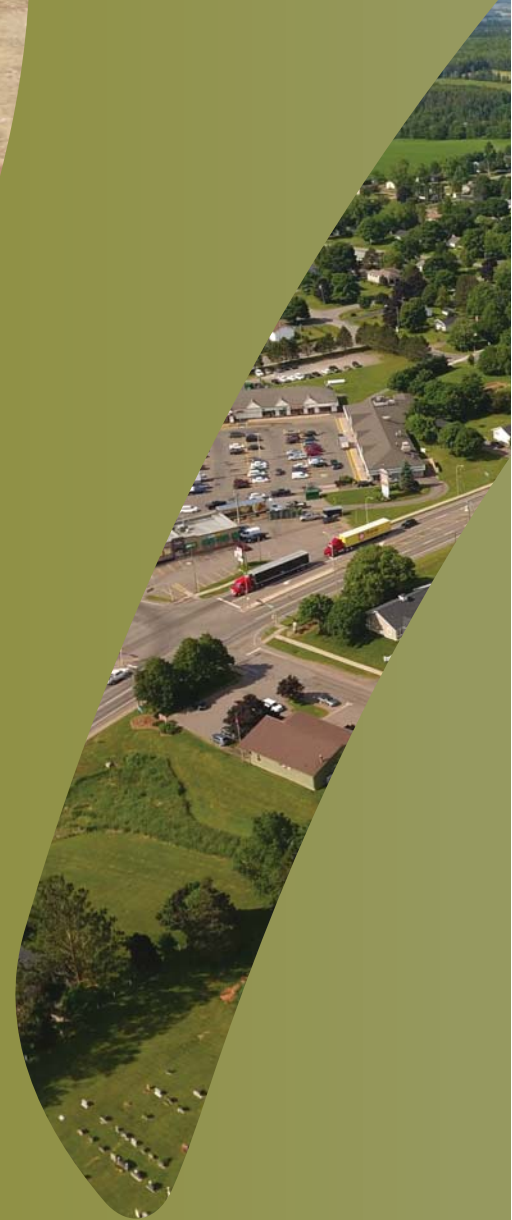




Town *of* Wolfville

LAND USE BYLAW

*APPROVED BY COUNCIL JUNE 30, 2020
EFFECTIVE SEPTEMBER 3, 2020*



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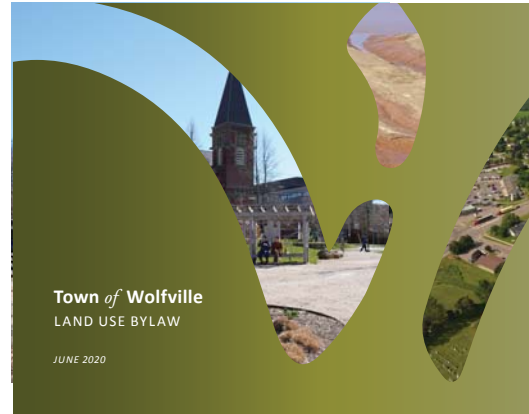
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PART 1 Title and Purpose

This Bylaw shall be known and may be cited as the “Land Use Bylaw” of the Town of Wolfville adopted by Council June 30, 2020 and effective September 3, 2020.

The purpose of this Bylaw is to implement and enforce the policies and intent of the Municipal Planning Strategy (MPS) for the Town of Wolfville, in accordance with the provisions of Section 219 of the Municipal Government Act, by regulating the use of land and the location, size, spacing, character and use of buildings and structures within the Town of Wolfville.



Community Priorities

- EP** Economic Prosperity
- SE** Social Equity
- CA** Climate Action
- LU** Land Use and Design

The Land Use Bylaw actions our Community Priorities and move us toward our shared future.

PART 2 Administration

2.1 ADMINISTRATION

This Bylaw shall be administered by the Development Officer appointed by Council.

- (1) **Acting Development Officer:** In the absence or incapacity of the Development Officer, the acting Development Officer appointed by Council shall act in the Development Officer's stead.

2.2 DEVELOPMENT PERMIT

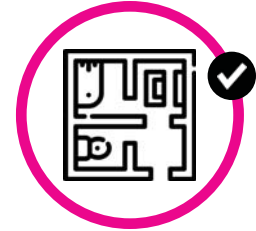
- (1) Unless otherwise stated in this Bylaw, no person shall use any land or erect, construct, alter or use any building or structure in the Town of Wolfville without first obtaining a development permit from the Development Officer.
- (2) The Development Officer shall only issue a development permit in conformance with this Bylaw or a duly executed and approved development agreement.
- (3) A development permit, whether issued before or after the coming into force of this Bylaw, shall expire within 12 months from the date issued if the development has not commenced.
- (4) Any decision of the Development Officer to refuse to issue a development permit shall be given by written notice served by registered mail.
- (5) No developer shall deviate, or allow deviations to be

made, from the description of the proposed development which is contained in the development permit unless approved by the Development Officer.

- (6) The Development Officer may revoke a development permit where information provided on the application is found to be inaccurate. Any revocation shall be sent by registered mail and become effective five (5) days after the mailing date, or immediately on personal service of the notification to the applicant.

2.3 NO DEVELOPMENT PERMIT REQUIRED

- (1) Notwithstanding Part 2.2, no development permit shall be required for:
 - (a) a development that involves the interior renovation of a building that will not change the footprint of the building or increase its volume and/or floor area, will not add more dwelling units or bedrooms, or will not involve a change in use of the building; or
 - (b) a development that involves an exterior renovation of a building façade that is located outside of a Design Guidelines Area (See Schedule C: Design Guidelines Area Map); or
 - (c) temporary uses or temporary signs as specified in section 4.35; or



(d) the following or similar miscellaneous minor structures provided they meet the requirements of Section 4.5 Corner Vision Triangle:

- i) Clothes poles
- ii) Flag Poles
- iii) Garden Trellises
- iv) Cold Frames
- v) Fences
- vi) Retaining Walls
- vii) Children's Play Structures
- viii) Doghouses
- ix) Monuments
- x) Interpretive Displays
- xi) Barrier Free Ramps

2.4 APPLICATION REQUIRED

Every developer wishing to obtain a development permit must submit an application for such development permit to the Development Officer in the form prescribed from time to time by Council.

(1) **Contents of Application:** Every application for a development permit or site plan approval shall be signed by the owner of the lot or, with the written authorization of the owner, the agent of the owner of the lot, and shall be accompanied by a plan drawn to an appropriate scale and showing:

- (a) the true shape and dimension of the lot to be used or upon which it is proposed to construct or locate any building or structure; and

(b) the proposed use, location, height, and dimensions of any building or structure for which the permit is applied and the information shall include measurements of the lot frontage, front, side and rear yards; and

(c) the location of every building or structure already constructed, or partly constructed on such lot and the location of every building or structure existing upon abutting lots; and

(d) the proposed location and dimensions of parking areas, parking spaces, loading spaces, driveways, curbs, landscaping; and

(e) other such information as may be necessary to determine whether the proposed development conforms with the requirements of this Bylaw.

(f) the Development Officer may waive the requirement to supply the above noted information if he/she deems it is not pertinent to the application.

- (2) **Survey of Lands:** Where the Development Officer is unable to determine whether the proposed development conforms to this Bylaw and other Bylaws and Regulations in force which affects the proposed development, the Development Officer may require that the plans submitted under Section 2.4.1 be based upon an actual survey by a licensed Nova Scotia Land Surveyor.



2.5 APPLICATION FEES

Every application for a development permit, subdivision, variance, site plan approval, Municipal Planning Strategy and/or Land Use Bylaw amendment(s) and development agreement shall be subject to the fees as established by Council from time to time, and in accordance with Policy 140-015, Municipal Fees.

2.6 RIGHT OF ENTRY

The Council, or any of its duly authorized employees, shall have the right to enter at all reasonable times into or upon any property within the area to which this Land Use Bylaw applies for the purpose of any inspection necessary in connection with the administration of the Land Use Bylaw.

2.7 AS-OF-RIGHT & CONDITIONAL PROCESS

The Municipal Government Act (MGA) enables as-of-right and conditional approval processes. A generalized as-of-right and conditional approval process is summarized in *Figure 2.1*.

2.8 SITE PLAN APPROVAL PROCESS

The Municipal Government Act (MGA) enables site plan approval as a streamlined approval process. A generalized Site Plan Approval process is summarized in *Figure 2.2*

2.9 DEVELOPMENT AGREEMENT PROCESS

The Municipal Government Act (MGA) enables Development Agreements as a council approval process. A generalized Development Agreement process is summarized in *Figure 2.3*

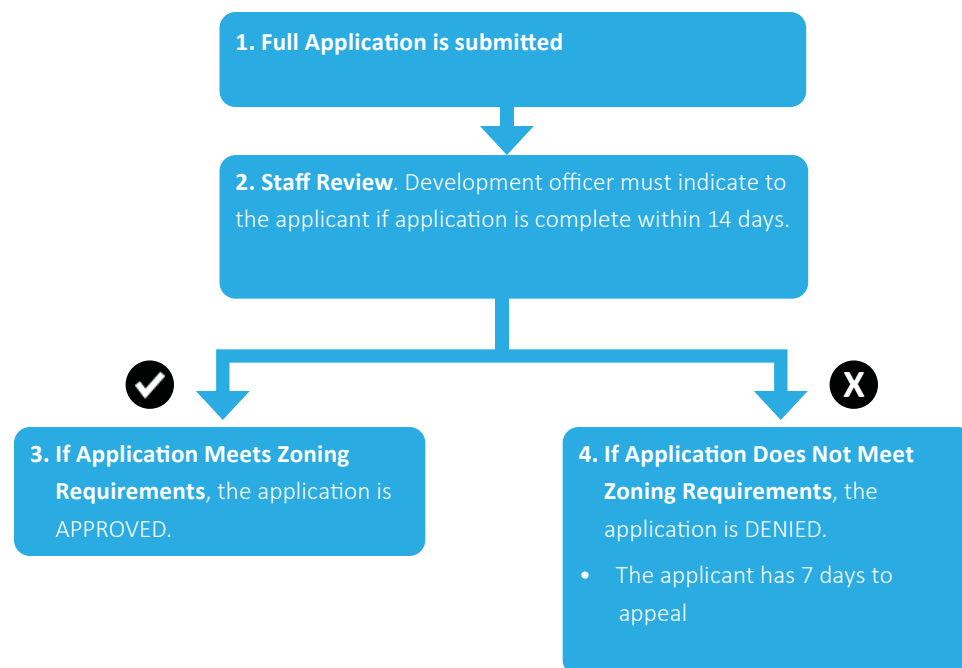


Fig. 2.2 Site Plan Approval Process



1. Pre-application consultation (guidance documents given, forms, etc)

2. Full Site plan Application (Section 2.10) is submitted. Development officer must indicate to the applicant if application is complete within 14 days.

3. Staff Review and negotiate a site plan with applicant. Items negotiated as set out in the planning documents.



4. If Application Meets Zoning Requirements, the application is APPROVED.

- Approval notification is sent to property owners within 30m.,
- 14-day Appeal period is observed,
- Approval is registered on property.



5. If Application does not meet Zoning Requirements:

- Design Review Committee may be asked to review the specific requirement against the Design Guidelines for approval; or
- The proposal may require a Development Agreement process; or
 - The application may be denied,
 - The applicant has 7 days to appeal.

Fig. 2.3 Development Agreement Process



1. Pre-application consultation (guidance documents given, forms, etc)

2. Full Application (Section 2.10) is submitted with notification as per the Town's public participation program policy.

3. Public Information Meeting

4. Design Review (If Necessary)

5. PAC Report & Review

6. Committee of the Whole

7. Public Hearing



8. If DA is Supported, the application is APPROVED subject to appeal period.



9. If DA is not supported, the application is denied and may be appealed by the applicant.

2.10 SITE PLAN AND DEVELOPMENT AGREEMENT APPROVAL APPLICATION REQUIREMENTS

All applications for site plan approval or development agreements shall be accompanied by:

- (1) A Town of Wolfville **Site Plan Application Form** or **Development Agreement Application Form** and associated fee.
- (2) A recent (no more than 5 years old) topographic survey by a surveying engineer. The survey must reflect existing topographic and boundary conditions.
- (3) A site plan and conceptual grading plan drawn to scale and stamped by a landscape architect or engineer showing all buildings, entries, driveways, parking areas, walkways, stormwater features, fences, walls, landscape beds, trees and other important site information and noting conformance with the zone standards in each zone.
- (4) Stormwater Management Plan by a civil engineer in accordance with the *Town of Wolfville Stormwater Management Design Guidelines*.
- (5) Architectural plans prepared by a licensed Architect indicating compliance with the specific design requirements of the zones in this Bylaw including;
 - (a) Height, streetwall height and setbacks pursuant to each zone;

- (b) Building elevations and articulation on all sides including signage and lighting.
 - (c) Notes on building material intentions
 - (d) Floor plans for every level
 - (e) A perspective rendering of the building showing context and/or 3D Sketchup model.
- (6) A servicing schematic prepared by a civil engineer to demonstrate that every building can be properly serviced.
- (7) For buildings over 8 units or 1200 sq.m., a Traffic Impact Statement (TIS) by a transportation engineer.
- (8) For buildings that contain dwelling units, the Developer officer may ask for a statement on how an application is responding to community priorities and housing needs.
- (9) Any other information the Development Officer may require to determine compliance with the zone requirements.
- (10) The Development Officer may waive the requirement to supply the above noted information if he/she deems it is not pertinent to the application.

2.11 VARIANCES

- (1) A variance from the minimum requirements of this Bylaw may be granted by the Development Officer, in

Site Plan & Development Agreement Checklist

- ☒ Application Form
- ☒ Application Fee
- ☒ Topographic Survey
- ☒ Site/Grading Plan
- ☒ Stormwater Management Plan
- ☒ Architectural Plans
- ☒ Civil Servicing Schematic
- ☒ Traffic Statement (if required)
- ☒ Any additional material Development Officer may require

accordance with the Municipal Government Act, for any of the following requirements provided they meet the intent of the MPS:

- (a) the lot frontage or lot area, or both;
 - (b) size or other requirements relating to yards;
 - (c) number of parking spaces and loading spaces required;
 - (d) ground area and height of a structure;
 - (e) floor area occupied by a home-based business; and
 - (f) height or area of a sign.
- (2) For Site Plan Approval, where the Design Review Committee is involved, the Development Officer may vary any of the prescriptive dimensional requirements of this Bylaw by up to 10 percent of the requirements to allow some flexibility to accommodate physical anomalies of a site, so long as the intent of the particular requirement is not compromised.

2.12 COST OF NOTICE OF VARIANCE

Where a variance from the requirements of the Bylaw has been granted or refused, the Development Officer shall give notice to the persons entitled, and in the manner prescribed by Section 236 of the Municipal Government Act. This notice is to be served by ordinary mail and the Town of Wolfville may recover from the applicant the cost of giving notice.

2.13 VIOLATIONS

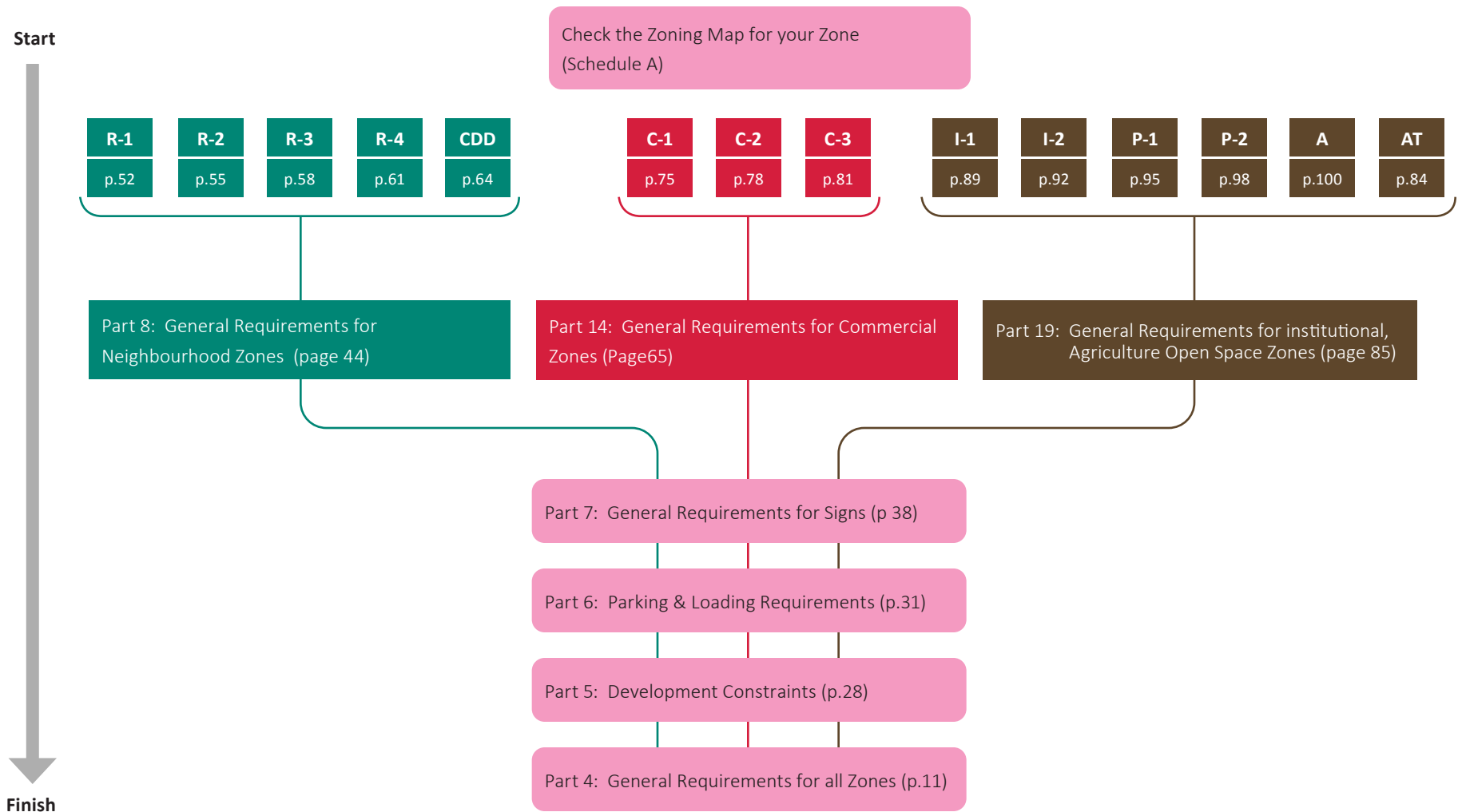
In the event of any alleged contravention of the provisions of this Land Use Bylaw, the Town of Wolfville may take action as outlined in Sections 266 and 267 of the Municipal Government Act.

2.14 NOTICE OF AMENDMENT OR DEVELOPMENT AGREEMENT

Where the Council has given notice of its intention to adopt an amendment to Schedule A, the Zoning Map, which is not general in scope, but which is in direct response to a site specific development proposal, or has given notice of its intention either to enter into a development agreement or amend a development agreement, the Council shall post a sign on the property describing the proposed amendment or development agreement and serve notice upon affected property owners whose property lies within 100 metres of the property which is the subject of the proposed amendment or agreement.

Such notice shall:

- (1) set forth a synopsis of the proposed amendment or agreement; and
- (2) set the date, time and place for the public hearing on the amendment or agreement; and
- (3) be served by ordinary mail at least 14 days before the date of the public hearing.



2.15 HOW TO USE THIS LAND USE BYLAW

The following steps will confirm that your proposed development meets the requirements of this land use bylaw:

- (1) All development shall be generally consistent with the intent of the Town's Municipal Planning Strategy
- (2) Confirm your zone using the zoning map (see Schedule A)
- (3) Confirm your proposed development meets the zone requirements for the zone that the property falls within.
- (4) Confirm your proposed development meets the General Requirements for All Zones.
- (5) Confirm your proposed development meets the
 - (a) General Sign Requirements,
 - (b) Parking & Loading Requirements,
 - (c) Development Constraints Requirements.
- (6) If the development is located in a Design Guidelines Area (Schedule C: Design Guidelines Area Map), the Town of Wolfville Design Guidelines (Schedule F) apply.

Interpretation of Maps and Text

3.1 ZONES

For the purpose of this Bylaw, the Town of Wolfville is divided into the following zones, the boundaries of which are shown on the attached Schedule A: Zoning Map. The zones on Schedule A are referred to as follows:

Residential Zones

R-1	Low Density Residential - Restricted
R-2	Low Density Residential - General
R-3	Medium Density Residential
R-4	High Density Residential
CDD	Comprehensive Development District

Commercial Zones

C-1	Core Commercial
C-2	Neighbourhood Commercial
C-3	Core Commercial - Large Format

Institutional Zones

I-1	Institutional General
I-2	Institutional University

Green Space Zones

P-1	Park & Open Space
P-2	Park & Open Space - University
A	Agriculture
AT	Active Transportation Corridor

3.2 ZONING MAP

Schedule A: Zoning Map, attached hereto, is titled the “Zoning Map” and forms part of this Bylaw. Schedule A should be interpreted with both Schedules B: Development Constraints Map and Schedule C: Design Guidelines Areas Map.

3.3 ZONING BOUNDARIES

The extent and boundaries of all zones are shown on Schedule A: Zoning Map as attached hereto.

3.4 INTERPRETATION OF ZONE BOUNDARIES

Boundaries between zones, as shown on Schedule A: Zoning Map, shall be determined as follows:

- (1) Where a zone boundary is indicated as approximately following lot line, the boundary shall follow such lot lines; and
- (2) where a street, highway, railroad or rail right-of-way, electrical transmission line right-of-way, watercourse or other linear feature is included on Schedule A: Zoning Map, it shall, unless otherwise indicated, be included in the zone in which it occurs; and
- (3) where a street, highway, railroad or rail right-of-way, electrical transmission line right-of-way, watercourse or other linear feature is included on Schedule A: Zoning Map and serves as a boundary between two (2) or more zones, a line midway on such right-of-way, watercourse or other linear feature, and extending in the general direction of the long division thereof, shall be considered the boundary between zones unless specifically indicated otherwise; and
- (4) where the zone boundary is indicated as following the shoreline of a river or bay, the boundary shall follow the actual shoreline, including wharves and piers; and

- (5) where none of the above provisions apply, and where appropriate, the zone boundary shall be scaled from the attached Schedule A: Zoning Map.

3.5 ZONES NOT ON ZONING MAP

Schedule A: Zoning Map of this Bylaw may be amended in conformity with the Municipal Planning Strategy to utilize any zone in this Bylaw, regardless of whether or not such zone had previously appeared on Schedule A: Zoning Map.

3.6 CERTAIN WORDS

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

All other words carry their customary meaning except for those defined in Part 25: Definitions.

3.7 STANDARDS OF MEASUREMENT

The metric system of measurement is used throughout this Bylaw and in all cases represents the required standard. Any reference to imperial measurements is approximate and for convenience only.

3.8 ILLUSTRATIVE GRAPHICS

This Bylaw includes graphics to illustrate requirements, concepts, definitions and other content. Additional graphical content may be added over time to enhance the accessibility of this document for all users.

3.9 OVERLAYS

Important regulatory overlays are also included as:

Schedule B: Development Constraints Map

Schedule C: Design Guidelines Areas Map

3.10 OTHER SCHEDULES

Other Schedules form part of this Bylaw and are used in certain circumstances, as indicated in the Municipal Planning Strategy or Land Use Bylaw. Other schedules include:

Schedule D: Comprehensive Development District (CDD)

Zone Checklist

Schedule E: Environmental Study Requirements

Schedule F: Town of Wolfville Design Guidelines

PART 4 General Requirements For All Zones

4.1 ACCESSORY BUILDINGS AND USES

- (1) Accessory uses and accessory buildings and structures are permitted in any zone within the Town of Wolfville but shall not:
 - (a) be used for human habitation except where a dwelling is a permitted accessory use;
 - (b) be located within the front yard or the flankage yard of a lot;
 - (c) have a side yard less than that required for the main building;
 - (d) be built closer to the rear lot line than 2 metres; an accessory building less than 16 square metres in building area may have a minimum rear or side yard of 1.0 metre;
 - (e) be built closer than 4.5 metres to the rear streetline of a through lot;
 - (f) be considered an accessory building if it is attached to the main building;
 - (g) be considered an accessory building if located completely underground;
 - (h) be greater than 8 metres in height;
 - (i) be larger than the main building in volume.
 - (j) be built closer than 2 metres from the main building.
- (2) Notwithstanding 4.1.1(f), attached garages are not permitted to:

- (a) extend beyond the front building facade and must be set back no less than 60 cm from either the front facade, bays or veranda of the building (figure 4.1). This includes buildings with flankage yards.
 - (b) be wider than half of the unit's streetline frontage width.
- (3) Detached garages shall be designed to be compatible with the architectural style of the main building(s).
- (4) Accessory buildings located within a Design Guidelines Area and greater than 50 square metres in floor area shall have a public facade compatible with the architectural style of the main building on the lot with respect to criteria listed in part 4.6.3.
- (5) Where this Bylaw provides that any land may be used or a building or structure may be erected or used for a purpose, the purpose includes any use Accessory thereof.

4.2 ACCESSORY DWELLING UNITS - DETACHED

- (1) Notwithstanding 4.1.1(a), a detached accessory dwelling shall be permitted in any zone (except in the R-1 zone), provided:
 - (a) there is an existing main dwelling;
 - (b) the dwelling floor area of the detached accessory dwelling does not exceed 40% of the dwelling floor area of the main dwelling;

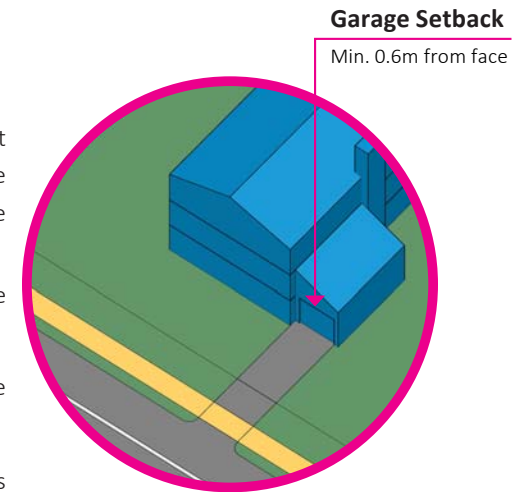


FIGURE 4.1 Attached Garage setback from building face

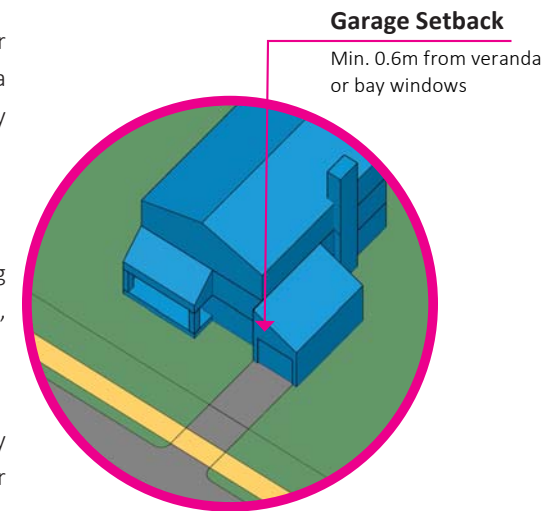


FIGURE 4.2 Attached Garage setback from veranda

Flankage Yard

No Accessory Buildings shall be located in any flankage yard

Use

Accessory Buildings shall not be used for human habitation except where permitted in Section 4.2.

Building Height

8m max.

Rear & Side Yard

Side yard no closer than is permitted in the zone.

Rear yard 2m

An accessory building less than 16 sq.m. may have a minimum rear or side yard of 1m

Lot Coverage

Accessory Buildings are included in the lot coverage calculation.

Main Building

Requires a main building on the lot.

Front Yard

No Accessory Buildings shall be located in any front yard.

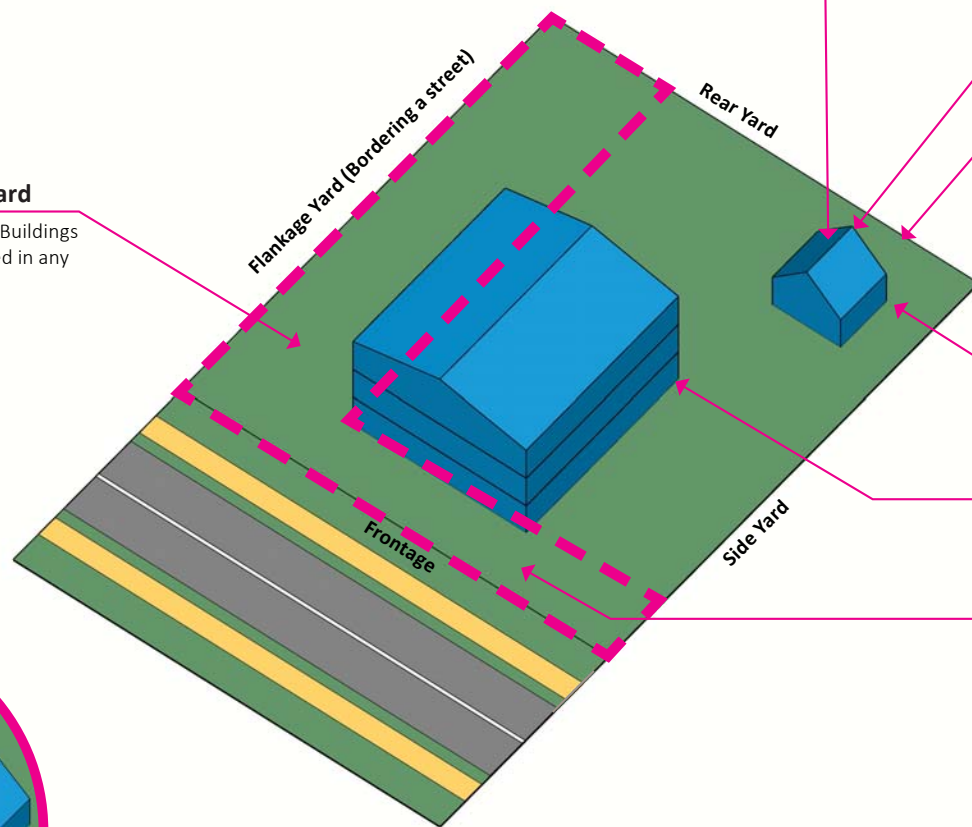


FIGURE 4.3 Accessory Buildings

Detached Garage Setback

2m from main building

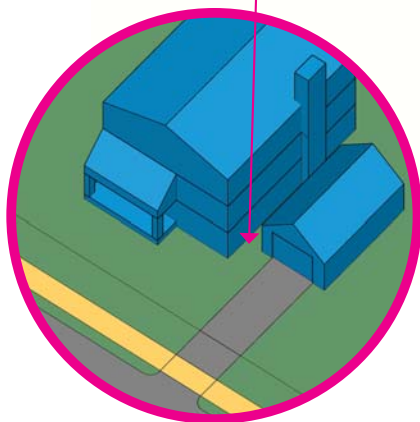


FIGURE 4.4 Detached Garage setback from main building

- (c) the detached accessory dwelling contains no more than two bedrooms;
- (d) is built no closer than 2 metres from the main dwelling;
- (e) meets the parking requirements of Part 6.
- (f) meets other relevant zone standards (hard surface coverage, side yards, rear yards, etc).

4.3 BUILDING OR STRUCTURE TO BE MOVED

No person shall move a building or structure within or into the area covered by this Bylaw without obtaining a development permit from the Development Officer.

4.4 COMMUNITY GARDEN

Where permitted, a community garden must comply with the following provisions:

- (1) It may not be a commercial garden;
- (2) Produce grown is for the personal use and consumption of the individual(s) working the community garden; and
- (3) No vehicle, equipment, building or structure of any sort, including an arbour or other such supporting structure is permitted within 1.5 metres of a public street.

4.5 CORNER VISION TRIANGLE

On corner lots, except in the Core Commercial and Core Neighbourhood area, a fence, sign, hedge, shrub, bush, or any other structure or vegetation shall not be erected or permitted to grow to a height greater than 50 centimetres above the grade of the streets that abut the lot within the corner vision triangle area included within the street lines for a distance of 5 metres from their point of intersection. See Figure 4.5.

4.6 DESIGN GUIDELINES AREAS – CORE AND NEIGHBOURHOOD

- (1) Development located within the Design Guideline Areas, as shown on Schedule C of this Bylaw, shall be subject to the design requirements as specified in the various zones of this Land Use Bylaw.
- (2) New buildings or additions greater than 25% of the total floor area of any existing building, or 10% of the total floor area of a registered heritage property, located within a Design Guidelines Area shall be considered by Site Plan Approval or Development Agreement and may require the following:
 - a submission from the applicant on how the application is responding to the Design Guidelines;
 - consultation with the Design Review Committee to provide input.
- (3) Additions and alterations which constitute less than 25% of the total floor area of any main building or 10% of the total floor area of registered heritage properties; or accessory buildings greater than 50 square metres located within a Design Guidelines Area shall have a public façade similar to the existing building with respect to the following, at the discretion of the Development Officer:
 - (a) architectural style;
 - (b) building length to width ratio;
 - (c) height;
 - (d) roof shape;
 - (e) appearance of exterior cladding and roof materials;
 - (f) architectural details;
 - (g) shape and size of doors and windows;
 - (h) window area to wall area ratio.

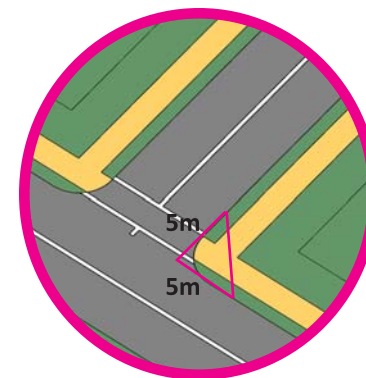
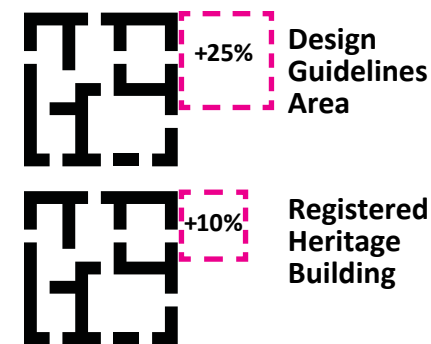


FIGURE 4.5 Corner Vision Triangle



4.7 DRIVE THROUGH FACILITIES

Drive through facilities shall be prohibited in all zones.

4.8 ENCROACHMENTS IN YARDS

Except for accessory buildings, every part of any yard required by this Bylaw shall be open and unobstructed by any structure from the ground to the sky, provided that those structures listed in the following table shall be permitted project for the specified distances into minimum yards as indicated in table 4.6 below:

4.9 EXISTING BUILDINGS WITH NON-CONFORMING YARDS

Where a building has been erected on or before the effective date of the Bylaw on a lot which has less than the minimum yard or yards required by this Bylaw, the building may be enlarged, reconstructed, repaired, or renovated provided that:

TABLE 4.6 Permitted Projections & Encroachments

Structure	Projection Permitted In	Maximum Encroachment
Sills, belt courses, cornices, eaves, gutters, chimneys, pilasters, canopies or similar building elements	Any Yard	0.6 metres (2 ft)
Window Bays	Front, rear and flankage yard only	1 metre (3.28 ft) and a maximum width of 3 metres (9.8 ft)
Fire escapes and exterior staircases	Rear and side yards only	1.5 metres (5 ft)
Balconies – one or more stories above grade	Front, rear and flankage yards	2.5 metres (8.2 ft)
Decks	Front, rear and flankage yards only	2 metres (6.56 ft)
Open, roofed porches not exceeding one storey in height, uncovered terraces	Front, rear and flankage yards only	2 metres (6.56 ft) including eaves and cornices

- (1) The enlargement, reconstruction, repair, or renovation does not further reduce any yard that does not comply to this Bylaw.
- (2) All other applicable provisions of the Bylaw are satisfied.

4.10 EXISTING UNDERSIZED LOTS

- (1) Notwithstanding anything else in this Bylaw, an undersized lot described in a deed on or before the effective date of this Bylaw, having less than the minimum frontage or area required by this Bylaw, may be used for a purpose permitted in the zone in which the lot is located and a building may be erected provided that all other applicable provisions in this Bylaw are satisfied.
- (2) For the purpose of this section, an undersized lot which has had its frontage or area increased yet still remains



undersized shall be considered an existing undersized lot.

4.11 EXTERNAL STAIRCASES

External staircases shall not be permitted between the building and any street in any zone unless required as a result of site, life-safety or structural limitations.

4.12 FLAG LOTS

Flag lots will be permitted under the following conditions:

- (1) After subdivision, each lot meets the minimum lot area;
- (2) The flag lot has a minimum frontage of 6 metres;
- (3) No flag lot access shall be permitted to abut another flag lot access.
- (4) Notwithstanding 4.12(3), a shared access easement, registered on both properties, may be considered where the maximum easement width is 7 metres;
- (5) All other provisions of this Bylaw can be met.

4.13 FRONTAGE ON A STREET

- (1) No development permit shall be issued for a lot unless the lot abuts and fronts upon a street. A lot that has access to a street over a private right-of-way or private easement shall be deemed not to abut a street. A development permit may be issued where an access easement to an existing property without lot frontage on a street can be provided by a public authority.
- (2) Notwithstanding Section 4.13.(1), an existing building on

an existing lot lacking public road frontage may be altered, added to, renovated, replaced with a new structure, changed to another use permitted in the zone, or any or all of these, provided that all other applicable provisions of this Bylaw are satisfied.

- (3) All lots shall require a minimum width at the Street Line of 6 metres.

4.14 HABITATION OF VEHICLE BODIES

No automobile, truck, bus, coach or car body, recreational vehicle, or shipping container, with or without wheels, shall be used for human habitation within the area regulated by this Bylaw.

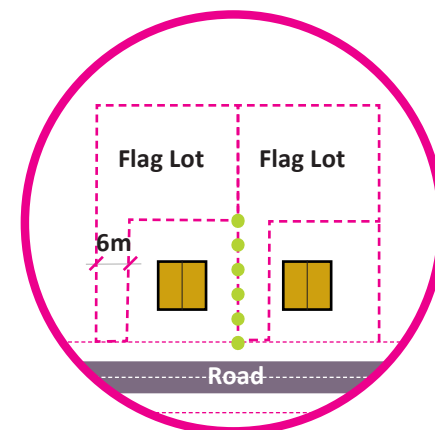


FIGURE 4.7 Flag Lots 6m frontage

4.15 HEIGHT REQUIREMENTS

- (1) Building height shall be limited to 3-storeys in all zones except I-2 where building height shall be limited to 4-storeys.
- (2) Notwithstanding 4.15(1), a 4th storey may be considered by development agreement in the R-4, CDD, C-1, C-3, and I-1 zones subject to the bonusing criteria below.
 - (a) **Bonusing Criteria:** The 4'th storey bonus will be considered by Development Agreement if a suitable public benefit can be granted. The bonus rate will be in the range of \$110 per square metre of gross floor area (2020 \$) of the 4th floor and the rate is subject to change annually with inflation. Suitable public benefits that will be considered include:
 - Affordable housing
 - Public Art
 - High performance building (e.g. passive house, LEED, Net zero, etc.)
 - Enhanced accessibility certification (E.g. Rick Hansen Certification).
 - cash-in-lieu to be used for public parks, public streetscapes, social housing, parking, active transportation, etc.

- An applicant shall submit a bonusing calculation and public benefit proposal with their application for development agreement approval.

- (3) Notwithstanding 4.15(1), a 5th storey may be considered by development agreement in the I-2 zone subject to the bonusing criteria of 4.15((2).
- (4) A 'storey' may not exceed 4.5m on the ground floor and 4m on any upper storeys except in certain conditions where exemptions may be considered by development agreement
- (5) No additional habitable space is permitted above the 3rd storey.
- (6) In calculating building height, basements are not counted as a storey provided they are below the streetline grade.
- (7) Notwithstanding 4.15 (1), on sloping streetline conditions, no more than 1m high of basement foundation may be exposed provided that accessible groundfloor entries are provided from the streetline.

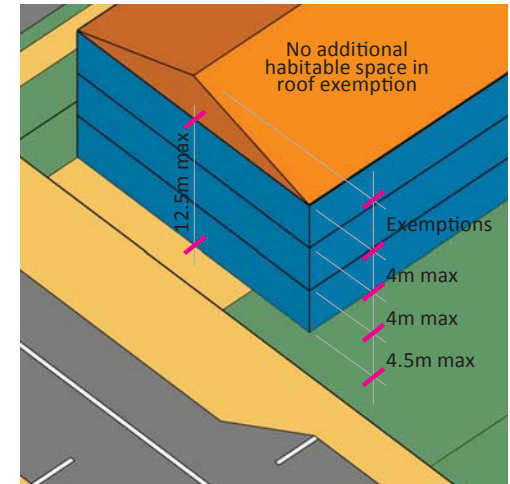


FIGURE 4.8 Building Height Maximums

- (8) If a development fronts on two streets, the lower streetline grade of the two streets will be used for the average grade calculation.
- (9) Buildings longer than 50m of frontage may 'step-up' the grade provided that no more than 3 storeys are exposed at the streetline at any given time.
- (10) Height Exemptions: Certain roof features are exempt from the maximum height requirements to provide for greater architectural variety and address the needs of flat roof buildings which support amenity space or green roofs. Exceptions are shown in table 4.10. No additional habitable space can be created from any exemption.

TABLE 4.9 Height Exemptions

Feature	Max. Height Above Limit	30% Coverage Restriction	Min. Setback from the Street Frontage
Chimney	4m	yes	-
Railing System	2m	yes	-
Clock Tower or Bell Tower	5m	yes	-
Elevator Enclosure	5.5m	yes	3m
Misc minor structures (e.g. flagpoles)	unlimited	yes	-
Mechanical Equipment Enclosure	4.5m	yes	3m
Landscaping including pergolas	3m	yes	-
Parapet	2m	yes	-
Cupola	4m	yes	-
Solar Collector	4.5m	No	-
Stair Enclosure	4.5m	yes	2m

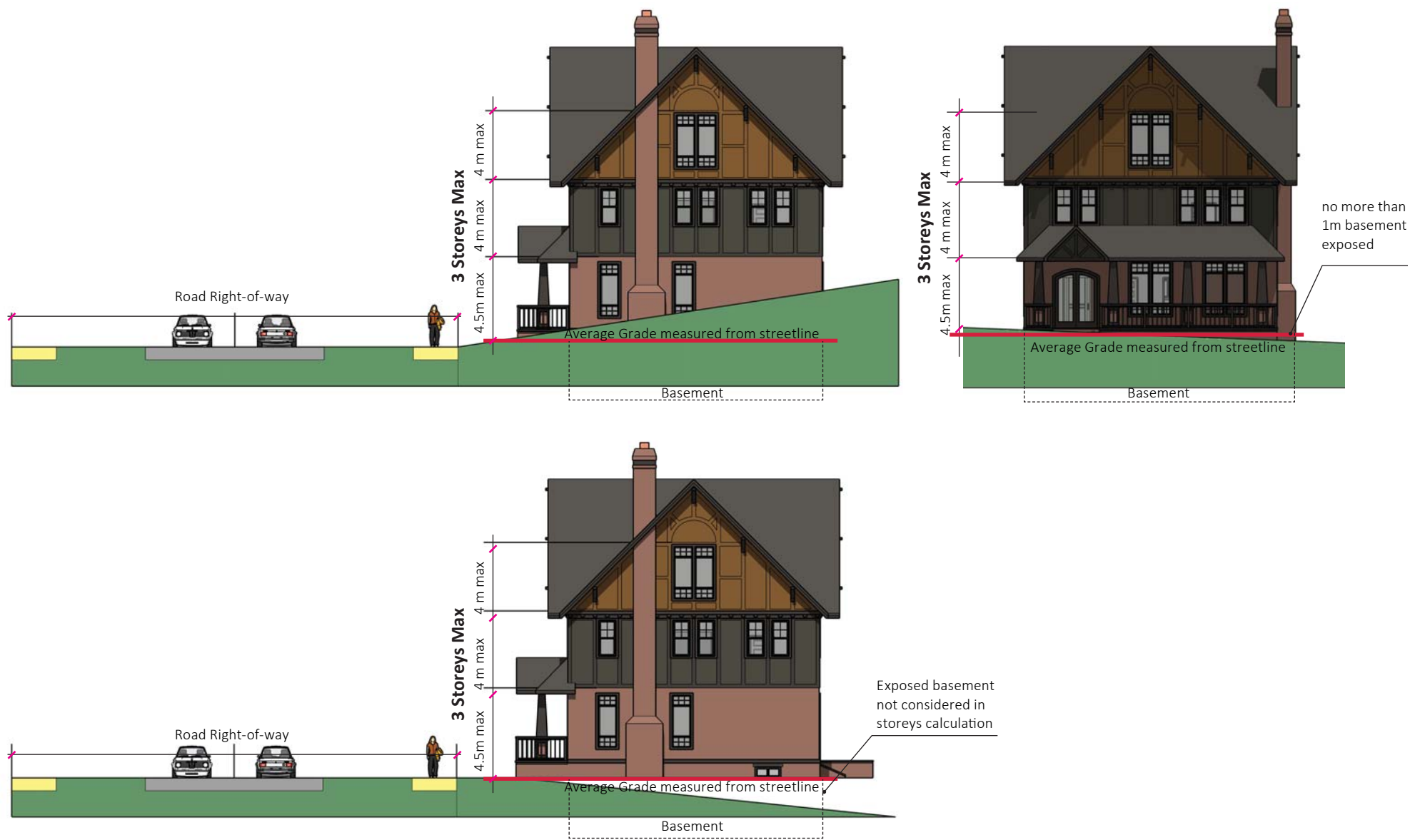


FIGURE 4.10 Average Grade Considerations on sloping sites

4.16 HOME BASED BUSINESS

In any zone that permits residential uses, except the Low Density Residential Restricted (R-1) zone, any dwelling unit or a building accessory to a dwelling unit may be used for a home based business provided that all of the following requirements are met:

- (1) no more than 3 people, including the owner(s) are employed by the business;
- (2) the business shall be located wholly within the dwelling unit or a building accessory to a dwelling unit;
- (3) the business use shall fall within one of the types of uses as outlined in Table 8.1.
- (4) where a business use is not listed in Table 8.1, and the business is similar in nature, the permission of the use shall be at the discretion of the Development Officer, provided all other provisions of this Bylaw are met.
- (5) the dwelling is occupied as a residence by the home occupation owner and the external appearance of the dwelling is not changed by the non-residential use;
- (6) no more than 80 square metres is devoted to the non-residential use (does not apply to short term rentals);
- (7) the use does not emit noise, smoke, toxic fumes, or light that would be a nuisance or is uncustomary in a residential neighbourhood;
- (8) not more than one additional off-street parking space (i.e. for customers or employees), other than those

required for the dwelling, is provided for the business use.

- (9) no advertising other than a business identification plate or sign which has a maximum sign area of 0.8 square metres, and which is a facial wall sign, projecting sign or ground sign;
- (10) in addition to the signage permitted in 4.16.9, one off premise sign shall be permitted for any Bed and Breakfast not located on Main Street. These signs shall be located on Main Street, on the Town right-of-way such that every part of the sign is:
 - a minimum of 0.3 metres distance from the back edge of the Town sidewalk, or
 - in the absence of a Town sidewalk a minimum distance of 3 metres from the edge of the of the pavement,
 - placement of the sign must be approved by the Traffic Authority.
- (11) no open storage or outdoor display;
- (12) not more than one commercial vehicle related to the home occupation use may be kept upon or operated from the lot.

4.17 HOME OCCUPATION - RESTRICTED

Nothing in this Bylaw shall prevent the use of any dwelling unit or building accessory to a dwelling unit in any zone for a limited home occupation (e.g. personal office, music and art

instruction, tutoring, professional or personal services) as outlined in Table 8.1, subject to the following:

- (1) One appointment may be on the premises at any given time.
- (2) No signage shall be permitted
- (3) No Employees, other than the resident are employed.
- (4) No more than 50 square metres is devoted to the non-residential use;

4.18 LICENSES, PERMITS AND COMPLIANCE WITH OTHER BYLAWS

- (1) Nothing in this Bylaw shall exempt any person from complying with the requirements of other Bylaws or regulations in force within the Town of Wolfville or from obtaining any license, permission, permit, authority or approval required thereunder.
- (2) Where the provisions in this Bylaw conflict with those of any other municipal or provincial requirements, the higher or more stringent provisions shall prevail.

4.19 MULTIPLE USES

Where any lot or building is used for more than one main use, all provisions of this Bylaw relating to each use shall be satisfied. Where there is conflict, such as in the case of lot size or lot frontage, the most stringent provisions shall prevail.

4.20 NON-CONFORMING USES & STRUCTURES

Non-conforming uses or structures shall be subject to Sections 238-242 of the Municipal Government Act with the following exceptions:

- (1) a non-conforming use of land or a non-conforming use in a structure shall not be recommenced after it has been discontinued for continuous period of one year.
- (2) Expansion, alteration or extension of a non-confirming use or structure may be considered by development agreement.

4.21 ONE MAIN BUILDING ON A LOT

No person shall erect or use more than one main building on a lot in the R-1 zone. Up to two main buildings on a lot may be considered in the R-2, R-3, R-4 or C-2 zones by Site Plan Approval. More than two main buildings on a lot in the in the R-2, R-3, R-4 or C-2 zones that do not meet Cluster Development requirements may be considered by Development Agreement.

4.22 OUTDOOR LIGHTING

Any outdoor lighting associated with a development shall minimize the impact on properties in the surrounding area by using techniques such as hooded streetlights or Dark Sky compliant standards.

4.23 OUTDOOR WATERSTOVES AND OUTDOOR WOOD FURNACES

Outdoor waterstoves or outdoor wood furnaces shall be prohibited in all zones.

4.24 PARKS AND PLAYGROUNDS

Public and private parks and public playgrounds shall be permitted in any zone.

4.25 PUBLIC USES

Municipal buildings, facilities and infrastructure shall be permitted in any zone and do not need to conform to zone requirements.

4.26 REAR YARD FOR A THROUGH LOT

Notwithstanding anything else in this Bylaw, the minimum rear yard for a through lot shall be not less than 7 metres, except in the C-1 zone. See figure 4.12.

4.27 REGISTERED HERITAGE PROPERTIES

Any external alterations to registered heritage properties that are considered to be substantive shall demonstrate consideration of the Nova Scotia Heritage Property Act under the guidance, direction and approval of the Town's Heritage Committee.

As per MPS policy 3.2(6), any rezoning of a registered heritage property shall be considered by Council in an effort to preserve the Town's built heritage.

4.28 RESTORATION TO A SAFE CONDITION

Nothing in this Bylaw shall prevent the strengthening or restoring to a safe condition of any building or structure, provided in the case of a non-conforming building or structure, the provisions of Sections of 238-242 of the Municipal

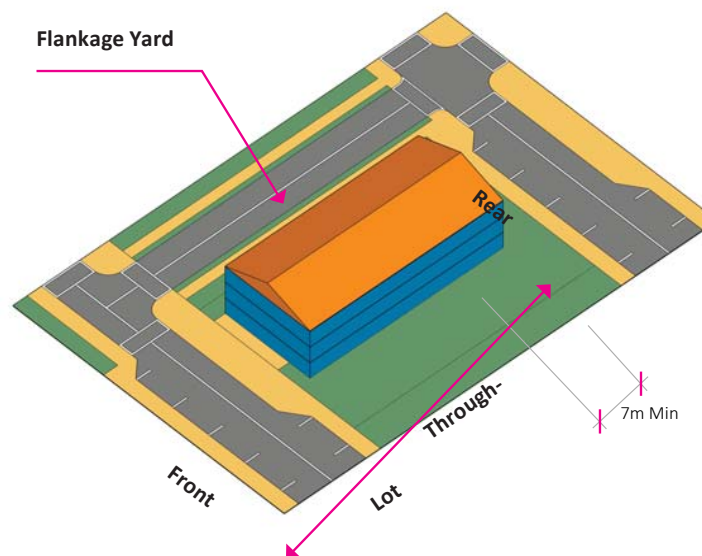


FIGURE 4.11 Through Lots

Government Act shall prevail, subject to the exceptions noted in section 4.20.

