

This document has been prepared for convenience only and includes the Ministerial modifications which accompanied the approval of the Department of Housing and Municipal Affairs in June, 2000. Amendments made after this approval date may not necessarily be included and for accurate reference, recourse should be made to the original documents.

Amendments to the Mixed Use preamble were adopted by Council on April 8, 2013 and came into effect May 29, 2013.

Chéticamp

MUNICIPAL PLANNING STRATEGY

CHAPTER 1 - INTRODUCTION

THE STRATEGY

The Municipal Planning Strategy for Chéticamp and its surrounding communities has been prepared according to the provisions of the *Municipal Government Act* and its amendments. The provincial and local contexts of the Plan Area are shown on Map 1. The Strategy covers all the land within the boundary of the Chéticamp Plan Area as indicated on Community Map (Map 2).

The Strategy was originally prepared by the Nova Scotia Department of Municipal Affairs and passed by the Minister on October 12, 1989. A review of this document by the Rural Cape Breton District Planning Commission began in 1998. The Chéticamp Area Advisory Committee invited resident's participation through holding of several public meetings and open houses to support the planning process as well as providing information on the Rural Cape Breton District Planning Commission website.

The purpose of this Strategy is to guide the decisions of Council with respect to the regulation of both private and public development and the provision of both public services and facilities within the Chéticamp Plan Area.

The general goal of this Strategy is to encourage orderly growth and development in the Plan Area and maintain a pleasant environment for both its residents and businesses. Another goal is to enhance and maintain Chéticamp's position as the "gateway" to the Cape Breton Highlands National Park by promoting the community as a tourism destination area.

In order to support these goals, the Strategy has identified certain objectives followed by policies which are directed toward achieving these objectives. Council will implement these policies as outlined in the "Implementation" (Chapter 4) of this Strategy.

In adopting this Municipal Planning Strategy, Council does not commit itself to undertaking any of the projects described therein but it is prevented from undertaking "any development within the scope of the planning strategy in any manner inconsistent or at variance therewith" (*Municipal Government Act*). This means that Council cannot act contrary to the policies in this Strategy.

The main body of this Strategy consists of policy statements, each of which is prefaced by explanatory text. Maps that are specifically referred to in the policy statements are included in this document and they shall constitute part of this Strategy. Most importantly, this includes the Generalized Future Land Use Maps (Map 3 and 4), which are graphic representations of the desired land uses proposed for the Plan Area.

The boundaries of the Plan Area will apply to the communities of Chéticamp, Petit Étang, Point Cross, Plateau, Belle Marche, La Prairie and Chéticamp Island. The areas are identified on Map 2.

OBJECTIVES

This Municipal Planning Strategy is a planning document which details the methods and procedures formulated and formally adopted by Council for the purpose of organizing development and land use activity including municipal services. The Strategy's policies are statements of Council's wishes and intentions to clarify and implement the goals of the Strategy which are listed in the following manner:

IT SHALL BE A GOAL OF COUNCIL:

That this Municipal Planning Strategy provides a framework and a process whereby the various attributes of the community can be protected and stabilized.

To control land use and development in a manner that will preserve, enhance and protect both the natural and manmade environments of the community.

To encourage preservation of the architectural and cultural heritage of Chéticamp and to minimize, where possible any negative impact that may result from new development.

To improve, expand and maintain municipal services and facilities to acceptable standards to the extent of the Municipality's financial capabilities.

To control land use and development in a manner that will minimize and reduce land use conflicts in a manner that is compatible with the community's service infrastructure.

To encourage and promote Chéticamp as a "Tourism Destination Area" within Inverness County and to enhance the stabilization of the economic means of the community.

To promote Chéticamp as the "prime fishery centre" within Inverness County and to encourage both the public and private sectors to work together so that modern and updated facilities and techniques can be undertaken in the industry.

To seek to improve employment opportunities in Chéticamp by encouraging new Commercial and Industrial development to locate in specific areas of the community rather than the ad hoc approach as used in the past.

THE ANTICIPATED FUTURE

It is anticipated that the following trends, which the community wants to promote, will develop over the duration of this Strategy.

- An increase in population resulting from the projected new development and

- investment in the community;
- The industrial and commercial base will continue to diversify beyond the fishing and tourism industries;
 - A development or redevelopment of Central Business District will continue;
 - A working together of residents and community groups which benefits additional community assets such as the arena and the golf course.

CULTURAL AND HISTORIC BACKGROUND AND COMMUNITY AGENCIES

This Acadian region of Cape Breton (the communities of Chéticamp, and immediate area, St. Joseph du Moine and Margaree) extends in a linear fashion about 40 kilometers along the Gulf of St. Lawrence and includes approximately 4500 people, most of whom are descendants of the Acadian settlers. Many of these settlers were sent to England during the Seven Year War from 1756-1763. At the end of the war, they were transferred to the coasts of France, where they remained for about 10 years. Between 1773 to 1775, these settlers left France to return to their homeland along the shores of the Gulf of St. Lawrence. In about 1785 they found refuge along the mountains of the Cape Breton Highlands. Later they settled near the sea to be near their boats and fishing.

In spite of the fact that the Acadians were isolated for nearly two centuries by the mountains and by the Gulf of St. Lawrence, they maintained their french language and culture. During this period, fishing was the economic mainstay of the community and it remains so today. Recently, however, the tourism industry has also become a major factor in the life and economy of Chéticamp. It has had an important impact on the streetscapes of Chéticamp and on its heritage.

LA SOCIÉTÉ ST-PIERRE

After the Second World War, a group of devoted people from this region founded "La Société St-Pierre". Its main objectives were to preserve Acadian heritage and to promote the intellectual, cultural, social and economic aspects of the Acadian people of Cape Breton. For nearly twenty years, La Société St-Pierre focused mainly on post-secondary education by providing loans to students from money raised from door to door collections and from church parishes in the region. After the Provincial Government took over the administration of student loans, La Société St-Pierre turned its attention to the other former initial objectives.

In March 1978, the Cape Breton Development Corporation (DEVCO) gave a grant to La Société St-Pierre to build a cultural centre. The centre, known as "Les Trois Pignons" or "the three gables" contains the offices of La Société St-Pierre and comprises a cultural and information centre for tourists and local residents alike. It is a place where one can obtain information pertaining to such things as Acadian history, genealogy, and the rug hooking industry. Visitors may also tour the local Museum which contains the historic tapestries prepared by Elizabeth LeForte.

CHÉTICAMP DEVELOPMENT COMMISSION

In the fall of 1983, a group of individuals representing a broad cross-section of community established an agency (Development Commission) to encourage and promote economic growth and development in the area. The objective of the Commission is to undertake developmental planning and promotion within the Chéticamp Area. This includes opening lines of communication between the local people and the three levels of government. The Development Commission, therefore, has performed and continues to perform a key liaison function with the community.

In addition, the Municipality of the County of Inverness, after discussion with the Commission, decided to undertake the preparation of a Municipal Planning Strategy and Land Use By-law for Chéticamp. The program was later expanded to include the neighbouring communities of Petit Étang, Plateau, La Prairie, Point Cross and Chéticamp Island.

To achieve this, the Municipality appointed an Area Planning Advisory Committee. This committee was responsible for seeking local input and for drafting the planning documents and then presenting the documents to the Planning Advisory Committee and on through to Council for approval.

In 1999 the Chéticamp Development Commission commissioned a study of the Acadian region from Belle Cote to the Cape Breton Highlands National Park. This study, completed by EDM, consisted of proposals for the future development of the region.

PHYSICAL ENVIRONMENT

The geographical environment of the Chéticamp Plan Area is characterized by two main features - the Cape Breton Highlands and the Gulf of St. Lawrence. The beauty and the variety of landscapes and coastal scenery offer an ideal setting for this coastal community.

The land features to the north and east consist of the Cape Breton Highlands. They rise from the shore of the Gulf to an elevation of some twelve hundred feet. However, the land within the Plan Area is generally characterized by gently rolling hills with slopes from three to eight percent.

Apart from the surrounding Highlands, Chéticamp Island is the second most important topographical feature of the Plan Area. This land form provides a sheltered harbour for the many fishing boats and pleasure crafts in the Plan Area. The Island also has some of the best soils for agriculture purposes. A vast majority of the landholdings on the island is in public ownership and leased to private individuals for agriculture purposes (grazing and pasture).

SETTLEMENT PATTERNS AND SUB AREA BOUNDARY

The present settlement patterns in the Plan Area have been characterized by their close relationship to the harbour and the Highlands. This is evident when one views the linear development pattern which follows the main coastal road (Cabot Trail) and the secondary roads located throughout the Plan Area. Several connector roads link these secondary roads causing development to occur on the most accessible routes.

To help simplify the planning process, the Strategy divides the Plan Area into two sub areas, Chéticamp Proper and the Rural Community. Each sub area is looked at with respect to major land use categories and municipal services or the lack of services. Within each of these two sub areas, specific policies of land use designations and homes have been established to enhance and guide the future development portion of each area. Refer to Map 2 which illustrates the two planning sub areas.

This development pattern is further illustrated when compared with the population data for the Plan Area as a whole. As illustrated in the following table, Chéticamp Proper represents the largest community of the remaining seven identified in the Plan Area.

TABLE 1 - POPULATION TRENDS (1971-1996)

	1971	1976	%	1981	%	1986	%	1991	%	1996*	%*
Chéticamp	1016	1027	10.8	1011	-1.6	984	-2.7	979	-0.5	1,035	6
Petit Étang	438	294	-32.9	345	17.3	357	1.7	394	10.4	924	*
Point Cross	198	255	28.8	269	5.5	223	-17.1	232	4.0	741	*
Plateau	347	382	10.1	401	5.0	506	26.2	460	-9.1	657	*
Belle Marche	301	240	20.3	359	49.6	276	-23.1	290	5.1	N/A	
Chéticamp Is.	N/A	N/A	N/A	58	N/A	21	-63.8	60	185	N/A	

La Prairie	N/A	N/A	N/A	170	N/A	158	-7.1	154	2.5	N/A	
TOTAL	2,300	2,198	-4.4	2,443	11.15	2,367	-3.0	2,569	8.5	3,357	30

Source: Census Canada

* in 1996, the Census Divisions were changed: Division 310 includes Point Cross, St Joseph du Moine, Cap Le Moine and Terre Noire; Division 311 includes Point Cross, Plateau and Chéticamp Island; Division 313 includes Belle Marche, Redman, Petit Etang and La Prairie and Division 314 includes Chéticamp Proper.

