

# West Richmond Planning Area

(Point Tupper, Port Malcolm, Port Richmond)

## Municipal Planning Strategy

Municipality of the County of Richmond

Recommended for Approval – AAC 17 April 2000

Recommended for Approval – PAC 18 April 2000

Second Reading – Council 29 May 2000

Effective Date – 30 June 2000

## Table of Contents

<b>Section 1: Introduction</b> .....	<b>1</b>
<b>Section 2: Land Use Policies</b> .....	<b>2</b>
Industrial Development .....	2
Light Industrial .....	2
Port Industrial .....	3
Heavy Industrial .....	4
Watershed Protection .....	4
Residential Development .....	5
<b>Section 3: General Policies</b> .....	<b>7</b>
Signs .....	7
Public and Private Utilities.....	7
Government Building and Facilities.....	7
Parking .....	7
Temporary Uses .....	8
<b>Section 4: Implementation</b> .....	<b>9</b>
General .....	9
Generalized Future Land Use Map .....	9
Land Use By-law.....	9
Criteria for Amendment to the Land Use By-law .....	9
Amending the Land Use By-law .....	10
Development Officer.....	13
Minor Variances .....	13
Subdivision Control.....	13
Other Municipal By-laws .....	13
Building Inspector .....	14
Strategy Amendments .....	14
Actions Not Requiring A Strategy Amendment.....	14
Strategy Review .....	14

## Section 1: Introduction

This Municipal Planning Strategy for the West Richmond Plan Area, located within the Municipality of the County of Richmond, has been prepared according to the provisions of the *Municipal Government Act*. This Plan Area serves the area including Point Tupper, Port Malcolm, and Port Richmond. The Municipal Planning Strategy is a planning document which details the methods and procedures adopted by Council for the purpose of guiding development and land use activities.

Richmond County's vision is for suitable industrial related activity to occur in conjunction with the Strait of Canso marine facilities which respects the residential nature of the remaining communities and the necessary protection of the Landrie Lake Watershed. Some of the industrial activities in the Plan Area occur at StoraEnso pulp mill, STATIA Terminals, US Gypsum plants, SOEP gas fractionation plant, Nova Scotia Power plant, as well as salt domes. There are pockets of residential areas remaining along Port Malcolm road with a greater concentration of homes at Point Tupper. The Landrie Lake Watershed is located within the plan area. This watershed supplies the drinking water for the Town of Port Hawkesbury and water to industries in West Richmond. As such, every effort must be taken to ensure the ecological integrity of the watershed areas.

Point Tupper was once considered a village with many more homes, a hotel, two churches, a railroad station, and a few stores. The ferry ran from Mulgrave across the Strait of Canso to Point Tupper. There are now roughly 10 homes and the church is used by the Point Tupper Heritage Association as a museum. Since the Strait of Canso is ice-free and has deep water, it is ideal for marine facilities associated with industrial activities. In the late 1970s, much of the private lands were purchased to make way for new industries wishing to locate in the area. Formerly, planning documents permitted residential uses within an industrial zone in an industrial designation. These documents provide for the establishment of the Residential designation which respects the community's wish to continue to make Point Tupper their home.

The MPS and LUB which follow provide land use regulations which best suit the needs of both industry and residents of the West Richmond Plan Area.

## Section 2: Land Use Policies

### ***Industrial Development***

Development of the industrial sector of Richmond's economy is essential for the creation of increased employment opportunities and the provision of a tax base for the County. While heavy industrial activity is the primary activity in the Point Tupper Heavy Industrial Park, within the West Richmond Plan Area (See Generalized Future Land Use Map), there is also the potential for general industrial activity in the Joint Industrial Park which is the approximately 160 acre extension of the Port Hawkesbury Business Park located in Richmond County.

In 1978, the Strait of Canso Industrial Development Authority (SCIDA), incorporated under the Societies Act of Nova Scotia, was established. It was given a mandate to encourage industrial growth in the Strait area. While its responsibilities did not deal exclusively with Point Tupper, its primary role was the promotion of heavy industrial development in Richmond County. It operated as the prime industrial promotion and development agency until its responsibilities were taken over by a successor agency, the Enterprise Cape Breton Corporation (ECBC), in 1988.