4.29 SERVICE AND UTILITY RIGHT-OF-WAYS

Service and utility rights-of-way for the establishment and maintenance of overhead and underground utilities shall be permitted in any zone.

4.30 SHORT TERM RENTALS

Short Term Rentals shall be permitted in any zone that permits residential uses, except the Low Density Residential Restricted (R-1) zone, subject to the following conditions:

- (1) Short-term rentals shall only be permitted where proof of primary residence is provided to the Development Officer;
- (2) No more than three rental rooms are permitted;
- (3) Notwithstanding 4.30(2), a whole unit may be rented not more than 150 days per year. A record of rental days shall be provided to the Development Officer upon request.
- (4) In the case of a rental situation, written confirmation from the Landlord shall be provided;
- (5) A Fire and Life Safety Inspection shall be conducted on the premises before any Development Permit is issued;
- (6) Proof of any required licensing from the Province, or

other regulatory bodies shall be provided to the Development Officer;

- (7) Proof of insurance shall be provided to the Development Officer;
- (8) A fee shall be provided as per the Municipal Fees Policy;
- (9) Short Term Rentals (e.g. Bed and Breakfast) shall not be subject to the size restrictions specified in section 4.16.7;
- (10) Must meet the parking requirements of Part 6.
- (11) Sections 4.30(1-3) do not apply to the Core Commercial (C-1) zone.

4.31 SIDE YARD WAIVER

Notwithstanding anything else in this Bylaw, where buildings on adjacent lots share a common wall, the applicable side yard requirement will be zero along the common lot line.

4.32 SINGLE ROOM OCCUPANCY

Single Room Occupancies are a housing type where one or two people are housed in single rooms where tenants may share bathrooms and a kitchen in a dwelling unit.

Single Room Occupancies do not include Short Term Rentals or dwelling units with up to 3 rental rooms.

Dwellings with four or more rooms used for single room occupancies are permitted in the R-2, R-3, R-4, I-2 and C-2 zones, subject to the following:

- (1) A Fire and Life Safety Inspection shall be conducted on the premises before any Development Permit is issued;
- (2) The maximum number of single room occupancies shall correspond to the underlying zone:
 - a) R-2 - max 4 bedrooms
 - b) R-3 - max 6 bedrooms
 - c) R-4 - max 8 bedrooms
 - d) C-2 - max 6 bedrooms
- (3) fee shall be provided as per the Town's Fees Policy.
- (4) In addition to the normal parking requirements for the dwelling, one parking space shall be provided for each bedroom, in excess of three, being used for rental purposes.
- (5) Existing single room occupancies may be subject to some or all of the requirements of this section, subject to context and the development history of the property.

4.33 STORMWATER MANAGEMENT

- (1) An application for a Development Permit for a new development that is not regulated by an existing Development Agreement and Servicing Agreement or a renovation that changes the footprint of the building or lot drainage patterns shall include a Lot Grading Plan and

Stormwater Management Plan in accordance with the *Town of Wolfville Stormwater Management Design Guidelines*.

- (2) The Lot Grading Plan and Stormwater Management Plan are to be prepared by a Professional Engineer.
- (3) No person shall occupy a building until Lot Grading record drawings confirming that the lot has been constructed in accordance with the Lot Grading Plan and Stormwater Management Plan have been submitted and accepted by the Town.
- (4) Additional hard surface beyond the zone requirements may be permitted (up to 10%) where low impact development measures are included.
- (5) Where Low Impact Development (LID) measures are included with the Stormwater Management Plan, the Owner shall provide a maintenance plan to the Town and an undertaking to perform maintenance activities in accordance with this maintenance plan.
- (6) Notwithstanding Section 4.33.3, a building may be occupied prior to acceptance of Lot Grading record drawings by the Town where the following has been submitted to the Town:
 - (a) a deficiency report prepared by a Nova Scotia Land Surveyor, a Landscape Architect or Professional

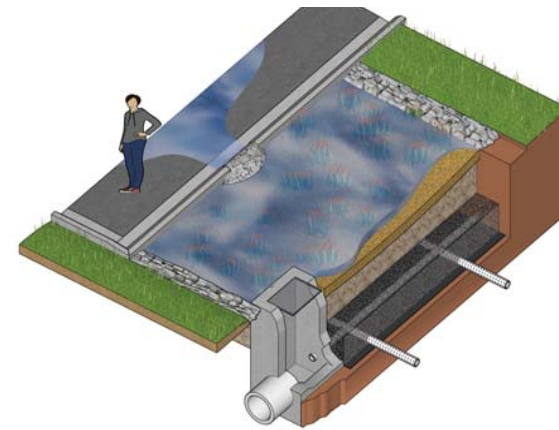


FIGURE 4.12 Typical Stormwater BMP for parking lot

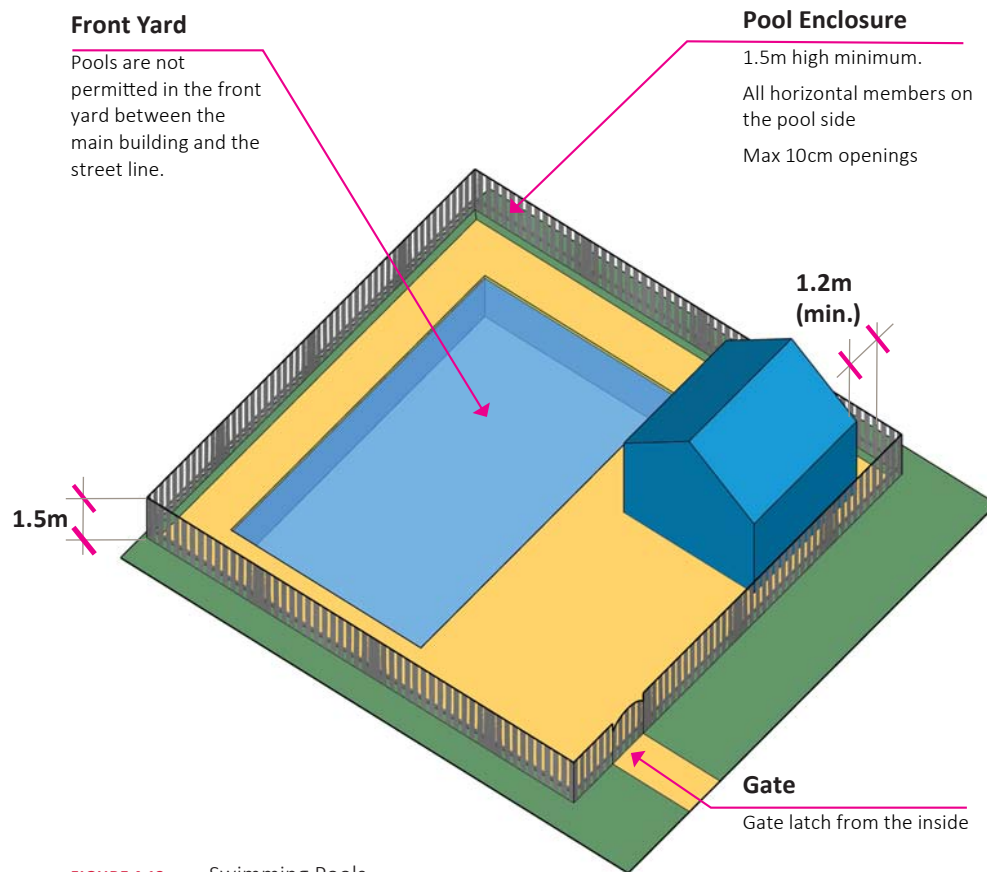


FIGURE 4.13 Swimming Pools

Engineer, in a form acceptable to the Town, setting forth details of the work to be completed, and

(b) an undertaking by the Owner stating that:

- i) the uncompleted work required by the deficiency report shall be completed within a time frame acceptable to the Town, and
- ii) the Lot Grading record drawings shall be submitted within a period of nine (9) months.

(7) No stormwater drains, roof drains, surface drainage, sump pumps or foundation drains shall be permitted to discharge to the sanitary sewer collection system.

4.34 SWIMMING POOLS

Swimming pools shall be permitted in all zones subject to the following requirements:

- (1) No portion of a swimming pool, pumps, filters or pool water disinfection equipment shall be located closer to any street line than the main building on the lot;
- (2) No portion of a swimming pool, pumps, filters or pool water disinfection equipment shall be constructed closer than 1.2 metres from any side or rear property line;
- (3) No portion of a swimming pool, pumps, filters or pool water disinfection equipment shall be located closer to any watercourse than the distance applicable to a main building or accessory building, whichever is less;
- (4) All outdoor swimming pools, or the yard in which a swimming pool is located, shall be completely enclosed so as to prevent uncontrolled access;
- (5) All enclosures shall meet the following requirements:

- (a) Access shall be controlled by a 1.5m minimum fence or a combination of fencing, buildings, deck or similar structure or by a fence alone;
- (b) An elevated deck surrounding an above ground pool may form part of an enclosure, provided:
 - iii) The deck abuts the sides of the above ground pool, and
 - iv) The combined height of the deck and fence on top of the deck is a minimum of 1.5m (5ft) above grade.
- (c) All gates and doors accessing the enclosure shall be equipped with a self closing, self-latching lockable devices placed not less than 1.5m (5ft) in height from the surface or grade, and on the inside of the gate, except where access is provided through the dwelling unit;
- (d) An enclosure or other structure, including gates and doors, intended to control access to a swimming pool, shall be a minimum of 1.5m (5ft) in height and shall be so constructed as to prevent easy access through, under or over it, and in the case of an above-ground type of swimming pool, shall include a construction providing access to the swimming pool;
- (e) An enclosure or other structure, including gates and doors, intended to control access to a swimming pool should have a minimum distance of 1.2m (4ft) between horizontal members, a maximum of 10cm (4in) size openings throughout

the structure, and all horizontal members located on the pool side of the structure; and

- (f) No person shall permit any structures or material to be placed or to remain adjacent to any swimming pool enclosure which would provide a means of access over the top of the enclosure.

4.35 TEMPORARY USES PERMITTED

- (1) Nothing in this Bylaw shall prevent the use of land or the use or erection of temporary buildings or structures incidental to construction, including but not limited to: a construction camp, tool shed, scaffold, or a sales or rental office. No development permit for such temporary uses, buildings or structures shall be required, provided that a development permit for the main buildings has been issued. Such temporary use shall be terminated no more than 60 days after the completion of the construction of the main structure.
- (2) Nothing in this Bylaw shall prevent the use of land or the erection of temporary buildings, structures or signs for special occasions, events and holidays and no development permit shall be required for such temporary uses, provided that such use of buildings, structure or sign remains in place no more than 21 consecutive days.

4.36 UTILITY EQUIPMENT BUILDINGS

- (1) Utility equipment buildings that are 20 square metres or less in size and are 2.5 metres or less in height, shall be permitted in all zones and be:

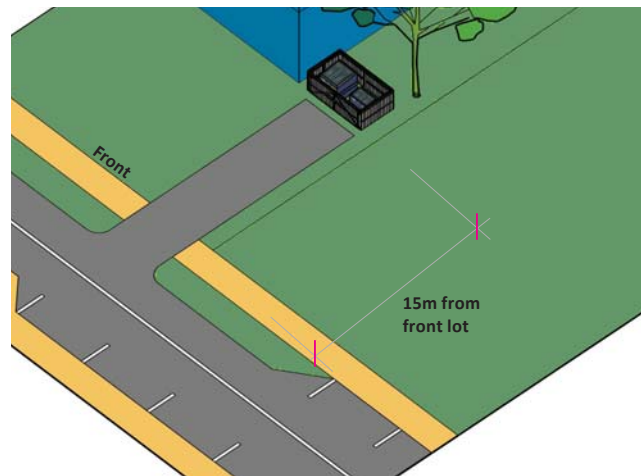
- a) Considered as accessory buildings and subject to the setback requirements within the zone in which they are located on properties where there is a main building such as a house.
 - b) Considered as a main building and subject to the setback requirements within the zone in which they are located on properties where there is no main building.
- (2) Utility Equipment Buildings that do not meet the conditions in Section 4.36.1 may be considered by Site Plan Approval.

4.37 WASTE BINS

- (1) Waste bins shall not be permitted in a front yard (including the rear yard of a through lot) or flankage yard.
- (2) A waste bin may be permitted in the front yard where:
 - a) the waste bin cannot be located in the side or rear yard of a property due to steep slopes or other topographic features, building locations, or other physical restrictions; or
 - b) the building or complex of buildings under one ownership has 18 or more dwelling units.
- (3) A waste bin permitted by Section 4.37.2 shall be located a minimum distance of 15 metres from the front lot line and be completely screened from view from the street and neighbouring residences by fencing and/or landscaping approved by the Development Officer.



FIGURE 4.14 Fenced Waste Bin Setback



PART 5 Development Constraints

5.1 FLOOD RISK AREA DEVELOPMENT STANDARDS

- (1) Prohibited uses in the Flood Risk Areas as shown on Schedule B: Development Constraints Map include:
 - (a) hospitals
 - (b) seniors care facilities
 - (c) special care facilities
 - (d) schools
 - (e) warehousing or storage of hazardous materials
 - (f) essential services
- (2) New development within the Flood Risk Areas as shown on Schedule B: Development Constraints Map, are required to sign a "*Flood Risk Area Development Undertaking Form*" acknowledging recognition of risks and responsibility for damages in the event of a flood and confirming that:
 - (a) The finished floor elevation is no lower than 8m geodetic.

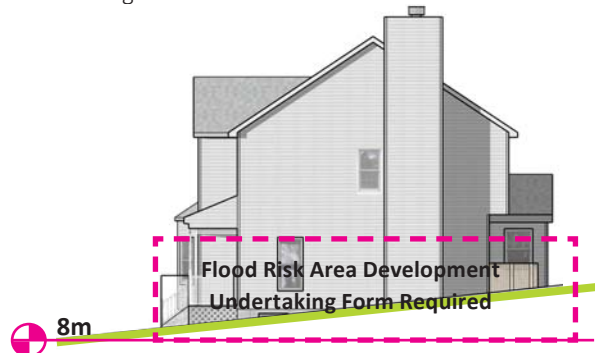


FIGURE 5.1 Flood Risk Area Requirements

- (b) Consideration is given to walls and floors below 10m geodetic being constructed in a flood tolerant manner.
- (c) Consideration is given to the placement of flood vulnerable mechanical and electrical equipment.

5.2 SOURCE WATER PROTECTION

There are three sub-zones in the Source Water Protection area as shown on Schedule B:

- Source Water Protection Area – Wellhead Constraint Area;
- Source Water Protection Area – Zone A and B, and
- Source Water Protection Area – Zone C.

Development within these areas, may require the completion of an environmental impact assessment, secondary containment measures and/or a risk mitigation plan prepared by a qualified professional and shall be subject to the following:

- (1) **Source Water Protection Area - Wellhead Zone:**

Development within the Wellhead Constraint Area as identified on Schedule B of the Bylaw is limited to:

 - (a) Existing residential uses.
 - (b) Public parkland .
 - (c) Uses relating to the operation of the Town of Wolfville's water supply.
 - (d) Existing furnace oil storage.

(2) **Source Water Protection Area – Zone A and B:** Certain land uses which present a significant risk to the groundwater contamination will be prohibited, including:

- (a) Automotive painting, engine and auto body repair shops
- (b) Bulk chemical storage
- (c) Bulk storage of salt
- (d) Commercial nurseries
- (e) Commercial storage and/or distribution of chlorinated solvents
- (f) Commercial storage and/or distribution of fertilizers
- (g) Commercial storage and/or distribution of pesticides and herbicides
- (h) Commercial storage and/or distribution of petroleum fuel
- (i) Commercial storage and/or distribution of petroleum solvents
- (j) Dry cleaners
- (k) Gas station or accessory gas bars
- (l) Manure storage facility
- (m) Scrap metal and salvage yards and/or processing

(3) **Source Water Protection Area – Zone C:** Similar to 5.2.2, uses that present an identified risk to groundwater contamination will be prohibited, including:

- (a) Automotive painting, engine and auto body repair shops

- (b) Bulk storage of salt in excess of 100 tonnes
- (c) Commercial storage and/or distribution of chlorinated solvents
- (d) Commercial storage and/or distribution of pesticides and herbicides
- (e) Commercial storage and/or distribution of petroleum fuel
- (f) Commercial storage and/or distribution of petroleum solvents
- (g) Dry cleaners
- (h) Gas station or accessory gas bars
- (i) Scrap metal and salvage yards and/or processing

(4) Expansion or redevelopment of existing non-conforming uses within the Source Water Protection Area Wellhead zone, zone A and B, and C may be considered by development agreement.

(5) Development of new private geothermal wells in the Source Water Protection Areas are required to provide a risk mitigation plan prepared by a qualified professional.

5.3 WATERCOURSE, WETLANDS AND STEEP SLOPES

(1) No structures shall be erected within 8 metres of the top of banks of watercourses as identified on Schedule B: Development Constraints Map. An erosion and sedimentation control plan prepared by a qualified professional will be required with any application for development of any lot within 15m of a watercourse.

- (2) Developments proposed on slopes exceeding 20% as shown on Schedule B: Development Constraints Map, shall have plans, including mitigation of impacts to neighbouring properties, prepared by a qualified engineer or landscape architect to address stormwater management, erosion control and grade separation.

5.4 VIEW CORRIDORS

As per Schedule B, views to Blomidon from Reservoir Park shall be considered for any new development on neighbouring lands zoned CDD (See Figure 5.3)

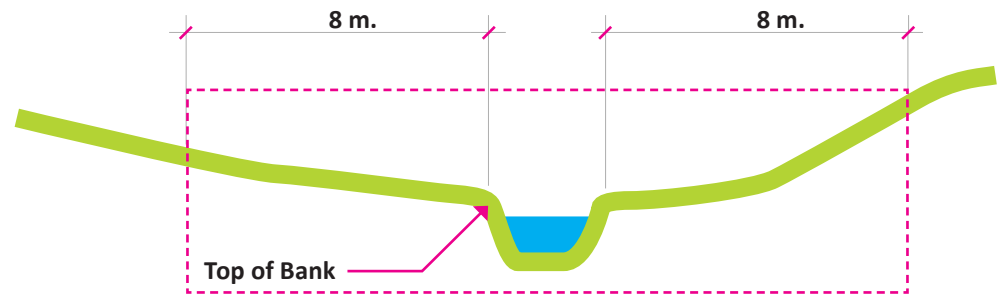
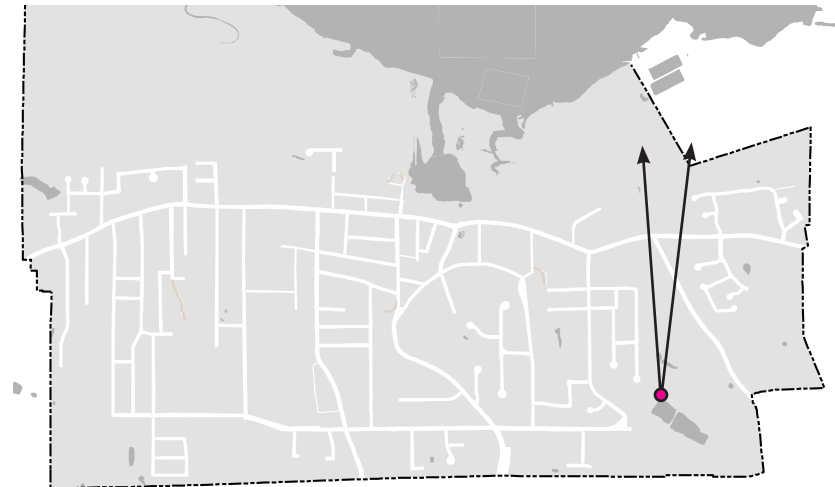


FIGURE 5.2 Watercourse Setbacks

FIGURE 5.3 View Corridor from Reservoir Park



PART 6 Parking and Loading Requirements

6.1 PARKING REQUIREMENTS FOR ALL ZONES

- (1) Parking requirements shall be calculated by finding the proposed use in Table 6.1, 6.2 or 6.3 and applying the corresponding parking ratio.
- (2) Where a parking calculation for a development in any zone results in a fraction of a parking space, the final number of required parking spaces shall be rounded down to the next whole number.
- (3) Only the new useable floor area or new seating capacity shall be included in the parking calculations for a development proposal that includes the expansion of an existing use.
- (4) Parking must be located on the lot being developed.
- (d) Any combination of a) through c).
- (2) Notwithstanding section 6.1.3, the parking requirements shall not apply to additions or expansion of an existing uses in the Core Commercial (C-1) zone that create 40% or less new useable floor area or new seating capacity.
- (3) The parking requirement for multi-use development shall be calculated by totalling the calculated parking requirement for each land use. For the purposes of this section, floor area shall not include washrooms, stairs, utility rooms or elevators.
- (4) For uses considered by Site Plan Approval or Development Agreement in the I-2 Zone, existing public parking lots provided by the University shall be considered.

6.2 PARKING IN THE CORE COMMERCIAL(C-1), NEIGHBOURHOOD COMMERCIAL (C-2) AND INSTITUTIONAL ZONES (I-1 AND I-2)

- (1) Notwithstanding section 6.1, the parking requirements may be met by Site Plan Approval or Development Agreement with any combination of the following options:
 - (a) Meet the parking requirements of section 6.1
 - (b) Cash-in-lieu subject to section 6.3
 - (c) Provide the recommended number of spaces off-site on another lot within the Town. Any off-site parking must be registered on title to both properties.

6.3 CASH-IN-LIEU FOR PARKING :

Cash-in-lieu of parking, where permitted as per section 6.2, shall be calculated based on the following formula:

- (1) \$8,000 (2020 \$) per parking space.
- (2) The cost may be adjusted annually based on local NS inflation rates.
- (3) Cash-in-lieu shall be dedicated to the parking reserve fund will be used for streetscape and parking upgrades in the Core Area.

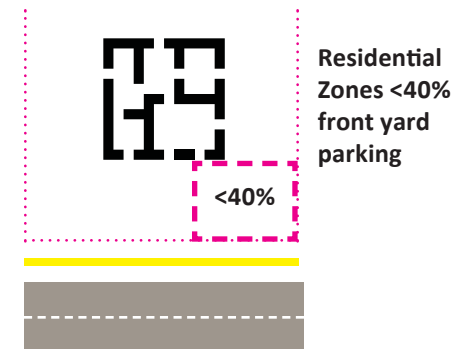


FIGURE 6.1 % Parking in Front yard

TABLE 6.1 Residential Parking Requirements

Type of Use	Minimum Parking Requirement
Single-detached, Semi-detached, Duplex	1.25 parking spaces for each dwelling unit plus ½ space for each bedroom in excess of 3 bedrooms per dwelling unit.
Townhouse and Multi-Unit Dwellings (three units or more)	1 space for each dwelling unit plus ½ space for each bedroom in excess of 3 bedrooms in a dwelling unit in the Core Area 1.25 spaces for each dwelling unit plus ½ space for each bedroom in excess of 3 bedroom in a dwelling unit outside the Core Area
Short Term Rentals	0.5 parking space per rental unit.
Single Room Occupancies	1 parking space per rental room in excess of 3 (in addition to normal parking requirements for the dwelling)
Home Based Business	1 parking space
Any residential use not specified above	1 parking space per 30 square metres of total floor area.

TABLE 6.2 Commercial Parking Requirements

Type of Use	Minimum Parking Requirement
Clubs, Educational Facilities, Places of Assembly, Places of Entertainment, Places of Worship, Restaurants, Sports Facilities and other places of assembly.	Fixed seats: 1 parking space per 5 seats, or 3 metres of bench space. No fixed seats: one parking space per 10 square metres of total floor area.
Day-Care Facilities	1 parking space per 50 square metres of total floor area.
Curling Rinks and similar facilities	1 parking space for each 2 persons in the designed capacity of the establishment (designed capacity shall mean 6 persons per bowling lane and 8 persons curling per sheet). In other parts of the building, additional parking spaces shall be provided in accordance with the requirements set out in the Bylaw for the use to which the other parts of the building may be used.
Accommodations	1 parking space per suite or rental unit plus requirements for restaurants or other facilities contained therein
Warehouses, transport terminals and general industrial uses.	1 parking space per 50 square metres of total floor area.
Any use not specified above.	1 parking space per 30 square metres of total floor area.

TABLE 6.3 Institutional and Public Use Parking Requirements

Type of Use	Minimum Parking Requirement
Hospitals and nursing homes	1 parking space for each 2 beds or each 40 square metres of total floor area, whichever is the greater.
Elementary schools	1.5 parking spaces for each teaching classroom.
High schools	4 parking spaces for each teaching classroom.
University or school residential buildings.	1 parking space for every 5 beds.
Medical Clinics or Health Clinics	1 parking space per every 18 square metres of total floor area.
Residential Care Facility	1 parking space plus ½ space for each guest bedroom
Parks	No requirement
Any use not specified above	1 parking space per 30 square metres of total floor area.

6.4 PARKING IN RESIDENTIAL ZONES

- (1) In all residential zones, no more than 40% of the area of the front yard shall be dedicated to parking areas.
- (2) No vehicle shall be parked on any area of a residential lot other than a parking area.
- (3) No more than one driveway access and curb cut is permitted per lot on each road frontage unless spaced more than 18m apart. This distance may be reduced to 15m on large lots with 30m or more lot frontage subject to approval of the Town Engineer and Traffic Authority.
- (4) Driveway access width to the street for any residential lot in a residential zone shall not exceed 7.0 metres.
- (5) Applications for residential developments with more than four (4) dwelling units shall provide an accurate site plan of a lot which shows the hard surface area and parking area as part of the Site Plan Application.
- (6) No commercially registered motor vehicle having more than two axles or over 7.5 metres in length shall be permitted overnight on any lot in any residential zone except for recreational motor vehicles owned by the resident.
- (7) Where a side or rear yard of a multi-unit dwelling in the R-4 zone abuts any R-1 or R-2 zone, parking spaces in the side or rear yard shall be located a minimum distance of 3 metres from the property line.
- (8) To ensure frontages do not have parking as the predominant feature and where site constraints or existing site conditions lead to parking limitations, the Development Officer may work with the owner on minimum driveway openings, hard surface coverage, 40% front yard parking, and other factors that may lead to better outcomes when viewing a property from the street (e.g. moving parking to rear, seeking a variance on a provision, require buffering, permeable paving, and other examples from the Design Guidelines).

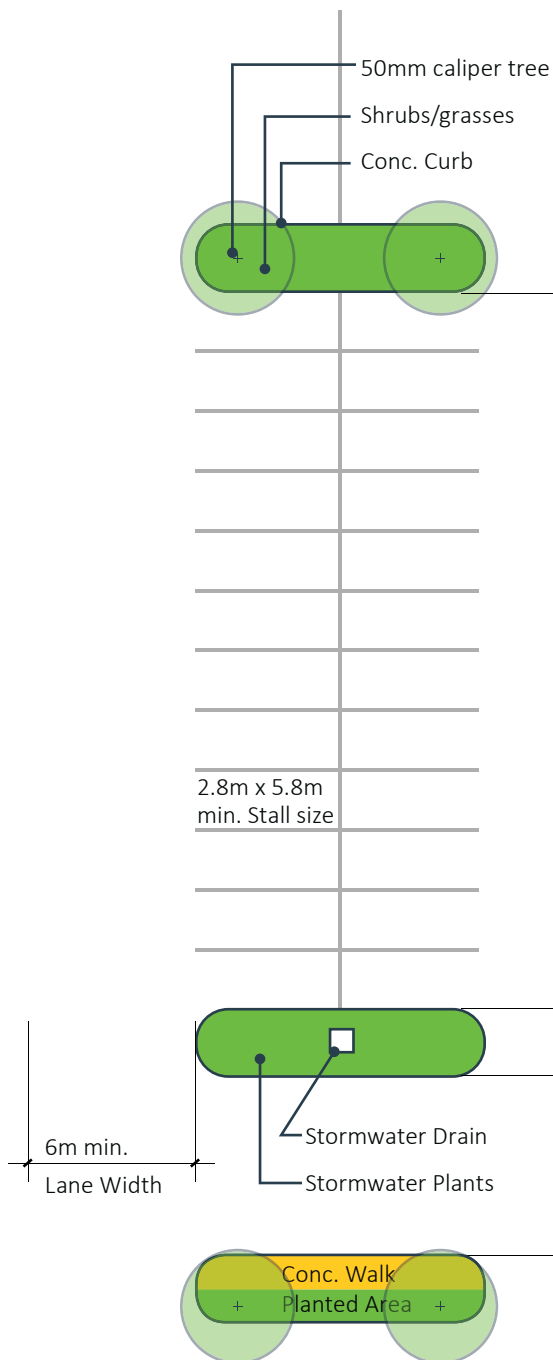


FIGURE 6.9 Parking Requirements

6.5 STANDARDS FOR PARKING AREAS

- (1) All parking spaces shall have an unobstructed access on a public street or unobstructed access to a driveway or aisle that leads to a public street.
- (2) The parking area shall be maintained with a stable surface sufficient to support a vehicle without undue deformation or damage of the surface, such as rutting, and does not allow the raising of dust or loose particles. Acceptable stable parking surfaces include but are not limited to asphalt or concrete paving (pervious or impervious), brick pavers, compacted granular surfaces, and structural landscape systems such as driveable grass or grass grid.
- (3) Any lights used for illumination of the parking area shall be arranged as to divert the light away from streets, and adjacent lots.
- (4) For any parking area containing more than 6 parking spaces, any ingress or egress driveways shall not be closer than 10 metres from the nearest boundary of any street intersection.
- (5) The maximum length of a parking row shall be 12 stalls and a landscaped island shall be located at both ends of each parking row and be designed in accordance with:
 - (a) Be the full length of the parking row (5.8m min.) and be a minimum of 1.8m wide.
 - (b) contain a minimum of one deciduous tree (50mm caliper) and eight shrubs (min 60cm high) or to meet the requirements of a stormwater island.

- (6) Parking rows may exceed twelve (12) parking stalls where a landscaped island is incorporated in accordance with section 6.5.5.
- (7) Where parking lots with more than 2 cars cannot be located to the rear or side of a building, away from the public right-of-way, a landscaped strip shall be provided consisting of:
 - (a) a minimum width of 1.5m between any lane or parking spot fronting on a public right-of-way (excluding the access lane which shall not exceed 7m).
 - (b) contains a minimum of one tree (50mm minimum caliper) for every 3m of parking or lane frontage length.
 - (c) contains shrubs spaced no less than 1m apart and no less than 600 mm of height.
 - (d) incorporates additional vegetation as may be required by the Development Officer to screen the parked cars without obstructing views.
 - (e) May incorporate stormwater measures.
- (8) Parking stalls shall be no less than 2.8m x 5.8m in size unless "small car" spaces are being considered by Site Plan Approval or Development Agreement
- (9) Parking lanes shall be no less than 6m wide.
- (10) Parking in the Design Guidelines Areas shall be reviewed with the relevant Design Guidelines.
- (11) For existing uses the Development Officer may encourage the relocation of parking on a site through easements, hard surface abatements of other means.
- (12) All new residential garages (built after the enactment of this bylaw) shall include an energized outlet capable of providing Level 2 charging for an electric vehicle.
- (13) Exterior parking lots shall provide one Level 1 (120v) charging station for every 4 spaces.

WHAT IS LEVEL 2 CHARGING?

Level 2 charging is defined by SAE International's J1772 standard:

Charge Method: AC Level 2

Nominal Supply Voltage (V): 208V to 240V AC, single phase

Max Current (Amps-continuous): ≤ 80A

The amperage rating for EV circuits required by most Level 2 EVSE is 40A, although this may differ depending on the particular system design.

6.6 COVERED PARKING GARAGES IN THE CORE COMMERCIAL (C-1) ZONE

- (1) Covered parking stalls are not permitted on the frontage of any building except by Development Agreement (Fig 6.10).
- (2) Covered parking is permitted in the rear of the building on the groundfloor so long as the street frontage is active and not blank (Fig 6.11).
- (3) A 6m wide (maximum) parking garage entry is permitted on the groundfloor to access underground parking (Fig 6.11).
- (4) Where possible, parking garage entries should exit from the rear or side of a building.
- (5) Parking garage entries which cross a sidewalk must be designed for safe passage of pedestrians.
- (6) All parking stalls in covered parking garages shall be EV ready in the following ratios:
 - (a) 75% of the stalls shall include Level 1 (120v) charging plugs.
 - (b) 25% of the stalls shall include Level 2 charging plugs. Fractions shall be rounded down.

6.7 BICYCLE PARKING REQUIREMENTS

The minimum and maximum number of required bicycle parking spaces shall be as follows in Table 6.4:

- (1) Class A bicycle parking spaces shall be subject to the following requirements:
 - (a) class A bicycle parking shall be located indoors within the new building or accessory building.
 - (b) parking spaces shall have a minimum door opening of 0.6 metres, be no less than 0.6 metres long and 1.2 metres in height, with an aisle width of not less than 1.5 metres; and
 - (c) bicycle rooms and cages for the storage of multiple bicycles shall contain racks so that individual bicycles are supported.
- (2) Class B bicycle parking shall be subject to the following requirements:
 - (a) covered parking spaces, in which bicycles are protected from precipitation, shall be located a maximum of 40 metres from an entrance;
 - (b) uncovered parking shall be located a maximum of 20 metres from an entrance;
 - (c) parking spaces shall be located at ground level and visible to passers-by or building security personnel;
 - (d) where parking spaces are not visible to passers-by, directional signage shall be provided;
 - (e) all bicycle parking spaces shall be located on hard surfaces in areas that are visible and well illuminated.



FIGURE 6.10 Groundfloor frontage parking restrictions

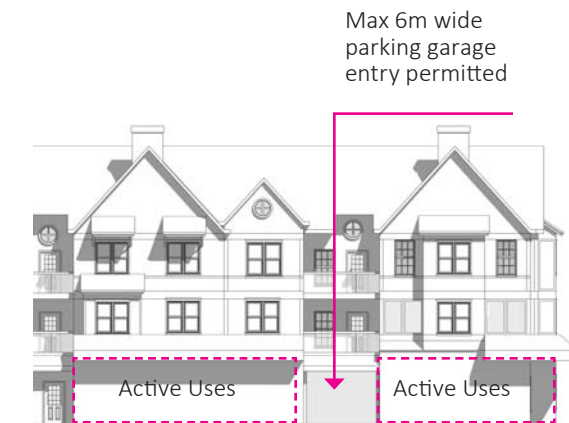


FIGURE 6.11 Parking Garage entry permitted on street frontage

- (f) parking spaces shall have a minimum overhead clearance of 2 metres;
- (g) access to and exit from parking spaces shall be provided with an aisle of not less than 1.2 metres in width, to be provided and maintained beside or between each row of bicycle parking;
- (h) parking spaces shall be located a minimum of 0.6 metres from any wall or other obstruction; and
- (i) parking spaces shall be a minimum of 0.6 metres wide and 2 metres long.
- (j) In cases of 100% lot coverage, or where it is otherwise impractical to provide on-site parking, Class B bicycle parking may be installed within the street right-of-way provided it is a maximum of

100 metres from the location such parking is to serve and at the discretion of the Town.

6.8 LOADING ZONES

- (1) Any uses requiring a Loading Zone shall provide details to be considered in a Development Permit, Site Plan or Development Agreement application.
- (2) Any required loading zones in public right-of-ways must be coordinated with the Town's Traffic Authority at the time of the application.

TABLE 6.4 Bicycle Parking Requirements

Type of Use	Minimum Parking Requirement
Multiple Unit Dwelling (four or more dwelling units)	0.25 spaces per dwelling unit 80-100% Class A, 20% Class B
Hotels, Inns	1 space for every 20 rooms 80% Class A, 20% Class B Minimum 2 Class B spaces
Recreation Facilities, Community Centres, Libraries	1 space per 300 sq. m. GFA 20% Class A, 80% Class B Minimum 2 Class B spaces
General Office, Banks, Medical Clinics, Institutional Uses, Government Buildings	1 space per 600 sq. m. GFA 50% Class A, 50% Class B Minimum 2 Class B spaces

General Requirements For Signs

7.1 GENERAL

- (1) Where this part is inconsistent with any statute of the Province of Nova Scotia or regulations made there under respecting advertising signs on or near public highways, the more restrictive regulations shall apply.
- (2) No person shall erect a sign without first obtaining a permit from the Development Officer except in the case of signs listed in Section 7.2 and no permit to erect a sign shall be issued unless all the sign provisions of the Bylaw are satisfied.
- (3) Signage for business premises shall be for the purpose of identifying the name of the business and the general product or service provided. Signage shall not be used for the purpose of advertising and/or promotions.
- (4) Every sign and all parts thereof including framework, supports, background, anchors and wiring systems shall be constructed with adequate structural support to secure the sign. The Development Officer may request a certification from a Professional Engineer confirming the structural integrity of any sign prior to issuance of a permit.
- (5) All signs and all parts thereof, including structural support, shall be kept in a good state of repair and maintenance.
- (6) Signage for business premises located in a Design Guidelines Area are required to meet the requirements

as laid out in Schedule F: Town of Wolfville Design Guidelines.

7.2 SIGNS PERMITTED IN ALL ZONES

The following additional signs are permitted in all zones and do not require a permit pursuant to this Part.

- (1) Signs identifying name and address of resident and of not more than 0.2 square metres in sign area.
- (2) “No Trespassing” signs or other such signs regulating the use of a property and of not more than 0.2 square metres in sign area.
- (3) Real estate signs not exceeding 0.5 square metres in sign area in a Residential Zone and 3 square metres in other zones or on a residential property with 12 or more dwelling units, which advertise the sale, rental or lease of the premises.
- (4) Signs regulating or denoting on-premises traffic, parking or other signs denoting the direction or function of various parts of a building or premise provided that such signs are less than 0.5 square metres in sign area.
- (5) Signs erected by a public authority or under the direction of such authority and signs located on public streets as permitted under the Town of Wolfville Streets Bylaw.

- (6) Memorial signs or tablets and signs denoting the date of erection of a structure.
- (7) The flag, pennant or insignia of any public authority, or of any religious, charitable, or fraternal organization.
- (8) A sign having a sign area of not more than 5 square metres incidental to construction and located on the construction site.
- (9) Electoral signs.

7.3 SIGNS PROHIBITED IN ALL ZONES

The following signs shall not be permitted in any zone:

- (1) Signs which incorporate, in any manner, any flashing or moving illumination, illumination which varies in intensity or any illumination which varies in colour.
- (2) Signs which have any visible moving part, visible revolving parts, visible mechanical movement of any description or other apparent visible movement achieved by electrical pulsations or by actions of normal wind currents.
- (3) Signs located on the roof of a building.
- (4) Signs or sign structure which constitutes a hazard to public safety or health.
- (5) Signs which by reason of size, location, content, colouring, or manner of illumination obstruct the vision of drivers either when leaving a roadway or driveway; or obstruct or detract from the visibility or effectiveness of any traffic sign; or control device on public streets and roads.
- (6) Signs which obstruct free ingress to or egress from a fire escape door, window or other required exit way.
- (7) Signs not erected by a public authority which make use of words such as 'STOP', 'LOOK', 'ONE WAY', 'DANGER', 'YIELD' or any similar words, phrases, symbols, lights, or characters typically used by a public authority to regulate vehicles or pedestrians.
- (8) Signs on public property or public right-of-way, unless erected by a public authority.
- (9) Signs painted on, attached to, or supported by a tree, stone, cliff or other natural object.
- (10) Signs not related to any business premise or use located on the lot or premises except one off premise sign shall be permitted on a building or lot provided the maximum size of the sign shall be 0.7 square metres, and the sign complies with all other applicable requirements of this Bylaw.
- (11) Pennants, spinners, banners, and streamers except those expressly permitted by this or any other Bylaw.
- (12) Illuminated signs.
- (13) Reader board signs except as permitted by 7.7.3.
- (14) Ground signs with more than 2 sign faces.

7.4 SIGNS IN RESIDENTIAL ZONES

Signs shall not be permitted in residential zones except as follows:

- (1) as permitted in Section 7.2 Signs Permitted in all Zones;
- (2) as permitted in Section 4.16 Home Based Business;
- (3) a residential building or a group of residential buildings under common ownership with 16 or more dwelling units shall be permitted to have one ground sign which identifies the name of the residential building or group of buildings. The sign may contain ancillary information such as the date the development was established but may not include advertising messages. The maximum sign area of the sign shall be 3 square metres and the maximum height of the sign shall be 2.5 metres.

7.5 SIGNS IN COMMERCIAL ZONES

(1) Limit on Number of Signs

- (a) Each business premise is permitted to erect a maximum of two (2) signs, including combined signs on the building or property occupied by the business premise. The maximum number of projecting signs shall be one (1) per business premise per street front.

- (b) Notwithstanding Section 7.5.1(a), a business premise with more than one (1) public entrance is permitted one (1) additional sign for each public entrance in excess of one.
- (c) Notwithstanding Sections 7.5.1(a) and 7.5.1(b), one Portable sign per business premise shall be permitted in accordance with Section 7.6.3.
- (d) A ground sign with each side used to identify the same business premise shall count as a single sign.
- (e) In the case of a corner lot or through lot, one (1) additional sign will be permitted in addition to all other permitted signs.
- (f) A combined sign counts as one (1) sign for each business premise whose name, symbol, logo, or other identifying feature is included on the combined sign.
- (g) On a building with more than one (1) side visible to public view, two (2) identical facial wall signs placed on different sides of the building count as one (1) sign.
- (h) In addition to all other signs permitted under this section, one (1) sign which identifies the name of the building or development name is permitted, if it complies with the size requirements of Section 7.6.

FIGURE 7.1 Sign Types

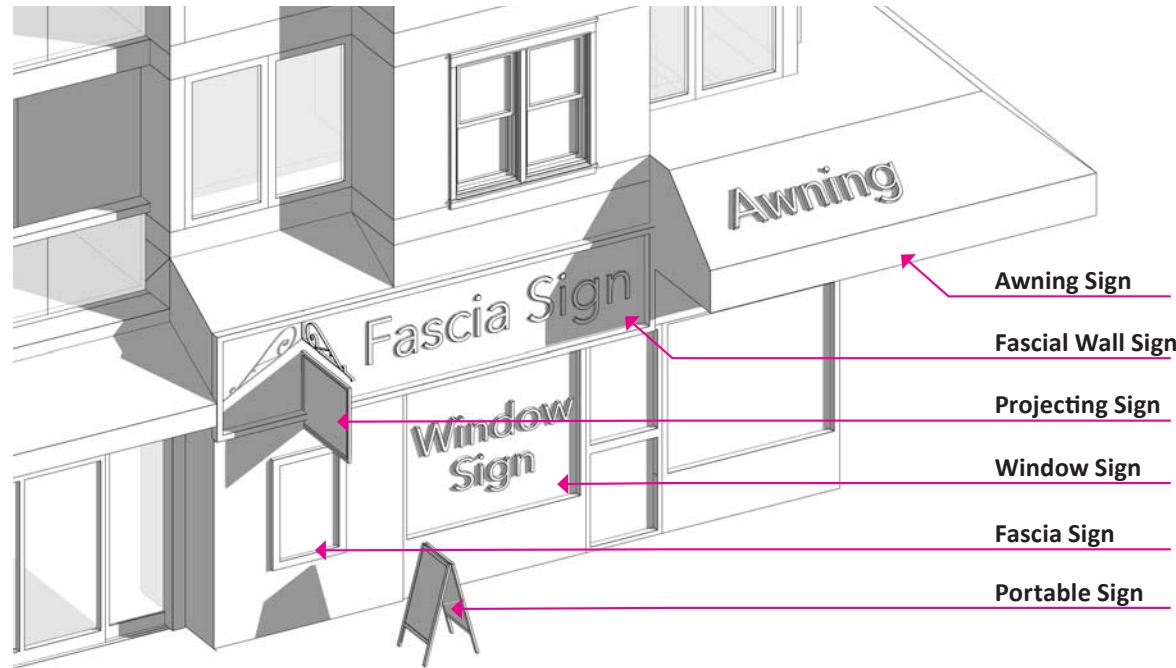
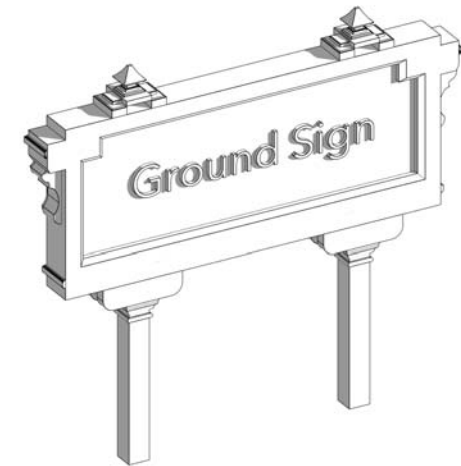


FIGURE 7.2 Ground Sign



7.6 SIZE AND LOCATION OF SIGNS

(1) Fascial Wall Signs

- (a) No combined sign area for all facial signs on any side of a building shall exceed 0.3 square metres per linear metre of building width of the side on which the signs are to be placed. In no case shall the total sign area of facial wall signs on 1 side of the building exceed 10 square metres.
- (b) No Facial wall signs shall:
 - Extend above the top of the wall upon which it is attached.
 - Extend beyond the extremities of the wall upon which it is attached.

- Extend over any substantial architectural feature of a building, such as windows, doors, columns, corner boards, frieze bands, fascia boards, etc.

(2) Ground Signs

- (a) No ground sign shall exceed 2.0 square metres in sign area for a single business premise and a combined ground sign shall not exceed 1.5 square metres in background area for each business premise referred to on the sign. Notwithstanding the foregoing, a ground sign for a tourist establishment may have a sign area of 3 square metres.

- (b) No ground sign shall exceed a height of 5 metres from the grade level to the highest part of the sign.
- (c) No ground sign area shall exceed a width of 2.5 metres.
- (d) No ground sign shall extend beyond a property line or project over a public street or road, other adjoining lands, corner vision triangle or any driveway or parking space.

(3) **Portable Signs**

Portable signs shall adhere to the following requirements:

- (a) Only 1 portable sign is permitted per business.
- (b) A portable sign shall have a maximum of two (2) sign faces.
- (c) Each sign face shall not exceed 0.56 sq.m. in area.
- (d) Sign faces shall not exceed 1m in height.
- (e) A portable sign shall be placed on a sidewalk adjacent to the business premise only when the premise is open to the public or in areas that may be designated by the Town within public parks or the right-of-way.

- (f) A portable sign shall not interfere with the flow of pedestrian or vehicular traffic or pose a safety hazard. The sign shall be placed in a manner that leaves a minimum walkway of 1.8m on the sidewalk.
- (g) A portable sign shall not be placed in a public right-of-way when snow or ice are present.

(4) **Projecting Signs**

- (a) Notwithstanding the Town of Wolfville Streets Bylaw, projecting wall signs and canopy/awning signs shall be permitted.
- (b) No projecting sign shall exceed a sign area of 0.7 square metres.
- (c) No projecting sign or any part thereof shall be less than 2.5 metres above established grade.
- (d) No projecting sign shall extend for more than 1.2 metres from the building wall on which it is attached.
- (e) No projecting wall sign shall be located within 7 metres from any other projecting wall sign on the same building.
- (f) Canopy/Awning signs shall not exceed 0.3 square metres per linear metre to a maximum of 10 square metres. Canopies or Awnings shall not project more than 2 metres over the sidewalk or be erected less than 2.2 metres above the sidewalk.

7.7 SIGNS IN INSTITUTIONAL ZONES

- (1) An institutional premise in the Institutional General zone shall be permitted to have signage in accordance with the provisions for signage for a business premise in a commercial zone as per Section 7.5.
- (2) Signage in the Institutional University zone shall be permitted as follows:
 - (a) Ground signs for wayfinding and building identification are permitted with a maximum sign area of 2.0 square metres and a maximum height of 2.5 metres.
 - (b) Facial wall signs for building identification are permitted with a maximum sign area of 5% of the area of the building face upon which they are placed.
- (3) Notwithstanding section 7.3, Digital Reader Board Signs are permitted subject to the following:
 - (a) For Institutional assembly uses fronting on an Arterial Road in the I-2 zone.
 - (b) No scrolling text, flashing, animation, video or graphics are permitted.
 - (c) Text may only change every 2 hours
 - (d) The nighttime brightness of the sign must not exceed 100 NITS and may not operate between 11:00pm and 7:00am
 - (e) The sign must be equipped with a sensor which automatically lowers light output in accordance with atmospheric conditions and so not to exceed the maximum number of NITS permitted.
 - (f) The sign is only for information related to the use on the property.
 - (g) Sign text shall be white.
 - (h) Digital signs require a default mechanism that will cause them to revert to a black screen during a malfunction.
 - (i) The digital sign shall encompass a maximum of 50% of the sign face and maybe be combined with a ground sign to a maximum of 5 square metres.
 - (j) The applicant shall submit the operational specification at the time of permit application demonstrating compliance with the requirements of the bylaw.
 - (k) The sign shall be located a minimum of 30 metres from a pedestrian crosswalk.

General Requirements for Neighbourhood Zones

8.1 PERMITTED USES

- (1) In this Bylaw any use not listed as a permitted use in a zone is prohibited in that zone unless otherwise indicated.
- (2) Where a permitted use within any zone is defined in this Bylaw the uses permitted in the zone include any similar uses that satisfy such definition except where a definition specifically excludes any similar use.

8.2 DESIGN GUIDELINE AREAS AND REGISTERED HERITAGE PROPERTIES

- (1) New buildings in the Design Guideline Areas shall be subject to Site Plan Approval.
- (2) Additions to buildings in the Design Guidelines Areas greater than 25% of the floor area shall be subject to site plan approval.
- (3) Additions to registered heritage buildings greater than 10% of the floor area shall be subject to site plan approval.

