

**THE MUNICIPALITY OF THE COUNTY OF ANTIGONISH
MUNICIPAL PLANNING STRATEGY
EASTERN ANTIGONISH COUNTY PLANNING AREA
(Districts #7 (Bayfield, Afton), #8 and #9)**

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PART 1 INTRODUCTION

A Municipal Planning Strategy is a legal document through which Council states its policy on any or all of a broad range of subjects as outlined in Section 214 of the *Municipal Government Act*. Council confined its policy statements primarily to the future use of land, but may address other issues at a later date as the need arises. Included as part of these policy statements is Map 1, Generalized Future Land Use Map, which indicates Council's long term view of land use within the Planning Area.

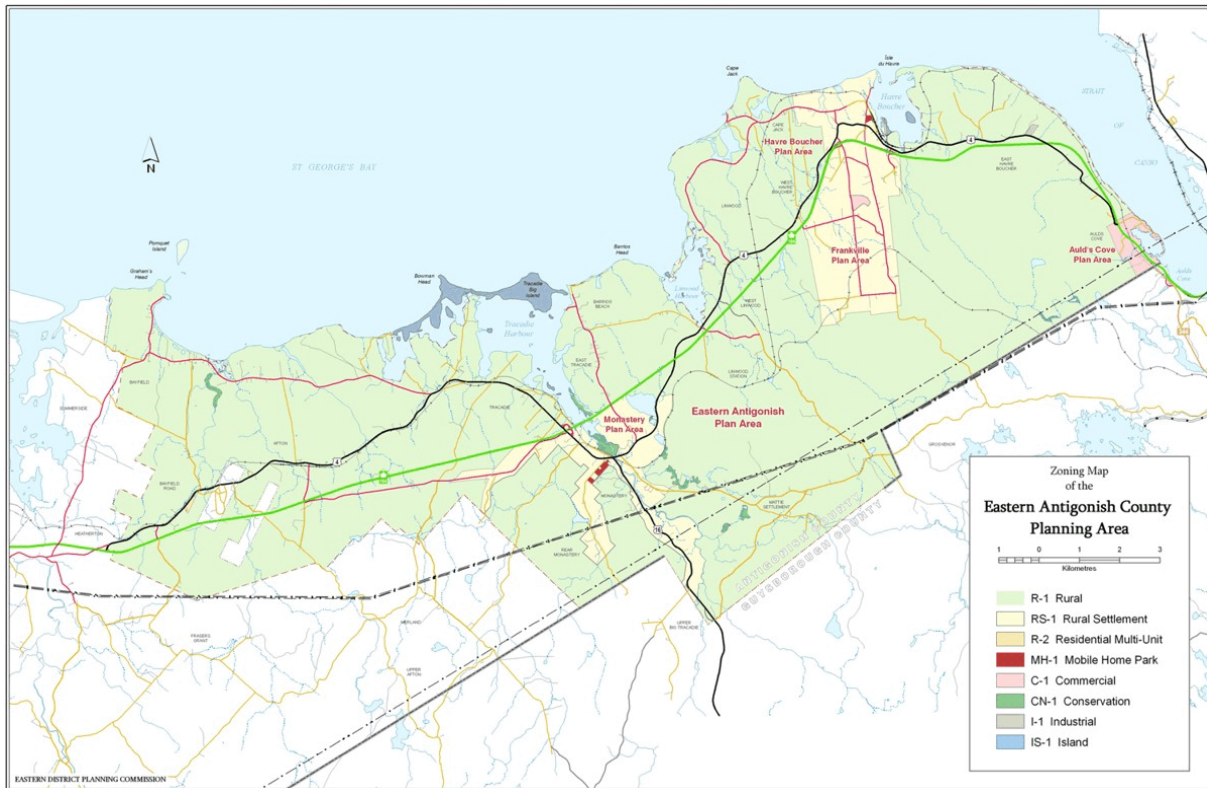
The Municipal Planning Strategy contains the policy statements to guide Council in their decisions and are implemented by the Land Use By-law.

This Municipal Planning Strategy replaces one adopted in 1973 covering the eastern section of the County of Antigonish, Districts #7, #8 and #9, as shown on the maps in this Strategy, and hereafter referred to as the Planning Area. Although there does not appear to be any serious land use conflicts at the present time, the main objective of this Strategy is to ensure that future development in the Planning Area is located where it is compatible with existing uses.

To this end, Council adopted a public participation program that provides for information sessions and public meetings regarding the Strategy and By-law. Council held a formal public hearing before these documents were adopted and must hold public hearings relating to any subsequent amendments.

A Planning Advisory Committee (P.A.C.) consisting of Councillors and members of the public is in place to advise Council in planning matters. Under the *Municipal Government Act*, the P.A.C. has the authority to advise Council in the preparation or amendment of planning strategies, land use by-laws, subdivision by-laws and on planning matters generally. Throughout the planning process, all portions of this Strategy were reviewed by the P.A.C. It will also be involved with any subsequent amendments to these documents which may, from time to time, be necessary.

(Context Map of Planning Area)



PART 2 THE PLANNING AREA

The Planning Area is in the eastern section of the County and extends approximately from Bayfield to Auld Cove (Figure 1). The Planning Area is comprised of part of District 7 and all of Districts 8 and 9 of the Municipality of the County of Antigonish.

Statistics Canada's most recently published population figures indicate that the Planning Area has shown a stable population base:

	1986	1991
Havre Boucher	539	481
Monastery	432	424
Frankville	351	386
Linwood	231	287
Tracadie	174	280
Afton	330	254
Auld Cove	235	235
West Havre Boucher	150	214
East Havre Boucher	223	188
East Tracadie	181	156
Bayfield	181	128
Cape Jack	144	112
Mattie	88	91
West Linwood	76	N/A
Total	3335	3218

The Planning Area is part of Census Subdivision B. According to 1986 Statistics Canada figures, the number of employees in the listed industries in this Census Subdivision are as follows:

Primary	a) Agriculture and related service	415
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	industries	
	b) Fishing and trapping industries	
	c) Logging and forestry industries	
	d) Mining (including milling), quarrying and oil well industries	
Manufacturing	Manufacturing industries	240
Construction	Construction industries	365
Transportation, Storage, Communications and Utility	a) Transportation and storage industries b) Communication and other utility industries	140
Trade	a) Wholesale trade industries b) Retail trade industries	435
Finance, Insurance and Real Estate	a) Finance and insurance industries b) Real estate operator and insurance agent industries	25
Government	Government service industries	95
Other Services	a) Business service industries b) Educational service industries c) Health and social service industries d) Accommodation, food and beverage service industries e) Other service industries	885

Total Number of Employees

2605

These industries are located throughout the Planning Area along with other types of land uses including residential, institutional, recreational, commercial and industrial uses. A fair amount of land in the Planning Area is devoted to agriculture, forestry, fishery and their related activities.

