

**INTER-MUNICIPAL PLANNING STRATEGY
for the
Towns of New Glasgow, Pictou, Stellarton,
Trenton and Westville**



Preface

This document constitutes the Inter-Municipal Planning Strategy (“IPS”) for the Towns of New Glasgow, Pictou, Stellarton, Trenton and Westville, of Pictou County Nova Scotia (“Towns”). This IPS updates and replaces the Municipal Planning Strategies and is adopted pursuant to the *Municipal Government Act* of Nova Scotia (“MGA”). This IPS along with the Land Use By-Law (“LUB”), Subdivision By-Law (“SDB”), and Secondary Planning Strategies (“SPS”) form the “Planning Documents” as defined in s. 191(n) MGA.

This IPS is intended to add to and not to conflict with or subtract from, the requirements contained in valid Federal and Provincial laws and regulations in force from time to time and shall be interpreted accordingly.

Any capitalized word herein is defined in the other Planning Documents.

An SPS will be adopted by each municipal unit to address land use and land development matters specific to each Town. The five SPS documents will also form part of this IPS, but each may be amended from time to time by its parent municipal unit.

Any reference to a “Municipal Planning Strategy” (MPS) shall have the same meaning as the IPS or applicable SPS.

For ease of reference throughout, Pictou County means the geographic area comprising the Towns and the Municipality of the County of Pictou and is not a reference to the Municipality of the County of Pictou.

Certification and Effective Date

We certify that the following INTER-MUNICIPAL PLANNING STRATEGY was duly adopted by the Councils of the Towns of Pictou County at duly called meetings and was published as indicated below.

Lisa MacDonald, CAO/Town Clerk
Town of New Glasgow

Scott Conrod, CAO/Town Clerk
Town of Pictou

Joyce Eaton, Town Clerk
Town of Stellarton

Cathy MacGillivray, CAO/Town Clerk
Town of Trenton

Kelly Rice, CAO/Town Clerk
Town Westville

Municipality	Date of First Reading	Date of Public Participation Meeting	Date of Public Hearing	Date of Second Reading	Date of Ministerial Approval	Notice of Effective Date
Town of New Glasgow	Dec 15/14	Dec 4/14	June 15/15	June 15/15	Aug 10/16	Aug 22/16
Town of Pictou	Jan 19/15	Nov 27/14	Apr 30/15	Nov 16/15	Aug 10/16	Aug 22/16
Town of Stellarton	Jan 12/15	Nov 26/14	Feb 9/15	Oct 19/15	Aug 10/16	Aug 22/16
Town of Trenton	Nov 17/15	Dec 2/14	Dec 8/15	Dec 8/15	Aug 10/16	Aug 22/16
Town of Westville	Feb 23/15	Nov 26/14	Mar 23/15	Feb 22/16	Aug 10/16	Aug 22/16

Office Consolidations include Ministerial Amendments to the original and will be revised from time to time as required by future amendments. Office Consolidations are prepared for ease of reference only; refer to original documents for accuracy, available at the Towns.

List of Abbreviations

C1	Downtown Commercial Zone
C1-A	Downtown Core Zone
C-2	Neighbourhood Commercial Zone
C-3	Highway Commercial Zone
C-4	Commercial Business Park Zone
CD	Commercial Designation
CIP	Capital Investment Programs
DA	Development Agreement
F	Floodplain
FRA	Future Redevelopment Area (Zone)
GFLUM	Generalized Future Land Use Map
I	Institutional Zone
ICSP	Integrated Community Sustainability Plans
IPS	Inter-Municipal Planning Strategy
LUB	Land Use By-law
M1	Light Industrial Zone
M2	Provincial Resource Zone
M3	General Industrial Zone
MCCAP	Municipal Climate Change Action Plans
MGA	Municipal Government Act of Nova Scotia
P	Recreation Zone
R1	Residential Single Unit Dwelling Zone
R2	Residential Two Unit Zone
R3	Residential Multiple Unit Zone
R5	Residential/Mini-Home Park Zone
RD	Residential Designation
RR	Rural Residential Zone
SDB	Sub-Division By-law
SPA	Site Plan Approval
SPS	Secondary Planning Strategy

When referring to a Zone, the abbreviation may also apply to a permitted Use or standard outlined in that Zone, and may be singular or plural in relation to a GFLUM designation.

Table of Contents

PREFACE	I
CERTIFICATION AND EFFECTIVE DATE	II
LIST OF ABBREVIATIONS	III
1.0 INTRODUCTION	1
1.1 PREFACE.....	1
1.2 PURPOSE.....	1
1.3 ORGANIZATION.....	2
2.0 BACKGROUND	3
2.1 CONTEXT.....	3
2.2 POPULATION	3
3.0 VISION AND GOALS	7
3.1 VISION AND GOAL SETTING.....	7
3.2 VISION STATEMENT	8
3.3 IPS GOAL	8
3.4 COOPERATION WITH THE PROVINCE OF NOVA SCOTIA ON STATEMENTS OF PROVINCIAL INTEREST	8
4.0 OBJECTIVES	10
4.1 MUNICIPAL INFRASTRUCTURE.....	10
4.2 LAND USE OBJECTIVES	11
5.0 POLICIES	15
5.1 MUNICIPAL INFRASTRUCTURE.....	15
5.2 ENVIRONMENTAL MANAGEMENT.....	18
5.3 LAND USE.....	18
5.4 RESIDENTIAL – POLICIES	22
5.5 COMMERCIAL-POLICIES.....	24
5.6 FUTURE REDEVELOPMENT AREAS POLICIES	29
5.7 INDUSTRIAL POLICIES	29
5.8 INSTITUTIONAL POLICIES.....	29
5.9 RECREATION POLICIES.....	30
5.10 FLOODPLAIN MANAGEMENT POLICIES.....	30
5.11 WIND ENERGY.....	31
5.12 IMPLEMENTATION POLICIES	31
6.0 MAPS AND APPENDICES	38

1.0 INTRODUCTION

1.1 Preface

This document constitutes part of the Inter-Municipal Planning Strategy (“IPS”) for the Towns of New Glasgow, Pictou, Stellarton, Trenton and Westville, which compromise the five towns in Pictou County, Nova Scotia, and is adopted subject to the provisions outlined in the *Municipal Government Act of Nova Scotia*.

This IPS provides both a high-level planning framework, and administrative guidance to manage future growth and change in the Towns, and provides policy guidance on sustainable land use and land development.

This document is expected to be current for at least five years prior to full review. It is therefore imperative that the IPS provide for changing circumstances, while stating policy positions on common land use and land development issues.

The IPS policies are intended to regulate land development. Land development is, however, often subject to the infrastructure capacity of the Town which is informed by the Town’s Capital Investment Program, Integrated Community Sustainability Plan, and Municipal Climate Change Plan. Therefore the implementation of land use policies may be subject to the aforementioned programs and plans in addition to the opinions of subject matter experts.

Each Pictou County town council will also adopt a Secondary Planning Strategy (SPS) to address land use and development matters specific or unique to its own municipality. The five SPS documents will also form part of this IPS, but may be amended from time to time by any of the aforementioned municipal councils on their own.

1.2 Purpose

The IPS provides a broad and regional planning framework to manage future growth and change in the Towns of New Glasgow, Pictou, Stellarton, Trenton and Westville (“Towns”), and provides policy guidance on land use and related development issues. On a day-to-day basis the IPS serves to guide decisions about development in the Towns.

Each SPS is subject to the provisions of the IPS, but addresses planning policies specific to that Town.

The IPS and each SPS are intended to guide growth and development in the Towns in a rational and sustainable manner.

The goals, objectives and policies of the IPS also apply to each SPS, and are not re-written into the SPS documents. The SPS may, however, outline goals, objectives and policies that are unique to that Town.

Hierarchy of IMPS and SPS

IMPS	<i>Outlines the Regional Vision, Goals, Objectives and Policies held in common by New Glasgow, Pictou, Stellarton, Trenton and Westville</i>
SPS	<i>Outlines the Goals, Objectives and Policies specific to each town</i>
<i>❖ Policy areas may or may not have common heading titles between the IPS and any individual SPS</i>	
<i>❖ All IPS policies shall apply to each participating Town</i>	
<i>❖ Specific SPS policies apply only to that town</i>	

1.3 Organization

This IPS comprises the following chapters:

- Introduction
- Background
- Vision and Goals
- Objectives
- Policies
- MPS Maps and Appendices

2.0 BACKGROUND

2.1 Context

This chapter is a background report only, and does not form part of the official policy document of the Inter-Municipal Planning Strategy.

The Towns of New Glasgow, Trenton and Stellarton are situated on the banks of the East River of Pictou and beyond, with the Town of Westville located to the west. Collectively, these four towns are known as the “up river” towns of Pictou County due to their location vis-à-vis the Town of Pictou, which is situated on the north side of Pictou Harbour. The Towns are surrounded by the Municipality of the County of Pictou. This area, collectively, is the third largest urban area in the Province of Nova Scotia, after the Halifax Regional Municipality and the Cape Breton Regional Municipality.

