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## **PART 1 INTRODUCTION**

A Municipal Planning Strategy is a legal document through which Council states its policy on any or all of a broad range of subjects related to the future development of the Municipality. At this point, Council will confine its policy statements primarily to the future use of land, but may address other issues at a later date as the need arises.

Council has already adopted three Municipal Planning Strategies, the Northeastern Guysborough Planning Strategy, the Guysborough Planning Strategy and the District #7 Planning Strategy. Council now proposes to establish a Planning Strategy and Land Use Bylaw for the remaining sections of the Municipality of the District of Guysborough, to be known as the District #1, 2, 4, 5 & 6 Planning Area.

When a Municipal Planning Strategy addresses the use of land, it must be accompanied by a regulatory document which is called a Land Use Bylaw. For the sake of convenience, both documents will be bound as one. Council's policy statement will be encompassed in the Municipal Planning Strategy and the regulations to implement this Strategy will be included in the Land Use Bylaw.

The Council of the Municipality of the District of Guysborough recognizes that it is very important to obtain feedback from the local residents for the proposed planning documents prior to their adoption. To ensure the public are aware of Council's intentions and to obtain public participation in this planning process the Council has adopted a Public Participation Program. Under this program the Area Planning Advisory Committee of the Municipality of the District of Guysborough will hold public meetings to inform the public of the information contained in the planning documents and obtain their views, comments and concerns. Council must then hold a formal public hearing to obtain public approval prior to the final adoption of these documents.

The area covered by this Strategy and the Land Use Bylaw is that section of the Municipality of the District of Guysborough from Guysborough to Giant's Lake along South River Lake Road, Guysborough Intervale to Roman Valley including South Merland, Cook's Cove to the Canso boundary, along Dover Road to the community of Little Dover, south along Highway #316 from Half Island Cove to New Harbour and along Larry's River Road from West Cook's Cove to Larry's River.

This Municipal Planning Strategy will become the legal land use document for that portion of the Municipality consisting of a portion of Polling District #1 and all of Polling Districts 4, 5 & 6, through which the Council states its policy on any or all of a broad range of subjects covered by the Municipal

Government Act, Part 8.

This Municipal Planning Strategy has been prepared by the Area Planning Advisory Committee and adopted by Council in accordance with the Municipal Government Act.

By adopting this Strategy, Council is not committing to undertake any of the projects described herein but provide guidelines and regulations on any future developments that may occur.

The area covered by this Strategy and the Land Use Bylaw is described in Section C, Chapter 1 and indicated on the Generalized Future Land Use Map (Map #3 located in the back of this document).

The maps that are referred to in the Strategy and Bylaw are included in these documents, with the most essential being the Generalized Future Land Use Map (Map #3) and the Zoning Map (Map #2).

## **PART 2      CONTEXT**

### **Regional Context**

- 2.1      The District #1, 2, 4, 5 & 6 Planning Area is located approximately 300 kilometers east from the Provincial Capital, the City of Halifax.

### **Local Context**

- 2.2      The District #1, 2, 4, 5 & 6 Planning Area will include all lands from Guysborough along South River Lake Road to the Antigonish County Line, also all land along the Antigonish/Guysborough Road from Guysborough Intervale to the Antigonish County Line, also all lands from Guysborough east along Highway 16 (excluding the Town of Canso), as well as all lands from Guysborough along Larry's River Road to New Harbour.

Some of the communities included in this area are: Guysborough Intervale, North Intervale, South Merland, Roman Valley, Giant's Lake, Erinville, Salmon River, Roachvale, Cooks Cove, Dorts Cove, Halfway Cove, Half Island Cove, Whitehead, Hazel Hill, Little Dover, Port Felix, Cole Harbour, Charlos Cove, Tor Bay, Larry's River, New Harbour and Lundy (For a more accurate description refer to Map #2).

This area is primarily rural with some residential development along the main traffic routes. The forest and fishing sector has been the largest employer within this planning area. There are also numerous small businesses involved in construction and tourism.

There is one watershed area within the planning area known as the Wilkins Lake Watershed which has been the sole source of drinking water for customers of the Canso Water Utility since 1965. Wilkins Lake has a water surface area of 83 acres with the total watershed area consisting of 368 acres. The Utility serves 450 customers in the Town of Canso and in the communities of Tickle and Hazel Hill. Wilkins Lake is located five miles outside the Town of Canso in the community of Fox Island and is situated along Highway 16.

Currently there are 15 parcels of land located within the boundary of the watershed area with 8 of those lots considered undeveloped lands. There are two homes within the watershed area located on PID 35083120. The other 5 developed lots contain homes however the homes are not located within the watershed boundary. The only commercial activity that was within the watershed area is the former scrap yard which was located on PID 35044510. There is also a radio tower owned by Transport Canada

on lot PID 35092287 however the tower is not within the watershed boundary. Surrounding bodies of water that flow into Wilkin's Lake include Fogarty's Pool and Fogarty's Lake.

Demand for water has in the past reached 1.2 million imperial gallons per day when the Seafreez Foods Inc. fish plant was fully operational. The Wilkins Lake Watershed Management Plan was completed in 2004.

The objective of this Strategy is to identify future and existing residential uses as well as identify areas for current and future commercial and industrial development.

### **Planning Area Boundaries**

- 2.3 The District #1, 2, 4, 5 & 6 Planning Area boundaries encompass all the area boundaries as they appear on the Generalized Future Land Use Map (Map #3).

