters of Section 29.6 have been addressed.

29.5.2 The Development Officer shall be satisfied the new use, by its nature or by the conditions placed upon it, is equally or less impactful to the surrounding area in terms of noise, odour, traffic generation, and aesthetics than the use it replaces.

29.5.3 The site plan shall control the conversion in a manner that is compatible with the purpose and permitted uses in the zone. Controls may include, but are not limited to, enhanced buffering and screening; the positioning, bulk, and design of buildings and structures; mitigation measures for noise, dust, and other emissions; the location and design of parking areas; landscaping; lighting design; and controls on outdoor storage and display.

General Provisions

6.18 Kennels

6.18.1 Notwithstanding minimum lot area and minimum side and rear yard setback requirements, kennels, where permitted, shall be subject to the following requirements:

a) Kennel uses shall have a minimum lot area of 10,000 square metres (107,639.1 square feet).
b) Side and rear yard setbacks shall be a minimum of 15.24 metres (50.0 feet).
c) The perimeter of an outdoor animal enclosure shall be screened with an opaque material such as a solid board fence to a minimum height of 2.0 metres (6.6 fee).
d) Notwithstanding clause (c), an outdoor animal enclosure may be located a minimum of 100 metres (328.1 feet) from a dwelling unit existing on the effective date of this Bylaw provided that an acoustical buffer or other suitable screening is provided and maintained along the infringing side(s) of the outdoor animal enclosure, where deemed necessary. Such acoustical buffer or screening may consist of one or more of the following:
    a. trees having a minimum height of 1.5 metres (4.9 feet), planted in a staggered or single-row arrangement;
    b. An earthen berm having a minimum height of 1.5 metres (4.9 feet);

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c. A solid fence or other suitable screening material designed to reduce noise impacts;

6.29 Accessory Agriculture Uses

6.29.1 Notwithstanding subsection 6.29.2, where a zone also permits “agricultural uses”, the less stringent requirements shall apply.

6.29.2 Where an accessory agriculture use includes the keeping of livestock, the use may be permitted one (1) accessory structure, with a gross floor area no greater than 20.0 square metres (215.27 square feet), for the keeping of livestock. Please note that larger livestock structures are possible as an “agricultural uses” land use in zones that permit that use.

6.29.3 Where an accessory agriculture use includes the keeping of livestock, property owners should note that the Fences and Detention of Stray Livestock Act requires fencing adequate to prevent the escape of livestock.

6.29.4 Any accessory structure used for an accessory agriculture use shall be subject to the requirements of Section 6.2.

6.30 Storage Buildings

6.30.1 A storage building shall not be an “Accessory Building” as defined in sub clause 1.2.1.2(2)(a) of the Nova Scotia Building Code Regulations.

6.30.2 An Environment Approval or Qualified Persons Report verifying soil conditions adequate to contain an onsite sewer system may be required.

6.31 Agriculture Uses

6.31.1 Where agricultural uses involve the keeping or grazing of livestock, the property owner shall provide and maintain fencing of 1.5 metres (4.9 feet) height and strength to contain the animals within the property and prevent them from entering adjacent properties or public roads.

6.31.2 Fencing shall be designed and maintained in good condition and may consist of wire fencing, wooden fencing, electric fencing, or other suitable materials appropriate for the type of livestock being kept.

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Rural General (RG) Zone

15.1 Permitted Uses

15.1.1 The following uses shall be permitted in Rural General (RG) Zone subject to the requirements of this By-law:

a) Animal Care
b) Automobile Sales and Services
c) Banks and Financial Institutions
d) Building Supply and Equipment Depots
e) Cemetery
f) Commercial Recreation
g) Community Centre
h) Craft Food and Beverage Production
i) Cultural Facilities
j) Drinking Establishment
k) Daycare Centre
l) Dwelling – up to 6 dwelling units per lot
m) Electric Vehicle Charging – as a main use
n) Emergency Services
o) Fishery Related Uses
p) Forestry Related Uses
q) Funeral Home
r) Government Uses
s) Interpretive Centre
t) Marina
u) Medical Clinic
v) Nursing Home
w) Office
x) Parking Structures and Surface Parking Lots
y) Parks and Playgrounds
z) Personal Service Shop
aa) Place of Worship
bb) Private Club
cc) Public Recreation
dd) Public Transportation
ee) Recycling Depot
ff) Restaurant

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gg) Retail Store
hh) School
ii) Self storage
jj) Service and Repair Shop
kk) Small Options Home
ll) Solar Collector Systems
mm) Trails
nn) Transportation and Logistics
oo) Warehousing
pp) Water Access
qq) Workshop

Permitted Uses with Conditions

The following uses shall be permitted in the Rural General (RG) Zone subject to the requirements of this By-law and any conditions noted:

a) Agricultural Uses – Section 6.31
b) Home-based Business – Level I – Section 6.12
c) Home-based Business – Level II – Section 6.12
d) Kennel – Section 6.18
e) Light Industrial*
f) Storage Building – Section 6.30

* Within the Rural General (RG) Zone, light industrial uses may be permitted up to 500.0 square metres (5,381.96 square feet) in gross floor area.