New Glasgow has the highest population of the Towns, followed by Stellarton, Westville, Pictou and Trenton. The Towns are the commercial focal points of the county.

2.2 Population

The 2011 Statistics Canada census data revealed Pictou County’s population as 45,643. Pictou County, with the exception of the Town of New Glasgow, decreased in population between 2006 and 2011. The following tables are based on 2011 census data from Statistics Canada.

As well as population decrease, there is a larger aged demographic in Pictou County compared to the national trend, which presents planning and development challenges. Non-traditional approaches to planning and land development such as Town issuance of Requests for Proposals or private/public partnerships can do much to address population shifts.

Population (2011) By Municipality and Trend from Last Census (2006)		
Town/Municipality	Population in 2011	Increase/Decrease from 2006
New Glasgow	9,562	+1.1%
Pictou	3,437	-9.9%
Stellarton	4,485	-4.9%
Trenton	2,616	-4.6 %
Westville	3,798	-0.2%
Municipality of Pictou County, Census Sub. A	6,397	-1.9%
Municipality of Pictou County, Census Sub. B	6,014	-1.5%
Municipality of Pictou County, Census Sub. C	8,867	-1.9%
TOTAL	45,643	-1.9%

Source: Statistics Canada, 2011 Census, Community Profiles

Median Age of Pictou County Municipalities, Nova Scotia and Canada	
Jurisdiction	Median Age of Total Population
Pictou County (all six municipalities)	46.0
New Glasgow	46.1
Pictou (Town)	47.1
Stellarton	42.6
Trenton	42.9
Westville	40.9
Municipality of Pictou County (Sub. A)	49.2
Municipality of Pictou County (Sub. B)	47.3
Municipality of Pictou County (Sub. C)	47.4
Nova Scotia	43.4
Canada	40.0

Source: Statistics Canada, 2011 Census, Community Profiles

The above tables indicate that at 46.0, the median age of Pictou County’s residents is a full six (6) years older than the national average, and even 2.6 years older than that of Nova Scotia.

Jurisdiction	New Glasgow	Pictou (Town)	Stellarton	Trenton	Westville	Pictou County (All 6 Units)	Nova Scotia	Canada
Percentage of Persons 65 Years or Older Living in Private Households	18.9	19.3	16.9	16.1	14.9	17.7	15.8	13.8
Percentage of Persons 65 Years or Older Living Alone	7.2	6.1	6.3	4.4	4.9	5.1	4.4	3.7

Source: Statistics Canada, 2011 Census, Community Profiles

The above table indicates a higher percentage of senior citizens residing as lone occupants in private households.

Dwelling Type	Jurisdiction							
	New Glasgow	Pictou (Town)	Stellarton	Trenton	Westville	Pictou County (all 6 units)	Nova Scotia	Canada
Single Detached	61.6	72.6	59.9	79.4	75.2	76.7	66.7	55.0
Apartments (5 or more stories)	0.1	0.0	0.0	0.0	0.0	0.0	4.6	9.3
Movable	1.5	0.3	0.0 *	1.3	6.1	4.7	3.6	1.4
Semi-detached	5.5	3.4	14.0	4.5	3.8	3.9	5.0	4.9
Row House	2.8	7.4	4.8	1.8	3.5	2.4	2.4	5.9
Duplex	3.3	0.7	7.5	3.1	1.9	2.1	3.1	5.3
Apartments (less than 5 stories)	24.9	15.5	14.5	10.8	8.9	10.2	14.5	18.0
Other	0.2	0.0	0.0	0.0	0.0	0.1	0.2	0.3

Source: Statistics Canada, 2011 Census, Community Profiles

* Percentages are rounded

Summary information on population and dwelling type:

- Pictou County has a considerably higher percentage of single dwellings than the provincial or national average;
- most apartment buildings in Pictou County are less than 5 stories in height;
- the Towns of New Glasgow and Stellarton contain more diverse housing types than the other municipal units;
- New Glasgow has the highest percentage of multi-unit dwellings of the six municipal units, while Stellarton has the highest percentage of semi-detached units, both of which are above the provincial and national averages; and
- Westville has an above average number of “movable dwellings”.

The population trend presents a dichotomy between the housing marketplace and a desire to retain and attract a broader demographic. Accordingly, this IPS will both encourage sustainable development in step with population and housing trends, and will detail policy to attract under-represented demographics. This IPS provides a range of approaches to land development policy. SPSs will address land use and land development matters specific to each Town.

3.0 VISION AND GOALS

The adoption of an Inter-Municipal Planning Strategy (IMPS) by the five towns represents a bold step in establishing a “regional” planning approach to urban Pictou County. Rather than simply seeing planning as a regulatory tool unto itself, the Towns of New Glasgow, Pictou, Stellarton, Trenton and Westville are attempting to create a regional vision in a coordinated manner.

Other regional planning efforts have been attempted in the past, and are recognized in these planning documents. For example, the Joint MCCAP between Stellarton, Trenton and Westville, adopted in 2013, represents such a coordinated planning exercise. The Towns of New Glasgow and Pictou have previously partnered with Westville and the rural Municipality of Pictou County in the Sustainable Pictou County ICSP document.

As the towns move forward in developing a “regional” vision for Pictou County, they are cognizant of the fact that future planning efforts should be coordinated amongst them, and in some cases with the Municipality of the County of Pictou, to the greatest extent possible. In this way, a truly “regional” vision can not only be established, but achieved as well.

3.1 Vision and Goal Setting

Land use and land development policies derive from a vision statement, goals and objectives. The Towns agree that to be effective, Planning Documents need to be developed in concert with their Integrated Community Sustainability Plans (ICSP), Municipal Climate Change Action Plans (MCCAP) and Capital Investment Programs (CIP).

To effectively implement both the discretionary and mandatory policies referenced in section 1.1, land use and land development plans will need to be considered when balancing the four pillars of sustainability in the ICSP, and prioritized in building MCCAP-based infrastructure. This approach also encourages funding for land use and land development plans within a multiple-year capital program, where applicable. Combining these programs gives Councils the capacity to affect a holistic approach to community development.

A vision statement defines how an organization or community sees itself now and going forward. Visions are often articulated in 25 to 50 year time frames and are general in scope.

Goal setting should identify and express the values and attitudes of a community in relation to current-day land use and land development requirements, such as serving a housing market and shaping demographic profiles.

Objectives are statements of intent providing specific and short-term targets aimed at achieving goals. The statement of intent is borne out in policy, i.e., the policies match the objectives. Councils refer to policies in their decision making process relative to land use and land development matters. In effect, policies can be used to both service the existing population and influence demographic changes to support a sustainable community.

Developing and instituting a vision statement, goals, objectives and policies for this IPS has and will continue to involve community input.

3.2 Vision Statement

Through this Inter-Municipal Planning Strategy, Councils have committed to a common vision statement, goals, objectives and policies. The vision statement is as follows:

The Towns aspire to provide a quality lifestyle, appropriate amenities, and cost-effective services that enhance their position as vibrant and thriving communities for the benefit of all residents, businesses, and visitors to Pictou County. The role of the Towns is to provide an environment that fosters safe, clean, friendly, and attractive communities in which to live and work.

3.3 IPS Goal

For the Towns to provide quality municipal services through affordable and environmentally responsible means and to achieve community sustainability through the integration of Planning Documents with their ICSPs, MCCAPs and CIPs.

3.4 Cooperation with the Province of Nova Scotia on Statements of Provincial Interest

The Towns of New Glasgow, Pictou, Stellarton, Trenton and Westville recognize the role of the Province in establishing provincial policies to guide development in areas where a provincial interest exists. The province, in accordance with MGA Part VIII, Section 190, outlines the purpose of the legislation as follows:

- a) To enable the province to identify and protect its interest in the use and development of land;
- b) To enable the municipalities to assume the primary authority for planning within their respective jurisdictions, consistent with their urban and rural character, through the adoption of municipal planning strategies and land use by-laws consistent with interests and regulations of the Province;
- c) To establish a consultative process to ensure the right of the public to have access to information and to participate in the formulation of planning strategies and by-laws, including the right to be notified and heard before decisions are made pursuant to this Part; and
- d) To provide for the fair, reasonable and efficient administration of this Part.

In accordance with the five Statements of Provincial Interest adopted by the Province, the following table identifies and the applicable policies under this IMPS, and the five SPS documents:

Applicable IPS/SPS	SPI – Drinking Water	SPI – Flood Areas	SPI – Agricultural Land	SPI – Infrastructure	SPI – Housing
IPS	SW-3, SW-4(c)	F-1, 2, 3, 4, 5	Not applicable	SW-1, 2, 3, 4	RD-5, 8, 9, 10, 11, CD-21, CD-22
New Glasgow SPS	NG-S-5, 6, 7		Not applicable	NG -S-1, 2, 3, 4, 8, 9, 10, 11, 12, 13	NG-R-1, 2
Pictou SPS	WS-1, 2		Not applicable	C-3,WS-3,4	C-5, W-3, 4, 5, 6
Stellarton SPS	S-MI-5, 7, 8	S-F-1, 2, 3, 4, S-FRA-2(2)	Not applicable	S-M-1, 2, S-MI-15	
Trenton SPS	T-MI-6, 8, 9, 10, 11	T-E-1(4)	Not applicable	T-MI-1, 2, 3	T-R-1, 2, 3
Westville SPS	W-MI-6, 8, 9		Not applicable	W-MI-10, 11, 12, 13, 14, 15, 16	

4.0 OBJECTIVES

This IPS, and the SPSs, are divided into several general policy sections and sub-sections related to land use and land development. Objectives for each of these policy areas follow.