Chéticamp Proper therefore is the centre of not only the Plan Area, but of the northern portion of Cape Breton Island and in particular Inverness County. Chéticamp is the only centre within this part of the Island which has sufficient resources to provide a relatively broad retail base desired by the majority of residents. This secondary trade area (outside Chéticamp) provides additional stability for the community and at the same time establishes an urban spirit and a center for community services and facilities (i.e. churches, hospital, schools and recreational facilities). These facilities are utilized by the entire region so that one gets the impression that Chéticamp area is one community and not broken down in several independent communities.

CHAPTER 2 - LAND USE PATTERNS AND POLICIES

A. CHÉTICAMP PROPER

RESIDENTIAL, INSTITUTIONAL AND RECREATIONAL

Introduction

Historically, residential development occurred near the shores of Chéticamp Harbour on properties adjacent to the Cabot Trail or on property fronting on short public and private lanes or streets running perpendicular to the Cabot Trail. Over the years as demand for housing increased new dwellings were constructed in an eastward direction toward the "Highlands".

In the older part of Chéticamp Proper, many families allowed the subdivision of their landholding, creating rear lot housing for members of their family. Today, many homes are located on short lanes, (many of which are not maintained by the Provincial Department of Transportation). Some lanes may serve upward of two to five dwellings.

The composition of the housing stock is characterized by high percentages of home ownership with the single family dwelling being the most predominant type of housing. There is a small amount of rental housing, but there is basically no surplus housing available in the community.

At the time the first Planning Strategy was completed, less than five percent of all households lived in two unit dwellings, less than three percent live in multiple family dwellings (apartments and senior citizen housing constructed for the Nova Scotia Department of Housing) while more than ninety two percent live in single detached dwellings. This settlement pattern has not changed drastically since that time.

During the past two decades, residential development has spread into the rural community most notably in an eastern and northern direction from the community centre. There are many large land locked parcels of land on which new residential development could expand. However, development of these parcels is unlikely to occur until such time as a new connector road is constructed from the intersection from Chemin de la Butte à l'Ours and the Cabot Trail along the east boundary of Chéticamp Proper north to and joining back on the Cabot Trail near the south intersection of Chemin de l'Anse des Bois Maries. The development climate in Chéticamp Proper is such that subdivision is unlikely to construct new roads. Therefore, it will only be through a government sponsored program that new roads will be constructed to open up lands for new housing.

With respect to modern land development patterns, there are no new subdivisions in Chéticamp Proper or in the Rural Community. Over the years, roads have been built, or small lanes/driveways formed and homes constructed along them. The dimensions of the lots reflect the traditional Acadian approach to land division. For this reason outside Chéticamp Proper the land frontage requirements have been reduced to 20 feet which is the standard set in the Inverness County Subdivision By-law. Lot division will still be subject to Department of Environment requirements for on-site septic systems.

It is unlikely that this development pattern will change in the near future unless some public agency or government department is convinced that new connector road or roads are necessary for the continual growth of this community. If this occurs then it is possible to see a substantial change in the layout of certain parts of the community. If this does not occur, then housing will continue to develop in a linear fashion along existing roads.

Mobile Homes

There are at present several mobile homes located within Chéticamp Proper Area. All are located on individual lots with the majority of these serviced by on-site sewer and water. Mobile home owners in the past have been free to locate mobile homes on any piece of land. Council is now of the opinion that mobile homes shall not be permitted in Chéticamp Proper since the use does not comply with the theme of the "Historic Acadian Village," nor will it be in keeping with the business community's efforts to enhance the tourism industry. Therefore, new mobile homes will be prohibited in Chéticamp Proper. However the existing mobile homes will be treated as permitted uses within the Residential General (R-1) zone whereby Council will allow the replacement of the existing mobile home.

This exclusion of mobile homes in Chéticamp Proper also extends to mobile home parks. However, Council is of the opinion that both mobile homes and parks should be permitted in the rural community.

Municipal services are only available in the form of a central sewer system. A Provincially owned (Department of Environment) and operated water system provides water to the Fishermen's Co-operative Fish Plant, National Sea Products, Poiriers Fish Haven, the Laundromat, Laurie's Motel, the School, Hospital and Fire Department. A private water system (owned and maintained by individual property owners under common agreement) services 30-40 homes by way of two deep wells located near the golf course. Private wells and on-site sewage treatment facilities serve the remaining residents of Chéticamp Proper.

Institutional and Recreational Uses

There are several institutional and recreational uses located in Chéticamp Proper. These uses are located in two sectors, one at the northern end of the community and the other at the southern end. The breakdown of each sector is as follows: located at the northern end are; Les Trois Pignons cultural centre and museum, the community arena and a portion of the 18-hole golf course is located in Chéticamp Proper. In the late 1990s the southern end underwent a great transition. The old hospital was demolished after a new health care complex opened in July, 1999. This complex has 10 beds with coronary care and intensive care units. In addition, it houses a medical clinic, community services such as home care, social work, dietician, drug treatment centre and a mental health clinic and is attached to a nursing home. The nursing home, which serves the area from Margaree to Pleasant Bay, has 60 beds and a waiting list of over 100. There are several other apartment units available in the Chéticamp area for seniors and low income families including Manoir St. Pierre with 24 units, Bellevue Apartments in Grand Etang with 15 units and Pere Patrice LeBlanc on the Cabot Trail with 56 units. A new school with two sections, the Cape Breton Highlands Education Centre (P-8) and the Cape Breton Highlands Academy (9-12) will open in September 2000 in Belle Cote. This building will serve the area from Margaree to Pleasant Bay for English and French Immersion Instruction. It is anticipated that 595 students will attend this school with a maximum capacity of 780 in the 26 classrooms. French language education through Le Conseil Scholaire Acadien Provincial (CSAP) will continue

at Notre Dame Academie in Chéticamp. In addition a church, a rectory, community hall and handicraft shop for the handicapped, and a baseball diamond and tennis court are located at the southern end of Chéticamp.

These uses are all considered to be in harmony with the residential neighbourhoods and therefore should be designated Urban Residential and zoned Residential General (R-1). New institutional uses such as schools, churches, museum, hospitals, cultural centres and public recreational uses (i.e. ball fields, tennis courts, tot lots, arenas, golf courses and associated buildings), shall also be permitted uses in the Residential General (R-1) zone.

In order to improve the existing development patterns, Council is of the opinion that proper designations be given to the Residential Sector, that proper zoning categories be developed in conjunction with these designations and suitable development standards be included in the Land Use By-law.

To undertake this, the following policies will be adopted.

POLICY 1-1	It shall be the policy of Council to designate the urbanized residential portions of Chéticamp Proper as "Urban Residential" as shown on the Generalized Future Land Use Map. (Map 3)
POLICY 1-2	It shall be the policy of Council to establish in the Land Use By-law a Residential General (R-1) Zone which will apply to the majority of lands of Chéticamp Proper designated "Urban Residential".
POLICY 1-3	It shall be the policy of Council to permit within the Residential General (R-1) Zone, the following and similar types of uses: single detached dwellings, semi detached and duplex dwellings, converted dwellings up to two units, four unit dwellings, existing multiple unit dwellings, boarding homes, tourist and guest homes, day nursery, senior citizen homes, nursing homes providing special care, hospitals, community and cultural centres, schools, churches, cemeteries, hospitals, museums, parks, public recreational facilities including golf course arena and associated uses and existing mobile homes.

Historic Acadian Village

A portion of the residential community adjacent the Central Business District has developed as an example of an historic Acadian village. Many of the existing dwellings in this portion of Chéticamp Proper reflect the history of the area. It is anticipated that new development occurring within this area will continue to reflect the historic Acadian architecture. Council feels that a separate zone should be established for this area to expand upon the history and culture of the Acadian region. Due to the proximity of this area to the Commercial areas of development in Chéticamp, there has been some desire to allow for limited commercial development in this area. Public parking is available on the west side of the Cabot Trail and businesses developing in this area could encourage customers to use those facilities and use existing pathways to access the businesses. In defining permitted commercial development, Council feels that uses such as small sales or professional offices, hairstylists, barber shops, and artisan workshops which are permitted as home occupations should be permitted as of right but that the size of this development should be limited to reflect nature of the small lots and structures. In addition, any alterations to the structures should reflect the traditional architecture of the area.

POLICY 1-4	It shall be the policy of Council to establish in the Land Use By-law a Historic Residential (R-2) Zone and an area on the east side of the Cabot Trail adjacent to the Central Business District shall be zoned R-2.
POLICY 1-5	It shall be the policy of Council to require all development in the Historic Residential (R-2) Zone to comply the same lot standards as found in the Residential General (R-1) Zone.

POLICY 1-6	It shall be the policy of Council to permit within the Historic Residential (R-2) Zone, the following and similar types of uses: single detached dwellings, converted dwellings up to two units through internal conversion, duplex dwellings tourist and guest homes, boarding homes, day nursery, parks and community centre, public recreational facilities, and small sales or professional offices, hairstylists, barber shops, and artisan workshops under 1000 ft ² .
POLICY 1-7	It shall be the policy of Council to promote the compatibility of any alterations with other buildings in the Historic Residential (R-2) Zone in terms of exterior material used, scale, and exterior appearance including roof lines.

Multiple Family Dwellings

As Chéticamp Proper area develops, it is predicted that there will be a demand for multiple family dwellings. At present, conventional apartment buildings, including conversions are relatively rare with the exception of a new senior citizen housing project located on La Pointe du Havre and the existing nursing home providing special care located adjacent to the parish church. These two uses have been designed and built through a joint effort of Canada Mortgage and Housing and the Provincial Departments of Housing and Social Services. These two buildings for the purpose of this document will be permitted uses in the Residential General (R-1) zone as multiple family dwellings.

The establishment of the traditional apartment building, representing a significantly higher density than that created by the existing residential development in the built up area, could have an adverse effect on the existing low density development and on the existing sewer system. Council therefore intends to establish a policy that continues to provide the present stability of the residential neighbourhoods, while at the same time ensuring the proper functioning of the sewer system. A new apartment building or conversion of an older building containing up to four dwelling units will be permitted as-of-right in the "urban residential" designation provided Municipal Sewer services are adjacent to the site. Apartment buildings or conversions containing 5 units or more will be permitted through the amendment process.

