



Proposed Amendment to The Land-Use Bylaw
The inclusion of Site Plan Approval Requirements for
Recreational Vehicles Parks

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REPORT OVERVIEW

Proposal	This proposal presents an amendment to the Land Use By-Law (LUB) to establish site plan requirements for the development of Recreation Vehicle Parks as described in the Municipal Planning Strategy
Description	<p>The Municipal Planning Strategy (MPS) acknowledges the popularity of recreational vehicles in the area and accommodates them with policies 4-60 and 4-61. Recreational vehicle parks are allowed by Site Plan Approval in multiple zones and must adhere to the criteria outlined in Chapter 31 of the Land Use By-law (LUB). However, there is no specific section for recreational vehicle parks within the stated chapter or subsequent chapters of the LUB.</p> <p>To ensure clear and consistent planning for recreational vehicle parks that require site plan approval, several factors must be taken into account. These include the location of the park, the number of recreational vehicles it will accommodate, the availability of communal spaces, and access to essential services. Additionally, if there is a watercourse buffer associated with the lot and its permitted use, it must be documented in the site plan. This site plan should address the parking locations for the recreational vehicles, landscaping, and any other structures on the property.</p>
Recommendation	To ensure that RV parks are developed in a way that aligns with community standards and to minimize negative impacts, it is recommended that Council amend the current Land Use Bylaw (LUB) to include site plan approval criteria specifically for RV sites and RV parks in zones where the use is permitted.
Relevant Policies and Legislation	<p>Municipal Planning Strategy (2023) Land Use By-Law (2023) Public Participation Program Policy P-102-21</p>
	<p>The Municipality of Yarmouth’s Public Participation Policy does not require a Public Participation Program to change the Land Use Bylaw.</p> <p>This Application Requires the Following Steps:</p> <ol style="list-style-type: none"> 1. Recommendation to Council (Planning Advisory Committee) 2. 1st Reading (Council) 3. Public Hearing (Council) 4. 2nd Reading (Council)

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Concern

The Municipal Planning Strategy (MPS) for 2023 recognizes the municipality's popularity of recreational vehicles (RVs) and addresses this through [Policies 4-60 and 4-61](#). RV parks are permitted with site plan approval in several zones, subject to the criteria outlined in Chapter 31 of the By-law. However, there is currently no section in the by-law that specifically addresses recreational vehicle parks and the requirements necessary for their site plan approval process.

To align the Land Use By-Law regulations with the vision of the Municipal Planning Strategy, it is proposed that Council establish clear and consistent planning regulations requiring the submission of a site plan that outlines the site layout and the number of vehicles permitted for use in a recreational vehicle park. This also provides an opportunity to create a detailed record of any existing watercourse buffer (if applicable), as well as the designated locations on the lots where the recreational vehicle park, associated landscaping, and other structures are planned.

Recreational Vehicle Parks in the Municipality of the District of Yarmouth

We obtained permit data on existing campground uses within the Municipality. Below is information on the average lot area and zoning used to establish the site plan criteria standards.

- Campers Haven Campground & Cottages, encompassing 33.88 acres, was registered in 1969. It received a permit in 2003 for an 8'x8' shed used as an electrical substation.
- Lake Breeze Campground & Cottages, covering 12.33 acres, was registered in 1999. It acquired permits in 2005 to expand the existing campground facility, construct a new road, and add 25 new RV campsites. In 2019, a permit was granted for two accessory buildings and a camping cabin.
- Castle Lake Campground & Cottages, spanning 50 acres, was registered in 2014 and rezoned from Rural Development to Rural Commercial in 2015.

Proposed Land Use By-law Amendment

Since the Land Use By-Law lacks the section mentioned in the Municipal Planning Strategy, Council must establish criteria for recreational vehicle parks as defined in the By-Law. The following amendment recommendations are based on exploratory research conducted by staff to understand how other municipalities regulate recreational vehicles and what necessary criteria should be included. Staff also reviewed the existing recreational vehicle park in the municipality to ensure that any policy recommendations align with the current framework, preventing non-conforming use.