TABLE 8.1 Neighbourhood Land Use Table

APPROVAL PROCESS:

P = Permitted as-of-right,

PC = Permitted with Conditions (refer to general conditions)

SP = Site Plan Approval

DA = Development Agreement

Residential Uses	R-1	R-2	R-3	R-4	CDD	C-2
Additions	P	PC	PC	PC	P	PC
Accessory Dwelling Unit – Detached		SP	PC	PC		PC
Dwelling, Single	P	P	P			P
Dwelling, Two Unit		P	P	P		P
Dwelling, Townhouse (max 3 units)			P	P		P
Dwelling, Multi-unit- Small (3- 8 units)			SP	SP		SP
Dwelling, Multi-unit - Large (max of 16 units per acre)			DA	SP		DA
Dwelling, Multi-unit (max of 18 units per acre)				SP		
Dwelling, Multi-unit (19 to 24 units per acre)				DA		
Cluster Housing		DA	SP	SP		SP
Existing Uses	P	P	P	P	P	P
Home Based Business (Arts and Crafts Workshop, Catering Establishments, Daycares up to four children/persons, Online/Digital Sales, Offices, Studios, Short Term Rentals max of 3 rental rooms) < 80 sqm		PC	PC	PC		PC
Home Occupation – Restricted (<50 sqm)	P	P	P	P		P
Innovative Housing		DA	DA	DA		DA
Parks and Playgrounds, Public Washrooms, Community Gardens, & Historic Sites	P	P	P	P	P	P

TABLE 8.2 Neighbourhood Land Use Table

APPROVAL PROCESS:

P = Permitted as-of-right,

PC = Permitted with Conditions (refer to General Conditions)

SP = Site Plan Approval

DA = Development Agreement

Neighbourhood Commercial Uses	R-1	R-2	R-3	R-4	CDD	C-2
Art Galleries & Studios						P
Bakeries						SP
Catering Establishment > 80sqm						PC
Commercial Schools (new or expansion of existing)						SP
Craft Workshops > 80sqm						SP
Daycare Facilities (more than 4 children/persons)						SP
Farm Markets						SP
Hostels						SP
Hotels						DA
Inns (12 or less rental rooms)		SP	SP	SP		SP
Institutional Uses						SP
Laundromats						SP
Medical Clinics						SP
Nano-Brewery (See special provision in the C-2 zone)						SP
Neighbourhood Cafe < 100 sqm						SP
Neighbourhood Commercial Use > 200 sqm						DA
Neighbourhood Commercial up to 40% of Groundfloor of a multi unit building				SP		
Neighbourhood Commercial up to 100% of Groundfloor of a multi unit building				DA		
Neighbourhood Retail < 100 sqm						SP
Nursing Homes						SP
Offices & Professional Services > 80 sqm						SP
Parking Lots and Structures (Stand Alone)						DA
Residential Care Facility		PC	PC	PC		PC
Short Term Rentals		PC	PC	PC	PC	PC
Single Room Occupancy (4 or more rental rooms)		PC	PC	PC		PC
Tasting Rooms (See Special Provisions in the C-2 zone)						SP

TABLE 8.4 Cluster Development Requirements

Requirement	
Minimum front yard Setback	2 metres
Minimum separation distance between buildings in a Cluster Residential Development	2.5 metres
Parking	<p>In addition to providing parking in accordance with Part 6 of this Bylaw, parking within a Cluster Residential Development may be located anywhere within the development, whether or not the development parcels within the Cluster Residential Development are severed.</p> <p>Required visitor parking may be provided as parallel parking on a private street provided the private street has a minimum width of 9.5 metres.</p>
Maximum lot coverage	Where lots in a cluster Residential Development are to be subdivided, the maximum lot coverage on each lot shall be 40% without any shared public open space or 60% if the cluster has designated at least 15% of the gross site area for public open space or private (shared amongst residents) open space.
Landscaping	<p>The cluster shall include:</p> <ol style="list-style-type: none"> 1. At least one 50mm min. caliper tree per unit 2. 10 sq.m. of mulched shrub beds per unit 3. all soft landscape areas are sodded or seeded or left naturalized with native plants. 4. A hard surface pathway no less than 1.5m wide connecting the parking area(s) to each unit 5. Where feasible, a shared common open space area fully landscaped for residents.

8.3 CLUSTER HOUSING

- (1) Cluster Residential Developments shall be considered on lots larger than 2,000 square metres in the Low Density Residential (R-2) by Development Agreement, Medium Density Residential (R-3) and High Density Residential (R-4) Zones by Site Plan Approval. Proposals not able to meet the requirements of Section 8.3 or other underlying zone requirements may be considered by Development Agreement as Innovative Housing.
- (2) The entire Cluster Residential Development shall comply with all applicable sections of this Bylaw and the provisions set out in Table 8.4.

- (3) A Residential use building in a Cluster Residential Development is considered to meet the frontage requirements in Section 4.13 provided the land on which it is to be located after severance has a minimum of 6.0 metres of frontage abutting a private street that serves as a driveway leading to a public street.
- (4) Parcels within the Cluster Residential Development that are severed need not comply with the dwelling-type specific provisions for the R-2, R-3 or R-4 zones.
- (5) Single Room Occupancies shall not be permitted in a Cluster Residential Development, but may be considered by development agreement.

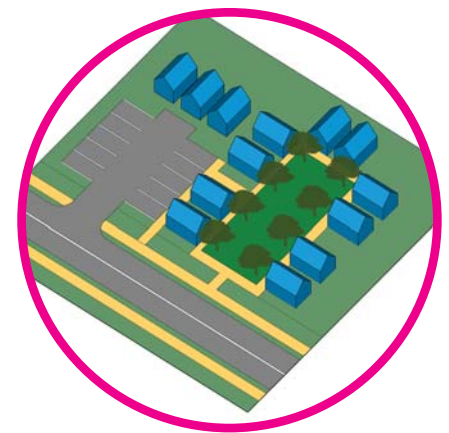


FIGURE 8.3 Cluster Housing Example

8.4 CONFORMITY WITH EXISTING FRONT YARDS

Notwithstanding anything else in this Bylaw, in any residential zone, new structures between existing buildings within 60 metres on the same block may be built with a setback equal to the average setback of the adjacent buildings, but this depth shall not be less than 3 metres from the front lot line and need be no greater than setback regulations prescribed in the zone in which it is situated.

8.5 FARM ANIMALS

No lot in any residential zone shall be used for the rearing or keeping of farm animals except for a maximum of four laying hens contained within the lot.

8.6 LOT SURFACING AND LANDSCAPING

(1) General Requirements:

- (a) The maximum hard surface area of any lot in any Residential zone shall be 50% of the lot area, subject to stormwater management allowances.
- (b) All disturbed areas of the site, other than hard surface, shall be landscaped with grass, ground covers, or native meadow mixtures and shall be established within 1 year from the issuance of an occupancy permit.
- (c) Wherever possible, trees with a diameter at breast height (DBH) of 30 cm or more should be preserved whenever possible. Trees greater than 30 cm DBH must be protected within 2m of all property lines unless the

tree can be shown to compromise the safety of new buildings or additions.

- (d) Any excavation or work within the dripline of trees greater than 60 cm DBH must be inspected by a certified arborist and remedial measures suggested should be implemented to preserve the health of larger trees.
- (e) For any buildings set back 8 m or more from the front lot line, one 60 mm caliper (minimum) sized tree is required to be planted or retained between the building and the street for every 8 m of building frontage.

(2) Abutting Landscape buffers

- (a) Where a multi-unit building greater than 3 units abuts a yard in any Residential, Institutional, Park or Recreation zone a landscaped buffer is required. The minimum yard requirement for the abutting yard (rear or side) shall be 3 metres and shall include one or more of the following between the building and the abutting property:
 - i) At least one native shrub (that will grow to at least 2m in height) for along the abutting sideyard and one tree (minimum caliper of 50 millimetres) for every 4.5 linear metres of building depth; or
 - ii) Evergreen shrubs (that will grow to at least 2m in height) that form an opaque and continuous visual barrier between the proposed building and the sideyard, or

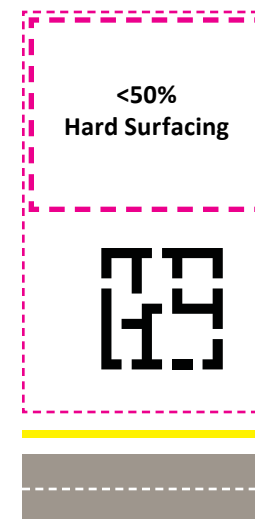


FIGURE 8.5

Hard surfacing coverage

- iii) An opaque wood fence or masonry wall at least 1.8 metres high continuous along the entire side yard.
- iv) Or any combination of 1-3.
- (b) No parking space, driveway or travel lane shall be permitted in the 3 metre landscape buffer. This requirement may be reduced to 1.5 metres provided that landscape screening as described in 8.3.2.(a) provides a visual barrier along the full length of the sideyard lot line.

(3) **Lighting**

- (a) Any lit driveways, walkways, parking areas, circulation roads, or service areas shall be designed to reflect light away from adjacent residential properties using cut-offs, strategic placement or other means of reducing light pollution.
- (b) Any lights must be manually operable or on a timer to ensure lights are not left on all night.

8.7 NEIGHBOURHOOD DESIGN

- (1) Identical buildings may not be repeated more frequently than every fourth (4th) building along the same side of a street.

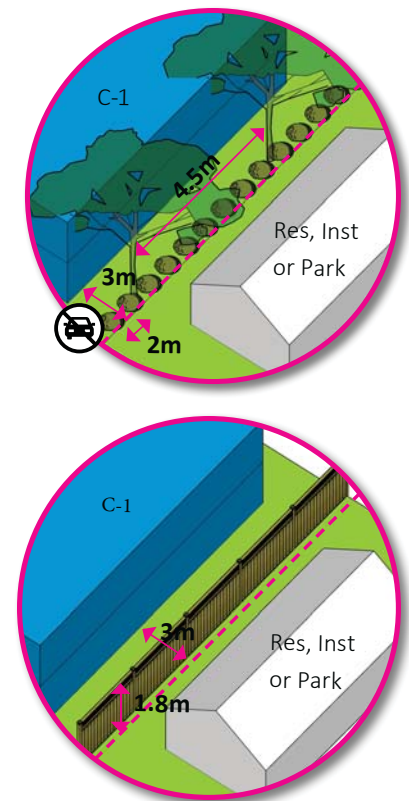
- (2) Buildings are not identical if they are varied in at least 2 of the following: roof style; building mass and form; variation in exterior surfaces, colours and materials; fenestration; and main entry and garage placement, subject to the approval of the Development Officer.
- (3) To avoid facades of large blank walls on corner sites (having frontage on two streets), the façades of a principal building abutting the front lot line and the flanking side lot line shall use consistent building materials and architectural features on both frontages, and shall include features such as windows, doors, or porches, subject to the approval of the Development Officer.

8.8 RESIDENTIAL CARE FACILITIES

When creating a residential care facility, the following criteria shall apply:

- (1) the use must be contained within the single unit dwelling; and
- (2) no more than four (4) persons are provided with nursing and/or personal care; and
- (3) there shall be a resident manager.

FIGURE 8.6 Landscaping



8.9 SITE PLAN APPROVAL

The following Site Plan criteria shall apply to all new development that is permitted through the Site Plan Approval process in the Two-Unit Residential (R-2), General Residential (R-3) and the High Density Residential (R-4) Zones. No development permit shall be issued for development that is inconsistent with these criteria. All development subject to Site Plan Approval must also meet all applicable zone standards and all other requirements of this Bylaw and section 2.10.

- (1) The location of new structures on the lot shall minimize negative impacts on the surrounding neighbourhood, including dust, fumes, lighting, shadows, or other nuisance or inconvenience to occupants of nearby residences;
- (2) The location of off-street parking and loading facilities shall minimize negative impacts on the surrounding neighbourhood, including traffic, noise, dust, fumes, lighting, or other nuisance or inconvenience to occupants of nearby residences;
- (3) The location, number and width of points of access are designed to prevent traffic, noise, dust, fumes, congestion, or other nuisance and inconvenience in the area and minimize negative impacts to occupants of nearby residences;
- (4) The type, location, and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements, or a combination thereof, which is necessary to protect and minimize negative land use impact on neighbouring properties;
- (5) Existing vegetation shall be retained where the vegetation is healthy and helps to minimize negative impacts on the surrounding neighbourhood;
- (6) The location of pedestrian walkways, and/or related infrastructure, shall be provided to link public sidewalks and parking areas to entrances of all primary buildings;
- (7) The type and location of outdoor lighting is designed to light the structure, driveways and pedestrian infrastructure, but shall not be directed onto neighbouring properties;
- (8) for maximum separation from residential development and public areas;
- (9) The location of all existing easements shall be identified;
- (10) The grading or alteration in elevation or contour of the land shall minimize undue erosion and/or sedimentation, and other negative impacts on neighbouring properties;
- (11) The management of storm and surface water is addressed, and associated plans are approved by the Town Engineer;
- (12) The type, location number and size of signs or sign structures do not negatively alter the appearance of the streetscape or neighbourhood; and
- (13) All signage shall be designed and constructed according to the signage requirements listed in Part 7.

- (14) Developments located in a Design Guidelines Area shall adhere to the design guidelines listed in Schedule "F" Town of Wolfville Design Guidelines. Input from the Design Review Committee may be required.
- (15) The Development Officer may vary any of the prescriptive dimensional requirements by up to 10 percent of the requirements to allow some flexibility to accommodate physical anomalies of a site, so long as the intent of the particular requirement is not compromised.

8.10 TRAIL CONNECTIVITY

Where a development site in the R-3 or R-4 zone abuts a trail the development shall provide a dedicated pedestrian connection onto the trail system.

Low Density Residential - Restricted (R-1) Zone

9.1 INTENT

The R-1 zone is intended to permit single detached dwellings and restricted home occupations (personal offices, etc.).

9.2 PERMITTED USES

As-of-right, Site Plan and Development Agreement uses are shown in Table 8.1

9.3 RE-ZONING

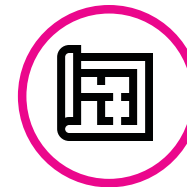
Rezoning is not permitted in the R-1 Zone



Single unit dwellings



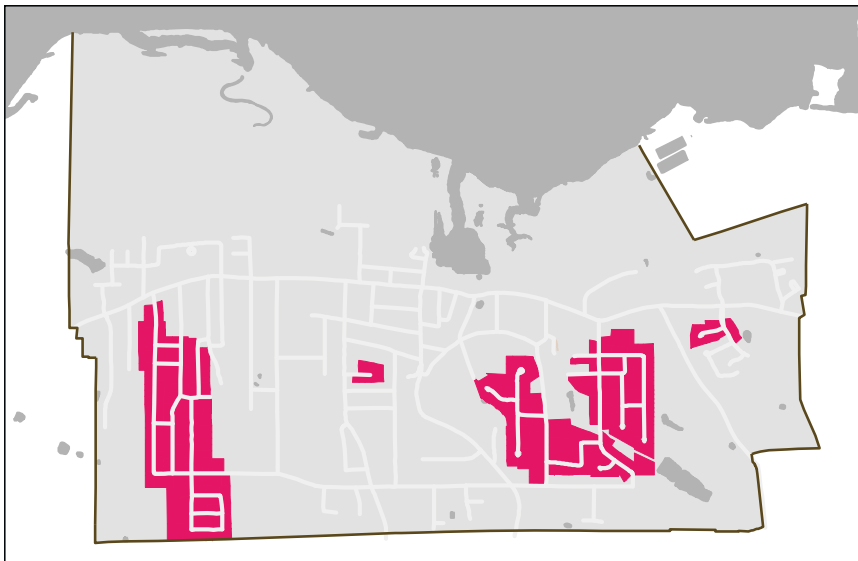
Home occupation (restricted)



Additions



Accessory Buildings



Other Provisions Apply

Part 4:

General Requirements for All Zones

Part 5:

Development Constraints

Part 6:

Parking & Loading Requirements

Part 7:

General Requirements for Signs

Part 8:

General Requirements for Neighbourhood Zones

9.4 INTENT EXAMPLES

As-of-right examples for the R-1 Zone



FIGURE 9.1 R-1 ZONE Single Unit with Detached Garage Example



FIGURE 9.2 R-1 ZONE Single Unit Example



FIGURE 9.3 R-1 ZONE Single Unit Addition Example

9.5 R-1 ZONE BUILT FORM STANDARDS

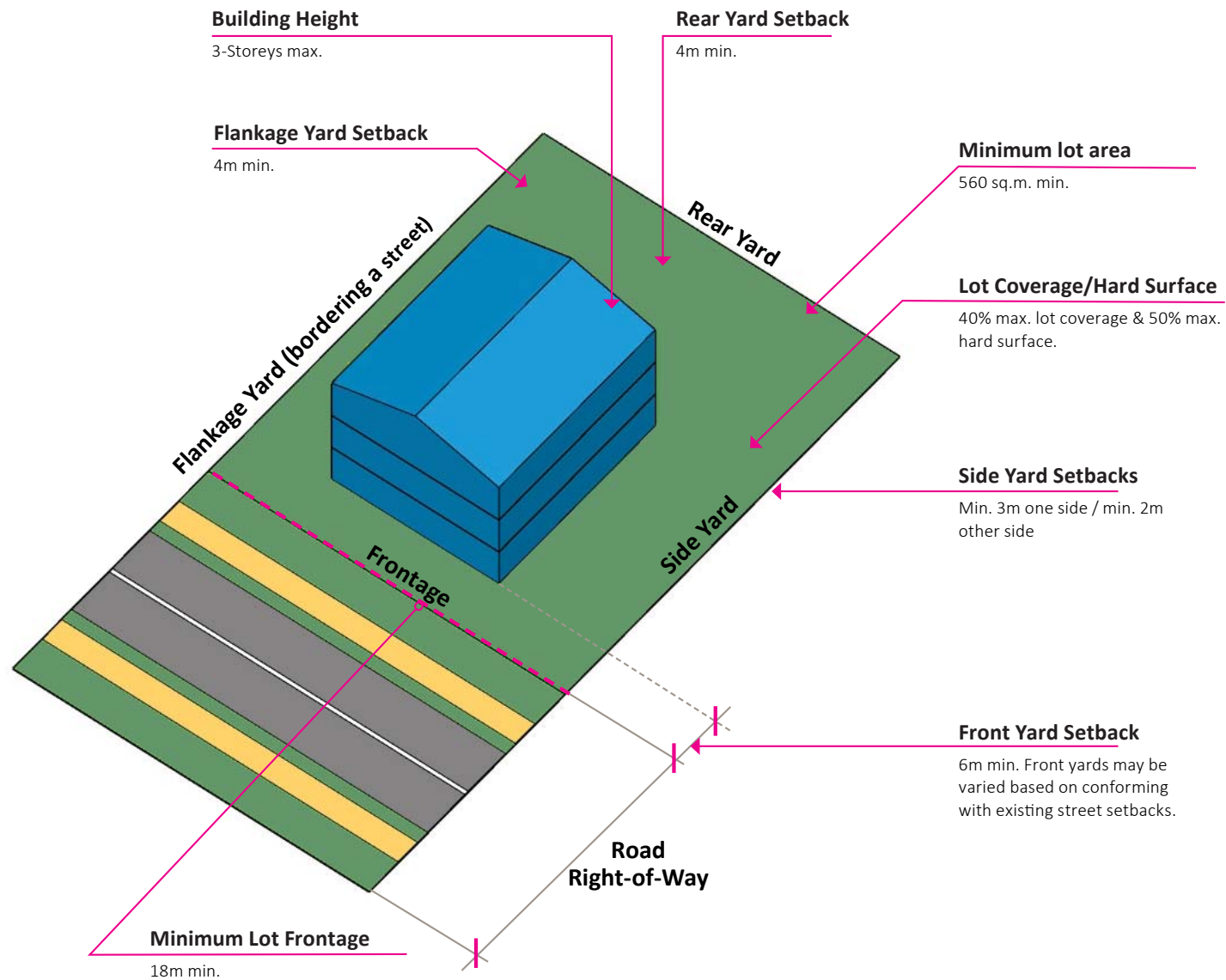


FIGURE 9.4 R-1 ZONE Built Form Standards

PART 10 Low Density Residential – General (R-2) Zone

10.1 INTENT

The R-2 zone is intended to permit a range of low density residential development to a maximum of two dwelling units. Home based businesses and other uses such as short-term rentals are permitted subject to conditions. Council may consider unique and site-specific developments by development agreement.

10.2 PERMITTED USES

As-of-right, Site Plan and Development Agreement uses are shown in Table 8.1

10.3 RE-ZONING

Rezoning to the R-3 or C-2 zone will be considered subject to Policy 11.4.3 of the MPS.

10.4 SEMI-DETACHED BUILDINGS - SECOND DWELLING UNIT

A semi-detached building that has been subdivided with each side of the building on its own lot shall be permitted to establish a second dwelling unit provided the unit is contained within the existing dwelling unit, has no more than two bedrooms and does not exceed 40% of the floor area of the main dwelling.



Single unit dwellings



Two unit dwellings



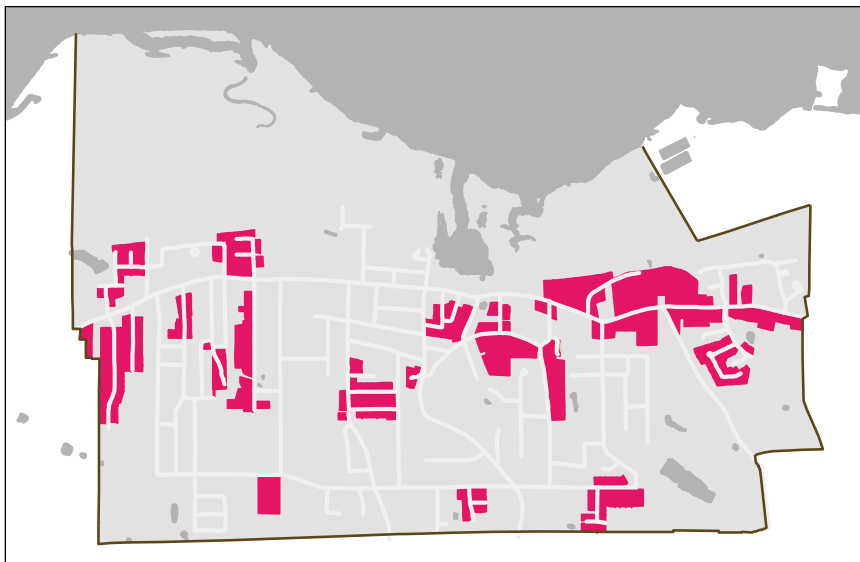
Additions



Accessory Buildings



Home based business



Other Provisions Apply

Part 4:

General Requirements for All Zones

Part 5:

Development Constraints

Part 6:

Parking & Loading Requirements

Part 7:

General Requirements for Signs

Part 8:

General Requirements for Neighbourhood Zones

10.5 INTENT EXAMPLES

As-of-right and Site Plan Approval examples for the R-2 Zone

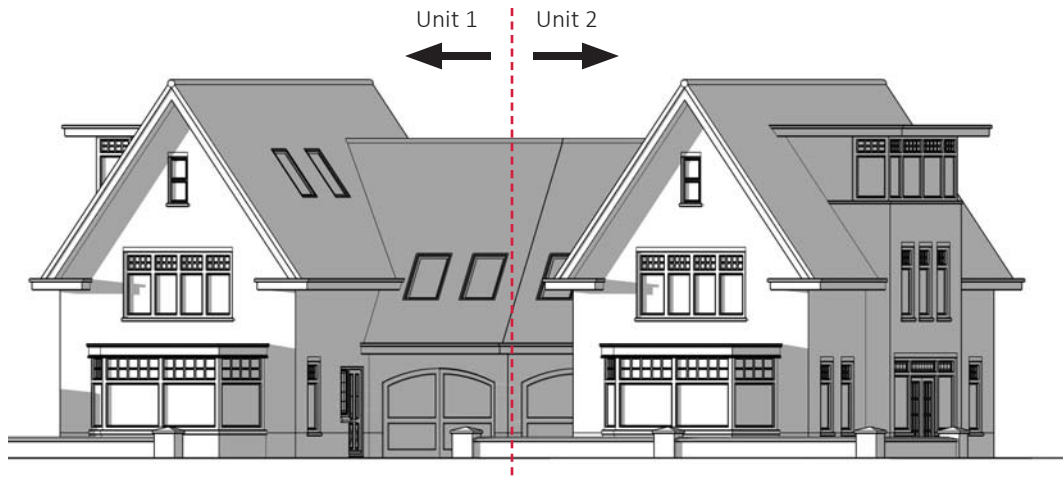


FIGURE 10.1 R-2 ZONE Semi-Detached Example (units divided vertically)



FIGURE 10.3 R-2 ZONE Single Unit Dwelling with Detached Accessory Dwelling

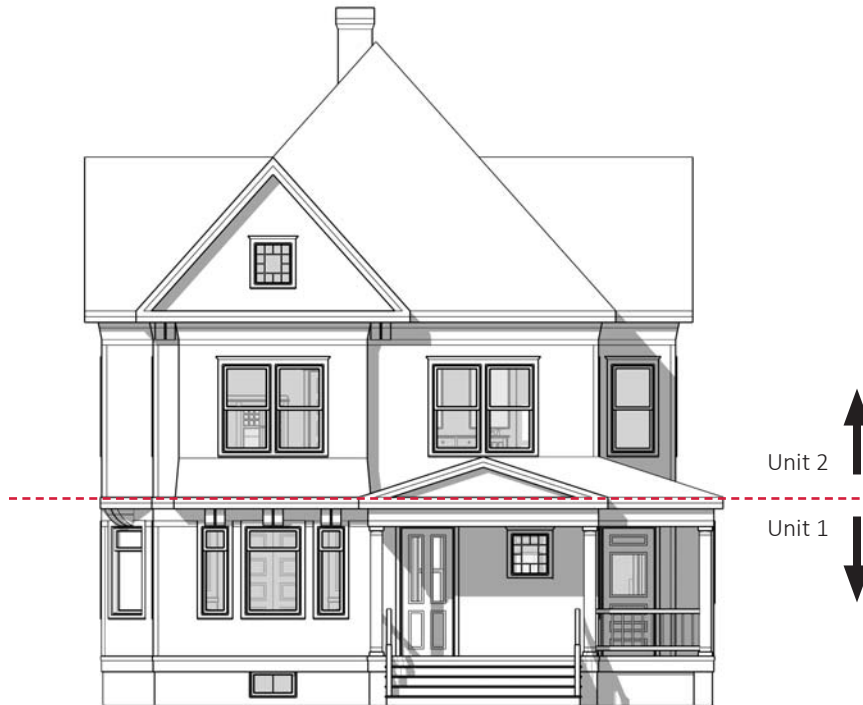


FIGURE 10.2 R-2 ZONE Duplex Example (units divided horizontally)

10.6 R-2 ZONE BUILT FORM STANDARDS

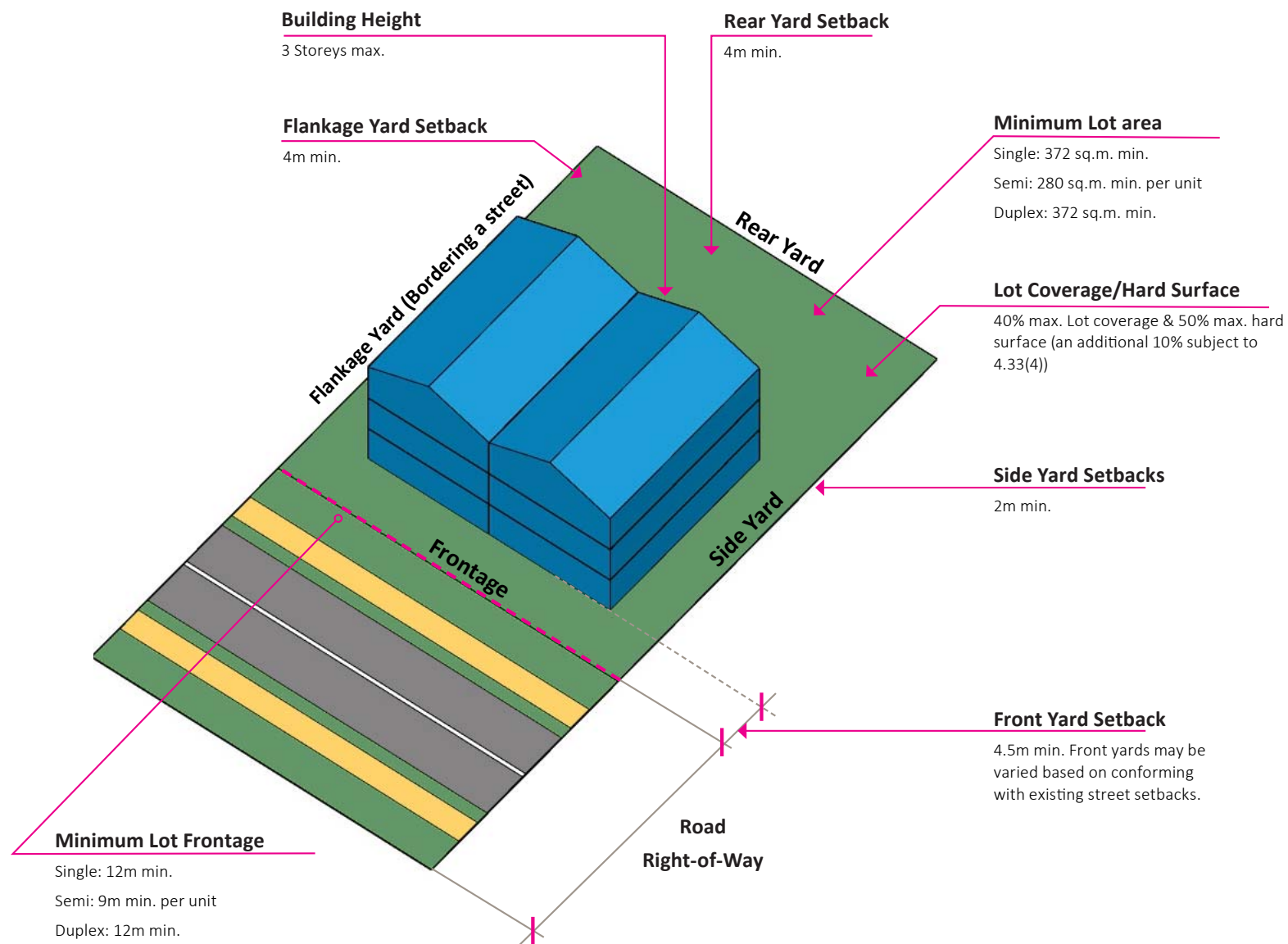


FIGURE 10.4 R-2 Zone Built Form Standards

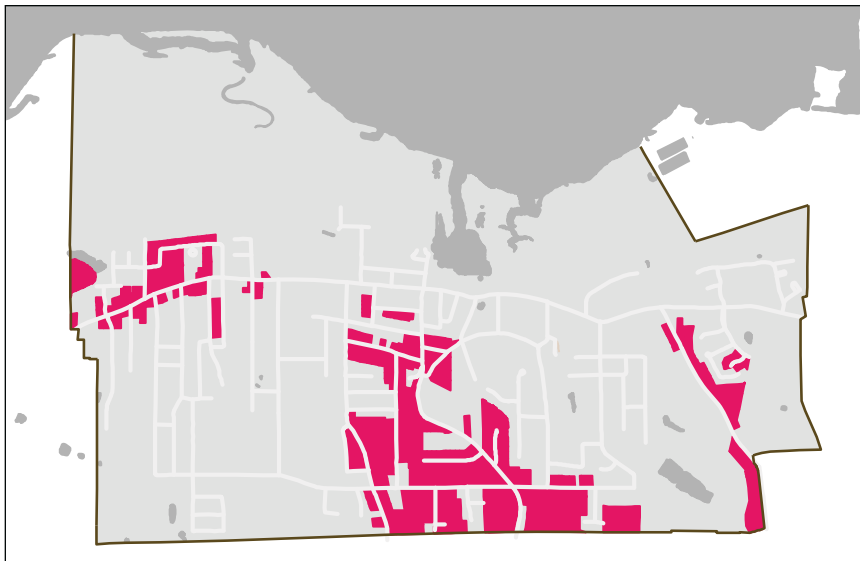
PART 11 Medium Density Residential (R-3) Zone

11.1 INTENT

The R-3 zone is intended to permit a range of low and medium density residential development to a maximum of 8 dwelling units by Site Plan Approval. Home based businesses and other uses such as short-term rentals are permitted subject to conditions. Council may consider unique and site-specific developments by development agreement.

11.2 PERMITTED USES

As-of-right, Site Plan and Development Agreement uses are shown in Table 8.1



11.3 RE-ZONING

Rezoning to the R-4 or C-2 zone will be considered subject to Policy 11.4.3 of the MPS.

11.4 AMENITY SPACE

15 sq.m. of amenity space shall be provided for each dwelling unit in excess of four dwelling units.



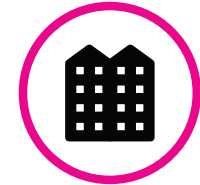
Single unit dwellings



Two unit dwellings



Townhouse dwellings



Multi-unit dwellings



Additions



Accessory Buildings



Home based business

Other Provisions Apply

Part 4:

General Requirements for All Zones

Part 5:

Development Constraints

Part 6:

Parking & Loading Requirements

Part 7:

General Requirements for Signs

Part 8:

General Requirements for Neighbourhood Zones

11.5 INTENT EXAMPLES

As-of-right and Site Plan Approval examples for the R-3 Zone



FIGURE 11.1 R-3 ZONE 3-unit Townhouse



FIGURE 11.2 R-3 ZONE Single Room Occupancy (Subject to 4.32) Example



FIGURE 11.3 R-3 ZONE 8-unit Example

11.6 R-3 ZONE BUILT FORM STANDARDS

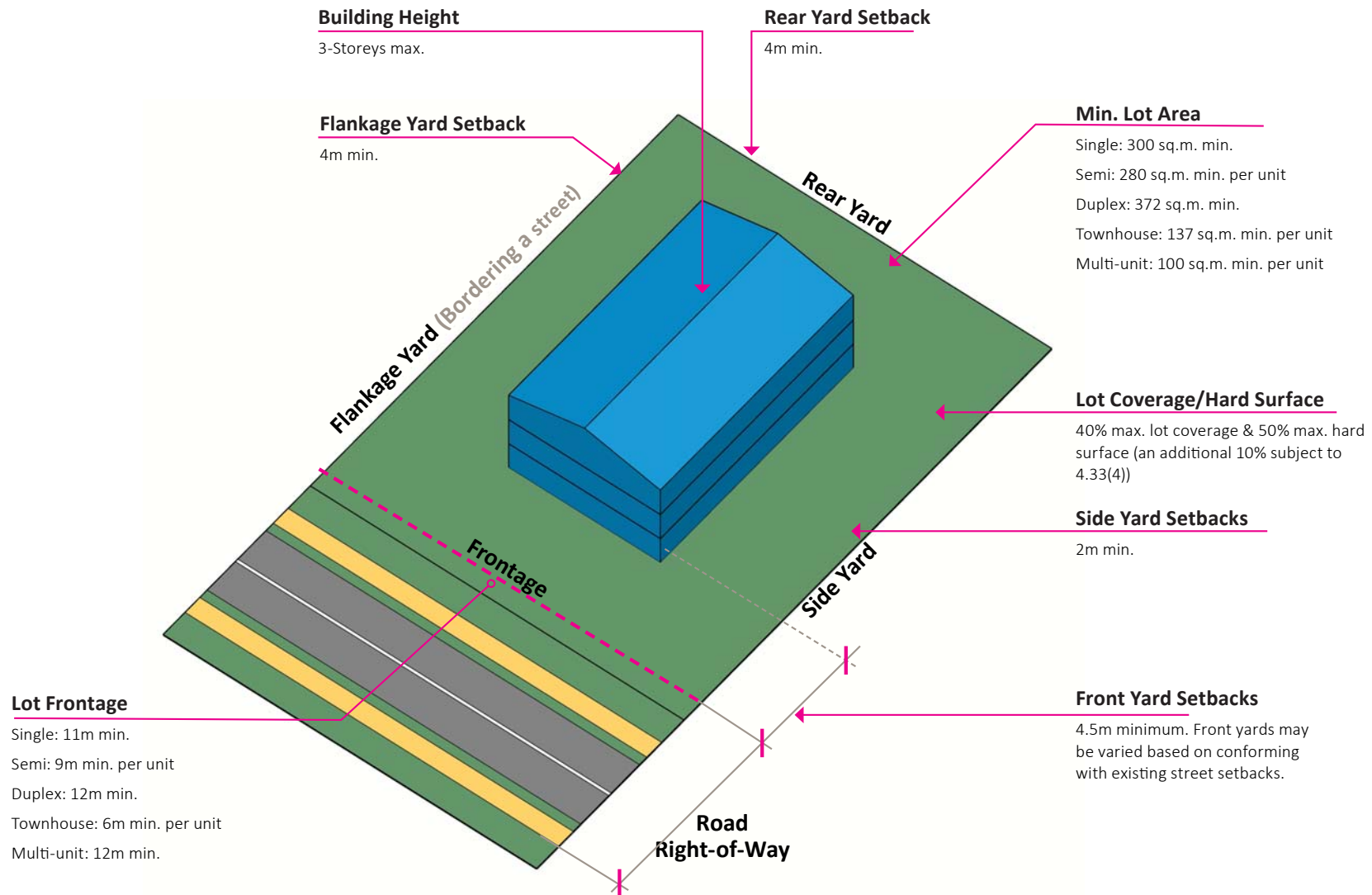


FIGURE 11.4 R-3 Zone Built Form Standards

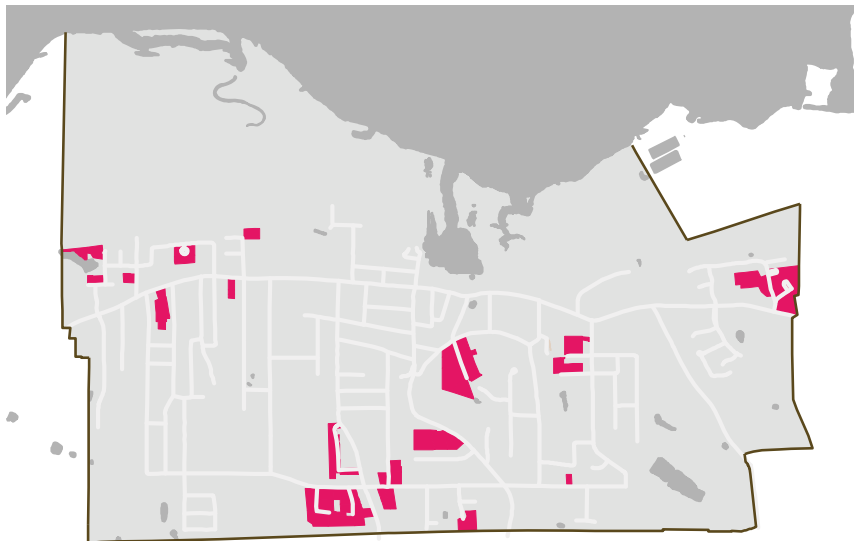
PART 12 High Density Residential (R-4) Zone

12.1 INTENT

The R-4 zone is intended to permit a range of medium and high density residential development to a maximum 18 units per net acre. Home based businesses and other uses such as short-term rentals are permitted subject to conditions. Council may consider unique and site-specific developments by development agreement.

12.2 PERMITTED USES

As-of-right, Site Plan and Development Agreement uses are shown in Table 8.1



12.3 RE-ZONING

Rezoning to the C-2 or CDD zone will be considered subject to **policy 11.4.3** of the MPS.

12.4 AMENITY SPACE

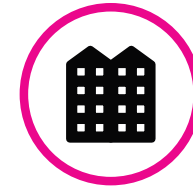
15 sq.m. of amenity space shall be provided for each dwelling unit in excess of four dwelling units.



Two unit dwellings



Townhouse dwellings



Multi-unit dwellings



Mixed use



Additions



Accessory Buildings



Home based business

Other Provisions Apply

Part 4:

General Requirements for All Zones

Part 5:

Development Constraints

Part 6:

Parking & Loading Requirements

Part 7:

General Requirements for Signs

Part 8:

General Requirements for Neighbourhood Zones

12.5 INTENT EXAMPLES

As-of-right and Site Plan approval examples for the R-4 Zone



FIGURE 12.1 R-4 ZONE Multi-Unit Example

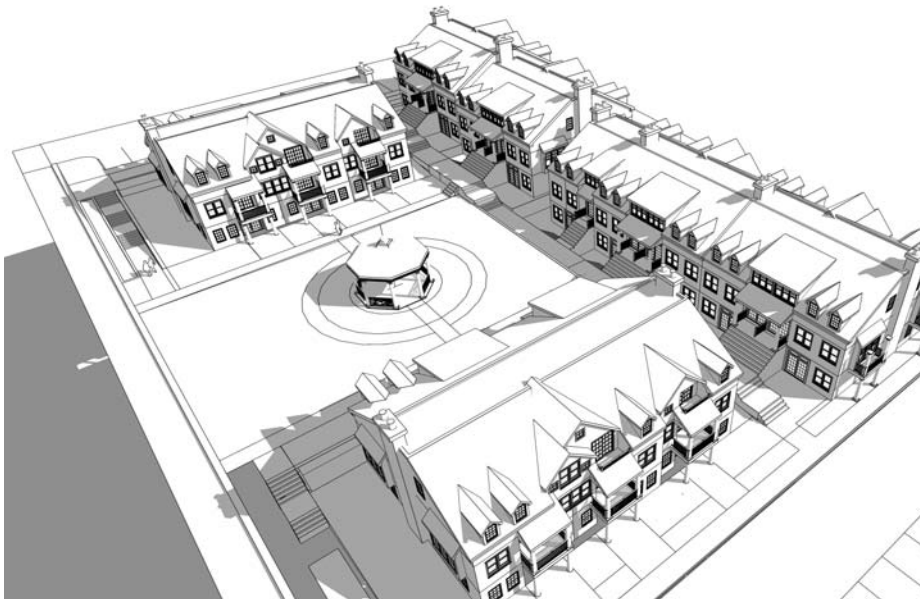


FIGURE 12.2 R-4 ZONE Cluster Example



FIGURE 12.3 Mixed Use, with portion of groundfloor commercial & multi-units.

12.6 R-4 ZONE BUILT FORM STANDARDS

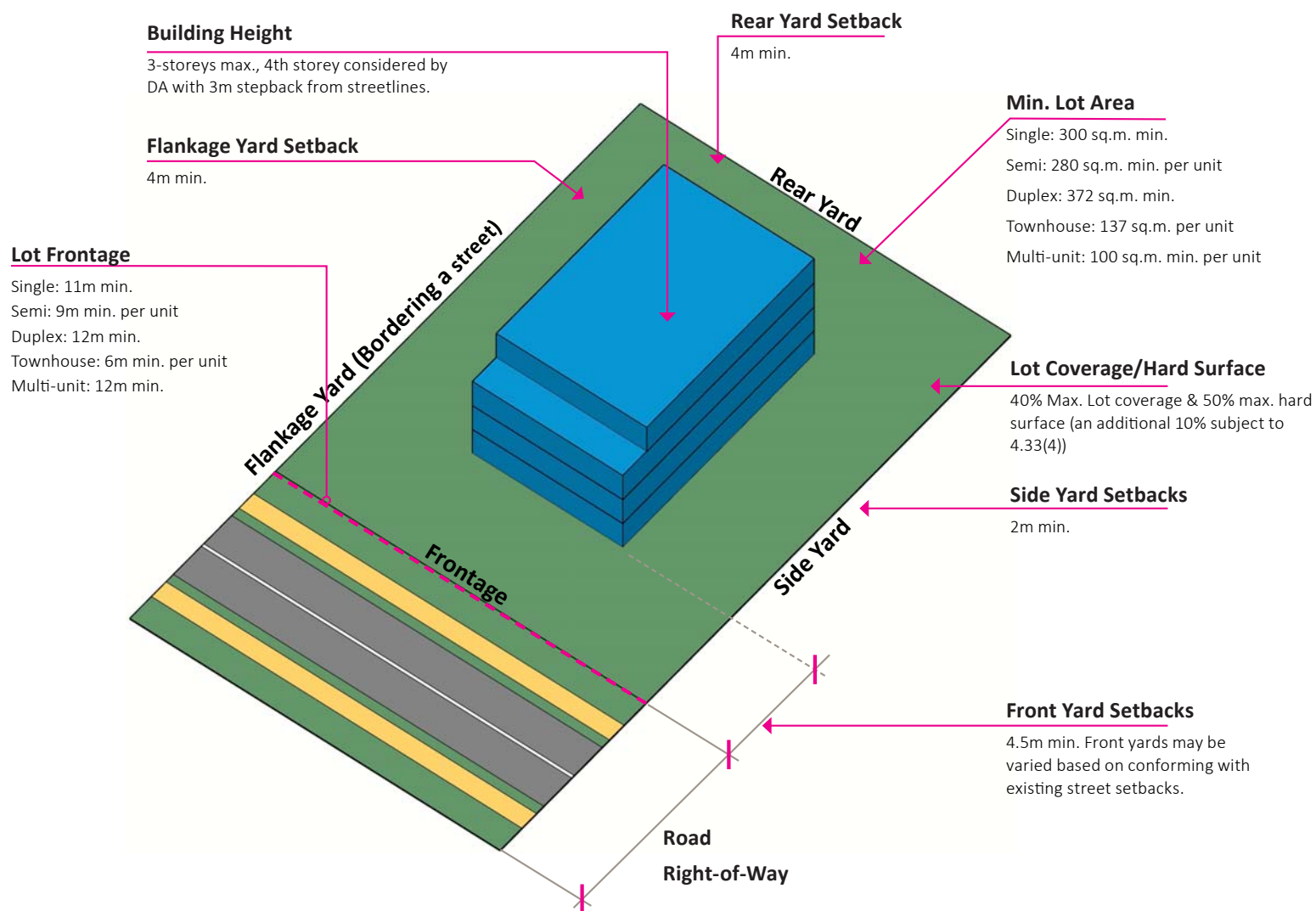


FIGURE 12.4 R-4 ZONE Built Form Standards

PART 13 Comprehensive Development District (CDD)

13.1 USES PERMITTED AS-OF-RIGHT

Notwithstanding Table 8.1, no development permit shall be issued for any use in the CDD zone except for one or more of the following uses:

- (a) Existing agricultural uses
- (b) Areas where a Development Agreement has already been approved

13.2 USES PERMITTED BY SECONDARY PLANNING STRATEGY

- (1) Notwithstanding Table 8.1, only after completion of a Secondary Planning Strategy and amendment to the Land Use Bylaw may CDD areas be re-zoned to Residential (R-2, R-3, R-4), Neighbourhood Commercial (C-2), Institutional - General (I-1), Parks and Open Space (P-1)

- (2) Secondary Planning Strategies shall be subject to Schedule D of this bylaw.

13.3 USES PERMITTED BY DEVELOPMENT AGREEMENT

Once a secondary planning strategy has been completed, new developments shall meet the following requirements:

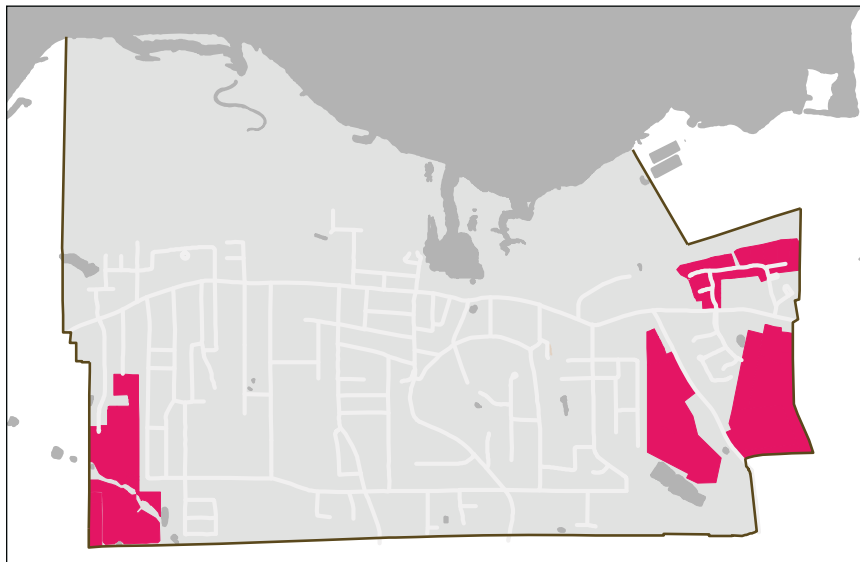
- (1) Residential densities on CDD parcels shall be a minimum of 10 units per net acre.
- (2) 4th Storey Bonus Criteria as per Section 4.15.6 shall be utilized .

13.4 RE-ZONING

See 13.2(1)



**Comprehensive
development**



Other Provisions Apply

Part 4:

General Requirements for All Zones

Part 5:

Development Constraints

Part 6:

Parking & Loading Requirements

Part 7:

General Requirements for Signs

Part 8:

General Requirements for Neighbourhood Zones

PART 14 General Requirements For Commercial Zones

14.1 PERMITTED USES

- (1) In this Bylaw, any use not listed as a permitted use in a zone is prohibited in that zone unless otherwise indicated.
- (2) Where a permitted use within any zone is defined in this Bylaw the uses permitted in the zone include any similar uses that satisfy such definition except where a definition specifically excludes any similar use.
- (3) New 1-storey buildings are not permitted, except in the Neighbourhood Commercial C-2 zone.

14.2 DESIGN GUIDELINE AREAS AND REGISTERED HERITAGE PROPERTIES

- (1) New 2 or 3-storey buildings in the Design Guideline Areas shall be subject to Site Plan Approval.
- (2) New 4-storey building proposals in the Design Guideline Areas shall be subject to Development Agreement process
- (3) Additions to buildings in the Design Guidelines Areas greater than 25% of the floor area shall be subject to Site Plan Approval
- (4) Additions to registered heritage buildings greater than 10% of the floor area shall be subject to Site Plan Approval

TABLE 14.1 Commercial Land Use Table

APPROVAL PROCESS:

P = Permitted as-of-right,

PC = Permitted with Conditions (refer to general conditions)

SP = Site Plan Approval

DA = Development Agreement

Commercial Zones	C-1	C-2	C-3
Accommodations			
Hostels (12 or less rental rooms)	P	SP	SP
Hotels (12 or less rental rooms)	P	DA	SP
Hotels (more than 12 rental rooms)	SP	DA	
Inns (12 or less rental rooms)	P	SP	SP
Short term Rentals	PC	PC	
Educational Facilities			
Daycare Facilities (more than 4 children/persons)	P	SP	SP
Commercial Schools (new or expansion of existing)	SP	SP	SP
Food and Beverage			
Bakeries	P	SP	SP
Cafes	P		SP
Catering Establishment (> 80 sqm)	P	PC	SP
Commercial Brewery or other Craft Beverage Facility (Stand Alone)			DA
Craft Beverage Facility (Accessory Use Only <500 sqm in floor area)	P		
Lounges (Conversion from existing restaurant)	P		
Lounges (New)	DA		
Nano-brewery (See special provisions in the C-2 zone)	P	SP	SP
Neighbourhood Cafe (<100 sqm)		SP	
Restaurant	P		SP
Tasting Rooms (see special provisions in the C-2 zone)	P	SP	SP

TABLE 14.2 Commercial Land Use Table

Commercial Zones	C-1	C-2	C-3
<i>General Commercial</i>			
Art Galleries	P	P	SP
Autobody Repair Shop	DA		SP
Automobile Rental	SP		SP
Automotive Service Centre	DA		SP
Craft Workshops (> 80 sq.m.)	P	SP	SP
Clubs – Private and Public	P		SP
Existing Uses	P	P	P
Farm Markets	P	SP	SP
Financial Institutions	P	SP	SP
Institutional Uses	P	SP	SP
Laundromats	P	SP	SP
Large Format Retail (> 250 sq.m.)			DA
Marinas and Wharves	P	DA	
Medical Clinics	P	SP	SP
Neighbourhood Commercial Uses >200 sqm (See table 8.1)		DA	
Neighbourhood Retail <100 sqm		SP	
Nursing Homes	P	SP	
Offices & Professional Services	P	SP	SP
Parking Lots and Structures (Stand Alone)	DA	DA	DA
Personal Service Shop	P		SP
Places of Assembly	P		SP
Retail Stores	P		SP
Services Industries	SP		SP
Studios	P	P	SP
Taxi Stands	P		SP
Veterinary Clinics	P		SP

Commercial Zones	C-1	C-2	C-3
<i>Residential Uses</i>			
Residential dwelling units above the ground floor	P	P	P
Residential dwelling units on the ground floor (>15m from the streetline)	P		SP

Active Transportation Zone	AT
Active Transportation Uses including walking trails and bicycle facilities	P
Core Commercial C-1 Uses subject to special provisions of AT Zone	DA
Existing Uses	P
Parks and Open Space	P

Large Format Commercial Zone	C-3
Existing Uses	P
Expansion of Existing Uses	P
Light Industrial Uses	SP
Manufacturing, Processing and Assembly (accessory to a main use)	SP
Warehousing or bulk storage (max 1000 sqm)	SP

14.3 SITE PLAN APPROVAL

The following Site Plan criteria applies to all new development that is permitted through the Site Plan Approval process in the Core Commercial (C-1, C-2 and C-3) Zones. No development permit shall be issued for development that is inconsistent with these criteria. All development subject to Site Plan Approval must also meet all applicable zone standards and all other requirements of this Bylaw.

