



Part 5 DEFINITIONS

Section 17 DEFINITIONS

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For the purposes of this By-law, all words have the meaning or meanings that are assigned to them by accepted English dictionaries, except for the words that are defined in this section.



Abattoir means a building, structure, land, or part thereof, used for the slaughtering and processing of animals. The housing of live animals is limited to those to be slaughtered and not for the purpose of fattening animals.

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

Accessory Building means a detached building located on the same lot as a main use or main building, the use of which is incidental or secondary to that of the main building and which is not used for human habitation, unless otherwise permitted in the zone. For clarity, a breezeway may connect the accessory building and is only considered ornamental in nature.

Accessory Dwelling means one (1) self-contained residential unit that is wholly contained within an Accessory Building. *(Amended October 3, 2023, File 22-04)*

Accessory Use means a use that is subordinate or incidental to the main use on a lot and/or in a building and includes, where permitted, the construction of dwellings and other accessory buildings for the operation of the main use.

Aggregate Related Industries means a building, structure or land, or part thereof, used for aggregate processing, storage, and related uses including, but not limited to asphalt processing, concrete batching and component manufacturing, sand pit operations and mineral bulk storage but excludes uses ancillary to Aggregate Resource Extraction.

Aggregate Resource Extraction means sand, gravel and mineral extraction including pits and quarries conducted under a permit issued by the Province of Nova Scotia and includes ancillary activities such as crushing.

Agricultural Equipment and Parts, Sales, and Service means land, a building, or a portion of a building used to sell, lease, rent, service, or repair agricultural equipment or agricultural equipment parts.

Agricultural Related Industries means a building, structure, or land, or part thereof, used for processing agricultural crops, including, but not limited to, sorting, grading, packaging, food and feed preparation, fertilizer production, brewing, wine-making and similar uses but excludes Abattoirs and Animal By-products Plants. For clarity, Agricultural Related Industries are not required to be associated with a farming business.

Agricultural Use means the use of land, buildings, or structures for the cultivation of crops such as, but not limited to, corn, hay, fruit and vegetables and shall include a greenhouse. This definition includes bee keeping and animal pasturing but excludes buildings for the raising of animals, which is covered by the definitions of livestock operation and household livestock.

Agritainment Use means an agricultural-themed entertainment use such as, but not limited to, petting zoos, hay rides, u-picks, pumpkin patches, play areas, games, mazes, trails, farm tours, workshops, farm

demonstrations, theatres, museums and other indoor or outdoor entertainment uses based on agricultural topics and/or using agricultural props.

Amenity area means the area(s) that form part of a multi-unit residential development intended for recreational purposes, and shall include one or a combination of the following:

- (a) *common outdoor spaces* that are accessible to all residents within the residential development and may include spaces such as play areas, swimming pools, tennis courts, or sports fields. Such areas shall be of a size and shape that can reasonably be used for recreation purposes and shall be, at a minimum, cleared, leveled and grassed or otherwise landscaped;
- (b) *private outdoor spaces* that are provided as a separate spaces to the residential units and may include spaces such as decks, patios, or balconies; and/or
- (c) *indoor common spaces* that are provided within multi-unit buildings in such a way that they are accessible to all residents of the dwelling and may include spaces such as gyms, lounges, or games rooms.

Animal Boarding Facility means a building or part of a building where domestic household animals are kept, boarded, bred, or offered day care and may include an animal shelter or a kennel.

Animal By-products Plant means a building, structure, land, or part thereof, used for the processing and/or rendering of animal carcasses and animal parts and excludes abattoirs and processing for human consumption.

Animal Unit means one or more farm animals, as specified in the following table. For the purpose of calculating the number of animals units permitted on a property the following steps described below will be used:

- (a) Young offspring are permitted and not counted towards the total number of animal units until fully grown.
- (b) Animal unit fractions are rounded to the nearest whole Animal Unit.
- (c) Farm animals that are not listed in the table are counted according to the most similar type of animal listed in terms of size and characteristics.
- (d) Combinations of different types of livestock, calculated on a fractional basis, are permitted provided the total maximum number of animal units is not exceeded.
- (e) For operations primarily involving the raising of young farm animals, the animals are counted according to the below table, multiplied by four times the number of animals equal to one animal unit.

Type of Animal	Number of Animals Equal to One Animal Unit
Cows (all types)	1
Horses	1

Type of Animal	Number of Animals Equal to One Animal Unit
Miniature Horses/Ponies	2
Sheep/Goats	4
Fowl excluding Turkeys	20
Turkeys	5
Pigs	2
Mink	20
Rabbits	20
Llamas/Alpacas	2
Ostriches/Emus	2

Antenna means a device or combination of devices used, intended to be used, or capable of being used for telecommunication. Most antennas have their own integral mast so that they can be fastened directly to a building or tower. Where this document refers to an antenna, the term includes the integral mast.

Antenna System means a system normally composed of an antenna and some sort of supporting structure, normally a tower including but not limited to lattice towers, guy towers, or monopole towers.

Arts and Cultural Centre means any use or combination of uses dedicated to preserving, developing, and educating the public in the visual and performing arts, music, culture and learning, including such uses as art galleries, museums, archives, theatres, makeries, and any uses accessory thereto.

Attached building means a building that may be otherwise complete in itself, that depends upon a division wall or walls shared in common with an adjacent building(s) for complete enclosure. For clarity, two buildings connected by a breezeway are not attached. For the purposes of determining setbacks, an attached building will be considered part of the main building.

Automotive Repair means a building or a portion of a building used to repair and/or paint the body or engine of a motorized vehicle, including but not limited to motor vehicle detailing and sandblasting. Unless otherwise controlled by a zone provision, this use may include the accessory display of up to six vehicles for sale, lease or rental.