For a time in the 1980s, the possibility that the Strait of Canso area, and Point Tupper in particular, would be chosen as a location for offshore oil and gas related development, as well as development related to liquefied, natural gas, held out some hope for this industrial area. However, a decrease in the price of oil, the minimal quantities available for development and the designation of Sheet Harbour as the principal landfall for offshore oil and gas reduced local hopes for significant growth in this sector. By the 1990s, however, offshore gas finds near Sable Island spawned the Sable Offshore project with the pipeline making landfall at Goldboro, Guysborough County. This led to the development of a Gas Fractionation Plant in Point Tupper.

In addition, StoraEnso enlarged their facilities in Point Tupper in the late 1990s and the gypsum mines have continued to produce a large quantity of ore for US Gypsum and Georgia Pacific.

**POLICY IND 1.1** It shall be the policy of Council to encourage the activities of municipal, provincial and federal departments and agencies to ensure that the potential of the West Richmond Plan Area are fully realized.

**POLICY IND 1.2** It shall be the policy of Council to designate the lands located south of the Inverness County line and Highway #104 and west of the Little River and the lands located between the Landrie Lake Watershed and Inhabitants Bay as "Industrial" as illustrated on the Generalized Future Land Use Map (GFLUM), Map 2.

### **Light Industrial**

As part of the efforts of previous economic development undertakings, the Municipality acquired lands adjacent to the Town of Port Hawkesbury Business Park. The intent was to provide additional space for the expansion of the park beyond the lands located in the Town. Although servicing is available and roads have been extended into the area from the town, no industrial developments have located in this section of the park. Nonetheless, Council intends to maintain its policy of promoting and assisting in the development of these lands in the future. In order to ensure that their development is rational and coordinated with the immediately adjacent lands within the town, Council intends to zone these lands with a light industrial zone with provisions very similar to those in the Town section of the industrial park.

**POLICY IND 1.3** It shall be the policy of Council to establish in the Land Use By-law a Light Industrial (I-1) Zone which will be used to implement in part the "Industrial"

designation as shown on the Zoning Map of the Land Use By-law, Schedule “A”. Within the Light Industrial (I-1) zone the following and similar types of uses: Automobile sales and service establishments; Building supply, equipment depots excluding bulk storage of sand or gravel; Business, government and professional offices; Display courts including swimming pools, decorative foundations, pre-fabricated homes; Light industrial manufacturing, assembly or warehousing including recycling depots; Railyards and associated uses; Recreational uses; Service and personal service establishments excluding dry cleaning establishments; Single unit dwellings; Transportation depots; Wholesale or retail sales, leasing or rental establishments shall be permitted.

- POLICY IND 1.4** Within the Industrial designation, it shall be the policy of Council to permit the establishment of new heavy industrial uses in the Light Industrial (I-2) zone by amendment to the Land Use By-law to the Heavy Industrial (I-3) zone. In considering any such proposal Council shall have regard to the following:
- a) that site design details, including landscaping, buffering, outdoor storage areas, parking areas and driveways are of an adequate size and design to address potential impacts on adjacent developments;
  - b) that the appearance of all buildings and structures related to the use shall be compatible with the surrounding area in terms of scale, exterior appearance and signage;
  - c) the impact on traffic circulation and, in particular, sighting distances and entrances and exits to the site;
  - d) that municipal central services or, in unserved areas, on-site services, are capable of supporting the development;
  - e) the provisions of Policy A-3.

**Port Industrial**

In March 2000, the Strait of Canso Superport Corporation took over the administration of wharf facilities in the Strait area. It is expected that this Corporation will continue to promote the potential port development in the Strait area. For this reason, certain areas of the West Richmond Plan Area have been set aside for port related facilities.

- POLICY IND 1.5** It shall be the policy of Council to encourage the Province to give priority to deep moorage dependent uses when selling the Bear Head lands which have direct access to the Strait of Canso. The Municipality will also encourage the Province to maintain and enhance transportation and utility corridors through the Bear Head Peninsula.

- POLICY IND 1.6** It shall be the policy of Council to establish in the Land Use By-law a Port Industrial (I-2) Zone which will be used to implement in part the “Industrial” designation as shown on the Zoning Map of the Land Use By-law, Schedule “A”. Within the Port Industrial (I-2) zone the following and similar types of uses: Existing industrial uses; Aquaculture related uses; Bulk terminals; Container terminals; Dry docks and ship repair facilities; Fuel bunkering facilities; Marine terminals and other port related facilities; Oil storage terminals; Railway facilities; Single unit dwellings; Wharf facilities; Light Industrial (I-1) and Heavy Industrial (I-3) uses which require on-site port facilities and subject to their respective zone requirements shall be permitted.