Dense residential development exists in some settled areas (population of greater than 300 people) of the Planning Area. Havre Boucher is the only area that is served by centralized sewer. Other residential development throughout the Planning Area is served by on-site septic sewer systems and dug wells. **There are two multi-unit buildings (buildings with greater than two dwelling units) in the Planning Area, one of which is a senior citizens' home.** Mobile homes located on individual lots are and shall continue to be treated the same as single detached dwellings.

The commercial area along the Trans Canada Highway at Aulds Cove serves the travelling public with commercial services such as gas stations and restaurants. This area will continue to allow for a wide range of commercial uses.

As mentioned above, other uses in the Planning Area include institutional, recreational, commercial and industrial uses. Council considers institutional, recreational, and some commercial uses such as daycare centres, bed and breakfast establishments, boarding houses and service shops to be compatible with residential development. Council also considers home occupations (secondary business uses associated with a private dwelling) to be compatible.

Other land uses such as industrial, mobile home parks, intensive livestock operations and large scale commercial enterprises in the Planning Area are prevalent and Council does not wish to put unnecessary burden on them. However, these uses do require special provisions in order to minimize potential conflict with adjacent uses.

PART 3 GENERALIZED FUTURE LAND USE DESIGNATIONS

The Planning Area is divided into five future land use designations as indicated on the Generalized Future Land Use Map (Map 1). These designations are "Rural", "Rural Settlement", "Commercial", "Conservation" and "Island".

Almost all of the Planning Area is designated "Rural" as shown on the Generalized Future Land Use Map. Although most of the existing uses in the "Rural" designation consists of residential development, an extensive variety of other uses including agriculture, forestry, fishery and their related uses also exist. The type of development to be allowed in this designation is extensive, including, among other things, both residential and commercial uses, in order to reflect the rural nature of the area.

The "Rural Settlement" designation consists of the more densely populated and/or serviced places in the Planning Area. These areas contain mostly residential development with some commercial development. Council would like to preserve the community character of these areas by limiting the type of development permitted in them compared to areas designated "Rural".

The only area where there is a concentration of commercial uses is on the Trans Canada Highway at Auld Cove. Council would like to promote this area for commercial development by designating it "Commercial" as shown on the Generalized Future Land Use Map.

Council would also like to preserve and protect environmentally sensitive areas such as wetlands in the Planning Area by designating these areas as "Conservation". The Freshwater Wetlands and Coastal Wildlife Habitats of Nova Scotia Map identifies, among other things, important freshwater wetlands and saltwater marshes. These areas are important for their role in the protection of water quality, for their part in supporting marine life and for their function in regulating the ecosystem. These wetlands are not suitable for most development purposes because of the fact that they are low lying and marshy. It is therefore important to ensure the

preservation of these areas.

By designating the islands in the Planning Area as "Island", Council is able to address the unique conditions which exist on these landforms. This designation allows for low density residential and limited commercial development which will minimize the impact on the environment.

POLICY 1

It is the intention of Council to specify five designations in the Planning Area. These designations are "Rural", "Rural Settlement", "Commercial", "Conservation" and "Island" as indicated on the Generalized Future Land Use Map (Map 1).

PART 4 ZONES

Designations indicate the broad policy objectives of Council while zones are the more specific enforceable regulations which carry through those objectives. Zones and their regulatory provisions are set out in a Land Use By-law. Therefore, Land Use By-laws are the mechanisms through which the land use policies are implemented. The zones to be set out in the Land Use By-law for the Planning Area are to following: Rural (R-1), Rural Settlement (RS-1), Residential Multi-Unit (R-2), Mobile Home Park (MH-1), Commercial (C-1), Industrial (I-1), Conservation (CN-1) and Island (IS-1).

POLICY 2

It is the intention of Council to set out the following Zones in the By-law:

- (a) The Rural (R-1) Zone shall apply to all the lands designated "Rural" on the Generalized Future Land Use Map and shall consist of existing unserved areas. Permitted uses shall include one and two unit residential development, mobile homes on individual lots, senior citizens' housing, institutional uses and recreational uses. Single detached dwellings may be converted to a maximum of two (2) units provided there is no exterior alteration. Permitted uses shall also include certain commercial uses including but not limited to service shops, bed and breakfast operations, boarding houses, restaurants, banks and financial institutions, funeral homes, offices and retail stores. Agricultural and related uses, forestry and related uses and fishery and related uses shall be permitted subject to stricter abutting yard requirements to be set out in the By-law in order to minimize any negative impacts to adjacent uses.**
- (b) The Rural Settlement (RS-1) Zone shall apply to all the lands designated**

"Rural Settlement" on the Generalized Future Land Use Map which are served by one or more centralized services or to areas with a population of three hundred (300) or more people. Permitted uses shall include all those uses permitted in the R-1 zone except intensive livestock operations, fur farms, apiaries, aviaries, kennels and outdoor tracks for the racing of animals or motor vehicles, in order to prevent conflict with residential uses.

- (c) The Residential Multi-Unit (R-2) Zone shall permit residential buildings of more than two (2) units including grouped dwellings and all non-agricultural, non-forestry and non-fishing uses permitted in the RS-1 Zone subject to the requirements of the RS-1 Zone. Existing multi-unit buildings shall be zoned R-2. New multi-unit buildings shall be considered by a rezoning in any part of the Planning Area designated "Rural", "Rural Settlement" and "Commercial".**
- (d) The Mobile Home Park (MH-1) Zone shall permit mobile home parks. Daycare centres and recreational uses shall also be permitted. Existing mobile home parks shall be zoned MH-1. New mobile home parks shall be considered by rezoning in any part of the Planning Area designated "Rural" or "Rural Settlement".**
- (e) The Commercial (C-1) Zone shall apply to all those lands designated "Commercial" on the Generalized Future Land Use Map. The Commercial (C-1) Zone shall permit an extensive range of commercial uses including but not limited to the following: business and professional offices, service shops, financial institutions and banks, retail stores, restaurants, taverns and lounges, and sales establishments for automobiles, boats, trailers, snowmobiles and mobile homes. Uses permitted in the R-1 Zone, except agricultural uses and forestry and related uses, shall also be permitted**

subject to the requirements of the R-1 Zone. A special setback for buildings, open storage and parking shall be required where a C-1 Zone abuts a residential use in a R-1, RS-1, R-2 or MH-1 Zone in order to minimize potential negative impacts on abutting uses. Screening shall be required for all commercial open storage in the Commercial (C-1) Zone except for automobile sales establishments, boat, trailer and snowmobile establishments, building supply dealers, greenhouses (including garden and nursery sales and supplies) and mobile home sales establishments.

