



# **MUNICIPAL PLANNING STRATEGY**

**PLANNING DISTRICTS 14/17  
(SHUBENACADIE LAKES)**

**THIS COPY IS A  
REPRINT OF THE  
MUNICIPAL PLANNING STRATEGY  
FOR PLANNING DISTRICTS 14/17  
WITH AMENDMENTS TO  
NOVEMBER 16, 2022**

**MUNICIPAL PLANNING STRATEGY**  
**FOR**  
**PLANNING DISTRICTS 14/17**

**THIS IS TO CERTIFY** that this is a true copy of the Municipal Planning Strategy for Planning Districts 14 and 17 which was passed by a majority vote of the former Halifax County Municipality at a duly called meeting held on the 2<sup>nd</sup> day of May, 1989, and approved by the Minister of Municipal Affairs on the 19<sup>th</sup> day of July, 1989, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the 16<sup>th</sup> day of November, 2022.

**GIVEN UNDER THE HAND** of the Municipal Clerk and under the seal of Halifax Regional Municipality this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Municipal Clerk

**HALIFAX REGIONAL MUNICIPALITY**

**MUNICIPAL PLANNING STRATEGY**

**FOR**

**SHUBENACADIE LAKES PLAN AREA**

**(PLANNING DISTRICTS 14 AND 17)**

This document has been prepared for convenience only and incorporates amendments made by the former Council of Halifax Municipality on the 2<sup>nd</sup> day of May, 1989, and includes the Ministerial modifications which accompanied the approval of the Minister of Municipal Affairs on the 19<sup>th</sup> day of July, 1989. For accurate reference, recourse should be made to the original document.

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## INTRODUCTION

This Municipal Planning Strategy has been prepared according to the provisions of the Planning Act, RSNS, 1983, c.9 and pursuant to Municipal Council's adoption of Policy Paper I: Municipal Development Plan Preparation for the Urban Areas in the autumn 1980. This plan covers the area generally within the boundary of Municipal Electoral Districts 14 and 17.

Instrumental in the preparation of this Planning Strategy was a Public Participation Committee of area residents elected from each of eleven communities in the District. The Committee had representation on the Municipal Plan Committee of Council and held primary responsibility for the success of general public input and participation throughout the process. Committee discussions with individuals, regular meetings which were open to the public, publicity through newspaper advertisements, flyers and other mailed information, and a number of general public meetings contributed to the development of a community-based planning strategy.

The plan is organized into four sections. Section I places the Plan Area within a regional context and presents an overview of its communities and of matters which are relevant to the direction of future community development. Section II contains discussion and policies relative to environmental health services, transportation, and the provision of community services. Section III contains policies and development control guidelines respecting future land use decisions. Section IV consolidates the various implementation measures of the strategy's land use policies as provided for within the document through the Planning Act, as well as provides a priority listing of the policies contained within the plan to serve as a guide for Council upon its adoption.

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 strategy. Of the maps which are included and specifically referred to, the **Generalized Future Land Use Maps 1A and 1B (RC-Oct 23/12;E-Jan 12/13)** the Environmental Health Services Map (Map 2) the Environmental Features Map (Map 4), the **Water Service District Map (Map 5) (C-Mar 28/94;M-Apr 15/94)** and the **Lockview-MacPherson Road Service Boundary Map (Map 6) (MC-May 30/94;M-Jul 25/94)** shall constitute legal parts of the strategy. Map 1 shall direct the preparation and amendment of the zoning map for the Plan Area.

# SECTION I

## REGIONAL CONTEXT

The Plan Area consists of approximately 339 square kilometres (131 square miles) bordering the Town of Bedford and the City of Dartmouth in the south and Hants County in the north. As can be seen on the accompanying map, the area is at the periphery of the Halifax-Dartmouth metropolitan region. The Plan Area had a 1986 population of approximately 8,693<sup>1</sup> persons. Although early settlement was largely based on resource exploitation, including mining, forestry, and farming, the Plan Area has always formed an important transportation corridor for the region. In recent years, the construction of the Provincial 100 series highway system has increased its accessibility and spurred increased development activity in much of the area. However, portions of the Plan Area remain predominantly rural.

In 1975 the Halifax-Dartmouth Regional Development Plan applying to all of Halifax County came into force. Three small portions of the Plan Area fall within the regional plan's regional development boundary. Lands near the intersection of the Cobequid Road and the Windsor Junction Road are designated for continued residential development; an area surrounding Anderson Lake has been designated for industrial purposes; and a regional park is designated in the headwaters of the Shubenacadie/Stewiacke River system along the western shore of Lake Charles. This designation is based on the historical and recreational potential of the now discussed Shubenacadie Canal System which at one time linked Dartmouth and the Halifax Harbour area with the Bay of Fundy, through a series of locks joining lakes and streams across the breadth of the Province. The final development management and ownership of this Regional Park remains undefined. The vast majority of the Plan Area lies outside the regional development boundary, where substantial growth has not been encouraged.

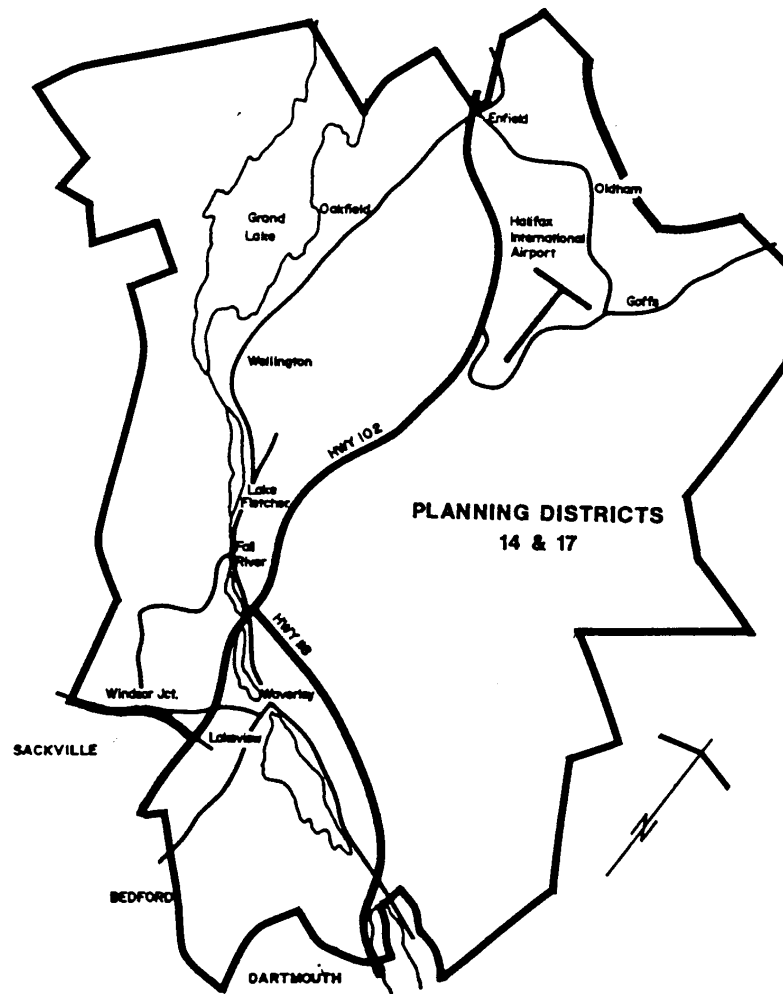
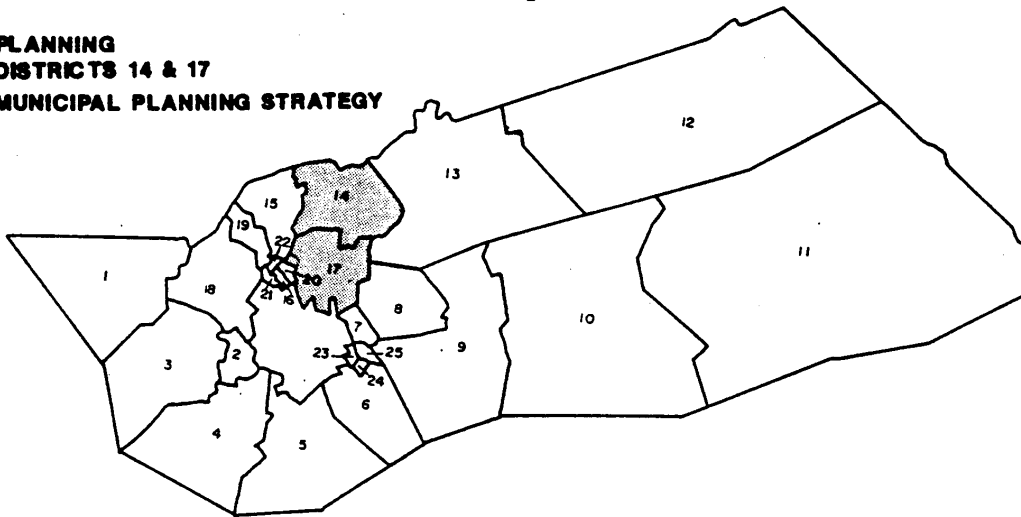
The Plan Area contains a variety of regional facilities. Halifax International Airport, located between Highway 102 and the communities of Goffs and Oldham, serves not only the immediate region, but is also the principal airport in the province. The Municipality is currently in the early stages of developing a 1,600 acre Aerotech Industrial Park on the southern boundary of the airport.

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<sup>1</sup> 1986 Census Population County: Department of Planning and Development, Municipality of the County of Halifax.

## REGIONAL CONTEXT MAP

### **PLANNING DISTRICTS 14 & 17 MUNICIPAL PLANNING STRATEGY**



A portion of the Lake Major Watershed is contained within the Plan Area, from which the City of Dartmouth and the communities of Cole Harbour and Eastern Passage draw their domestic water supply. Extensive study<sup>2</sup>, supported by policies in both the Municipal Development Plans for the Communities of North Preston, Lake Major, Lake Loon/Cherry Brook and East Preston<sup>3</sup>, and Cole Harbour/Westphal<sup>4</sup>, state that protection of water quality in this watershed is essential. Various levels of government now own the majority of lands within the watershed, and the watershed had been designated as a "Protected Water Area" under Section 17 of the Water Act.<sup>5</sup>

The Waverley Game Sanctuary, of which approximately 12,000 acres is within the Plan Area, was created in 1926. Although the sanctuary was created to provide a protected wildlife environment, some lands within the sanctuary have been leased to the Boy Scouts of Canada and are used as a summer camp. Most of the lands within the sanctuary are held by the crown.

In 1861, a number of Gold Districts were created. Two of these are located within the Plan Area at Oldham and Waverley. Nova Scotia gold mining activity has been in a general decline until recent years. However, with increased gold prices, activity in the established Gold Districts may increase.

The Provincial Department of Transportation maintains a substantial material testing laboratory, as well as offices and a large garage at Miller Lake. The Plan Area is also the home of a provincial Fire Fighters' School at Waverley.

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<sup>2</sup> Lake Major Watershed Management Study: Montreal Engineering Company Limited; February 1980.

<sup>3</sup> Approval by Council May 25, 1981.

<sup>4</sup> Approved by the Minister of Municipal Affairs November 26, 1982.

<sup>5</sup> Effective date - April 8, 1986.

## COMMUNITY PROFILE

European settlement in the Plan Area began shortly after the founding of Halifax in 1749. Early grants of land were made to Joseph Scott, among others, in 1765 at Windsor Junction, Henry Hilliard in 1776 at Fall River, and William Shaw in 1784 at Wellington (then called Fletcher's Bridge).

By the end of the American Revolutionary War, the old Cobequid Road, which was then referred to as one of the Great Roads<sup>6</sup> was considered passable. Although the road's alignment varies from today's, this road connected Sackville with Truro and provided an important overland link in a province oriented to ocean travel. In addition, the establishment of this road helped to facilitate the settlement of lands throughout the Plan Area. Based on defence concerns which had begun with the end of the American Revolutionary War, work was begun in 1826 on the Shubenacadie Canal System. The Canal was finished **in 1853 (RC-Oct 23/12;E-Jan 12/13)**, linking Halifax Harbour with the Bay of Fundy. The Canal's development and additional improvements to the road network increased settlement, as did the completion of sections of the Intercolonial Railway in 1856.

Further settlement was spurred by the discovery of gold in the Waverley and Oldham (named by Joseph Howe<sup>7</sup>) areas. At the turn of this century, the economy and development of the Plan Area remained largely based on resource exploitation. In addition, there were also a variety of small manufacturing enterprises with products ranging from buckets and explosives to chair parts. By the 1930s, cottage industries had been established<sup>8</sup> at Waverley.

With the construction of Halifax International Airport in 1957-60 and the subsequent construction and improvement of the 100 series highways, accessibility throughout the Plan Area has improved. The relative ease of access from Halifax via Highway #102, Dartmouth via #118 and the Eastern Shore via Highway #107, coupled with an attractive environment, has increased residential development activity throughout the Plan Area, with approximately 1028 new residences being constructed between 1969 and 1986<sup>9</sup> inclusive. Between 1982 and 1987 a further 567 building permits were issued for residences.<sup>10</sup> Of these, 540 were for single and two unit dwellings. In addition, the availability of rail, air and highway transportation has created considerable demand for industrial land.

### Population

The 1986 population of the Plan Area, as estimated from Census Canada data,<sup>11</sup> was approximately 8,693 persons, an increase of 8.9 per cent from the previous 1981 census, but down considerable from the 13.4 per cent increase between 1976 - 1981.

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<sup>6</sup> Transportation and Communication in Nova Scotia, 1815 to 1850: Reginald D. Evans; 1936.

<sup>7</sup> Lovell's Gazetteer of British North America: P.A. Crossby; John Lovell & Sons, Lake Shore Press, 1873.

<sup>8</sup> Place Names and Places in Nova Scotia: Charles B. Ferguson; Public Archives of Nova Scotia, 1967.

<sup>9</sup> Residential Building Activity in Halifax County 1969-1979: Department of Planning and Development, Municipality of the County of Halifax.

<sup>10</sup> Residential Building Activity in Halifax County, 1980-1981: Department of Planning and Development, Municipality of the County of Halifax.

<sup>11</sup> Federal Enumeration Areas do not correspond to Municipal District Boundaries nor the Plan Area boundary and some estimation is required.

TABLE 1: AGE STRUCTURE - 1981

Age Groups	0-14 yrs	15-24	25-34	35-44	45-64	65 +
% of Population Plan Area	28.8%	16.5%	20.9%	15.4%	14.9%	4.1%
% of Population Plan Area	23.4%	19.4%	16.4%	11.4%	18.5%	10.9%

Source: 1981 Census of Canada

Table 1 describes the composition of the population within the Plan Area and the Province itself.

In comparison to the province, the Plan Area has a relatively large number of school age children, but fewer teenagers and individuals in their early 20's. Approximately 36.3 per cent of the population is between 25 and 44 years of age, as compared to a provincial average of 27.8 per cent. In addition, there are considerably fewer persons in the 45 - 64 and 65+ year age brackets. The average number of persons per household is 3.4, which is in excess of the provincial average.

These general characteristics of the Plan Area population are consistent with an expanding suburban population. Although the Plan Area has experienced a relatively steady period of growth, it is difficult to project future population growth on such a small base. Documentation prepared for the Halifax-Dartmouth Regional Development Plan Review<sup>12</sup> predicts an annual growth rate of approximately 1.2 per annum. Although it is not possible to project what portion of any increase would occur in the Plan Area, it can be reasonably expected that significant growth will continue.

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<sup>12</sup> Halifax-Dartmouth Regional Development Plan Review Initial Population Labour Force and Household Projections, Study E2: Economic Outlook Task Force, November 1981.

## EXISTING LAND USE

For the most part, settlement is scattered along the existing public highway system. However, in the Waverley, Fall River, Fletchers Lake, Lakeview and Windsor Junction areas, a more urban pattern is slowly developing. New subdivisions have created side streets and small village-style centres are becoming evident at important intersections.

In the Wellington, Grand Lake, Oldham, and Goffs areas, linear development along existing roads remains the dominant pattern. In addition, these areas exhibit a greater mixture of land uses, with commercial and resource related uses being interspersed with residential development. The use of a residential property for some type of business activity is also quite common.

Although the communities of Enfield and Oakfield presently exhibit a linear type of development, there has been increasing subdivision activity in these areas and transition to a more suburban community can be expected.

The primary type of housing within the Plan Area is single unit. Two unit dwellings are largely in the form of basement apartments rather than duplex or semi-detached structures. These apartment units may be found scattered throughout the Plan Area. A few apartment buildings of three or more dwelling units are generally found in the Fall River and Waverley areas.

Mobile homes can be found in scattered locations throughout the Plan Area, primarily in the more rural parts. The Plan Area also contains three small mobile home parks, two in the Fall River area and one at Enfield. Such housing comprises very little of the Plan Area's total housing stock.

Commercial development generally consists of local service and retail outlets. Small variety and food stores are scattered along the main roads, with concentrations occurring at important intersections such as in Fall River and Waverley. Many of these businesses occur in association with residential uses, often on the same lot or as part of a dwelling.

Industrial uses are generally located where road and rail or air transportation systems meet, or in relation to the exploitation of a resource. Concentrations of such uses are located in the Windsor Junction, Waverley, and Fall River areas and around the airport. A number of gravel pits and quarries are also located throughout the Plan Area.

Central municipal water and sewer services in the Plan Area are relatively limited. The Cobequid Road, Lakeview, Windsor Junction, and Waverley areas are now served by a central municipal water system. However, no central sewerage system is planned for these areas. A new central water system has recently been installed in the Collins Park area of Wellington. In addition, there are a number of privately developed sewer and/or water systems which are now maintained by the Municipality and there are privately owned and maintained water systems in the Miller Lake Subdivision and the McPherson Road area of Fall River. A new central sewer and water system, including a sewage treatment plant, has been constructed to serve both the Aerotech Business Park and the Halifax International Airport. A commitment has been made to provide a central sewerage system for the MacPherson Road-Lockview Road area of Fall River is currently underway.

## COMMUNITY ISSUES AND CONCERNS

As the planning process evolved and public discussion and review was elicited, a number of issues and concerns became apparent. These issues and concerns were important in defining the underlying philosophy of the plan and are reflected in the policies of this document.

### The Environment

Continuing growth and development has placed a strain upon the Plan Area's sensitive natural environment. Pre-existing natural hazards such as arsenic contamination of wells in Fall River, Waverley, and Collins Park have led to the installation of central water distribution systems. In addition, there are general and specific concerns regarding the impact of development on surface water and wells throughout the Plan Area. A number of issues with respect to environmental matters have arisen, the major ones being:

- (i) that development and infilling on the shores of lakes can damage lakes from both a recreational viewpoint as well as create problems for downstream communities which draw their drinking water from the system;
- (ii) the capability of soils to absorb domestic waste and the possibility that the failure of on-site systems will create public health problems and contaminate lakes and wells;
- (iii) the capability of ground water systems to provide an adequate and safe water supply;
- (iv) the need for adequate stormwater management in order to reduce sediment loading of local surface waters;
- (v) the need for adequate control of the use and disposal of hazardous materials from both industrial and extractive uses; and
- (vi) the need for development regulations controlling development on slate bedrock formations where acid drainage is a continuing problem.

### Residential Development

The predominant form of development throughout the Plan Area in the last 15 years has been residential. Of approximately 1,171 dwelling units constructed between 1969 and 1981 inclusive, 1,027 or 87.7 per cent were single unit dwellings. Two unit dwellings, mobile homes, and multiple dwelling units accounted for 54 (4.4 per cent), 52 (4.4 per cent), and 41 (3.4%) units respectively. Between 1982 and 1987, 567 permits were issued, 547 (94%) were for single unit dwellings, 2 (0.3%) for 2 unit dwellings, 16 (2%) for mobile homes and 2 (0.3%) for multiple dwelling units. Residential development peaked in 1974 at approximately 159 units, and appears to have reached a nadir in 1980 when only 35 units were constructed.

By 1983 the level of development had risen somewhat and approximately 94 units were constructed, while 1986 saw the construction of 121 new units. Although this is below peak development levels, it is in excess of the average annual rate of approximately 88 units per year.

The total housing stock consists of approximately 86.5% single unit dwellings, 4.02% two unit dwellings, 6.1% mobile homes, and 3.4% of the dwelling units are in multiple unit structures. Approximately 87.3% of the housing stock is owner-occupied.

Early settlement patterns were influenced by road and rail corridors through the district and by the exploitation of the area's resources, which provided local employment. For the most part,

development follows a linear pattern along the existing road network. However, at major intersections and in Waverley, a more concentrated village style of environment developed.

The protection of residential neighbourhoods from the intrusion of conflicting land uses is of particular importance in areas where substantial residential subdivisions have been developing. In the more semi-rural settings where a greater mixture of land use occurs and where the use of a residential property for business purposes is more common, the concern is to establish an appropriate balance which can accommodate a variety of low density residential uses and compatible business uses.

Lot sizes for residential development are of concern, given the high cost and increasing improbability of extending central municipal water and sewer systems. It is commonly felt that lot sizes should be of a size adequate to ensure the continued integrity of individual on-site sewage disposal and water supply systems.

### Transportation

Issues related to transportation matters are relatively specific. Improvements to the Old Guysborough Road, Oldham Road, Church Street, the construction of the Burnside Drive extension, and rail crossings throughout the Plan Area and the reservation of lands for a future road system are matters of concern to many area residents. In addition, support is given to the extension of Burnside Drive and the improvement of access to the 100 series highways.

It is the general consensus of area residents that major emphasis should be placed on the full utilization of the available multi-lane 100 series road network as opposed to adding lanes to any of the trunk highways or the local road network.

### Industrial Development

Although industrial development has occurred throughout the Plan Area, it has generally concentrated where road and rail or road and air services meet. Pressures from new industrial concerns seeking to locate in the area have raised concerns over their potential impacts on both the residential and natural environments. Mismanaged industrial wastes could have repercussions in the areas of public health and safety as well as the maintenance of water quality in the highly prized lake system. Stringent locational and environmental controls are strongly supported.

### Resource Areas

Large parts of the Plan Area are not generally accessible from the public road network. Much of this land has served as a resource base for many primary industries including forestry and quarry operations. Although development is slowly expanding into these resource lands, the suitability of much of this land for development and the effects it might have on existing communities is of concern. There is a need to evaluate and minimize the effects of large subdivisions or the creation of new industrial developments within these areas prior to their being permitted.

### Parks and Recreational Development

As the Plan Area population has grown, the demand for useable public recreation land has increased. Lands which provide access to the many lakes or sites which are historically significant,

such as those near the former locks of the Shubenacadie Canal System, have significant potential for community use and emphasis should be placed on the acquisition of larger useable blocks of such lands. In addition, the use of crown lands within the Waverley Game Sanctuary for both tourism and community open space should be seriously considered. There is a need to both identify and to establish a priority for the acquisition of recreation land, particularly larger parcels, as well as to determine the means by which it can be acquired and developed.

# **SECTION II**

## ENVIRONMENTAL HEALTH SERVICES

Environmental health services consist of sewerage and waste disposal, potable water supply and storm drainage. While there are small subdivisions within which central municipal sewerage and water services are available, the predominant form of servicing throughout the Plan Area is by means of on-site services.

The larger lot sizes required for developments utilizing on-site services create a less concentrated community environment than do these found in more urban centres. This larger lot size and resultant lower density has become attractive to additional development. It is important that the character which results from this density be supported by maintaining an emphasis on on-site servicing within the Plan Area.

P-1 It shall be the intention of Council to support the continued development of a village atmosphere by placing a priority on developments utilizing private on-site sewage disposal systems and encouraging new residential development in lower density forms. In this regard and in recognition of the importance of maintaining both ground water availability and quality, it shall be the intention of Council to establish a minimum lot size for lots which are not served by central municipal sewerage and water services of forty thousand (40,000) square feet.

### Sewage Collection

There are two types of sewage collection and treatment systems. These are central and non-central systems.

Non-central systems generally serve large single structure uses or a cluster of individual structures on a single lot. Within the Plan Area, sewerage systems at the Endale Mobile Home Park, local schools, motels, and the Department of Transportation facilities at Miller Lake may be described as non-central sewerage collection and treatment systems. None of these systems are municipally owned but, because the owner of the treatment plant and the use served are one and the same, a reasonable level of system maintenance is common.

**In 1987-88, the Municipality commissioned a pollution control study for the Lockview-MacPherson Road area.<sup>13</sup> The impetus for this study was a growing awareness by both Department of Health officials and area residents of widespread on-site sewage disposal system malfunction causing a public health risk. There was also concern with the potential and real effects on the quality of lake water and drinking water supplies.**

**The primary objective of the pollution control study was to determine the extent of the malfunctioning systems and to develop an alternative wastewater disposal method to resolve existing problems and to reduce the potential for the creation of similar problems in the future. The study's findings identified the wastewater disposal problems as a function of the development density, surficial geology and hydrogeology of the area, the condition of the disposal systems and the standards of construction of the systems. Over fifty percent of systems were malfunctioning including over eighty dwelling units, a club and an**

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<sup>13</sup> Halifax County Municipality MacPherson Road/Lockview Road Area of Fall River Pollution Control Study. UMA Engineering Ltd., July 1988.

office/business complex. Development along the lake, combined with soil and ground water characteristics, was identified as having a significant impact on the lake.

The study examined remedial measures aimed at resolving the pollution problem. On MacPherson Road it was determined that, due to small lot sizes and the proximity of many of the lots to the watercourse, it would not be possible to upgrade the existing on-site disposal systems. Along Lockview Road, it was determined that for many lots there was insufficient land area for the installation of a properly sized septic systems, making effective on-site remedial measures impractical for these systems. The study concluded that the only practical measure to alleviate the present problem was the installation of a central sewage collection and treatment system.

Council accepted the study's recommendation and tenders were let for the design and construction of the tertiary level treatment system. The site selected for the sewage treatment plant was the Fall River Baptist Church property on Lockview Road. This site represented the only significant, accessible parcel of undeveloped land in the community. The central system has been designed primarily to accommodate the existing situation, although some additional capacity exists to accommodate limited infilling along the service lines.

Within the Service Boundary, defined on Map 6, all properties now and in the future, will be required to connect to the wastewater collection and treatment system. This requirement to connect will help to minimize servicing costs to ratepayers and will ensure that the objectives of the pollution control study are met. The establishment of the serviceable area is also necessary to ensure the integrity of the wastewater system in its ability to service a definable area. No extensions of this system will be considered beyond the Service Boundary. (MC-May 30/94;M-Jul 25/94)

P-3 It shall be the intention of Council, in consultation and cooperation with local groups and associations as well as appropriate senior government departments and agencies, to place a priority upon the preparation of a long range servicing strategy which is consistent with clearly identified community and regional objectives related to the environmental preservation and protection of the Shubenacadie waterway system. Particular attention shall be given to wastewater disposal system alternatives and development densities. Until such time as this servicing strategy is completed, it shall be the intention of Council to encourage the Department of Health and Fitness to require tertiary treatment for all new or expanded sewage treatment plants.

P-4 It shall be the intention of Council, in cooperation with the Department of Public Health, to seek solutions to the provision of adequate sewage disposal systems in areas of known septic system failure. In this regard, Council shall seek solutions which are capable of conforming to the servicing strategy for the Plan Area established pursuant to Policy P-3.

**P-4(a) In order to provide direction for future development on central sewer services for the Lockview-MacPherson Road area, it shall be the intention of Council to establish a Service Boundary as shown on the Lockview-MacPherson Road Service Boundary Map (Map 6). Lands within the Service Boundary shall only be developed on municipal sewer services. (MC-May 30/94;M-Jul 25/94)**

**P-4(b) Notwithstanding Policy P-4(a), lands shown on Schedule L of the Land Use By-law,**

**may be serviced with an on-site septic system. (RC-Oct 23/12;E-Jan 12/13)**

### On-Site Sewage Disposal Systems

A recent study<sup>14</sup> prepared by the Nova Scotia Department of Municipal Affairs identifies inadequate maintenance as primary cause of private septic tank and field failure. Although the Provincial Department of Public Health regulates both the design and installation of sewage disposal systems, there is no regular inspection or maintenance programme for such private systems.

Many individual home owners served by an on-site system are not aware of the maintenance requirements of a septic tank and field. Regular inspection and the removal of accumulated solids in the tank are the two major elements of any maintenance program.

In order to improve public awareness of septic system maintenance requirements, it may be useful to institute a public information programme which, in addition to acquainting residents with such requirements, could also be used to disperse public information on a wide range of environmental and public health matters.

P-5 In order to improve public awareness of septic system maintenance requirements and other matters of environmental and public health concern, it shall be the intention of Council, in cooperation with the provincial government, to investigate methods of public education and information dispersal.

Septic tank pumping services are provided by a number of private firms or individuals located throughout the metropolitan area. However, the final disposal of effluent pumped from septic tanks has on occasion presented problems. Because of overall design capacity limitations at municipal treatment plants, septic tank effluent cannot normally be handled at these locations.

