MUNICIPALITY
OF PICTOU COUNTY

LAND USE BYLAW

Municipality of Pictou County Land Use Bylaw

This Bylaw was originally prepared by UPLAND Planning + Design Studio for the Municipality of Pictou County.

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1 Title, Purpose, Authority, and Applicability

1.1 Title

1.1.1 This Bylaw shall be known as the Municipality of Pictou County Land Use Bylaw.

1.1.2 This Bylaw may be referred to as the “Land Use Bylaw” or “Bylaw” when used in a self-referential manner within the text.

1.2 Purpose

1.2.1 The purpose of this Bylaw is to facilitate the sustainable, orderly, economical, and beneficial development and use of land and buildings within the Municipality of Pictou County, and for that purpose the Bylaw, among other things:

(a) divides the Municipality of Pictou County into zones;

(b) prescribes and regulates for each zone the purposes for which land and buildings may be used;

(c) establishes standards for the dimensions of land within each zone and the positioning of buildings upon those lands;

(d) establishes the office of one or more Development Officers; and

(e) establishes a method of making decisions on applications for development permits, including the issuing of development permits.

1.3 Authority

1.3.1 This Bylaw shall be applied in a manner consistent with the Municipality of Pictou County’s Municipal Planning Strategy and the *Municipal Government Act* (“Act”), as amended from time to time.

1.4 Applicability

1.4.1 This Bylaw shall apply to all lands within the Municipality.

1.4.2 Contrary to this Bylaw, all wind turbines shall be developed in accordance with the *Wind Energy By-law for the Municipality of the County of Pictou*.

2 Interpretation

2.1 Certain Words

2.1.1 In this Bylaw:

(a) the word “shall” means mandatory compliance;

(b) the word “may” means discretionary compliance or a choice in applying a policy or regulation;

(c) words used in the present tense include future tense;

(d) words used in the plural include the singular, and words used in the singular include the plural; and

(e) gendered words shall be interpreted to mean any gender.

2.2 Conflict

2.2.1 In the case of any conflict between the text of this Bylaw and any maps or drawings used to illustrate any aspect of this Bylaw, the text shall prevail.

2.2.2 Colour coding throughout this Bylaw and the zoning maps is for ease of reference only and the text of this Bylaw shall take priority.

2.2.3 In the case of any conflict between a number written in numerals and a number written in letters, the number written in letters shall take priority.

2.2.4 In the case of conflict between a written zone name and a zone symbol, the written zone name shall take priority.

2.2.5 In the case of conflict between regulations of this Bylaw or with other bylaws, regulations, or statutes, the more restrictive regulation shall take priority unless otherwise specified.

2.3 Definitions

2.3.1 For the purposes of this Bylaw, words shall have the meaning or meanings assigned to them in Part 9—Definitions.

2.3.2 Where a word is not defined in Part 9, the word shall have the meaning(s) as defined in the *Municipal Government Act* or the *Interpretation Act*.

2.3.3 Where a word is not defined under Subsection 2.3.1 or 2.3.2, the word shall have the meaning(s) as established in the most recent edition of the *Oxford English Dictionary*.

2.4 Units of Measurement

2.4.1 This Bylaw uses the metric system of measurement. Numerical measurements in this document may also be presented in other units; however, this is for convenience only. If a metric measurement conflicts with its conversion in another unit, the metric measurement shall take priority.

2.5 Zone Symbols

2.5.1 The zone symbols used on the Zoning Map(s) refer to the corresponding zones established by this Bylaw.

2.6 Interpretation of Zone Boundaries

2.6.1 Boundaries between zones shall be determined as follows:

(a) where a zone boundary is indicated as following a survey line as recorded at the Land Registration Office, the boundary shall follow that line;

(b) where a zone boundary is indicated as following a public road, private road, or controlled access highway, the centerline of the public road, private road, or controlled access highway as it existed on the effective date of this Bylaw shall be the boundary unless otherwise indicated;

(c) where a zone boundary is indicated as following a railway or utility right-of-way, the centerline of the right-of-way as it existed on the effective date of this Bylaw shall be the boundary unless otherwise indicated;

(d) where the zone boundary is indicated as approximately following lot lines, the boundary shall follow the lot lines as they existed on the effective date of this Bylaw;

(e) where the zone boundary is indicated as following a physical feature, such as, but not limited to, topographic elevations, wetland boundaries, or agricultural soil classification, the Development Officer may interpret the boundary to align with a site-specific delineation completed by a qualified professional;

(f) where the zone boundary is indicated as following the shoreline of a watercourse, the ordinary high water mark shall be the boundary; and

(g) where none of the above provisions apply, the Development Officer shall scale the zone boundary from the zoning map.

2.7 Severability

2.7.1 If any provision of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this Bylaw.

3 Administration

3.1 Administration of Land Use Bylaw

3.1.1 Council shall appoint one or more Development Officer(s) for the Municipality.

3.1.2 The Development Officer shall be responsible for the administration of this Bylaw.

3.1.3 In the absence or incapacity of the Development Officer, the Acting Development Officer shall act within the Development Officer's stead.

3.2 Inspection

3.2.1 Subject to Section 267 of the *Municipal Government Act*, the Development Officer or authorized agent of the Development Officer is authorized to enter, at all reasonable times, into or upon any property within the Municipality for the purpose of any inspections necessary to administer this Bylaw.

3.2.2 Consistent with Section 267 of the *Municipal Government Act*, the Development Officer shall not enter any place actually being used as a dwelling without the consent of the occupier unless the entry is made in daylight hours and written notice of the entry has been given to the occupier at least twenty-four hours in advance of the entry.

3.3 Enforcement and Penalty

3.3.1 In the event of any contravention of the provisions of this Bylaw or of a development agreement approved under this Bylaw, the Municipality may act as provided for in Section 264, 265, and 266 of the *Municipal Government Act*.

3.4 Compliance with Other Legislation

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

3.5 Restoring to a Safe Condition

3.5.1 Nothing in this Bylaw shall prevent the restoration of any building or structure to a safe condition when so required by a municipal order issued against a property.

3.6 Effective Date

3.6.1 Upon adoption by the Council of the Municipality of Pictou County and approval by the Minister of Municipal Affairs, this Bylaw shall take effect on the date a notice is published in a newspaper, circulating in the Municipality, informing the public that the Land Use Bylaw is in effect.

3.7 Existing Structures, Uses, Lots, and Roads

3.7.1 A structure or use of land shall be deemed to exist on the effective date of this Bylaw if:

(a) it has lawfully been constructed;

(b) it has lawfully commenced;

(c) it is lawfully under construction; or

(d) all required permits for its construction or uses were in force and effect, except that this shall not apply unless the construction or use is commenced within 12 months after the date of the latest issuance of the required permits.

3.7.2 For the purposes of this Bylaw, a lot shall be deemed to exist on the date the final plan of subdivision is endorsed by the Development Officer.

3.7.3 For the purposes of this Bylaw, a lot that is exempt from subdivision approval shall be deemed to exist on the date it is registered.

3.7.4 For the purposes of this Bylaw, a public road or private road is deemed to exist on the effective date of this Bylaw if it:

(a) it has lawfully been constructed;

(b) it is lawfully under construction;

(c) it is shown on a tentative plan of subdivision approved by the Development Officer; or

(d) it is shown on a preliminary plan of subdivision approved by the Development Officer, except that this shall not apply unless a tentative plan of subdivision is approved for the public road or private road within 24 months after the date the preliminary subdivision is approved.

4 Development Permitting

4.1 Development Permit

4.1.1 Unless otherwise stated in this Bylaw, no person shall undertake a development within the Municipality without first obtaining a development permit from the Development Officer.

4.1.2 The Development Officer shall only issue a development permit in conformance with this Bylaw and any development agreement or site plan agreement in effect on the site, except where a variance is granted or in the case of an existing non-conforming use or structure, in which case a development permit shall be issued in conformance with the Act.

4.1.3 A development permit shall expire within the following time periods from the date issues if the development has not commenced:

(a) Two (2) years for industrial uses.

(b) One (1) year for all other uses.

4.1.4 The Development Officer may revoke a development permit where information provided on the application is found to be inaccurate or the permit was issued in error.

4.1.5 The Development Officer shall, at the applicant's request and subject to the payment of fees in conformance with the fee schedule adopted by resolution of Council, renew a development permit for one (1) additional year if:

(a) the development permit has not been renewed previously; and

(b) the Development Officer is satisfied the development permit is consistent with the current Land Use Bylaw and any proposed amendments to the Land Use Bylaw for which Council has provided public notification regarding their intent to adopt.

4.2 Development Not Requiring a Development Permit

4.2.1 The following developments shall not require a development permit:

(a) Interior or exterior renovations or alterations to a structure that do not result in a change in volume or gross floor area, number of dwelling units, or a change in use of the structure.

(b) Fences that do not exceed 1.9 metres (6.23 feet) in height except for a fence enclosing a swimming pool.

(c) Temporary buildings or structures erected for a period not exceeding 60 days.

(d) Temporary buildings or structures for special occasions and meeting the requirements of Section 5.32.

(e) Temporary buildings or structures incidental to construction and meeting the requirements of Section 5.34.

(f) Public and private utilities located within the road right-of-way.

(g) Temporary greenhouses, cloches, crop hoops, or other such temporary crop structures.

(h) Accessory electric vehicle charging stations.

(i) Farm, fish, and forest stalls meeting the requirements of Section 5.16.

(j) Personal offices or studios meeting the requirements of Section 5.25.

(k) The commercial teaching of one (1) student at a time, meeting the requirements of Subsection 5.10.

(l) Any accessory building with a footprint of less than 20.0 square metres (215 square feet) or less, provided all other requirements of this Bylaw are met.

(m) Telecommunications towers regulated by Industry Canada.

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

4.3 No Exemption from Requirements

4.3.1 Except for telecommunications towers regulated by Industry Canada, every development shall be subject to the requirements of this Bylaw whether or not a development permit is required.

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 Bylaw.

4.4.2 In addition to Subsection 4.4.1, applications for commercial or industrial development with a total footprint of all buildings of 1,000 square metres or greater, or any mixed-use development containing a commercial or industrial component and with a total footprint of all buildings of 1,000 square metres or greater, shall include a landscaping and 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, with measurements in metric, 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, including measurements of the lot frontage and front, side, and rear setbacks;

(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, snow storage, and landscaping areas, where applicable;

(f) the location of any driveway accesses, permanent structures, wells, or septic fields located on abutting lots within 10.0 metres of any lot line shared between the subject lot the abutting lot;

(g) for automobile fuelling uses, the location and dimensions of any fuel storage and of all fuel pumps or electrical vehicle charging stations;

(h) the approximate location of all watercourses on the property; and

(i) other such information as necessary to determine whether or not every development conforms to the requirements of this Bylaw.

4.5.2 Contrary to Section 4.4, 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 Bylaw or other Bylaws 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;

(b) the location of every building erected upon any abutting lot;

(c) the location of existing and proposed walkways;

(d) the type and location of existing and proposed outdoor lighting;

(e) 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;

(f) the location and type of any amenity area or facilities provided for users of the development; and/or,

(g) existing and proposed service connections or on-site services.

4.7 Additional Studies and Plans

4.7.1 Where necessary to determine conformance with this Land Use Bylaw, the Development Officer may require the applicant to provide additional information at the necessary level of detail and, if necessary, prepared by the appropriate qualified professional at the applicant's cost. Such additional information may include, but is not limited to:

(a) site survey and/or location certificate prepared and stamped by a Nova Scotia Land Surveyor;

(b) topography and soil conditions of the subject site;

(c) watercourse and/or wetland delineation study;

(d) stormwater management plan;

(e) floor plans and elevation drawings of any proposed structures;

(f) geotechnical study;

(g) site grading plan;

(h) traffic impact assessment or study;

(i) groundwater supply study; and/or

(j) any other information deemed necessary by the Development Officer.

4.8 Variances

4.8.1 Contrary to anything in this Bylaw, the Development Officer may grant a variance subject to Section 235 of the *Municipal Government Act*. Specifically, the Development Officer may vary:

(a) the percentage of land that may be built upon;

(b) the size or other requirements relating to setbacks;

(c) lot frontage;

(d) lot area;

(e) the location and number of parking spaces and loading spaces required;

(f) the ground area of a structure;

(g) the height of a structure; and/or

(h) the floor area occupied by a home-based business.

4.8.2 In accordance with the *Municipal Government Act*, the Development Officer shall not grant a variance if:

(a) the variance violates the intent of the Land Use Bylaw;

(b) the difficulty experienced is general to properties in the area; or

(c) the difficulty experienced results from an intentional disregard for the requirements of this Land Use Bylaw.

5 General Provisions

5.1 Application of General Provisions

5.1.1 The provisions of this Part shall, unless otherwise specified, apply to all uses and zones and shall prevail over all zone requirements except where expressly stated otherwise.

5.2 Accessory Buildings and Structures

5.2.1 Accessory buildings and structures shall be located on the same lot as the main use.

5.2.2 The combined footprint for all accessory buildings and structures shall not exceed 40 percent of the lot area.

5.2.3 Contrary to the minimum rear setback for accessory buildings and structures, boat houses, docks, wharves, or piers may be built to the lot line when said lot line corresponds to the water's edge; however, applicants should be aware such structures could be subject to approval from the Province, and/or from the Department of Fisheries and Oceans Canada.

5.2.4 Contrary to lot standards for accessory buildings and structures, accessory buildings legally existing on the effective date of this Bylaw with less than the required setback shall be permitted to be replaced or rebuilt in the same location provided the accessory building or structure does not increase its non-conformity.

5.3 Accessory Solar Collector Systems

5.3.1 Accessory solar collector systems:

(a) shall be permitted as an accessory use in all zones and may be mounted as free-standing structures or on buildings;

(b) when mounted on buildings may exceed the maximum building height in the zone by up to 2.0 metres; and

(c) when mounted as free-standing structures shall:

i. not exceed a height of 6.0 metres;
ii. not be located in any minimum front or flankage yard; and
iii. not exceed a combined panel area of 100.0 square metres.

5.4 Accessory Uses

5.4.1 Uses accessory to a permitted use shall be permitted in all zones.

5.5 Topsoil Removal

5.5.1 On lands within the **Topsoil** Overlay, as identified on Schedule 'C', the following restrictions shall apply in addition to all other applicable requirements of this Bylaw:

(a) Topsoil removal shall be prohibited except for removal that is incidental to a permitted use and except for excavation associated with the construction of buildings and infrastructure.

