



KEPPOCH BEAVER MOUNTAIN PLAN AREA

Municipal Planning Strategy



MUNICIPALITY OF THE COUNTY OF ANTIGONISH

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Chapter 1 - Introduction

1. Keppoch Beaver Mountain Planning Area

In 2003, the Municipality of the County of Antigonish acquired the former Keppoch Mountain ski hill property with the intention of reopening the facility as a multi-use, multi-seasonal recreation destination. Closed for commercial use in 1997, Ski Keppoch was a major winter destination for recreation seekers in Northern Nova Scotia. With the ski hill site, the nearby Beaver Mountain Provincial Park, active recreation trails and water bodies located in the Keppoch area, the Municipality of the County of Antigonish recognizes the potential that exists in the Keppoch Beaver Mountain planning area for year-round recreational activities. Capitalizing on this potential will promote healthy living in Antigonish County.

The Municipality recognizes a need to ensure that future recreational development in this area occurs in a way that respects existing land uses and the residential communities in this area. In order to achieve these objectives, the Municipality has adopted a Municipal Planning Strategy and Land Use Bylaw for the Keppoch Beaver Mountain Planning area. The intention of this strategy is to guide the decisions of Council with respect to the regulations of land use developments within the planning area, and to ensure that future developments are undertaken in a way that respects the natural environment, existing communities, the Municipality's commitment to healthy living, and recreational uses associated with the Keppoch Beaver Mountain Planning Area.

2. Municipal Planning

This Municipal Planning Strategy and Land Use Bylaw for the Keppoch Beaver Mountain Planning area have been prepared for the Council of the Municipality of the County of Antigonish in accordance with the provisions of the *Municipal Government Act*, Chapter 18 of the Statutes of Nova Scotia, 1998. The Act gives the Municipality of the County of Antigonish the authority to regulate land use planning and development within its boundaries, through the adoption of a Municipal Planning Strategy and Land Use Bylaw. A Municipal Planning Strategy and Land Use Bylaw is the primary vehicle for the Municipal Council to express its planning objectives. The Municipality of the County of Antigonish has a Subdivision Bylaw in effect for the entire Municipality, including the Keppoch Beaver Mountain Planning area. The Subdivision Bylaw controls the subdivision of land, and as such, contains a number of policies and objectives that pertain to land use planning.

The Municipal Planning Strategy is used by a Municipality to express its visions, goals and objectives for a defined area. In a Municipal Planning Strategy, a Municipality will outline broad policies on a number of issues and land use activities, such as residential, commercial and industrial development, transportation, recreation and the environment. The Land Use Bylaw expresses the detailed rules and regulations for the policies in the Municipal Planning Strategy and identifies how each parcel of land may be developed. The Municipal Planning Strategy and Land Use Bylaw provide a Municipality with the ability to establish locally responsive land use planning policies and development requirements.

The *Municipal Government Act* states that the purpose of a Municipal Planning Strategy is to provide statements of policy to guide the development and management of the Municipality. These statements are established to do the following:

- to address problems and opportunities concerning the development of land and the effects of development;

- to provide a framework for the environmental, social, and economic development within the municipality;
- to establish policies that are reasonably consistent with the intent of provincial interests; and
- to specify programs and actions necessary for implementing the Municipal Planning Strategy.

This Municipal Planning Strategy and Land Use Bylaw was reviewed under the guidance of the Council of the Municipality of the County of Antigonish through the Keppoch Beaver Mountain Area Advisory Committee. This committee, comprised of local residents and the councilor for District 3, gave input to the preparation of this Municipal Planning Strategy and Land Use Bylaw, in cooperation with the Municipality's planning staff.

The Generalized Future Land Use Map referred to in this policy statement is included in this document and constitutes part of this Municipal Planning Strategy. It is a graphical representation of the land use designation that is to be developed in accordance with the policies of this Strategy.

By adopting this Strategy, Council is not committed to undertake any project described herein, but it is prevented by the *Municipal Government Act* from undertaking any development within the scope of this Planning Strategy in a manner inconsistent or at a variance with the policies contained in this Planning Strategy. It is intended, therefore, that the actions of Council will reflect the priorities set out in this Planning Strategy.

3. Context

Provincial Context

The Keppoch Beaver Mountain planning area is located in the western portion of Antigonish County, near the Pictou-Antigonish County border. The planning area is approximately 210 kilometres northeast of Halifax, and approximately 55 kilometres west of the Canso Causeway.

Local Context

This Municipal Planning Strategy and Land Use Bylaw encompass approximately 3,460 hectares (8,500 acres) of land identified on the Context Map as the Keppoch Beaver Mountain planning area. The boundaries of this area are the Pictou-Antigonish County line to the west, Highway 104 to the north, the Ohio River to the east, and parcels of land owned by the Province of Nova Scotia to the south (see Zoning Map). This planning area serves the communities of Keppoch, Beaver Mountain, Beaver Meadow and Addington Forks.

To date, only small portions of the planning area have been developed, with the majority of the planning area remaining in its natural vegetated state. Development in the planning area has not been concentrated in any one area, although several clusters of development (which represent the area's traditional residential communities) can be identified. Development has consisted primarily of either residential or rural resource activities, such as forestry, agriculture and aggregate production. Commercial development in the planning area has occurred in the form of small home-based occupations, with the exception of a stockcar race track located near Exit 30 of the Trans-Canada Highway.

Natural History

With its rolling hillsides and sweeping lowlands, the Keppoch Beaver Mountain planning area represents significant natural history. The Keppoch Beaver Mountain area is a part of a much

larger landscape commonly referred to as the Pictou-Antigonish Highlands. The highlands plateau is between 30-100 metres (90-300 feet) above sea level, while the Keppoch and Beaver mountains reach an elevation of 240 metres (790 ft.). Commonly associated with its highland mountain ranges, this area also incorporates lowland areas, which historically have contained significant tree stands, waterways and wetlands. Together, these two landscape patterns give the region scenery that combines dramatic hillsides with sweeping lowland areas, which contribute to a diverse range of natural vegetation and species habitats. The area is home to a number of wildlife species commonly found throughout Northern Nova Scotia.

The natural environment of the Keppoch Beaver Mountain area has determined its past and current land uses. The region's steep hills, poor soil conditions, cold winter temperatures and regionally high levels of precipitation have served to discourage traditional rural land use practices such as raising crops for commercial distribution.

Social History

The earliest social history of the Keppoch Beaver Mountain area is associated with local Mi'kmaq peoples who used the Ohio River as a part of their migratory route between Antigonish Harbour and the Shubenacadie River, in what is now Hants County. Although historical records indicate that the Keppoch Beaver Mountain planning area was never permanently settled by the Mi'kmaq, a number of hunting and migratory trail routes were developed through the Pictou-Antigonish Highlands.