Aside from the Generalized Future Land Use Map (“GFLUM”) and appendices, the remainder of this strategy is compartmentalized to represent each of the policy areas: general provisions; residential; commercial; future redevelopment areas; industrial; institutional; recreation; floodplain management; and implementation.

Objectives and background statements are set out below, while Policies for each area are in a corresponding sub-section in Chapter Five. The Objectives that are specific to a particular town are in the corresponding SPS.

The Objectives for each policy area follow.

4.1 Municipal Infrastructure

4.1.1 Sanitary Sewer, Stormwater and Potable Water

Land use and land development policies shall:

- a) be in step with the Towns’ public sewer by-laws, MCCAP, and CIP in relation to the collection and treatment of sanitary sewer;
- b) account for stormwater plans included in the MCCAP and CIP companion documents, which address rates of return and prioritize infrastructure placement;
- c) contemplate using or developing water distribution master plans, Source Water Protection Plans, and other documents and plans which may include priorities relative to source of supply, pressure modelling, treatment, storage and distribution, i.e. line extensions, and
- d) be consistent with the Statement of Provincial Interest (SPI) concerning drinking water and infrastructure as per MGA. The SPSs have specific related objectives for each Town.

4.1.2 Transportation

Pictou County’s transportation networks incorporate a system of streets, highways, parking areas, pedestrian linkages, active transportation corridors, water, and rail transportation. Objectives are intended to improve the transportation network.

Land use and land development policies shall:

- a) establish an adequate and well-maintained Street Classification System, in accordance with the following Street Classification System per Transportation Association of Canada Geometric Design Guide for Canadian Roads:
 - i. Major Arterial
 - ii. Minor Arterial
 - iii. Collector
 - iv. Local

- v. Public Lane
- b) address transportation mapping;
- c) encourage a street rating system to guide transportation infrastructure upgrades;
- d) address arterial and collector street structure and function relative to development;
- e) coordinate regional transportation planning with respect to streets and highways;
- f) address street rights of way acquisition through SDB;
- g) where applicable, regulate sidewalks, and walkways for efficient traffic flow and access to existing and future development;
- h) require an adequate supply of off-street parking spaces which may involve a cash in lieu alternative;
- i) support multi-modal and active transportation to reduce fossil fuel dependence and carbon emissions, and policies will include measures, where possible, to address potential dangers such as a lack of sidewalks, crosswalks, trails or lighting; and
- j) address requirements of land reserves to accommodate new or extended streets and municipal infrastructure.

4.1.3 Local Improvements

Installations and improvements of area-specific street and sidewalk infrastructure can be accommodated through area rating.

4.1.4 Solid Waste Management

Pictou County Solid Waste, a division of the Pictou County Shared Services Authority, manages curb-side collection and disposal of domestic solid waste for all municipal units. System management is pursuant to a common Solid Waste By-Law:

- a) Land use and land development policies shall ensure an efficient collection system that is in lockstep with the applicable by-law.

4.1.5 Heritage

Protection of built heritage is encouraged by Heritage By-laws. Adaptive reuse of heritage assets, including reuse and recycling of finite materials and resources, is a sustainable practice that will be supported where feasible:

- a) Land use and land development policies shall encourage the conservation, protection, rehabilitation, and ongoing use of buildings, streetscapes, and areas of historic, architectural or cultural value, and, adaptive reuse of materials in accordance with applicable legislation.

4.2 Land Use Objectives

4.2.1 General Provisions

General Provisions include, without limitation, signage, fencing, non-conforming uses, lot development, variances, and Accessory Structures. The objectives below support policies that are operationalized in the LUB:

- a) to maintain and promote the desired community aesthetic when regulating the development, reconstruction, expansion, alteration, maintenance, or recommencement of a land use or a structure;
- b) to promote social, economic, cultural and environmental sustainability;
- c) to maintain and promote a safe environment for the general public and residents in land use and land development; and
- d) to consider drainage and grading plans to prevent flooding or other damage to neighbouring properties, municipal infrastructure, or other lands and waters.

4.2.2 Residential

The continued availability of diverse housing options will be supported to the extent that housing development does not adversely impact residential character. Objectives in this regard shall be consistent with the Statements of Provincial Interest (SPI), which objectives are as follows:

- a) to provide for mixed housing that includes, without limitation, affordable housing, special needs housing, and rental accommodations that retain and attract desirable but under-represented demographics;
- b) to preserve neighbourhood character;
- c) to encourage residential development in serviced areas, enabling higher densities, smaller lot sizes and reduced yard requirements that encourage a range of housing types in certain areas, including manufactured housing;
- d) to encourage greenfield development in accordance with provisions of the ICSP and the Towns' CIPs;
- e) to allow for Home Occupations;
- f) to consider Institutional uses by rezoning; and
- g) to permit Neighbourhood Commercial Uses, in some circumstances through Development Agreement.

4.2.3 Commercial

Land use and land development policies shall:

- a) encourage business and commercial development to service the towns, visitors surrounding areas;
- b) ensure the design of commercial development minimizes negative impact on adjacent residential neighbourhoods;
- c) recognize the prominence of highway and business park commercial areas at Town entrances by encouraging aesthetically pleasing developments; and
- d) protect the viability of the downtowns as a mixed use, retail and service area, an employment base, and the community's focal point.

4.2.4 Future Redevelopment Area

The GFLUM designations, objectives and policies for "Brownfield" sites and underutilized open space will be addressed in applicable SPSs.

4.2.5 Wind Energy

Siting of Wind Turbines will be facilitated through Zoning regulation designed to mitigate adverse effect on adjacent properties.

4.2.6 Industrial

Industrial development will be supported, with objectives as follows:

- a) to promote “industrial parks”;
- b) to provide for a range of light, resource, and general industrial uses, as well as limited non-industrial uses such as recreation and commercial uses;
- c) to minimize potential land use conflicts by limiting development outside of industrial parks or, where permitted, in commercial designations;
- d) to allow the continued existence or expansion of general, including heavy industry, in amenable areas; and
- e) to balance economic benefit of development with social, environmental sustainability and aesthetic impact.

4.2.7 Institutional

New accessible institutional development will be supported, which includes community facilities. Institutional uses are recognized as a means to positively influence a community aesthetic. Objectives are as follows:

- a) to ensure convenient and accessible location of institutional uses; and
- b) to ensure institutional use compatibility with any adjacent residential neighbourhoods, including group homes, special needs housing, and similar uses.

4.2.8 Recreation

A range of passive and active recreational opportunities will be encouraged with the following objectives:

- a) to provide and maintain diverse regional recreational spaces, facilities and programs to meet community needs; and
- b) to ensure siting and program selection decision are fiscally sustainable and make sufficient use of existing recreational spaces and facilities.

4.2.9 Floodplain Management

Low lying areas have been flooded on many occasions in the past. These areas are identified under a *Statement of Provincial Interest* in the MGA. Objectives and policies will be addressed in applicable SPSs.

4.2.10 Implementation

This section describes the implementation policy, including procedures and requirements for policy and LUB amendments. Implementation involves a consultative effort among Planning Advisory Committees (where such committees exist), municipal staff, the public, and Council. Objectives are as follows:

- a) to ensure consistent implementation through common criteria;
- b) to develop clear application procedures for all planning applications;
- c) to maintain efficiencies through a consistent approach to the amendment procedure;
- d) to ensure the administrative review of development proposals are consistent with all Planning Documents;
- e) to ensure efficacy of administrative oversight;
- f) to ensure ongoing consultation with the public on amendments, updates and development applications per the MGA; and
- g) to provide for timely reviews of the Planning Documents.

5.0 POLICIES

This chapter sets out guiding policies of Council for land use development. IPS policies are intended to regulate land development, however existing infrastructure capacities must be considered. Therefore the implementation of land use policies relating to infrastructure and or programing (i.e. Capital Investment Programs, Integrated Community Sustainability Plans, and Municipal Climate Change Plans) are largely permissive. Mandatory (“shall”) versus permissive (“may”) policy is denoted by the language used.

5.1 Municipal Infrastructure

5.1.1 Sanitary Sewer, Stormwater and Potable Water

Policy SW-1: Pipe Infrastructure - Developer

The Development Officer may, in consultation with the Town Engineer, require detailed plans for sanitary sewer, stormwater collection, and the distribution of potable water as part of development permit applications and/or subdivisions.

Policy SW-2: Pipe Infrastructure - Town

In part, Council shall consider upgrades and extensions of Pipe Infrastructure in accordance with MCCAP, ICSP, and CIP.

Towns may further develop hydraulic models to predict quantity and pressure requirements for potable water to service proposed development.