(b) Contrary to Clause (a), existing topsoil removal businesses on the following PIDs shall be permitted to continue operation and may expand up to the extent of the specified PIDs:

i. 00862136
ii. 00862193
iii. 00862318
iv. 00986133
v. 65024473
vi. 65055196
vii. 65140311
viii. 65220311

[amendment 2025-01]

5.5A Agricultural Areas – Limited Subdivision

5.5A.1 This Section shall not apply to:

(a) boundary adjustments where no new lots are created;

(b) consolidations; or

(c) the creation of new lots with a minimum lot area of 100,000 square metres (25 acres).

5.5A.2 On lands within the Limited Subdivision Overlay, as identified on Schedule 'C', no more than one (1) new lot shall be created per year from an area of land as it existed on August 28th, 2025.

[amendment 2025-01]

5.6 Automobile Parking Area Standards

5.6.1 Where parking facilities for more than (4) automobiles are required or provided, the facilities shall meet the following requirements:

(a) The parking area shall be maintained with a stable surface.

(b) When the parking area is of a permanent hard surface, each parking space shall be clearly marked and maintained as such.

(c) Drive aisles may be located in a required front, side, or flankage setback.

(d) No more than four (4) parking spaces shall be located in the front yard of any dwelling.

(e) The parking area, where permitted in a required front yard, shall be set back a minimum of 2.0 metres from the front lot line.

(f) The number of driveways or ramps for accessing a lot from any one road shall be limited to two (2) for the first 30.0 metres of lot frontage on that road, and one (1) additional driveway or ramp for each additional 30.0 metres, or portion thereof, of lot frontage on that road.

(g) The parking area shall be arranged so as to allow all vehicles to enter and exit in a forward motion.

(h) The width of any driveway or ramp leading to a parking area, measured at the street line, shall not be:

i. less than 3.0 metres or more than 6.0 metres for dwellings with fewer than five dwelling units; or
ii. less than 6.0 metres or more than 13.4 metres for all other uses.

(i) Where there is more than one driveway or ramp from any lot to any one road then such driveways or ramps shall be separated by a minimum of 15.0 metres, measured at the street line.

(j) Lights used for illumination of the parking area shall:

i. be so arranged as to divert the light away from roads, adjacent lots and buildings; and
ii. shall be full cutoff light fixtures.

(k) No gasoline pumps or other service station equipment shall be located or maintained on the parking lot.

(l) All parking areas shall be graded to prevent surface runoff from direct access to a neighbouring property.

(m) A structure, not more than 4.6 metres (15.09 feet) in height and not more than 5.0 square metres (53.81 square feet) in area may be erected in the parking area for the use of attendants.

(n) The parking area shall be within 100.0 metres (square feet) of the location it is intended to serve and shall be situated in the same zone.

5.7 Building Height Exception

5.7.1 Contrary to building height requirements in this Bylaw, maximum height requirements shall not apply to church spires, solar collectors, observation towers, silos, gondolas, water tanks, elevator enclosures, flag poles, television or radio antennae, ventilators, skylights, chimneys, clock towers, guard rails, wind turbines, telecommunication towers, and other similar structures.

5.8 Building to be Moved

5.8.1 Moving a building onto a lot is considered development and subject to all provisions of this Bylaw, including the requirement to first obtain a development permit from the Development Officer.

5.9 Campgrounds

5.9.1 Where permitted, campgrounds shall meet the following requirements in addition to all other applicable requirements of this Bylaw:

(a) Despite zone standards, the minimum lot size for a campground use shall be 10,000 square metres.

(b) If the campground use is located on a lot abutting a lot or lots zoned Residential Community or otherwise containing a residential use:

i. the boundaries of all campsites shall be located a minimum of 15.0 metres from any lot line shared with the abutting residential lot(s); and
ii. any lot line shared with an abutting residential lot shall be screened by a vegetated buffer a minimum of 5.0 metres wide, extending the entire length of the lot line.

5.10 Commercial Instruction of One Student at a Time

5.10.1 Nothing in this Bylaw shall prevent, and no development permit shall be required for, the use of a portion of any dwelling or building accessory to a dwelling for the commercial instruction of one (1) student at a time.

5.11 Drive-through Restaurants

5.11.1 Where permitted, drive-through restaurants shall meet the following requirements in addition to all other applicable requirements of this Bylaw:

(a) If the drive-through restaurant is located on a lot abutting a lot or lots zoned Residential Community or otherwise containing a residential use:

i. the order box and drive-through window(s) shall be located a minimum of 15.0 metres from any lot line shared with the abutting residential lot(s); and

ii. any lot line shared with an abutting residential lot shall be screened by an opaque fence to a minimum height of 1.9 metres.

(b) Stacking space for a minimum of eight (8) vehicles shall be provided prior to the order box, and for a minimum of four (4) vehicles shall be provided between the order box and the first drive-through window.

(c) Drive-through lanes shall be delineated by curbing, a paved island, planters, or other such barrier, to a minimum height of 0.17 metres.

5.12 Livestock Operations

5.12.1 Where permitted and contrary to zone requirements, all buildings and manure storage facilities for livestock operations:

(a) shall be set back a minimum of 50 metres from any watercourse or off-site well; and

(b) shall have a setback of at least 30 metres from all lot lines. Where the livestock operation is part of a farm located across multiple lots, the 30-metre setback shall only apply to lot lines external to the farm.

5.13 Electric Vehicle Charging – Accessory

5.13.1 Electric vehicle charging stations shall be permitted as an accessory use in all zones and a development permit shall not be required.

5.14 Encroachment Permitted in Minimum Setbacks

5.14.1 Every part of any minimum setback required by this Bylaw shall be open and unobstructed by any structure from the ground to the sky.

5.14.2 Contrary to zone requirements, the following structures may project into or be located in a required minimum setback in accordance with the distances set out in Table 5A below:

Table 5A: Permitted Encroachments

Structure	Required Setback in which Projection is Permitted	Permitted Encroachment Distance
Balconies, decks, patios, steps, verandas, porches (open) not exceeding one storey in height; verandas (uncovered)	Any	2.0 m, but shall not be permitted within 1.0 m of a lot line
Structures ensuring barrier-free access	Any	To lot line
Exterior Insulation retrofitted to an existing dwelling	Any	0.3 m
Fire escapes and exterior staircases	Rear and side	1.5 m
Residential garages and carports attached to the main dwelling	Side	To within 0.6 m of side lot line
Sills, belt courses, cornices, eaves, gutters, chimneys, pilasters, or similar architectural features	Any	0.6 m
Window bays	Any	1.0 m

5.15 Existing Undersized Lots

5.15.1 Any lot legally in existence on the effective date of this Bylaw, having less than the required minimum lot frontage or area, may be:

(a) used for a purpose permitted in the zone on the lot and a building may be erected on such lot, provided that all other applicable provisions of this Bylaw are satisfied; and

(b) increased in area and/or frontage as a result of an approved plan of subdivision and still be considered an undersized lot for the purposes of this Bylaw.

5.15.2 Any lot legally created after the effective date of this Bylaw through a provision of the Act or Subdivision Bylaw that specifically relaxes or exempts subdivisions from compliance with municipal Land Use Bylaw minimum lot area or minimum lot frontage requirements shall be considered an existing undersized lot under this Land Use Bylaw.

5.16 Farm, Fish, and Forestry Stalls

5.16.1 Nothing in this Bylaw shall prevent the direct sale of fish or other seafood; farm products such as, but not limited to, flowers, fruit, and vegetables; and forestry products such as, but not limited to, Christmas trees, wreaths, and maple products by individuals or companies engaged in the harvesting of such, subject to the following provisions:

(a) any associated structures shall be limited to a maximum total footprint of 10.0 square metres on a lot;

(b) associated structures shall meet zone requirements for minimum side and rear setbacks, but shall not be required to meet minimum front setbacks; and

(c) no development permit shall be required.

5.17 Fishery Storage

5.17.1 Contrary to the provisions of this Bylaw, the storage of equipment associated with the fishing industry use shall be permitted as an accessory use in all zones.

5.18 Flag Lots

5.18.1 Where development is permitted on a flag lot, zone standards for minimum lot area shall be satisfied within the main portion of the flag lot and the lot area contained within the prolongation shall not count towards satisfying that requirement.

5.19 Floodway Zone Fill

5.19.1 Fill shall not be placed on lands within the Floodway (F1) Zone unless the fill originates from within the Floodway (F1) Zone.

5.20 Floodproofing in the Floodway Fringe Overlay

5.20.1 Where development is permitted by the underlying zone, all main buildings within lands identified as Floodway Fringe Overlay (FFO) on Schedule 'B' shall meet the following flood proofing requirements:

(a) the minimum opening elevation in the building shall be 0.09 metres above the established 1:100 year flood elevation defined for East River in the Canda-Nova Scotia Flood Damage Reduction Program or the 1:100 year flood elevation defined for River John in the Municipal Flood Line Mapping Project, as applicable;

(b) fill shall be placed around the perimeter of the building to a height equal to or greater than the minimum opening elevation for a distance of 3.0 metres from the building;

(c) beyond 3.0 metres the fill shall slope down to existing grade, at a slope no steeper than 1:1 or as designed by a Professional Engineer; and

(d) flood proofing shall not directly interfere with the flow or drainage of storm water.

5.21 Frontage on a Road

5.21.1 No development permit shall be issued unless the lot or parcel of land intended to be used or upon which the building or structure is to be erected, abuts and fronts upon a public road or private road.

5.21.2 Contrary to Subsection 5.21.1 and minimum lot frontage requirements, but subject to all other requirements of this Bylaw, the Development Officer may grant a development permit for the following uses:

(a) Agriculture-related uses

(b) Fishery-related uses

(c) Forestry-related uses

(d) Livestock operations

(e) Mineral-related uses

(f) Parks and playgrounds

(g) Public recreation

(h) Solar collector systems

(i) Trails and conservation

5.21.3 Contrary to Subsection 5.21.1 and minimum lot frontage requirements, the Development Officer may grant a development permit for development on an island that does not contain a public road, provided:

(a) the lot has a minimum of 6.0 metres of water frontage on the body of water that creates the island; and

(b) all other requirements of this Bylaw and the Subdivision Bylaw are satisfied.

5.22 Dwellings in the Community Core, Rural Mixed Use, and Rural Commercial Zones

5.22.1 Development of more than eight (8) units on a lot within the Community Core (CC) Zone, Rural Mixed Use (G2) Zone, and Rural Commercial (C3) Zone shall be permitted provided:

(a) the lot size is a minimum of 2,700 square metres for the first eight (8) units and an additional 2,700 square metres for each four (4) units thereafter; and

(b) all other applicable requirements of this Land Use Bylaw are met.

5.22.2 Contrary to Subsection 5.22.1, development of dwellings denser than provided for by Subsection 5.22.1 may be considered by development agreement, subject to Municipal Planning Strategy Policy 3-4.

5.23 Hobby Livestock Farms

5.23.1 Buildings for the housing of livestock on a hobby livestock farm shall be limited to:

(a) one (1) main building, with a gross floor area no greater than 100.0 square metres; and

(b) three (3) accessory buildings, each with a gross floor area no greater than 20.0 square metres.

5.23.2 Owners of hobby livestock farms should note that the *Fences and Detention of Stray Livestock Act* requires fencing adequate to prevent the escape of livestock.

5.24 Home-Based Businesses

5.24.1 Home based businesses shall be permitted accessory to a dwelling subject to the requirements of Table 5B.

Table 5B: Home-based Business Requirements

	Residential Community (RC) Zone Institutional (I) Zone Shoreline (S) Zone	All Other Zones that Permit Dwellings
(a) Permitted Uses	(i) Accommodations – 1 or 2 rental units (ii) Animal care (iii) Commercial School - 6 or fewer students (v) Daycare Centre – 6 or fewer clients (vi) Medical Clinic (vii) Office (viii) Personal Service Shop (ix) Service and Repair Shop (x) Workshop	(i) Accommodations – 5 or fewer rental units (ii) Animal care (iv) Automobile Repair – 3 or fewer automobiles at one time (v) Commercial School – 10 or fewer students (vi) Daycare Centre – 10 or fewer clients (vii) Forestry-related Use (viii) Medical Clinic (ix) Office (x) Personal Service Shop (xi) Service and Repair Shop (xii) Take-out Restaurant (xiii) Workshop
(b) Maximum Floor Area of Home-based business	(i) The equivalent of 25 percent of the gross floor area of the dwelling unit or 50.0 square metres, whichever is less.	(i) 150 square metres, but when located in a dwelling, the home-based business shall not occupy more than 40 percent of the gross floor area of the dwelling unit.
(c) Outdoor Storage and Display	(i) Outdoor storage and display shall not be permitted	(i) The total area of outdoor storage and outdoor display (combined) shall not exceed the maximum permitted floor area of the home-based business. (ii) Outdoor storage and outdoor display shall not be permitted in the front or flankage yard or in minimum required side and rear setbacks.
(d) Retail Sales	(i) Retail sales shall be limited to the sale of products made, assembled, refined, or repaired on the premises; and the sale of goods or materials associated with and secondary to the main business, such as the sale of shampoo by a hairdresser.	(i) Retail sales shall be limited to the sale of products made, assembled, refined, or repaired on the premises; and the sale of goods or materials associated with and secondary to the main business, such as the sale of shampoo by a hairdresser.

5.25 Home Offices

5.25.1 Nothing in this Bylaw shall prevent, and no development permit shall be required for, the use of a portion of any dwelling or building accessory to a dwelling as a personal office or studio for residents of the dwelling if the personal office or studio is not intended to be visited by members of the public.

5.26 Illumination

5.26.1 Exterior lighting on any lot shall be directed away from, and shall not cause glare on, adjoining properties or adjacent roads.

5.27 Multiple Land Uses on Property

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

5.28 Non-conforming Structures

5.28.1 Contrary to lot area, lot frontage, and minimum setback requirements of this Bylaw, the use of a non-conforming structure may be changed to any other use permitted in that zone, provided all other requirements of the Bylaw are met.