Most of the first permanent settlers to the Keppoch Beaver Mountain area arrived in the 1820s. Escaping hardships overseas, these immigrants settled in this mountainous area of Antigonish County because most of the land elsewhere in the region had already been claimed. In spite of the area's marginal soils and hilly terrain, which often made subsistence farming difficult for settlers, "The Keppoch" became a flourishing community. By the turn of the 19th century, the area's population had peaked at 64 families, with community-based infrastructure in the form of a school, church, cemetery, two post-offices, and a store.

Although many of these early settlers were able to subsist off the products of their farms and lumber operations, by the early 20th century the area's geographical distance from the commercial centres of Antigonish and New Glasgow and its distance from major fishing waters along the Northumberland Strait, contributed to a significant out-migration of residents in search of employment opportunities. By 1947, there were only a few founding families remaining in the area. Many of the abandoned farms in the area came under ownership of the provincial government and returned to their natural state. Since this time a number of individuals have moved into the area, making the Keppoch Beaver Mountain area a rural residential community where most residents either commute to work in commercial centres such as the Town of Antigonish, or operate home based businesses or farms.

Notable Land Use Developments

Despite the rural nature of this small area, a number of significant land use developments have occurred in recent decades. In 1967, the provincial government opened Beaver Mountain Provincial Park as a full service campground. The park consists of a series of trails and interpretive displays that highlight the area's natural forest species. The park currently operates as a day park with management and development control undertaken by the Province and maintenance and operational assistance provided by the Municipality of the County of Antigonish.

In 1968, Riverside Speedway opened to the public as a stockcar circuit. As host to numerous Atlantic stockcar races and events, Riverside Speedway attracted tourists from all over Northern

Nova Scotia and the Maritimes. In the summer of 2006, Riverside Speedway underwent a major upgrade to its track, pit area, grandstands and main concourse.

Over 30 years ago the Keppoch Mountain ski hill opened as a privately-managed winter recreation facility. Ski Keppoch operated as a commercial ski hill for 23 years with varying owners and degrees of success. In the 1996 ski-season there were approximately 1500 season members. The vast majority of people who used the ski hill came from Antigonish, Pictou, and Guysborough counties, as well as Cape Breton. While opened, Keppoch hosted a wide range of winter events including the Atlantic Free Style Cup, the Keppoch Kilted Race, and fundraisers for groups such as the Antigonish Early Childhood Development Association and the Canadian Cancer Society. Traditionally, all events held at Keppoch Mountain took place during the winter months. In 2003, the Municipality of the County of Antigonish assumed ownership of the ski hill site, with intentions of redeveloping it into a multi-use, multi-season recreation destination.

Chapter 2 – Public Participation and Visioning

1. The Planning Process

The Process used to develop a Municipal Planning Strategy and Land Use Bylaw for the Keppoch Beaver Mountain planning area combined technical analysis with meaningful participation from a variety of stakeholders, including Municipal Staff and Council, relevant provincial departments and agencies, residents and land owners.

Issue Identification (May - July 2006)

Background Research and Analysis

Development of Growth Options

Background Report

Public Open Houses and Presentations

Draft Policy Development (August – November 2007)

Draft Policy Development

Area Advisory Committee Meetings

Policy Recommendations (January 2007)

Draft Municipal Planning Strategy and Land Use Bylaw

Final Municipal Planning Strategy and Land Use Bylaw

Council Approval

Specific opportunities for stakeholders, residents, landowners and the general public to make suggestions and representations during this land use planning process are included below.

- The opportunity to casually discuss planning issues with the Municipality's planning staff was possible during the entire process through email, phone and visits to the office.
- Through the use of advertisements, brochures, discussions at public meetings, and informal conversations, the Municipality informed the residents and land owners of the planning area that an Area Advisory Committee would be formed to help guide the development of the Municipal Planning Strategy and Land Use Bylaw for the Keppoch Beaver Mountain planning area. A number of residents and land owners expressed interest in sitting on this committee, and seven were chosen by Municipal Planning Staff and the Councillor for District 3 to ensure that a diversity of interests was represented. The Area Advisory Committee first met on Thursday, July 20, 2006 and met regularly until the planning process was completed.
- Public open houses were held on Tuesday, June 20, 2006 from 12:00pm to 4:00pm and Wednesday, June 21, 2006 from 5:00pm to 9:00pm at the James River Fire Station in James River. These public open houses were designed as a means to share background information collected to date and seek input on priorities that should drive the preparation of the Municipal Planning Strategy and Land Use Bylaw. Issues associated with the Municipality's Keppoch Beaver Mountain Recreation Project were also presented for public review.
- A public presentation was held on Tuesday, July 11, 2006 from 7:30pm to 9:00pm at the St. Joseph's Lakeside Community Centre in St. Joseph's. The purpose of this meeting

was to present the public with an update on the land use planning process, and to gather feedback on issues that the public felt were important for the Keppoch Beaver Mountain Recreation Project and that should be addressed in a draft of the Municipal Planning Strategy and Land Use Bylaw.

- Following the completion of the final draft of this Planning Strategy and Land Use Bylaw, further public input was sought, including the statutory requirements for Public Hearing. The final draft was also posted on the Municipality's web site. This gave the public an opportunity to view the draft, and to make comments on specific details.

2. Vision for the Future

Rationale

Communities that have been successful in their planning and development efforts are those that have a shared vision for the future against which to judge their policies, programs, and actions. The shared vision can act as a 'consistency test' for every major, or seemingly minor, decision made by Council and the Administration.

Visioning as a strategic planning tool helps a community:

- Develop a greater sense of community consensus;
- Establish a long-term direction for the community;
- Set priorities; and
- Allocate responsibilities for implementation.

Vision Statement

The following vision statement was prepared based on the outcomes of public input received throughout the planning process.

The Keppoch Beaver Mountain planning area is an area which maintains a rural lifestyle, protects the integrity of the natural environment, provides opportunities to keep residents in the area, and supports planned recreational activity and related developments.

Goals

Strategic priorities for achieving the vision include:

Sustainable Growth Planning: The Keppoch Beaver Mountain Planning area needs to be a socially, environmentally and fiscally sustainable community. The development of a community that is committed to preserving its rural surroundings shall be encouraged, as will the protection of the natural environment and healthy living opportunities.

Planned Development: The Municipality of the County of Antigonish needs to ensure that future residential, recreational and commercial development occur in a way that respects the natural environment, the rural character of the Keppoch Beaver Mountain Planning area, and neighbouring land uses. Development controls are necessary to preserve the environmental and social integrity of this planning area.

Effective Public Consultation: To ensure that future development in the Keppoch Beaver Mountain planning area meets the needs and intended vision of the community, the Municipality of the County of Antigonish shall provide meaningful opportunities for public consultation and cooperation.

Chapter 3 – Land Uses

Land uses within the planning area represent a diverse make up of rural activities. Low density residential development serviced by on-site services is present mainly in the low lying portions of the planning area. Commercial development primarily takes the form of home occupations with the notable exception of the Riverside Speedway racetrack. Agricultural uses include livestock operations, cutting, pasturing, and strawberry/maple sugar farms. Natural resource activity is limited to quarrying and tree harvesting. It is the opinion of the community that this mixed development pattern is desired and should be permitted to continue. As the tourism and recreational potential of the area is realized, it is expected that recreation and tourism-related activity will increase within the planning area. In keeping with the small size of the planning area, the diverse make-up of existing rural land use patterns and the potential for future recreation and tourism-related development, the intention of Council is to establish a “Rural Activity” designation which applies to the entire planning area.