Automotive Sales and Rental means land, a building, or a portion of a building used to sell, lease, or rent motor vehicles and unless otherwise restricted by zone provisions this use may include accessory automotive repair, washing, detailing, and retail sales of automobile parts.



Back Lot means a lot situated back from and therefore not directly abutting the shore of a lake and separated from the lake by a private or public road or waterfront lot.

Bed and Breakfast Operation means a residential unit in which overnight accommodation is provided to the public and in which meals may be provided only to overnight guests, and which is the principal residence of the owner of the bed and breakfast operation.

Boathouse means a structure designed and constructed to shelter boats and other watercraft and shall not be used for human habitation or other uses unrelated to the storage of boats.

Breezeway means a roofed open passage connecting two or more buildings.

Building means a type of structure, whether temporary or permanent, that is roofed and that is used for the shelter or accommodation of persons, animals, material or equipment.

Building and Construction Contractors means land, a building, or portion of a building used by general purpose and specialized building and construction contractors, including, but not limited to, well drillers, plumbers, carpenters, electricians, heating and air conditioning technicians, storage, repair, preparation and other uses related to the operation of the business as well as residential and commercial cleaning for office uses.

Building Envelope means the portion of a lot within which buildings may be constructed.

Building Footprint means the area of a building where it meets the ground measured to the outside of exterior walls and to the centre line of party walls, including covered porches and verandas, but excluding uncovered building features such as decks, patios, steps, ramps and other similar building features.

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

Bulk Chemical Storage means the storage of chemicals, including chlorinated 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.

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 for on-site space heating of commercial or residential buildings, and fuels for 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.

Bunkhouse means a building that is not a complete dwelling but is intended to serve primarily as sleeping quarters for one or more persons employed in the farming business and is located on the farm property where the farming business operates.

Bus/Taxi Stations means a building, structure, or land use where commercial motor vehicles pick up and drop off fare-paying passengers and may include bus bays and shelters, ticket offices, luggage checking facilities, and similar uses.

Business Office means a building or part of a building where persons are employed in the managing, directing, or conducting of a service on behalf of clients such as a financial institution (bank, insurance agency), a professional office (doctor, dentist, lawyer, engineer, surveyor), a government office, a call centre, or a business office of a non-profit charitable organization, but does not include a medical or dental clinic.



Campground means a building, structure, land, or part thereof used for a range of overnight camping experiences from tenting to recreational cabins to serviced recreational vehicle sites and includes accessory facilities that support camping, including, but not limited to, administration offices, laundry facilities, recreation halls and canteens, but does not include the use of mobile homes or recreational vehicles on a permanent year-round basis.

Carwash Facility means a building, structure, land, or part thereof, used to clean the exterior and/or interior of vehicles, including washing by hand, automated equipment, and automotive detailing.

Cemetery means land, and any associated buildings and structures, used to permanently bury or contain human or pet remains.

Centreline means the imaginary line that is equidistant from the two sides of the highway right-of-way. Where the exact location of right-of-way cannot be determined, the centreline is midway between the edges of the travelled surface.

Change in Use means any alteration in the use made of the whole or any part of a parcel of land, a building, or a structure.

Commercial Floor Area means the total usable floor area within a building used for commercial purposes, but excludes washrooms, furnace and utility rooms, storage and kitchen areas, and common areas between stores. Where a use specifically includes outdoor seating areas, that area shall be included as commercial floor area.

Commercial Vehicle means a vehicle that is used for an activity that has as its main purpose financial gain, and which vehicle has a specified load capacity of over one tonne.

Community Facility means any community building, structure, or land owned and/or operated by a village commission, service club, recreation association or other form of local registered community association used for public purposes, such as, but not limited to, local government offices, libraries, and community centres but excludes emergency services.

Composting Facility means a building, structure, land, or part thereof used for the biological composting of organic materials, substances, or objects, including vegetative matter; food processing waste; landscaping, garden and horticultural wastes; kitchen scraps; feed processing wastes; and other organic wastes that can be readily composted under controlled circumstances to a condition sufficiently stable for nuisance-free storage.

Construct means to build, erect, reconstruct, alter, relocate, or place any building or structure and, without limiting the generality of the foregoing, includes any preliminary physical operation prior to construction such as excavating, grading, piling, cribbing, filling, or draining.

Construction and Demolition Debris Disposal Site means a building, structure, or land, or part thereof licensed by Nova Scotia Environment and used for the disposal, stockpiling, storage, separation, and

processing of materials that are normally used in the construction of buildings, structures, roadways, walls, and other landscaping material and includes, but is not limited to, soil, asphalt, brick, mortar, drywall, plaster, cellulose, fibreglass fibers, lumber, wood, asphalt shingles and metals.

Convenience Store means a building or part of a building used for the retail sale of a limited line of groceries and confectionery items.

Corner Lot means a lot situated at the intersection of, and abutting on, two or more roads.

Correctional Centre means a facility to house youths or adults in the custody of or sentenced by a court of law, and which is licensed by or under contract to Corrections Canada or Nova Scotia Corrections or successor bodies.

Council means the Municipal Council of the Municipality of the County of Kings.

Craft Product means products assembled or 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, and caterers.

Crematorium means a building or part of a building used to cremate human or animal corpses.

D

Day Care Facility means a building or part of a building where four or more people are cared for on a daily basis without overnight accommodation.

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

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

Development Agreement means a development agreement pursuant to section 225 of the *Municipal Government Act*, S.N.S., 1998, section 18.

Domestic Animal Grooming means a building or a part of a building used for the grooming of domestic dogs and cats.