If adequate maintenance of private on-site sewage systems is to be encouraged, it may be necessary to license septic tank pumping firms and to establish an appropriate method and location for the final disposal for septic tank effluent.

P-6 It shall be the intention of Council, in cooperation with the Provincial Departments of Health and Environment, to investigate both the licensing of septic tank cleaning firms and the provision of an adequate treatment and disposal system for septic tank wastes.

### Water Supply

Large portions of the Plan Area are underlain with either gold bearing rock formations or pyritic slates. Wells drilled into these bedrock types can be contaminated by unacceptable levels of arsenic or sulfides and reduced Ph, respectively. While most wells in the Plan Area do not encounter these problems, concentrations of contaminated wells have led to the extension of municipal water services in some areas such as Waverley.

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<sup>14</sup> Alternative Wastewater Management Strategies for Rural and Urban-Fringe Communities: 1980. P.C. Campbell, Nova Scotia Department of Municipal Affairs.

It can be expected that much new development will occur without the benefit of central municipal water. It is important in areas where contamination is possible and where the extension of central municipal water services would be costly, that alternative water sources be encouraged. Such alternatives may include rainwater collection and cistern storage facilities.

P-7 It shall be the intention of Council, in cooperation with the Departments of Public Health and the Environment, to identify and inform future residents of potential areas of ground water contamination and to encourage the use of alternative water sources in such areas. Furthermore, it shall be the intention of Council to encourage the Province to establish a program for the identification of areas prone to well water contamination.

The expansion of municipal responsibility for the provision of central water service has largely been a response to specific problems of ground water contamination or inadequate supply. It is important to overall future development and the safety of area residents that any new or expanded central water systems be sized so as to provide for the installation of fire hydrants. In addition, future systems should also be designed so that trunk water lines are looped or joined to existing systems wherever possible. This will ensure that any break in the system will affect as few users as possible.

P-8 In considering new or expanded central municipal water distribution systems, it shall be the intention of Council to provide for sufficient fire flows and the looping of trunk water lines wherever possible.

**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 quantity 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 the adequacy and demand placed on other services.**

**In the fall of 1993, following public input concerning the issue of central water, Council approved the designation of several Water Service Districts in areas served by the Pockwock water system. These Water Service Districts included areas to which central water only had already been extended or committed as well as areas where it was anticipated that central water would be required to resolve a community based water quality or quantity problem. Within the Planning Districts 14 and 17 plan area, Water Service Districts include Lakeview; Windsor Junction; and Waverley (see Map 5).**

**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.**

**P-8(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 5). 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.

**P-8(b)** Notwithstanding Policy P-8(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-Mar 28/94;M-Apr 15/94)

#### Waverley Water System

The Waverley water system was installed to overcome arsenic contamination in area wells. The water system consists of a sixteen inch trunk water line, extended from the Sackville system along Cobequid Road, through Windsor Junction to Waverley. Prior to the installation of the Waverley water system, there was considerable public discussion concerning the effects such a system might have on the future development of the Waverley area. Subsequently, a plebiscite was held and it was the broadly supported intention of the community that the new water system should not substantially alter the nature of the community. As a consequence of this public decision, the water system as designed by the Municipality and approved by a Public Utilities Board is limited.

The trunk main was reduced in size to an eight inch trunk line at the edge of the Waverley area, and only a limited standpipe system was installed for fire protection. The Waverley water system has the capacity to accommodate approximately 625 residential connections<sup>15</sup> within a defined service area.

P-9 It shall be the intention of Council to reaffirm municipal policy and support the established community goals with regard to the provision of central municipal water services, by establishing the Waverley Water Service Boundary, as shown on the Environmental Health Services Map (Map #2). Furthermore, it shall be the intention of Council to prohibit the extension of municipal water services beyond the Waverley Water Services Boundary.

While the water system design allows for an initial 625 domestic connections, there may, in fact, be additional capacity. Average water consumption rates in areas with central water servicing but without central sewage collection have not been clearly established and will, therefore, require monitoring. Should actual consumption rates be less than those for which the initial design was intended, then a portion of the reserve capacity may become available for additional domestic connections within the Waverley water Service Boundary. Alternatively, when the initial 625 domestic connections have been placed in service, and should the remaining developable lands require less water capacity than the proven remaining capacity, it may be appropriate to consider expansion of the Waverley Water Service Area.

Although it may be appropriate to consider expanding the Waverley Water Service Boundary, there are important considerations which should be addressed. Most of the Waverley area is served by gravity flow from a 270,000 gallon storage reservoir located on a height of land overlooking the northern end of Lake William. However, a portion of the Silverside Subdivision located above the 155 foot contour is not served by gravity flow, and requires a pressure boosting pump. Expansion in this portion of the water service area could require substantial additional costs and should be discouraged. In addition, it may be the case that upon completion of consumption monitoring and the completion of the initial 625 service connections, additional water capacity may be available. Priority should be given to servicing the remaining undeveloped lands within the Service Boundary prior to consideration of any expansion of the boundary.

P-10 It shall be the intention of Council to ensure an adequate supply of domestic water within the Waverley Water Service Boundary by monitoring domestic consumption, limiting service connections to the established initial design capacity and discouraging the installation of service connections for other than domestic and light commercial purposes. Upon the completion of the consumption monitoring program and when the initial service connection design capacity of 625 connections have been completed, it shall be the intention of Council to review the status of the Waverley Water System. Notwithstanding Policy P-9, Council may consider permitting additional service connections within the Waverley Water Service Boundary and/or the expansion of the Water Service Boundary.

P-11 With regard to policy P-10, it shall be the intention of Council to only consider, by plan amendment, expansions of the Waverley Water Service Boundary into areas which are capable of being serviced by gravity flows from the existing reservoir or which do not require the construction of additional pumping stations. Furthermore, when considering

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<sup>15</sup> Design parameters and System Hydraulics, C.B.C.L., 1983.

any proposal to extend the Waverley Water Service Boundary, it shall be the intention of Council to consider:

- (a) the financial ability of the Municipality to absorb any costs relating to the extension;
- (b) the amount of vacant developable land which remains within the Water Service Boundary;
- (c) the type, and density of existing and proposed land uses to be served;
- (d) existing potable water contamination problems in the area under consideration; and
- (e) the capacity of the soils to absorb domestic sewage effluent in the area under consideration.

### Cobequid Trunk Line

The portion of the trunk water line along the Cobequid Road, ending at the pressure reduction valve on the western extremity of the Waverley water service area, is capable of accommodating a significant amount of additional development (providing service connection to between 685 and 4114<sup>16</sup> homes). The actual number of connections to this portion of the system is dependant upon the type of land use served, the level of service required, the volume of non-residential consumption, and the standard maintained for fire protection.

The Insurance Advisory Organization suggests that 1,500 IGPM<sup>17</sup> is sufficient fire flow capacity for development in the area. Maintaining this standard would allow for the connection of approximately 2,400 homes to the system.

The Waverley/Cobequid Road water system was initially installed in order to provide an alternate source of water to residents of areas suffering from well water contamination. Although there is water capacity beyond the present usage levels in the system, it is important that the potable water supply be assured for existing and future domestic consumption. This approach is in conformity with the basis upon which the Public Utilities Board approved the installation of the Waverley/Cobequid Road System.

P-12 In the interests of ensuring an acceptable potable water supply to existing and future residents, it shall be the intention of Council to monitor consumption levels, maintain an adequate level of fire flow and preclude the use of water from the municipal central water system for uses other than domestic or light commercial purposes. In this regard, Council shall discourage the use of municipally supplied water for industrial and heavy commercial purposes.

### Collins Park

The Collins Park Subdivision is located on the eastern shore of Fletcher's Lake. Well water in the area showed significant arsenic contamination, and as a result, the Municipality installed a new central water distribution system, including a water treatment plant, in 1984. Because of the overall financial restraints at all levels of government, the Municipality has been forced to charge \$1,125.00 per connection in order to ensure the viability of the system. The system is capable of limited expansion.

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<sup>16</sup> Design Parameters and System Hydraulics, C.B.C.L., 1983.

<sup>17</sup> Imperial Gallons Per Minute.

P-13 It shall be the intention of Council to encourage the continued utilization of the Collins Park water system.

### Bennery Lake

In November of 1960, the Province of Nova Scotia gave permission to the Federal Department of Transportation to use Bennery Lake as a water source for the new Halifax International Airport, then under construction. Recent expansion of the airport and the increasing development of airport-related uses has made Bennery Lake an important water source. In addition, the Halifax County Industrial Commission has recently completed construction of a new water treatment plant and distribution system utilizing Bennery Lake as the primary water source for the Aerotech Business Park and the Halifax International Airport.

A study<sup>18</sup> prepared for Transport Canada suggests that water demands at both the airport and Aerotech Business Park will require the use of water pumped from Grand Lake into Bennery Lake. During initial development stages of the park, it is the intention of the Industrial Commission to operate this water system as a private utility.

However, the system may eventually become a public utility serving areas beyond the airport and Aerotech Park. In the event that service is expanded beyond the airport area, it is important that existing communities be considered in any expansion plans.

P-14 It shall be the intention of Council to encourage any public utility ultimately charged with the operation of the Bennery Lake water system to consider the communities of Grand Lake, Oakfield, Wellington, Goffs and Oldham in any future expansion plans.

### Miller Lake Water System

The Miller Lake Subdivision located at the intersection of Highways #102 and 118, is served by a private central water supply system. Until recently this system, using a number of wells, had been suffering from falling water tables in the area. However, residents have recently completed improvements to the system and an adequate supply is now available to users.

P-15 It shall be the intention of Council to discourage new private central water supply systems. Notwithstanding this, it shall be the intention of Council to continue to support the privately owned Miller Lake water system in recognition of its broad public support and community interest.

### Public Water Utilities

Public water utilities are governed by the Public Utilities Act. Under this Act service cannot be denied within a reasonable distance of a utility's pipes. However, where municipal water services are installed, no property owner can be required to connect to the system, such as is the case with public sewerage systems. If water systems are to be viable, widespread use of the system is necessary.

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<sup>18</sup> Bennery Lake Watershed Management Study. Prepared for Transport Canada, by Porter Dillon Limited, January 1985.

- P-16 It shall be the intention of Council, in light of continuing financial constraints and increasing public demands for assured water supply, to seek the cooperation of the Province in enacting legislation which would permit a municipal water utility to require the use of municipal water systems by adjacent property owners.

### Stormwater Management

In the past, storm water management was given insufficient attention. However, a recent report<sup>19</sup> containing stormwater policies supported by a stormwater design criteria manual has substantially altered the Municipality's attitude in this regard. The Task Force which prepared the report and manual was composed of representatives of the Municipality of the County of Halifax and the Town of Bedford, as well as representatives of the Nova Scotia Departments of Health, Environment, Transportation, and Municipal Affairs. Council adopted the Task Force report in 1982 and has subsequently employed a municipal storm water engineer and two technicians. In addition, the recently adopted Subdivision By-law provides for the implementation of stormwater management measures at the initial stages of land development in the serviced urban areas of the County.

The implementation of stormwater management procedures is important if the impact of development on the area's major lake system is to be minimized.

- P-17 In recognition of the need to protect the recreational and domestic water supply capability of lakes and streams within the Plan Area, it shall be the intention of Council that the Stormwater Policy and Design Criteria shall become effective within the Plan Area through necessary amendments to the Subdivision By-law.

Portions of any stormwater management program may require the establishment of a cost-sharing program and the revision of appropriate municipal and/or provincial legislation.

- P-18 With regard to Policy P-17, it shall be the intention of Council to encourage the Province to adopt the Stormwater Policies and Design Criteria Manual, and in cooperation with the Province, to establish appropriate funding and cost-sharing arrangements.

There are certain lakes within the headwaters of the Shubenacadie-Stewiacke River Basin which contain relatively high proportions of toxic contaminants. Arsenic and mercury contamination in the sediment bottoms of these lakes is generally thought to have originated from nearby mining activities. There is a general concern that any increased rate of runoff generated by new development may cause the re-suspension of these toxic sediments, thereby damaging the downstream systems.

- P-19 With regard to the environmental sensitivity and potential health hazard posed by the contaminants in lake bottom sediments, it shall be the intention of Council to establish the watersheds of Rocky Lake, Powder Mill Lake, Muddy Pond, Three Mile Lake, and Third Lake as priority areas for storm drainage master planning as described in the Outline for the Preparation of Storm Water Master Plan. Furthermore, it shall be the intention of

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<sup>19</sup> Report to the Province of Nova Scotia and Municipality of the County of Halifax Recommendations and Stormwater Policy: Prepared by Halifax County Storm Drainage Task Force, February 1982.

Council, pending the full adoption of the stormwater policy and design criteria, to implement stormwater control measures within these watersheds.

There is mounting concern over the effects of water borne silts in area lakes and streams. It may be appropriate to examine methods of controlling siltation through either the stormwater design criteria or by some other means.

P-20 It shall be the intention of Council, in cooperation with the Provincial Departments of Environment and Transportation, to review and implement siltation and erosion control provisions.

### **Solid Waste Management**

**In most areas of the Municipality, residential solid waste collection is contracted to private firms on a weekly or bi-weekly pick-up basis. The majority of the solid waste generated is first taken to one of four solid waste transfer stations located in Dartmouth, Halifax, Middle Musquodoboit or Sheet Harbour prior to disposal at the regional waste disposal facility in Upper Sackville.**

**In August of 1989, 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<sup>20</sup> and source-**

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<sup>20</sup> "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

separated composting<sup>21</sup>. 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<sup>22</sup> or in-vessel<sup>23</sup> 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.

**P-21 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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neighbourhood units, provided that the annual production of the compost does not exceed 60 cubic metres.

<sup>21</sup> "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.

<sup>22</sup> "Windrow Composting" refers to the method of controlled, aerobic composting of 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.

<sup>23</sup> "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 10/01;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.

- P-21(A)** 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.
- P-21(B)** 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.
- P-21(C)** Further to Policy P-21(B), 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 industrial 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.

- P-21(D)** 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.
- P-21(E)** 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.

#### **Transfer Stations and Processing Facilities**

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 Aindustrial@ or Aprocessing@ operations. This resulted in inconsistency and the creation of an Aplaying 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.

**P-21(F) 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 Light Industrial and Resource Designation 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 P-155.

**P-21(G) 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 Light Industrial and Resource Designations, and pursuant to criteria of Policy P-21(F).

### **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 Arock (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 AConstruction 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.

**P-21(H) 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 Light Industrial and Resource Designations 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 P-21(F).

### **Site Plan Approval**

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

P-21(I) Further to Policies P-21(F), P-21(G), and P-21(H), 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.

P-21(J) It shall be the intention of Council to recognize existing C&D operations by applying the applicable zone to reflect their existing use.

P-21(K) Further to Policy P-21(J), 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.

P-21(L) 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. (RC-Sep 10/02;E-Nov 9/02)

## TRANSPORTATION

Much of the development which has occurred in the Plan Area over the last two decades has been aided and encouraged by the creation and regular improvement of transportation facilities. The Plan Area contains Atlantic Canada's most important airport, Halifax International Airport. The Canadian National Railway's main rail line linking the metropolitan area with the rest of Canada passes through the Plan Area, as does the Dominion Atlantic Railway owned by the Canadian Pacific Railway which provides connection to the western part of the province and joins the CNR main line at Windsor Junction.

In addition, the Plan Area contains the apex of the metropolitan area's 100 series highway network. Highway #118, #102 and #107 come together in the Fall River area and Highway #102 carries traffic north providing highway linkage to the Trans Canada Highway system.

In addition to these major systems, transportation concerns also include pedestrian, public transit and utility considerations.

### Halifax International Airport

Halifax International Airport is located in the community of Goffs, on the eastern side of Highway 102, approximately seven miles north of Waverley. The airport is the only international airport in Nova Scotia and serves not only the metropolitan area, but also most of the province. In recent years, the airport has recorded rapid increases in freight and passenger traffic. Airport structures including the terminal have been expanded and new airport related commercial/industrial structures have been constructed on lands leased from the airport. The Federal Department of Transportation is considering the purchase of approximately 350 acres of land from the Aerotech Business Park land assembly for an additional taxiway.

P-21 It shall be the intention of Council to encourage and cooperate with the Federal Government to ensure the continued growth and safety of Halifax International Airport.

The airport's impact on development in the surrounding area has been twofold. First, Canada Mortgage and Housing Corporation lending policies make buildings constructed within portions of the airport noise cones (Map #3) ineligible for federal financial assistance. Secondly, the Municipality, at the request of airport authorities, has maintained an industrial zone on much of the private land surrounding the airport. This industrial zone has prohibited the construction of new homes in the areas affected.

In light of the continuing growth of the airport and the identification and servicing of specific areas for industrial development, it is appropriate to encourage the Federal Government to acquire those lands necessary to the future growth of the airport.

### Infrastructure Charges

**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. (RC-Jul 2/02;E-Aug 17/02)**

P-22 With regard to the need to ensure the adequate safety and long-term growth in airport operations, it shall be the intention of Council to encourage the Federal Department of Transportation to acquire lands affected by the airport noise cones as well as any additional lands required for the continued expansion of the airport.

### **Rail**

Railways have been a dominant element of the Plan Area's transportation network for the last century. Perhaps the most important rail line in the province is the CNR mainline which passes through the Plan Area joining Halifax-Dartmouth's important port facilities to the rest of the province and mainland Canada.

Many of the original settlements along this line were at one time dependant on the railway for reliable transportation and, either directly or indirectly, for employment. However, in recent years, while new development has been substantial, and most residents in the Plan Area are employed elsewhere. Commuting by automobile is common.

There are within the Plan Area a large number of private rail crossings which will require upgrading and possible signalization as growth continues. The location of these crossings can also create impediments to the delivery of emergency fire or ambulance services in the area. For example, in the Windsor Junction area it is important that consideration be given to either alternative road routes or grade separations in place of the existing crossings.

P-23 Council is concerned with the number of private railroad crossings within the plan area and intends to take appropriate steps to provide for a continued high level of public safety. Council shall have particular regard for rail crossings in the Windsor Junction, Frenchman's Road and Waverley areas.

### Roads

The road network in the Plan Area is dominated by three limited access highways, Highways #102, #118 and #107. The ease of access offered by these highways has spurred much of the recent development. The dominant route is Highway #102 which begins at Halifax and joins the Trans Canada Highway system at Truro. Both Highways #107 and #118 carry traffic flows to and from the Eastern Shore and the Dartmouth areas, respectively. Both highways terminate in the Waverley/Fall River area.

Highway #2, a general access two lane highway, acts as the Plan Area's major collector road and is the "main street" of most of the communities. Concentrations of commercial and residential development have occurred at major intersections along Highway #2 creating small "village" centres in Waverley and Fall River.

This "village atmosphere" is to be encouraged, by placing emphasis on utilization of the #100 series highways rather than by adding lanes to the existing two lane roads as traffic volumes mount.

P-24 In the interests of maintaining the Plan Area communities' village atmosphere, reducing disruption to property owners, and increasing the efficiency of both the Plan Area's 100 series highway and the local road network, it shall be the intention of Council to encourage the Department of Transportation to consider the provision of additional access points to Highways #102, 107 and 118 or the construction of additional two lane roadways in preference to the widening of any of the existing two lane roads.

The 1975 Halifax-Dartmouth Regional Development Plan contains a number of recommendations concerning roadway improvements, many of which have been completed. There are, however, two new roads relevant to the Plan Area which are still under consideration. The first is the Sackville Expressway which would extend Burnside Drive in Dartmouth to Sackville. The second is a road connection which would link Burnside Drive with the intersection of Highways #107 and #118.

In addition, there are a number of other road improvements beyond those suggested in the Regional Development Plan which may help to ensure the integrity of the existing communities while providing for the maintenance of traffic flows.

There are two large blocks of land shown on the Transportation Map (Map #3) as road network priority areas. The lands are served by the Fall River Road in the case of the southern block and by Highway #2 in the case of the northern block. These blocks are further served by a developing network of local streets which eventually feed traffic onto either of these two roads.

The size of these blocks suggest that some form of collector road will be required prior to the ultimate development of these lands.

- P-25 It shall be the intention of Council to support Provincial policy with respect to the completion of the road improvements described in the Halifax-Dartmouth Regional Development Plan. Furthermore, it shall be the intention of Council through review of subdivision applications and in cooperation with the Provincial Department of Transportation, to encourage the development of a collector road system within the priority areas for road network development, as shown on the Transportation Map (Map 3).

There are a number of publicly owned road rights-of-way which the Department of Transportation no longer maintains. These include portions of Holland Road, the Old Cobequid Road, and the Old Guysborough Road. These rights-of-way offer substantial opportunities for alternative routes in the Plan Area and it is important that they be retained for future use.

- P-26 It shall be the intention of Council to encourage the Department of Transportation to retain ownership land, where possible, improve and maintain, among others, the now unmaintained portions of the Holland Road, the Old Cobequid Road, and the Old Guysborough Road.

A new interchange on Highway 102 has recently been completed at the southern boundary of the Aerotech Business Park which has been designed primarily to serve only the business park. The continuing residential development of lands to the west of Highway #102 may eventually benefit from the provision of access to Highway #102. In this regard, provision should be made in new subdivisions for the construction of a collector road which will link Holland Road with the Aerotech ramps.

In order to optimize use of the 100 series highways in the Plan Area and reduce the need for additional lanes in the local road network, several new interchanges to Highway #102 and #118 are among the improvements suggested on the Transportation Map (Map 3).

- P-27 With regard to Policy P-25 it shall be the intention of Council to cooperate with the Department of Transportation to provide for the construction of road improvements as shown on Map 3 and specifically to encourage the provision of a collector road linkage from the Holland Road to Highway #102 at the Aerotech interchange and to reinforce the importance of Highways 102 and 118 as the principle highways in the Plan Area by encouraging the Department of Transportation to construct interchanges at the location shown on the Transportation Map (Map 3).

Lands to the west and northwest of Lockview Road and Fall River Road are actively under development. This area contains approximately three thousand acres extending as far north as the southern end of Grand Lake. The ultimate development of these lands could place an unacceptable burden on the existing road network. In order to alleviate future road congestion, alternative collector road routes should be considered.

P-28 It shall be the intention of Council to encourage and cooperate with the Department of Transportation and area developers in establishing a collector road system to service lands to the west and northwest of the Lockview and Fall River Roads, as generally shown on the Transportation Map (Map 3). Furthermore, it shall be the intention of Council to encourage the Department of Transportation to consider long term provisions for a second bridge over Fletcher's Run.

The present 100 series highway network is largely a radiant system carrying traffic into and out of the metropolitan centre. Lateral connections between the various legs of the highway system are limited. However, as population and development increases on the fringe of the metropolitan area, the provision of a network of lateral connections forming a ring road system becomes more important. In this regard, it is important that rights-of-way be reserved for the development of such a system at a relatively early stage in the growth of the fringe area in order to minimize the disruption to property when the need for the construction of such a system arises.

P-29 It shall be the intention of Council to cooperate with the Department of Transportation in identifying possible locations for a future controlled access ring road system within the Plan Area and the metropolitan fringe in general as shown on the Transportation Map (Map 3).

Because of the need to protect the quality of water in area lakes and to maintain public access along the Shubenacadie Canal and intervening streams, it is important that any proposals for crossings be given particular attention. While authority for the approval of crossings rests with the federal and provincial governments, it is appropriate for the Municipality to suggest a standard for crossings which would not negatively affect the navigability of the system and future shoreline access.

P-30 In light of the historical and environmental significance of the Shubenacadie Canal system, it shall be the intention of Council to encourage the federal and provincial governments to adopt a standard for the design of crossings over the Shubenacadie Canal and intervening or connecting streams. Such a standard shall be intended to reduce the impact of crossing construction on the environment and to ensure continued public navigability through the canal. In this regard, Council shall encourage senior levels of government to refuse permits for all forms of crossing other than bridges constructed so that no portion of the bridge abutments or supports are within ten (10) feet of the high water mark of a stream or the edge of any portion of the Canal, nor should the underside of any bridge span crossing any stream or lock be any less than ten (10) feet above the coast level in any channel.

Due to the many lakes in the Plan Area, cottages have historically been a significant component of the housing stock. As most cottages were traditionally used as summer homes, substantial road networks were not required. Many cottages were built on private roads.

The overall increase in the accessibility of the Plan Area by way of the 100 series highway system and the increasing mobility of area residents through private automobile ownership, has changed occupancy patterns.

Many summer cottages have been converted to year-round use and increasing lot prices tend to discourage new cottage development. In addition, the number of new subdivisions in the Plan Area is increasing. These new subdivisions are served by roads which are built by the developer and owned and maintained by the Provincial Department of Transportation.

Since the level of maintenance on private roads is not as assured as in the case of public roads, the level of ancillary services such as fire fighting and garbage removal cannot be assured. In addition, it has been the experience of the Municipality that eventually there arises a public demand for the upgrading and public takeover of private roads.

P-31 In recognition of the growth of residential development and the need to maintain adequate levels of public safety and public finance, it shall be the intention of Council not to permit the approval of lots which do not have frontage on a road owned and maintained by the Department of Transportation. This shall not, however, apply to lots fronting upon an approved private road or a private road for which a completed tentative application has been submitted prior to the effective date of this plan. Notwithstanding that subdivision shall be permitted along these roads, the number of new lots which may be created on a private road shall not exceed ten (10). Only residential, open space, and resource uses shall be permitted along private roads.

While it is not considered appropriate to encourage the development of new private roads in the Plan Area, there are a number of existing private rights-of-way on which development has occurred. Many of these roadways also have undeveloped frontages sufficient to allow the further development of lots. Provisions exist in the Subdivision By-law whereby, in cooperation with the Department of Transportation, additional subdivision may be permitted along such rights-of-way.

P-32 Notwithstanding Policy P-31 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 private rights-of-way existing on the effective date of this planning strategy. In considering such amendments, Council shall have regard to the following:

- (a) a report from the Department of Transportation 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.

Furthermore, it shall be the intention of Council to permit the approval of three (3) lots per calendar year for each parcel of land having frontage on such a private right-of-way. Only residential, open space, and resource uses shall be permitted along these roadways.

Concern has been expressed about the lack of construction standards and the capability of private roads and private rights-of-way to accommodate increased amounts of traffic. Since the provincial government will not provide funding to upgrade these roadways, the costs of upgrading rest solely with the Municipality.

- P-32(a) It shall be the policy of Council to carefully assess the issue of upgrading private roads and private rights-of-way. In carrying out this assessment, Council shall have regard to the administrative and financial implications of increased involvement in private road development. It shall further be the intention of Council that, in seeking an equitable financial arrangement for upgrading such roadways, a burden not be placed on general public expenditure.

There are a number of issues related to public road construction, maintenance, and operation affecting both the natural environment and the safety of the travelling public which require attention.

- P-32(b) Notwithstanding Policy P-32(a), it shall be the intention of Council to list 200 feet of McGuire Lane, as illustrated on Schedule AA1" of the Subdivision By-law, to permit the creation of only two additional lots on the Lane. (RC-May 2/00;E-Jun 3/00)**

- P-33 It shall be the intention of Council to encourage the Department of Transportation to prohibit the use of pyritic slates in road construction, to review the amount and location of road salting, and to review speed limits within the central areas of Plan Area communities.

The Subdivision By-law contains provisions which allow limited subdivision with reduced road frontage, not all of which are felt to be appropriate within the Plan Area. Therefore, only some of these provisions will be applied.

- P-34 It shall be the intention of Council to apply sections 14.1(b), 14.3(c) and 14.3(d) of the Subdivision By-law within the Plan Area.

### Transit

As energy costs and population densities increase, public transit opportunities increase. While the Plan Area does not yet contain significant continuous concentrations of population along major roads, there is an opportunity for the extension of transit service from existing routes in both the City of Dartmouth and the community of Sackville when population warrants.

The Metropolitan Authority is in the process of preparing a long-range transit plan for the metropolitan region. In the preparation of such a plan, it may be appropriate to consider such alternative public transit options as park and ride facilities, rail transit, and van pools, together with provisions for regular population monitoring and demonstration services.

- P-35 It shall be the intention of Council to encourage and cooperate with the Metropolitan Authority in considering alternative methods of providing public transit within the Plan Area, and to monitor population and the form of future community growth.

### Pedestrian

While the dominant mode of transportation is the private automobile, the municipality, in cooperation with the Provincial Department of Transportation, has recently constructed a

substantial amount of sidewalk in the Fall River/Fletchers Lake area. New sidewalk costs are substantially cost shared by the province.

Sidewalks in the vicinity of schools and in the commercial centres of the Plan Area's communities can provide safe pedestrian access in the areas where most pedestrian activity is to be found.

- P-36 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 in establishing a priority list of sidewalk construction projects. In this regard and in cooperation with area residents, initial consideration should be given to the provision of sidewalks in the Waverley area.

### Postal Services

Postal services are provided to the Plan Area from four separate post offices. Most are located at Windsor Junction, Waverley, Sackville, and Hants County. There is no door to door delivery. Site boxes, and post office boxes are the primary methods of delivery.