The primary intention of the Rural Activity designation is to protect the rural character of the area and the natural environment while providing a flexible framework that will permit a wide range of traditional rural land uses in addition to uses associated with recreational and tourism-related development. Uses permitted within the Rural Activity designation include low-density residential development, home occupations, personal services, agricultural uses, institutional uses, commercial uses associated with tourism, open space and park uses, recreational uses and public utilities.

Policy 3.1 It shall be the policy of Council to designate all lands within the planning area as “Rural Activity” as shown on the Generalized Future Land Use Map.

Rural Development Base Zone

To reflect the diversity of rural land uses within the planning area, Council will create a base zone, the Rural Development (RD-1) Zone, to accommodate a variety of uses. Acceptable uses within this zone include low density residential development serviced by on-site services, agricultural activity, personal services, home occupations, bed and breakfast/tourist and guest homes, institutional uses, open space and parks uses, recreational uses, public and private utilities.

1. Residential Uses

The existing form of residential development within the planning area is low density with individual lots serviced by private on-site sewer and water systems. The majority of the residential development consists of single detached dwellings and mobile or mini homes on individual lots. Most homes in this area are owned by the residents rather than rented. To respect the rural character of the area Council intends to encourage residential development of a similar nature to that which already exists. Adding an accessory apartment to a single unit dwelling will be permitted within the planning area if the water and sewer capacity needs of the unit can be met within the property boundaries.

2. Agricultural Uses

There are approximately six farms located in the planning area with a number of other residents who provide pasture lands and/or cut hay. Over the last few decades, the planning area has seen a significant amount of residential development because people are attracted to the area’s natural beauty and proximity to the Town of Antigonish. Such growth raises concerns about residential development encroaching on agricultural lands. In keeping with the provincial interest

statement on Agricultural Land, it is the intention of Council to support the agricultural use of land in the planning area.

In some areas of Nova Scotia, non-farm residents argue that the enjoyment of their property is interfered with by the noise or odour of farm operations, and in particular intensive livestock operations. While these situations currently are not notable issues in the planning area, the impact of intensive livestock operations on residents and tourists could become a problem in the future. With this in mind, it is the intention of Council to permit such operations in accordance with the Nova Scotia Agriculture *Manure Management Guidelines*.

3. Institutional Uses

As the community develops over time there may be a need for institutional uses to develop in the planning area. Institutional uses appropriate for this area as of right are elementary schools, fire halls, community centres, places of worship, and cemeteries.

4. Commercial Uses in the Rural Development Zone

Commercial development is important to the economic well-being of communities within the Municipality of the County of Antigonish. Existing commercial activity within the planning area is limited to the Riverside Speedway stock-car race track located beside Highway 104 and a few home occupations. Examples of home occupations in the area include personal service shops such as barber shops and beauty parlours; artisan workshops; artists' studios; woodworking; small scale agricultural produce sales operations; bed and breakfast establishments; neighbourhood convenience stores or professional offices; office for technicians such as plumbers and electricians and back yard mechanics who undertake minor repairs to motor vehicles and machines with small engines, for example, lawnmowers, chain saws, outboard motors and independent contracting. It is expected that with the reopening of the ski hill and the marketing of the larger area as a multi-use, multi-season recreation destination, tourism-commercial development will increase in the planning area.

In keeping with the vision and goals of this plan, future commercial development in the planning area will be limited to commercial uses permitted in the Rural Development Zone, for example, the selling of agricultural goods, home occupations, bed and breakfast/tourist and guest homes and low intensity uses associated with tourism-related commercial development and the uses listed in the Rural Development (RD-1) Zone.

The commercial establishments within the planning area generally are compatible with surrounding development. To reduce the impact of commercial development on adjacent residential development, special abutting yard requirements are established with regard to open storage and display, parking and landscaping. Commercial uses shall be subject to separate frontage and parking requirements to reflect the unique quality these developments have in the community. The rezoning criteria contained in Policy 6.3 include the consideration of landscaping/buffering to minimize impacts on adjacent residential developments, transportation safety and the effect of the proposed development on the integrity of the area. The proposed development also must meet the general rezoning criteria used for all lands within the planning area. It is the intent of Council to protect and enhance the existing characteristics of the community.

Policy 3.2: It shall be the policy of Council to establish within the Rural Activity designation a Rural Development (RD-1) Zone.

Policy 3.3: It shall be the policy of Council to permit in the Rural Development (RD-1) Zone low-density residential uses including single-unit detached dwellings, mobile or mini-homes on individual lots, two-unit dwellings including

converted dwellings, one accessory apartment for single unit dwellings, home occupations, open space and parks uses, recreational uses, institutional uses, agricultural uses including the selling of agricultural produce, public utilities, bed and breakfasts/tourist and guest homes or chalets containing no more than six (6) sleeping rooms for overnight accommodation, personal services, senior citizens' housing, institutional uses and cemeteries.

Tourism Commercial (TC-1) Zone

To direct tourism-related commercial development within the planning area, Council will permit the development of these uses within the Tourism Commercial Zone only. Tourism commercial uses permitted within the Tourism Commercial Zone as of right are campgrounds, coffee shops, craft and gift shops, existing Riverside Speedway race track, historic sites and monuments, public and private utilities, recreational uses, residential uses accessory to the main use, restaurants, retail uses associated with tourism and recreational activity, ski hill and associated retail uses, trails and similar uses. The exception to this policy is bed and breakfast/tourist or guest homes, camping and tourism-related home occupations which also are permitted within the Rural Development Zone. Although these uses are of a commercial nature, they are permitted in both zones because their intended uses are solely for short-term tourist lodging and activity and for no other commercial purpose. It is the intent of this Strategy that tourism commercial development is low intensity and has a minimal impact on neighbouring land uses. Tourism commercial uses not listed as of right within the Tourism Commercial Zone will be considered by rezoning in accordance with Criteria for Amendment to the Land Use By-law, Policy 6.3. New tourism commercial uses will be considered by way of site plan approval standards.

Policy 3.4: It shall be the policy of Council to establish a Tourism Commercial (TC-1) Zone and to direct all tourism-related commercial activity within the planning area to this zone.

Signage within the Tourism Commercial Zone should be in keeping with the rural character of the surrounding residential community. As such, restrictions to limit the size, height, location, and any noise or lighting associated with the sign will be important in achieving this goal.

Camping facilities are expected in rural recreational and tourism-related commercial development. To minimize the potential impact of such facilities on residents in the planning area, campgrounds will be limited in size and parking.