## Heavy Industrial

Heavy industrial development in Richmond County is, as mentioned, concentrated at the Point Tupper Industrial Park, which was established as an international industrial area and superport. Although a significant effort has been made during the past two decades, the development of this area has fluctuated with economic conditions which, in the main, have been beyond local, provincial or even federal government control.

Development within the plan area has to date produced several major industrial operations as well as an electrical power generation facility. These activities form the basis of the economic future of the Municipality, and the surrounding area. It is therefore essential that these activities be recognized as existing land uses and that provision for their continued growth be made.

**POLICY IND 1.7** It shall be the policy of Council to establish in the Land Use By-law a Heavy Industrial (I-3) Zone which will in part implement the “Industrial” designation. Within the Heavy Industrial (I-3) Zone the following and similar types of uses: uses permitted in the Light Industrial (I-1) and Port Industrial (I-2) Zones, Electrical Power plants; Existing industrial uses; Oil and Gas Processing Plants and Refineries; Storage facilities; Radioactive Materials manufacturing or processing facilities including heavy water plants; pulp and paper mills; petrochemical plants; cement plants; smelters; ferro-alloy plants; and permanent commercial sites involving hazardous wastes or dangerous goods shall be permitted.

## ***Watershed Protection***

The Landrie Lake watershed is the source of water for people in the Town of Port Hawkesbury and the community at Point Tupper. This watershed supplies industrial activities in the plan area as well. The watershed covers 10.9 km<sup>2</sup>. The operation and protection of this water supply falls under the jurisdiction of the Nova Scotia Department of the Environment. Unfortunately, only a portion of the actual watershed has been officially designated. The designated protection area does not align well with the natural contours and a significant portion of the actual watershed is within lands owned and developed by the Stata Terminals and Tupper Industries (West Richmond Development Plan prepared by EDM, 2000). The Watershed Protection Periphery (W-2) Zone permits limited development while ensuring that the remaining undesignated watershed lands area are protected.

**POLICY WSP 1.1** Council recognizes the importance of protecting all lands within the Landrie Lake Watershed. Given that the Province currently owes all of the lands in the Watershed Protection (W-1) zone, it shall be the intention of Council to encourage the Provincial government to acquire the remaining watershed lands located in the Watershed Protection Periphery (W-2) zone.

**POLICY WSP 1.2** It shall be the policy of Council to protect and preserve the Landrie Lake Watershed area as a sustainable water supply for the Town of Port Hawkesbury as well as for its inherent ecological value. Therefore, the lands surrounding Landrie Lake shall be designated as the “Landrie Lake Watershed” as illustrated on the Generalized Future Land Use Map (GFLUM), Map 2.

**POLICY WSP 1.3** It shall be the policy of Council to establish in the Land Use By-law a Watershed Protection (W-1) Zone which will be used to implement in part the “Landrie Lake Watershed” designation. The Watershed Protection (W-1) Zone will apply to the provincially designated portion of the Landrie Lake Watershed area as shown on the Zoning Map of the Land Use By-law, Schedule “A”. Within the Watershed Protection (W-1) Zone institutional uses, public and private utilities and passive

recreational uses not involving structures other than accessory buildings shall be permitted.

**POLICY WSP 1.4** It shall be the policy of Council to establish a Watershed Protection Periphery (W-2) Zone in the Land Use By-law which will be used to implement in part the “Watershed” designation. The Watershed Protection Periphery (W-2) Zone as shown on the Zoning Map of the Land Use By-law, Schedule “A ” will apply to the remaining watershed lands not officially designated by the Province but contained within the actual Landrie Lake Watershed area. Within the Watershed Protection Periphery (W-2) Zone institutional uses, public and private utilities and passive recreational uses not involving structures other than accessory buildings shall be permitted. In addition, expansions to existing industrial uses shall be permitted only by development agreement.

**POLICY WSP 1.5** In considering development agreements within the Landrie Lake Watershed Designation, in addition to all other criteria set out in various policies of this planning strategies, Council shall have regard to the following:

- a) that site design details, including landscaping, buffering, outdoor storage areas, parking areas and driveways are of an adequate size and design to address potential impacts on adjacent developments;
- b) that the appearance of all buildings and structures related to the use shall be compatible with the surrounding area in terms of scale, exterior appearance and signage;
- c) the impact on traffic circulation and, in particular, sighting distances and entrances and exits to the site;
- d) that municipal central services or, in unserved areas, on-site services, are capable of supporting the development;
- e) a written report related to the development prepared by a qualified person including potential effects on air, soil and ground water quality, and watercourses. The proponent must provide such a report indicating that the proposed expansion does not adversely affect the watershed areas. The findings of the report may form the basis for a refusal to enter into a development agreement;
- f) hours of operation;
- g) maintenance of the development; and
- h) the provisions of Policy A-9.