Federal spending restraints have raised public concerns in the Plan Area about a possible reduction in the present level of postal service. In addition, it may be appropriate to encourage the location of a new post office in the Fall River area where continuing growth is expected. Furthermore, site box locations could be improved if provision is made in new road construction for a bay area within the road right-of-way.

- P-37 It shall be the intention of Council to encourage the federal government and Canada Post to maintain the present level of postal service in the Plan Area and to consider the location of a new post office in the Fall River area. Furthermore, it shall be the intention of Council, in cooperation with the Department of Transportation, to cooperate with Canada Post in establishing methods of providing appropriate and safe locations for site boxes.

### Utility Corridors

The siting of utility corridors should be subject to municipal review due to their effects upon scenic, recreational and residential areas of the Municipality and general development patterns. In addition, the extension of electrical and telephone services should be encouraged along the presently unserviced portion of the Old Guysborough Road.

- P-38 It shall be the intention of Council to request the Nova Scotia Power Corporation to submit proposed plans of any utility corridors prior to construction. In this regard, Council shall discourage the location of utility corridors through scenic, recreational and residential areas of the Municipality and encourage the multiple use of existing utility corridors wherever possible. Furthermore, it shall be the intention of Council to encourage the Nova Scotia Power Corporation and Maritime Telegraph and Telephone Company Limited to provide services along the Old Guysborough Road.

## RECREATION

The acquisition of recreational land is generally accomplished through the parkland dedication or cash-in-lieu provisions of the Municipality's Subdivision By-law.

In addition, several community groups within the Plan Area have actively developed recreational facilities on municipal land as well as on sites leased from the Province. These groups include the Wellington and District Recreation Association, the Riverlake Residents' Association, and the Waverley Ratepayers' Association. Through the commitments of these groups, swimming areas, playing fields, and tennis courts have been constructed and playground equipment installed on a number of sites throughout the Plan Area. In addition, a major regional rowing, skating and swimming complex is proposed for lands near the intersection of the Cobequid Road and Highway #102 in Waverley.

This level of community commitment to recreational services and facility development is commendable and should continue to be encouraged.

Much of the accessible waterfront lands along the lake and canal network, is already developed. As a result, public points of access to the lakes and canal systems are limited. In order to alleviate this situation it is important that the Municipality concentrate its efforts on the acquisition of waterfront land with a priority given to the lakes, streams and the former locks which constitute the Shubenacadie Canal System.

In order to further ensure public access to waterfront lands in the Plan Area, it may be appropriate to seek the cooperation of the Province. Since much of the land within the Plan Area is Crown Land, it may be possible for the Municipality, in cooperation with provincial authorities, to offer crown land in trade for privately owned lands which offer water access along the former canal's route.

- P-39 It shall be the intention of Council to continue to accept land or cash-in-lieu for public park and recreational purposes as provided for by the Subdivision By-law. In this regard, Council shall attempt to acquire property which:
- (a) provides a focus for the ultimate development of the community in terms of size and location;
  - (b) provides a variety of recreational and open space opportunities; and
  - (c) complements existing and proposed public lands and facilities.
- P-40 It shall be the intention of Council to continue to encourage and support community groups in the provision and development of recreational opportunities through both the assignment of staff and the acquisition of land.
- P-41 In support of the need to ensure public access to the area's lakes and streams and specifically to those waterbodies forming the Shubenacadie Canal System, it shall be the intention of Council to place a priority on the acquisition of waterfront lands. Furthermore, Council shall cooperate with and encourage the Province to consider exchanging crown lands for privately owned lands along the former Shubenacadie Canal System.

## EDUCATION

The Plan Area's educational needs are served by elementary schools at Waverley, Windsor Junction, Fall River, and Enfield. George P. Vanier Junior High School in Fall River serves the Plan Area's Junior High School population while high school students are bussed to C.P. Allen High School in Bedford.

Recent population growth in the Plan Area has placed a burden on some of these facilities. In response to this situation, construction of a new elementary school has begun in the Wellington/Fletchers Lake area at a site located on Holland Road. The structure is initially intended to contain ten class rooms and provision has been made for the addition of six rooms as demand warrants.

The location of new schools is the responsibility of the Halifax County and Bedford District School Board in cooperation with the Province. Representation on the District School Board consists of five provincial and five municipal appointees and an additional five elected representatives. There is a public perception that the School Board could benefit from improved public consultation procedures, particularly with respect to new school location, school closures, and busing.

The location and design of schools and school sites is important to both the population served and the overall community, as schools are often the focus of many community activities. In addition, considerations of pedestrian and vehicular safety, both on the site and in the surrounding area are important.

P-42 It shall be the intention of Council to encourage and cooperate with the Halifax County and Bedford District School Board to establish locational criteria for the location of new schools and to seek methods of improving public consultation with regard to new school construction and location, bussing, and the disposal of surplus schools.

## HERITAGE CONSERVATION

The preservation of sites and structures of historical significance within the Plan Area is an important community concern, as evidenced by the creation of the District 14 Heritage Society. Among the features which are considered historically significant within the Plan Area are the old gold mining districts at Waverley and Oldham, the former Acadia Powder Works at Waverley, and a former Fenian Mound at Fall River, which was a part of an early warning signal system designed to link the military garrison at Halifax with the New Brunswick/Nova Scotia border area and provide warning of any invasion.

However, the Plan Area's most significant historical feature is the former Shubenacadie Canal System, construction of which was begun in 1826<sup>24</sup>. In 1861 the canal opened for business, linking Halifax Harbour with the northern reaches of the Bay of Fundy.

Although the canal has been in disuse since the latter part of the nineteenth century, recent provincial commitments have helped in the reconstruction of many portions of the system within the City of Dartmouth. Recently the Province established the Shubenacadie Canal Commission, consisting of representatives from the Municipality, the City of Dartmouth, and the Province. The specific responsibilities and funding of the Commission have not yet been clearly established. However, the extension of a similar reconstruction program for the reconstruction of portions of the canal in the Plan Area and beyond would be supportive of the canal's historical significance as well as an encouragement to both tourism and recreational interests.

- P-43 It shall be the intention of Council to further the objectives of heritage preservation through the Municipality's Heritage Property By-law. Furthermore, it shall be Council's intention to encourage and cooperate with the District 14 Heritage Society in matters pertaining to heritage resources in the Plan Area.
- P-44 It shall be the intention of Council to cooperate with and support the Province in seeking methods of reconstructing and ensuring access along and through the Shubenacadie Canal System.
- P-45 In the interests of preserving historic sites it shall be the intention of Council, through the Municipal Heritage Advisory Committee, to encourage and cooperate with the District 14 Heritage Society in the preparation of a priority list of such sites. Furthermore, it shall be Council's intention to utilize such a list in consideration of parkland acquisition with respect to the provisions of the Subdivision By-law.

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<sup>24</sup> The Shubenacadie Canal System, Technical Report #19, Bruce Preeper, prepared for the Shubenacadie-Stewiacke River Basin Board, February 1979.

## ENVIRONMENT

The Plan Area has been the subject of a substantial number of environmental studies which identify a number of existing and potential problems, certain aspects of which can be addressed through municipal policy. Among the environmental problems identified are acid drainage from pyritic slates,<sup>25</sup> the trophic capacity of area lakes,<sup>26</sup> the need to protect the drinking water supplies of Bennery Lake,<sup>27</sup> and Lake Major,<sup>28</sup> and the effects of gold mining on area lakes.<sup>29</sup>

The emphasis in these environment studies is the maintenance of water quality for drinking and recreational purposes.

In order to reduce the potential for environmental pollution from runoff - bearing sediments or other contaminants, it is important to establish relatively stringent controls for developments occurring along lakes and streams. In an effort to provide better control of storm drainage, An Act Respecting Stormwater Drainage in the Municipality of the County of Halifax, was approved by the provincial government: in 1988. Pursuant to this legislation, a municipal Lot Grading and Drainage By-law is currently being prepared. Until such time as these site grading controls become effective in the Plan Area, an increased building setback from lakes and streams is considered appropriate.

P-46 In recognition of the need to protect surface water quality, it shall be the intention of Council to consider the application of site grading and drainage controls for development adjacent to watercourses within the Plan Area. Until such time as these controls are effective, it shall be the intention of Council to establish a minimum building setback from lakes and streams of fifty (50) feet except for private boathouses, boat docks, float plane hangars. Furthermore, it shall be Council's intention to establish a lesser setback for existing lots of land which would not otherwise be eligible for development.

Drainage from exposed slate bedrock in the Plan Area can be highly acidic. High levels of acid in surface waters can cause fish kills and can affect drinking water quality. In addition, in the watershed area surrounding Bennery Lake and Lake Major, development can create sediment loads which could negatively effect water quality. It is important in both watershed areas and areas underlain by pyritic slates that measures be taken to ensure that surface waters are not contaminated.

P-47 In the interests of maintaining water quality it shall be the intention of Council to investigate storm water control measures for both subdivision and development and to consider amendments to the Top Soil Removal By-law in order to provide for a review of all development within the environmentally sensitive areas described on the Environmental Features Map (Map 4).

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<sup>25</sup> Acidic Drainage Study for the Aerotech Business Park; Nolan Davis & Associates Limited; October 1983.

<sup>26</sup> Technical Report #2, A Phosphorus Loading Model for Lakes in the Shubenacadie Headwaters; by W.C. Hart, R.S. Scott and J.G. Ogden III, Dalhousie University, Prepared for the Shubenacadie-Stewiacke River Basin Board, 1978.

<sup>27</sup> Bennery Lake Watershed Management Study, Transport Canada, Prepared by Porter Dillon Limited, 1984.

<sup>28</sup> Lake Major Watershed Management Study; Montreal Engineering Company Limited; February 1980.

<sup>29</sup> The Impact of Post Gold Mining Activities on the Shubenacadie River Headwaters Ecosystem; Nova Scotia Department of Environment and Environment Canada, edited by A. Mudroch and T.A. Calan; 1984 (updated).

Many communities and individuals obtain drinking water from lakes and streams in the Shubenacadie-Stewiacke system. In addition, water may eventually be supplied to the airport area from Grand Lake. It is estimated that developments within three hundred (300) metres<sup>30</sup> of the lakes or streams are the primary contributors of nutrients such as phosphates from septic tanks and domestic fertilizers which can adversely affect water quality.

The Shubenacadie Lakes Advisory Board has been recognized by Council and developments or subdivisions which could affect water quality are referred to the Board for their comment.

P-48 It shall be the intention of Council to continue to support and cooperate with the Shubenacadie Lakes Advisory Board by referring subdivisions and developments within three hundred (300) metres of the streams and lakes of the Shubenacadie-Stewiacke system.

Extremely high levels of arsenic and mercury have been recorded in Muddy Pond located along Cobequid Road. While storm water controls may be applied to development on surrounding lands, ultimately it may be necessary to either fill the pond or dredge the bottom.

P-49 It shall be the intention of Council to cooperate with senior levels of government in establishing an appropriate method of ensuring the safety of waters flowing from Muddy Pond. In this regard it shall be the intention of Council to place a priority on the filling of Muddy Pond.

The Corridor Districts and Mount Uniacke District Integrated Planning Strategy of the Municipality of East Hants (1985) describes a floodplain along large portions of the Shubenacadie River, which forms a large portion of the northern boundary of the Plan Area. While there has to date been little development within the portion of the floodplain lying within the Plan Area, future development may be expected. It is important that any new development within the flood plain be constructed and located in recognition of the potential for flooding.

P-50 It shall be the intention of Council to encourage the maintenance of public health and safety by considering any proposal for development within the flood danger area as shown on Environmental Features Map (Map 4) according to the provisions of Sections 55, 66 and 67 of the Planning Act. In considering such agreements, Council shall have regard for:

- (a) the effects of the proposed development on stream flows;
- (b) provisions for flood proofing where appropriate;
- (c) the provisions of Policy P-155; and
- (d) that the proposed use is one permitted by the zone applied to the property.

In recent years, residents within the Plan Area have raised environmental concerns with regard to two specific developments. Residents of Waverley have expressed concern over a quarry proposed by Tidewater Construction Limited while in Windsor Junction/Fall River, environmental concerns have been raised with respect to the development of an industrial/business park.

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<sup>30</sup> Technical Report #2, A Phosphorus Loading Model for Lakes in the Shubenacadie Headwaters; prepared for the Shubenacadie-Stewiacke River Basin Board, by W.C. Hart, R.S. Scott, J.G. Ogden, April 1978.

In both instances, hearings have been held before the Provincial Environmental Control Council. Subsequently, monitoring boards have been created to monitor the development of each site. These monitoring boards are composed of area residents, proponents, representatives of the Provincial Department of Environment and, in the case of the Tidewater proposal, industry representatives.

While the Municipality may provide policy direction with respect to the ultimate development of the lands affected, many matters of environmental concern are highly technical and consequently should rest with the provincial Department of Environment and the monitoring boards.

In addition, the Provincial Department of Environment has established an Environmental Standards Board charged with reviewing water quality in the headwater lakes and streams of the Shubenacadie-Stewiacke system. It may be appropriate for the Board to consider extending this approach throughout the Shubenacadie-Lakes-Stewiacke River system.

P-51 It shall be the intention of Council to promote a responsible attitude towards the maintenance of the Plan Area's environment by encouraging and cooperating with the Department of Environment, the established monitoring boards and the Environmental Standards Board within the Plan Area. Furthermore, it shall be the intention of Council to encourage the establishment of environmental standards for development throughout the Shubenacadie-Lake-Stewiacke River system.

## HOUSING, EMPLOYMENT AND SOCIAL DEVELOPMENT

The decreasing availability of affordable housing is a mounting issue throughout the metropolitan area. In recent years the costs of home ownership have risen more rapidly than other costs.<sup>31</sup> Those most affected are often first time home buyers, the poor and those with outstanding mortgages. In addition, there is little rental accommodation available.

While the vacancy rate for rental accommodation has eased recently, most vacancies are higher priced rental units. The availability of low to moderately priced rental units remains restricted.

Preliminary discussions have been held amongst municipalities in the region and all municipalities have expressed concerns with respect to the availability of affordable housing. Under existing conditions, regional cooperation is to be commended.

In consideration of the conditions of economic restraint which affect all municipalities, it may be appropriate for the municipality to investigate a variety of methods of ensuring affordable housing.

P-52 It shall be the intention of Council, in cooperation with regional municipalities and the Province, to study the conditions affecting housing in all social and economic sectors of the population and to seek means of encouraging the creation of competitively priced housing options throughout the region. Among the options which could be considered are:

- (a) the creation of home building cooperatives;
- (b) cluster housing;
- (c) the provision of inexpensive building lots; and
- (d) the construction of shell housing.

Furthermore, it shall be the intention of Council to encourage the Nova Scotia Department of Housing to increase its involvement in the creation of lower priced on-site serviced lots with particular regard for the opportunities offered by the growing airport based employment centre.

It is recognized that communities consist of a range of individuals of various social and economic backgrounds and that each community is responsible to all its citizens. The Municipal Department of Social Services administers a number of programs intended to provide aid to those in need. The coordination of such services is important. In addition, it is important that municipal land use policy, wherever possible, facilitate the delivery of social services.

P-53 In recognition of the range of individual needs in all communities, it shall be the intention of Council to permit, day care facilities for up to fourteen children, and **shared housing uses with 10 or fewer bedrooms (RC-Aug 9/22;E-Sep 15/22)**, within any residential zone. Furthermore, it shall be the intention of Council to seek the cooperation of the province in reviewing existing social programs in order to:

- (a) determine the possibility of coordinating existing and or new programs; and
- (b) establish social needs and possible responses.

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<sup>31</sup> Technical Report Housing Characteristics for the City of Halifax and Region; Housing Initiative Study, Volume I, City of Halifax, Planning Department; February 1984.

New developments are often agents of social and economic change. Similarly, social and economic changes may generate new developments. For example, suburban development has increased demand for improved highways and improved highways generally facilitate increased suburban development. In order for the municipality to be able to deal with and mitigate social impacts as well as to be better able to identify trends and opportunities, it may be appropriate for the municipality to conduct a social impact assessment prior to the development of new municipal infrastructure such as sewer and/or water systems or such major undertakings as the Aerotech Business Park.

Such a study could identify possible changes in community form, the number and type of resulting employment opportunities, if any, the impact upon existing residents and any longer term ancillary or related municipal costs.

P-54 It shall be the intention of Council to investigate the long term costs and social impacts associated with municipal expenditures for capital construction projects with the intention of identifying methods of mitigating impacts and identifying the range of resulting opportunities.

A large portion of the Municipality's total employment is generated by small firms. Many of these smaller firms could benefit from the development of a small business liaison and support function within the Halifax County Industrial Commission. The Commission could improve the opportunities for the stabilization and expansion of smaller firms by acting as liaison between the firms and the various government departments administering incentive, aid, research and development or export programs.

P-55 It shall be the intention of Council to support and encourage small business development by encouraging the Industrial Commission to consider methods of improving information available to small business and, wherever possible or requested, by acting as a liaison between small business and senior governments.

There are properties in the Oldham area which do not have benefit of clear title due to historical land settlement patterns. Under the Land Titles Clarification Act RSNS 1974, where this absence of clear title results in a lack of property development and where there is confusion as to the ownership of land, areas may be designated as land title clarification areas. The Oldham area has been so designated and the Province is identifying and investigating area land claims.

P-56 It shall be the intention of Council to cooperate with the Province and encourage the resolution of land titles in the Oldham area, under the provisions of the Land Titles Clarification Act, RSNS 1967.

## PROTECTION SERVICES

### Fire Fighting

Fire Fighting services throughout the Plan Area are provided by volunteer fire fighting departments. Fire stations are located at Goffs, Oakfield/Grand Lake, Wellington, Waverley, and Fall River. While each community-based fire department is directly responsible for fire fighting within its jurisdiction, all departments maintain mutual aid agreements with other departments to provide coverage in the event of multiple or large scale fires.

There are five existing fire hydrants in the Waverley area which are intended to largely serve as stand pipes for filling pumper trucks. Full hydrant service has been installed in the recent extension of water services in the Windsor Junction area. Given the continuing growth of the Plan Area communities, it is important that any future extension of central water services from the Cobequid Road trunk line includes provisions for fire flows.

While volunteers are the mainstay of most fire departments in the Municipality, increasing suburbanisation of the Plan Area has reduced the number of volunteers available to fire departments during working hours. Paid fire fighters are now employed at Waverley and Goffs. In anticipation that this trend may continue, it may be appropriate for the Municipality, in cooperation with area Fire Chiefs, to examine the staffing requirements and the possibility of employing full-time fire fighters to supplement volunteer efforts.

It can be expected that both increasing suburbanisation and industrial/commercial development at the airport and at other locations within the Plan Area may eventually require a more coordinated approach to fire protection throughout the Plan Area. In this regard, it may be appropriate for fire departments within the Plan Area to investigate the broadening of mutual aid agreements and the potential for increased sharing of responsibilities and equipment.

The Nova Scotia Fire Fighters School located at Waverley provides training facilities and programmes for fire departments throughout the Province. For the benefit and continued safety of residents throughout the Municipality, the training programmes provided by the school should continue to receive strong municipal support and local fire departments should be encouraged to utilize the courses offered.

Most fire departments in the Plan Area rely on pumper trucks for the delivery of water to fires. In order to ensure water supply to pumper trucks under emergency conditions, adequate wells, dry hydrants, or lakeshore access is important. In many areas waterfront development, including rail lines, has restricted access to lakes.

In the case of the Wellington/Fletchers Lake and Oakfield/Grand Lake departments, continued efforts have failed to provide an assured water supply. The construction of a water pipeline from Grand Lake to Bennery Lake should include provisions for the supply of water to the area fire department.

P-57 It shall be the intention of Council to ensure that the design of new central municipal water distribution systems includes adequate provisions for fire flows.

- P-58 It shall be the intention of Council to continue to recognize and support the efforts of volunteer fire departments throughout the Plan Area and to support the Nova Scotia Fire Fighters School at Waverley by encouraging area fire departments to utilize training programmes offered at the school.
- P-59 In order to help ensure the continued high quality of fire fighting services in the Plan Area, it shall be the intention of Council, in co-operation with local departments, to consider the employment of a sufficient number of full-time fire fighters to maintain adequate fire protection.
- P-60 It shall be the intention of Council to encourage fire departments within the Plan Area to investigate the expansion of mutual aid agreements and to broaden the sharing of responsibilities and equipment wherever possible.
- P-61 It shall be the intention of Council to cooperate with area fire departments in seeking suitable locations for access to water and appropriate methods of ensuring adequate supplies of water.

#### Police Protection

The Plan Area is served by three Royal Canadian Mounted Police detachments. The majority of the area is served by the Sackville detachment, while the Goffs area receives police protection from the Shubenacadie detachment and southern portions of Waverley are served by the Cole Harbour detachment.

An additional detachment located at the airport are assigned solely for the purposes of airport security and customs enforcement.

Due to the continuing expectations of growth within the Plan Area, it may be appropriate to monitor the adequacy of police services.

- P-62 In recognition of the importance of the continuing residential and industrial commercial growth in the Plan Area, it shall be the intention of Council, in cooperation with the Attorney General, to monitor the adequacy of police services within the Plan Area with particular regard to the possible expansion of staffing and duties assigned to the RCMP detachment assigned to the Halifax International Airport.

#### Ambulance Services

Ambulance service within the Plan Area is provided primarily by Arsenault's Ambulance Service operating from a location in Sackville. Many area fire departments also operate emergency vehicles. Ambulance services are subsidized by the Province and the level and adequacy of service is monitored by the Provincial Ambulance Advisory Board, which reports to the Minister of Health. As population increases in the Plan Area, it is important that the provision and adequacy of ambulance services be monitored by the Municipality in co-operation with the Ambulance Advisory Board.

- P-63 It shall be the intention of Council to cooperate with the Ambulance Advisory Board in the monitoring of growth and the adequacy of ambulance services within the Plan Area.

## Emergency Services

The Municipality has adopted an Emergency Measures By-law in order to deal with civil emergencies and has appointed an Emergency Measures Officer responsible for the coordination of emergency efforts.

The Provincial Emergency Measures Organization and the Provincial Department of Environment together operate an emergency stores warehouse in the Waverley area. The site is also used for the storage of equipment used by the Waverley Ground Search and Rescue Organization which is composed of many volunteers from surrounding communities.

P-64 It shall be the intention of Council to continue to support and encourage the activities and planning of the Emergency Measures Organization and the Waverley Ground Search and Rescue Organization.

## **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.**

**P-64A 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.**

**P-64B Infrastructure Charges within a charge area shall be in an amount determined by Council, as set out in the Subdivision By-law.**

**P-64C 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.**

**P-64D** 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.

**P-64E** 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.

**P-64F** 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.

**P-64G** 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.

**P-64H** An infrastructure charge may only be used for the purpose for which it is collected.  
(RC-Jul 2/02;E-Aug 17/02)

# **SECTION III**

## LAND USE INTENT

The **Generalized Future Land Use Maps 1A and 1B (RC-Oct 23/12;E-Jan 12/13)** illustrates seven (7) land use designations intended to direct the pattern of future development in the Plan Area. The designations reflect existing development patterns as well as the potential for a transition of uses. The designations are:

- (a) Residential
- (b) Mixed Residential
- (c) Community Centre
- (d) Industrial
- (e) Special Area
- (f) Watershed
- (g) Resource

The Residential Designation recognizes the pattern of suburban residential development which has occurred in parts of the Plan Area in recent years, and which is expected to continue. This pattern of growth is associated with the improved accessibility provided by the 100 series of highways and affects the communities of Waverley, Fall River, Fletchers Lake and, most recently, the Enfield area. The development pattern is one of low density single unit dwellings with scattered two unit dwellings and some home business uses.

The Mixed Residential Designation has been applied to areas less influenced by suburban type development which have retained a more traditional semi-rural character. This designation includes communities such as Grand Lake, Goffs, Wellington, and Oldham. A linear pattern of single and two unit dwellings with mobile homes and interspersed community uses has resulted. Business uses are common and resource based activities are also dispersed throughout the area. Limited suburban style development has taken place. The designation recognizes the need to protect the natural environment and to minimize the potential for conflicts.

The Community Centre Designation recognizes existing shopping and service areas in the **communities community (RC-Oct 23/12;E-Jan 12/13)** of Waverley **and Fall River (RC-Oct 23/12;E-Jan 12/13)**, and provides for the development of similar centres in other communities as well as near major highway interchanges. Present commercial development is oriented towards local markets and this pattern is expected to continue reinforcing the community centre/village atmosphere. The continuation of this pattern of commercial development is encouraged as is the realisation of new commercial opportunities derived from the 100 series highways. Interchanges on these highways have the potential to support a more regional scale of highway oriented commercial development.

The Industrial Designations recognize the distinction between the needs of private industrial developers and the needs of the Municipality in establishing the Aerotech Business Park. The Airport Industrial Designation provides for the Municipality's commitment to industrial growth and improved employment opportunities through the development of the Aerotech Industrial Park. The Light Industrial Designation accommodates existing industrial uses located in the Plan Area, as well as areas which are advantageously located with respect to the transportation network.

The Special Area Designation is intended to recognize the distinct characteristics of these parts of the Plan Area having regional environmental and/or historical significance. Most of these lands are publicly owned.

The Resource Designation recognizes the long tradition of resource use in the Plan Area, and the need to provide for its continued activity. However, the designation also recognises that future development throughout the Plan Area will be largely residential and that it will, therefore, be necessary to encourage compatibility between the resource and residential land uses which may in future occupy these lands. This is a secondary area for residential development.

The Watershed Designation encompasses the drainage basins of the two public water supply areas the Plan Area. These are Bennery Lake and Lake Major. The designation recognises the importance of maintaining water quality for public use and, therefore, the need to protect these sources of supply. Both areas contain a mix of public and private land.

**The River-lakes Village Centre Designation applies to the lands extending from Roland Road on the Fall River Road down to Highway 2 and encompasses the lands around the intersection of Highway 2 and Fall River Road. It extends south along Highway 2 and Waverley Road down to the area around the Vegitorium. The River-lakes Village Center is a designation under the River-lakes Secondary Planning Strategy which is intended to maintain the rural village atmosphere and rural character of the area by fostering the development of this Centre to which residents and visitors are attracted. The River-lakes Village Centre Designation is designed to support the development of a mix of small scale commercial and residential development in a manner that maintains the rural character of the area through good site design, controls on the exterior appearance of buildings and the natural environment. (RC-Oct 23/12;E-Jan 12/13)**

## LAND USE INTRODUCTION

The predominant land use in the Plan Area is residential. The 1981 census indicates that there were approximately 2,356 occupied dwellings in the District. Municipal records show that permits were issued for an additional 163 units in 1982 and 1983. Of the total housing stock, the predominant form is the single unit dwelling, comprising approximately 90 per cent. Mobile homes comprise nearly 4 per cent with two-unit dwellings and multiple unit structures forming the remaining 6 per cent.

The area does not support substantial retail development. Smaller concentrations of retail uses occur in the more established population centres. However, service uses and small convenience stores are scattered throughout the District. The dominance of the District's transportation network by important provincial highways and Halifax International Airport have attracted more substantial commercial uses, such as motels and hotels.

Industrial development is relatively limited. Much of the industrial/heavy commercial development in the area is located at the airport. Smaller industries, services to industry and heavy commercial uses are scattered throughout the District; generally in the proximity of either higher quality roads or at points where public roads and rail lines meet.

In addition, there are a number of resource-based activities scattered throughout the area but largely occurring in proximity to the resource used. These uses consist of quarries and mines, as well as limited agriculture and forestry operation.

The potential for perceived and real land use conflicts such as the encroachment of industrial uses into residential areas and public and scientific community concerns for the long term protection of the area's important lake system require careful attention to the application of land use designations.

## RESIDENTIAL DESIGNATION

In recent years, the growth of the metropolitan area in general and the construction and subsequent improvements to the 100 series highway system have had a substantial impact on both the settlement pattern and lifestyles in the Plan Area.

While large portions of the Plan Area remain undeveloped or still exhibit the more traditional linear settlement pattern, ease of access to the metropolitan employment centres of Halifax and Dartmouth, an attractive natural environment, and lower land prices relative to centrally serviced lands, have spurred the development of many new subdivisions. This subdivision activity has generally concentrated near access points to Highway 102 as well as the boundaries of the Town of Bedford, the City of Dartmouth, and the community of Sackville. The primary type of housing being constructed is single dwellings with two unit dwellings scattered throughout. The number of new homes and the increasing establishment of new residential subdivisions throughout the Plan Area have established a transition to a more suburban environment.

The communities most affected by this increased pace of suburban development include Waverley, Fall River, Fletchers Lake and, more recently, the Enfield area. The Residential Designation is intended to recognize, support and protect the predominantly low density residential environment along with associated community uses such as churches, schools, community halls, and police and fire stations. In addition, the Residential Designation supports certain home businesses which will not be incompatible with the residential environment.