POLICY 1-8	It shall be the policy of Council to establish in the Land Use By-law a Residential Multiple Family (R-3) zone in which multiple family dwellings (5 or more dwelling units) and row or town houses will be permitted.
POLICY 1-9	It shall be the policy of Council to consider rezoning to the Residential Multiple Family (R-3) zone within the Urban Residential designation by development agreement as provided for by the <i>Municipal Government Act</i> . In considering a proposal for a development agreement as stated in Policy 1-8, it shall be a policy of Council to have regard to the following: a) that the proposed development is capable of being serviced by the municipal sewer system and that the proposal will not cause the system to exceed capacity; b) that adequate off-street parking can be provided; c) that the proposal does not cause the capacity of the school or road systems to be exceeded; d) that the proposal is in an area designated "Urban Residential" or "Mixed Use"; and e) that the proposal complies with the criteria found in Policy A-3, Chapter 4.

Home Occupations

Businesses which can be operated within a dwelling, commonly called a "Home Occupation" and which entail no outdoor storage, limited use of signs, and no activity which would have a detrimental impact on the surrounding neighbourhood, can be beneficial in residential areas. In most cases, the operator benefits from reduced start up and operating costs while residents can benefit from the close proximity to a service

or convenience. The scale of these home occupations is usually limited by the size of the residence or accessory building. Therefore, these operations will be smaller in size than a business located in a commercial building.

Due to a number of these factors, many small businesses are now operating from the residence of the owner, or if not in the residence itself, in an accessory building such as a garage or shed. These uses, for example, small sales or professional offices, hair stylists including a barber shop, artisan workshops, and small engine (lawnmower, chain saw, etc.) repair facilities and backyard mechanics where minor repairs to motor vehicles and small engine repairs are undertaken provide a valuable service to the community. Policies have been designed to permit these developments within residential neighbourhoods, provided the scale remains small, and the home occupation remains unobtrusive.

POLICY 1-10	It shall be the policy of Council to permit home occupations such as small sales or professional offices, hairstylist, barber shop, artisan workshop and backyard mechanics in any dwelling or accessory building in the Residential General (R-1) or Residential Historic (R-2) Zone subject to the Land Use By-law.
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Commercial General

In the Residential designation there are a number of existing commercial uses which for one reason or another provide a service to both the residents and the travelling public. These uses appear to cause little hardship to the adjacent residential properties, but may interfere with a vibrant Central Business District. However, it is generally felt by Council that they should be zoned Commercial General (C-3).

Council is also of the opinion that there should be a limitation placed on new commercial development within Chéticamp Proper. Therefore, it is proposed that Council will not consider the rezoning of any additional property for commercial use outside the designated areas and those already in existence on the effective date of the Land Use By-law.

POLICY 1-11	It shall be the policy of Council to establish in the Land Use By-law a Commercial General (C-3) zone which shall apply to existing commercial uses located in the Residential designation.
POLICY 1-12	It shall be the policy of Council to permit within the Commercial General (C-3) zone the following and similar type of uses: funeral homes, insurance and real estate offices, craft and gift shops, restaurants and take out restaurants, motels and associated uses, professional offices, printing shops, retail stores, oil burner service and repair outlet, electrical service repair outlet, a parking lot, and rental cottages.
POLICY 1-13	It shall be the policy of Council to not permit the rezoning of any additional property for commercial use outside the designated areas and those not already in existence on the effective date of the Land Use By-law will not be considered.

Outdoor Storage and Parking of Commercial Motor Vehicles

Within the R-1, R-2 or R-3 Zones, it is felt that outdoor storage of building and mechanical materials which relate to a home occupation (except those used with respect to an on-site construction project) should be prohibited and the parking of commercial motor vehicles (excluding trucks three tonnes or more but including, hearses, buses and tractors) on residential properties or vacant lots be prohibited.

POLICY 1-14	It shall be the policy of Council to prohibit the outdoor storage of building and mechanical material and to prohibit the parking of commercial motor vehicles (excluding trucks that exceed three tonnes but including hearses, buses and tractors) on residential properties or
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vacant lots located in the R-1, R-2 or R-3 zones within Chéticamp Proper.

Light Industrial

At present, there is only one major industrial building other than the fishery-related uses such as the fish plants, wharves, and buying stations within the Central Business District. The use (Industrial Welding Ltd.) is located in the midst of the community just south of Chemin Laurie and set back some distance from the Cabot Trail. The building, at present, contains a combination of Commercial and Residential uses. However, because the property is located in the midst of a commercial and residential neighbourhood, Council is of the opinion that expansion or a change of use to an Industrial use should occur by development agreement.

Council is of the opinion that until such time as infrastructure can be provided within the area designated "Mixed Use", light industrial fabrication facilities should be accommodated within the "Urban Residential" designation through a development agreement. These facilities shall be limited to those 10,000 square feet or less in floor area.

POLICY 1-15	It shall be the policy of Council to consider light industrial fabrication facilities 10,000 square feet or less in floor area within the Urban Residential designation by development agreement as provided for by the appropriate sections of the <i>Planning Act</i> .
POLICY 1-16	In considering a proposal for a development agreement as stated in Policy 1-15, it shall be a policy of Council to have regard to the following: a) The potential to adversely affect adjacent residential or commercial uses. b) The architectural design, including the scale of any building and its exterior finish is compatible with adjacent uses. c) Total area used for outdoor storage and adequate provisions of artificial or natural screening devices. d) The impact of the proposed expanded use on traffic volumes and the local road network, as well as traffic circulation, sighting distances and entrance and exit to and from the site. e) That adequate buffering and setback distances are maintained from low density residential or commercial uses and that landscaping treatments are included to reduce the visual impact. f) The expanded or new use is not obnoxious by virtue of noise, odour, dust, vibration, smoke, or other emission. g) The hours of operation. h) The proposal meets all the pertinent policies of the Strategy, including Policies A-5 and A-6 as provided for in Chapter 4 of this Strategy.

WATERFRONT

Under the leadership of the 'Commission de Développement de Chéticamp', Chéticamp's waterfront is undergoing dramatic changes. The waterfront is being opened to both residents and tourists as a result of the waterfront development project sponsored by the Commission. A boardwalk, amphitheatre, marina, landscaped parking facilities, public restroom facilities, small commercial ventures, look offs, cat walks, benches and picnic tables are all planned along a one kilometre section of the Chéticamp waterfront from the Government Wharf to the Chéticamp Fish Plant.

In addition to the planned development in this area, there are a number of fishery related uses. These consist of fish plants and buying stations, a government wharf and breakwater for the fishing boats and a building material and marine supply outlet which provides services to both the fishery and the construction industry. The new public facilities must successfully be integrated into a harbour that remains the centre of the local

fishery and marine related industries. Careful planning is necessary to ensure that the commercial and public uses that are becoming increasingly prevalent on the waterfront do not interfere with the operation of industries which rely on access to the Harbour.

It is generally felt that all fishery related uses are in keeping with this Waterfront designation, particularly for Chéticamp Proper. Therefore, industrial uses such as the fishery and other marine related uses will continue to be permitted and encouraged on the Chéticamp waterfront through the development agreement process to ensure that conflicts between these industrial land uses and recreational/commercial land uses are minimized. The fishery and other marine industries are the history of the community and continue to play a major role in the economy of the area. Likewise, the growing importance of the tourism industry and the importance of the Chéticamp waterfront as a tourism resource is protected and promoted.

Council has recognized that traditional designations and zones will not adequately manage these types of waterfront development. Therefore, Council intends to create a "Waterfront" designation and a zone with standards specifically designed to accommodate the range of uses on the Chéticamp waterfront and to protect the natural and built heritage of the waterfront. These standards also recognize the value of the waterfront as an economic, recreational, cultural, and social resource that should be maximized.

POLICY 2-1	It shall be the intention of Council to designate lands west of the Cabot Trail between the Oceanview Motel and the intersection of the Cabot Trail and La Pointe au Havre "Waterfront" as illustrated on the Generalized Future Land Use Map. (Map 3)
POLICY 2-2	It shall be the intention of Council to establish in the Land Use By-law a Waterfront (W) zone and to permit within this zone the following and similar types of uses: parks and playgrounds, public facilities, existing residential dwellings, two unit apartments where the ground floor of the structure is devoted to commercial uses, existing commercial and industrial uses, existing business and professional offices, restaurants and fast food outlets under 1,000 square feet, retail stores under 1,000 square feet, tourist services under 1,000 square feet, boat, bicycle, motorcycle, other rental equipment shops under 1,000 square feet, amphitheatres, marinas and existing marina facilities, government wharves and associated uses, and expansions to existing residential uses.
POLICY 2-3	It shall be the intention of Council to consider expansion of existing uses and the following and similar types of uses in the Waterfront (W) zone: Restaurants and Fast Food Outlets over 1,000 square feet, Retail Stores over 1,000 square feet, Tourist Services over 1,000 square feet, Boat, Bicycle, Motorcycle, Other Rental Equipment Shops over 1,000 square feet, Hotels, Motels, Inns, Other Tourist Lodging Facilities, Multiple Use Structures including multiple unit dwellings with more than two units (Ground Floor must be entirely devoted to commercial uses), Industrial Uses, Offices, Ferry Terminals, Museums, Beverage Rooms/Lounges, Places of Entertainment, Community and Cultural Centres, and Marinas and Marina Facilities by development agreement as provided for by the appropriate sections of the <i>Municipal Government Act</i> , and Policy 2-4, Policy A-4, and Policy A-5 of this Strategy.
POLICY 2-4	In considering a proposal for a development agreement as stated in Policy 2-3, it shall be a policy of Council to have regard to the criteria identified in Policy A-5 of this Strategy and the following in the Waterfront (W) Zone: (a) that the proposed use meets the Waterfront zone standards; (b) the compatibility of the proposed building(s) or structure(s) with other buildings in the Waterfront (W) Zone in terms of exterior material used, scale, and exterior appearance; (c) the development is compatible with the boardwalk and, where possible, connects to the boardwalk;

	(d) the adequacy of loading areas for the development; (e) the adequacy of parking for the development; (f) the material composition and size of any proposed signage is compatible with adjacent uses; and (g) the development is served by municipal sewer services.
POLICY 2-5	It shall be the policy of Council to prohibit outdoor storage in the Waterfront (W) zone except for storage directly related to fishery and marine uses.

COMMERCIAL

The most predominate concentration of commercial development in the Plan Area is located along the Cabot Trail in Chéticamp Proper. These uses are clustered in specific locations commencing at the Co-op Store/Acadian Restaurant at the southern boundary and extending in a northward direction approximately three kilometers to an area adjacent the Doryman Beverage Room and the take-out restaurant. In a number of cases, this commercial development is located on both sides of the Cabot Trail.