- (1) The location of new structures on the lot shall minimize negative impacts on the surrounding neighbourhood, including noise, dust, fumes, lighting, shadows, or other nuisance or inconvenience to neighbouring properties;
- (2) The location of off-street parking and loading facilities shall minimize negative impacts on the surrounding neighbourhood, including traffic, noise, dust, fumes, lighting, or other nuisance or inconvenience to neighbouring properties;
- (3) The location, number and width of driveways are designed to prevent traffic, noise, dust, fumes, congestion, or other nuisance and inconvenience in the area and minimize negative impacts on the surrounding neighbourhood;
- (4) The type, location, and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements which is necessary to protect and minimize negative land use impact on neighbouring properties;
- (5) Existing vegetation shall be retained where the vegetation is healthy and helps to minimize negative impacts on the surrounding neighbourhood;
- (6) The location of pedestrian walkways, and/or related infrastructure, shall be provided to link public sidewalks and parking areas to entrances of all primary buildings;
- (7) The type and location of outdoor lighting is designed to light the structure, driveways and pedestrian infrastructure, but shall not be directed onto neighbouring properties;
- (8) The location of facilities for the storage of solid waste provides for maximum separation from residential development and public areas;
- (9) The location of all existing easements shall be identified;
- (10) The grading or alteration in elevation or contour of the land shall minimize undue erosion and/or sedimentation, and other negative impacts on neighbouring properties;
- (11) The management of storm and surface water is addressed, and associated plans are approved by the Town Engineer;
- (12) The type, location number and size of signs or sign structures do not negatively alter the appearance of the streetscape or neighbourhood;
- (13) All signage shall be designed and constructed according to the signage requirements listed in Part 7;
- (14) Developments located in a Design Guidelines Area shall adhere to the design guidelines listed in Schedule "F"

Town of Wolfville Design Guidelines. Input from the Design Review Committee may be required.

- (15) The Development Officer may vary any of the prescriptive dimensional requirements by up to 10 percent of the requirements to allow some flexibility to accommodate physical anomalies of a site, so long as the intent of the particular requirement is not compromised.

14.4 ABUTTING YARD REQUIREMENTS

Where a yard in a Core Commercial (C-1), Neighbourhood Commercial (C-2), Large Format (C-3) zone abuts a yard in any Residential, Institutional or Park zone, the following restrictions shall apply to the abutting Yard within the Commercial zone:

- (1) the minimum side yard requirement for the abutting side yard shall be 3 metres; and
- (2) the minimum rear yard requirement for the abutting rear yard shall be 3 metres; and
- (3) no parking space, driveway or travel lane shall be permitted in an abutting yard within 3 metres of a side or rear lot line. This requirement may be reduced to

1.5 metres provided a double-sided opaque wooden fence or landscape screening which provides a similar visual barrier along the lot line. The fence or landscape screening shall be a minimum of 1.5 metres in height and be established within one (1) year of establishment of the parking space, driveway or travel lane.

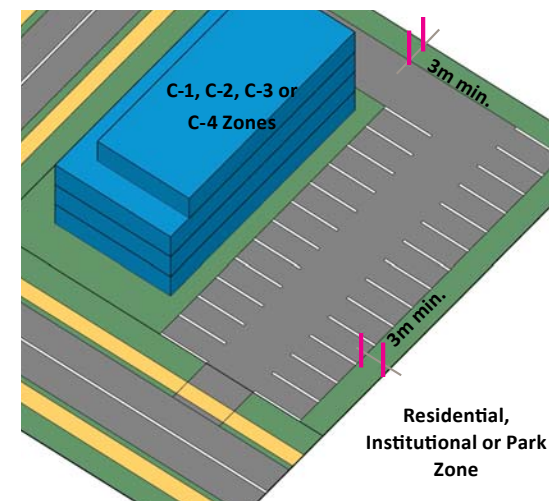
14.5 BUILDING FACADES

- (1) The first storey facade facing a street must feature a minimum of 60% windows and doors.
- (2) Notwithstanding 14.6(1), buildings on corner lots may reduce the window and door requirement to 40% on sidestreets.

14.6 LANDSCAPING

- (1) All lot areas in the C-1 Zone which have not been developed as buildings, parking lots or walkways shall be fully landscaped using species specially selected for the microclimatic conditions of the site including shade or sun tolerant species of grass, groundcover, shrub, vine or tree.
- (2) Screening of fuel tanks, air conditioning systems,

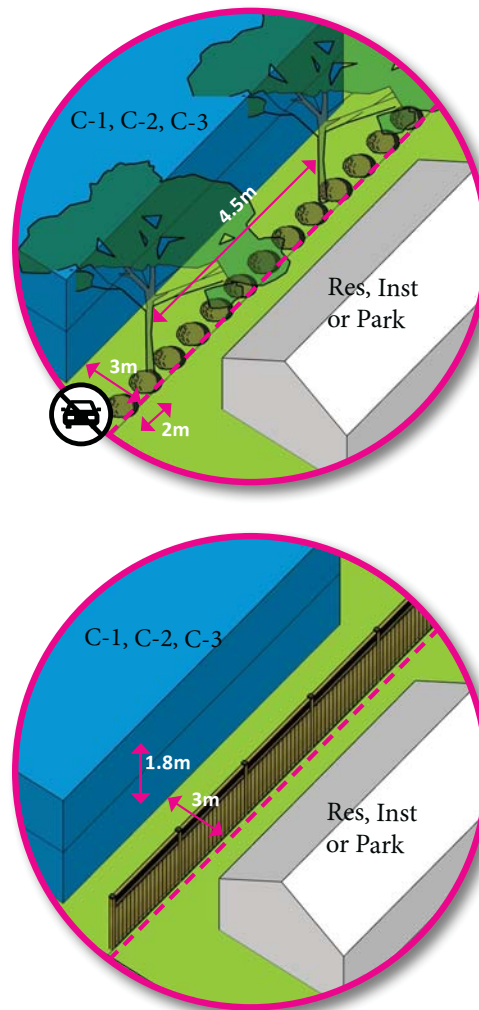
FIGURE 14.3 Commercial uses abutting residential, institutional or park zones.



storage areas, solid waste areas, loading and parking areas is required. Landscape plans prepared by a qualified professional shall indicate how these areas will be screened and landscaped.

- (a) Any C-1 zone property that fronts on Main Street shall include hard surfacing (concrete, stone, pavers) fully between the building and the sidewalk to reinforce the urban conditions of Main Street.
- (b) All landscaping shall be installed within 1 year of the issuance of an occupancy permit or a temporary occupancy permit.

FIGURE 14.4 Abutting Yard Requirements



14.7 LIQUOR ESTABLISHMENTS

All establishments licensed under the Nova Scotia Liquor Control Act shall be subject to the following:

- (1) The Lounge component of the establishment shall be restricted to a closing hour of 1:00 a.m.
- (2) Adult entertainment shall be prohibited.
- (3) Parking lots and driveways for the use of patrons shall be subject to the buffering provisions of this by-law.

14.8 SIDEWALK CAFÉ BYLAW REQUIREMENTS

(1) Permitted Zone and Uses

- (a) Sidewalk cafes are only permitted in the Downtown Commercial (C-I) zone
- (b) Sidewalk cafes are only permitted as an accessory use of a food and beverage establishment.
- (c) Sidewalk cafes may be used for restaurant use (including licensed restaurants) and may be used for lounge use to the extent permitted by other relevant requirements.

(2) Hours of Operation

- (a) Sidewalk cafes may not be installed before May 1.
- (b) Sidewalk cafes must be removed by November 7.
- (c) A sidewalk cafe shall be operated for no longer than the operating hours of the principal use to which it is an accessory.

- (d) Once the Sidewalk Cafe is removed for the season the street, sidewalk and municipal property must be restored to its original condition. (To the satisfaction of the Director of Public Works).

(3) Cafe dimensions and design

- (a) Sidewalk cafes shall not extend onto the frontage of abutting property owners, except that an extension of a maximum 3.7 metres (12 feet) may be granted to each side of a sidewalk cafe, provided written permission has been provided by the adjacent property owner. In no case shall the total street length of a sidewalk cafe exceed 22 metres (72 feet).
- (b) Sidewalk cafes shall not extend beyond the edge of the existing sidewalk (inside edge of curb).
- (c) All objects must be contained within the area approved for the sidewalk cafe.
- (d) Any lighting of the sidewalk cafe shall be of a temporary nature and shall not project light onto adjacent properties, nor conflict with traffic control indicators.
- (e) Landscaping of the sidewalk cafe is encouraged however this should be of a temporary nature, unless otherwise approved by the Development Officer. Plant material must be contained within the designated sidewalk cafe area.
- (f) All umbrellas shall be located entirely within the approved sidewalk cafe area.

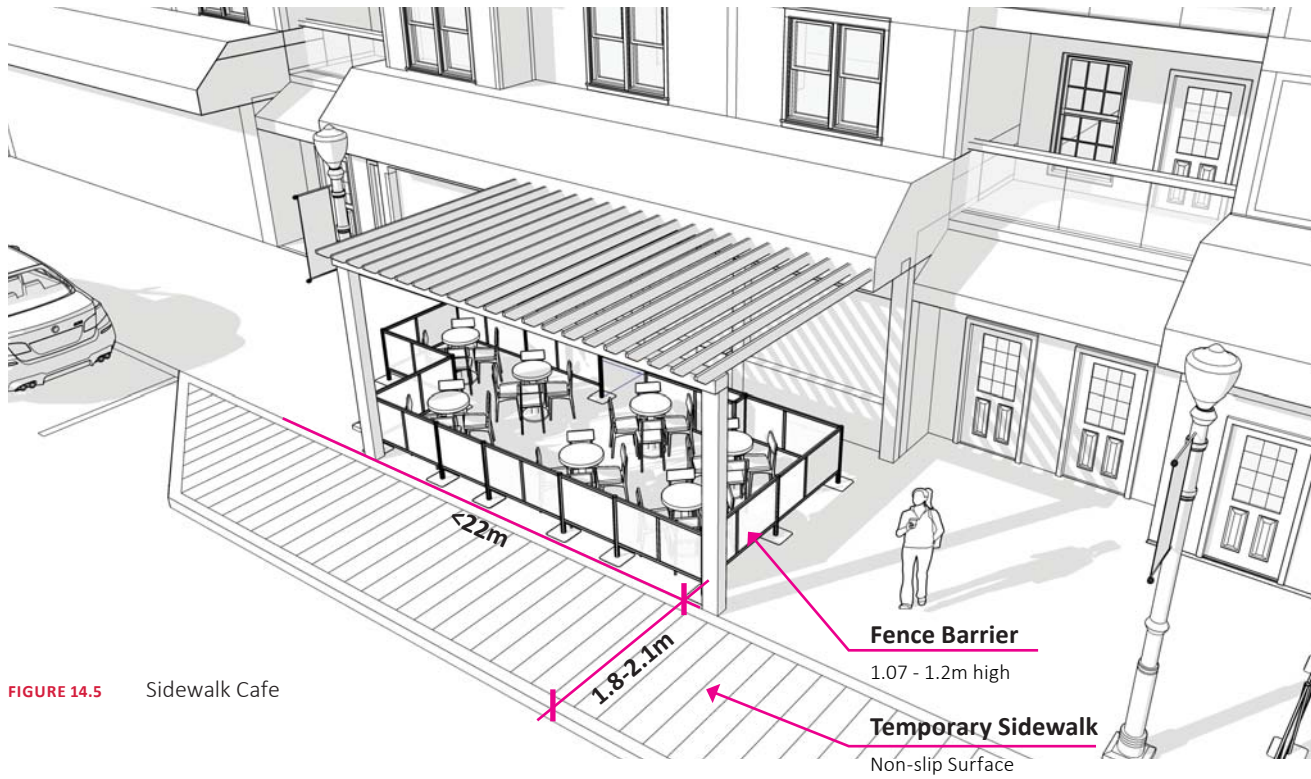


FIGURE 14.5 Sidewalk Cafe



- (g) The elements of the sidewalk cafe, including; temporary sidewalks, landscaping, fencing and furnishings, shall be designed and finished to a standard that is consistent with general appearance of the existing downtown streetscapes and buildings.
- (h) All elements shall be maintained in good repair and must be free of hazards.
- (i) Wood treated with Chromated Copper Arsenate (CCA - and commonly referred to as pressure treated lumber) shall not be used in the construction of the temporary sidewalk or any other elements of the sidewalk cafe construction, except that CCA wood that formed part of the sidewalk cafe materials approved under a previous sidewalk café permit may be reused.
- (j) The temporary sidewalk shall be constructed in such a way as not to block or otherwise interfere with the street drainage system.

(4) Temporary sidewalks

- (a) The Owner must provide a temporary sidewalk in the parking area adjacent to the sidewalk cafe to preserve free flow of pedestrian traffic.
- (b) The temporary sidewalk is a requirement of the sidewalk cafe application and must conform with the specifications outlined below:

- i) The temporary sidewalk must be no less than 1.8 metres (6 feet) wide and no more than 2.1 metres (7 feet) wide.
- ii) The base of the temporary sidewalk must provide a smooth, level transition between the existing sidewalk and the temporary sidewalk surface.
- iii) When wooden decks are used to create the temporary sidewalk a non-slip surface must be applied.
- iv) Street traffic shall be blocked at each edge of the temporary sidewalk in both directions by triangular shaped planters with a minimum weight of 1000kg and minimum height of 60cm. The planters shall be maintained with healthy plant materials at all times through the duration of the sidewalk cafe.
- v) A fence or barrier must be installed along the street side of the temporary sidewalk to delineate the edge of the structure and prevent pedestrians from entering the street.
 - The fence or barrier shall be between 107 centimetres (3.5 feet) and 120 centimetres (4 feet) in height.
 - Fencing may provide partial visual screen but shall not be opaque
- vi) The Traffic Authority will review the temporary sidewalk plan to ensure that vehicles and

pedestrians may continue to move safely and that barrier free access is provided.

- vii) Where there are sidewalk cafes adjacent to one another the required temporary sidewalk shall be connected in such a way to provide safe barrier free access as approved by the traffic authority.

(5) **Waste, Storage and Maintenance**

- (a) The sidewalk cafe Owner shall maintain the sidewalk cafe area, the temporary sidewalk area, and the immediately adjacent area, in a clean and safe condition, free of hazards at all times.
- (b) Waste receptacles and work-stations should be located along the building wall .
- (c) The Owner shall ensure any refuse originating in the cafe is removed from the street right-of-way.

(6) **Building Access**

The Owner shall maintain a minimum width of 120 centimetres (4 feet) of unobstructed (barrier free) access to the entrance of the building.

(7) **Utility Access**

- (a) The Town of Wolfville and public utility agencies retain the right of entry to the approved Sidewalk Cafe area and the temporary sidewalk for the installation, maintenance and repair of pipes, cables, wires, poles, hydrants and other elements as necessary.

- (b) In the case of emergency repairs of utility infrastructure noted in clause "a" above, entry may be made without notice. For scheduled work, a minimum notice of 48 hours will be given.

- (c) When access is required by the Town or a Public Utility for a purpose such as those noted in "a." above, the owner shall remove the sidewalk cafe improvements and reinstalls them at the Owner's expense.

(8) **Emergency Access**

The Town of Wolfville retains the right of entry to the approved sidewalk cafe for emergency vehicle access.

(9) **Application and Approval Process**

No Owner shall establish or maintain a sidewalk cafe without a permit granted under this Bylaw.

(10) **Permit Fees**

The Owner of a Sidewalk Cafe shall pay an annual permit fee as per the Fees Policy of Council.

(11) **Liability**

- (a) The Owner of a sidewalk cafe must carry a minimum of \$2,000,000 liability insurance for the operation of the sidewalk cafe and name the Town as co-insured and must indemnify the Town of Wolfville and save it harmless from any and all claims of injury to persons or damage to property attributable in whole or in part to

the existence, location and operation of a sidewalk cafe in the public right-of-way.

- (b) The Town of Wolfville shall be notified 30 days before the cancellation of this insurance.

(12) Variations to Sidewalk Cafes

- (a) The Development Officer may vary the dimensional sidewalk cafe requirements by up to 10 percent to allow some flexibility to accommodate physical anomalies of a site, so long as the intent of the particular requirement is not compromised.
- (b) Notwithstanding 14.8.12(a), under special circumstances, the Development Officer may vary sidewalk cafe requirements as approved by Council.

PART 15 Core Commercial (C-1) Zone

15.1 INTENT

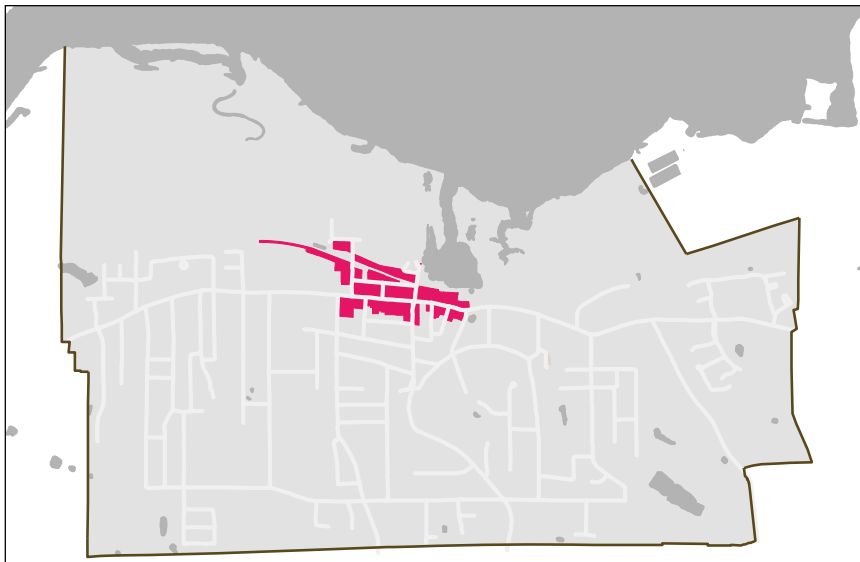
The C-1 zone is intended to permit a wide range of commercial and service uses of a certain size as well as residential mixed-use development. Council may consider unique and site-specific developments by development agreement.

15.2 PERMITTED USES

As-of-right, Site Plan and Development Agreement uses are shown in Table 14.1

15.3 RE-ZONING

Rezoning is not permitted in the C-1 Zone



Core commercial



Accommodations



Food & beverage



Mixed use

Other Provisions Apply

Part 4:

General Requirements for All Zones

Part 5:

Development Constraints

Part 6:

Parking & Loading Requirements

Part 7:

General Requirements for Signs

Part 14:

General Requirements for Commercial Zones



Office & professional

15.4 INTENT EXAMPLES

As-of-right and Site Plan approval examples for the C-1 Zone



FIGURE 15.1 C-1 Modern Example



FIGURE 15.2 C-1 Traditional Corner Lot Example



FIGURE 15.3 C-2 Modern Mixed Use Example



FIGURE 15.4 C-1 Heritage / Traditional Example

15.5 C-1 ZONE BUILT FORM STANDARDS

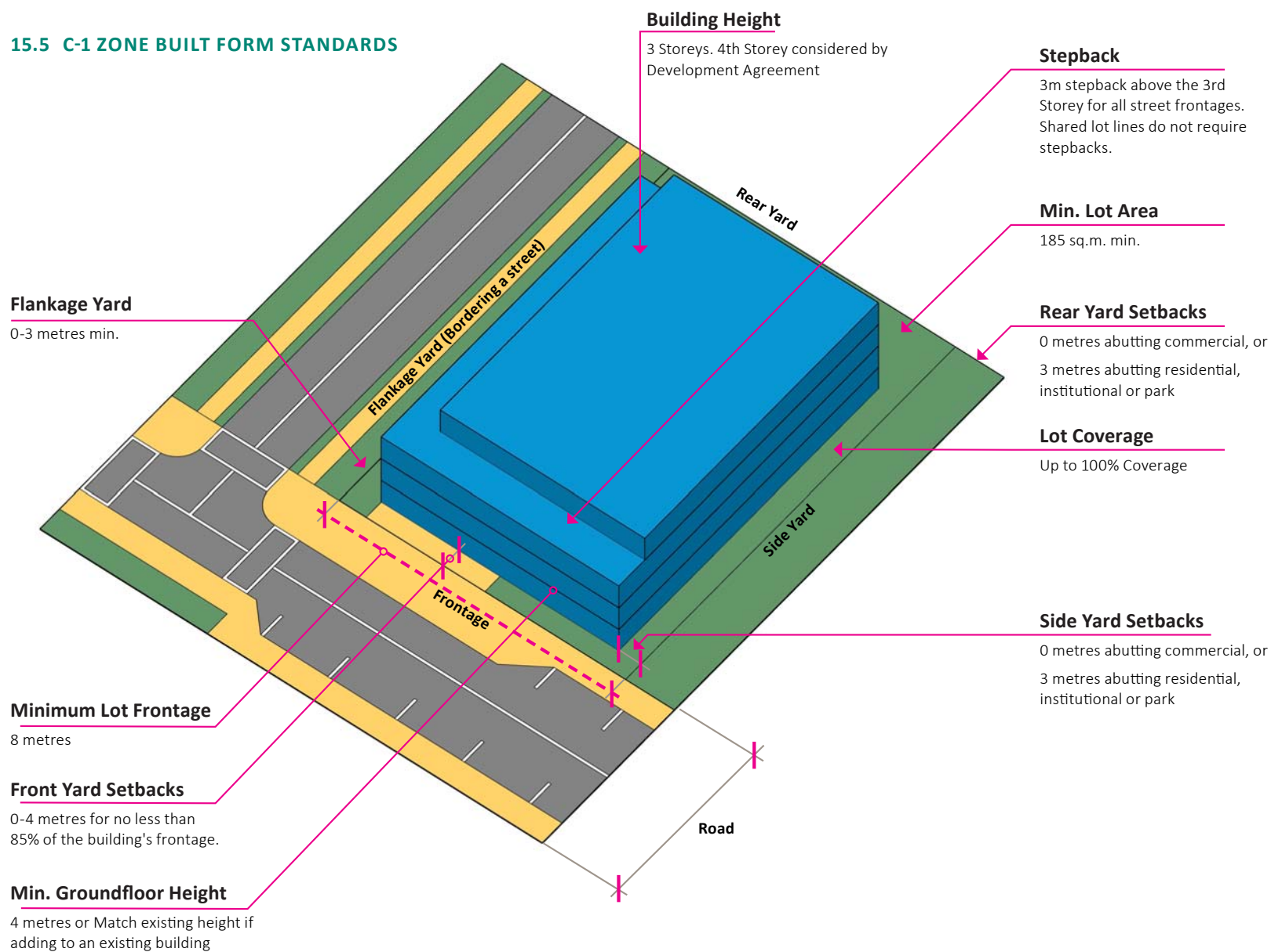


FIGURE 15.5 C-1 ZONE Built Form Standards

PART 16 Neighbourhood Commercial (C-2) Zone

16.1 INTENT

The C-2 zone is intended to permit a mix of small scale commercial and residential uses. Council may consider unique and site-specific developments by development agreement.

16.2 PERMITTED USES

As-of-right, Site Plan and Development Agreement uses are shown in Table 8.1 and 14.1.

16.3 REZONING

Rezoning to C-1 shall be considered subject to Policy 11.4.3 of the MPS.

16.4 SPECIAL PROVISIONS

- (1) To ensure appropriate integration of new Commercial Uses, the following matters shall be addressed:
 - Location and amount of parking;
 - Signage;
 - Buffering to adjacent land uses; and
 - Other building and site design elements that may impact neighbourhood character.
- (2) The Development Officer may use the Design Review Committee for any aspect of an application in the C-2 zone.
- (3) Nanobreweries, tasting rooms and other alcohol related uses and advertising of nineteen (19) plus products are prohibited in areas zoned C-2 on Acadia Street, Summer Street, Linden Avenue and Gaspereau Avenue.



Neighbourhood commercial



Residential uses



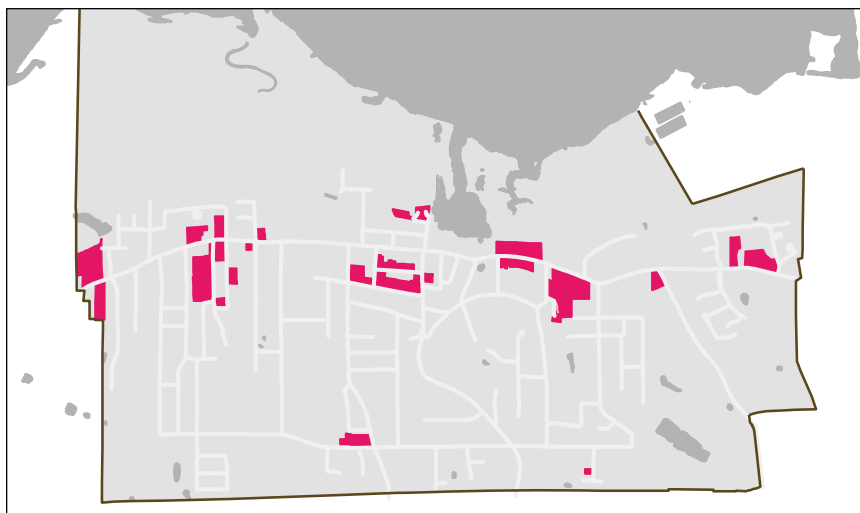
Cafe & bakery



Office & professional



Mixed use



Other Provisions Apply

Part 4:
General Requirements for All Zones

Part 5:
Development Constraints

Part 6:
Parking & Loading Requirements

Part 7:
General Requirements for Signs

Part 14:
General Requirements for Commercial Zones

16.5 INTENT EXAMPLES

As-of-right and Site Plan approval examples for the C-2 Zone



FIGURE 16.1 C-2 Traditional Home Conversion (live-work) Example

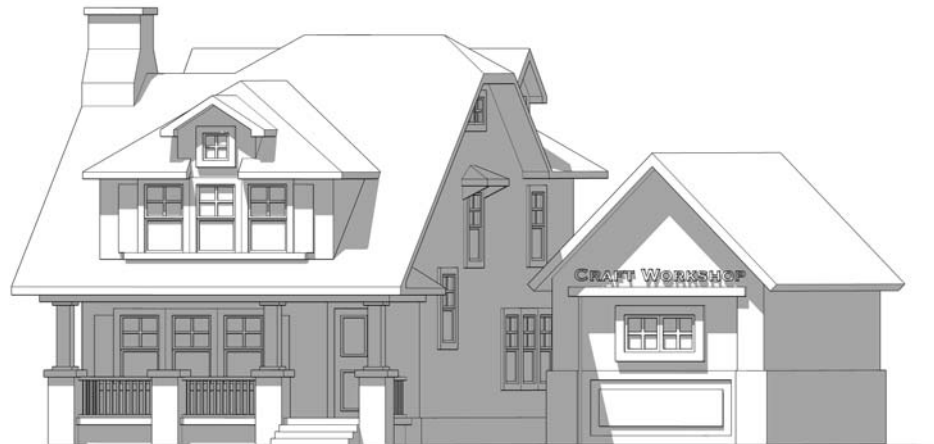


FIGURE 16.2 C-2 Neighbourhood Commercial Accessory Building Example



FIGURE 16.3 C-2 Neighbourhood Commercial Mixed-Use Infill Example



FIGURE 16.4 C-2 Neighbourhood Commercial Inn Example

16.6 C-2 ZONE BUILT FORM STANDARDS

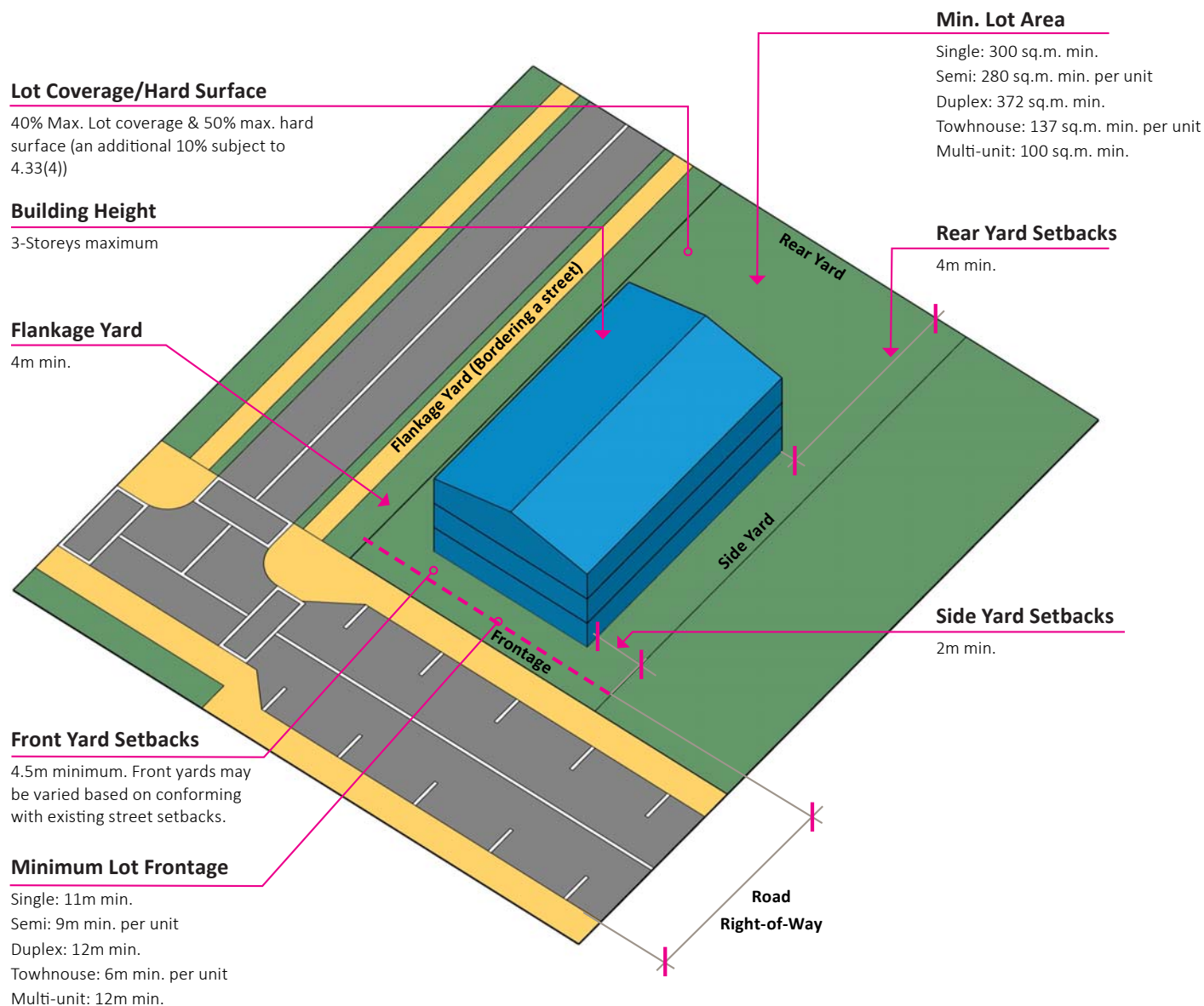


FIGURE 16.5 C-2 ZONE Built Form Standards

PART 17 Core Commercial: Large Format (C-3) Zone

17.1 INTENT

The C-3 zone is intended to permit larger scale commercial uses that may require unique and site-specific considerations.

17.2 PERMITTED USES

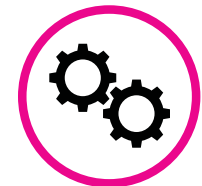
As-of-right, Site Plan Approval and Development Agreement uses are shown in Table 14.1

17.3 RE-ZONING

Rezoning to C-1 shall be considered subject to policy 11.4.3 of the MPS.



Large Format Commercial



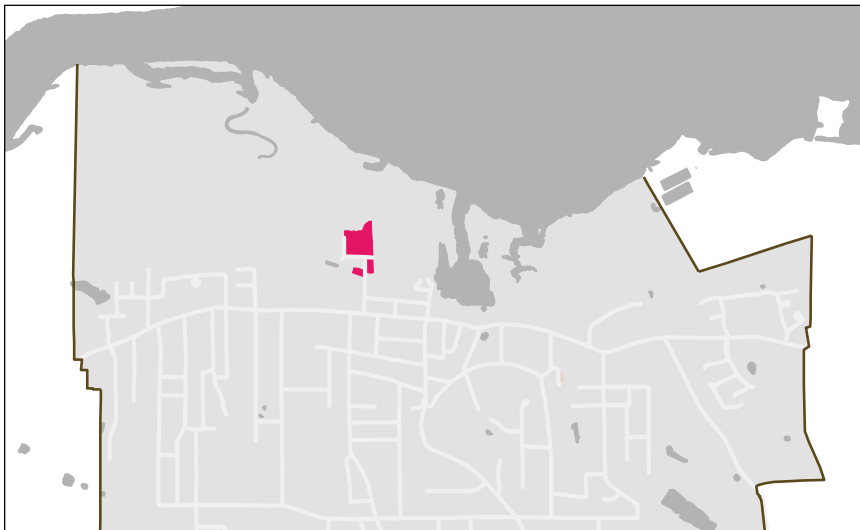
Manufacturing



Autobody Repair



Craft Beverage Facility



Other Provisions Apply

Part 4:
General Requirements for All Zones
Part 5:
Development Constraints
Part 6:
Parking & Loading Requirements
Part 7:
General Requirements for Signs
Part 14:
General Requirements for Commercial Zones

17.4 INTENT EXAMPLES

Site Plan approval examples for the C-3 Zone.

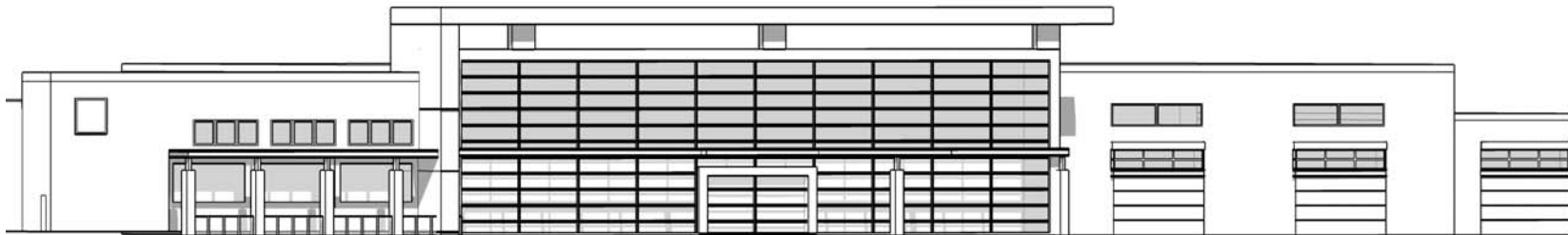


FIGURE 17.1 C-3 Large Format Example

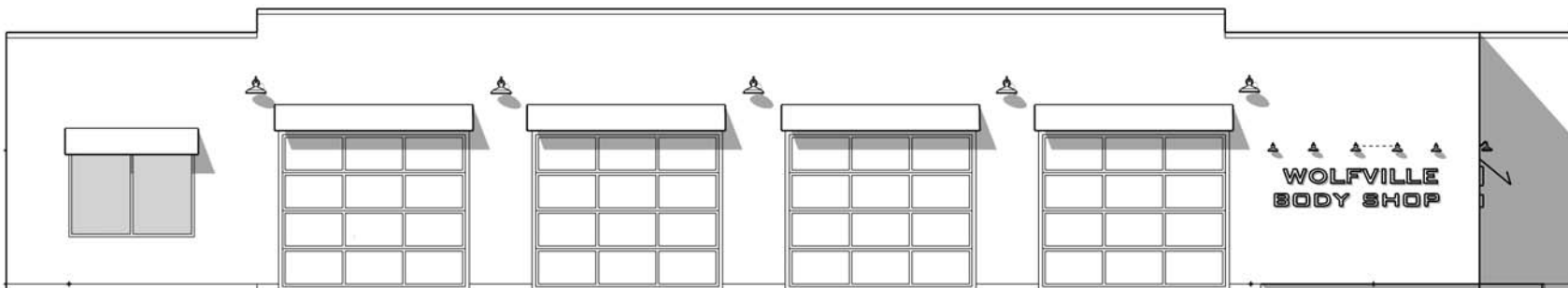


FIGURE 17.2 C-3 Autobody Shop Example

17.5 C-3 ZONE BUILT FORM STANDARDS

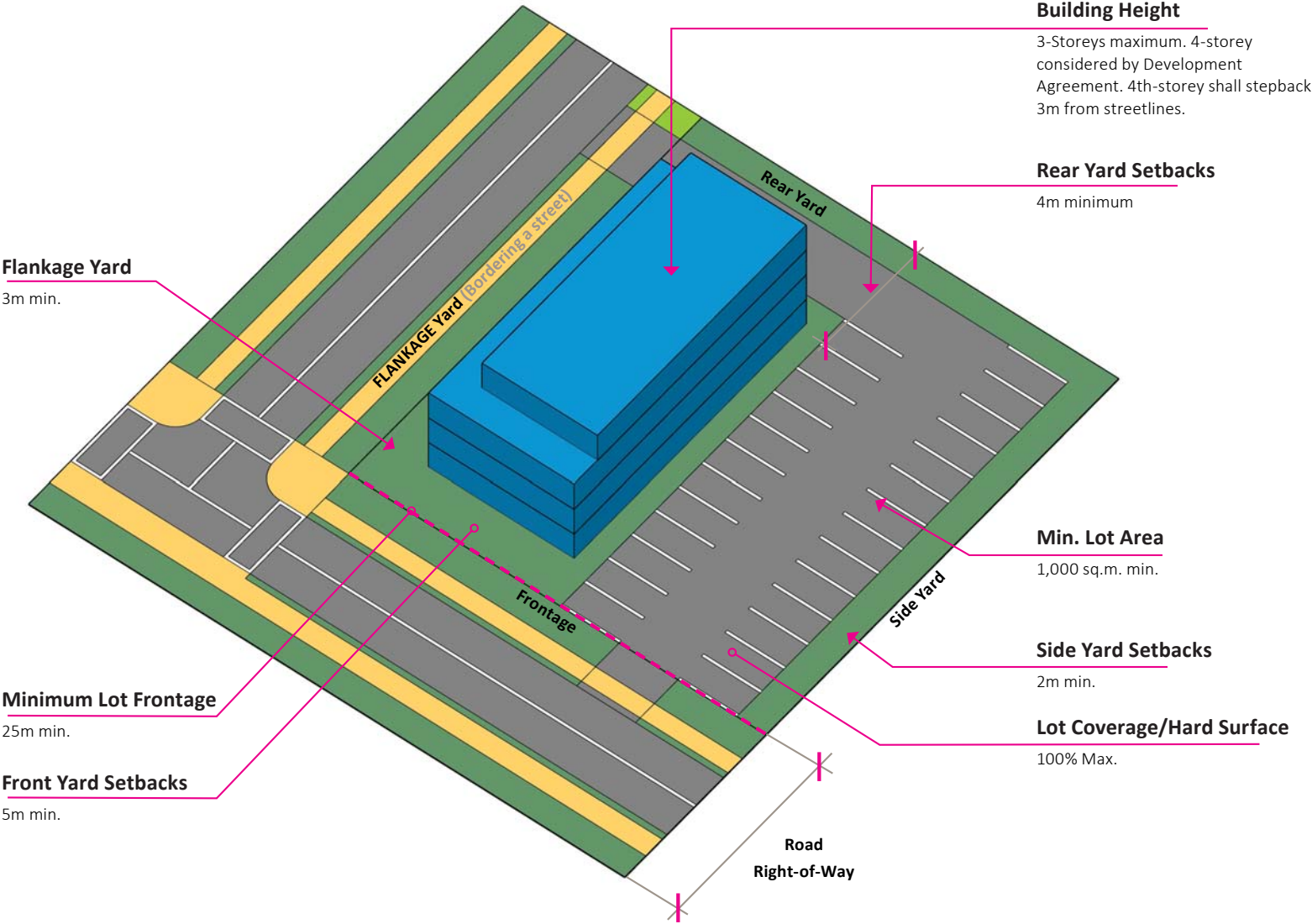


FIGURE 17.3 C-3 ZONE Built Form Standards

PART 18 Active Transportation Corridor (AT) Zone

18.1 INTENT

The AT zone is intended to permit parks and open spaces as well as active transportation uses.

18.2 RE-ZONING

Subject to Part 6.4 of the Municipal Planning Strategy

18.3 USES PERMITTED AS-OF-RIGHT

No development permit shall be issued for any use in the AT zone except for one or more of the following uses:

- (1) Existing Uses
- (2) Parks and Open Space zone (P-1) Uses
- (3) Active Transportation Uses, including walking trails and bicycle facilities

18.4 SPECIAL PROVISIONS

- (1) C-1 uses may be considered by Development Agreement in the area shown in Figure 18.1 subject to Part 6.4 of the MPS.
- (2) Any conversion of the AT zone to a rail use would require an amendment to both the Municipal Planning Strategy and Land Use Bylaw.
- (3) Subdivision and consolidation of these lands with existing C-1 or other abutting parcels or uses is permitted provided a minimum width be provided along the AT corridor, as defined by town staff subject to section 6.4 of the MPS.



Gardens & parks



Trails

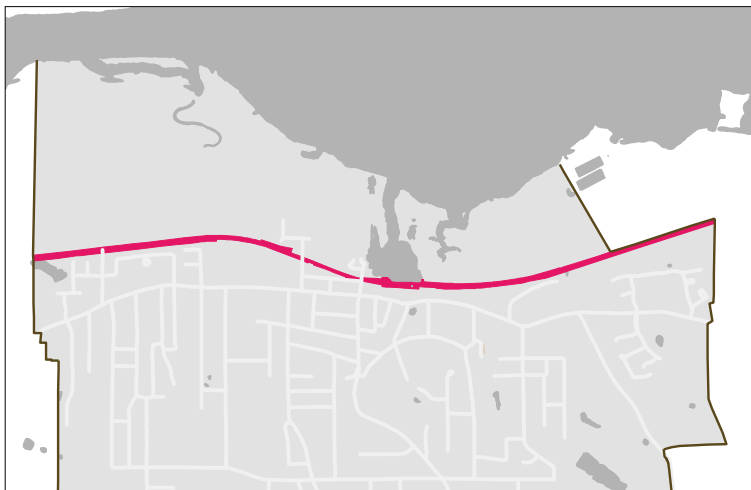
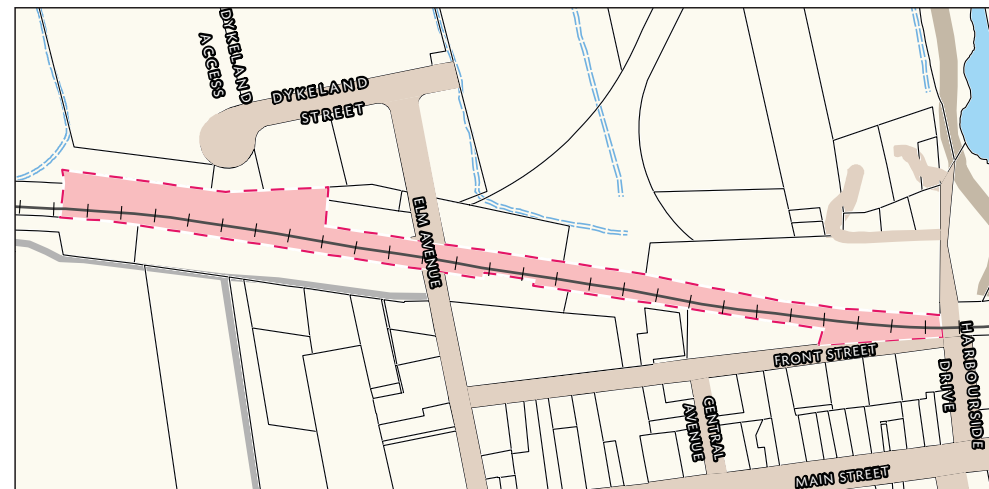


FIGURE 18.1 Consideration by Development Agreement Map



General Requirements For Institutional, Agricultural, and Parks & Open Space Zones

19.1 PERMITTED USES

- (1) In this Bylaw any use not listed as a permitted use in a zone is prohibited in that zone unless otherwise indicated.
- (2) Where a permitted use within any zone is defined in this Bylaw the uses permitted in the zone include any similar uses that satisfy such definition except where a definition specifically excludes any similar use.

19.2 DESIGN GUIDELINE AREAS AND REGISTERED HERITAGE PROPERTIES

- (1) New buildings in the Design Guideline Areas shall be subject to Site Plan Approval.
- (2) Additions to buildings in the Design Guidelines Areas greater than 25% of the floor area shall be subject to site plan approval
- (3) Additions to registered heritage buildings greater than 10% of the floor area shall be subject to site plan approval

19.3 ABUTTING YARD REQUIREMENTS

Where an Institutional zone, Agricultural zone, Parks & Open Space zone abuts a residential zone, the following restrictions shall apply to the abutting yard:

- (1) In the case of a side yard, the minimum yard

requirement shall be 4 metres.

- (2) In the case of a rear yard, the minimum requirements shall be 6 metres.

19.4 ABUTTING PARKING REQUIREMENTS

Where an Institutional zone abuts a residential zone, no parking shall be permitted within 3 metres of the lot line. This requirement may be reduced to 1.5 metres provided a double sided opaque wooden fence or landscape screening which provides a similar visual barrier a minimum of 1.5 metres in height is provided along the lot line.

19.5 SITE PLAN APPROVAL

The following Site Plan criteria apply to all new development that is permitted through the Site Plan Approval process in the Institutional (I-1 and I-2) Zones. No development permit shall be issued for development that is inconsistent with these criteria. All development subject to Site Plan Approval must also meet all applicable zone standards and all other requirements of this Bylaw.

- (1) The location of new structures on the lot shall minimize negative impacts on the surrounding neighbourhood, including noise, dust, fumes, lighting, shadows, or other nuisance or inconvenience to neighbouring properties;

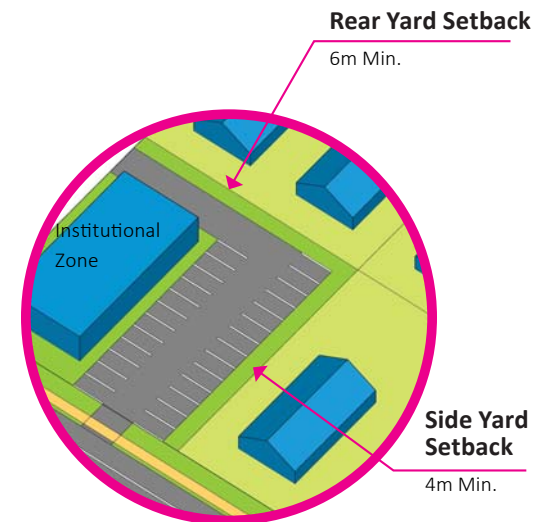


FIGURE 19.1

Institutional Sideyards and rear yards abutting residential

TABLE 19.2 Institutional, Agricultural, Parks and Open Space Land Use Table

APPROVAL PROCESS:

P = Permitted as-of-right,

PC = Permitted with Conditions
(refer to general conditions)

SP = Site Plan Approval

DA = Development Agreement

Agriculture	I-1	I-2	P-1	P-2	A	AT
Agricultural Uses					P	
Existing Uses	P	P	P	P	P	P
Renewable energy (excluding wind turbines)					DA	
Structures accessory to a main agricultural use in excess of 20 sqm or 4.5m in height					DA	

Institutional	I-1	I-2	P-1	P-2	A	AT
Community Centres	P					
Cultural Facilities	P					
Educational Facilities (Public)	P					
Emergency Services	P					
Existing Uses	P	P	P	P	P	P
Health Centres	P					
Homeless Shelters	P					
Hospitals	P					
Libraries	P					
Museums	P					
Parking Lots and Structures	DA	DA				
Places of Assembly	P	P				
Places of Worship	P					
Residential Uses Accessory to Places of Worship	P					

Institutional University	I-1	I-2	P-1	P-2	A	AT
Classrooms, Laboratories and Similar Educational and Research Facilities		P				
Community Gardens		P	P	P		
Convention Facilities (accessory to other facilities)		P				
Cultural Facilities	P	P				
Existing Uses	P	P	P	P	P	P
Food service facilities (for the primary use of students)		P				

Institutional University	I-1	I-2	P-1	P-2	A	AT
Parking Lots and Structures (Stand Alone)	DA	DA				
Places of Assembly	P	P				
Place of Worship	P	P				
Residential Uses (for the primary use of housing students and faculty)		P				
Retail Shops (for the primary use of students)		P				
Sport and Recreation Facilities		P	P	P		
Student Services Buildings		P				
University Buildings (> 5 Storeys)		SP				
University Buildings (5 Storeys)		DA				
University Offices		P				

Parks and Open Space	I-1	I-2	P-1	P-2	A	AT
Active Transportation Uses (walking trails and bicycle facilities)			P	P	P	P
Community Gardens	P	P	P	P	P	P
Community Ovens or similar use			P	P		P
Existing Uses	P	P	P	P	P	P
Historic Sites	P	P	P	P	P	P
Interpretation Centres	P		P	P		P
Linear Parks			P	P		P
Museums	P		P			
Non-recreational Open Spaces			P	P		P
Occasional, incidental, temporary outdoor or indoor markets, bake sales, flea markets and vegetable and produce markets and similar uses with appropriate permissions, licensing and permits			P	P		P
Parks and Playgrounds	P	P	P	P	P	P
Pavilions and Bandstands			P			
Public Washrooms	P	P	P	P	P	P
Recreational Facilities			P	P		P
Retail – Associated with Municipal Facilities	P		P			
Sports Fields		P	P	P		

- (2) The location of off-street parking and loading facilities shall minimize negative impacts on the surrounding neighbourhood, including traffic, noise, dust, fumes, lighting, or other nuisance or inconvenience to neighbouring properties;
- (3) The location, number and width of driveways are designed to prevent traffic, noise, dust, fumes, congestion, or other nuisance and inconvenience in the area and minimize negative impacts on the surrounding neighbourhood;
- (4) The type, location, and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements which is necessary to protect and minimize negative land use impact on neighbouring properties;
- (5) Existing vegetation shall be retained where the vegetation is healthy and helps to minimize negative impacts on the surrounding neighbourhood;
- (6) The location of pedestrian walkways, and/or related infrastructure, shall be provided to link public sidewalks and parking areas to entrances of all primary buildings;
- (7) The type and location of outdoor lighting is designed to light the structure, driveways and pedestrian infrastructure, but shall not be directed onto neighbouring properties;
- (8) The location of facilities for the storage of solid waste provides for maximum separation from residential development and public areas;
- (9) The location of all existing easements shall be identified;
- (10) The grading or alteration in elevation or contour of the land shall minimize undue erosion and/or sedimentation, and other negative impacts on neighbouring properties;
- (11) The management of storm and surface water is addressed, and associated plans are approved by the Town Engineer;
- (12) The type, location number and size of signs or sign structures do not negatively alter the appearance of the streetscape or neighbourhood;
- (13) All signage shall be designed and constructed according to the signage requirements listed in Part 7;
- (14) Developments shall have regard to the Design Guidelines Schedules "F", where applicable.
- (15) The Development Officer may vary any of the prescriptive dimensional requirements by up to 10 percent of the requirements to allow some flexibility to accommodate physical anomalies of a site, so long as the intent of the particular requirement is not compromised.