Permitted Uses by Site Plan Approval

The following uses shall be permitted in the Rural General (RG) Zone by Site Plan Approval subject to the requirements of this By-law:

a) Dwelling – 7 to 12 dwelling units per lot
b) Scrap Yard

Criteria for Site Plan Approvals is based on Section 29 of Plan Richmond Land use By-law.

Permitted Uses by Development Agreement

The following uses shall be considered in the Rural General (RG) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

a) Dwelling - more than 12 units per lot – MPS Policy 4-7
b) Energy Generation Systems – MPS Policy 2-7

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c) Heavy Industrial – on lots larger than 10,000 m2 – MPS Policy 4-21
d) Solid Waste Disposal Facilities – MPS Policy 2-9

Rural General (RG) Zone Development Standards

In the Rural General (RG) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area Serviced Lot Un serviced Lot	 - 2700 sq. m.	 - 29062.80 sq.ft.
Minimum Lot frontage	15 m	49.21 ft.
Minimum Front/Flankage Setback	8 m	26.25 ft
Minimum Side Setback Main Building Accessory Building	 5 m 5 m	 16.40 ft 16.40 ft
Minimum Rear Setback Main Building Accessory Building	 8 m 4 m	 26.25 ft 13.12 ft
Maximum Building Height Main Building Accessory Building	 12.2 m 8 m	 40.03 ft 26.25 ft

*Minimum lot sizes and some elements relating to configuration are also dependent upon approval by the Provincial Department of Environment and Climate Change and in some instances, by the Provincial Department of Transportation and Public Works. In cases of discrepancy, the more stringent requirements shall apply.

Retail Stores Uses in the Rural General (RG) Zone

Within the Rural General (RG) Zone, retail stores may be permitted up to 250.0 square metres (2,690.98 square feet) in gross floor area

Special criteria for Agriculture Potential Overlay and Conservation Overlay

Special Criteria to be discussed based on the existing Agriculture potential Zone and Conservation Zone

COMPARISON OF RG AND AP ZONES

1. **Uses permitted as of right in RG zone but not in AP zone**
   a) Automobile Sales and Services
   b) Banks and Financial Institutions
   c) Building Supply and Equipment Depots
   d) Cemetery
   e) Commercial Recreation
   f) Electric Vehicle Charging – as a main use
   g) Funeral Home
   h) Marina
   i) Nursing Home
   j) Parking Structures and Surface Parking Lots
   k) Personal Service Shop
   l) Private Club
   m) Public Transportation
   n) Recycling Depot
   o) Solar Collector Systems
   p) Transportation and Logistics
   q) Warehousing
2. **Larger minimum lot area (unserviced) in AP zone. Minimum lot area in in RG zone is 29062 sq.ft for an unserviced lot whereas the same for AP zone is 39826.80 sq.ft.**
3. **No new private roads for more than 6 lots in the AP zone. Policy 4-26: Council shall, through the Land Use By-law, prohibit development, with the exception of agricultural or forestry development, on private roads, created after the adoption of this plan, that provide access or are intended to provide access to more than six lots in the Agriculture Potential Zone.**

CURRENT AGRICULTURE POTENTIAL (AP) ZONE

Permitted Uses

18.1.1 The following uses shall be permitted in Agriculture Potential (AP) Zone subject to the requirements of this By-law:

a) Accommodations – up to 3 rental units per lot

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b) Agricultural Uses
c) Animal Care
d) Boarding (Rooming) House – up to 6 sleeping units per lot
e) Community Centre
f) Convenience Store
g) Craft Food and Beverage Production
h) Cultural Facilities
i) Daycare
j) Dwelling – up to 3 dwelling units per lot
k) Emergency Services
l) Farmers' Market
m) Fishery Related Uses
n) Forestry Related Uses
o) Government Uses
p) Interpretive Centres
q) Medical Clinic
r) Office
s) Parks and Playgrounds
t) Place of Worship
u) Public Recreation
v) Restaurant – Eat-in
w) Restaurant – Take-out
x) School – Academic
y) Service and Repair Shop
z) Small Options Home
aa) Trails and Conservation
bb) Water Access
cc) Workshop

18.2 Permitted Uses with Conditions

18.2.1 The following uses shall be permitted in the Agriculture Potential (AP) Zone subject to the requirements of this By-law and any conditions noted:

a) Accessory Agriculture Uses – Section 6.29
b) Home-based Business – Level I – Section 6.12
c) Home-based Business – Level II – Section 6.12
d) Kennel – Section 6.18
e) Retail Stores – Section 18.5

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f) Storage Building – Section 6.29

18.3 Permitted Uses by Development Agreement

18.3.1 The following uses shall be considered in the Agriculture Potential (AP) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

a) Energy Generation Systems – MPS Policy 5-56

18.4 Agriculture Potential (AP) Zone Development Standards

18.4.1 In the Agriculture Potential (AP) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area Serviced Lot Un serviced Lot	 - 3700 sq. m.	 - 39826.80 sq.ft.
Minimum Lot frontage	15 m	49.21 ft.
Minimum Front/Flankage Setback	8 m	26.25 ft
Minimum Side Setback Main Building Accessory Building	 5 m 5 m	 16.40 ft 16.40 ft
Minimum Rear Setback Main Building Accessory Building	 8 m 4 m	 26.25 ft 13.12 ft
Maximum Building Height Main Building Accessory Building	 12.2 m 8 m	 40.03 ft 26.25 ft

*Minimum lot sizes and some elements relating to configuration are also dependent upon approval by the Provincial Department of Environment and Climate Change and in some instances, by the Provincial Department of Transportation and Public Works. In cases of discrepancy, the more stringent requirements shall apply.

