HALIFAX

MUNICIPAL PLANNING STRATEGY FOR NORTH PRESTON / LAKE MAJOR LAKE LOON / CHERRY BROOK AND EAST PRESTON

THIS COPY IS A

REPRINT OF THE

MUNICIPAL PLANNING STRATEGY

FOR NORTH PRESTON, LAKE MAJOR, LAKE LOON,

CHERRY BROOK AND EAST PRESTON

WITH AMENDMENTS TO

18 NOVEMBER 2006

MUNICIPAL PLANNING STRATEGY

FOR

NORTH PRESTON, LAKE MAJOR, LAKE LOON,

CHERRY BROOK AND EAST PRESTON

THIS IS TO CERTIFY that this is a true copy of the Municipal Planning Strategy for North Preston, Lake Major, Lake Loon, Cherry Brook and East Preston which was passed by a majority vote of the former Halifax County Municipality at a duly called meeting held on the 14th day of December, 1992, and approved by the Minister of Municipal Affairs on the 22nd day of March, 1993, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the 18th day of November**,** 2006.

GIVEN UNDER THE HAND of the Municipal Clerk and under the seal of Halifax Regional Municipality this _____ day of _____, 2006.

_____

Cathy Mellett
Municipal Clerk

MUNICIPAL PLANNING STRATEGY

FOR

NORTH PRESTON, LAKE MAJOR, LAKE LOON,

CHERRY BROOK AND EAST PRESTON

MARCH 1993

This document has been prepared for convenience only and incorporates amendments made by the Council of former Halifax County Municipality on the 14th day of December, 1992, and includes the Ministerial modifications which accompanied the approval of the Minister of Municipal Affairs on the 22nd day of March, 1993. Amendments made after this approval date may not necessarily be included and for accurate reference, recourse should be made to the original.

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INTRODUCTION

This municipal planning strategy has been prepared according to the provisions of the Planning Act, Chapter 346, Revised Statutes of 1989. Pursuant to the Planning Act and Municipal Council's adoption of A Programme for MPS Review, 1987-88, a five-year plan review process was undertaken by the Municipality of the County of Halifax between 1988-91. This strategy and its accompanying land use by-law replace documents which were previously adopted by Municipal Council and approved by the Minister of Municipal Affairs on July 22, 1981.

The strategy applies to an area within Municipal Electoral Districts 7 and 8, which includes the communities of Lake Loon/Cherry Brook, Lake Major, North Preston and East Preston, as well as intervening lands.

The strategy originated from a need to resolve conflicts between the continued functioning of the Lake Major Watershed as a primary source of potable water for the Dartmouth side of Halifax Harbour and the existence of the Plan Area's established communities, which are located partly within the Watershed. In 1978, the four communities of Lake Loon/Cherry Brook, Lake Major, North Preston and East Preston established a Joint Action Committee with a mandate to resolve conflicts between watershed management and community development. The initiation of the original planning and watershed management process was supported by all levels of government and the local communities. Consequently, the planning process was initiated in the fall of 1978 with resource persons engaged as working personnel and advisors to the Joint Action Committee. At the same time, it was realized that the needs and concerns of the communities went beyond direct watershed related issues. Consequently, the Plan Area boundaries do not coincide with the Lake Major Watershed boundaries.

The Joint Action Committee spent many hours in the formulation of policy and coordination with watershed management investigations through representatives from the concerned provincial departments, Canada Mortgage and Housing Corporation, the City of Dartmouth and the Municipality of the County of Halifax. Watershed management recommendations significantly influenced the policies of the initial planning process and continue to be reflected in the policies of this planning strategy.

As part of the implementation of the initial planning process, the Watershed Association Development Enterprise (WADE) and the Lake Major Watershed Advisory Board were established. WADE is a community development corporation formed to act as a catalyst for development within the Plan Area communities. The Watershed Advisory Board was formed in order to provide a forum for future watershed management policy recommendations as well as for government/local community discussions of watershed issues. It is comprised of local community and private landowner representation, as well as representatives from the Municipality, the City of Dartmouth, the Dartmouth Water Utility and the Nova Scotia Departments of the Environment, Municipal Affairs, Health and Lands and Forests. On April 8, 1986, the Lake Major Watershed was designated a "Protected Water Area" under Section 17 of the Water Act, thereby enabling the Advisory Board to prepare regulations governing water and land-based activities within the watershed.

The policies adopted by Municipal Council in this planning strategy are prefaced by explanatory text which shall also be considered to be a legal part of the planning strategy. Of the maps which are included and specifically referred to, Map 1, Generalized Future Land Map; Map 2, Transportation Map; Map 3, Servicing Boundaries and Map 4, Water Service Districts shall also constitute legal parts of this planning strategy. (C-Aug 29/94;M-Oct 21/94).

This municipal planning strategy is divided into four Sections. Section I describes the Plan Area in its regional context and presents an overview of the area's communities, including matters which relate to the direction of future community development. Section II contains policies relating to the environment, transportation, environmental health services, recreation and community services. Section III contains land use policies and development control guidelines respecting future land use decisions. The final section consolidates the various measures by which the strategy may be implemented through the land use by-law, the provisions of the Planning Act and through other means available to Municipal Council.

The implementation of some policies in this strategy is partly or wholly the responsibility of other agencies and higher levels of government where Council must take initiative and seek cooperation. As an aid to Council, the projects and programs identified in the strategy have been assigned comparative priorities relative to the individual communities. The Priority and Need Chart and the accompanying summary of capital cost estimates for various programs, as identified in Section IV, do not constitute a legal part of the strategy.

The attractiveness to residents and basic character of the Plan Area is determined by the natural landscape, which is both interspersed with and surrounds the settled portions of the area. Consequently, the communities within the Plan Area exhibit both urban and rural characteristics. The urban character may be expressed through housing types and densities, nearness to the urbanizing metropolitan area such as in the case of Cherry Brook, or proximity to the major transportation corridor of Highway No. 107. Contrasted with this urban character is a remoteness, such as in the case of North Preston, from this major transportation route, low density housing on relatively large lots and discontinuous residential street frontage, and the carrying out of traditional agricultural pursuits such as livestock production. Consequently, as a generalization, the Plan Area may be said to exhibit a semi-rural character.

Population analysis conducted in 1979[1] generally indicated a declining population in all communities due to a range of demographic variables, including declining birth rates, out-migration of young people, and a lack of job opportunities and basic services within the communities. More recent population data presented in the Plan Area profile indicates a levelling off of population levels in North Preston and Lake Major and population increases in the more suburban communities of Cherry Brook and East Preston. A lack of employment opportunities and some services still persists in some parts of the Plan Area.

Overall Goal Of The Strategy

The general purpose of this strategy is to establish policies which address problems and opportunities concerning the development of land, and provide guidance to the decisions of

[1] A Report on the Socio-Economic Aspects of the Communities of Lake Major, North Preston, Cherry Brook and East Preston, H.J. Porter & Associates Limited, October 1979.

Municipal Council in the regulation of development and the provision of public facilities and services to the communities of North Preston, Lake Major, Lake Loon/Cherry Brook and East Preston.

The overall goal of the strategy is to make the area a more attractive and desirable place to live. The desired outcome of the strategy is to stop the outflow of people of all ages, but predominantly the youth, to the two cities and beyond. Once this has been achieved, it is anticipated that steps can be taken to attract former residents back to the area and to possibly attract new residents. At the same time, there is a strong desire on the part of black residents to promote and maintain their cultural heritage and identity.

To attain these goals, conflicts between water management policy for the Lake Major Watershed and the rights to continued growth and community improvement by local residents must be addressed.

More specifically, the adoption of this strategy is intended to illustrate a concern for the future in economic, social and human terms. It is hoped, through the policies of this strategy, to persuade various institutions and government bodies that these communities have both the right and capabilities to control their own destinies and to be permitted to continue to grow and prosper.

This strategy encourages orderly growth by reducing various uncertainties that exist within and outside the communities, regarding future development and concerning the continuing existence of viable and livable communities.

SECTION I

PLAN AREA PROFILE

Regional Context

As indicated on the Regional Context Map (p.6), the Plan Area lies to the northeast of the urbanized metropolitan area. The Plan Area boundaries are attributed more to human settlement patterns than to political boundaries or geographical features. The northern boundary of the Plan Area is defined as the extent of privately owned land, representing the development boundaries of the community of North Preston. The eastern boundary is defined by Bell Street and its northward extension to the north boundary line. The southern limits of the Plan Area are defined by Highway No. 107, and its western limits are based on local residents' perception of the Lake Loon/Cherry Brook community limits at the time of the initial planning process.

The Plan Area covers an area of approximately 17 square miles (44 km^2), Of which approximately 6 square miles (16 km^2) are located within the Lake Major Watershed. The major transportation route through the Plan Area is Highway No. 107, an arterial highway which links the metropolitan area with communities along the province's Eastern Shore. A majority of the area's historical development has occurred along the Lake Loon/Cherry Brook Roads, the Lake Major Road and Highway No. 7, all of which connect with Highway No. 107.

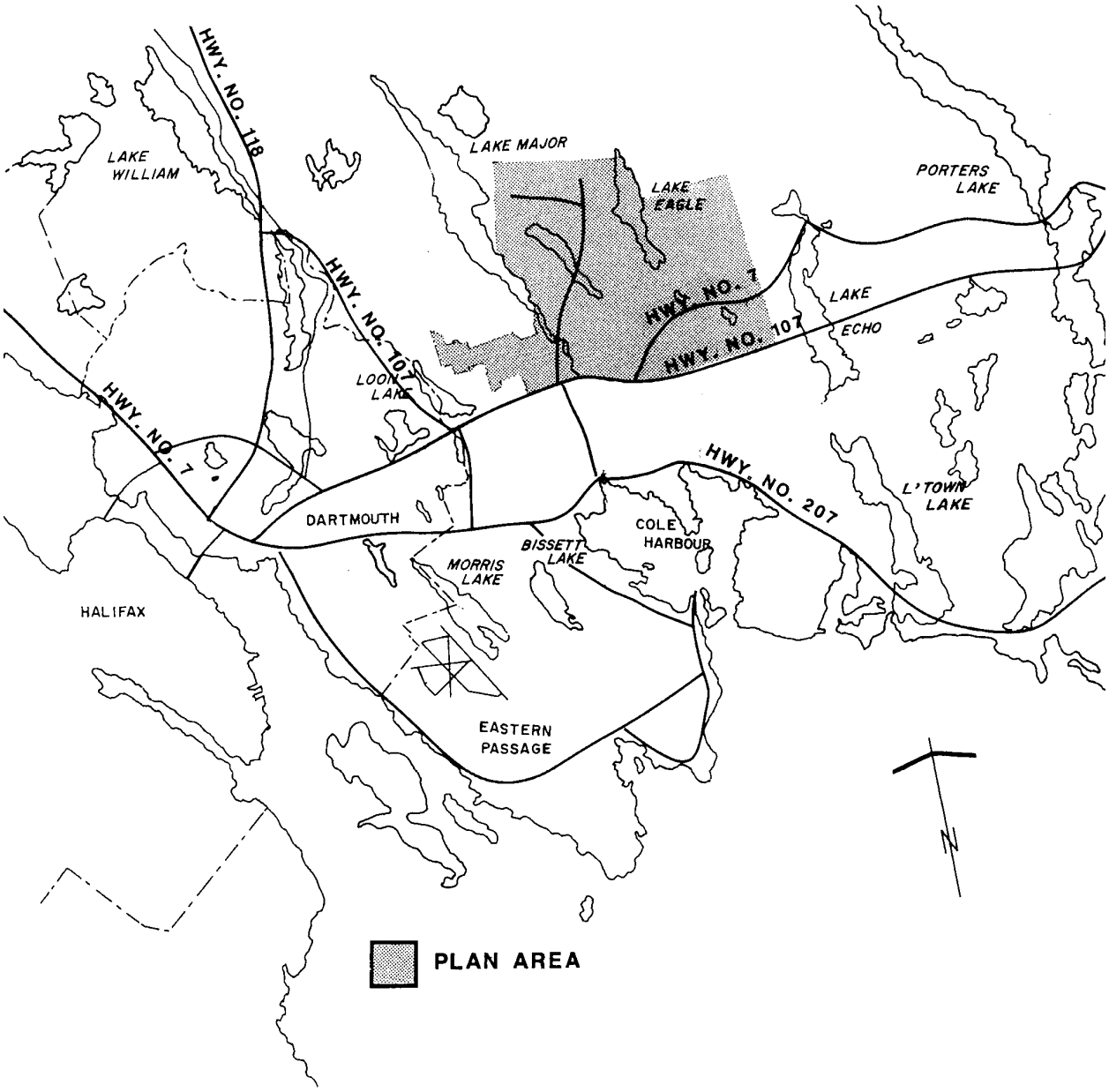
Historical Development[2]

The first records of deeded land in the Plan Area date back to the year 1784. On October 15 of that year, Theophilus Chamberlain, Deputy Surveyor of the Crown, along with 163 Anglo-Saxon Loyalists were granted 32,000 acres in what was referred to as the Preston Township. A majority of the original land grants was not claimed by the grantees, and the undivided grants reverted to the Crown in 1814 and 1815.

In the intervening years, large groups of "free" blacks from St. Augustine and Sierra Leone received land grants and settled in the area. The earliest recorded grant to black settlers was a grant of 730 acres to John Wisdom and Edward King dated January 20, 1786, in the area now known as Cherry Brook. The first years for these settlers were particularly harsh ones and most of them left Halifax for Sierra Leone on January 15, 1792.

[2] Ibid

REGIONAL CONTEXT MAP



On July 23, 1796, a second influx of 600 blacks, the Maroons from Jamaica, landed in Halifax. This group of settlers were trained tradesmen and many of them contributed to the construction of the Halifax Citadel, a section of which is named the Maroon Bastion. With the help of Governor Wentworth, this group purchased 3,000 acres of land and another 16 - 18,000 acres were to be set aside for their future use, although this latter land was never granted.

Disenchanted with the harsh climate, most of the Maroons also left by ship for Sierra Leone in August of 1800. Ships' records show a total of 551 Maroons on board. When this second group departed, the Crown again became the owner of a substantial amount of land in the area.

The next group of settlers to the area were the "refugee" blacks who came to the area via the underground railroad" which was devoted to helping American slaves obtain freedom in Canada. It is from these settlers that many of the present day residents of the area are descended.

From 1850 onward, historical records for the area are extremely poor and subject to speculation as to who owned what land. Except for the original grants of 1784, there are no accurate records as to how much land was granted and how much reverted to the Crown. There is also no clear indication as to how the black communities split into three distinct areas.

The first church to be constructed in the area was the Parish of St. John, which was located east of the Salmon River on a hill then referred to as "Church Hill.' The Anglican Church still owns a substantial amount of land in the area to the north of Lake Eagle.

The African United Baptist Association, formed in 1854 was, for many years, a mainstay of social, spiritual and educational development within the communities during the early years. The church still retains a prominent role in the lives of community residents.

The Lake Major community, which is a predominantly white community, developed primarily during the 1950s as a cottage development along the southern shores of Lake Major. The area developed from large acreages which were owned by a few landowners, most notably the Ernst and Turner families. Most of the original cottages in Lake Major have since been converted to year round use.

Population

Population statistics indicate that moderate increases have occurred in Plan Area population levels and in the number of occupied dwellings over recent years. Population and household statistics for the period between 1981 and 1989 are provided in Table 1. As of January 1, 1989, the Plan Area had an estimated population of 3,870 persons distributed among 930 dwellings. The average number of persons per occupied dwelling (average household size) remained relatively constant over this period of time.

TABLE 1: POPULATION AND HOUSEHOLD SIZE - 1981-1989

YEAR	POPULATION	NO. DWELLINGS	AVERAGE HOUSEHOLD SIZE
1981[1]	3,300	750	4.4
1986[1]	3,495	810	4.3
1989[2]	3,870	930	4.2

The distribution of the Plan Area's 1981-86 population growth, as indicated in Table 2, is not evenly distributed throughout the Plan Area. A majority of the population growth over this period occurred within the communities of Lake Loon/Cherry Brook and East Preston, whereas the population levels in the communities of Lake Major declined slightly over this period.

TABLE 2: POPULATION GROWTH AND DISTRIBUTION 1981-1986
1

COMMUNITY	POPULATION		% GROWTH (% DECREASE)
	1981	1986	
North Preston	1,240	1,230	(1.0)
East Preston	1,020	1,210	18.6
Lake Loon/Cherry Brook	850	875	2.9
Lake Major	190	180	(5.3)
TOTAL	3,300	3,495	5.8

Source: Statistics Canada. 1981 and 1986 Census of Canada

Table 3 compares the Plan Area's average household size with averages for the Municipality, the cities of Halifax-Dartmouth and the province. As is the case in many rural areas, the Plan Area's average household size is significantly higher than the provincial, municipal or city averages.

TABLE 3: AVERAGE HOUSEHOLD SIZES - 1986

	PLAN AREA	HALIFAX COUNTY MUNICIPALITY	HALIFAX-DARTMOUTH	NOVA SCOTIA
Average Number of Persons per Household	4.3	3.3	2.6	3.0

Source: Statistics Canada. 1986 Census of Canada

[1] **Halifax County Municipality 1989 Building and Development Statistics.**

Table 4 compares the Plan Area's age profile with profiles for Halifax Dartmouth and the province. The area has a higher than average number of school-aged children and middle-aged adults and a lower than average number of young adults and seniors, as compared to the two cities or the province. This pattern has important implications in terms of the demand for services and facilities.

TABLE 4: AGE STRUCTURE - 1986

AGE GROUP	PLAN AREA %	HALIFAX-DARTMOUTH %	NOVA SCOTIA %
0-14	24.3	16.5	21.5
15-24	21.6	20.0	17.6
25-34	15.8	20.5	17.1
35-44	16.3	12.9	13.9
45-64	16.7	18.8	18.1
65+	5.3	11.2	11.9
	100.0	99.9	100.1

Source: Census of Canada, 1986

The higher proportion of school children and middle aged adults is a pattern shared by other areas adjacent to the metropolitan area, and reflects the Plan Area's attractiveness to families with school-aged children. The lower proportion of young adults is a reflection of out-migration of these age groups from the area in search of better education and employment opportunities. The significantly lower proportion of seniors may be a combination of two factors - a desire on the part of seniors to live in close proximity to services and facilities offered by more urban areas, and a lack of senior citizen housing and services within the Plan Area.

The analysis of the Plan Area's age profiles has important implications in terms of the demand for specific services and facilities. Not only are there immediate demands for recreation facilities, but it is expected that a developing interest in other services for seniors and young adults will increase. The demands for these services must be weighed in terms of equal pressures from other parts of the Municipality where similar demographic conditions exist.

General Community Issues

A number of community issues and planning concerns were identified through the initial planning process in order to ensure that the strategy would be relevant to the needs of the communities. Many of these issues are still relevant, and although some have only recently been brought into focus, they have actually evolved over a longer time period. For example, the loss of land within the communities to outside interests becomes an issue of considerable magnitude when related to the original Preston Grant. The major community issues are as follows:

1. Watershed Protection

   The essential element in the planning process is the resolution of potential conflicts between the maintenance of present levels of water quality in the Lake Major Watershed and the continued existence and improvement of the communities within this watershed.

2. Services

The planning for and provision of adequate services, such as water, sewer, roads, fire and police protection and garbage collection must be considered in terms of existing levels of service, future needs and the protection of water quality within the overall policies and priorities of the Municipality. Although full Municipal sewer and water services are now available in the community of North Preston, priority must be given to the development of adequate methods of collecting and disposing of sewage in all communities as well as the provision of potable water in sufficient quantities.

3. Buildable Land

Despite the efforts of the Nova Scotia Department of Housing, the Preston Area Housing Fund and WADE, in some communities there still remains a critical shortage of land at reasonable cost for residential and other development purposes due to natural constraints for on-site services, such as high bedrock influence, steep slopes and limited groundwater potential. In addition, land ownership characteristics limit the availability of land beyond immediate family members and land parcels are relatively small. This is further complicated by a lack of clear title to many of the landholdings within the North and East Preston communities.