### ***Residential Development***

In the past the community at Point Tupper had significantly more homes, a hotel, two churches, a railroad station, and a few stores. The ferry ran from Mulgrave across the Strait of Canso to Point Tupper. There are now roughly 10 homes and the church has been converted to the Point Tupper Association Heritage Museum. The emergence of Port Hawkesbury as a centre coupled with potential for industry and shipping contributed to the decline in the population. The Strait of Canso is ice-free and has deep water which makes it ideal for marine facilities associated with industrial activities. As a result in the late 1970s, many of the homes were purchased and taken down to make way for industrial development. Yet some residents remain today. The establishment of the Residential designation respects their wish to continue to make Point Tupper their home.

- POLICY RES 1.1** It shall be the policy of Council to respect the residential nature of the existing Point Tupper community within mainly industrialized lands. The Residential designation is intended to support and protect the existing residential area. Therefore the current residential area near Point Tupper shall be designated as “Residential” as illustrated on the Generalized Future Land Use Map (GFLUM), Map 2.
- POLICY RES 1.2** It shall be the intention of Council to establish in the Land Use By-law a Residential (R-1) Zone which will be used to implement the “ Residential” designation. Lands in the Point Tupper area that are currently residential in nature shall be zoned Residential (R-1) as shown on the Zoning Map of the Land Use By-law, Schedule “A”. Within the Residential (R-1) Zone single detached dwellings, mobile homes, and community centres and other institutional uses shall be permitted.
- POLICY RES 1.3** It shall be the intention of Council to establish in the Land Use By-law an Open Space (OS) Zone which will used to implement the “ Residential” designation. Lands in the Point Tupper area that are currently owned by the Municipality of the County of Richmond shall be zoned an Open Space (OS) as shown on the Zoning Map of the Land Use By-law, Schedule “A”. Within the Open Space (OS) Zone community centres and other institutional uses, public and private utilities and passive recreational uses not involving structures other than an accessory building will be permitted.

## Section 3: General Policies

### *Signs*

West Richmond does not have a sign problem. However, Council recognizes the fact that signage could eventually cause visual unsightliness to the area. In light of this potential future development, Council is going to set-up controls on the type, size and number of signs permitted on individual land holdings within the Plan Area. In order to maintain control over these signs, a development permit will be necessary prior to erection.

**POLICY G-1.1** It shall be the policy of Council to place controls on the type and number of signs placed on individual properties within the West Richmond Plan Area and provisions will be set out prohibiting certain types of signs in certain zones and with respect to illumination of signs such that it is directed away from adjacent properties.

**POLICY G-1.2** It shall be the policy of Council to require that a development permit be issued prior to the erection of any sign in West Richmond except for temporary signs, provided they are on display for a limited period of time.

### *Public and Private Utilities*

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

**POLICY G-2.1** It shall be the policy of Council to permit public and private utilities in all zones within the Plan Area, and to require a development permit to be issued for each use.

### *Government Building and Facilities*

It is a common occurrence within communities the size of West Richmond to allow Government Buildings and facilities to be located in various neighbourhoods throughout the Plan Area. In keeping with this pattern, Council is of the opinion that Government Buildings and facilities be permitted within all zones.

**POLICY G-3.1** It shall be the policy of Council to permit Government Buildings and facilities in all zones within the overall Plan Area.

### *Parking*

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

**POLICY G-4.1** It shall be the policy of Council to establish in the Land Use By-law proper parking standards for all development in West Richmond.

### ***Temporary Uses***

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

**POLICY G-5.1** It shall be the policy of Council to allow for temporary uses and structures used in conjunction with a development, construction or subdivision project, including offices, equipment and material storage buildings, scaffolding, or signs in the Plan Area. Council will require that such temporary use or structure be removed within a specified time. A Development Permit shall be required for a temporary use.

## Section 4: Implementation

### **General**

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

**POLICY A-1.1** 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 and Area Advisory Committee. Such a program may include aspects of public information and participation, and various further studies respecting such matters as the drafting or revision of Municipal By-laws which deal with planning issues, and any other issues which Council may suggest.

