

SECTION 4 - RESIDENTIAL ZONES

4.1 Summary of Residential Zone Names and Symbols

Zone Name	Symbol
Residential One Unit	R1
Residential One and Two Unit	R2
Residential Mixed Density	R3
Residential Multi-unit	R4
Comprehensive Neighbourhood Development	R5
New Minas Holding	H1

4.2 Summary of Uses Permitted within Residential Zones

The following summarizes the main uses permitted in the Residential Zones subject to all the requirements set out in this By-law. Please see the specific zone section for an exact list of permitted uses and any special conditions.

Land Use	R1	R2	R3	R4	R5	H1
RESIDENTIAL						
Grouped Dwellings		R2	R3	R4		
Mini-home Parks – Existing			R3			
Multi-unit Dwellings			R3	R4		
One Unit Dwellings	R1	R2	R3	R4		
Residential Facilities			R3	R4		
Secondary Suites	R1					
Semi-detached Dwellings		R2	R3	R4		
Townhouses			R3	R4		
Two Unit Dwellings		R2	R3	R4		
NON-RESIDENTIAL						
Agricultural Uses - Existing	R1	R2	R3	R4	R5	H1
Business Offices				R4		
Community Facilities	R1	R2	R3	R4		
Forestry Uses					R5	H1
Indoor Recreation Uses	R1	R2	R3	R4		
Medical or Dental Clinics				R4		
Places of Worship	R1	R2	R3	R4		
Retail Stores				R4		

4.3 RESIDENTIAL ONE UNIT (R1) ZONE

4.3.1. Zone Purpose

The purpose of the Residential One Unit (R1) Zone is to maintain sewer serviced low density neighbourhoods, consisting primarily of one unit dwellings, while encouraging the efficient use of land and public infrastructure within Growth Centres, as per policy 3.1.2 (a) of the Municipal Planning Strategy.

4.3.2. Uses

4.3.2.1 Permitted Uses

The following uses shall be permitted in the Residential One Unit (R1) Zone subject to all applicable requirements of this By-law, including Section 14 – General Regulations.

RESIDENTIAL USES	SPECIAL CONDITIONS
One Unit Dwellings	
Secondary Suites	Section 4.3.4.1

NON-RESIDENTIAL USES	SPECIAL CONDITIONS
Agricultural Uses – Existing	Subject to the requirements of the Agricultural (A1) Zone
Community Facilities	Maximum building footprint of 2,000 sq ft. and subject to section 4.3.4.2
Indoor Recreation Uses	Permitted on properties that abut and are accessed from a designated collector road. Maximum building footprint of 2,000 sq ft. and subject to section 4.3.4.2
Places of Worship	Maximum building footprint of 2,000 sq ft. and subject to section 4.3.4.2

R1

4.3.3 Zone Requirements

The following requirements shall apply to all development located in the Residential One Unit (R1) Zone.

	Requirement	Residential Uses	Non-residential Uses
(a)	Minimum Lot Area: (i) Central Sewer (ii) On-site Sewer	4,000 sq ft. 30,000 sq ft.	4,000 sq ft. 30,000 sq ft.
(b)	Minimum Lot Frontage: (i) Central Sewer (ii) On-site Sewer	40 ft. 60 ft.	40 ft. 60 ft.
(c)	Minimum Front/Flankage Setback: (main and accessory buildings)	20 ft.	20 ft.
(d)	Minimum Side Setback: (i) Main Building (ii) Accessory Buildings	4 ft. 4 ft.	20 ft. 4 ft.
(e)	Minimum Rear Setback: (i) Main Building (ii) Accessory Buildings	20 ft. 4 ft.	20 ft. 4 ft.
(f)	Maximum Building Height: (i) Main Building (ii) Accessory Buildings	35 ft. 20 ft.	35 ft. 20 ft.

4.3.4 Additional Requirements

4.3.4.1 Secondary Suites

A secondary suite within a one unit dwelling is permitted subject to the conditions noted below.

- (a) Any exterior entrance to the secondary suite shall be located on the side (excluding flankage) or rear of the one unit dwelling.
- (b) The exterior of the one unit dwelling shall be compatible with the existing design, style and materials of other one unit dwellings in the neighbourhood.