4. Community Facilities

The planning and provision of adequate educational opportunities for all age groups is considered of prime importance both within and outside the communities. Recreational facilities at the local community level and within the overall Plan Area must be evaluated in light of major deficiencies and future needs.

5. New Development

New development is essential to furthering community development objectives, broadening the municipal tax base and providing economic opportunities for Plan Area residents. Land use controls are needed to ensure that new development is compatible with the semi-rural character of the communities, with watershed protection objectives and to ensure that conflicts between uses such as resource related enterprises, commercial development and residential development can be minimized.

6. Commercial Opportunities

The range of local commercial services should be increased. It is the intent to encourage the development of these services by residents of the Plan Area through the provision of adequate land and the formulation of economic incentives through WADE or a similar agency, such as the Atlantic Canada Opportunities Agency (ACOA).

7. Resource Related Activities

Greater use of natural resources related to forestry, recreation and agriculture could take place on a community and private owner basis with assistance from appropriate Federal and Provincial agencies. In addition, there is a need for the upgrading of existing livestock production facilities.

8. Industry

Small scale industries, including cottage type industries, must be encouraged in order to develop greater economic opportunities. Large scale industry having no direct benefits to the communities is not desired.

9. Transportation

Since the adoption of the initial planning strategy, the proposed alignment for Highway No. 107 through the Plan Area has been established. Although this has helped to remove some of the uncertainty regarding the new highway, concerns over its possible effects on water quality in the watershed, on community form and on access to private land continue to persist. In addition, the upgrading of existing roads is required, along with the development of new roadways to improve access both between and within communities, to open up resource and residential land and to avoid excessively long dead-end streets. Some form of public transportation is required.

10. Community Leadership

The communities require a greater say in determining their own destinies and in the creation of local leadership skills. Resource personnel are required in order to encourage social and economic development. Existing organizations within the communities, such as WADE and the Preston Area Housing Fund, must be reinforced while at the same time, a mechanism for broader social and economic development is required.

Direction For Growth

The strategy attempts to provide a framework for the orderly and economic development of the Plan Area's communities. The magnitude or level of anticipated growth is a prime determinant of the economic viability of certain types of capital improvements. For example, the cost of central servicing systems is extremely high in relatively low density linear forms of development such as those found in the Plan Area. However, the installation of central services can be justified in some instances in order to comply with public health and watershed protection objectives. At the same time, certain communities, such as Cherry Brook, lie directly in the path of a larger urbanizing area. This by itself will alter the historical and contemporary make-up of the community.

Consequently, on the grounds of culture and public health and watershed protection, there is justification for the necessary capital expenditures required to alleviate substandard conditions. A significant aspect of the overall development process is the needed emphasis on human resources. The return on capital investments can be achieved if the human resources aspect develops in a parallel manner.

There is a need for the creation of local community leadership organizations whereby the residents can more effectively articulate their needs, gain control over their lives and foster economic and social development within their communities. To accomplish this objective, it may be necessary to cross over the traditional lines that have, to a degree, separate the communities from each other. One avenue of approach in this regard has been the formation of the Watershed Association Development Enterprise

(WADE), a non-profit community development corporation established to act as a catalyst for economic development, to create and use private enterprise income as well as government funding and to provide an independent flor of funds to finance activities aimed at meeting the social and economic needs of the communities.

Another organization which Has emerged in recent years is the Preston Development Committee (PDC), formed in 1990 to develop an economic strategy for the Preston area and to foster and promote economic development in the area. In 1992, the PDC and WADE prepared an Economic Action Plan which emphasized WADE's role in the predominant facilitation of economic and social development in the plan area as well as articulated this body's corporate goals and objectives and upcoming development projects.

In summary, a planning approach must be adopted and applied in a more comprehensive context than that of pure regulatory mechanisms. Consequently, the following policies are necessary:

PA-1 It shall be the intention of Council to recognize the unique status of the communities within the Plan Area in terms of historical and cultural factors, their position within the Lake Major Watershed and the Area's proximity to the metropolitan area and consequently, to participate in a broad range of programs available through all levels of government to improve the overall quality of life.

PA-2 It shall be the intention of Council to encourage the development of local community leadership (e.g., WADE, PDC, the Preston Area Housing Fund) and to use co unity organizations to keep residents informed and participating in the development process.

PA-3 In adopting Policy PA-2, it shall be the intention of Council to recognize the value of community leadership as an alternative to intervention by the Municipality or outside agencies. Wherever possible and appropriate, the wide range of provincial and federal programs operating within the communities should be coordinated with those of the Municipality in order to avoid such intervention.

PA-4 It shall be the intention of Council to supply staff personnel as resource persons, within the normal performance of their duties, to the communities as required.

PA-5 It shall be the intention of Council to establish and support ongoing programs of the Watershed Association Development Enterprise (WADE), the Preston Development Committee (PDC), or other similarly responsible community agency, funded by senior levels of government and having as objectives the economic and social development of the communities on an on-going basis. It is not the intention that this organization would displace existing organizations, such as the Ratepayers Associations, which are largely oriented toward the provision of direct services.

PA-6 It shall be the intention of Council to retain the basic semi-rural nature of the communities, consistent with the spirit of this strategy.

PA-7 It shall be the intention of Council, when planning for the future development of the larger area outside the Plan Area, to implement policies which will result in socially acceptable,

environmentally sound and economically feasible servicing of the overall No. 107 highway corridor and communities downstream from the Lake Major Watershed.

SECTION II

TRANSPORTATION

Public Roads and Highways

The Plan Area relies almost entirely upon the private automobile for transportation. The existing road systems consist largely of long dead-end streets which generally follow historical pathways and trails. Historical settlement patterns have led to an informal network of roads radiating from Highway Nos. 7 and 107. Although some loop road systems exist, additional connections within the existing linear road system are necessary in order to improve the overall road system in the Plan Area, particularly in the communities of East Preston and North Preston.

TR-1 It shall be the intention of Council to encourage the Department of Transportation toward the upkeep and development of roads coincidental with community needs while maintaining maximum efficiency, utility, safety and amenity.

TR-2 It shall be the intention of Council to control land use and to maintain adequate standards of development such that the Department of Transportation and Communications can maintain the desired functional characteristics of Highway Nos. 7 and 107.

TR-3 It shall be the intention of Council that, wherever desirable and feasible, the looping of streets and completion of the Plan Area's existing street pattern shall be encouraged, through the Subdivision By-law requirements and in cooperation with the Department of Transportation and Communications.

TR-4 It shall be the intention of Council, with the assistance of the Department of Transportation and Communications, to seek ways to upgrade the standards of roadways which have been created without the Department's approval.

TR-5 It shall be the intention of Council to accept the standards of design and construction for public roadways as defined by the Department of Transportation and Communications.

The relatively low volumes of traffic occurring on local roads in the Plan Area are not expected to be dramatically altered due to moderate rates of development. In general, the present condition of local roads is adequate. Collector roads are of a good standard and their maintenance meets with the general satisfaction of residents. Certain intersections along Highway No. 7 are below minimum design criteria relative to the volume of traffic using this highway, notably at Old Preston Road, Lake Major Road and Cherry Brook Road, along with the intersection of Highway No. 7 with Highway 107 at East Preston.

Necessary improvements to the existing road network are identified on Map 2 Transportation and on the Needs and Priority Chart. In addition to upgrading roads at specific locations, the construction of new connecting roads is also a community priority. In order to establish criteria upon which to evaluate developments and to prioritize municipal servicing programs, such as the installation of sidewalk services, it is also desirable to establish a road classification system which is more appropriate to the needs of the Plan Area.

TR-6 It shall be the intention of Council to adopt the road classifications shown on Map 2 - Transportation, and to encourage and co-operate with the Department of Transportation

and Communications in proceeding with the improvements outlined.

Traffic patterns are subject to change, either as new developments occur within the Plan Area or as new roads are constructed. Therefore, a change in one factor, may result in a road being reclassified to a higher (or lower) classification, even though the other factors have not changed. In addition, as the Plan Area grows, new roads will be constructed. The road classification system must also provide a framework for classifying new roads. The road classification system will also be applied to developing areas so that new developments occurring in the Plan Area may be evaluated on the basis of their relationship to the transportation network.

TR-7 It shall be the intention of Council to utilize the road classification criteria in Appendix A, as a basis on which to evaluate (and reclassify existing or new) roadways in the Plan Area.

With the collector roadway between North Preston and East Preston now constructed, access between the two communities has improved and one of the objectives of the initial planning process, which was to open up this area for resource use and the creation of affordable building lots, can proceed. However, the final achievement of this objective can only be realized if local residents are given rights to development and use of these lands.

Large portions of these lands are currently held in the name of the Crown and the City of Dartmouth. Land assembly programs, with the placement of the land into the hands of an agency such as WADE, to be held in trust for community use and to be made available at a price within local financial resources, are required.

TR-8 It shall be the intention of Council to support the land assembly between the communities of North Preston and East Preston, and to seek the cooperation of major public landowners in providing resource land to be used by the communities for building sites, recreational opportunities and other community purposes.

Currently, an outstanding issue concerns the potential for the proposed alignment of Highway 107 to impact upon the Lake Major Watershed and the communities of Cherry Brook and Lake Major. The proposed alignment of the highway is shown on MaD 2 - Transportation.

TR-9 It shall be the intention of Council to encourage all new roads and highways to be constructed in a manner which creates a minimum impact on the Watershed and natural and social environments of the Plan Area.

TR-10 It shall be the intention of Council to request the Department of Transportation and Communications to carry out an impact study on the social, economic and environmental implications of any new provincial arterial highway within the Plan Area and to provide for public input to the same through public meetings.

TR-11 Deleted - Ministerial amendment - March 22, 1993

At present, there are no public transportation systems within the Plan Area, due largely to the low population density. However, it may be possible that a private mini-bus system, with an initial subsidy and/or grant, may provide an adequate level of local bus service. It is anticipated that the

continued urbanization of the Westphal Corridor (Highway No. 7), towards the Plan Area, will provide justification for extension of the Metropolitan Transit System to this area in the near future.

TR-12 It shall be the intention of Council, in cooperation with the Metropolitan Authority and other levels of government, to encourage the provision of Public transportation services, including a mini-bus system or full Metro Transit service as warranted by population, demand and cost.

Pedestrian and Highway Safety

While the dominant mode of transportation in the Plan Area is the private automobile, the Municipality, in cooperation with the provincial Department of Transportation and Communications, has recently constructed sidewalks in the Cherry Brook area. The costs of installing new sidewalk along existing public roads are substantially cost-shared by the Province, and after construction, the sidewalks are maintained by the Municipality.

Sidewalks and bicycle paths along major roadways and in the vicinity of schools, community centres and other areas of substantial pedestrian activity, can provide a safe means of pedestrian access to these areas. In order to ensure that sidewalks are constructed in areas having the greatest need and to ensure that capital costs are minimized, it is desirable to establish a priority list of sidewalk construction projects. It would also be desirable to enhance pedestrian safety along roadways where excessive speeding and dangerous driving have occurred in the past.

TR-13 It shall be the intention of Council to encourage the provision of safe pedestrian access in the Plan Area by cooperating with area residents and the Department of Transportation and Communications in establishing a priority list of sidewalk construction projects. In this regard, the location of community facilities and the road classification system shown on Map 2 - Transportation and Appendix "A", shall be used in prioritizing the location of sidewalk service.

TR-14 Where it is desirable to accommodate bicycle and pedestrian movements on local arterial or collector roads, it shall be the intention of Council, in cooperation with the Department of Transportation and Communications, to consider the provision of pathways adjacent to the roads on right-of-way allowances but clearly separated from the roadways.

TR-15 It shall be the intention of Council to encourage increased RCMP surveillance on those roadways experiencing excessive speeding and dangerous driving.

Private Road Development: New Private Roads
(Deleted: RC-Jun 27/06;E-Aug 26/06)

Private Road Development: Existing Private Roads

In addition to the public road system which has developed within the Plan Area, there are a number of existing private roads and laneways which serve small groups of homes and which connect to the public road system. These roads are primarily located in the communities of North Preston and Lake Major. Current regulations do not permit abutting properties to be subdivided along these roadways.

In North Preston, municipal water and sewer services have been installed along more than a dozen private laneways which serve small groups of separate dwellings. It would be desirable to permit a limited amount of subdivision along these laneways in order to provide for the creation of additional infill lots and to enable the owners of existing dwellings to obtain title to land upon which these dwellings are located.

In Lake Major, private roads such as the Old German Road and Reddy Drive evolved in conjunction with cottage development which occurred in the area during the 1950s. Most of the dwellings along these roads have been converted to year-round use. Due to the large lot sizes required for unserviced lots, particularly for lots adjacent to waterbodies, there is a limited amount of land available for further subdivision. However, there are some individual properties upon which more than one dwelling has been constructed which would benefit from subdivision. Therefore, where additional subdivision would not create any significant problems, it would be desirable to provide a reasonable development opportunity for owners of land along these roads by identifying these roads for subdivision purposes within Schedule "A" of the Municipal Subdivision By-law.

TR-17 It shall be the intention of Council to consider amendments to Schedule "A" of the Subdivision By-law which would permit the creation of additional lots along existing private rights-of-way. In considering such amendments, Council shall have regard to the following:

(a) a report from the Department of Transportation and Communications concerning whether or not the private right-of-way meets its criteria for listing in Schedule "A"; and

(b) the capability of the roadway to safely accommodate the potential amount of additional traffic.

Reduced Lot Frontages

In certain instances, the subdivision of existing properties has been hampered due to a lack of sufficient road frontage. The Municipal Subdivision By-law contains provisions which permit limited subdivision on the basis of reduced road frontage. The application of these provisions in the Plan Area would support the creation of new lots from larger areas of land which may have limited frontage on the road network. These provisions are not, however, considered to be appropriate for uses of land which generate higher volumes of traffic, such as commercial, industrial, institutional and multiple unit residential developments.

TR-18 It shall be the intention of Council to permit the application of certain sections of Part 14 of the Subdivision By-law as specified therein, except for the reduced lot frontage provisions of Section 14.1, which shall not apply where properties are zoned for commercial or institutional purposes. Furthermore, it shall be the intention of Council that development permits shall not be issued for commercial, industrial, institutional or multi-unit residential uses on lots created pursuant to Section 14.1 of the Subdivision By-law.

ENVIRONMENTAL HEALTH SERVICES

A number of environmental concerns were identified during the initial planning process which was begun for the Plan Area during the late 1970s. Since that time, some concerns such as the provision of central services to the community of North Preston, the extension of garbage collection services, and the establishment of the Lake Major Watershed Advisory Board, have been addressed. However, there are a number of environmental and servicing issues which remain outstanding.

This sub-section addresses these concerns and establishes the environmental and servicing policies for the Plan Area.

North Preston Central Servicing System

During the latter part of 1987, the Municipality, the Province and the community of North Preston embarked upon a cooperative project to install central sewer and water services in North Preston. The installation of these services was completed in 1989.

Although a portion of North Preston had been serviced with central water and sewer services for some time, the former system was not designed to accommodate additional development nor to be extended to other parts of the community. The new servicing system in the community has been designed to accommodate all existing development, as well as a limited amount of new growth. The system is owned and operated by the Municipality, and has been designed to accommodate a future population of 1,350 persons without requiring expansion. The community has a present population of approximately 1,200 persons and has been experiencing relatively low rates of population growth.

The central water system in North Preston consists of a municipal water intake and treatment facility on Long Lake, a water tank reservoir in the vicinity of the Allen Evans School, and also includes the installation of some fire hydrants which will improve fire fighting capabilities. The sanitary sewerage system consists of a sanitary trunk sewer, pumping stations, forcemains, and a sewage treatment plant, which provides a secondary level of sewage treatment and which is located on Winder Lake.

The installation of central water and sewer services in North Preston should alleviate many of the problems associated with dry and/or contaminated dug wells and substandard on-site sewage disposal systems within the community. In addition, the services will provide some opportunity for the creation of new building lots within the serviced area on the basis of serviced lot sizes.

In order to ensure that the per capita costs of installing and maintaining the central service system in North Preston remain as low as possible, it is essential that development within the community be encouraged to connect to municipal services.

EH-1 In order to provide direction for future development on central water and sewer services in the community of North Preston, it shall be the intention of Council to establish a Service Boundary as shown on Map 3 - Servicing Boundaries. development within the Service Boundary shall only occur on lots serviced with municipal water and sewer, in accordance With the Sewer Connection By-law.

Potable Water Supply

With the exception of North Preston and that part of Cherry brook serviced by central water, communities within the Plan Area obtain potable water for domestic use primarily from a combination of dug and drilled wells. Based upon limited water sampling, undertaken in conjunction with the original planning process, a high percentage of dug wells do not meet accepted chemical and bacteriological criteria.[2] In many cases, this situation arises from poor well construction, inadequate property maintenance, or contamination from such water borne pollutants as road salts and domestic fertilizers. Chemically, the water from some dug and drilled wells does not meet Canadian Drinking Water Standards in terms of iron, manganese, colour and turbidity levels and Ph. These characteristics represent nuisance effects rather than public health dangers. Dug wells experience inadequate water supply during dry seasons and are also more susceptible to contamination than are drilled wells. Drilled wells, on the average, cost approximately twice as much to construct as dug wells but, in the long-term, require less maintenance.

Much of the bedrock adjacent to and south of Highway No. 7 is composed of layers of the Halifax and Goldenville Formations of the Meguma Group. Wells drilled into these rock formations are susceptible to arsenic contamination. While most wells in the Plan Area do not encounter these problems, some contaminated wells in East Preston and Lake Echo have been identified.

There is some support for providing municipal central water services in the Cherry Brook and East Preston communities in order to address problems associated with contaminated wells. In the fall of 1989, a water quality survey for the Cherry Brook area was undertaken by the provincial Department of Wealth and Fitness. The survey found that a high percentage of wells in the area tested positive for coliform bacteria and high sodium content. Contamination problems were particularly noticeable for dug wells, and it was determined that contaminants have been entering wells by way of surface water intrusion rather than from subsurface pollution sources such as malfunctioning septic systems.

Road salts and poor road construction and maintenance practices, particularly in the case of dug wells, were found to be major causes of contamination problems. In addition, a majority of all wells in the area have a high chemical content and corrosive tendencies which not only lower water quality but also lead to costly repairs and replacement of plumbing and fixtures. Although Cherry Brook is situated within a risk area for arsenic contamination, the survey identified very low risk levels for this element.

One of the recommendations of the Department of health was that the Municipality should investigate providing central water services to Cherry Brook on a phased-in basis. Municipal tenders were let in 1991 for the installation of central water services in the community and the project was completed in 1992.

EH-2 It shall be the intention of Council, in cooperation with the Nova Scotia Department of Health and Fitness and the Environment, to monitor well water quality, to identify sources of well water contamination in areas not serviced by central water systems and to provide information to residents on methods of well construction and maintenance and on ways of obtaining potable water.

[2] **Geotechnical, Water Supply and Sewage, H.J. Porter & Associates Limited, February 1979, Section 3.0.**

EH-3 It shall be the intention of Council to seek the cooperation of the Department of Transportation and Communications in substituting for the use of de-icing agents such as road salt, where this leads to contamination of local wells or affects water quality in the Lake Major Watershed.

EH-4 It shall be the intention of Council to continue to investigate ways of providing central water services to the East Preston community.

In early 1993, municipal staff expressed concern to Council about the lack of clear policy direction with respect to development accessing only central municipal water services. Central water service from the Pockwock water system had been extended to a number of areas located outside of designated serviceable areas where both municipal water and sewer services are required. The primary motivation in extending central water to these areas was to resolve identified water quality or quality problems. However, the extension of trunk services to these areas also resulted in new development being able to access central water. The rapid rate of growth which central water seemed to encourage and the potential scale of development which could occur, coupled with the general lack of policy direction, caused staff to bring the matter before Council. Engineering concerns related to overall water system capacity and the adequacy of internal system design were significant issues as were planning considerations related to development patterns and adequacy and demand placed on other services.