Policy 3.5: It shall be the policy of Council to permit in the Tourism Commercial (TC-1) Zone tourism commercial uses including campgrounds, coffee shops, craft and gift shops, existing Riverside Speedway race track, monuments and historic sites, public and private utilities, recreational uses, residential uses, restaurants, retail uses associated with tourism and recreational activity, ski hill and associated retail uses, and trails and similar uses.

Policy 3.6: It shall be the policy of Council to implement architectural guidelines for new buildings erected in the Tourism Commercial (TC-1) Zone in keeping with the rural recreational and ski resort aesthetic and that Council shall regulate the size, height, location, and outdoor lighting within the Tourism Commercial Zone.

Policy 3.7: *It shall be the policy of Council to consider rezoning lands to the Tourism Commercial (TC-1) Zone if the proposal is consistent with the Criteria to Amend the Land Use Bylaw, Policy 6.3 and subject to the design guidelines for development in the Tourism Commercial (TC-1) Zone, in addition to the following criteria:*

- a) the proposed use meets the TC-1 Zone standards for Commercial uses;*
- b) the proposed use abuts an existing tourism commercial use;*
- c) the height, bulk, lot coverage and appearance of any building is compatible with adjacent land uses;*
- d) the volume and nature of vehicular movements to and from the property do not conflict with existing adjacent land uses;*
- e) consideration is given to building design and the provision of barriers, berms, fences, and/or landscaping as part of the development to minimize effects on adjacent land uses;*
- f) the parking areas required on each site are of sufficient size to satisfy the needs of the particular development and are well designed and properly related to the building and landscaped areas and to adjacent public roads;*
- g) subject to site plan approval for development in the TC-1 Zone.*

Policy 3.8: *It shall be the policy of Council that future Tourism Commercial (TC-1) development is subject to site plan approval according to Section 231 of the Municipal Government Act. The said site plan approval may incorporate the issuance of variance(s). The following matters shall be incorporated into the site plan approval:*

- a) location of structures on a lot;*
- b) location of loading and parking spaces;*
- c) location, number and width of driveway access to roads;*
- d) type, location and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements necessary to protect and minimize the land use impacts on adjoining lands;*
- e) retention of existing vegetation;*
- f) location of walkways, including the type of surfacing material and all other means of pedestrian access;*
- g) type and location of outdoor lighting;*
- h) location of facilities for the storage of solid waste;*
- i) location of easements;*
- j) grading or alteration in elevation or contour of the land and provision for the management of storm and surface water;*
- k) type, location, number and size of signs or sign structures;*
- l) provision for the maintenance of any of the items referred to in this section.*

5. Natural Resource Uses

General

The commercial use of natural resources is a way of life in Nova Scotia. When managed effectively these resources have a major impact on the local economy with minimal effect on the natural environment. Natural resource activity within the planning area currently is focused on the quarrying of aggregate and the harvesting of trees. Both the harvesting of trees and the removing of minerals/aggregate from the ground are under provincial jurisdiction. As such, these land uses are not controlled through a Municipal Planning Strategy and Land Use Bylaw.

Harvesting of trees

The large stretches of land owned by the Nova Scotia Department of Natural Resources in the southern portion of the planning area are classified as C1 (resource) by the Provincial Integrated Resource Management Plan and currently are managed under a lease agreement with Stora Enso Limited. As such, Council recognizes the importance of these lands for future natural resource development within the planning area.

Within the planning area there is a limited amount of private woodlot harvesting on a small-scale. The Nova Scotia Department of Natural Resources has a variety of educational tools available to interested individuals on private woodlot management. The effective management of private woodlots reduces the negative impact on the environment for such things as species-at-risk habitat protection, erosion and sedimentation, esthetics, and water quality.

6. Parks and Open Space Uses

Parks and publicly accessible natural open spaces are an important component of the planning area. Beaver Mountain Provincial Park is the only park in the area at this time; however, as the recreation area concept develops additional parks may be created in the future.

Policy 3.9: *It shall be the policy of Council to establish a Natural Resource/Park (NRP) Zone which applies to all lands owned by the Nova Scotia Department of Natural Resources classified as General Resource (C-1) by the Provincial Integrated Resource Management Plan.*

Policy 3.10: *It shall be the policy of Council to permit within the NRP zone the following and similar types of uses: accessory uses to a beach including changing rooms and washrooms; boardwalks and nature interpretation stands; camping facilities; canteens; conservation projects; information stands; picnic areas and related facilities; recreational uses; wharfs and docks.*

Policy 3.11: *It shall be the policy of Council to recognize the important impact the commercial use of natural resources has on the local economy and to encourage the sustainable management of natural resources in conformance with environmental standards within the planning area.*

Policy 3.12: *It shall be the policy of Council to encourage the use of Nova Scotia Department of Natural Resources educational tools among private woodlot owners within the planning area.*

Policy 3.13: *It shall be the policy of Council to have no minimum lot requirements for developments in the Natural Resource/Park Zone.*

Chapter 4: Environment, Quality of Life and Recreation

1. Environment

General

The protection of the natural environment is one of the guiding principles of this plan and residents place a high value on the natural beauty and pristine conditions in the area. Long term planning must take into consideration natural processes and environmental considerations such as wetlands, significant animal habitats, and species-at-risk. In future a higher level of awareness and understanding of the sensitivity and interdependence of these vital natural systems must be reflected in the land use and management decisions of all those who utilize and depend on these systems.

To maintain the high-quality residential nature of the area and in order for tourism and recreational development to succeed over the long-term, the integrity of the natural environment must be protected. As such, Council must play a leadership role in promoting more effective and responsible stewardship of our natural environment.

Policy 4.1: It shall be the policy of Council to make the protection of the natural environment a high priority when directing future development in the planning area.

Fresh Water Resources

Water, a limited and precious resource, plays a vital role in the planning area. Protection of this resource for potable water supply, wildlife habitat, recreational enjoyment, and aesthetic value is important.

Policy 4.2: It shall be the policy of Council to make the protection of fresh water resources a high priority when directing future development in the planning area.

Groundwater

Within the planning area, residents and landowners are dependent on groundwater resources for their water supply. As this area is not serviced by the municipal water delivery system, these groundwater resources are tapped by private on-site wells. Aquifers, the primary place groundwater is stored, have three primary roles: as a natural reservoir for the storage of water resources, as a natural filter for improving water quality, and as a vital component of hydrological processes which work to maintain the natural water balance in the region. In order to meet the needs of users, the water must be available on location at a certain quality and quantity. To ensure availability, groundwater should be treated as a limited and sensitive renewable resource.

Policy 4.3: It shall be the policy of Council to encourage the sustainable use of groundwater resources within the planning area and the maintenance of the natural water balance through controlled development.

Watercourse Buffers

Retaining riparian buffers (vegetated setbacks) along watercourses is important for the protection of water quality, wildlife and the protection of property from natural hazards of flooding. In addition to the functions of flood regulation, riparian buffers reduce the impacts of sedimentation, erosion and nutrient loading on watercourses, regulate the temperature of

adjacent watercourses, provide important wildlife habitat and add aesthetic value to the planning area.