- (f) The Industrial (I-1) Zone shall permit the following and similar types of uses: industrial, manufacturing, warehousing and processing uses, salvage yards and scrap yards, recycling facilities and industrial uses related to road construction. Uses permitted in the R-1 (except agricultural uses), RS-1 and C-1 Zones shall be permitted subject to the requirements of the R-1, RS-1 and C-1 Zones respectively. A special setback shall be required where an I-1 use abuts a residential, institutional or recreational use in any Zone. Screening requirements for industrial uses that abut residential, institutional or recreational uses are set out in the Land Use By-law in order to minimize the impact on adjacent uses. Existing industrial uses shall be zoned I-1. New industrial uses shall be considered by re-zoning in any part of the Planning Area designated "Rural".
- (g) The Conservation Zone shall apply to all those lands designated "Conservation" on the Generalized Future Land Use Map and shall consist of low lying marshy areas. The Conservation (CN-1) Zone shall permit only conservation related uses, agricultural uses limited to grazing and pasturage, and boat docking facilities. Development unrelated to these uses shall not be permitted. The placement of fill in association with development and altering land levels will be prohibited in this Zone. Existing uses in the CN-1

zone that are no longer permitted shall be non-conforming uses subject to Sections 238 to 242 of the *Municipal Government Act*.

- (h) The Island (IS-1) Zone shall apply to all the islands designated "Island" in the Planning Area and shall permit low density residential development on large lots and commercial development of a residential nature such as but not limited to the following uses: tourist cabins, bed and breakfast establishments, hotels and motels to a maximum of five (5) dwelling units, boarding houses and guest homes, campgrounds and accessory uses. Parks and picnic areas, boat slipways and wharves, agricultural and related uses, fishery and related uses and forestry and related uses shall also be permitted.**

A. Rural (R-1) Zone and Rural Settlement (RS-1) Zone

The area zoned Rural (R-1) encompasses the majority of the Planning Area. This zone allows for an extensive variety of uses including but not limited to residential, small scale commercial, agricultural, forestry and fishery uses. By allowing a diverse mix of development in these areas, the rural nature of the Planning Area could be preserved and enhanced.

The area zoned Rural Settlement (RS-1) contains the more densely populated areas and/or areas served by centralized sewer or water. This zone also allows for a mix of development, though not as permissive a mix as that provided for in the Rural (R-1) Zone in order to give some protection to the residents against obnoxious uses.

Should the Municipality decide to provide centralized services to areas in the Planning Area currently zoned Rural (R-1), the area will be rezoned to Rural Settlement (RS-1).

Existing large scale commercial uses which are not permitted in the Rural (R-1) or Rural

Settlement (RS-1) Zone will be zoned Commercial (C-1). New uses of this nature shall be permitted through a rezoning process in any part of the Planning Area designated "Rural" or "Rural Settlement".

POLICY 3

It is the intention of Council to rezone areas from Rural (R-1) to Rural Settlement (RS-1) when centralized sewer and/or water services are provided.

Commercial Uses in the Rural (R-1) Zone and Rural Settlement (RS-1) Zone

There are a number of existing commercial uses which are scattered throughout the areas designated as either "Rural" or "Rural Settlement" on the Generalized Future Land Use Map. Some of these small scale commercial uses include but are not limited to the following: service shops, retail shops, and offices. These uses are compatible with residential development and shall be permitted in the Rural (R-1) and Rural Settlement (RS-1) Zones (Policies 2(a) and 2(b) respectively). Large scale commercial uses including but not limited to taverns, automobile sales establishments and building supply dealers shall not be allowed as-of-right in the Rural (R-1) or Rural Settlement (RS-1) Zones but shall require a rezoning to Commercial (C-1) Zone. This rezoning shall be subject to the requirements of certain criteria designed to direct these uses to suitable locations in the areas designated "Rural" and "Rural Settlement" on the Generalized Future Land Use Map.

All commercial uses in the "Commercial" designation at Auld Cove as shown in the Generalized Future Land Use Map shall be zoned Commercial (C-1). Existing large scale commercial uses throughout the Planning Area shall be zoned Commercial (C-1), except for commercial uses in a Conservation zone. These will become non-conforming uses (Appendix 1).

POLICY 4 (a)

It is the intention of Council to zone existing large scale commercial uses not permitted as-of-right in the Rural (R-1) or Rural Settlement (RS-1) Zones as Commercial (C-1).

POLICY 4 (b)

It is the intention of Council to permit rezoning to Commercial (C-1) Zone in areas designated "Rural" or "Rural Settlement" on the Generalized Future Land Use Map subject to the following criteria to direct these uses to suitable locations and to those criteria listed in **Policy 39:**

- (i) the proposed development is compatible with adjacent residential uses with respect to scale, mass and use;**
- (ii) the location of the proposed development does not create any major traffic problems;**
- (iii) the lot on which the proposed development is sited is adequately served by a centralized sewer system and/or centralized water or if on-site services are to be used, these services are adequate for C-1 Zone uses.**

Outdoor Recreation Uses

Outdoor recreational uses in the Rural (R-1) and Rural Settlement (RS-1) Zones shall be subject to special setbacks, i.e. minimum side and front yards, in order to minimize the impact on abutting uses.

POLICY 5

It is the intention of Council to require minimum side and front yard setbacks for outdoor

recreation uses as set out in the Land Use By-law.

B. Residential Multi-Unit (R-2) Zone

There are two (2) multi-unit buildings in the Planning Area, one of which is a senior citizens' home. To allow for multi-unit buildings, Council shall permit them in the Residential Multi-Unit (R-2) Zone (See Policy 2(c)). The exception to this is the senior citizens' home located in Havre Boucher. Senior citizens' homes have less impact on adjacent residential development than other forms of multi-unit development in terms of intensity of use in the form of parking and traffic. They shall be permitted in all zones except the Mobile Home Park (MH-1), Conservation (CN-1) and Island (IS-1) Zones. Future multi-unit buildings, including grouped dwellings, will be permitted only by a rezoning to the R-2 Zone and shall be subject to rezoning criteria designed to direct these uses to suitable locations. These locations are areas with concentrated development and areas where there is the reduced possibility of pollution from on-site sewage disposal systems.

POLICY 6

It is the intention of Council to permit new residential multi-unit buildings in areas designated "Rural", "Rural Settlement" or "Commercial" as shown on the Generalized Future Land Use Map by a rezoning to the R-2 Zone subject to the following criteria to direct these uses to suitable locations and those criteria listed in Policy 39:

- (a) **the proposed development is compatible with adjacent residential uses with respect to scale, mass and use;**
- (b) **the location of the proposed development does not create any major traffic problems;**

- (c) **the lot on which the proposed development is sited is adequately served by a centralized sewer system and/or central water system or if on-site services are to be used, these services are adequate for R-2 Zone uses.**

C. Mobile Home Park (MH-1) Zone

There are two mobile home parks located in the Planning Area at Monastery and Havre Boucher, containing 17 and 20 units respectively. Council does not wish to permit mobile home parks as-of-right in the Rural (R-1) or Rural Settlement (RS-1) Zones but intends to recognize such uses by creating a Mobile Home Park (MH-1) Zone and zoning the existing parks as such (Policy 2(d)). Future mobile home parks shall be permitted in the areas designated "Rural" and "Rural Settlement" by a rezoning subject to criteria designed to direct these uses to suitable locations and to reduce the possibility of pollution from on-site sewage disposal systems.