5.28.2 Non-conforming structures may be replaced, reconstructed, enlarged, renovated, and/or repaired, provided:

(a) any such construction does not further infringe on the Bylaw requirement(s) that created the non-conformity;

(b) the expansions are not located within the Floodway (F1) Zone; and

(c) all other requirements of this Bylaw are met.

5.29 Non-conforming Uses

5.29.1 Non-conforming uses shall be subject to the provisions for non-conforming uses of the *Municipal Government Act*, except the use may be recommenced if discontinued for a continuous period of 12 months.

5.30 Shipping Containers

5.30.1 Shipping containers shall be permitted as an accessory structure and shall be subject to the accessory structure provisions of Section 5.2.

5.31 Side Setback Requirement – Exception

5.31.1 Contrary to anything else in the Bylaw, where buildings on adjacent lots share a common wall the applicable minimum side setback requirement shall be waived.

5.32 Special Occasion Uses Permitted

5.32.1 Nothing in this Bylaw shall prevent the use of land, or the erection of temporary buildings or structures, for special occasions and holidays provided that no such use, building, or structure remains in place for more than ten (10) consecutive days following the termination of the special occasion or holiday.

5.32.2 For greater clarity, motor vehicle racing and commercial wedding venues shall not be considered special occasions.

5.33 Swimming Pools

5.33.1 Contrary to this Bylaw, all swimming pools shall be developed in accordance with the *Municipality of the County of Pictou Swimming Pool By-law*.

5.34 Temporary Construction Uses Permitted

5.34.1 Nothing in this Bylaw shall prevent, and no development permit is required for the temporary use of a building, structure or portable equipment incidental to a main construction project provided that a development permit has been issued for the main construction project and the temporary use is discontinued and removed 30 days following completion of the main construction project.

5.35 Use of Former Community Facilities

5.35.1 The reuse of former community facilities, existing on May 5, 2025, including, but not limited to, schools, community halls, places of worship, and other similar community facilities, shall be considered to assume a use not otherwise permitted in the applicable land use zone in which the community facility is located, by development agreement, subject to Policy 3-33 of the Municipal Planning Strategy.

5.36 Utilities

5.36.1 Unless otherwise stated, any public utility that is essential for the actual provision of a service, not including energy generation systems, wind turbines, and solar collector systems, shall be permitted in any zone and shall be exempt from zone standards. These utilities include, but are not limited to, telecommunications switching centres, electrical substations, sewage treatment facilities, and water supply facilities.

5.36.2 For greater clarity, uses not directly related to the provision of utility service shall not be included in the exemptions of this Section, and shall only be permitted in accordance with zone requirements. Such uses include, but are not limited to, administrative offices and maintenance depots.

5.37 Watercourse & Shoreline Buffers

5.37.1 All development, with the exception of those developments listed in Subsection 5.37.2, shall be prohibited within:

(a) 75.0 horizontal metres of the ordinary high water mark of Forbes Lake;

(b) 15.24 horizontal metres of the ordinary high water mark of inland watercourses; and

(c) 30.0 metres of the top of bank on the marine shoreline as identified on Schedule 'E'. Where no top of bank is identifiable within 30.0 metres of the ordinary high water mark, the ordinary high water mark shall be considered the top of bank for the purpose of this clause.

5.37.2 Where permitted by the underlying zoning, the following developments shall be permitted within the watercourse and shoreline buffers subject to all other applicable requirements of this Bylaw:

(a) Boardwalks, walkways, and trails with a maximum width of 3.0 metres.

(b) Boat houses, fishing gear sheds, docks, wharves, piers, and slipways.

(c) Conservation uses.

(d) Fishing uses.

(e) Parks & Open Space uses.

(f) Public roads and infrastructure.

(g) Pumphouses.

(h) Safety fences that do not exceed a height of 1.9 metres.

(i) Scientific research structures.

(j) Shoreline stabilization works.

5.37.3 Contrary to Subsection 5.37.1, where the size and configuration of a lot created prior to the effective date of this Bylaw is such that no main building could be located on the lot the Development Officer may reduce the zone standards for minimum setbacks from property lines to the extent necessary to accommodate a main building not exceeding a footprint of 100.0 square metres, provided:

(a) the watercourse or shoreline buffer has already been reduced to the maximum amount possible through the use of Section 5.38;

(b) and all other requirements of this Bylaw are met.

5.38 Watercourse & Shoreline Buffer Reduction

5.38.1 Contrary to Subsection 5.37.1 the Development Officer may issue a permit for a reduced watercourse or shoreline buffer subject to a post-development Location Certificate and to a detailed pre-development study, including a site plan, prepared by a qualified person at the applicant's cost that clearly demonstrates:

(a) the property is not within the Forbes Lake primary watershed;

(b) the proposed development is 2.5 metres in elevation above the ordinary high water mark for developments on the marine shoreline or 1.0 metres in elevation above the ordinary high water mark for developments on inland watercourses;

(c) the proposed development is above a vertical elevation of 2.6 metres relative to the Canadian Geodetic Vertical Datum of 2013;

(d) the proposed development is set back a minimum of 15.24 metres from the top of bank for marine shoreline development as identified on Schedule 'E', or 7.62 metres from the ordinary high water mark of inland watercourses, as applicable;

(e) the reduction of the buffer area does not increase the hazard posed by shoreline erosion; and

(f) the land being developed is not subject to seasonal flooding.

6 Zones and Zoning Maps

6.1 Zones

6.1.1 For the purposes of this Bylaw, the Municipality is divided into the following zones, the boundaries of which are shown on the attached Schedule 'A'. Such zones may be referred to by the appropriate symbols:

Zone Name	Zone Symbol
Agriculture Potential Zone	**A1**
Commercial Recreation Zone	P2
Community Core Zone	CC
Comprehensive Development Zone	CDD
Conservation Zone	O1
Floodway Zone	F1
General Commercial Zone	C1
Highway Commercial	C2
Industrial Zone	M1
Institutional Zone	I1
Parks and Open Space Zone	P1
Residential Community Zone	RC
Rural Commercial Zone	C3
Rural General Zone	G1
Rural Mixed Use Zone	G2
Shoreline Zone	S1

[amendment 2025-01]

6.1.2 In addition to Subsection 6.1.1, this Bylaw contains the following overlay zones, shown on the appropriate schedules, which implement additional requirements beyond those created by the underlying zoning:

Overlay Name	Overlay Symbol
Floodway Fringe Overlay	FFO
Limited Subdivision Overlay	**LSO**
Source Water Protection Overlay	SWPO
Topsoil Overlay	**TSO**

[amendment 2025-01]

6.2 Zoning Maps

6.2.1 Schedule 'A' attached hereto may be cited as the "Zoning Maps".

6.2.2 Schedule 'B' attached hereto may be cited as the "Flood Overlays Map".

6.2.3 Schedule 'C' attached hereto may be cited as the "Agricultural **Overlays** Map".

6.2.4 Schedule 'D' attached hereto may be cited as the "Source Water Protection Overlay Maps".

6.2.5 Schedule 'E' attached hereto may be cited as the "Coastal Delineation Map".

6.2.6 The Zoning Maps and Overlay Maps shall form part of this Bylaw.

7 Permitted Use Tables

7.1 Permitted Main Uses

7.1.1 Within the Comprehensive Development District Zone any uses may be considered by development agreement, subject to Municipal Planning Strategy Policy 3-27. Permitted uses without a development agreement are:

(a) Existing agriculture-related uses

(b) Existing dwellings

7.1.2 In all other zones, the main uses permitted in the zone are indicated in Tables 7A, 7B, 7C, 7D and 7E subject to the following scheme:

(a) "P" indicates that a use is permitted in the zone, subject to all applicable requirements of this Bylaw;

(b) "PC" indicates that a use is permitted in the zone, subject to all applicable requirements of this Bylaw, and to use specific requirements found in Part 5 of this Bylaw;

(c) "DA" indicates that a use is permitted in the zone by development agreement, subject to the Municipal Planning Strategy Policy indicated in Section 7.4;

(d) "E" indicates that instances of that use that existed on the effective date of this Bylaw are considered conforming uses and are permitted to expand, subject to all applicable requirements of this Bylaw and;

(e) "-" indicates that a use is not permitted in that zone.

7.2 Floodway Fringe Overlay – Prohibited Uses

7.2.1 Contrary to the uses permitted or to the uses considered by development agreement in the underlying zone, the following uses shall be prohibited on lands identified on Schedule 'B', the Flood Overlays Map, as being located within the Floodway Fringe Overlay (FFO):

(a) hospitals;

(b) industrial uses;

(c) nursing homes;

(d) residential care facilities;

(e) scrap yards;

(f) small options homes; and

(g) warehousing.

7.3 Source Water Protection – Prohibited Uses

7.3.1 Contrary to the uses permitted or to the uses considered by development agreement in the underlying zone, the following uses shall be prohibited on lands identified on Schedule 'D', the Source Water Protection Overlay Map, as being located within a Source Water Protection Overlay:

(a) automobile fueling;

(b) automobile washing;

(c) cemeteries;

(d) hazardous industrial uses;

(e) heavy equipment repair;

(f) heavy equipment sales and rentals;

(g) heavy industrial uses;

(h) mineral-related uses;

(i) scrap yards;

(j) solid waste disposal; and

(k) warehousing and light industrial uses involving the bulk storage of chlorinated organic compounds, petroleum solvents, or petroleum fuels, excluding propane.

Table 7A: Commercial Uses Permitted and Considered in Each Zone

Use	A1	G1	G2	RC	CC	C1	C2	C3	I1	M1	P1	P2	O1	S1	F1
Accommodations	**P**	P	P	-	P	P	P	P	-	-	-	P	-	P	-
Agritourism	**P**	P	P	-	P	P	-	P	-	-	-	P	-	-	-
Animal Care	**P**	P	P	-	P	P	-	P	-	P	-	P	-	-	-
Auto Body Shop	**-**	-	-	-	-	P	P	P	-	P	-	-	-	-	-
Automobile Fueling	**-**	P	P	-	P	P	P	P	-	P	-	P	-	-	-
Automobile Repair	**-**	P	P	-	P	P	P	P	-	P	-	-	-	-	-
Automobile Sales and Rentals	**-**	-	-	-	-	P	P	P	-	P	-	-	-	-	-
Automobile Washing	**-**	P	P	-	P	P	P	P	-	P	-	P	-	-	-
Banks and Financial Institutions	**-**	P	P	-	P	P	-	P	-	-	-	-	-	-	-
Campground	**PC**	PC	-	-	-	-	-	PC	-	-	PC	PC	-	-	-
Commercial Recreation – Indoor	**-**	-	-	-	P	P	-	P	-	-	-	P	-	-	-
Commercial Recreation – Outdoor	**-**	-	-	-	-	-	-	-	-	-	-	P	-	-	-
Craft Food and Beverage Production	**P**	P	P	-	P	P	-	P	-	P	-	P	-	-	-
Display Court	**-**	-	-	-	-	P	P	P	-	P	-	-	-	-	-
Drinking Establishment	**P**	P	P	-	P	P	P	P	-	-	-	P	-	-	-
Farm Machinery Sales and Service	**P**	P	P	-	-	P	P	P	-	P	-	-	-	-	-
Farmers' Market	**P**	P	P	-	P	P	P	P	-	-	-	P	-	P	-
Garden and Nursery Sales & Supplies	**P**	P	P	-	P	P	-	P	-	P	-	P	-	-	-
Heavy Equipment Sales and Rentals	**-**	-	-	-	-	P	P	P	-	P	-	-	-	-	-
Kennel	**-**	-	-	-	-	-	-	P	-	P	-	-	-	-	-
Marina	**P**	P	P	-	P	P	-	P	-	-	P	P	-	P	-
Marine Recreation Provider	**P**	P	P	-	P	P	-	P	-	-	P	P	-	P	-
Office	**-**	P	P	-	P	P	-	P	-	-	-	-	-	-	-
Personal Service Shop	**-**	P	P	-	P	P	-	P	-	-	-	P	-	-	-
Private Club	**P**	P	P	-	P	P	-	P	P	-	-	P	-	P	-
Racetrack	**DA**	DA	-	-	-	-	DA	DA	-	-	-	DA	-	-	-
Restaurant – Drive-thru	**-**	-	-	-	-	PC	PC	-	-	-	-	-	-	-	-
Restaurant – Eat-in	**P**	P	P	-	P	P	P	P	-	-	-	P	-	P	-
Restaurant – Take-out	**P**	P	P	-	P	P	P	P	-	-	-	P	-	P	-
Retail Lumber and Home Improvement Yard	**P**	P	-	-	-	P	-	P	-	P	-	-	-	-	-
Retail Store	**-**	P	P	-	P	P	-	P	-	-	-	P	-	P	-
RV Park	**-**	-	-	-	-	-	-	-	-	-	P	P	-	-	-
School – Commercial	**-**	-	-	-	P	P	-	P	P	P	-	P	-	-	-
Self-storage Facility	**-**	-	-	-	-	P	P	P	-	P	-	-	-	-	-
Service and Repair Shop	**P**	P	P	-	P	P	-	P	-	P	-	-	-	-	-
Shooting Range – Indoor	**-**	-	-	-	-	P	-	P	-	P	-	P	-	-	-
Shooting Range – Outdoor	**DA**	DA	-	-	-	-	-	DA	-	-	-	DA	-	-	-
Tour Operator	**P**	P	P	-	P	P	-	P	P	-	P	P	-	-	-
Wholesale	**-**	-	-	-	-	P	-	P	-	P	-	-	-	-	-

Table 7B: Residential Uses Permitted and Considered in Each Zone

Use	A1	G1	G2	RC	CC	C1	C2	C3	I1	M1	P1	P2	O1	S1	F1
Boarding (Rooming) House	**P**	P	P	P	P	-	-	P	P	-	-	-	-	-	-
Dwellings – 1 or 2 units per lot	**P**	P	P	P	P	E	-	P	DA	-	-	P	-	P	-
Dwellings – 3 or 4 units per lot	**-**	P	P	P	P	E	-	P	DA	-	-	P	-	DA	-
Dwellings – 5 to 8 units per lot	**-**	-	P	P	P	E	-	P	DA	-	-	P	-	DA	-
Dwellings – more than 8 units per lot	**-**	-	PC	DA	PC	P	-	PC	DA	-	-	DA	-	DA	-
Nursing Home	**-**	-	DA	DA	DA	-	-	DA	P	-	-	DA	-	DA	-
Residential Care Facility	**-**	-	DA	DA	DA	-	-	DA	P	-	-	DA	-	DA	-
Small Options Home	**P**	P	P	P	P	-	-	P	P	-	-	P	-	P	-