- P-65 It shall be the intention of Council to establish the Residential Designation as shown on the **Generalized Future Land Use Maps 1A and 1B (RC-Oct 23/12;E-Jan 12/13)**. Within the Residential Designation, it shall be the intention of Council to support the growth of the low density residential environment and associated community uses.
- P-66 Within the Residential Designation, it shall be the intention of Council to establish a suburban residential zone which permits single unit dwellings, two unit dwellings, community uses, and limited office and day care facilities **and small scale bed and breakfast establishments (C-May 27/97;M-Jul 2/97)** within a dwelling.

**Suburban development within the Oakfield and Enfield communities has not occurred to the extent which it has in the southern parts of the Residential Designation which are more accessible to the metropolitan area. Many of the land holdings in this area exhibit rural characteristics and there is some desire on the part of residents to undertake activities such as more extensive home businesses and the keeping of hoofed animals, such as horses, for personal use.**

**In keeping with the intention of this planning strategy to provide for a predominantly suburban pattern of development within the Residential Designation, restrictive residential zoning will be maintained. At the same time, however, it is recognized that the values and attitudes of residents within the northern parts of the designation may differ from those of their counterparts in the southern, more populated areas, particularly with regard to the keeping of hoofed animals and the use of residential properties for more extensive home businesses.**

**P-66A Notwithstanding Policy P-66, within the Oakfield-Enfield part of the Residential Designation, it shall be the intention of Council to consider permitting the limited use of residential properties for business purposes and the keeping of hoofed animals, such as horses, through the application of a Residential Estate Zone which, in addition to suburban residential uses, permits larger home business uses and the keeping of hoofed animals for personal use subject to the specific zone requirements. In considering amendments to the land use by-law to permit such uses, Council shall have regard to the provisions of Policy P-155. (C-Jun 29/92, M-Aug 6/92)**

Although it is anticipated that most areas included within the Residential Designation will eventually be developed for residential purposes, there are some properties which are or wish to remain more rural in character. Among these properties are those containing larger home business uses more typical of a rural environment as well as those where there is a desire for more rural oriented development opportunity. Appropriate zoning will be applied to these properties.

P-67 Notwithstanding Policy P-66, within the Residential Designation, it shall be the intention of Council to recognize existing rural activities, as well as the desire by some property owners to retain a more rural environment, through the application of a Rural Residential Zone (Policy P-86). It shall be the intention of Council not to permit the extension of this zone to additional lands.

**Within the Residential Designation, there is an existing lumber mill which is located north of the Oldham Road. The Ledwidge Lumber Company, which processes lumber shipped throughout North America and Europe, is a major local employer. In keeping with the residential intent of this planning strategy, rural residential zoning (Policy P-6) will be applied to the present properties owned by the Ledwidge Lumber Company. However, the zone will contain specific provisions to permit the continued use and expansion of existing forestry uses, subject to zone standards established in conjunction with the Mixed Resource Zone (Policy P-84). (C-Aug 17/92, M-Oct 2/92)**

While the predominant form of housing within the Residential Designation is the single unit dwelling, there are also some two unit dwellings and apartment buildings located in this designation as well as throughout the Plan Area. Past experience with septic system failures and overall concern with density, community form, and the need to protect surface water quality, suggests that multiple unit housing is not appropriate without full central municipal services. New multiple unit dwellings will not, therefore, be permitted within the Plan Area **except in those portions of the River-lakes Secondary Planning Strategy Area as identified under Policies RL-11, RL-12, RL-13, RL-14 and RL-15 (RC-Oct 23/12;E-Jan 12/13).**

There are however, a number of locations where private sewage treatment plants or extremely large septic tanks and fields have already been installed. While some of these systems are not in use it may be appropriate to consider their redevelopment for multiple unit residential uses subject to the provisions of a development agreement.

P-68 It shall be the intention of Council to prohibit the development of new multiple unit dwellings within the plan area. Council may, however, consider permitting multiple unit residential uses within any designation, on lands which are served by oversize septic tanks and fields or private sewage treatment plants which were in existence prior to the effective date of this strategy, according to the provisions of Sections 55, 66 and 67 of the

Planning Act. In considering such an agreement, Council shall have regard to the following:

- (a) the means by which solid and liquid waste will be treated;
- (b) provisions for the continuing maintenance of the proposed development;
- (c) that the architectural design and scale of any building(s) is compatible with nearby land uses;
- (d) provisions for landscaping;
- (e) the location, size and number of access points and parking areas, and
- (f) the provisions of Policy P-155.

Although additional higher density housing will not be encouraged, there is a growing need throughout the Municipality for **shared housing (RC-Aug 9/22;E-Sep 15/22)**. The federal, provincial, and municipal governments, in cooperation with local housing authorities and voluntary non-profit societies, have been actively involved in trying to meet the specialized needs of residents throughout Halifax County. While the Municipality supports the provisions of **shared housing (RC-Aug 9/22;E-Sep 15/22)** within the Plan Area, it also recognizes that there are certain locational, design, and environmental concerns which must be addressed if this housing is to be properly integrated within the community.

**P-69 Deleted (RC-Aug 9/22;E-Sep 15/22)**

**P-69A Council supports the development of complete communities with housing resources that are appropriate and adequate for current and future residents. Developing shared housing projects will support diversity and inclusion, aging in place and housing choice. Notwithstanding Policy P-66 and with reference to Policy P-53, within the Residential, Mixed Residential and Community Centre Designations, it shall be the intention of Council to consider, by development agreement, permitting shared housing with special care uses at larger scale than would be permitted in the underlying zone. In considering a development agreement, Council shall have regard for the following:**

- (a) the provisions to mitigate the land use impacts on adjacent land uses, in terms of setbacks, building scale and design, and buffering;
- (b) the location of off-street parking and loading facilities, driveway accesses, walkways or other means of pedestrian access, landscaping, planting or retention of trees, outdoor lighting, storage of solid waste, and signs;
- (c) grading, sedimentation and erosion control, and stormwater management;
- (d) that open space, outdoor amenities and parking areas incorporate design features which provides accessibility for all abilities, such as wide walkways or the use of non-slip surfaces;
- (e) proximity of the site to commercial and community facility uses, where such facilities are available in the immediate area, or consideration of the provision of such services on the site of the development;
- (f) proximity of the site to public transit, where the service is provided;
- (g) that there is sufficient indoor and outdoor common amenity space for residents;
- (h) the general maintenance of the development;

- (i) the impact of the proposed use on the existing road network in terms of traffic generation and vehicular and pedestrian safety;
- (j) the adequacy of wastewater facilities and water systems;
- (k) the housing needs of the local community;
- (l) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses and wetlands and susceptibility to flooding; and
- (m) the provisions of Policy P-155.

(RC-Aug 9/22;E-Sep 15/22)

**P-69B In addition to Policy P-69A, where a shared housing with special care use is to be provided in multiple buildings on one lot:**

- (a) the development must be designed in a campus-style form and provide indoor common shared space for residents; and
- (b) a minimum of 10 shared housing bedrooms must be provided in each building.

(RC-Aug 9/22;E-Sep 15/22)

While some community uses are permitted by right within the Residential Designation, as well as the Mixed Residential Designation, there are others which should only be considered by amendment to the land use by-law in order to ensure their proper integration within the community.

**P-70** It shall be the intention of Council to establish a community facility zone within the land use by-law which permits a variety of community related uses such as government offices, hospitals and medical clinics, libraries, community centres, churches, schools, and larger day care facilities which meet specialized parking and road access provisions. This zone shall be applied to existing community facility uses. In considering any amendments to the land use by-law to permit new community facility uses within the Residential Designation and Mixed Residential Designation, Council shall have regard to the following:

- (a) the potential for adversely affecting adjacent residential development;
- (b) the impact of the proposed use on traffic volume and the local road network;
- (c) preference for a site which has adequate pedestrian access as well as street lighting;
- (d) that the facility provide a local community service; and
- (e) the provisions of Policy P-155.

There are three mobile home parks in the Plan Area. Two of these are located in Fall River and the third in the Enfield area. These will be permitted to the extent to which they presently exist. The past history of sewage treatment inadequacies and the higher density found in mobile home parks is of concern. Due to these concerns, new mobile home parks should not be permitted. However, it is not unreasonable to consider the expansion of existing mobile home parks, provided that adequate sewage treatment is provided for additional units.

**P-71** It shall be the intention of Council to consider permitting the expansion of existing mobile home parks according to the provisions of Sections 55, 66 and 67 of the Planning Act. In considering such agreements, Council shall have regard to the following:

- (a) the adequacy of existing park services including sewer and water systems, recreation facilities, road and general park maintenance, garbage collection and street lighting;
- (b) the effect which any extension would have upon the level or quality of services in the existing park;
- (c) the ability of education facilities, protection services, and recreation facilities to adequately service the increased demands of the additional development, or to respond with the provision of additional services;
- (d) the provision of landscaping or buffering from adjacent land uses in order to protect the privacy, reasonable use and enjoyment of those properties;
- (e) the provision of landscaping or buffering from the public road to which it has access;
- (f) stormwater planning;
- (g) the impact of the extension on internal and external traffic circulation patterns;
- (h) park layout and design including the design of the internal road network and separation distances from maintenance buildings and sewage treatment plants;
- (i) where any new sewage treatment plant is proposed, the location and level of treatment of the sewage treatment plant; and
- (j) the provisions of the Mobile Home Park By-law.
- (k) the provisions of Policy P-155.

**P-72    Repealed (RC-Oct 12/22;E-Nov 16/22)**

There are a number of subdivisions in which deed covenants and previous zoning have limited development to single unit dwellings. In future, there may be additional areas which, due to a clear stabilization of character, feel the need to ensure that stability through the establishment of a more restrictive zone. It may be appropriate to provide for such areas within the land use by-law provided that the areas involved consist of at least five acres.

**P-73    Notwithstanding Policy P-66, within the Residential Designation, it shall be the intention of Council to establish a single unit dwelling zone which would permit single unit dwellings, limited office and day care facilities and small scale bed and breakfast establishments (C-May 27/97;M-Jul 2/97) within a dwelling, and limited community uses. In considering the application of this zone by amendment to the land use by-law, Council shall have regard to the following:**

- (a) that the lands to be rezoned contain at least 5 acres;
- (b) that the existing uses within the proposed area will all conform with the proposed zone;
- (c) that the area to be considered does not provide sole access from a trunk highway to an established resource activity; and
- (d) the provisions of Policy P-155.

In addition, Council may consider an amendment to the land use by-law which would return any proposed area to the abutting residential zone and the considerations shall be the same.

The continued suburban growth of communities within the Residential Designation will create the need for local convenience shopping and services. Such uses should be considered both with

regard to the appropriateness of the individual site and the effect upon surrounding uses. In order to promote the development of designated commercial centres, as well as to minimize land use conflicts, the size of local commercial uses will be limited.

P-74 Within the Residential Designation, it shall be the intention of Council to establish a local business zone in the land use by-law which permits local commercial convenience, office, service and personal service uses which do not involve outdoor storage or display as well as single and two unit dwellings. This zone shall be applied to existing local business uses. In considering amendments to the schedules of the land use by-law to permit new local business uses, Council shall have regard to the following provisions:

- (a) that the use is intended to primarily serve local needs;
- (b) that the scale and external appearance of the use is compatible with nearby land uses;
- (c) that the site has direct access to a collector or arterial road; and
- (d) the provisions of Policy P-155.

**The plan area is located at the main entry point to the urban areas and has many areas of great natural beauty and historical significance which make it particularly attractive to tourists. It is the desire of area residents to build upon these assets in an effort to develop its potential for tourism. Larger scale bed and breakfast uses at appropriate locations are considered beneficial in this regard. While being generally supportive of such uses, the potential negative effects such as increased traffic, noise, and visual intrusions are recognized. Therefore, such uses will be considered by development agreement.**

**P-74A Notwithstanding Policy P-65, within the Residential Designation it shall be the intention of Council to consider permitting bed and breakfast uses with four or more rooms for rent in accordance with the provisions of Sections 55, 66 and 67 of the Planning Act. In considering such a development agreement, Council shall have regard for the following:**

- (a) that the use is capable of meeting the requirements of the Department of Tourism and Culture;
- (b) that the architectural design and scale of the building is compatible with nearby land uses;
- (c) that the property is visually buffered from adjacent land uses;
- (d) the hours of operation;
- (e) the provisions of Policy P-155. (C-May 27/97;M-Jul 2/97)

Within the Residential Designation, it is the general intention of this plan to discourage new industrial activities. There are, however, several properties on which existing industrial related activity is accepted and supported or where new industrial development is felt to be appropriate. A number of these properties are located in and around the Windsor Junction area where the proximity of railway facilities serves as an important locational advantage. Appropriate industrial zoning will be applied to these properties.

There are also a number of other existing commercial and light industrial uses dispersed throughout the Residential Designation where there is a greater concern with their possible expansion or change of use. In recognition of existing property rights, these uses will be permitted

to the extent to which they presently exist. In order to maintain compatibility with adjacent residential properties and neighbourhoods, expansions or changes of use will only be considered by development agreement.

- P-75 Notwithstanding Policy P-66 and Policy P-76, within the Residential Designation, it shall be the intention of Council to apply a light industrial zone (Policy P-118) to properties where existing or new industrial activities are supported. It shall be the intention of Council not to permit the extension of this zone to additional lands.
- P-76 Notwithstanding Policy P-66, within the Residential Designation, it shall be the intention of Council to permit existing commercial and industrial uses within the land use by-law to the extent to which they existed on the effective date of this plan. Furthermore, where the proposed use is entirely enclosed within a structure and the use does not involve the processing, production, or storage of hazardous, toxic, or dangerous materials, Council may consider either a change of use or an expansion of the existing use subject to the provisions of Sections 55, 66 and 67 of the Planning Act. In considering such development agreements Council shall have regard to the following:
- (a) that the expansion or change of use be accommodated on the existing site;
  - (b) that the expansion or change of use maintains an acceptable level of compatibility with surrounding lands in terms of traffic generation, noise, outdoor storage, and scale and intensity of operation;
  - (c) the provision of adequate measures for the long term maintenance of the proposed development; and
  - (d) the provisions of Policy P-155.

Within the Residential Designation on Blue Hill Road, a municipal building permit was issued for the location of a trailer for use as an office associated with a construction yard. Area residents have expressed grave concerns with the location and particularly with the potential growth of such a use on a local street. In addition, there are concerns over the need to maintain water quality in Lake Thomas.

The owner and developer of this parcel is equally as concerned with respect to the need to maintain a quality environment in the Fall River area and is willing to commit to the ultimate form that the development will take on these lands through the provisions of a development agreement.

- P-77 Notwithstanding Policy P-66, in recognition of the need to protect the sensitive natural and residential environments in the Fall River area and in order to provide further security to the land owner and area residents, it shall be the intention of Council to consider permitting a construction yard on a portion of the lands of Mr. F. Webbink, LRIS land parcel index number 507848, according to the provisions of Sections 55, 66 and 67 of the Planning Act. In considering such an agreement, Council shall have regard for the following:
- (a) that sufficient landscaping is provided to separate the existing dwellings from the proposed use;
  - (b) provision for storm drainage control and outdoor storage;
  - (c) provisions regarding hours of operation and maintenance of the property; and
  - (d) provisions of Policy P-155.

The former Enfield Drive-in property located on the Hall's Road in Enfield, and the site for a proposed truck stop operation at the Hall's Road/Highway No. 2 intersection, are other sites where it may be appropriate to consider commercial development by virtue of their previous or intended commercial use and their location close to the Highway 102 interchange. However, the proximity of an elementary school and a number of residential properties to these properties suggest that caution must be exercised to ensure the compatibility of any commercial uses with the surrounding area. Therefore, a development agreement will be required. The types of uses which may be considered are those included within the highway commercial zone with the exception of kennels and taverns and lounges.

P-78 Notwithstanding Policy P-66, it shall be the intention of Council to consider permitting highway commercial uses (Policy P-96), except for kennels, taverns, and lounges on the lands of Gordon and Shirley Taylor, LRIS land parcel index number 526699, and Irving Oil Company Ltd., LRIS land parcel index number 40461865, according to the provisions of Sections 55, 66 and 67 of the Planning Act. In considering such an agreement, Council shall have regard for the following:

- (a) that the nature and scale of the proposed use is compatible with the adjacent school as well as with nearby residential uses;
- (b) the manner by which liquid and solid waste will be treated;
- (c) landscaping measures which would provide an effective buffer from adjacent properties;
- (d) that the volume and type of traffic likely to be generated by the uses will not pose a safety hazard;
- (e) the hours of operation and maintenance of the property including areas devoted to outdoor storage or display; and
- (f) the provisions of Policy P-155.

**Residential / Noise Sensitive Development near Halifax Stanfield International Airport (RC-Jan 26/16;E-Apr 2/16)**

**Transport Canada recommends that new residential development near airports be restricted within specified noise contours. Council has determined that controls around the Halifax Stanfield International Airport are appropriate.**

**P-78A It shall be the intention of Council to regulate new residential development in the Residential Designation subject to policies P-111A through P-111C.**

**The Village of Waverley**

In the spring of 1985 the residents of Waverley, supported by the Municipality, made an application before the Nova Scotia Municipal Board requesting the incorporation of Waverley as a village under the Village Services Act. Effective September 12, 1986, Waverley became an official Village as a result of the decision of the Board. The boundaries of Waverley are shown on page 70. The major intention of local residents in establishing Waverley as a Village is to provide for additional local input and a legally recognizable voice with respect to the affairs of the Waverley area.

Although the specific methods and channels for communication and cooperation between the Village Commission and Municipal Council have not yet been established, it is appropriate to consider a preliminary method of information transfer between the two administrative levels.

P-79 In order to provide for an orderly flow of information and encourage co-operation between the Municipality and the Village of Waverley, it shall be the intention of Council to seek the input of the Village Commission with respect to development agreements or amendments to this Municipal Planning Strategy or Land Use By-law, which will directly affect the village itself. Furthermore, it shall be the intention of Council to assist the Village of Waverley in establishing village records by forwarding copies of approved plans of subdivision and development permits as they are approved by the Development Officer.

Within the Village of Waverley are a large number of recreational areas, the majority of which are owned by the Municipality of the County of Halifax. As subdivision proceeds, the Municipality is entitled to acquire additional lands for recreational purposes within the new subdivisions. It may be appropriate for the Municipality to consult with the Village Commissioners prior to either acquiring such lands or cash in lieu of such lands, before making such decision within the Waverley boundary.

P-80 In order to provide for a coordinated approach to the acquisition of public lands in the Village of Waverley, it shall be the intention of Council to consult with the Village Commissioners with respect to the acquisition of new lands through the subdivision procedures of the Municipality.

Within the Village of Waverley there are a large number of small waterfront lots. Many of these lots were created prior to the institution of subdivision regulations and were intended for either cottages or boat houses. Given their small size, there is a grave concern with respect to the potential for these lots to be expanded from seasonal or recreational uses to full-year residences. In this regard, it may be appropriate to establish specific measures which would provide for existing cottages and provisions for a case-by-case review should the property owners wish to expand, construct, or alter specific uses upon their property.

P-81 In recognition of the impacts of waterfront development on the lake system and particularly with respect to the large number of existing relatively small waterfront lots within the Village of Waverley, it shall be the intention of Council to establish a waterfront residential zone on waterfront lands between Highway #318 and the eastern shore of Lake William which will permit existing residential dwellings, as well as boat houses, wharves, and float-plane hangars which do not involve the installation of washroom facilities. Within this zone Council shall permit the alteration or improvement of any existing residential structure where there is to be no increase in habitable space.

P-82 Notwithstanding Policy P-81, Council may consider expansions to existing dwellings subject to the provisions of Sections 55, 66 and 67 of the Planning Act. In considering such development agreements, Council shall have regard for the following:

- (a) that the expansion does not involve the construction of additional dwelling units;

- (b) that any expanded structure shall be set back at least thirty (30) feet from the road right-of-way and twenty-five (25) feet from the lake, or where already closer, involves no further encroachment;
- (c) on-site control of sediments during construction and provisions for the completion of landscaping following construction;
- (d) the means by which solid and liquid waste will be treated;
- (e) the provisions of P-155.

**Preamble and Policy P-82(a) deleted - C-May 27/97;M-Jul 2/97)**

The availability of affordable housing is a mounting issue throughout the metropolitan area. In recent years, rental accommodation has been difficult to obtain, and the cost of home ownership has surpassed the ability of many young couples to purchase their first homes.<sup>32</sup> This has had a significant perceived impact in the Village of Waverley.

In order to increase the affordability of their first homes and to provide rental accommodation in the Plan Area, it may be appropriate to establish a zone which permits relatively small apartment units within single unit dwellings.

Such a zone is considered to be experimental, the overall impact of which will be carefully monitored during the initial five (5) years of this plan and by-law. Its application will only be considered within the boundaries of the Village of Waverley and in the Charleswood Subdivision area of Windsor Junction.

P-83 It shall be the intention of Council to establish an auxiliary dwelling zone which will permit single unit dwellings, auxiliary dwelling units, subject to regulations concerning size, exterior access and parking, community uses, and limited day care or office uses within a dwelling. It shall further be the intention of Council that the application of this zone will only be considered within the boundaries of the Village of Waverley and in the Charleswood Subdivision area of Windsor Junction, and that in considering amendments to the land use by-law, regard shall be given to the following:

- (a) the size of the lot;
- (b) the means by which solid and liquid waste will be treated; and
- (c) the provisions of Policy P-155.

Agricultural and forestry uses within the Waverley area are limited. However, due to a prior commitment in a recent rezoning of the Waverley area, it is appropriate to apply a similar mixed resource zone to parcels of land in the Waverley area which had this zoning on the effective date of this plan.

P-84 Notwithstanding Policy P-66, it shall be the intention of Council to establish a Mixed Resource Zone which permits single and two unit dwellings, agricultural and forestry activities and limited accessory residential and retail uses on certain lands in the Waverley area which had a similar zoning on the effective date of this plan. Resource uses will be subject to increased setbacks from adjacent dwellings and watercourses. It shall be the

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<sup>32</sup> Metropolitan Area Housing Market Report, Canada Mortgage and Housing Corporation, October 1986.

intention of Council not to consider the application of the mixed resource zone to additional lands within the Residential Designation.

## MIXED RESIDENTIAL DESIGNATION

The Mixed Residential Designation encompasses lands which are not readily accessible from the 100 series highway system. Consequently, these areas are not as highly influenced by the growth of the metropolitan centre as are areas near the exits from that highway network and exhibit a more traditional semi-rural character. Communities included within the Mixed Residential Designation are Windsor Junction, Oldham, Goffs, Wellington, Grand Lake, and parts of Oakfield and Fletchers Lake.

Development has tended to follow a linear pattern along the existing local road network. Single and two unit dwellings, mobile homes and institutional uses such as schools and churches are interspersed throughout the area, although single unit dwellings are the predominant type of housing. Many residential properties also support a business use on the same parcel of land. Uses such as woodworking shops, hairdressing operations, auto body repair shops, and a variety of small retail and service outlets are found in many homes or in accessory buildings. Backhoes, trucks and similar heavy equipment is also commonly stored and maintained on residential properties.

Resource activities such as farming, mining, pits and quarries and sawmill operations, although few in number, are dispersed throughout the area.

Agricultural activity is limited, although there are areas of suitable soil<sup>33</sup> within the Plan Area. Such operations are generally small scale and not economically significant. Although resource related activities have and will continue to provide an integral part of many communities, it is important that these activities be carried out in a manner sensitive to both the natural and community environments.

Local attitudes generally tolerate and support this diversity of land use. However, the continued growth of the area may be expected to place pressures upon the semi-rural character.

There are a number of new suburban style residential subdivisions, within the Designation. As yet, these subdivisions are insufficient in number and size to establish a clear transition to a more suburban environment such as is supported in the Residential Designation.

The Mixed Residential Designation is intended to recognize and support the existing semi-rural environment while providing for the protection of the more suburban type residential neighbourhoods. The Designation also recognizes the importance of protecting the area's sensitive natural environment. In order to reduce the possibility of land use conflict and to protect the natural environment as the area grows, limitations are placed upon the business use of a residential property and the development of resource uses.

Mobile home parks will not be permitted within the Mixed Residential Designation due to concern for the possible environmental impacts of higher density developments and in the interests of maintaining a low density semi-rural environment. However, individual mobile homes on separate lots will be permitted subject to meeting the Canadian Standards Association requirements with respect to blocking and skirting.

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<sup>33</sup> Soil Survey of Halifax County Nova Scotia, Report No. 13. Nova Scotia Soil Survey, J.I. MacDougall and D.B. Cann and J.P. Hilchey, Agriculture Canada, Truro, Nova Scotia, 1963.

P-85 In recognition and support of the traditional semi-rural environment existing within the Plan Area, it shall be the intention of Council to establish the Mixed Residential Designation as shown on the **Generalized Future Land Use Maps 1A and 1B (RC-Oct 23/12;E-Jan 12/13)**.

P-86 Within the Mixed Residential Designation, it shall be the intention of Council to establish a Rural Residential Zone which shall permit lower density residential development, including the limited use of a residential property for business purposes, limited forestry and agricultural uses, community uses and existing industrial uses. Controls on open storage setbacks from watercourses and visual screening will also be established to ensure greater compatibility.

Although the Mixed Residential Designation is intended to support a semi-rural environment, it also recognizes the suburban transition of portions of land within it. Where this transition has occurred, appropriate levels of protection will be provided so as to maintain the greater homogeneity of these areas.

P-87 Notwithstanding Policy P-86, within the Mixed Residential Designation, it shall be the intention of Council to support the transition of certain areas to a more suburban residential environment through the application of a more restrictive residential zone (Policies P-66 and P-73). In considering amendments to the land use by-law related to the transition of additional areas, Council shall have regard to the following:

- (a) that the land to be rezoned consists of at least five (5) contiguous acres or more;
- (b) the effect of the proposed amendment on the overall community form;
- (c) the effect upon the future use of any lands which may be accessed through the area within the proposed amendment;
- (d) that the existing use of surrounding properties is compatible with such a suburban environment; and
- (e) the provisions of Policy P-155.

**Within areas of suburban transition, residents have expressed a desire to maintain restrictive residential zoning while at the same time to utilize their properties in a manner which is consistent with certain aspects of a rural lifestyle. This is particularly evident in some residential subdivisions in the northern part of the designation where restrictive covenants permit the keeping of horses on residential properties. In these areas, the application of residential estate zoning (Policy P-66A) may be appropriate and in keeping with the general intent of the designation.**

**P-87(a) It shall be the intention of Council to permit the limited use of residential properties located in the Grand Lake portion of the Mixed Residential Designation for larger home businesses and the keeping of hooved animals, such as horses, through the application of residential estate zoning (Policy P-66). In considering amendments to the land use by-law to per it such uses, Council shall have regard to the following:**

- (a) that any lot to be rezoned is located north of Tanner Brook; and**
- (b) the provisions of Policy P-155. (C-Jun 29/92;M-Aug 6/92)**

While it is the intention of the plan to recognize the suburban transition of areas within the Mixed Residential Designation, it is also the intention to recognize that there may, at some future point in time, be a desire within these areas to return to the more traditional semi-rural environment.

If such a change is to be considered within the Mixed Residential Designation, then considerations similar to those matters prescribed for the initiation of the more restrictive residential zoning should be addressed.

P-88 Notwithstanding Policy P-86, in recognition of the uncertainties inherent in areas of transitional residential development and in support of the primary semi-rural intent of the Mixed Residential Designation, in areas where a more restrictive suburban residential zone has been established, it shall be the intention of Council to consider the application of a rural residential zone (Policy P-86), on undeveloped land by amendment to the land use by-law. In considering such amendments, Council shall, in addition to the considerations of Policy P-87, have regard to the proximity and effect upon land still zoned more restrictively.

Agricultural land use is not extensive in the Plan Area. Studies prepared for the Shubenacadie-Stewiacke River Basin Board do, however, indicate that agricultural chemicals are a major contributor to elevated nutrient levels in local water bodies in Hants County.

In addition, poor forestry practices such as substantial clear cutting or improperly designed roads can contribute substantially to sediment loading in lakes and streams.

P-89 It shall be the intention of Council, in cooperation with the Provincial Departments of Agriculture and Marketing and Lands and Forests, to encourage sound agriculture and forestry practices which have regard to the protection of the Plan Area's sensitive lake system.

While it is an objective of this Plan to encourage the development of most commercial uses within the Community Centre Designation, existing smaller local commercial uses will be permitted within the Mixed Residential Designation. New uses should be considered both with regard to the appropriateness of the individual site and to the effect upon surrounding uses.

P-90 Notwithstanding Policy P-86, it shall be the intention of Council to consider permitting local commercial and personal service uses and associated residential uses within the Mixed Residential Designation, by amendment to the land use by-law. In considering such amendments, Council shall have regard to the following:

- (a) that the use is primarily intended to serve local needs;
- (b) that the architectural design and scale of any building is compatible with nearby land uses;
- (c) that the site has direct access to a collector road; and
- (d) the provisions of Policy P-155.