In the fall of 1993, Council approved the designation of several Water Service Districts in areas served by the Pockwock water system and in early 1994 approved amendments to municipal planning strategies which recognized and supported these Water Service Districts. Council also directed that similar action be taken in those areas served by the Dartmouth Water Utility. As a result, several areas to which central water service had already been extended or where it was anticipated that central water would be required to resolve a water quality or quantity problem were recommended to the Dartmouth Water Utility for designation as Water Service Districts. Within the North Preston, Lake Major, Lake Loon/Cherry Brook and East Preston plan area, the Water Service Districts include lands in the Lake Loon/Cherry Brook area (see Map 4).

It is the intent of Council that central municipal water services will only be permitted within designated Water Service Districts. Council may, however, consider the expansion of existing Water Service Districts or the establishment of new ones when satisfied that all engineering, financial, and planning concerns have been properly addressed.

EH-4(a) It shall be the intention of Council to establish Water Service Districts for those areas to which central municipal water services only have or may be extended in the future, as shown on the Water Service District Map (Map 4). It shall be the policy of Council that the extension of central municipal water services shall not be permitted outside of designated Water Service Districts. It shall further be the policy of Council that within the Water Service Districts, central municipal water services shall be provided to all subdivisions adjacent to existing municipal water services and which propose to provide a new or extended public street or highway.

EH-4(b) Notwithstanding Policy EH-4(a), Council may consider amending this planning strategy and the Municipal Subdivision By-law to permit the expansion of existing or the establishment of new Water Service Districts. When considering new or expanded Water Service Districts, priority shall be given to:

(1) areas identified as experiencing problems related to insufficient quality and/or poor quality of existing sources of water supply;
(2) existing communities within a reasonable distance of the central water supply system where there is a demonstrated need and conditional upon the availability of water supply capacity; and
(3) areas which would provide looping of existing infrastructure thereby enhancing reliability of the water system in the local area.

In addition to the priority criteria outlined above, it shall also be the policy of Council when considering the establishment of new or expanded Water Service Districts, to have regard to the following:

(a) the engineering and financial implications of such extensions as identified by the Master Infrastructure Plan, Implementation Plan, and Financial Plan carried out pursuant to Municipal Services General Specifications;
(b) the potential scale of such development and the effects which this may have on existing and future levels of services, as well as the development pattern which is desired and deemed appropriate within this plan area as well as the larger Municipality; and
(c) environmental considerations related to the long term integrity of on-site sewage disposal systems as well as natural water drainage systems. (C-Aug 29/94;M-Oct 21/94)

<u>On-Site Sewage Disposal Systems</u>

Apart from the North Preston community, domestic sewage in the Plan Area is disposed of by means of on-site systems ranging from septic tanks and soil absorption fields meeting present-day standards to cesspools and outhouses. In general, the provincial regulations governing the design and installation of on-site sewage disposal systems are considered adequate. However, there are concerns over the possible malfunctioning of systems which could be developed in conjunction with the limited number of private landholdings within the Lake Major watershed. Larger lot sizes within the watershed would ensure that sufficient space is available on building lots to develop new septic systems, should malfunctions occur (Policy RE-2).

As is the case with private wells, many malfunctions of on-site systems are due to improper or inadequate maintenance. There are no regulations to require regular maintenance and some homeowners are unaware that periodic removal of solids from septic tanks is even necessary. The availability of guidelines dealing with maintenance of on-site septic systems, combined with a public education programme, would help to remedy this problem. In addition, an appropriate pollution control strategy involving alternatives to large-scale central service systems should also be investigated.

EH-5 It shall be the intention of Council, in cooperation with the Nova Scotia Department of

Health and Fitness, to investigate, through the Board of Health, the feasibility of introducing an on-site sewage disposal system maintenance programme.

Central Servicing Considerations

The need for central water and sewage systems is determined by a range of complex factors which are generated both within and outside the communities. On an individual community basis, the need for improved central services is identified as follows:

Cherry Brook

- a limited number of substandard on-site sewage disposal systems.
- community directly in the path of urbanization and subject to growth pressures.
- central water supply systems recently installed in tile community.

Lake Major

- generally acceptable on-site water supply and sewage disposal systems.
- limited growth potential but some room for infilling as a logical extension of eastward urbanization.
- little resident desire for central systems.
- major portion of community immediately adjacent to Lake Major indicating that central systems will reinforce the maintenance of water quality in Lake Major.

North Preston

- recently constructed Municipal water and sewage systems serving the entire community.
- fire hydrants in conjunction with new central services provide improved fire fighting capabilities.
- relatively compact community in linear form, with some opportunities for the creation of infill lots along existing service lines.
- major portion of community within Lake Major Watershed with logical directions for growth remaining within the Watershed to a large degree.
- general concern for public health levels within the community including garbage disposal and property maintenance.
- moderate growth potential but buildable sites limited due to small sized land parcels, unclear land ownership, bedrock outcropping, limited servicing area and limited public road frontage.

East Preston

- a majority of community outside Lake Major Watershed.
- undesirable chemical water quality from dug and drilled wells.
- improperly located and constructed dug wells leading to bacteriological contamination. general resident desire for central services.
- limited water for fire protection.
- poorly constructed on-site sewage disposal systems but soil conditions generally conducive to on-site sewage disposal.
- existing development area characterized by large lot, low density development along existing roads. Selected areas within community available for future development pending minor extensions to the existing road network.
- moderate growth potential.

The availability of central water and sewage services will affect the ultimate physical form of the communities. Due to locational factors, Lake Loon/Cherry Brook is likely to undergo residential infilling as the result of an extension of urban services. Additionally LaKe Major, in time, will likely exhibit further infilling but geographic limitations, watershed influences and established agricultural related businesses will likely delay this process and support the semi-rural character of the community. forth Preston, due to its geographic location, is not directly in the stream of urbanization and growth will depend, to a large degree, on the migration patterns of local residents. East Preston has, in recent years, experienced rapid urbanization on the periphery of the community, but with a relatively large lane area, new development will likely be more dispersed. Therefore, it may be desirable to consider alternative methods of central servicing, such as servicing on the basis of wastewater management districts in East Preston.

Based on servicing estimates for the North Preston servicing project[3] and assuming the same capital cost-sharing formula, capital costs to residents for central water servicing (amortized over 10 years) average $400.00 per year, in addition to water consumption, fire protection and maintenance levies which range between $150-$200.00 per annum. The capital costs to residents for central sewer servicing are somewhat higher, averaging out to $680.00 per year, amortized over the same period in addition to a nominal operating levy. These costs do not include the costs of constructing service laterals or the cost of upgrading inside plumbing in cases where it may be inadequate.

With reference to the priorities identified within Section IV - Implementation, it should be recognized that, in those cases where central servicing is not indicated as a first priority, there is no contradiction between the information of Section IV and Policy. The priority ratings of Section IV reflect the relatively longer time frame required to investigate, design and construct central services as compared with other community priorities.

From the above, it is obvious that a comprehensive assistance program is required for many residents, combining the provision of basic water and sewage works with individual dwelling improvements. This has been the approach used in the North Preston servicing project.

EH-6 It shall be the intention of Council to provide central water and sewer services and/or suitable alternatives to the communities of Cherry Brook, Lake Major and East Preston in conjunction with the general Westphal area in terms of achieving the most economic and environmentally safe systems overall. East Preston and Cherry Brook are identified as the priority areas.

EH-7 It shall be the intention of Council to seek special financial assistance for central servicing and to distribute user costs in the fairest manner possible and with public consultation of the residents involved.

EH-8 It shall be the intention of Council to encourage the use of special assistance from Federal and Provincial agencies to assist in the installation of inside plumbing in those households where it currently does not exist and where central servicing systems are to be installed.

[3] **Halifax County Municipality. North Preston Water and Sewer Design Brief, Porter Dillon Limited, October 1987.**

EH-9 It shall be the intention of Council to consider the feasibility of establishing wastewater management districts for communities situated within the Plan Area as alternatives to central systems. Such systems may involve communal septic tanks and disposal fields operated and maintained by a public agency.

Stormwater Management

Storm drainage in the Plan Area is generally handled through roadside ditches which discharge runoff to natural watercourses. Stormwater runoff is often overlooked as a cause of pollution in settled areas. Consequently, stormwater management is often given little attention, particularly in semi-rural and rural areas.

The Municipality has had stormwater policies and assign criteria in place since 1985. Supervisory and technical staff have been employed to implement the policies. However, these policies and regulations are generally applied within the serviced areas of the Municipality.

Under the recently proclaimed Halifax County Stormwater Drainage Act, stormwater drainage policies may be implemented through a municipal by-law applied to any part of the Municipality. The implementation of stormwater management procedures is important if the effects of development on the Plan Area's lakes and watercourses are to be minimized.

EH-10 In recognition of the need to protect lakes and watercourses within the Plan Area, it shall be the intention of Council to consider adopting a municipal by-law in accordance with the Halifax County Stormwater Drainage Act, so that appropriate stormwater drainage provisions and design criteria shall be applied within the Plan Area. Furthermore, it shall be the intention of Council to consult with Plan Area residents, property owners, and the Lake Major Watershed Advisory Board prior to adopting any stormwater drainage by-law applying within the Plan Area.

Protection of Watercourses

The infilling of watercourses can cause a number of problems, including flooding and pollution. In order to divert, infill or otherwise alter any watercourse or body of water, permission must be obtained from the federal Department of Transport and the provincial Departments of Natural Resources and the Environment. This requirement is all too often ignored, and problems with enforcement have been acknowledged. Specifically, a number of areas along with Little Salmon River have been infilled in recent years.

EH-11 It shall be the intention of Council to request the Nova Scotia Departments of Natural Resources and the Environment to improve enforcement of the regulations and guidelines governing the infilling or otherwise interfering with lakes and watercourses in the Plan Area.

Poor construction practices can also result in damage to watercourses, especially when these occur at or near the water's edge. An example is careless excavation resulting in increased siltation from uncontrolled runoff. Guidelines for proper construction practices have been jointly prepared by federal and provincial agencies. In addition, guidelines for grading erosion and sedimentation resulting from construction practices and guidelines for managing resource-related activities and the closure of existing dump sites within the Lake Major Watershed are contained

within the Lake Major Watershed Management Study, Volume Two - Watershed Characteristics and Protection, Montreal Engineering Company Ltd., February, 1980. To afford further protection of watercourses, located both within and outside the Lake Major Watershed, and in recognition of the importance of protecting the Lake Major and Long Lake potable water supplies, the land use by-law will provide for increased minimum lot sizes within the Lake Major Watershed, and establish minimum building setbacks from watercourses and provide for increased setbacks from watercourses within the Lake Major watershed and from Lake Major and Long Lake. Construction practices will be encourage to proceed in accordance with the appropriate guidelines and regulations established by the Department of the Environment and the Lake Major Watershed Advisory Board.

EH-12 It shall be the intention of Council to request the Departments of Transportation and Communications and the Environment to enforce compliance with the Province of Nova Scotia Environmental Construction Practice Specifications.

EH-13 In recognition of the importance of protecting the Lake Major and Long Lake potable water supplies, and of protecting overall water quality within the Lake Major watershed and along other natural watercourses Wit he Plan Area, it shall be the intention of Council to establish, within the land use by-law, a minimum lot size of 80,000 square feet for new lots which are located outside of the established communities within the Lake Major Watershed. Furthermore, the land use by-law shall provide that no building shall be located within twenty-five (25) feet of any watercourse, or within one hundred (100) feet of any watercourse within the LaKe Major watershed or within two hundred and fifty (250) feet of water which serves as a public water supply, specifically Long Lake and Lake Major.

EH-14 Notwithstanding Policy EH-13 and in recognition of existing communities and properties within the Lake Major Watershed, it shall be the intention of Council to establish special provisions within the land use by-law to exempt existing properties from the setback requirements established under Policy EH-13. Exempted properties shall be used for residential purposes only.

EH-15 It shall be the intention of Council to recognize the guidelines and watershed regulations prepared by the Lake Major Watershed Advisory Board in all matters related to the use of land and erection of buildings within this watershed.

Solid Waste Disposal

Solid waste collection in the Plan Area is contracted to private firms on a weekly pick-up basis and is disposed at the regional sanitary landfill site operated by the Metropolitan Authority. The landfill site is located in Upper Sackville to the west of Highway No. 101 and extends back from the highway to the Sackville River. The site contains approximately 330 acres, 80 of which are actually used for the landfill. Operations began in November, 1977 and the site is scheduled to close in 1994. The Metropolitan Authority, therefore, started work on a "Solid Waste Master Plan" in August of 1989. The key to this plan is the concept of Integrated Waste Management. This concept recognizes that solid waste is a mixture of materials requiring a range of methods for disposal. Therefore, the recycling and reduction of waste will play a significant role in the Solid Waste Master Plan.

EH-16 It shall be the intention of Council to request the Metropolitan Authority to investigate, in cooperation with other levels of government, programmes for reducing waste and for waste reclamation.

EH-17 It shall be the intention of Council to support the public participation process established by the Metropolitan Authority in locating a new regional landfill site.

EH-18 It shall be the intention of Council to support community based recycling efforts.

Although the provision of a regular waste collection service to the communities in the Plan Area has resulted in improvements in general appearance, there is concern about areas where waste material was formerly deposited and about the illegal disposal of car bodies, waste building material and garbage in various locations. This practise has mostly been occurring on Crown land which is located extensively throughout the area. The proper closing of existing dumps and stricter enforcement of provincial environmental legislation and municipal unsightly premises by-laws are needed in order to remedy this situation.

EH-19 It shall be the intention of Council to seek and provide specific assistance in closing existing dumps and to support annual community clean-up campaigns.

In 1994, the Metropolitan Authority initiated a process to find a new landfill site as the landfill in Upper Sackville was scheduled to close on June 30, 1994. As part of this process, the Metropolitan Authority prepared a solid waste management strategy which proposed the construction of a waste-to-energy plant (incinerator) and a landfill for residual ash. This proposal, however, was rejected by the Minister of the Environment which resulted in the Sackville landfill site remaining open after the June 30, 1995 deadline. On August 9, 1994, The Metropolitan Authority passed a resolution requesting Halifax County Municipality to assume responsibility for solid waste management.

On September 6, 1994, Halifax County Municipality assumed responsibility on behalf of the four metropolitan units for solid waste management, including the siting of the new landfill site. To help establish the overall waste management strategy and the siting of a new landfill, Halifax County established a community stakeholder committee (CSC) in October of 1994 to oversee the process. On March 25, 1995, the CSC adopted in principle, "An Integrated Resource Management Strategy", which was later adopted in principle by all four municipal units involved.

The Waste Management Strategy establishes goals for the diversion of solid waste from the new landfill site. The goal of the strategy is to reduce the amount of solid waste disposed of at the new landfill site from 97 percent of total waste generated to approximately 12 percent. The Waste Management Strategy is made up of a number of components which must be implemented together in order to achieve its objectives. A significant increase in composting activity is considered essential to meeting or exceeding waste diversion targets as well as ensuring that organic wastes are not disposed of at the new regional landfill site.

To achieve the desired diversion target, the strategy focuses on the diversion of organic

matter from the waste stream through personal (backyard) composting[4] and source-separated composting[5]. Personal composting is intended to divert approximately 30 percent of the total residential organics while source-separated composting is intended to divert 60% of the total organics. Personal composting has been promoted by the Municipality through the subsidization and distribution of personal composters.

It is anticipated that composting operations will utilize either windrow[6] or in-vessel[7] composting approaches. Due to the high capital costs associated with in-vessel facilities, windrow composting is the most utilized approach for neighbourhood or small community composting operations.

However, the type of composting approach utilized for large populations or areas would depend on a number of factors such as land prices, transportation costs, and the quantity of material to be processed. Therefore, both windrow and in-vessel composting should be permitted equally within the Plan Area. The strategy recommends that there be multiple composting sites and be located close to the centres of generation.

To facilitate the safe production, distribution and use of compost material the Department of the Environment has adopted guidelines for commercial composting operations which contain provisions for establishing and operating commercial/municipal/industrial composting facilities and for the testing and classifying of the finished compost product. All composting facilities, except for personal composting operations, are required to obtain a composting permit from the department and each facility must satisfy the requirements of the composting guidelines.

In order to support the waste management strategy, composting operations will be permitted in a number of zones throughout the plan area subject to locational criteria contained within the land use by-law and compliance with provincial guidelines.

EH-20 It shall be the intention of Council, in support of the Integrated Waste Management Strategy adopted in June 1995, to support the location of composting operations in (industrial, resource, and mixed use) zones subject to compliance with provincial and municipal guidelines and regulations.
(MC-Feb 26/96;M-Mar 28/96)

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4 **"Personal (backyard) Composting" means the composting of organic solid waste, such as grass clippings, leaves or food waste, at a residential dwelling site where the waste is generated by the residents of the dwelling and/or neighbourhood units, provided that the annual production of the compost does not exceed 60 cubic metres.**

5 **"Source-Separated Composting" means a commercial/municipal/industrial solid waste management facility where compostable materials are separated at the source and the waste is processed using composting technology which may include physical turning, windrow, in vessel, static pile aeration or other mechanical handling of organic matter.**

6 **"Windrow Composting" refers to the method of controlled, aerobic composting or organics in which piles of material are aligned in long rows and turned on a regular basis by mobile equipment. Windrow composting can be conducted in buildings or out-of-door.**

7 **"In-Vessel Composting" refers to the method of aerobic composting of organics which is conducted in vessels, under cover, where the movement of air, the movement of material, and the monitoring of environmental parameters are mechanically controlled.**

CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT STRATEGY
(RC-Sep 10/02;E-Nov 9/02)

The key objective of Halifax Regional Municipality's (HRM) Integrated Waste/Resource Management Strategy (IWMS) is to minimize the amount of material going to a municipal landfill. The IWMS comprises a number of components which must be implemented together in order to achieve its objectives.

Of the various components, construction and demolition (C&D) waste is a key component. Construction and demolition materials means materials which are normally used in the construction of buildings, structures, roadways, walls and landscaping features, and includes, but is not limited to, soil, asphalt, brick, concrete, ceramics, porcelain, window glass, mortar, drywall, plaster, cellulose, fiberglass fibres, lumber, wood, asphalt shingles and metals. The combination of strong economic growth and corresponding growth in waste generation has resulted in increased financial pressure on the Municipality. In the interests of the greater public, it is essential that all aspects of the integrated waste management system, especially opportunities to maximize diversion, operate effectively. The IWMS recognizes that, while a significant proportion of C&D waste should be reused or recycled, it is necessary for some of this material to be buried.

On January, 1998 Regional Council approved the following objectives in support of implementing an HRM-wide C&D Waste Management Strategy:

(i) maximize diversion from landfill through recycling of construction and demolition debris in keeping with the Halifax Regional Municipality Solid Waste Resources Strategy;
(ii) increase economic activity and value added processing through recovery of construction and demolition debris;
(iii) provide an opportunity to properly dispose of construction and demolition debris that cannot be recycled; and
(iv) minimize environmental, land use and nuisance impacts from the operation of construction and demolition debris transfer, processing and disposal operations.

The C&D Strategy is in keeping with the overall objectives of the IWMS. Its implementation requires that municipal planning documents recognize the unique land use requirements of the C&D industry and that a specific Licensing By-law is required to address operational issues. The intent is to provide a comprehensive regulatory framework that is applied fairly and consistently throughout HRM.

HRM discourages processing and disposal of some C&D waste at its landfill. Inert C&D material does not need to be disposed of at the regional landfill site. Generators or haulers of these materials are generally discouraged from utilizing municipal facilities due to comparatively high tipping fees which encourage the use of private recycling or disposal facilities. Hazardous C&D waste materials are not accepted at the landfill or at private recycling or disposal facilities and must be disposed of as set out in provincial legislation.