## **PART 3 HISTORY**

### **Brief History of Planning Area**

- 3.1 The District #1, 2, 4, 5 & 6 Planning Area is situated in an easterly direction from the Antigonish County Line to the Town of Canso.

The primary communities in this planning area are listed in the local context. The following is some of the history available for a number of these communities.

One of the 1<sup>st</sup> grants of land given to the Loyalists in Guysborough County was granted to Rev. Richard Byron in 1765. Rev. Byron did not finalize possession of this land, and it was again granted to the brothers John & Elias Cook, and to this day the area bears the name of Cook's Cove.

Salmon River was settled in the late 1820's and early 1830's by Irish immigrants from the Counties of Cork, Kerry and Carlow. They found the soil to be fertile and began clearing the land and building homesteads. Among the early settlers were skilled tradesmen such as weavers, masons, carpenters, blacksmiths, millwrights, tanners and cobblers. These skills were soon put to use by building houses, barns and schools in Ogden and Erinville, two water powered saw mills, a grist mill and a church at Salmon River Lake to serve the needs of the close knit community. Before long farm produce such as wool, leather and hide, sale beef and pork, butter and cheese, as well as shingles, fishing dories and ton timber were being sold to merchants in Boston, Halifax and Newfoundland. The iron ore deposit and black granite quarry provided local employment from time to time, all of which helped the community to prosper. Garden produce, along with Irish staple praties were sold in Guysborough and Manchester or traded along the shore for dried or salted fish.

The land now called Queensport was known as Crow Harbour and was granted to Dutch and German soldiers of the 60<sup>th</sup> Regiment who had been allies of the British during the American Revolutionary War. Settlers here were involved in fishing and small scale farming. A lobster factory was opened here in 1874.

Phillips Harbour is thought to be named after Governor Richard Phillips, Governor of Nova Scotia from 1720 to 1749. However, it is believed that European fishermen arrived here in the late 16<sup>th</sup> century, predating most of the French and English settlements in Nova Scotia. Many of the early settlers in this community were of German descent, although the spelling of their names have been somewhat anglicized by the English army clerks

dealing with land grants and purchases at the time. These settlers made a living by fishing, raising cattle, and a few crops.

Whitehead was first settled in 1818 by Moses Cahoon, previously of Queens County, followed by the families of Thomas Munro, John Munro, and Robert Spears, all originally from Shelburne. A government wharf and stores were built there in 1875 to service and supply the steamer attending Sable Island.

The present day community of Port Felix was formerly known as Molasses Harbour. The community changed the name to Port Felix in honor of Rev. Felix Von Blurk, the clergyman in charge of this parish.

Cole Harbour was first settled in 1817 by the English families of George Tanner and William West from Lunenburg. Cole Harbour is thought to have been named after Captain Cole, whose sloop, "The William" had been captured by Spanish privateers near Canso in 1719.

In 1607, Champlain and LesCarbot named a small port Port Savalette to commemorate the notable sailing record of Captain Savalette (84 transatlantic voyages). Savalette, who made his home at this port, had shown them great hospitality during their stay in the area. This great honor was all but lost as the location of the port has remained a mystery due to the primitive mapping capabilities of the time, but it has now been decided that Port Savalette must have been among the Sugar Islands off Cole Harbour. A plaque commemorating Capt. Savalette was posted in sight of the Sugar Islands in 1949 by the Historic Sites and Monument Board.

Charlos Cove was founded by Acadian settlers in 1800 and was named after one of the original settlers, Charles Richard.

Larry's River is said to predate any English settlements along this section of coastline. It is thought to have been named after Larry Keating of Halifax, the first to make his winter home here in order to hunt and trap. Later, many Acadians settled in this area. Most made their living through fishing. The community was bustling in the early 1900's as a lobster cannery and a blueberry cannery were opened there.

Tor Bay is a geographically prominent feature of the Atlantic coast of Guysborough County, and has been identified on maps dated as early as 1699, spelled Tarbe. Mr. William Gammon and his family were the first to settle in Tor Bay in 1802. Tor Bay gained brief importance when it was selected as the landing site for the first transatlantic cable by the Direct Cable Co. The community Faraday (named after the steamer which laid the cable) sprung up as telegraph operators and land linesmen took up

work here in 1874. This community was located on Berry Head, but was connected to the community of Tor Bay by road. However, when the company moved the cable to Halifax in 1887, the community was deserted as workers transferred to Halifax to retain their positions. However, the community of Tor Bay still exists, most of its inhabitants involved in fishing related industry.

New Harbour was settled by members of the Associated Department of Army & Navy, sent to America as part of an English regiment, though many members were of Irish and Scottish descent. The family of James Barss was the first to settle here in 1806, and the community was called Catherine's River after his first child born there. The family of James Sangster, and the Luddingtons settled there in 1808. These names are still strongly associated with this community. Originally settlers here made a living through fishing, then a saw mill was constructed, and a small boat building industry was born.

Donahue's Lake includes land that was originally granted to John Ingersoll, one of the Pre-Loyalist settlers to Guysborough County. Very little is known about this early settler, though it is thought that he likely made his living from the land, either through hunting or trapping.