The Towns may study and plan for measures to mitigate surface inflow and infiltration from the wastewater system, and for the separation of stormwater and sanitary in combined lines.

Policy SW-3: Source Water Protection

The Towns shall adopt a Source Water Protection Plan as per NSE regulation. Where applicable, the Towns shall Zone and designate land to enforce the requirements detailed within their Source Water Protection Plan.

Policy SW-4: Integration of Land Controls with Town Plans and By-Laws

Land use and land development policies shall:

- a) be in step with the Towns’ public sewer by-laws, MCCAP, and CIP in relation to the collection and treatment of sanitary sewer;
- b) account for stormwater plans included in the MCCAP and CIP companion documents, which address rates of return and prioritize infrastructure placement; and
- c) contemplate using or developing water distribution master plans, which may include priorities relative to source of supply, pressure modelling, treatment, storage and distribution, i.e. line extensions.

5.1.2 Transportation

Policy T-1: Street Classification

The Street Classification System shall be used to ensure that proposed developments are consistent with expected traffic generation to minimize requirements for street improvement and realignment projects. The Development Officer may require a professional review of anticipated impact on traffic circulation.

Policy T-2: New Street Classification

All new streets shall be designed in accordance with Street Classification System to accommodate capacity and intended use.

Policy T-3: Arterial and Collector Streets

Zoning within the LUB shall regulate, without limitation, access, off-street and on-street parking, setback; and access to arterial roads will be limited by establishing minimum separation distances for public street intersections on arterials to decrease the potential for traffic hazards.

Policy T-4: Transportation Mapping

The SPSs may include a transportation map forming part of the GFLUMs.

Policy T-5: Infrastructure Upgrades

The SPSs may include a street rating system to prioritize the upgrades of existing road infrastructure in conjunction with CIP objectives.

Policy T-6: Regional Infrastructure Planning

Street and highway development and maintenance shall be a regional effort through consultation with the Nova Scotia Department of Transportation and Infrastructure Renewal.

Policy T-7: Right-of-Way and Street Construction

The sub-division approval process shall consider reserves for right-of-way and street construction.

Policy T-8: Pedestrian Walkways and Bicycling Trails

The existing network of pedestrian walkways and bike trails shall be planned and enhanced, with land-owner cooperation, to provide safe and convenient pedestrian and active transportation. The following improvements will be prioritized whenever possible:

- a) creation of attractive pedestrian linkages to key destinations;
- b) installation of sidewalks along arterial and collector roads, and creation of safe and effective crossing areas at existing and future streets;
- c) installation of sidewalks and trail linkages connecting residential neighborhoods with schools, parks and other pedestrian routes employing natural features such as watercourses, ravines and forested lands;
- d) use of existing public rights-of-way as pedestrian walking trails;
- e) the creation of “bike only” or “bike friendly” lanes, where feasible, along new and existing streets to separate vehicular and bicycle traffic, and to connect off-road walking and biking trails; and
- f) investigate and if feasible develop abandoned railway right-of-ways as trails.

Policy T-9: Off-street Parking

The LUB shall regulate off-street parking involving four or more vehicles, location of driveways, and standards regarding their design. Subject to cash in-lieu provisions herein, all development proposing to locate in the Towns shall be required to provide off-street parking or a cash equivalent if approved. The LUB will provide for granting of variances to the number of parking and/or loading spaces required on recommendation of the Traffic Authority.

Policy T-10: Maintenance and Provision of Parking

The Towns shall maintain existing public parking spaces and develop new public parking spaces as necessary and feasible.

Policy T-11: Off-Street Parking, Loading, Vehicle Stacking and Requirements

The LUB shall regulate off-street parking, driveway locations, abutting yard setbacks, design standards, loading, vehicle stacking and like matters. All development proposing to locate in the Towns shall be required to provide off-street parking, or, if approved, a cash in -lieu equivalent, and shall be subject to LUB regulation as above.

Policy T-12: Parking in Residential Zones

To maintain the character of the residential streetscape and minimize adverse impact on adjacent properties, the LUB shall regulate location and size of parking areas, and require landscaping of yard areas in all residential zones.

Policy T-13: Cash-In-Lieu

Cash-in-lieu of on-site parking may be accepted in those areas zoned Downtown Commercial (C1-A) in the LUB. Payment shall be calculated by formula set out in the LUB. Businesses located in areas zoned Downtown Core (C1) shall be exempt, but residential development may be subject to cash-in-lieu consideration.

Policy T-14: Street Reserves

The Towns may identify and reserve areas for future street development and the installation of municipal infrastructure on their GFLUM.

Policy T-15: Local Improvements

The Towns may consider the adoption of a Local Improvements By-Law to operationalize the cost recovery of local improvement through rating and/or capital charges.

5.1.3 Solid Waste Management

Policy SW-1: Solid Waste Disposal

The Towns shall continue to co-operate and promote through public education a viable Pictou County solid waste management system, including refuse, recyclable and compostable materials, to provide a regular and efficient curb-side waste management collection program to provincial and municipal legislative standard.

5.1.4 Heritage Property

Policy H-1: Heritage Property By-law

The Towns may adopt Heritage Property By-laws.

Policy H-2: Heritage Advisory Committee

A Town may strike a Heritage Advisory Committees to make recommendations to Councils on the registration of municipal heritage property in accordance with enacted Heritage Property By-laws.

Policy H-3: Adaptive Reuse of Heritage Properties and Other Historical Assets

The adaptive reuse of heritage and other historical buildings, properties and streetscapes, including reuse and recycling of finite materials and resources, will be encouraged where feasible, and will be subject to the National Building Code and Fire Code requirements.

5.2 Environmental Management

5.2.1 Stormwater

Policy E-1: Minimizing Run-off

New development shall be **required** to achieve no net increases in storm water run-off through innovative site design and engineering aimed at infiltrating, filtering, evaporating, harvesting and retaining runoff, as well as preventing pollution.

Policy E-2: Natural Drainage

The use of existing natural drainage systems shall be encouraged.

Policy E-3: Public Education

Council may require an education program for property owners, managers and their consultants on how to implement, monitor, and maintain stormwater management practices on private property.

5.3 Land Use

5.3.1 General Provisions

5.3.1.1 Accessory Structures and Uses

Policy G-1: Not for Human Habitation

Accessory structures shall not be used for human habitation, except where permitted in this IPS as garage suites, garden suites, or other provision in this IPS.

Policy G-2: Community Impact

Permitted accessory uses and structures shall have minimal effect on adjacent properties and the surrounding neighbourhood.

Policy G-3: Permit Required

Where a Lot is occupied by a permitted use, that use may include accessory uses and structures provided that the LUB regulates size, height, and location of the accessory structure on the Lot.

Policy G-4: Accessory Uses and Structures Permitted As-of-Right

Accessory Uses such as retaining walls, fences up to 1.8 metres (6 feet) in height, clothes-line poles, and garden trellises shall be permitted as-of-right, without permit for erection or maintenance.

5.3.1.2 Corner Vision

Policy G-5: Corner Vision Triangle

Placement and height of structures such as fences, signs, vegetation and retaining walls in the corner vision triangle of street intersections shall be regulated by LUB to prevent sight line obstruction on public streets and rights-of-way.

5.3.1.3 Outdoor Storage

Policy G-6: Outdoor Storage and Display

Subject to other provision in LUB, outdoor storage and display of goods, machinery, vehicles, building materials, waste materials, aggregates, and other such items within all zones shall be prohibited or regulated by screening.

5.3.1.4 Variance

Policy G-7: Variances

Development Officers may grant variances in a DA, or to a SPA, LUB or SDB requirement per MGA.

5.3.1.5 Fences

Policy G-8: Fences

All Fences require development permit except Fences 6 feet (1.8 metres) and under in height that do not interfere with a Corner Vision Triangle requirement under Policy G-5.

5.3.1.6 Signs

Policy G-9: Regulated Signs

Signage is either prohibited or permitted as may be adopted by the Towns. The LUB shall regulate signage that is permitted as-of-right, by type, material, size, location, and number. Commercial operations shall construct and maintain signs that balance visibility with the visual integrity of the area and may be subject to review of the Local Traffic Authority. Individual SPSs may address additional signage requirements and/or may subject signage to a separate by-law.

Policy G-10: Commercial Signs in Residential Areas Prohibited

Excepting signage for Neighbourhood Commercial Uses and Home Occupations, as well as permitted temporary or special uses in LUB, commercial signage shall be prohibited in residential zones.

Policy G-11: As-of-Right Signs

Residential signage to advertise yard sales, property identification signs, real estate signs, regulated political signs surrounding any Federal, Provincial or Municipal election (“Special Use” Signs), and artistic murals or other works of art that do not convey an advertising message, shall be permitted as-of-right.

5.3.1.7 Temporary and Special Uses

Temporary uses are uses that are associated with new construction activity in the Town, including construction sheds for the housing of personnel, tools, or materials, offices, or signs which are located on the construction site while the work is proceeding. Special uses are uses of signs, banners, and other structures leading up to and during special events such as elections or festivals.