The Nova Scotia Department of Natural Resources has established general guidelines for riparian buffers which are recognized in the Land Use Bylaw for the planning area. These setbacks are considered adequate for stream bank stability, water temperature regulation and aesthetic value. They also provide minimal protection of wildlife, flood mitigation, and partial benefits for sediment removal.

To maximize the protection benefits of riparian buffers, trees, shrubs, ground cover vegetation and soils must be protected. Retaining native vegetation and native soils enhances runoff storage capacity, infiltration, and nutrient recycling. The canopy should also be retained over watercourses, soil erosion should be prevented, and activities or land uses which introduce nutrients or contaminants into watercourses need to be excluded.

Policy 4.4: It shall be the policy of Council to encourage the retention of 100-foot riparian buffers along all watercourses and wetlands throughout the planning area to protect the chemical, physical and biological functions of freshwater resources. The bylaw generally shall prohibit all development of buildings within the riparian buffer but provisions shall be made to permit boardwalks and walkways, cairns, fences, docks, public roads, small-scale accessory buildings or structures (eg. kiosk for interpretive information or nature observation deck), trails, parks on public lands, boat ramps, conservation uses and historical sites and monuments within the buffer where it can be demonstrated that the alterations can be made without adversely affecting the watercourse. In addition, no alteration of land levels or the removal of vegetation in relation to development will be permitted.

Wetlands

Within the Planning area there are a number of small fresh water wetlands and one large significant wetland. Wetlands and other watercourses are vital components of the hydrological cycle and affect the quality and quantity of groundwater. Wetlands act as natural filters for removing sediment, contaminants and excessive nutrients which are drawn up by the vegetation and settle out naturally before entering groundwater. They absorb peak storm water flows, reducing the risk of flooding downstream while offsetting groundwater extraction to reduce the risk of wells running dry. Wetlands also provide habitat for fish and wildlife and provide opportunities for education and research. Moreover, wetlands are also unsuitable for development as they pose a hazard for the stability of structures. Conversely, they do enhance the overall aesthetics of a community. Therefore, the protection of wetlands is essential.

Policy 4.5: It shall be the policy of Council to discourage excavations, infilling, or other alteration, including removal of trees or other vegetation for development, of any wetland within the planning area. Development within any wetland is limited to the placement of boardwalks and walkways, conservation uses, and historic sites and monuments where it can be demonstrated that the alterations can be made without adversely affecting the wetland.

Development on Steep Slopes

Development and logging on steep slopes can lead to increased erosion resulting in sedimentation in streams. Erosion has a negative effect on stream water quality and fish habitat. In addition, development on steep slopes can result in structural problems, increased instability of the hillside, and unsafe roads.

Policy 4.6: *It is the policy of Council to discourage development and logging in areas with extreme slopes (>20%) as outlined on the ESA map and in the Land Use Bylaw.*

Significant Habitats

The planning area is home to a number of wildlife species commonly found throughout Northern Nova Scotia. The area's mountains and watercourses provide habitats for a variety of migratory and permanent species including white tailed deer, the mainland moose, foxes, beavers, black bears and other large carnivores. The area's lakes and rivers typically are populated by rainbow trout, although perch and salmon also can be found.

Significant habitats within the planning area are identified on the Significant Species and Habitats Database maintained by the NS Department of Natural Resources. In addition to wetlands, significant stands of unique forests, and riparian buffer zones, which act as significant habitat for multiple species and all are addressed separately, two types of animal specific significant habitats are identified: deer wintering grounds and loon nesting areas. These habitats are identified on the Environmentally Sensitive Areas Map included in the Land Use Bylaw.

Policy 4.7: *It shall be the policy of Council to discourage development in deer wintering habitat and loon nesting areas identified within the Planning area as seen on the ESA map.*

The Planning area contains a number of stands of unique forests on private and Crown-owned land. These stands of unique forests act as significant habitat for a variety of species. While Council cannot prevent the harvesting of trees, in keeping with the vision and goals of this Strategy, it can voice its concern over the destruction of significant habitats.

Policy 4.8: *It shall be the policy of Council to discourage the cutting of stands of unique forests as identified on the ESA map.*

Policy 4.9: *It shall be the policy of Council to encourage the provincial government to develop policies designed to protect stands of unique forests in Nova Scotia.*

Species of Concern

Within the planning area there are three species of particular concern. The highland regions of the planning area are considered moose habitat. Mainland Moose are listed as 'Endangered' under the Nova Scotia *Endangered Species Act*. The Nova Scotia *Endangered Species Act* provides provisions and regulations for the protection and the development of a management or recovery plan for species listed in it. The Ohio River and St. Joseph's Lake are habitat for the Wood Turtle. This species is listed as 'Vulnerable' under the *Endangered Species Act*. The largest of the Cameron Lakes is considered loon nesting habitat. While the common loon is not protected under the *Endangered Species Act* it is identified as a yellow species (sensitive to human activities or natural events) by the NS Department of Natural Resources. Biodiversity is an important element of a healthy natural environment and as such, Council will take steps to protect species of concern in this area.

Policy 4.10: *It shall be the policy of Council to promote the protection of habitat for species of concern within the planning area and to work with the Nova Scotia Department of Natural Resources Regional Biologist to reduce the impact of development on these species.*

Air Quality

Apart from dust, air pollution has not been a major problem in the planning area to date. However, with the expected increase in traffic on the area's dirt roads as the recreational potential of the area is realized and the possible continuation of industrial activities close to recreation areas, it may become a concern in the future. In addition, with increased tourism traffic in the Planning area, outdoor burning must be closely regulated. If in the future air quality concerns are such that Council is required to take action, options for addressing these concerns will be considered at that time.

2. Quality of Life

Through public meetings, open houses, and discussions with residents of the Keppoch Beaver Mountain planning area, residents of the area have stated that they value their current quality of life and wish to see it protected and enhanced through proper land use planning policies. Through this process they have raised several issues which they believe are important to maintaining this quality of life. These issues include noise levels, public roads, illumination, electronic communication, and community development. By addressing these issues through land use planning policies, it is hoped that future land use developments will respect and enhance the quality of life enjoyed by residents of the planning area.

Noise

Excessive noise pollution is something that can negatively impact the quality of life in the Keppoch Beaver Mountain planning area. The Municipality of the County of Antigonish has adopted a Noise Control Bylaw for the Antigonish County Fringe planning area. This bylaw governs noise control in this planning area, and provides regulations on matters such as acceptable noise levels, hours of operations and special event exceptions, among others. If unreasonable noise pollution becomes a problem in the Keppoch Beaver Mountain planning area in the future, Council may wish to adopt a similar Noise Control Bylaw for this planning area.

Policy 4.11: It shall be the policy of Council to consider at a future date, adopting a Noise Control Bylaw for the Keppoch Beaver Mountain planning area to implement locally responsive noise control requirements.

Public Roads

Within the Keppoch Beaver Mountain planning area there are several paved and unpaved public roads. Although some sections of these roads are in good repair, there are several sections that are in need of attention. In order to provide for the safety of residents, landowners and visitors, efforts must be taken to ensure that these roads are in good repair.