In the mid 1800's, telegraph construction was sweeping the continent, and the area became a central point for the landing of Western Union cables, with offices located on Hazel Hill. At it's peak, the Hazel Hill office employed 60 permanent staff. Many cables came ashore in the nearby locations of Dover Bay and Fox Island and traveled by trench to Canso. At this time, Hazel Hill was one of the largest cabling stations in the world with over 9000 miles of cable. When blizzards destroyed connections in New York, messages could still be relayed through Hazel Hill to London, Boston and other sites.

Most residents in the Little Dover area have traditionally worked in fishing or related industries. Dover Bay has many hiding places along the shore which have served in former times to shelter and hide pirates and privateers. The co-op movement lead by Father Jimmy Tompkins and Moses Coady also have deep roots in the community of Little Dover.

Fox Island was one of the most celebrated fishing grounds in the Province. The mainland was known at one time as Waterloo, because of the large numbers of slain fish to be found on the shoreline after a fishing expedition.

## **PART 4**

## **RESIDENTIAL LAND USE POLICIES**

### **Development Area**

- 4.1 The development area covered by this planning strategy consists of approximately 300,000 acres of land with the majority of this development being residential. This development is predominately located along Highway 16 (from Cooks Cove to Little Dover and from Milford Haven to the Antigonish County Line), along South River Lake Road (from West Cooks Cove to Giant's Lake), along Larry's River Road (from West Cooks Cove to Larry's River) and along Highway 316 (from Half Island Cove to New Harbour).

### **Development Activity**

- 4.2 The housing stock within this Planning Area is primarily made up of older one to two storey homes, newer bungalow type homes and mobile homes (including mini or premanufactured homes).

### **Water/Wastewater Services**

- 4.3 Many homes in this area are serviced by private on-site water and sewer systems. Most newer developments (constructed since 1980) have on-site sewer systems which were designed in accordance with the Nova Scotia Regulations Respecting On-site Sewage Disposal Systems. However, at the present time the community of Little Dover is serviced with public sewer and the community of Hazel Hill is serviced with Municipal Water and Sewer. The Wilkins Lake Watershed is the sole source of drinking water for customers of the Hazel Hill Water Utility.

### **Residential Designation**

- 4.4 In order to establish a designation and policies for the residential sector, Council is of the opinion that a "Residential" designation be established on the Generalized Future Land Use Map (Map #3) for all areas with the exception of land masses designated for Commercial, Industrial, Recreation, Watershed or Conservation.

### **Other Compatible Uses**

- 4.4 Other uses considered compatible with residential land use and permitted in the residential designation will be: schools, churches, government buildings, public recreational facilities and site specific commercial and industrial uses. The last two listed will be permitted in the Residential zone provided the use complies with specific criteria as listed in the Land Use Bylaw. Small scale commercial and industrial uses will be permitted in the Residential Designation so that individuals who wish to build and occupy such uses can

do so without having to go through the rezoning process. Council also recognizes the importance of minimizing the impact on adjacent residential properties from intrusion by small scale industrial and commercial uses. In order to provide this protection, special setback requirements will be imposed on all commercial and industrial uses.

### **Setback Requirements**

- 4.5 Special setback requirements from adjacent properties will be established

### **Residential Policies - General**

- 4.6 The following policies shall apply to the residential designation:

POLICY R-1 It shall be the policy of Council to designate the built-up and underdeveloped areas of the Planning Area “Residential” on the Generalized Future Land Use Map (Map #3). Exceptions will be those areas designated “Conservation” and “Industrial” as illustrated on Map #3 of the Generalized Future Land Use Map.

POLICY R-2 It shall be the policy of Council to establish in the Land Use Bylaw three Residential Zones. These include R-1 Residential General, R-2 Residential Multiple Unit and R-3 Mobile Home Park.

POLICY R-3 It shall be the policy of Council to establish a Residential General R-1 Zone in the Land Use Bylaw. This zone will apply to the area designated “Residential” on the Generalized Future Land Use Map (Map #3). This R-1 Zone will permit the following and similar types of uses: single detached dwellings, mobile homes or premanufactured homes, semidetached and duplex dwellings, multiple unit dwellings (both new and conversion) to a maximum three (3) dwelling units, boarding homes, day nurseries, park and community centers, nursing homes or homes for special care, church and cemeteries, schools and other institutional uses established under the Societies Act, public recreational facilities, farming and forestry uses. Uses permitted in the C-1 and M-1 Zones will be permitted as a right provided a maximum square footage of building space and/or outdoor storage space is complied with as well as the general and special lot requirements for a C-1 and M-1 Zone as applicable.

POLICY R-4 It shall be the policy of Council that small scale Commercial and Industrial uses be permitted in the Residential Zone provided the size of the use is in keeping with adjacent or nearby residential uses.

POLICY R-5 It shall be the policy of Council that special setbacks from any body of water or watercourse will be required for farming and forestry uses in the R-1 zone.

POLICY R-6 It shall be the policy of Council to establish in the Land Use Bylaw a Residential Multiple Unit R-2 Zone which will allow residential multiple unit uses which contain four (4) or more dwelling units to locate in the residential designation by way of a Land Use Bylaw amendment (rezoning) process. Permitted uses within this zone will contain the following and similar type of uses: all Residential General R-1 uses, new or converted dwellings of four (4) or more units and or town houses containing four (4) or more units.