Policy G-12: Temporary Uses

Temporary uses of structures in connection with a construction or subdivision project (for which a development permit has been issued), including offices, scaffolding, signs, and structures for the storage of equipment and material, shall be permitted subject to other provision in the LUB.

Policy G-13: Special Uses

Special uses and structures such as signs, banners, display booths, and other similar structures in connection with an election, festival, celebration, or other special event shall be permitted without a development permit, subject to other provision in the LUB.

Policy G-14: Duration of Temporary and Special Use

The LUB shall address timely removal of temporary or special use structures.

5.3.1.8 Outdoor Lighting

Policy G-15: Outdoor Lighting

Type, style, and placement of outdoor lighting shall be regulated by LUB to minimize adjacent use conflicts and to ensure outdoor lighting is directed away from adjoining properties.

5.3.1.9 Swimming Pools

Policy G-16: Swimming Pools

Safety concerns necessitate stringent regulation of swimming pools. Secure enclosures regulated in the LUB by height shall be required, with setbacks to permit safe movement in and around swimming pools.

Policy G-17: Swimming Pool By-law

A Swimming Pool By-law shall be enacted by each Town.

5.3.1.10 Non-Conforming Uses or Structures

Non-conforming uses are usually commercial or industrial uses that are no longer permitted in most residential areas but may remain because they predate the LUB.

Policy G-18: Non-Conforming Uses or Structures by DA or SPA

Non-conforming uses and structures shall be addressed by DA or SPA (where applicable), and in accordance with MGA. In addition to SPA Policy IM-23 (where applicable), the following factors shall be considered:

- a) architectural design compatibility with adjacent uses, including scale and exterior finish;
- b) Outdoor Storage area and year-round artificial or natural screening;
- c) buffering and Setback distances from low density residential uses and landscaping treatments;
- d) Use maintenance and appearance;
- e) Non-Obnoxious Use;
- f) Compatible hours of operation with adjacent Uses; and
- g) policy compliance.

5.2.1.11 Adaptive Reuse of Non-Conforming Uses and Structures

Policy G-19: Adaptive Reuse of Non-Conforming Uses and Structures

The adaptive reuse of non-conforming structures and uses may be permitted where feasible, subject to the National Building Code and Fire Code requirements, and the provincial Building Code Act and Fire Safety Act, and accompanying regulations.

5.1.1.12 Altering of Land Levels and Other Provisions in Relation to Development

Policy G-20: Altering of Land Levels and Other Provisions in Relation to Development

Any proposed development of land shall comply with Approved Site Drainage and Grading Plans, where such plan requirements are in effect by municipal By-law.

5.1.1.13 Undersized Lots and Flag Lots

Three types of infill development are subject to policy: existing undersized lots, Flag Lots and lots containing two units or two main buildings that may require subdivision on title transfer.

Policy G-21: Existing Undersized Lots

Infill development may be encouraged on existing vacant serviced lots by permitting Lot use that does not meet the Zone area or frontage requirements, but does meet minimum Setback requirements.

Policy G-22: Flag Lots

Infill housing may be encouraged by permitting the creation of Flag Lots in the Rural Residential (RR), Residential Single Unit (R1), and Residential Two Unit (R2) Zones, with street frontage subject to LUB regulation.

Policy G-23: Two Dwellings on a Single Lot

Two residential or main buildings existing on a single Lot, and that predate the Subdivision By-law, shall be permitted to create two lots out of the one, that do not meet the area or frontage requirements of the applicable Zone.

5.4 Residential – Policies

Policy RD-1: Residential Designation

A Residential Designation (“RD”) shall be established on the GFLUM, applying to existing serviced and unserviced areas, designed to permit mixed housing stock.

RD zoning shall include R1, R2, R3, RR, and R5, with permitted uses and development methods addressed in LUB, including Residential, Home Occupation, Neighbourhood Commercial, Recreational and Institutional uses. Development shall be as-of-right, by Development Agreement or Site Plan Approval, or by other methods permitted by the enabling legislation and Planning Documents.

5.4.1 Single and Two Unit Dwelling Development

Policy RD-2: Residential Single Unit Dwelling Zone (R1) Zone

R1 zoning applies primarily to unserviced and partially serviced lands within the RD, and to low density development. Permitted uses and requirements, such as height, frontage, Setback, are set out in the LUB. Subsequent servicing of R1 areas may be subject to rezoning to R2.

Policy RD-3: Residential Two Unit (R2) Zone

R2 zoning shall apply primarily to serviced areas within the RD. Permitted uses and requirements, such as height, frontage, Setback, are set out in the LUB.

Policy RD-4: Two Unit Dwellings (R1) Zone by DA

Two Unit residential Dwellings in R1 shall be considered by DA and compliant with Policy IM-12.

Policy RD-5: Garden and Garage Suites (R1) Zone by DA

Garden and Garage Suites in R1 shall be considered by DA and compliant with Policy IM-12.

5.4.2 Rural Residential Development

Policy RD-6: Rural Residential (RR) Zone

The Rural Residential (RR) Zone has been established to permit Residential, Agricultural, and other land uses on larger and primarily unserviced lots. Permitted uses and requirements, such as height, frontage, Setback, are set out in the LUB.

Policy RD-7: Unserved Lots Rural Residential (RR) Zone

Minimum lots in unserviced areas shall be determined and subject to Provincial *On-site Sewage Disposal Systems Regulations*, N.S. Reg. 194/2007, as amended.

5.4.3 Multiple Unit Development

Residential Multiple Unit (R3) Zoning shall be applied to certain areas in the RD, balancing land use and servicing efficiency with traffic, aesthetic, and residential impact.

Policy RD-8: Residential Multiple Unit (R3) Zone

R3 zoning shall apply to those multiple unit developments, as well as potential multiple unit sites, as depicted on the Zoning map, and as designated RD or CD. Permitted land uses and requirements, such as height, frontage and Setback, are set out in LUB. Some RD or CD areas may be subject to R3 re-zoning. R-3 re-zonings shall be subject to the requirements of the R-3 Zone.

Policy RD-9: New Multiple-Unit Dwellings by Development Agreement

New Multiple Unit Dwellings, expansions to existing Multiple Unit Dwellings, new senior's residential complexes, conversions of single and two unit dwellings to multiple-unit dwellings, and conversions of single and two-unit dwellings to Senior's Residential Complexes shall be permitted only by Development Agreement in areas designated Residential, Downtown Commercial, Highway Commercial, and Future Redevelopment Area. Development Agreement applications shall consider, without limitation, factors as follows:

- a) Lot requirements of the relevant zones as applicable as a guideline to negotiate DA terms;
- b) architectural design compatibility with adjacent uses, including scale and exterior finish;
- c) Outdoor Storage area and year-round artificial or natural screening;
- d) landscape preservation by minimizing tree and soil removal;
- e) municipal water and sewer servicing;
- f) open Space, amenity space, and like considerations; and
- g) proposals satisfy the review criteria of IM-12.

Policy RD-10: New Multiple-Unit Dwellings by Site Plan Approval

Notwithstanding Policy RD-9, multiple dwellings (to a maximum of four-dwelling units) may be permitted by SPA in the R2, R3, RR and R5 Zones, subject to zone requirements and Policy RD-9 factors above, as well as SPA criteria outlined in this IPS and LUB.

5.4.4 Innovative Housing and Site Design

In comparison to higher density development requirements of cities, the Towns in general do not have land areas fully developed, i.e. greenfield areas still exist to accommodate traditional sub-division scale development. Creating efficiencies in the operation of municipal infrastructure such as wastewater treatment and the production of potable water involves, in part, lowering per unit of cost through the introduction of new users. It is therefore desired to approach sub-division scale development at this point in time. However, sub-division development can combine both traditional approaches and innovative housing and site design. Additionally, innovative housing and site design may be useful with respect to the development of infill lots.

Innovative housing and site design are defined as cluster/open space, small lot and small lot developments. More specifically, these approaches utilize common open space, modifications to lot sizes and setbacks, and variations to the internal street network.

Policy RD-11: Innovative Housing and Site Design

Innovative housing and site design development may be permitted by DA (and where permitted by SPA) on serviced RD lots and where designated Highway Commercial Business Park as provided for in Policy RD-11 and factors as follows shall be considered:

- a) passive and Active Recreation space;
- b) natural undisturbed Open Space;
- c) vehicular traffic including road widths and road grades;
- d) pedestrian access and circulation including the separation of pedestrians from vehicular traffic;
- e) architectural detailing and design;
- f) details of landscaped areas;
- g) small Lot minimum frontage of 34 feet (10.4 metres) on a public right-of-way, and a minimum Lot area of 3400 ft² (315.9 m²); and
- h) Lot dimensions and grades; and
- i) proposals satisfy the review criteria of IM-12.

5.4.5 Mobile/Mini-Home Dwellings

Policy RD-12: Residential/Mini-Home Park (R5) Zone

Existing Mobile Homes and Mini-Homes in Mini-Home parks shall be zoned R5, permitted uses and requirements as set out in LUB including, without limitation, minimum lot sizes, frontage, Setback and height restrictions. Proposed parks shall meet the requirements of Mobile, Mini-Home or Joint Mobile/Mini-Home By-laws if enacted by the applicable Town as well as the R5 Zone requirements. RD lands may be subject to R5 rezoning subject to IM-11, and IM-12.

