

CHAPTER 1

A.

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 two Municipal Planning Strategies, the Northeastern Planning Strategy and the Guysborough Planning Strategy. Council has now decided to prepare a Municipal Planning Strategy and Land Use By-Law for the District #7 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 By-Law. For the sake of convenience, both documents will be bound as one. Council's policy statements will be encompassed in the Municipal Planning Strategy and the regulations to implement this Strategy will be included in the Land Use By-Law.

Council's decision to prepare a Municipal Planning Strategy and Land Use By-Law for this planning area came primarily as a result of an announcement by the Sable Offshore Energy Project in November 1995 that the Country Harbour Area has been chosen as the landfall site for the offshore natural gas pipeline. This announcement also informed the public that the gas plant for this project will be constructed in the Country Harbour area. According to the information provided by the company, this plant will be one of the ten (10) largest gas plants in Canada and will produce about 400 million cubic feet of natural gas per day.

Also the fact that drilling and exploration for gold is continuing in the Goldboro area has contributed to Council's decision to designate a planning area in the western portion of the Municipality of the District of Guysborough.

During the month of March 1996 a letter of introduction and questionnaire (Questionnaire and Results Attached as Appendix "A") was circulated to all homes within the District #7 Planning Area. The letter of introduction explained to residents the primary purpose of land use planning and the questionnaire was designed to obtain local views on the need for land use planning. Approximately sixty-five percent of the residents responded to the survey and of those responding approximately ninety percent indicated they felt there is a need for land use planning in their area particularly if a large industrial project is developed. Also approximately eighty-eight percent of the respondents indicated that they felt that residential areas should be protected from heavy industry by special requirements in a land use by-law.

The Council of the Municipality of the District of Guysborough recognizes that it is very important to obtain the support of 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 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 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 By-Law is all of District #7 shown on the Generalized Future Land Use Map (Map A located in the back of the document).

CHAPTER 1
B.

REGIONAL CONTEXT

The District #7 Planning Area is located in the western part of the Municipality of the District of Guysborough on Route #316 and is approximately 300 kilometers east from the Provincial Capital, Halifax and approximately 75 kilometers from the Trans Canada Highway. (As shown on the Regional Context Map).

LOCAL CONTEXT

The District #7 Planning Area will include lands along Route #316 and all lands from the District of St. Mary's boundary to New Harbour Cove and shall include lands presently described as District #7 of the Municipality of the District of Guysborough and for more details on the area included, see the Generalized Future Land Use Map.

This planning area is located approximately 80 kilometers from the Village of Guysborough. This area is rural in nature with residential development being primarily along Route #316 which runs through the entire planning area. Communities included within this planning area are Cross Road Country Harbour, Country Harbour Mines, Stormont, Middle Country Harbour, Isaac's Harbour, Goldboro, Drumhead, Seal Harbour and Coddles Harbour.

Country Harbour has the third best protected natural harbour in the world and is a long narrow inlet with a ferry at the mouth of the harbour which provides a connection between Country Harbour and Port Bickerton. (Which is located in the District of St. Mary's) The area is very picturesque along the sea coast, particularly where the highway follows the Country Harbour River and along the sea coast throughout District #7.

The forest industry and fishing industry has been the largest employer within this planning area but from time to time gold mining activity, as well as tourism and aquaculture, have created employment in the Goldboro and Forest Hill area.

The main objective of this Strategy are to separate existing and future residential uses from incompatible development and to provide designated areas for industrial development.

CHAPTER 1
C.

HISTORY OF DISTRICT #7 PLANNING AREA

The Country Harbour Area of this District was settled by the United Empire Loyalists in the year 1783. Following the American Revolution, those who were loyal to the British Crown came to Nova Scotia. Within this group there were several Nationalities including English, Irish, Scottish, African, Hessian and French.

The land where they settled was not especially fertile, however, they did some mixed farming on a small scale when the land was cleared. They had a grist mill and grew wheat, corn and even flax, which they hoped would be used for export.

This industry did not prove to be worthwhile and was soon discontinued. In the very early days, in addition to their mixed farming, they turned to the fishery for the waters provided a great source of many varieties of fish. Salmon was abundant and this commodity was sold to the American Traders. Later there was mining which for over a hundred years has been carried on intermittently. The forest industry is now the greatest source of income for the Community. Pulping and logging along with “knees” for ships during the war has always been carried on in the area.