Within the Plan Area, there are a number of larger commercial recreation uses which serve a more regional market. Golf courses are located at Goffs, Fall River and Oakfield and a private equestrian ring is located at Miller Lake. Given the substantial lake system within the Plan Area, there is also considerable potential for the development of marina facilities. As a result of the attractive natural

environment, accessibility, and relatively lower land prices, pressures may exist for additional commercial recreation proposals.

While new commercial recreation uses can provide both local and regional benefits, it is important that such uses do not negatively affect either the natural or residential environments. Commercial recreation uses which create disturbances by reason of noise, dust, or excessive traffic are not to be encouraged. Since many such uses entail the use of large amounts of land or are intended to serve either a metropolitan or regional market, particular attention must be given to both the hours of operation and long-term maintenance, among other matters.

P-91 Within the Mixed Residential Designation, and the Residential Designation, it shall be the intention of Council to consider permitting the expansion of existing or the development of new commercial recreation uses according to the provisions of Sections 55, 66, and 67 of the Planning Act. In considering such an agreement, Council shall have regard to the following provisions:

- (a) the effects of the development on the natural environment as contained in a report from the appropriate provincial or federal government authority;
- (b) the volume, pattern, and projected impacts of any additional traffic created by the proposed use;
- (c) the manner by which solid and liquid waste will be treated;
- (d) that there are adequate fire protection measures for the proposed use;
- (e) that the hours of operation will not unreasonably interfere with the use of surrounding properties;
- (f) that the architectural design and scale of any building(s) is compatible with nearby land uses;
- (g) any other matters relative to the impact of the proposed use upon the community;
- (h) that proper separation distances and visual buffering from surrounding land uses is provided;
- (i) that the use does not involve racing, motorized vehicles or firearms; and
- (j) the provisions of Policy P-155.

The Canadian National Railway mainline linking the metropolitan area with the central part of the province, passes through the length of the Plan Area. At many points within the Mixed Residential Designation the rail line is readily accessible from the road network, providing opportunities for light industrial uses serving a wider market area. There are a number of existing and former enterprises within the Designation which have taken advantage of this railway link.

The semi-rural character of the area, the need for local employment, and the traditionally self-reliant attitude of the residents create a relatively positive atmosphere for new such developments. There is concern, however, that these developments be compatible with the natural and community environments.

P-92 Within the Mixed Residential Designation, it shall be the intention of Council to permit existing and to consider permitting new light industrial uses by amendment to the land use by-law (Policy P-118). In considering such amendments, Council shall have regard to the following:

- (a) that the effluent can be disposed of by means of an on-site sewage disposal system;

- (b) that the use does not involve the processing or production, of dangerous toxic or hazardous materials;
- (c) the proximity of residential uses;
- (d) that the proposed use will not create traffic safety problems;
- (e) that the proposed site does not utilize local residential streets for access. Furthermore, priority shall be given to consideration of proposed uses which will utilize the available rail lines; and
- (f) the provisions of Policy P-155.

Many of the existing small enterprises located on residential lots have potential for growth beyond the limits suitable for such operations in residential areas. However, the operation may be unable to acquire additional land to provide additional buffering nor be of a size which would warrant removal to a new more appropriate site. In such instances, it may be appropriate to consider expansion on the existing site subject to considerations of buffering, landscaping and the hours of operation.

P-93 Notwithstanding Policy P-86, within the Mixed Residential Designation, it shall be the intention of Council to consider the expansion of existing home business uses in accordance with the provisions of Sections 55, 66 and 67 of the Planning Act. In considering such agreements Council shall have regard to the following provisions:

- (a) the provision of landscaping or buffering from adjacent land uses;
- (b) that any mechanical operations are entirely enclosed within a building;
- (c) hours of operation; and
- (d) the provisions of Policy P-155.

**Residential / Noise Sensitive Development near Halifax Stanfield International Airport**  
(RC-Jan 26/16;E-Apr 2/16)

**Transport Canada recommends that new residential development near airports be restricted within specified noise contours. Council has determined that controls around the Halifax Stanfield International Airport are appropriate.**

**P-93A It shall be the intention of Council to regulate new residential development in the Mixed Residential Designation subject to policies P-111A through P-111C.**

## COMMUNITY CENTRE DESIGNATION

Intersections of well-travelled roads have traditionally been preferred locations for the establishment of commercial activities. Within the Plan Area there are a number of such intersections. Although no individual site is highly developed, small village style shopping and service areas form a visible portion of the community fabric in Waverley ~~and Fall River~~ **(RC-Oct 23/12;E-Jan 12/13)**. In other areas, the delineation of such a community centre is less well defined, although apparent.

Most of the commercial development located within the existing communities is oriented to local markets. Medical offices, small retail outlets, and service stations form the majority of this commercial development. In the Waverley ~~and Fall River~~ **(RC-Oct 23/12;E-Jan 12/13)** area tourist accommodations, restaurants and establishments serving liquor have also been established. Although these latter uses may serve a broader area than the local communities, it can generally be expected that commercial growth in these communities will be primarily oriented to local markets. In general, these local commercial areas have generated a village atmosphere.

**The construction of the highway system through the Plan Area has also provided distinct opportunities for commercial uses serving both the travelling public and a more regional market. There are two major intersections where the highway system provides this opportunity. One is at the intersection of Highway 318 (Waverley Road) and Highway 2 (Rocky Lake Road) in Waverley. The other is in Enfield where Highways #102 and #2 intersect. The Community Centre Designation also applies to areas along Highway 2 where village centres have been emerging in Fletchers Lake, Wellington and Grand Lake. A small portion of the Community Centre Designation also applies to the western side of the Highway 118 off-ramp, south of Perrin Drive. (RC-Oct 23/12;E-Jan 12/13)**

Lands at the Enfield intersection are not yet so highly developed, although the area contains a former drive-in theatre site, a service station and a truck weigh station, a sign shop, store and school.

The Community Centre Designation is intended to recognize, support and encourage the continued development of small village-style commercial centres and to provide for the development of larger more regionally oriented commercial uses in acceptable locations. The Designation limits the size, type, mix of commercial services, office and residential uses in locations served by the secondary road network, while providing for the location of larger uses near the major highway network.

Much of the "village atmosphere" is generated by the clustering of commercial operations and the fact that many of the existing commercial structures are located relatively close to the road right-of-way. While it may not be appropriate for all new businesses to locate their structures as close to the road as those now in existence, it is appropriate to provide for a reduced setback requirement where parking requirements can be met at the side or rear of the building.

P-94 It shall be the intention of Council to establish the Community Centre Designation as shown on the **Generalized Future Land Use Maps 1A and 1B (RC-Oct 23/12;E-Jan 12/13)**. Lands within the Designation are intended to provide a commercial and service focus for the Plan Area.

- P-95 Within the Community Centre Designation, it shall be the intention of Council to establish a community commercial zone which permits a variety of retail service uses, existing service stations, offices, residential uses and community uses. Limitations on the size of commercial uses as well as regulations with respect to outdoor storage and display related to commercial uses will be established as will provisions related to buffering from adjacent residential and community facility zones, the alteration of parking standards and front yard setbacks, and road access to public streets.
- P-96 In support of the growth of areas of a more regional focus within the Community Centre Designation, it shall be the intention of Council to establish a highway commercial zone which permits a variety of larger commercial uses serving the travelling public such as motels, hotels, licensed premises other than cabarets, automotive sales and building supply outlets as well as warehouses, construction yards, transportation terminals, and institutional uses. Limitations on the amount and location of outdoor storage and display areas as well as requirements related to service stations and the size, location, and screening of vehicle holding areas and the buffering from adjacent residential properties shall also be established. It shall be the intention of Council that this zone shall only be applied to lands in proximity to **Exit 15 Interchange with Highway 102, at Enfield (RC-Oct 23/12;E-Jan 12/13)**.

Most areas to which the Community Centre Designation is applied are internal or central to the surrounding communities. As a result of the low density of surrounding residential areas and the overall importance of maintaining a village atmosphere, the scale of new development is necessarily limited. However, there may be locations where larger commercial uses may be accommodated.

- P-97 Notwithstanding Policy P-95, Council may consider permitting larger community commercial zone uses at locations within the Community Centre Designation not in proximity to interchanges with Highways 102 and 118, according to the provisions of Sections 55, 66 and 67 of the Planning Act. In considering such an agreement, Council shall have regard to the following:
- (a) the scale and proximity of adjacent uses;
  - (b) the manner by which solid and liquid waste will be treated;
  - (c) the impact of the proposed use upon traffic volumes and patterns;
  - (d) the hours of operation;
  - (e) outdoor storage and display; and
  - (f) the provisions of Policy P-155.

Kennels are recognized as commercial uses which may also be appropriate uses within those portions of the Community Centre Designation in proximity to interchange areas. However, due to concern regarding the amount of noise which such uses may create, they will only be considered by development agreement.

- P-98 Notwithstanding Policy P-95, it shall be the intention of Council to consider permitting kennels within those portions of the Community Centre Designation in proximity to interchanges with Highways 102 and 118, according to the provisions of Sections 55, 66 and 67 of the Planning Act. In considering such an agreement, Council shall have regard to the following:

- (a) the scale of the proposed operation;
- (b) that adequate buffering and separation from adjacent uses is maintained to minimize noise intrusion; and
- (c) the provisions of Policy P-155.

Outside of the communities of Waverley and Fall River commercial development is as yet insufficient to suggest a specific pattern of development or the development of a "village" atmosphere.

While the Community Centre Designation covers broad areas within the communities, it is not appropriate to pre-zone all of the lands within the Designation to community commercial. In these communities, the Designation is intended to broadly define the potential extent within which the village centre is expected to evolve. In order that this village core area develops in a logical and non-obtrusive manner, it is appropriate to consider new commercial uses on an individual basis.

P-99 In recognition of the transitional nature of lands included within the Community Centre Designation, it shall be the intention of Council not to pre-zone all lands within the Designation for commercial purposes but, rather, to maintain residential zoning (Policy P-66, Policy P-73 and Policy P-86) on many properties. Council may consider permitting new community commercial uses within the residentially zoned portions of the Community Centre Designation by amendment to the land use by-law. In considering such an amendment Council shall have regard for:

- (a) the contribution of the proposed use towards the development of a "village" atmosphere;
- (b) the proximity of other community commercial uses;
- (c) the proximity of adjacent residential uses;
- (d) the impact of any additional traffic created by the proposed use and that access only be to a street specifically identified in the land use by-law; and
- (e) the provisions of Policy P-155.

Until recently, Highway #2 was the principle highway joining the metropolitan area to Truro and beyond. Over the years, prior to the construction of the 100 series highway network, a number of larger scale commercial and/or industrial uses were established, some of which are located within the Community Centre Designation. While those which are occupied by smaller scale commercial, warehousing, and/or wholesaling uses will be accommodated in the land use by-law, those occupied by heavier commercial or industrial uses require specific attention.

P-100 Notwithstanding Policy P-95, within the Community Centre Designation, it shall be the intention of Council to provide for the continued use of existing commercial and industrial uses which would not otherwise be permitted, to the extent they existed on the effective date of this plan. It shall be the intention of Council to consider either a change of use or an expansion of the existing use according to the provisions of Sections 55, 66, and 67 of the Planning Act. In considering such an agreement, Council shall have regard to the following:

- (a) that the use is entirely enclosed within a structure and does not involve the processing or production of hazardous, toxic or dangerous materials;
- (b) that the expansion or change of use be accommodated on the existing site;

- (c) that the expansion or change of use maintains an acceptable level of compatibility with surrounding lands in terms of traffic generation, noise, outdoor storage, scale and intensity of operation;
- (d) the provision of adequate measures for the long-term maintenance of the use; and
- (e) the provisions of Policy P-155.

As lands set aside for highway commercial use are developed and need arises for additional highway commercial land it may be appropriate to consider amending the land use by-law so as to encompass a broader area. However, the area within which such growth may be considered should be limited in order to maintain the integrity of the existing community. In this regard it may be appropriate to consider expansion of the area **Zoned Fall River Business in the vicinity of the Guysborough Road (RC-Oct 23/12;E-Jan 12/13)**. Such expansion should be directly adjacent to the area previously zoned **Fall River Business Zone (RC-Oct 23/12;E-Jan 12/13)** and limited only to the southern side of the Guysborough Road.

P-101 In order to provide for the growth of highway commercial land use and in consideration of the need to protect the integrity of the existing community, Council may consider amendments to the land use by-law which would permit the development of **uses permitted in the Fall River Business Zone (RC-Oct 23/12;E-Jan 12/13)** on lands which are not specifically pre-zoned for such purposes. In considering such amendments Council shall have regard to the following:

- (a) that the lands are to the south of the Old Guysborough Road and the east of Highway No. 118;
- (b) that the lands are adjacent to an area of existing **Fall River Business Zone (RC-Oct 23/12;E-Jan 12/13)**;
- (c) that adequate separation distances from residential uses can be maintained; and
- (d) the provisions of Policy P-155.

## INDUSTRIAL DESIGNATION

The presence of major transportation systems throughout the Plan Area has improved the locational advantages offered to industrial development and has created demands for industrial sites.

Existing industrial development is scattered throughout the Plan Area, although there are concentrations at Halifax International Airport, in the Windsor Junction and Lakeview areas, along Rocky Lake Drive in Waverley **and at the quarry lands to the north of the Montague Road/Highway 107 by -pass interchange (RC-Feb 15/22;E-Apr 9/22).**

While the Plan Area offers distinct opportunities for industrial and heavy commercial operations it is important that provisions be made for the protection of the Plan Area's sensitive natural environment and the growing residential character of much of the Plan Area.

Because of the distinct differences between the intent of the Municipality in establishing the Aerotech Business Park and the interests of private industrial developers at other locations in the Plan Area, it is valid to establish two industrial designations.

## AIRPORT INDUSTRIAL DESIGNATION

In 1985, the Municipality and senior levels of government began developing the Aerotech Business Park on approximately 1,600 acres of land to the south of Halifax International Airport is Atlantic Canada's busiest airport and one of the metropolitan area's major transportation centres.

"Aerotech" is the Municipality's largest single commitment to growth, improved employment opportunities, and the long-term balancing of taxation. In total, 2,400 acres have been acquired for this undertaking. The park is intended to provide sites for the development of industries at the leading edge of modern technology, as well as for uses which will substantially benefit from the airport location.

Pratt and Whitney Canada Inc. will establish the first operation within the park. This facility will utilize a satellite directed robotics system to manufacture aircraft engine parts, a unique innovation in North America. In addition, Litton Systems Canada Limited has announced the construction of a radar component plant.

P-102 In recognition of the unique opportunities offered by the transportation interface at Halifax International Airport, it shall be the intention of Council to establish the Airport Industrial Designation as shown on the **Generalized Future Land Use Maps 1A and 1B (RC-Oct 23/12;E-Jan 12/13)**. The Designation reflects the importance of the airport as a major regional facility, supports the Municipality's objectives in the phased development of Aerotech Business Park, and recognizes the potential which these create for complementary business development on private lands.

In adopting the requirements of the land use by-law, it is Council's intention to establish a variety of zones which respond to the various development phases, land ownership and uses within the Designation. In addition, the by-law shall provide specific and deliberate standards relative to municipal servicing and environmental matters, landscaping, storage and open spaces, parking and access, design and other elements which contribute to the coordinated development of a variety of industry and other business in this strategic location. **In order to achieve the best possible use of land and to contribute to this co-ordination of development, the by-law shall allow for these standards to be varied only according to specific development agreements under the Planning Act. (C-Apr 30/90;May 18/90)**

All efforts will be made to create a campus atmosphere within Aerotech, and to ensure a high degree of compatibility between technology and the natural environment. This is supported and required by the dedication of high tech industry to providing a progressive work environment.

The success of the campus concept demands high standards of design and engineering from park tenants and the Municipality. It also requires a degree of flexibility in development control and a coordinated approach to developing individual yet complementary sites. It is the intention to establish minimal zoning standards and to ensure innovation and excellence by negotiating specific design and maintenance items. This will be achieved through a variety of means, including agreements of purchase and sale, deed or lease covenants and adherence to selected municipal **guidelines for site development as established by individual development agreements. (C-Apr 30/90;M-May 18/90)**

These guidelines will be established in the form of a site standards manual, which will identify the key elements required for site and facility design and will outline the process of design approval by the Municipality. The process will include the review and recommendation of the multi-disciplinary advisory group established to assist prospective tenants, negotiate specific elements of proposals and advise the Municipality's Industrial Commission on development matters within the park.

In addition to the site standards manual and review team, it is the intention to complete a master plan for Aerotech, which will incorporate both infrastructure and environmental elements and will reflect the basic zoning and design standards adopted by the Municipality.

P-103 It shall be the intention of Council to demonstrate its commitment to creating and maintaining a campus atmosphere within Aerotech Business Park, and to protecting the investment of park tenants in this concept over the long term by:

- (a) the establishment of an advisory group which may have representation from municipal departments, outside experts, park tenants and others as the Council determines are required to provide technical advice to the Industrial Commission and Council on the merits of specific proposals and on development matters with the park generally;
- (b) adopting municipal site development standards which shall guide the activities of the advisory group and prospective tenants in designing and negotiating the development of specific sites with the park; and
- (c) developing a master plan for the park, in order to support the most effective phasing of development, maximize efficiency in the construction and use of roads and other infrastructure, identify specific environmental or other elements which may affect the overall park design or operation, and locate natural and man-made features which provide opportunities for site design and the overall campus concept or which may assist in promoting areas of the park for specific uses.

In the first instance, the preparation of a master plan concentrates on the park itself. However, this undertaking may benefit from broader considerations, such as the future needs of Halifax International Airport and the development potential of privately held lands. Upon completion of either type of master plan, its land use elements should be incorporated into this Strategy.

P-104 With reference to Policy P-103, it shall be the intention of Council to amend this planning strategy and the land use by-law to incorporate and fully implement secondary planning carried out within and surrounding Aerotech Business Park.

As the character of "high tech" uses are not easily defined and are highly changeable, it is appropriate to establish only minimal standards within the zones applicable to Aerotech. Uses permitted within any zone will become inadequate to describe the overall high tech concept over time and it may be necessary to amend existing zones or to create additional zones. The absence of a detailed master plan also sets limits on the potential of the by-law to identify detailed and varied zoning for specific sites. Thus, the by-law's requirements will be necessarily broad at the outset and Council will be required to monitor its continuing applicability as the first phase of the park is developed.

P-105 With reference to Policy P-104 and in recognition of the need to maintain flexibility with respect to site design and the changing character of technically advanced industry, it shall be the intention of Council to establish minimal site requirements within the land use by-law and to negotiate through the Industrial Commission more specific site requirements. These shall be implemented by way of covenants and other agreements as may be required **including development agreements**. Furthermore, it shall be Council's intention, with the co-operation and advice of the Commission, to monitor development within the park and, where beneficial to the overall concept, amend existing zones or create new zones. (C-Apr 30/90, M-May 18/90)

Initial planning has outlined two development stages within the park, and an access road from Highway 102 has recently opened 500 acres. It is intended that critical sites at the junction of this access road and the highway be reserved for high quality commercial developments and that they be withheld until such time as demand from Aerotech or airport users warrants these facilities. In addition, there is potential for other commercial or mixed use service centres within the first 1,600 acres, particularly at major intersections.

Approximately 250 acres of land has access to full services and water and sewerage has been provided to an additional 250 acres. It may be necessary to complete this servicing with storm drainage and road improvements in order to be cost effective or to respond to a major development proposal.

P-106 Within the first phase of Aerotech Business Park, it shall be the intention of Council to establish a core zone which provides a concentrated area for a wide range of technologically advanced industry, related to aviation, aerospace, research and development and manufacturing. In addition, the land use by-law shall provide for supporting services to industry and the airport, including education and training centres, information and communication facilities, and consulting, storage and other services normally required by park tenants. Provisions shall also be established within the land use by-law with respect to outdoor storage and display, parking and loading.

P-107 Notwithstanding Policy P-106 it shall be the intention of Council to establish a commercial zone within Aerotech Business Park, which shall provide for major commercial, manufacturing, institutional and mixed use developments serving airport and Aerotech users. Provisions shall be established within the land use by-law with respect to vehicle storage areas. In order to permit the identification of commercial sites prior to the completion of the master plan for Aerotech, the by-law shall provide that certain lands within the core zone may be developed for commercial purposes and according to the standards of the commercial zone.

P-108 Notwithstanding Policy P-106 and in addition to lands used for major commercial facilities pursuant to Policy P-107, it shall be the intention of Council to recognize the importance of lands within the Aerotech Designation which abut Highway 102. The land use by-law shall specify requirements which contribute to the development of a highway "showcase", including requirements which affect the visual appearance from the highway.

**P-108(a) Notwithstanding the provisions of Policies P-106, 107, 108 and 109, Council may consider varying the requirements of the land use by-law according to Sections 55, 66, and 67 of the Planning Act, for any of the uses permitted by the zone of a**

**property within the Airport Industrial Designation. In considering any such agreement, Council shall have regard to furthering the campus concept for designed within the Aerotech Business Park, as is illustrated by the guidelines of the Aerotech development advisory committee, and to the integration of proposed projects with existing park tenants, and to specific measures required to meet the criteria established by Policy P-155. (C-Apr 30/90,M-May 18/90)**

The sewerage system is designed to eventually accommodate the 1,600 acres. However, additional lands have been acquired. In addition, the appropriate mix of land uses has yet to be determined.

P-109 Within the Airport Industrial Designation, it shall be the intention of Council to establish a holding zone which shall permit a limited range of uses such as government uses, utilities and educational uses. In recognition of the most recent acquisition of lands, it shall be the intention of Council to apply this holding zone to these lands. Furthermore, Council shall reserve these lands pending the resolution of a master plan.

Halifax International Airport is the busiest airport in Atlantic Canada and has often exhibited rates of growth in freight and passenger services in excess of national averages. Over the last ten years, substantial additions have been made to passenger, freight and supporting industrial uses at or near the airport. Additional growth can be expected.

The community of Goffs, within which both the airport and the Aerotech Business Park are located, while predating the construction of the airport has a substantial interest in the improvement of airport centred employment opportunities. In the past, the Municipality has maintained broad areas of industrial zoning throughout the community which, together with aircraft noise has helped to limit new residential and commercial opportunities in the community.

The airport is served by the only highway which directly links the metropolitan area with the rest of Canada. This major highway link and the airport area and Aerotech Park area as both an employment centre and a destination suggests that continued growth can be expected. This will generate increased opportunities for a broadened range of commercial and industrial uses in the airport area. The form and type of commercial uses which can be accommodated should include a range of uses which would also serve the needs of the residents of Goffs.

P-110 It shall be the intention of Council to recognize the existing and potential range of commercial and industrial uses which are provided by and supportive of the Halifax International Airport, as both a transportation centre and an employment centre as well as a service centre for the community of Goffs, by establishing a general airport zone within the land use by-law which shall permit airport related facilities and services, manufacturing and construction industries, warehousing and commercial uses (P-107). It shall be the intention of Council to establish the general airport zone on federal lands at the airport and on private lands generally contained within the 35th noise exposure projection contour.

The sizable investment of public funds in the Aerotech Business Park builds on public investment in the Halifax International Airport to make the general area more attractive to business development. It is not the Municipality's intention to ignore this potential nor restrict its overall benefits to the private property owner. However, in order to protect the initiatives at both Aerotech and the airport, there must be comparable requirements for development on private land holdings,

whether related to environmental standards or to site design and maintenance along Highway 102. It is important that, in addition to maintaining the general campus concept, the sensitive equipment contained in facilities at Aerotech not be subjected to hazards and that the functions of the airport not be disrupted.

Three locations have specific industrial and commercial potential - lands on the opposite side of Highway 102 from the showcase lots of Aerotech; property abutting the highway and to the immediate south of the park; and federal holdings abutting the highway and to the immediate north of the park.

P-111 Within the Airport Industrial Designation, it shall be the intention of Council to establish a business zone which shall be applied to specific private and federal holdings in the immediate vicinity of, Aerotech Business Park and which have potential for business development in support of and complementary to, high technology developments. In addition, the land use by-law shall identify general industrial and commercial and institutional uses which can benefit from a location along Highway 102 and which can be accommodated without detracting from facilities developed at Aerotech or Halifax International Airport. Further, the land use by-law shall contain requirements for service stations and provisions which determine the compatibility of development with the general concept for Aerotech Park. In particular, land abutting Highway 102 and yards visible from this highway shall be required to be used in a manner which supports the intentions for attractive and well-designed developments along this corridor. Further, it shall be the intention of Council to consider the expansion of the Airport Industrial Designation to include additional lands on the western side of Highway 102, at such time as public road access is made available.

#### **Noise Contours (RC-Jan 26/16;E-Apr 2/16)**

**Noise and land use conflicts associated with airports have emerged where residential land uses are permitted near airports. The proliferation of suburban growth, increased air traffic, larger and faster aircraft have created a land use conflict where one had not previously existed. Noise sensitive development such as residential land uses establishing near airports can result in complaints from residents. Such complaints can lead to limitations on hours of use and expansion possibilities for the airport. Such problems can be avoided with advance planning and consideration, based on use of Noise Exposure Forecast (NEF) Mapping. Further, promotion of development around Halifax Stanfield International Airport is not required as other areas of the Municipality are more appropriate and cost effective for the Municipality to serve. Residential growth shall be directed to other areas and residential development immediately proximate to the airport is deemed premature.**

**P-111A Notwithstanding any other policies in this Plan, Council shall limit residential development in close proximity to the Halifax Stanfield International Airport (HSIA) as this development is incompatible with airport operations. It is Council's intent to manage encroachment of future residential or other developments that are noise sensitive, which may lead to conflicts and the potential for demands to restrict aircraft operations. This shall be achieved by identifying the Airport Zoning Overlay in the Land Use By-law which identifies the NEF 30 Noise Contour, and by establishing regulations within the Airport Zoning Overlay. These regulations may include controls on new residential and other sensitive land uses.**

**In considering such amendments to the Land Use By-law, Council shall have regard to the following:**

- (a) the lands being considered for amendment are within NEF 30 contour prepared by a qualified person;**
- (b) the restrictions proposed are to mitigate possible land use impacts on the operation of the Halifax Stanfield International Airport; and**
- (c) the provisions of Policy P-155.**

**P-111B It shall be the intention of Council, through the land use by-law, to prohibit new Conservation Design Developments or other forms of large scale residential development inclusive of those listed in Policy P-154, within the NEF 30 contour (Map 3).**

**P-111C Notwithstanding Policy 111B, through the Regional Subdivision By-law and within the NEF 30 Contour (Map 3), it shall be the intention of Council to provide for the continued development of phases 1, 2A and 2B of the Lands of Oakfield Estate Limited in accordance with the tentative plans of subdivision as approved on June 13, 2014 and June 25, 2014, and subsequent complete tentative subdivision applications received by the development officer no later than December 31, 2024.**

In order to maintain the "showcase" approach intended for the development and promotion of lands abutting Highway 102, zoning mechanisms can establish setbacks, provide for landscaping, and limit the amount of outdoor storage on property. However, many of the requirements of design and other elements necessary to unify and fully realize the potential of a number of private land holdings cannot or should not be regulated. It is suggested that, in lieu of the automatic enforcement of various development restrictions and requirements, the Municipality work cooperatively with private property owners to develop a design and promotions strategy. Although not replacing professional consultants to these landowners, the advisory group established for Aerotech can offer expertise and assistance in specific site design according or complementary to municipal guidelines established for Aerotech. For example, these properties could benefit, visually and by association, from signage which approximates the Aerotech typography or materials but could incorporate a different colour scheme.

Further, the property owners could work together and with the Municipality to co-ordinate individual developments and set their own goals for general land use, design and marketing.

Of immediate need in this undertaking is the coordination of open space improvements to lands immediately abutting Highway 102 and determining the aesthetic impact of the highway showcase. The Municipality should actively pursue the planning and implementation of a landscaping and signage package for this area. Within Aerotech, a fifty foot wide parcel running the length of the park has been retained in public ownership for this purpose. Co-operation with private landowners must include discussion regarding the need to implement comparable improvements on private property.

**P-112 It shall be the intention of Council, through the Industrial Commission, the Aerotech advisory group and municipal departments, to offer assistance and co-operation to private landowners within the Airport Industrial Designation, to support the development of the general airport area as a superior regional business location.**

P-113 It shall be the intention of Council to develop a landscaping and signage plan for all lands forming the highway showcase and to co-operate with and support private landowners in carrying out design improvements.

Among the many uses which can be accommodated along Highway 102, the accessibility and extent of lands in the airport area and the absence of residential development provide opportunities for outdoor commercial recreation. While many portions of the Plan Area may be capable of supporting some form of commercial recreation use, the airport area offers the broadest range of possibilities, particularly where the activity attracts large crowds to single events. There are, however, community and land use considerations which should be reflected in specific and individual negotiations and agreements for these facilities. Automobile and harness racing tracks will, however, be permitted by right within the business zone (P-111) as a reflection of their previous existence or Council commitment to their development (P-144). These facilities may also be used for entertainment, retail and other temporary purposes and special events, including markets, concerts and assemblies.