The following municipal planning policies are intended to support and/or implement key

components of HRM's C&D Strategy.

SW-1 It shall be the intention of Council to initiate an education and public awareness program for builders, home renovators and developers describing best practices for maximizing the amount of C&D materials recycled, reused and/or diverted from municipal landfill.

SW-2 It shall be the intent of Council to review its construction and procurement practices to ensure that C&D debris materials resulting from municipal construction projects are diverted to appropriate reuse and recycling facilities.

SW-3 Further to Policy SW-2, Council shall encourage provincial and federal agencies working within HRM to also review their construction and procurement practices to support recycling / reuse of C&D materials.

The C&D industry comprises three types of operations which must be accommodated through land use regulations: C&D transfer stations; C&D processing operations; and C&D disposal operations. These facilities can operate independent of each other or jointly on the same or separate properties.

Operational and compatibility considerations related to C&D facilities require they not be located within residential, community facility, or environmentally sensitive designated areas. To minimize compatibility concerns, the Land Use By-law will permit C&D facilities only in areas designated mixed use or resource, where the density of residential development, types of uses permitted, and potential for land use conflicts is minimized. Further, as the potential impact of C&D operations on adjacent lands depends, to a degree, on the type of C&D operation, the Land Use By-law provisions will recognize individual characteristics of the three forms of C&D operations.

SW-4 It shall be the intention of Council to provide a consistent approach to permitting C&D operations throughout HRM. Further, the Land Use By-law shall clearly define each type of operation and implement measures to minimize the impact of C&D operations on surrounding land uses and watercourses.

SW-5 It shall be the intention of Council to prohibit C&D operations from establishing in areas designated residential, community facility, or environmentally sensitive.

Operational aspects of the C&D industry can be classified into two categories: operations where materials are transferred and/or processed; and operations which dispose of materials.

<u>Transfer Stations and Processing Facilities</u>

Municipal planning documents adopted or amended prior to 2002 did not recognize C&D transfer stations and processing facilities as unique forms of land use. Instead, land use regulations generally provided for these uses under regulations which apply to other uses such as salvage yards and "industrial" or "processing" operations. This resulted in inconsistency and the creation of an uneven "playing field" for contractors and C&D

operators. Additionally, standards were inappropriate in addressing unique siting, land use and other aspects of the C&D industry. In order to ensure consistency, new C&D transfer and processing operations will be considered by rezoning. This will minimize the impact of such facilities on adjacent land uses and ensure that public consultation forms part of the process for considering new operations. Further, the site plan approval process will be used for all C&D operations to address compatibility issues on a site specific basis.

SW-6 A CD-1 (C&D Transfer Stations) Zone shall be established in the land use by-law. The zone shall permit only C&D transfer stations and shall establish controls on setbacks from adjacent uses, buffering and screening, landscaping, access, and outdoor storage in order to minimize impacts on adjacent uses. Amendments to the schedules of the land use by-law to permit new C&D operations will only be considered where such operations are within the Mixed Use and Resource Designations, excluding areas located within the Lake Major Watershed, and pursuant to the following criteria:

- **(a) safe access to and from the site of the proposed operation shall be obtained from the abutting street or highway and the development shall not cause traffic circulation problems or traffic hazards due to the nature or level of traffic created;**
- **(b) no operation shall have direct access to a local road, as determined by the Municipality's Traffic and Transportation Services Division and any access road for such operations shall not be provided through lands zoned for residential or community use;**
- **(c) sites shall allow for the reasonable separation of the proposed operation from surrounding residential development;**
- **(d) consideration shall be given to the extent and location of open storage with respect to abutting properties;**
- **(e) scale and appearance of the proposed operation will not detract from or adversely affect surrounding developments;**
- **(f) the proposed site layout, including but not limited to landscaping, buildings or structures, access and egress, parking areas, signage, and outdoor storage or display areas, shall be appropriate having regard to the other provisions of this Policy;**
- **(g) adequate buffering and screening measures, including the use of berms, opaque fencing, and vegetation, shall be provided as a means to reduce any visual and/or noise intrusion to surrounding residential development;**
- **(h) applicant shall provide a report that addresses the effectiveness of environmental measures used to protect the natural environment (ie watercourse, groundwater, etc.);**
- **(i) no portion of the operation shall be located within a floodplain (1:100 year event);**
- **(j) consideration shall be given to the adequacy of onsite or central services; and**
- **(k) provisions of Policy IM-9**

SW-7 A CD-2 (C&D Recycling Operations) Zone shall be established in the land use by-law. The zone shall permit C&D recycling operations and CD-1 zone uses,

excluding disposal, and shall establish controls on setbacks from adjacent uses, provide buffering and screening, landscaping measures, regulate access and outdoor storage in order to minimize impact on adjacent uses. Amendments to the schedules of the land use by-law to permit new CD-2 Zone uses shall only be considered where such operations are within the Resource Designation, excluding areas located within the Lake Major Watershed, and pursuant to criteria of Policy SW-6.

C&D Disposal Facilities

In the past, construction and demolition materials were disposed of either through use as general fill material at private sites or through disposal at the regional landfill facility. Respectively, these practices have come under criticism due to concerns about potential environmental impacts associated with disposal at unregulated private facilities and the financial burden associated with disposing of significant amounts of C&D waste at a municipal landfill site which was not designed to accommodate this material.

Past disposal practices have prevented significant amounts of C&D materials from being either reused or recycled and a lack of permitted locations for C&D waste disposal has contributed to illegal dumping on private and Crown land. Historically, there have been no approved locations in HRM where construction and demolition waste can be both conveniently and safely landfilled despite the existence of Provincial regulations which provide sufficient environmental protection.

Under Provincial regulations, businesses which dispose of C&D materials are classified into two categories:

(a) Facilities which dispose of only inert C&D materials for which Ministerial approval and a permit from the Department of the Environment are not required. Inert materials are defined as "rock (excluding sulphide bearing rock), aggregate, soil, bricks, mortar, concrete, asphalt pavement, porcelain or ceramic materials, trees, brush, limbs, stumps, root balls, organic mat, milled wood that is free of adhesives, coatings or preservatives.

(b) Facilities which dispose of all types of C&D materials (inert and non-inert) for which Ministerial approval is required. These operations require a permit from the Department of the Environment and Labour in accordance with Provincial "Construction and Demolition Debris Disposal Site Guidelines", to address the design and operational requirements.

Any C&D disposal operation is required to comply with the provisions of HRM's C&D Licensing By-law. The By-law prohibits disposal of materials which can be recycled or reused and will significantly minimize the number of such disposal operations. Neither the C&D License By-law nor provincial regulations prohibit the use of inert materials as fill on individual properties. Consequently, the regulation of C&D disposal facilities through municipal planning documents should focus on land use compatibility issues and locational criteria.

Under the Municipal Government Act, municipalities can regulate where disposal

operations are permitted. To address land use compatibility issues, a C&D disposal zone shall be established in the Land Use By-law and disposal sites shall only be considered through the rezoning and site plan approval process.

SW-8 A CD-3 (C&D Disposal) Zone shall be established in the land use by-law. The zone shall permit C&D disposal operations, CD-2 zone uses and establish controls relative to setbacks from adjacent uses, buffering and screening, landscaping, access, and outdoor storage in order to minimize impact on adjacent uses. Amendments to the schedules of the land use by-law to permit new C&D disposal operations shall be considered where such operations are within the Resource Designation, excluding areas located within the Lake Major Watershed, and pursuant to the following criteria:

(a) the applicant shall provide the level of information for a complete C&D disposal operation required by the N.S. Department of the Environment and Labour for approval; and
(b) those criteria outlined in Policy SW-6.

Site Plan Approval

In order to minimize associated land use concerns all C&D operations shall proceed through the Site Plan Approval process.

SW-9 Further to Policies SW-6, SW-7, and SW-8, C&D operations shall be regulated under a Site Plan Approval Process in order to minimize land use impacts. Siting standards shall be set out in the Land Use By-law to address such items as, but not limited to, screening, access, outdoor storage, maintenance, stormwater management, lighting, signage, and landscaping measures.

Existing C&D Operations

There are a number of existing C&D operations (transfer stations and processing operations) throughout HRM. To recognize these existing operations, applicable zoning shall be applied to reflect the use conducted on these properties in conjunction with the adoption of the amendments.

SW-10 It shall be the intention of Council to recognize existing C&D operations by applying the applicable zone to reflect their existing use.

SW-11 Further to Policy SW-10, any expansion of an existing C&D operation (ie. addition to an existing building, a new building, or a new/change of use) shall be subject to the site plan approval process.

Community Liaison Committee (CLC)

A concern of most communities, relative to C&D disposal operations, is not knowing whether or not the community and environment are being protected. To address these concerns, the N.S. Department of the Environment and Labour has the option to require a Community Liaison Committee in association with disposal operations. HRM supports the establishment of a CLC for C&D disposal operations and wishes to be involved with the

committee to provide information on municipal approvals, requirements, and enforcement issues.

SW-12 Council shall recommend to the N.S. Department of the Environment and Labour that a Community Liaison Committee be established for all C&D disposal operations within HRM.

INFRASTRUCTURE CHARGES (RC-Jul 2/02;E-Aug 17/02)

Halifax Regional Municipality has experienced sustained residential and commercial growth throughout the past several decades. The provision of new street and underground servicing systems to accommodate new developments is generally the responsibility of individual developers as condition of development approval and municipal take over of such servicing systems. In many cases, however, these servicing systems are sized and constructed to accommodate only the immediate area in which new development occurs. This leads to problems when the cumulative effect of individual developments either impact on, or are impacted by, the capability of overall community and regional infrastructure to accommodate growth.

Costs associated with ensuring that the size and extent of infrastructure required to accommodate new growth and its impacts on existing communities have been assumed largely by public sector funding. Traditional sources of public funding for municipal infrastructure have been reduced and new infrastructure will need to be funded without public financing available in the past. This presents a significant challenge to the Municipality in terms of balancing the economic benefits of new growth with the need to ensure that the infrastructure required to support growth is provided in a timely and cost-effective manner.

Council is concerned that many of the trunk infrastructure systems in the Municipality are nearing their design capacities and recognizes that new servicing systems are required to meet the needs of the community. An Integrated Servicing Study recently prepared for the Municipality identified substantial new infrastructure required in order to accommodate future development.

The Municipality has adopted a Multi-Year Financial Strategy with respect to its debt load and financial position. The Municipality is not in a financial position to absorb the capital costs associated with upgrading and extending the infrastructure necessary to facilitate future development, nor is it prepared to burden existing taxpayers with additional capital costs associated with new development.

In order to help facilitate continued growth without imposing an excessive financial burden on the existing taxpayers of the Municipality, it is Council's intention to recover infrastructure-related costs associated with new growth in the form of Infrastructure Charges in accordance with the provisions of the *Municipal Government Act (MGA)*. Recovery of Infrastructure Charges will enable the Municipality to allocate the capital costs associated with new infrastructure to developers and subdividers deriving servicing benefits from the new infrastructure.

In keeping with the *MGA*, Infrastructure Charges for:

(a) new or expanded water systems;
(b) new or expanded waste water facilities;
(c) new or expanded storm water systems;
(d) new or expanded streets;

(e) upgrading intersections, new traffic signs and signals, and new transit bus bays,

may be imposed in the Subdivision By-law to recover all, or part, of the capital costs incurred, or anticipated to be incurred, by the Municipality by reason of the subdivision and future development of land as well as to recover costs associated with land, planning, studies related to the Master Plan, engineering, surveying and legal costs incurred with respect to any of them.

The Subdivision By-law shall set out the infrastructure charge areas in which Infrastructure Charges are to be levied, the purposes for which Infrastructure Charges are to be levied and the amount of, or method of calculating, each infrastructure charge.

The Municipality will initiate Master Plan studies where necessary in order to determine appropriate charge areas and the costs associated with oversized and new infrastructure. The cost of any such studies will be included as part of the infrastructure charge to be recovered under the Subdivision By-law.

Where the costs of providing infrastructure to accommodate development activity in specific geographic locations may place excessive financial burden on the Municipality, it may be necessary to restrict development pending completion of Master Plan studies and establishing of charge areas. In such instances provision will be made for application by Council of a holding zone to such areas. Additionally, where proposed development agreements would result in a subdivision requiring new infrastructure, approval of such proposals will be subject to Infrastructure Charges. The methodology for determining charge areas will be generally outlined in a Capital Cost Contribution Policy adopted by Council.

Objectives

The following statements generally define the objectives Council wishes to achieve through the imposition of Infrastructure Charges within the Municipality:

(a) to provide a leadership role in facilitating future growth in the Municipality;
(b) to recover an infrastructure charge where the subdivision or development presents a requirement for new infrastructure;
(c) to ensure that the costs of new infrastructure are properly allocated to subdividers and other stakeholders deriving benefit from the infrastructure;
(d) to limit the Municipality's financial contribution having regard to other budgetary commitments and constraints;
(e) to provide greater certainty to subdividers and other stakeholders with respect to the costs of development in the Municipality;
(f) to maintain a consistent approach to recovery of Infrastructure Charges across the Municipality;
(g) to ensure that recovery of Infrastructure Charges is compatible with good land use planning in the Municipality.

Policy Statements

The following policy statements identify the intentions of Council in adopting municipal planning policy with respect to Infrastructure Charges. These policies will be implemented through provisions established in the Subdivision and Land Use By-law's and by administrative practices and procedures.

IC-1 Where capital costs have been or are anticipated by reason of the subdivision or future development of land, the Subdivision By-law shall be amended from time to time to identify specific charge areas and related Infrastructure Charges applicable in the Municipality. In amending the Subdivision By-law to establish a charge area, Council shall consider:

- **(a) The adequacy of existing infrastructure;**
- **(b) Transportation requirements, including existing streets;**
- **(c) Drainage patterns and drainage requirements;**
- **(d) Water service requirements, including existing and proposed water service districts;**
- **(e) Storm and sanitary sewer system requirements, including the extension of existing systems and servicing boundaries;**
- **(f) Land use and existing and future development;**
- **(g) Financial impacts on the Municipality;**
- **(h) Soil conditions and topography; and**
- **(i) Any other matter of relevant planning concern.**

IC-2 Infrastructure Charges within a charge area shall be in an amount determined by Council, as set out in the Subdivision By-law.

IC-3 Infrastructure Charges imposed pursuant to the Subdivision By-law may be set at different levels related to the proposed land use, zoning, density, traffic generation, lot size and number of lots in a subdivision and the anticipated servicing requirements for each infrastructure charge area.

IC-4 The Subdivision By-law shall establish conditions for Subdivision Approval with respect to the payment of Infrastructure Charges including provisions for any agreements with the Municipality as a condition of Subdivision Approval.

IC-5 An Infrastructure Charge Holding Zone shall be established in the Land Use By-law. The Holding Zone may be applied by Council to lands within any designation on the Generalized Future Land Use Map where, in respect of development, Council has determined that: the cost of providing municipal wastewater facilities, stormwater systems or water systems would be prohibitive; or the cost of maintaining municipal streets would be prohibitive.

Development permitted within an Infrastructure Charge Holding Zone shall be restricted to single unit dwellings except in conformity with a development agreement approved by Council in accordance with the MGA.

IC-6 Where an area is zoned as an Infrastructure Charge Holding Zone area, the municipality shall, within one year of the effective date of the zone, commence the procedure to amend the Subdivision By-law to include provision for the payment of Infrastructure Charges, prior to permitting development or the designation(s) and zone(s) in effect immediately prior to the Pending Infrastructure Charges Area zone comes into effect.

IC-7 Council shall be guided by the Municipality's Multi-Year Financial Strategy and capital budget process in determining the extent and timing of municipal contributions toward new infrastructure.

IC-8 An infrastructure charge may only be used for the purpose for which it is collected.

INTERIM GROWTH MANAGEMENT
(Section Deleted RC-Jun 27/06;E-Aug 26/06)

PROTECTION AND EMERGENCY SERVICES

Protection services include fire and police protection, ambulance services and an emergency measures organization. Fire protection services are the responsibility of the Municipality, while the emergency measures organization is shared between municipal and provincial authorities. Police and ambulance services are not under the control of the Municipality and are supervised respectively by federal and provincial authorities.

Fire protection service for Cherry Brook is provided by the Westphal-Cole Harbour Fire Department which operates from a station located on Highway No. 7. The Fire Department is staffed on a twenty-four hour basis by both paid and volunteer fire fighters and has tanker vehicles and pumper relays to provide service in areas not serviced by central water systems.

Lake Major and North Preston are protected by the North Preston station of the District 8 Fire Department. The recent installation of central sewer and water services in North Preston also includes the installation of fire hydrants which will improve fire protection within the community. This is supplemented by tanker vehicles and pumper relays from natural sources. Additional manpower and equipment are provided from Lake Echo as required.

East Preston is protected by the Lake Echo station of the District 8 Fire Department with back-up services provided from the North Preston station. Water is supplied by tankers and by pumper relays from natural sources. The District 8 Fire Department is presently examining possible improvements to its fire protection services. These include the installation of dry hydrants and drafting basins in conjunction with watercourses and waterbodies, and the construction of a new fire station near the intersection of Bell Street and highway No. 7.

Fire protection advisory services for the Municipality are provided by a Fire Advisory Committee, which consists of Municipal Councillors and fire department personnel. The committee acts in a resource and advisory capacity to Council and as a liaison between Council and individual fire departments. A full-time fire service coordinator has also been appointed.

PS-1 It shall be the intention of Council, through the Fire Advisory Committee, to monitor fire protection services in the Plan Area and, where necessary, identify and secure access to continuous sources of water for fire protection purposes.

PS-2 It shall be the intention of Council to encourage adequate fire protection in the following ways:

(a) supporting staffing practices involving paid and volunteer fire fighters;
(b) supporting the continuation and further development of fire prevention measures, such as general education and inspection programmes; and
(c) encouraging and supporting cooperation and collaboration between individual fire departments and the Municipality in order to encourage well-balanced and efficient provision of services and to facilitate long-term planning.

Police services are provided by a Royal Canadian Mounted Police detachment located in Cole Harbour. The strength of the detachment was significantly increased in the late 1980s to provide a level of service considered more appropriate to the predominantly suburban communities located beyond the City of Dartmouth. Ambulance services are provided by two private businesses operating out of Dartmouth. The service is subsidized by the province and provision is made for outside ambulance assistance, if needed.

The policing system does not provide the level of security desired by many residents and greater RCMP surveillance is required. However, greater RCMP involvement can only successfully be carried out through the development of a greater police/community interaction and educational process.

PS-3 It shall be the intention of Council to monitor the adequacy of police and ambulance services within the Plan Area.

PS-4 It shall be the intention of Council to encourage the RCMP and the provincial Attorney General to identify problem areas in police protection in the Plan Area and to develop ways to improve police service through a police/community interaction and education process.

The Municipality has an emergency operations plan (most recently updated in 1982), an Emergency Measures By-law, and an emergency measures coordinator to deal with civil emergencies. At present, a province-wide emergency calling system is being installed and the Municipality is considering a county-wide fire dispatch system to operate in conjunction with it.

PS-5 It shall be the intention of Council to continue to encourage and support the activities of municipal and provincial emergency measures organizations and operations.

EDUCATION

The relationship between school and community is an important one, and the educational system has been the subject of public scrutiny in the past. There are two primary/elementary schools and one junior high school located within the Plan Area. In some cases, particularly for high school, students have to attend schools which are located outside their communities.

A recent incident involving conflict between black and white students at the Cole Harbour High School has focused attention on the overcrowded conditions at the school, as well as the need to promote a more varied selection of courses which are more relevant to the needs of black students. The incident has also prompted requests for the construction of a new high school within the Plan Area.

The control and management of schools and programmes in the Municipality is the responsibility of the Halifax County-Bedford District School Board. The provincial government cost-shares various items related to the operation of the School Board and is fully responsible for the costs of new school construction. The Halifax County-Bedford District School Board consists of fifteen members, all of whom are elected. Education services to the Plan Area are administered through the District School Board's Eastern Suburban Sub-system.