Within this three kilometre stretch, there are at least three separate pockets of commercial development, all of which are separated by some form of residential development.

Central Business District

The Central Business District in its present form contains several motels and associated dining rooms, tourist cabins, restaurants, a large combined grocery and hardware store, a bank, post office, pharmacy, beverage room, several clothing stores, legion, laundromat, auto parts store, beauty salon and barber shop, variety store, a number of professional offices, a service station and two welding shops. Several of these commercial uses have residential uses located on the second level. There are also a number of existing single family dwellings in the immediate area of the commercial development.

In order to simplify the principal of trying to establish boundaries for a vibrant Central Business District, Council is of the opinion that all land on the east side of the Cabot Trail, commencing at Robins IGA extending northward to the take-out restaurant be designated for commercial use. Within the designation, one zone will be established for all commercial development.

POLICY 3-1	It shall be the policy of Council to designate the lands on the east side of the Cabot Trail commencing at Robins IGA extending northward to the take-out restaurant as "Central Business District" as shown on the Generalized Future Land Use Map (Map 3).
POLICY 3-2	It shall be the policy of Council to establish in the Land Use By-law a Commercial Business District (C-1) Zone and all the lands designated "Central Business District" shall be zoned C-1.
POLICY 3-3	It shall be the policy of Council to permit within the Commercial Business District (C-1) zone the following and similar types of uses: motels, hotels and associated uses, tourist cabins, grocery stores, retail shops, banks and finance institutions, post office, pharmacy, automobile service stations including a car wash, laundromats, beauty salons, personal services establishments, restaurants, and drive-in restaurants, beverage rooms and lounges, business and professional offices, construction and marine supply outlet, entertainment centre, tourist and guest homes, museum, public parks, library, boats, bicycles, snowmobile and accessory trailers, sales, service rental and supplies, garden and nursery sales and supplies, residential development located in the same building as the commercial use and existing residential dwellings.
POLICY 3-4	It shall be the policy of Council that lots in residential use within the Central Business District at the time of adoption of the Land Use By-law shall be deemed to be permitted

uses in the C-1 zone and may be expanded or rebuilt in accordance with the Residential General (R-1) zone requirements.

Highway Commercial

Council has also recognized the fact that there will be a demand for Highway Commercial uses, where large land parcels will be required. Therefore, it is proposed that two areas be designated "Highway Commercial" within Chéticamp Proper. The first area is identified as being the area of land in the centre of the community which contains the Irving sales office and storage tanks, Irving Service Station, fire department, bowling alley, liquor store, clothing store, professional offices, the RCMP detachment and the Post Office. Several residential properties are also located within this designation.

The second designation will be at the mini mall at the northern end of Chéticamp Proper. This facility contains the Stedman's store, Radio Shack, home hardware, furniture store, video shop and adjacent trucking firm which also has land holdings on the opposite side of the highway. It is intended that the mini mall and trucking firm land holdings will be zoned Commercial Highway (C-2).

Within both designations additional land is available for new development or re-development.

POLICY 3-5	It shall be the policy of Council to designate two areas of the community as Highway Commercial, namely the area in the centre of the community containing the Irving sales office and storage tanks, the Irving Oil Service Station, liquor store, bowling alley, fire department, clothing store and professional offices, the RCMP detachment and the post office and extending southward on the harbour side of the highway to include the Government Wharf; and the second being the mini mall housing the Stedman's store, furniture store, Radio Shack, home hardware, video shop and adjacent trucking firm which includes lands on the east side of the Cabot Trail as shown on the Generalized Future Land Use Map (Map 3)
POLICY 3-6	It shall be the policy of Council to establish in the Land Use By-law a Commercial Highway (C-2) zone which shall initially apply to the majority of lands located in both areas designated "Highway Commercial."
POLICY 3-7	It shall be the policy of Council to permit within the Commercial Highway (C-2) zone the following and similar types of uses: beverage room and lounges, bowling alley, grocery store, automobile service stations including car wash, automobile sales and service facilities, restaurants and drive in restaurants, retail stores, motels or hotels and associated uses, tourist and guest homes, banks and financial institutions, funeral home, automobile sales and service facilities, places of entertainment, personal service facilities, professional offices, animal hospital and clinic, government wharves and associates uses and existing residential dwellings and residential uses in the same building as the main use.
POLICY 3-8	It shall be the policy of Council to consider rezoning from R-1 to C-2 within the Commercial Highway designation. In considering a proposal for a rezoning provided the criteria found in Policy A-3, Chapter 4 are followed.
POLICY 3-9	It shall be the policy of Council that lots in residential use in the Highway Commercial designations at the time of adoption of the Land Use By-law shall be deemed to be permitted uses in the C-2 zone and may be expanded or rebuilt in accordance with the Residential General (R-1) zone requirements.
POLICY 3-10	It shall be the policy of Council to exempt the front and rear yard lot standards for proposed new developments or expansion to existing buildings in the Commercial Highway (C-2) Zone where the property is located on the west side of the Cabot Trail between the highway

Parking in Commercial Areas

A major issue in Chéticamp is the conditions for off-street parking along both sides of the Cabot Trail. Although this area is the main commercial centre of the community, there is very little off-street parking. Most businesses lack parking, therefore motorists are required to park "on-street." Adding to this is the large number of transport trucks which service both the business community and fish plants. These trucks, when parked, have a direct effect on the flow of traffic especially during business hours and early evening when they are in the process of loading and unloading fish products and other transportable goods.

Council and the Chéticamp Development Commission have undertaken a study to determine methods of overcoming the parking problem. A consultant's report has recommended and identified several parcels of land within the Central Business District which could eventually be purchased, developed and operated as parking lots. Since that time several public parking areas have been established on the Chéticamp Waterfront.

In the meantime, however, it is proposed that off-street parking be required, where possible, for commercial uses on individual lots. As more public parking becomes available, Council will give consideration to amending this Strategy and the Land Use By-law by removing the parking requirement and setting up a means of providing and maintaining parking lots within the Central Business District.

POLICY 3-11	It shall be the policy of Council to ensure that adequate off-street parking is provided, where possible, for all new development in both the "Central Business District", and the "Highway Commercial" designations as specified in the Land Use By-law.
POLICY 3-13	It shall be the policy of Council to allow a new commercial use to occur on a vacant lot in a commercial zone where such use cannot comply with the loading standards or parking standards of the Land Use By-law.
POLICY 3-15	It shall be the policy of Council to require specific standards to be included in the development of parking lots which contain in excess of four parking spaces.
POLICY 3-16	It shall be the policy of Council to require a specific separation distance for driveway approaches where such driveway approaches are located near a street intersection and special arrangements for lighting of the parking lots which contain in excess of four parking spaces.

MIXED USE

The land surrounding La Pointe du Havre in the southern portion of Chéticamp Proper is planned for a wide variety of developments. This area has great potential for development, both as an expansion to the adjacent residential area and an extension of the various existing waterfront uses that characterize the Chéticamp Harbour. Due to the great potential of the area for various uses, Council does not wish to limit potential uses to one specific type (i.e. tourism, residential, or industrial). It does, however, wish to encourage future uses that make use of the area's waterfront location. As such, the mixed use area would permit marinas, fishery and marine uses, low and medium density residential development, tourism related facilities and recreational uses. Higher density residential development will be permitted through the rezoning of lands to Multiple Family (R-3). Light industrial fabrication facilities would be permitted through the use of development agreements.

The Mixed Use zone would only be permitted within the 'Mixed Use' designation and encompass the area surrounding La Pointe du Havre. A separation distance from the shoreline will be established to limit structures, except those associated with uses specifically requiring water access (such as marinas or

wharves), from being built to the water’s edge. Although it will not alone help preserve the landscape along the waterbody or protect the waterbody, the separation distance will provide a balance between the desire for development and the need to protect the natural environment. Buffering and landscaping standards will be established between residential and non-residential uses to ensure that conflicts between uses will be minimized.

POLICY 4-1	It shall be the policy of Council to designate the area generally surrounding La Pointe du Havre as "Mixed Use" as shown on the Generalized Future Land Use Map (Map 3).
POLICY 4-2	It shall be the policy of Council to establish in the Land Use By-law a Mixed Use (MU) zone and to permit the following and similar types of uses: single detached dwellings, semi-detached and duplex dwellings, converted dwellings up to two units, permit multiple family dwellings containing three (3) or four (4) dwelling units motels, hotels, rental cabins, campgrounds, institutional uses, community and cultural centres, public recreational uses, storage facilities for pleasure boats, research facilities related to the fishery or marine industry, existing professional offices and existing warehouse facilities.
POLICY 4-3	It shall be the policy of Council to consider light industrial fabrication facilities 10,000 square feet or less in floor area within the Mixed Use designation by development agreement as provided for by the <i>Municipal Government Act</i> .
POLICY 4-4	<p>In considering a proposal for a development agreement as stated in Policy 4-3, it shall be a policy of Council to have regard to the following:</p> <ul style="list-style-type: none"> a) The potential to adversely affect adjacent residential or commercial uses. b) The architectural design, including the scale of any building and its exterior finish is compatible with adjacent uses. c) Total area used for outdoor storage and adequate provisions of artificial or natural screening devices. d) The impact of the proposed expanded use on traffic volumes and the local road network, as well as traffic circulation, sighting distances and entrance and exit to and from the site. e) That adequate buffering and setback distances are maintained from low density residential or commercial uses and that landscaping treatments are included to reduce the visual impact. f) The expanded or new use is not obnoxious by virtue of noise, odour, dust, vibration, smoke, or other emission. g) The hours of operation. h) The proposal meets all the pertinent policies of the Strategy, including Policies A-5 and A-6 as provided for in Chapter 4 of this Strategy.
POLICY 4-5	It shall be the policy of Council to require landscaping and buffering between residential uses and non-residential uses to minimize any land use conflicts.

B. RURAL COMMUNITY

RESIDENTIAL, INSTITUTIONAL AND RECREATIONAL

The Rural Community consists of Petit Étang, La Prairie, Belle Marche, Plateau, Point Cross and Chéticamp Island. The land use patterns follow the numerous public roads which sets up extensive ribbon or strip development. Residential development is the most predominate use with a variety of other uses dispersed throughout. The single family dwelling prevails, along with two small apartment buildings and a number of mobile homes and seasonal cottages.

A portion of the Rural Community including Petit Étang is serviced by municipal sewer. There are no municipal or provincial water facilities; however, a small private water system serves 14 homes in Petit Étang with "Lac à Dominique" being the water source. The remainder of the Rural Community is serviced by on-site sewage treatment systems and private wells.