Country Harbour stretches from Country Harbour Lake to Stormont and is one of the largest populated areas in Guysborough County. There are good docking facilities for ships and an excellent harbour.

Isaac’s Harbour area appears to have been settled in the late 1700’s with some of the first permanent settlers being the Webb family. Records indicate that the name Isaac’s Harbour may have been called after Isaac Webb. Records show that farming and fishing were being carried out in this area in the early 1800’s. Isaac’s Harbour grew into a very industrious community in the early years with a general store and other businesses.

Goldboro was also a very industrious community in the early 1800’s. At one point in time there were two fish plants in Goldboro handling many different varieties of local fish. Gold mining and fishing have also been main industries in the Goldboro area.

Drumhead, Seal Harbour and Coddles Harbour also appear to have been settled in the early 1800’s and were primarily fishing communities with each having their own fish plant at one point in time.

Over the past century forestry such as logging, pulpwood and christmas tree harvesting as well as harbour related activities have become the primary industries within this planning area.

CHAPTER 2

A.

LAND USE POLICIES - RESIDENTIAL

The development area covered by this planning strategy consists of approximately 77,000 acres of land with the majority of the development being residential. This development is predominately located along Route #316 (from Country Harbour Lake to New Harbour).

Residential housing within this planning area is primarily made up of single storey and two storey homes as well as mobile homes (includes mini or pre-manufactured homes).

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 shall establish a “Residential” Designation on the Generalized Future Land Use Map for all areas with the exception of the areas designated for Industrial and Recreational.

Council shall establish a Residential (R-1) Zone to implement the Residential Designation. Permitted uses in the R-1 Zone shall include low density residential uses, schools, churches and other institutional uses, government buildings, and public recreational uses. Council is also of the opinion, given the predominantly rural nature of the planning area, that small scale commercial and industrial development will also be permitted as-of-right in the R-1 Zone. This will allow individuals who wish to build and occupy such uses to do so without having to go through a rezoning process. To provide protection from intrusion on adjacent residential or institutional uses, there shall be a special setback requirement for these small scale commercial and industrial uses.

Larger scale commercial and industrial uses are addressed in Chapter 2 **Commercial** and Chapter 3 **Industrial**.

With respect to multiple-unit residential development, Council does not believe it should be permitted as-of-right in the R-1 Zone. Therefore Council shall establish a Multiple Unit (R-2) Zone in the Land Use By-Law for residential development of more than four units. Existing uses will be zoned R-2 and future ones will be permitted by a rezoning to the R-2 Zone.

POLICY R-1

Except for the areas designated “Industrial” and “Recreational”, it shall be the policy of Council to designate the Planning Area “Residential” as shown on the Generalized Future Land Use Map.

POLICY R-2

It shall be the policy of Council to establish in the Land Use By-Law, three Residential Zones. These are R-1 Residential General, R-2 Residential Multiple Unit, and an R-3 Mobile Home Park Zone.

POLICY R-3

The Residential General R-1 Zone will apply to the area designated “Residential” on the Generalized Future Land Use Map. This R-1 Zone will permit the following and similar types of uses: Single detached dwellings, mobile homes or pre-manufactured homes, semi-detached and duplex dwellings, multiple unit dwellings (both new and conversion) to a maximum of four (4) 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-of-right provided a maximum square footage of building space is complied with.

POLICY R-4

The Residential Multiple Unit R-2 Zone which will allow residential multiple unit uses which contain five (5) or more dwelling units to locate in the residential designation by way of a Land Use By-Law 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 five (5) or more units and row or town houses containing five (5) or more units.

POLICY R-5

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

1. The site to be used for the proposed multiple unit dwelling shall be located on a lot adequate to provide sewer services in accordance with the Department of Environment Standards for On-Site Sewage Disposal.
2. The proposed use shall be compatible with adjacent land uses in terms of bulk and scale.

3. The proposed use shall abut a public road or street which is capable of accommodating the increased traffic flow generated by the development.
4. The site of the proposed multiple unit dwelling shall be large enough to accommodate off street parking.
5. The criteria found in Chapter 5, Policy A-3, of this Municipal Planning Strategy.

Mobile Homes and Mobile Home Parks

There are a number of Mobile Homes (Mini or Manufactured Homes) located 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-6

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

POLICY R-7

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

POLICY R-8

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. In addition the zone shall require a special setback when the Mobile Home Park abuts a residential or institutional use.