18.5 Retail Stores Uses in the Agriculture Potential (AP) Zone

18.5.1 Within the Agriculture Potential (AP) Zone, retail stores may be permitted up to 250.0 square metres (2,690.98 square feet) in gross floor area

COMPARISION OF RG AND CONSERVATION ZONES

1. **There are no minimum lot areas in conservation (C) zone whereas the minimum lot area in in RG zone is 29062 sq.ft for an un serviced lot.**
2. **Rezoning is not permitted for a lot in conservation zone.**
3. **Very limited land uses permitted in this zone to minimize potential disturbance to environmentally sensitive areas.**

Current Conservation (C) Zone

27.1 Permitted Uses

27.1.1 The following uses shall be permitted in Conservation (C) Zone subject to the requirements of this By-law:

a) Interpretive Centre
b) Parks and Playgrounds
c) Public Recreation
d) Trails and Conservation
e) Water Access

27.2 Permitted Uses by Development Agreement

27.2.1 The following uses shall be considered in the Conservation (C) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

(a) Energy Generation Systems – MPS Policy 5-56

27.3 Conservation (C) Zone Development Standards

27.3.1 In the Conservation (C) Zone, no development permit shall be issued except in conformance with the following requirements

Minimum Lot Area Serviced Lot Un serviced Lot	 0 0 sq. m.	 0 0 sq.ft.
Minimum Lot frontage	0 m	0 ft.
Minimum Front/Flankage Setback	0 m	0 ft
Minimum Side Setback Main Building Accessory Building	 0 m 0m	 0 ft 0 ft
Minimum Rear Setback Main Building Accessory Building	 0 m 0 m	 0 ft 0 ft

Maximum Building Height Main Building Accessory Building	 15.2 m 8 m	 49.87 ft 26.25 ft

*Minimum lot sizes and some elements relating to configuration are also dependent upon approval by the Provincial Department of Environment and Climate Change and in some instances, by the Provincial Department of Transportation and Public Works. In cases of discrepancy, the more stringent requirements shall apply.

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Definitions

Automobile Sales and Services means the use of a building, structure, premises, or lot for the sale, servicing, maintenance, repair, washing, or storage of motor vehicles. Such use may include the retail sale of new and used motor vehicles; the retail sale of liquid or compressed gas automobile fuels, lubricating oils, and automobile accessories; vehicle washing; routine maintenance and mechanical repairs; specialized repair services including muffler, brake, radiator, engine, tire, glass replacement, and wheel alignment; as well as body repair, collision repair, frame and panel straightening, repainting, refinishing, and other activities related to the repair, restoration, or alteration of motor vehicles. This use does not include the manufacture or fabrication of motor vehicle parts for the purpose of sale.

Dwelling means a permanent structure used for human habitation and includes a house, condominium, apartment building, cottage, mobile home or trailer.

Dwelling Unit means a building, structure, part of a building, or other defined space intended to be used for residential occupancy by one or more persons, and containing provisions for sleeping, cooking, eating, and sanitary facilities. A dwelling unit includes, but is not limited to, a conventional dwelling, apartment or suite, tiny home, hotel or motel unit, cottage, cabin, yurt, geodesic dome, recreational vehicle, dormitory unit, small options home, or other similar accommodation.

Mobile Home is a CSA approved prefabricated dwelling transported to a site.

Retail Store means the use of a building, structure, part thereof, or land for the display, offering for sale, or sale of goods, wares, merchandise, substances, articles, or other items directly to the public. This use includes convenience stores, farmers' markets, and similar retail establishments. A farmers' market may consist of five or more vendors offering for sale products of the farm, forest, or sea, whether in their natural form or processed by the vendor, as well as craft products produced by the vendors or their immediate families.

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Appendices

Appendix A

ZONES BEING CHANGED TO *RURAL GENERAL – RG*

PLAN RICHMOND	
Rural commercial	RC
Rural Industrial	RM
Fishing Zone	RF
Lakeshore	RL
Parks and Open Spaces	PO
Institutional	I
Light Industrial Centre	MI
CENTRAL RICHMOND	
Rural Residential	RR-1
Rural General	RG-2
ISLE MADAME	
Rural General	RG
Rural Resource	RR
Mobile Home Park	MHP

*All Agricultural Potential (AP) Zone and Conservation (C) Zone are overlays.

*St. Peter's is a village. The zones in St. Peters may change later based on discussions with village commission.

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