4.3.4.2 Community Facilities, Indoor Recreation Uses and Places of Worship

A community facility, indoor recreation use or place of worship shall be permitted in the Residential One Unit (R1) Zone subject to the conditions noted below:

- (a) Parking areas shall not be located less than four (4) feet from a side or rear lot line and shall be fenced.
- (b) Notwithstanding the parking requirements in section 14.5, a parking space shall be provided and maintained for every 300 square feet of commercial floor area.

4.3.5 Uses Considered by Development Agreement

Pursuant to the Municipal Planning Strategy, the uses noted below may be considered by Development Agreement within the Residential One Unit (R1) Zone.

- (a) The establishment of community facilities that are not permitted as-of-right, or do not meet the requirements of the zone in which the lot is located in accordance with policy 3.1.6 of the Municipal Planning Strategy.
- (b) The re-establishment of a commercial or industrial use that has been discontinued for a period of 12 months or more in accordance with policy 3.1.7 of the Municipal Planning Strategy.
- (c) Uses compatible with the purpose of the Residential One Unit (R1) Zone that do not otherwise meet the requirements of the zone in accordance with policy 3.1.8 of the Municipal Planning Strategy.
- (d) High density residential development and new or expanded mini-home parks in accordance with policy 3.1.10 of the Municipal Planning Strategy.
- (e) Uses considered by Development Agreement in all zones listed in section 14.7.

R1

4.4 RESIDENTIAL ONE AND TWO UNIT (R2) ZONE

4.4.1. Zone Purpose

The purpose of the Residential One and Two Unit (R2) Zone is to maintain sewer serviced low density neighbourhoods, consisting primarily of one or two unit dwellings, while encouraging the efficient use of land and public infrastructure within Growth Centres, as per policy 3.1.2 (a) of the Municipal Planning Strategy.

4.4.2 Uses

4.4.2.1 Permitted Uses

The following uses shall be permitted in the Residential One and Two Unit (R2) Zone subject to all applicable requirements of this By-law, including Section 14 – General Regulations.

RESIDENTIAL USES	SPECIAL CONDITIONS
Grouped Dwellings	Subject to the requirements applicable to Group Dwellings in section 4.5.3
One Unit Dwellings	
Semi-detached Dwellings	
Two Unit Dwellings	

NON-RESIDENTIAL USES	SPECIAL CONDITIONS
Agricultural Uses – Existing	Subject to the requirements of the Agricultural (A1) Zone
Community Facilities	Maximum building footprint of 2,000 sq ft. and subject to section 4.4.4.1
Indoor Recreation Uses	Permitted on properties that abut and are accessed from a designated collector road. Maximum building footprint of 2,000 sq ft. and subject to section 4.4.4.1
Places of Worship	Maximum building footprint of 2,000 sq ft. and subject to section 4.4.4.1.

1. Amended to add "Grouped Dwellings"; October 3, 2023, File 22-04

4.4.3 Zone Requirements

The following requirements shall apply to all development located in the Residential One and Two Unit (R2) Zone.

Requirement	One & Two Unit Dwellings	Semi-detached Dwellings	Non-residential Uses
(a) Minimum Lot Area:			
(i) Central Sewer	4,000 sq ft.	2,000 sq ft./unit	4,000 sq ft.
(ii) On-site Sewer	30,000 sq ft.	30,000 sq ft./unit	30,000 sq ft.
(b) Minimum Lot Frontage:			
(i) Central Sewer	40 ft.	20 ft./unit	40 ft.
(ii) On-site Sewer	60 ft.	30 ft./unit	60 ft.
(c) Minimum Front/Flankage Setback: (main and accessory buildings)	20 ft.	20 ft.	20 ft.
(d) Minimum Side Setback:			
(i) Main Building	4 ft.	4 ft.	20 ft.
(ii) Common Wall	N/A	0 ft.	NA
(iii) Accessory Buildings	4 ft.	4 ft.	4 ft.
(e) Minimum Rear Setback:			
(i) Main Building	20 ft.	20 ft.	20 ft.
(ii) Accessory Buildings	4 ft.	4 ft.	4 ft.
(f) Maximum Building Height:			
(i) Main Building	35 ft.	35 ft.	35 ft.
(ii) Accessory Buildings	20 ft.	20 ft.	20 ft.