To minimize the visual impact of Mobile Home Parks on abutting uses, requirements for landscaping the perimeter of the Park are set out in the Land Use by-law. Landscaping shall consist of any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, paving, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property or to provide a screen between properties in order to mitigate objectionable features between them. The landscaping shall be a specified height so as to screen the Mobile Home Park from abutting uses.

POLICY 7(a)

It is the intention of Council to permit rezoning to the Mobile Home Park (MH-1) Zone in areas designated "Rural" or "Rural Settlement" as shown on the Generalized Future Land Use Map subject to the following criteria and those listed in Policy 39:

- (i) **the proposed development is compatible with adjacent residential uses with**

respect to scale, mass and use;

- (ii) the location of the proposed development does not create any major traffic problems;
- (iii) the lot on which the proposed development is sited is adequately served by a centralized sewer system and/or central water system or if on-site services are to be used, these services are adequate for MH-1 Zone uses.

POLICY 7 (b)

It is the intention of Council to set out landscaping requirements for the MH-1 Zone in the By-law in order to minimize the impact of a park on adjacent uses.

D. Commercial (C-1) Zone

The area along the Trans Canada Highway in Aulds Cove has been designated and zoned Commercial (C-1). An extensive range of commercial uses shall be permitted in the Commercial (C-1) Zone. There are a number of residences also located in this commercial area. Council wishes to allow these existing residential uses and new residential ones by allowing all uses permitted in the R-1 Zone, except agricultural and related uses and forestry related uses, in the C-1 Zone. This will allow for residential development of all types in the areas zoned C-1, including dwelling units in the same building as commercial uses.

Industrial uses shall be permitted in the areas designated "Commercial" subject to a rezoning to the I-1 Zone. The industrial uses shall be conducted and wholly contained within an enclosed building and shall not be obnoxious by reason of sound, odour, dust, fumes or smoke.

POLICY 8

It is the intention of Council to designate one area along the Trans Canada Highway in Aulds Cove as "Commercial" as shown on the Generalized Land Use Map and to zone it Commercial (C-1), which shall allow for a variety of commercial uses as indicated in Policy 2(e). Uses permitted in the R-1 Zone except agricultural and related uses and forestry and related uses shall also be permitted in the C-1 Zone. Industrial uses shall also be permitted in the areas designated "Commercial" subject to a rezoning to the I-1 Zone.

Agriculture

Agriculture is an important and prevalent industry in the Planning Area. Most of the agricultural land is Class 2 or 3 (Soil Capability, Canada Land Inventory). This means it has good to fair capability for growing a variety of crops. Council would like to provide for existing and future agricultural uses by permitting them in the Rural (R-1) and Island (IS-1) Zones (Policies 2(a) and 2(h)). Agricultural uses except intensive livestock operations and fur farms will be permitted in the Rural Settlement (RS-1) Zone. Limited agricultural uses in the form of grazing and pasturage for livestock shall be permitted in the Conservation (CN-1) Zone. Development not associated with agricultural uses should be diverted away from these areas as much as possible.

Agricultural uses shall be permitted with a special setback requirement for intensive livestock operations and fur farms. This is done to offer some protection to adjacent uses against odour and noise. Neither intensive livestock operations nor fur farms are permitted in the Rural Settlement (RS-1) Zone, but other agricultural uses are permitted.

Intensive livestock operations are those involving the keeping of a large number of animals in a confined space. In particular, the odour from these operations can have a significant adverse effect on nearby residents. For all intents and purposes, fur farms shall also be considered

agricultural uses. The same potential for odour as in intensive livestock operations can occur from these farms. Of equal importance is the potential of these operations to pollute dug water wells. Therefore, Council shall provide some protection from these uses by requiring special setbacks, i.e. minimum side and front yards, in the Land Use By-law.

Roadside stalls associated with agricultural products are a natural extension of the agricultural use; therefore, they will be considered an accessory use and shall be permitted on the same lot as the agricultural use itself.

POLICY 9 (a)

It is the intention of Council to require special setbacks, i.e. minimum side and front yards, for intensive agricultural operations and fur farms in the Rural (R-1), Industrial (I-1) and Island (IS-1) Zones in order to mitigate any obnoxious effect of these operations on adjacent uses.

POLICY 9 (b)

It is the intention of Council to permit roadside stalls associated with the sale of agricultural products as accessory uses in the Rural (R-1), Rural Settlement (RS-1) Industrial (I-1) and Island (IS-1) Zones.

Forestry

The Planning Area is heavily forested. The management of these forests is under the jurisdiction of the Nova Scotia Department of Natural Resources. Forestry uses include but are not limited to sawmills, planer mills, storage sheds and accessory buildings. Forestry and related Uses shall be permitted in all zones except the Residential Multi- Unit (R-2), Mobile Home Park (MH-1) and

Commercial (C-1) Zones.

Special setback requirements for forestry-related uses have been established by Council to minimize the impact of noise, vibration and dust on adjacent uses. Development not associated with forestry should be diverted away from these areas as much as possible.

POLICY 10

It is the intention of Council to stipulate larger setback requirements for forestry and related uses in order to minimize the effects on adjacent uses.

Fishery

Fishery and related uses are an integral part of the economy in the Planning Area, providing employment both directly and through the secondary industries which are created. The wharves themselves are under the jurisdiction of the federal government; however, fishery and related uses include the storage and processing of the product. Council will permit fishery and related uses in the Rural (R-1), Rural Settlement (RS-1), Island (IS-1), Commercial (C-1) and Industrial (I-1) Zones, with special setback requirements to lessen the impact on adjacent land uses.

POLICY 11

It is the intention of Council to stipulate larger setback requirements for fishery and related uses in the Rural (R-1) and Rural Settlement (RS-1) Zones in order to minimize the effects on adjacent uses.

E. Industrial (I-1) Zone

Council believes that some industrial uses such as salvage and scrap yards, recycling facilities,

manufacturing, warehousing, processing and uses related to road construction should be allowed in the Planning Area. Council has provided for these uses by creating the Industrial (I-1) Zone (Policy 2(f)). Existing industrial uses shall be zoned Industrial (I-1). New industrial uses shall be permitted by a rezoning subject to criteria designed to direct these uses to suitable locations. The location of these industries should be in areas where there is the least negative impact on existing development and the environment. All uses permitted in the Rural (R-1), Rural Settlement (RS-1) and Commercial (C-1) Zones shall also be permitted in the Industrial (I-1) Zone, subject to the requirements of those respective zones. Landscaping requirements shall be established in order to enhance the appearance of industrial zones and to reduce potential land use incompatibilities.