In the matter of selection of new school sites, the District School Board consults with both the Municipality and local school trustees before identifying potential sites. The provincial Department of Education determines the final site selection. Monitoring of population growth and development trends are conducted jointly by the District School Board and the Municipal Department of Planning and Development. The ultimate location of a new high school facility is very important to the Plan Area residents.

ED-1 It shall be the intention of Council to encourage the Halifax County-Bedford District School Board to closely monitor population and development within the Plan Area. Furthermore, it shall be the intention of Council to make strong representation to the provincial government to provide a planned response to the needs for new schools or expansion of existing schools.

ED-2 It shall be the intention of Council to encourage the Halifax County-Bedford District School Board to continue to consult with the community and the Municipality prior to altering the functions of any school or constructing any new school.

A change in School Board policy resulted in Graham Creighton High School in Cherry Brook being redesignated from a senior high to a junior high, in order to avoid duplication of services at the high school level. The redesignation required the school to be upgraded, both in terms of physical plant and school recreational facilities. The school should continue to operate on the basis of a community school.

ED-3 It shall be the intention of Council to encourage the continued use of Graham Creighton School as a Community School providing recreational, academic, skills and general interest courses to the general public and to Plan Area residents.

ED-4 It shall be the intention of Council to request the School Board to continue to investigate and promote a more varied selection of courses ranging from enriched academic to practical trades and ranging from black history courses to early and adolescent learning courses dealing with integration and life skills.

The location of new schools and the upgrading of existing schools is the responsibility of the District School Board, in cooperation with the provincial Department of Education. The location and design of schools and school sites, as well as school programs, are important to the communities and to the entire population served by the education facilities.

The District School Board has developed a proposed construction program which includes both long and short-term projects. The program is based upon Department of Education population projections, as well as upon short-term estimates based on known development proposals. In the short term, applications for new facilities at Nelson Whynder and Allen W. Evans schools in North Preston are being considered by the Department of Education. Neither of these elementary schools presently have any organized outdoor play environment.

ED-5 It shall be the intention of Council, when new school sites are being considered, to encourage the provincial government and the Halifax County-Bedford District School Board to locate the schools so that pedestrian and vehicular safety is enhanced. Furthermore, it shall be the intention of Council to encourage the location of new schools adjacent to existing or proposed parks, open space and community facilities.

ED-6 It shall be the intention of Council to encourage the Halifax County-Bedford District School Board to continue applying standard site criteria, including minimum site requirements, for each type of school.

ED-7 It shall be the intention of Council to request the School Board to continue to monitor the educational concerns of the black communities in the area, with full cooperation from the Ratepayers Associations.

ED-8 It shall be the intention of Council to request the Department of Education and the Halifax County-Bedford District School Board to investigate ways in which support and additional space can be provided as part of new school construction and school expansion projects, to provide for after-hours day care for school aged children.

RECREATION

Intensive types of recreation activities requiring the development of facilities have been noticeably absent in the communities in the past. Present recreation facilities consist of recreation centre buildings in three of the communities, namely North Preston, Cherry Brook and East Preston, and these facilities are owned and operated by the local ratepayers. Efforts are currently underway to remodel the recreation centre in Lake Loon/Cherry Brook while Lake Major does not have a sufficient population base to support such a facility. A new recreation centre was recently constructed in North Preston, replacing one destroyed by fire several years ago. The centre was recently allocated a part-time recreation coordinator to establish structured programs, and there is hope that this will become a full-time position in the near future. WADE has been attempting to establish a community park and recreation area near Lake Eagle, between North and East Preston. In addition, East Preston has an active recreation association which, for many years, has provided a focus for community and cultural events. The association recently developed the first ball field in the Plan Area.

The existing recreation activities are limited due to facility design, but at the same time, support important social activities. The recreation centre sites support limited outdoor facilities due to site constraints and lack of funding. However, the existing level of facilities and activities continues to function only through the efforts of a small number of dedicated individuals.

The acquisition of recreational land is effected through the dedication of parkland in compliance with the Municipality's Subdivision By-law. Under the by-law, five per cent of the land subdivided or cash-in-lieu of a land dedication is accepted for parkland purposes. Monies have been accumulated through cash-in-lieu of land for the purchase of additional property. Given the low rate of subdivision development in the Plan Area, the accumulation of both parkland and parkland funds has been limited.

Efforts should be made to ensure that future areas acquired for parkland purposes are useable for active or passive recreational purposes and are integrated with existing parks and community facilities. There is a need to establish site development standards and guidelines for the optimum amount and type of land necessary to satisfy community demands, in order to provide a more coordinated approach to the land acquisition process.

REC-1 It shall be the intention of Council to continue to acquire land or cash-in-lieu of land for public purposes as provided for by the Planning Act. In this regard, Council shall attempt to acquire property which:

(a) provides open space linkages between community facilities and related land uses;
(b) provides a variety of recreational and open space opportunities;
(c) complements existing public lands and facilities; and
(d) affords protection of watercourses and lakes.

REC-2 It shall be the intention of Council to establish guidelines in respect to the optimum amount and type of public lands necessary to meet the recreational and open space needs of the community and to set standards for the development of park sites. Further, it shall be the intention of Council to investigate the budgeting of funds for the purchase of lands

beyond those acquired through the Planning Act.

REC-3 It shall be the intention of Council to prepare a recreational master plan for the Plan Area which includes consideration of:

(a) future acquisition and use of parks and open spaces;
(b) priorities for land and programme development;
(c) approaches to the resolution of social issues including vandalism;
(d) funding strategies based on a five year capital programme; and
(e) public participation in policy development.

REC-4 It shall be the intention of Council to provide grants and other assistance for the operating requirements associated with the various level recreation facilities and programs.

REC-5 It shall be the intention of Council, through the Halifax County Recreation Department and related provincially sponsored agencies, to provide the necessary leadership and skills for developing recreation programs in the communities.

REC-6 It shall be the intention of Council, through utilization of various Federal and Provincial programs to supply to the communities, a full-time recreation coordinator on a trial basis as such programs become available.

REC-7 It shall be the intention of Council to support the local communities in the securing of funding for capital works from the Provincial Department of Culture, Recreation and Fitness and through coordination and consultation with Area Representatives from that Department.

REC-8 It shall be the intention of Council, to support and to liaise with the local Recreation Associations in the communities. This will include support for the application of an area recreation levy in order to grant funds to encourage the continued operation of the Recreation Associations.

REC-9 It shall be the intention of Council to support the development of additional recreation facilities in association with elementary schools where other opportunities do not exist, as well as the use of elementary schools for community use where such schools are to be phased out for educational use.

Plan Area residents have traditionally used the Lake Major Watershed area for various recreational activities such as fishing, hunting, skating, swimming, hiking and picnicking. The designation of the watershed as a "Protected Water Area" under the Water Act will, to some degree, limit the extent to which the watershed is used for recreational purposes. However, studies on the watershed[8] indicate that the effects of low intensity recreational activity on Lake Major water quality would be minimal.

Although recreational development would require careful integration as part of an overall watershed management plan, there is opportunity for a system of canoe and trail routes to be

[8] Montreal Engineering Co. Ltd. Lake Major Watershed Management Study, Second Interim Report, 1979.

established for use on a day basis. Low intensity recreational development would enable watershed residents to continue using the watershed for some recreational activities and may create some economic opportunities related to guiding, outfitting and maintenance of the trail system, particularly if entry points to the system originate near the communities. It may also serve to heighten public awareness of the watershed and provide recreational opportunities in close proximity to the metropolitan area.

REC-10 It shall be the intention of Council to encourage the Lake Major Watershed Advisory Board to integrate low intensity recreational development within the overall management plan for the Lake Major Watershed and to investigate means by which canoe, hiking and interpretive routes can be developed within the watershed in consultation with appropriate government agencies and Plan Area residents.

OTHER COMMUNITY SERVICES

Public Health and Social Services

The level of public health within the Plan Area communities is determined by a wide range of factors and conditions varying from adequate methods of sewage disposal and safe water supply to personal health and hygiene.

Investigation has shown that water supply and sewage disposal has been inadequate in some instances. The recent installation of Municipal water and sewer services in North Preston will, to a large degree, remedy some of the health problems in that community.

CS-1 It shall be the intention of Council, through its Board of Health, to provide adequate inspection and enforcement of public health regulations and to place special emphasis and resources in the field of public health education.

Health service delivery to the communities is the responsibility of a wide range of agencies. As a result, there is significant opportunity for overlap and consequent lack of understanding as to the objectives of the programs and the agencies involved. In the end, an effective public health program can only be achieved to the degree it is accepted and understood within each community.

CS-2 In order to increase awareness of public health and other matters of environmental health concern, it shall be the intention of Council, in cooperation with provincial and federal departments, to develop and implement public education programs dealing with matters of public health awareness.

In the preventative aspects of public health, the public health nurse for the area is providing an invaluable service. One of the key functions being provided through the public health nurse is that of information and education as related to individual and family health. The only reservation may focus on the availability of adequate resources to achieve the rate of progress desired.

People within the communities generally have the same level of access to medical and health services as do all residents of the metropolitan area. However, private medical health plans are not as prevalent as elsewhere, perhaps due to a smaller number of persons working at occupations where group health plans are available. The health clinic, established during 1971 in North Preston, operates on a twice weekly basis and provides an invaluable service to that community. Objectives regarding public health are as follows:

1. Accelerate public health educational programs within the communities.
2. Involve local residents in the programming and organization of all public health endeavours.
3. Shore up the enforcement aspects of public health.
4. Expand the health centre in North Preston to include dental services. This is justified on the basis of significant numbers of people at or below the poverty level.
5. Provide capital assistance to the communities requiring physical improvements related to public health such as water and sewage facilities.

CS-3 It shall be the intention of Council to support those physical works necessary for an adequate level of public health in the communities and to encourage the delivery of public

health and social services with specific involvement from the Plan Area's residents.

Social services in the broader sense cover a range of essential elements necessary for the day to day survival and longer term upgrading of people. Present involvement incorporates a range of government and quasi-government agencies with little or no coordination. Progress must be made in developing and upgrading the basic human resource. No attempt is made to detail the complexity of social service delivery except to identify the following general parameters:

1. The delivery of social services and the broader aspects of human resource development must be approached on a more comprehensive basis.
2. The multiplicity of social development programs emanating from the three levels of government must be coordinated in order to derive maximum benefit.
3. A higher level of human resource personnel with adequate funding is required within the communities.
4. Educational, job training and social programs require closer integration.

CS-4 It shall be the intention of Council, in cooperation with other levels of government, to deliver social services in a coordinated manner for most effective utilization and to support the human resources development aspects of the broader social service field.

Human Resources

There is great need for human resource planning in the Plan Area. Problems facing black residents of North Preston, East Preston and Cherry Brook stem from and include a lack of education, employment opportunities, household income, adequate housing and other facilities, cultural segregation, bias, etc. All these problems are deep rooted and imply that the community development process must go beyond physical planning and deal with the people themselves.

Education underlies most of the human resource shortcomings. Present education levels of black household heads is much less than for the larger society. A lack of education creates an unskilled labour force and a relatively uninformed social group; the former leading to poorly paying jobs and high unemployment while the latter leading to numerous social problems.

To correct the situation, a program of assistance and leadership must be initiated to integrate all the social variables into a framework which can be rationalized. A human resource strategy is evolving whereby the emphasis has been to work with the representatives of the communities as partners; to draw upon the knowledge and wisdom of the community residents; and to identify resources within and beyond the area that can help residents to solve their problems.

Many of the problems in the black communities arose from past interventions and attempts to do things for the residents instead of with them. This has created dependency, apathy and the expectation that 'others' will solve problems.

A human resource strategy cannot abide by specific restrictions of time. The adoption of this strategy must be immediately supplemented by an ongoing human resource development strategy. To that end, the following policies should be implemented:

CS-5 It shall be the intention of Council to assist in the placement of a community resource

person whose primary responsibility is to coordinate the implementation of governmental programs simultaneously with the end of enhancing the human aspect of the communities.

CS-6 It shall be the intention of Council to encourage citizen involvement in community affairs.

CS-7 It shall be the intention of Council to encourage the Halifax County-Bedford District School Board to continue and expand special adult education classes in the communities.

CS-8 It shall be the intention of Council to encourage WADE or a similarly responsible community agency to undertake social and economic development programs and to draw upon various levels of government and the private sector for resource personnel.

Housing

Housing conditions in the Plan Area vary from excellent to obsolete. Although homes of fine quality are found in all communities, dilapidated houses are located in all communities, particularly in North and East Preston. It is the intention of this strategy to establish a means to aid homeowners to bring homes up to acceptable construction and health standards and to implant into the communities an ongoing sense of responsibility to maintain the quality of housing stock and the neighbourhood environment.

Available assistance programs from the Canada Mortgage and Housing Corporation (CMHC) and the Nova Scotia Department of Housing cater to the provision and improvement of physical housing. Application for assistance has been limited in the area but public demand and awareness of housing programs is increasing. For example, several hundred applications for home insulation grants have come out of the area.

CS-9 It shall be the intention of Council to participate in programs leading to the upgrading and rehabilitation of the housing stock in the Plan Area, such as the Community Services Program and the Rural and Native Housing Program, and to encourage the use of any other programs providing assistance in the provision of adequate housing.

CS-10 It shall be the intention of Council to support the efforts of the Preston and Area Housing Fund, a community agency utilizing funds from the Canada Mortgage and Housing Corporation and the Nova Scotia Departments of Community Services and Housing.

CS-11 It shall be the intention of Council to maintain a representative to the Preston and Area Housing Fund.

Black residents insist that the foremost housing problem is in obtaining a mortgage and finding suitable building lots. On the part of some residents, there is an inherent fear of committing oneself to long term mortgage obligations. The availability of building lots is restricted by a lack of clear title to some lands, the cost of developing new road frontage and the retention of existing road frontage for immediate family use. Somehow this situation must be rectified or else young adults will continue to migrate to other communities or be forced to live in poor housing accommodation. Since most of the homes in the area are owned by their inhabitants, supplying rental units as does the Department of Housing subdivision in North Preston will only provide transitional housing.

CS-12 It shall be the intention of Council to actively promote the further resolution of land titles in the communities of North Preston, East Preston and Cherry Brook, and to recognize lots created through this program as being eligible for the reduced lot frontage provisions contained in Part 14 of the Subdivision By-law.

CS-13 It shall be the intention of Council to support WADE or a similarly responsible community agency within the Plan Area, in its efforts to acquire through lease or otherwise certain portions of existing Crown lands and certain private lands (largely owned by the City of Dartmouth) for the purposes of providing building lots and the development of resource and recreational activities.

Careful management and controls on future housing is essential. A proper blend of infrastructure and rural amenities is desired by residents.

CS-14 It shall be the intention of Council to encourage the development of residential infilling and subdivisions so as to permit a range of housing types, sizes, prices and tenure arrangements so that households with differing socio-economic characteristics may be accommodated.

CS-15 It shall be the intention of Council to establish controls on livestock operations throughout the Plan Area, and particularly within areas serviced by central water and sewer through the land use by-law, and to enforce the Municipality's Unsightly Premises By-law in order to maintain an attractive residential environment within all communities.

Housing programmes administered by senior levels of government, such as the Housing Co-op programme administered by CMHC under Section 56 of the National Housing Act, provide an important housing option for those who would otherwise face housing problems. Individuals and groups attempting to establish cooperative housing face various problems related in part to the complexity of government regulation at all levels, including municipal land use and building regulations.

CS-16 It shall be the intention of Council to investigate methods by which the Municipality can offer non-financial assistance in promoting the establishment of cooperative housing groups, funded through the non-profit housing programmes of CMHC.

The Municipality is considering the possibility of establishing a permanent committee to deal with social housing policy within the Municipality. This committee could be charged with reporting to Council on possible initiatives, funding and housing programmes that periodically become available through senior levels of government or in other jurisdictions, and recommending courses of action with respect to providing social housing. An important function of such a committee would be to identify the specific social housing needs of the Plan Area's communities.

CS-17 It shall be the intention of Council to consider the establishment of a permanent committee to report to Council on matters relevant to the provision of social housing and to coordinate social housing efforts and programmes within the Municipality and the Plan Area. Wherever possible, programmes which utilize community labour and resources shall be encouraged.

In conjunction with the installation of central water and sewer services in the community of North Preston, a number of existing dwellings within the community were identified as requiring substantial improvements or complete replacement in order to be connected to the central services. In this regard, additional provincial funds were committed to the project in order to cover the costs of undertaking plumbing and building improvements and the replacement of substandard housing units within the community.

A number of difficulties were identified in relation to many of the dwellings identified for servicing and replacement, including a lack of clear title, the existence of more than one dwelling per lot, and insufficient road frontage for subdivision. Although the Replacement Housing Program has addressed an immediate housing concern, many of these problems must be addressed in order to address housing problems over the longer term.

Through the Land Titles Clarification Program, efforts are being made to establish clear title to a number of properties in the community, some of which contain replacement housing. However, this program has limited remedial effect where, for example, an existing lot with clear title contains more than one dwelling but does not have sufficient public road frontage to permit subdivision approval. Application of the lot frontage exemptions contained in Part 14 of the Municipality's Subdivision By-law (Policy TR-18), should provide for the creation of much needed building lots in some situations, but where several dwellings are located on a lot which has no clear title, alternative solutions must be considered. Alternatives may include permitting the replacement of existing dwellings, notwithstanding the fact that no clear title exists, and to identify and list private serviced laneways as Schedule A roads in the Municipality's Subdivision By-law (Policy TR-17).

CS-18 It shall be the intention of Council to support ongoing programs of the Nova Scotia Department of Housing to provide replacement housing in the community of North Preston in conjunction with the installation of central water and sewer services in the community. In this regard, specific provisions within the land use by-law to accommodate new housing on existing lots identified in Appendix B of the land use by-law shall be established.

SECTION III

LAND USE INTENT

Land Use Designations

Map 1 - Generalized Future Land Use expresses, by way of six land use designations, the intended land use within the Plan Area. These designations are as follows:

Mixed Use
Residential
Institutional-Open Space
Highway Commercial
Resource
Conservation

The Mixed Use Designation has been applied to the communities of North Preston and East Preston, and is intended to retain the traditional rural uses within these communities where the scale and mixing of uses is not perceived to necessitate strict use segregation. The designation permits most uses that might occur in residential, commercial, institutional, or resource designations, but specific limitations are imposed relative to the size and nature of the operation. Development agreements are required for residential and commercial uses which exceed certain size limitations, for extensive industrial uses and for certain types of resource uses within the Lake Major Watershed. In addition, provisions are made for rezoning within the designation, specifically in support of more restrictive residential development and in support of more extensive commercial development at desired locations.

The Residential Designation has been applied to existing residential areas which can be identified at the present time. The designation is primarily intended to reflect and support the predominantly residential character and increasing urbanization of the communities of Lake Loon/Cherry Brook and Lake Major. Special exceptions are made to allow existing commercial and agricultural operations to continue.

The Institutional-Open Space Designation has been applied to existing institutional and community facilities. As most of these uses are permitted in other designations covering the communities, the intent of this designation is not simply to define the future distribution of such facilities, but to encourage the growth of established facilities which are important to the communities and to discourage the loss of these lands, piecemeal, to other types of development.

The Highway Commercial Designation has been applied to a limited area along Highway No. 107, and is intended to support uses which are commonly associated with development along arterial highways.

The Resource Designation has been applied to a considerable land area, most of which is presently undeveloped. Through the designation, the Plan Area's traditional resource practices are recognized and given priority. It is also recognized that, within the Resource Designation, there may be areas which may, in the future, desire or benefit from a rezoning to a more restrictive residential zone. Such rezoning may reflect a transition from a predominantly resource-based land use pattern to a form of residential environment where resource and business uses are more restricted in type and size than is intended under the Resource Designation. The designation also

provides support for the land assembly program between the communities of North Preston and East Preston by encouraging a detailed secondary level of planning to be undertaken in conjunction with the application of comprehensive development districts.