**POLICY A-1.2** In order that Development Control decisions may be based on expert advice beyond that which the Planning Advisory Committee is able to supply, it shall be the policy of Council to circulate applications for amendment of the Land Use By-law to provincial government agencies such as the Departments of Health, Transportation and Communications and Environment for their information and comment as may be required.

### **Generalized Future Land Use Map**

The Generalized Future Land Use Map shows the desired future land use within the Plan Area which has been recommended by the Strategy. In this case only one designation has been applied to the whole of the Plan Area. The Industrial Designation permits processing, manufacturing and repairing, uses related to the fishery and service industries such as trucking, contracting and wholesale distribution.

### **Land Use By-law**

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

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

### **Criteria for Amendment to the Land Use By-law**

**POLICY A-2** In considering amendments to the Land Use By-law, in addition to all other criteria as set out in various policies of this Strategy, Council shall have regard to the following matters:

- a) That the proposal is in conformity with the intent of this Strategy;

- b) That the proposal is not premature or inappropriate by reason of:
  - i) the financial capability of the Municipality to absorb any costs relating to the development;
  - ii) the adequacy of sewer services and utilities or if services are not provided, the adequacy of physical site conditions for private on-site sewer and water systems;
  - iii) the adequacy and proximity of school, recreation, and any other community facilities;
  - iv) the adequacy of road networks in, adjacent to, or leading to the development;
  - v) the potential for the contamination of water courses or the creation of erosion or sedimentation.
- c) That adequate requirements are contained in this Land Use By-law to reduce conflict between the development and any other adjacent or nearby land use by reason of:
  - i) type of use;
  - ii) emissions including air and water pollutants and noises;
  - iii) height, setback and lot coverage of the proposed building;
  - iv) access to and egress from the site and parking;
  - v) open storage;
  - vi) signs;
  - vii) similar matters of planning concern.
- d) Suitability of the proposed site in terms of steepness of grade and/or location of watercourses based on appropriate technical advice.

### ***Amending the Land Use By-law***

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

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

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

### **POLICY A-3**

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 appropriate regard to the following:

- a) that the proposal is in conformity with the intent of this strategy and with the requirements of all other municipal By-laws and regulations.

- b) that the proposal is not premature or inappropriate by reason of:
  - i) the financial capability of the Municipality to absorb any costs relating to the development;
  - ii) the adequacy of sewer and water services;
  - iii) the adequacy of road networks leading or adjacent to, or within the development.
- c) that the development meets the specific zone requirements related to the following:
  - i) type of use;
  - ii) height, bulk and lot coverage of any proposed building;
  - iii) traffic generation, access to and egress from the site, and parking;
  - iv) open storage and outdoor display;
  - v) signs; and
  - vi) any other relevant matter of planning concern.
- d) that the proposed site is suitable in terms of steepness of grade, soil and geological conditions, location of watercourses, potable water supplies, marshes or bogs and susceptibility to flooding.

**POLICY A-4** Further to Policy A-3 it shall be the policy of Municipal Council that where any development shall require amendment to the Land-Use By-law, no amendment shall be adopted by Council unless the application is for a specific development proposal

**Development Agreements**

**POLICY A-5** Within the Waterfront Designation and in the Watershed Protection Periphery (W-2) zone, expansions to existing industrial use shall only be considered subject to the entering into of a development agreement according to Policy WSP 1.4

**POLICY A-6** In considering amendments to the Land Use By-law or Development Agreements, Council shall hold a public hearing according to the provisions of the *Municipal Government Act*.

**POLICY A-7** Where uses exist which would become non-conforming with respect to the *Municipal Government Act*, and which are unlikely to become conforming, and further where such uses do not interfere with adjacent uses, such uses may be zoned to permit the existing use of the property.

**POLICY A-8** As a condition for approval of a request for a Development Permit for a use other than a permitted use where authorized elsewhere in this Strategy, it shall be the intention of Council to require the applicant to enter into a Development Agreement with the County, specifically setting out conditions under which the development may proceed.

A Development Agreement shall not require an amendment to the Land Use By-law but shall be binding upon the property until the agreement or part thereof is discharged by Council.