POLICY 12

It is the intention of Council to permit rezoning to the Industrial (I-1) Zone in areas designated "Rural", "Rural Settlement" or "Commercial" as shown on the Generalized Future Land Use Map subject to the following criteria to direct these uses to suitable locations and those criteria listed in **Policy 39:**

- (a) the proposed development is compatible with adjacent uses with respect to scale, mass and use;**
- (b) the location of the proposed development does not create any major traffic problems;**
- (c) the lot on which the proposed development is sited is adequately served by a centralized sewer system and/or central water system or if on-site services are to be used, these services are adequate for I-1 Zone Uses.**

Salvage and Scrap Yards

Although salvage and scrap yards are presently not a significant problem in the Planning Area, Council recognizes the impact that they have on the adjacent land uses. Salvage and scrap yards may be permitted subject to the criteria for rezoning from a Rural (R-1) Zone to Industrial (I-1) Zone. These yards can be unsightly to adjacent land users and travellers; thus, sufficient visual screening must be placed between the yard and abutting properties. In order to mitigate conflicts, salvage and scrap yards shall comply with stricter requirements regarding screening in addition to the general ones of the Industrial (I-1) Zone.

POLICY 13

It is the intention of Council to allow salvage and scrap yards as-of-right in the Planning Area in areas zoned Industrial (I-1). They will be subject to specific visual screening requirements in addition to the general requirements of the Industrial (I-1) Zone in order to minimize their impact on abutting uses. New salvage yards shall be considered by a rezoning to the Industrial (I-1) Zone.

F. Conservation (CN-1) Zone

There are a number of fresh and saltwater marshes in the Planning Area that have been identified by the Provincial Government in the Important Freshwater Wetlands and Coastal Wildlife Habitats of Nova Scotia (1982) Map as significant. These wetlands are significant because of several reasons: their role in providing wildlife habitats, supporting marine life, acting as buffers between the land and sea, serving as flood and stream controls, protecting subsurface water resources, controlling erosion and providing recreational, educational and scientific opportunities. These areas are environmentally hazardous for development due to flooding or subsidence and marshy or unstable soil conditions. Only development related to conservation related uses such as, but not limited to, parks and nature trails shall be permitted in these areas. Agricultural uses limited to grazing and pasturage shall also be permitted. In order to facilitate access to these areas, docking facilities such as wharves and boat slipways shall also be permitted

uses.

Any existing development not related to permitted uses within the Conservation Zone shall be a non-conforming use and is subject to Sections 238 to 242 of the *Municipal Government Act*.

POLICY 14

It is the intention of Council to designate areas requiring special protection because they are significant wetlands and are hazardous for development as "Conservation" on the Generalized Future Land Use Map. This includes land that is "subject to flooding or subsidence, is low lying, marshy or unstable or is otherwise hazardous for development by virtue of its soil conditions or topography", (Section 220 (5)(p) of the *Municipal Government Act*). Permitted uses in the Conservation (CN-1) Zone shall be conservation related uses, agricultural uses limited to grazing and pasturage and boat slipways and wharves.

G. Island (IS-1) Zone

Islands are a natural feature of the Planning Area with potential for development. Because access to islands is mainly by boat, a minimum water frontage shall be stipulated in the Land Use By-law. For those islands with access by means of roads or rights-of-way, a minimum lot frontage shall apply.

Only low density residential development and commercial development of a residential nature including but not limited to rental cabins, bed and breakfast establishments and campgrounds shall be permitted. Large minimum lot areas shall be set out in the Land Use By-law in order to ensure low density development on islands.

POLICY 15

It is the intention of Council to set out in the IS-1 Zone in the By-law, IS-1 Zone requirements that promote a low density scale of residential and commercial development.

PART 5 GENERAL DEVELOPMENT PROVISIONS

A. Converted Dwellings

Converted dwellings are buildings originally built and designed as a single detached dwelling but have been converted to add additional dwelling units without an exterior alteration. Council feels that converted dwellings should be a permitted use in all Zones except the Mobile Home Park (MH-1) and Conservation (CN-1) Zones, but only to a maximum of two (2) units. The purpose of allowing converted dwellings in these zones is that their appearance is similar to that of single detached residences. Conversions also provide more flexibility for owners of single detached dwellings to create more dwelling units. Conversions to more than two units shall be considered multi-unit development and shall require a re-zoning to the R-2 Zone.

POLICY 16

It is the intention of Council to permit converted dwellings to a maximum of two dwelling units in all Zones except the Mobile Home Park (MH-1) and Conservation (CN-1) Zones provided there are no exterior alterations.

B. Home Occupations

A Home Occupation is a small business use being conducted out of a private dwelling where the residence is the primary or main use. Council does not want to deter or discourage anyone from locating a home occupation in a private dwelling or accessory building in zones where residential dwellings are a permitted use provided such uses do not become the dominant use. In the Mobile Home Park (MH-1) Zone, because of the close proximity of mobile home units, home occupations shall be limited to the mobile home unit itself and shall not be permitted in accessory buildings. Similarly, outdoor display and storage shall not be permitted for home occupations in the Mobile Home (MH-1) Zone but will be permitted in other zones subject to screening

requirements.

Council recognizes the growing economic potential of home occupations for residents in the Planning Area. However, Council is also concerned about ensuring that the character of the dwelling and the neighbourhood is preserved. To this end, home occupations shall be subject to a number of restrictions with respect to floor space, dwelling appearance, number of assistants, types of use and parking to protect against potential conflict with adjacent residential uses.

The outdoor storage and display of goods associated with home occupations may be a natural progression of the business depending on the nature of the home occupation. Council does not wish to discourage outdoor storage or display; however, such storage and display should not negatively impact the visual environment of neighbouring residents. Therefore, provisions regarding the screening of outdoor storage and display of goods associated with home occupations shall be set out in the Land Use By-law.

POLICY 17 (a)

It is the intention of Council to allow a home occupation in a dwelling or accessory building in all zones where residential dwelling units are a permitted use except in the Mobile Home Park (MH-1) Zone.

POLICY 17 (b)

It is the intention of council to allow a home occupation only within the mobile home dwelling in the Mobile Home Park (MH-1) Zone provided there is no outdoor storage or display .

POLICY 17 (c)

It shall be the intention of Council to establish requirements in the Land Use By-law for home occupations with respect to the following:

- (i) dwelling appearance;**
- (ii) number of assistants;**
- (iii) the floor area within the dwelling or accessory building that may be devoted to the home occupation;**
- (iv) the obnoxiousness of the home occupation;**
- (v) special yard requirements for home occupations involving manufacturing, industrial processing or assembly, auto body and engine repair and small engine repair which may be located in accessory buildings;**
- (vi) screening requirements for outdoor storage and open display;**
- (vii) parking;**
- (viii) signage.**

C. Illumination

Council wishes to protect the privacy of residents on abutting lots and to guard against potential traffic hazards. Therefore, outdoor illumination generated by any sign or lighting fixture will be regulated so as to be as unobtrusive as possible.