Table 7C: Industrial Uses Permitted and Considered in Each Zone

Use	A1	G1	G2	RC	CC	C1	C2	C3	I1	M1	P1	P2	O1	S1	F1
Abattoir	**P**	P	-	-	-	-	-	P	-	P	-	-	-	-	-
Building Supply and Equipment Depot	**P**	P	-	-	-	P	-	P	-	P	-	-	-	-	-
Hazardous Industrial Uses	**-**	DA	-	-	-	-	-	DA	-	DA	-	-	-	-	-
Heavy Equipment Repair	**P**	P	-	-	-	P	-	P	-	P	-	-	-	-	-
Heavy Industrial Uses	**-**	DA	-	-	-	-	-	DA	-	P	-	-	-	-	-
Light Industrial Uses	**P**	P	-	-	P	P	-	P	-	P	-	-	-	-	-
Recycling Depot	**-**	P	-	-	P	P	P	P	-	P	-	-	-	-	-
Scrap Yard	**-**	DA	-	-	-	-	-	DA	-	P	-	-	-	-	-
Solar Collector System – Large-scale	**P**	P	P	-	-	P	-	P	P	P	-	P	-	-	-
Solid Waste Disposal	**-**	-	-	-	-	-	-	-	-	P	-	-	-	-	-
Transportation and Logistics	**P**	P	-	-	-	P	P	P	-	P	-	-	-	-	-
Warehousing	**P**	P	P	-	P	P	P	P	-	P	-	-	-	-	-
Workshop	**P**	P	P	-	P	P	-	P	P	P	-	-	-	-	-

Table 7D: Institutional Uses Permitted and Considered in Each Zone

Use	A1	G1	G2	RC	CC	C1	C2	C3	I1	M1	P1	P2	O1	S1	F1
Community Centre	**P**	P	P	P	P	P	-	P	P	-	P	P	-	P	-
Correctional Facility	**-**	-	-	-	-	-	-	-	P	-	-	-	-	-	-
Cultural Facilities	**P**	P	P	P	P	P	-	P	P	P	-	P	-	P	-
Daycare Centre	**P**	P	P	P	P	P	-	P	P	-	-	P	-	P	-
Emergency Services	**P**	P	P	-	P	P	P	P	P	P	-	P	-	P	-
Funeral Home	**P**	P	P	-	P	P	-	P	P	P	-	P	-	-	-
Government Uses	**P**	P	P	P	P	P	P	P	P	P	P	P	P	P	-
Hospital	**-**	-	-	-	P	P	-	P	P	-	-	-	-	-	-
Interpretive Centre	**P**	P	P	P	P	P	P	P	P	P	P	P	P	P	-
Medical Clinic	**P**	P	P	P	P	P	-	P	P	-	-	-	-	P	-
Place of Worship	**P**	P	P	P	P	P	-	P	P	-	-	-	-	P	-
Post Office	**P**	P	P	-	P	P	-	P	P	-	-	-	-	-	-
School - Academic	**P**	P	P	P	P	P	-	P	P	-	-	-	-	-	-
School – Post-secondary	**P**	P	P	-	P	P	-	P	P	-	-	-	-	-	-

Table 7E: Other Uses Permitted and Considered in Each Zone

Use	A1	G1	G2	RC	CC	C1	C2	C3	I1	M1	P1	P2	O1	S1	F1
Agriculture-related Uses	**P**	P	P	-	P	-	-	P	-	P	-	P	-	E	-
Cemetery	**E**	P	P	P	P	P	-	P	P	P	-	P	-	E	-
Fishery-related Uses	**P**	P	P	-	P	-	-	P	-	P	-	-	-	P	-
Forestry-related Uses	**P**	P	-	-	-	-	-	P	-	P	-	-	-	-	-
Hobby Livestock Farms	**PC**	PC	PC	PC	PC	-	-	PC	PC	-	-	PC	-	-	-
Livestock Operation	**PC**	PC	PC	-	-	-	-	-	-	-	-	-	-	-	-
Mineral-related Uses	**-**	-	-	-	-	-	-	-	-	P	-	-	-	-	-
Parking Lot	**-**	P	P	-	P	P	P	P	P	P	-	P	-	-	P
Parks and Playgrounds	**P**	P	P	P	P	P	P	P	P	-	P	P	-	P	P
Public Recreation	**P**	P	P	P	P	P	P	P	P	-	P	P	-	P	P
Public Transportation	**P**	P	P	P	P	P	P	P	P	P	P	P	-	P	-
Telecommunications Towers	**P**	P	P	P	P	P	P	P	P	P	P	P	P	P	-
Trails and Conservation	**P**	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Water Access	**P**	P	P	P	P	P	P	P	P	P	P	P	P	P	P

[amendment 2025-01]

7.4 Development Agreement Policies

7.4.1 Where indicated Tables 7A through 7E, the following uses are only permitted subject to a development agreement, as considered under the noted applicable Municipal Planning Strategy Policy:

(a) Dwellings – MPS Policy 3-4

(b) Hazardous Industrial Uses – MPS Policy 3-23

(c) Heavy Industrial Uses – MPS Policy 3-22

(d) Nursing Homes – MPS Policy 3-31

(e) Outdoor Shooting Ranges – MPS Policy 3-34

(f) Racetracks – MPS Policy 3-33

(g) Residential Care Facilities – MPS Policy 3-4

(h) Scrap Yards – MPS Policy 3-24

7.4.2 As provided for by Municipal Planning Strategy Policy 3-32, Council may consider by development agreement the adaptive reuse of former institutional buildings for uses not otherwise permitted in the applicable zone.

7.4.3 As provided for by Municipal Planning Strategy Policy 3-48, Council may consider by development agreement proposals for energy systems other than wind turbines or solar collectors in all zones.

8 Zone Standards

8.1.1 No development permit shall be issued except in conformance with an effective development agreement or the standards set out in Table 8A:

Table 8A: Zone Standards

		Zone															
Standard		**A1**	**G1**	**G2**	**RC**	**CC**	**C1**	**C2**	**C3**	**I1**	**M1**	**P1**	**P2**	**O1**	**S1**	**F1**	**CDD**
Min. Lot Area (m^2)	Sewer-serviced Lot	**2,700**	350	350	350	350	350	800	350	350	1,000	0.0	350	0.0	5,000	0.0	350
	Unserviced Lot	**2,700**	2,700	2,700	2,700	2,700	2,700	2,700	2,700	2,700	2,700	0.0	2,700	0.0	5,000	0.0	2,700
Min. Lot Frontage (m)	Sewer-serviced Lot	**15.0**	12.0	6.0	6.0	6.0	6.0	15.0	12.0	15.0	30.0	0.0	12.0	0.0	30.0	0.0	6.0
	Unserviced Lot	**15.0**	15.0	15.0	15.0	15.0	15.0	15.0	15.0	15.0	30.0	0.0	15.0	0.0	30.0	0.0	15.0
Min. Front Setback (m)		**6.0**	6.0	3.0	3.0	3.0	3.0	3.0	6.0	3.0	8.0	6.0	6.0	0.0	3.0	0.0	3.0
Min. Rear Setback (m)	Main Buildings	**8.0**	8.0	6.0	6.0	6.0	6.0	6.0	8.0	8.0	20.0	6.0	8.0	0.0	15.24	0.0	6.0
	Accessory Buildings	**4.0**	4.0	1.4	1.4	1.4	6.0	6.0	4.0	2.0	20.0	3.0	4.0	0.0	15.24	0.0	1.4
Min. Side Setback (m)	Main Buildings	**4.0**	4.0	2.0	2.0	2.0	2.0	6.0	4.0	3.0	10.0	3.0	4.0	0.0	3.0	0.0	2.0
	Accessory Buildings	**4.0**	4.0	1.0	1.0	1.0	1.0	6.0	4.0	3.0	10.0	3.0	4.0	0.0	3.0	0.0	1.0
Min. Flankage Setback (m)	Main Buildings	**6.0**	6.0	3.0	3.0	3.0	3.0	3.0	6.0	3.0	8.0	6.0	6.0	0.0	3.0	0.0	3.0
	Accessory Buildings	**6.0**	6.0	3.0	3.0	3.0	3.0	3.0	6.0	3.0	8.0	6.0	6.0	0.0	3.0	0.0	3.0
Max. Building Height (m)	Main Buildings	**12.2**	12.2	12.2	12.2	12.2	15.2	15.2	12.2	15.2	20.0	15.2	12.2	15.2	12.2	0.0	12.2
	Accessory Buildings	**8.0**	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	20.0	8.0	8.0	8.0	8.0	8.0	8.0

[amendment 2025-01]

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 will apply.

8.1.2 Contrary to Table 8A, where a lot abuts a rail right-of-way the minimum setback for industrial uses from the lot line(s) abutting the rail right-of-way shall be zero (0.0) metres.

8.1.3 Contrary to Table 8A, where a lot zoned Industrial (M1) abuts another lot zoned Industrial (M1) the minimum side and/or rear setback from the lot line(s) shared by those lots shall be 6.0 metres.

9 Definitions

A

1. **Abattoir** means the use of a building, structure, or part thereof, for slaughtering animals but does not include the slaughtering of game animals for personal use or small-scale, on-farm processing of livestock.

2. **Accessory Building** means a separate building located on the same lot as the main building or principal use, and of a nature customarily and clearly subordinate and incidental to the main building or main use of land.

3. **Accessory Structure** means a separate structure located on the same lot as the main building or main use, and of a nature customarily and clearly subordinate and incidental to the main building or main use of land.

4. **Accessory Use** means a use subordinate and naturally, customarily, and normally incidental to and exclusively devoted to a main use of land or main building and located on the same lot.

5. **Accommodation** means the provision of a building, buildings, or part thereof to a single party or group of the travelling public, for payment or compensation, for a period of 28 days or less, and may include, but is not limited to, tourist facilities such as hotels; motels; hostels; bed and breakfast establishments; and entire home, individual room, cottage, cabin, geodesic dome, or yurt rentals.

6. **Act**, unless otherwise specified, means the *Municipal Government Act*.

7. **Adjacent** means buildings or properties that share a common boundary on the same side of the road.

8. **Agriculture-related Uses** means the use of land, buildings, structures, or part thereof for uses directly related to agriculture and necessarily in close proximity to farm operations, such as barns, silos, feed mills, farm equipment repair, the packing and storing of produce, farm wineries, farm breweries, cheesemakers, and similar uses, and includes the small-scale, on-farm processing of livestock.

9. **Agritourism** means the use of land, buildings, structures, or part thereof to provide tourist-oriented activities or services located on a farm operation that promotes the products grown, raised, and/or processed on the farm operation. These may include, but are not limited to, winery retail sales, farm brewery retail sales, tasting rooms, “field to table” restaurants, u-picks, hayrides, and farm-stay accommodations.

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

11. **Animal Care** means the use of land, buildings, or structures for the care of animals and includes veterinary care, grooming, and day care but does not include zoos, the breeding of animals, or overnight boarding.

12. **Auto Body Shop** means the use of a building or premises primarily for the commercial repair of damage to the chassis and shell of an automobile, including major and minor collision damage, frame and panel straightening, repainting, and refinishing and similar activity.

13. **Automobile Fueling** means the use of building or part thereof or a clearly defined space on a lot used for the retail sale of liquid or compressed gas automobile fuels and lubricating oils, and/or electric vehicle charging as a main use, and may include the sale of automobile accessories and the minor servicing and minor repairing essential to the actual operation of motor but does not include an automobile repair shop, automobile sales, or auto body shop.

14. **Automobile Repair Shop** means a building or part of a building used for the repair and service of motor vehicles and may include muffler, brake, radiator, engine, tire, glass replacement, wheel alignment, and other specialized activities directly related to the repair or alteration of motor vehicles, but shall not include paint and body repairs, the manufacture or fabrication of motor vehicle parts for the purpose of sale, or the retailing of gasoline or other fuels.

15. **Automobile Sale and Rentals** means an establishment where new and/or used vehicles are kept for sale or rental.

16. **Automobile Washing** means the use of a building, land, or part thereof for the commercial washing of automobiles.

B

17. **Boarding (Rooming) House** means a building in which the proprietor rents out two or more separate boarding house sleeping units but does not include rooms advertised to the travelling public.

18. **Boarding House Sleeping Unit** means a habitable room or rooms that are part of a boarding house and contain sleeping quarters for the use of tenants which are rented individually, but do not contain a private washroom and kitchen within the unit.

19. **Building** means any structure, whether temporary or permanent, that is roofed and that is used for the shelter or accommodation of persons, animals, material, or equipment but does not include frames for sheltering crops.

20. **Building Supply and Equipment Depot** means the use of buildings or land for the storage of materials and equipment in support of a building and construction-related trade such as, but not limited to, carpenters, electricians, masons, landscapers, and plumbers.

C

21. **Campground** means the use of land, or part thereof, for providing an overnight camping experience in tents, yurts, bunkies and similar structures, but does not include an RV park.

22. **Carport** means a building or structure which is without walls on at least two sides and is used for the parking or storage of a motor vehicle. For the purposes of this Bylaw a carport with an enclosed second storey shall be considered a garage.

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

24. **Central Sewer System** means a system of piping and plant for the collection, transportation, and treatment of sewage from multiple lots, of such design and installation as to satisfy the requirements of all agencies concerned both provincial and municipal.

25. **Commercial Recreation** means:

    1. **Indoor Commercial Recreation** means any land use that offers active or passive recreation for monetary gain for the operator of the site and includes but is not limited to cinemas, concert and performance halls, spectator venues, game rooms, escape rooms, bowling alleys, and indoor paintball fields, but does not include an indoor shooting range.
    2. **Outdoor Commercial Recreation** means any land use that offers active or passive recreation for monetary gain for the operator of the site and includes but is not limited to ski hills, drive-in theatres, golf courses, gondolas, equestrian centres, and archery ranges, but shall not include shooting ranges and racetracks.

26. **Commercial Use** means the use of land, building or structure for the purpose of buying and selling commodities and/or supplying of services as distinguished from uses such as manufacturing or assembling of goods, warehousing, transport terminals, construction, and other similar uses.