Existing Municipal Planning Strategy Policies

Policy 4-60 Council shall, through the Land Use By-law, define more than two recreational vehicles on a lot as an "RV park".

Policy 4-61 Council shall, through the Land Use By-law, permit RV parks by site plan approval in the Hamlet Commercial Zone, Rural Development Zone, Rural Commercial Zone, Lakeside Residential Zone, and Recreation Zone.

The current policies regarding recreational vehicles and recreational vehicle parks were established by Council to strike a balance between tourist-related recreational vehicle parks and campground-type uses, and the Nova Scotia housing crisis, which has seen many community members relying on their recreational vehicles as their primary residence. The Land Use By-Law defines a recreational vehicle park

as a use containing more than two recreational vehicles on a lot. This means that up to two recreational vehicles can be used for residential purposes in residential areas, provided they meet all the requirements for a dwelling.

Council has also permitted recreational vehicle parks for tourist or commercial purposes, subject to Site Plan Approval. This measure aims to safeguard existing watercourses and regulate the layout of recreational vehicle parks, including communal structures, parking, screening, and vegetation. However, although the Municipal Planning Strategy addresses the use of Site Plan Approval through [policies 4-60 and 4-61](#), the specific criteria have not been established within the Land Use By-Law. As a result, the Development Officer does not have clear criteria when reviewing a submitted Site Plan Approval for a recreational vehicle park.

Proposed Land Use By-Law Regulations

31,10 Recreational Vehicle (RV) Parks

Policy 31.10.1 Where a zone permits recreational vehicle parks by site plan approval, the Development officer shall approve a site plan where the requirements of this Land Use By-Law and the following matters have been addressed:

(a) RV Park location and design;

i. Lot area for an RV park shall, if required, be subject to the approval from the Department of Environment for on-site services for the intended size and scope of the RV Park.

ii. all permanent structures shall not exceed 25% of lot coverage

iii. the proposed development shall not substantially alter the character or stability of the adjacent uses;

(1) If the proposed development does alter the character of the adjacent uses, adequate screening will be provided by natural landforms or opaque fencing to screen outdoor storage and parked recreational vehicles so as not to be visible from the abutting residential, institutional or recreational use.

iv. the proponent shall provide a stormwater management plan, subject to the requirements of Section 5.5.

v. side and rear yard setbacks of at least 7.5 metres shall be provided;

vi. location of all waste disposal bins

(1) all waste disposal bins shall be completely enclosed and designed to prevent animals from accessing the contents.

(2) All waste disposal bins shall be screened from view of the street and adjacent dwellings.

(c) lighting;

i. all exterior lighting shall be of a full cutoff type and shall not emit light above the horizontal;

ii. exterior lighting shall not cause glare on adjacent properties;

iii. all exterior lighting shall be Dark Sky Approved;

(b) parking;

i. adequate off-street parking should be provided on the site to prevent congestion, nuisance, and inconvenience to adjacent uses.

(d) accessory buildings and uses;

i. all accessory buildings and uses shall be located within the lot, and if necessary, screened from view of the street and adjacent dwellings, including but not limited to parks, playgrounds, arcades, washroom facilities, lounges, equipment rental, storage, trails, outdoor screening, auditoriums and any other use that is accessory to the everyday function of a recreational vehicle park..

(e) driveway and travelway access;

i. all driveways and travelways shall have a minimum lane width of 5.5 m (18 ft) for a two-way surface.

(1) If the travelway is paved, this may be reduced to 2.5 m (8.2 ft) to accommodate the size and height of recreational vehicles.

ii. all driveways and private road networks shall have a minimum lane width of 3.2 m (10.5 ft) for a one-way travel surface to accommodate the size and height of recreational vehicles.