POLICY 18

It is the intention of Council to set out requirements for all Zones in the By-law that the outdoor illumination generated by any sign or light fixture be directed away from adjoining properties and roads as set out in the Land Use By-law.

D. Loading Spaces

Commercial and industrial uses may require, depending on the nature of the business, the frequent shipping, loading or unloading of persons, animals or goods. Loading spaces shall therefore be required for commercial or industrial uses with gross floor areas greater than a specified square footage as set out in the Land Use By-law in order to accommodate the loading and unloading of goods for these larger businesses. The Land Use By-law will set out provisions regarding the location and screening of loading spaces in the Rural (R-1), Rural Settlement (RS-1), Commercial (C-1) and Industrial (I-1) Zones in order to minimize the impact on adjacent uses.

POLICY 19 (a)

It is the intention of Council to require in the By-law that loading spaces be provided for commercial and industrial uses with a gross floor area greater than a specified square footage in the Rural (R-1), Rural Settlement (RS-1), Commercial (C-1) and Industrial (I-1) Zones.

POLICY 19 (b)

It is the intention of Council that the loading space provisions as set out in the Land Use By-law shall include requirements for the location and screening of such loading spaces

where they abut a residential or institutional use.

E. Minor Variance - Development

In addition to the general powers granted in Section 84(1), the Planning Act empowers the Development Officer to grant minor variances from the Land Use By-law in accordance with Section 235 of the *Municipal Government Act*. Specifically, the Development Officer may vary the percentage of land that may be built upon, the size of yards, courts and other open spaces, lot frontage and lot area in certain circumstances.

Sections 235 to 237 of the *Municipal Government Act* provide complete details on a minor variance with respect to the powers of the Development Officer and Council's powers when considering an appeal of a variance.

POLICY 20

It is the intention of Council to grant variances from the Land Use By-law in accordance with Section 235 of the *Municipal Government Act*.

F. One Main Building on a Lot

Council would like to restrict the number of main buildings on a lot to a maximum of one except for buildings in the following zones: Commercial (C-1) Zone; the Industrial (I-1) Zone; Mobile Home Park (MH-1) Zone and grouped dwellings in the Residential Multi-Unit (R-2) Zone.

More than one main building on a lot shall also be permitted on lots which contain agricultural, forestry and fishery related uses in all zones where these uses are permitted uses.

In the Island (IS-1) Zone, Council does not wish to restrict tourist opportunities in terms of rental

accommodations. Therefore, Council shall permit more than one commercial building of a residential nature, e.g. tourist cabins, in the Island (IS-1) Zone.

POLICY 21

It is the intention of Council to permit more than one main building on a lot in the following:

- (a) Commercial (C-1) Zones, Mobile Home Park (MH-1) Zones, Industrial (I-1) Zones and grouped dwellings in the Residential Multi-Unit (R-2) Zone.**
- (b) Agriculture, forestry, fishery and related buildings in all zones where these uses are a permitted use.**
- (c) Commercial buildings of a residential nature in the Island (IS-1) Zone.**

G. Open Storage

Commercial and Industrial uses in all zones where they are a permitted use may require, depending on the nature of the business, the open storage of goods. Requirements regarding the location, lot coverage and screening of the open storage shall be set out in the Land Use By-law in order to minimize the impact on adjacent lots.

In the Commercial (C-1) Zone, screening for open storage shall not be required for those commercial uses that by the nature of the business require the open storage of goods, including but not limited to auto sales establishments and greenhouses (including garden and nursery sales and supplies establishments).

All repair shops that have open storage shall require screening to a specified height in order to minimize the visual impact from abutting uses.

POLICY 22 (a)

It is the intention of Council to establish requirements in the By-law regarding the location, lot coverage and screening for open storage associated with a commercial or industrial use except for open storage in association with automobile sales establishments, boat, trailer and snowmobile establishments, building supply dealers, greenhouses (including garden and nursery sales and supplies) and mobile home sales establishments.

POLICY 22 (b)

Open Storage for all repair shops shall require screening of a specified height as set out in the Land Use By-law.

H. Parking

Although off-road parking is not a serious problem at present, Council is of the opinion that provisions should be made in the Land Use By-law requiring that new developments provide off-road parking, so that future parking problems may be kept to a minimum. These parking provisions shall apply only to new construction, whether a new building or an addition to an existing one, and not to a change in use.

When parking is provided for more than four vehicles, it is Council's objective that these parking areas are designed with safety and good traffic circulation in mind and that they do not become a nuisance to adjacent uses because of dust or illumination. To this end, the Land Use By-law shall contain special provisions including the regulation of illumination, points of access, size, and the location of parking areas serving more than four vehicles.

POLICY 23

It is the intention of Council to establish in the Land Use By-law parking standards for developments which involve the construction of a new building or an addition to an existing building in order to ensure adequate and safe parking conditions. The Land Use By-law shall also contain special provisions including the regulations of illumination, number, points and widths of access, size, and location of parking areas serving more than four vehicles.

I. Sewer and Water

Havre Boucher is the only serviced community in the Planning Area. The County supplies centralized sewage services to this area, with the treatment plant in Havre Boucher itself.

Private developers pay for the initial installation of the sewer lines. If these lines meet the Municipality's standards, they may be transferred to the Municipality of the County of Antigonish for ownership and maintenance.

On-site septic disposal field systems are used to treat sewage in areas outside Havre Boucher. The construction, installation and maintenance of these on-site systems must follow the technical guidelines of the Nova Scotia Department of the Environment.

Water in all areas is supplied by private on-site wells which individual land owners are responsible for installing and maintaining. Locating a suitable water source has been and will continue to be a problem.

Occasionally there is a request for central sewer services; however, Council has no plans for their installation, due mainly to financial constraints. Environmental and financial studies must be carried out on the feasibility for such services before installation.

POLICY 24

It is the intention of Council not to install central services in any part of the Planning Area until:

- (a) the necessary studies, such as environmental and financial studies, are performed;**
- (b) there is sufficient demand to warrant the installation; and**
- (c) the Municipality is financially capable of doing so.**

J. Subdivision and Development of Land

The Municipal Subdivision Bylaw applies throughout the Municipality. This Bylaw regulates the subdivision of land into two or more parcels. When a Municipality has adopted planning documents for an area, the lot size requirements set out in the Land Use By-law regulate the lot area and frontage requirements for subdividing land.

The Municipal Subdivision By-law for the Municipality of the County of Antigonish permit the approval of lots which abut a private road provided that:

- 1. the private road meets certain requirements as contained in the By-law; and
- 2. in areas covered by a Municipal Planning Strategy and implementing By-law, the Strategy provides for the subdivision and subsequent development of lots which abut a private road.