PART 20 Institutional General (I-1) Zone

20.1 INTENT

The I-1 zone is intended to permit a range of institutional uses such as churches and public government facilities. Council may consider unique and site-specific developments by development agreement.

20.2 PERMITTED USES

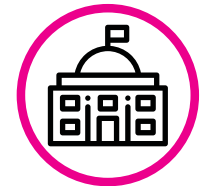
As-of-right, Site Plan and Development Agreement uses are shown in Table 19.1

20.3 RE-ZONING

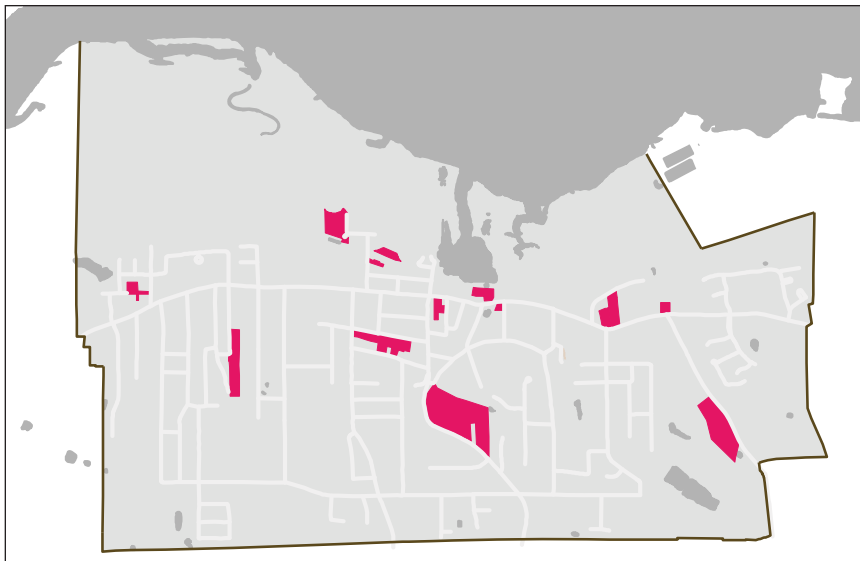
Rezoning to any other zone shall be considered subject to Policy 11.4.3 of the MPS.



Churches



Government facilities



Other Provisions Apply

Part 4:

General Requirements for All Zones

Part 5:

Development Constraints

Part 6:

Parking & Loading Requirements

Part 7:

General Requirements for Signs

Part 19:

General Requirements for Institutional Zones

20.4 INTENT EXAMPLES

As-of-right and Site Plan approval examples for the I-1 Zone.

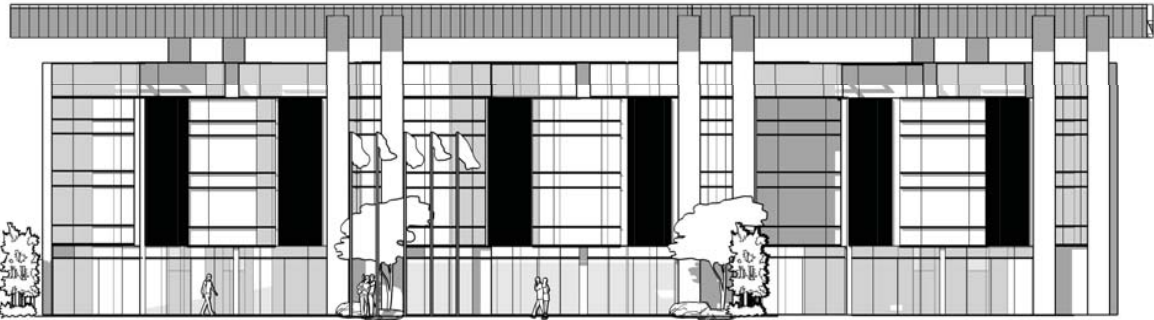


FIGURE 20.1 I-1 Government Building Example

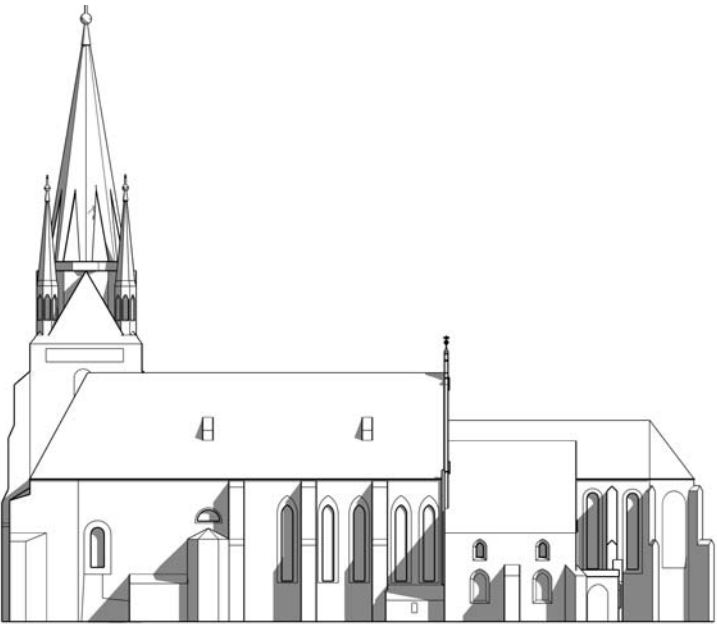


FIGURE 20.2 I-1 Church Example

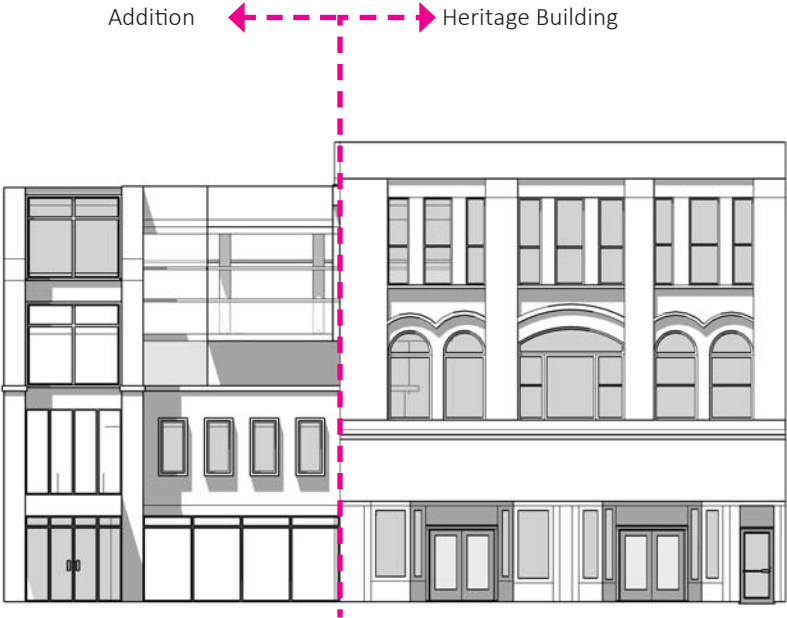


FIGURE 20.3 New Addition to heritage building

20.5 I-1 ZONE BUILT FORM STANDARDS

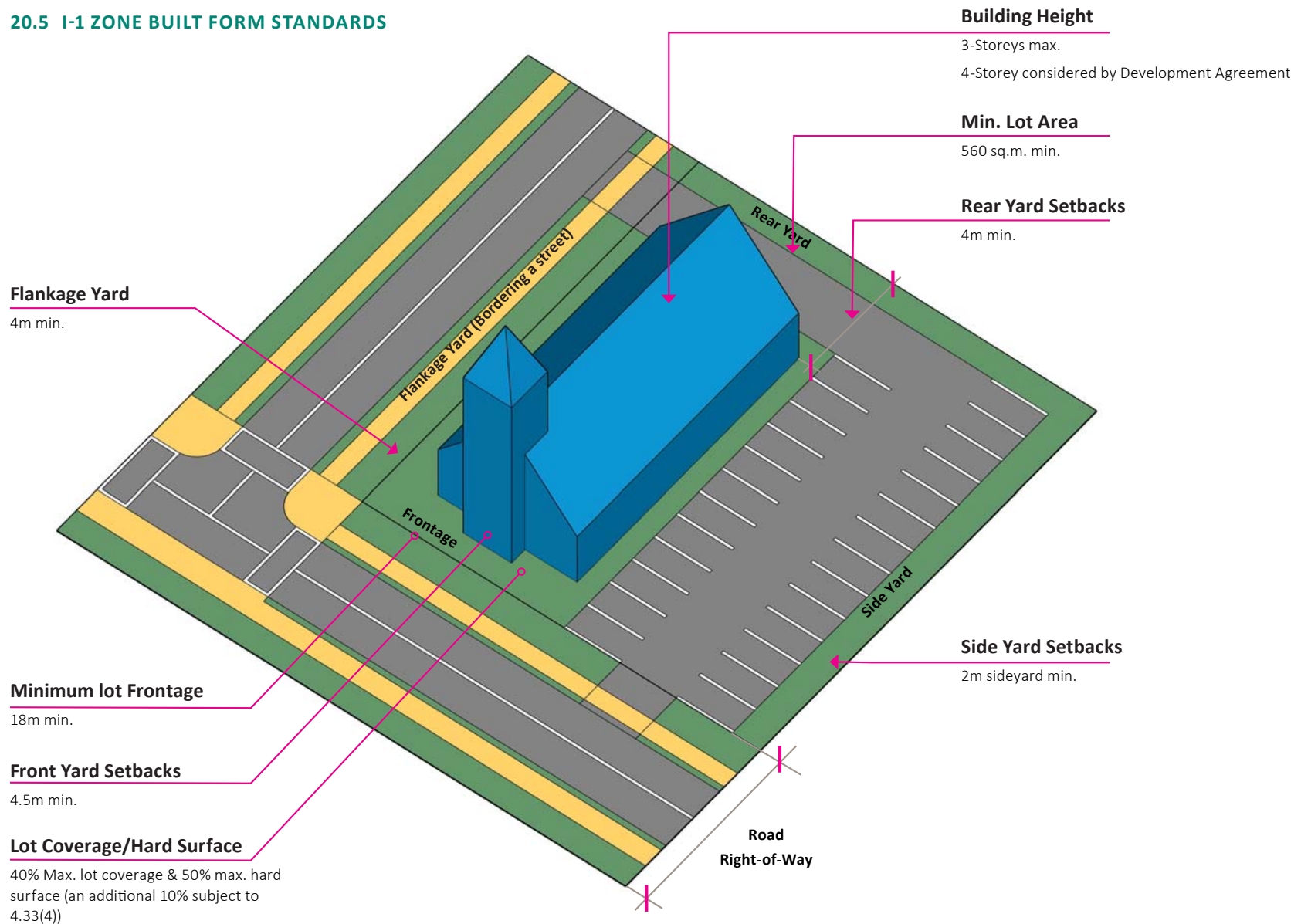


FIGURE 20.4 I-1 ZONE Built Form Standards

PART 21 Institutional University (I-2) Zone

21.1 INTENT

The I-2 zone is intended to permit a range of university uses such as classrooms, places of assembly, sports facilities, residential buildings for the use of students, etc. Council may consider unique and site-specific developments by development agreement.

21.2 PERMITTED USES

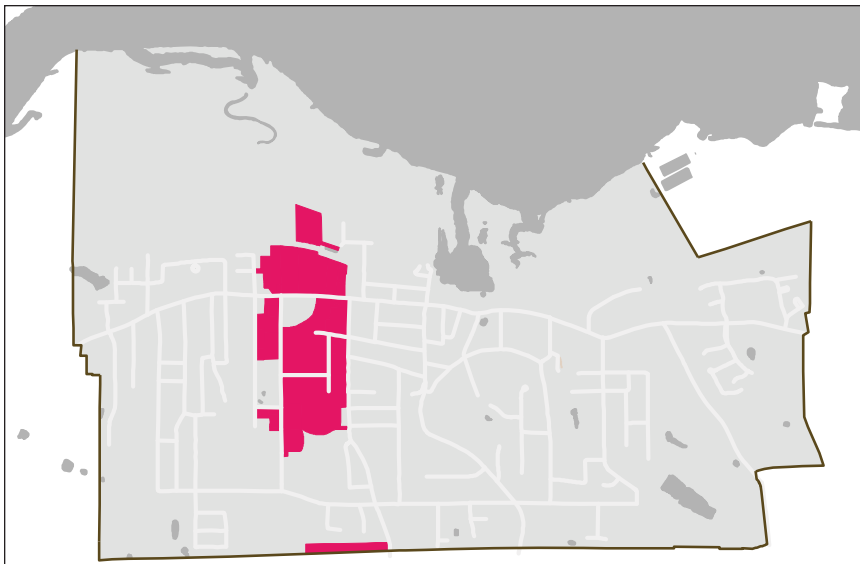
As-of-right, Site Plan and Development Agreement uses are shown in Table 19.1

21.3 RE-ZONING

Rezoning to any other zone shall be considered subject to Policy 11.4.3 of the MPS.

21.4 SPECIAL I-2 REQUIREMENTS

The height of the buildings located on the properties along Highland Avenue, Main Street, and Westwood Avenue in the I-2 zone shall be restricted to 3-storeys in height within 30 metres of the street line.



University uses



Sports uses



Places of
assembly



Classrooms

Other Provisions Apply

Part 4:

General Requirements for
All Zones

Part 5:

Development Constraints

Part 6:

Parking & Loading Requirements

Part 7:

General Requirements for Signs

Part 19:

General Requirements for
Institutional Zones

21.5 INTENT EXAMPLES

As-of-right and Site Plan approval examples for the I-2 Zone.



FIGURE 21.1 I-2 Institutional Example

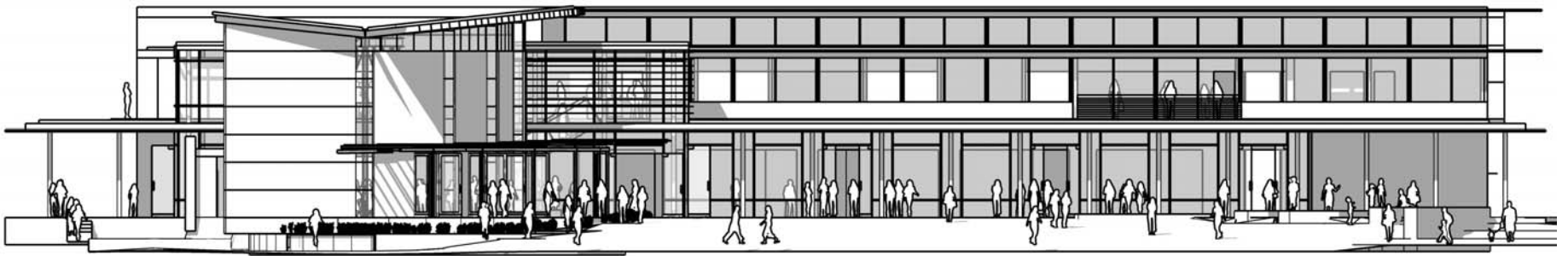


FIGURE 21.2 I-2 Institutional Example

21.6 I-2 ZONE BUILT FORM STANDARDS

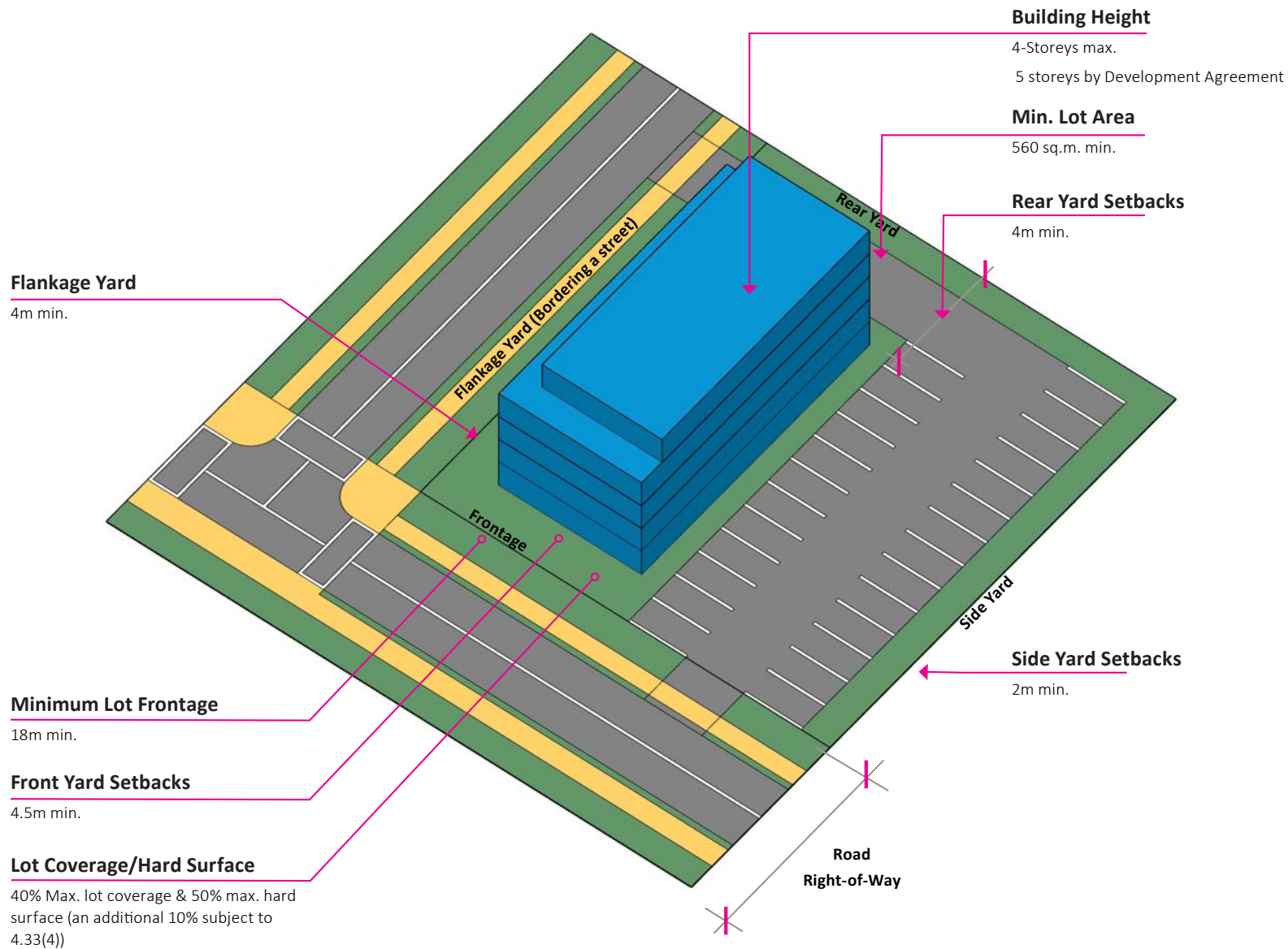


FIGURE 21.3 I-2 ZONE Built Form Standards

PART 22 Parks and Open Space (P-1) Zone

22.1 INTENT

The P-1 zone is intended to permit a range of park and open space uses such as active transportation, cultural facilities, parks and playgrounds, etc.

22.2 PERMITTED USES

As-of-right, Site Plan and Development Agreement uses are shown in Table 19.1

22.3 RE-ZONING

Rezoning to P-1 shall be considered subject to Policy 11.4.3 of the MPS.



Gardens & parks



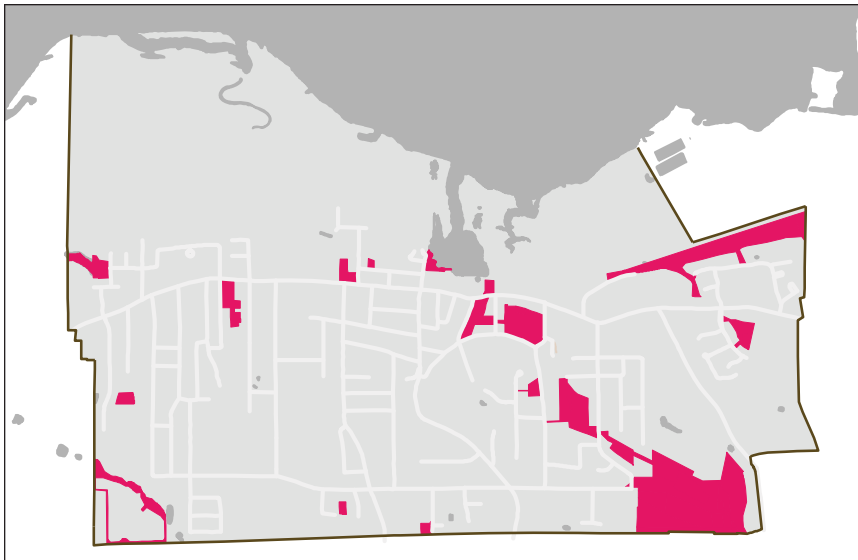
Playgrounds



Trails



Natural areas



Other Provisions Apply

Part 4:

General Requirements for All Zones

Part 5:

Development Constraints

Part 6:

Parking & Loading Requirements

Part 7:

General Requirements for Signs

Part 19:

General Requirements for Institutional Zones

22.4 P-1 ZONE BUILT FORM STANDARDS

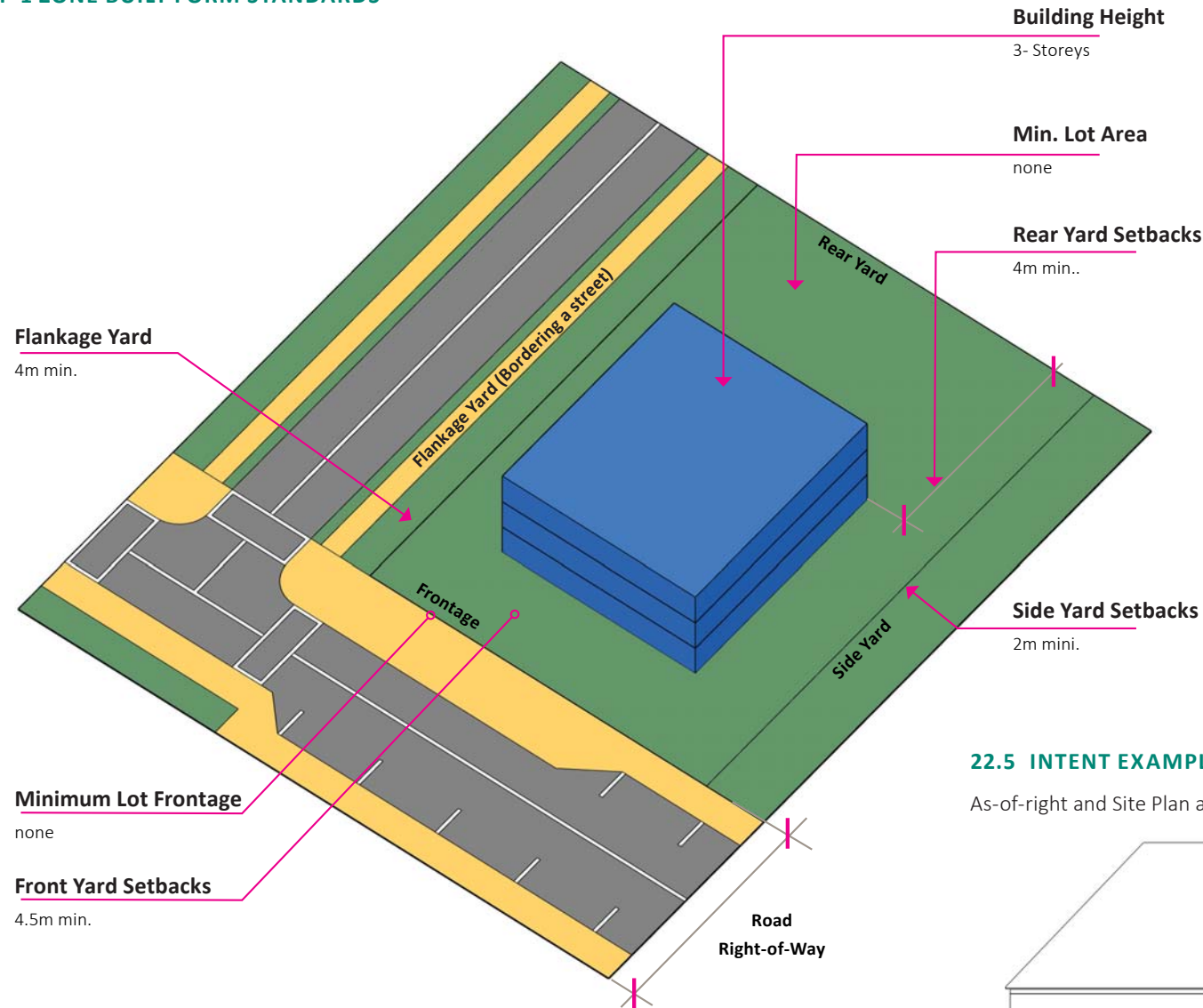


FIGURE 22.1 P-1 ZONE Built Form Standards

22.5 INTENT EXAMPLES

As-of-right and Site Plan approval examples for the P-1 Zone



FIGURE 22.2 P-1 Park and Open Space Example

PART 23 Parks and Open Space - University (P-2) Zone

23.1 INTENT

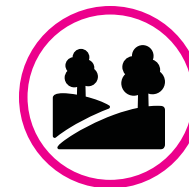
The P-2 zone is intended to permit a range of park and open space uses on green space areas owned by the University such as community gardens, sports fields, etc.

23.2 PERMITTED USES

As-of-right, Site Plan and Development Agreement uses are shown in Table 19.1

23.3 RE-ZONING

Rezoning to P-2 shall be considered subject to Policy 11.4.3 of the MPS.



Gardens & parks



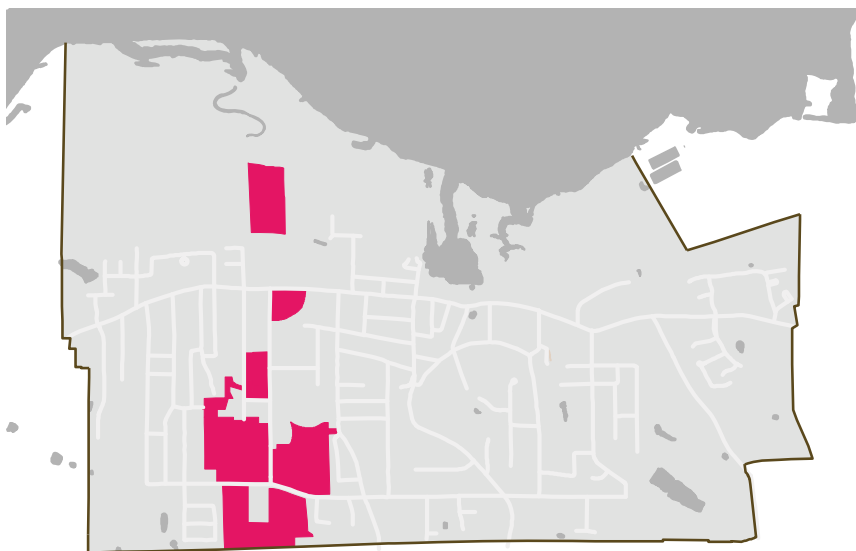
Sports fields



Trails



Natural areas



Other Provisions Apply

Part 4:

General Requirements for
All Zones

Part 5:

Development Constraints

Part 6:

Parking & Loading Requirements

Part 7:

General Requirements for Signs

Part 19:

General Requirements for
Institutional Zones

23.4 P-2 ZONE BUILT FORM STANDARDS

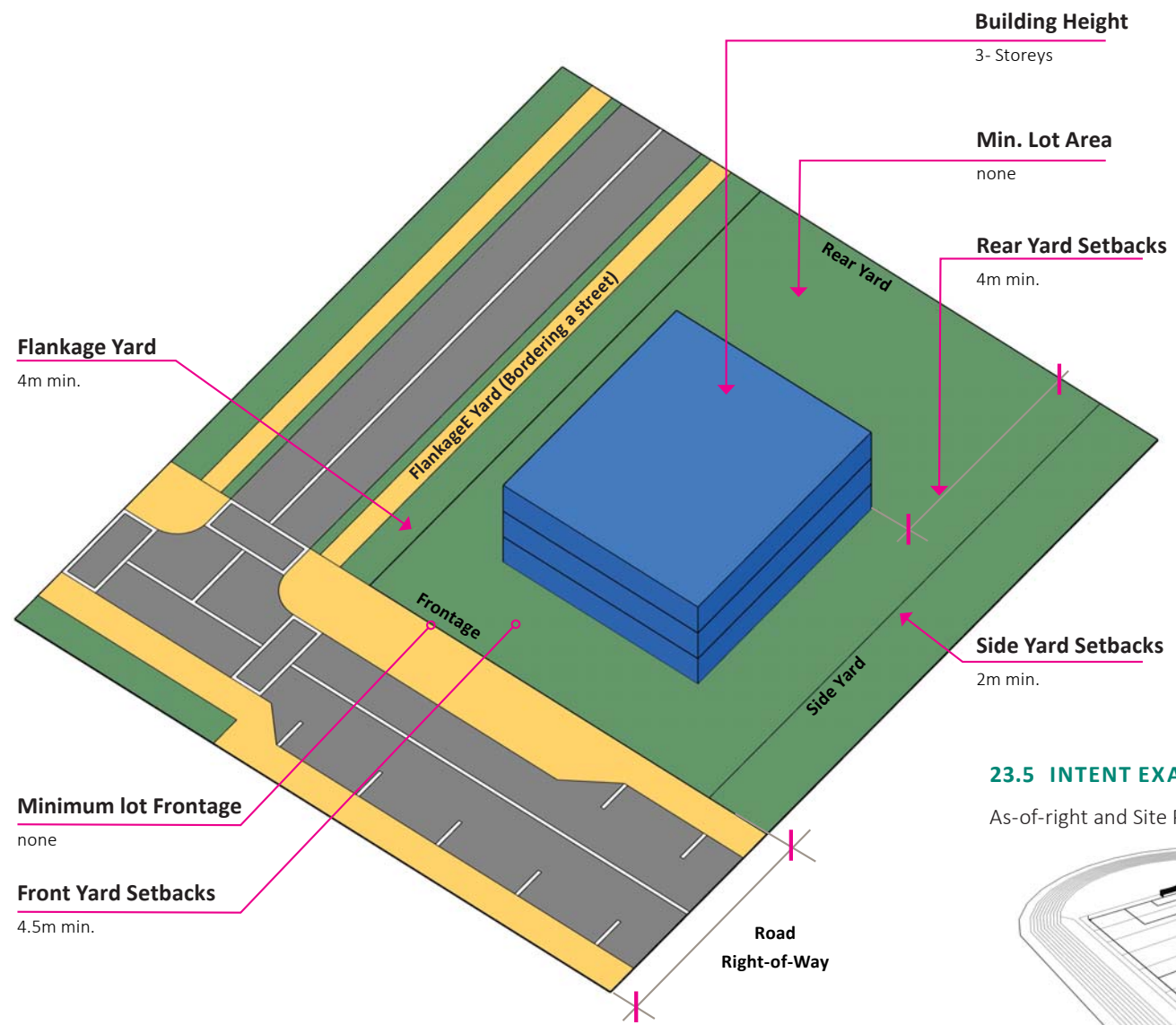
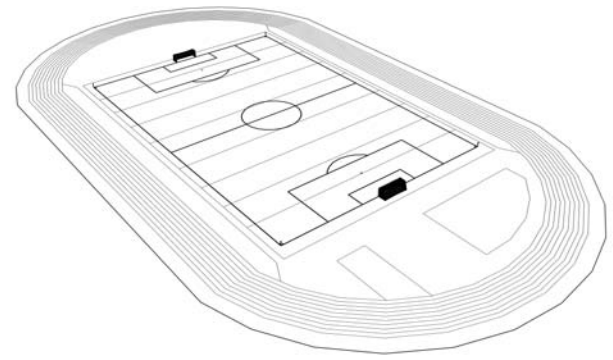


FIGURE 23.1 P-2 ZONE Built Form Standards

23.5 INTENT EXAMPLES

As-of-right and Site Plan approval examples for the P-2 Zone



PART 24 AGRICULTURE (A) ZONE

24.1 INTENT

The A zone is intended to permit agricultural uses only. Small scale accessory buildings may also be considered.

24.2 PERMITTED USES

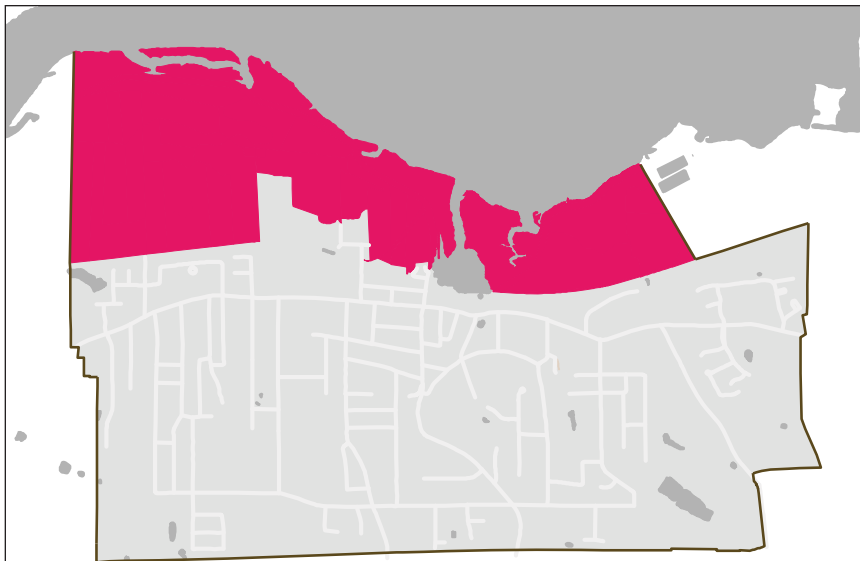
As-of-right, Site Plan and Development Agreement uses are shown in Table 19.1

24.3 RE-ZONING

Rezoning is not permitted.

24.4 SPECIAL REQUIREMENTS

- (1) Development within the Agricultural designation also requires the permission of either the Bishop/Beckwith Marsh Body or the Grand Pre Marsh Body whichever marshbody has jurisdiction according to the Marsh Body Act.
- (2) No livestock operations shall be located within 300 metres of an abutting zone.



Other Provisions Apply

Part 4:

General Requirements for All Zones

Part 5:

Development Constraints

Part 6:

Parking & Loading Requirements

Part 7:

General Requirements for Signs

Part 19:

General Requirements for Institutional Zones

24.5 A ZONE BUILT FORM STANDARDS

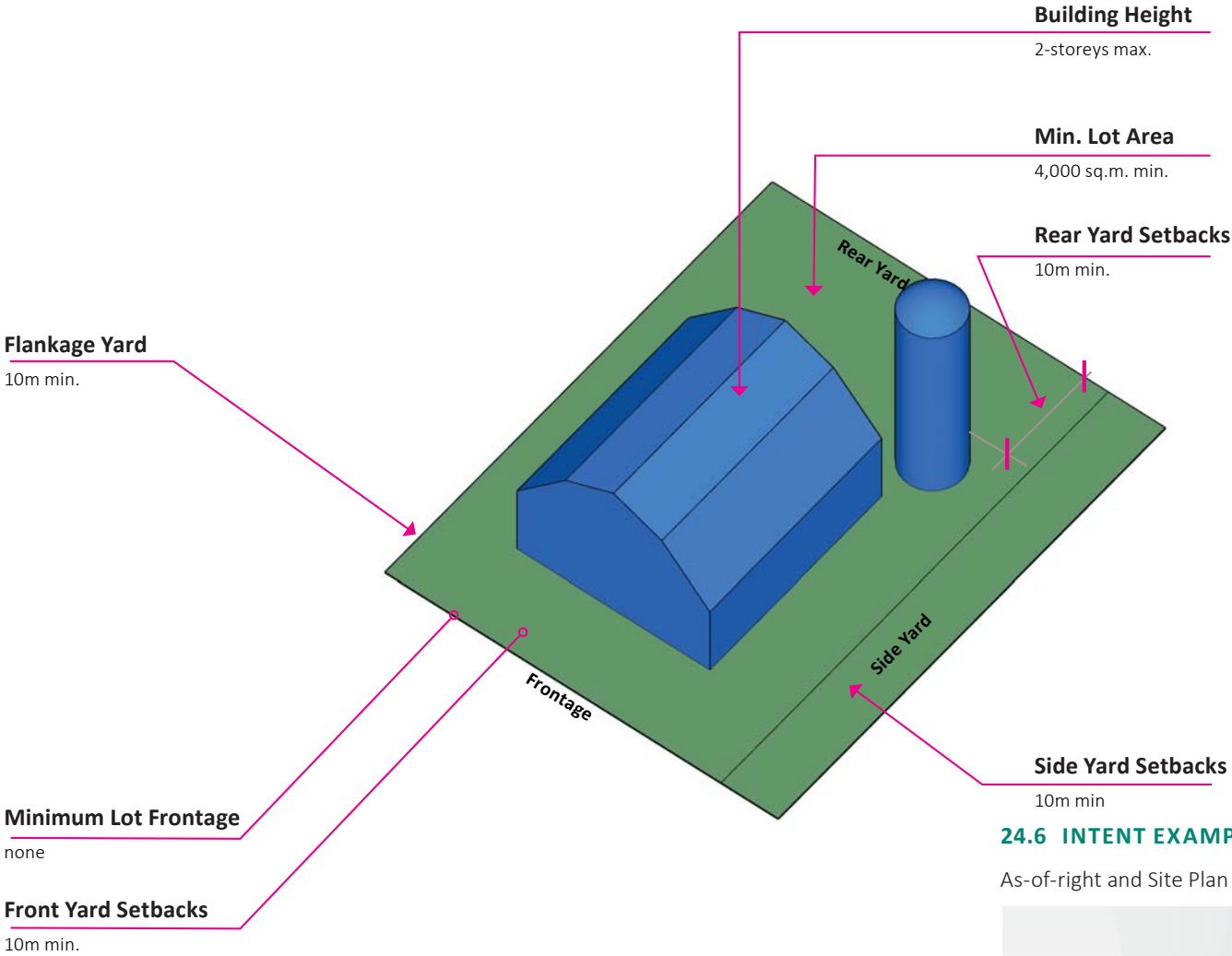
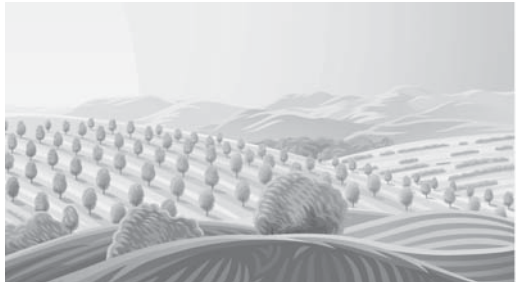


FIGURE 24.1 A ZONE Built Form Standards

24.6 INTENT EXAMPLES

As-of-right and Site Plan approval examples for the A Zone



PART 25 DEFINITIONS

For the purpose of this Bylaw, all words shall carry their customary meaning except for those defined hereafter:

Abut means where properties or lots share a common lot line or a common point along a lot line.

Accessory Building or Structure means a building or structure that is separated from the main building or structure on a lot and is normally incidental and subordinate to a permitted accessory use. Accessory Buildings or Structures shall be on the same lot as the main building, but do not include buildings or structures attached to the main building, or a building located completely underground.

Accessory Dwelling Unit - Detached means a dwelling unit that is accessory to the main dwelling and located in a detached structure on the same lot.

Accessory Use means the use of land or a building or portion thereof, customarily incidental and subordinate to the principal use of the land or building and located on the same lot. e.g., coffee roasting is an accessory use to the permitted retail sale of coffee beans.

Accommodations means a building or part thereof in which rooms are regularly provided for compensation for use by the travelling public for gain or profit and is not used as a dwelling for the owner and/or members of the owner's family. Hotels, Inns, Motels and Cottages are examples of Accommodations; however, Accommodations shall not include a multi-unit dwelling, single room occupancy, or a residential care facility.

Adult Entertainment means any form of entertainment or services of which a principal feature or characteristic is the

nudity or partial nudity of any person. For the purposes of this definition "partial nudity" shall mean less than completely covered or opaquely covered: human genitals or human pubic region; human buttocks; or female breast below a point immediately above the top of the areola.

Agricultural Use means the utilizing of land, a building or structures to raise crops or animals or fowl and includes the harbouring or keeping of any one or more of the following livestock regardless of its stage of development: horse, pony, pig, cow, bull, goose, duck, hen, rooster, sheep, goat, or similar livestock.

Alter means any change in the structural component or facade of a building, or any increase or decrease in the volume of a building or structure.

Ambulance Facility means a building or part of a building used to house ambulance vehicles and may include one residential dwelling unit for exclusive use by the ambulance attendants while they are on duty.

Amenity Space means an area capable of being used for active or passive recreation and enjoyment of the occupants of a residential development. The Amenity Space may include landscaped areas, patios, private amenity areas, verandas, balconies, communal lounges, swimming pools, play areas and similar uses, but does not include any area occupied at grade by a building's service area, parking lots, aisles or access driveways.

Autobody Repair Shop means a building used for the repair of body work, detailing and painting of automobile bodies.

Automobile Rental Establishment means a property or part of a property used for the rental of automobiles and the storage of automobiles for that purpose and does not include automobile sales or leasing establishments.

Automobile Service Station means a building or a clearly defined space on a lot used for the sale of lubricating oils and gasoline and may include the sale of automobile accessories, space for the repair of automobiles and a car wash facility.

Bakery means an establishment that primarily produces and sells flour-based food products such as bread, cookies, cakes, pastries, pies, etc.

Basement (or Cellar) means that portion of the foundation system partially or wholly below grade level and which provides storage, utility, or living space.

Bed and Breakfast means a dwelling in which there is a resident owner or manager who provides accommodation and meals (usually breakfast) for the travelling public and which may include accessory activities that are complimentary thereof.

Bicycle Parking, Class A means a facility which secures the entire bicycle and protects it from inclement weather, and includes any key secured areas such as lockers, bicycle rooms, and bicycle cages.

Bicycle Parking, Class B means bicycle racks, including wall mounted varieties, which permit the locking of a bicycle by the frame and the front wheel and support the bicycle in a stable position with two points of contact.

Building means any structure, whether temporary or permanent, used or capable of use for the shelter, accommodation, and enclosure of persons, animals, material, or equipment.

Building Area means the greatest horizontal area of a building above grade within the outside surface of exterior walls and the centre line of firewalls.

Building Line means any line regulating the position of a building or structure on a lot.

Build-to Plane means the vertical plane that extends upward three storeys from a line drawn parallel to the street at the established front yard setback or extending to both the front and flanking yard setbacks if on a corner lot.

Bulk Chemical Storage means the storage of chemicals, including organic compounds, herbicides, fertilizers, and pesticides for use on or off-site, but excluding materials in packages or containers intended for retail sale to the public and materials to support research and teaching activities.

Bulk Fuel Storage means the storage of petroleum or hydrogen fuels or solvents for use on or off-site, but excluding materials in packages or containers intended for retail sale to the public, fuels used for on-site space heating, and on-site fueling of vehicles.

Bulk Mineral Storage means the storage of salt or other similar de-icing agents, sand, gravel, gypsum, or other similar materials for use on or off-site, but excluding materials in packages or containers intended for retail sale to the public or use by a public authority.

Business Premise means a building or an area within a building, separate or independent from any other portion of the building, occupied by a person for the purposes of transacting business including the provision of institutional services and the provision of accommodations for the travelling public.

Cafe means an establishment primarily serving coffee or tea and may also serve light meals, sandwiches and/or desserts.

Carport means an open-ended automobile shelter by the side of a building.

Catering Establishment means a building where food is prepared for consumption outside the premises and does not include a Restaurant, Cafe, or Drive Through Facility.

Club (Including Commercial, Private or Service Clubs) means a building or part of a building used as a meeting place and activity centre for members of an organization.

Cluster or Clustering means a site-planning technique that concentrates buildings and structures in specific areas on a lot, site, or parcel to allow the remaining land to be used for recreation, open space, and /or preservation of features and/or structures with environmental, historical, cultural, or other significance. The techniques used to concentrate buildings may include, but shall not be limited to, reduction in lot areas, setback requirements, and/or bulk requirements, with the resultant open space being devoted by deed restrictions for one or more uses.

Cluster Residential Development means a land development project for more than two residential use buildings on the same

lot in which the site planning technique of clustering dwelling units is employed.

Commercial Brewery means a brewery or cidery engaged in the production of more than 15,000 hectolitres per year of beer or other related beverages where the primary business function is to sell packaged product to the Nova Scotia Liquor Commission and thence to the general public through retail liquor stores or for export.

Commercial Distillery means a distillery engaged in the production of more than 75,000 litres per year of liquor and spirits, other than wine or beer, where the product is blended or bottled for sale to the Nova Scotia Liquor Commission and thence to the general public through retail liquor stores or for export.

Commercial School means a school conducted for financial gain such as a boarding school, private school, driving school, etc., but does not include a public school.

Commercial Motor Vehicle means any motor vehicle which is used for a business activity and which has as its main purpose financial gain and includes taxis, ambulance, trucks, tractors, tractor trailers, buses, delivery vehicles, and oil trucks, which has three or more axels.

Community Centre means a facility used for recreational, social, educational and/or cultural activities.

Community Garden means an area of land where volunteers develop, manage and operate a small-scale garden that may contain vegetables, fruit, herbs, flowers, native and ornamental plants.

Convenience Store means a building or part of a building which is used as a store that serves the primary needs of the adjacent neighbourhood and includes the sale of a limited line of groceries, confectionery items, magazines, and a snack bar provided that any eating facility is within a wholly enclosed building.

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 5 metres along each such lot 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”.

Council means the Town Council of the Town of Wolfville.

Craft Beverage Facility means a place where craft beer, cider, and spirits are produced and may include the following:

- **Microbrewery** means a craft brewery or cidery engaged in the production and packaging of less than 15,000 hectolitres per year of specialty or craft beer, ale, cider or other related beverages.
- **Microdistillery** means a craft distillery engaged in the production and packaging of less than 75,000 litres per year of liquor and spirits, other than beer or wine.
- **Nanobrewery** means a craft brewery or cidery engaged in the production and packaging of less than 2,000 hectolitres per year of specialty or craft beer, ale, cider or other related beverages.

Craft Products means products made by hand or small custom production processes including but not limited to potters, pewterers, goldsmiths, silversmiths, jewellers, toymakers, leatherworkers, upholsterers, woodworkers, furniture makers, musical instrument makers, clothing designers and makers, shoemakers, antique refinishers, glass or stained glass workers, sailmakers, caterers, and similar skilled craftspeople.

Craft Workshop means a building or part of a building where craft products are produced and offered for sale, and where craft instruction may be offered.

Cultural Facility means a building or part of a building that documents and interprets the social and religious structures, and the intellectual and artistic manifestations that characterize a society, including archives, libraries, museums, galleries, theatres, studios, botanical and zoological gardens of a natural, artistic, historic, educational, or cultural interest.

Daycare Facility means a place where four or more persons are cared for on a temporary daily basis without overnight accommodation but does not include a school.

Development means any erection, construction, alteration, replacement, or relocation of or addition to any structure and any change or alteration in the use of land, buildings or structures.

Development Officer means the person or persons appointed by Town Council to administer the Land Use Bylaw.

Development Permit means the permit issued by the Development Officer certifying that a proposed development complies with the provisions of the Land Use Bylaw.

Development Agreement means an agreement made between the Town and a Developer pursuant to the provisions of the Municipal Government Act.

Developer means any person, incorporated body, partnership or other legal entity which undertakes a development.

Drive Through Facility means a business which provides automobile line up space, and which enables transactions to be conducted with a client while the client remains within an automobile. This includes Drive Through Restaurants.

Dwelling means a building or a portion thereof, used or intended to be used for residential occupancy containing one or more dwelling units. A Dwelling shall not include a recreational vehicle or travel trailer.

Dwelling, Multi-unit (Large) means a building consisting of nine or more residential dwelling units within a single structure which share facilities such as amenity areas, parking and driveways.

Dwelling, Multi-unit (Small) means a building consisting of three to eight dwelling units within a single structure which share facilities such as amenity areas, parking and driveways.

Dwelling, Single Unit means a detached building used or intended to be used as a single dwelling unit.

Dwelling, Townhouse means a vertically divided building consisting of three or more dwelling units where each unit has

its own dedicated exterior entrance and where each unit is designed to exist independently if subdivided.

Dwelling, Two Unit means a building containing two dwelling units.

Dwelling, Two Unit (Duplex) means a horizontally divided building consisting of two dwelling units.

Dwelling, Two Unit (Semi-detached) means a vertically divided building consisting of two dwelling units sharing a common wall where each unit has its own dedicated exterior entrance and where each unit is designed to exist independently if subdivided.

Dwelling Unit means one or more habitable rooms intended for use by one or more individuals as an independent and separate housekeeping establishment which contains its own sleeping, living, cooking and sanitary facilities for the exclusive use of such individual(s).

Educational Facilities means any building or part of a building designated for learning or instruction, including public, private and commercial schools, daycares and nursery schools, colleges, and universities. Educational uses may include classrooms, laboratories, or research facilities.

Emergency Services means any building or part of a building that houses an organization whose purpose is to provide police, ambulance, firefighting, or search and rescue services. These uses may also include, but are not limited to, the storage of emergency vehicles until they are dispatched, overnight accommodations for personnel directly related to the use, and associated training facilities.

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

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

Existing means existing as of the effective date of the By-law, unless otherwise noted.

Farm Animal means horses, cattle, sheep, goats, swine, fowl, mink or fox.

Farm Market means a building or part of a building in which farm produce; crafts and/or baked goods make up the major portion of items offered for sale.

Financial Institution means any chartered bank, trust company, credit union, or similar business.

Flood Risk Area means areas of land which may be subject to flooding by a tidal action or stormwater event as identified as Existing and Future Flood Risk Areas on Schedule B: Development Constraints Map of this Bylaw.

Flood Tolerant means remedial measures undertaken to reduce flood risk on buildings in the flood risk area.

Floor Area means the aggregate surface area of a building or defined space, as follows:

- **Commercial Floor Area** means the total useable floor area within a building used for commercial purposes, but excludes washrooms, furnace and utility rooms, and common areas between stores.
- **Dwelling Floor Area** means the aggregate floor area of all floors contained within the outside walls of a dwelling, excluding any private garage, porch veranda, sunroom; unfinished attic, basement or cellar, or other room not habitable at all seasons of the year.
- **Total Floor Area** means the aggregate area of all dwelling or commercial floor areas or other floor areas contained within the exterior wall of a building.

Grading means the alteration of land levels, including the addition or removal of topsoil or other material of any kind;

Green Roof means a roof consisting of vegetation and soil planted over a waterproofing membrane.

Ground Floor means the lower most storey of a building which has more than one half of its height above the average finished grade level adjacent to the exterior walls of the building.

Hard Surface means any surface on a lot that is impervious to water (70% or greater run-off) and includes a building, asphalt paving, concrete paving, brick paving, and compacted granular surfaces.