P-114 In consideration of the availability and regional accessibility of lands within the Airport Industrial Designation, Council may consider the development of commercial recreation uses, according to the provisions of Sections 55 and 56 of the Planning Act. In considering such an agreement, Council shall have regard to the following:

- (a) the visual impact of the use from both Highway #102 and the eastern side of the highway;
- (b) the traffic volumes created by the proposed use;
- (c) the overall appearance of the site, including specific provisions for landscaping and buffering;
- (d) the manner by which solid and liquid waste will be treated;
- (e) the effects of the use on the natural environment, particularly with respect to pyritic slates, as contained in a report from the appropriate provincial or federal government authority; and
- (f) the provisions of Policies P-91 and P-155.

Many of the existing industries at Halifax International Airport are located on lands which have been leased from the Federal Government. In order to ensure an orderly pattern of development, it would be useful if future lands leased by Federal authorities to private interests conformed as much as possible to the pertinent municipal land use by-law requirements.

P-115 It shall be the intention of Council to encourage the Federal Government to have regard for the set back, side and rear yard and lot size requirements of the applicable municipal zone when considering future leases to private interests.

The Federal Department of Industrial Expansion together with the Provincial Department of Development have identified a need for the installation of a state of the art super computer in Nova Scotia. The Federal Government has committed substantial funds to the installation of such a machine and Provincial authorities are presently analysing funding options. Given the character of development at the Aerotech Business Park, the proximity to the metropolitan centre, and the ease of travel available at the airport site, it may be appropriate to consider the location of such a system within the Aerotech Business Park.

- P-116 It shall be the intention of Council to encourage both Federal and Provincial Governments to resolve any outstanding issues with respect to the installation of a super computer and to consider the location of such a facility in the Aerotech Business Park.

## LIGHT INDUSTRIAL DESIGNATION

There are many portions of the Plan Area where industrial uses have traditionally been located. All of these areas consist of privately held lands, most of which offer relatively easy access to road and/or rail facilities and it is also likely that many of these areas may benefit from the development of the Aerotech Business Park, as no rail sidings are available at the airport.

P-117 It shall be the intention of Council to recognize and support the development of industrial and heavy commercial use for lands which have traditionally been utilized for such purposes and/or offer advantageous locations with respect to the transportation network, by establishing the Light Industrial Designation as shown on the **Generalized Future Land Use Maps 1A and 1B (RC-Oct 23/12;E-Jan 12/13)**.

While the development of the Airport area is continuing utilizing central sewerage and water systems, there are a number of areas at Windsor Junction/Lakeview and along Rocky Lake Drive in the Waverley area where the Industrial Designation has been applied to lands which are not served by central sewerage systems. Due to the absence of servicing systems and the growth of nearby residential communities it is important that any zone applied within these portions of the Industrial Designation recognize the importance of maintaining water quality in area lakes. In addition, it is appropriate to limit the extent of the application of such a zone in areas where its expansion could create conflicts with residential areas.

P-118 Within the Light Industrial Designation it shall be the intention of Council to establish a light industrial zone which permits light manufacturing and service industries, warehousing and wholesale operations, building supply and greenhouse uses and associated office and retail uses. Provisions with respect to open storage and outdoor display, parking and landscaped areas shall also be established.

P-119 It shall be the intention of Council not to consider the extension of the light industrial zone to additional lands in the Windsor Junction/Lakeview area. However, Council may consider amending the land use by-law to permit the extension of the Light Industrial Zone beyond the Industrial Designation along the southern side of Rocky Lake Drive between the Bedford town boundary and the existing residential areas in Waverley. In considering such an amendment Council shall have regard for:

- (a) the impact upon adjacent residential development;
- (b) the volume and pattern of traffic flows to be generated;
- (c) the level of completion of the Burnside Drive/Sackville Expressway; and
- (d) the provisions of Policy P-155.

**P-119A It shall be the intention of Council to establish an industrial park zone over the quarry lands to the north of the Montague Road/Highway 107 by-pass interchange except for the lands within the Lake Major water supply watershed. The zone will permit industrial and highway commercial uses that can benefit from direct access to the regional road network and that are not easily integrated with residential developments. (RC-Feb 15/22;E-Apr 9/22)**

While scrap and salvage yards serve a valued purpose in the metropolitan area, they are a source of conflict in areas of growing residential development since they require extensive areas of outdoor storage and are often visually unappealing. The volume and type of traffic associated with such uses can interfere with established traffic patterns. In addition, inadequate provisions for the disposal of waste oils and other fluids on-site can lead to environmental pollution, particularly in downstream waters.

In consideration of the continuing expectations of residential growth and the trend throughout the Plan Area to a less rural and more suburban setting, it is inappropriate to provide for the development of new salvage yards within the Plan Area. However, existing salvage yards, including any structures pertinent to the operation, will be accommodated to the extent to which they presently exist. The expansion of these existing operations may be considered where they are adequately separated and buffered from nearby residential uses and where their operation is in conformity with sound environmental practices.

P-120 It shall be the intention of Council that new salvage yards and scrap operations will not be permitted within the Plan Area. However, it shall be the intention of Council to permit existing salvage yards and scrap operations to the extent to which they existed on the effective date of this Plan. Council may consider an expansion of such existing uses according to the provisions of Sections 55, 66 and 67 of the Planning Act. In considering such an agreement, Council shall have regard to the following:

- (a) that the total area of land devoted to a scrap or salvage operation does not exceed twenty (20) acres;
- (b) that the area proposed for expansion be at least one hundred (100) feet from any existing residential or institutional use other than dwelling units directly associated with the operation;
- (c) that visual screening of the expansion from any public road or adjacent residential property be provided for;
- (d) that no scrap or salvage materials shall be stored above the height of the visual barrier;
- (e) that adequate security measures are provided;
- (f) the effects of the development on the natural environment as contained in a report from the appropriate provincial or federal government authority;
- (g) the provisions of Policy P-155.

In addition to satisfying municipal regulations, scrap and salvage operations are also required to obtain an annual salvage yard license from the Public Utilities Board. The Board may place specific conditions on the management, utilization and operation of the site, including provisions regulating buffering, fencing, and the ultimate size of any operation.

In consideration of the expectations of continued residential and commercial growth in the Plan Area and the need for careful environmental management, there is a need to ensure that existing operations function in an environmentally sensitive manner.

P-121 It shall be the intention of Council to cooperate with and encourage the Public Utilities Board to establish licensing requirements for salvage operations which will address the need for sound environmental practices in order to ensure maintenance of ground water quality as well as the integrity of existing and future residential and commercial areas.

## SPECIAL AREA DESIGNATION

Within the Plan Area there are a number of areas which have regional, environmental, and/or historical significance. Although these areas consist largely of publicly owned lands, there are some lands which remain privately owned.

The Special Area Designation is intended to recognize the distinct characteristics and importance of these lands which include both existing and proposed park areas as well as the holdings of CIL Limited.

### Canal Lake Regional Park

In 1975 the Province adopted the Halifax-Dartmouth Regional Development Plan which identified a number of regional parks, among which is the Canal Lakes Regional Park located along portions of the former Shubenacadie Canal system. While only a small portion of the Canal Lake Park lies within the Plan Area, all the lands within the Special Area Designation area are publicly owned.

### Provincial Parks

The Plan Area contains two provincial parks, both of which are located on the shores of Grand Lake and accessible from Highway No. 2. The more southerly of the two is Laurie Park, consisting of 74.1 acres (30 ha). The park offers camp sites, picnic facilities, and a swimming area. To the north, Oakfield Park consisting of 133 acres (53.82 ha), is operated as a day use park offering picnic facilities and swimming.

Both parks are well maintained and are assets to both the nearby communities and the region. During the summer months the parks are extensively used by both local and metropolitan area residents.

### Waverley Game Sanctuary

In 1926 a large area east of Waverley was designated as a game sanctuary. Portions of this area were leased to the Boy Scouts of Canada pursuant to a provincial Order in Council.<sup>34</sup> Lands within the Waverley Game Sanctuary are for the most part publicly owned, although there are also a number of private holdings.

The Minister of Lands and Forests has declared regulations respecting hunting and the use of firearms within the Sanctuary. No regulations have been established under the Lands and Forests Act respecting land use. Some of the land within the Game Sanctuary is also located within the Lake Major Watershed.

Areas surrounding the Game Sanctuary have experienced substantial development over the last thirty years. Highways #118 and 102 skirt the area and a proposal to extend the Myra Road from the Porter's Lake area to the Guysborough Road in Goffs, could create additional development pressure in this general area.

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<sup>34</sup> January 18, 1926.

New road construction, the presence of the Halifax International Airport, the growth of nearby communities and the development of the Aerotech Park have together affected the viability of the area as a game sanctuary.

While new road construction has helped to de-emphasize the importance of the sanctuary, it has increased the potential for the ultimate use of the provincial lands within the sanctuary as a major provincial or regional park. Its location at an apex of the 100 series highway network in the metropolitan region, suggests that accessibility to metropolitan area residents and tourists alike is ideal.

There are a number of privately held properties within the Waverley Game Sanctuary. While the ultimate use of the Sanctuary remains uncertain, it is appropriate to permit the utilization of these properties in conformity with the provisions of the Resource Designation. Once the future of Game Sanctuary lands is established it may be appropriate to consider the application of park zoning to these private properties.

Not all of the lands of the Waverley Game Sanctuary are included within the Special Area Designation. Lands situated between Miller and Soldier Lakes adjacent to the Old Guysborough Road, are advantageously located for residential development and are included within the Residential Designation. These lands will, however, initially be zoned in a manner consistent with the remainder of the Game Sanctuary lands.

#### C-I-L Lands

A portion of the lands of Canadian Industries Limited (CIL), located to the north-west of Rocky Lake Drive was formerly occupied by the Acadia Powder Works. In the late 1800s, black powder and later nitroglycerine were manufactured on these lands.

In the early part of this century (circa 1915), production ceased and most of the structures were removed. In 1935 newspaper<sup>35</sup> reports indicated that a portion of the site had exploded, killing two members of a crew involved in site maintenance. The site is presently occupied by a number of explosives magazines.

Although modern explosive storage requirements are stringently regulated by the Federal Government<sup>36</sup>, the previous history of these lands suggest that prior to the development of any use other than explosive storage, the site will require careful attention to decontamination. In this regard, it is appropriate to establish a limited industrial zone on these lands within which explosives storage and related uses will be permitted.

If the lands, at some future point, the landowner is able to satisfy Energy Mines and Resources Canada and the provincial Department of Environment with regard to the safety of the site, then Council may consider amending the land use by-law to permit alternative uses in conformity with those permitted on adjacent lands.

P-122 It shall be the intention of Council to establish the Special Area Designation, as shown on the **Generalized Future Land Use Maps 1A and 1B (RC-Oct 23/12;E-Jan 12/13)** in

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<sup>35</sup> July 26, 1985, Halifax Herald.

<sup>36</sup> Canada Explosives Act.

recognition of lands within the Plan Area which have significant environmental, regional and/or historical importance.

- P-123 Within the Special Area Designation it shall be the intention of Council to establish a park zone, which permits agricultural, forestry and park uses, including campgrounds together with limited commercial uses which do not involve any open storage or outdoor display and which are supportive of the park use.
- P-124 In recognition of the changing nature of land use around the Waverley Game Sanctuary and the easily accessible location of these lands at an apex of the metropolitan area's major highway network, it shall be the intention of Council to cooperate with and encourage the Province to consider the development of a provincial park facility on lands located outside of the Lake Major Watershed which is oriented to serving local and metropolitan area residents and tourists.
- P-125 Notwithstanding Policy P-123, it shall be the intention of Council to apply the Rural Estate Zone (see Policy P-129) to privately owned lands within the Waverley Game Sanctuary portion of the Special Area Designation.
- P-126 Within the Special Area Designation, it shall be the intention of Council to establish a hazard zone which shall only permit uses related to the storage and distribution of explosives. Setback requirements shall be established which are related to the amount of explosive being stored. It shall further be the intention of Council that this zone shall be applied to the lands of Canadian Industries Limited, LRIS No. 527119.
- P-127 Notwithstanding Policy P-126, Council may consider amending the land use by-law to permit the development of residential, parkland or industrial uses on lands owned by Canadian Industries Limited and having regard to the following:
- (a) the safety of the site for the proposed development, as determined by a report from the appropriate provincial or federal government authority;
  - (b) that all use of the lands for the storage or distribution of explosives has ceased;
  - (c) that lands formerly occupied or used for the manufacture or storage of explosives, together with lands fronting on Rocky Lake Drive, are to be included within an industrial zone;
  - (d) that the proposed road system is coordinated so as to discourage the access of industrially generated traffic through any residential portion of the lands;
  - (e) the provisions of Policy P-155.

**Residential Development near Halifax Stanfield International Airport**  
**(RC-Jan 26/16;E-Apr 2/16)**

**Transport Canada recommends that new residential and noise sensitive developments near airports be restricted within specified noise contours. Council has determined that controls around the Halifax Stanfield International Airport are appropriate.**

- P-127A It shall be the intention of Council to regulate new residential and noise sensitive development in the Special Area Designation subject to policies P-111A through P-111C.**

## RESOURCE DESIGNATION

Much of the original settlement of the Plan Area was based on the utilization of natural resources. This settlement was further spurred by the construction of roads, rail lines and the Shubenacadie Canal System through the Plan Area.

The predominant resource activities in the past were mining, agriculture and forestry. In more recent years, although there has been little commercial mining, extensive lands have been devoted to quarry operations and changes in the value of gold in international markets have improved the climate for gold mining.

Agricultural land use is limited to the Laurie farm on Grand Lake and several smaller operations scattered throughout the Plan Area. Although agriculture was a significant contributor to the local economy in years gone by, more recently agricultural activities have been on the decline.

In the early part of this century, extensive areas of crown lands, including substantial portions of the Waverley Game Sanctuary, were leased to Scott Paper. Although these lands are no longer under lease to Scott Paper, there is a small sawmill operation at Oldham and many individuals still earn at least a portion of their livelihood in the forestry industry. A number of parcels of land within the Plan Area are under active forest management agreements, jointly funded by federal and provincial authorities.

Against this background of traditional resource related activity is the Plan Area's more recent evolution to residential development. However, large tracts of land, some of which are as yet inaccessible, intervene between growing areas of settlement. Such lands may be found on the western side of Grand Lake, between Highway No. 102 and the Holland Road, near the Hants County line at Enfield, to the north of Goffs, and to the east of the Halifax International Airport. While it is likely that some resource-related activities will continue to occur in the Resource Designation, future development can be expected to be primarily residential, with some areas devoted to industrial/commercial development.

The intention within the Resource Designation is to recognize and provide for continued traditional resource activities while also recognizing that these backlands provide the land base for future growth and development within the Plan Area.

In recognition of the fact that the predominant form of development throughout the Plan Area has been and will largely continue to be residential, it is important that resource activities be located and operated in an appropriate manner. This will be necessary in order to encourage an acceptable level of compatibility with the range of uses which may in future occupy these lands.

With regard to resource uses, the scale of such operations and the size of the lot on which they are located are of importance, as is the maintenance of adequate separations from open water bodies, adjacent uses and property boundaries.

With respect to agricultural uses, concerns lie largely with the possible development of intensive animal operations. In this regard, it is important that such agricultural pursuits conform to the criteria established by the Nova Scotia Federation of Agriculture Guidelines for Farm Waste Management (December, 1976). These guidelines provide criteria for the siting and location of

intensive animal operations with respect to surrounding properties. In addition to any agricultural or resource use of these lands, it is appropriate to permit associated dwellings.

As a land base for future development, these lands present certain concerns. It can be expected that new subdivisions will at some point extend beyond the existing communities into lands designated for resource activities. However, the quality and quantity of ground water and the impacts of development on the existing community form and services are largely unknown. In addition, the effects of such new development on any pre-existing resource activities in the immediate area also raise some concerns. While it is appropriate to accommodate new residential development within the Resource Designation, it is also important that the lot size associated for any such development be increased in order to minimize the potential impacts.

It may, however, be appropriate to allow new residential development to occur on smaller lot sizes which would be in conformity with those permitted in abutting residential areas, where concerns related to services and community form are properly addressed.

P-128 In recognition of the tradition of resource use and the need to provide for the future growth, it shall be the intention of Council to establish the Resource Designation as shown on the **Generalized Future Land Use Maps 1A and 1B (RC-Oct 23/12;E-Jan 12/13)**. While lands within the Designation may be used for resource activities they shall be considered a secondary area for residential development.

P-129 Within the Resource Designation, Council shall establish a rural estate zone which permits forestry and smaller scale agricultural uses, single and two unit dwellings, mobile homes, the use of residential properties for business uses, and community uses. The minimum lot size permitted for residential and community uses shall be (80,000) square feet. Controls on outdoor storage and display, requirements related to separation from watercourses, and larger lot sizes for some resource activities will also be established.

P-130 Notwithstanding Policy P-129, it shall be the intention of Council to apply a Park Zone (Policy P-123) to crown lands located within the Resource Designation.

P-131 Notwithstanding Policy P-129, Council may consider permitting residential development on lots which have an area of less than eighty thousand (80,000) square feet, through application of a residential zone (Policies P-66 and P-86), by amendment to the land use by-law and with regard to the following:

- (a) the effects of the development on neighbouring lands;
- (b) the coordination of proposed road systems within the development with the existing and proposed road systems of neighbouring lands;
- (c) the potential for expansion of the development in terms of available land and the location of this land relative to the development of neighbouring lands;
- (d) that the area to be rezoned and the proposed lots are shown on a tentative plan of subdivision;
- (e) the proximity to existing communities; and
- (f) the provisions of Policy P-155.

The Resource Designation abuts the Industrial Designation along Rocky Lake Drive in Waverley and at Halifax International Airport. While it may be appropriate to consider the expansion of

industrial uses into the Resource Designation, it is important to maintain a comprehensive approach to the expansion of industrial development in the Plan Area.

P-132 Notwithstanding Policy P-129, it shall be the intention of Council to consider permitting industrial uses within the Resource Designation on lands which abut the Light Industrial or Airport Industrial Designation, to any use which is permitted in the abutting zone, by amendment to the land use by-law. In considering such amendments, Council shall have regard to the following:

- (a) that the construction of the Sackville Expressway is imminent or underway through the lands considered;
- (b) that the land to be rezoned consist of at least twenty acres;
- (c) that the road network is capable of accommodating the proposed development;
- (d) the safety of the site for the proposed development, as determined by a report from the appropriate provincial or federal government authority; and
- (e) the provisions of Policy P-155.

**Residential Development near Halifax Stanfield International Airport**  
**(RC-Jan 26/16;E-Apr 2/16)**

**Transport Canada recommends that new residential and noise sensitive developments near airports be restricted within specified noise contours. Council has determined that controls around the Halifax Stanfield International Airport are appropriate.**

**P-132A It shall be the intention of Council to regulate new residential and noise sensitive development in the Resource Designation subject to policies P-111A through P-111C.**

Aggregates

Pits and quarries producing gravel, fill, or crushed rock provide commodities essential to modern construction methods. However, proposals for new pits and quarries, particularly in the southern portions of the Plan Area have raised serious public concerns. In addition to considerations of environmental impact and public safety, there are also concerns with the location of such uses close to rapidly growing residential areas.

The Planning Act states that a municipal planning strategy may protect pits, quarries and aggregate deposits and regulate developments adjacent to pits and quarries. Council has asked the Province to provide municipal governments with the authority to control the location of pits and quarries. Thus far, such authority has not been given.

P-133 It shall be the intention of Council to continue to seek the authority to control the location of pits and quarries in the Plan Area.

The maintenance of an adequate supply of aggregate materials is of regional concern. Although there are portions of the Province where suitable rock is in short supply, this situation does not appear to be the case in the metropolitan region. However, the need to identify and protect, as yet untapped future sources, is important.

P-134 It shall be the intention of Council to cooperate with and encourage the Provincial Department of Mines and Energy to identify areas of high quality aggregate materials in the Plan Area.

While the specific locations of high quality aggregate resources have not yet been identified, it is apparent that additional exploitation of the deposits in the southern portion of the Plan Area will create severe long-term conflicts with the expanding residential communities. There are, however, large areas within the northern and eastern portions of the Plan Area where acceptable locations for future aggregate operations may be found.

When and if the Municipality is empowered to specifically regulate and prohibit the location of pits and quarries, it is important to have an established policy and regulatory structure. In this regard, it is appropriate for the Council to provide for the development of new pit and quarry operations in specific portions of the Resource Designation while prohibiting the expansion of existing operations.

P-135 In recognition of both the need for aggregates and the importance of expanding communities, when so empowered by statute, it shall be the intention of Council to permit the development of new pits and quarries only in those portions of the Resource Designation located to the north of the Oldham and Goffs Roads as well as to the south of the Goffs Road and to the east of Halifax International Airport.

Public and municipal concerns with respect to the overall impacts of pits and quarries on nearby communities, the safety and integrity of the public road network and the protection of natural environment can be expected to continue. In order to provide for adequate consideration of these concerns, it is appropriate to consider such uses by development agreement.

P-136 Within the portion of the Resource Designation described in Policy P-135, it shall be the intention of Council to consider the development of extractive facilities according to the provisions of Sections 55, 66 and 67 of the Planning Act. In considering such an agreement, Council shall have regard for:

- (a) the provisions of the Provincial Department of Environment's proposed Regulations for Pits and Quarries where applicable;
- (b) the maintenance of adequate separation distances from other non-industrial land uses;
- (c) the impact of the proposed use on the development and use of lands at or near Halifax International Airport;
- (d) the effect of the proposed use on surrounding traffic patterns and general public safety;
- (e) hours of operation;
- (f) provisions for limiting public access to the site;
- (g) provisions for the ongoing rehabilitation and ultimate reuse of the lands;
- (h) the location of structures and storage areas on the site;
- (i) the effects of the use on the natural environment as contained in a report from the appropriate provincial or federal government authority; and
- (j) the provisions of Policy P-155.

### Mineral Extraction

The Plan Area has a long history of mining for both gold and other minerals. While most mining activities were halted by the late 1930s, due to the recent resurgence in gold prices a number of mineral claims have been registered. While economic mineral occurrences are generally limited at the present time, the tradition of mining in the Plan Area is widely supported. However, there is a continuing concern with the protection of the natural environment, a concern which stems from the record of contamination caused by past ore processing operations as well as the historically inadequate handling of the waste which is generated.

P-137 It shall be the intention of Council to encourage the Provincial Departments of Environment and Mines and Energy to establish standards and regulations with respect to the operation of pits and quarries and other mining operations.

### Regional Permits

The significance of both aggregate and mineral extraction operations is of both local as well as regional concern. Given this larger interest, it is appropriate that permits for the operation of these uses continue to be reviewed and approved by provincial authorities to ensure compliance with provincial standards.

P-138 It shall be the intention of Council to encourage the Province to establish provincial land use policies and regulations for aggregate and mineral extraction operations within the Plan Area. In the interim period, the Province shall be encouraged to maintain the present requirement for regional development permits for such uses.

## WATERSHED DESIGNATION

The Watershed Designation encompasses two major watershed areas, Bennery Lake and Lake Major. Water supply for the Halifax International Airport and the Aerotech Business Park is drawn from Bennery Lake, located to the east of the airport while the Dartmouth Water Utility's water system, serving all the urban and suburban areas on the eastern side of Halifax Harbour, utilizes Lake Major as its water supply. A portion of this watershed is located within the Plan Area. Both systems are regionally significant and it is a matter of concern that the quality of these water supplies be maintained.

Previous planning processes in both the Lake Major/Preston and Cole Harbour/Westphal areas have supported the protection of the Lake Major watershed.

Bennery Lake has been used for many years as the source of water for the Halifax International Airport. With the additional demand created by the service requirements of Aerotech Business Park, the importance of maintaining water quality in Bennery Lake has been increased.

A study<sup>37</sup> prepared for Transport Canada identifies the Bennery Lake watershed area and suggests public acquisition of lands within the watershed as the least complex approach to land use control within the watershed. Similar support is given in the Lake Major Watershed Management Study<sup>38</sup> to the acquisition of the Lake Major watershed lands by the City of Dartmouth.

In the case of the Lake Major watershed, the City of Dartmouth has pursued an active acquisition program. However, a larger portion of lands within this watershed has been held in public ownership for many years. While some lands within the Bennery Lake watershed are in public ownership, the largest part is privately held of which some are under active development.

There is continuing concern that development within the Bennery Lake watershed, and particularly development on those parts of the watershed underlain with pyritic slates, may diminish water quality. However, it remains unclear whether acquisition of the Bennery Lake watershed lands is necessary or if specific land use controls may be appropriate. In order to identify the options for land use control, additional study will be required.

In the interim, it is appropriate to impose the same development limitations within the Bennery Lake watershed as within the Lake Major watershed.

P-139 In recognition of the importance of protecting the Bennery Lake and Lake Major water supply areas, it shall be the intention of Council to establish the Watershed Designation as shown on the **Generalized Future Land Use Maps 1A and 1B (RC-Oct 23/12;E-Jan 12/13)**, and to restrict development through the establishment of a watershed zone which shall permit conservation and water distribution uses as well as limited residential development on lots which have a minimum area of eighty thousand (80,000) square feet. Further, the land use by-law shall provide that, except for water distribution uses, no building shall be located within one hundred (100) feet of any watercourse or two hundred and fifty (250) feet of Bennery Lake or Lake Major.

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<sup>37</sup> Bennery Lake Watershed Management Study, Porter Dillon Limited, January 1985.

<sup>38</sup> Montreal Engineering Company Limited, February 1980.

P-140 Notwithstanding Policy P-139, and with regard to the need for additional analysis regarding the suitability of the Bennery Lake watershed for development, it shall be the intention of Council to seek the cooperation of the Federal Department of Transportation and other Federal and Provincial Departments in the preparation of a study to examine:

- (a) the general suitability of the Bennery Lake watershed for development; and
- (b) the specific type and form of development which may be accommodated, if any.

Furthermore, should such a study indicate the appropriateness of amending the existing land use regulations, Council may consider amending the land use by-law in conformity with the results of the study.

P-141 It shall be the intention of Council, in cooperation with the Department of Lands and Forests, to encourage sound forestry management practices in keeping with the maintenance of potable water quality within the Watershed Designation.

P-142 It shall be the intention of Council to encourage the acquisition of lands within the Watershed Designation by public authorities wherever possible.

The Brightwood Golf and Country Club has planned for a number of years to establish a new golf course on lands in the Spider Lake area, some of which are within the Watershed Designation. A use such as this presents particular concerns with respect to stormwater runoff and the use of fertilizers. With proper environmental control, however, such a use may be developed in a compatible manner.

P-143 Notwithstanding Policy P-139, it shall be the intention of Council to consider permitting a golf course on that portion of the lands of Brightwood Golf and Country Club, lying within the Watershed Designation, LRIS land parcel index number 517045, according to the provisions of Sections 55, 66 and 67 of the Planning Act. In considering such an agreement, Council shall, in addition to the provisions of Policy P-91, have regard to the following:

- (a) the effects of the use on the natural environment, including the use of chemical fertilizers and herbicides, as contained in a report from the appropriate Provincial or Federal government authority;
- (b) that no site grading shall be permitted within 100 feet of Spider Lake and that natural vegetation shall be maintained;
- (c) that no main building shall be located within the Watershed;
- (d) that the proposed use complies with all regulations and guidelines of the provincial Department of the Environment and the Lake Major Watershed Advisory Board; and,
- (e) the provisions of Policy P-155.

In early 1989, Council approved the extension of municipal water and sewer services along the service road on the western side of Highway 102. The intent of this extension was to accommodate a harness racing track on lands located within the watershed area. Appropriate zoning will be placed on this property to permit this development.

The extension of municipal services along the service road also increase the potential for industrial development on other properties which abut it. Appropriate zoning will, therefore, also be applied to these properties.

In response to the environmental concerns to which development in a watershed gives rise, development permit applications will be forwarded to federal and provincial government agencies for review. It is anticipated that appropriate environmental measures will be required and enforced by these agencies.

**P-144** Notwithstanding Policy P-139, within the Bennery Lake Watershed Designation, it shall be the intention of Council to apply a business zone (Policy P-111) to lands abutting the service road on the western side of Highway No. 102 and south of the Halifax International Airport interchange. Prior to the issuance of a development permit for any use within those portions of the AE-4 Zone situated within the Bennery Lake Watershed Designation, the Development Officer shall forward the application to all appropriate government agencies, including but not limited to Environment Canada, the Nova Scotia Department of the Environment, and the federal Department of Fisheries and Oceans. (C-Apr 30/90;M-Jun 29/90)

**P-145** Notwithstanding Policy P-139, within the Watershed Designation, it shall be the intention of Council to consider permitting commercial recreation uses according to the provisions of Sections 55, 66, and 67 of the Planning Act. In considering such an agreement, Council shall have regard to the following:

- (a) that the proposed use has access to the service road on the western side of Highway 102 between exits 5a and 6;
- (b) that the proposed use is connected to municipal water and sewer services;
- (c) the effects of the development on the natural environment, particularly related to development on slates, as contained in a report from the appropriate provincial or government authority;
- (d) that the effects of stormwater run-off on Bennery Lake are minimized to the greatest possible extent; and
- (e) the provisions of Policy P-155 and Policy P-114.