POLICY R-7 In considering an amendment to the Land Use Bylaw to the Multiple Unit R-2 Zone, Council shall have regard to the following:

- a. The site to be used for the proposed multiple unit dwelling shall be located on a lot with access to municipal public sewer or adequate to provide sewer and water services in accordance with the Department of Environment standards for on-site sewage disposal.
- b. The proposed use shall be compatible with adjacent land uses in terms of bulk and scale.
- c. The proposed use shall abut a public road, private road or street which is capable of accommodating the increased traffic flow generated by the development.
- d. The site of the proposed multiple unit dwelling shall be large enough to accommodate off street parking.
- e. The criteria found in Part 11, Section 11.7 of this Municipal Planning Strategy.

POLICY R-8 It shall be the policy of Council to establish development standards in the Land Use Bylaw in order to provide for orderly development within the Planning Area. The Bylaw shall set out requirements for lot sizes, yard requirements and parking standards for all land development.

POLICY R-9 It shall be the policy of Council to establish specific lot sizes for lots serviced with Municipal Water and Sewer depending on the particular use. Lot sizes not serviced with public water and sewer shall comply with the Nova Scotia Department of Environment On-site Sewer Regulations.

POLICY R-10 It shall be the policy of Council to establish Special Setback Requirements in the Land Use Bylaw for Commercial and Industrial uses which are adjacent to Residential uses.

### **Residential Policies - Mobile Homes and Mobile Home Parks**

- 4.7 There are a number of Mobile Homes (Mini or Manufactured Homes) located on individual lots within the Planning Area. These existing Mobile Homes along with new Mobile Homes located on individual lots will be a permitted use within the Residential R-1 Zone.

At present there are no Mobile Home Parks within the Planning Area. In the event that a Mobile Home Park is proposed, Council has established a Zone which allows the development of a Mobile Home Park through the Amendment (Rezoning) Process.

POLICY R-10 It shall be the policy of Council to acknowledge existing and future mobile homes located on individual lots within the Residential R-1 Zone by listing mobile homes as a permitted use.

POLICY R-11 It shall be the policy of Council to establish in the Land Use Bylaw a Mobile Home Park R-3 Zone which will be used for new Mobile Home Parks.

POLICY R-12 It shall be the policy of Council to require an amendment to the Land Use Bylaw (rezoning) for any new Mobile Home Park in any area designated "Residential" on the Generalized Future Land Use Map (Map #4).

POLICY R-13 It shall be the policy of Council to permit within the Mobile Home Park R-3 Zone such uses as the following: mobile home parks, mobile homes, mobile home sales & offices, public recreational uses - parks and playgrounds and storage facilities for maintenance equipment.

POLICY R-14 It shall be the policy of Council to consider rezoning applications for rezoning from Residential General R-1 to Mobile Home Park R-3 provided the following criteria can be complied with:

1. That the proposed water and sewer systems are capable of handling the project. This shall be determined by a qualified

person.

2. That the proposed development provides sufficient setback from abutting zones in accordance with Special Setback Requirements in the Land Use Bylaw.
3. That the development must comply with Policy found in Part 11, Section 11.7.

**Large Scale Commercial Development**

- 5.1 Commercial Development is necessary to provide services and employment to residents living within the Planning Area. However, large scale Commercial Development will require an amendment to the Land Use Bylaw (rezoning).

**Small Scale Commercial Development**

- 5.2 Council is of the opinion that small scale Commercial Developments which provide a service to the residents should be permitted in the R-1 Residential Zone. It is important to realize the necessity of new small scale Commercial Development in the Planning Area. This type of development will provide much needed jobs and a better economic climate for the Municipality. However, the scale of this new development must be in keeping with the Residential component of the Planning Area and must comply with the general and special lot requirements for a commercial development. Therefore a limit must be placed on the size of the proposed development to ensure this compatibility. Larger scale Commercial Developments which provide goods or services to a much broader segment of the public will be zoned Commercial General C-1 on the Zoning Map. The existing Commercial Developments will be spot zoned Commercial General C-1 and the new large scale Commercial projects will require an amendment to the Land Use Bylaw.

**Setback Requirements**

- 5.3 Special setbacks will be required for outdoor storage or parking within a Commercial Zone adjacent to a Residential Zone.

**Commercial Policies**

- 5.4 The following policies shall apply to the commercial designation:
  - POLICY C-1 It shall be the policy of Council to establish in the Land Use Bylaw a Commercial General C-1 Zone.
  - POLICY C-2 It shall be the policy of Council to permit within the Commercial General C-1 Zone the following and similar types of uses: banks and financial institutions, retail shops, business or professional offices, motels and associated tourist establishments, restaurants or drive-in restaurants, beverage rooms or lounges, personal service establishments, automobile

sales and services, automobile service stations including car wash or a convenience store, liquor stores, drug stores, hardware stores, laundromats, hairdresser or barber shops, marinas, autobody shops, golf course, craft and gift shops, campgrounds, trucking and construction depots, building supply depots, repair shops, post office, warehousing and storage facilities, garden and nursery sales and supplies, funeral home, public park, museum, library and residential uses located in the same building as a Commercial use.

POLICY C-3 It shall be the policy of Council to permit Commercial C-1 uses in the Residential Designation as shown on the Generalized Future Land Use Map (Map #3).

POLICY C-4 It shall be the policy of Council to permit Commercial C-1 uses which do not exceed 1,200 square feet in floor area and/or 1,200 square feet in outdoor storage area in the Residential Zone provided the general and special lot requirements for a Commercial General C-1 Zone are complied with.

