



Municipality of Cumberland By-law 25-01

By-law to Amend the Land Use By-law

1. This By-law is titled "By-law to Amend the Land Use By-law 25-01".
2. Section 3.3.4 is hereby amended to reflect the following change:

A location certificate prepared and stamped by a Nova Scotia Land Surveyor **may** be required:

3. Section 4.4.1 is hereby amended to reflect the following insertions.

4.4.1 For the purposes of this Section, an existing lot is a lot that was lawfully created **in accordance with Section 268 (2) of the Act** or shown on a plan of subdivision **approved or tentatively approved** by the Municipality, the former Town of Parrsboro, or the former Town of Springhill, in the applicable area as shown on Schedule B of this By-law, prior to the following dates:

- (a) June 15, 1977, in Springhill
- (b) May 22, 2007, in Parrsboro
- (c) July 24, 2008, in Cumberland

4. Section 4.4.2 is hereby amended to reflect the following changes:

4.4.2 Notwithstanding minimum lot frontage, setback, and area requirements, the Development Officer shall issue a development permit on existing lots having less than the minimum frontage, width, or area required by this By-law for a use permitted in the zone in which the lot is located and a building may be erected on the lot provided:

- (a) the lot is not zoned Wellfield 1 (W1), Wellfield 2A (W2A), Wellfield 2B (W2B), Wellfield 2C (W2C), Wellfield 3A (W3A), Wellfield 3B (W3B), or **Flood Hazard (HzFI) [CHG-1209]**;
- (b) *[Deleted CHG-405]*
- (bA) if the proposed use includes a dwelling or any other use that requires on-site wastewater, a permit from Nova Scotia Department of Environment for an On-site Sewage Disposal System can be obtained [CHG 408]**
- (c) maximum lot coverage is **25 percent**;[CHG-408]
- (d) all other applicable provisions of this By-law are met;
- (e) all applicable wastewater treatment requirements are met;

- (f) if a dwelling is proposed, the means of wastewater treatment is not a holding tank or privy;
- (g) the lot has not less than 4 metres of lot frontage;
- (h) All setbacks shall be no less than 3m for lots without access to central municipal sewer [CHG-408]**
- (i) in no circumstance shall any setback be reduced to less than 1.4 metres.
- (j) Shoreline buffer is maintained in accordance with section 4.16.1[CHG-408]**
- (k) Waterfront lots shall maintain a maximum building height of 8m [CHG-408]**

5. Section 4.16.2 (b) is hereby amended to reflect the following addition:

- (b) One accessory building or structure or one **uncovered** attached deck which, in total, shall not be larger than 20 m². **[CHG-408]**

6. Section 4.16 is hereby amended to reflect the following addition of clause 4.16.6:

4.16.6 Notwithstanding Section 4.16.1 and Section 4.16.4, the expansion of an existing main building on an undersized lot may be permitted, provided any addition does not further reduce existing distance from the top of bank of the watercourse/shoreline to the main building. [CHG 408]

7. This By-law comes into force upon publication.

Clerk's Annotation for Official By-Law Book

Date of First Reading: January 22, 2025

Date of Second Reading: February 26, 2025

*Date of advertisement of Approval of By-law: February 28, 2025

Date of mailing to Minister a certified copy of the By-law: February 28, 2025

I certify that the By-law to Amend the Land Use By-law 25-01 was adopted by Council and published as indicated above.

^{CAO}
Municipal Clerk:



Date: Feb 28/25

*Effective date of By-Law unless specified in the By-Law