Drive-through Facility means a building or part of a building used for the sale and provision of goods or services through an attendant or a window or an automated machine to persons remaining in vehicles that are in a designated stacking aisle.

Drive-through Restaurant means a building or part of a building used as a restaurant, as defined in this By-law, that also, or exclusively, offers food and beverages for sale to the public through a drive-through facility.

Dry-cleaning Depot means a building or part of a building used for the purpose of receiving articles to be subjected to the process of dry-cleaning at, and shall not include a dry-cleaning facility.

Dry-cleaning Facility means a building or part of a building where dry-cleaning, dry-dyeing, cleaning or pressing of articles or goods or fabric is conducted.

Dwelling means a building, or portion thereof, occupied or capable of being occupied as a home or residence by one or more persons, containing one or more residential units, but does not include a bunkhouse, a farm tenement, a hotel, a motel, a motor home, a travel trailer or other recreational vehicle.

E

Educational Facilities means a building, structure, land, or part thereof used to operate a school, including, but not limited to, public and private elementary and high schools, vocational schools, continuing education facilities, post-secondary schools and training centres, but does not include a day care facility.

Emergency Services means a building, structure, land, or part thereof that is a base of operations for a fire department, police department, ambulance services or other similar emergency service provider.

Equipment Rental means a commercial business that rents construction and property maintenance equipment and may involve outdoor storage and commercial display.

Established Grade means the average level of finished ground adjoining each exterior wall of a building or structure, except that localized depressions such as vehicle and pedestrian entrances need not be considered in determination of average levels of finished ground.

Existing means any use, structure, lot line, or other referenced item that legally existed on the date of adoption of this By-law.

Existing Residential Uses means a residential use that legally existed, including legal non-conforming residential uses, on the date of adoption of this By-law.

Event Venue means a building, structure, land or part thereof used to host commercial events including, but not limited to, weddings, parties or other gatherings and may include the consumption of food and alcoholic beverages but shall not include a restaurant.



Farm means land used for farming as defined in the *Income Tax Act* (Canada), as amended from time to time.

Farming Business means farming business within the meaning of the *Income Tax Act* (Canada), as amended from time to time, that reports agricultural income or expenses to the Canada Revenue Agency, or successor body.

Farm Dwelling means a dwelling accessory to a farming business containing one or two residential units located on a farm property and that is occupied by the individual directly responsible for managing a farming business (the “farmer”) and provided that

- (a) The farm property is owned by:
 - (i) the farmer;
 - (ii) if the property owner is a personal trust, the farmer is a beneficiary of the trust that is entitled to receive directly from the trust any income or capital of the trust;
 - (iii) a spouse, common-law partner, parent or child of the person referred to in (i) or (ii)
 - (iv) a family farm corporation where any persons in (i) to (iii) above owns shares in the corporation, or
 - (v) a partnership, an interest in which is an interest in a family farm partnership of an individual referred to in any of (i) to (iii) above; and
- (b) the person referred to in (a) is actively engaged on a regular and continuous basis in the farming business for which the property is used.

Farm Market Outlet means a building directly associated with a farming business on the farm property from which farm produce is sold directly to the general public.

Farm Property means the real property used principally in the course of carrying on a farming business.

Farm or Vineyard Product Sampling means an accessory use associated with a farming business that involves the sampling of farm or vineyard products such as, but not limited to, wines, ciders, cheese, maple syrup, and other foods and beverages provided some of the principal ingredients for the sampled product is harvested on site.

Farm Supportive Use means the use of a lot or buildings on that lot for uses such as, but not limited to, agricultural warehousing, processing, sorting, grading, packaging, offices, and transport facilities located on the farm property and associated with a farming business.

Farm Stay means a type of overnight accommodation associated with a farming business and on a farm property that provides opportunities for guests to learn about, and/or participate in farming activities and is accessory to a farming business.

Farm Tenement means a building containing one or two residential units that is accessory to a farming business, not the main building on the property, and is used to accommodate the workers of said farming business and is not considered a dwelling under the Municipal Government Act.

Fish and Seafood Processing means a building, structure, or land, or part thereof used for processing fish and other types of seafood.

Fish Farm means a commercial business primarily involved in the breeding and maintenance of live fish and shellfish.

Fishing Uses means uses supportive of the fishery, including general storage, boat launches and repair facilities.

Fixed Roof Overnight Accommodation means a building or buildings providing overnight accommodation to the travelling public, which may or may not contain an accessory eating establishment, but does not include a bed and breakfast operation.

Flag Lot means a lot located on the interior of the block with access provided by a driveway running beside the lot at the front of the block, and is characterized as having a long, narrow strip of land that accesses the rear, developable portion of the lot.

Flankage Lot Line means a side lot that meets the special circumstances noted in Clause (a) in the definition of "Front Lot Line".

Flankage Setback means the required minimum depth of a flankage yard on a lot between the flankage lot line and the nearest applicable point of a building or structure.

Flankage Yard means the yard that extends from the front yard to the rear yard between the flankage lot line and the nearest applicable point of a building or structure.

Floor Area means commercial floor area or gross floor area, as applicable.

Food and Drink Production means a facility in which food or drinks are processed or otherwise prepared for eventual human consumption but are not intended to be consumed on site.

Forest Industry Use means a building, structure, land, or part thereof used for milling, sawing, processing, storage, and/or transport of lumber, wood pellets, sawdust and Christmas trees.

Forestry Use means forest harvesting, reforestation, tree nurseries, maple sugar operations and similar uses related to the forestry industry including portable sawmills, equipment storage buildings, and other temporary uses supportive of land clearing activities.