**POLICY A-9**

In considering Development Agreements, in addition to all other criteria as set out in various policies of this Strategy, Council shall have regard to the following matters:

- a) That the proposed agreement is in conformance with the intent of this Municipal Planning Strategy and all other Municipal By-laws and regulations.
- b) That the proposal which is subject to the Development Agreement is not premature or inappropriate by reason of:
  - i) the financial capability of the County to absorb any costs related to the development;
  - ii) the adequacy of the physical site conditions for private on-site sewer and water systems;
  - iii) the adequacy of the street or road networks, adjacent to and leading to the development; and
  - iv) the adequacy of municipal fire protection, service and equipment.
- c) That controls are placed on the proposed development so as to reduce the conflict with any adjacent or nearby land uses by reason of:
  - i) the type of use;
  - ii) the height, bulk and lot coverage of any proposed building or structure;
  - iii) traffic generation;
  - iv) access to and egress from the site and the distance of these from street intersections;
  - v) parking;
  - vi) landscaping;
  - vii) open storage;
  - viii) signs;
  - ix) the hours of operation;
  - x) maintenance of any building(s) and property; and
  - xi) any other relevant matters of planning concern.
- d) The suitability of the proposed site in terms of steepness of grade, soil and geological conditions, and the relative location of watercourses, marshes, swamps, or bogs.
- e) The terms of the agreement provided, as appropriate, for the discharge of the agreement or parts thereof upon the successful fulfillment of its terms.

**POLICY A-10**

Council may require that any or all of the following information be submitted by the developer with respect to any proposed development which is to be the subject of a Development Agreement under the appropriate sections of the *Municipal Government Act*:

- a) A site plan showing the following information:
  - i) the physical and environmental characteristics of the proposed site including information regarding topography, contours, elevations,

dimensions, natural drainage, soils, existing water courses, vegetative cover, size and location of lands;

- ii) the proposed location, height dimensions and use of all buildings or structures proposed to be built or erected on the lands;
  - iii) the type and amount of site clearing required, if any, and provisions proposed for good site drainage and servicing with water and sewage disposal.
- b) Information as to the hours of operation.
  - c) Information as to the architectural design, scaled plans, profiles, grade elevations and cross sections.
  - d) Information as to the provisions for an appropriate natural buffer strip and maintenance of the natural buffer strip.
  - e) Such further information as Council may require in order to properly assess the compliance with other policies in the Strategy.

### ***Development Officer***

**POLICY A-11** In accordance with the *Municipal Government Act* it shall be the policy of Council to establish the services of a Development Officer who shall administer the Land Use By-law and shall, where appropriate, grant development permits.

### ***Minor Variances***

**POLICY A-12** In addition to the general powers granted in the *Municipal Government Act*, The Act also empowers the Development Officer to grant “minor variances” from the Land Use By-law. Specifically, the Development Officer may vary the percentage of land that may be built on, the sizes of yards, courts and other open spaces, lot frontage, and lot area. When granting a minor variance notice must be served of this action in accordance with the *Municipal Government Act*, and this action may be appealed to Council by anyone served with such notice.

### ***Subdivision Control***

Subdivision in the Municipality of the County of Richmond is presently controlled by the Provincial Subdivision By-law adopted by the Minister of Housing and Municipal Affairs the fall of 1999. The By-law applies to all subdivision of land within the County.

**POLICY A-13** It shall be the policy of Council through the municipal development officer to administer the Subdivision By-law.

### ***Other Municipal By-laws***

**POLICY A-14** It shall be the policy of Council to review from time to time and, when necessary, amend its Municipal Building By-law and Unsightly Premises By-law. The Building By-law regulates the structural requirements for new buildings and the Unsightly Premises By-law prevents property from becoming unsightly.

### ***Building Inspector***

**POLICY A-15** It shall be the policy of Council to continue the services of the Building Inspector whose duty it will be to enforce the Municipal Building By-law, the Minimum Standards By-law and the Unsightly Premises By-law.

### ***Strategy Amendments***

**POLICY A-16** This Strategy and all associated maps constitute the official Municipal Planning Strategy for the West Richmond Plan Area.

An amendment to this Strategy shall be required:

- a) where any policy intent is to be changed;
- b) where a desired zoning map amendment does not conform to the Generalized Future Land Use Map and can be shown through studies to be desirable;
- c) where detailed area or functional strategies are desired to be incorporated into this Strategy.

**POLICY A-17** 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*.

### ***Actions Not Requiring A Strategy Amendment***

Areas immediately adjacent to a given land use designation on the Generalized Future Land Use Map may be considered for rezoning to a use which is similar in nature to the given designation without requiring an amendment to this Strategy, provided that the intention of all other policies of the Strategy are satisfied.

### ***Strategy Review***

In accordance with the *Municipal Government Act*, this Strategy may be reviewed when either the Minister of Municipal Affairs or Council deems it necessary, but in any case, the review shall be commenced within five years from the date of the coming into force of the Planning Strategy or the date of the last review.