POLICY R-9

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 use shall be compatible with adjacent land use in terms of bulk and scale.
3. That the development must comply with Policy found in Chapter 5, Policy A-3.
4. The proposed use shall abut a public road or street which is capable of accommodating the increased traffic flow generated by the development.

CHAPTER 2

B.

COMMERCIAL

Commercial Development is necessary to provide services and employment to residents living within the Planning Area. It is generally not desirable to have large scale Commercial Development within built up residential areas.

Council is of the opinion that small scale Commercial Developments which provide a service to the residents is considered compatible with residential uses and therefore 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 proposed development to ensure this compatibility. Larger Scale Commercial Development which provide goods or services to a much broader segment of the public will be zoned Commercial General C-1 on the Zoning Map. All Commercial Developments small or large will be zoned Commercial General C-1 and new larger Commercial Projects will require an amendment to the Land Use By-Law. Council will not prezone any existing vacant lots to Commercial General C-1.

Special set-backs will be required for outdoor storage or parking within a Commercial Zone adjacent to a Residential and Institutional Use.

POLICY C-1

It shall be the policy of Council to establish in the Land Use By-Law 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 for barber shops, marinas, auto body shops, golf course, craft and gift shops, campgrounds, trucking and construction depots, building supply depots, repair shops, welding shops, post offices, warehousing and storage facilities, garden and nursery sales and supplies, funeral

homes, public park, museum, library, tourist and guest homes and residential uses located in the same building as a Commercial Use and all uses permitted in the Residential R-1 Zone.

POLICY C-3

It shall be the policy of Council to zone all existing Commercial uses Commercial General C-1. All existing Commercial uses which exceed the maximum floor area 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 By-Law.

POLICY C-4

In considering an amendment to the Land Use By-Law to the Commercial General C-1 Zone, Council shall have regard to the following:

1. The site to be used for the proposed use shall be located on a lot adequate to provide sewer services in accordance with the Department of Environment Standards for On-Site Sewage Disposal.
2. The proposed use shall be compatible with adjacent land uses in terms of bulk and scale.
3. The proposed use shall abut a public road or street which is capable of accommodating the increased traffic flow generated by the development.
4. The site of the proposed use shall be large enough to accommodate off street parking.
5. The criteria found in Chapter 5, Policy A-3, of this Municipal Planning Strategy.

POLICY C-5

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, R-2 or R-3 Use.

CHAPTER 2

C.

INDUSTRIAL

As indicated in Chapter 1, **INTRODUCTION**, the District #7 Planning Area has been chosen for the landfall site for the offshore natural gas pipeline from Sable Island. The gas plant for the project will also be constructed in this area.

The final decision on the location for the gas plant has been announced and is near Goldboro. Council would like to provide for this proposed major future development and other associated industrial development by designating an area as “Industrial Heavy” as shown on the Generalized Future Land Use Map.

Council shall establish a Heavy Industrial (M-2) Zone and Industrial Resource (M-3) Zone to be applied to the areas designated “Industrial Heavy”. Any existing heavy industrial use outside of the designation will be zoned M-2 or M-3 if applicable. In addition, Council shall establish a Light Industrial (M-1) Zone which will provide for industrial development more suitable for location outside of the Industrial Heavy designation through the rezoning process.

At the present time there is a wharf facility in Stormont and a Peat Moss operation on the west side of the Country Harbour River which are the only industrial operations in the area.

The District 7 Area has also been considered for establishing oil, gas and petrochemical facilities, associated marine facilities and power generation facilities on lands adjoining the coastal environment. Council has become aware of renewed interest in the area for large-scale resource industrial activities that need to be located where they can establish or utilize marine facilities or existing wharfs and main roads. Council would like to provide for these major developments, but recognizes that existing activities in the Heavy Industrial (M-2) Zone would not be desirable or within the intent of the activities envisioned for these environments. Additionally, the Council want to enable the ability for the activities or new operators to establish wind farms to harness the natural wind energy of the area. This has resulted in Council establishing a third industrial zone known as the Industrial Resource (M-3) Zone.

As stated in Chapter 2A, **RESIDENTIAL**, 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 adversely affect any of the nearby residential uses.