4.4.4 Additional Requirements

4.4.4.1 Community Facilities, Indoor Recreation Uses and Places of Worship

A community facility, indoor recreation or place of worship use shall be permitted in the Residential One and Two Unit (R2) Zone subject to the conditions noted below.

- (a) Parking areas shall not be located less than four (4) feet from a side or rear lot line and shall be fenced.
- (b) Notwithstanding the parking requirements in section 14.5, a parking space shall be provided and maintained for every 300 square feet of commercial floor area.

4.4.5 Uses Considered by Development Agreement

Pursuant to the Municipal Planning Strategy, the uses noted below shall be considered by Development Agreement within the Residential One and Two Unit (R2) Zone.

- (a) The establishment of community facilities that are not permitted as-of-right, or do not meet the requirements of the zone in which the lot is located in accordance with policy 3.1.6 of the Municipal Planning Strategy.
- (b) The re-establishment of a commercial or industrial use that has been discontinued for a period of 12 months or more in accordance with policy 3.1.7 of the Municipal Planning Strategy.
- (c) Uses compatible with the purpose of the Residential One and Two Unit (R2) Zone that do not otherwise meet the requirements of the zone in accordance with policy 3.1.8 of the Municipal Planning Strategy.
- (d) High density residential development and new or expanded mini-home parks in accordance with policy 3.1.10 of the Municipal Planning Strategy.
- (e) Uses considered by Development Agreement in all zones listed in section 14.7.

R2

4.5 RESIDENTIAL MIXED DENSITY (R3) ZONE

4.5.1 Zone Purpose

The purpose of the Residential Mixed Density (R3) Zone is to accommodate a mix of housing forms in a variety of built forms at a density similar to the Residential One Unit (R1) and Residential One and Two Unit (R2) Zones, per policy 3.1.2 (b) of the Municipal Planning Strategy. *(Amended February 6, 2024, File P22-02)*

4.5.2 Uses

4.5.2.1 Permitted Uses

The following uses shall be permitted in the Residential Mixed Density (R3) Zone subject to all applicable requirements of this By-law, including Section 14 – General Regulations.

RESIDENTIAL USES	SPECIAL CONDITIONS
Grouped Dwellings	
Mini-home Parks – Existing	Subject to the Municipality of Kings County Mobile Home Parks By-law #36 or any successor document
Multi-unit Dwellings	Maximum 12 residential units per dwelling ¹
One Unit Dwellings	Subject to the requirements applicable to One & Two Unit Dwellings in section 4.4.3
Residential Facilities	Up to 25,000 sq ft. gross floor area
Semi-detached Dwellings	Subject to the requirements applicable to Semi-detached Dwellings in section 4.4.3
Townhouses ^{1,2}	
Two Unit Dwellings	Subject to the requirements applicable to One & Two Unit Dwellings in section 4.4.3

R3

NON-RESIDENTIAL USES	SPECIAL CONDITIONS
Agricultural Uses – Existing	Subject to the requirements of the Agricultural (A1) Zone
Community Facilities	Maximum 10,000 sq ft. gross floor area and subject to section 4.5.4.1
Indoor Recreation Uses	Permitted on properties that abut and are accessed from a designated collector road and subject to section 4.5.4.1. Maximum 10,000 sq ft. gross floor area
Places of Worship	Maximum 10,000 sq ft. gross floor area

1. Maximum allowed units changed from 8 to 12. Amended February 6, 2024, File P22-02
2. Removed Special Conditions for clarity. Amended October 1, 2024, File P21-01.

4-5-3 Zone Requirements

The following requirements shall apply to all development located in the Residential Mixed Density (R3) Zone.