27. **Common Wall** means a vertical separation completely dividing a portion of a structure from the remainder of a structure and creating, in effect, a building which, from its roof to its lowest level, is separate and complete unto itself for the purpose for which it is designed, intended, or used.

28. **Community Centre** means any tract of land, or building(s), or any part of any buildings used for community activities whether used for commercial purposes or not, the control of which is vested in the Municipality, a local board, service club, fraternal organization, recreation association, or registered community association.

29. **Conservation Use** means the use of land intended for the protection and preservation of water, soil, plants, and animals.

30. **Corner Vision Triangle** means that part of a corner lot adjacent to the intersection of the exterior lot lines measured from such intersection a distance of 2.0 metres along each such street line and joining such points with a straight line. The triangular shaped land between the intersecting lines and the straight line joining the points the required distance along the street lines shall be known as the ‘corner vision triangle’.

31. **Council** means the elected Council of the Municipality of Pictou County.

32. **Craft Food and Beverage Production** means the use of a building or part thereof to produce:

    1. specialized food products intended for retail sale;
    2. not more than 150,000 hectolitres of beer, wine, mead, premixed cocktails, kombucha, or non-alcoholic beverages in a year; or
    3. not more than 75,000 litres of distilled spirits in a year; and

    may include public tasting and retail sales of the product but does not include a restaurant or drinking establishment unless those uses are permitted as a main use in the applicable use zone.

33. **Cultural Facilities** means the use of land, buildings, or part thereof, for the promotion of art, culture, and learning and without limiting the generality of the foregoing includes galleries, art or craft workshops or studios, libraries, museums, performance arts theatres, visual arts centres, war memorials, cenotaphs, and other similar uses, but excludes drive-in theatres.

D

34. **Day Care Centre** means a place where people are cared for without overnight accommodation, but does not include a school.

35. **Development** means any erection, construction, addition, alteration, placement, replacement, location, relocation of, or addition to any structure and any change or alteration in the use made of land, building or structures.

36. **Development Agreement** means a legal agreement between Council and a property owner governing the use of the property owner's land, as enabled by the *Municipal Government Act* and Municipal Planning Strategy and registered on title.

37. **Development Officer** means the person or persons, or designate, appointed by Council from time to time to administer the Land Use Bylaw and Subdivision Bylaw.

38. **Display Court** means the use of land for the outdoor display and sale of large household or recreational items such as, but not limited to, all-terrain vehicles, hot tubs, swimming pools, and recreational vehicles. This definition shall include the display and sale of prefabricated homes but shall not include heavy equipment sales and rentals.

39. **Drinking Establishment** means the use of a building, land, or part thereof for the primary purpose of serving alcoholic beverages to the public in compliance with the *Liquor Control Act,* R.S., c. 260, s. 1, and may include the serving of food incidental to the sale of alcohol.

40. **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 includes Small Options Homes, manufactured housing, modular homes, and mini homes but shall not include a hotel, motel or travel trailer.

41. **Dwelling Unit** means one or more habitable rooms within a dwelling designed, occupied, or intended for use by one or more individuals as an independent and separate housekeeping establishment in which cooking, sleeping, and sanitary facilities are provided for the exclusive use of such individual or individuals.

E

42. **Effective Date** means the day when upon adoption by the Council of the Municipality of Pictou County and approval by the Minister of Municipal Affairs, this Bylaw took effect by means of a notice that was published in a newspaper. For greater clarity, it means the first and initial date of coming into force and excludes any dates of later amendments to the document.

43. **Electric Vehicle Charging** means infrastructure that supplies energy for the charging of electric vehicles, such as plug-in electric and hybrid vehicles.

44. **Emergency Services** means the use of a building or land for the protection of public health, safety, and property and shall include, but is not limited to, fire stations, ambulance depots, police stations, and search-and-rescue facilities, but does not include a correctional facility.

45. **Erect** means to build, construct, reconstruct, alter, or relocate and without limiting the generality of the forgoing shall 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.

46. **Existing** means a structure, use, or road lawfully in operation, in existence, or under construction on the specified date or, if no date is specified, on the effective date of this Bylaw.

F

47. **Farm Machinery Sales and Services** means an establishment intended for the purpose of sales, repairs, or servicing of farm-related machinery.

48. **Farmers' Market** means the use of land, buildings, structures, or part thereof for the purpose of selling seasonal fresh produce, meat, fish, craft products, and ready-to-eat food by independent vendors.

49. **Fishery-related Uses** means the use of land, buildings, or part thereof for activities related to shipbuilding and repair, the commercial fishery, and the provisioning of ships and shall include, but is not limited to, boatyards, fish processing, shipbuilding and repair, ship chandlering, and storage of commercial fishing gear.

50. **Footprint** means the total ground floor area of a building enclosed within the exterior faces of the exterior walls, and for the purpose of this definition the walls forming a courtyard shall be deemed to be exterior walls.

51. **Forest, Fish, and Farm Stall** means the direct sale of fish or other seafood; farm products such as but not limited to, flowers, fruit, and vegetables; and forestry products such as, but not limited to, Christmas trees, wreaths, and maple products, by individuals or companies engaged in the harvesting of such.

52. **Forestry-related Uses** means the production of lumber or pulp and uses associated with the forestry industry, including sawmills, maple sugaring operations, Christmas tree u-picks, shingle mills, forestry vehicle and equipment storage, maintenance buildings and yards, tree nurseries, and wholesale outlets for wood and wood products.

53. **Funeral Home** means the use of a building or part thereof for the preparation, temporary display, and/or funeral ceremony of deceased persons or domestic pets and may include a crematorium.

54. **Full Cutoff Light Fixture** means a light fixture or luminaire constructed and installed in such a manner that all light emitted from the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is protected below the horizontal plane through the fixture's lowest light emitting part.

G

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

56. **Garage** means a building or structure which is enclosed on three (3) or more sides and is used for the parking or storage of one or more motor vehicles.

57. **Government Uses** means a municipal, provincial, or federal government office, courthouse, registry office, health clinic, welfare center, employment office, and other buildings required for other government service delivery including municipal servicing or a building of any government agency or crown corporation not otherwise captured by a defined use.

58. **Grade** means:

    1. when used in reference to a building or structure, the average elevation of the finished surface of the ground where it meets the exterior of foundation of the building or structure, exclusive of any artificial embankment or entrenchment; or
    2. when used in reference to a street, road, or highway, the elevation of the street, road, or highway established by the Municipality or other designated authority.

59. **Gross Floor Area** means the sum of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level, and for the purpose of this definition, the walls forming a courtyard shall be deemed to be exterior walls.

H

60. **Habitable Room** means a living room, bedroom, kitchen with or without space for eating, or a dining room.

61. **Heavy Equipment Sales and Rentals** means a building or part of a building or structure in which heavy equipment and machinery are offered or kept for sale, rent, lease, or hire under agreement for compensation.

62. **Height** means the vertical distance on a building or structure, except wind turbines, between grade and:

    1. the highest point on a non-building structure;
    2. the highest point of the roof surface or the parapet, whichever is greater, of a flat roof;
    3. the deck line of a mansard roof;
    4. the mean level between the eaves and ridges of gabled, hip, gambrel, or other type of pitched roof.

63. **Hobby Livestock Farm** means the use of buildings or part thereof for the sheltering of livestock on a limited scale and without expectation of such livestock keeping being a primary source of income.

64. **Home-based Business** means a business activity that is accessory to a dwelling and involves the provision or sale of goods and/or services to the public and where the dwelling is the principal residence of the business operator.

65. **Hospital** means an institution for the treatment of persons afflicted with or suffering from sickness, disease, or injury and may or may not include a medical clinic.

I

66. **Industrial Uses** means:

    1. **Hazardous Industrial Uses** means the use of land or buildings for manufacturing, assembly, and/or processing and which use may be located in whole or in part to the exterior of the building and which use, by the nature of its operation may be hazardous due to risks of explosion, radiation, noxious emissions, or similar hazards. This definition shall include, but is not limited to, explosives, petrochemical, synthetic fertilizer, coke, or paint plants.
    2. **Heavy Industrial Uses** means the use of land or buildings for manufacturing, assembly, and/or processing and which use may be located in whole or in part to the exterior of the building and/or which use, by the nature of its operation may cause land use conflicts. This definition shall not include fishery related uses but shall include, but is not limited to, rendering plants; tanneries; drycleaners; refineries; or industrial cleaners.
    3. **Light Industrial Uses** means the use of a building for machining, manufacturing, assembly, and/or processing and such use shall be wholly contained within the building and shall not be obnoxious.

67. **Interpretive Centre** means the use of a building or structure or part thereof to communicate to the public the historical, scientific, or cultural information about a location and/or to provide tourism and wayfinding information to the public.

J

K

68. **Kennel** means the use of land, a building, or part thereof for an animal shelter or for a commercial establishment where domestic animals, excluding livestock, are bred, raised and sold, and/or boarded overnight.

L

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

70. **Livestock** means poultry, cattle, sheep, swine, goats, horses, ponies, mules, ratites, farmed deer and game farm animals and any other livestock designated by the Minister of Agriculture under authority of the *Fences and Detention of Stray Livestock Act*. R.S., c. 166, s.1.

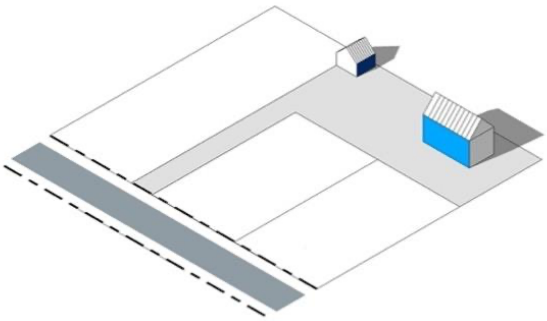
71. **Livestock Operation** means an operation in which livestock are kept in a building, feedlot, or other facility for feeding, breeding, milking, or meat or egg production, but does not include an equestrian centre, which is included in the definition of outdoor commercial recreation, or a hobby livestock farm.

72. **Loading Space** means an area of land provided and maintained upon the same lot or lots upon which the main use is located and which is:

    1. 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;
    2. does not include any portion of a public or private road right-of-way; and
    3. has adequate access to permit ingress and egress by means of driveways, aisles, maneuvering areas or similar areas, no part of which shall be used for the temporary parking or storage of one or more motor vehicles.

73. **Lot** means any parcel of land described in a deed or as shown on a registered plan of subdivision.

1. **Corner Lot** means a lot situated at the intersection of land abutting on two or more public or private roads. The shortest lot line abutting a road shall be deemed the front lot line of said lot.
2. **Through Lot** means a lot, which is not a corner lot, with frontage on more than one road.
3. **Flag Lot** means a lot characterized by the main body of the lot generally to the rear of another lot and with lot frontage provided by a narrow prolongation or "pole" that extends from the main body of the lot to a public or private road.



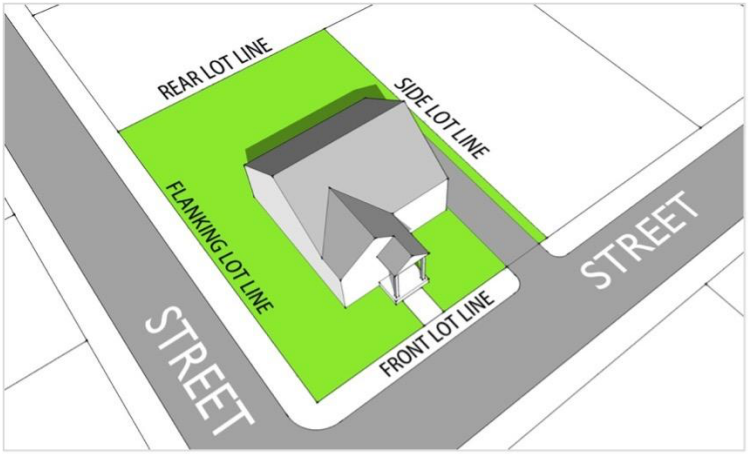
4. **Serviced Lot** means a lot that is serviced by a central sewer system, or is in the process of tentative subdivision approval and has been identified for connection to a central sewer system, and may or may not include central water services.
5. **Unserviced Lot** means a lot that is not serviced by a central sewer system.

74. **Lot Area** means the total horizontal area within the lot lines of a lot.

75. **Lot Frontage** means the length of a straight line joining the side lot lines and parallel to the front lot line. Lot frontage for lots with an irregular front lot line shall be measured perpendicular to a line joining the midpoint of the front lot line and the midpoint of the rear lot line at a point along this line equal to the minimum front yard setback. In determining yard measurements, the minimum horizontal distance from the respective lot lines shall be used. Calculation of lot frontage for corner lots shall be the horizontal distance between the side lot line and the flankage lot line. This definition shall not apply in the case of flag lots.

76. **Lot Line** means any boundary of a lot.

1. **Front Lot Line** means the line dividing the lot from the road; in the case of a corner lot, the shorter boundary line abutting the road shall be deemed the front lot line and the longer boundary line abutting the road shall be deemed the side lot line. In the case of a through lot, any boundary dividing the lot from a road may be the front lot line.
2. **Flankage Lot Line** means a side lot line which abuts the road on a corner lot.
3. **Rear Lot Line** means the lot line furthest from opposite the front lot line.
4. **Side Lot Line** means a lot line other than a front, flankage, or rear lot line.



M

77. **Main Building** means the building in which the principal use of the property is undertaken.

78. **Main Wall** means the exterior front, side, or rear wall of a building, and all structural members essential to the support of a fully or partially enclosed space or roof.

79. **Manufacturing** means the production, compounding, processing, packaging, crafting, bottling, packing or assembling of raw or semi-processed or fully-processed goods or materials, and shall include a recycling operation completely contained within a building.

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

81. **Marine Recreation Provider** means a commercial business use that, due to the nature of the use, relies on the sea or ocean as an integral part of its operation. This includes, but is not limited to, boat tours, canoe and kayak rentals, and jet ski rentals, but does not include uses related to the commercial fishing industry.

82. **Medical Clinic** means the use of a building or part thereof where medical or therapeutic diagnosis and/or treatment services are provided to the general public, but does not include a public or private hospital.