POLICY C-5 It shall be the policy of Council to establish in the Land Use Bylaw a "Commercial General C-1 Zone". All existing Commercial uses which exceed the maximum floor area and/or maximum outdoor storage space mentioned in Policy C-4 will be spot zoned Commercial General C-1. All new Commercial Development not permitted in a Residential Zone will require an amendment to the Land Use Bylaw.

POLICY C-6 It shall be the policy of Council to require special setbacks for open storage, display or parking when a Commercial C-1 use abuts a Residential use.

POLICY C-7 It shall be the policy of Council to require a specific number of parking spaces for each new commercial use.

POLICY C-8 It shall be the policy of Council to consider applications to amend the Land Use Bylaw to Commercial General C-1 Uses provided the following criteria can be complied with:

1. The criteria found in Part 11, Section 11.7.

## **PART 6**

## **INDUSTRIAL LAND USE POLICIES**

### **Development Activity**

- 6.1 The District #1, 2, 4, 5 & 6 Planning Area has potential for Industrial Developments; and, in particular marine related developments and rock quarries in the Fox Island area. The Council recognizes the importance of these industries to the local region but want to ensure the sites are suitable to establish their activities while balancing the visual impact on the rural environment. At the present time there are a few small scale quarry operations in this planning area that Council will consider for zoning to Industrial Heavy M-2.

There is also interest in the development of wind farms and land will be considered for zoning to Industrial Resource M-3 to accommodate those interests.

### **Industrial Development in Other Zones**

- 6.2 In keeping with the background material as stated in Part 5, Commercial Development, small scale industrial uses will be permitted in the R-1 Residential Zone provided the general and special lot requirements for an Industrial Light M-1 Zone are complied with. However, it is important to limit the size of the new industrial use within the Residential area so that it does not cause hardships to any of the nearby residential uses.

Other lands within the Planning Area may be considered for a Bylaw Amendment (Rezoning) to allow for a new Industrial Resource M-3, Industrial Heavy M-2 or Industrial Light M-1 Use provided the development complies with stated criteria.

Council, in allowing Industrial Development has chosen to create three (3) separate concepts for Industrial Uses. The first of these concepts will allow small scale development within a Residential Zone whereas the small scale uses are considered compatible with Residential Development and generally provide a service to the local area. The second concept will contain Light Industrial Uses which will be allowed within the Residential Designation but will require an amendment (rezoning) and must comply with specific criteria to ensure protection of adjacent properties. The third concept will allow Heavy Industrial Uses (Industrial Heavy and Industrial Resource) through an amendment (rezoning) process and must comply with specific criteria to ensure protection of adjacent properties. These areas will allow and encourage large scale Industrial Uses.

### **Setback Requirements**

- 6.3 Special setback requirements for Industrial Uses abutting Residential or Commercial Uses will be established.

### **Industrial Designation**

- 6.4 It shall be the policy of Council to designate an area as “Industrial Heavy” as shown on the Generalized Future Land Use Map. Council shall establish an Industrial Heavy (M-2) Zone and Industrial Resource (M-3) Zone that will be applied to lands designated “Industrial Heavy”.

### **Industrial Policies**

- 6.5 The following policies shall apply to the industrial designation:

POLICY I-1 It shall be the policy of Council to establish in the Land Use Bylaw an Industrial Resource M-3 Zone, Industrial Heavy M-2 Zone and an Industrial Light M-1 Zone.

POLICY I-2 It shall be the policy of Council to permit the following and similar types of uses in an Industrial Light M-1 Zone: manufacturing, assembly or warehouse operations, building supplies or equipment depots, processing operations, service industries, business and professional offices related to industrial use and commercial uses associated with industrial use.

POLICY I-3 It shall be the policy of Council to permit the following and similar types of uses in an Industrial Heavy M-2 Zone: all uses permitted in the M-1 Zone, auto salvage yards, rock quarry operations and raw material processing and manufacturing.

POLICY I-4 It shall be the policy of Council to permit the following and similar types of uses in an Industrial Resource M-3 Zone: LNG Facilities, gas processing facilities, petrochemical facilities, oil refineries, marine/container terminals, power generation facilities and wind farms.

POLICY I-5 It shall be the policy of Council to permit small scale Industrial Light M-1 uses which do not exceed 1,200 square feet in floor area and/or outdoor storage area in the Residential R-1 Zone provided the general and special lot requirements for an Industrial Light M-1 Zone are complied with.

POLICY I-6 It shall be the policy of Council to consider an amendment (rezoning) to the Land Use Bylaw for Industrial Light M-1 Uses, Industrial Heavy M-2 Uses and Industrial Resource M-3 Uses in

the Residential designation provided the following criteria are followed:

1. The proposed use must be approved by the Department of Health, Department of Environment for the Environment Assessment Act or other appropriate Government Departments prior to being rezoned.
2. The proposed development must provide sufficient setback from abutting zones in accordance with General and Special Setback Requirements in the Land Use Bylaw.
3. It must comply with the criteria found in Part 11, Section 11.7.

POLICY I-7 It shall be the policy of Council to establish special setbacks where an Industrial M-1, M-2 or M-3 Use abuts a Residential, Commercial, Conservation, Watershed or Recreation Use.

POLICY I-8 It shall be the policy of Council to establish special controls in the Industrial Resource (M-3) Zone relating to the provision of landscaping, earth berms and external color/textures used on structures and buildings in this zone.