(f) environment;

i. the proponent shall undertake mitigation of noise and visual impacts the use may have on the natural environment to minimize any potential negative effects of the development on adjacent uses;

ii. the proponent shall provide on a site plan the following when a watercourse is located on the subject property:

(1) property boundary and any shorelines

(2) any watercourse wetlands or slopes over 20%

(3) any sand dunes

(4) existing riparian buffer

(5) any areas to be maintained as natural vegetation

(6) any existing or proposed landscaping or lawns

(7) any areas to be cleared or partially cleared of vegetation

(8) distance of any recreational vehicle parking sites and buildings from the riparian buffer

(9) location of the park's waste storage building, which shall have a minimum separation distance of 30m from the watercourse or wetland so as not to create or worsen pollution problems in the area.

(g) Recreational Vehicle Parking Site

i. the proponent shall show the location of each recreational vehicle parking site;

ii. each recreational vehicle parking site must have a minimum area of 76 m² (250 ft²).

iii. a recreational vehicle parking site must only be used for one travel trailer or recreation vehicle

iv. all recreational vehicle sites shall have a setback of a minimum of 3m (9.8 ft) from internal roads and meet the front yard setback requirement of the zone.

Policy Analysis

Policies 4-60 and 4-61 aim to manage the development of recreational vehicle (RV) parks by ensuring they are planned and located on appropriately sized lots to manage their septic needs effectively.

The proposed Policy 31.10.1 addresses the lot size and design of the recreational vehicle park to maintain the natural environment and prevent adverse impacts on neighbouring properties. The site plan criteria require a minimum lot area for all recreational vehicle parks to ensure the lot is suitably sized for on-site well and septic needs.

The requirements for the site plan include:

- Stormwater Management Plan
 - Compliance with regulation 5.5, retaining on-site stormwater runoff generated from the first 10 mm of a rainfall event, and balancing stormwater runoff after the initial 10 mm to match pre- and post-development conditions.
- Adequate Screening
 - Installation of screening as necessary to maintain the character of the neighbourhood.
- Waste Disposal Design
 - Location of all waste disposal and refuse bins must prevent animals from accessing the contents.
- Setback Requirements
 - Establish minimum rear and side yard setbacks to prevent buildings from encroaching on adjacent property lines.
- On-Site Vehicle Parking
 - Provision of sufficient parking space for vehicles associated with RVs to prevent on-street congestion.
- Lighting Compliance
 - All lighting must be downcast and adhere to the Municipality's Dark Skies initiatives.
- Accessory Uses and Buildings
 - Accommodate accessory uses and buildings within the primary recreational vehicle park.
- Driveway Specifications
 - Ensure driveway size and location, along with private lane and road widths, are adequate to accommodate the size of recreational vehicles and emergency vehicles.
- Noise and Visual Impact Mitigation
 - Measures to mitigate noise and visual impacts from recreational vehicle use, such as generators or music.
- Watercourse Consideration
 - Identify the location of any watercourses on the property, considering this in the layout and plan to avoid creating or worsening pollution (e.g., soil erosion and sedimentation).
- Safety Standards
 - Standardize area requirements for recreational vehicle parks to ensure adequate space for each vehicle, with appropriate setbacks from any internal private roads or laneways to ensure safety.

The proposed Policy 31.10 represents a significant improvement over existing regulations. It provides site plan criteria similarly structured as those for other uses but considers the unique circumstances of a recreational vehicle park. This established list of site plan criteria will support the Development Officer and provide essential protections for nearby homes, ensuring that recreational vehicle parks are developed to integrate well with the community. Supporting Information

Recommendation

To ensure that RV parks are developed in a way that aligns with community standards and to minimize negative impacts, it is recommended that Council amend the current Land Use Bylaw (LUB) to include site plan approval criteria specifically for RV sites and RV parks in zones where the use is permitted.