83. **Mineral-related Industries** means buildings, structures, land, or part thereof, used for mineral and aggregate processing, storage, and related uses including, but not limited to, asphalt processing, concrete batching and component manufacturing, sand pit operations, and mineral bulk storage.

84. **Municipal Government Act** means the *Municipal Government Act*, SNS 1998, Chapter 18 and amendments thereto.

85. **Municipal Landfill Site** means land owned by the Municipality of Pictou County and intended for the disposal of waste material, including the temporary storage, consolidation and transfer, sorting, processing, treatment, or recycling of waste material.

86. **Municipal Planning Strategy** means the Municipal Planning Strategy of the Municipality of Pictou County.

N

87. **Nursing Home** means an extended or immediate care facility licensed under the *Homes for Special Care Act*, or successor legislation, to provide full time skilled nursing care to individuals who, by reason of age, chronic illness, or infirmity, are unable to care for themselves.

O

88. **Obnoxious Use** means a use which, from its nature or operation creates a nuisance or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, oil or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material.

89. **Office** means a building or part thereof, furnished or used for the purpose of regularly transacting business such as a service performed or consultation given but shall not include a manufacturing of any product or the retail selling of goods.

90. **Open Space** means uses related primarily to the outdoor enjoyment of lands, including recreational uses, accessory buildings to a beach including change rooms and washrooms, boardwalks and nature interpretation stands, canteens, conservation projects, information stands, marina facilities and picnic areas and facilities.

91. **Ordinary High Water Mark** means:

    1. for non-tidal waters, the limit or edge of the bed of a body of water where the land has been covered by water so long as to wrest it from vegetation or as to mark a distinct character upon the vegetation where it extends into the water or upon the soil itself; and
    2. for tidal waters, the mark on the seashore reached by the average of the mean high tides of the sea between the spring and neap tides in each quarter of a lunar revolution during the year excluding only extraordinary catastrophes or overflows.

92. **Outdoor Display** means the display of retail goods or materials intended for the immediate sale to the general public where such goods are not enclosed within a building.

93. **Outdoor Storage** means storage exterior to a building of items such as merchandise, goods, inventory materials, or equipment and where such items are not intended for immediate sale; but does not include items ancillary to a residential use, such as, but not limited to, firewood for on-site consumption.

P

94. **Park or Playground** means an area of land used for recreation with features including, but not limited to, greens, community gardens, walking paths, play structures, ponds, fountains, and dog parks.

95. **Parking Lot or Structure** means an open area of land other than a road or an area within a structure for the parking of motor vehicles.

96. **Parking Space** means an area for the temporary parking or storage of motor vehicles, and which has adequate access to permit ingress and egress of a motor vehicle to and from a road or highway by means of driveways, aisles or maneuvering areas.

97. **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 such establishments as barber shops, beauty parlours, automatic laundry shops, hairdressing shops, shoe repair and shoe shining shops, and depots for collecting dry cleaning and laundry, but excludes any manufacturing or fabrication of goods for sale.

98. **Place of Worship** means a place dedicated to religious worship and may include, but is not limited to, halls or auditoriums for religious gathering, accessory office space for administrators, day nurseries operated for patrons, and classroom space for religious instruction.

99. **Private Club** means the use of a building or part thereof for a meeting place for members of an organization and may include a lodge, a legion, a fraternity or sorority house, and a labour union hall.

100. **Private Road** means a private street or road as defined in the Subdivision By-law of the Municipality of Pictou County.

101. **Public and Private Utilities** means a closely regulated enterprise with a franchise for providing to the public a utility service deemed necessary for the public health, safety and welfare.

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

103. **Public Road** means a public street or road as defined in the Subdivision By-law of the Municipality of Pictou County.

104. **Public Transportation** means the use of land, buildings, or part thereof for the transportation of passengers and related activities and includes bus stations, taxi stands, and railway stations but does not include airports.

Q

105. **Qualified Person** means an individual who:

    a. has undergone proper educational training and gained experience and expertise to become certified or recognized as able to practice in a particular profession in the province of Nova Scotia;

    b. is practicing within the scope of their profession; and,

    c. if required by applicable legislation, is a member in good standing in the professional body representing and/or regulating the profession in Nova Scotia.

R

106. **Racetrack** means the use of land for the purpose of racing motorcycles, all-terrain vehicles, automobiles, or similar motorized vehicles, and animals, including, but not limited to, horses or dogs, over a constructed track or course or where the continuous use of land creates a track or course.

107. **Recreational Vehicle ("RV")** means a vehicle intended as temporary accommodation for travel, vacation, or recreational use. Such vehicles may include, but are not limited to, a motor home, fold-down camping trailer, truck camper, holiday trailer, or fifth wheel travel trailer, but does not include any vehicle that meets the definition of a derelict vehicle under the *Municipal Government Act*.

108. **Recycling Depot** means the use of a building or land in which domestic recoverable resources such as newspapers, glassware, and metal cans are collected, stored, flattened, crushed, or bundled to be taken to another site for processing. For greater clarity, this use does not include a salvage yard.

109. **Repair** when used with reference to a building or structure means to renovate or mend by replacing or repairing parts without altering the size or volume of the building or structure.

110. **Replace** when used with reference to a building or structure means to build a wholly or substantially new building or structure on a lot where the original building or structure has been partially or wholly demolished.

111. **Residential Care Facility** means the use of a building or part thereof as a family home, group care facility, or similar facility for the non-medical care of more than six (6) persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual, but does not include a facility licensed by Corrections Canada or Nova Scotia Corrections or successor bodies.

112. **Restaurant** means premises whose primary purpose is to prepare, serve, and sell food and non-alcoholic beverages for consumption on or off the premises. A restaurant use may be licensed to serve alcoholic beverages, but this shall be incidental to the preparation, serving, and selling of food.

    1. Restaurant, Drive-through means a restaurant or part thereof where the intent is to provide food and/or drink to customers while they remain in their motor vehicles.
    2. Restaurant, Eat-in means a restaurant or part thereof where food and/or drink may be consumed within the building or on an attached, formalized outdoor space.
    3. Restaurant, Take-out means a restaurant or part thereof that does not provide facilities for consumption of food or drink on the premises, or only provides informal outdoor eating facilities, such as picnic tables.

113. **Retail Lumber and Home Improvement Yard** means the outdoor storage and display of lumber and other building supplies for sale. For greater clarity, retail sale contained wholly within a building shall be considered as a retail store.

114. **Retail Store** means a building or part of a building in which goods, wares, merchandise, substances, articles, or things are offered or kept for sale directly to the public at retail, but this definition does not include automobile sales, boat and marine sales, display courts, retail lumber and home improvement yards, or heavy equipment sales and rentals.

115. **RV Park** means the use of land for more than three recreational vehicles for the purpose of habitation or accommodations. For greater clarity, and without limiting the generality of the foregoing, uses accessory to an RV park may include convenience stores, laundries, take-out restaurants, recreational facilities, halls, and management offices provided such uses are for the exclusive use of park patrons.

S

116. **School** means:

    1. **Academic School** means the use of a building or part thereof as an educational establishment, whether public or private, intended for the academic instruction of students up to the completion of Grade 12, and may include elementary schools, junior high schools, high schools, and consolidated schools, but does not include daycares as the main use.
    2. **Commercial School** means the use of a building or part thereof as an educational establishment, whether public or private, intended for instruction in extracurricular activities and/or vocational skills and shall include, but is not limited to, dance schools, music schools, sports schools, driving schools, culinary institutes, hair schools, computer schools, and other similar schools, but does not include post-secondary schools.
    3. **Post-secondary** School means the use of a building or part thereof as a degree- or diploma-granting public educational establishment intended for the academic instruction of students after the completion of Grade 12.

117. **Scrap Yard** means the use of land for keeping or storing used bodies or parts of automobiles or any other type of used equipment, vehicles, machinery, or materials of any kind, regardless of whether such use occupies all or a part of the lot or lots upon which it is located, or whether it is a use operated for commercial or other purposes, or whether the use is subject to salvage yard licensing requirements of the Province of Nova Scotia, but does not include a recycling depot.

118. **Self-storage Facility** means the use of a building, collection of buildings, or part thereof for individual, small, self-contained units that are leased or owned for the storage of business or household goods or contractor supplies.

119. **Service and Repair Shop** means a shop for servicing, repairing, installing, or renting things and equipment, including, but not limited to, the following: radio or television service or repair shops, locksmith shops, small appliance service or repair shops, small engine repair shops, household and carpenter tool service and repair shops, but shall not include industrial, manufacturing, or motor vehicle repair shops.

120. **Setback** means the distance between a specified lot line and the nearest main wall of any building or structure.

    1. **Flankage Setback** means the horizontal distance measured from the flankage lot line and the nearest main wall of any building or structure on the lot.
    2. **Front Setback** means the horizontal distance measured between the front lot line and the nearest main wall of any building or structure on the lot.
    3. **Rear Setback** means the horizontal distance measured between the rear lot line and the nearest main wall of any building or structure on the lot.
    4. **Side Setback** means the horizontal distance measured between the side lot line and the nearest main wall of any structure on the lot.

121. **Separation Distance** means the shortest straight-line distance measured between two structures.

122. **Shipping Container** means an article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one or more means of transportation, whether or not it is actually being used for such a purpose, and includes, but is not limited to, intermodal freight containers (sea containers) and the body of transport trailers or straight truck boxes, but does not include a motor vehicle.

123. **Shooting Range** means the use of land or buildings for sport shooting including, but not limited to, sport shooting that involves the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or other similar items.

124. **Shoreline** means the ordinary high water mark of a coastal or other body of water.

125. **Small Options Home** means the use of a building or part thereof for a family home, group care facility, or similar facility for the non-medical care for not more than six (6) persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual, but does not include a facility licensed by Corrections Canada or Nova Scotia Corrections or successor bodies.

126. **Solar Collector System** means a structure or array of structures, and ancillary equipment, designed to collect solar radiation and convert it to useable forms of energy. Without restricting the generality of this definition, solar collector system may include evacuated tubes, flat plate collectors, concentrating mirrors, and building-integrated photovoltaic materials but does not include windows or greenhouses.

    1. **Accessory Solar Collector System** means a solar collector system designed and sized with a primary purpose to offset or meet the energy needs of other uses on the site. While such systems may generate, on an annual basis, a small monetary profit through programs such as net metering, such profits shall be secondary and incidental to the purpose of offsetting on-site energy needs.
    2. **Large-scale Solar Collector System** means a solar collector system designed and sized with a primary purpose to provide electricity or other forms of energy to the grid or other off-site uses.

127. **Solid Waste Disposal** means facilities for the treatment and disposal of solid waste, such as garbage or compost, and includes incinerators and landfills, but does not include a salvage yard or Municipal Landfill Site.

128. **Storey** means the portion of a building between any floor and the floor, ceiling or roof next above, provided that any portion of a building partly below grade level shall not be deemed a storey unless its ceiling is at least 1.8 metres (6 feet) above grade and provided also that any portion of a storey exceeding 4.3 metres (14 feet) in height shall be deemed an additional storey for each 4.3 metres (14 feet) or fraction thereof of such excess.

129. **Street Line** means the boundary line of a public road or private road.

130. **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 by any other structure. A structure shall include buildings, walls, and signs and also fences exceeding 1.83 metres (6 feet) in height.

131. **Subdivision By-law** means the Subdivision By-law of the Municipality of Pictou County.

T

132. **Top of Bank** means that point where there is a break or change in slope or grade which distinguishes a ravine, valley, cliff, bluff, rock face, or dune landform from its surrounding landscape.

133. **Tour Operator** means any commercial establishment or business offering sightseeing tours or experiential tourism offerings including but not limited to cycling, walking, or watercraft tours, fishing excursions, and whale watching.

134. **Trail and Conservation Uses** means the use of land intended for the protection and preservation of water, soil, plants, and animals and for trails, boardwalks, floating docks, open space, interpretive panels or kiosks, washrooms, and any structure or building necessary for conservation purposes or scientific research related to the lands in question or to adjacent water bodies.

135. **Transportation and Logistics** means the use of a building, structure, land, or part thereof used for the purpose of transporting any kind of item or thing by truck or other vehicle, including, but not limited to, loading facilities, storage, and maintenance facilities, ports, and airports.

136. **Travel Trailer** means a trailer that is mounted on axels, licensed for highway use and designed to be towed by vehicles on highways that is used or intended to be used for short-term and is intended to be located or parked on a site for a temporary period.

U

137. **Unserviced Lot** means a lot that is not serviced by a central sewer system.

138. **Use** means the purpose for which any land, building, or structure is utilized.

139. **Utility** means an organization supplying the town with electricity, gas, telecommunications, water, or wastewater services.

V

140. **Variance** means a relaxation or reduction of the Land Use Bylaw requirements for a specific site, as stipulated in the *Municipal Government Act*.

W

141. **Warehousing** means the use of a building or part thereof for the storage of commercial or industrial wares or goods, but excludes retail or wholesale stores and self-storage facilities.

142. **Water Access** means the use of land or structures to provide watercraft access to marine or fresh water bodies and shall include, but is not limited to, wharves, docks, slipways, ramps, quays, and marine railroads.

143. **Watercourse** means the bed and shore of every river, stream, lake, creek, pond, lagoon or other natural body of water, and the water therein, within the jurisdiction of the Province, whether it contains water or not.

144. **Water Frontage** means the length of a lot line abutting a water body, measured along the ordinary high water mark.

145. **Wetland** means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

146. **Wholesale** means the use of land or buildings for the distribution and sales of goods in large quantities.

147. **Wind Power Project** means one or more wind turbines developed and arranged so as to function as one cohesive project, evidence of which may include, but is not limited to, providing power to a shared substation or other connection to the electrical grid, being developed under a shared lease, or being developed under the terms of a single power purchase agreement.

148. **Wind Turbine** means a device for converting wind power to electricity.