5.4.6 Home Occupations - Commercial Uses in the Residential Designation

Home Occupations are permitted in RD subject to LUB regulation that addresses preservation of residential character, and adjacent use conflict.

Policy RD-13: Home Occupations Permitted

Home Occupations shall be permitted in all residential zones subject to LUB regulation.

Policy RD-14: Prohibition of Industrial Uses in the Residential Designation

New Industrial uses shall be prohibited in RD.

Policy RD-15: Non-Conforming Uses

Existing Commercial and/or Industrial uses in RD, which are not zoned for their use, shall be considered Non-conforming Uses pursuant to the MGA.

Policy RD-16: Buffering Requirements for New Commercial/Industrial Development Adjacent to Existing Residential Development

New Commercial and Industrial uses, excepting Downtown Commercial (CI) and Downtown Core (CI-A) Zones, proposing to locate adjacent to residential uses or zones, shall provide buffers as set out in the LUB by the use of Setbacks, Fencing, Berms, Landscaping, control of open storage and parking to minimize conflict.

5.5 Commercial-Policies

5.5.1 General Downtown (C1 and C1-A) Policies

Policy CD-1: Downtown Image

The LUB shall include Zones C1 and C1-A to enable retail, service and mixed uses that supports a sustainable downtown and focal point for the community.

Policy CD-2: Landscaping

Where applicable Developers shall be required to employ landscaping elements such as lighting, benches, planters, trash containers and the like that are complementary to the Downtown.

Policy CD-3: Exemption from Additional Parking Requirements

C1 and C1-A Zone Uses shall be exempt from additional parking requirements upon a change of use where there is no net increase in the Commercial Floor Area.

5.5.2 Light Industrial Uses with Commercial Development by DA

Policy CD-4: Light Industrial development with Commercial in the C1 and C1-A Zones by DA

Commercial and Light Industrial development may be permitted in the C1 and C1-A Zones by DA and factors not limited to the following shall be considered:

- a) 75% maximum space attributable to the industrial component of the development, and only when the other proposed uses are permitted in the C1 and C1-A Zone;
- b) 10,000 square foot maximum floor area of the Light Industrial use, except where other provision or agreement by policy;
- c) no Outdoor Storage;
- d) adequate parking (or cash-in-lieu) and loading areas;
- e) no Obnoxious Use, activity or equipment;
- f) Compatible hours of operation with adjacent Uses;
- g) limited effect on traffic volumes and the local road network;
- h) adequate screening of loading areas and delivery operations are adequately screened;
- i) compatibility of architectural design, including scale exterior finish, with adjacent land uses;
- j) Use maintenance and appearance; and
- k) proposals satisfy the review criteria of IM-12.

5.5.3 Downtown Core (C1) Policies

Policy CD-5: Downtown Core Designation

Each Downtown shall have a designated “Downtown Core” area designated on the GFLUMs to be Zoned (C1).

Policy CD-6: Permitted Uses and Requirements

C1 Zone permitted uses and requirements shall be set out in the LUB.

5.5.4 Downtown Commercial (C1-A) Policies

Policy CD-7: Downtown Commercial Designation

Each Downtown may have a designated “Downtown Commercial” area designated on the GFLUMs to be Zoned (C1-A).

Policy CD-8: Permitted Uses and Requirements

C1-A Permitted Uses and requirements shall be set out in the LUB.

5.5.5 Neighbourhood Commercial (C2) Policies

Policy CD-9: Neighbourhood Commercial (C2) Zone

The Neighbourhood Commercial Zone shall be established, and identified C2. Permitted uses and requirements to be set out in LUB. Neighbourhood Commercial developments will balance service provision with residential area impact, by permitting limited and interspersed commercial service development for surrounding residents. All other commercial uses shall become non-conforming and subject to the applicable provisions of the MGA.

Policy CD-10: Requirements for Existing Neighborhood Commercial Uses

Existing C2 uses shall be subject to LUB regulation of Lot sizes and Setbacks, Floor Areas, parking requirements, Outdoor Storage and Signage, servicing, buffering, and other regulation to minimize adjacent use conflict.

Policy CD-11: C2 Development by Re-zoning

New C2 development shall be permitted by re-zoning, expansion to C2 uses shall be subject to DA, SPA or other LUB requirements where applicable. Factors as follows to be considered:

- a) Outdoor storage limited to ice cube storage and propane tank (less than 21 pounds) for retail sale;
- b) adequate parking and loading areas;
- c) no Obnoxious Use, activity or equipment;
- d) Compatible hours of operation with adjacent Uses;
- e) limited effect on traffic volumes and the local road network;
- f) loading areas and delivery operations are adequately screened;
- g) compatibility of architectural design, including scale and exterior finish, with adjacent land uses;
- h) Use maintenance and appearance; and
- i) proposals satisfy the review criteria of IM-12.

5.5.6 Highway Commercial (C3) Policies

Policy CD-12: Location of Highway Commercial Designations

Each Town may have a “Highway Commercial” area designated on the GFLUM to be zoned primarily C3 which will accommodate Commercial Development incompatible with the Downtown area due to size, traffic volume, Outdoor Storage requirements, Bulk Product sale or the like.

Policy CD-13: Highway Commercial (C3) Zone, Permitted Uses and Requirements

The Highway Commercial (C3) Zone permitted uses and requirements shall be set out in LUB.

Policy CD-14: Banks and Financial Institutions in the C3 Zone

Banking services shall be limited to ‘drive-through’ banking, banking machines and satellite banking operations in C3 zones.

5.5.6.1 Undersized Lots in the Highway Commercial Designation

There are modest numbers of residential zoned properties within commercial designations in transition. A certain number of these existing lots are undersized and given their locations can be developed through SPA.

Policy CD-15: Existing Undersized Lot Development by SPA

Commercial and/or Residential Uses shall be permitted on undersized lots within the R2, R3, R5 and RR Zones by Site Plan Approval provided that the subject property is in the Highway Commercial Designation on the GFLUM and is policy compliant.

Policy CD-16: Rezoning

Existing highway commercial uses in RD may be rezoned Highway Commercial (C3). Lands designated Highway Commercial on the GFLUM and zoned either Residential or Industrial may be rezoned to C3 by LUB amendment provided policy compliance, particularly C3 minimum Lot size and frontage requirements.

5.5.7 Highway Commercial Business Parks (C4)

Policy CD-17: Commercial Business Park Designation(s)

Each Town may have a Commercial Business Park Designation area designated on the GFLUM to be zoned (C4). Applicable SPSs will address additional C-4 Zoning policy provisions.

Policy CD-18: Commercial Business Park Re-designation

Re-designations to Commercial Business Park, and C4 rezoning, shall be considered subject to Policy IM-12.

Policy CD-19: Commercial Business Park Zone Permitted Uses

The Commercial Business Park (C4) Zone shall be established in the LUB. Zone requirements will guide development, minimize adjacent use conflict, address site drainage, parking, access, and local road network capacity. A Development Permit shall be required for C4 use or structure expansion.

Policy CD-20: Creation of lots without frontage

Lots without frontage shall be permitted in C4 provided access is ensured by sufficient parking and easements.

5.5.8 Mixed Use Developments in Downtown Commercial, Downtown Core and Highway Commercial Designations

Policy CD-21: New and conversions and expansions of Multi-Unit Dwellings and Senior's Residential Complex may contain Commercial Uses by Development Agreement

New development and conversions or expansions to include commercial uses in Multi-Unit Dwellings that do not currently contain commercial uses shall be considered by Development Agreement in the Downtown Commercial designation, provided policy compliance, and particularly Policy IM-12 and Policy RD-9.

Policy CD-22: Multi-Unit Dwellings and Senior's Residential Complex without Commercial Uses by Development Agreement

New development and conversions or expansions in Multi-Unit Dwellings that do not contain commercial uses shall be considered by Development Agreement in the Downtown Commercial designation, provided policy compliance, and particularly Policy IM-12 and Policy RD-9.

5.5.9 Adult Entertainment, Adult Cabaret and Massage Parlour Uses

Policy CD-23: Adult Entertainment, Adult Cabaret and Massage Parlour Uses by Development Agreement in the Highway Commercial (C3) Zone

Adult entertainment, adult cabaret, massage parlour, and similar uses shall only be permitted by Development Agreement in the Highway Commercial (C3) Zone, and shall be subject to LUB regulation, with factors as follows to be assessed:

- a) adverse effect on adjacent uses, with attention to parking, screening, and privacy for adjacent property owners;
- b) requisite two hundred (200) metre spacing from playgrounds, schools, youth centres, day care and/or child care uses, or other uses normally frequented by persons under nineteen (19) years of age;
- c) requisite two hundred (200) metre spacing from churches, other places of worship, cultural uses, institutional uses, or residential care facilities;
- d) provision of adequate screening, soundproofing and other measures in residential zones including adherence to the abutting yard requirements (Highway Commercial (C3) Zone) of the Land Use By-law; and
- e) proposals satisfy the review criteria of IM-12.

