

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 or detached 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 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). | 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 Up to 2 main buildings may be permitted on a lot. A lot containing more than two main buildings 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. 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. | 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"> 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; 2. Display any commercial advertising or signage; 3. Be provided with artificial lighting except for lighting that is required to meet a Provincial or Federal regulation; and 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. | <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>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;</p> <p>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:</p> <ol style="list-style-type: none"> I. four times the wind turbine height; and II. the distance required to ensure that <ol style="list-style-type: none"> a) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and b) residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker; <p>2. Display any commercial advertising or signage;</p> <p>3. any required provincial and/or federal government environmental assessment processes have been completed.</p> | |
|--|--|---|--|

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|----------------------|--|--|-------------|----|-----------------|-----------------|----|----|-------------|--|--|--|--|--|--|----------------------|--|--|----|--|-----------------|-----------------|--|----------|----|----|----|----|----|----|-------------|--|--|--|--|--|--|----------------------|--|--|----|--|----|----|--------------------|-----------------|--|----|--|----|----|-------------|
| | | 3. Be provided with artificial lighting except for lighting that is required to meet a Provincial or Federal regulation; and 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. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 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>C1²</td><td>C2²</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 ² | C2 ² | <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>MX²</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. 2. Ground floor must be designated for a permitted commercial use. 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 ² | | R2 | | C1 | C2 | Consistency |
| Land Use | MX | R1 | R2 | AG | C1 | C2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Residential | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Multi-Unit Dwellings | | | R2 | | C1 ² | C2 ² | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Land Use | MX | R1 | R2 | AG | C1 | C2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Residential | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Multi-Unit Dwellings | | | R2 | | C1 | C2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Townhouse/Rowhouse | MX ² | | R2 | | C1 | C2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | | | | | | | | | | |
|---------|--|-------------------------|----------------------------|------------------------|----------------------|---|-------------------------|----------------------------|------------------------|----------------------|---------------|
| 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 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 : | | | | | Typographical |
| 5.5.1.3 | Add | | | | | 5.5.1.3 MX Townhouse/Rowhouse dwellings The development of townhouse dwellings or rowhouse dwellings in the Mixed Use (MX) zone shall: <ol style="list-style-type: none"> 1. Be permitted within municipal serviced areas. 2. Be limited to six (6) dwelling units. 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. | | | | | Consistency |

| | | | |
|---------|--|--|---------|
| | | <p>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.</p> | |
| 5.5.5.1 | <p>C1 Residential & 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 & Commercial Mixed-Use Development</p> <p>The development of new residential units within the Local Commercial (C1) Zone are permitted only:</p> <ol style="list-style-type: none"> 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); and/or 2. within a separate main building provided that there is an established commercial use on the property. | Clarity |
| 5.5.5.3 | Add | <p>5.5.5.3 C1 Multiple Uses</p> <p>Multiple commercial uses are permitted within a commercial building in the C1 zone.</p> | Clarity |

| | | | |
|-----------------------|--|---|-------------|
| 5.5.6.1 | <p>C2 Residential & 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 & Commercial Mixed-Use Development</p> <p>The development of new residential units within the Highway Commercial (C2) Zone are permitted only:</p> <ol style="list-style-type: none"> 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). 2. within a separate main building provided that there is an established commercial use on the property. 3. Residential uses are permitted to locate in existing commercial building(s) providing 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. | Consistency |
| 5.5.6.3 | Add | <p>5.5.6.3 C2 Multiple Uses</p> <p>Multiple commercial uses are permitted within a commercial building in the C2 zone.</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 – Local Commercial (C1) Zone</p> <p>PID 05125588 – Multi-Unit Residential (R2) Zone</p> <p>PID 05019765 – Multi-Unit Residential (R2) Zone</p> <p>PID 05013107 – Low Density Residential (R1) Zone</p> <p>PID 05102389 – Low Density Residential (R1) Zone</p> <p>PID 05102421 – Low Density Residential (R1) Zone</p> <p>PID 05182894 – Low Density Residential (R1) Zone</p> | Oversight |

Appendix B: Proposed Amendments to Annapolis County Municipal Planning Strategy

| Section | Delete | Replace with | Rationale |
|--------------|--|---|-----------------------|
| 4.2 | <p>MIXED USE DESIGNATION</p> <p>The purpose of the Mixed Use Designation is to identify on the FLUM those areas within the Planning Area that are presently characterized by mixed use development or are considered appropriate for future mixed-use development. The mixed-use term refers to present allotment or the potential availability of land to support a mixing of residential with compatible, low-level density, non-obnoxious commercial or light industrial uses</p> | <p>MIXED USE DESIGNATION</p> <p>The purpose of the Mixed Use Designation is to identify on the FLUM those areas within the Planning Area that are presently characterized by mixed use development or are considered appropriate for future mixed-use development. The mixed-use term refers to present allotment or the potential availability of land to support a mixing of residential with compatible, low-level density residential including single units, duplexes and townhouses/row houses, non-obnoxious commercial or light industrial uses</p> | Consistency |
| Policy 4.2.2 | <p>Accessory Dwelling Units</p> <p>It is the policy of Council to permit a secondary structure containing no more than one dwelling unit on the same lot as an existing residential use where the added structure can be accommodated on the available property by site plan approval in accordance with the evaluative criteria set out in Policy 7.3.4.1</p> | <p>Accessory Dwelling Units</p> <p>It is the policy of Council to permit a secondary structure containing no more than one dwelling unit on the same lot as an existing residential use where the added structure can be accommodated on the available property. by site plan approval in accordance with the evaluative criteria set out in Policy 7.3.4.1</p> | Consistency |
| 4.5.3 | <p>Residential Uses in Commercial Zones</p> <p>It is the policy of Council that all existing residential uses shall be considered permitted uses in the Commercial zones, but the development of new residential uses shall not be permitted, except where the entire ground floor area of the structure is</p> | <p>Residential Uses in Commercial Zones</p> <p>It is the policy of Council that all existing residential uses shall be considered permitted uses in the Commercial zones, but the development of new residential uses shall not be permitted, except where there is an established commercial use and in the case of mixed use</p> | Clarity & Consistency |

