



Housing, Land and Communities Land Division

Development (Building) / Sewage Disposal Systems Setbacks August, 2012

This is a general reference guide to use as an aid in filling out an application for a building permit. It is a requirement under the *Planning Act* that all development meet the minimum requirements under the *Planning Act, Subdivision & Development Regulations*. It is also a requirement that all on-site sewage disposal systems meet the regulations under the *Environmental Protection Act, Sewage Disposal Regulations*. You must attain the services of a licensed septic contractor to size, design and install your on-site sewage disposal system. The licensed septic contractor is required to make application or submit documentation to install an on-site sewage disposal system.

Development (Building) Setbacks

All measurements are the minimum requirements measured from the building or structure to the property boundary, road boundary, dune, river, stream or body of water.

1. Development Setbacks from Roads:

- * arterial highway, collector highway, local highway, seasonal highway
- 83' to the center line of the highway or 50' to the highway boundary, whichever is greater
- * public road which is an interior subdivision street
- 50' to the center line of the road or 17' to the road boundary, whichever is greater
- * private road or right-of-way in an approved subdivision for summer cottage use
- 50' to the centre line of a private road or right-of-way having a width of 66' or 17' to the boundary of a private road or right-of-way having a width of less than 66'
- * highway setback in designated municipalities
- no person shall locate a building or development closer than 50 feet to the centre line of a highway or 17 feet to a highway boundary, where:
 - (a) the highway speed limit where the lot or parcel of land is located is 50 kilometres per hour or less; and
 - (b) the lot or parcel of land is located within one of the following municipalities:

Abrams Village	Central Bedeque	Hunter River	Mt. Stewart	St. Peters Bay	York
Bedeque	Crapaud	Miminegash	Murray Harbour	Tyne Valley	
Cardigan	Ellerslie Bideford	Morell	Murray River	Victoria	

2. Development Setbacks From Property Boundaries, Dunes, Wetlands, and Watercourses:

	Side Yard	Rear Yard	Migrating Primary or Secondary Sand Dune	Inland Boundary of Wetland or Watercourse	* To a Beach Measured From the Top of the Bank
Building/ Structure	15'	15'	100'	75'	75' or 60 times the erosion rate
Cottage	15'	15'	100'	75'	75' or 60 times the erosion rate
Accessory Building	3'	3'	100'	75'	75' or 60 times the erosion rate
Building Addition	15'	15'	100'	75'	75' or 60 times the erosion rate

3. Reduced Side and Rear Yard Setbacks in Designated Municipalities

Within the following designated municipalities, building or development shall be placed no closer than 8 feet to a side or rear lot line:

Cardigan	Mount Stewart	St. Peters Bay
Miminegash	Murray Harbour	Tyne Valley
Morell	Murray River	Victoria

Sewage Disposal Systems Setbacks

	Minimum Setback Distances							
	Septic Tank (holding tank pumping and dosing chamber)		Grease Tank		Disposal Field		Sewer line	
	Metres	Ft.	Metres	Ft.	Metres	Ft.	Metres	Ft.
Water well	15.2	50	15.2	50	15.2	50	3.0	10
Property boundary	3.0	10	3.0	10	3.0	10	-	-
Beach setback *	22.9	75	22.9	75	22.9	75	-	-
Building with foundation **	4.6	15	1.5	5	6.1	20	-	-
Building without foundation	-	-	-	-	4.6	15		
Water line	3.0	10	3.0	10	3.0	10	0.45	1.5
Natural boundary of a body of water	15.2	50	15.2	50	15.2	50	-	-

* Existing lots prior to 1993 only require 50-foot setback from bank or twice the erosion rate for the area.

** Variances may be given for slab on grade or walk out basements in tight situations.

No portion of a sewage disposal system shall be constructed on a lot or existing parcel of land closer to the beach than;

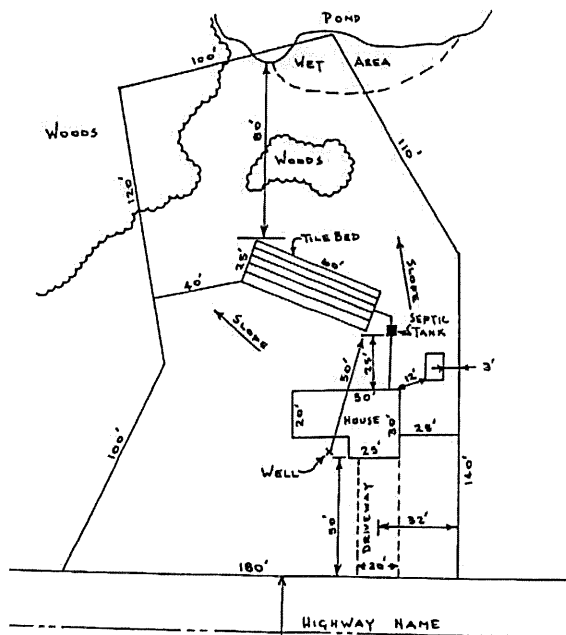
- (a) the distance determined by multiplying the erosion rate for that shoreline by 60; or
- (b) 75', whichever is greater, measured from the top of the bank to the nearest portion of the system. This setback does not apply to lots approved prior to **June 12, 1993** or existing parcels of land created prior to **Feb. 3, 1979**.

