

## Appendix A: Proposed Amendments to Annapolis County Land Use By-law

Section	Delete/Add	Replace with	Rationale
Definitions	DWELLING, SECONDARY SUITE means a single-unit dwelling accessory to the main residential use, either attached or located within the main residential building or located within an accessory structure, often referred to as an in-law suite, basement apartment, or backyard suite.	DWELLING, SECONDARY SUITE means a single-unit dwelling accessory to the main residential use, either attached or located within the main residential building <b>or detached</b> or located within an accessory structure, often referred to as an in-law suite, basement apartment, or backyard suite.	Clarity
4.14	A dwelling unit in the form of a secondary suite, inside or attached to the main residential building or in the form of a separate backyard structure, shall be permitted as an accessory use to a single or two-unit residential dwelling in the MX, R1, R2, AG, LCR2, LCR4, GW4, and GW5 Zones and must meet the main use setback requirements for the zone in which the lot is located. A lot may have a maximum of one secondary suite with a maximum gross floor area of 80 m2 (860 ft2 ).	A dwelling unit in the form of a secondary suite, inside or attached to the main residential building or in the form of a separate <b>backyard</b> structure, shall be permitted as an accessory use to a single or two-unit residential dwelling in the MX, R1, R2, AG, LCR2, LCR4, GW4, and GW5 Zones and must meet the main use setback requirements for the zone in which the lot is located. A lot may have a maximum of one secondary suite with a maximum gross floor area of 80 m2 (860 ft2 ).	Clarity
4.2	Multiple Buildings on a Lot More than one main building may be permitted on a lot by site plan approval in accordance with MPS Policy 6.2.1.7 and the evaluative criteria set out in MPS Policy 7.3.4.1.	Multiple Buildings on a Lot <b>Up to 2 main buildings may be permitted on a lot. A lot containing more than two main buildings</b> may be permitted by site plan approval in accordance with MPS Policy 6.2.1.7 and the evaluative criteria set out in MPS Policy 7.3.4.1.  <b>For a second main building, opaque screening, either vegetative or fencing, at least 2 m (6.56 ft) high shall be provided along the boundary of abutting residential uses.</b>	Consistency
4.26	WIND TURBINES	WIND TURBINES	Consistency