| | | | |
|----------------|---|--|-----------------------|
| | devoted exclusively to commercial or office use, in which case the upper stories may contain dwelling units. | residential and commercial building, part of or the entire ground floor area of the structure is devoted exclusively to commercial or office use, in which case part of the ground floor not exceeding 35% of the ground floor and the upper stories may contain dwelling units. | |
| Policy 6.2.1.7 | <p>Multiple Main Buildings on a Lot</p> <p>It is the policy of Council to permit no more than one main building on a lot except by site plan approval in accordance with the evaluative criteria set out in Policy 7.3.4.1 where development on the lot shall comply with the land use, yard, height, setback, and coverage requirements of the applicable zone and where provisions for separation of all additional structures are sufficient to accommodate convenient pedestrian and vehicle access, provide for onsite water and wastewater servicing where applicable, and ensure the safety of occupants and the public.</p> | <p>Multiple Main Buildings on a Lot</p> <p>It is the policy of Council to permit no more than one two main buildings on a lot except by site plan approval in accordance with the evaluative criteria set out in Policy 7.3.4.1 where development on the lot shall comply with the land use, yard, height, setback, and coverage requirements of the applicable zone and where provisions for separation of all additional structures are sufficient to accommodate convenient pedestrian and vehicle access, provide for onsite water and wastewater servicing where applicable, and ensure the safety of occupants and the public.</p> | Consistency |
| Policy 7.3.3.3 | | <p>Policy 7.3.3.3 Special situation: Rezoning</p> <p>It is the policy of Council to consider rezoning a property that is split between multiple residential zones in the same Residential Designation or split between the Agricultural and Mixed Use Zone, to the predominant zone. In considering such application Council shall have regards to the criteria set out in Policy 7.3.3.1.</p> | Clarity & Consistency |

| | | | |
|-------------------------|--|---|----------------------------------|
| <p>Policy 7.4.1</p> | <p>Public Participation Program</p> <p>It is the policy of Council that a public participation program for development agreements, LUB text or rezoning amendments, and amendments to this MPS shall consist of the following:</p> <ol style="list-style-type: none"> 1. Referral of the application to the Planning Advisory Committee 2. Setting the date of the Planning Advisory Committee Public Meeting 3. Advertising the Planning Advisory Committee Public Meeting on the Municipal website as well as in a local newspaper (with the advertisement specifying in both cases the date, time and place of the public meeting, the matter to be discussed, the specific property affected, where applicable, and the place where application information is available) 4. Where an agreement or amendment pertains to a specific site, the applicant shall post a sign on the site in a location visible to the public in text readable from the property boundary stating the nature of the application and the date, time and place of the public meeting 5. At the Planning Advisory Committee Public Meeting, prior to any discussion among Planning Advisory Committee members, members of the public are to be afforded an opportunity to speak, ask questions or obtain further information about the application | <p>Public Participation Program</p> <p>It is the policy of Council that a public participation program after staff review for development agreements, LUB text or rezoning amendments, and amendments to this MPS shall consist of the following:</p> <ol style="list-style-type: none"> 1. Setting the date of the Public Information Meeting 2. Advertising the Public Information Meeting on the Municipal website (with the advertisement specifying in both cases the date, time and place of the public meeting, the matter to be discussed, the specific property affected, where applicable, and the place where application information is available) 3. Where a development agreement or amendment pertains to a specific site, the applicant shall post a sign on the site in a location visible to the public in text readable from the property boundary stating the nature of the application and the date, time and place of the Public Information Meeting 4. At the Public Information Meeting, prior to any meeting of the Planning Advisory Committee members, members of the public are to be afforded an opportunity to speak, ask questions or obtain further information about the application 5. At the Public Information Meeting, written submissions from members of the public may be received prior to the Planning Advisory Committee meeting. | <p>Clarity & Consistency</p> |
|-------------------------|--|---|----------------------------------|

| | | | |
|---|---|--|-----------|
| | 6. At the Planning Advisory Committee Public Meeting, prior to any discussion among Planning Advisory Committee members, written submissions from members of the public are to be heard. | 6. Referral of the application to the Planning Advisory Committee | |
| Appendix A Future Land Use Map | PID 05125406 – Parks and Recreation Designation PID 05125588 – Parks and Recreation Designation PID 05019765 – Parks and Recreation Designation PID 05013107 – Parks and Recreation Designation PID 05102389 – Parks and Recreation Designation PID 05102421 – Parks and Recreation Designation PID 05182894 – Parks and Recreation Designation | PID 05125406 – Commercial Designation PID 05125588 – Residential Designation PID 05019765 – Residential Designation PID 05013107 – Residential Designation PID 05102389 – Residential Designation PID 05102421 – Residential Designation PID 05182894 – Residential Designation | Oversight |