A large portion of Chéticamp Island is used for agricultural purposes, under a lease agreement with the Provincial Government. It is expected that this use will continue. Council, therefore, is of the opinion that agricultural uses should be considered as permitted uses in the Residential Rural (RR-1) Zone.

With respect to institutional and recreational uses, Council is of the opinion that in keeping with the policies which have been developed for Chéticamp Proper, that institutional and recreational uses shall be permitted in both the Rural Residential designation and in the Residential Rural (RR-1) zone.

POLICY 5-1	It shall be the policy of Council to designate the vast majority of the Rural Community "Rural Residential" on the Generalized Future Land Use Map (Map 4).
POLICY 5-2	It shall be the policy of Council to establish in the Land Use By-law a Residential Rural (RR-1) zone which shall be used to implement the "Rural Residential" designation.
POLICY 5-3	It shall be the policy of Council to permit within the Residential Rural (RR-1) zone the following and similar types of uses: single detached dwellings, duplex and semi detached dwellings, converted dwellings up to two units tourist and guest homes, cottage and other seasonal dwellings, post offices, community centres, schools, churches, cemeteries and other similar institutional uses, agricultural uses including barns and stables, forestry uses, recreational uses such as parks and playgrounds, golf courses and associated buildings and uses, beaches and associated uses, campgrounds and associated uses, and mobile homes with a specific restriction.

Mobile Homes and Mobile Home Parks

There are many mobile homes in existence within the Rural Community. Many people have recognized the improvement in construction methods and materials used in fabricating mobile homes. As a result, mobile homes have been chosen as an alternative means of accommodation, compared to the conventional single family detached dwelling.

At present there are no mobile home parks in the Plan Area. However, if the development anticipated by the Chéticamp Development Commission is any indication, there may be a need for a mobile home park in the future.

Council is now of the opinion that mobile homes and mobile home parks should be permitted within the Rural Community. However, there is a strong feeling that because of the visual impact of these uses on the tourism sector, mobile homes should not be located immediately adjacent to the Cabot Trail. Therefore, it is proposed that a special setback be imposed for all mobile homes or mobile home parks locating along the Highway. Council feels that existing mobile homes located within this setback should be treated as permitted uses in the Rural Residential (R-1) zone, and the owners should be permitted to replace the mobile home at any time.

POLICY 5-5	It shall be the policy of Council to permit mobile homes in the Residential Rural (RR-1) zone. In order to protect the visual impact of these uses on the tourism activity in the Plan Area a special setback will be imposed on mobile homes located in the Rural Community adjacent to the Cabot Trail.
POLICY 5-6	It shall be the policy of Council to recognize the existing mobile homes located within the special setback standards adjacent to the Cabot Trail. These uses shall be listed as

	permitted uses in the Land Use By-law and this shall permit the replacement of such mobile homes with another mobile home or an expansion subject to the appropriate standards of the By-law.
POLICY 5-7	It shall be the policy of Council to permit mobile home parks in the "Rural Residential designation." In keeping with Policy 5-5, a special set back provision will be imposed for new parks located in the Rural community and which front on the Cabot Trail.
POLICY 5-8	It shall be the policy of Council to establish in the Land Use By-law a Mobile Home Park (MHP) Zone. Within the Mobile Home Park Zone, Council will permit the following and similar types of uses: mobile home parks, mobile homes, recreational uses, including parks and playgrounds, mobile home park offices, maintenance equipment and storage facilities related and incidental to the operation of the park. Mobile home parks will be permitted in the Rural Residential designation through an amendment to the Land Use By-law subject to the following criteria: a) the adequacy of on-site services; b) the adequacy of the existing schools to handle the additional students; c) that the proposed development complies with the criteria found in Policy A-3 (Chapter 3).
POLICY 5-9	It shall be the policy of Council to give consideration to the preparation and adoption of a Mobile Home Park By-law. Such a By-law would contain requirements for the developer or park owner to provide: streets or roads, central water and sewer services, open space or recreational areas, maintenance facilities and refuse collection.

Home Occupations

As within Chéticamp Proper, a number of small commercial uses such as personal service establishments and home occupations, sales and professional offices, neighbourhood convenience stores are considered necessary for the overall growth of the Rural Community. These uses are considered to harmonize with existing rural residential development without causing undue hardships to the operation of Chéticamp's Central Business District. Therefore, it is proposed that home occupations be considered as a permitted use in the Rural Residential (RR-1) zone. These uses will be more extensive than those found in Chéticamp Proper.

POLICY 5-10	It shall be the policy of Council to permit home occupations, neighbourhood convenience stores, barber shops and hairstylists, small sales and professional offices, artisan workshops, backyard mechanics (where minor repairs are undertaken), offices for technicians such as plumbers, electricians, and other construction related trades, and small engine repair (lawnmowers and chainsaws, etc.) in the Rural Residential designation, subject to the Land Use By-law.
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COMMERCIAL

There are a number of commercial uses located outside the boundaries of Chéticamp Proper. These uses, which have developed at random, range from motels and restaurants to gift shops, neighbourhood convenience stores, personal service shops and other similar uses. These commercial enterprises are considered to be of a "highway commercial" nature and provide services to both the residents and travelling public.

The first is located on both sides of the Cabot Trail at the intersection of "Chemin Du Redman." A number of uses (an auto parts store, an automobile service station with a secondary chain saw outlet, a grocery store, a music and video store and motel) are located within the area. Sufficient land exists within this area to

allow for expansion by way of new construction or by converting existing residential dwellings to commercial uses.

The second is located once again in the southern end of the planning district in the Rural Community on the Cabot Trail near the intersection of Chemin de La Butte à l’Ours. The designation will be located on both sides of the Cabot Trail and will contain such uses as an Automobile Service Station, Automobile Sales and Service Outlets, oil distribution facilities, electrical sales and service outlet, motel and other similar uses.

The third pocket is situated in Petit Étang along both sides of the Cabot Trail at the northern intersection of Chemin de l’Anse des Bois Maries. This pocket consists of a daycare centre, bike shop, tire shop and beauty parlor. A number of residential properties are located within this designation. Expansion for highway commercial uses in this area can occur through conversion of these residential properties to commercial or by building on an existing vacant lot.

In addition to these three areas, there are a number of other "highway commercial" uses located along both the Cabot Trail from the "Highlands Park" entrance at Chéticamp River, south to Grand Lac at Point Cross and along various secondary roads within the Rural Community. It is recognized that these uses also provide a service to both the community and the travelling public. For this reason all existing commercial uses will be zoned Rural Commercial General on the zoning map. Expansion of these uses beyond the immediate property or the creation of new uses will be permitted in the Rural Community by development agreement. This will allow expansion of commercial uses but at the same time, enable Council to maintain control over the development of highway commercial uses in the Rural Community beyond the designated areas.

POLICY 6-1	It shall be the policy of Council to designate "Rural Highway Commercial," the two areas as shown on the Generalized Future Land Use Map (Map 4). These two areas will be the major "Rural Highway Commercial" designations located in the Rural Community. All other commercial uses in the Rural community will be designated "Rural Residential."
POLICY 6-2	It shall be the policy of Council to establish in the Land Use By-law a Rural Commercial Highway (RC-1) Zone which will be used to implement the "Rural Highway Commercial" designations.
POLICY 6-3	It shall be the intention of Council to permit within the Rural Commercial Highway (RC-1) Zone the following and similar types of uses: tourist and guest homes, motels, restaurants and take-out restaurants, craft and gift shops, retail outlets including servicing and repair depots, neighbourhood convenience stores, automobile service stations and car wash, automobile sales and service facilities, post office, video or music store, business offices, grocery stores, private clubs, oil storage facilities and single detached dwellings.
POLICY 6-4	It shall be the policy of Council to establish in the Land Use By-law a Rural Commercial General (RC-2) Zone and the existing commercial uses found outside the areas designated Rural Highway Commercial shall be zoned RC-2.
POLICY 6-5	It shall be the policy of Council to permit within the Rural Commercial General (RC-2) Zone the following and similar types of uses: motels, restaurants and take-out restaurants, neighbourhood convenience stores (other than those permitted as a home occupation), retail store, craft and gift shops, bakery, post offices, business offices, autobody shops, building supply and storage outlets, electronic sales and repair depots, private clubs and rental cottages.
POLICY 6-6	It shall be the policy of Council to consider the expansion of existing Rural Commercial General (RC-2) uses beyond the areas zoned Rural Commercial General (RC-2) or new commercial uses as permitted in Policy 6-5, by development agreement as provided by the

	appropriate sections of the <i>Municipal Government Act</i> .
POLICY 6-7	<p>In considering a proposal for a Development Agreement as stated in Policy 6-6, it shall be a policy of Council to have regard to the following:</p> <p>a) The potential to adversely affect adjacent residential uses.</p> <p>b) The architectural design, including the scale of any building and its exterior finish is compatible with adjacent uses.</p> <p>c) Total area used for outdoor storage and adequate provisions of artificial or natural screening devices.</p> <p>d) The impact of the proposed expanded use on traffic volumes and the local road network, as well as traffic volumes and the local road network, as well as traffic circulation, sighting distances and entrance and exit to and from the site.</p> <p>e) That adequate buffering and setback distances are maintained from low density residential uses and that landscaping treatments are included to reduce the visual impact.</p> <p>f) The expanded or new use is not obnoxious by virtue of noise, odour, dust, vibration, smoke, or other emission.</p> <p>g) The expansion of new use shall not affect the hours of operation where the use would interfere with or create undue problems for the residents of the surrounding area.</p> <p>h) The proposal meets all the pertinent policies of the Strategy, including Policies A-5 and A-6 as provided for in Chapter 4 of this Strategy.</p>

INDUSTRIAL

At present there is only limited industrial development located outside Chéticamp Proper. These uses consists of the fish processing plant off Chemin de l'Anse du Bois Maries, on the shores of the harbour; the Landry and Landry fish processing plant to the rear of the residential properties (off the Cabot Trail) across from the tire shop; a boat fabrication facility on Chemin Hache, adjacent to the harbour near Redman Basin; the fishing wharf and storage facilities on the south end of Chéticamp Island, an auto salvage yard off Chemin des Buttes, a sawmill on the Cabot Trail near the southern boundary of the planning district, a concrete manufacturing and storage facility on Chemin du Ple and finally a quarry and paving operation near Chéticamp River.

These uses cause little hardship to the surrounding residential development and Council is of the opinion that they should be designated Rural Residential and zoned Rural Industrial (RI-1). In addition to the existing industrial uses, Council is also of the opinion that new but similar light industrial uses may be located in the Rural Residential designation by development agreement.