Health Centre means a building used for the treatment of persons afflicted with or suffering from sickness, disease, or injury; and administrative offices for health care agencies and individuals.

Height means the vertical distance of a building between the established grade and one of the following:

- the highest point of the roof surface or the parapet, whichever is the greater, of a flat roof;
- the deckline of a mansard roof; or
- the mean level between eaves and ridges on a gabled, hip, gambrel, or other type of pitched roof.
- Exemptions from these height requirements are contained in Section 4.15.10.

Home based business means the secondary use of a dwelling for gainful employment involving the production, sale, or provision of goods and services on a small scale.

Home Occupation – Restricted means a room or rooms in a Dwelling Unit used for the operation of a business, where a maximum of one client may be on the premises simultaneously, without signage, and in which no employees, other than the resident, are employed.

Hospital means a building used for the treatment of persons afflicted with or suffering from sickness, disease, or injury.

Hostel means an establishment providing transient, overnight accommodations, typically characterized by low cost, shared

use of a self-service kitchen, common areas, sleeping rooms, and bathroom facilities.

Hotel means a building or establishment which provides accommodation for the travelling public for financial remuneration and may include other facilities such as meeting rooms, restaurants and entertainment facilities.

Household means one or more persons living together as a single non-profit, independent housekeeping unit, sharing all areas of the Dwelling Unit.

Inn means a building or part of a building which provides accommodation for the travelling public for financial remuneration and may include a dining room which is open to guests and the general public but shall not include entertainment facilities or a lounge.

Innovative Development means a development type that does not meet the zone requirements for as-of-right or site plan approval permissions but is still consistent with the overall intent of the municipal planning strategy and may be considered by development agreement.

Institutional Use means a non-profit, religious, or public use, such as a religious building, library, public school, hospital, or government owned or operated building, structure, or land used for public purpose.

Interpretation Centre means an establishment, building or structure, where knowledge of historical, cultural, or natural heritage, most often of local or regional significance, is disseminated or conveyed to visitors and residents.

Interpretive Display means an outdoor structure, exhibit or display where knowledge of historical, cultural or natural heritage, most often of local or regional significance, is conveyed to visitors and residents.

Landscaping means any combination of living plants, such as trees, shrubs, vines, ground covers, flowers, or grass; natural features such as rock, stone, bark chips or shavings; and structural features, including but not limited to fountains, reflecting pools, outdoor art work, retaining walls, screening walls, fences, or benches; which are designed to enhance the visual amenity of a property or screen any objectionable features which may detrimentally affect adjacent land.

Laundromat means a business that provides home-type washing, drying and/or ironing machines for hire to be used by customers on the premises.

Level 1 Charging uses a standard 120v outlet for charging electric vehicles.

Level 2 charging is defined by SAE International's J1772 standard and includes:

- **Charge Method:** AC Level 2
- **Nominal Supply Voltage (V):** 208V to 240V AC, single phase
- **Max Current (Amps-continuous):** ≤ 80A The amperage rating for EV circuits required by most Level 2 EVSE is 40A, although this may differ depending on the particular system design.

Light Industrial Use means the use of a building or part thereof for research and development facilities; small scale processing and fabrication operations; or small-scale light manufacturing operations.

Limited Commercial Use means a convenience store, laundromat, farm market or small-scale commercial use aimed at a local neighbourhood clientele.

Livestock Operation means a structure for the keeping and rearing of farm animals for agricultural uses.

Loading Space means a vacant area of land provided and maintained upon the same lot or lots upon which the principal use is located which is suitable for the temporary parking of at least one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicles and which is not upon or partly upon any street or highway.

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

- **Corner Lot** means a lot situated at the intersection of and abutting on two or more streets.
- **Flag Lot** means a lot situated at the rear of another lot having normal street frontage and depending on a narrow strip of land which is part of the lot, for access to a street.
- **Interior Lot** means a lot situated between two lots and having access to one street.
- **Through Lot** means a lot bounded on two opposite sides by streets or highway provided, however, that if any lot qualifies as being both a corner lot and a through lot as

herein before defined, such lot shall be deemed a corner lot for the purpose of the Bylaw.

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

Lot Coverage means the percentage of the building area to the lot area.

Lot Depth means the horizontal distance between the front and rear lot lines. Where these lot lines are not parallel, the lot depth shall be the length of a line joining the midpoints of the front and rear lot lines.

Lot Frontage means the horizontal distance between the side lot lines. Where the side lot lines are not parallel, the Lot Frontage shall be measured perpendicularly to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines and at a point therein equal in distance to the minimum applicable front yard. In the case of a corner lot with a corner vision triangle, the exterior lot lines (street lines) shall be deemed to extend to their hypothetical point of intersection for the purpose of calculating the frontage.

Lot Line means the boundary line of a lot.

- **Front Lot Line** means the line dividing the lot from the street; in the case of a corner lot either boundary line abutting the street may be deemed the front lot line providing it meets the frontage requirements of the Bylaw for the proposed use. In the case of a through lot, either boundary dividing the lot from the street shall be deemed to be the front lot line.

- **Side Lot Line** means a lot line other than a front or rear lot line.

- **Rear Lot Line** means the lot line furthest from or opposite to the front lot line.

- **Flankage Lot Line** means a side lot line which abuts the street on a corner lot.

Lounge means a premise that is licensed under the Nova Scotia Liquor Control Act as a lounge but does not include a billiards club licensed as a lounge under the Nova Scotia Liquor Control Act.

Low Impact Development means a stormwater management strategy that seeks to mitigate the impacts of increased runoff and stormwater pollution by managing runoff as close to its source as possible as laid out in section 5 of the Town of Wolfville Stormwater Management Design Guidelines.

Main Building means that building on a lot wherein the principal use of that lot is carried out.

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.

Medical Clinic means a building used wholly for the medical, dental, surgical, or therapeutic treatment of human beings and includes pharmacies, medical equipment suppliers, health care offices and other professional and commercial uses related to medical care but does not include a hospital.

Mixed-use Neighbourhoods means neighbourhoods that contain a variety of land uses and services.

Non-Commercial School means a public or private academic, religious, or philanthropic school not conducted for monetary gain.

Nursing Home means a building wherein nursing care, room and board are provided to individuals incapacitated in some manner for medical reasons but does not include a hospital.

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

Office (Business, Professional or Government) means a room or rooms where business may be transacted, a service performed, or consultation given, including but not limited to physicians, surgeons, dentists, lawyers, architects, engineers, accountants, real estate agents, insurance agents, massage therapists, photographers, optometrists, chiropractors, eye specialists and similar uses, and may include retail sales or dispensing of goods associated with and incidental to the main use.

Outdoor Wood Furnace / Water Stove means any individual furnace designed to burn untreated wood and wood products and used for the purpose of heating liquid or air where the furnace is located outside the structure into which the hot water or air is produced or piped.

Park means an open area devoted to passive recreational uses or conservation uses and may include ornamental gardens

and lawns, botanical gardens, outdoor furniture, accessory structures, children's playgrounds, and on-site parking areas which support park uses.

Parking Lot or Area means an open area, other than a street, containing parking spaces for multiple motor vehicles, available for public use or as an accommodation for clients, customers or residents and which has access to a street or highway by means of driveways, aisles or manoeuvring areas where no parking or storage of motor vehicles is permitted.

Parking Space means an area for the temporary parking or storage of motor vehicles of not less than 15.13 square metres and measuring 2.75 metres by 5.5 metres.

Pavilion means a building or temporary structure used as a shelter in a park or large garden that is usually open and ornamental and may include a tent.

Personal Office means a room or rooms in a Dwelling Unit used for the operation of a business, where a maximum of one client may be on the premises simultaneously, without signage, and in which no employees, other than the resident, are employed.

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 includes but is not limited to barber shops, hairdressing shops, shoe repair, tanning salons, aesthetician shops and electrolysis shops but excludes any manufacturing or fabrication of goods for sale.

Place of Assembly means a building or facility where people congregate for deliberation, entertainment, cultural, recreation or similar purposes, including but not limited to auditoriums, places of worship, clubs, halls, meeting halls, community facilities, open spaces, restaurants, galleries, and recreational fields, courts or facilities.

Place of Entertainment means a wholly enclosed building or facility where people assemble in order to engage in passive or active activities for the sake of being entertained. These uses may include but are not limited to cinemas/movie theatres, bowling alleys, arcades, billiards or pool halls, laser tag, etc. but exclude Adult Entertainment Uses and Lounges.

Place of Worship means a building used for religious worship, study, and instruction, including but not limited to churches, monasteries, mosques, synagogues, temples, etc. A place of worship may also include an auditorium, hall, daycare facility or nursery operated by the place of worship.

Post Office means an institution which organizes and handles the delivery of mail, possibly with associated retail.

Public Authority means Her Majesty The Queen in the Right of Canada or the Province of Nova Scotia, the Town, or anybody authorized by any or all of the above.

Public Façade means that part of the exterior of a structure which can be seen from public property including but not limited to public streets.

Public Park means a park owned or operated by a Public Authority.

Recreational Facility means a facility, either publicly or privately owned, that is designed and equipped to support sport, leisure, and recreational activities, including but not limited to: Arenas, Community Centres, Curling Rinks, Gyms and Fitness Centres, Skate Parks, Spas, Sports Fields, Swimming Pools, Tennis Courts, and other similar uses.

Recreational Uses means the public or private use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, community centres, and other similar uses, together with necessary and accessory buildings and structures, but not including a track for the racing of animals or any form of motorized vehicles.

Repair Shop means any building or part thereof used for the repair of household articles including but not limited to radio, television, and appliance repair shops, plumbing repair shops, electrical repair shops, furniture repair shops, shoe repair shops and not including industrial or manufacturing, motor vehicle repair shops or auto body repair shops.

Residential Care Facility means a single unit dwelling in which accommodation, together with nursing and/or personal care, is provided or is available for no more than four persons with physical and/or intellectual disabilities.

Restaurant means a building or part thereof where food and drink are prepared and served to the public for consumption within the building or attached outdoor patio or for takeout.

Retail Store means a building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale to the public.

Secondary Containment means surrounding one or more primary storage containers to collect any hazardous material spillage in the event of loss of integrity or container failure.

Service Industries include a printing establishment, a laundry or cleaning establishment, a paint shop, plumbing shop, sheet metal shop and similar uses.

Short Term Rental means the rental of a dwelling unit or part thereof for overnight stay to the travelling public for a period of 28 days or less and includes a Bed and Breakfast or similar use.

Sidewalk Cafe means a group of tables and chairs, and other accessories belonging to an Owner, situated and maintained upon a public sidewalk for the use and consumption of food and beverages sold to the public, from or in, the owner's adjoining indoor food and beverage establishment.

Sign means any letter, marks, symbols, or pictorials placed on a structure, and includes the structure on which the letter, marks, symbols, or pictorials are placed.

- **Canopy / Awning Sign** means any sign attached to or forming part of a canopy or awning.
- **Combined Sign** means a ground sign or a facial wall sign which refers to more than one business premise.
- **Facial Wall Sign** means a sign attached to or erected against a wall of a building, with the face horizontally

parallel to the building wall and with no space between the back of the sign face and the building wall.

- **Ground Sign** means a sign erected on a free-standing frame, mast or pole and not attached to any building with a maximum of two sides used for copy area.
- **Illuminated Sign** means any sign which emanates light through transparent or translucent material from a light source within the sign and includes a neon light sign but does not include a sign placed on a lighted awning.
- **Portable Sign** means a ground sign no greater than 0.56m² (6ft²) in area which is not permanently affixed to or in the ground, including sandwich board signs.
- **Projecting Sign** means a sign, other than a facial wall sign, which is attached to and projects from a structure or building face.
- **Off Premises Sign** means a sign that is related to a business premise that is not located on the building or lot on which the sign is placed.
- **Reader Board Sign** means a sign designed with removable letters, marks, symbols, or pictorials or any combination of these to allow for periodic revisions of the sign message, but does not include:
 - ◊ Signs used by theatres, art galleries, arenas, churches or similar premises, for the purpose of identifying a program or event that will take place at the premise.
 - ◊ Signs used by a farm market to denote availability of seasonal products.

Sign Area means the area of the smallest triangle, rectangle, circle or semi-circle which can wholly enclose the display area of one (1) side of the sign but not including any portion of the support structure. For canopies and awnings, sign area is considered to be the area of the smallest triangle, rectangle or circle or semi-circle which can wholly enclose the surface area of the elements which convey information.

Single Room Occupancy means a rental housing type wherein one or two people are housed in single rooms within a dwelling unit, where tenants may share bathroom and cooking facilities.

Sleeping Area means the aggregate area within a dwelling unit of all bedrooms measured from the inside walls of each bedroom and shall include the area of closets within bedrooms, but shall not include hallways, bathrooms or linen closets associated with the bedrooms.

Storey means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it. A storey shall not exceed 4.5m in vertical distance.

Street or Road means the whole and entire right-of-way of every highway or road vested in the Province of Nova Scotia or the Town of Wolfville.

Street Intersection means the area embraced with the prolongation or connection of the lateral boundary lines of two or more streets which join one another at an angle, whether or not street crosses the other.

Street Line means the boundary line of a street (including sidewalks).

Structure means anything that is erected, built or constructed of 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 as well as fences exceeding 2 metres in height.

Studio means a building or part thereof used for the study, or instruction of any fine or commercial art including photography, music, visual arts, and commercial design or the sale of craft products.

Swimming Pool means an artificial body of water outside a building, excluding ponds, having more than 10 square metres of surface area that is designed or intended to be used for swimming purposes and contains or is capable of containing a water depth of more than 60 centimetres.

Theatre means a building or part of a building used for showing motion pictures or live dramatic performances and shall include an open-air theatre.

Town means the Town of Wolfville.

Use means the purpose for which any land, building or structure is utilized, and also means the purpose for which any land, building or structure is designed, arranged, or intended, or the purpose for which any land, building or structure is occupied or maintained.

Utility Equipment Building means a building containing any public or private utility system, works, plant, and equipment including but not limited to sewage pumping stations and telephone switching stations.

Veterinary Clinic means a building or part of a building used for the medical, surgical or therapeutic treatment of animals.

Warehouse means a building where wares or goods are stored but shall not include a retail store.

Waste Bin means a building used to store solid waste or resource materials for a period of time until they are collected for disposal.

Watercourse means every river, stream, lake, creek, pond, spring, lagoon, swamp, marsh, wetland, ravine, gulch, or other natural body of water within the jurisdiction of the Province.

Workshop means a building or part of a building where craft products are produced and where craft instruction may be offered.

Yard means an open, uncovered space on a lot adjacent to a building or structure. In determining yard measurements, the minimum horizontal distance from the respective lot lines shall be used and for greater certainty:

- **Flankage Yard** means the side yard of a corner lot which side yard extends from the front yard to the rear yard between the flankage lot line and the nearest main wall of any structure. Minimum flankage yards means the smallest allowable distance a flankage yard can be measured.
- **Front Yard** means a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot. Minimum front yard means the smallest allowable distance a front yard can be measured.

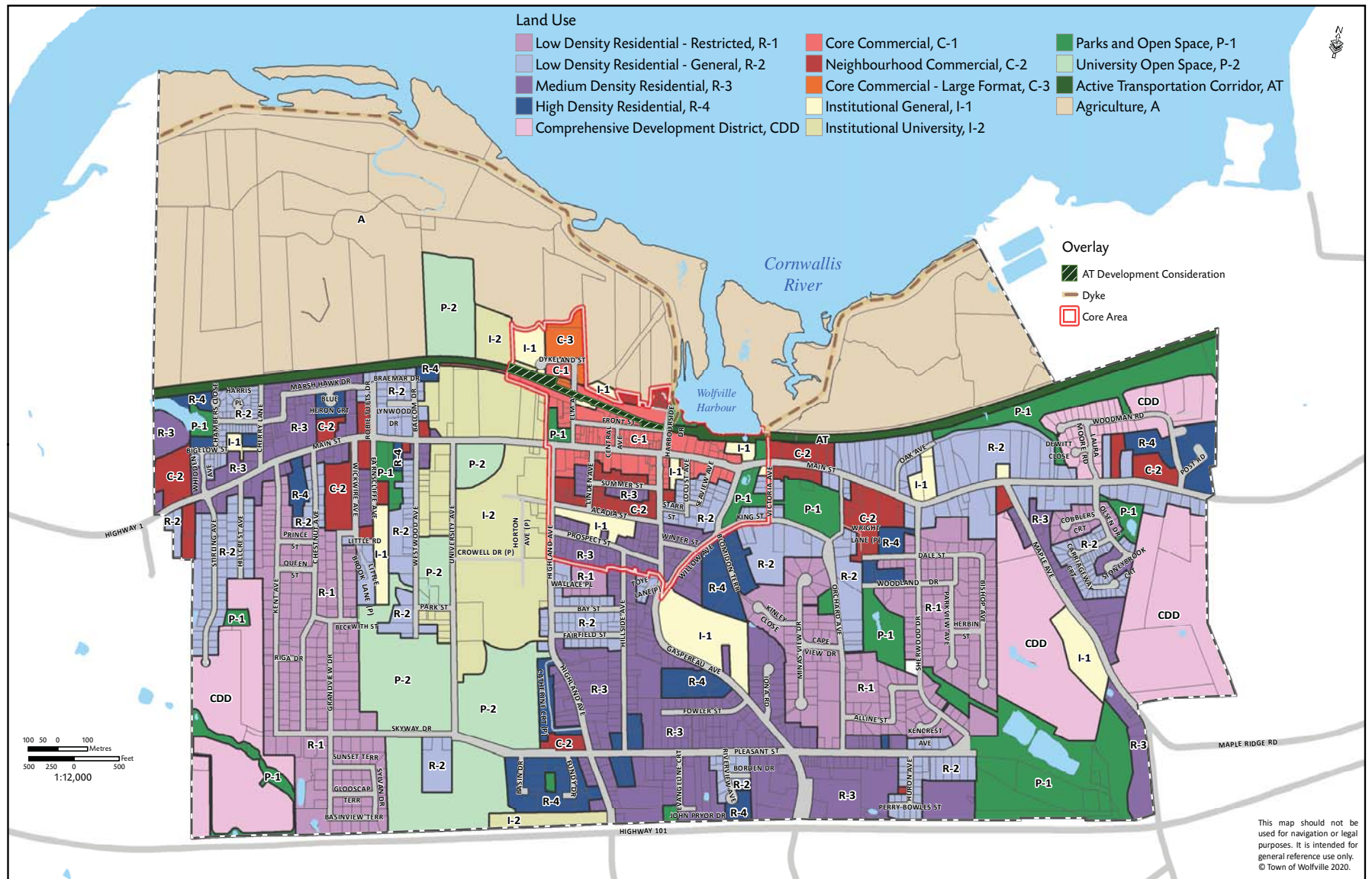
- **Rear Yard** means a yard extending across the full width of a lot between the rear lot line and the nearest wall of any main buildings or structure on the lot. Minimum rear yard means the smallest allowable distance a rear yard can be measured.

- **Side Yard** means a yard extending from the front yard to the rear yard of a lot between the side lot line and nearest wall of any building or structure on the lot. Minimum side yard means the smallest allowable distance a side yard can be measured.

Zone means a specific area of land shown on Schedule “A” of this Bylaw and more particularly referred to in Part 3 of this Bylaw.

Schedule A:

ZONING MAP

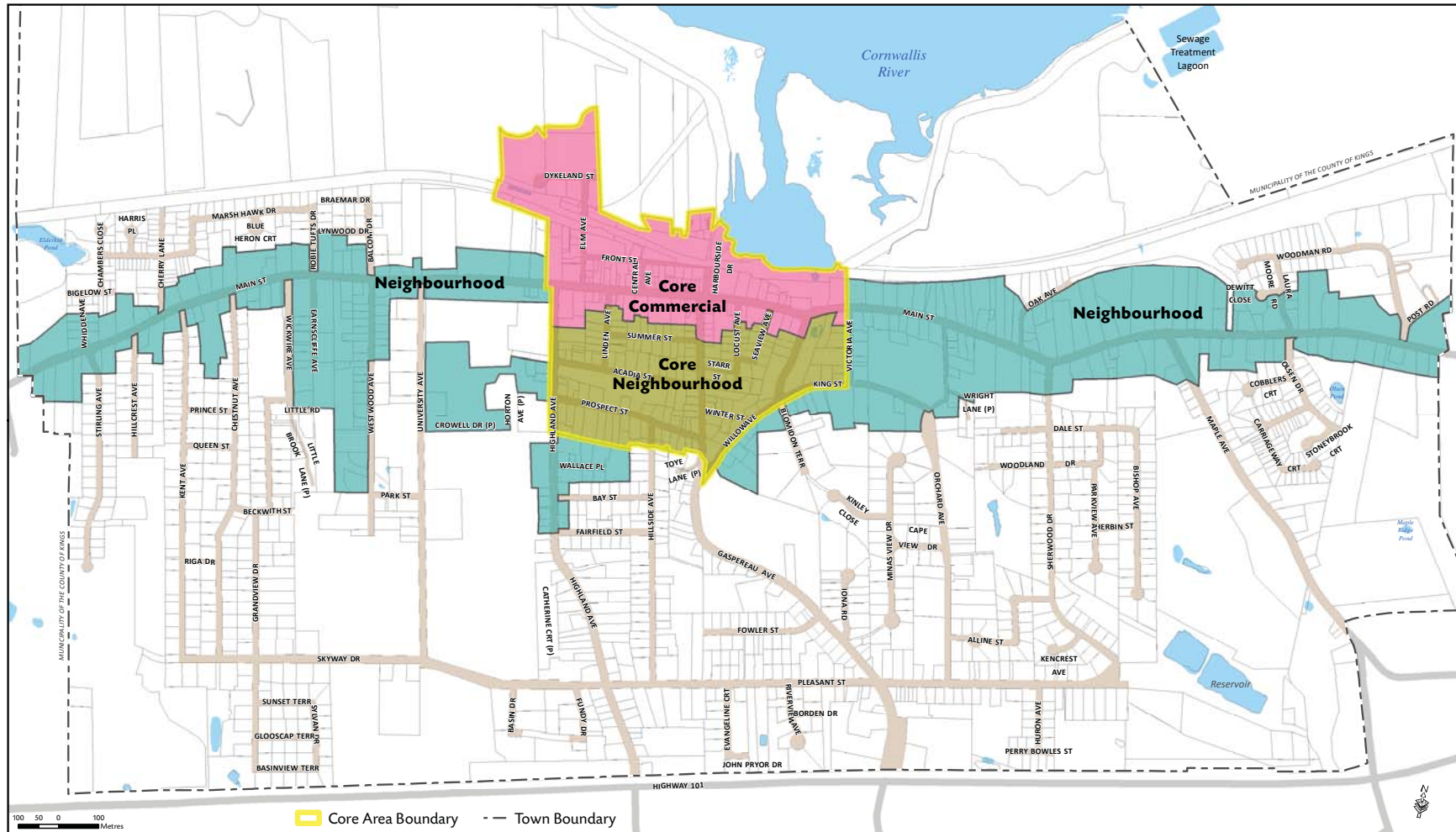


DEVELOPMENT CONSTRAINTS MAP



Schedule C:

DESIGN GUIDELINES AREAS MAP



Schedule D:

COMPREHENSIVE DEVELOPMENT DISTRICT ZONE SUSTAINABILITY CHECKLIST

ABOUT COMPREHENSIVE DEVELOPMENT DISTRICTS (CDD)

The CDD designation highlights areas of Wolfville where future neighbourhood areas will be developed and is a way of regulating new residential land developments. Large vacant land holdings, primarily in the east and west ends of town shall remain in the CDD designation and zone. These areas provide opportunities for the creation of new neighbourhoods including a range of housing types and tenures and other compatible uses that provide for the day-to-day needs of residents. CDDs are intended to provide for flexibility and innovation in the design and sustainable development of these lands for a variety of residential purposes.

GUIDING PRINCIPLES

Four guiding principles set out to guide development in CDD zones in the Town of Wolfville. The principles originated from thorough assessment of the current environmental, social, and economic characteristics of the Town, while respecting future aspirations and goals of the community. The guiding principles frame the future goals of the Town and the checklist is a tool to help facilitate the process.

New development is essential to achieve a complete community to live, work and play. The purpose of the checklist and its criteria are meant to engage the developer in the planning process and establish an iterative process to build the best neighbourhoods possible that capture Wolfville's spirit, while developing neighbourhoods for our future.

THE FOUR GUIDING PRINCIPLES

Land Use + Design

The proposed development encompasses an array of land uses that reflect the needs of Wolfville residents and the neighbourhood members. A community centre ties surrounding areas and services together logically with daily needs within walking distance. Services proposed for the site reflect the projected density and needs of the development.

Connectivity

Neighbourhood design, provisions, and unit affordability account for individuals and households of various sizes and income levels. Where possible, infrastructure and building practices will accommodate accessible building practices. Mixed housing types are available throughout the neighbourhood and take into consideration the Town of Wolfville's unique demographics and community culture.

Environmental and Economic Sustainability

Sustainability based on environmental and financial indicators to ensure a prosperous and adaptable neighbourhood for current and future Wolfville generations.

Social Equity

Neighbourhood design, provisions, and unit affordability account for individuals and households of various sizes and income levels. Where possible, infrastructure and building practices will accommodate accessible building practices. Mixed housing types are available throughout the neighbourhood and take into consideration the Town of Wolfville's unique demographics and community culture.

INSTRUCTIONS

Developers and their consultants are important partners in maintaining and improving Wolfville's high quality of life and unique character that make our Town a destination in Atlantic Canada. By outlining sustainability criteria and engaging with developers in the earliest stages of site design and planning, enable the project to achieve its highest level of success in line with the Town's guiding principles. By outlining the criteria in such a way, the checklist allows developers to engage with the planning process and self-evaluate how their design and development reflects the future vision for the Town of Wolfville.

Self-Scoring

Applicants are to review and complete the checklist on their own. The applicant may ask any questions or seek direction if necessary during the application process. Any score received on the checklist does not determine whether a development will ultimately be approved or not, it is simply one component of the application process. The highest possible score is 260 points.

Each individual criterion should be ranked on a scale from 0-5 in the box provided preceding the component,

0 - indicating the component has not been addressed,

3 - it has been addressed to some extent, and

5 - the applicant feels they exceed what the checklist is asking.

* Where scoring is not relevant write response in the space provided.

Although it is not necessary, applicants are encouraged to submit any additional documents, reports, or certifications that may be relevant to the checklist criteria.

1) LAND USE + DESIGN

The proposed development encompasses an array of land uses that reflect the needs of Wolfville residents and the neighbourhood members. A community centre ties surrounding areas and services together logically with daily needs within walking distance. Services proposed for the site reflect the projected density and needs of the development.

Community Centre	Score	Description
Incorporate community social gathering places (village square, halls, youth and seniors facilities, community boards)?		

Mixed Land Uses	Score	Description
Promote diversification of the local economy via business type and size that is appropriate for the area?		
Please list the neighbourhood stores or amenity opportunities proposed on the site (i.e. school, daycare, library, community centre, health facilities, etc.).		

Community Plans	Score	Description
Describe the existing neighbourhood character (i.e. historic, single family, mixed use, etc.) and how the proposed development will enhance the adjacent neighbourhood		
Does the project enhance local identity and character consistent with government policy and plans (i.e. through architectural style, landscaping, colours, project name)?		
Contain elements of community pride and local character, such as public art?		

Leveraging Existing Infrastructure	Score	Description
Does the project contribute to heritage revitalization through the reuse, relocation, or rehabilitation of an existing structure, feature, or natural resource?		
Utilize pre-existing roads and services?		
Use locally sourced materials?		

2. CONNECTIVITY

Green and grey networks weave through the neighbourhood connecting the proposed site to surrounding neighbourhoods and the Town at large. Connections are clearly marked to implicitly guide pedestrians into and out of the site. Residents and visitors can travel easily through the neighbourhood despite their mode of transportation or accessibility.

Active Transportation	Score	Description
Incorporate community social gathering places (village square, halls, youth and seniors facilities, community boards)?		

Mixed Land Uses	Score	Description
Promote and improve trails and active transportation amenities?		
Provide additional support for alternative transportation use (walkways, cycling)?		

Green and Grey Networks	Score	Description
Link amenities such as school, trails, daily needs, public transit, and neighbourhoods through smart street and pedestrian design?		
If the property is adjacent to existing park space, open space, paths or trails, is a visual and pedestrian connection provided?		
Does the street layout and design encourage walking and cycling, while providing for personal and commercial vehicle use?		
Is there a interconnected road system with direct street connections, short block lengths, no cul-de-sacs?		

Alternative Forms of Transit	Score	Description
Accessible by multiple modes of transport, emphasizing public transit including future planned connections?		
Include a car share program?		
Strategic consideration for parking space requirements and placement within site (slanted/ shared spaces, rear parking)?		

Connected Green Network of Natural Assets	Score	Description
Create green spaces or strong connections to adjacent natural features, parks, and open space		

3. ENVIRONMENTAL + ECONOMIC SUSTAINABILITY

Environmental Sustainability refers to the provision and respect of the natural features that exist on the site, while considering innovative practices and solutions to harness new environmental opportunities. Developers shall consider existing natural assets on the site and exhibit time and consideration was paid to their best use and incorporation into the site.

Economic Sustainability refers to the financial viability of the proposed development for the CDD site. Developers must demonstrate consideration of residential density versus public infrastructure costs have been considered and the neighbourhood is fiscally feasible for future residents and the Town at large.

Environmental and Economic Sustainability are interlinked, as we live within a world of finite resources. Developers are encouraged to recognize the cost-effective ecosystem and municipal services already in place and consider how a project impacts services that make up local, regional, and national sustainability.

Environmental Consideration	Score	Description
Avoid contamination during construction?		
Provide on-site composting facilities?		
Provide an area for a community garden?		
Conduct an environmental assessment of the property prior to the commencement of design with a qualified professional?		

Working Landscapes	Score	Description
Cluster development on appropriate land to contain construction disturbance?		
Design attempts to maximize exposure to natural sun light (i.e. direction of rooms, placement of green space)		
Provide conservation measures for sensitive lands beyond those mandated by legislation?		

Low Impact Infrastructure	Score	Description
Reduce construction waste and enhance durability of materials used?		
Utilize environmentally sensitive or recycled materials?		
Plan to recycle water and waste water on-site?		

Stormwater Management	Score	Description
Use rocks and other materials in landscaping design that are not water dependent?		
Provide for zero stormwater run-off?		
Utilize natural systems for stormwater?		

Enhancing Natural Environment Features of High Ecological Value	Score	Description
Conserve, restore, or improve habitat (retention of trees, green space, and natural habitat)?		
Are there any significant existing environmental features that are maintained or enhanced on the site (trees, shrubs, sunlight, streams)?		
Account or attempt to mitigate light pollution within surrounding areas?		

Density	Score	Description
Anticipated price range of units (note price range for both commercial and residential units if applicable)- average price per square foot.		
Net increase to property tax base.		

Local Economy	Score	Description
Are there any commitments of direct employment created by this project during construction (number and duration of jobs)?		
Will the project provide direct employment (on the site) after the project is completed?		
Does this project have any features that will reduce the long-term costs to the community of operating and maintaining public services and infrastructure (i.e. reduce roads and pipes for servicing that will have to be maintained by the Town)?		
Are there any other financial components of economic sustainability advanced by this proposal?		

4. EQUITY

Neighbourhood design, provisions, and unit affordability account for individuals and households of various sizes and income levels. Where possible infrastructure and building practices will accommodate accessible building practices. Mixed housing types are available throughout the neighbourhood and take into consideration the Town of Wolfville's unique demographics and community culture.

Education Opportunities	Score	Description
Increase community opportunities for training, education and recreational activities?		
Does the project provide enhanced waste		

Mixed Housing Types	Score	Description
Does the project include rental housing units?		
Does the site include an array of housing forms relevant to the Town's needs? If yes, please list relevant forms, approximate numbers, and target population.		

Affordable Housing Supply	Score	Description
Does the project include rental housing units?		
Does the site include an array of housing forms relevant to the Town's needs? If yes, please list relevant forms, approximate numbers, and target population.		

Mixed Housing Types	Score	Description
Include provisioning for affordable housing units? If yes, please address the following points: - Percentage and number of units anticipated - Affordability time-frame guarantee (in years) - How will affordability be determined? - Anticipated price range of units (note different housing tenures)?		

Accessible Design and Built Form	Score	Description
Does the project incorporate features to enhance adaptability and accessibility within the proposed design standard for people with disabilities (i.e. wider door openings, reinforced walls in bathrooms for future installations, ground-oriented entrances)?		
Does the project and development account for the potential of repurposing units in the future (i.e. residential to commercial or home-occupancy)?		

Prioritize Active Shared Spaces	Score	Description
Does the development incorporate spaces for people of all different physical abilities?		
Are there public amenities (water fountains, washrooms, leisure infrastructure) provided in the development?		
Are residents, community stakeholders, and end-user groups involved in the planning and design process??		

Summary	Score	Description
Please calculate your final score and convey any final remarks, concerns, or additional information that you do not believe is addressed in the Checklist criteria, that you believe are an asset of pertinence to the proposed site design.		

Schedule E:

ENVIRONMENTAL STUDY REQUIREMENTS

In cases where an environmental study is required, the study shall include the following information:

INTRODUCTION AND PROJECT DESCRIPTION:

- Property owner and abutting owners
- Zoning
- Description of project
- Total land area of project
- Site plan, to scale, showing distances to watercourses, ponds, drainage channels, and existing and proposed slope of lands.

IMPACT DESCRIPTION:

Potential project affects upon:

- Susceptibility of flooding and potential floodwater flows
- Stormwater drainage and storage features on property and abutting properties
- Bearing capacity of soils
- Unstable slopes

- Other development constraints

MITIGATION MEASURES:

- A description of measures to overcome the constraints which are found to exist at the site.

DECLARATION:

- Time period study was conducted
- Date study was submitted
- Signature of property owner(s) and study author(s)
- Contact information for property owner(s) and study author(s)

ATTACHMENTS

- Attach any supporting documents

FLOOD RISK AREAS

New development in areas within the Flood Risk Areas as shown on Schedule B: Development Constraints Map, are required to sign a *Flood Risk Area Development Undertaking Form*.

Schedule F:

TOWN OF WOLFVILLE DESIGN GUIDELINES

Town *of* Wolfville

DESIGN GUIDELINES



Municipal Planning Strategy

Community Priorities

The Town of Wolfville's Municipal Planning Strategy states community priorities that influence the built forms that are enabled in the Town of Wolfville.

As a method of Actioning our Community Priorities, the design guidelines articulate the intended built forms within the Town of Wolfville by providing guidance for future development through examples of how new developments can be designed to reflect the guidelines, and priorities of the Town of Wolfville.

These guidelines include examples of proven development patterns which include:

- A heritage style guide,
- Options for innovative design,
- Designs which honour existing character and heritage,
- Methods of designing additional commercial opportunities beyond our downtown core,
- Sustainable building practices to respond to changing climates, and
- Developing our community in an equitable manner for the future.

ACTIONING OUR COMMUNITY PRIORITIES

Part 2 of the Town's Municipal Planning Strategy articulates the following Community Priorities to guide growth and development in the Town



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INTRODUCTION

1.0 Introduction

Wolfville takes great pride in its ability to shape its future and quality of life. A sense of continuity in architecture and good design is highly valued by residents and is immediately apparent to visitors.

The architectural history of the early Planter buildings remain from the early 1900s, whereas Mi'kmaw and Acadian heritage are not immediately evident in our built forms. Victorian buildings were added during the 19th century, 1920's saw store front architecture and several examples of the art deco and art nouveau styles and accommodated a surge of contemporary design from the post war period to the present. For more detail on these early designs, see the Heritage Style Guide later in this document.

While there is respect for the town's Planter heritage through a rich collection of Provincially or Municipally registered buildings, there is nevertheless an eclectic nature to the

architecture of the town born of its diverse historical and contemporary influences.

The Town of Wolfville Design Guidelines represent an update to Wolfville's Residential Architectural Guidelines (1992) and Downtown Architectural Guidelines (1992) and aid in articulating the vision of the Urban Design areas of the Town's Municipal Planning Strategy.

These guidelines are intended to educate and inform new developers on principles of good design by incorporating the existing content from the 1992 document, while adapting to changing best practice as well as reflecting current development and intensification goals.



1.1 Design Review Committee

1.1.1 REVIEW PROCESS

The Design Review Committee advises Council on architecture and design policy within the Town of Wolfville, in accordance with the Committee Policy and Terms of Reference. In addition to advising Council, the Design Review Committee advises staff on site-plan applications and applications for development agreements within the design areas. Development located within the Core or Neighbourhood Design Guideline Areas, as shown in Part 3 of this document and Schedule C of the Land Use Bylaw are subject to the use of these guidelines to better inform the requirements of the Land Use Bylaw.

The Design Review Committee shall utilize the Design Review checklist, information provided by staff, and the Applicant's submission when advising staff and Council on urban design matters.

DESIGN CHECKLIST

The following checklist shall be considered when an applicant is subject to these guidelines.

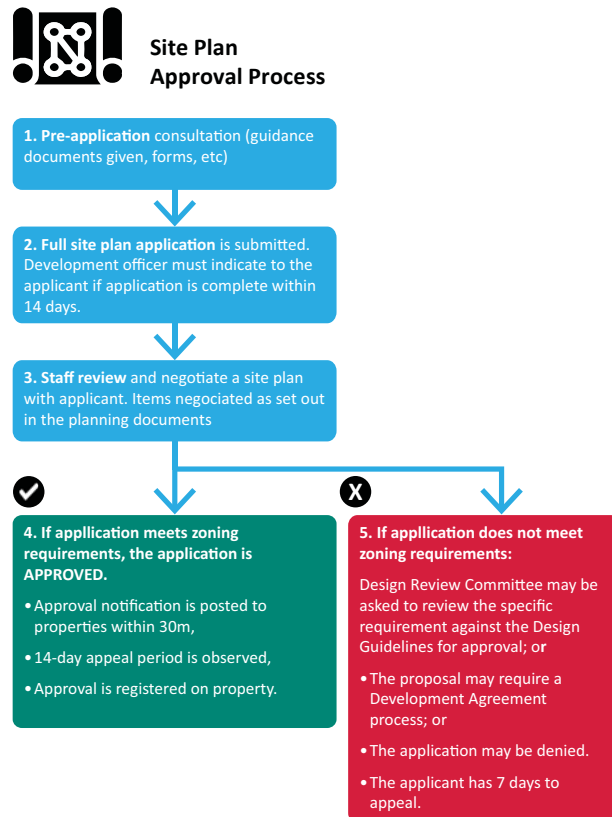
- ☐ CHARACTER
- ☐ PEDESTRIAN EXPERIENCE
- ☐ DIVERSITY
- ☐ PATTERNS
- ☐ PUBLIC REALM
- ☐ SUSTAINABILITY & RESILIENCE



1.2 Application Process

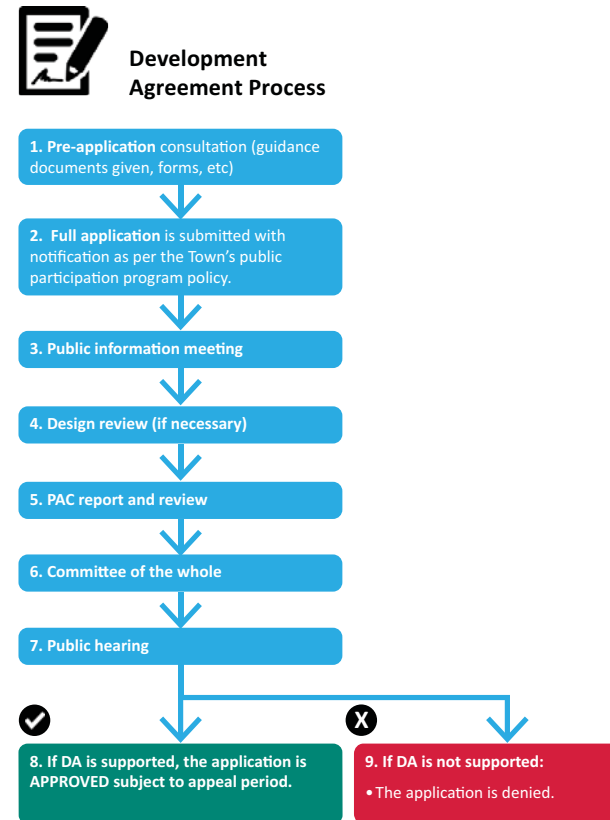
1.2.1 SITE PLAN

For Site Plan Applications in design guidelines areas, The Design Review Committee and relevant design guidelines may be utilized. For development proposals considered by Site Plan the Development Officer may request a submission from the applicant on how the application is responding to the Core Area or Neighbourhood Design Guidelines.



1.2.2 DEVELOPMENT AGREEMENTS

For Development Agreement Applications in design guidelines areas, the Design Review Committee and relevant design guidelines shall be utilized as a tool to inform the Staff Report to Council.



See the Municipal Planning Strategy and Land Use By-Law for more information on application processes.



DESIGN PRINCIPLES

2.0 Design Principles

These Design Guidelines are grounded in the following Principles. It is recognized that there are various ways a project may respond to these principles through good, thoughtful design.



CHARACTER

Clear development patterns and continuous built form within an area allows understanding of how it is organized and how to navigate throughout it. The existing scale and rhythm of buildings and open spaces provide a sense of place that should be respected by a new development.



PEDESTRIAN EXPERIENCE

Activity in the Town of Wolfville depends on pedestrian scale streets which support comfortable and safe environments for pedestrians in all areas: commercial, neighbourhood, and parkland.



DIVERSITY

A diverse community includes a range of housing types, land uses and architectural style. New development should reflect local values, history and culture yet also contribute to being a unique eclectic community with distinct features.



PATTERNS

Street edges of trees or building walls, consistent setbacks and a curated or landscaped public sphere create recurring patterns that lead to more active, vibrant and attractive environments.



PUBLIC REALM

A quality public realm design creates a safe and vibrant community. Projects should promote public spaces and routes that are attractive, safe, uncluttered and work effectively for all in society.



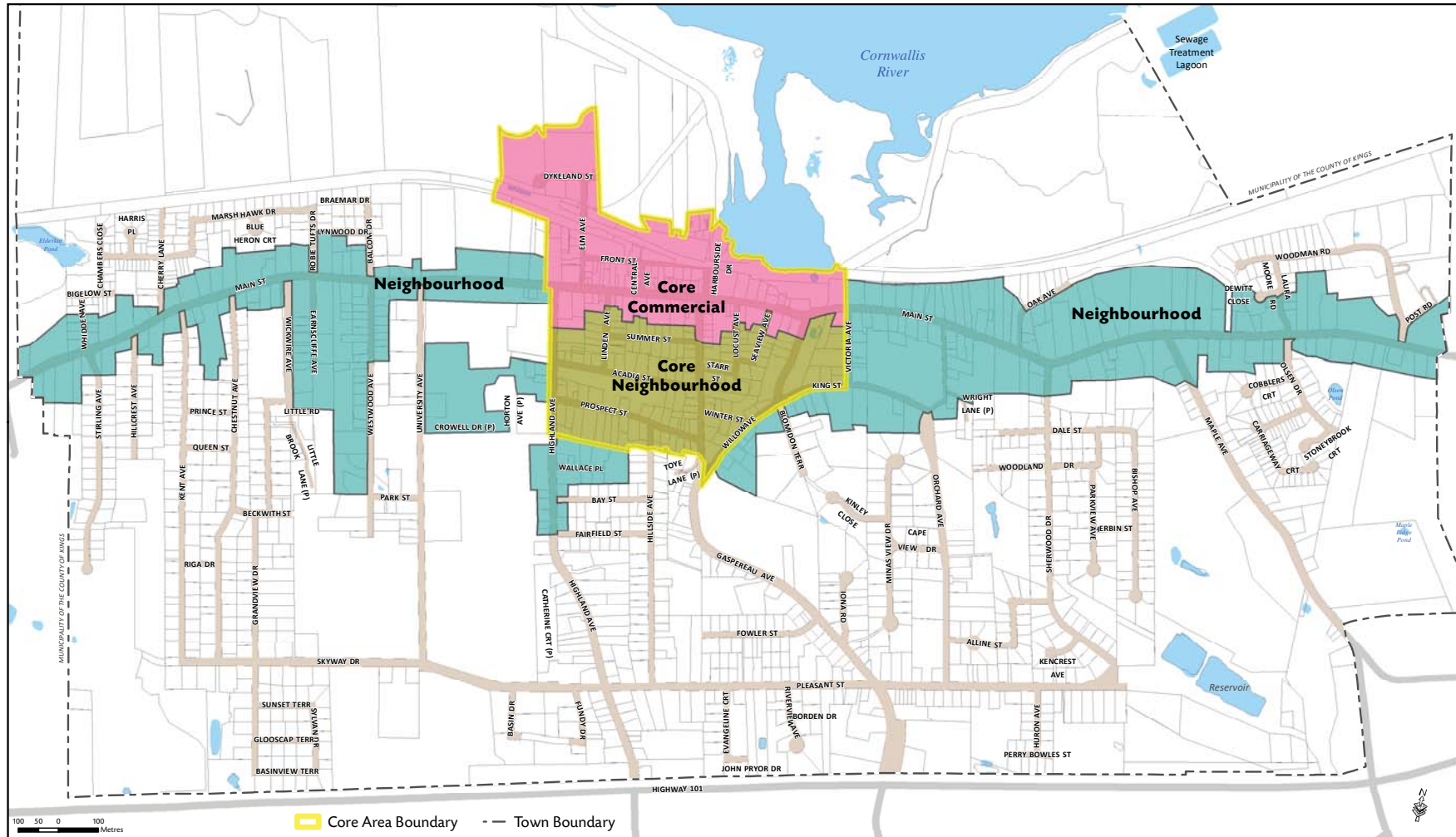
SUSTAINABILITY & RESILIENCE:

Sustainable urban design provides greater connectivity for pedestrians, cyclists and public transit users to reduce fossil fuel use and encourages the preservation of existing buildings as a method to retain carbon investment in their creation, reduce energy use and locate new builds in areas of existing services and infrastructure.

An aerial photograph of a town, likely Wolfville, showing a mix of residential and commercial buildings, streets, and green spaces. The text "DESIGN AREAS" is overlaid in large, white, sans-serif capital letters across the center of the image.

DESIGN AREAS

3.0 Design Areas



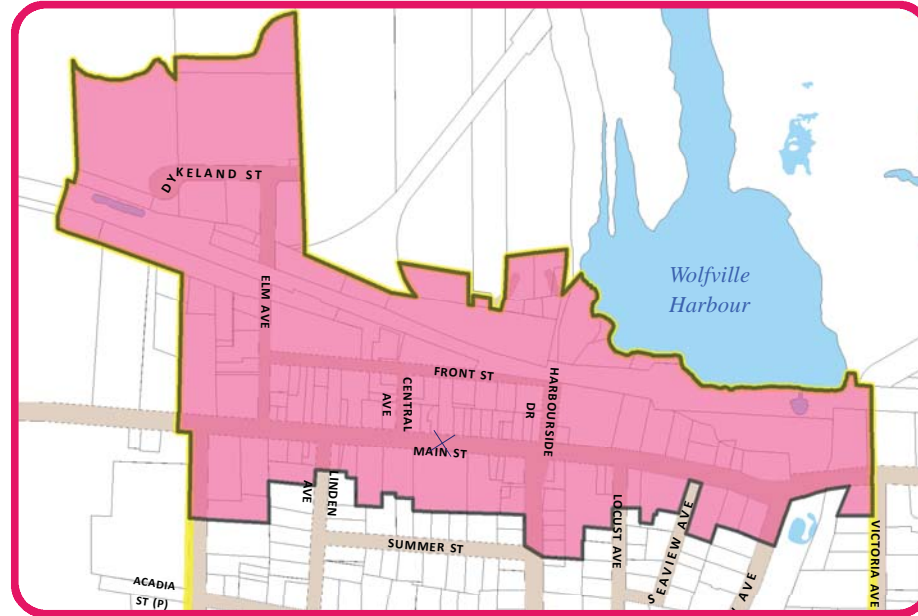
3.1 Core Commercial

3.1.1 CHARACTERISTICS + OPPORTUNITIES

- Consistent building wall at street edge;
- Ground floor commercial uses;
- 1-3.5 storeys in height;
- Large windows at street level;
- Opportunity for redevelopment, additions, and large-scale buildings;
- Opportunity for adaptive reuse;
- Pop-up markets and sidewalk cafes; and
- Opportunity to create sense of “arrival”.

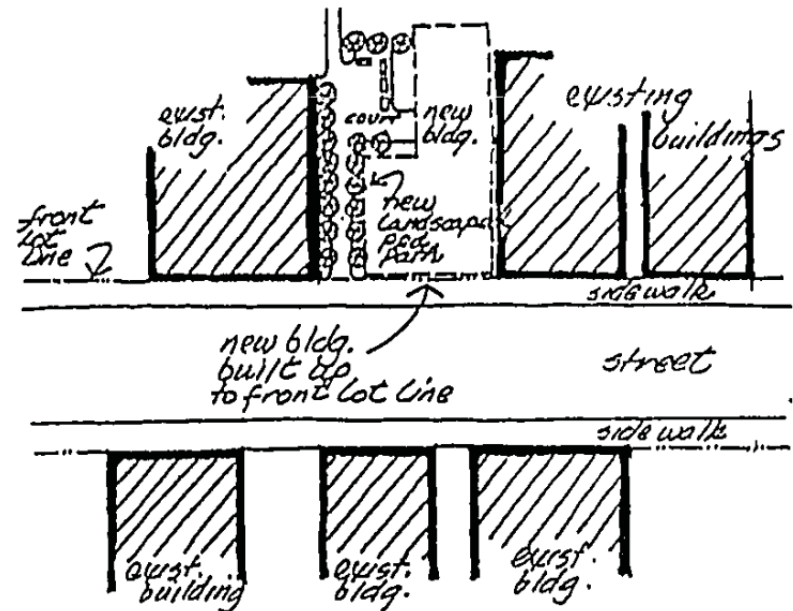
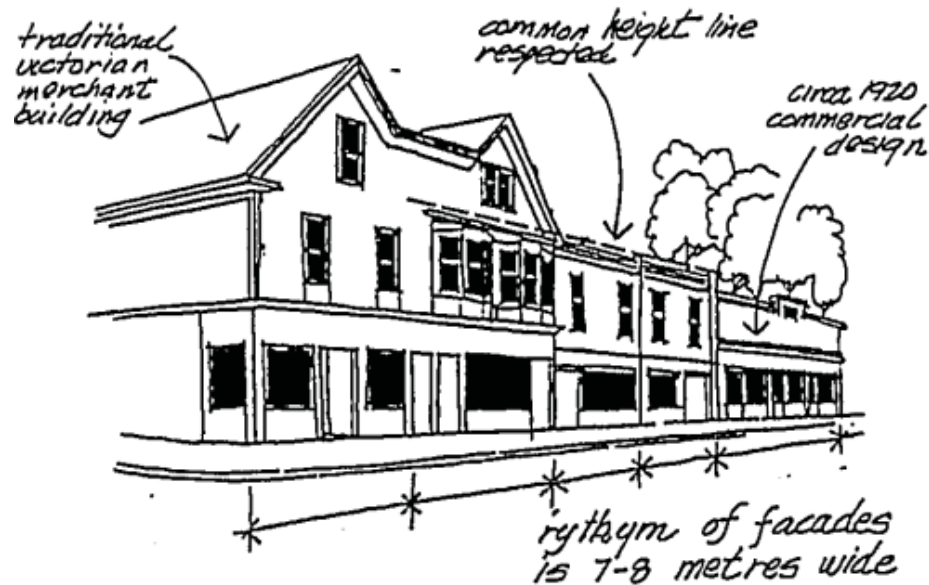
3.1.2 URBAN DESIGN PRIORITIES

- Orient buildings to further define the streetscape and reinforce the street wall;
- Use inner side yards for patios, informal seating, pedestrian connections and public art;
- Provide views and access to the harbour, Dyke-lands, Harvest Moon Trail;
- Include commercial uses which animate street-life within the first two floors;
- Increase density by including residential uses on the second floor and above;
- Extend streetscaping improvements throughout this area; and
- Preserve existing structures where possible.