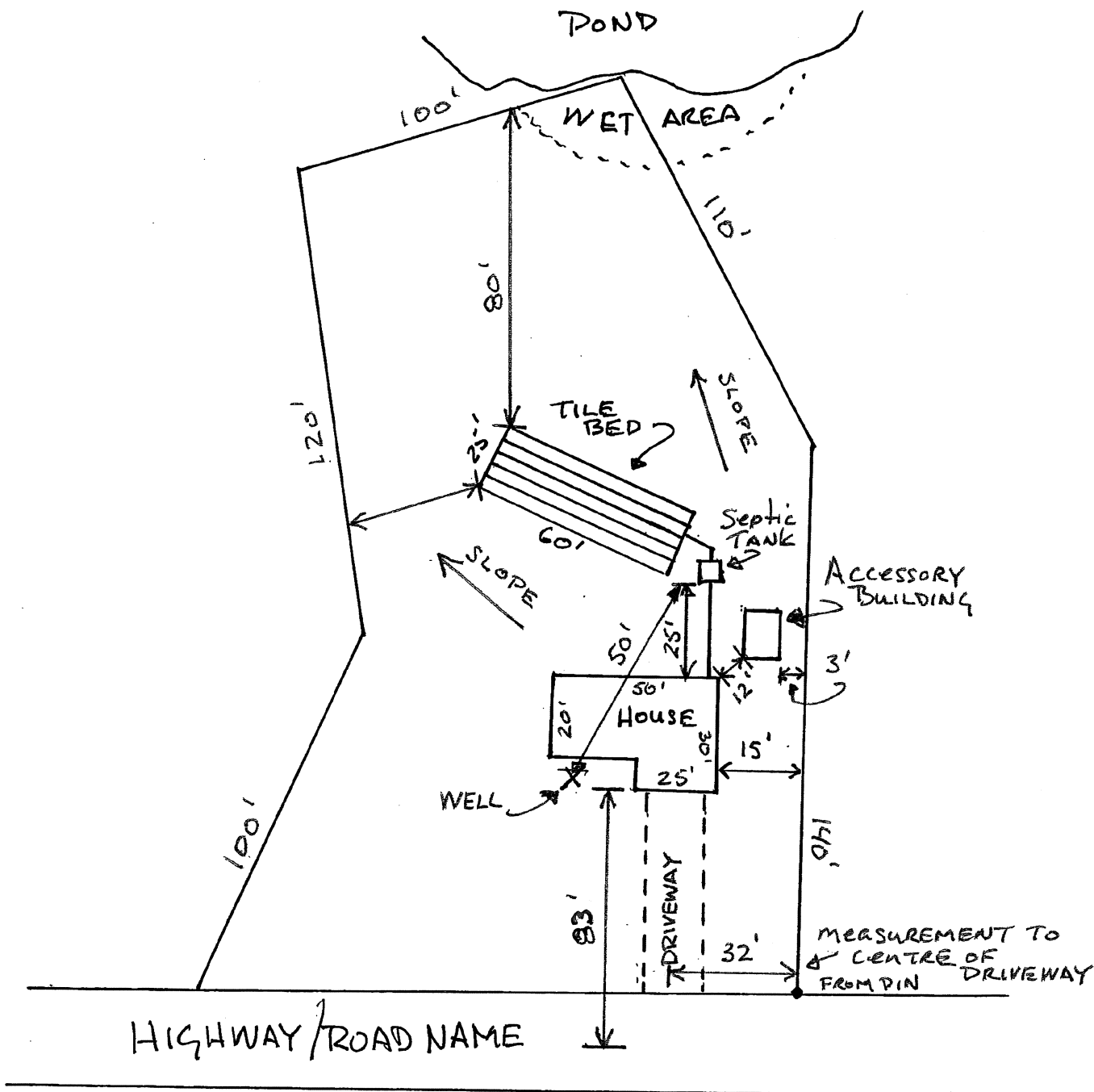
Beach: means that portion of land between the ordinary or mean high water mark and the water's edge.

Example: This is an example which depicts the minimum setback distances required.

1. Dimension of the lot
2. Location of the house or building on the lot (show the distance from the road and the nearest side property boundary)
3. General Slope of land (indicate by arrow)
4. Proposed location of the septic tank with the tile bed (absorption field) showing setback dimensions from the house, well, property boundaries and bodies of water.
5. Location or proposed the well showing the setback dimensions from the nearest portion of the septic tank and drainage field.
6. Location or proposed driveway
7. Names of adjacent property owners and subdivision lot numbers, where applicable.

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Questions and Answers

What should I know about my building site before I make an application?

You should visit your property to establish the exact proposed location of the building, accessory buildings, driveway, well and septic system and show those measurements on the application sketch. All buildings and structures are to be placed on the site in accordance with the measurements on the application sketch. This sketch is approved as part of the application for issuing the Development Permit.

Do I need to mark the building location at the site?

You should stake or mark the four corners showing the proposed location of the building, proposed highway access, well and septic system. This can be done with stakes, sticks or some type of marker. If you have a lot approved before June 12, 1993 or an existing parcel of land that has had no previous site assessment, a site assessment will be required to determine soil conditions for on-site sewage disposal. The proposed location of your dwelling on the property is important, to enable the septic contractor to establish the best location for the on-site sewage disposal system.

Are there other things I should consider before I build?

When you receive your building permit, you should not start construction until you have consulted with your Licensed Septic Contractor. A licensed contractor is required to make application and acquire a permit or submit a septic system registration document for the installation of your sewage disposal system. A sketch is included with the application or registered document showing the sewage disposal system in detail. The location should agree with what you have applied for on your building application. Keep in mind compaction or disturbing the soil in the area of a septic system could result in an increase in the installation cost of the septic.