**Residential Development near Halifax Stanfield International Airport**  
(RC-Jan 26/16;E-Apr 2/16)

Transport Canada recommends that new residential and noise sensitive developments near airports be restricted within specified noise contours. Council has determined that controls around the Halifax Stanfield International Airport are appropriate.

**P-145A** It shall be the intention of Council to regulate new residential and noise sensitive development in the Watershed Designation subject to policies P-111A through P-111C.

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

**Background**

The HRM Regional Municipal Planning Strategy (Regional Plan) designates the Fall River area as a Rural Commuter Centre. This Centre, now termed the River-lakes Secondary Planning Strategy, is a place where the Regional Plan intends to support the growth of low density development in the future through the provision of express bus transit and central water.

Under the direction of the Regional Plan, HRM undertook a Visioning Process in partnership with local residents, to envision how this Centre should grow over the next 20 - 25 years. The Vision and Action Plan that was developed under this initiative contains goals and action plans pertaining to housing, senior citizen housing, commercial development, community development, infrastructure, social development, sports and recreation, parks and public lands, active transportation and transit. It was adopted by Regional Council in-principle, in 2007, and formed the basis for the creation of the River-lakes Secondary Planning Strategy.

The purpose of this Secondary Planning Strategy is to provide guidance for future growth and development for the River-lakes Secondary Planning Strategy Area. The secondary planning process is taking place in two phases. In Phase I, the process focused on the development of detailed regulations to achieve desired community form and architectural detailing in the Village Centre. A system of open space and trails will also be brought forward under this phase of the Plan for the River-lakes Secondary Planning Strategy Area and connected areas around it, to form part of the urban structure for Phase II. An Environmental Protection Policy has also been developed to regulate the amount of housing development which may occur in the southern portions of the Plan Area without further impacting the water quality of the Shubenacadie Lakes.

In Phase II, options for future growth throughout the remainder of River-lakes Secondary Planning Strategy Area will be brought forward to Regional Council and the community. The allocation of this future growth will be considered on the basis of the findings of the Shubenacadie Lakes Watershed Study and Fall River/Waverly/Wellington Transportation Study. With a selected option for future growth by Council in Phase II, the options for future transportation improvements, as recommended under the Transportation Study, and the options for future municipal water service provision, as recommended under the Shubenacadie Lakes Watershed Study, will be considered for implementation.

**River-lakes Secondary Plan**

The River-lakes Secondary Planning Strategy Area extends north to the beginning of Wellington, west to Windsor Junction, south to Lakeview, and east to Miller Lake as shown on Map RL-1. It includes the communities of Fall River, Fletchers Lake, and southern portion of Wellington, Windsor Junction, Lake View and a portion of Miller Lake.

At the heart of the Secondary Planning Strategy Area, is the River-lakes Village Centre Designation which is a meeting place for people from the surrounding area and visitors. The River-lakes Village Centre Designation extends from the intersection of Roland Road and

Fall River Road to the north-west, the Sobeys Shopping Centre Plaza to the north, Lake Thomas to the west and the NS Transportation and Infrastructure Renewal Depot and area around the 102 and 118 interchanges to the south, as shown on Map RL-1.

### Plan Area Profile

As of the latest census - December 2011 - there were a total of 11,526 people living in the River-lakes Secondary Planning Strategy Area (Table 1). A substantial portion of the population (29.0%) consists of children which has implications on the need for schools. A substantial portion of the population were also seniors (8.6%) or young adults (8.0%) who require alternative housing forms (apartments/multiple-unit dwellings, townhouses, auxiliary dwelling units) to the existing housing stock that largely comprises single unit dwellings.

**TABLE 1: AGE DISTRIBUTION 1996-2006**

Age Group	AGE DISTRIBUTION 1996-2006							
	1996 Census		2001 Census		2006 Census		2011 Census	
	#	%	#	%	#	%	#	%
0-19	2592	32.1	2895	31.8	3046	29.7	3349	29.0
20-29	849	10.5	877	9.6	839	8.2	929	8.0
30-64	4182	51.8	4916	54.0	5619	54.8	6271	54.4
65+	421	5.2	559	6.1	723	7.1	990	8.6
<b>Total</b>	<b>8071</b>		<b>9011</b>		<b>10251</b>		<b>11526</b>	

*Source: Nova Scotia Community Counts web page - data modelled from Statistics Canada, Census of Population, 1991, 1996, 2001, 2006, 2011.*

In terms of housing, there were a total 3,492 dwelling units within the River-lakes Secondary Planning Strategy Area. As previously mentioned, the vast majority of these units consisted of low density single unit dwellings (91.3%) with a smaller percentage of the housing stock being semi detached (4.2%), apartments (2.7%), and mobiles (2.0%), as shown in Table 2 below.

**TABLE 2: DWELLING UNITS BY TYPE**

Dwelling Type	1996 Census		2001 Census		% Change 1996-2001	2006 Census		% Change 2001-2006
	#	%	#	%		#	%	
Single Detached Houses	2,355	90	2,678	89.2	13.7	3,189	91.3	19.1

Semi-Detached/Row/ Duplex	185	7.1	188	6.3	1.6	148	4.2	-21.3
Apartments	65	2.5	108	3.6	66.2	95	2.7	-12.0
Movable Dwellings	10	0.4	50	1.7	400.0	71	2	42.0
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Total Occupied Dwellings	2,616		3,001			3,492		

## **The Vision**

The Vision for the River-lakes Secondary Planning Strategy is to maintain the rural village atmosphere and rural character of the area. At the core of this vision is the desire to create an attractive village centre to service the surrounding neighbourhoods and to preserve the rural character of the Plan Area. The rural character of this area is expressed in the low density development from of the neighbourhoods and positioning of the River-lakes Village Centre amidst the chain of lakes, forest covered hillsides, winding trunk highways and numerous cultural and natural features that give rise to the rural landscape.

One of the most important natural assets throughout the Plan Area is the lakes. On the eastern side of the Plan Area, is Lake Thomas and Fletchers Lake and on the western side of the Plan Area is Kinsac Lake which forms part of the Shubenacadie Lakes System. It is the desire of the community to protect the relatively pristine nature of this lake system and controls will be established to limit the amount of phosphorus and pollutants entering the lakes through the retention of pervious surfaces, retention of natural vegetation on steep slopes, provision of landscaping, regulation on the amount and scale of development and management of stormwater. Consideration shall also be given to the establishment of a Wastewater Management District during Phase II of the Planning Process to provide for the collective management of wastewater management systems in this Plan Area as intended by the Regional Plan.

The continued development of the River-lakes Village Centre Designation as a central core and meeting place for the Plan Area is of pivotal importance to this Secondary Plan. One extremely important cultural feature, within this area, is the historic Shubenacadie Canal. This waterway formed an important transportation route from Halifax Harbour to the Bay of Fundy for the Mi'kmaq dating back almost 4,000 years according to archaeological records at the Museum of Natural History.<sup>39</sup> The banks of Fall River Run and the remainder of the route have been identified as an area of high cultural significance under the Regional Plan and as an area worthy of the preservation of it's discovered and undiscovered cultural assets.

In 1826, the Shubenacadie Canal Company began the construction of a system of 17 stone locks along the Shubenacadie waterway to allow the passage from Halifax Harbour to the Bay of Fundy. During the early years, the Canal was constructed by Scottish Masons in the British Style (meticulous detail, importation of building materials, dry stone mounting). The Canal Company went bankrupt in 1831 and the project was redesigned in the American

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<sup>39</sup> Archaeology in Nova Scotia: The Shubenacadie Canal. Museum of Natural History, Government of Nova Scotia. <http://museum.gov.ns.ca/arch/sites/shubie/shubie.htm>

Style (fewer blocks, reliance on local materials and use of incline planes) and finished by the Inland Navigation Company in 1853. The Canal was used for the early transport of lumber, bricks, pottery and iron from Halifax Harbour to the Bay of Fundy for approximately 15 years. It was replaced by the railway in 1870 and to date represents one of the most significant cultural expressions of an inland waterway.



The Shubenacadie Canal Commission was formed to preserve and aid in the restoration of this historic waterway. It is the desire of the residents of the area to support and where possible facilitate the efforts of the Shubenacadie Canal Commission to restore the significant parts of the Shubenacadie Canal situated in this Plan Area. Specifically, the residents wish to encourage the growth of a mixed-use development around Fall River Run to celebrate its historic and cultural value. It is also the desire of the community to see the continued restoration of Lock 4 at the end of High Road and the development of a trail and portaging system along this waterway route.<sup>40</sup>

Other cultural assets, throughout the Secondary Planning Strategy Area include the old farm fields, the hillside views of the lakes, the winding highway, the old Coach Road/Blue Hill Road, the few remaining buildings that have historical and cultural value such as the old Carr Farmhouse, and the fine examples of period architecture such as the Inn-on-the-lake. It is the desire of the community to build upon these cultural assets by requiring that they become an organizing feature of future development through design. It is also the desire of the residents to foster the development of an interconnected system of parks, trails and open space around the waterways and road systems throughout the Plan Area as illustrated on Map RL-4.

### **River-lakes Secondary Planning Strategy Vision**

The Vision of the River-lakes Secondary Planning Strategy is to retain the rural village atmosphere and rural character of the area by fostering the:

- (a) development of the River-lakes Village Centre Designation as a place to which residents and visitors are attracted and become recognized as the centre of the River-lakes communities;
- (b) retention of the natural environment through the protection of the lakes, tree-covered hillsides, and environmentally sensitive areas that are of high value for groundwater recharge or are ecologically fragile and sensitive to disturbance;
- (c) creation of an interconnected system of open space that facilitates pedestrian movement throughout the Plan Area as illustrated on Maps RL-4 and RL-5;
- (d) preservation of the cultural and historical assets of the area, especially the Shubenacadie Canal and its historical and cultural importance as a transportation

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<sup>40</sup> Archaeology in Nova Scotia: The Shubenacadie Canal. Museum of Natural History, Government of Nova Scotia. <http://museum.gov.ns.ca/arch/sites/shubie/shubie.htm>

- route to the Mi'kmaq and early North American settlers; and
- (e) implementation of improvements to the transportation infrastructure and the provision of central water to areas that are in keeping with the growth management objectives of the Regional Plan as determined through the Phase II Secondary Planning Process.

### **The Policies**

**RL-1** The River-lakes Secondary Plan, as graphically illustrated on Map RL-1 and as outlined on the Generalized Land Use Maps 1A and 1B of the Municipal Planning Strategy for Planning Districts 14 and 17 for official reference, shall form the framework to guide the provision of services and future development that is in keeping with the desire of the community to maintain the rural village atmosphere and rural character of the River-lakes Communities. This Plan shall include the establishment of a River-lakes River-lakes Village Centre Designation to achieve the Vision for creating a gathering place for the surrounding communities. This Plan shall also contain policies to foster the development of an open space and trails network, regulate the future development of low-rise multiple-unit dwellings and townhouses on a few opportunity sites, and implement policies for the protection of the lakes throughout the River-lakes Secondary Planning Strategy Area. All other policies for land use development and service provision under the Municipal Planning Strategy and Land Use By-law for Planning Districts 14 and 17 shall continue to apply to this Secondary Planning Strategy Area unless altered or replaced by the following policies within this Secondary Plan. Future transportation, environment and residential development policies shall be created under the Phase II process for application to this Secondary Planning Strategy Area.

### **Phase 1 - The River-lakes Village Centre Designation – Design Concept**

Within the River-lakes Secondary Planning Strategy Area, the River-lakes Village Centre Designation is situated along the eastern side of Lake Thomas and along Fletchers Run. It forms the historic heart of the River-lakes communities which settled around the banks of the Shubenacadie Canal System, after it was constructed. It provides retail, medical, personal service and recreation service opportunities to the surrounding communities. It is also home to approximately sixty households that have settled throughout the Village overtime.

The Plan envisions that the River-lakes Village Centre Designation will become an attractive and vibrant place, drawing people from the surrounding area for shopping, recreation, entertainment and service.

A park and ride facility has been developed at the Highway 118 Interchange, to facilitate access to an express bus service from all communities throughout the Plan Area and surrounding communities, to downtown Dartmouth and Halifax. It is also desirable to have a transit stop within the Village Core of the River-lakes Village Centre Designation to facilitate pedestrian and vehicular access to the bus from this location.

All of the areas within the River-lakes Village Centre Designation should have a mix of

commercial and low to medium<sup>41</sup> density residential uses with buildings that are close to or at the street or setback from the street in certain areas with foreground landscaping. The Plan also envisions that parking should be located to the side or the rear of buildings with foreground landscaping to create an attractive street scape and add value to the abundance of mature climax trees that are found throughout the remnant Acadian Forest in this portion of the HRM. Landscaping should also be incorporated throughout larger parking lots to define major vehicle and pedestrian routes, provide shade, break-up the expanse of paved areas, and minimize stormwater flows. A good example of desirable parking lot design is at the Gordon R. Snow Centre on Fall River Road. The retention of pervious surfaces and tree covered hillsides are also desirable features, along with the application of best management practices, to reduce the impacts of erosion and sedimentation and stormwater runoff on the lakes.

Buildings within the River-lakes Village Centre Designation should be compatible with the traditional built form which is predominantly small-scale buildings, with narrow coarse siding, vertical windows and pitched roofs of gabled, gambrel styles with wide overhanging eaves and in some cases mansard styled roofs. Buildings throughout the Village should be compatible with these elements and have desirable architectural features that are reflective of the rural character in the area to enhance the pedestrian experience.

Although big box retail stores and strip malls are not in keeping with the vision for the River-lakes Village Centre Designation, there is a local shopping centre with big box store anchors situated in the Village Core at the Sobeys Shopping Centre. Future redevelopment of this shopping centre must incorporate architectural elements that all other River-lakes Village Centre Designation buildings will be required to incorporate, in order to break up the scale and mass and to make them more compatible with the desired rural village form. Allowances will also be made to provide for the future development of slightly larger scale buildings at prominent sites throughout the River-lakes Village Centre Designation where opportunities are present to create a focal point for development provided that it is in keeping with a scale of development that is compatible with the desired rural village form. Signage will also be controlled to prevent the appearance of a cluttered highway commercial strip through the land use by-law. There is also a desire to see the future provision of street furniture and lanterns to create a well coordinated appearance along the streetscape and to enhance the pedestrian experience in the public realm. These actions should be facilitated through the formation of a Business Improvement District.

A variety of housing types should be permitted in the River-lakes Secondary Planning Strategy Area and the River-lakes Village Centre Designation to provide for the needs of all residents throughout the area. In particular, a senior citizen housing complex that provides housing for graduated levels of assisted living should be developed in the River-lakes Village Centre Designation and on selected sites within the River-lakes Secondary Planning Strategy Area to enable residents to remain within their community throughout all stages of their life. Multiple-unit housing in the form of townhouses and low rise apartments is also desirable at selected sites within the Secondary Planning Strategy Area and within the River-lakes

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41 Please note that medium density in the context of Fall River means a maximum density of 3 - 4 units per gross acre within the River-lakes Village Centre Designation. While this density may be regarded as a low density parameter in a suburban area that is serviced with municipal water and sewer, it is considered medium density within the low rural density context of Fall River.

Village Centre Designation to provide for the needs of residents. Auxiliary dwellings units are also a desirable form of housing throughout the residential areas to offset the cost of housing and to provide access to more affordable forms of housing accommodation. However, given the groundwater constraints throughout the Plan Area and the impact that development may have on surface waters, auxiliary dwellings units have to be developed on larger lots (double the required minimum lot area).

In keeping with one of the Vision for the River-lakes Secondary Plan, to create a vibrant and visually attractive River-lakes Village Centre Designation where residents can live, shop, socially interact and engage in community events, this Plan will foster the future:

- (a) development of a mixed commercial and residential development in the River-lakes Village Centre Designation with an attractive street scape through the location of parking at the side or rear of buildings and the incorporation of landscaping to enhance the pedestrian experience;
- (b) development of built form where buildings are situated close to or at the street to create a sense of enclosure to enhance the pedestrian experience or setback from the street with the provision of foreground landscaping to create an attractive appearance to the development from the street;
- (c) development of buildings that contain architectural elements that are reflective of the rural character of the area through controls on the scale, mass, window fenestration, rhythm, rooflines, height, width, trim, exterior materials and forms of entry;
- (d) redevelopment of existing strip malls and big box retail stores in a manner that is more compatible with other built forms in the River-lakes Village Centre Designation through the incorporation of architectural elements that add rural character and reduce the appearance of their large scale and mass;
- (e) development of a safe and functional road, transit and active transportation system that enhances traffic flow and internal circulation while maintaining high levels of safety between vehicles, cyclists and pedestrians;
- (f) Retention of natural features, and in particular pervious surfaces and the retention of vegetative cover on steeply sided hills, that add aesthetic value to the River-lakes Village Centre Designation and protect the lakes from adverse impacts;
- (g) Development that reduces light pollution throughout the River-lakes Village Centre Designation and the River-lakes Secondary Planning Strategy Area through controls on lighting;
- (h) Development that minimizes impact on the receiving waters of the Shubenacadie Lakes; and
- (i) Development of a variety of housing types that provide for a wide range of demographic needs and people with varying incomes.

#### **River-lakes Village Centre Designation Policies**

The River-lakes Village Centre Designation is defined by five distinct areas as shown on Map RL-2. Each of these areas have characteristics that make them ideal candidates for the creation of enclaves within the Centre through variation in the regulation of building form and setback of development from the street. Although slightly different from one another, all of these areas should be unified through the regulation of the external appearance of structures (architecture), landscaping and the future development of a system of sidewalks, trails and street trees and street furniture. In order to maintain a comfortable pedestrian

realm and pedestrian interest, development within these zones shall be of an appropriate scale and mass to blend into the streetscape and natural features of the area.

**RL-2** The River-lakes Village Centre Designation, as graphically illustrated on Map RL-1 and as outlined on the Generalized Land Use Maps 1A and 1B of the Municipal Planning Strategy for Planning Districts 14 and 17 for official reference, shall form the framework for policies to guide future development within this area.<sup>42</sup> The primary intent of this Designation is to facilitate the future development of a vibrant and attractive place where residents can live, meet, shop and be entertained in a small-scale, well designed Village Centre Designation that reflects the rural character of the surrounding area. Five zones shall be applied to the various areas throughout the River-lakes Village Centre Designation under the schedules of the Land Use By-law to facilitate the development of distinct areas around a focal point or character building element as a central organizing theme. All these zones shall contain regulations to facilitate the development of a small-scale, low environmental impact, mixed-use built form that is in keeping with the desire to maintain the rural village centre atmosphere and carry out the water quality objectives for the receiving waters of the Shubenacadie Lakes.

### **Canal Court**

The Canal Court encompasses Fall River Run which is situated between Lake Thomas and Fletchers Lake. It is the desire of the community to create a pedestrian-oriented area in this part of the Centre with small-scale buildings lining the streets and an internal court yard system adjacent to this historic part of the Shubenacadie Canal. Provisions will also be established to allow for the development of a slightly larger building at the intersection of Fall River Road and McPherson Road to serve as a focal point and gateway into the Canal Courtyard area. The expansion of an existing multiple-unit dwelling with the incorporation of a ground floor commercial component, at 19 MacPherson Road, shall also be permitted given the opportunities to provide alternative housing to the area.

**RL-3** Within the River-lakes Village Centre Designation, the Canal Court Zone shall be created under the schedules of Land Use By-law. The intent of this Zone is to support the transition of the area to a small-scale, mixed-use, walkable centre around the historic Shubenacadie Canal as a focal point for development. This Zone is also intended to maintain the traditional small lot pattern in this area by keeping the scale of buildings small to ensure that all features of development can be situated on the existing lot fabric without triggering the need for lot consolidations. Provisions will be established under the Land Use By-law to:

- (a) allow the development of small-scale commercial, single and two unit dwellings, an existing multiple-unit dwelling and its limited expansion, home business, bed and breakfast, open space uses and museums as an educational institution;

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<sup>42</sup> Please note that the area shown on Map 1 – Generalized Future Land Use Map of the Municipal Planning Strategy for Planning Districts 14 and 17 forms the official mapping for this Secondary Planning Strategy and where any questions arise regarding the application of designations to any given area, the Generalized Future Land Use Map takes precedence over all other mapping in this Secondary Plan.

- (b) allow the existing uses to be permitted if they were constructed prior to the effective date of this Secondary Planning Strategy;
- (c) allow the development of slightly larger-scale commercial development on sites shown on Schedules F and G of Land Use By-law, situated at the corner of Fall River Road and McPherson Road, to create a prominent entry site into the Canal Court area;
- (d) require minimal setbacks from the roadway to facilitate the future development of an internal courtyard in the rear yards adjacent to the Shubenacadie Canal and to create a sense of enclosure along the street; and
- (e) require limitations on gross floor space, building footprint, minimum and maximum height and minimum width to maintain a small-scale appearance, create a sense of enclosure and rhythm, maintain the fine grain lot pattern, and maximize the amount of pervious surface over the site to minimize adverse impacts on receiving waters.

**RL-4** In order to encourage the comprehensive development of a pedestrian- oriented mixed commercial –residential development that has an internally connected courtyard along the east and west sides of the Shubenacadie Canal, HRM shall consider larger scale buildings on lands shown on Schedule H of the Land Use By-law, through the provisions of a development agreement. The Zone will permit commercial, residential and open space uses. Given the extent of the area and the number of property owners involved, HRM may allow the application of a separate development agreement for Blocks A, B, or C shown on Schedule H. In considering such an agreement, Council shall have regard to the following:

**Built Form, Architecture and Use**

- (a) that the style of the buildings are in a townhouse form or two-three story traditional village shops with architectural detailing that is in general conformity with the architectural design requirements under the Land Use By-law;
- (b) that the siting, massing, and façade design of buildings shall be coordinated on a block-by-block basis;
- (c) that the elevation of all buildings within the block shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;
- (d) that the massing and built form of townhouse units adjacent to single-detached and semi-detached dwellings shall be broken down with architectural elements to promote visual integration;
- (e) that the first floor of all buildings are retained for commercial or institutional uses;

**Site Development Criteria**

- (f) that an internal courtyard system of interconnected trails and pathways, outdoor cafes and outdoor shopping areas is planned for the rear yards of the properties adjacent to the Shubenacadie Canal;
- (g) that there is limited trail development allowed throughout the Riparian Buffer to the extent that it does not reduce the function of the buffer for preventing impacts on the Shubenacadie Canal;

- (h) that a minimum of 25% of the entire development retains a combination of natural vegetation and combination of natural and structured landscaping to create an attractive relationship between buildings, rear and side yards, and the Riparian Buffers along the Canal;
- (i) that lighting is designed to prevent light pollution and to give a coordinated and unified appearance between the buildings and the site with oriented luminaries and is automatically timed to reduce illumination during non-business hours;
- (j) that parking is not provided in the front-yard of any property within the development;

#### **Site Impact Controls/Assessments**

- (k) that there is no adverse impact of development on any archaeological features in any areas identified on Schedule C of the Land Use By-law as determined by the Nova Scotia Department of Communities, Culture and Heritage;
- (l) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement; and
- (m) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.

#### **Village Core**

The Village Core Comprehensive Development District applies to the Sobeys Shopping Centre site, at the intersection of Highway 2 and Fall River. This is the Village Core which is intended to function as the focal point for business and community gathering. This site is a destination place for residents from throughout the River-lakes Secondary Planning Strategy Area and is a focal point within the River-lakes Village Centre Designation that features prominently from the top of the hill on Fall River Road. It is also situated on an environmentally sensitive site that is underlain with pyretic slate and surrounded by steeply sided slopes with fine grained soil that can adversely impact the Shubenacadie Lakes.

It is anticipated that larger scale development will continue to form the premise for business in the Village Core Comprehensive District Development Zone and that parking will be situated in front of the buildings. Future renovations or redevelopment of this site requiring an amendment to the existing development agreement, shall comply with the requirements to reduce the mass and scale of buildings and to soften the appearance of front yard parking through architectural and landscape design. Appropriate environmental controls shall also be required to prevent adverse impacts on the Shubenacadie Lakes and to maintain the water quality objectives set out under this Plan. Lighting and signage shall also be controlled to prevent light pollution and create an aesthetically pleasing development in relation to the streetscape.

**RL-5** Within the River-lakes Village Centre Designation, the Village Core Comprehensive Development District Zone shall be created under the schedules of Land Use By-law to permit the development of large commercial, medium density residential uses, and shared housing uses (RC-Aug 9/22;E-Sep 15/22). The intent of this Zone is to facilitate the concentration of the higher-intensity commercial activity in this location to act as a focal point for community gathering, shopping, entertainment and transit

provision. To ensure that future redevelopment of this site is in keeping with the community desire to maintain the rural village character of the area and to prevent adverse impact on the Shubenacadie Lakes, any new buildings, major alterations of a building façade or any redevelopments of the site not contemplated by the existing agreement, shall only be considered through the provisions of a development agreement pursuant to this Policy. In considering such an agreement, Council shall have regard to the following:

#### **Built Form, Architecture and Use**

- (a) that uses are limited to commercial, institutional, open space and residential uses as permitted within the Village Core Comprehensive Development District Zone;
- (b) that the first floor of all buildings is retained for commercial, institutional, recreation or entertainment uses;
- (c) that the design of any new buildings or major alteration of the façade of an existing building is in general conformity with the architectural requirements set out under the Land Use By-law;
- (d) that all roof top mechanical equipment is adequately shielded to prevent noise impacts on surrounding neighbourhoods and is screened from the view of any surrounding residential uses;

#### **Site Development Criteria**

- (e) that a minimum of 25% of the site is landscaped ~~in a manner that creates~~ between buildings and parking areas to minimize impacts on receiving waters, creates shade for pedestrians, and break-up the view of the large parking areas from the top of the hill on Fall River Road and from Highway 2;
- (f) that sidewalks, walkways and pathways on the site facilitate safe and convenient pedestrian access to the buildings, parking areas, transit stop(s) and external sidewalk systems;

#### **Site Impact Controls/Assessments**

- (g) that lighting is designed to prevent light pollution and to give a coordinated and unified appearance between the buildings and the site with oriented luminaries that are automatically timed to reduce illumination during non-business hours;
- (h) that the traffic generated by the development will not adversely affect the intersection of Fall River Road and Highway 2 or the Highway 102 and Highway 118 interchanges;
- (i) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement; and
- (j) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.

#### **Village Gateway**

**The Village Gateway is situated around the Highway 102 and Highway 118 interchanges. It**

is the first point of entry into the community of Fall River and development around this area, while oriented around the highway function, must be attractive to create a positive visual experience to residents and visitors to the community. Slightly larger-scale commercial developments are warranted in this area to act as a focal points within Village Centre but residential uses shall be limited as an accessory permitted use, as it is preferential to allow for mixed commercial, residential developments in the Village Mainstreet, Village Core and Canal Court areas. Attention to good site design and well designed buildings is also desired in this area to create a positive first image of the River-lakes Village Centre Designation. Slightly larger and higher signage provisions shall be made for developments in recognition of the function of this area as a highway-oriented commercial development area. However, limitations shall be placed on the range of permitted uses and outdoor storage shall be prohibited to prevent the development of an industrial feel to the Village Gateway. Small building footprint requirements shall be established to maintain maximum pervious surfaces over the site to minimize impact on the Shubenacadie Lakes. Provisions will be established to allow for the development of slightly larger buildings at the Inn-on-the-Lake site. Flexibility shall also be introduced to situate a limited number of smaller scale buildings over the Nova Scotia Power Corporation site in recognition of the development potential and prominence of these sites within the gateway to the River-lakes Village Centre Designation.

**RL-6** Within the River-lakes Village Centre Designation, the Village Gateway Zone shall be created under the schedules of Land Use By-law. The intent of this Zone is to create an attractive form of development to create a visually pleasing entry way into the community while allowing for the development of commercial activities that will benefit from the location at provincial highway interchanges. Provisions will be established under the Land Use By-law to:

- (a) allow medium-scale commercial, residential, institutional and open space uses;
- (b) allow the existing uses to be permitted if they were constructed prior to the effective date of this Secondary Planning Strategy;
- (c) relax the non-conforming use conditions for the reconstruction of the self-storage facilities on the lot situated at the corner of Perrin Drive and Falls Run shown on Schedule M of the Land Use By-law;
- (d) require a setback from the highway;
- (e) place limitations on gross floor space, building footprint, and maximum height to maintain a small-scale appearance, building rhythm, and maximize the amount of pervious surface over the site to minimize impact on receiving waters; and
- (f) allow a larger scale development where compatible the surrounding area on the site of the Inn on the Lake as shown on Schedule J of the Land Use By-law and on the four sites combined of the Nova Scotia Power Corporation as shown on Schedule K of the Land Use By-law.