POLICY 7-1	It shall be the policy of Council to establish in the Land Use By-law a Rural Industrial (RI-1) zone which shall apply to existing industrial properties located in the "Rural Residential" designation.
POLICY 7-2	It shall be the policy of Council to permit within the Rural Industrial (RI-1) zone the following and similar types of uses: fish processing plant and associated retail outlets, storage supply building and fabrication outlet, boat fabrication and repair facility, fishery related uses including wharves and gear storage yard facilities, auto salvage yard and sawmills. Trucking firm including repair facility, concrete manufacturing and storage facility and quarry or paving operation.
POLICY 7-3	It shall be the policy of Council to consider the expansion of existing Rural Industrial (RI-1) uses beyond the zoned property or new industrial uses as stated in Policy 7-2 by Development Agreement as provided for by the appropriate sections of the <i>Municipal Government Act</i> .

POLICY 7-4	<p>In considering a proposal for a development agreement as stated in Policy 7-3, it shall be a policy of Council to have regard to the following:</p> <ul style="list-style-type: none"> a) The potential to adversely affect adjacent residential uses. b) The architectural design, including the scale of any building and its exterior finish is compatible with adjacent uses. c) Total area used for outdoor storage and adequate provisions of artificial or natural screening devices. d) The impact of the proposed expanded use on traffic volumes and the local road network, as well as traffic circulation, sighting distances and entrance and exit to and from the site. e) That adequate buffering and setback distances are maintained from low density residential uses and that landscaping treatments are included to reduce the visual impact. f) The expanded or new use is not obnoxious by virtue of noise, odour, dust, vibration, smoke, or other emission. g) The hours of operation. h) The proposal meets all the pertinent policies of the Strategy, including Policies A-5 and A-6 as provided for in Chapter 4 of this Strategy.
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OPEN SPACE - CONSERVATION

Throughout the "Rural Community" many streams, rivers and lakes, exist which should be provided with some form of protection. For instance, one waterbody of importance is "Lac à Dominique", which is located near the Highlands National Park entrance. This lake is a designated "watershed" by the Provincial Department of Environment and is now being used as the water source for a private water system facilitating some 14 dwellings in Petit Étang. This Lake has the potential of becoming a future municipal water supply for Petit Étang, La Prairie and Chéticamp, should the Municipality receive funding from the federal or provincial governments. In order to protect this natural resource, it is proposed that special setbacks be established in the Land Use By-law prohibiting development from locating near this waterbody.

A second area of concern is the Chéticamp River at the northern boundary of the Plan Area. This River has provided an excellent natural fish habitat for a number of years. Secondly, the River, in the past, has been subject to flooding during the spring run-off from the Highlands. Therefore, it is proposed that a special setback be established along this waterbody. The same protection shall be provided the Étang à Johnny à Eusebe also adjacent to the mouth of the Chéticamp River.

The third natural resource worthy of consideration is "Redman Basin" located adjacent to the Cabot Trail at Point Cross. This waterbody is presently in its natural state with virtually no development surrounding it. Protection will be encouraged, therefore, special setbacks will be imposed on land adjacent to this waterbody.

POLICY 8-1	<p>It shall be the policy of Council to establish in the Land Use By-law special building setback standards for all proposed developments when abutting:</p> <ul style="list-style-type: none"> a) Lac à Dominique; b) along the shores of Chéticamp River and Étang à Johnny à Eusebe near the mouth of the Chéticamp River; c) Redman Basin.
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These special setback standards will attempt to protect the quality of water from undesirable land development.

OPEN SPACE - RECREATION

The Inverness County Subdivision By-law requires a 5% parkland transfer for a subdivision of more than five lots. The location of any parkland acquired in this manner shall be determined in consultation with the Recreation Director for the County. There are three recreational areas considered vital to the tourism activity in the Chéticamp Plan Area. These areas consist of the beach at the mouth of Chéticamp River, a portion of the 18-hole golf course and the beach and campground on Chéticamp Island. This beach and campground facility is under lease from the provincial government and operated and maintained by La Société St. Pierre.

POLICY 9-1	It shall be the policy of Council to designate a portion the existing golf course including lands for future expansion, the beach at the mouth of Chéticamp River and the beach/campground on Chéticamp Island as Rural Residential on the Generalized Future Land Use Map and to zone the three sites Rural Residential (RR-1).
POLICY 9-2	It shall be the policy of Council to request the appropriate Department of the provincial government to seek legislation giving protection to Chéticamp Beach at the mouth of Chéticamp River under the <i>Beaches Act</i> .

CHAPTER 3 - MUNICIPAL SERVICES

Water Supply

There is no municipal water system in Chéticamp. Water is being supplied by a system owned and operated by the Provincial Department of Environment to industrial and other specific uses. At present, two industrial wells supply water to the fish plants as well to the Municipal School Board, the Hospital and the Volunteer Fire Department, Laundromat, National Sea Products, and Laurie's Motel.

This system was constructed in two stages, beginning in 1965. It consists of two wells, pumping facilities and approximately 6,700 feet of 8 inch diameter mains. The system was upgraded and extended in the 1970s. Since the water system was intended to supply water only to the fish plants, the storage volume was provided to equalize flows; with no provisions for fire protection and reserve storage.

The system was originally designed for industrial use; however, over the years, unauthorized connections were made by both the residential and business communities. Today, there are approximately 70 additional connections with an estimated 35 households utilizing the system. Water pressure as well as supply has now become a problem. A major expenditure will be required in the near future, if the system is to continue to supply adequate water.

In 1981 the Municipality hired consultants to review the existing water system and to prepare a master plan outlining, by priority, areas of the community which should be serviced. The plan made a number of recommendations including the construction of a new reservoir and an extension of the system sent from the center of Chéticamp Proper in a northern and southern direction. In 1988 a number of the recommendations were completed. However, the water lines have not been extended in the northern and southern direction as recommended. Refer to the Water and Sewer Map (Map 5) for the location of the proposed lines as presented by the consultants.

POLICY 10-1	It shall be a policy of Council to approach the appropriate Department of the Provincial and/or Federal Governments to seek assistance in upgrading the present water system to service both domestic and business users or more importantly, seek funding to construct a new municipal water system servicing appropriate sectors of the Plan Area as proposed on the Water and Sewer Map (Map 5).
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POLICY 10-2	It shall be the policy of Council, for an interim period, to request the Provincial Department of Environment to continue to make improvements to its water system.
POLICY 10-3	It shall be a policy of Council to encourage where appropriate the use of private central water systems in areas financially unfeasible to service with a municipal system.

Private Water Systems

In addition to the provincially owned water system, two private water systems exist within the Chéticamp Plan Area. The first system which utilizes two deep wells, is located adjacent to the golf course and services approximately 25 residences in the vicinity of the Doryman Beverage Room.

The second system uses "Lac à Dominique" as its water supply with transmission lines connecting approximately 14 homes. The two systems are privately owned and operated under common agreement among the various property owners. The systems provide a reasonable source of water to the residents without placing additional financial responsibility on the Municipality.

POLICY 10-4	It shall be a policy of Council to encourage individual property owners to cost share on private water supply systems within the Chéticamp Plan Area.
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Sewage Treatment

Chéticamp Proper and a portion of Petit Étang are served by a relatively new central sewage collection system and treatment plant which serves all adjacent residents and businesses. The treated effluent is then discharged into Chéticamp Harbour. The collection system is a linear type with limited opportunity available for additional connections.

This collection system and treatment plant generally serves the two communities quite well. However, there are a few minor problems associated with the system, the inability to obtain replacement parts and the expensive maintenance. Occasionally, during peak periods, the system malfunctions causing unpleasant odours in the immediate area and poor water quality in the vicinity of the Harbour outfall. During heavy rains, storm water has been known to infiltrate the system causing the treatment plant to overload.

The Redman area, in particular, has severe problems with on-site septic systems as do other areas of Chéticamp. This limits development at a time when there is pressure to expand existing accommodations and open new facilities. An ideal solution would be to extend the sewer system to this area, however, until that time other remedies could be investigated.

POLICY 10-5	It shall be a policy of Council to investigate; (a) the possibility of upgrading the mechanical components of the sewage treatment plant in Chéticamp Proper which would remove the unpleasant odour and the discharge of untreated materials into the Harbour, and (b) the possibility of undertaking a study on infiltration of storm water into the Sewer System during heavy rainfall.
POLICY 10-6	It shall be the policy of Council to investigate the extension of sewer servicing in the Chéticamp area and until that time shall work with the residents and the Dept of Environment to provide alternative solutions through public education, septic system upgrades and alternative technologies.

PROTECTIVE SERVICES

Police Protection

The Municipality of Inverness, under contract with the Provincial Attorney General's Department utilizes

the RCMP for police protection. The detachment is located in Chéticamp Proper on "Chemin De Belle Marche" and is served by 3 officers. This detachment provides police protection for the Plan Area and surrounding areas, as well as Pleasant Bay to the north and Margaree to the south. A backup detachment is located in Inverness.

POLICY 10-7	It shall be the policy of Council to encourage the efforts of the RCMP in providing police protection for both the residential and business communities in the Chéticamp Plan Area.
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Fire Protection

Chéticamp is serviced by a volunteer fire department with a brigade of 37 members. The two-bay station is located on Chemin De Belle Marche adjacent to the Cabot Trail. The station consists of bays for the storage of three tanker/pumpers and an equipment truck. Other pieces of fire fighting equipment, offices and social facilities are also located in the building. Another fire station is located in Grand Étang which handles fire fighting demands for the southern end of the Plan Area. Each fire station operates under a special grant from the Municipality.

POLICY 10-8	It shall be the policy of Council to support the efforts of the Chéticamp volunteer fire department in providing fire protection for the residents and the business community.
POLICY 10-9	It shall be the policy of Council to hold annual discussions with the officials of the Chéticamp and other volunteer fire departments within the Municipality. These discussions shall include, but not be limited to, the needs of the department in relation to both manpower and equipment.

GENERAL POLICIES

Public and Private Utilities

It is not uncommon to have various public and private utilities located throughout a community. These utilities provide an essential service (i.e. those in transportation, communication, water, gas, or electrical sector) and are often faced with having to locate equipment or transmission lines in various sections of a community. Council does not wish to place undue hardships on these utilities; therefore, these uses will be permitted in any zone within the Plan Area.