The Conservation Designation has been applied to lands surrounding Long Lake, Lake Major and to lands above the water intake system of that lake to reflect steep slopes and minor flooding conditions. Based on engineering and other analysis, it is intended that lands within the designation remain structurally undeveloped although, in recognition of established community locations within the watershed, exemptions have been provided for the continued residential use of specific properties.

As indicated on Map 1 - Generalized Future Land Use, and described in the six designations, future land use within the Plan Area has been derived from recognition of existing land uses and development forms, combined with environmental safeguards for the preservation of water quality within the Lake Major Watershed. As an example, the existing land use for North Preston is predominantly residential combined with certain institutional and community uses. The major commercial activity relates to private businesses conducted from homes, along with auto salvage and repair. The lands surrounding the community are largely undeveloped, with limited resource harvesting activities such as wood cutting.

Map 1 - Generalized Future Land Use, indicates a mixed land use in North Preston, predominantly residential in character but with allowances for commercial activities and controlled resource-based and traditional activities. Limited development will occur within the existing community and within the Lake Major Watershed. Additional new development will likely occur eastward and outside of the Lake Major watershed, as clarification of land titles progresses, and in association with the proposed land assembly. Surrounding lands will be limited to controlled residential, resource and traditional activities which are considered to be compatible with water quality objectives.

Similarly, East Preston retains the relationship between existing land use and future land use where a mixed use is proposed. As the community of East Preston is largely situated outside the Lake Major Watershed, minor restrictions related to water quality apply. Consequently, the 'Mixed Use" and "Resource designations in North Preston and East Preston basically retain the semi-rural nature of these communities and allow traditional uses to continue. Departures from traditional uses, such as larger scale industry and commercial development, are subject to special controls and evaluation through rezoning and development agreement provisions and public hearings.

MIXED USE DESIGNATION

The communities of North Preston and East Preston are situated beyond the urbanizing metropolitan area. Consequently, the pattern of land uses within these two communities exhibits semi-rural characteristics. Although the predominant form of land use is the single unit dwelling, many residents of these communities are also engaged in small-scale commercial and resource - related activities on their properties. Livestock production, construction contracting, forestry, automotive repair and small-scale service and retail outlets are prevalent throughout these two communities.

The Mixed Use Designation has been applied to the communities of North Preston and East Preston and includes portions of these communities which are located within the Lake Major Watershed. The designation is intended to retain the mixture of residential, community, commercial and resource uses which are traditionally found within rural communities and permits most uses that might occur within residential, commercial, institutional or resource designations. Specific limitations relative to the size and nature of each land use will be established in addition to site specific evaluation of certain development proposals within the Lake Major Watershed.

In order to provide a degree of flexibility, while allowing discretion to be exercised, certain uses such as commercial developments having in excess of 2,000 square feet of floor area, multiple unit dwellings and light industrial developments shall be accommodated through the development agreement provisions of the Planning Act. In addition, the development of new livestock production facilities and auto related industries within the Lake Major Watershed will be subject to more site specific evaluations afforded through the development agreement process.

It is recognized that, within the Mixed Use Designation, there may be areas which may desire or benefit from a rezoning to a more restrictive residential zone. The designation, therefore, provides for rezoning to a more restrictive residential zone in order to reflect a transition from a mixed land use pattern to a predominantly residential environment.

MU-1 It shall be the intention of Council to establish a Mixed Use Designation, as shown on Map 1 - Generalized Future Land Use. Within this designation, those uses which are traditionally found in rural communities and which may be accepted into the Plan Area without adversely affecting the character and attractiveness of this environment will be permitted.

MU-2 Within the Mixed Use Designation, it shall be the intention of Council to establish a rural settlement zone which permits single and two unit dwellings, multiple unit dwellings containing up to four (4) units, mobile homes skirted and on individual lots, senior citizen housing, residential care facilities and institutional uses. The zone shall also permit limited home business activities, as well as general commercial activities of up to two thousand (2,000) square feet of floor area, except for auto service outlets within the Lake Major Watershed, and shall permit resource related activities except new or expanded facilities associated with existing intensive resource uses. In addition, the zone shall establish controls on open storage, outdoor display, parking and signage in order to address compatibility concerns with surrounding development.

The Department of Housing subdivision in North Preston, the Preston and Area Housing Fund subdivision in East Preston, and an area along Bell Street, between Highway No. 107 and Highway No. 7, are three identifiable areas of residential development which may benefit from a more restrictive form of residential zoning than is provided under the rural settlement zone. A residential zone will be applied to these areas, as well as to other properties within the Mixed Use Designation where residents request this form of zoning in the future.

MU-3 In recognition of existing areas of identified residential development within the Mixed Use Designation, and in support of areas where a more restrictive residential zone is desired, it shall be the intention of Council to accommodate such development through the application of a residential zone. In considering such rezonings, Council shall have regard to Policies RES-2 and IM-9.

In order to provide for a range of housing options, the Mixed Use Designation permits a variety of housing forms up to and including multiple unit dwellings containing up to four dwelling units. In order to provide high quality multiple unit accommodation, while avoiding significant impacts on existing land uses and services, multiple unit dwellings in excess of four units, including dormitory uses associated with institutional uses, will be considered by development agreement. This will provide site-specific controls necessary to ensure that community concerns related to such matters as appropriate density and scale of development, landscaping, site design and separation from low density residential development are adequately addressed.

MU-4 Notwithstanding Policy MU-2, within the Mixed Use Designation, it shall be the intention of Council to consider multiple unit dwellings and dormitory uses associated with institutional uses containing in excess of four (4) dwelling units, according to the development agreement provisions of the Planning Act. In considering such an agreement, Council shall have regard to the following:

(a) that the development will not involve a building of greater than three (3) storeys in height or a density of greater than twenty-five (25) units per net acre or, in the case of townhouse developments, that the density is not greater than twelve (12) units per net acre;
(b) the impact on traffic circulation and, in particular, sighting distances and entrances to and exits from the site;
(c) that there will be adequate on-site outdoor amenity space suitable in extent and development to the nature of the project;
(d) that suitable parking areas to meet the needs of the particular development are provided;
(e) the adequacy of storm drainage plans;
(f) that the scale and design of the proposed development will be compatible with that of surrounding development;
(g) the provisions of Policy IM-9.

General Commercial Development - Mixed Use Designation

There is no grouped commercial development within the Plan Area. Rather, commercial services ranging from local convenience and food outlets to small autobody shops, are scattered throughout the communities and are, for the most part, associated with dwellings. It is the intent of the

strategy to permit the continued development of commercial operations in conjunction with residential uses subject to size limitations and other specific criteria. Both future and existing operations are accommodated in several ways.

In recognition of the semi-rural nature of the North Preston and East Preston communities, the Mixed Use Designation permits most small-scale commercial operations and provides for a variety of local service and resource-related opportunities. While home business and commercial operations of a limited scale comprise most existing commercial development and will be permitted within the designation, there is a need to provide an opportunity for more extensive commercial development, both to provide for points of community focus as well as to serve a growing local market.

Although there are, at present, no identifiable concentrations of commercial development within the Mixed Use Designation, it may be desirable to encourage this form of development in certain locations within the North Preston and East Preston communities through the rezoning process. This would be useful in terms of providing points of community focus, as well as providing suitably zoned areas upon which to accommodate future commercial uses.

It is recognized, however, that the development of large-scale commercial uses throughout the Mixed Use Designation could result in land use conflicts within established residential areas. Therefore, these developments will be encouraged to locate near intersections along the main road system and adjacent to or in close proximity to other commercial uses. Aspects of commercial development such as lot size, separation distances, location of parking areas, building setbacks and limits on outdoor storage, display and signage will be addressed in the land use by-law through the use of zone standards. Provision will also be made for the expansion of commercially zoned uses subject to specific controls established through development agreements.

MU-5 Notwithstanding Policy MU-2, within the Mixed Use Designation, it shall be the intention of Council to establish a general commercial zone in the land use by-law which permits a range of commercial uses, to a maximum of five thousand (5,000) square feet and which do not involve extensive outdoor storage or display. In considering amendments to the land use by-law to permit new commercial uses within the Mixed Use Designation, Council shall have regard to the following:

(a) that the use has direct access to a major collector street as identified in Map 2 - Transportation and preference for a location at or near the intersection of a major collector street with another public street;
(b) preference for a location adjacent to or in close proximity to other commercial uses;
(c) the potential for adversely affecting adjacent residential and community facility uses;
(d) the potential for adversely affecting water quality within the Lake Major Watershed;
(e) the impact of the commercial use on traffic circulation and, in particular, sighting distances and the suitability of access to and from the site;
(f) the provisions of Policy IM-9.

MU-6 Notwithstanding Policy MU-5, within the Mixed Use Designation, it shall be the intention of Council to consider general commercial activities in excess of five thousand (5,000) square feet of floor area on commercially zoned properties, according to the development agreement provisions of the Planning Act. In considering such agreements, Council shall have regard to the provisions of Policy MU-7.

In addition to providing for general commercial development at desired locations in the North Preston and East Preston communities, there is also a need to provide an opportunity for existing small businesses to expand, as well as to provide for the development of larger operations provided that adequate provisions are made to protect water quality in the Lake Major watershed and reduce the potential for land use conflict with surrounding residential and community facility uses. Therefore, larger commercial developments will be accommodated throughout the designation through the development agreement process.

MU-7 Notwithstanding Policy MU-2, within the Mixed Use Designation, it shall be the intention of Council to consider new or expanded commercial activities in excess of two thousand (2,000) square feet of floor area according to the development agreement provisions of the Planning Act. In considering such agreements, Council shall have regard to the following:

(a) the potential for adversely affecting adjacent residential and community facility uses;
(b) the adequacy of storm drainage plans, particularly for proposals within the Lake Major Watershed;
(c) that, where practical, loading and unloading areas be located at the rear of all buildings and screened from view;
(d) that open storage of goods and materials is not permitted when associated with shopping centres and controlled in terms of location and screening when associated with other commercial uses;
(e) that any off-street parking facilities and access points to such parking are limited in number and designed to minimize conflict with both vehicular and pedestrian traffic;
(f) that shopping centres or incubator malls will have access to a major collector road, as identified on Map 2 - Transportation, and are not permitted where additional heavy traffic would likely be created through a residential zone; and
(g) the provisions of Policy IM-9.

Automotive repair outlets, car washes and service stations have the potential to affect water quality within the Lake Major Watershed as a result of runoff or the accidental discharge of petroleum products. Although these uses will be permitted throughout other parts of the Mixed Use Designation, new or expanded facilities located within the Lake Major Watershed shall be evaluated on an individual basis according to the development agreement provisions of the Planning Act.

MU-8 Notwithstanding Policy MU-2, it shall be the intention of Council to consider new or expanded facilities related to automotive repair outlets, car washes and service stations located within the Lake Major Watershed according to the development agreement

provisions of the Planning Act. In considering such agreements, Council shall have regard to the following:

(a) the potential impact of the proposed development on the environment and, in particular, potential effects on watercourses and water quality in the Lake Major Watershed;
(b) the potential for adversely affecting adjacent development by virtue of noise, visual or physical intrusion, traffic generation and littering;
(c) the layout, design and general maintenance of the proposed development;
(d) the requirement for any applicable provincial approvals;
(e) hours of operation; and
(f) the provisions of Policy IM-9.

The natural amenities of the Plan Area contribute to a potential for the development of commercial recreation uses such as campgrounds, golf courses, fishing and hunting lodges and race tracks. Such developments can have significant environmental impacts, resulting from the use of private sewage treatment plants, the extensive clearing of land and the use of chemical fertilizers, particularly in light of the importance of the Plan Area as a water supply. Through the use of development agreements, measures can be taken to ensure that such developments are designed, constructed and operated in a manner which is compatible with the semi-rural nature of the area and with a minimum of environmental impact.

MU-9 Notwithstanding Policy MU-2, within the Mixed Use Designation, it shall be the intention of Council to consider commercial recreation uses according to the development agreement provisions of the Planning Act. In considering such agreements, Council shall have regard to the following:

(a) the potential impact of the proposed development on the environment and, in particular, potential effects on watercourses and water quality in the Lake Major Watershed;
(b) the potential for adversely affecting adjacent development by virtue of noise, visual or physical intrusion, traffic generation and littering;
(c) the layout, design and general maintenance of the proposed development;
(d) the adequacy of any proposed sewage treatment facility as addressed in a report from the appropriate provincial agency;
(e) the requirement for any applicable provincial approvals;
(f) hours of operation; and
(g) the provisions of Policy IM-9.

Resource Uses - Mixed Use Designation

Given the traditional resource base of the local economy, agricultural uses and activities related to the forest resource are permitted within the Mixed Use Designation. However, while these activities have traditionally located in these areas, the potential for conflict from characteristics such as noise, odour and outdoor storage exists. Therefore, separation distances and limits on the size and type of resource operations will be established. General resource activities will be permitted, but intensive operations such as feedlots, mushroom farms and sawmills will not be permitted, although provisions will be made for existing operations to continue. In addition, the

development of new or expanded facilities associated with existing operations will be considered by development agreement in order to ensure proper environmental assessment and consideration of the potential impacts on surrounding residential and community facility uses.

MU-10 Notwithstanding Policy MU-2, within the Mixed Use Designation, it shall be the intention of Council to consider new or expanded facilities associated with existing intensive resource uses through the development agreement provisions of the Planning Act. In considering such agreements, Council shall have regard to the following:

(a) the potential impact of the proposed development on the environment and, in particular, potential effects on watercourses and water quality in the Lake Major Watershed;
(b) the potential for adversely affecting adjacent development by virtue of noise, odours and traffic generation;
(c) the ability of the proposal to meet the requirements and guidelines of any applicable provincial agencies, including criteria for the siting and management of wastes;
(d) the adequacy of screening and setbacks from adjacent uses; and
(e) the provisions of Policy IM-9.

Industrial Development - Mixed Use Designation

The Plan Area does not contain any significant concentration of industry either from the point of view of location or as related to the manufacture of products. Most industrial operations in the past were related to resource based industry such as sand and gravel pits and other extractive type industry. Two major autobody shops exist within the area along with several contractors' yards and some storage of derelict vehicles.

Within the Mixed Use Designation, provision is made for selective industrial uses subject to a public hearing and the entering into of a specific development agreement with the Municipality. Industrial service developments which require large areas of land or involve extensive outdoor storage, such as salvage yards, will not be permitted within the Mixed Use Designation, although provisions will be made for existing operations to expand or change to another use.

Considerable potential exists for the development of small scale cottage type industry within the Plan Area. This type of activity ranges from handicraft production to the production of ornamental concrete products. In addition, certain local services such as car repair and service shops are provided from the home base. It is the intent of this strategy to actively encourage the development of these types of cottage and service industries within the Mixed Use Designation. The types of industrial uses generally considered appropriate are non-obnoxious service and light industrial manufacturing operations which do not produce wastes which cannot be treated by central or on-site sewage disposal systems or which involve hazardous materials.

MU-11 It shall be the intention of Council to encourage local residents in the creation of small scale industrial pursuits in whatever manner possible and to encourage employment opportunities within the Plan Area by promoting industrial development in appropriate locations and consistent with the policies of this strategy.

MU-12 Notwithstanding Policy MU-2, within the Mixed Use Designation it shall be the intention of Council to consider light manufacturing, service and resource industrial uses which cannot be accommodated as home businesses through the development agreement provisions of the Planning Act. Such uses may include residential, open space and commercial uses accessory to such uses. In considering such agreements, Council shall have regard to the following:

(a) the potential for adversely affecting adjacent residential and community facility development by virtue of either the nature or scale of the proposed industrial operation;
(b) that the proposed use is not obnoxious and does not create a nuisance for adjacent residential or community facility uses by virtue of noise, dust or smell;
(c) that the use can be serviced either by a municipal or on-site sewage disposal system and does not involve the use of dangerous chemicals;
(d) the adequacy of landscaping and screening from adjacent residential and community facility uses, such screening to take the form of natural plant materials or suitable fencing;
(e) the adequacy of storm drainage plans, particularly for proposals within the Lake Major Watershed;
(f) the impact of the industrial use on traffic circulation and, in particular, sighting distances and the suitability of access to and from the site;
(g) that the use has access to a major collector road as identified in Map 2 - Transportation; and
(h) the provisions of Policy IM-9.

MU-13 It shall be the intention of Council to support the securing of private sector management skills in the creation of local industry. Wherever possible, existing community organizations such as WADE or the Preston Area Economic Development Fund should be used as vehicles in this regard.

MU-14 It shall be the intention of Council to work actively with any agencies or groups attempting to attract industry to the Plan Area or the more general Eastern Shore region.

MU-15 In support of an existing salvage yard in the community of North Preston, it shall be the intention of Council to permit this use identified in Appendix "C" of the land use by-law, within the Mixed Use Designation, to the extent to which it was in existence on July 21, 1981. Any expansions shall be subject to the development agreement provisions of the Planning Act. In considering an application for a development agreement to expand this use, Council shall have regard to the provisions of Policy RE-10.

Within the Mixed Use Designation in East Preston, there is a site which has been used in conjunction with an auto salvage operation for some time. Residents of the community are anxious to ensure that the development of this use will not create disruption to neighbouring uses or adversely affect ground and surface water in the area. Therefore, this use shall only be permitted subject to the greater level of control which is provided through the development agreement process.

MU-16 Notwithstanding Policy MU-2, it shall be the intention of Council to consider the expansion of the existing salvage yard in East Preston, located on LRIS Property Index No. 40144065, subject to the development agreement provisions of the Planning Act. In considering such an agreement, Council shall have regard to the provisions of Policy RE-10.

RESIDENTIAL DESIGNATION

The communities of Lake Loon/Cherry Brook and Lake Major are predominantly residential in character and are situated in close proximity to the urbanizing Westphal area. A number of small residential subdivisions have developed over the years, both within and outside the watershed area, and this is likely to continue. The Residential Designation has been supplied to these communities and is intended to support those land uses which enhance the character of the residential environment. Certain uses which are supportive of residential areas but require some discretion in terms of their siting, such as local convenience uses and multi-unit dwellings, are provided for through the rezoning and development agreement processes.

The limited use of private dwellings for business purposes will be permitted in keeping with an overall intent to support and foster individual economic initiatives. At the same time, all commercial development, including the use of dwellings for business purposes, will be encouraged to be in keeping with the character of the surrounding area through appropriate controls established in the land use by-law.

RES-1 It shall be the intention of Council to establish a Residential Designation, as shown on Map 1 - Generalized Future Land Use. Residential development will be the priority within this designation, and only those uses which enhance the character of the residential environment shall be permitted.

RES-2 Within the Residential Designation, it shall be the intention of Council to establish a residential zone which permits single and two unit dwellings, existing mobile dwellings, multiple unit dwellings containing up to four (4) units, rooming and boarding houses, senior citizen housing and group care facilities, recreational and community facility uses, and limited home business uses which are wholly contained within dwellings or their accessory buildings.

As is the case with the Mixed Use Designation, the Residential Designation provides for a range of housing forms up to and including multiple unit dwellings containing up to four units. In order to provide site-specific controls necessary to ensure that such matters as appropriate density, servicing, scale of development, landscaping, site design and separation from low density residential development are adequately addressed, multiple unit dwellings containing more than four units will be considered by development agreement.

RES-3 Notwithstanding Policy RES-2, within the Residential Designation, it shall be the intention of Council to consider multiple unit dwellings containing more than four (4) dwelling units according to the development agreement provisions of the Planning Act. In considering such agreements, Council shall have regard to the provisions of Policies MU-4 and IM-9.

Commercial Development - Residential Designation

Medical clinics and local commercial uses can be appropriately located within residential areas, in close proximity to the residents they are intended to serve. However, because such uses have the potential to generate compatibility concerns, locational and site-specific controls are required in order to ensure that these facilities are properly integrated into residential neighbourhoods.