	<p>Large-scale wind turbines shall be permitted by development agreement, in accordance with MPS Policy 4.4.8 and the evaluative criteria set out in MPS Policy 7.3.4.1 of the Annapolis County Municipal Planning Strategy, only within a designated Wind Resource Area as indicated on the Zoning Map (Appendix A) but shall not:</p> <ol style="list-style-type: none"> <li>1. Be built closer than two times the total wind turbine height to any lot line, building, public or private road, street, or highway, or within 1,000 m (3,280 feet) of a residential building;</li> <li>2. Display any commercial advertising or signage;</li> <li>3. Be provided with artificial lighting except for lighting that is required to meet a Provincial or Federal regulation; and</li> <li>4. Be finished in anything other than a non-reflective white, grey or light blue matte finish or any other color or combination of color that is required to meet a Provincial or Federal regulation.</li> </ol>	<p>Large-scale wind turbines shall be permitted by development agreement, in accordance with MPS Policy 4.4.8 and the evaluative criteria set out in MPS Policy 7.3.4.1 of the Annapolis County Municipal Planning Strategy, only within a designated Wind Resource Area as indicated on the Zoning Map (Appendix A) and shall have regards to the following:</p> <p><del>1. Be built closer than two times the total wind turbine height to any lot line, building, public or private road, street, or highway, or within 1,000 m (3,280 feet) of a residential building;</del></p> <p><b>1. Adequate separation distances are maintained from adjacent land uses to minimize impacts of noise and shadow and to ensure public safety, but installations shall not be required to have separation distances from a dwelling that exceed the greater of:</b></p> <ol style="list-style-type: none"> <li>I. four times the wind turbine height; and</li> <li>II. the distance required to ensure that <ol style="list-style-type: none"> <li>a) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and</li> <li>b) residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker;</li> </ol> </li> </ol> <p>2. Display any commercial advertising or signage;</p> <p><b>3. any required provincial and/or federal government environmental assessment processes have been completed.</b></p>	
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Definitions	Add	DWELLING, TOWNHOUSE/ROWHOUSE means a residential dwelling that contains three (3) or more residential units, each of which has access to the front and rear yard and are divided vertically by one or more walls extending ground to roof and may be divided by one or more lot lines. Where residential units are divided by one or more lot lines, each lot shall contain only one (1) residential unit.	Consistency																																																	
5.2.1.1	<div>General</div> <table><tr><td>Land Use</td><td>MX</td><td>R1</td><td>R2</td><td>AG</td><td>C1</td><td>C2</td></tr><tr><td>Residential</td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Multi-Unit Dwellings</td><td></td><td></td><td>R2</td><td></td><td>C1<sup>2</sup></td><td>C2<sup>2</sup></td></tr></table> <div>Notes: See Section 5.3 Zone Provisions for lot size, setback, coverage, and height specifications. 1. By Development Agreement or Site-Plan Approval only. 2. Ground floor must be designated for a permitted commercial use.</div>	Land Use	MX	R1	R2	AG	C1	C2	Residential							Multi-Unit Dwellings			R2		C1 <sup>2</sup>	C2 <sup>2</sup>	<div>General</div> <table><tr><td>Land Use</td><td>MX</td><td>R1</td><td>R2</td><td>AG</td><td>C1</td><td>C2</td></tr><tr><td>Residential</td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Multi-Unit Dwellings</td><td></td><td></td><td>R2</td><td></td><td>C1</td><td>C2</td></tr><tr><td>Townhouse/Rowhouse</td><td>MX<sup>2</sup></td><td></td><td>R2</td><td></td><td>C1</td><td>C2</td></tr></table> <div>Notes: See Section 5.3 Zone Provisions for lot size, setback, coverage, and height specifications. 1. By Development Agreement or Site-Plan Approval only. <del>2. Ground floor must be designated for a permitted commercial use.</del> 2. Subject to section 5.5.1.3</div>	Land Use	MX	R1	R2	AG	C1	C2	Residential							Multi-Unit Dwellings			R2		C1	C2	Townhouse/Rowhouse	MX <sup>2</sup>		R2		C1	C2	Consistency
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5.3.1.1			Water & Waste-water status	Minimum Lot Area	Minimum Lot Frontage			Water & Waste-water status	Minimum Lot Area	Minimum Lot Frontage	Clarity
	Zone	Land Use		A, B**	E, F**	Zone	Land Use		A, B**	E, F**	
	MX	Mixed Use	N/A	2,700 m2 29,063 ft2	36.6 m 120 ft.	MX	Mixed Use	Municipal*	465 m2 5,005 ft2	15.2 m 50 ft.	
								On-site	2,700 m2 29,063 ft2	36.6 m 120 ft.	
	R1	Low Density Residential	Municipal*	465 m2 5,005 ft2	24.4 m 80 ft.	R1	Low Density Residential	Municipal*	465 m2 5,005 ft2	15.2 m 50 ft.	
	R2	Multi-unit Residential	Municipal*	930 m2 10,010 ft2	30.5 m 100 ft.	R2	Multi-unit Residential	Municipal*	465 m2 5,005 ft2	15.2 m 50 ft.	
5.5.1.2	MX Abutting Yard Requirements Where a General Mixed Use (MX) Zone abuts an Agricultural (AG) Zone, Highway Commercial (C2) Zone, Local Industrial (M1) Zone, or Industrial/Business Park (M2) Zone, the following restrictions shall apply to the abutting yard(s) within the General Mixed Use (MX) Zone:					MX Abutting Yard Requirements Where a <del>General</del> <b>Mixed Use (MX) Zone</b> abuts an Agricultural (AG) Zone, Highway Commercial (C2) Zone, Local Industrial (M1) Zone, or Industrial/Business Park (M2) Zone, the following restrictions shall apply to the abutting yard(s) within the <del>General</del> <b>Mixed Use (MX) Zone</b> :					Typographical
5.5.1.3	Add					<b>5.5.1.3 MX Townhouse/Rowhouse dwellings</b>  <b>The development of townhouse dwellings or rowhouse dwellings in the Mixed Use (MX) zone shall:</b> <ol style="list-style-type: none"> <li><b>1. Be permitted within municipal serviced areas.</b></li> <li><b>2. Be limited to six (6) dwelling units.</b></li> <li><b>3. Be permitted by site-plan approval in accordance with the evaluative criteria set out in MPS Policy 7.3.4.1 of the Annapolis County Municipal Planning Strategy if the lot contains more than two (2) main buildings.</b></li> </ol>					Consistency