Front Lot Line means the lot line dividing the lot from the road, and:

- (a) In the case of a corner lot, the shorter lot line abutting the road shall be deemed to be the front lot line and the longer lot line abutting the street shall be deemed the flankage lot line.

- (b) In the case of a through lot, both of the lot lines dividing the lot from a road shall be deemed to be the front lot line.

Front Setback means the required minimum depth of a front yard on a lot between the front lot line and the nearest applicable point of a building or structure.

Front Yard means a yard extending across the full width of a lot between the front lot line and the nearest applicable point of a building or structure on the lot.

Funeral Home means a building or part of a building providing funeral services. Such a facility may include accessory uses such as, but not limited to, embalming, cremation and the storage and retailing of caskets and other related funeral supplies.



Gas Bar means a facility offering service to automobiles generally limited to the sale of gasoline or diesel fuel but shall not include automotive repair.

Gas Bar Canopy means a permanent roofed structure that is open on all sides, except where attached to a building, and used to provide shelter for fuel pumps.

Glazing means reflective, translucent or transparent glass surfaces such as windows and glass doors which are installed on the exterior of a building.

Golf Course and Driving Range means a building, structure, land, or part thereof used for golfing, including, but not limited to, driving ranges, club houses and maintenance facilities.

Goods and Services Shop means a building or part of a building used for the provision of a service that may require limited processing and the sale of goods directly related to that service which may include, but is not limited to a photography studio, dressmaker or tailor, embroidery or silk screening, and printing services.

Greenhouse means a building or structure having a roof and/or walls constructed with transparent or translucent materials and used for the growing of flowers, plants, shrubs, trees, and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse, but may be sold directly from such lot at wholesale or retail. For greater clarity, the retail sale of flowers, plants, shrubs, trees, and similar vegetation independent of their cultivation is not considered a greenhouse.

Gross Floor Area means the aggregate of the floor areas of a building above or below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building, and for the purpose of this clause, the walls forming a court yard are deemed to be exterior walls.

Ground Floor Height means the vertical distance from the finished floor elevation of the floor of a building accessed by the principal pedestrian entrance to the finished floor elevation of the next floor above. For buildings with multiple principal pedestrian entrances at different elevations, the ground floor height shall only apply to one such floor of the applicant's choosing. *(Amended May 2, 2023, New Minas Secondary Plan)*

Grouped Dwellings means two or more one or two unit dwellings located on one lot. For clarity, this definition shall not include mobile homes.

Growth Centre means an area designated for more concentrated development as identified in the Municipal Planning Strategy and depicted on the Zoning Maps.



Heavy Equipment Facilities means land, a building or a portion of a building used to sell, lease, rent, service, or repair heavy equipment or heavy equipment parts, including trucks, airplanes, construction machinery, forestry equipment, agricultural equipment, and related machinery.

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

- (a) the highest point of the roof surface or the parapet, whichever is the greater, of a flat roof;
- (b) the decline of a mansard roof; or
- (c) the mean level between eaves and ridges of a gabled, hip, gambrel or other type of pitched roof;

but does not include any construction used as ornamentation or for the mechanical operation of the building, a mechanical penthouse, chimney, tower, cupola or steeple.

Holding yard means land used for the temporary storage of vehicles awaiting repair, collection, processing, and/or salvage of vehicles and parts of vehicles and/or appliances and other scrap reclaimable items.
(Amended October 1, 2024, File P21-01)

Home-based Business means an accessory use of a residential unit for employment involving the manufacture and/or sale of goods and/or services to the public and where the residential unit is the principal residence of the business operator.

Home Day Care means a home-based business where up to fourteen people are cared for on a daily basis.

Hospital means hospital within the meaning of the Hospitals Act.

Household Item Repair Services means a building or part of a building used for the repair and/or accessory sale of household appliances, furniture or equipment, such as, but not limited to, the repair of televisions, computers, electronics, kitchen appliances, hand tools, bicycles, and vacuum cleaners, but does not include the manufacturing, repair or servicing of combustion engines.

Household Livestock means livestock accessory to a residential use contained within the limits of the property by means of fencing, enclosures, or buildings without expectation of being a primary source of income. Combinations of different types of livestock, are permitted provided the total maximum number of five (5) animal units is not exceeded.



Indoor Recreation Uses means a building or structure used for recreational, instructional and/or entertainment purposes including, but not limited to, cinemas, bowling alleys, fitness clubs, curling rinks, dance studios, gymnasiums, arenas and swimming pools.



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

Laundromat means a building or part of a building where washing and drying machines are provided for rental use to the general public and may include a drop-off service but shall not include a dry-cleaning facility.

Licensed Liquor Establishment means a cabaret, lounge, beverage room, and/or bar licensed under the Nova Scotia *Liquor Control Act*.

Livestock Operations means a livestock operation in which a number of animals exceeding five (5) animal units are confined to a barn, feedlot or other facility for feeding, breeding, milking or holding for riding, eventual sale or egg production and may include a manure storage facility but does not include Household Livestock. (*Amended October 1, 2024, File P21-01*)

Lot means any parcel of land that is contained as a separate lot description in a deed of land or as shown as an approved lot on an approved plan of subdivision filed in the Land Registry Office, or successor body.

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

Lot Frontage means the horizontal distance between the side lot lines measured at the minimum front building line required in the zone in which the lot is located.

Lot Line means a boundary delineating the extent of property ownership.



Main Building means a building in which a principal use of a lot is conducted.

Manufacturing means a building, structure, land, or part thereof used for the purpose of manufacturing, assembling, making, preparing, inspecting, finishing, treating, altering, repairing or adapting for sale of any goods, substances, article or thing, and includes accessory warehousing of materials and products.