Policy 4.12: It shall be the policy of Council to lobby the Department of Transportation and Public Works to investigate methods of improving the safety of all roads within the Keppoch Beaver Mountain planning area.

Illumination

Outdoor illumination in the Keppoch Beaver Mountain planning area should be as unobtrusive as possible. It is important to protect the privacy of residents adjacent to non-residential uses and to ensure that potential traffic hazards are not created.

Policy 4.13: It shall be the policy of Council to establish requirements to minimize the impacts of any outdoor illumination on adjoining properties and adjacent roads. These standards may vary from zone to zone.

Electronic Communication

In today's world, high speed forms of electronic communication allow users in rural areas to shop, operate home occupations, educate themselves and communicate with friends and family. Currently, the Keppoch Beaver Mountain planning area is serviced by cellular communication signals, allowing residents and visitors to communicate with each other and people elsewhere through remote cellular phones. However, the planning area is not serviced by high speed internet connections, which limits residents and businesses to dial-up internet connections through telephone service providers. Efforts have been made in recent years by all levels of government throughout Canada to expand high speed internet connections to rural areas, in order to provide residents and business owners with more efficient means of communication. As such, the Municipality of the County of Antigonish would like to see cellular phone services continue in the Keppoch Beaver Mountain planning area. The Municipality and residents of the planning area would also like to see high speed internet services expanded to cover the planning area.

Policy 4.14: It shall be the policy of Council to encourage the provision of high speed internet services to the Keppoch Beaver Mountain planning area.

Policy 4.15: It shall be the policy of Council to encourage cellular phone service providers to continue to supply coverage to the Keppoch Beaver Mountain planning area.

Community Development

Throughout the public consultation process of this Strategy's development, the residents of the Keppoch Beaver Mountain planning area have continually raised the issue of community development through an increase in services and local employment opportunities, as well as, recreational and social facilities. An example of this sort of community development is the newly opened St. Joseph's Lakeside Community Centre, which provides social and recreational opportunities, and instills a sense of community pride for area residents. The Municipality of the County of Antigonish would like to encourage developments of this nature throughout the Keppoch Beaver Mountain planning area.

Policy 4.16: It shall be the policy of Council to support initiatives for locally generated employment, recreational facilities and low intensity tourism-related commercial activities that will benefit the community in the long term.

3. Recreation

General

Active recreation opportunities lead to an improved quality of life, promote a healthy lifestyle, and foster an appreciation for the natural environment. Recreation is a central aspect of this Strategy and represents important future development potential for the planning area. With this in mind, recreational uses are permitted throughout the planning area.

Policy 4.17: It shall be the policy of Council to permit recreational uses in all zones within the planning area.

Parks and Open Space Uses

General

Parks and publicly accessible open spaces are accessed by the residents of the planning area and the general public for a variety of purposes including hiking, cross-country skiing, picnicking, environmental education, and community events. Beaver Mountain Provincial Park currently is the only park in the area and will be a focal point for future recreation activity. The development of additional parks and the protection of publicly accessible open spaces would be an asset to the planning area.

Policy 4.18: It shall be the policy of Council to promote Beaver Mountain Provincial Park as a focal point for recreational activity.

Policy 4.19: It shall be the policy of Council to encourage the development of additional parks and the protection of publicly accessible open spaces within the planning area.

Off-Highway Vehicles

Although Beaver Mountain Provincial Park generally is used in a lawful manner, there have been problems in the past with off-highway vehicle traffic in the park. The use of these vehicles within park boundaries has resulted in trail damage, higher rates of erosion, and increased noise. The use of off-highway vehicles also presents problems for multi-activity trail use.

Policy 4.20: It shall be the policy of Council to discourage the use of off-highway vehicles within the NRP Zone.

Trails

Trails incorporate a range of active recreation uses and are a good way for people to experience the beauty of the area and to lead a more healthful lifestyle. The development of a trail network in the planning area is a priority of the Municipality of the County of Antigonish. Trail development in the area will build on existing trails and will incorporate a variety of uses. It will also see better signage and maps illustrating trail options. The development of a trail network likely will increase the number of trail users accessing this area in the future. As such, trail development must be sensitive to residential and environmental considerations. With this in mind, off-highway vehicle use of the trails should be planned carefully with trails designed for motorized use avoiding environmentally sensitive areas and not coming within 250 metres (820 ft.) of residential homes and privately-owned agricultural land. In addition, a trail management plan needs to be developed to incorporate the multi-use nature of these trails.

Policy 4.21: It shall be the policy of Council to direct trail development for off-highway vehicles away from residential and environmentally significant areas. Trails used by off-highway vehicles should not be developed within 250 metres (820 ft.) of a residence or privately-owned agricultural land.

Policy 4.22: It shall be the policy of Council to develop a trail management plan to reduce conflicts among uses on the trail network within the planning area.

Future recreational development in this area may include the development of trails on land owned by the province or on private land. In both cases, the permission of the landowner is required and liability issues must be addressed. If trail development on Crown and private property occurs, the potential exists for the use of easements and tree buffers along trail routes. These easements and buffers maintain the wilderness experience along trail routes while directing additional land uses to other areas of the property.

Policy 4.23: It shall be the policy of Council to work with the Nova Scotia Department of Natural Resources and private property owners to support the development of easements and tree buffers along trail routes.

Healthy Living

Incorporating active recreation options into future development in the planning area will provide opportunities for residents and tourists in the area to pursue a healthful lifestyle. In order to maintain the rural character of the planning area, it is important that the development of active recreation facilities is well planned and appropriate to the surrounding area.

Policy 4.24: It shall be the policy of Council to support the development of active recreation opportunities within all zones of the planning area.

Policy 4.25: It shall be the policy of Council that active recreation facilities are developed in a way that is sensitive to neighbouring land uses and the capacities of transportation and on-site water and sewer systems.

Chapter 5 – General Policies

1. Municipal Services

Water Collection and Sewage Disposal

The Keppoch Beaver Mountain area currently is not serviced by municipal water and sewer system, because of its geographical distance from municipal water and sewage treatment systems, and the area's low density pattern of residential development. Providing this area with municipal water and sewage services would place an unreasonable financial burden on local landowners and the Municipality at this time. For this reason area residents and business owners utilize onsite water collection and sewage disposal systems. As this area is developed in the future, measures will need to be taken by the Municipality to ensure that local residents and business owners can safely continue to utilize onsite water and sewage systems without placing an excessive burden on the water balance by future developments.

Policy 5.1: It shall be the policy of Council to monitor new development within the planning area to ensure the adequacy of the water balance to service future onsite water collection and sewage disposal systems.

Policy 5.2: It shall be the policy of Council to monitor new development within the planning area, and to review the possibility of extending municipal water and sewage systems to the planning area if the need arises.

