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## CHAPTER 1

A.

### INTRODUCTION

This Municipal Planning Strategy is Council's fourth effort to place land use controls on new and existing development within parts of the Municipality. The first planning program was undertaken by Council back in the early nineteen seventies, when it was anticipated that major development was to occur along the shores of the Strait of Canso. A major US oil company was proposing a modern oil refinery on the mainland shore near the community of Melford. The Nova Scotia Government at the time acquired large land holdings, which were to be used for the refinery and various support industries.

To encourage this effort, the Municipality in cooperation with the Provincial Government, proceeded to prepare land use controls to support both private and public investment in the area. A Municipal Development Plan and Zoning Bylaw were adopted by Council on November 18, 1974 and approved by the Minister of Municipal Affairs on December 14, 1974.

A second planning effort was undertaken by the Municipality in the late nineteen seventies. However, after many months of discussion council decided to shelve the project until a later date.

The original 1974 documents have remained in effect for the past eighteen years. In 1991, Council decided to undertake a review of the documents with the intention of updating a specific area within the original overall Planning Area. This review resulted (the third planning exercise) in a new Municipal Planning Strategy and Land Use Bylaw being prepared and adopted for the Guysborough Planning Area. These new documents which apply to the Community of Guysborough, were approved by Council on July 16, 1992 and approved by the Minister of Municipal Affairs on November 2, 1992.

Approximately a year ago Council again recognized the need to review and update the remainder of the area covered by the earlier 1974 planning documents. This Municipal Planning Strategy will become the legal land use document for the Northeastern portion of the Municipality, 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 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 (Schedule "A").

## CHAPTER 1

### B.

#### REGIONAL CONTEXT

The Northeastern Guysborough Planning Area is located near the Strait of Canso approximately 300 kilometers east from the Provincial Capital, the City of Halifax.

#### LOCAL CONTEXT

The Northeastern Guysborough Planning Area will include all lands from Guysborough along Route 16 to the Antigonish County Line, including lands extending to the Western end of the Milford Haven River, also all land in the Municipality (excluding Town of Mulgrave), Southeast of Route 16 and the Antigonish County Line to the Strait of Canso and Chedabucto Bay. Some of the communities included in this area are: Boylston, Guysborough Intervale, Lincolnville, Upper Big Tracadie, Grosvenor, Aulds Cove, Steep Creek, Melford, St. Francis Harbour and Manchester. (For a more accurate description refer to Map #2).

This area is primarily rural with some residential development along the main traffic routes. Boylston, Aulds Cove and St. Francis Harbour presently have sporadic commercial and industrial development. Aulds Cove has an Industrial Rock Quarry in operation and an Aquaculture Project is located in Melford. Also, within the Planning Area is potential for agricultural uses.

In the past large land holdings surrounding the Grants Lake, the Goose Harbour Lake and the Melford Water Reservoirs have been restricted to ensure the protection of these water reservoirs. The Town of Mulgrave and Stora Forest Industries Limited obtain water from the Grants Lake and Goose Harbour Lake Reservoirs. These areas will be provided with a similar level of protection in this Municipal Planning Strategy.

## CHAPTER 1

### C.

#### PLANNING AREA BOUNDARIES

The Northeastern Guysborough Planning Area boundaries encompass all the area boundaries as they appear on the Generalized Future Land Use Map (Map #3).

## CHAPTER 1

### D.

#### HISTORY OF NORTHEASTERN PLANNING AREA

The Northeastern Planning Area is situated at the Northeastern end of Guysborough County between Chedabucto Bay and the Antigonish County Line.

As early as the Sixteenth Century Fishermen and Traders from numerous European Countries were active in the Guysborough County area. The first permanent settlements in the County took place in the late Seventeen Hundreds and included English, Acadian French and Loyalist Settlements. Most of the development in this area is along the Shorelines with the exceptions being the communities of Lincolnville and Upper Big Tracadie.

The early economy of this portion of the Municipality of Guysborough was dominated by fishing and forestry and that trend continues today.