Marine Shoreline means the top of bank of the Minas Basin or Bay of Fundy coasts at the time of permitting.

Marine Shoreline Setback means the minimum horizontal distance from the marine shoreline to the nearest applicable point of a building or structure.

Medical and Dental Clinic means a building or part of a building in which medical and/or dental diagnosis and treatment are provided to the public by two or more practitioners without overnight accommodation. (*Amended October 1, 2024, File P21-01*)

Meteorological Tower means a tower used for supporting meteorological equipment to assess the wind resource and other meteorological data at a predetermined height above the ground.

Mini-home means a dwelling that may contain one or two residential units, and that is designed for transport after fabrication, whether or not on its own wheels or on a flatbed or other trailer, and that arrives on the site where it is to be occupied as a dwelling, complete and ready for occupancy, except for minor or incidental unpacking and assembly, and that does meet the standards for residential occupancy as described in the National Building Code of Canada as adopted in the Building By-law of the Municipality of the County of Kings.

Mobile Home means a portable dwelling that may contain one or two residential units built on a chassis or undercarriage and designed to be transported from its place of fabrication or sale to a lot, whether or not placed on permanent foundation, and that does not meet the standards for residential occupancy as described in the National Building Code of Canada as adopted in the Building By-law of the Municipality of the County of Kings and does not include a recreational vehicle.

Mini-home Park means a lot or area of land under single ownership designed and intended for residential use where two (2) or more mobile-homes or mini homes are located for dwelling purposes.

Mobile Home Park – Existing means a mobile-home park as licensed under the Municipality of Kings County Mobile Home Parks By-law, By-law #36, on the date of adoption of this By-law.

Multi-unit Dwelling means a dwelling containing three (3) or more residential units but excludes a townhouse.

Municipal Engineer means an engineer licensed to practice in Nova Scotia appointed by Municipal Council.

Municipality means the Municipality of the County of Kings.



Non-conforming means non-conforming as defined in the Nova Scotia *Municipal Government Act*.

Non-profit Camp means a recreational institution providing facilities for outdoor activities, sports, crafts and other special interests and typically featuring rustic overnight accommodations.



One Unit Dwelling means a dwelling containing one (1) residential unit, including a mini-home, or pre-fabricated homes but excluding a mobile home or a recreational vehicle.

Open Air Structure means a structure, which may have a roof, that is open on all sides.

Outdoor Commercial Display means a display of goods on a lot for the purpose of encouraging the purchase or rental of the display items or items similar to the display items including, but not limited to, recreational vehicles, mobile homes, trailers, boats, all-terrain vehicles, snowmobiles, motorcycles, swimming pools, decorative fountains, prefab cottages or homes.

Outdoor Storage means the accessory storage of any items outside a building not primarily for the encouragement of sale of the item or of similar items but principally for storage purposes.

Owner means any person, incorporated body, partnership or other legal entity including a part owner, joint owner, tenant in common or joint tenant of the whole or any part of any land or building and includes a trustee, an executor, a guardian, an agent, a mortgagee in possession, or other person having the care or the control of any land or building in the event of the absence or disability of the persons having the title thereof.



Park means an area permanently devoted to recreational uses that is owned and/or operated by a government or community organization to serve residents including, but not limited to, natural landscapes, playgrounds, outdoor recreation facilities, monuments, trails and community gardens.

Parking Area means the portion of a lot or building used for the provision of parking and includes parking spaces, traffic aisles, traffic islands and accesses from a road or from a parking area on an abutting lot.

Parking Lot means a building, structure, or land, other than a public road or highway, where one or more parking areas are the principal use of the lot. Any parking garages and accessory buildings are required to meet applicable setbacks.

Parking Space means an area, often designated or marked, for the temporary parking or storage of motor vehicles and that has adequate unencumbered access to permit entrance and exit to and from a public road or highway.

Personal Service Shop means a building or part of a building in which personal services related to personal health and grooming are provided to individuals including, but not limited to, barber shops, hair and nail salons, tattoo shops, massage therapy clinics, reflexology clinics, acupuncture clinics or tanning salons.

Pit Privy (or Outhouse) means a structure and the pit over which the structure sits, in which human waste is emitted from the pit into the soil.

Place of Worship means a building or part of a building dedicated to religious worship.

Private Road (or Street) means a private road as defined in the *Provincial Subdivision Regulations* (Nova Scotia).

Professional Trades means a building or part of a building used for operations conducted by professional tradespeople including but not limited to fabrication, maintenance, repair or restoration involving welding, machining, sheet metal, electronics, refrigeration, small engine repair, painting, plastics, acrylic, and fibreglass, sign production, and glazing shops.

Public Road (or Public Highway) means any road or highway owned and maintained by a municipality or the Province of Nova Scotia excluding designated controlled access highways pursuant to section 21 of the *Public Highways Act*.

Public Utility means a building, structure, or facility used to provide municipal or village water, sewer, storm drainage, transportation, the generation or distribution of electricity and other similar public services provided by another level of government, an agency regulated by another level of government or by a private entity regulated by the Nova Scotia Utility and Review Board.



Rear Lot Line means the lot line farthest from or opposite the front lot line.

Rear Setback means the required minimum depth of a rear yard on a lot between the rear lot line and the nearest applicable point of a building or structure.

Rear Yard means a yard extending across the full width of a lot between the rear lot line and the nearest applicable point of any main building or structure on the lot.

Recreational Cabin means a building intended for recreational overnight accommodation and is not used as a permanent residence. (*Amended October 1, 2024, File P21-01*)

Recreational Vehicle means a vehicle, such as a camper or motor home, used for traveling and recreational activities that are regulated under the *Motor Vehicle Act* but does not meet the definition of a derelict vehicle under the *Municipal Government Act*.