3.1.3 BUILDING FRONTAGE AND SETBACKS

- New buildings should reflect the local spatial arrangement and separation distances of the existing street wall.
- New development should reflect the existing streetwall height, through building height or building setbacks.
- New buildings and major additions should be constructed to the front lot line.
- Orient and position buildings to define the streetscape on public streets and internal driveways to assist in creating active pedestrian environments.
- Large side yards in the streetscape should be avoided as they can create undesirable gaps within the streetscape.



3.1.4 PARKING LOT LOCATIONS

- To preserve a continuous street frontage, the amount of lot frontage occupied by parking should be minimized.
- Wherever possible, locate surface parking areas behind buildings and screened from the view of the public realm.
- Parking areas should be organized into small bays, rather than large surface lots.
- If surface parking must be located at the front of the lot, the parking lot should not occupy more than 30% of the lot frontage.

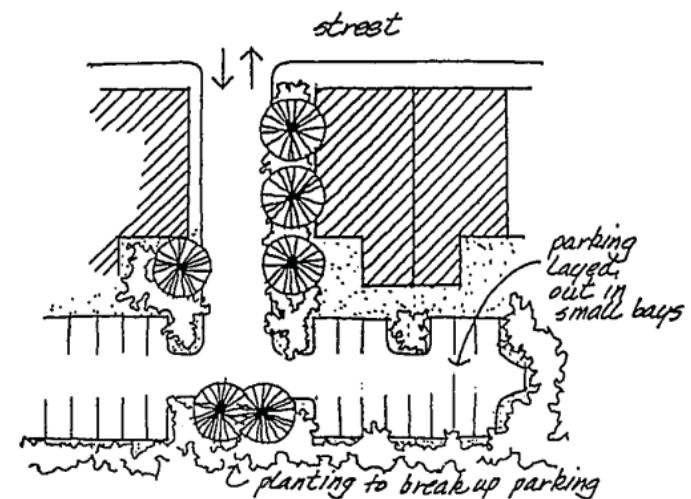
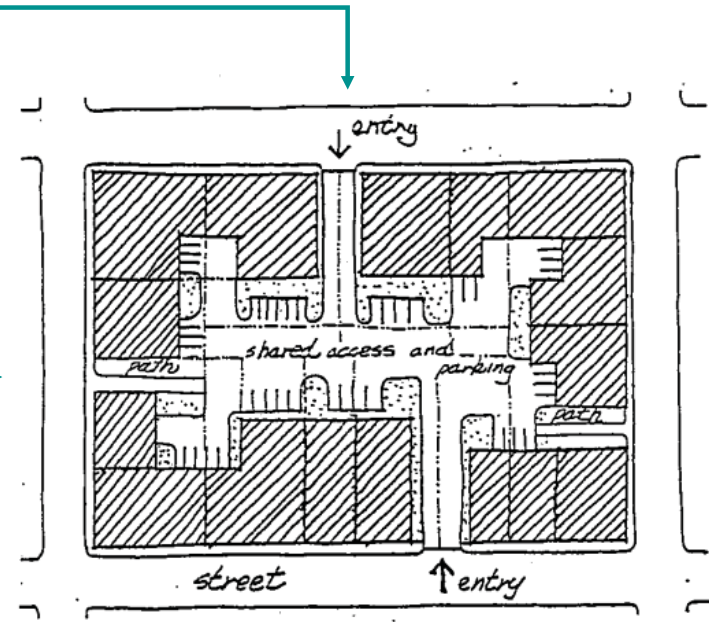
3.1.5 PARKING LOT ACCESS

- Rear lane access to parking amenities is preferred with the number of vehicular entrances held to a minimum. Vehicular access shall be from an alley or mid-block connection on a connecting street.
- Curb cuts and vehicular entries should be limited to the minimum width required.
- Parking and loading access should be shared where feasible.
- Entrances to underground parking should be located behind buildings.
- Incorporate direct barrier-free and convenient pedestrian circulation routes within surface parking lots.
- Accessible parking spaces should be available in close proximity to barrier-free access ways.

Rear lane access to parking amenity with vehicular entrances held to a minimum.

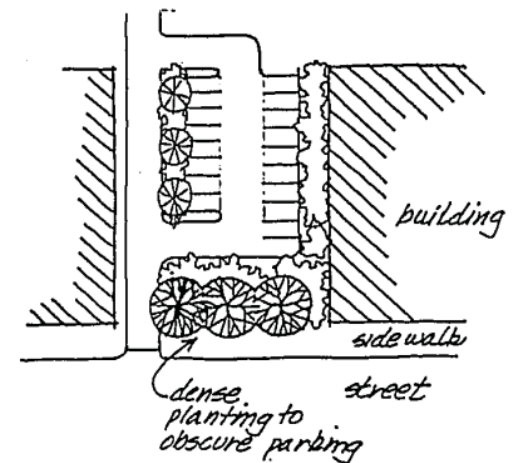
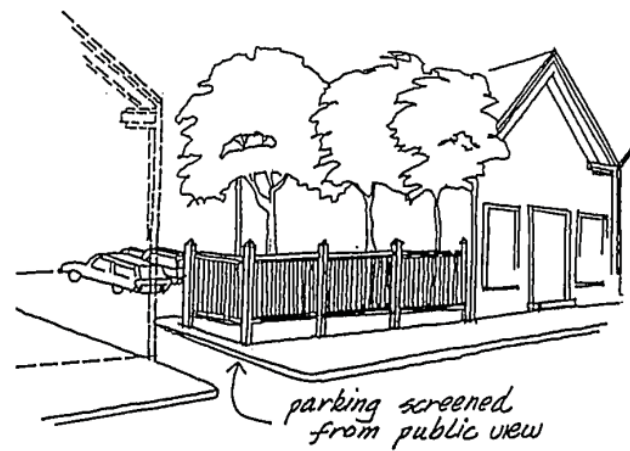
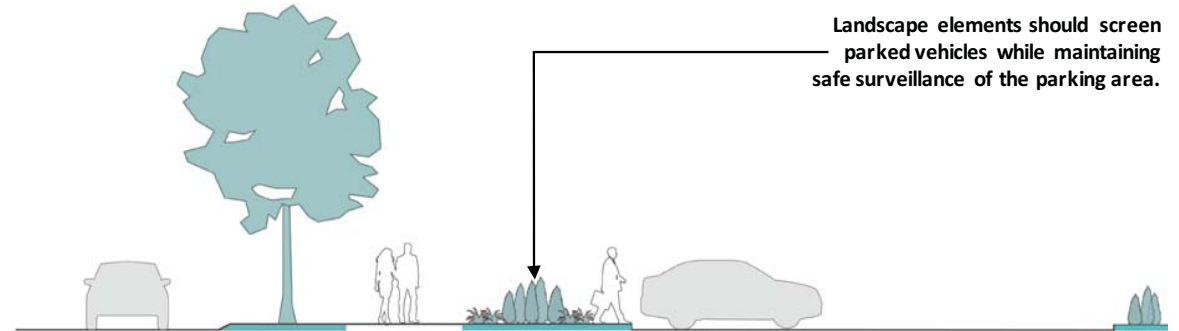
Barrier-free and convenient pedestrian circulation routes to parking locations from public sidewalks.

Surface parking located behind building and screened from the public realm.



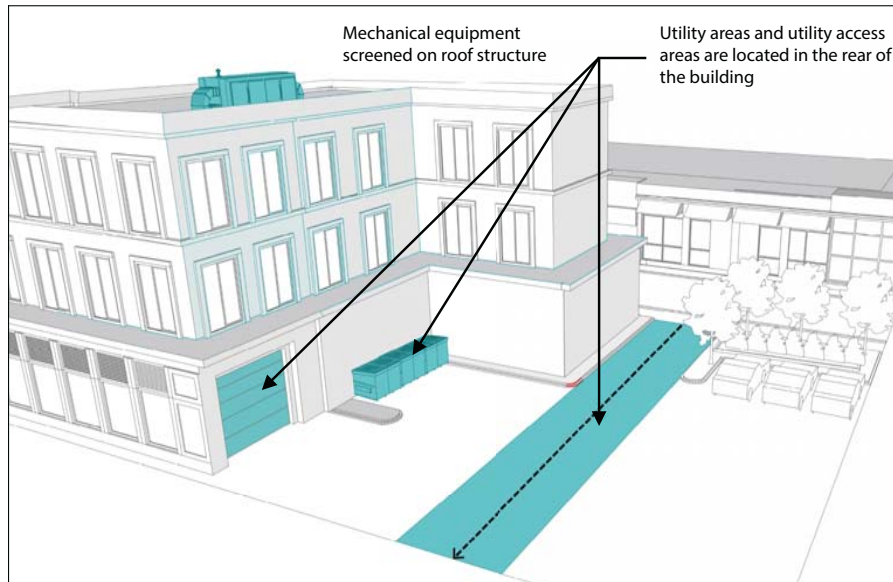
3.1.6 PARKING LOT SCREENING

- Provide a minimum 3m wide landscaped buffer along the entire edge of the parking area for screening.
- Design landscaped areas that continuously screen parked vehicles visible from the street through the use of hedges and low level planting.
- The landscape buffer and/or screening shall be decorative and support the streets existing character.
- Ensure landscape elements are low enough to allow visual surveillance of the parking area.
- Where applicable, apply irrigation.



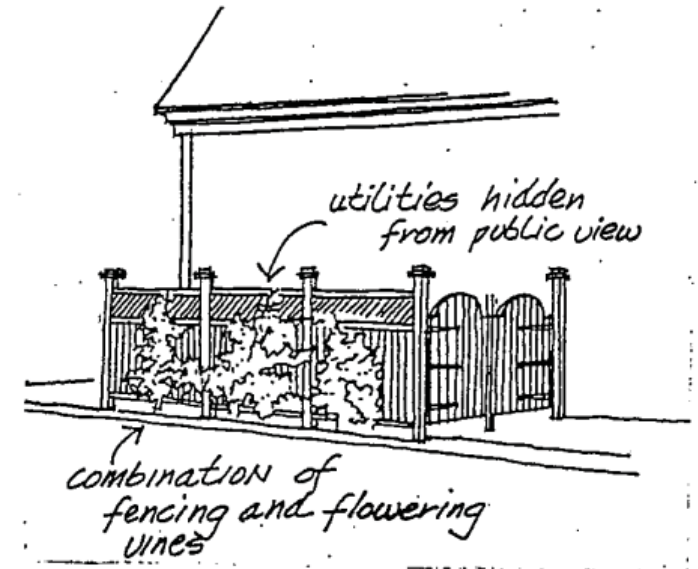
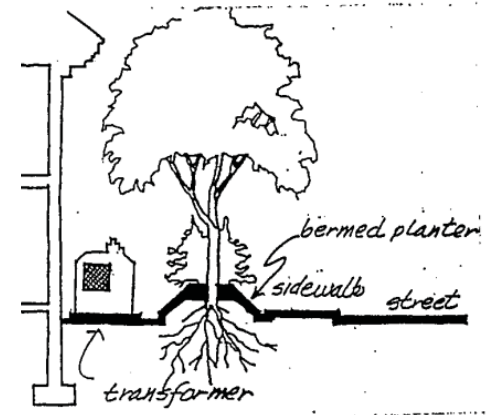
3.1.6 REFUSE AND UTILITY AREAS

- Service bays, utilities (hydro transformers, utility meters, HVAC equipment, etc) and storage yards should be located at the side or the rear of the building.
- Mechanical equipment should be contained within the roof structure. Where this is not possible, the penthouses should contain the equipment and be obscured from public view.
- Garbage and recycling bins should be stored internally wherever possible. Any exterior garbage and recycling should be located in the rear or side of the building contained within a garbage enclosure.



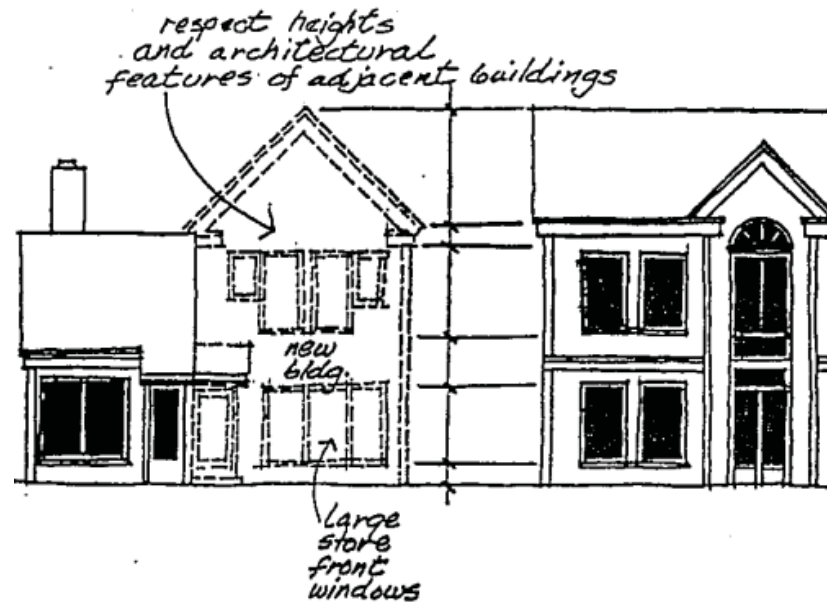
3.1.7 FENCING AND NOISE WALLS

- In the downtown area fences should be avoided unless used to mask parking and utility areas. If fences are necessary, they should be set back from lot lines so as not to block vision of pedestrians and vehicles. Fences should be limited to 1.75 metres in height to relate to the pedestrian scale.
- Noise walls are strongly discouraged. If the noise wall is necessary screen the noise wall with decorative planting.



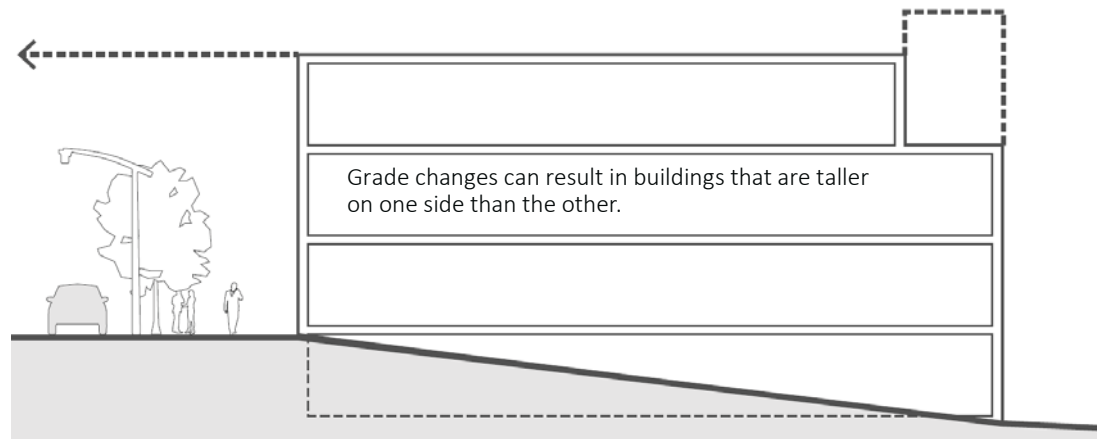
3.1.8 BUILDING HEIGHT

- Building height within Wolfville's Core area shall be no more than 4 stories may be ____ by Development Agreement.
- Sites with a change of grade should not be limited as long as the street-facing façade and massing adheres to these guidelines and overall height (see Illustration below, right).
- The floor-to-floor height of the ground floor should be 4.5 metres to encourage retail usage at grade.
- Common height lines of adjacent structures should be respected so that new construction can blend within the existing streetscape.



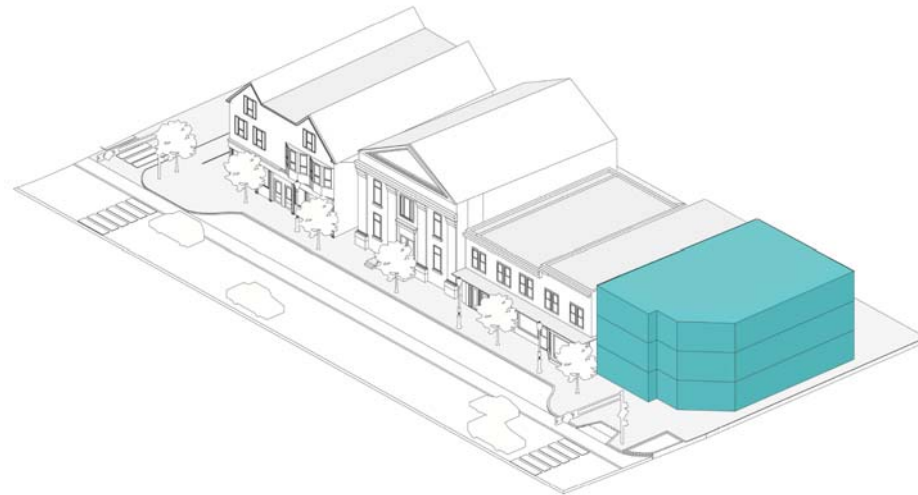
3.1.9 BUILDING MASSING

- If new development exceeds the height of adjacent buildings, setbacks will be used for an appropriate transition of scale.
- Front façade setbacks should be a minimum of 3.5 metres and reference the average cornice line of adjacent buildings.
- Ensure an appropriate transition of building heights by providing a maximum angular view plane of 45 degrees.



3.1.10 CORNER BUILDINGS

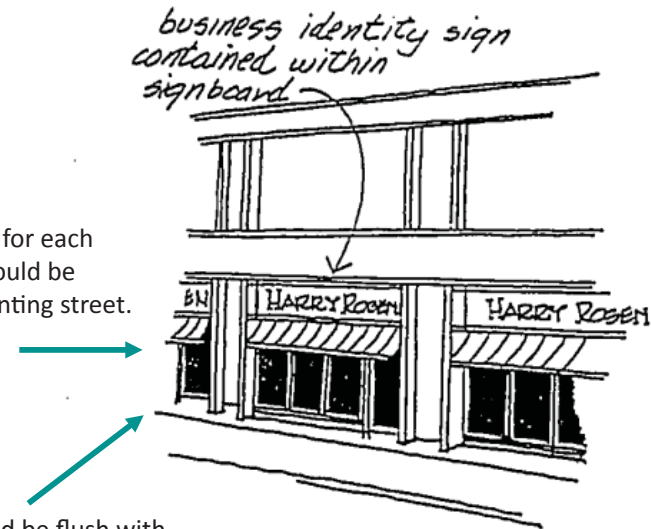
- Use corner building developments to frame existing retail streets using additional height and appropriate setbacks.
- Within a corner condition, building massing should address both frontages through expressive architectural features.
- Use height variations in portions of the massing to emphasize building entrances and architectural features and create visual cues for site orientation.
- Locate and design corner gateway developments to terminate important visual axes.
- Incorporate vertical elements, expressive massing and architectural features to accentuate the corner.
- On corner sites, respond to the setback pattern and alignment of neighbouring buildings on both streets.
- In corner conditions, commercial uses on the ground floor should wrap the corner to provide continuous shop frontage.



3.1.11 COMMERCIAL GROUND FLOOR TREATMENTS

- Ground floor space shall be designed to accommodate retail, professional office, and other uses permitted in the Land Use By-Law.
- The primary entrance for each street-level tenant space should be provided from the fronting street.
- The tradition of approximately 75% of the wall surface being occupied by windows should be respected for the principle façades at the ground floor level.
- Buildings should have a minimum ground floor height of 4.5 metres, measured floor-to-floor from average grade.
- For active commercial and retail uses at grade include transparent glazing 0.5 metres above grade and at least 2.5 metres in height.
- In corner conditions, where active uses are required, commercial or office uses should wrap the corner.
- Avoid minimizing retail views and frontage with large columns and building extrusions.
- Ensure retail entrances are located at or near grade. Avoid split level, raised or sunken retail entrances.

The primary entrance for each street-level tenant should be provided from the fronting street.



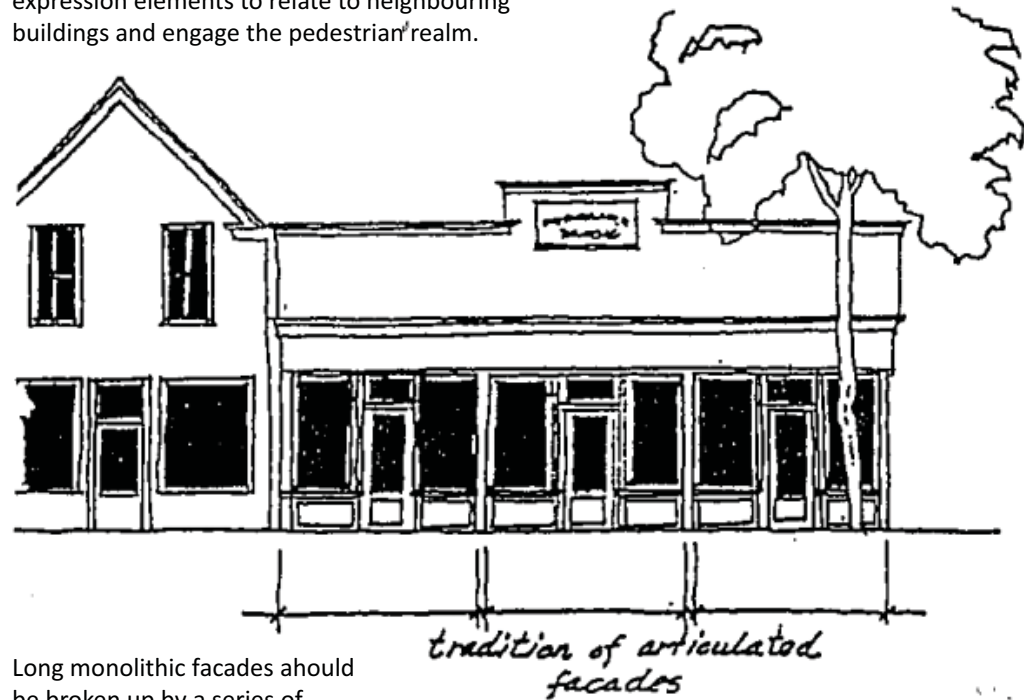
Retail entrances should be flush with grade or provide a slope for barrier-free access.



3.1.12 FACADE

- Building façades should be designed with a variety of architectural elements including wall planes and roof lines, human scale proportions, large windows and porches/entryways.
- New construction should respect the traditions of first floor base lines, large storefront windows, recessed entries, and vertical window orientation on the second and third floors.
- Provide architectural expression and design elements such as cornice lines, window bays, entrances, canopies and fenestration in pattern, scale and proportion that relate to neighbouring buildings and engage the pedestrian realm.
- Common height lines of adjacent structures should be respected so that new construction can blend within the existing streetscape.
- Long monolithic façades should be avoided with a maximum horizontal width of 7-8 metres wide. If the façade exceeds 7-8 meters include a series of bays defined by vertical elements such as changes in materials, building projections, columns or other vertical architectural elements.

Include vertical window orientation and architectural expression elements to relate to neighbouring buildings and engage the pedestrian realm.



Long monolithic facades should be broken up by a series of vertical architectural elements and projections.

3.1.13 WINDOWS AND DOORS

- Window placement, size, material and style should help define architectural style and integrity.
- Windows should be recessed from the exterior building envelope.
- Ground floor glazing should be transparent and non-reflective.
- Above the ground floor glazing should have the minimum reflective coating needed for energy efficiency standards.
- New construction should include large storefront windows and recessed store entries.
- Barrier-free building entrances should be provided within new construction.
- Architectural treatments may include the use of prominent sills, mouldings, over boxes, soldier courses, and/or shutters.

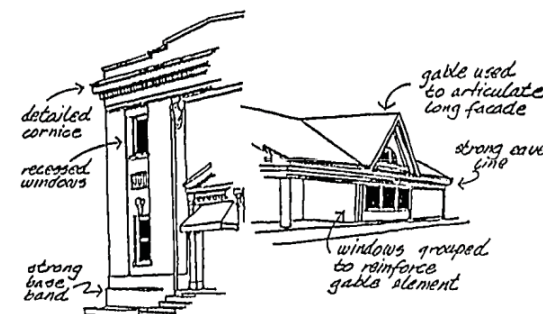
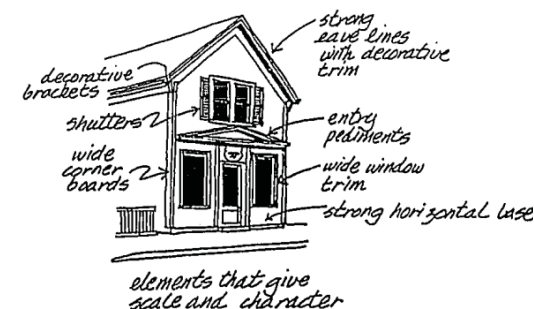


3.1.14 EXTERIOR FINISHES

- Materials should be varied from building to building to help create diversity and reduce scale.
- The preference is for use of traditional materials such as wood, brick or stucco.
- Vinyl Siding, plastic, plywood, tinted and mirrored glass, and metal siding are strongly discouraged.

3.1.15 COLOUR USE

- Colour use should complement colour palettes from adjacent buildings and public spaces.
- Where applicable, preferably on architectural features such as window frames, door frames, shutters, cornice and other mouldings, use vibrant colour accents to create visual interest.



3.1.16 BALCONIES

- Along commercial/retail street frontages, avoid projecting balconies on the front façade of the building.
- Avoid balcony arrangements which increase the visual building mass substantially.
- Wrap around balconies are generally discouraged.
- Inset or partially inset balcony arrangements which are integrated into the façade of the buildings are preferred.
- Minimize visual impact through the use of clear glazing.



3.1.17 HERITAGE

WINDOWS AND DOORS

- The original windows and doors should be repaired and enhanced if possible. If they must be replaced, the new windows and doors should replicate the existing configuration and materials used in the original construction.
- The proportion of glazing areas in heritage infill should respect the pattern of windows of its neighbouring buildings

CORNICES

- Cornices and roof lines should be repaired using similar materials to the original structure.
- Cornices of neighbouring buildings should be mirrored or referenced in new construction.

MATERIALS

- Repairs and renovations to existing heritage buildings should use the same or similar materials to the original structure.
- Complimentary accent materials include: steel, copper, glass and painted or unpainted wood.
- Materials that should be avoided are: stucco, vinyl siding, exterior insulation and highly reflective or tinted glass.

- Infill buildings should respect the neighbouring historic material uses by using similar or complimentary materials in construction.
- Historic materials in the Core Commercial Area include: brick, wood detailing, wood siding, and stone.



3.1.18 SUSTAINABLE DEVELOPMENT PRACTICES

- Buildings should be sited to minimize the destruction of existing vegetation.
- Building improvements to the site should minimize the disruption to topography
- Preservation or adaptive reuse of existing buildings should be prioritized.
- Include greater connectivity for pedestrians, cyclists and public transit users.
- Green building technologies and materials are strongly encouraged in new construction
- Green roofs, reflective roof surface materials, and trees are encouraged to avoid heat island effects.
- Include water catchment and filtration in landscaping elements to improve stormwater collection in the urban center.
- Site design should minimize surfaces which are impervious and use porous pavement and landscaped areas to decrease water runoff.
- Trees and coniferous shrubs should be provided to adjacent sidewalks, pedestrian walkways and throughout parking areas

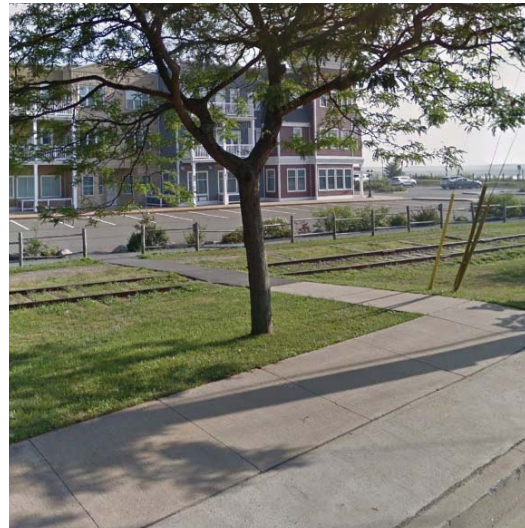
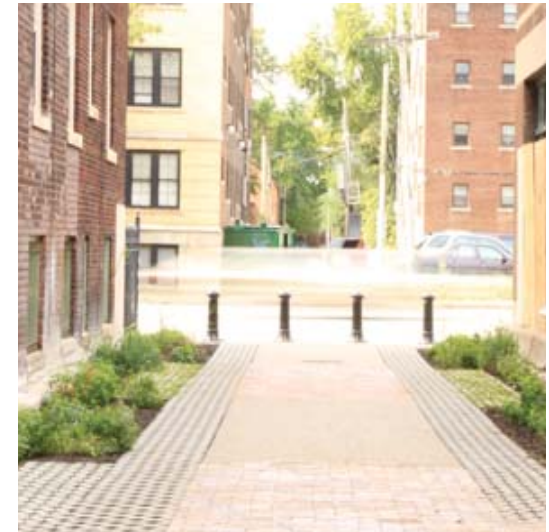
3.1.19 BICYCLE FACILITIES

- Parking areas for bicycles which do not interfere with pedestrians are preferred.
- Place bicycle parking facilities in highly visible areas close to transit stops, building entrances, and major public spaces.
- Larger developments should include on-site bicycle parking which should be placed in a highly visible location near the main entrance of the building.
- Allocate bicycle storage indoors if applicable



3.1.20 PEDESTRIAN ACCESS AND WALKWAYS

- Barrier-free access from the building entrance to the public sidewalk shall be provided.
- Pedestrian amenities such as linkages to parking lots and significant streets, gardens and Main Street are highly encouraged.
- New construction should maintain existing pedestrian walkways and linkages in the existing fabric.
- When building frontages are set back from the site line, a change in paving should indicate pedestrian friendly and barrier free access to the building entrance.



3.2 Streetscaping Guidelines

3.2.1 CHARACTERISTICS + OPPORTUNITIES

- Commercial and recreational activity in the core area is dependent on pedestrian scale streets which support business and provides access to all modes of transportation including:
 - pedestrians,
 - cyclists,
 - public transit, and
 - motorists.
- Streetscapes should be designed to make travel safe and comfortable for all users and to encourage environmentally friendly methods of travel.
- The Streetscape Design Guidelines are based on general best practices to provide guidance on future streetscape improvements.



3.2.2 SIDEWALKS AND CROSSWALKS

- Walkability is a key to vibrant and active downtown cores. Streets should facilitate and encourage pedestrian movement and are vital to creating a safe and healthy environment in the core area and throughout Town.
- Provide continuous, unobstructed, and barrier-free sidewalks on both sides of a street.
- Incorporate traditional paving materials, such as standard concrete, for the majority of the sidewalk surface treatments. Incorporate non-traditional paving material to signify special locations, assist in wayfinding and to denote pedestrian priority routes.
- Barrier-free crossings and traffic calming are encouraged where appropriate.
- Street crossing should incorporate curb ramps and extend sidewalk materials to indicate a pedestrian friendly zone and encourage traffic calming.
- Tree branches should be elevated 2.0 metres above the pedestrian zone.



3.2.3 STREET TREES AND LANDSCAPING

- Wherever possible, plant trees along both sides of all streets. Position street trees to avoid conflict with pedestrian and vehicular movement as well as underground utilities. Trees should be placed between the sidewalk and the road.
- Screened buffers in the form of low level planting, berms and walls should be used to screen parking and utility areas from the public view.
- Where possible select street trees which are native and non-invasive and well suited to urban conditions.
- Provide street trees with regular spacing to a continuous street tree canopy.
- It is encourage to maximize on-site storm water in filtration, capture and reuse through landscaping elements.
- Wherever possible, include permeable or porous paving materials such as joint pavers, pre-cast turf grid units and porous concrete/asphalt.



3.2.4 STREET FURNITURE

- Incorporate site furnishings along pedestrian connections to provide amenities at convenient and comfortable locations.
- Select site furnishing which compliment and coincide with the adjacent streetscape elements.

3.2.5 LIGHTING

- The intensity and location of light for parking and pedestrian areas should be at the minimum necessary to provide safe and visible spaces.
- Ground oriented pedestrian scale lighting along pedestrian walkways is strongly encouraged.
- Installing energy efficient pedestrian-scale lighting with shielded fixtures and automatic shut-off devices are preferred.
- Warm lighting colours are encouraged.
- Coordinate the placement of lighting with landscaping elements to avoid the screening of illumination and shadow effects.
- Enhance significant façades and important public elements with accent lighting.
- Ensure the height and placement of the lighting standard prevents glare and light spillage into adjacent properties.



3.2.6 STREET RETAILING AND PATIOS

- Design and construct patios and outdoor retail displays to be compatible with the surrounding streetscape elements and architectural qualities of surrounding buildings.
- Patios and street retailing should not obstruct the sidewalk clearway or vehicular movement.
- Maintain barrier-free access for persons with disabilities.
- Patio fencing should not exceed 1.6 metres in height.

3.2.7 AWNINGS AND CANOPIES

- Incorporate canopies and awnings on building façades and umbrellas within patio spaces to provide protection from inclement weather.
- Coordinate pedestrian weather protection with neighbouring buildings shelter and continuous visual patterns.
- In general, locate weather protection at the first floor (6 meter maximum) and provide a width of three metres.



3.2.8 PUBLIC ART

- Public art installations can provide orientation, vibrancy, identity, interest and a sense of place for residents and visitors when placed in prominent locations.
- Select locations that will best showcase the installation including culturally significant sites, gateway location, public gathering spaces, highly visible locations and significant redevelopment sites. Views to significant public art should be preserved and enhanced within new development and streetscaping.
- All mediums of public art should be incorporated into public spaces including sculpture, frieze, murals, canopies, surface treatments and other means of design reinforcement.



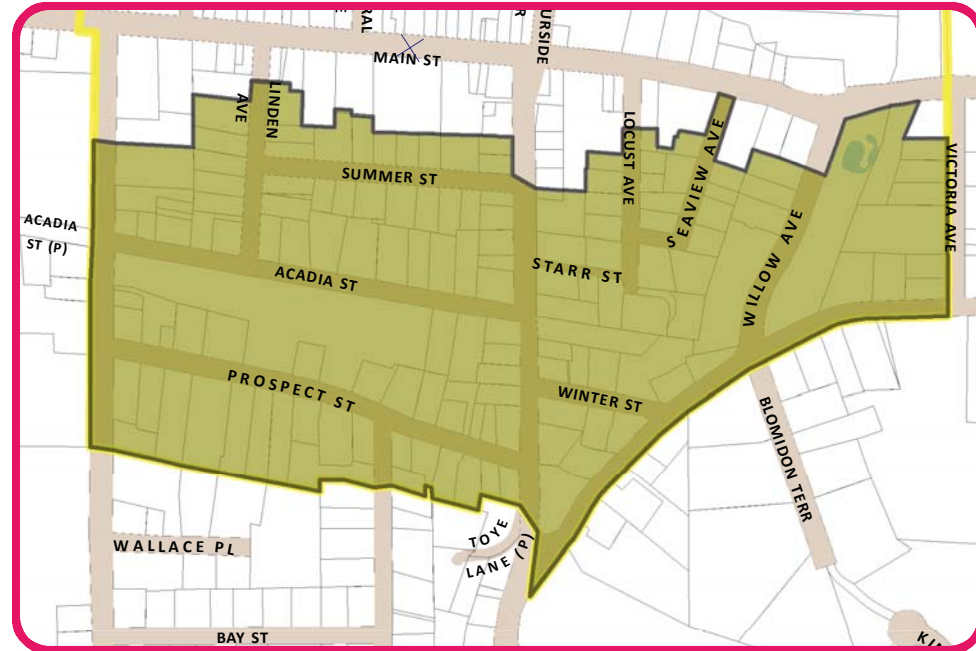
3.3 Core Neighbourhood

3.3.1 CHARACTERISTICS + OPPORTUNITIES

- Setbacks are reduced near Walking distance to downtown.
- Numerous street trees.
- Varying setbacks.
- Small or no front yards.
- Opportunity for redevelopment and additions.
- Heritage Character buildings.
- Ideal for future infill development and live/work.

3.3.2 URBAN DESIGN PRIORITIES

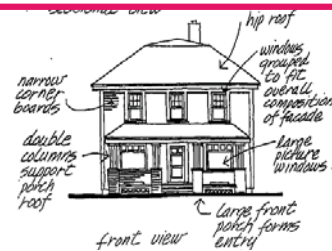
- Orient and position buildings to further define the streetscape and reinforce the existing street wall.
- Porches and verandas to enhance sense of community with “eyes on the street”.
- Seek opportunities to provide views to the harbour.
- Increasing density with smaller lots and more compact development.
- Small apartments or row-houses.
- Extend streetscaping improvements where infill most likely.



Styles of Historic Homes in the Core Area



Queen Anne Revival



Modified Queen Anne



Classical Revival

3.3.3 INFILL

- Design infill buildings to be good neighbours by minimizing shade, shadow and overlook onto adjacent properties.
- Design buildings for durability and sustainability.
- Provide livable spaces for optimum daylight and ventilation, access to ground level private open space, and functional, efficient interiors.
- Design outdoor spaces as a valued year round asset.
- Create streetscapes that are pedestrian and cyclist friendly, contributing to well connected neighbourhoods.
- Maintain a scale of development that is compatible with neighbouring context.



3.3.4 SUSTAINABLE DEVELOPMENT PRACTICES

- Buildings should be sited to minimize the destruction of existing vegetation.
- Building improvements to the site should minimize the disruption to topography.
- Preservation or adaptive reuse of existing buildings should be prioritized.
- Include greater connectivity for pedestrians, cyclists and public transit users.
- Green building technologies and materials are strongly encouraged in new construction.
- Green roofs, reflective roof surface materials, and trees are encouraged to avoid heat island effects.
- Include water catchment and filtration in landscaping elements to improve stormwater collection in the core area.
- Site design should minimize surfaces which are impervious and use porous pavement and landscaped areas to decrease water runoff.
- Trees and coniferous shrubs should be provided to adjacent sidewalks, pedestrian walkways and throughout parking areas.

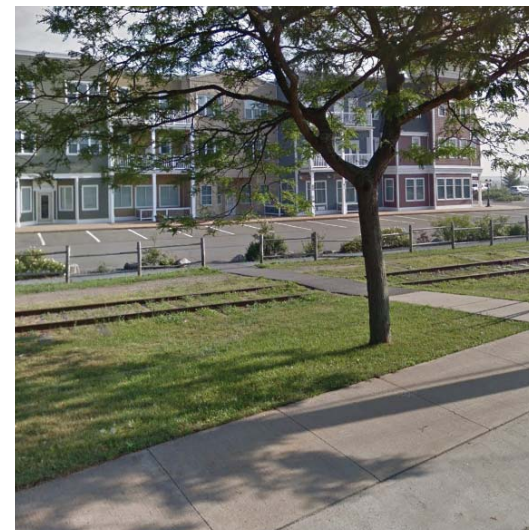
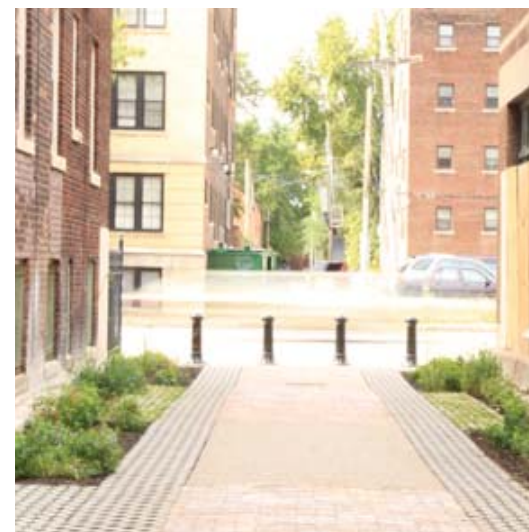
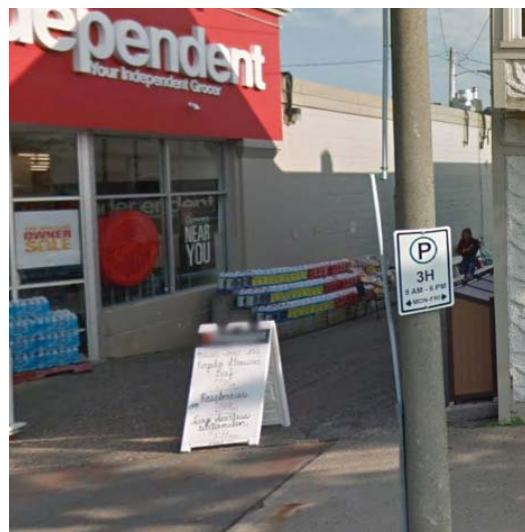
3.3.5 BICYCLE FACILITIES

- Parking areas for bicycles shall not interfere with pedestrians.
- Place bicycle parking facilities in highly visible areas close to transit stops, building entrances, and public spaces.
- Larger developments should include on-site bicycle parking which should be placed in a highly visible location near the main entrance of the building.
- Allocating bicycle storage indoors is encouraged.



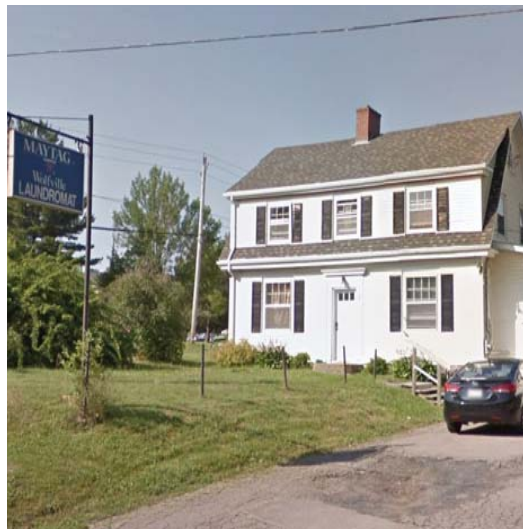
3.3.6 PEDESTRIAN ACCESS AND WALKWAYS

- Barrier-free access from the building entrance to the public sidewalk shall be provided.
- Pedestrian amenities such as linkages to parking lots and significant streets, gardens and Main Street are highly encouraged.
- New construction should maintain existing pedestrian walkways and linkages in the existing fabric.
- When building frontages are set back from site lines, a change in paving should indicate pedestrian friendly and barrier free access to the building entrance.



3.3.7 LIVE-WORK SPACES

- Clear identification of commercial use.
- Maintaining existing architecture where possible.
- Additions or alterations that create an improved pedestrian experience, such as clear entry areas, outdoor seating, covered entryway.
- Responds to existing conditions, including setbacks and landscaping.
- Hides waste facilities and mechanical units.



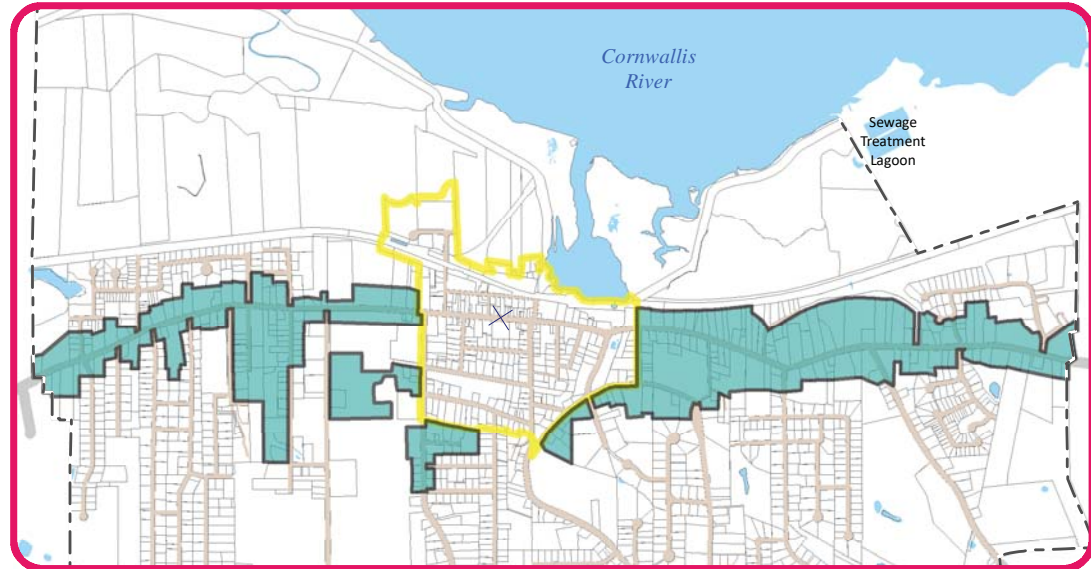
3.4 Neighbourhood

3.4.1 CHARACTERISTICS + OPPORTUNITIES

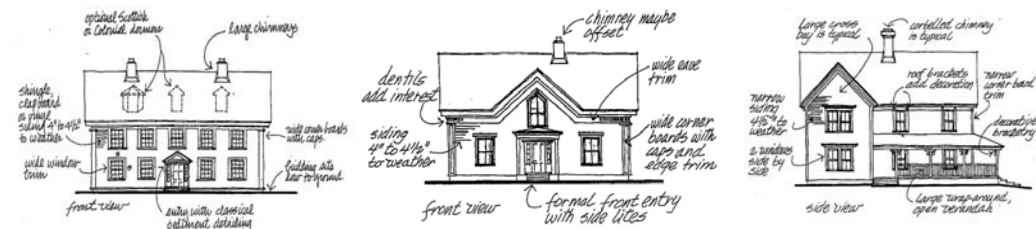
- Setbacks are reduced near Downtown.
- Setbacks are extended near edge of town.
- Mix of larger lots and Farm-style homes and small urban homes.
- 1-4 storeys in height.
- Tree lined streets.
- Landscaped front-yards.
- Opportunity for infill and addition.
- Heritage Character buildings.

3.4.2 URBAN DESIGN PRIORITIES

- Orient and position buildings to emphasize park-like setting.
- Infill or development in rear yards.
- Seek opportunities to provide views to the harbour.
- Increasing density and activity near the Core Area.
- Maintain existing buildings where possible.



Styles of Historic Homes in the Neighborhood Area

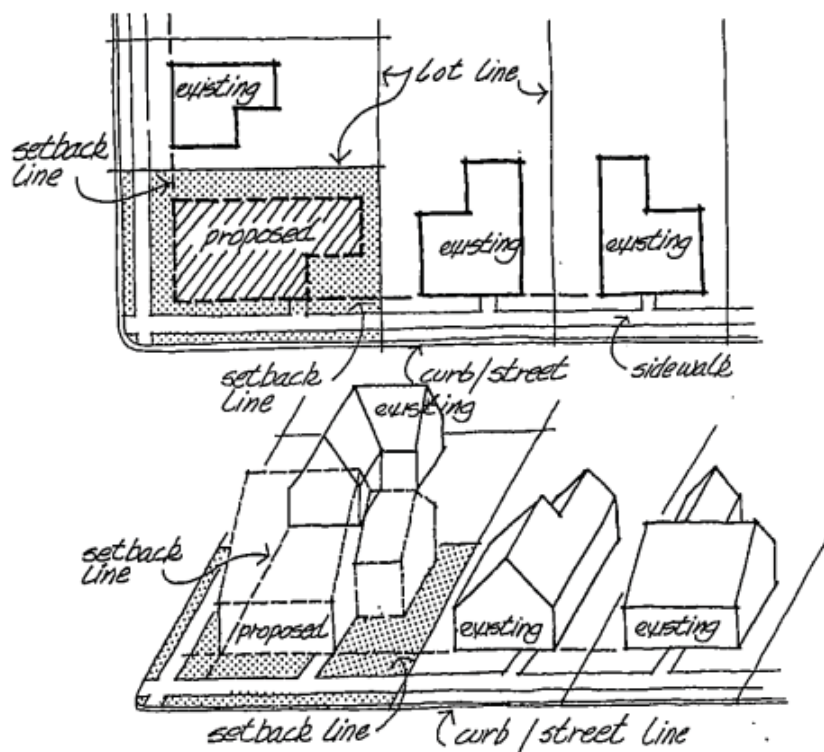


3.4.3 HOUSE SETBACK LINE FROM STREET

- Setbacks for new construction should be similar to neighbouring properties.