Particular attention must be given to limiting the potential for traffic generation on local streets, as well as to parking and access considerations. The increased control available through the rezoning process provides an opportunity for site specific evaluation relative to the intended use and its potential impact on surrounding developments.

RES-4 Notwithstanding Policy RES-2, within the Residential Designation, it shall be the intention of Council to establish a local commercial zone which, in addition to residential and community facility uses, permits service and personal service outlets, local convenience outlets, antique, arts and craft shops, recycling depots and medical, dental and veterinary clinics which do not exceed a maximum floor area of two thousand (2,000) square feet, exclusive of any area devoted to an accessory dwelling unit. In considering amendments to the land use by-law in order to accommodate such uses, Council shall have regard to the following:

(a) that the height, bulk, lot coverage and appearance of any Proposed development is compatible with adjacent land uses'
(b) that the Proposed use will provide a local community service,
(c) that the site has direct access to a minor or major collector as identified on Map 2 - Transportation,
(d) the impact on traffic circulation and, in Particular, the suitability of access to and from the site,
(e) the provisions of Policy IM-9.

Within the Residential Designation, limited commercial development will be Permitted in conjunction with dwellings, whereas more extensive local convenience uses may be considered by amendment to the land use by-law. Commercial uses which are in existence within the Residential Designation but which surpass the limited size restrictions and other criteria intended for future development will be accommodated through the application of a general commercial zone. It is not intended for this zone to be extended to additional properties within the designation.

RES-5 Notwithstanding Policy RR-2, within the Residential Designation, it shall be the intention of Council to apply a general commercial zone (Policy MU-5) to existing commercially zoned properties. It shall be the intention of Council not to permit the extension of this zone to additional lands within the Residential Designation.

RES-6 It shall be the intention of Council to require the design of all commercial uses to be in keeping with the character of the surrounding area, with adequate provision for off-street parking, loading and unloading areas, and control of storage and display areas, signage, through specific requirements established in the land use by-law.

Resource and Service Industrial Development - Residential Designation

Within the Residential Designation, there are presently two major greenhouse operations, Harnish Nurseries and Lake Major Gardens, which are located on Nielson Drive and Old German Road in Lake Major respectively. Both of these streets are predominantly residential.

Harnish Nurseries, the smaller of the two, does not seem to pose any particular problem in terms of

traffic generation, as it is near the corner of Nielson Drive and Highway No. 107. The only potential problem in the operation would relate to the use of herbicides, pesticides and fertilizers which have the potential of being transmitted to surface and groundwater supplies.

The second operation, Lake Major Gardens, is in the midst of a subdivision which initially was largely a cottage community and has since converted to year-round residences. Because the Old German Road is very narrow, is unlisted and is only partially maintained by the Department of Transportation, the residents are concerned about the amount of traffic being generated by the retail side of the greenhouse operation.

There are also a number of other existing service industrial uses located within the Residential Designation. These include a trucking and excavation Company and a truck maintenance firm. These uses involve extensive outdoor storage generate and traffic through residential areas.

In recognition of existing property rights, these uses will be Permitted to the extent to which they existed on the effective date of this strategy. In order to maintain compatibility with adjacent residential properties and neighbourhoods, expansions or chances of use will only be considered by development agreement.

RES-7 Notwithstanding Policy RES-2, within the Residential Designation, it shall be the intention of Council to Permit certain existing agricultural, commercial and service industrial operations, as identified in Appendix "C" of the land use by-law to the extent to which they were in existence on the effective date of this strategy. Any expansion or chance of use shall be subject to the development agreement provisions of the Planning Act. In considering such development agreements, Council shall have regard to the following:

(a) that the expansion or chance of use can be accommodated on the existing site,
(b) that the expansion or chance of use maintains an acceptable level of compatibility in terms of traffic generation, noise, outdoor storage, and the scale and intensity of the operation,
(c) the provision of adequate measures for the long-term maintenance of the Proposed development,
(d) that the proposed use is not obnoxious and does not create a nuisance for adjacent residential or community facility uses by virtue of noise, dust or smell;
(e) the adequacy of storm drainage plans, particularly for proposals within the Lake Major Watershed;
(f) the provisions of Policy IM-9.

The Residential Designation includes an area in the vicinity of Lake Eagle and the Lorien Subdivision, which comprises land leased from the Crown to WADE. One of the primary objectives of this strategy is to support the assembly of lands between North and East Preston by WADE for the purpose of providing suitable sites for community development and the development of resource-based activities.

In recognition of the possibility that the assembled lands within the Residential Designation may be developed for commercial recreation and resource-based activities such as commercial forestry

and agriculture, provisions will be made to accommodate such uses by development agreement. This should allow for a reasonable separation between resource-based activities and existing residential areas, while ensuring that such developments are operated in a manner which is compatible with surrounding residential uses and with a minimum of environmental disruption.

RES-8 Notwithstanding Policy RES-2, within the Residential Designation, it shall be the intention of Council, in recognition of the program to assemble land between North and East Preston for the purpose of providing for future community development, to consider commercial recreation uses, commercial forestry and resource- based uses, according to the development agreement provisions of the Planning Act. In considering such agreements, Council shall have regard to the following:

(a) that the proposed use involves land which is part of the program to assemble land between the communities of North and East Preston for the purpose of providing for community-based development;
(b) the potential impact of the proposed development on the environment and, in particular, potential effects on watercourses.
(c) the adequacy of separation from adjacent residential development;
(d) the potential for adversely affecting adjacent residential or community facility uses by virtue of noise, traffic generation or the use of chemical fertilizers or pesticides;
(e) the requirement for any applicable provincial approvals;
(f) hours of operation; and
(g) the provisions of Policy IM-9.

INSTITUTIONAL-OPEN SPACE DESIGNATION

Institutional and community facilities within the Plan Area are limited in number, range of uses and facility design. In order to encourage future development, such uses are permitted in most designations without requirements for amendments or development agreements. However, in support of existing facilities, an Institutional-Open Space Designation has been applied.

It is the intention of the Institutional-Open Space Designation to complement policies identifying the programming and financial needs to support the development of such facilities and to discourage the 1066 of existing open space to other types of use.

IO-1 It shall be the intention of Council to establish an Institutional Open Space Designation, as shown on Map 1 - Generalized Future Land Use. Within this designation, priority shall be given to institutional and community open space uses and facilities.

IO-2 Within the Institutional-Open Space Designation, it shall be the intention of Council to establish a community facility zone which permits a variety of open space and community facility uses.

HIGHWAY COMMERCIAL DESIGNATION

In addition to local services, the residents of the Plan Area are served by a strip commercial form of development associated with the Westphal section of Highway No. 107. This highway commercial area includes grocery stores, service stations, delicatessens and sporting goods outlets. It also includes the Black Cultural Centre, which is a major community facility in the area. It is anticipated that development associated with the general Cole Harbour area will provide a higher level of commercial services in the future. This is not to say, however, that the remaining portion of the Highway should be left to random strip development.

In recognition of existing commercial uses along Highway No. 107, a limited land area will be designated Highway Commercial. It is intended that this designation will support existing facilities while defining the limits of highway commercial development in general. Minimum lot sizes and access requirements which support the arterial function of the Westphal section of Highway No. 107 will be established in the land use by-law.

HC-1 It shall be the intention of Council to establish a Highway Commercial Designation as shown on Map 1 - Generalized Future Land Use. Within this designation, large scale community uses and commercial uses which serve or are dependent upon serving the motoring public, or which involve outdoor storage and display shall be permitted.

HC-2 Within the Highway Commercial Designation, it shall be the intention of Council to establish a highway commercial zone which permits general commercial uses not exceeding ten thousand (10,000) square feet in gross floor area, including those more intensive uses which involve outdoor storage and display. Existing dwellings and large-scale community facilities shall also be permitted. Increased lot sizes, controls on outdoor storage and display, as well as requirements for parking and loading areas, will address compatibility concerns with adjacent development. In addition, special access requirements shall be established in order to support the arterial function of Highway No. 107.

RESOURCE DESIGNATION

Traditionally, the residents of the Plan Area have been actively involved in the utilization of natural resources for both commercial sale and personal consumption. A significant amount of this resource-based activity occurs in the resource areas surrounding the Plan Area communities. The land provides such things as wood for fuel, fishing and hunting opportunities, and various forms of food production. A major portion of this area is also within the Lake Major watershed. A Resource Designation has been applied to these areas in support of these resource-based activities and to reflect water quality objectives for the Lake Major watershed.

Farming, both crop and animal production, has been carried on for generations. Some residents in the area still derive income from agricultural pursuits while others carry out these activities for personal consumption. Residential subdivisions and a golf course have developed on several of the areas where crops were produced in the past.

Given the rural character of most of the area, resource uses have become accepted. However, as residential use increases, people are questioning the presence of certain types of agricultural uses in close proximity to residential areas, particularly hog production operations. The Resource Designation is intended to provide an alternative setting for these resource-based activities, while providing protection for the watershed. Residential development within the designation is given a lesser priority.

In the past, crop production occurred both within and outside the Lake Major Watershed. Future policy will require proper agricultural management practices related to use of fertilizers and prevention of erosion within the watershed.

Commercial forestry potential within the Plan Area is very limited. However, the resource lands surrounding the communities do fulfil local needs for firewood, minor pulpwood cutting and unsawed wood for other uses. Agricultural lands where crops have been produced and limited portions of other lands represent good opportunities for cultivated forestry operations such as Christmas tree growing, along with bush crops such as blueberries.

In addition to agricultural and forestry activities, numerous abandoned gravel and borrow pits exist throughout the area only a small number of which are in active operation. However, given the geology of the area, potential exists for the opening of new pits in the future. Although aggregates play an important role in the construction industry, larger operations require strong environmental safeguards and rehabilitation measures.

Lands and waterbodies within the designation can also be considered as a resource in terms of their recreation and open space potential. It is this open space aspect of the designation which contributes so significantly to the rural nature of the Plan Area and which is highly valued by Plan Area residents.

Since a majority of the designation is situated within the Lake Major Watershed or consists of backlands having limited public road access, no significant residential activity has occurred. Since any new development has the potential to affect the highly valued characteristics of the area and its numerous lakes and streams, all development will be encouraged to proceed in an

environmentally acceptable manner, subject to the regulations and guidelines of all applicable departments and agencies.

The first priority of the Resource Designation is to encourage and support resource-based development and to provide a high degree of environmental protection for the Lake Major Watershed and the surrounding semi-rural environment. Resource related uses such as crop and livestock production, greenhouses, kennels, sawmills and forestry-related industries will be permitted within most of the designation. However, given the potential for intensive livestock operations to adversely affect water quality within the Lake Major Watershed, development agreements will be required for new or expansions to existing intensive livestock operations within the watershed. Furthermore, the land use by-law will establish a minimum separation between intrusive uses, such as sawmills and livestock operations, and any dwellings permitted within the designation which are not associated with these activities.

RE-1 It shall be the intention of Council to establish a Resource Designation as shown on Map 1 - Generalized Future Land Use. In recognition of the existing rural environment, the designation will support low density residential development, recreational and open space uses, resource activities and commercial uses associated with resource activities. It shall further be the intention of Council to support the characteristics of the rural environment and the water quality objectives of the Lake Major Watershed within policies for the designation.

RE-2 Within the Resource Designation, it shall be the intention of Council to establish a mixed resource zone, which permits continued resource uses such as agriculture, forestry, greenhouse and nursery operations and such additional uses as market outlets or uses which support resource uses in terms of the use or reuse of by-products. In addition, the zone shall permit open space uses, recreation uses except commercial recreation uses, along with limited resource industries, intensive livestock operations except within the Lake Major watershed, kennels and recreation uses. Single unit dwellings and mobile homes including accessory home businesses will also be permitted on lots having a minimum area of eighty thousand (80,000) square feet. Separation distances between intrusive uses, such as sawmills and intensive livestock operations and dwellings shall also be established in the land use by-law.

RE-3 Notwithstanding Policy RE-2, it shall be the intention of Council to consider permitting new or expanded intensive livestock operations within the Lake Major Watershed area of the Resource Designation, according to the development agreement provisions of the Planning Act. In considering such agreements, Council shall have regard to the provisions of Policies MU-10 and IM-9.

RE-4 It shall be the intention of Council, in cooperation with the Provincial Department of Agriculture and the Lake Major Watershed Advisory Board, to encourage sound agricultural practices including erosion control, the proper distribution and use of chemicals and fertilizers and the handling of wastes on those lands within the Resource Designation lying within the Lake Major Watershed.

RE-5 It shall be the intention of Council, in cooperation with the Department of Lands and

Forests and the Lake Major Watershed Advisory Board, to encourage good forestry practices including erosion control, reforestation, the proper location of access roads, the avoidance of clear cutting and the maintenance of buffer strips adjacent to watercourses.

Recreation uses, parks and open space uses are compatible with resource activities as well as with the water quality objectives for the Lake Major Watershed. Recreation uses, excluding commercial recreation uses such as golf courses, campgrounds, racetracks and amusement centres, shall be permitted within the designation.

The development of a private golf course in the vicinity of the Crane Hill Road and partially within the Lake Major Watershed, has focused attention on the need to achieve a better integration of commercial recreation uses both in terms of surrounding community development and in terms of the water quality objectives for the Lake Major Watershed. Uses such as campgrounds and golf courses can have significant local and environmental impact resulting from increased noise and traffic, the use of private sewage treatment facilities, and problems with ongoing operations and maintenance which can affect adjacent properties and the quality of nearby watercourses.

This strategy seeks to ensure that all commercial recreation uses make a positive contribution, not only to the regional markets which they may serve, but also to the local community itself. It is not the intention of the Resource Designation to permit such uses where development will cause a significant reduction in the enjoyment of properties in the immediate area or in water quality for the watershed. Potential impacts can be addressed through a site evaluation and through the use of development agreements, measures can be taken to ensure that such developments are designed, constructed and operated in a manner which is compatible with the semi-rural nature of the area and with a minimum of environmental impact. In recognition of existing property rights extended through the application of previous zoning which was intended to accommodate commercial recreation uses, this zoning will be maintained for existing uses.

RE-6 Notwithstanding Policy RE-2, and in recognition of existing commercial recreation uses within the Resource Designation, it shall be the intention of Council to establish a recreation-open space zone which permits existing commercial recreation uses, private parks and open space uses. It shall be the intention of Council not to permit the extension of this zone to additional lands within the designation.

RE-7 Notwithstanding Policies RE-2 and RE-6, within the Resource Designation, it shall be the intention of Council to consider any expansion of existing commercial recreation uses beyond their zone limits, as well as the development of new commercial recreation uses, according to the development agreement provisions of the Planning Act. In considering such agreements, Council shall have regard to the following:

(a) that the site exhibits characteristics which make the location suitable for the proposed use;
(b) the potential for adversely affecting residential and community development by virtue of noise, visual intrusion, traffic generation and littering;
(c) the provision of landscaping or buffering from adjacent development and public roads;
(d) the availability of a site and a site design which will entirely contain all aspects of

the operation within the boundary of the proposed site;

(e) the impact on traffic circulation and, in particular, sighting distances and entrances and exits to the site;
(f) the layout, design and general maintenance of the facility;
(g) the adequacy of any sewage treatment facility as addressed in a report from the appropriate provincial agency;
(h) that the appearance of all buildings and structures related to the use shall be generally compatible with the surrounding area in terms of scale, exterior finish and signage;
(i) an assessment of environmental concerns related to the development and, in particular, potential effects on watercourses and water quality within the Lake Major Watershed;
(j) the requirements for any applicable provincial approvals;
(k) hours of operation; and
(l) the provisions of Policy IM-9.

As previously indicated, there is limited residential development within the designation, largely due to the existence of the Lake Major Watershed and the absence of public road access. However, given the proximity of the Plan Area to the urbanizing metropolitan area, it is probable that, over time, residential subdivision activity which is occurring in the Mixed Use and Residential Designations will expand into the Resource Designation.

Single unit dwellings and mobile dwellings shall be permitted, although on larger lots than required in more residential areas. The larger lot size will serve to promote and protect the valued rural aspects of the area, while providing for compatibility between resource and residential development and recognizing the water quality objectives of the Lake Major Watershed. Where it can be demonstrated that residential development on smaller lot sizes outside the watershed will not adversely affect the rural environment or interfere with resource activities, such proposals may be considered by amendment to the land use by-law.

RE-8 Notwithstanding Policy RE-2, it shall be the intention of Council to consider permitting residential development within that portion of the Resource Designation which is outside the Lake Major Watershed on lots which have an area of less than eighty thousand (80,000) square feet, through the application of a residential zone (Policy RES-2). In considering such rezonings, Council shall have regard to the following:

(a) that the area to be rezoned shall either contain a minimum of ten (10) acres or, if less than ten (10) acres, shall be a lot in existence on the effective date of this strategy;
(b) the potential effects of the proposed development on community services such as fire, Police, recreation and education;
(c) the effects of the Proposed development on existing and potential resource development;
(d) the Proposed road network in terms of coordination with the existing road network;
(e) environmental considerations, including a report from the Department of Health assessing the suitability of the entire parcel for on-site sewage disposal systems,

comments from the Department of the Environment on the quality and quantity of groundwater, and an evaluation of the adequacy of storm drainage plans;

(f) the provisions of Policy IM-9.

Service industries and an auto salvage yard are also located within the Plan Area. Although these activities are not related to resources, their land requirements are such that they are often located within rural areas. Given the Potentially intrusive characteristics of these activities, they will also be subject to the greater degree of control which is provided through the development agreement process.

RE-9 **deleted - Ministerial amendment - March 22, 1993**

RE-10 Notwithstanding Policy RE-2, it shall be the intention of Council to consider permitting new or expanded facilities associated with scrap or salvage yards within that portion of the Resource Designation which is outside the Lake Major Watershed, according to the development agreement provisions of the Planning Act. In considering such agreements, Council shall have regard for the following considerations:

(a) the potential for the operation to meet the licensing requirements of the Board of Commissioners of Public Utilities;
(b) the effects of the proposed operation on residential development in the general vicinity of the proposed use;
(c) the impact of the operation on traffic volumes and traffic circulation and, in particular, access to and from the site;
(d) the impact of the operation on ground and surface water;
(e) where feasible, the retention of existing tree cover or the provision of a fence or similar visual barrier in order to screen the proposed development from adjacent residential areas;
(f) the hours of operation; and
(g) the provisions of Policy IM-9.

In terms of extractive operations, the Planning Act provides municipalities with limited control over the fundamental activities associated with pits and quarries. However, structures related to rock crushers and bulk storage of aggregates and minerals are not considered fundamental to actual extraction. Therefore, given community concerns and the potentially harmful effects resulting from extractive operations, facilities related to such operations will be subject to the greater level of control which is provided through the development agreement mechanism.

RE-11 Notwithstanding Policy RE-2, it shall be the intention of Council to consider Permitting new or expanded facilities associated with extractive operations within the Resource Designation, according to the development agreement provisions of the Planning Act. In considering such agreements, Council shall have regard for the following considerations:

(a) that separation distances from lot lines and adjacent development as well as controls on runoff be incorporated in the development agreement,
(b) that any facility associated with the extractive operation be a minimum of three

hundred (300) feet from any watercourse and a minimum of one thousand (1,000) feet from the mean high water mark of Lake Major or Loon Lake,

(c) the provision of a treed, landscaped buffer strip designed to provide a dust and wind break, noise buffer and visual barrier

(d) hours of operation,

(e) **deleted - Ministerial amendment - March 22, 1993**

(f) an assessment of environmental concerns related to the development and, in Particular, Potential effects on watercourses and water quality within the Lake Major Watershed; and

(g) the provisions of Policy IM-9.