Residential Care Home means the use of a dwelling that provides accommodation to individuals who, for various reasons, require additional care including, but not limited to, medical care, counselling, personal care, or supervisory care that is provided by staff in either a live-in or shift model.

Residential Facility means a building or part of a building operated as one integrated facility in which accommodation is provided to individuals which includes additional care and services for residents, such as medical care, supervisory or personal care, and counselling, but shall not include a facility that is licensed by or under contract to Corrections Canada or Nova Scotia Corrections, or successor bodies.

Residential Garage means a building whether or not attached that is accessory to a dwelling and that is used for storage by the residents of the dwelling.

Residential Unit means one or more habitable rooms designed, occupied, or intended for use by one or more individuals as an independent and separate housekeeping unit in which a kitchen and sleeping and sanitary facilities are provided for the exclusive use of such individual or individuals.

Restaurant means a building or part of a building where food and beverages are prepared and offered for sale to the public for consumption either within the premises or to be taken off-site, but excludes a drive-through restaurant. A restaurant may also include the licensed sale of alcoholic beverages as an accessory use. (*Amended October 1, 2024, File P21-01*)

Retail Store means a building or a part of a building in which goods, wares, merchandise, substances, articles, or items are offered or kept for sale directly to the public at retail value.

Road means a public road unless otherwise specified in the zone provision.

Local Road means a road located within a Growth Centre that is not identified as a collector road on the Land Use By-law Zoning Map.

Collector Road means a road located within a Growth Centre that is identified as a collector road on the Land Use By-law Zoning Map.



Salvage and Scrap Operation means a building, structure, land, or part thereof used to sort, store, or dismantle vehicles, machinery, tires, metal, and other materials for reclamation, recycling, reuse or remanufacture and may include a salvage yard, as defined by the Nova Scotia *Environment Act* as amended from time to time, and may also include an accessory Storefront Recycling use.

Sanitary Service means a building, structure, land, or part thereof used for septic disposal services, portable toilet services, and similar services, including maintenance and equipment storage facilities but shall not include facilities and equipment related to the storage or processing of septic waste.

Secondary Suite means a secondary suite as defined by the *National Building Code*, as amended from time to time.

Semi-detached Dwelling means a residential dwelling that contains two (2) residential units that is divided vertically by a wall extending ground to roof and may be divided by a lot line. For clarity, where residential units are divided by a lot line, each lot shall contain only one (1) residential unit.

Self Storage Facility means a building or a part of a building consisting of two (2) or more separate, individual, small, self-contained units that are leased or owned for the storage of goods.

Separation Distance means the minimum required distance between the nearest applicable point of a building or structure and a feature identified in applicable sections of this By-law. For clarity, separation distances shall not qualify for a variance under section 235 of the *Municipal Government Act*.

Setback means the required minimum or maximum horizontal distance between the nearest applicable point of a building or structure to the respective lot lines or shoreline, including attached decks and landings but shall exclude features that are permitted to project into the required setback by this By-law.

Shoreline means the visible ordinary high water mark, at the time of permitting, of any lake, stream, or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the body of water a character distinct from that of the banks, both in vegetation and in the nature of the soil itself.

Shoreline Setback means the required minimum depth from the shoreline of a water body and the nearest applicable point of a building or structure.

Side Lot Line means a lot line other than a front or rear lot line and may also be defined as a flankage lot line.

Side Setback means the required minimum depth of a side yard on a lot between the side lot line and the nearest applicable point of a building or structure.

Side Yard means a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest applicable point of any building or structure on a lot.

Sign means any structure, device or light or any part thereof or any device attached thereto, or painted or represented thereon, that is used to identify, advertise, or attract attention to any object, product, place, activity, enterprise, organization, industry or business, or that displays or includes any letter, work, model, number, banner, flag, pennant, insignia, device or representation used as an announcement, direction, or advertisement, and that is intended to be seen from off the premises or from a parking lot. The defined term, Sign, does not include signs that are affixed to the inside of windows or glass doors.

Address Sign means a sign identifying the civic address or name of residents or occupants of the premises that is not greater than four (4) square feet in area.

Changeable Copy Sign (Manual) means a sign or part thereof, on which characters, letters, or illustrations can be manually changed or rearranged without altering the face or surface of the sign.

Commemorative Sign means a sign or plaque denoting the date of erection of a structure as well as signs identifying historic sites on the lot on which it is displayed.

Community Announcement Sign means a temporary sign announcing a campaign, drive or event of a civic, philanthropic, educational, religious or political nature for a period not exceeding 30 days before the event and not more than seven (7) days following the event.

Community Identification Sign means a sign identifying the community in which it is displayed and which may include the insignia of service clubs, religious, charitable or community organizations.

Community Service Sign means an off-site sign, flag, pennant or insignia of a non-commercial nature, identifying non-profit community service groups such as service clubs, religious, charitable or fraternal organizations, and of not more than ten (10) square feet in sign area but does not include signs identifying private clubs.

Construction Sign means a temporary sign located on a lot where construction or development is taking place and, during the period of construction and/or development that identifies the project, owners, architects, engineers, contractors, or financiers or other professional consultants participating in construction on the lot or prospective occupants in the project and may include a graphic rendering of the project.

Corner Directional Sign means a ground sign located on a corner lot, in a Commercial Zone or Industrial Zone lot and is used to advertise other businesses on the adjacent road.

Electronic Message Board Sign means a sign with an internal light source capable of displaying words or symbols that can be electronically changed by remote or automatic means.

Farm Produce Sign means a temporary off-site sign that advertises and directs customers to a farm market outlet, U-pick operation, or other similar sales of farm produce, and is not greater than ten (10) feet in sign area.