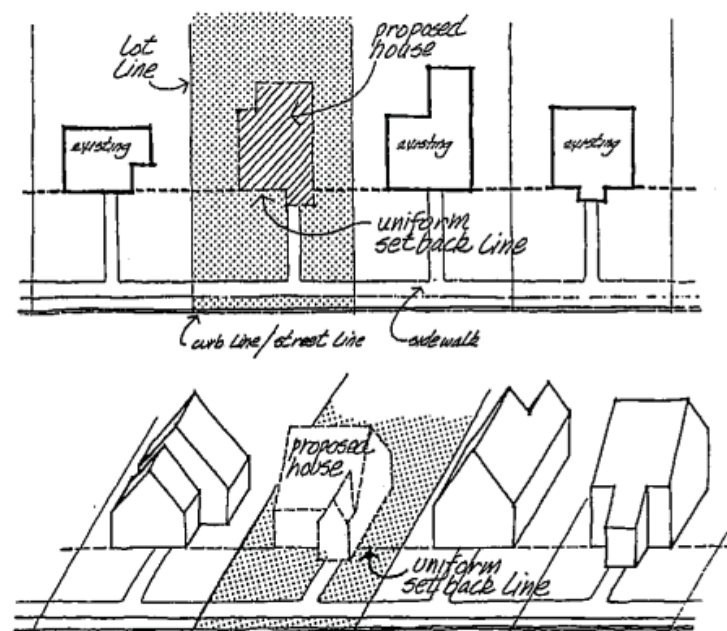
Corner Lot

(house respects adjacent setbacks of both streets)



Uniform setbacks along street

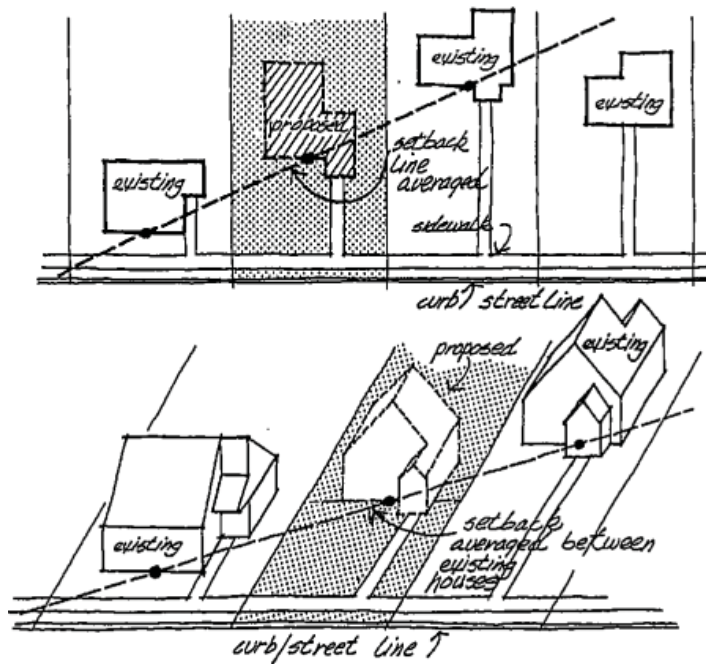
(house setback is in line with adjacent neighbours)



Staggered setbacks along street

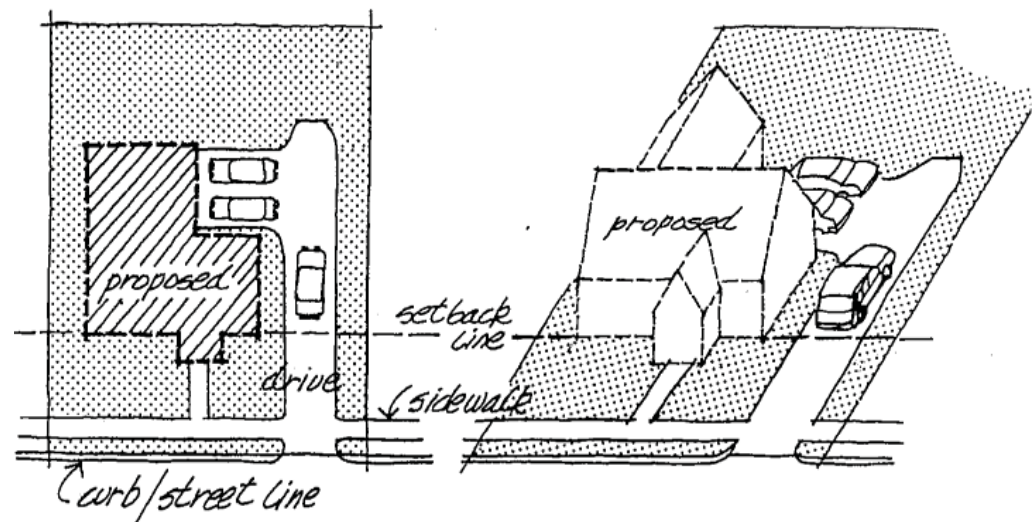
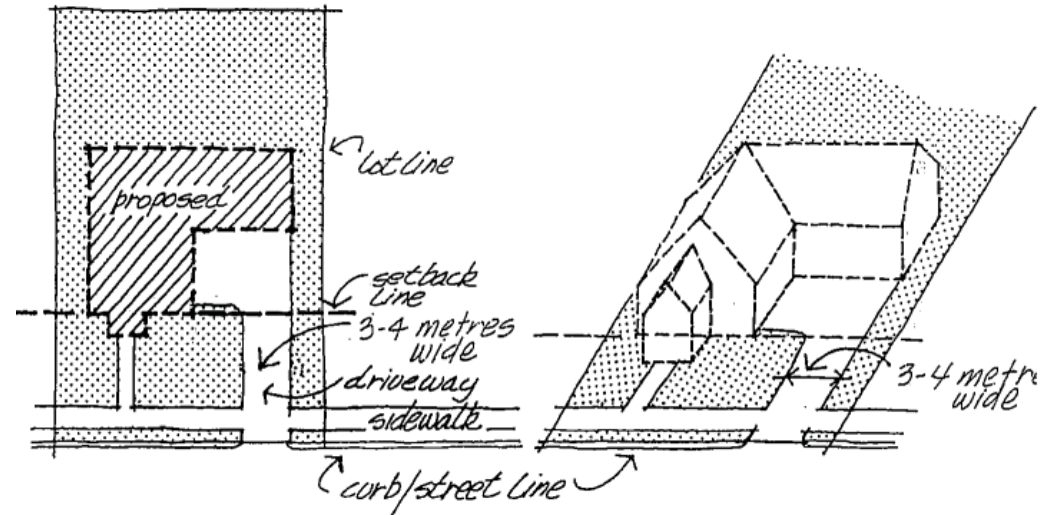
(house setback is the average of setbacks of the adjacent houses on either side)

Note: in Sub Area 2, condition 2 does not apply



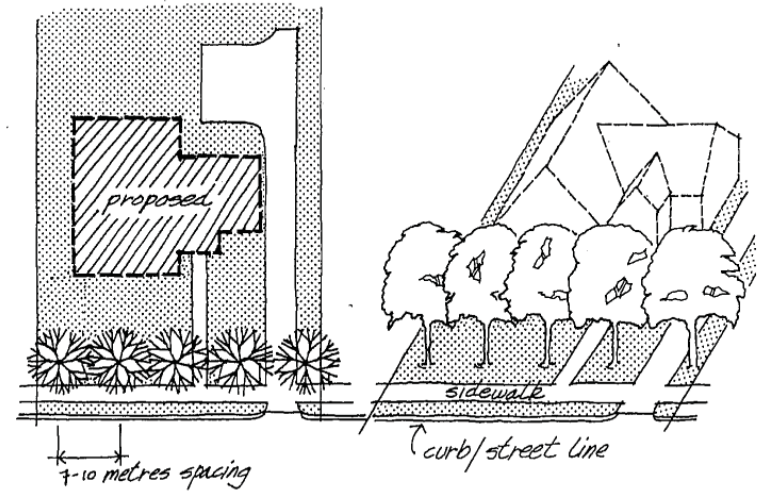
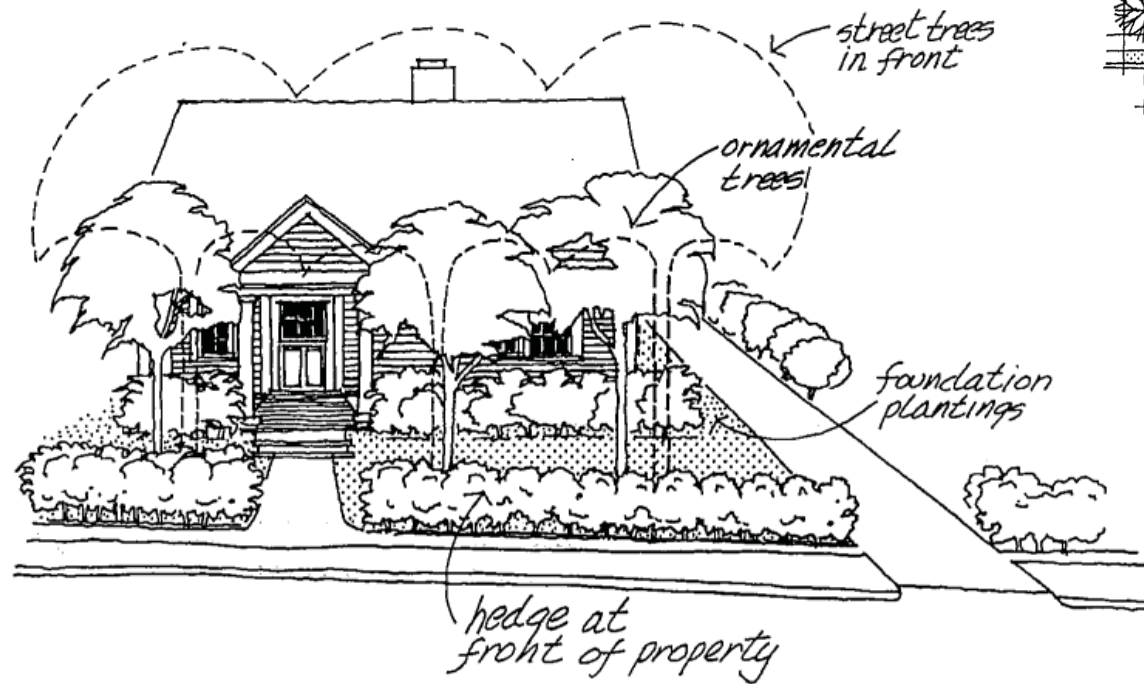
3.4.4 ACCESS & PARKING

- Long-term parking should be located in the centre or rear of the lot.
- Driveway widths should be minimized to preserve the street-edge.
- Break-up or hide parking areas with vegetation to enhance walkability.



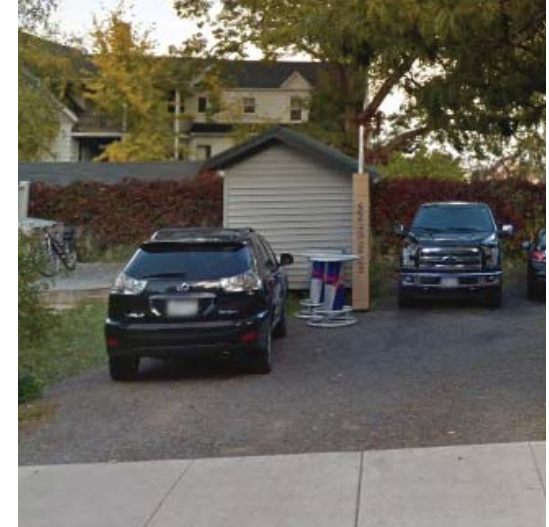
3.4.5 LANDSCAPE TREATMENT

- Front yards should be landscaped.
- Consider street-trees and foundation plantings.
- Consider regular spacing, such as 7-10 meters.
- Use hedges or shrubbery to define street edge.



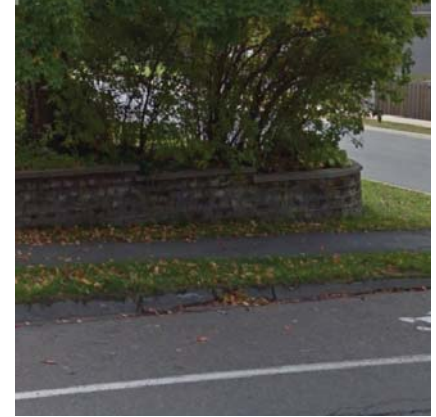
3.4.6 GARAGES & SHEDS

- Ensure the garage does not dominate the pedestrian experience.
- Consider how the garage or shed can compliment the home with high quality finishes and quality design
- Shelter prefabricated buildings with trees and shrubs.
- Consider windows in the attic of the garage or shed, where a loft or second suite can be located.



3.4.7 WALLS & CORNER LOTS

- Consider walls as the first views of your home.
- Break up walls with texture and patterns to add diversity.
- Place largest windows near street.
- Ensure your wall directs and welcomes people to your front door.
- Consider views from all sides – including from the rear of your property.





DESIGN REVIEW CHECKLIST

4.0 Design Review Checklist

The following checklist shall be considered when an applicant is subject to these guidelines. Example questions/considerations are provided, based on the Design Principals this document is based on.



CHARACTER

Does the proposed development maintain clear development patterns and continuous built form within the area? Is the existing scale and rhythm of buildings and open spaces respected?



PEDESTRIAN EXPERIENCE

Will the proposed development improve the pedestrian experience, and safety, of residents and visitors to the Town of Wolfville?



DIVERSITY

Does this proposed development increase the diversity of housing types, land uses and architectural styles within the Town of Wolfville while reflecting local values and culture? Does the edge on the street show diversity?



PATTERNS

Will the proposed development maintain or create a pattern of trees or building walls? Does it include a landscaped public sphere?



PUBLIC REALM

Does the proposed development improve the quality of the public realm and contribute to a safe and vibrant community?



SUSTAINABILITY & RESILIENCE:

Will this proposed development reduce fossil fuel use and/or contribute to low carbon community outcomes.



HERITAGE ARCHITECTURE STYLE GUIDE

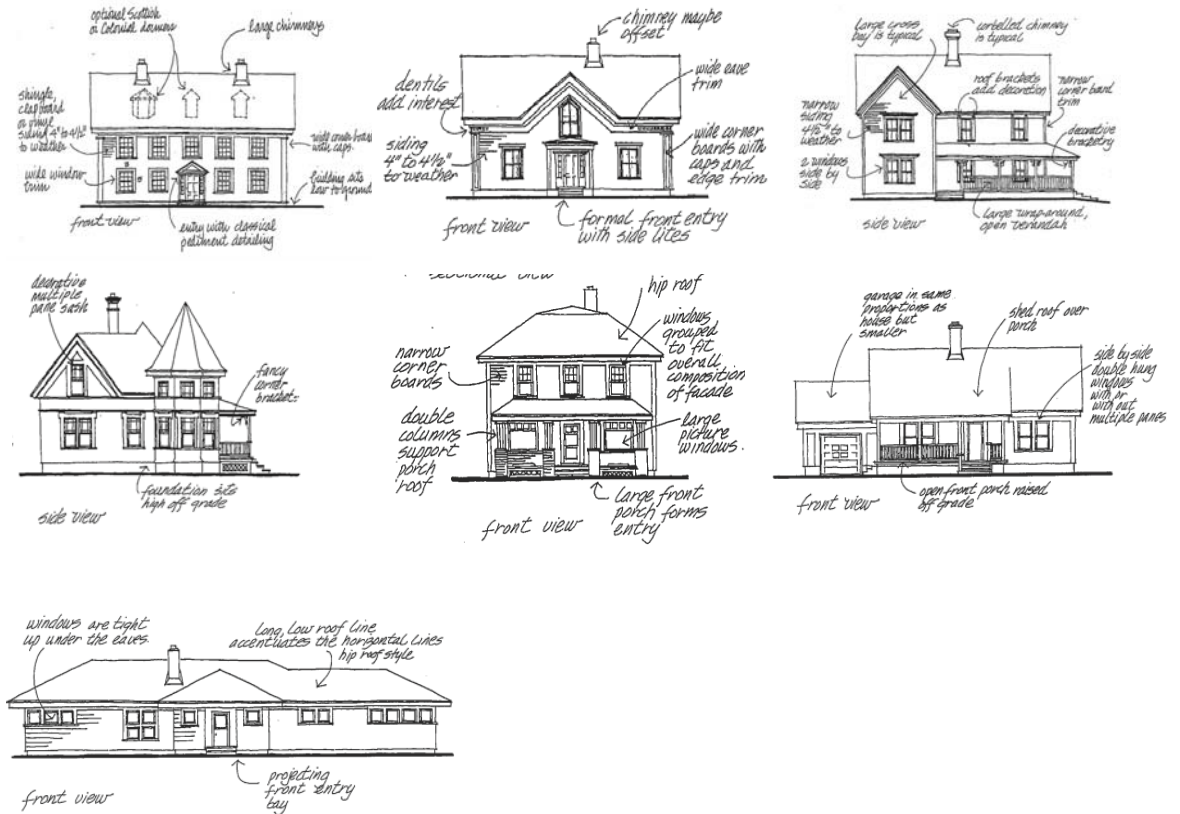
5.0 Heritage Architecture Style Guide

HISTORY OF HERITAGE

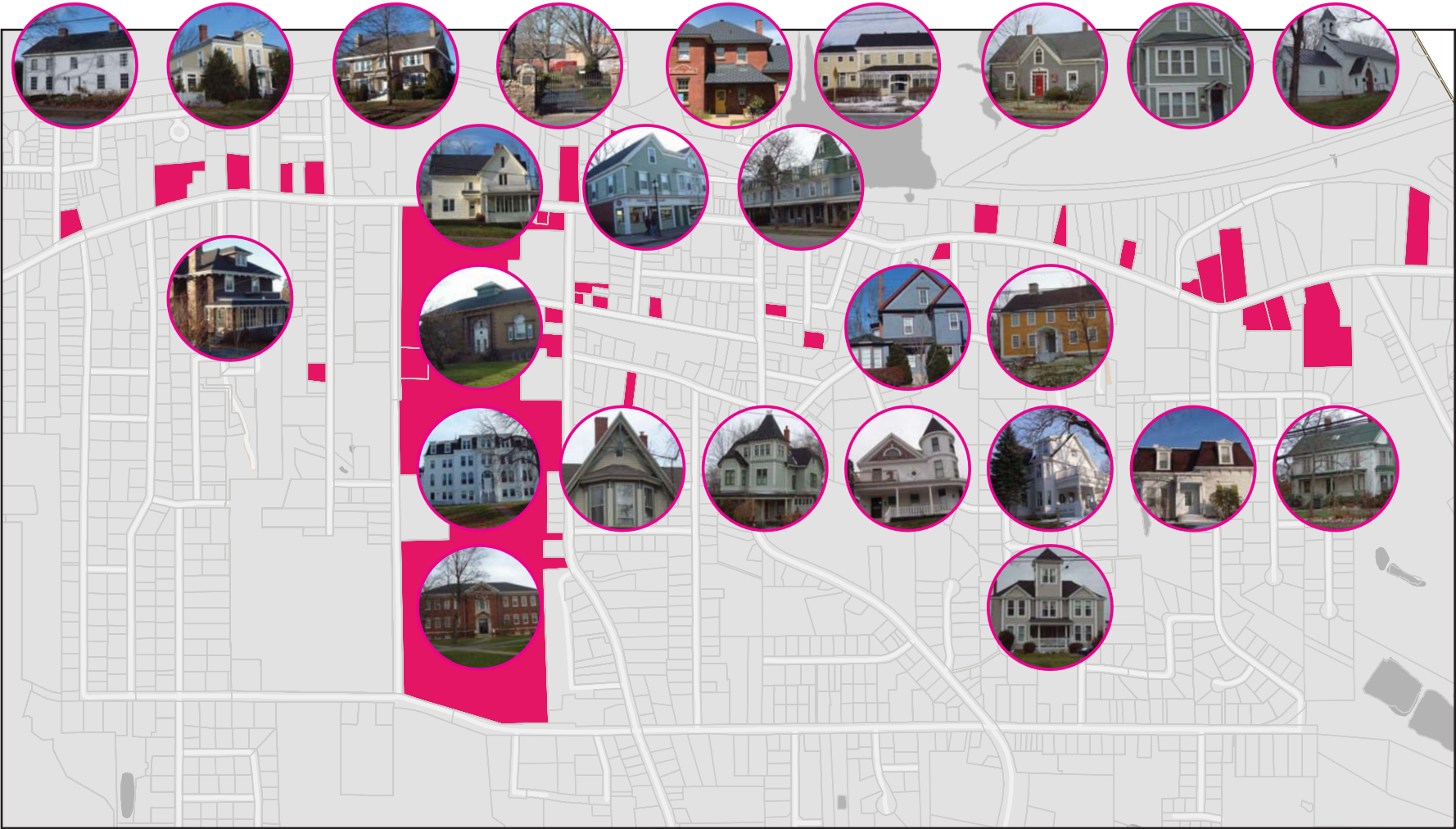
The Town of Wolfville's heritage buildings and cultural built forms are recognized as a contributor to the unique character of the Town.

The work completed for the 1992 Design Guidelines represent a wealth of community interest and knowledge of heritage forms and recognizes the diverse architectural change that occurred in Wolfville, sometimes down to the decade.

This style guide is included to educate individuals on the historic built forms frequently found in Wolfville.



EXISTING REGISTERED HERITAGE PROPERTIES



GEORGIAN (1750-1850'S)



Proportion/Scale Large, simple rectangular proportions. Pure forms without additions or variations in shape. One and one half to two and one half storeys. Exception: Many on East Main Street have large additions.

Materials Heavy timber construction, finished in shingles or wood siding. Exception: One such house on Main Street has vinyl siding.

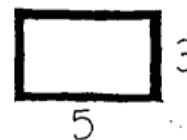
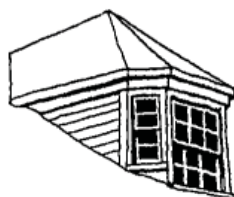
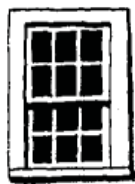
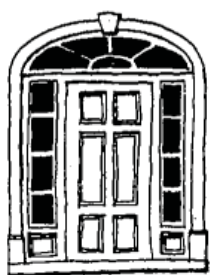
Roof Pitches Broad roof with moderate pitch. Exception: Some roofs are truncated and some are hipped.

Windows Six over six double-hung windows. Exception: The Georgian house on Main Street has had the original windows replaced by contemporary windows. Exception: The Georgian house on Westwood Avenue has Scottish dormers.

Porches/Verandahs One of the few examples of housing styles in Wolfville that did not originally have a front porch or verandah.

Decorative Elements Classically detailed wide corner boards and cornices, with transoms and sidelights at the front doors. The Georgian house on Westwood Avenue and Alumni Hall on Main Street have shutters.

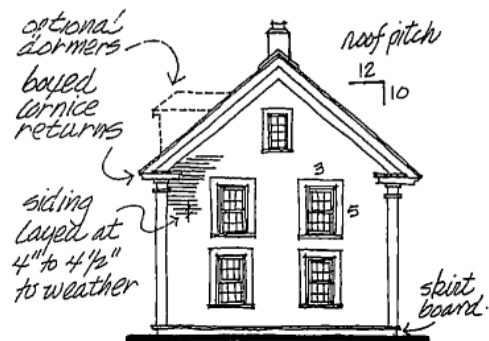
Colours Painted traditional white. Exception: One such house on Main Street has white and grey vinyl siding. Georgian houses on east Main are painted an array of colours such as peach and grey.



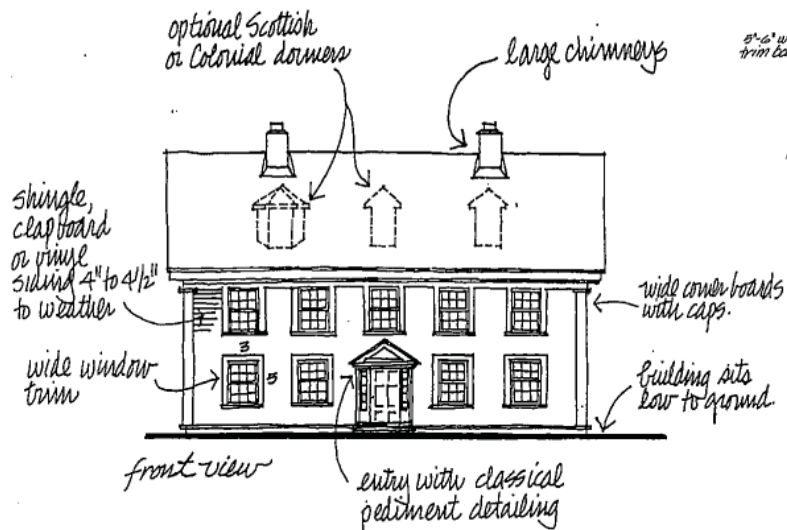
GEORGIAN (1750-1850'S)



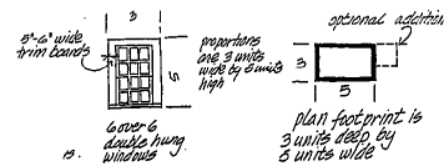
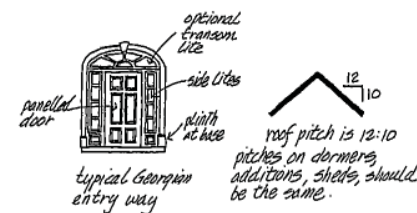
elevation view



end view



front view



VICTORIAN GOTHIC (1855 – 1875)



Proportion/Scale Simple rectangular proportions. One and one half to two and one half storeys.

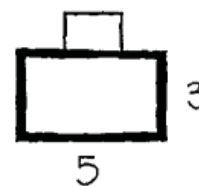
Materials Heavy timber construction, finished in shingles or wood siding.

Roof Pitches Main roof is broad with a moderate pitch with steep pitches on the front gables.

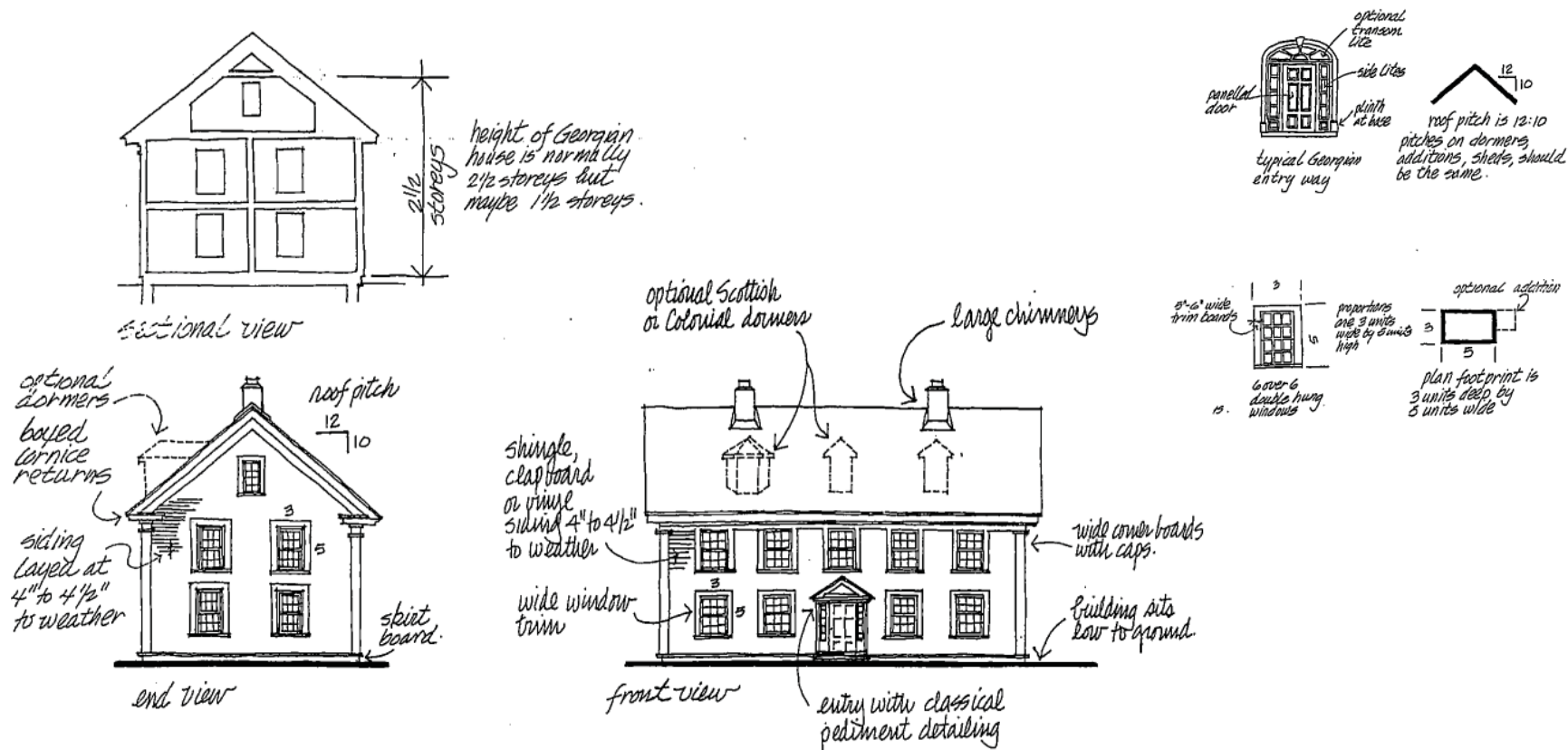
Windows Six over six double hung windows. The narrow pointed windows in the front gables is a distinguishing Gothic feature.

Porches/Verandahs Covered front porches. Some are enclosed.

Decorative Elements Brackets under the eaves, and wide corner boards Classically detailed. Some have shutters on the windows.



VICTORIAN GOTHIC (1855 – 1875)



CLASSICAL REVIVAL (1880 – 1900)



Proportion/Scale Two and one half storeys.

Materials Wood siding. Exception: Vinyl siding.

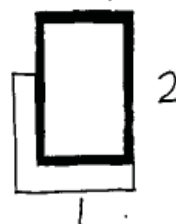
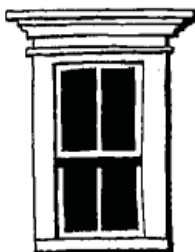
Roof Pitches High pitched with full height attics.

Windows Large one over one or two over two double hung windows.

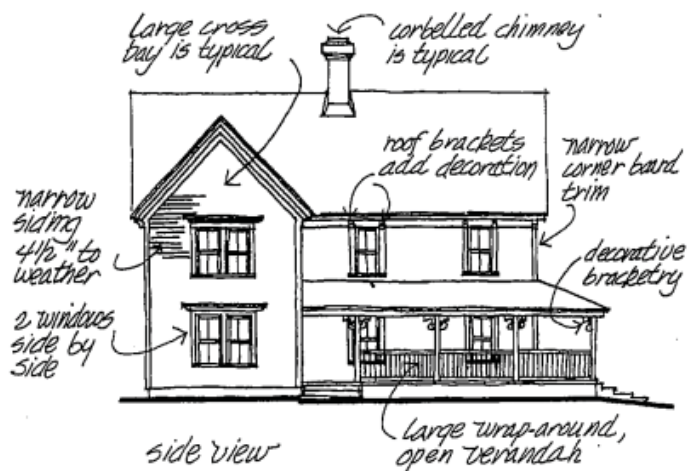
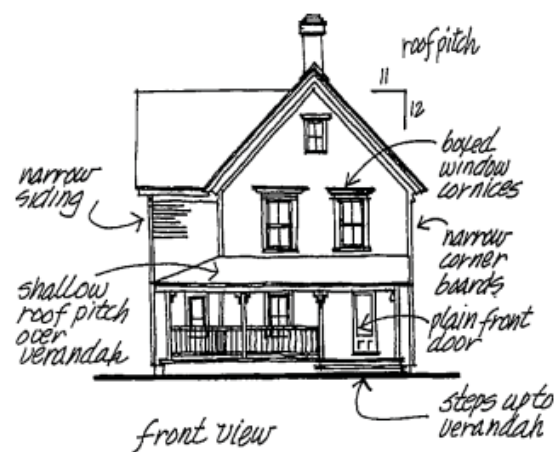
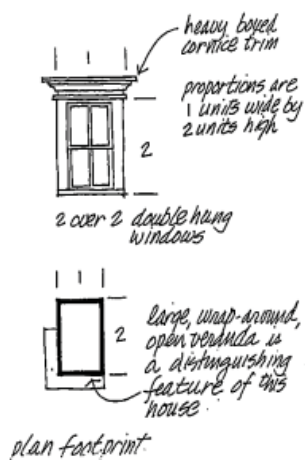
Porches/Verandahs Large open covered porches, across the front or wrap around two sides of the house. Exception: Some porches have been removed.

Decorative Elements Wide column like corner boards that are topped with capitals. Pediments over the windows.

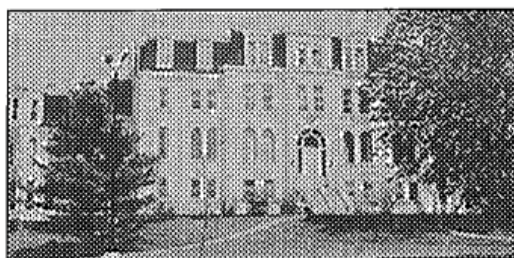
Colours Often white, but some are blue, green, yellow, pink or brown.



CLASSIC REVIVAL (1880 – 1900)



MANSARD (1870 – 1885)



Proportion/Scale Wide and rectangular with a symmetrical shape. Two to three storeys.

Materials Wood construction with wood siding.

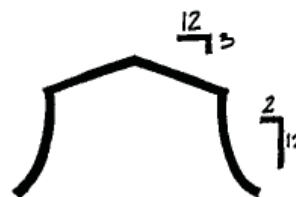
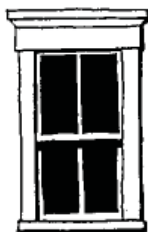
Roof Pitches A double roof pitch, with the lower pitch concave and very steep, and the upper pitch very shallow or moderate. This roof shape defines the style of Mansard.

Windows One over one or two over two double hung windows.

Porches/Verandahs Many covered verandahs, often wrapping around the house.

Decorative Elements Heavy cornice details, with intricate Victorian detailing on the verandahs. Horizontal banding through the upper portions on the main and second floor.

Colours Peach, white or grey.



QUEEN ANNE REVIVAL (1890 – 1900)



Proportion/Scale Several elements of different sizes that are arranged in an asymmetrical composition. Massing is stretched vertically. Two to three storeys.

Materials Wood construction with wood siding. Exception: Vinyl siding.

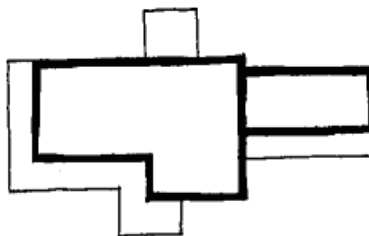
Roof Pitches Many converging roofs of different sizes and steep pitch.

Windows One over one or two over two double hung windows. There is some stained glass.

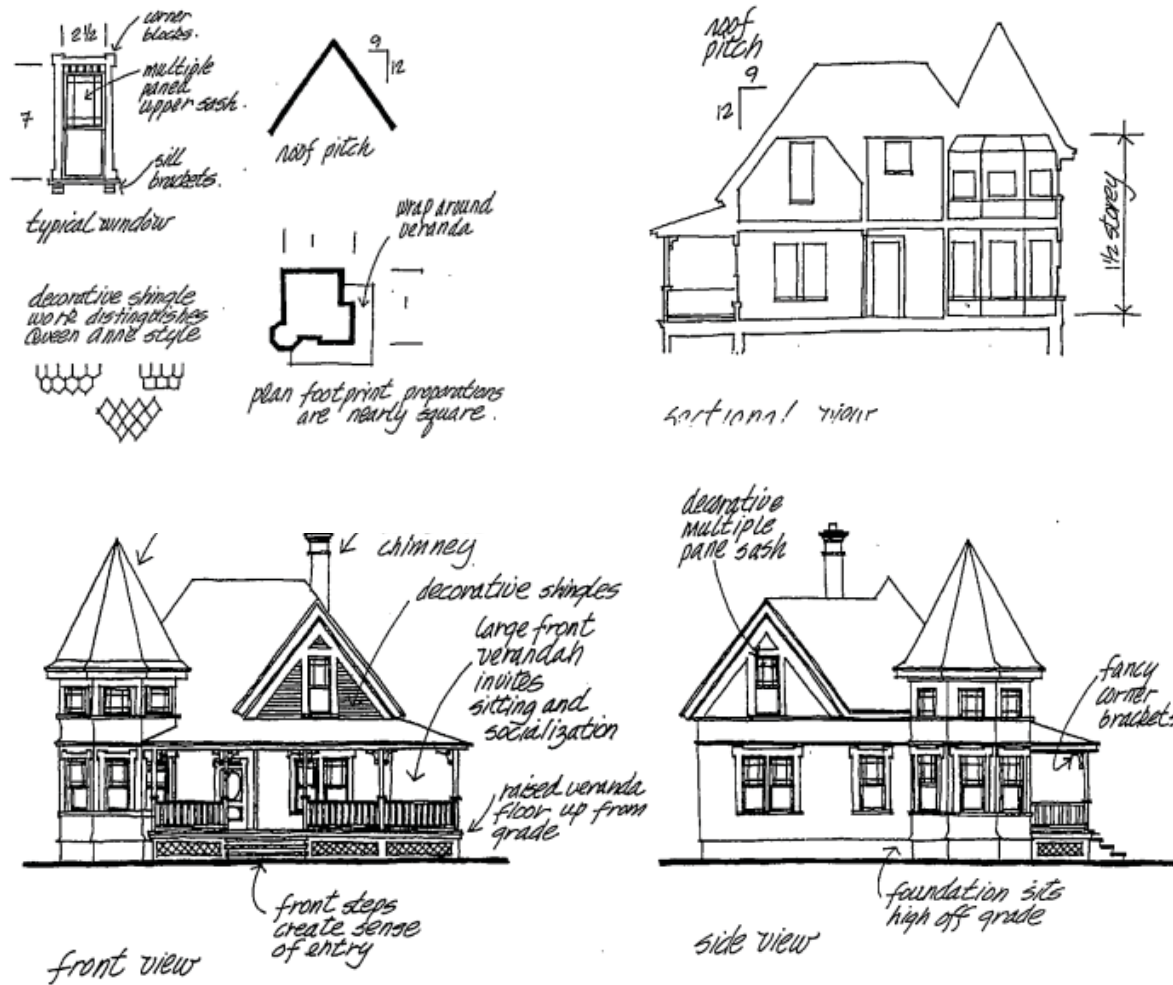
Porches/Verandahs Many covered verandahs, often wrapping around the house.

Decorative Elements Gingerbread trim and corner towers are common. Patterned shingle work.

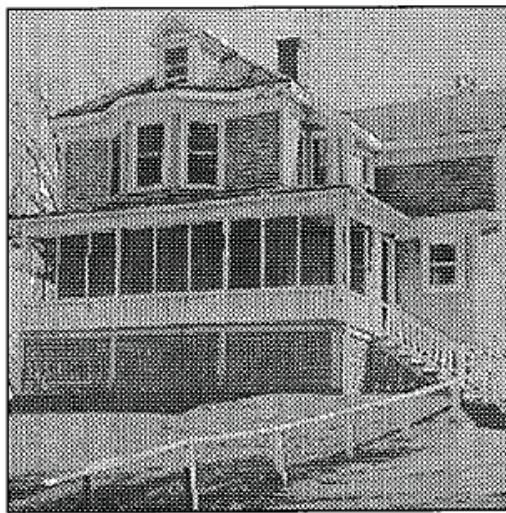
Colours Multiple colours with a dark colour for the body of the house. Exception: Some are painted white.



QUEEN ANNE REVIVAL (1890 – 1900)



MODIFIED QUEEN ANNE (1900-1930'S)



Proportion/Scale Large and rectangular with often exaggerated overhangs. Formal composition with a central main door. Two to two-and-one-half storeys.

Materials Wooden shingles, sometimes in alternating row widths. Exception: Some are veneered in stucco or vinyl sided.

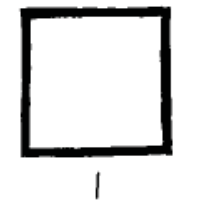
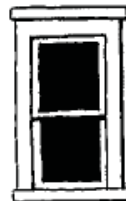
Roof Pitches Moderate, often four sided roofs.

Windows Windows are large and wide, often with divided lights in the upper portions of the windows, and a singular large pane in the bottom. Also a variety of double hung windows.

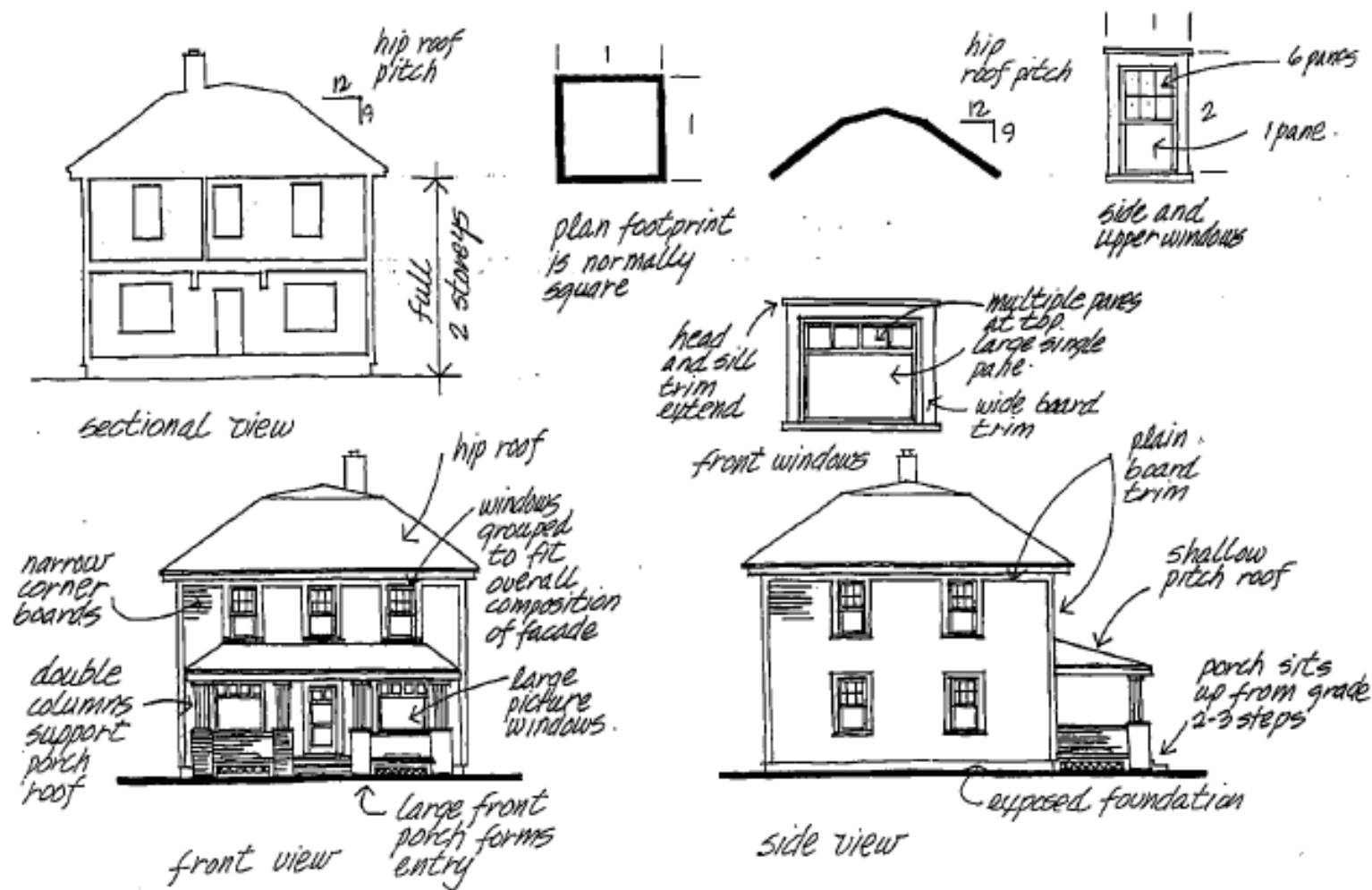
Porches/Verandahs Wide open porches that often stretch across the entire front of the house.

Decorative Elements Large eave brackets on the later houses of this period. As a reaction against decoration of the Queen Anne period, the Queen Anne Modified has little or no decoration.

Colours Often white, brown, grey or sandy colours.



MODIFIED QUEEN ANNE (1900-1930'S)



POST WAR (1945 – 1955)



Proportion/Scale Modest in scale. Range from one to two storeys.

Materials Wood siding with a wide profile. Exception: Vinyl siding.

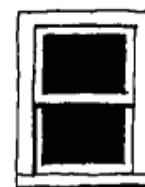
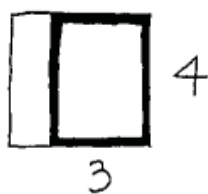
Roof Pitches 12:12 pitches or shallower. Some are hipped.

Windows Wide double hung, with a range of numbers of lights. Some picture windows.

Porches/Verandahs Many have small enclosed porches on the front.

Decorative Elements Often no corner boards, and no decoration other than shutters.

Colours White, brown, blue, yellow or green.



MODIFIED CAPE COD (1950-1970)



Proportion/Scale One and one half storeys.

Materials Wood siding with a wide profile. Exception: Vinyl siding.

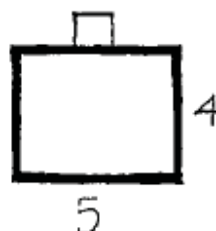
Roof Pitches 12:12 pitches or shallower.

Windows Wide double hung, with a range of numbers of lights. Some picture windows.

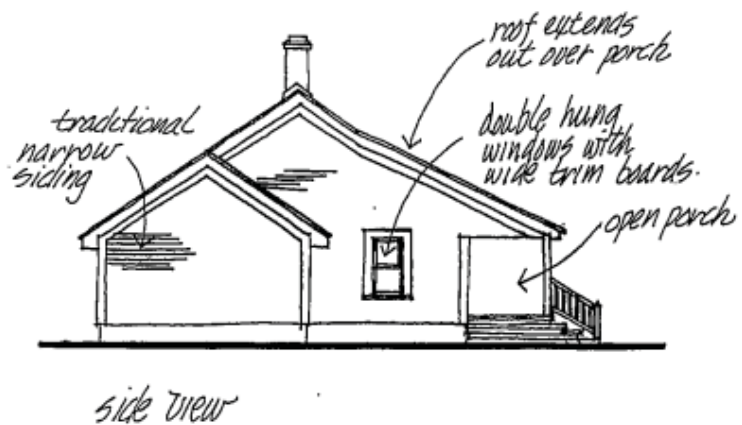
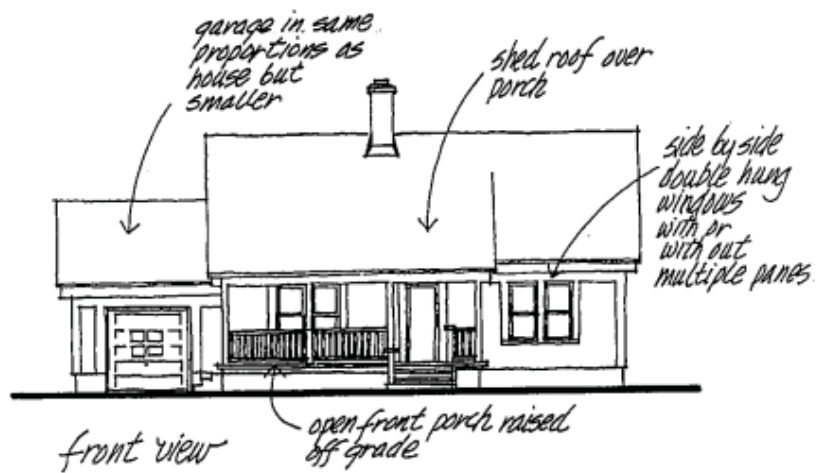
Porches /Verandahs Many have small enclosed porches in the centre of the front.

Decorative Elements Often no corner boards, and have no decoration other than shutters.

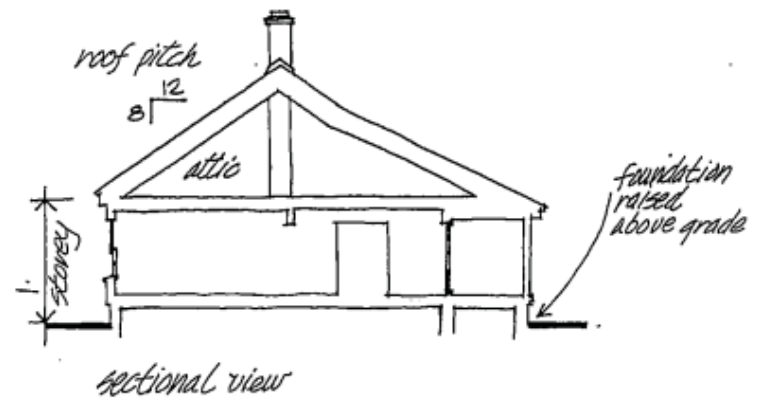
Colours White with black shutters.



MODIFIED CAPE COD (1950-1970)



Composite Cottage Style



RANCH STYLE BUNGALOW (1950-1975)



Proportion/Scale Long and low, often "L" shaped. One storey.

Materials Wide profile wood siding. Exception: Vinyl siding.

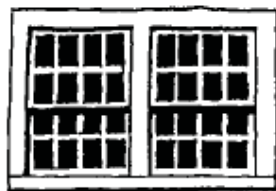
Roof Pitches Very shallow to moderate, often four sided, with broad overhangs.

Windows Wide, one over one double hung windows. The later ones have horizontal sliding windows.

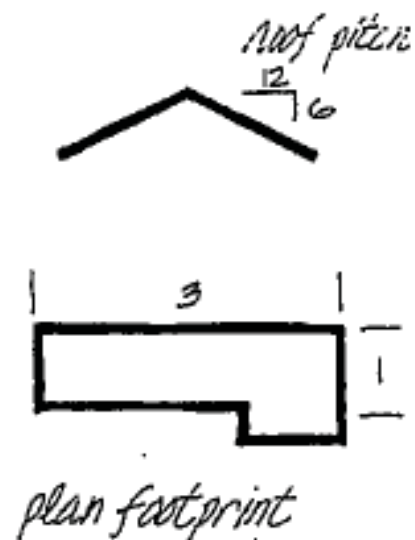
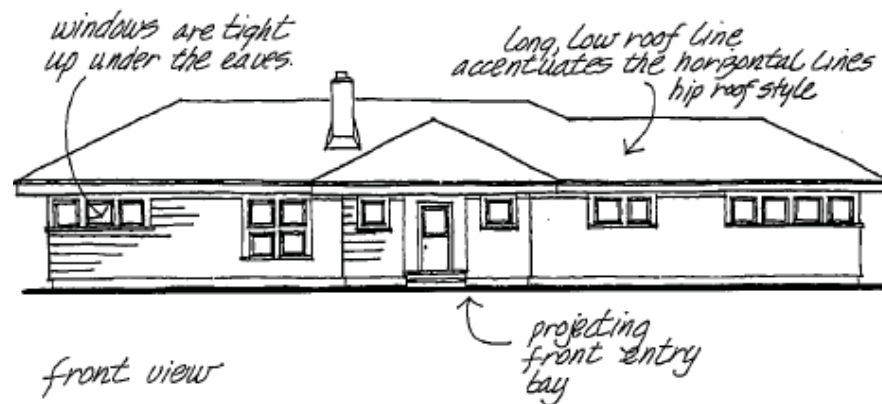
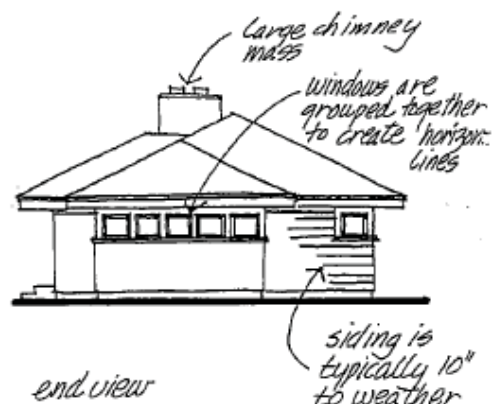
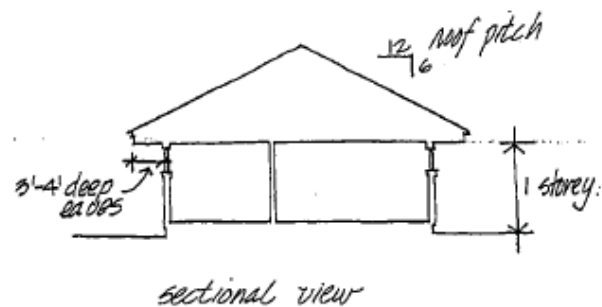
Porches/Verandahs Earlier ones have large covered porches. Many have recessed doorways. Exception: Porch with Classical portico.

Decorative Elements Often no corner boards, and no decoration other than shutters.

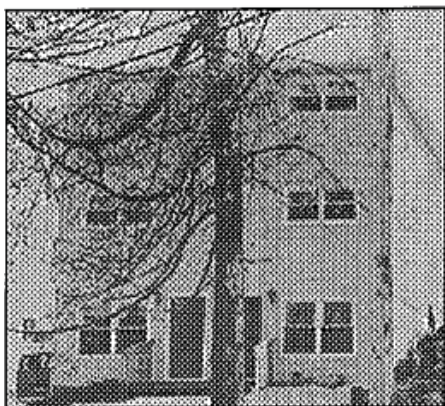
Colours White, blue or pastels



RANCH STYLE BUNGALOW (1950-1975)



MODERN (1970-PRESENT)



Proportion/Scale Long and low, sometimes "L" shaped. Range from one to two and one half storeys. Exception A multiple unit apartment building of three floors.

Materials Vinyl siding on the houses and brick facing on the apartment building.

Roof Pitches Moderate to flat with little or no overhangs.

Windows Varying sizes of horizontal sliding windows.

Porches/Verandahs Recessed doorway on the houses, and a covered porch on the apartment building.

Decorative Elements None.

Colours White, blue or pastels.