## **PART 7**

## **RECREATIONAL LAND USE POLICIES**

### **Public Recreational Facilities**

- 7.1 Public Recreational Facilities are intended to improve the quality of life for the residents within the Planning Area and are important factors when encouraging further development of the area.

### **Recreational Development in Other Zones**

- 7.2 For the purpose of this Planning Strategy and Land Use Bylaw, Public Recreational Facilities shall be permitted in both Residential Zones. Public Recreational Uses are permitted as-of-right in the R-1 Zone but Council would like to provide for the continuance of the larger public recreational uses by designating and zoning them “Recreational”. In order to ensure the continued provision of public recreational areas Council will designate these areas as Recreational as shown on the Generalized Future Land Use Map. In order to encourage the provision of recreational areas, Council will establish a Recreational REC-1 Zone in the Land Use By-Law.

### **Recreational Policies**

- 7.3 The following policies shall apply to the recreational designation:

Policy REC-1 It shall be the policy of Council to designate any existing major recreational facilities within this Planning Area as “Recreational” on the Generalized Future Land Use map.

Policy REC-2 It shall be the policy of Council to establish a Recreational REC-1 Zone in the Land Use By-Law and apply it to the area designated as “Recreational”.

Policy REC-3 It shall be the policy of Council to establish a Recreational REC-1 Zone to permit the following uses:

- i. ballfields
- ii. community centres
- iii. provincial parks
- iv. golf courses
- v. marinas; and,
- vi. other recreational related uses.

## **PART 8**

## **MUNICIPAL SERVICES**

### **Water and Wastewater Services**

- 8.1 Currently there is one Wastewater Management District in this planning area located in the Community of Little Dover and one area serviced with public sewer and water in the Community of Hazel Hill. Sewer service within this Wastewater Management District is the responsibility of the Municipality. Water for the Community of Hazel Hill is purchased from the Town of Canso.

### **Municipal Service Policies**

- 8.2 The following policies shall apply to water and wastewater services in the Municipality:

POLICY S-1 It shall be the policy of Council to encourage infilling on vacant land within the areas serviced with public sewer in order to utilize the design capacities of the system.

POLICY S-2 It shall be the policy of Council to strive toward having the entire area in a Wastewater Management District serviced with public sewer to eliminate the necessity for on-site sewer systems within the Wastewater Management District.

### **Police Protection Services**

- 8.3 Police protection is provided in the District #1, 2, 4, 5 & 6 Planning Area by the RCMP.

### **Policy - Protection Services**

- 8.4 The following policies shall apply to police protection services in the Municipality:

POLICY P-1 It shall be the policy of Council to continue to utilize the RCMP Officers for police protection.

### **Fire Protection Services**

- 8.5 The District #1, 2, 4, 5 & 6 Planning Area is provided with Fire Protection by Volunteer Fire Departments.

### **Policy - Fire Protection Services**

8.6 The following policies shall apply to fire protection services in the Municipality:

POLICY P-2 It shall be the policy of Council to support the efforts of the Volunteer Fire Departments in this Planning Area who provides fire protection to the properties in these communities.

POLICY P-3 It shall be the policy of Council to require that an annual financial report be submitted to the Municipality at the end of each budget year.

## **PART 9**

## **GENERAL POLICIES**

### **Signage**

- 9.1 The District #1, 2, 4, 5 & 6 Planning Area does not have a significant amount of commercial development, therefore there are not many signs in the Planning Area. Since signage is not a problem, Council sees no reason to have detailed or stringent requirements for signs. However, Council recognizes the need for a Development Permit to be issued for all signs which exceed a specific size to ensure proper safety standards.

### **Policy - Signage**

- 9.2 Policy G-1 It shall be the policy of Council not to place limits on the size or number of signs permitted on a property within the planning area at this time, but eventually as development increases the Land Use Bylaw may be amended to include more detailed sign provisions.
- Policy G-2 It shall be the policy of Council to require a Development Permit for all signs exceeding sixteen square feet which are being erected within the District #1, 2, 4, 5 & 6 Planning Area.
- Policy G-3 It shall be the policy of Council that when a Commercial or Industrial Development abuts a residential or institutional use a special setback shall be imposed for the sign location.

### **Government Buildings and Facilities**

- 9.3 Government Buildings and Facilities are considered to be compatible in any zone.

### **Policy - Government Buildings and Facilities**

- 9.4 Policy G-4 It shall be the policy of Council to permit Government Buildings in any zone.

### **Parking Standards**

- 9.5 At the present time parking within the Planning Area is not a problem. However, with installation of water and sewer services that include curb, gutters and sidewalks, Council is of the opinion that provisions should be made in the Land Use Bylaw requiring new developments to provide off street parking spaces in all zones within the planning area unless an exception has been granted.

### **Policy - Parking Standards**

- 9.6 Policy G-5 It shall be the policy of Council to require parking standards in the Land Use Bylaw for all new or expanded developments within the Planning Area.

### **Temporary and Special Uses**

- 9.7 Throughout any community there are activities which are associated with new development or construction projects. From time to time there is 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 Planning Area. However, Council will require that a temporary use (structure) be removed from the site shortly after construction work is completed.

“Special Uses” refer to signs, banners, display booths, and other associated structures which are used during special events such as festivals and special ceremonies. Council sees no major problem with allowing these uses in the Planning Area on a short term basis. Council will require that the special use be removed once the event is concluded.