2. Protective Services

Police Protection

The Municipality of the County of Antigonish utilizes the Royal Canadian Mounted Police (RCMP) for police protection for the residents of the Municipality including the Keppoch Beaver Mountain planning area. The detachment is located in the Town of Antigonish. Backup detachments are located in Stellarton, Pictou County, Port Hawkesbury, Inverness County and Guysborough, Guysborough County.

Policy 5.3: It shall be the policy of Council to continue using the RCMP to provide police protection to the Keppoch Beaver Mountain planning area.

Fire Protection

The Keppoch Beaver Mountain planning area is serviced by the Antigonish County Volunteer Fire Department, which exists as a system of small volunteer branches. The nearest branch of the Antigonish Fire Department to the planning area is the James River Volunteer Fire Department, located in James River, Antigonish County. The James River Volunteer Fire Department is located outside of the planning area, on the north side of Highway 104. The station consists of one truck and other related equipment. This department is the first to respond to fire emergencies within the planning area, with backup provided by other volunteer fire departments located elsewhere in the Municipality.

Policy 5.4: It shall be the policy of Council to continue to support the Antigonish County Volunteer Fire Department in providing fire protection services to the Keppoch Beaver Mountain planning area.

Policy 5.5: It shall be the policy of Council to hold annual discussions with members of the Antigonish County Fire Department. These discussions shall include but shall not be limited to the needs of the department in relation to

manpower, equipment and its ability to service the Keppoch Beaver Mountain planning area.

3. General Policies

Public and Private Utilities

Public and private utilities provide essential communication, electrical, transportation and water services to residents and landowners, and often have to place equipment or transmission lines in all areas of a community. In order not to place undue hardships on these utilities, Council will permit these uses in all zones within the planning area, with the exception of lands zoned as Natural Resource/Park (NRP) Zone. Currently, an electrical utility corridor runs through the Beaver Mountain Provincial Park. Although it provides residents and landowners with an important service, this electrical utility corridor negatively affects the scenery and natural integrity of the park. Council is of the opinion that future public and private utilities in the planning area should not be placed in parks.

Policy 5.6: It shall be the policy of Council to permit public and private utilities in all zones within the planning area except in areas zoned as Natural Resource/Park (NRP), and to require a development permit for any such use.

Government Buildings and Facilities

It is difficult to determine where in the Keppoch Beaver Mountain planning area government buildings and facilities may be needed in the future. Council is of the opinion these uses should be permitted within any zone of the planning area to ensure essential services are provided to the local population and the travelling public in the most efficient and convenient manner. The provincial government currently owns the Beaver Mountain Provincial Park, in addition to a number of parcels of land through the Department of Natural Resources.

Policy 5.7: It shall be the policy of Council to permit government buildings and facilities in all zones within the planning area.

Parking

In general, off-road parking is not a problem in the Keppoch Beaver Mountain planning area. However, activities associated with the James River Speedway racetrack and a re-opened Keppoch Mountain ski hill may create problems in the future. Council is of the opinion that provisions should be contained in the Land Use Bylaw requiring individual developments to provide onsite parking.

Policy 5.8: It shall be the policy of Council to establish in the Land Use Bylaw parking standards for all developments within the Keppoch Beaver Mountain planning area.

Signs

While signs customarily are in place for a variety of safety issues, signage size and location have not been issues in the Keppoch Beaver Mountain area. Council is of the opinion there should be controls placed on the size and location of signs for developments located in areas zoned as Tourism Commercial (TC-1) only. However, if circumstances change, consideration will be given to amending the Land Use Bylaw to include a section pertaining to signage.

Policy 5.9: *It shall be the policy of Council to consider at some future date, amendments to the Land Use Bylaw, which will establish a requirement for the appropriate size, number and placement of signs within the planning area.*

Subdivision of Lots for Cairns, Monuments, Wharves, Trails and Other Similar Uses

It is the opinion of Council that the creation of cairns, monuments, wharves, trails and other similar uses should be exempt from minimum lot requirements within each zone. Such lots will not be used for human habitation and will not be eligible for an onsite sewage disposal system. The maximum lot area for such lots shall be 465 square metres (5005 square feet).

Policy 5.10: *It shall be the policy of Council that the creation of cairns, monuments, wharves, trails and other similar uses shall be exempt from minimum lot requirements within each zone. Such lots will not be used for human habitation and will not be eligible for an onsite sewage disposal system. The maximum lot area for such lots shall be 465 square metres (5005 square feet).*

Swimming Pools

Private swimming pools are common in the Municipality of the County of Antigonish. These pools are usually constructed in conjunction with a home and usually are designed along with the landscaping of the property. The Municipality of the County of Antigonish adopted a Swimming Pool Bylaw on February 16, 1988. This Bylaw provides development requirements for all swimming pools in the Municipality.

Policy 5.11: *It shall be the policy of Council to permit swimming pools as accessory uses to any residential or tourism commercial use.*

Policy 5.12: *It shall be the policy of Council to continue to support the Municipality's Swimming Pool Bylaw.*

Temporary and Special Events

Temporary uses are considered to be those uses which are associated with construction projects. Depending on the size of the project, most medium to large scale projects require onsite construction sheds, offices, sales facilities or even storage buildings associated with the development. These uses are considered normal components of the construction industry and Council does not intend to restrict their use within the planning area. Council will require that a temporary use be removed from the site shortly after the project is completed.

Special events uses refer to signs, banners, display booths, and other associated structures that are used during festivals, community gatherings and special ceremonies. Council permits these uses in the planning area on a short-term basis, as defined in the Land Use Bylaw. Council will require that special event structures related to the use be removed once the special event has concluded.

Policy 5.13: *It shall be the policy of Council to allow for special uses and structures such as banners, signs, display booths and other similar structures in the planning area that are used in conjunction with a festival, celebration or other special events. Council will require that such special uses or structures be removed within a specific time frame. A development permit shall be required for a special use.*

General Development Standards

The Land Use Bylaw contains development standards that pertain to physical development within the planning area. These standards are intended to provide for orderly and safe development while at the same time achieving an optimum use of Municipal Services.

Policy 5.14: It shall be the policy of Council to establish in the Land Use Bylaw the following land or development standards to promote orderly and safe development:

- ***minimum lot size requirements, minimum yard requirements and maximum height restrictions for each zone; these standards may vary from zone to zone;***
- ***parking requirements which may vary according to the proposed use of land;***
- ***parking lot requirements which, for pedestrian and vehicular safety reasons, shall include provisions with respect to the size, number and location of driveway accesses and the deflection of illumination of the parking lot away from adjacent lands;***
- ***provisions respecting temporary buildings, temporary uses and special occasions; and***
- ***provisions for the operation of a home occupation.***

Chapter 6 – Implementation

1. General

The Municipal Planning Strategy for the Keppoch Beaver Mountain planning area is the primary policy document providing the framework by which the future growth and development of the planning area shall be encouraged, controlled and coordinated. The policies in this Strategy can be assessed on the basis of their general acceptance by the residents of the planning area and by the means and feasibility of implementation. Implementation is achieved through the powers of Council as provided in the *Municipal Government Act*, and the adoption of bylaws and programs designed to ensure that Council's intentions for high quality development are effective. The Land Use Bylaw is the principal document used to implement the policies in this Strategy. Another document that may implement some of the policies is the Municipality's Subdivision Bylaw.