Appendix

Municipal Planning Strategy Policy References

4.6.8 Recreational Vehicles and RV Parks

Recreational vehicles include any vehicle that provides facilities for sleeping and other amenities, intended to be used for short periods of time. This can include campers, trailers, or motor homes. This is separate from mobile homes, which are transportable dwellings fixed in a grounded foundation and intended for long-term use. Recreational vehicles are particularly popular on the municipality's lakefront properties.

Council recognizes that recreational vehicles are popular in the municipality and wishes to accommodate their use. However, at a certain scale the impacts of multiple recreational vehicles must be appropriately managed.

Policy 4-60 Council shall, through the Land Use By-law, define more than two recreational vehicles on a lot as an "RV park".

Policy 4-61 Council shall, through the Land Use By-law, permit RV parks by site plan approval in the Hamlet Commercial Zone, Rural Development Zone, Rural Commercial Zone, Lakeside Residential Zone, and Recreation Zone.

Land Use By-Law Policy Reference

5.5 Stormwater Management

5.5.1 Where stormwater management plans are required, they shall be subject to the following requirements:

- (a) stormwater management plans shall be prepared and stamped by a qualified Professional Engineer or a qualified professional Landscape Architect, licensed to practice in Nova Scotia;
- (b) stormwater management plans shall include a site plan; and
- (c) stormwater management plans shall include design calculations that confirm the design, at a minimum, meets the following criteria:
 - i. retains on-site stormwater runoff generated from the first 10 mm depth of a rainfall event, and
 - ii. balances stormwater runoff generated after the first 10 mm of a rainfall event to ensure matching of the pre-and post-development stormwater runoff conditions.

5.5.2 Where reasonable, stormwater management plans may be combined with servicing or grading plans.

Development Officer

means the person or persons, or designate, appointed by Council from time to time to administer the Land Use By-law and Subdivision By-law.

RV Park

means the use of land for more than two recreational vehicles for the purpose of habitation or accommodation

Site Plan Approval

means an approval issued by the Development Officer authorizing a development in accordance with the provisions for site-plan approvals in the Municipal Planning Strategy, Land Use By-law and Municipal Government Act.

Zone

means a specified area of land shown on Schedule "A" of this By-law.

Additional Information

The Economic Planning Group of Canada's Guide to Starting and Operating a Campground Business in Nova Scotia recommends a 10ft (single-width road) max because of the RV parks' orderly traffic flow and residential scale, which are slow-paced and safe for pedestrians.

Site plan approval for RV parks typically involves several criteria to ensure the development is suitable for the location and meets regulatory standards. Here are some common examples of criteria that might be used:

1. **Zoning Compliance:** The site must be zoned appropriately for recreational use, and the proposed RV park must comply with local zoning laws.
2. **Environmental Impact:** An assessment of the environmental impact, including considerations for natural habitats, water resources, and waste management.
3. **Access and Traffic:** Adequate access to the site, including road quality and traffic flow, must be ensured. This includes the impact on local traffic and the provision of safe entry and exit points.
4. **Utilities and Infrastructure:** Availability and provision of necessary utilities such as water, electricity, sewage, and waste disposal systems.
5. **Site Layout and Design:** The design should include appropriate spacing between RV sites, landscaping, recreational areas, and amenities. It should also consider aesthetics and integration with the surrounding environment.
6. **Safety and Emergency Services:** Compliance with safety standards, including fire safety, emergency access, and availability of emergency services.
7. **Community Impact:** Consideration of the impact on the local community, including noise, light pollution, and economic benefits or drawbacks.
8. **Compliance with Building Codes:** All structures and facilities must comply with local building codes and standards.

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¹ Economic Planning Group of Canada, A Guide to Starting and Operating a Campground Business in Nova Scotia 2005.

District of Tofino, Land-Use Bylaw 2024 RV Park/Campground site requirements

County of Prince Edward, Comprehensive Zoning 2022 RV Park/Campground site requirements