Generic Real Estate Directional Sign means a temporary sign located at an intersection to direct the travelling public to a property for sale, rent, or lease and is not greater than four (4) square feet in sign area.

Ground Sign means a sign supported by the ground and is intended for permanent display.

Home-based Business Sign means a sign advertising a home-based business use.

Internally Lit Signs means a sign that provides artificial light directly, or through any transparent or translucent material from a source of light connected within such sign.

Landscape of Grand Pré Sign means a standardized series of signs owned and erected by the Landscape of Grand Pré Inc. or any successor body, Parks Canada or the Municipality of the County of Kings and include the following types of signs:

- (a) Interpretive Sign
- (b) Pedestrian Directional
- (c) Pedestrian Orientation Map
- (d) UNESCO World Heritage Site Arrival Sign
- (e) Vehicular Advisory
- (f) Vehicular Assurance Marker
- (g) Vehicular Directional
- (h) Vehicular Point of Interest Identification

Legal Notice Sign means a sign erected under the direction of the courts, government bodies or legal process.

Multi-unit Dwelling Sign means a sign identifying an apartment building, condominium building, or other type of multi-unit dwelling including a residential facility and that is not greater than ten (10) square feet in sign area and having a maximum height of ten (10) feet.

On Premise Directional or Traffic Control Signs means a sign that guides traffic or parking or gives other similar non-commercial directions on the lot on which it is displayed and that are not greater than four (4) square feet in area and having a maximum height of ten (10) feet.

Park Sign means a sign within a park that informs the public of the name of the park and may include a list of amenities provided for the use by the general public on the lot.

Point of Purchase Sign means a sign advertising a retail item and accompanying its display, including advertising on a product dispenser and menu boards located on the same lot as the use.

Portable Sign means a sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs to be transported on wheels, sandwich board signs and signs on balloons and umbrellas.

Projecting Sign means a sign that projects from and is supported by a wall of a building.

Public Utility sign means a sign that denotes a plant, equipment or lot used in the provision of public services by a public utility and that is not greater than six (6) square feet in sign area.

Real Estate Sign means a temporary sign located on a lot and that advertises the sale, rental, or lease of the premises or lot on which it is displayed.

Roof Sign means any sign erected, painted or applied in any way upon or against a pitched roof.

Sign Area means the area of the smallest triangle, rectangle, circle or semicircle that can wholly enclose the surface area of the sign. The sign area of individual letters or figures that are attached or painted on a surface shall be the smallest triangle, rectangle, circle or semicircle that can wholly enclose all of the letters, numbers or insignia.

Sign Height means the distance from ground level to the highest part of the sign, including the sign structure.

Subdivision or Neighbourhood Identification Sign means a sign identifying a residential subdivision or neighbourhood and that is located on land included in the subdivision or neighbourhood and that are not greater than 40 square feet in sign area and having a maximum height of ten (10) feet.

Tourism Oriented Directional Sign means a standardized sign erected and maintained in the road right-of-way in accordance with the Municipality's Road Authority By-law.

Transit Shelter Sign means a single or multiple number of flat signs that constitute a panel or a portion of a panel of a transit shelter. Such signs may be illuminated.

Vehicle Sign means a sign attached directly to or painted on a vehicle or trailer that is currently licensed and safety inspected for lawful operation on public roads related to the activity, business, organization, enterprise, industry or service being conducted by the owner or lessee of the vehicle or trailer and the use of such vehicle or trailer is for transportation of persons or products or the delivery of services in connection with the use.

Wall Coverage means the total sign area of all wall signs attached to any one building wall.

Wall Sign means a sign attached directly to or painted on a building wall, canopy, or awning, and that does not extend from the wall, canopy, or awning.

Warning Sign means a sign regulating the use of a lot by providing information such as safety, danger or "no trespassing" and that is not greater than four (4) square feet in sign area.

Solar Collector means the components of a solar collector system that are designed for the collection, reflection, refraction, or conversion of solar radiation. Without restricting the generality of this definition, solar collector may include evacuated tubes, flat plate collectors, concentrating mirrors, and building-integrated photovoltaic materials but does not include windows.

Solar Collector Area means the area of the largest parallel projection of a solar collector onto a flat plane. When calculating the total solar collector area for a solar collector system the solar collector area of each individual structure will first be calculated and then added to obtain the total solar collector area.

Solar Collector System means a structure or array of structures on one lot whose main purpose is to collect solar radiation and convert it to useable forms of energy and includes a small-scale collector system, large-scale collector system and on-building solar collector system. Without restricting the generality of this definition, the components of a solar collector system may include solar collectors, structural supports, ancillary electrical equipment, and an energy storage system.

On-building Solar Collector System means a solar collector system mounted on, attached to, or integrated with a building where the building's main purpose is something other than the collection and conversion of solar radiation.

Small-scale Solar Collector System means a solar collector system intended to generate electricity at a rate consistent with the usage of the property(ies) on which it is located with limited excess energy generated. *(Amended June 1, 2021, File 20-19)*

Large-scale Solar Collection System means a solar collection system located in a rural area intended to generate electricity at a rate consistent with the usage on the property(ies) on which it is located with the potential to generate excess electricity for sale to the utility. *(Amended June 1, 2021, File 20-19)*

Stepback means the horizontal distance measured between the top of the Streetwall and the main face of building floors above the Streetwall. *(Amended May 2, 2023, New Minas Secondary Plan)*

Storefront Recycling Use means a business enclosed entirely within a structure, or part thereof, used for receiving and sorting materials such as, but not limited to glass, bottles, metal cans, paper, cardboard, plastic and electronics for purposes of reuse and recycling, and that involves no processing other than for transport to a waste transfer station.