Requirement	Grouped Dwellings	Townhouses	Multi-unit Dwellings	All other permitted uses
(a) Minimum Lot Area:				
(i) Central Sewer	2,000 sq ft./unit	2,000 sq ft./unit	2,000 sq ft./unit	4,000 sq ft.
(ii) On-site Sewer	30,000 sq ft./unit	30,000 sq ft./unit	30,000 sq ft./unit	30,000 sq ft.
(b) Minimum Lot Frontage:				
(i) Central Sewer	40 ft.	20 ft./unit	40 ft.	40 ft.
(ii) On-site Sewer	60 ft.	30 ft./unit	60 ft.	60 ft.
(c) Minimum Front/Flankage Setback: (main and accessory buildings)	20 ft.	20 ft.	20 ft.	20 ft.
(d) Minimum Side Setback:				
(i) Main Buildings	4 ft.	4 ft.	10 ft.	10 ft.
(ii) Accessory Buildings	4 ft.	4 ft.	4 ft.	4 ft.
(iii) Common Wall	N/A	N/A.	N/A	N/A.
(e) Minimum Rear Setback:				
(i) Main Buildings	20 ft.	20 ft.	20 ft.	20 ft.
(ii) Accessory buildings	4 ft.	4 ft.	4 ft.	4 ft.
(f) Maximum Building Height:				
(i) Main Buildings	35 ft.	35 ft.	35 ft.	35 ft.
(ii) Accessory Buildings	20 ft.	20 ft.	20 ft.	20 ft.

4.5.4 Additional Requirements

4.5.4.1 Community Facilities, Indoor Recreation Uses and Places of Worship

A community facility or indoor recreation use shall be permitted in the Residential Mixed Density (R3) Zone subject to the conditions noted below.

- (a) Parking areas shall not be located less than four (4) feet from a side or rear lot line and shall be fenced.
- (b) Notwithstanding the parking requirements in section 14.5, a parking space shall be provided and maintained for every 300 square feet of commercial floor area.

4.5.4.2 Pedestrian Pathways

Where a residential development consists of five (5) or more residential units on a single lot and where that lot abuts an existing or planned sidewalk or public trail, pedestrian pathways shall be provided and connect the main entrance of each residential unit to the sidewalk or public trail abutting the lot.

Pedestrian pathways shall have a width no less than five (5) feet wide and shall be maintained as a stable surface free of snow or other debris. *(Amended October 1, 2024, File P21-01)*

4.5.4.3 Amenity Areas

Except for grouped dwellings and townhouses, any development on a single lot with five (5) or more residential units shall meet the conditions noted below.

- (a) An amenity area or areas equivalent to 100 square feet per residential unit or ten (10) per cent of the lot area, whichever is greater, shall be provided.
- (b) Common outdoor spaces shall not be located within the minimum required front or flankage setbacks unless there is a public sidewalk abutting the lot.

4.5.4.4 Solid Waste Storage for Multi-unit Dwellings

New multi-unit dwellings and additions to existing multi-unit development shall provide adequate solid waste storage for use by residents. Such solid waste storage shall be:

- (a) enclosed within a main or accessory building; or
- (b) enclosed within a six (6) foot high opaque board fence that effectively screens the storage from the road and adjacent residential properties and such an area shall meet the requirements for an accessory building.

4.5.4.5 Parking

For multi-unit dwellings, no parking shall be permitted in a required minimum main building side setback abutting a Residential One Unit (R1) Zone and Residential One and Two Unit (R2) Zone.

4.5.5 Uses Considered by Development Agreement

Pursuant to the Municipal Planning Strategy, the uses noted below may be considered by Development Agreement within the Residential Mixed Density (R3) Zone.

- (a) The establishment of community facilities that are not permitted as-of-right, or do not meet the requirements of the zone in which the lot is located in accordance with policy 3.1.6 of the Municipal Planning Strategy.
- (b) The re-establishment of a commercial or industrial use that has been discontinued for a period of 12 months or more in accordance with policy 3.1.7 of the Municipal Planning Strategy.
- (c) Uses compatible with the purpose of the Residential Mixed Density (R3) Zone that do not otherwise meet the requirements of the zone in accordance with policy 3.1.8 of the Municipal Planning Strategy.
- (d) High density residential development and new or expanded mini-home parks in accordance with policy 3.1.10 of the Municipal Planning Strategy.
- (e) Uses considered by Development Agreement in all zones listed in section 14.7.

4.6 RESIDENTIAL MULTI-UNIT (R4) ZONE

4.6.1. Zone Purpose

The purpose of the Residential Multi-unit (R4) Zone is to encourage compact neighbourhood development in strategic locations such as along or near main transportation corridors and near employment and shopping destinations by accommodating a variety of medium density housing forms, such as multi-unit dwellings within Growth Centres, as per policy 3.1.2 (c) of the Municipal Planning Strategy. *(Amended February 6, 2024, File P22-02)*

4.6.2. Uses

4.6.2.1 Permitted Uses

The following uses shall be permitted in the Residential Multi-unit (R4) Zone subject to all applicable requirements of this By-law, including Section 14 - General Regulations.