There is a need for a detailed level of Planning to be carried out for the land assembly lands located between the communities of North Preston and East Preston. A majority of the land assembly lands is comprised of Crown land and land owned by the City of Dartmouth. These lands were assembled Partly in order to provide Protection to water quality within the Lake Major Watershed and Partly in order to provide direction for future community growth outside the boundary of the watershed. A large tract of land which is located west of Eagle Lake and the Loch Lorien subdivision is currently under loan term lease to WADE.

In November of 1982, a detailed land use plan was prepared by Porter-Dillon and Associates Ltd. in order to assist in the implementation of the land assembly program. The recommendations of the detailed plan were never invoked, however, primarily because no decision was reached relative to the final disposition of the assembled lands to the community development corporation for eventual private ownership by residents.

In order to provide support to the land assembly program, while providing a developmental framework within which this program may be implemented, comprehensive development districts will enable detailed secondary planning to be carried out and provide flexibility such that the assembled lands may be developed for community-based residential, recreational, resource and industrial activities.

Priority should be given to resolving the issue of private ownership of public lands, particularly those lands which are located outside the watershed boundary. Consideration should also be given to conveying part of the lands which are located along the west side of Upper Governor Street within the watershed boundary for use as private building lots, subject to appropriate measures for protecting water quality in Long Lake.

RE-12 It shall be the intention of Council to support the implementation of the land assembly project between the communities of North Preston and East Preston by establishing comprehensive development districts which permit low density residential development and the development of local industrial, commercial, recreational, community facility and resource uses. In considering amendments to the land use by-law to establish a comprehensive development district zone, Council shall have regard to the following:

(a) that the development includes a minimum area of three (3) acres and is capable of being serviced by on-site sewage disposal systems;

(b) that provision is made to co-ordinate the development in relation to the existing

transportation network, existing and future land uses, and an overall land use plan;

(c) that provision is made for storm drainage and methods to protect the Eagle Lake and Lake Major Watershed water systems based on reports from the appropriate Provincial, Federal and Municipal government authorities;

(d) that, where resource and industrial uses are to be developed, the provisions of Policies MU-10 and MU-12 shall apply respectively;

(e) that the development is consistent with the general policies of this strategy and furthers its intent; and

(f) the provisions of Policy IM-9.

RE-13 Pursuant to Policy RE-12, and as provided for by the Planning Act, the development of any district shall only be considered by Council through a development agreement or agreements which shall specify:

(a) the types of land uses to be included in the development;

(b) the general phasing of the development;

(c) the distribution and function of proposed public lands;

(d) any specific land use elements which characterize the development;

(e) any other matter relating to the development's impact upon surrounding uses or upon the general community, as contained in Policy IM-9.

RE-14 It shall be the intention of Council that any agreement made pursuant to Policies RE-12 and RE-13 may be discharged upon completion of the development or upon completion of particular phases of the development. Upon discharging part or all of any agreement, Council shall zone the lands to reflect the intent of the agreement.

CONSERVATION DESIGNATION

A Conservation Designation has been applied to the environmentally sensitive areas along the shorelines of Long Lake and Lake Major. These areas consist of either marsh or wetlands which are susceptible to flooding or of areas having natural slopes which exceed fifteen per cent. The designation is intended to preserve these areas in their natural state.

The application of the Conservation Designation is based on a recommendation contained in the Lake Major Watershed Management Study,[9] that a precautionary buffer of 250 feet be established around Lake Major and Long Lake as a means of reducing the level of contaminants reaching these lakes. The study further recommended that the City of Dartmouth make arrangements to acquire all buffer strip lands except for those held within the communities of North Preston and Lake Major.

C0-1 It shall be the intention of Council to establish a Conservation Designation as shown on Map 1 - Generalized Future Land Use. This designation shall be applied to the environmentally sensitive areas along the shorelines of Long Lake and Lake Major, and is intended to ensure that these lands generally remain structurally undeveloped.

C0-2 Within the Conservation Designation, it shall be the intention of Council to establish a conservation zone which permits conservation related projects, passive recreation activities, public and private parks involving no buildings, water distribution and purification facilities and existing dwellings, crop farming and pasturage activities. Existing residential uses shall be permitted to be expanded, altered, repaired and rebuilt and other properties identified in an appendix to the land use by-law shall be permitted to be used for residential purposes only, subject to the requirements of the rural settlement zone (Policy MU-2).

C0-3 Within the Conservation Designation, it shall be the intention of Council to discourage the construction of roadways and other activities which would negatively affect the conservation of soil, water, flora and fauna within the designation.

[9] Lake Major Watershed Management Study, Volume One - Executive Summary, Montreal Engineering Company Ltd., February 1980, pp.3-6.

SECTION IV

LAND USE IMPLEMENTATION

In accordance with the provisions of the Planning Act, the adoption of this municipal planning strategy does not commit Council to undertake any of the projects or actions contained herein. However, Council cannot take any action within the scope of this strategy which would, in any manner, be inconsistent with the strategy or at variance with it.

The measures which Council may investigate or undertake to implement the strategy are not restricted to those which are specified. In addition to specific by-laws and regulations, Council may encourage the adoption of administrative procedures in order to more effectively implement the policies in the strategy.

The following policies include the basic requirements for proper implementation of the policies of this strategy. As provided for in the Planning Act, Council shall approve a land use by-law for the purposes of carrying out policies of this strategy, and shall encourage the full and consistent enforcement of general by-laws and regulations of the Municipality. The land use by-law is the principal mechanism by which land use policies shall be implemented and as such, shall set out zones, permitted uses and development standards which shall reflect the policy intent of the land use designations of the planning strategy.

IM-1 This municipal planning strategy shall be implemented by means of powers conferred upon Council by the Planning Act, the Municipal Act and such other provincial statutes as may be applicable.

IM-2 In addition to employing specific implementation measures, it shall be the intention of Council to maintain an ongoing monitoring and planning process through its Planning Advisory Committee. This monitoring function will also be maintained by the communities themselves, as well as by the Lake Major Watershed Advisory Board.

IM-3 It shall be the intention of Council to require amendments to the policies of this strategy or to Map 1 - Generalized Future Land Use, under the following circumstances:

(a) where any policy is to be changed; or
(b) where a request to amend the land use by-law for a use which is not permitted is made and subsequent studies show that the policies of this strategy should be amended; or
(c) where the proposed land assembly between North Preston and East Preston is implemented; or
(d) where any Provincial 100-Series highways are constructed within the Plan Area.

IM-4 In accordance with the Planning Act, this strategy may be reviewed when the Minister of Municipal Affairs or Council deems it necessary, but, in any case, not later than five years from the date of its coming into force or from the date of its last review.

IM-5 Providing that the intentions of all other policies are satisfied, Council may, for the purpose of providing for the development of similar uses on properties which abut one another, consider the following amendments to the land use by-law, for lands which are

located where any land use designations abut one another, as shown on Map 1 - Generalized Future Land Use:

(a) amendments within a designation to provide for the development of uses which are uses permitted within the abutting designation; or
(b) amendments within a designation to provide for the development of uses which are uses permitted by the zone on the abutting property within the abutting designation.

IM-6 It is not intended that all land shall be prezoned for specific uses. Rather, in order to give Council a greater degree of control, the strategy provides that certain land uses shall be considered only as amendments to the land use by-law or, in certain instances, by development agreements, as provided for in the Planning Act. Such amendments and agreements shall be considered only if they meet the policies found within this planning strategy.

IM-7 The following uses shall only be considered by amendment to the land use by-law.

(a) Within the Mixed Use Designation:
    (i) more restrictive residential uses according to Policy MU-3;
    (ii) general commercial uses according to Policy MU-5.
(b) Within the Residential Designation:
    (i) local convenience uses according to Policy RES-4.
(c) Within the Resource Designation:
    (i) residential uses according to Policy RE-8;
    (ii) comprehensive development districts according to Policy RE-12.

IM-8 The following uses shall only be considered subject to the entering into of a development agreement, according to the provisions of the Planning Act.

(a) Within the Mixed Use Designation:
    (i) multiple unit dwellings containing more than four (4) dwelling units according to Policy MU-4;
    (ii) general commercial activities in excess of five thousand (5,000) square feet, according to Policy MU-6;
    (iii) general commercial uses in excess of two thousand (2,000) square feet of floor area according to Policy MU-7;
    (iv) new or expanded facilities related to service stations, car washes and auto repair outlets within the Lake Major Watershed, according to Policy MU-8;
    (v) commercial recreation uses, according to Policy MU-9;
    (vi) new or expanded facilities related to intensive resource uses, according to Policy MU-10;
    (vi) light manufacturing, service and resource industries according to Policy MU-12,
    (vii) expansion of an existing salvage yard in North Preston, according to Policy MU-15,
    (viii) expansion of an existing salvage yard in East Preston, according to Policy

MU-16.

(b) Within the Residential Designation:
  (i) multiple unit dwellings containing more than four (4) units according to Policy RES-3,
  (ii) expansion of certain commercial, agricultural and service industrial uses as identified in the land use by-law, according to Policy RES-7,
  (iii) commercial recreation uses, commercial forestry and resource-based uses, according to Policy RES-8;

(c) Within the Resource Designation:
  (i) new or expanded facilities associated with intensive livestock operations within the Lake Major Watershed according to Policy RE-3
  (ii) commercial recreation uses, according to Policy RE-7
  (iii) **deleted - Ministerial amendment - March** 22, 1993
  (iv) new or expanded facilities associated with scrap or salvage yards according to Policy RE-10,
  (v) new or expansions to facilities related to the extraction or bulk storage of aggregates and minerals according to Policy RE-ll.
  (vi) low density residential, local industrial, local commercial, recreational, community facility and resource uses, according to Policy RE-13.

IM-9 In considering development agreements or amendments to the land use by-law, in addition to all other criteria as set out in various policies of this strategy, Council shall have appropriate regard to the following matters:

(a) that the proposal is in conformity with the intent of this strategy and with the requirements of all other municipal by-laws and regulation;

(b) that the proposal is not premature or inappropriate by reason of:
  (i) the financial capability of the Municipality to absorb any costs relating to the development;
  (ii) the adequacy of sewer and water services;
  (iii) the adequacy or proximity of school, recreation and other community facilities;
  (iv) the adequacy of road networks leading or adjacent to or within the development;
  (v) the potential for the contamination of watercourses, potable water supply sources such as Lake Major and Long Lake, or for the creation of erosion and sedimentation;
  (vi) the potential for damage to or destruction of designated historic buildings and sites;
  (vii) the provision of access to community facilities and schools.

(c) that, in development agreements, controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:
  (i) type of use;
  (ii) height, bulk and lot coverage of any proposed building;
  (iii) traffic generation, access to and egress from the site, and parking;
  (iv) open storage;

(v) signs; and
(vi) any other relevant matter of planning concern;

(d) that the proposed site is suitable in terms of steepness of grades, soil and geological conditions, locations of watercourses, potable water supplies, marshes or bogs and susceptibility to flooding; and

(e) any other relevant matter of planning concern.

(f) Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy IC-6", Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the "Infrastructure Charges" Policies of this MPS. (RC-Jul 2/02;E-Aug 17/02)

IM-10 In considering amendments to the land use by-law or development agreements, Council shall hold a public hearing according to the applicable provisions of the Planning Act.

IM-11 It shall be the intention of Council to provide further controls over development within the Plan Area by fully enforcing the following by-laws:

(a) the Building By-law;
(b) the Unsightly Premises By-law;
(c) the Sewer Connection By-law;
(d) the Mobile Home Park By-law;
(e) the Blasting and Dangerous Material By-law;
(f) the Topsoil By-law;
(g) the Excavation By-law;
(h) the Occupancy Permit By-law; and
(i) the Subdivision By-law.

IM-12 In accordance with the Planning Act, the Development Officer appointed by Council or any other person to act in the Development Officer's stead shall administer the land use by-law and the Subdivision By-law, and grant development permits.

IM-13 Where uses exist which would be non-conforming as defined by the Planning Act, and which are unlikely to become conforming, and further, where such uses do not interfere with adjacent uses, such uses may be zoned to permit the existing use of the property.

IM-14 It shall be the intention of Council, in the interest of vehicular safety, to regulate, through the land use by-law, the height of any structures or landscaping on corner lots where yards abut a street.

IM-15 It shall be the intention of Council, to provide, through the land use by-law, provisions for parking for the mobility disabled parking of commercial motor vehicles within residential zones, provisions respecting public advertising, a schedule of fees for by-law amendments and provisions respecting temporary construction uses, and in particular, the use of a mobile dwelling as a temporary residence during tile construction of a permanent dwelling.

IM-16 It shall be the intention of Council to provide, through the land use by-law, for the expansion or structural alteration of non-conforming uses, provided that such expansion or alteration does not result ill an increase in the space devoted to the non-conforming use.

IM-17 Where central services are available, it shall be the intention of Council to permit residential development to take place on services lots which have less than the minimum frontage or area required by the land use by-law where such lots are created for the purposes or infilling.

IM-18 It shall be the intention of Council to encourage the federal and provincial governments to comply with municipal by-laws and regulations with respect to their landholdings within the Plan Area.

IM-19 It shall be the intention of Council to recognize the guidelines and watershed regulations prepared by the Lake Major Watershed Advisory Board in matters related to land and water-based activities within the Lake Major Watershed, and to solicit the Board's recommendation for development proposals occurring within the watershed.

<u>Temporary Signage</u> (RC-Sep 26/06;E-Nov 18/06)

In recent years, HRM has received a number of complaints regarding signage throughout the region, especially along major transportation routes. Most of the concerns raised with signage deal with the location, number, and maintenance of mobile signs, sandwich boards, posters, inflatable signs, planter box type signs, and banners (known as Temporary Signs). To address the lack of adequate sign provisions and effective enforcement tools for temporary signage, HRM established a license by-law under the Municipal Government (HRM By-law S-800). Therefore, any reference or provision relating to temporary signs within the land use by-law is superceded by the provisions of By-law S-800.

Policy IM-20 The land use by-law shall not contain sign provisions for those signs regulated under HRM By-law S-800 (A By-law Respecting Requirements for the Licensing of Temporary Signs).

FINANCE, PRIORITIES AND NEEDS IMPLEMENTATION

It is evident that many of the policies in this strategy will require significant financing before implementation can be achieved. Many of the recommendations lie beyond the responsibility and financial capability of the Municipality. Consequently, major financial assistance will have to be forthcoming from senior levels of government where direct responsibility lies and in other cases advantage must be taken of generally available special programs.

In one sense, the Plan Area has experienced a long history of neglect in regard to physical improvements. On the other hand cultural values must be reinforced. Additional constraints are imposed upon the Plan Area by the environmental controls necessary for the protection of the Lake Major Watershed as a source of potable water for the Dartmouth Water Utility which to some degree can be alleviated by physical infrastructure. The obvious need for human resource development within the Plan Area cannot be quantified in dollar value.

The priorities and needs identified on the Priority and Need Chart entail both short and long term items. Priorities indicated also recognize the lead time required for implementation of specific programs, i.e., although the need may be immediate, a program may require several months or even years before it is in place and effectively producing results. On the other hand, many of the policies within the strategy do not require direct financial outlays and, therefore, may be executed within the present community and Municipal framework.

It is essential that policies requiring capital outlay are not overlooked or eliminated due to the discontinuance of Federal or Provincial financial assistance programs. For example, recent budget cuts by the Federal government have led to the elimination of the community services contribution for water and sewer systems. However, the needs for water and sewer services identified in the Plan Area remains, regardless of budget cuts. The future may well bring new financial programs of a magnitude to once again make these systems realizable.

PRIORITY AND NEED CHART

		CHERRY BROOK	EAST PRESTON	LAKE MAJOR	NORTH PRESTON
1.	Central Water	N.P.	P-1-ST	P-1-LT	N.P.
2.	Central Sewer	P-1-LT	P-1-MT	P-1-LT	N.P.
3.	Improved or Extended Roadways	N.P.	P-2-ST	P-1-ST	P-2-ST
4.	Land Titles Clarification	P-1-MT	P-3-ST	N.P.	P-1-ST
5.	Improved Educational Opportunities	P-3-ST	P-5-ST	P-1-MT	P-3-ST
6.	Improved Recreational Opportunities and Facilities	P-2-MT	P-6-ST	P-2-MT	P-4-ST
7.	Watershed Park and Trail System	P-4-MT	N.P.	P-3-MT	P-2-MT
8.	Land Assembly	P-3-MT	P-4-ST	N.P.	P-1-MT
9.	Improved Employment Opportunities	P-S-ST	P-1-MT	N.P.	P-5-ST
10.	Upgrading of Agricultural opportunities	N.P.	P-6-LT	N.P.	P-4-LT

P-1-ST means Short Term Priority #1 (0-2 years)
P-1-MT means Medium Term Priority #1 (2-5 years)
P-1-LT means Long Term Priority #1 (5+ years)
N.P. means Not Prioritized. This may be because the community is already serviced, or felt that the item did not affect it or because a consensus on the priority of the item was not reduced.

APPENDIX "A"

URBAN ROAD CLASSIFICATION SYSTEM

ARTERIAL ROADS

Primary Function: To move traffic on an interregional scale.
(Traffic Service)

Land Use Service: Does not generally provide access to either commercial or residential lots.

Traffic Volume: Greater than 20,000 vehicles per day.

Right of Way: 100 to 125 feet.

Connections: Connects to freeways, other arterial and major collectors

MAJOR COLLECTOR ROADS

Primary function: To move traffic between communities and to provide access to commercial services.
(Traffic Service)

Land Use Service: Tends to provide access to commercial lots primarily, but residential lots do have access.

Traffic Volume: Between 12,000 and 20,000 vehicles per day.[10]

Right of Way: 66 feet.

Connections: Connects to arterials and other major collectors, and minor collectors.

MINOR COLLECTOR ROADS

Primary Function: To provide access and to move traffic from neighbourhoods onto major collectors.

Land Use Service: Tends to provide access to residential lots and community related non-residential services.

Traffic Volume: Between 3,000 and 12,000 vehicles per day.

Right of Way: 66 feet.

[10] Traffic volume benchmarks were taken from the City of Halifax Subdivision By-law

Connections: Connects to major collectors, other minor collectors and local roads.

LOCAL ROADS

Primary Function: To provide access to residential lots.

Land Use Service: Tends to provide access to residential lots only.

Traffic Volume: Up to 3,000 vehicles per day.

Right of Way: 66 feet.[1]

Connections: Connects to minor collectors and other local roads

[1] Right-of-way width may be reduced to 50 feet in the case of a cul-de-sac which does not have the potential to be extended.

MUNICIPAL PLANNING STRATEGY - NORTH PRESTON, LAKE MAJOR LAKE LOON/CHERRY BROOK AND EAST PRESTON AMENDMENTS

Amendment Number	Policies/Maps	Subject	Council Adoption	Effective
1	TR-11, deletion	Ministerial amendment		March 22, 1993
2	RE-11(e), deletion	Ministerial amendment		March 22, 1993
3	IM-8(c)(iii), deletion	Ministerial amendment		March 22, 1993
4	Map 4, EH-4(a), EH-4(b)	Water service districts (PA-LM-04-94)	August 29, 1994	October 21, 1994
5	EH-20	Permit additional opportunities for the establishment of composting operations (ZA-ALL-31-95)	February 26, 1996	March 28, 1996
6	GFLUM	Montague Links (Case No. 00137)	February 22, 2000	March 14, 2000
7	IC-1 to IC-8, IM-9(e)	Infrastructure Charges (Project No. 00423)	July 2, 2002	August 17, 2002
8	SW-1 to SW-12	Construction and Demolition Waste Management Strategy (Project No. 00423)	September 10, 2002	November 9, 2002
9	IGM-1 to IGM-18	Interim Growth Management (Project No. 00664)	April 13, 2004	April 22, 2004
10	Delete Section IGM - 1 to IGM - 18 Interim Growth and Map 4 & New Private Road Section including Preamble and Policy TR - 16.	Regional Plan	June 27, 2006	August 26, 2006
11	Add pre-amble and Policy IM-20	Case No. 00327	RC - September 26, 2006	E - November 18, 2006