### **Policy - Temporary and Special Uses**

- 9.8 Policy G-6 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 and scaffolding in the Planning Area. Council will require that such temporary use or structure be removed within a specified time. A Development Permit shall be required for such temporary use.

- Policy G-7 It shall be the policy of Council to allow for special uses during events such as festivals and special ceremonies within the Planning Area. A “Special Use” must be removed once the event is completed.

### **Solid Waste Collection**

- 9.9 The Municipality provides collection of solid waste on a regular basis to the residential and commercial sector. The solid waste is collected by truck and transported to a municipal landfill site.

### **Policy - Solid Waste Collection**

- 9.10 Policy G-8 It shall be the policy of Council to continue with refuse collection

on a regular basis in accordance with the Municipality's Solid Waste and Recyclables Bylaw.

### **Underground Pipelines**

9.11 Underground pipelines are considered to be compatible in any zone.

### **Policy - Underground Pipelines**

9.12 Policy G-9 Council is of the opinion that underground pipelines must be permitted in all zones.

### **Development Standards**

9.13 Council will place criteria in the Land Use By-Law to provide for orderly development within the Planning Area.

### **Policy - Development Standards**

9.14 Policy G-10 It shall be the policy of Council to establish in the Land Use By-Law requirements for lot sizes and yard requirements for all land development.

## **PART 10**

## **ENVIRONMENTAL PROTECTION**

### **Water Reservoir**

- 10.1 The District #1, 2, 4, 5 & 6 Planning Area has one (1) large Water Reservoir, Wilkin's Lake Water Reservoir. The Wilkin's Lake Reservoir provides water to the Town of Canso who supply water to the community of Hazel Hill.

### **Watershed Zone**

- 10.2 In order to assist in providing environmental protection for this Water Reservoir Council will designate this area Watershed on the Generalized Future Land Use Map (Map #3) and create a Special Watershed (W) Zone to protect this reservoir and its drainage areas. This Watershed Zone will be restricted to uses which will not have a detrimental effect on the water supply. Special setbacks shall be established in the Land Use Bylaw to preserve and protect the quality of water in Wilkins Lake and its surrounding watershed through the use of land use regulation and development control.

### **Setback Requirements**

- 10.3 Special setback requirements for all uses permitted in the Watershed Zone will be established in the Land Use Bylaw to ensure environmental protection of all water courses and bodies of water within this zone.

### **Policy - Watershed Designation**

- 10.4 Policy W-1 It shall be the policy of Council to designate the entirety of the Wilkins Lake Watershed, as described in the Wilkins Lake Watershed Management Plan, and shown on the Generalized Future Land Use Map (Map #3), as Water Supply Watershed.
- Policy W-2 It shall be the policy of Council to establish a Watershed (W) Zone in the Land Use Bylaw.
- Policy W-3 It shall be the policy of Council to zone the lands within the area of the water reservoir as Watershed (W) Zone.
- Policy W-4 It shall be the policy of Council to monitor activities in and around Wilkins Lake and if deemed advisable apply to the Minister of Environment and Labour to take steps to designate the Wilkins Lake watershed as a Protected Water Area under the Environment Act and apply appropriate regulations for its protection.
- Policy W-5 It shall be the policy of Council to permit the following uses

within the Watershed (W) Zone: single unit dwelling, parks, playgrounds, water utility uses and forestry activity with an approved Forestry Management Plan.

Policy W-6 It is the policy of Council to apply development standards to any residential development within the Watershed (W) Zone that is sensitive to the special needs of the zone. In that regard minimum lot area and frontage requirements will be larger than normal in order to keep density low.

Policy W-7 It shall be the policy of Council to further protect the watercourses within the Watershed (W) Zone by requiring a large buffer area around Wilkins Lake within which no structure, other than those related to the water utility, may be constructed and no vegetation may be removed unless authorized.

### **Wilderness Areas and Nature Reserves**

10.5 The District #1, 2, 4, 5 & 6 Planning Area has three (3) large Wilderness Areas and one (1) Nature Reserve. The Ogden Round Lake Wilderness area is located in the Ogden area, the Bonnet Lake Barrens is located between Lundy and Upper Whitehead, the Canso Coastal Barrens is located in the Canso - Little Dover area and the Roman Valley Nature Reserve is located in the Roman Valley area.

### **Conservation Zone**

10.6 In order to assist in providing environmental protection for these provincially protected areas Council will designate these areas Conservation on the Generalized Future Land Use Map (Map #3) and create a Special Conservation Zone (E-1) to protect the wilderness areas and a Conservation Zone (E-2) to protect the nature reserve areas. This Conservation Zone will be restricted to uses which will not have a detrimental effect on the lands consistent with provincial regulations.

### **Setback Requirements**

10.7 Special setback requirements for all uses in the Conservation (E-1) Zone will be established in the Land Use Bylaw to ensure environmental protection for lands within this zone

### **Policy - Conservation Designation**

- 10.8 Policy E-1 It shall be the policy of Council to designate the following Wilderness Protected areas as Conservation (E-1):
- Canso Coastal Barrens
  - Bonnet Lake Barrens
  - Ogden Round Lake Area
- Policy E-2 It shall be the policy of Council to designate the Roman Valley nature reserve as Conservation (E-2).
- Policy E-3 It shall be the policy of Council to establish a Conservation (E-1) Zone and a Conservation (E-2) Zone in the Land Use Bylaw.
- Policy E-4 It shall be the policy of Council to permit the following uses within the Conservation Zone (E-1): all uses identified by the Province which includes passive recreational uses, camping, walking trails, wilderness recreational facilities, fishing, hunting, trapping and use of bicycles (motorized vehicles such as snowmobiles, all-terrain vehicles and motor boats only on a limited or exceptional basis when authorized).
- Policy E-5 It shall be the policy of Council to permit the following uses within the Conservation (E-2) Zone: environmental and nature appreciation, scientific research and education uses.