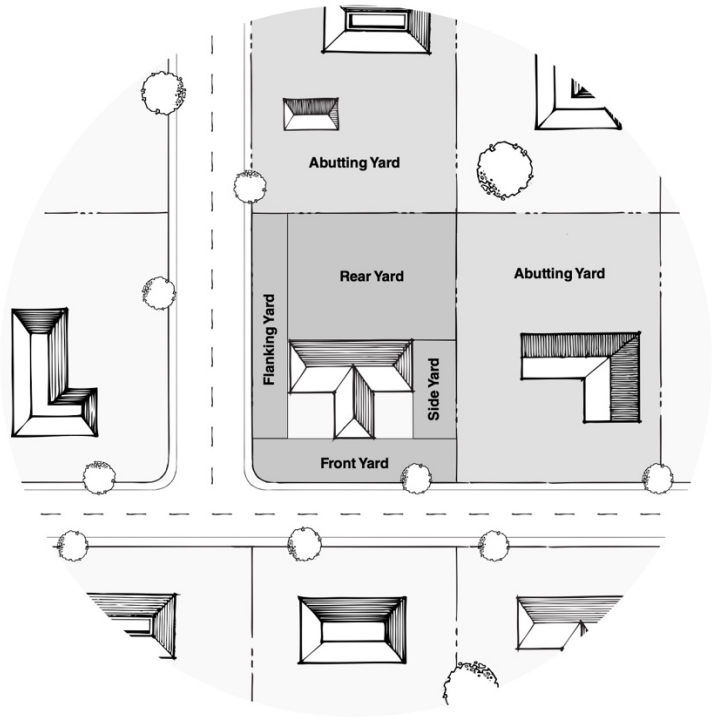
149. **Workshop** means the use of a building or part thereof for the creation of products assembled or made by hand or by small custom production processes including (but not limited to) potters, pewterers, goldsmiths, silversmiths, jewellers, toymakers, leather workers, upholsterers, woodworkers, furniture makers, musical instrument makers, clothing designers, clothesmakers, shoemakers, antique refinishers, glass workers, stained glass workers and sailmakers. This definition shall also include “maker spaces”.

X

Y

150. **Yard** means an open uncovered space on the lot of a main building and unoccupied by buildings or structures except as specifically permitted elsewhere in this Bylaw.

    1. **Flankage Yard** means the area of land extending from the front yard to the rear lot line and between the flankage lot line and the nearest main wall of any main building on the lot.
    2. **Front Yard** means the area extending across the full width of a lot between the front lot line and the nearest main wall of any main building on the lot.
    3. **Rear Yard** means the area extending across the full width of a lot between the rear lot line and the nearest main wall of any main building on the lot.
    4. **Side Yard** means the area of land extending from the front yard to the rear yard and between the side lot line and the nearest main wall of any main building on the lot.



Z

151. **Zone** means a specified area of land shown on Schedule “A” of this Bylaw.

10 Schedules and Appendices

10.1.1 All schedules and figures attached to this Bylaw form an official part of this Bylaw.

10.1.2 Any appendices attached to this Bylaw are for information purposes and may be changed by resolution of Council without formally amending this Bylaw.

Schedule 'A' – Zoning Maps

[amendment 2025-01]

Schedule 'B' – Flood Overlays Map

Schedule 'C' – Agricultural Overlays Map

[amendment 2025-01]

Schedule 'D' – Source Water Protection Overlay Map

Schedule 'E' – Coastal Delineation Map

Zoning Map: Municipality of Pictou County

Legend

Zoning

- CC Community Core
- RC Residential Community
- C1 General Commercial
- C2 Highway Commercial
- C3 Rural Commercial
- P2 Commercial Recreation
- M1 Industrial
- I1 Institutional
- O1 Conservation
- P1 Parks and Open Space
- G1 Rural General
- G2 Rural Mixed Use
- F1 Floodway
- CDD Comprehensive Development District
- S1 Shoreline
- A1 Agriculture Potential

Other

- Town
- First Nations Lands

North

N

Scale

1:125,000

0 2 4 6 km

Date

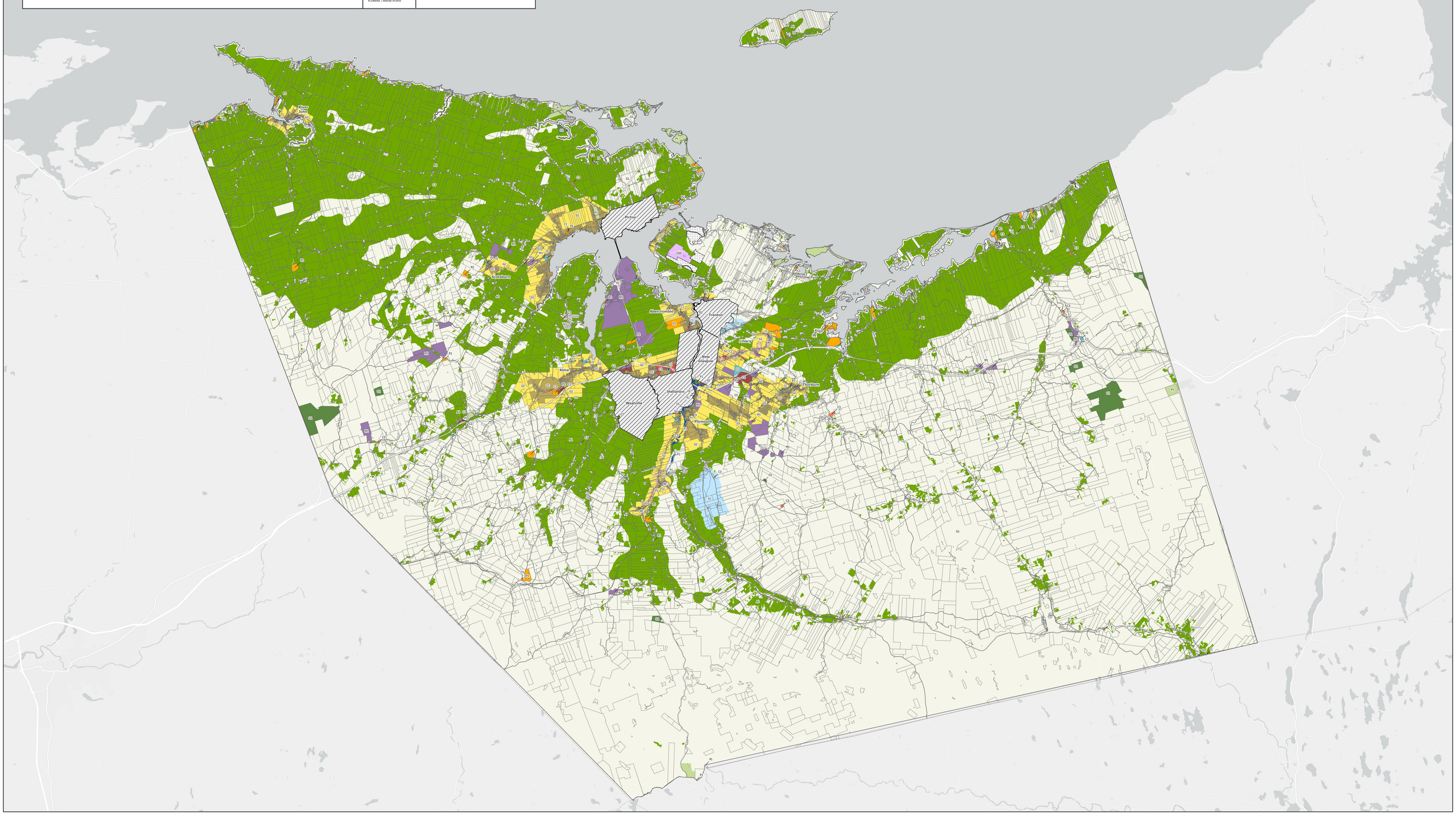
Last Updated:
2026.04.07

UPLAND
PLANNING + DESIGN STUDIO

Data

Credits: Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Zoning Layer: UPLAND Planning + Design



LUB Schedule 'B'
Floodway Fringe Overlay

Legend

- Floodway Fringe (1:100 years)

Other

- Town
- First Nations Lands

North

N

Scale

1:50,000

0 — 1 km

Date

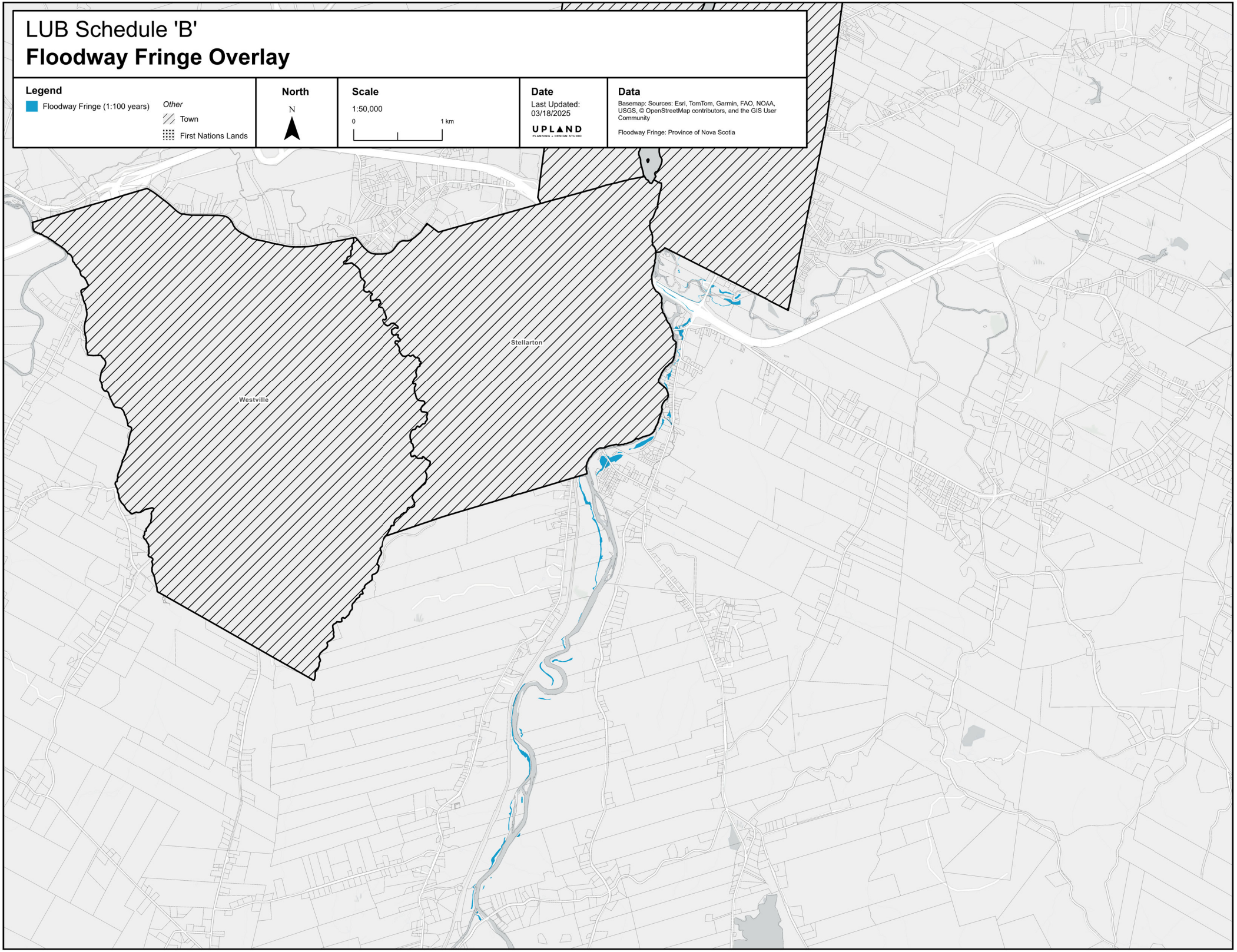
Last Updated:
03/18/2025

UPLAND
PLANNING + DESIGN STUDIO

Data

Basemap: Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Floodway Fringe: Province of Nova Scotia



LUB Schedule 'B'
Floodway Fringe Overlay

Legend

- Floodway Fringe (1:100 years)

Other

- Town
- First Nations Lands

North

N

Scale

1:125,000

0 1 2 3 km

Date

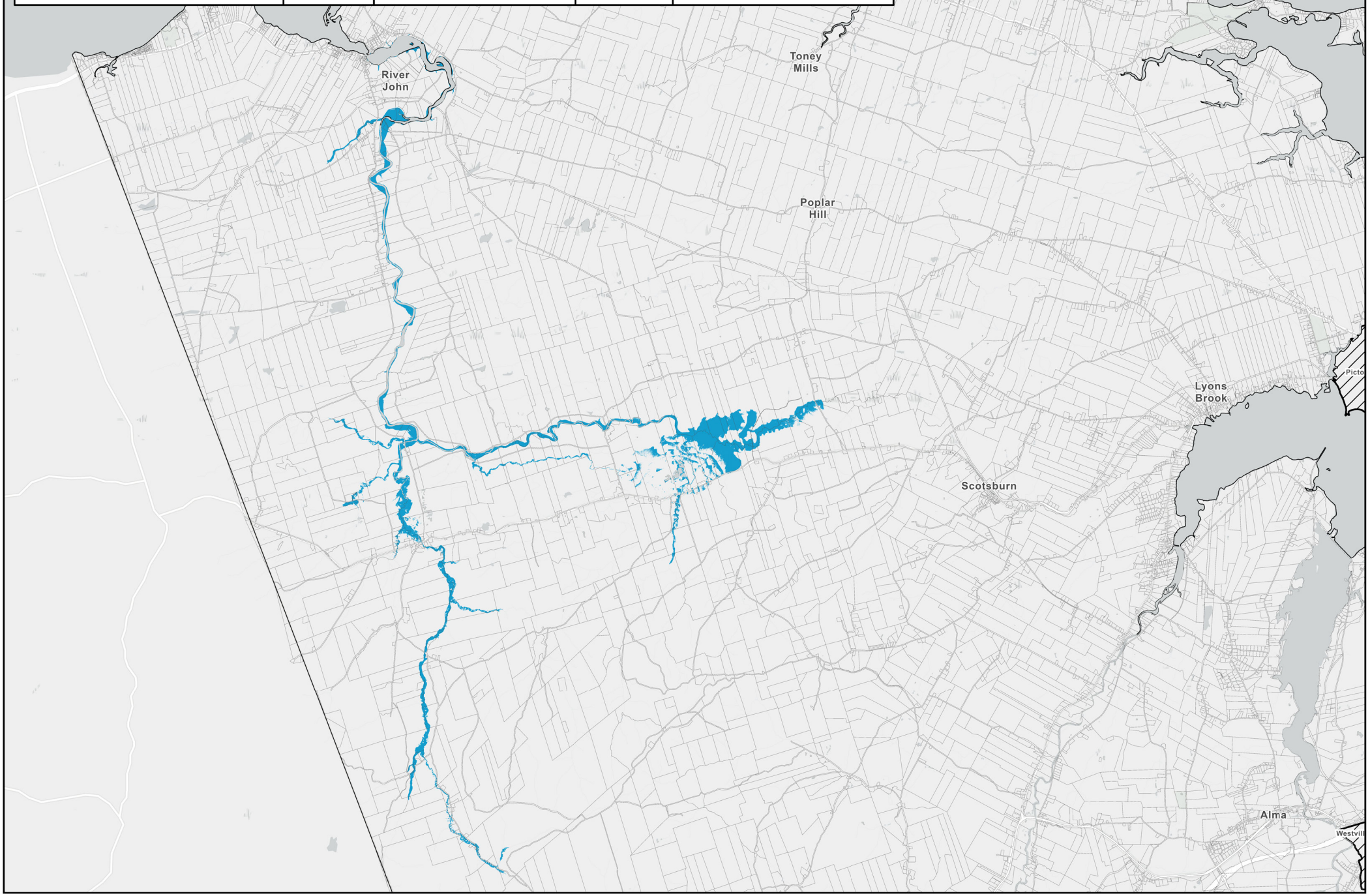
Last Updated:
2024.05.05

UPLAND
PLANNING + DESIGN STUDIO

Data

Basemap: Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Floodway Fringe: Province of Nova Scotia