5.6 Future Redevelopment Areas Policies

Policy FRA-1: Location of Future Redevelopment Areas (FRA)

Land parcels designated in the GFLUM as Future Redevelopment Area and zoned FRA are particularized in the applicable SPS. Re-zoning and re-designation to FRA may occur, subject to Policy IM-12.

5.7 Industrial Policies

5.7.1 Light and General Industrial

Policy IND-1: Industrial Designations

Lands parcels shall be designated Industrial on the GFLUM, and particularized in the applicable SPS.

Policy IND-2: Industrial Zoning

Lands designated on the GFLUM as Industrial shall be zoned primarily Light Industrial (M1), Provincial Resource (M2), or General Industrial (M3).

Policy IND-3: Industrial Zone Permitted Uses

Permitted Uses shall be set out in the LUB to regulate Lot size, setbacks, Frontage, Fencing, Landscaping, Outdoor Storage, parking, and the like to minimize impact on adjacent areas.

Policy IND-4: Buffering

LUB buffering requirements shall balance industrial intensification with the community aesthetic by buffering the negative features of Industrial Uses with landscaping, fencing, Separation Distances and Outdoor Storage.

Policy IND-5: Obnoxious Uses, Salvage Yards, Scrap Metal Operations and Industrial uses on 10 hectares of land or more

Obnoxious industrial uses and industrial uses on 10 hectares of land or more shall be considered by Development Agreement. Proposals for Obnoxious Uses shall be in compliance with IM-12, and applicable Provincial and Federal legislation, and must satisfy the applicable LUB provisions in relation to buffers, adjacent uses and the like.

Policy IND-6: Existing Residential and Commercial Uses

Existing Residential and Commercial Uses shall be listed as permitted uses within the appropriate Industrial Zone.

5.8 Institutional Policies

Policy I-1: Institutional Zone and Permitted Uses

The Institutional Zone shall be established, and identified as (I) on the Zoning Maps. Permitted Uses shall be set out in the LUB regulating, without limitation, Lot sizes and Setbacks, Floor Areas, parking requirements, Outdoor Storage and Signage, servicing and buffering to minimize adjacent use conflict.

Policy I-2: Location of Institutional Uses

Lands designated as Residential, all Commercial, Recreational and Industrial may be rezoned to Institutional (I) Zone by LUB amendment, provided policy and zone compliance.

5.9 Recreation Policies

Policy P-1: Recreation (P) Zone and Permitted Uses

Lands designated as Recreation shall be zoned primarily as Recreation (P) where applicable. Permitted Uses shall be set out in the LUB regulating, without limitation, Lot sizes and Setbacks, Floor Areas, parking requirements, Outdoor Storage and Signage, servicing and buffering to minimize adjacent use conflict. Recreation uses such as Neighbourhood Parks, in other zones will be considered.

Policy P-2: Funding

Funding provision for recreation facilities and services shall meet ongoing financial sustainability requirements.

Policy P-3: Co-operation with School Board, NSCC and Others

Chignecto Central Regional School Board, Nova Scotia Community College and other organizations and the Towns shall cooperate to provide recreational opportunities and shared use of recreational facilities.

Policy P-4: Development Plan for a Recreation Trail

Implementation of a regional recreation master plan shall be considered to address construction, maintenance, ownership and sustainability of Recreational Trails.

Policy P-5: Individual Recreation Master Plans

Individual master plans, specific to each of the Towns, may be considered within the applicable SPSs for guidance in evaluating development proposals.

Policy P-6: Public Access

Individual SPSs shall address the maintenance or creation of access to public areas such as: waterfronts, civic squares, parks, trails, play areas, and the like.

Policy P-7: Parkland Transfers and Land Dedication

Individual SPSs shall address parkland transfers and land dedication, including cash- in-lieu alternatives, pursuant to SDB requirements.

5.10 Floodplain Management Policies

Policy F-1: Floodplain Designation

Land parcels along the East River floodway and floodway fringe shall be designated Floodplain on the GFLUM, and are particularized in the applicable SPS.

Policy F-2: Floodplain Zone

Lands designated on the GFLUM as Floodplain shall be zoned Floodplain (F). Permitted Uses shall be set out in the LUB.

Policy F-3: Floodplain Management

Floodplain management may be subject to one or more Statements of Provincial Interest.

Policy F-4: Flood Damage Reduction

It shall be a policy of Council to recognize the principles, development standards and mapping established under the 1988 Canada - Nova Scotia Flood Damage Reduction Program and, where appropriate, incorporate these into municipal planning policy and regulations.

Policy F-5: Floodway Fringe

It shall be a policy of Council to accept the delineations of the 1:20 Floodway and 1:100 Floodway Fringe as determined by the 1988 Flood Damage Reduction Program except where amended in accordance with this Strategy.

Policy F-6: Municipal Climate Change Action Plans (MCCAP)

Whereas all five towns have adopted MCCAP's that acknowledge and address the effects of climate change regarding flooding and sea level rise, it shall be the policy of the towns to adhere to the provisions of their respective MCCAP's in this regard.

The Towns of Stellarton, Trenton and Westville, having adopted a joint MCCAP, will undertake adaptive and mitigation measures within those areas designated Flood Plain.

The Towns of New Glasgow and Pictou have also adopted MCCAP documents that strive to ensure adaptive and mitigation measures are in place. For New Glasgow, this specifically relates to the designated Flood Plain. The Town of Pictou's aim is to address municipal infrastructure susceptible to climate change impacts (i.e. town storm water conveyance).

5.11 Wind Energy

Policy WE-1: Turbine Regulation

Small, and Mini Scale Turbines shall be regulated per LUB; a development permit will be required. Large Scale Turbines shall be considered by DA and subject to section 26.4 of the LUB.

Policy WE-2: Adjacent Leases

Where wind turbine development is proposed on a lot where the immediately adjacent property is subject to a long term lease for that Use, the Setback requirement from a property line shall not apply.

Policy WE-3: Expansion Post Residential Development

Where a residence is constructed within the Setback requirements of an existing utility scale wind turbine, the wind turbine development may expand provided the expansion is not located closer to the residence than the initial wind turbine development.

Policy WE-4: Non-Conforming

Existing Wind Turbines that do not meet setback as of the effective date of this Strategy shall be permitted to continue as non-conforming structures but an expansion will not be permitted.

Policy WE-5: Wind Turbine Decommissioning

Decommissioning of Large Scale Wind Turbines shall be regulated by the LUB.

5.12 Implementation Policies

This section sets out how policy and by-law changes are implemented including procedure and public participation. Unless specifically noted this section shall apply to the IPS and all SPSs.

5.12.1 Municipal Planning Strategy

Policy IM-1: Municipal Planning Strategy Policy

The MPS (IPS and SPSs) is enabled by the MGA and includes requirements for public participation, amendment procedure and updating requirements.

Policy IM-2: Municipal Planning Strategy Amendments

The MPS may be amended where:

- a) re-zoning requests supported by Council conflict with the GFLUM;
- b) there is a conflict with a Statement of Provincial Interest;
- c) additional information is identified or circumstances have otherwise changed that prompt a need to change policy;
- d) there is a need to replace an original GFLUM; or
- e) property line information requires GFLUM updates.

Policy IM-3: Municipal Planning Strategy Review

The MPS shall be subject to formal review commencing five years from the effective date.

5.12.2 GFLUM

Policy IM-4: GFLUM

The MPS includes both policies and maps. The GFLUM is the map portion designating boundaries for future development. Each SPS contains individual GFLUMs.

Policy IM-5: Rezoning Lands adjacent to a Future Land Use Designation

Inflexible boundaries are indicated on the GFLUM; those not designated as inflexible are eligible for re-zoning to the contiguous designation without MPS amendment provided policy compliance.

Policy IM-6: Concurrent MPS/LUB Amendments

Where a development agreement or rezoning requires an MPS amendment to be permissible the applications may be processed concurrently.

5.12.3 LUB Administration

Policy IM-7: Land Use By-law

The LUB is the principal means for implementing MPS policies pursuant to s. 219 and s. 220 of the MGA. The LUB is administered by the Development Officer(s) and outlines Zones, Permitted Uses, development standards, and Development Agreement and Site Plan Approval requirements. The Zoning map, forming part of the LUB, graphically depicts zone boundaries. Each SPS will contain a zone map.

Policy IM-8: Land Use By-law Administration by Development Officer(s)

Development Officer(s) shall administer the Land Use By-law, grant or deny development permits, Site Plan Approvals, variances, and other matters detailed in policy or legislation.

Policy IM-9: Municipal Development Officer(s), Practices and Procedures

The Development Officer(s) shall apply approved policy, regulation and legislation.

5.12.4 LUB Amendments

The LUB is subject to text amendments, map amendments, or combined text and map amendments. These amendments can be initiated by an individual or a Town.

Policy IM-10: Creation of New Zones

The LUB may be amended to allow additional zones or additional permitted uses in specified zones in compliance with existing policies. Where no such policies exist, a concurrent MPS amendment may be required.