Council is in favour of permitting the subdivision and subsequent development of lots along both

public and private roads and in the case of islands with no roads, lots with water frontage.

For existing vacant lots having less than the minimum public or private road frontage required by the By-law but having access to a road by means of old lanes or existing rights-of-way, Council intends to also allow for their development.

Section 12 of the Provincial Subdivision Regulations allow, in certain circumstances, the limited subdivision of land where new lots lack public and private road frontage. There is no requirement under the By-law that such lots be served by rights-of-way; however, Council would like to ensure that all new lots created under **Section 12 of the Provincial Subdivision Regulations** have access, at a minimum, by means of a right-of-way. All right-of-ways shall be a minimum width to ensure adequate access to a lot.

Occasionally, situations may arise where the requirements of the Land Use By-law may preclude the subdivision of land that would otherwise be enabled under the Municipal Subdivision By-law. For example, there may be a desire or need to subdivide an existing lot containing more than one existing main building or where a building, structure, driveway, well or on-site sewage disposal system encroaches in or upon an abutting lot.

Because of the permanent nature of these development components, it may not always be possible to subdivide and meet a particular minimum lot requirement. Council, however, feels that a relaxation from the minimum lot requirements where they cannot otherwise be met as a result of subdivision pursuant to the Municipal Subdivision By-law is warranted and will establish general provisions to this effect in the Land Use By-law to apply to all lands in the Planning Area. It should be noted, however, that the Building Code may limit the distance between the lot lines and the walls of buildings and structures.

As a result of the Provincial government's municipal service exchange initiative occurring in the Spring of 1995, subdivision approval, amongst other things, became the responsibility of the

Municipality. In 1999 the Provincial Subdivision Regulations became the Subdivision By-law of the County and thus ammended to reflect the unique development of the County.

POLICY 25 (a)

It is the intention of Council to establish provisions in the Land Use By-law to enable development on lots which front upon public and private roads and island lots with water frontage.

POLICY 25 (b)

It is the intention of Council to establish provisions in the Land Use By-law to enable development on existing vacant lots having less than the minimum frontage required by this Land Use By-law but having access to a road by means of old lanes or existing rights-of-way where they shall be considered existing lots.

POLICY 25 (c)

It is the intention of Council to set out provisions in the Land Use By-law to provide for development on lots approved pursuant to **Section 12 of the Provincial Subdivision Regulations, lacking either public or private road frontage, provided they are served by rights-of-way of a suitable width.**

POLICY 25 (d)

It is the intention of Council to permit the creation of lots containing at least one existing main building from an existing area of land containing more than one such building and to permit the removal of an encroachment of a permanent development component such as a building, structure, well, driveway or on-site sewage disposal system encroaching in or

upon an immediately adjacent lot pursuant to the Municipal Subdivision By-law and to establish provisions in the By-law waiving any one or more lot requirements where they cannot otherwise be met as a result of subdivision and to issue development permits to the lots affected.

POLICY 25 (e)

It is the intention of Council to ammend, when appropriate, its Subdivision By-law to provide for more stringent provisions regarding subdivision along private roads.

K. Subdivision - Relaxation of Requirement

The Municipal Subdivision By-law contain a provision which enables the approval of a plan of subdivision which contains not more than two lots which do not meet the minimum dimensions for lot area and lot frontage provided they are at least 90% of these dimensions (Section 279 of the *Municipal Government Act*). Council recognizes this provision and will provide for the development of these lots.

POLICY 26

It is the intention of Council to permit the Development Officer to approve a plan of subdivision pursuant to Section 279 of the *Municipal Government Act*, in all zones of the Planning Area. Provisions shall be set out in the Land Use By-law to treat these lots in the same manner as existing undersized lots such that development permits may be issued for these lots.

L. Watercourses

The degradation of water quality in the watercourses of the Planning Area is an important

concern to Council. Poor water quality can be attributed to sedimentation caused by increased storm water runoff during the construction phases of development. Dirt, oils and fertilizers are also picked up by surface runoff after an area is developed. These factors combined with inefficient or non-existent on-site septic systems pose a serious threat to water quality. Steps should be taken to ensure that development occurring along watercourses is responsive to environmentally sensitive surface water conditions. Therefore, lot and structure separation distances shall be established in the Land Use By-Law in order to minimize potential adverse impacts of development on water quality.

POLICY 27 (a)

It shall be the intention of Council to prohibit the erection of any structure within a specified distance of a watercourse, except for structures related to water treatment and distribution, fishery and related uses and boat building.

POLICY 27 (b)

It shall be the intention of Council to set out in the Land Use By-Law minimum lot area requirements for any unserviced lot within seventy-five (75) feet [23 m] of a watercourse.

PART 6 USES ALLOWED IN ALL ZONES**A. Combined Residential and Commercial Uses**

Residential dwelling units within the same building as ground level commercial uses provide for mixed development and greater flexibility in housing types throughout the Planning Area. Council shall therefore permit residential dwelling units within the same building as ground level commercial uses in all zones where commercial uses are a permitted use to a maximum number of units to be set out in the Land Use By-law.

POLICY 28

It is the intention of Council to set out in the By-law provisions to permit residential dwelling units within the same building as ground level commercial uses in all zones where commercial uses are a permitted use to a maximum number of two (2) units.

B. Government Buildings and Facilities

Government buildings and facilities (Federal, Provincial and Municipal) provide an important service to the community. Council will allow them in all zones except the Conservation (CN-1) and Island (IS-1) Zones, subject to the requirements of that particular zone.

POLICY 29

It is the intention of Council to permit government buildings and facilities in all zones except the Conservation (CN-1) and Island (IS-1) Zones.

C. 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 (ie. those in transportation, communication, gas or electrical sectors) and are often faced with having to locate equipment or transmission lines in all sections of a community. Council does not wish to place unnecessary burden on these utilities; therefore, these uses shall be permitted in all zones within the Planning Area.

POLICY 30

It is the intention of Council to permit public and private utilities in all zones within the Planning Area.

D. Railway Facilities

Council does not want to place unnecessary burden on railway facilities. Therefore, to make use of existing lines and buildings, Council will allow these facilities in all zones, subject to the requirements of that zone in which the railway facility is located.

POLICY 31

It is the intention of Council to permit railway facilities in all zones subject to the requirements of those respective zones.

E. Temporary and Special Uses

Periodically, situations arise during the construction of a development where temporary uses such as scaffolds, toolsheds, construction camps including mobile homes and similar buildings or structures are required. Special uses may also be required for special occasions and holidays.

These uses should be permitted without requiring a development permit provided they are removed within a reasonable period of time.

POLICY 32

It is the intention of Council to permit the temporary use of land for construction projects or special use of land for special occasions and holidays and to set out in the Land Use By-law the period of time for the various temporary or special uses that are permitted. A development permit shall not be required for these uses.