In 1973 in response to a proposed large oil refinery in Melford, Guysborough County, the Provincial Government designated a Special Development Control Area which covered the Northeastern ends of Guysborough and Antigonish Counties from Chedabucto Bay to George's Bay. It was the Provincial Governments intention that the Melford Side of the Canso Strait be used for heavy industrial and related development similar to that which occurred on the Cape Breton Island Side of the Strait in the 1960's. With this in mind the Province expropriated approximately fourteen thousand (14,000) acres of land in Melford area for Industrial Development and a buffer area surrounding the Industrial Lands. The Federal Government through the Department of Regional Economic Expansion (DREE) also showed confidence in the potential of this area and assisted in the construction of a massive water reservoir in Melford to the rear of lands intended for industrial use. The proposed Oil Refinery was cancelled and to date the only Industrial project using the expropriated lands and water reservoir is a small Hydro Generating Station (Black Water Hydro). At the present time a land and water based Aquaculture Project is operating at Melford Point. This project also planed to make use of fresh water from the Melford Reservoir.

## CHAPTER 2

### A.

#### LAND USE POLICIES - RESIDENTIAL

The development area covered by this planning strategy consists of approximately 144,000 acres of land with the majority of this development being residential. This development is predominately located along Route 16 (from Guysborough to Monastery), and along Route 344 (road along shoreline from Boylston to Mulgrave).

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).

At the present time there is only one multiunit residential building within the Planning Area. This is a six unit privately owned apartment building in Boylston.

All 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.

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 Industrial and Conservation.

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 need to protect 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.

## CHAPTER 2

- 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.
- POLICY R-4 It shall be the policy of Council that small scale Commercial and Industrial uses be permitted in the R-1 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. The existing six (6) unit apartment building in Boylston will be zoned R-2 Residential.

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 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 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 Chapter 5, Policy A-3 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 Special Setback Requirements in the Land Use Bylaw for Commercial and Industrial uses which are adjacent Residential R-1 or R-2 uses.

## Mobile Homes and Mobile Home Parks:

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, public recreational uses - parks and playgrounds, mobile home park offices 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 Chapter 5, Policy A-3.

## CHAPTER 2

### B.

#### COMMERCIAL

Commercial Development is necessary to provide services and employment to residents living within the Planning Area. However, not all types of Commercial Development are appropriate. It is generally not desirable to have large scale Commercial Development within built up residential areas. Usually large scale development is not compatible with low density residential development.

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. Therefore a limit must be placed on the size of the 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 larger Commercial Developments will be spot zoned Commercial General C-1 and the new large Commercial projects will require an amendment to the Land Use Bylaw. Council will not prezone any existing vacant lots to Commercial General C-1.

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

**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 R-1 Zone.

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 R-1 or R-2 use.

POLICY C-7 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 Chapter 5, Policy A-3 are complied with.

## CHAPTER 2

C.

### INDUSTRIAL

The Northeastern Guysborough Planning Area has potential for large Industrial Developments in the Melford Area. A large parcel of land in this area was expropriated by the Province in the early 1970's for proposed Industrial Development, however, the proposed development did not take place. To date this land is still held in ownership by the Province for development purposes. There has been renewed interest shown by large scale oil, gas and petrochemical companies in establishing facilities in the region, however, an important component of their location is access to main roads and marine facilities. The council recognize the importance of these industries to the local region and want to ensure suitable sites are made available to establish their activities while balancing the visual impact on the rural environment.

At the present time a small water power project (Black Water Hydro) is located on those Provincial Land Holdings. Other Industrial Developments within the Planning Area include: Construction Aggregate (Rock Quarry and Concrete Plant), Andersons Fish Processing and Lobster Sales Outlet in Aulds Cove and an Aquaculture Project in Melford. Construction Aggregate (Rock Quarry and Concrete) will be zoned Industrial General (Heavy) M-2 and Andersons Fish Processing and Lobster Sales and the Aquaculture will be zoned Industrial General (Light) M-1.

In keeping with the background material as stated in Chapter 2, Commercial Development, small scale industrial uses will be permitted in the R-1 Residential Zone. 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 General (Heavy) M-2 or Industrial General (Light) M-1 Use provided the development complies with stated criteria.