RESIDENTIAL USES	SPECIAL CONDITIONS
Grouped Dwellings	
Multi-unit Dwellings ¹	
One Unit Dwellings	Subject to the requirements applicable to One & Two Unit Dwellings in section 4.4.3
Residential Facilities	Maximum 50,000 sq ft. gross floor area
Semi-detached Dwellings	Subject to the requirements applicable to Semi-detached Dwellings in section 4.4.3
Townhouses ¹	
Two Unit Dwellings	Subject to the requirements applicable to One & Two Unit Dwellings in section 4.4.3

NON-RESIDENTIAL USES	SPECIAL CONDITIONS
Agricultural Uses – Existing	Subject to the requirements of the Agricultural (A1) Zone
Business Offices	Section 4.6.4.1
Community Facilities	Section 4.6.4.2
Indoor Recreation Uses	Permitted on properties with access to a designated collector road and subject to Section 4.6.4.2
Medical and Dental Clinics	Section 4.6.4.1
Places of Worship	
Retail Stores	Section 4.6.4.1

1. *Removed maximum units allowed. February 6, 2024, File P22-02*

R4

4.6.3 Zone Requirements

The following requirements shall apply to all development located in the Residential Multi-unit (R4) Zone.

	Requirement	Grouped Dwellings	Townhouses	Multi-unit Dwellings	All other permitted uses
(a)	Minimum Lot Area: (i) Central Sewer (ii) On-site Sewer	1,800 sq ft./unit 30,000 sq ft/unit	1,800 sq ft./unit 30,000 sq ft./unit	1,800 sq ft./unit 30,000 sq ft./unit	4,000 sq ft. 30,000 sq ft.
(b)	Minimum Lot Frontage: (i) Central Sewer (ii) On-site Sewer	40 ft. 60 ft.	20 ft./unit 30 ft./unit	40 ft. 60 ft.	40 ft. 60 ft.
(c)	Minimum Front/Flankage Setback: (main and accessory buildings)	20 ft.	20 ft.	20 ft.	20 ft.
(d)	Minimum Side Setback: (i) Main Buildings (ii) Accessory Buildings (iii) Common Wall	4 ft. 4 ft. N/A	4 ft. 4 ft. 0 ft.	20 ft. 4 ft. N/A	20 ft. 4 ft. N/A
(e)	Minimum Rear Setback: (i) Main Buildings (ii) Accessory Buildings	20 ft. 4 ft.	20 ft. 4 ft.	20 ft. 4 ft.	20 ft. 4 ft.
(f)	Maximum Building Height: (i) Main Buildings (ii) Accessory Buildings	35 ft. 20 ft.	35 ft. 20 ft.	45 ft. 20 ft.	45 ft. 20 ft.

4.6.4 Additional Requirements

4.6.4.1 Retail Stores, Medical and Dental Clinics and Business Offices

Retail stores, medical and dental clinics, and business office uses shall be permitted on the ground floor of a multi-unit dwelling, subject to the conditions noted below.

- (a) The commercial floor area shall not exceed 1,000 square feet per multi-unit dwelling.
- (b) A retail store, medical and dental clinics, or business office use located within a multi-unit dwelling shall be counted as one unit towards the maximum number of residential units permitted within a multi-unit dwelling.

4.6.4.2 Community Facilities and Indoor Recreation Uses

A community facility or indoor recreation use shall be permitted in the Residential Medium Density (R4) Zone subject to the conditions noted below.

- (a) Parking areas shall not be located less than four (4) feet from a side or rear lot line and shall be fenced.
- (b) Notwithstanding the parking requirements in section 14.5, a parking space shall be provided and maintained for every 300 square feet of commercial floor area.

4.6.4.3 Pedestrian Pathways

Where a residential development consists of five (5) or more residential units on a single lot and where that lot abuts an existing or planned sidewalk or public trail, pedestrian pathways shall be provided and connect the main entrance of each residential unit to the sidewalk or public trail abutting the lot.