		<p><b>4. At a minimum, provide for a landscaped screen or decorative fence, or a combination of both, as approved by the Development Officer, of not less than 2 m (6.56 ft) in height on all property lines adjoining adjacent single-family dwelling uses.</b></p>	
5.5.5.1	<p>C1 Residential &amp; Commercial Mixed-Use Development</p> <p>The development of new residential units within the Local Commercial (C1) Zone are permitted only within a mixed use residential and commercial building where the first or ground floor is dedicated to a permitted commercial, business, or office uses and the remaining upper stories contain the residential dwelling(s).</p>	<p>C1 Residential &amp; Commercial Mixed-Use Development</p> <p>The development of new residential units within the Local Commercial (C1) Zone are permitted <del>only</del>:</p> <ol style="list-style-type: none"> <li>1. within a mixed use residential and commercial building where the first or ground floor is dedicated to a permitted commercial, business, or office uses and the remaining upper stories contain the residential dwelling(s); <b>and/or</b></li> <li>2. <b>within a separate main building provided that there is an established commercial use on the property.</b></li> </ol>	Clarity
5.5.5.3	Add	<p><b>5.5.5.3 C1 Multiple Uses</b></p> <p><b>Multiple commercial uses are permitted within a commercial building in the C1 zone.</b></p>	Clarity

5.5.6.1	<p>C2 Residential &amp; Commercial Mixed-Use Development</p> <p>The development of new residential units within the Highway Commercial (C2) Zone are permitted only within a mixed use residential/commercial or office building where the first or ground floor is dedicated to commercial/business/office uses and the remaining upper stories contain the residential dwelling(s). Residential uses are permitted to locate in existing commercial building(s) providing the residential use(s) is not located on the first or ground floor of the existing building(s) or structure(s)</p>	<p>C2 Residential &amp; Commercial Mixed-Use Development</p> <p>The development of new residential units within the Highway Commercial (C2) Zone are permitted <del>only</del>:</p> <ol style="list-style-type: none"> <li>1. within a mixed use residential/commercial or office building where the first or ground floor is dedicated to commercial/business/office uses and the remaining upper stories contain the residential dwelling(s).</li> <li>2. <b>within a separate main building provided that there is an established commercial use on the property.</b></li> <li>3. <del>Residential uses are permitted to locate in existing commercial building(s) providing</del> <b>provided the residential use(s) is not located on the first or ground floor of the existing building(s) or structure(s) there is an established commercial use on the first or ground floor of the existing building.</b></li> </ol>	Consistency
5.5.6.3	Add	<p><b>5.5.6.3 C2 Multiple Uses</b></p> <p><b>Multiple commercial uses are permitted within a commercial building in the C2 zone.</b></p>	Clarity
Appendix A Zoning Map	<p>PID 05125406 – Parks and Recreation (PR) Zone</p> <p>PID 05125588 – Parks and Recreation (PR) Zone</p> <p>PID 05019765 – Parks and Recreation (PR) Zone</p> <p>PID 05013107 – Parks and Recreation (PR) Zone</p> <p>PID 05102389 – Parks and Recreation (PR) Zone</p> <p>PID 05102421 – Parks and Recreation (PR) Zone</p> <p>PID 05182894 – Parks and Recreation (PR) Zone</p>	<p>PID 05125406 – <b>Local Commercial (C1) Zone</b></p> <p>PID 05125588 – <b>Multi-Unit Residential (R2) Zone</b></p> <p>PID 05019765 – <b>Multi-Unit Residential (R2) Zone</b></p> <p>PID 05013107 – <b>Low Density Residential (R1) Zone</b></p> <p>PID 05102389 – <b>Low Density Residential (R1) Zone</b></p> <p>PID 05102421 – <b>Low Density Residential (R1) Zone</b></p> <p>PID 05182894 – <b>Low Density Residential (R1) Zone</b></p>	Oversight