Policy IM-11: Land Use By-law Amendments

The LUB may be amended without corresponding MPS amendment provided that:

- a) the amendment is consistent with policy; and
- b) notwithstanding policy, a Zoning Map amendment is permitted only on those lands designated by flexible lines on the GFLUM. Inflexible line designations are not eligible for to zoning map amendment.

5.12.5 Evaluation Criteria for LUB Amendments, DAs and SPAs

Policy IM-12: Criteria for Amendments, Development Agreements and Site Plan Approval

Evaluation criteria for LUB or policy amendments, Development Agreement proposals and Site Plan Approvals, are set out in MGA Part VIII and other Provincial legislation, and shall also include consideration of factors as follows, without limitation:

- a) proposal consistency with MPS policies and LUB requirements and all Town By-laws and regulations;
- b) capacity to absorb development, operating or capital costs;
- c) water and sewer service capacity or private on-site sewer and water systems approval;
- d) street networks;
- e) proximity to schools, recreation and other community facilities;
- f) compatibility with adjacent uses;
- g) environmental constraints of proposed site, including steepness of grades, soil and/or geological conditions, relative location of Watercourses, marshes, swamps, or bogs; lands comprising twenty-five (25) percent of the Lot area with a slope gradient of twenty (20) percent or greater shall be considered steep;
- h) provision for buffers, or any other controls, to reduce development impact where incompatibilities with adjacent uses are anticipated;
- i) impact on access to waterways;
- j) development effect on natural features or historical buildings and sites;

- k) Obnoxious emissions;
- l) requirement for paved parking and/or driveway area where site conditions necessitate;
- m) Development Agreements may also address, without limitation:
 - i. type of use, density and phasing;
 - ii. traffic generation, access to and egress from the site, and parking;
 - iii. Outdoor Storage and landscaping;
 - iv. pedestrian movement and safety;
 - v. development of Open Space, parks, and walkways;
 - vi. drainage, both natural and subsurface;
 - vii. Signs;
 - viii. hours of operation; and
 - ix. architectural design compatibility with adjacent uses.

Policy IM-13: Rezoning Implications

While rezoning applications must be accompanied by development proposals, there is no legal requirement for a landowner to conform to the proposal. Accordingly, evaluation of rezoning applications shall account for other potential development that may be permitted as a result of a proposed rezoning.

Policy IM-14: Application Requirements for Land Use By-law Amendments, Development Agreements and Site Plan Approval

The Development Officer and Town Engineer may require the following information, as applicable and without limitation, to assess LUB amendments, Development Agreements and Site Plan Approvals:

- a) concept plan specifying the location of all proposed land uses;
- b) plan for location, area, shape, landscaping and surface treatment of all public and private open spaces and parking areas;
- c) physical and environmental characteristics of the proposed site, including topography, contours, elevations (existing and/or finished), dimensions, natural drainage, soils, existing watercourses, vegetative cover, size and location of the lands;
- d) natural drainage of the site;
- e) proposed location, height, dimensions and use of all buildings or structures proposed to be built or erected on the lands;
- f) type and amount of any site clearing required;
- g) proposed provisions for proper site drainage and servicing with water supply and sewage disposal;
- h) proposed access to and egress from the lands and estimated traffic flows to be generated;
- i) intended hours of operation;
- j) architectural design, including renderings, scaled site plans, profiles, grade elevations and building cross-sections;
- k) provision and maintenance of appropriate buffers; and
- l) deed or property description (Schedule "A").

Policy IM-15: Development Agreement Variances

The Development Officer(s) may grant a variance consistent with s. 235 MGA.

Policy IM-16: Development Agreement Appeals

Appeals shall be administered per s. 228 MGA.

Policy IM-17: Discharge of Development Agreement

Discharge of Development Agreements shall be administered per s. 229 MGA.

Policy IM-18: Development Agreement Negotiations

Draft Development Agreements may be reviewed by the applicable Town Solicitor prior to execution and must be filed on the parcel register with the Nova Scotia Land Registry in accordance with the *Land Registration Act*, SNS 2001, c. 6. The Development Officer, in concert with the Building Official, Planner, or other applicable officials, shall monitor developments subject to a Development Agreement or Site Plan Approval on a complaint-driven basis; failure to meet terms may result in discharge of the Development Agreement per MGA and/or civil action.

5.12.6 Subdivision By-law

Policy IM-19: Subdivision By-law Administration

Development Officer(s) shall administer the Subdivision By-law.

Policy IM-20: Subdivision By-law Requirements

The Subdivision By-law shall be in accordance with the MGA and MPS policy, and includes standards for:

- a) road construction;
- b) service installation;
- c) open space or cash-in-lieu requirements;
- d) concept plan and area site drainage plan requirements; and
- e) Town infrastructure development, performance bonding and cost recovery per the permissive content provisions of the MGA.

Policy IM-21: Subdivision By-law Matters

Relaxation of Requirements

The Development Officer(s) may approve a final plan of subdivision to create a maximum of two lots that do not meet minimum Lot Area requirements, provided both lots comprise not less than 90 percent of the required minimum Lot Area.

Encroachments

Where a permanent Structure, such as a driveway, well, or on-site sewage disposal system, is encroaching on an adjacent Lot, the Development Officer(s) may approve a final plan of subdivision to the extent required to remove the encroachment, provided minimum Lot Area and frontage requirements are unaffected by the alteration.

Subdivision of Lot with Two Main Buildings

The Development Officer may approve a final plan of subdivision with equal or fewer Lots than there are Main Buildings, and a remainder Lot, if any, where an area of land contains more than one Main Building existing prior to January 1, 2001, for which no approval was requested, provided that each Lot has a minimum Lot frontage of twenty (20) feet.

Creation of Landlocked Lot in the C4 Zone

The Development Officer(s) may approve a final plan of subdivision to create a Lot in the C4 Zone without street frontage, provided adequate parking and public access are provided by recorded easement.

Alteration of Existing Lot Boundaries

The Development Officer(s) may approve a final plan of subdivision altering the boundaries of two or more areas of land where no additional Lots are created, and the area and frontage of each Lot are not reduced.

5.12.7 Public Participation Program

Policy IM-22: Public Participation

MGA public participation requirements shall be met, and additional opportunities for public consultation may be provided.

5.12.8 Site Plan Approval

Policy IM-23: Uses and Areas Subject to Site Plan Approval

Uses and areas as follows shall be subject to Site Plan Approval per Part XIII of the MGA:

- a) new provisions for parking, off-street loading and/or new development or expansions proposed to a Permitted Use in the C1-A, C2, C3, C4, C5, M1, M2, I, P, and FRA Zones;
- b) new or expansions to multi-unit residential development in any Residential Zone (except R3) where proposed development does not exceed four (4) dwelling units, and which shall be subject to Lot, Yard, Height and Open Space requirements of the R3 Zone;
- c) alteration, reconstruction, re-commencement, and change of Use of non-conforming Structures or non-conforming Uses of land within the boundaries of the Lot containing the Structure or Use; and
- d) Commercial and/or residential Uses within the R2, R3, R5 and RR Zones on undersized Lots within the Highway Commercial Designation.

Policy IM-24: Application Requirements

Site Plan Approval applications must contain signed application by the owner(s) or agent of the owner(s) that includes the items identified in IM-26, as applicable.

Policy IM-25: Notification Area

Upon receipt of an application for Site Plan Approval, the Development Officer(s) shall notify all property owners within sixty (60) metres (200') of the Subject Property boundary. The applicant must place a sign/placard on the Subject Property, approved by the Development Officer, notifying the public of application details.

Policy IM-26: Site Plan Approval Review

Items as follows may be addressed by Site Plan Approval, per s. 231 MGA:

- a) Structure location on Lot;
- b) off-street loading and parking facility location;

- c) location, number and width of driveway accesses to streets;
- d) type, location and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements necessary to protect and minimize land-use impact on adjoining lands, when abutting a residential use or residential Zone;
- e) existing vegetation retention;
- f) location of walkways, including the type of surfacing material, and all other means of pedestrian access;
- g) type and location of outdoor lighting;
- h) facility location for solid waste storage;
- i) easement location;
- j) grading or alteration and storm and surface water;
- k) signage; and
- l) maintenance of above items.

Policy IM-27: Criteria for SPA

The Development Officer(s) may consider criteria as follows for a SPA application:

- a) LUB, SDB, and policy compliance;
- b) abutting land uses; and
- c) Traffic Authority, Town Engineer, or planning staff input.

Policy IM-28: Variances in Relation to SPA

The Development Officer(s) may grant a variance consistent with s. 232 MGA.

Policy IM-29: Site Plan Approval Appeals

Appeals will be administered per s. 232(2) MGA.

Policy IM-30: Discharge of Site Plan

The Development Officer(s) may, with the concurrence of the property owner(s), discharge a site plan, in whole or in part, per s. 232(5) MGA.

6.0 MAPS AND APPENDICES

6.1 General Future Land Use Map (GFLUM)

6.1.2 Schedule A-1 – Town of New Glasgow

6.1.3 Schedule A-2 – Town of Pictou

6.1.4 Schedule A-3 – Town of Stellarton

6.1.5 Schedule A-4 – Town of Trenton

6.1.6 Schedule A-5 – Town of Westville