Pedestrian pathways shall have a width no less than five (5) feet wide and shall be maintained as a stable surface free of snow or other debris. *(Amended October 1, 2024, File P21-01)*

4.6.4.4 Amenity Areas

Except for grouped dwellings and townhouses, any development on a single lot with five (5) or more residential units shall meet the following amenity area requirements.

- (a) An amenity area or areas equivalent to 100 square feet per residential unit or ten (10) per cent of the lot area, whichever is greater shall be provided.
- (b) Common outdoor spaces shall not be located within the minimum required front or flankage setbacks unless there is a public sidewalk abutting the lot.

4.6.4.5 Solid Waste Storage for Multi-unit Dwellings

New multi-unit dwellings and additions to existing multi-unit development shall provide adequate solid waste storage for use by residents before the solid waste is placed for pickup and transport to a waste transfer station. Such solid waste storage shall be:

- (a) enclosed within a main or accessory building; or
- (b) enclosed within a six (6) foot high opaque board fence that effectively screens the storage from the road and adjacent residential properties and such an area shall meet the requirements for an accessory building.

4.6.4.6 Parking

For multi-unit dwellings, no parking shall be permitted in a required minimum main building side setback abutting a Residential One Unit (R1) Zone and Residential One and Two Unit (R2) Zone.

4.6.5 Uses Considered by Development Agreement

Pursuant to the Municipal Planning Strategy, the uses noted below shall be permitted by Development Agreement within the Residential Multi-unit (R4) Zone.

- (a) The establishment of community facilities that are not permitted as-of-right, or do not meet the requirements of the zone in which the lot is located in accordance with policy 3.1.6 of the Municipal Planning Strategy.
- (b) The re-establishment of a commercial or industrial use that has been discontinued for a period of 12 months or more in accordance with policy 3.1.7 of the Municipal Planning Strategy.
- (c) Uses compatible with the purpose of the Residential Multi-unit (R4) Zone that do not otherwise meet the requirements of the zone in accordance with policy 3.1.8 of the Municipal Planning Strategy.
- (d) High density residential development and new or expanded mini-home parks in accordance with policy 3.1.10 of the Municipal Planning Strategy.
- (e) Uses considered by Development Agreement in all zones listed in section 14.7.

4.7 COMPREHENSIVE NEIGHBOURHOOD DEVELOPMENT (R5) ZONE

4.7.1 Zone Purpose

The purpose of the Comprehensive Neighbourhood Development (R5) Zone is to enable the development of large-scale and comprehensively planned neighbourhoods by development agreement, as per policy 3.1.2 (d) of the Municipal Planning Strategy.

4.7.2 Uses

4.7.2.1 Permitted Uses

The following uses shall be permitted in the Comprehensive Neighbourhood Development (R5) Zone subject to all applicable requirements of this By-law, including Section 14 - General Regulations.

NON-RESIDENTIAL USES	SPECIAL CONDITIONS
Agricultural Uses – Existing	Subject to the setback requirements of the Agricultural (A1) Zone
Forestry Uses	
Existing Uses ¹	

¹Amended to add "Existing Uses", November 5, 2024, File 24-05

4.7.3 Zone Requirements

The following requirements shall apply to all development located in the Comprehensive Neighbourhood Development (R5) Zone.

	Requirement	All Permitted Uses
(a)	Minimum Lot Area:	5 acres
(b)	Minimum Lot Frontage:	100 ft.
(c)	Minimum Front/Flankage Setback: (main and accessory buildings)	20 ft.
(d)	Minimum Side Setback: (i) Main Buildings (ii) Abutting a Residential Zone (iii) Accessory Buildings	20 ft. 40 ft. 20 ft.
(e)	Minimum Rear Setback: (i) Main Buildings (ii) Accessory Buildings	40 ft. 20 ft.
(f)	Maximum Building Height: (i) Main Buildings (ii) Accessory Buildings	45 ft. 20 ft.

4.7.4 Uses Considered by Development Agreement

Pursuant to the Municipal Planning Strategy, the uses noted below may be considered by Development Agreement within the Comprehensive Neighbourhood (R5) Zone.

- (a) The development of comprehensive planned neighbourhood developments in accordance with policies 3.1.13 and 3.1.14 of the Municipal Planning Strategy.
- (b) Uses considered by Development Agreement in all zones listed in section 14.7.

Section 4.8 removed, May 2, 2023, New Minas Secondary Plan