Policy 6.1: *In addition to employing specific implementation measures, it shall be the policy of Council to maintain a program of ongoing planning through its Planning Advisory Committee. Such a program shall include aspects of public information and participation, and various further studies respecting such matters as the drafting or revision of municipal bylaws that deal with planning issues, and any other issues that Council may suggest.*

Policy 6.2: *In order that development control decisions be based on expert advice beyond that which the Planning Advisory Committee is able to supply, it shall be the policy of Council to circulate applications for amendment of the Land Use Bylaw to the Eastern District Planning Commission and provincial government agencies such as the Department of Transportation and Public Works, Department of Agriculture and Department of Environment and Labour for their information and comment as may be required.*

2. Generalized Future Land Use Map

See Appended Map

The Generalized Future Land Use Map illustrates the desired future land use within the planning area recommended by the Strategy. This map includes the following designation:

Rural Activity – This designation permits low-density residential development, home occupations, personal services, agricultural uses, institutional uses, commercial uses associated with tourism, open space and park uses, recreational uses and public utilities.

3. Land Use Bylaw

The principal mechanism by which land use policies are implemented is through the Land Use Bylaw. The Land Use Bylaw will set out zones, permitted uses, and development standards within the zones and in so doing shall reflect the policies and intentions of the Keppoch Beaver Mountain Planning Strategy (as required by the *Municipal Government Act*).

A. Criteria for Amendment to the Land Use Bylaw

Policy 6.3: *In considering amendments to the Land Use Bylaw, in addition to all other criteria as set out in various policies of this strategy, Council shall have regard to the following matters:*

- *That the proposal is in conformity with the intent of this strategy;*
- *That the proposal is not premature or inappropriate by reason of:*
 - *The financial capability of the community to absorb any costs relating to the development;*
 - *The adequacy of services and utilities, or the adequacy of physical site conditions for private on-site sewer and water systems;*
 - *The adequacy and proximity of school, recreation, and any other community facilities;*
 - *The adequacy of road networks in, adjacent to, or leading to the development;*
 - *The potential for the contamination of watercourses or the creation of erosion or sedimentation;*
- *That adequate requirements are contained in the Land Use Bylaw to reduce conflict between the development and any other adjacent land use by reason of:*
 - *Type of use;*
 - *Emissions including air pollutants, water pollutants and noises;*
 - *Height, setback and lot coverage of the proposed building;*
 - *Open storage;*
 - *Signs;*
 - *Landscaping/buffering;*
 - *Similar matters of planning concern;*
 - *Suitability of the proposed site in terms of steepness of grades, and/or location of watercourses is based on appropriate technical advice.*

B. The Process of Amending the Land Use Bylaw

The Keppoch Beaver Mountain planning area Land Use Bylaw is designed to implement this Planning Strategy. It is expected that the Land Use Bylaw will be amended from time to time, although in conformity with the Municipal Planning Strategy.

Examples of situations that might create a need to amend the Land Use Bylaw include:

- A request by an individual to have the Bylaw amended (e.g. a map amendment or text amendment);
- A motion by a member of Council to amend the Bylaw; or
- A change in the Strategy.

Should Council consider amending the Land Use Bylaw, 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 6.4: *In considering amendments to the Land Use Bylaw, it shall be the policy of Council to:*

- *Request a report from the Eastern District Planning Commission;*
- *Request the Planning Advisory Committee to consider the report prepared by the Eastern District Planning Commission with respect to Policy 6.3 (Criteria for Amendment to the Land Use Bylaw), and any other policies of this strategy which affect the proposed amendment or development agreement;*
- *Refer the matter to the appropriate individual government departments (including but not limited to the Department of Agriculture and/or the Department of Environment and Labour), where special expert advice, such as an Agricultural Impact Study or an Environmental Impact Assessment, is required;*
- *Comply with all legal requirements concerning amendments to the Land Use Bylaw as set out in the Municipal Government Act; and*
- *Require the applicant to pay the cost for advertising with respect to public notice as provided for in the Municipal Government Act.*

4. Uses Subject to Site Plan Approval

Any development located within the Rural Development (RD-1) and Tourism Commercial (TC-1) Zones as shown on Schedule "A", the zoning map, other than single family and two-unit dwellings, shall be subject to site plan approval.

Policy 6.5: *Any future development located in the Rural Development (RD-1) Zone or the Tourism Commercial (TC-1) Zone, aside from single family and two-unit dwellings, shall be subject to site plan approval.*

5. Variances from the Bylaw

Policy 6.6: *In addition to the general powers granted to the Municipality in the Municipal Government Act, the Act also empowers the development officer to grant "variances" from the Land Use Bylaw. Specifically, the development officer may vary the percentage of land that may be built on, the size of the yards, courts and other open spaces, lot frontage, and lot area. In the event that a development officer grants a variance, he or she must serve notice of this action in accordance with the Municipal Government Act, and his or her action may be appealed to Council by anyone served with such notice.*

6. Subdivision Control

The subdivision of land in the Municipality of the County of Antigonish is presently controlled by a Subdivision Bylaw that was adopted by Council on January 18, 2006 and approved by the

Minster of Municipal Affairs on January 18, 2006. The Bylaw applies to all subdivision of land within the Municipality. At present the Bylaw contains a provision that allows for the creation of private roads. Private roads in the Keppoch Beaver Mountain planning area are subject to the County of Antigonish Subdivision By-law, Part 5B.

Policy 6.7: *It shall be the policy of Council through the development officer to administer the Subdivision Bylaw.*

Policy 6.8: *It shall be the policy of Council through the development officer to administer the Subdivision Bylaw to eliminate the provision for the subdivision of land to occur on private roads in the Municipality and in particular in the Keppoch Beaver Mountain planning area.*

7. Other Municipal Bylaws

Policy 6.9: *It shall be the policy of Council to review from time to time and, when necessary, amend its Municipal bylaws to reflect the intentions of this Planning Strategy.*

8. Building Inspector

Policy 6.10: *It shall be the policy of Council to continue the services of the Building Inspector employed by the Eastern District Planning Commission, whose duty it will be to enforce the Municipal Building Bylaw.*

9. Strategy Amendments

Policy 6.11: *Chapters 1 to 6 of this Planning Strategy and all associated maps constitute the official Municipal Planning Strategy for the Keppoch Beaver Mountain planning area. An amendment to this strategy shall be required:*

- *Where any policy intent is to be changed;*
- *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; and*
- *Where detailed area or functional strategies are desired to be incorporated into this strategy.*

Policy 6.12: *Strategy amendments shall require the approval of the Minister of Municipal Affairs and shall be carried out in accordance with the provisions of the Municipal Government Act.*

10. Planning Strategy Review

In accordance with the *Municipal Government Act*, this strategy may be reviewed either when the Minister of Municipal Affairs or Council deems it necessary.