LUB Schedule 'C'

Agricultural Overlays Map

Legend

- TSO - Topsoil Overlay
- LSO - Limited Subdivision Overlay

Other

- Town
- First Nations Lands

North

N

Scale

1:350,000

0 5 10 km

Date

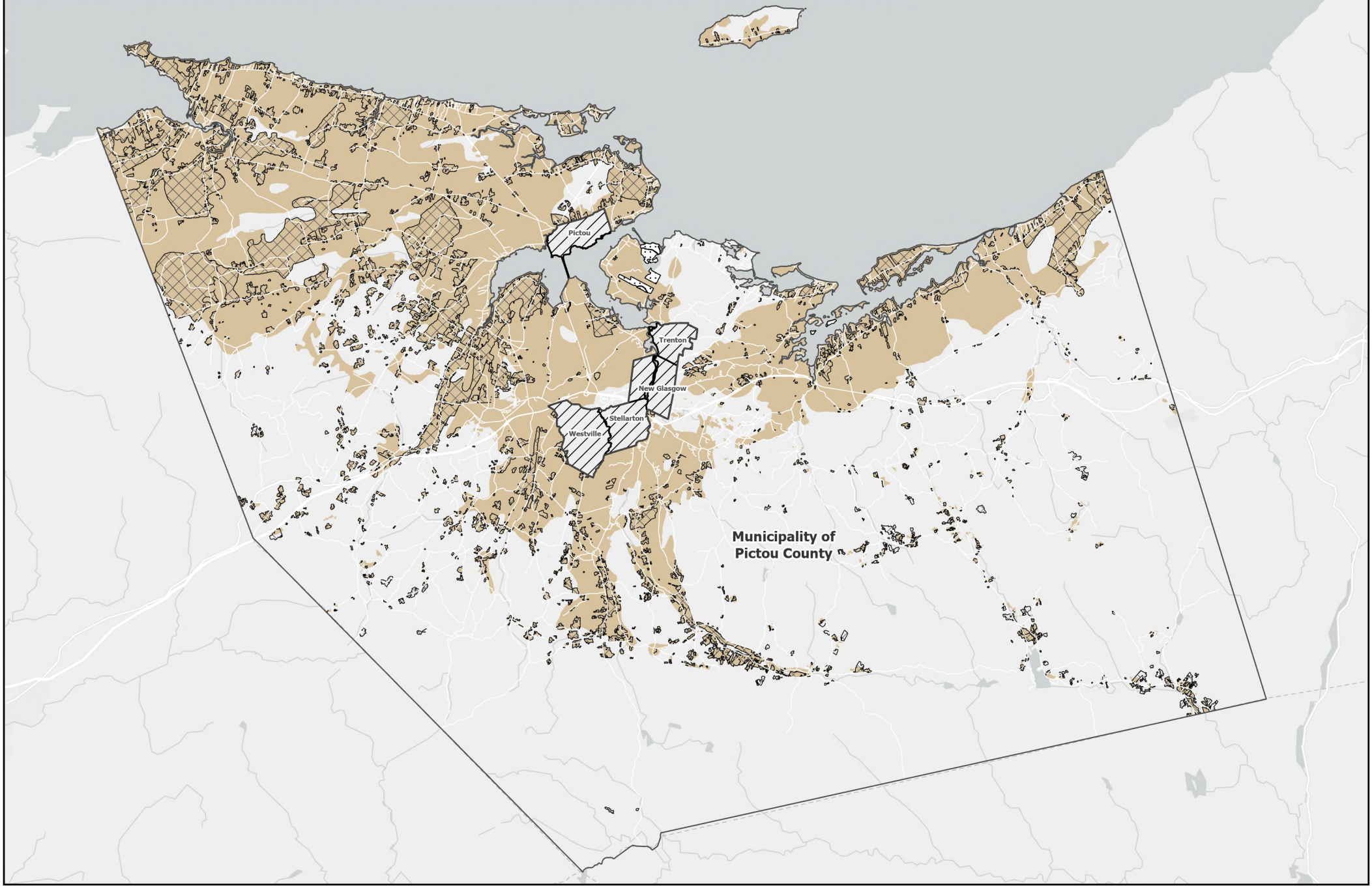
Last Updated: 2026.05.27

UPLAND PLANNING + DESIGN STUDIO

Data

Basemap: Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Agricultural Soils: Government of Canada



LUB Schedule 'D'
Source Water Protection Overlays

Legend

Source Water Protection Overlay

Other

Town

First Nations Lands

North

N

Scale

1:350,000

0 1 2 3 4 5 6 km

Date

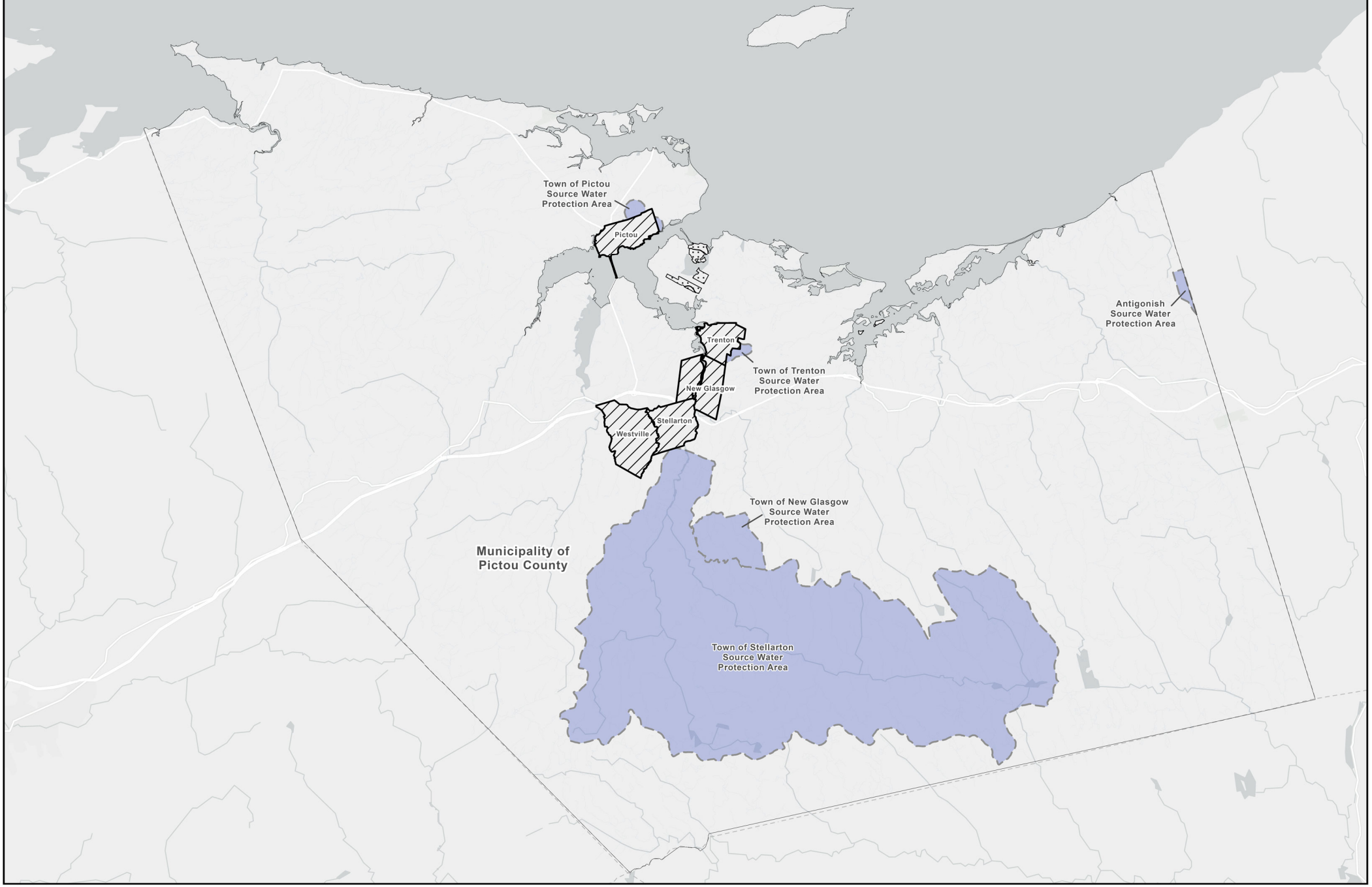
Last Updated: 03/18/2025

UPLAND PLANNING + DESIGN STUDIO

Data

Basemap: Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Source Water Protection Areas: Town of New Glasgow, Town of Trenton, Town of Pictou, Town of Stellarton, Municipality of the County of Antigonish



LUB Schedule 'E'
Coastal Delineation Map

Legend
- Coastline
- *Other*
  - Town
  - First Nations Lands

North
N

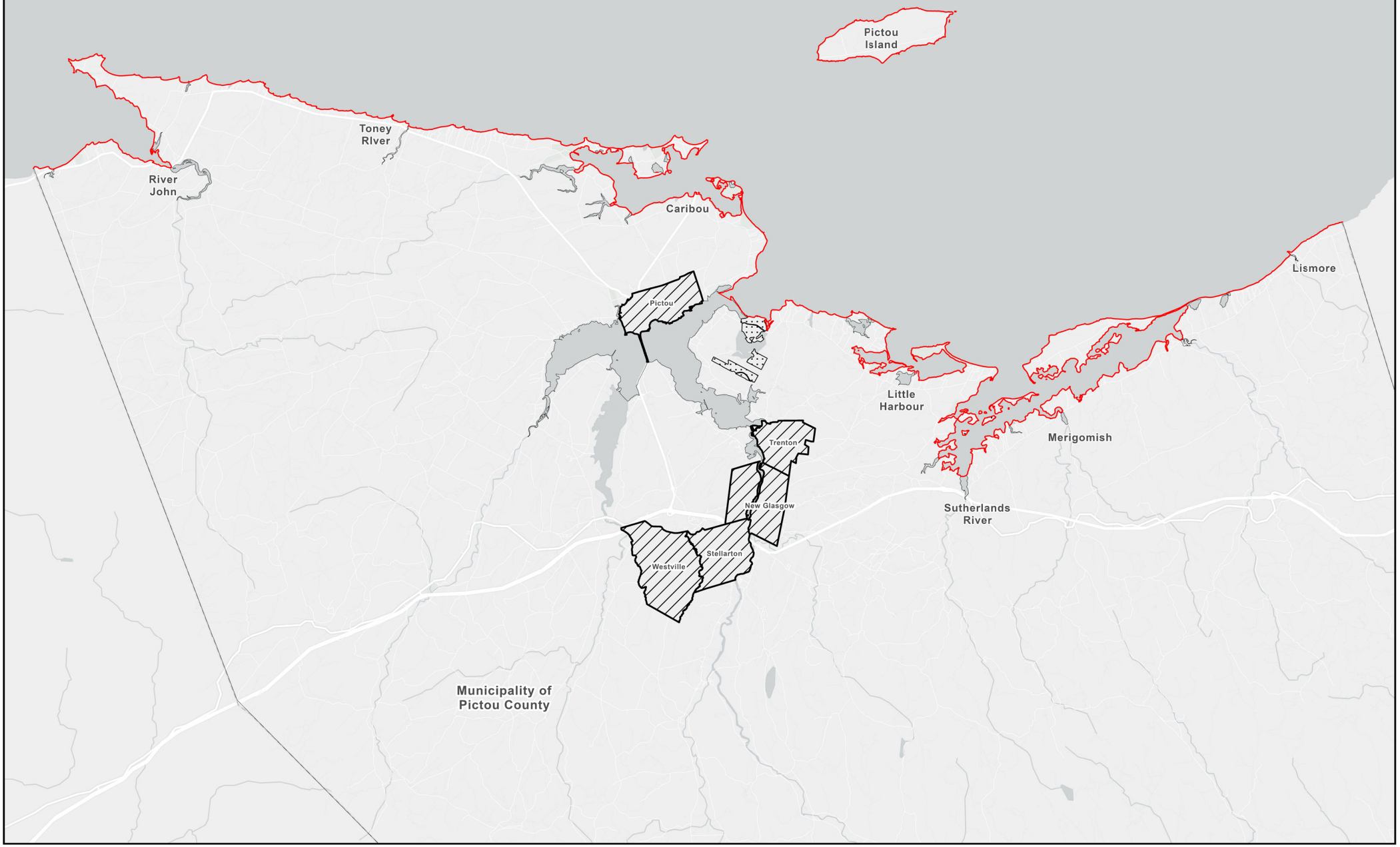
Scale
1:275,000
0 1 2 3 4 5 km

Date
Last Updated:
03/18/2025

UPLAND
PLANNING + DESIGN STUDIO

Data
Basemap: Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Shoreline: UPLAND



MUNICIPALITY PICTOU COUNTY
INCORPD AD. 1879
NOVA SCOTIA