Other lands within the Planning Area may be considered for a By-Law Amendment (Rezoning) to allow for a new Industrial General (Heavy) M-2, Industrial Resource M-3, 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 allow Light Industrial Uses within the Residential Designation but only by an amendment (rezoning) which must comply with specific criteria to ensure protection of adjacent properties. The third concept will allow Heavy Industrial Uses within the rezoned Industrial Area. The fourth concept will provide specifically for large-scale refinery, gas processing industrial facilities, power generation facilities and wind farms that require good linkages to the marine environment and main roads. The rezoned Heavy Industrial area will allow and encourage large scale Industrial Uses. The one exception to the foregoing is that the Goldboro Wharf shall be designated "Industrial" and zoned "Industrial Light (M-1)". (See Recreational section).

Special set-back requirements for Industrial Uses abutting Residential or Commercial Uses will be established.

POLICY I-1

It shall be the policy of Council to permit small scale Industrial uses which do not exceed 1,200 square feet in floor area in the Residential R-1 Zone.

POLICY I-2

It shall be the policy of Council to establish an Industrial Light M-1 Zone which will permit the following:

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 an industrial use.

POLICY I-3

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", except for the Goldboro Wharf which shall be zoned M-1.

POLICY I-4

It shall be the policy of Council to permit the rezoning of lands within the Industrial Heavy M-2 or Industrial Resource M-3 Zone to be rezoned as Residential provided all other requirements of this by-law can be met.

POLICY I-5

It shall be the policy of Council to permit the following and similar types of uses in an Industrial Heavy M-2 Zone:

Auto salvage yards, rock quarry operations, mining operations, natural gas processing, refineries and raw material processing and manufacturing and all uses permitted in the M-1 Zone.

POLICY I-5(a)

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, power generation facilities, marine terminals and wind farms.

POLICY I-6

It shall be the policy of Council to zone the Goldboro Wharf, the Wharf Facility in Stormont and the Peat Moss Operation near Quince Brook as Industrial Light M-1.

POLICY I-7

It shall be the policy of Council to consider an amendment (rezoning) to the Land Use By-Law 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 Environmental Assessment Act or other appropriate Government Departments prior to being rezoned.
2. The proposed development must not have an adverse effect on adjacent residential properties due to noise, bulk and scale.
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 Zone or M-3 Zone abuts a Residential R-1, Residential R-2, Residential R-3 or Commercial C-1 Use.

POLICY I-9

It shall be the policy of Council to establish special controls in the Industrial Heavy M-2 or 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. There are two significant public recreational areas existing within this Planning Area, those being the Country Harbour Gun Club and ball field facility and the Provincial Park identified as Salsman Park. There is one other recreational use in the planning area, that being the Goldboro Wharf. Although the wharf has been used primarily as a recreational facility in the past, Council has recently learned that the wharf site is suitable as a light industrial use for at least the construction phase of the gas plant, and possibly beyond. Therefore, Council shall designate and zone the wharf as industrial.. 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:

Campgrounds, ball fields, 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 District #7 Planning Area by the R.C.M.P.

POLICY P- 1

It shall be the policy of Council to continue to utilize the R.C.M.P. Officers for police protection.

2. FIRE PROTECTION

The District #7 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 various fund raising 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 provide 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
C.

GENERAL POLICIES

3. SIGNS

The District #7 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.

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 By-Law may be amended to include more detailed sign provisions.

4. GOVERNMENT BUILDINGS AND FACILITIES

Government buildings and facilities are considered to be public service buildings and therefore will be permitted in any zone, however, these buildings and facilities should be encouraged to locate in areas zoned specifically for their use.

POLICY G-2

It shall be the policy of Council to permit Government Buildings in any zone.

5. UNDERGROUND PIPELINES

Council is of the opinion that underground pipelines must be permitted in all zones.

POLICY G-3

It shall be the policy of Council to permit underground pipes and associated structures in all zones.

6. TEMPORARY AND SPECIAL USES

Whereas there is a proposed major industrial development within this Planning Area, Council recognizes the fact that a large development project will require many temporary uses such as storage buildings, on-site offices, construction camps to house employees, cook houses and other buildings intended only to serve the main project. Any building approved as a temporary building would have to be removed from the site within a specified period or be approved as a permanent building in accordance with all other sections of the Land use By-law. All temporary buildings which contain a water/sewer system would require approval from the Department of Environment. Also Council recognizes that there are a large number of travel trailers throughout District #7 that are not regulated and can at times have a negative impact on the environment and adjacent properties and the general appearance of the area. Therefore, the use of travel trailers must be regulated to reduce the number of travel trailers on specific lots and limit the amount of time that they may remain on the lot, except that homeowners may park up to tow (2) travel trailers on their property for the total year.