F. Uses Associated with Gravel Pits

Presently, there are a number of both active and inactive gravel pits in the Planning Area. The extraction of gravel is not considered a use of land which can be controlled under the *Municipal Government Act*. Since the extraction of gravel cannot be controlled, Council does not wish to place any onerous restrictions on uses associated with gravel extractions such as crushers or buildings used for the storage of machinery.

POLICY 33

It is the intention of Council to allow uses associated with gravel extractions to be permitted in all zones provided they are located on the same lot as the gravel pit. These uses shall be subject to the requirements of the Industrial (I-1) Zone.

PART 7 IMPLEMENTATION

A. General

The Municipal Planning Strategy is a policy document providing the framework by which the future growth and development of the Planning Area shall be encouraged, controlled, and coordinated. Where policies address the control of land use, they must be implemented by a regulatory document, the Land Use By-law. Policies regarding subdivision of land are implemented by Municipal Subdivision By-law, or if Council desires, by the adoption of a Subdivision By-law.

Policies that identify projects or priorities for capital expenditures may be implemented through the Municipality's public works and capital improvement programs. In adopting the municipal planning strategy council does not commit itself to undertake any projects outlined but is prevented from acting in a manner which is inconsistent with the policies. (Section 217, *Municipal Government Act*)

This Municipal Planning Strategy shall be implemented by means of the powers conferred upon the Council by the *Municipal Government Act*, and other Provincial Statutes as may be applicable.

POLICY 34

It is the intention of Council that all sections of this document and all associated maps shall constitute the Municipal Planning Strategy for the Planning Area.

B. Ongoing monitoring

In addition to employing specific implementation measures it shall be the intention of Council to

maintain an ongoing monitoring and planning process through its Planning Advisory Committee.

POLICY 35

It shall be the intention of Council to require amendments to the policies and maps of the Municipal Planning Strategy in the following situations:

- (a) where the intent of any policy is to be changed;**
- (b) where the Municipal Planning Strategy is in conflict with statements of provincial interest in accordance with Section 198(2) of the *Municipal Government Act*;**
- (c) where a requested amendment to the Land Use By-law is in conflict with this Municipal Planning Strategy and there are valid reasons for the amendment;**
- (d) where a secondary planning strategy is to be incorporated into the Municipal Planning Strategy.**

C. Land Use By-law Amendments Not Requiring a Municipal Planning Strategy Amendment

The Generalized Future Land Use Map is not intended to be a precise representation of the configuration of future land use pattern in the Planning Area. Therefore, it is wise to provide some flexibility for those land uses along the boundary of future land use designations for which Strategy amendments might otherwise be required.

POLICY 36

Areas immediately adjacent to a given future land use designation on the Generalized Future Land Use Map may be rezoned to any zone permitted in the adjacent designation without a Strategy amendment provided that all other policies of the Strategy are satisfied.

D. Review of the Municipal Planning Strategy

In accordance with the *Municipal Government Act*, this Strategy may be reviewed when either the Minister of Housing and Municipal Affairs or Council feels it necessary but will be reviewed by P.A.C. annually and council every five years from the date of its last review.

Policy

It shall be the intention of Council that an annual meeting with the Planning Advisory Committee be held to discuss and review the Municipal Planning Strategy and Land Use By-law for the Eastern Antigonish Plan Area.

Policy

It shall be the intention of Council that the Municipal Planning Strategy and Land Use By-law will be reviewed when deemed advisable by Council or requested by the Minister of Housing and Housing and Municipal Affairs but in any case shall be reviewed within five years from the date of its last review.

E. Land Use By-law

The Land Use By-law is the instrument by which all the policies in this Municipal Planning Strategy dealing with land use control and development are implemented. The Land Use By-law establishes certain land use zones, identifies their location on a Zoning Map, and indicates the uses permitted and the development standards required.

POLICY 37

In accordance with the Municipal Government Act, it shall be the intention of Council to appoint a development officer for the Planning Area who shall administer the Land Use By-law and all subdivision controls if and when a subdivision by-law is adopted and shall grant development permits in accordance with the Land Use By-law (Appendix I).

F. Amending the Land Use By-law

It will be necessary, from time to time, to amend the Land Use By-law. The Land Use By-law may be amended in two ways: a change to the Zoning Map which is known as a rezoning, or a change in the text of the Land Use By-law, eg. the addition of another permitted use to a zone. All amendments, however, must conform to the policies of this Municipal Planning Strategy. Those situations for which there is provision to initiate the process of amending a Land Use By-law include the following:

- (a) a request by an individual to amend the Land Use By-law;
- (b) a motion by a member of Council to amend the Land Use By-law; or
- (c) an amendment of the Land Use By-law which implements an amendment to the Municipal Planning Strategy. In this case, the Minister of Housing and Municipal Affairs must approve the amendment.

POLICY 38

The Council, in considering an amendment to the Land Use By-law, shall comply with all requirements as provided for in the *Municipal Government Act* and this Strategy.

G. Criteria to consider when amending the Land Use By-law

Zoning and development standards are the mechanisms for implementing land use provisions detailed in this Municipal Planning Strategy. They must therefore be in conformity with the Municipal Planning Strategy. An amendment to the Land Use By-law can have significant impact on fiscal, land use and other matters in the Planning Area. With this in mind, the criteria to be used by Council when considering an amendment to the Land Use By-law are set out below:

POLICY 39

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 for the following matters:

- (a) That the proposal is in conformance with the intents of this Strategy and with the requirements of all other Municipal By-laws and regulations;**
- (b) That the proposal is not premature or inappropriate by reason of the following:**
 - (i) the financial capability of the Municipality to absorb any costs relating to the proposal;**
 - (ii) the adequacy of sewer and/or water services to support the proposal;**
 - (iii) the adequacy and proximity of school, recreation and other community facilities;**

- (iv) **the adequacy of road networks, in, adjacent to, or leading to the development and the adequacy of proposed accesses and parking facilities;**
- (v) **the potential for the contamination of abutting watercourses or the creation of erosion or sedimentation as a result of the development as determined by a qualified person from the appropriate government department;**
- (vi) **suitability of the proposed site in terms of steepness of grades, soil and geological conditions, marshes, swamps, or bogs as determined by a qualified person from the appropriate government department and proximity of highway ramps and railway rights-of-way.**

POLICY 40

In considering amendments to the Land Use By-law, it shall be the intention of Council to require the following:

- (a) **request a report from the development officer;**
- (b) **refer the matter to the Planning Advisory Committee for its recommendation with respect to the preceding Policy and any other policies of this Strategy which affect the proposed amendment.**

H. Notice to Property Owners

Upon receiving an application to amend the By-law, it is the intention of Council that property owners on abutting lots to the subject property be notified by mail with all costs

to be borne by the applicant according to provisions to be set out in the Land Use By-law.

I. Effective Date of Strategy

This Municipal Planning Strategy shall take effect when approved by the Minister of Housing and Municipal Affairs.