## **PART 11                    IMPLEMENTATION**

### **Municipal Planning Strategy**

- 11.1 The Municipal Planning Strategy for the District #1, 2, 4, 5 & 6 Planning Area is the prime policy document providing the framework by which the future growth and development of the planning 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.

### **Planning Advisory Committee**

- 11.2 Policy A-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 may include aspects of public information and participation and various further studies respecting such matters as the drafting or revision of Municipal bylaws which deal with planning issues and any other issues which Council may suggest.

### **Comment from Outside Agencies**

- 11.3 Policy A-2            In order that development control decisions may be based on expert advise 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 provincial government agencies such as the Department of Environment and Department of Transportation & Public Works for their information and comment as may be required.

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

- 11.4 The Generalized Future Land Use Map is the most important map in the Municipal Planning Strategy. It shows the desired future land use within the planning area which have been recommended by the strategy. This map includes the following designations:
- Residential Designation which permits residential, commercial, light industrial and institutional uses.
  - Industrial Designation which permits Light and Heavy Industrial Uses.
  - Watershed Designation which permits limited uses such as single family dwelling, playgrounds, gardens, parks and water supply treatment and distribution uses .

### **Land Use Bylaw**

- 11.5 The principal mechanism by which land use policies are implemented is 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 of the Municipal Planning Strategy (as required by the Municipal Government Act).
- 11.6 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 degree of control on future development, initial zoning provisions will provide for organized development within the Planning Area. However, such amendments will be granted only if they meet the policies within this Municipal Planning Strategy.

### **Criteria for Amendments to the Land Use Bylaw**

- 11.7 Policy A-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:
- 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 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 the Land Use Bylaw 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. similar matters of planning concern.
- d. Suitability of the proposed site in terms of steepness of grades and/or location of watercourses based on appropriate technical advice.

### **Amending the Land Use Bylaw**

11.8 The District #1, 2, 4, 5 & 6 Planning Area Land Use Bylaw is designed to implement this Municipal Planning Strategy, and it is expected that the bylaw 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 Bylaw include:

- i. a request by an individual to have the bylaw amended (i.e.: a map amendment or text amendment);
- ii. a motion by a member of Council to amend the bylaw; or
- iii. 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 A-4 In considering amendments to the Land Use Bylaw it shall be the policy of Council to:

- a. request a report from the development officer;
- b. refer the matter to the Planning Advisory Committee for reports with respect to policies of this strategy which affect the proposed amendment;
- c. refer the matter to the appropriate individual government departments (as identified in this strategy) where special expert advice is required;
- d. comply with all legal requirements concerning amendments to the Land Use Bylaw as set out in the Municipal Government Act; and
- e. require the applicant to pay the cost for advertising with respect to public notice as provided for in the Municipal Government Act.

### **Development Officer**

11.9 Policy A-5 In accordance with the Municipal Government Act it shall be the

policy of Council to continue the services of the development officer who shall administer the Land Use Bylaw and shall, where appropriate, grant development permits.

### **Minor Variances**

- 11.10 Policy A-6 In addition to the general powers granted in the Municipal Government Act. The development officer may grant “minor variances” from the Land Use Bylaw. Specifically, the development officer may vary the percentage of land that may be built on, the sizes of yards, courts and other open spaces, lot frontage, and lot area. Should the development officer grant a minor variance he must serve notice of this action in accordance with the Municipal Government Act, and his action may be appealed to Council by anyone served with such notice.

### **Subdivision of Land**

- 11.11 Subdivision of land within the Municipality of the District of Guysborough shall be in accordance with the Municipal Subdivision Bylaw.

Policy A-7 It shall be the policy of Council to allow the special provisions of the Municipal Subdivision Bylaw to apply in the Planning Area. Specifically, these deal with private roads, schedule roads, encroachments, islands and relaxation of restrictions pursuant to the Municipal Government Act.

### **Other Municipal Bylaws**

- 11.12 Policy A-7 It shall be the policy of Council to review from time to time and, when necessary, amend its Municipal Building Bylaw and Unsightly Premises Bylaw and Policies. The Building Bylaw regulates the Building Permit requirements for new buildings and alterations to existing buildings and the Dangerous & Unsightly Premises Bylaw gives the Municipality an avenue to address dangerous or unsightly properties.

## **Building Inspector**

- 11.13 Policy A-8 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 Bylaw, the Dangerous & Unsightly Premises Bylaw and other Bylaws and Policies as required.

## **Strategy Amendments**

- 11.14 Policy A-9 Parts 1 to 10 of this strategy and all associated maps constitute the official municipal planning strategy for the District #1, 2, 4, 5 & 6 Planning Area.
- 11.15 An amendment to this strategy shall be required:
- a. Where any policy intent is to be changed;
  - b. Where detailed area or functional strategies are desired to be incorporated into this strategy.
- 11.16 Policy A-10 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.

## **Strategy Review**

- 11.17 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.