



**TOWN OF PORT HAWKESBURY  
BY-LAW TO AMEND THE PORT HAWKESBURY  
LAND USE BY-LAW**

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The Port Hawkesbury Land Use By-law is hereby amended as identified in bolded text below:

Part 5 – Development Agreements and Site Plan Approval

3. Pursuant to Section 231 of the *Municipal Government Act*, the following developments shall be subject to Site Plan Approval:
  - (a) Multiple-unit residential dwellings in the Residential Two-Unit (R-2) zone.
4. The following evaluation criteria shall apply to any development undertaken pursuant to Part 5, Section (3):
  - a. Any development must be in compliance with the requirements of the general regulations and applicable zone, as found in the Land Use By-law;
  - b. Storm and surface water protection plans must be provided.
5. Notwithstanding Part 5, Section (3), the Development Officer may vary the following provisions of the Land Use By-law through Site Plan Approval:
  - (b) The minimum required front yard setback;
  - (c) The minimum required number of off-street parking spaces; and,
  - (d) Visual barrier requirements.
6. A site plan prepared in accordance with Part 5, Section (3) shall include the following, drawn to scale:
  - a. The location of existing (to remain) and proposed structures on the site;
  - b. The location of existing (to remain) and proposed off-street parking and loading facilities;
  - c. The location and width of existing (to remain) and proposed driveway accesses to public or private roads;
  - d. The type, location and height of any retaining walls, fences, hedges, trees, shrubs or groundcover, as well as any retained natural vegetation;
  - e. Any existing (to remain) and proposed grade alteration and storm surface water control infrastructure;
  - f. The location of existing (to remain) and proposed walkways, noting the width and surface materials;
  - g. The type and location of existing (to remain) and proposed outdoor lighting;
  - h. The location and type of any facilities and enclosures for the storage of garbage, recycling and other waste materials;
  - i. The location and type of any amenity area or facilities provided for users of the development;
  - j. The location of existing and proposed easements on the subject property;
  - k. The type, number and size of any existing (to remain) and proposed signs and sign structures; and,
  - l. Any provisions for the maintenance of any of the items referred to in this subsection.

7. The process for granting site plan approval follows the same process as that used for a variance, subject to Section 236 of the *Municipal Government Act*.

Part 9 Residential Two-Unit (R2) Zone

*R2 Uses Permitted*

1. No development permit shall be issued in a Residential Two Unit (R2) Zone except for the following uses:
  - a) Single unit detached dwellings
  - b) Duplex dwellings
  - c) Semi-detached dwellings
  - d) Converted dwellings to a maximum of two (2) units
  - e) Boarding or rooming houses, to a maximum six (6) boarders/roomers
  - f) Bed and breakfast establishments, to a maximum of four (4) units
  - g) Parks and community centres subject to the Open Space (O1) Zone requirements
  - h) **Multiple-Unit Dwellings with three (3) to five (5) units, subject to Site Plan Approval**

*General Lot Requirements*

2. In any Residential Two Unit (R2) Zone, no development permit shall be issued except in conformity with the following requirements:
  - a) Where municipal water and sewer services are available:

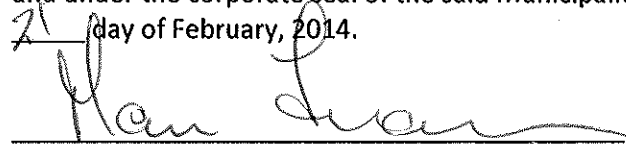
	Single-Detached Dwellings / Duplex Dwellings	Semi Detached Dwellings (For each dwelling unit)	Converted Dwellings, Boarding or Rooming Houses and Bed and Breakfast Establishments	Multiple-Unit Dwellings
Minimum Lot Area	560.0 m <sup>2</sup> [6020 ft <sup>2</sup> ]	280.0 m <sup>2</sup> [3014 ft <sup>2</sup> ]	560.0 m <sup>2</sup> [6020 ft <sup>2</sup> ] for the first 2 units or 3 guest rooms and 186.0m <sup>2</sup> [2002 ft <sup>2</sup> ] for each guest room over 3	<b>930.0 m<sup>2</sup> [10010ft<sup>2</sup>]</b>
Minimum Lot Frontage	18.25 m [59.9ft.]	9.00 m [29.5 ft.]	18.25 m [59.9 ft.]	<b>30.05 m. (100 ft.)</b>
Minimum Front Yard	7.65 m [25.1 ft.]		6.10 m. [20.0 ft.]	<b>6.10 m. [20.0 ft.]</b>
Min. Side Yard i) one side ii) other side	2.50 m [8.2 ft.] 3.05 m [10.0 ft.]	3.05 m [10.0 ft.] 0 m [0 ft.]	1.25 m [4.1 ft.] 3.05 m [10.0 ft.]	<b>2.50 m [8.2 ft.] 3.05 m [10.0 ft.]</b>
Minimum Rear Yard	7.65 m [25.1 ft.]		6.10 m. [20.0 ft.]	<b>7.65 m [25.1 ft.]</b>
Maximum Height of Main Building	10.70 m [35.1ft.]			<b>10.70 m [35.1ft.]</b>
Maximum Lot Coverage	35%			<b>35%</b>

**Special Requirement - Municipal Water and Sewer**

- 6. A development permit shall be issued for a multiple-unit dwelling in a Residential Two-Unit (R2) Zone only where municipal water and sewer services are available.**

This is to certify that the By-law, of which this is a true copy, was passed at a duly called meeting of the Council for the Town of Port Hawkesbury on February 17, 2014.

Given under the hand of the Chief Administrative Officer and under the corporate seal of the said Municipality this 21 day of February, 2014.

A handwritten signature in black ink, appearing to read "Maris Freimanis", written over a horizontal line.

Maris Freimanis, P.Eng.  
Chief Administrative Officer

**Date of First Reading:** January 14, 2014

**Dates of Advertisements of Notice of Intent to Consider:** January 29, 2014 & February 5, 2014

**Date of Second Reading:** February 17, 2014

**Date of Advertisement of By-law Passage and Approval:** April 16, 2014

**Date of Mailing Certified Copy to SNSMR:** February 26, 2014

I certify that this By-law to Amend the Port Hawkesbury Land Use By-Law was adopted by Council and published as indicated above.



**Maris Freimanis P. Eng.**  
**Chief Administrative Officer**

April 16, 2014  
Date