POLICY G-4

It shall be the policy of Council to permit the temporary use of buildings required for the construction of any major industrial project.

POLICY G-5

It shall be the policy of Council to require that buildings for construction projects approved as a temporary use only be removed from the site within sixty days of completion of the project.

POLICY G-6

It shall be the policy of Council to permit structures erected for special occasions and holidays to remain in place for up to fourteen (14) consecutive days without requiring a development permit.

POLICY G-7

It shall be the policy of Council to limit the number of travel trailers located on any lot within this Planning Area and also limit the total time period that a travel trailer can remain on a lot as a temporary use except that homeowners may park up to two (2) travel trailers on their property for the total year.

7. REFUSE COLLECTION

The Municipality provides refuse collection on a once a week basis to the residential, commercial and industrial sector to a maximum of eight (8) bags per eligible property in accordance with the garbage by-law. The solid waste is collected by truck and transported to a municipal landfill site.

POLICY G-8

It shall be the policy of Council to continue with the refuse collection on a weekly basis in accordance with the Municipality's Garbage Collection By-Law.

8. 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

Special setback requirements for all buildings will be established in the Land Use By-Law to ensure environmental protection of all water courses and bodies of water within this Planning Area.

POLICY E-1

It shall be the policy of Council to establish a fifty (50) feet setback from any body of water for all buildings with the exception of boathouses and fishery related 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

A.

IMPLEMENTATION

A. GENERAL

The Municipal Planning Strategy for the District #7 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 By-Laws 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 By-Law to provincial government agencies such as the Department of Environment, Departments of Health and Fitness, Transportation & Public Works and Department of Fisheries for their information and comment as may be required.

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:

- Residential Designation which permits residential, small scale commercial, small scale industrial, institutional and public recreational uses.
- Industrial Designation which permits Light and Heavy Industrial Uses.

- Recreational Designation which permits public recreational uses.

C. LAND USE BY-LAW

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

It is not intended that all land shall be pre-zoned as indicated by the policies of this strategy or as indicated on the Generalized Future Land Use Map. Rather, in order that Council may maintain a 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

D. CRITERIA FOR AMENDMENT TO THE LAND USE BY-LAW

POLICY A-3

In considering amendments to the Land Use By-Law, in addition to all other criteria as set out in various policies of this strategy, Council shall have 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 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 By-Law to reduce conflict between the development and any other adjacent or nearby land use by reason of:
 - i. type of use;
 - ii. height, setback and lot coverage of the proposed building;
 - iii. access to egress from the site and parking;
 - iv. open storage;
 - v. 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. Adversely affect adjacent residential uses.

E. AMENDING THE LAND USE BY-LAW

The District #7 Planning Area Land Use By-Law is designed to implement this Municipal Planning Strategy, and it is expected that the By-Law will be amended from time to time, although in conformity with the strategy. Examples of situations which might create a need to amend the Land Use By-Law include:

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

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

POLICY A-4

In considering amendments to the Land Use By-Law, 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 By-Law 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-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 By-Law and shall, where appropriate, grant development permits.

G. MINOR VARIANCES

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 By-Law. Specifically, the development officer may vary the percentage of land that may be built on, the sizes of yards, courts and other open spaces, lot frontage, and lot area. 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. The refusal of a minor variance is also appealable.

H. SUBDIVISION OF LAND

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

POLICY A-7

It shall be the policy of Council to continue to permit the subdivision of land to be controlled by the Provincial Subdivision Regulations which are now administered by the Municipality.

POLICY A-8

It shall be the policy of Council to have all of the provisions of the Provincial Subdivision Regulations apply to the Planning Area.

I. BUILDING INSPECTOR

POLICY A-9

It shall be the policy of Council to continue the services of the Building Inspector whose duty it will be to enforce the Municipal Building By-Law and the Provincial Building Code Regulations.

J. STRATEGY AMENDMENTS

POLICY A-10

Chapters 1 to 4 of this strategy and all associated maps constitute the official Municipal Planning Strategy for the District #7 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-11

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

K. STRATEGY REVIEW

In accordance with the **Municipal Government Act**, this strategy may be reviewed when either the Minister of Housing and 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.