Council, in allowing Industrial Development has chosen to create four (4) 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. 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 within the rezoned Industrial Areas in Melford and Aulds Cove. The fourth concept will provide specifically for large-scale refinery, gas processing industrial facilities, power generation facilities, marine/container terminals and wind farms that require good linkages to the

marine environment and main roads. These areas will allow and encourage large scale Industrial Uses.

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

**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-2 Zone will include auto salvage yards, rock quarry operations, refineries 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 zone the Lobster Processing and Sales in Aulds Cove Industrial Light M-1 and the Aquaculture Project in Melford Industrial Resource M-3 in the Land Use Bylaw. Council will zone the Provincial Land in Melford Industrial Resource M-3 and the Rock Quarry in Aulds Cove as Industrial Heavy M-2.

**POLICY I-6** It shall be the policy of Council to permit small scale Industrial uses which do not exceed 1,200 square feet in floor area and/or outdoor storage area in the Residential R-1 Zone.

**POLICY I-7** 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 Chapter 5, Policy A-3.

POLICY I-8 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 R-1, Residential R-2, Commercial C-1 Use or Recreation REC-1 Use.

POLICY I-9 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.

## CHAPTER 2

D.

### RECREATIONAL DEVELOPMENT

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. 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.

#### **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:

ballfields, community centres, provincial parks, golf courses, marinas and other recreational related uses.

## CHAPTER 3

### B.

#### PROTECTIVE SERVICES

##### 1. POLICE PROTECTION

Police protection is provided in the Northeastern Guysborough Planning Area by the RCMP.

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

##### 2. FIRE PROTECTION

The Northeastern Guysborough Planning Area is provided with Fire Protection by Volunteer Fire Departments.

As with other Volunteer Fire Departments in the Municipality these Departments receive a Municipal Grant based on assessed value of property in the communities as well as a fire levy determined by the ratepayers served by the Department.

Additional funds needed to operate the Fire Departments are raised through events put on by the volunteers in the Department.

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.

CHAPTER 3  
MUNICIPAL SERVICES

C.

GENERAL POLICIES

1. SIGNS

The Northeastern Guysborough 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 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 four square feet which are being erected within the Northeastern Guysborough 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.

2. GOVERNMENT BUILDINGS AND FACILITIES

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

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

3. TEMPORARY AND SPECIAL USES

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 G -5. 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 -6. 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.

#### 4. REFUSE COLLECTION

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

POLICY G -7. It shall be the policy of Council to continue with refuse collection on a weekly basis in accordance with the Municipality’s Garbage Collection Bylaw.

#### 5. UNDERGROUND PIPELINES

POLICY G-8 Council is of the opinion that underground pipelines must be permitted in all zones.

#### 6. DEVELOPMENT STANDARDS

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

POLICY G-9 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.

## CHAPTER 4

### A.

#### ENVIRONMENTAL PROTECTION

The Northeastern Guysborough Planning Area has three (3) large Water Reservoirs. The Water Reservoirs include: Grants Lake Reservoir near Mulgrave, Goose Harbour Lake Reservoir near Pirate Harbour and the Melford Reservoir near Melford.

The Grants Lake Reservoir and the Goose Harbour Reservoir provide water to Stora Forest Industries through a submerged water pipeline located under the Strait of Canso. The Town of Mulgrave obtains their water supply from the Grants Lake portion of the water system.

The Melford Reservoir was constructed in the early 1970's by the Provincial Government on expropriated lands for the purpose of supplying water to a large oil refinery which was to be constructed in the Melford Area. The Oil Refinery Project was cancelled after expropriation of the lands and construction of the reservoir was completed. This reservoir presently provides water to a small Hydro Generating Plant and an Aquaculture Project.

In order to assist in providing environmental protection for these Water Reservoirs 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 these reservoirs and their drainage areas. This Conservation Zone will be restricted to uses which will not have a detrimental effect on the water supply. A special setback shall be established in the Land Use Bylaw to ensure that Agriculture and Forestry uses are not located too close to a water body.