POLICY 10-10	It shall be the policy of Council to permit public and private utilities in all zones within the Plan Area, and to require a development permit to be issued for each use.
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Parking

In the past, off street parking has been considered a problem in Chéticamp. Council is of the opinion that provisions should be made in the Land Use By-law requiring individual developments to provide off street parking facilities. This would help reduce parking problems while at the same time giving both the residents and business community a clear understanding that Council does not wish to have motor vehicles parking on public streets.

POLICY 10-11	It shall be the policy of Council to establish in the Land Use By-law proper parking standards for all development in the Chéticamp Plan Area.
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Signage

Signage has not really been an issue in the Chéticamp Plan Area. However, with the positive predictions for new development, and with this being a major tourist area, consideration must be given to the placement,

size and type of signs that will be permitted. Council is of the opinion that controls should be placed on all signs in the Plan Area. However, in keeping with the importance of signage to this Tourist Destination Area, and secondly, the fact that a study is now being undertaken by a local committee of businessmen in conjunction with the Area Advisory Committee, Council is now of the opinion that the Land Use By-law will initially have no sign provision, except a requirement for a development permit for all signs being erected within the Plan Area. Eventually the Land Use By-law will be amended to include sign provisions.

POLICY 10-12	It shall be the intention of Council to consider at some future date, amendments to the Land Use By-law which will establish appropriate size, number and placement of signs within the Plan Area. In the meantime, in order to determine compliance with proper safety and maintenance requirements a development permit shall be required for the erection of all signs within the Plan Area.
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Public Roads

There has been mention in certain sections of this document about the parking and traffic conditions in the Central Business District. Council has attempted to outline a short term solution to the problem. However, the long term solution may be through the construction of a new collector road extending from the intersection of the Cabot Trail and Chemin de la Butte à l'Ours northward to an area of land near the southern intersection of Chemin de l'Anse des Bois Maries and the Cabot Trail. This new collector road would be used by local traffic and large transport trucks to bypass the main community. This would remove some of the congestion on this portion of the Cabot Trail. At the same time the collector road could open up land for new development.

POLICY 10-13	It shall be the policy of Council to investigate methods of having a new proposed collector road constructed to the east of properties fronting on the Cabot Trail; and commencing at the intersection of the Cabot Trail and Chemin de la Butte à l'Ours and extending northward to an area of land near the southern intersection of Chemin de l'Anse des Bois Maries and the Cabot Trail.
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Private Roads

At present, private roads are permitted within the Chéticamp Plan Area. The Municipality's Subdivision By-law allows for private roads to be incorporated in any new subdivision, but more importantly the ability to permit individuals to subdivide land and have frontage on a private road. In the Subdivision By-law adopted by the County in 1999 the requirements for the building of private roads are much more stringent.

POLICY 10-14	It shall be the policy of Council to continue to allow land to be subdivided on private roads within the Chéticamp Plan Area.
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Street Names and Civic Numbers

In Chéticamp there are very few street or road names listed and street signs posted. Over the years, streets or roads were built without naming them. Since the adoption of the provincial E-911 system it is essential that street names be given to every street or road. Therefore, the residents and the Department of Transportation will be requested to adopt street names and to place street signs at each intersection.

POLICY 10-15	It shall be the policy of Council to encourage the E-911 partners to proceed with a system of adopting and correcting street names for all streets or roads within the Plan Area and to place the appropriate street signs at each intersection.
POLICY 10-	It shall be the policy of Council to investigate the possibility of adopting a Civic (street)

16	numbering by-law in the Municipality and to require the residents to place the number on their property.
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Refuse Collection

The Municipality provides refuse and recycling collection on a once a week contractual basis to the residential sector. The solid waste is collected by truck and transported to a municipal dump site.

Collection for commercial establishments is provided by the same company through a private contract on a more frequent basis. It is the Municipality’s intention to continue with the present practice of having refuse collected on a contractual basis.

POLICY 10-17	It shall be the policy of Council to continue with the refuse collection on a contractual basis through the Municipality’s garbage collection by-law.
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Temporary and Special Uses

Throughout any community there are activities which are associated with new development or construction projects. From the most recent development forecasts, it would appear that there will be a need for small construction sheds, offices and storage facilities associated with this new development. These uses are considered normal components of construction activity and Council does not intend to restrict their use in the Plan Area. However, Council will require that a temporary use (structure) be removed from the site shortly after construction work is completed.

"Special Uses" which refer to signs, banners, display booths, and other associated structures which are used during special events such as festivals, celebrations and other special events. Council sees no problem with allowing these uses in the Plan Area but on a short term basis. Council will require that special uses be discontinued and removed when the special event is concluded.

POLICY 10-18	It shall be the policy of Council to allow for temporary structures used in conjunction with a development or construction or subdivision project, including offices, equipment and material storage buildings, and scaffolding in the Plan Area. Council will require that such temporary use or structure be removed within a specified time. A Development Permit shall be required for a temporary use.
POLICY 10-19	It shall be the policy of Council to allow for special uses and structures such as signs, banners, display booths, and other similar structures in the Plan Area that are used in conjunction with a festival, celebration, or other special event. Council will require that such special use or structures be removed within a specified time. A Development Permit shall be required for such uses.

Government Buildings and Facilities

Council is also of the opinion that in the future there may be a need to provide for government buildings or facilities in any given portion of the Chéticamp Plan Area. Since it is difficult to determine where buildings or facilities will be needed, it is Council’s position that these uses should be permitted in all zones within the Plan Area.

POLICY 10-20	It shall be the policy of Council to permit government buildings or facilities in all zones within the Plan Area.
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CHAPTER 4 - IMPLEMENTATION

GENERAL

The Municipal Planning Strategy for the Chéticamp Plan Area is the prime policy document providing the framework by which the future growth and development of the Plan Area shall be encouraged, controlled, and coordinated. The policies of this Strategy will be implemented through a variety of means, but generally through the powers of Council as provided by the *Municipal Government Act* and other statutes as may apply.

POLICY A-1	In addition to employing specific implementation measures, it shall be the intention of Council to maintain a program of ongoing planning through its Planning Advisory Committee and Area Advisory Committee. Such a program may include aspects of public information and participation; and various further studies respecting such matters, the drafting or revising of Municipal By-laws which deals with planning issues, and any other matter such as Council may suggest.
POLICY A-2	In order that development control decisions may be based on expert advice beyond that which the Planning Advisory Committee is able to supply, it shall be the intention of Council to circulate applications for amendment of the Land Use By-law. These applications shall be circulated to Provincial Government agencies such as the Departments of Transportation and Environment for their information and comment as may be required.

GENERALIZED FUTURE LAND USE MAP

The Generalized Future Land Use Maps (Maps 3 & 4) are the most important maps in the Municipal Planning Strategy. These show the future land use designations within the Plan Area which have been established by policies within this Strategy. These maps illustrate the following designations:

- Urban Residential which permits low density residential development (excluding mobile homes and mobile home parks) and certain types of commercial development such as home occupations, professional offices, etc., institutional and recreational uses;
- Rural Residential which permits low density residential development including mobile homes and mobile home parks and certain types of commercial development such as home occupations, and institutional and recreational uses;
- Central Business District which permits a wide range of commercial uses and existing single family dwellings;
- Highway Commercial which permits a wide range of commercial uses requiring the large land massing for parking and buildings;
- Rural Highway Commercial which permits a wide range of commercial uses related to the tourist industry; and
- Waterfront which permits a wide range of commercial and industrial development.

LAND USE BY-LAW

The principal mechanism by which land use policies are implemented is the Land Use By-law. The Land Use By-law will set out zones, permitted uses, and development standards within each zone and in so doing shall reflect the policies of the Municipal Planning Strategy (as required in the *Municipal Government Act*).

It is not intended that all land shall be pre-zoned as indicated by the policies of this Strategy or as indicated on the Generalized Future Land Use Maps (Maps 3 and 4). Rather, in order that Council may maintain a degree of control on future development, initial zoning provisions will be relatively restrictive. Development proposals which would not be permitted in the initial zoning will be processed as amendments to the zoning map. However, such amendments will be granted only if they meet the guidelines found within the Municipal Planning Strategy. Categories of uses not to be pre-zoned.

- Residential Multiple Family (R-3) uses according to Policy 1-8
- Commercial Highway (C-2) uses according to Policy 3-8
- Mobile Home Park (MHP) uses according to Policy 5-8.

CRITERIA FOR AMENDMENT TO THE LAND USE BY-LAW

POLICY A-3	<p>In considering amendments to the Land Use By-law, in addition to all other criteria as set out in various policies of this Strategy, Council shall have regard to the following matters:</p> <p>a) That the proposal is in conformity with the intent of this Strategy and with the requirements of all other municipal By-laws and regulations;</p> <p>b) That the proposal is not premature or inappropriate by reason of:</p> <ul style="list-style-type: none"> i) the financial capability of the municipality to absorb any costs relating to the development; ii) the adequacy of sewer services and utilities or if services are not provided, the adequacy of physical site conditions for private on-site sewer and water systems; iii) the adequacy and proximity of school, recreation, and any other community facilities; iv) the adequacy of road networks in, adjacent to, or leading to the development; and v) the potential for the contamination of watercourses or the creation of erosion or sedimentation; <p>c) The controls in the Land Use By-law reduce conflict with any other adjacent or nearby land use by reason of:</p> <ul style="list-style-type: none"> i) type of use; ii) emissions including air and water pollutants and noises; iii) height, bulk, and lot coverage of the proposed building; iv) traffic generation, access to and egress from the site and parking; v) open storage; vi) signs; and vii) similar matters of planning concern. <p>d) Suitability of the proposed site in terms of steepness of grades, and/or location of watercourses.</p>
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AMENDING THE LAND USE BY-LAW

The Chéticamp Plan Area Land Use By-law is designed to implement this Municipal Planning Strategy, and is expected that it will be amended from time to time, although in conformity with the Strategy. Examples of situations which might create a need to amend the Land Use By-law include:

- a request by an individual to have the By-law amended (e.g. map amendment or text amendment);
- a motion by a member of Council to amend the By-law; or

- a change in the Strategy.

Should Council consider amending the Land Use By-law, it must fully examine the implications of the change and the amendment must comply with all other legal requirements as set out in the *Municipal Government Act*.