Streetwall means the wall of a building facing the front and flankage yard and is below the height of a specified stepback, excepting minor recesses for elements such as doorways or protrusions for elements such as bay windows. *(Amended May 2, 2023, New Minas Secondary Plan)*

Structure means anything human-made that is fastened to or into the earth or another structure or rests on the earth by its own mass, but not including pavements, curbs, pathways, uncovered patios, retaining walls, fences not greater than six (6) feet in height, play equipment, dog houses and other similar objects.

Swimming Pool means a tank or body of water maintained or used or which may be used for swimming purposes, whether above or in ground, but shall not include an existing natural body of water, an irrigation or fire protection pond or a fishing or duck pond.



Telecommunications means the emission, transmission or reception of intelligence by any wire, cable, radio, optical or other electromagnetic system, or by any similar technical system.

Telecommunication Facility means any facility, apparatus or other item that is used or is being used for telecommunications or for any operation directly connected with telecommunications, and includes a transmission facility.

Through Lot means a lot bounded on two opposite sides by roads or highway. Where any lot qualifies as being both a corner lot and a through lot as defined within this By-law, such a lot is deemed to be a corner lot for the purpose of this By-law.

Tourist Commercial Use means a tourist inn, lodge, or cabins that primarily provide sleeping accommodation to the vacationing public.

Townhouse 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. For clarity, where residential units are divided by one or more lot lines, each lot shall contain only one (1) residential unit.

Traffic Aisle means part of a parking area used for access and egress to individual parking spaces from a road or a parking area on an abutting lot.

Transit Shelter means a small structure, which may have walls and a roof, designed primarily for the protection and convenience of public transit passengers.

Transportation Services means a building, structure, or land, or part thereof used for the purpose of transporting any kind of item or good by truck or other vehicle, including, but not limited to, loading facilities, storage, and maintenance facilities, but does not include the transport of people, which is covered by the definition of bus/taxi stations.

Two Unit Dwelling means a dwelling containing two (2) residential units including mini-homes or pre-fabricated homes but shall exclude a mobile home, recreational vehicle or semi-detached dwelling.



Urban Chicken means domestic fowl *Gallus gallus domesticus*, including urban chicken rooster.

Urban Chicken Coop means an accessory building used to house urban chickens.

Urban Chicken Rooster means a male urban chicken.

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 or leased.

Veterinary Clinic means a building or part of a building used for the medical, surgical, or therapeutic treatment of animals or livestock, but does not include the office of a veterinarian located in their residence. Animals are neither kept nor boarded at the veterinary clinic other than the short term care incidental to the medical use. Domestic animal grooming may be considered an accessory use.

Visitor Information Centre means a building or part of a building that is operated by the Province, the Municipality, a village, a society incorporated under the *Societies Act* or a board of trade or chamber of commerce that is used to provide visitors with information about events and attractions in the Municipality of the County of Kings and/or the Province of Nova Scotia.



Warehouse means a building where wares or goods are stored, such as, but not limited to, cold storage facilities and distribution centres, but does not include a retail store.

Waste Transfer Station means a site or facility that accepts waste or recyclables for sorting, temporary storage, or consolidation prior to shipment to a landfill site or recycling facility.

Water Frontage means the distance measured as a straight line between the two points where the side lot lines meet a shoreline.

Watercourse means the bed and shore of every river, stream, lake, creek, pond, spring, lagoon, swamp, marsh, wetland, ravine, gulch or other natural body of water and the water therein, including ground water, within the jurisdiction of the Province whether it contains water or not but shall not include ditches that form part of a public drainage system. *(Amended October 1, 2024, File P21-01)*

Waterfront Lot means a lot immediately and directly abutting on the shoreline of a lake.

Wellfield means an area of land above and surrounding one (1) or more wells that provide drinking water to a public utility.

Wellfield Overlay means protected area of land that contributes groundwater to wells controlled by a public utility and divided into areas of increased protection based on the proximity to the well location.

Wildlife Rescue and Rehabilitation Centre means a building or structure (including outdoor pens/cages) in which facilities are provided for the treatment and rehabilitation of injured, sick, displaced, or orphaned native wildlife with the goal of returning a healthy animal back to the wild. Treatment does not include permanent boarding facilities for native wildlife.

Wind Turbine means a structure that converts the wind's kinetic energy into useable forms of energy. The wind turbine comprises the tower, rotor blades (either vertical or horizontal) and nacelle.

Accessory Wind Turbine means a wind turbine with a height less than or equal to 25 feet.

Large-scale Wind Turbine means a wind turbine with a height greater than 115 feet.

Nacelle means the frame and housing that encloses the transmission system and generator and protects them from the weather.

Rotor Blade means the part of the wind turbine that rotates in the wind and extracts kinetic energy from the wind.

Small-scale Wind Turbine means a wind turbine with a height greater than 25 feet but less than or equal to 115 feet.

Wind Turbine Height means the height from established grade to the highest vertical extension of a wind turbine, which often occurs at the top of the arc of the rotor blade. For greater clarity, where a wind turbine is mounted to another structure wind turbine height shall still be measured from established grade to the highest vertical extension of the wind turbine.

Wind Turbine Tower means a freestanding structure or a structure attached to guy wires that serves to support other parts of the wind turbine.

X Y Z

Yard means an open, uncovered space on a lot adjacent to a building or structure measured as the minimum horizontal distance between the nearest applicable point of a building or structure and the respective lot lines.

Zoo means a facility containing a collection of living native and exotic animals for public display housed within buildings, structures, or fenced areas and may include an accessory restaurant or retail store.