Special setback requirements for all buildings and farming and forestry uses will be established in the Land Use Bylaw to ensure environmental protection of all water courses and bodies of water within this zone.

POLICY E -1. It shall be the policy of Council to designate three water reservoirs and their drainage areas Conservation on the Generalized Future Land Use Map (Map #3).

POLICY E -2. It shall be the policy of Council to establish a Conservation Zone (E-1) in the Land Use Bylaw.

POLICY E -3. It shall be the policy of Council to zone the lands within the area of the water reservoirs as Conservation Zone (E-1).

POLICY E -4. It shall be the policy of Council to permit the following uses within the Conservation Zone (E-1): single unit dwelling, seasonal uses, passive recreational uses, farming and forestry uses and conservation related uses.

POLICY E -5. It shall be the policy of Council to establish a special setback requirements from the water reservoirs, water bodies and all water courses for all development within the Conservation Zone (E-1). Special setbacks will also be included for farming and forestry uses. The special provisions relating to setbacks from the coastal marine environment and lakes for the Industrial Heavy (M-2) or Industrial Resource (M-3) Zone shall apply instead of the fifty (50) feet setback provision.

## CHAPTER 5 IMPLEMENTATION

### A.

#### GENERAL

The Municipal Planning Strategy for the Northeastern Guysborough 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.

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.

POLICY A -2. In order that development control decisions may be based on expert advice beyond that which the Planning Advisory Committee is able to supply, it shall be the policy of Council to circulate applications for amendment of the Land Use Bylaw to provincial government agencies such as the Department of Health and Fitness, Transportation & Communications and Environment for their information and comment as may be required.

POLICY A -3. Areas immediately adjacent to a given land use designation on the Generalized Future Land Use Map may be considered for rezoning to a use permitted in that designation without requiring an amendment to this Strategy, if the intention of all other policies of the Strategy are satisfied.

### B.

#### GENERALIZED FUTURE LAND USE MAP

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:

## CHAPTER 5 IMPLEMENTATION

- Residential which permits residential, commercial, industrial and institutional.
- Industrial Designation which permits Light and Heavy Industrial Uses.
- Conservation which permits limited residential, seasonal uses, passive recreational uses, public parks and farming and forestry uses.

C.

### LAND USE BYLAW

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).

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. Categories of uses not to be pre-zoned include:

- Residential Multiple Unit
- Residential Mobile Home Park
- Commercial uses which exceed 1,200 square feet in floor area and/or outdoor storage area
- Light Industrial uses which exceed 1,200 square feet in floor area and/or outdoor storage area.

D.

### CRITERIA FOR AMENDMENT TO THE LAND USE BYLAW

POLICY A -4. 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;

## CHAPTER 5 IMPLEMENTATION

- 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.

### E.

#### AMENDING THE LAND USE BYLAW

The Northeastern Guysborough 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; (e.g.. 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

## CHAPTER 5 IMPLEMENTATION

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 -5. 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.

F.

### DEVELOPMENT OFFICER

POLICY A -6. 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.

G.

### MINOR VARIANCES

POLICY A -7. 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.

CHAPTER 5  
IMPLEMENTATION

H.

SUBDIVISION OF LAND

Subdivision of land within the Municipality of the District of Guysborough is presently controlled by the current Provincial Subdivision Regulations.

POLICY A -8. It shall be the policy of Council to allow the special provisions of the Provincial Subdivision Regulations to apply in the Planning Area. Specifically, these deal with private roads, Schedule Roads, encroachments, islands and relaxation of requirements pursuant to the Municipal Government Act.

I.

OTHER MUNICIPAL BYLAWS

POLICY A -9. 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. 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.

J.

BUILDING INSPECTOR

POLICY A -10. 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 as required.

K.

STRATEGY AMENDMENTS

POLICY A -11. Chapters 1 to 4 of this strategy and all associated maps constitute the official municipal planning strategy for the Northeastern Guysborough Planning Area.

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.

POLICY A -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.

L.

#### 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.