POLICY A-4	<p>In considering amendments to the Land Use By-law or a proposal by Development Agreement, it shall be the intention of Council to:</p> <ul style="list-style-type: none"> a) request a report from the development officer; b) refer the matter to the Planning Advisory Committee and the Area Advisory Committee for reports with respect to Policy A-3 (Criteria for Amendment to the Land Use By-law) and Policy A-5 and A-6 (Criteria for a Development Permit) and any other policies of this Strategy which affect the proposed amendment; c) refer the matter to the appropriate individual government departments (as identified in this Strategy) where special expert advice is required; d) comply with all legal requirements concerning amendments to the Land Use By-law or a proposal for a Development Agreement as set out in the <i>Municipal Government Act</i>, and e) require the applicant to pay the cost for advertising with respect to public notice as provided for in the <i>Municipal Government Act</i>.
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DEVELOPMENT AGREEMENTS

The following uses shall only be considered subject to the entering into of a Development Agreement according to the appropriate sections of the *Municipal Government Act*.

1. Restaurants and Fast Food Outlets over 1,000 square feet, Retail Stores over 1,000 square feet, Tourist Services over 1,000 square feet, Boat, Bicycle, Motorcycle, Other Rental Equipment Shops over 1,000 square feet, Hotels, Motels, Inns, Other Tourist Lodging Facilities, Multiple Use Structures including multiple unit dwellings with more than two units (Ground Floor must be entirely devoted to commercial uses), Industrial Uses, Offices, Ferry Terminals, Museums, Beverage Rooms/Lounges, Places of Entertainment, Community and Cultural Centres, and Marinas and Marina Facilities in the Waterfront (W) zone as provided for in Policies 2-3 and 2-4.
2. Expansion of existing uses in the Waterfront (W) zone as provided for in Policies 2-3 and 2-4.
3. Light industrial fabrication facilities 10,000 square feet or less in floor area within the Urban Residential designation by development agreement as provided for by the Policies 1-15 and 1-16.
4. Light industrial fabrication facilities 10,000 square feet or less in floor area within Chéticamp Proper and in the Mixed Use designation as provided in Policies 4-3 and 4-4.
5. Expansion of existing Rural Commercial General (RC-2) uses beyond the areas zoned RC-2 and new Rural Commercial General (RC-2) uses will be permitted in the Rural Residential designation as provided in Policies 6-6 and 6-7.
6. Expansion of existing Industrial (RM-1) uses beyond the areas zoned RM-1 and new Industrial (RM-1) uses as provided in Policies 7-3 and 7-4.

POLICY A-	As a condition for approval of a request for a Development Permit for a use other than a
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<p>5</p>	<p>permitted use as authorized elsewhere in this Strategy it shall be the intention of Council to require the applicant to enter into a Development Agreement with the municipality, specifically setting out conditions under which the development may proceed.</p> <p>A Development Agreement shall not require an amendment to the Land Use By-law but shall be binding upon the property until the agreement or part thereof is discharged by Council. In considering Development Agreements, in addition to all other criteria as set out in various policies of this Strategy. Council shall have regard to the following matters:</p> <p>a) That the proposed agreement is in conformance with the intent of this Municipal Planning Strategy and the requirements of all other Municipal By-laws and regulations.</p> <p>b) That the proposal which is subject to the Development Agreement is not premature or inappropriate by reason of:</p> <ul style="list-style-type: none"> i) the financial capability of the municipality to absorb any costs related to the development; ii) the adequacy of the physical site conditions for private on-site sewer and water systems; iii) the adequacy of the street or road networks, adjacent to and leading to the development; and iv) the adequacy of municipal fire protection, service and equipment. <p>c) That controls are placed on the proposed development so as to reduce the conflict with any adjacent or nearby land uses by reason of:</p> <ul style="list-style-type: none"> i) the type of use; ii) the height, bulk and lot coverage of any proposed building or structure; iii) traffic generation; iv) access and egress from the site and the distance of these from street intersections; v) parking; vi) landscaping; vii) open storage; viii) signs; ix) the hours of operation; x) maintenance of any building(s) and property; and xi) any other relevant matters of planning concern. <p>d) The suitability of the proposed site in terms of steepness of grades, soil and for geological conditions, and the relative location of watercourses, marshes, swamps, or bogs.</p> <p>e) The terms of the agreement provided, as appropriate, for:</p> <ul style="list-style-type: none"> i) the discharge of the agreement or parts thereof upon the successful fulfillment of its terms;
<p>POLICY A-6</p>	<p>Council may require that any or all of the following information be submitted by the developer with respect to any proposed development which is to be subject of a Development Agreement under the appropriate sections of the <i>Municipal Government Act</i>.</p> <p>a) A site plan showing the following information:</p>

	<p>i) the physical and environmental characteristics of the proposed site including information regarding topography, contours, elevations, dimensions, natural drainage, soils, existing water courses, vegetative cover, size and location of lands;</p> <p>ii) the proposed location, height dimensions and use of all buildings or structures proposed to be built or erected on the lands;</p> <p>iii) the type and amount of site clearing required, if any, and provisions proposed for good site drainage and servicing with water and sewage disposal.</p> <p>b) Information as to the hours of operation.</p> <p>c) Information as to the architectural design, scaled plans, profiles, grade elevations and cross sections.</p> <p>d) Information as to the provisions for an appropriate natural buffer strip and maintenance of the natural buffer strip.</p> <p>e) Such further information as Council may require in order to properly assess the compliance with other policies in the strategy.</p>
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DEVELOPMENT OFFICER

POLICY A-7	In accordance with the <i>Municipal Government Act</i> it shall be the policy of Council to continue the services of the development officer who shall administer these Land Use By-law and shall where appropriate grant development permits.
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MINOR VARIANCE

POLICY A-8	In addition to the general powers granted, the <i>Municipal Government Act</i> empowers the Development Officer to grant "minor variances" from the Land Use By-law. Specifically, the Development Officer may vary the percentage of land that may be built on, the sizes of yards, courts and other open spaces, lot frontage and lot area. Should the Development Officer grant or refuse a minor variance he must serve notice of this action in accordance with the <i>Municipal Government Act</i> , and his action may be appealed to Council by anyone served with such notice.
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SUBDIVISION CONTROL

Subdivision of land within the Municipality of the County of Inverness is presently controlled by a Subdivision By-law adopted by Council and approved by the Minister of Municipal Affairs on July 15, 1998. This By-law allows more flexibility for lot division with respect to smaller lots or lots with reduced frontage. In areas, like Chéticamp, with a Land Use By-law in effect the Subdivision By-law requires that these elements be activated by the Municipal Planning Strategy and Land Use By-law.

POLICY A-9	It shall be the policy of Council through the Municipal Development Officer to administer the Subdivision By-law.
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The requirements of the Land Use By-law are often more strict than the Municipal Subdivision By-law. However, it is the desire of Council that lots which are slightly beneath the requirements of the Land Use By-law be considered in the same manner as in areas which are unplanned. Section 279 of the Municipal Government Act, allows for the approval of lots which do not meet

the standards for frontage and/or area, yet meet no less than 90% of these requirements.

POLICY A-10	It shall be the policy of Council to permit the Subdivision Officer to approve a plan of subdivision pursuant to Section 279 of the <i>Municipal Government Act</i> .
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The original land grants have left many narrow land parcels. Subdivision of these lots has been possible because of the clauses of the Municipal Subdivision By-law which have allowed lots to be created without frontage. Eliminating the ability of landowners to subdivide these lots would restrict development, particularly in the more developed areas of the island, and result in more low-density development with all lots fronting on the road. For this reason, the Subdivision By-law provision permitting the creation of an additional lot without frontage will be included in this By-law. There will be requirements, however, that each lot without sufficient road frontage must have a right-of-way access, which is clearly granted by deed.

POLICY A-11	It shall be the intention of Council to permit the creation of one additional lot without lot frontage pursuant to Section 19 of the Subdivision By-law, subject to such lot having an easement for right-of-way and access, granted by deed and registered at the Registry of Deeds.
POLICY A-12	It shall be the intention of Council to allow for the subdivision of lots for the purpose of removing encroachments.

Often, wharves and fish sheds located along the shoreline are often built on lots which are too narrow and close to the water to be approved under the Municipal Subdivision By-law. As a result, ownership of these lots is sometimes a problem. The Land Use By-law will allow for the creation of small lots for these fishery uses, or for the erection of plaques and monuments. These lots will not be eligible for on-site sewage disposal systems, and will not be used for human habitation.

POLICY A-13	It shall be the intention of Council to permit the subdivision of lots intended specifically to be used for wharves, fish sheds and other fishery related uses, as well as for the erection of plaques and monuments. Lots created under this provision will be subject to a smaller minimum lot size than that required within each zone. These lots will not be used for human habitation, and will not be eligible for an on-site sewage disposal system.
POLICY A-14	It shall be the intention of Council to permit the subdivision of an area of land which was in existence on the effective date of this municipal planning strategy, for the purposes of creating as many lots as there are main buildings.

OTHER MUNICIPAL BY-LAWS

POLICY A-15	It shall be the policy of Council to review from time to time and where necessary amend its Building By-law made pursuant to the Provincial Building Code and Unsightly Premises By-law. The Building By-law, regulates the structural requirements for new buildings and the Unsightly Premises By-law is aimed at preventing property from becoming unsightly.
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BUILDING INSPECTOR

POLICY A-16	It shall be the policy of Council, to continue the services of the Building Inspector whose duty it will be to enforce the Building By-law, the Minimum Standards By-law and the Unsightly Premises By-law.
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STRATEGY AMENDMENTS

POLICY A-17	<p>This document and all associated maps constitute the official municipal planning strategy for Chéticamp Plan Area.</p> <p>An amendment to this strategy shall be required:</p> <ul style="list-style-type: none">a) where any policy intent is to be changed;b) where a desired zoning map amendment does not conform to the Generalized Future Land Use Map; and can be shown through studies to be desirable;c) where detailed area or functional strategies are desired to be incorporated into this strategy.
POLICY A-18	<p>Strategy amendments shall require the approval of the Minister of Municipal Affairs and shall be carried out in accordance with the provisions of the <i>Municipal Government Act</i>.</p>

ACTIONS NOT REQUIRING A STRATEGY AMENDMENT

POLICY A-19	<p>Areas immediately adjacent to a given land use designation on the Generalized Future Land Use Map may be considered for rezoning to a use which is similar in nature to the given designation without requiring an amendment to this strategy, provided that the intention of all other policies of the strategy are satisfied.</p>
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STRATEGY REVIEW

POLICY A-20	<p>In accordance with the <i>Municipal Government Act</i>, this strategy may be reviewed when either the Minister of Municipal Affairs or Council deems it necessary, but in any case, the review shall be commenced within five years from the date of coming into force of the planning strategy or the date of the last review.</p>
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