### **Village Mainstreet**

The Village Mainstreet Zone extends from Roland Road on Fall River Road to Rays Lane, near the Inn-on-the Lake. This area weaves in and around the Canal Court, the Village Core and the Village Gateway. It is the primary area where pedestrian-oriented commercial development has the greatest potential in the River-lakes Village Centre Designation, given the presence of the sidewalk infrastructure, views to Lake Thomas and land availability. It

is an important area for pedestrian movement that should be enhanced through an interconnected system of trails, sidewalks and street furniture to facilitate social interaction, health and wellness and visual and physical connection to the lakes. The terrain also lends itself to the creation of three distinct areas within the Village Mainstreet which include lands along Fall River Road leading into the Village Core; lands between two hillsides extending from Miller Lane to Hemlock Road; and lands on the southern side of Hemlock Road up to Rays Lane.

Although different in land formation and surrounding context, all these areas are a road side form of development which the community wishes to see developed with good site design and in an architecturally pleasing way to prevent the appearance of an unmanaged highway commercial strip. A well landscaped uniform front yard setback shall be required to create a positive and well maintained relationship between the buildings and the street. All parking shall be situated to the side or rear of the property and building width, height and building footprint limitations shall be established to maintain maximum pervious surfaces over the site and maintain the small-scale feel and function of freestanding stores along a Village Mainstreet. Provisions will also be established to allow for the development of a slightly larger building on the former Fall River Recreation Centre Site since it has sufficient land area upon which to develop a larger facility to act as a focal point around which to organize all other development in the area between Miller Lane and Hemlock Road.

**RL-7** Within the River-lakes Village Centre Designation, the Village Mainstreet Zone shall be created under the schedules of Land Use By-law. The intent of this Zone is to facilitate the creation of a well designed pedestrian-oriented village mainstreet throughout the River-lakes Village Centre Designation that maintains a positive relationship between the buildings, the street and the receiving environment. Provisions will be established under the Land Use By-law to:

- (a) permit small -scale commercial, residential, bed and breakfast and home business uses, institutional uses and open space uses;
- (b) allow the existing uses to be permitted if they were constructed prior to the effective date of this Secondary Planning Strategy;
- (c) require a setback from the highway;
- (d) place limitations on gross floor space, building footprint, maximum height and width to maintain a small-scale appearance and building rhythm and to maximize the amount of pervious surface over the site to minimize impact on receiving waters; and
- (e) permit larger-scale commercial development on the site shown on Schedule I of Land Use By-law, the old Fall River Recreation Centre.

**RL-8** In addition to the provisions outlined in Policies RL-3, RL-6, and RL-7 for the Canal Court, Village Gateway, and Village Mainstreet Zones, provisions shall be established under the Land Use By-law to:

- (a) break-up mass and scale and mass of buildings and add character to the buildings through architectural design;
- (b) create an attractive relationship between, buildings, parking, the streetscape and the surrounding environment, and minimize impact on receiving waters through landscaping;

- (c) require all parking be located in the side or rear yard or at an off-site location within proximity of the development;
- (d) establish limitations on the outdoor storage or display of materials, goods, supplies or equipment;
- (e) minimize light pollution by placing controls on lighting; and
- (f) Prevent the cluttered appearance of the streetscape by placing controls on signage.

### **Fall River Business Zone**

The Fall River Business Zone is situated at the top of the Hill on Perrin Drive and is disconnected and not visible from other areas within the River-lakes Village Centre Designation, except via the Highway 118 off-ramp, entering into Fall River. It has traditionally served as a depot for highway service-related industries that are situated in this area to gain direct access to the highway system. It is the desire of the community to allow this area to serve as a place for the location of these highway service and storage facilities while minimizing visual impact on the surrounding community. Provisions shall therefore, be established to require the incorporation of a landscaped buffer along property lines abutting Perrin Drive and the Highway 118 off ramp. Limitations shall also be established on building size of building supply outlets and signage. Retail, with the exception, of small scale building supply outlets, will not be permitted in this area in order to foster the development of a commercially viable retail area in those areas that are zoned Village Core, Canal Court, Village Mainstreet and Village Gateway.

**RL-9** Within the River-lakes Village Centre Designation, the Fall River Business Zone shall be created under the schedules of Land Use By-law. The intent of this Zone is to provide for the continued development of highway-related commercial uses to be situated near the highway interchanges of Highway 118 and Highway 102. In order to create a commercially viable area for retail and service-related commercial development within the Canal Court, Village Core, Village Mainstreet and Village Gateway Zones, permitted uses will be limited to light industrial uses that are not obnoxious or have the potential to adversely impact the receiving waters of the Shubenacadie Lakes System. This Zone will however, permit building supply stores and community uses and residential uses that are accessory to the permitted uses within the Zone. The Zone will also permit highway oriented commercial uses such as warehouses, construction yards, light manufacturing uses, and other commercial uses, as well as, institutional and open space uses. In order to address concerns about negative visual, traffic and noise impacts, the Fall River Business Zone provisions shall be established under the Land Use By-law to:

- (a) requirements for the creation of a landscape buffer along Perrin Drive and the Highway 118 off-ramp to screen the view of outdoor storage areas, yard works and multiple buildings from the surrounding area;
- (b) require that all parking to be located in the side or rear yard or at an off-site location within proximity of the development;
- (c) limitations on gross floor space of building supply outlets to prohibit the development of big-box retail and shopping centre development at this location;

- (d) limitations on the development area to maximize pervious surface over the site so as to minimize impact on receiving waters;
- (e) architectural controls to break-up mass and scale and add character to the buildings and controls on height; and
- (f) lighting controls to minimize light pollution and signage to prevent the cluttered appearance of the streetscape.

### **Residential Policies**

The vast majority of the land outside of the River-lakes Village Centre Designation within the River-lakes Secondary Planning Strategy Area, is designated for low density residential development on the Generalized Future Land Use Map of the Municipal Planning Strategy for Planning Districts 14 and 17. Specifically, the communities of Lakeview, Windsor Junction, Fall River, Miller Lake and Fletchers Lake are designated Residential, the community of Wellington is designated Mixed Resource, and the ridge and lowland area adjacent to the Kinsac River are designated Resource. There are also Community Centre designations around the intersection of Highway 2 and Holland Road, in Fletchers Lake, and around the intersection of Jackson Drive and Burrows Drive with Highway 2, in Wellington, which recognize the gradual transition of these areas to village centres. A small portion of land on Rocky Lake Road in Lakeview is also designated Light Industrial.

The Residential Designation recognizes the pattern of low density residential development that has taken place in this area over the last 25 years. It establishes a range of residential zones to permit the continued development of single unit dwellings on minimum 40,000 square foot lots. Some of these zones also permit two unit dwellings where a minimum of 40,000 square feet of land is provided for each unit.

The Mixed Residential Designation recognizes the traditional mixed-use development pattern found in semi-rural areas and establishes the Rural Residential Zone to permit low density residential development, the limited use of a residential property for business uses, limited forestry and agricultural uses and community uses. The Resource Designation places a priority on continued resource development and establishes the Rural Estate Zone to permit single, two unit and mobile dwellings on substantially larger lots (minimum 80,000 square feet), forestry and agricultural uses, the use of residential properties for business uses, and community uses.

New residential policies were introduced in 2006 with the adoption of the Regional Plan to work in concert with the residential policies. The Regional Plan was concerned mainly with the impact of residential growth in rural areas and introduced policies to manage the rate of residential development and to encourage new subdivision designs aimed at the retention of open space. Thus the Rural Commuter Designation was created as an area wherein growth management controls would be put in place and all new large scale subdivisions would only be considered under the premises of *Conservation (RC-Jun 25/14;E-Oct 18/14)* Design. Large scale subdivisions that were under conceptual plan of subdivision approval at the time of the adoption of the Regional Plan, were allowed to proceed with the development of a maximum of 25 lots per year (Regional Plan Policy S-28). This included the subdivisions to the north of Fall River Road for St. Andrews Village and Kinloch Estates.

The residential policies under the Regional Plan and Planning Districts 14 and 17 are in

keeping with the vision for the River-lakes Secondary Planning Strategy and it is the intention of the River-lakes Secondary Planning Strategy to continue to apply this policy framework to this Secondary Planning Strategy Area to guide future residential development. The Secondary Planning Strategy however, recognizes the need to provide for the development of townhouses and low-rise multiple-unit dwellings to meet the needs of the aging population and young adults. These housing forms are not currently permitted within Planning Districts 14 and 17 due to past concerns with the malfunctioning of older private sewage treatment system technologies when the Plan was initially adopted in 1989 (Policy P-68). While many of these concerns have been alleviated with the advancement of small scale wastewater management system technologies<sup>43</sup>, there are current environmental and road system constraints which must be addressed within this Secondary Planning Strategy Area.

**RL-10** HRM shall retain the Residential, Mixed Resource, Resource, Community Centre and Light Industrial designations over the remaining areas outside of the River-lakes River-lakes Village Centre Designation that are within the boundaries of the River-lakes Secondary Planning Strategy as shown on Generalized Land Use Maps 1A and 1B of the Municipal Planning Strategy for Planning Districts 14/17. All policies under the Municipal Planning Strategy for Planning Districts 14/17 and the Regional Plan shall continue to apply to these areas unless altered by the policies contained in this Secondary Plan.

#### **Residential Developments in the River-lakes Secondary Planning Strategy Area**

There is a desire to allow for the development of alternative housing forms to accommodate the housing needs of seniors, young adults and other sectors of the population that need access to housing other than single and two unit dwellings. In particular, there is a need for townhouses and low rise multi-unit dwellings (maximum 3-story) to meet the urgent needs of seniors who wish to remain in the community.

There are however, limitations to the amount of development that that Secondary Planning Strategy Area may support without exceeding the limited carrying capacity of the lakes and road systems and adversely affecting the rural community character. The Shubenacadie Lakes Watershed Study<sup>44</sup> indicates that groundwater conditions are limited and the receiving waters of Lake Thomas and Fletchers Lake are nearing the threshold of desirable water quality objectives for the Shubenacadie Lakes. The Fall River/Waverley/Wellington Areas Transportation Study also indicates that the intersection of Fall River Road and Highway 2 and the Highway 118 and Highway 102 interchanges are heavily congested during peak driving periods and are at certain times of the day failing to achieve acceptable levels of service.<sup>45</sup>

**Given the urgent need to allow for alternative housing forms, the River-lakes Secondary Planning Strategy will allow consideration of townhouse developments and low-rise**

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43 Options for On-site and Small Scale Wastewater Management, Land Design Engineering Services, Ekistics Planning and Design, John Zuck and Associates and Spatial Metrics Atlantic Engineering Technologies Canada Limited, prepared for Halifax Regional Municipality, March 2005.

44 Fall River-Shubenacadie Lakes Watershed Study, Jacques Whitford Limited, Centre for Water Resource Studies and ABL Limited, prepared for Halifax Regional Municipality, July 2010.

45 Fall River/Waverley/Wellington Areas Transportation Study, CBCL Limited, prepared for Halifax Regional Municipality, January 2010.

multiple-unit dwellings within a few locations through the provisions of a development agreement. This will allow the Municipality to assess these developments on a case-by-case basis to determine if the developments can be permitted without adversely affecting the limited traffic capacity of the roads and the limited environmental capacity of the receiving lakes. These forms of housing shall only be considered, through the provisions of a development agreement, within the areas zoned Village Mainstreet, within the River-lakes River-lakes Village Centre Designation and on the four opportunity sites situated throughout the Secondary Planning Strategy Area as shown on Map RL-3.

In order to determine if it is feasible to develop these sites, studies shall be required before a development agreement is approved by Council to determine if the development can proceed without exceeding the limits for phosphorus export, pursuant to Policy RL-22, or transportation system, pursuant to Policy RL- 25. Multiple-unit housing developments shall be limited to three stories in height and shall have to generally conform to the architectural and site design requirements set out under the Land Use By-law. The developments shall also be designed as *Classic Conservation (RC-Jun 25/14;E-Oct 18/14)* Design developments to minimize impacts on the environment and surrounding community and preserve the rural character of the area.

#### **Multiple Unit Dwellings and Townhouses in the River-lakes Village Centre Designation**

Within the Village Mainstreet Zone of the River-lakes Village Centre Designation, low scale multiple-unit housing and townhouse developments maybe considered through the provisions of a development agreement. In order to ensure that these developments fit in with the desired community form of a rural village centre, density shall be limited to three units per acre. Provisions will be established to allow for the development of a commercial component on the first floor of any low-rise multiple-unit dwelling. This is in keeping with the desire to create an attractive pedestrian-oriented Village Centre. In order to prevent impact on receiving waters and to maintain the rural character of the River-lakes Village Centre Designation, requirements shall also be established to retain a minimum of 50% of the pervious surface of the site for groundwater infiltration and to retain the natural vegetation on steep slopes.

**RL-11** Within the Village Mainstreet Zone of the River-lakes Village Centre Designation, HRM shall consider permitting low scale multiple-unit dwellings or townhouses through the provisions of a development agreement. In considering such an agreement, Council shall have regard to the following:

#### **Built Form, Architecture and Use**

- (a) that the range of commercial uses, permitted on the first floor, is limited to the commercial uses permitted under the Village Mainstreet Zone or residential uses;
- (b) that the maximum density, excluding commercial development, does not exceed 3 units per gross acre;
- (c) that the building does not exceed three stories above average grade, excluding rooflines;

- (d) that the design of any new buildings or major alteration of the façade of an existing building is in general conformity with the architectural requirements set out under the Land Use By-law;
- (e) that the elevation of all buildings within any townhouse block shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;
- (f) that there are off-sets or other articulations in the overall roof structure to break up the massing of townhouse blocks;
- (g) that the massing and built form of the development is compatible with any adjacent low density residential uses through the use of siting, transition of building scales, and architectural elements to promote visual integration;

#### **Site Development Criteria**

- (h) that impervious surface areas do not exceed 50% of the site and that all parking is located to the side or the rear of the building;
- (i) that landscaping is designed to create a visually attractive appearance and to reduce the adverse impact of stormwater flows and all natural vegetation is retained on slopes in excess of 25%;
- (j) that pedestrian walkways are provided throughout the site to provide safe and direct access to buildings, parking lots, trails and adjacent public streets and adequate useable amenity areas are provided;
- (k) that development is positioned in such a way to maximize potential opportunities to create future trails as close to the water as possible, along the Lake Thomas Riverwalk as outlined in Policy RL-5;
- (l) that a hydrogeological assessment is conducted by a qualified professional to determine if there is there is an adequate supply of groundwater to service the development without adversely affecting groundwater supply in adjacent developments;

#### **Site Impact Controls/Assessments**

- (m) that the lighting on the site is designed to prevent light pollution impacts on adjacent properties and to give a coordinated and unified appearance between the buildings and the site with oriented luminaries;
- (n) that the traffic generated by the development will not adversely affect the intersection of Fall River Road and Highway 2 or the Highway 102 and Highway 118 interchanges;
- (o) that there is no adverse impact of development on any archaeological features in any areas identified on Schedule C of the Land Use By-law as determined by the Nova Scotia Department of Communities, Culture and Heritage;
- (p) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement; and
- (q) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.

### **River-lakes Village Center Designation Residential Opportunity Site A**

Within the River-lakes Village Centre Designation, there is a site that is situated in the Village Core that offers an opportunity for the development of a slightly higher density form of residential development. This site, referred to as Site A, is situated on the north and the east sides of the Sobeys Shopping Centre as shown on Map RL-3. A slightly higher density form of development at this location will frame the Sobeys Shopping Centre and facilitate the development of mixed-use pedestrian-oriented development pattern that is desired for the Village Core. The site is also in a good location to secure access to services and amenities that will benefit the residents of this development and to facilitate vibrancy in the Centre.

The intersection of Fall River Road and Highway 2, however, is constrained during peak traffic periods and the area around this site is known to have constraints for groundwater supply, challenging soil (fine particulate soil) and challenging bedrock conditions (potential to encounter sulphide bearing slates). Consultants for the proponent of this development have indicated that there is sufficient precipitation to facilitate the development of a rainwater harvesting system to service a limited density of development (up to 4 units per acre on this site). There is also a desire to allow for increased density development (up to 8 units per acre) on this site should municipal water services be provided to this site in the future.

Future development of this site will be limited to 4 units per acre for the development of low rise multiple-unit dwellings and townhouses. Studies shall be required to verify the adequacy of groundwater supply and the rainwater harvesting system to service the development and how any potential impacts on the lakes and receiving roadways can be mitigated. Should the area become serviced with municipal water in the future, Council may consider increasing the development density on this site to 8 units per acre through the provisions of a development agreement.

**RL-12** HRM shall consider permitting low scale multiple-unit dwellings or townhouses up to 4 units per acre on Site A through the provisions of Policy RL-11. Given the anticipated groundwater constraints on this site HRM may consider allowing development up to a maximum of 4 units per acre if a study is undertaken by a qualified professional to verify that a potable water supply can be reliably and adequately augmented by a rainwater harvesting system. HRM shall consider permitting an increase in density on this site, up to a maximum of 8 units per acre, through the provisions of Policy RL-11, if municipal water services become available to the River-lakes Village Centre Designation.

### **Multiple Unit Dwellings and Townhouses outside the River-lakes Village Centre Designation**

Outside the River-lakes River-lakes Designation there are three additional potential development sites where an alternative form of housing may be considered. These include Site B which is situated at the at the north-end of Fall River Village, Site C which is situated at the South-end of Fall River Village, and Site D which is situated in the Charleswood Subdivision, as illustrated on Map RL-3. An overview of each of these sites and the policies pertaining to their future development is discussed in greater detail below.

### **Site B – Fall River Village North Residential Opportunity Site (RC-Mar 5/19;E-Apr 6/19)**

Site B is situated at the north-end of Fall River Village, running parallel with the Fall River Road. It is a 49.3 acre site that was once the site of the “Old Carr Farm”. It has a natural landscape with rolling hills, low lying areas and mature vegetation. These features offer an opportunity to offset the differences in scales of development if it is designed to fit into the natural landscape. The River-lakes SPS recognizes the urgent need for alternative housing forms in Fall River, specifically multiple unit dwellings. Population in Fall River has more than doubled from 1996-2016 and the proportion of the population aged 65 and above in Fall River rose from 5.2% (421 people) in 1996 to 11.1% (1139 people) in 2016.<sup>46</sup> To help support this change in demographics and increase in population there is a need for alternative housing, therefore, Site B has been selected because of its size, reasonable proximity to services and amenities and ability to provide an alternative housing options, specifically multiple unit dwellings in a catchment area including Waverly, Lakeview, Windsor Junction, Fall River, Wellington, Fletchers Lake, Oakfield and Grand Lake. Site B provides an opportunity to develop a series of multiple unit dwelling(s) with services and amenities provided on site. The purpose of this housing option, acknowledging that additional density is required to provide an economy of scale that allows for the establishment of additional site facilities, is to support those individuals who may need personalized services or help with activities of daily living. A new zone will regulate site development through the Site Plan Approval process.

**RL-13** The River-Lakes Residential Campus Zone shall be created under the schedules of the Land Use By-law. The intent of this Zone is to enable a series of multiple unit dwelling(s) with services and amenities. This zone is only applied to Site B as shown on Map RL-3 and subject to appropriate land use by-law requirements and site plan approval. To ensure development compliments the surrounding neighbourhood and is built to reflect an integrated approach to design, building form, and site development, controls related to architecture, landscaping, retention of vegetation, driveway access, parking, pedestrian access, outdoor lighting, signage, and accessory buildings shall be established in the land use by-law.

**RL-13A** For lands zoned River-Lakes Residential Campus, the Land Use By-law may increase the notification distance for a Site Plan Approval that is granted or refused by a Development Officer.

**RL-13B** The Land Use By-law may set conditions, including performance standards, to be met before a development permit may be issued.

### **Site C - Fall River Village South Residential Opportunity Site**

Site C is situated at the south end of Ingram Drive, in Fall River Village, near the Cobequid Road. It is a 30 acre site that was previously zoned I-3 (Light Industrial) which would have allowed a wide range of incompatible uses with the low density residential uses to the west and north of the site. The site location has the potential to become a new entry point into the Fall River Village and has sufficient land area to buffer the bulk and scale of any low scale

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<sup>46</sup> Halifax Regional Municipality. Proposed Approach to Uniform Land Use Regulation of Seniors Housing. Staff Report presented to Halifax Regional Council, August 1, 2017.

multiple-unit dwellings or commercial uses from the low density residential development to the west and north of the site. Portions of the site were also previously zoned R-1b (Suburban Residential) and C-2 (Community Commercial).

The property will be zoned Residential Comprehensive Development District under this Secondary Planning Strategy to allow the development of low-rise multiple-units, townhouses, single unit dwellings, and two unit dwellings up to a maximum of 4 units per acre. This zone will allow consideration of a small scale local commercial convenience store and self storage buildings in association with the residential development. Like Site B, this site will require special siting and design consideration to minimize any impacts on the surrounding low density residential development. A minimum of 60% of the site shall be retained as common open space and can be used to buffer the development from lower density types of housing. Direct access to the Cobequid Road shall also be required to minimize traffic impact on Fall River Village and there shall be a maximum of three multiple-unit dwellings with a maximum of 40 units per building.

**RL-14** A Residential Comprehensive Development District Zone shall be created under the Land Use By-law and applied to Site C. The Zone will permit low scale multiple-unit dwellings, townhouses, single unit dwellings or two unit dwellings or local commercial use. The Zone will also permit a self storage facility. The development shall be designed as a Classic Conservation (RC-Jun 25/14;E-Oct 18/14) Development pursuant to Policy S-16A and S-17A (RC-Oct 12/22;E-Nov 16/22) of the Regional Plan. In considering such an agreement, Council shall have regard to the provisions of Policies S-16A and S-17A (RC-Oct 12/22;E-Nov 16/22) of the Regional Plan and the following:

**Built Form, Architecture and Use**

- (a) that the maximum gross density is limited to 4 units per acre, the number multiple-unit buildings is limited to 3, the number of units per multiple-unit building is limited to 40 units, and the height of any multiple-unit building is limited to three stories above average grade, excluding rooflines;
- (aa) that a minimum of 60% of the site is retained as open space; (RC-Jun 25/14;E-Oct 18/14)
- (b) that the local commercial use shall not exceed 371 m<sup>2</sup> (4000 sq.ft.) and the self storage facility shall not exceed ten thousand 929 m<sup>2</sup> (10,000 sq.ft.) of gross floor area;
- (c) that the self storage units may be sited anywhere on the site provided the visual impacts of the garage door openings are concealed from the travelling public or any adjacent residential uses;
- (d) that the massing and built form of the development is compatible with any adjacent low density residential uses through the use of siting, transition of building scales, architectural elements to promote visual integration and landscaping and buffering;
- (e) that the elevation of any townhouse buildings shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;
- (f) that there are off-sets or other articulations in the overall roof structure to break up the massing of townhouse blocks;

- (g) that the development generally conforms to the architectural provisions set out under the land use by-law;

#### **Site Development Criteria**

- (a) that the landscaping is designed to create a visually attractive appearance and reduce stormwater impacts;
- (b) that pedestrian walkways are provided throughout the site to provide safe and direct access to buildings, parking lots, trails and adjacent public streets and adequate useable amenity areas are provided;
- (c) that important cultural features such as trails the MacDonald Sports Park Connector Trail as illustrated on Map RL-4 are incorporated as a feature within the development;

#### **Site Impact Controls/Assessments**

- (d) that the lighting on the site is designed to prevent light pollution impacts on residential units within the site and on adjacent properties and to give a coordinated and unified appearance between the buildings and the site with oriented luminaries;
- (e) that any development situated adjacent to a low density residential development does not result in any undue adverse impacts on adjacent properties in terms of traffic or privacy conditions for those residential uses and their outdoor amenity areas;
- (f) the site has direct road access to the Cobequid Road;
- (g) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement;
- (h) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.

#### **Site D – Charleswood Residential Opportunity Site**

Site D is a 42 acre piece of land in a 153 acre parcel which Miller Developments is proposing to develop a Classic Conservation (RC-Jun 25/14;E-Oct 18/14) Design Subdivision. This development is an extension of the Charleswood Subdivision and Site D forms Phase 4 of this proposed development. The subdivision is proposed to be developed with a mix of single unit dwellings and townhouses with the townhouse component proposed for Site D. This Secondary Planning Strategy will allow consideration of the development of townhouses on a maximum of 42 acres on Site D at a maximum density of 2 units per acre through the provisions of the Conservation (RC-Jun 25/14;E-Oct 18/14) Design Policies S-16A and S-17A (RC-Oct 12/22;E-Nov 16/22) and the provisions of Policy RL-16 below.

**RL-15** In addition to the uses that may be considered pursuant to Policy S-16 (RC-Oct 12/22;E-Nov 16/22) under the Regional Plan, HRM shall consider permitting townhouses on Site D as a component of a proposed Classic Conservation (RC-Jun 25/14;E-Oct 18/14) Design Subdivision for the Charleswood Subdivision through the provisions of a development agreement. In considering such an agreement, Council shall have regard to the provisions of Policies S-16A and S-17A (RC-Oct

12/22:E-Nov 16/22) of the Regional Plan and the following:

**Built Form, Architecture and Use**

- (a) that a maximum of 42 acres of the site maybe developed for townhouses in the general vicinity of the area shown on Map RL-3 at a maximum density of two units per acre;
- (aa) that a minimum of 60% of the site is retained as open space; (RC-Jun 25/14;E-Oct 18/14)
- (b) that the massing and built form of the development is compatible with any adjacent low density residential uses through the use of siting, transition of building scales, architectural elements to promote visual integration and landscaping and buffering;
- (c) that the elevation of all buildings within each townhouse block shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;
- (d) that there are off-sets or other articulations in the overall roof structure to break up the massing of townhouse blocks;
- (e) that the massing and built form of townhouse units adjacent to single-detached and semi-detached dwellings shall be broken down with architectural elements to promote visual integration;
- (f) that the townhouses generally conform to the architectural provisions set out under the land use by-law;

**Site Impact Controls/Assessments**

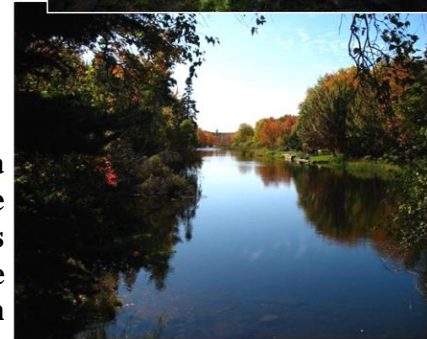
- (g) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement;
- (h) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.



**Open Space and Trails**

**River-lakes Open Space and Trail System**

The River-lakes Secondary Planning Strategy Area has a vast system of interconnected trails and sidewalks that have been formally and informally developed to link the various communities, schools, and the River-lakes Village Centre Designation with one another for Active Transportation purposes. There is also a vast array of community trails leading to outstanding places that have high quality recreation, aesthetic, historical and natural value. Important cultural features such as Lock 4 of the Shubenacadie Canal, for example, offer a unique opportunity to connect the community with significant aspects of its past. The Lake Thomas Water Walk is also an example of a high quality community connector that links the communities to the River-lakes Village Centre Designation for active



transportation purposes while offering a high quality opportunity for recreation.

It is the desire of the community to work toward the formal development of a trail system throughout the River-lakes Plan Area. An interconnected trail system not only provides opportunities for recreation and active transportation but forms the structure for a well defined pattern of development in the future (areas shaped by greenways). It also attaches people to their community by maintaining those natural and functional elements that maintain one's sense of place. Trails are also the most widely requested type of infrastructure since it serves all age groups and it easy to access for healthy living and recreation.

The Fall River Vision Implementation Committee (VIC) recommended the Conceptual Level Trail Plan for the River-lakes Secondary Planning Strategy and surrounding area as shown on Map RL-4. This Plan features a vast array of trails that have been formally and informally developed overtime. Through consultation with various user groups and the community at large, the Open Space and Trails Task Group of the VIC, in concert with representatives of the Shubenacadie Canal Commission inventoried, walked, researched and assessed the multi-layer trail system as shown.

The Priority Routes shown on Map RL-4 represent future off road and K-road trail opportunities. Some are through open terrain and some within the developing areas, connecting the community trail system with the Shubenacadie Canal and Kinsac Lake, the River-lakes Village Centre Designation, local schools and the MacDonald Sports Park. The western side of Shubenacadie Canal is a Primary Corridor of the Regional Trail Network and a designated Water Route, Cultural Corridor, and Natural Corridor under the Regional Plan. These are the Routes that the VIC has selected as priority features for future detailed planning and development. Other local trails as illustrated will become part of the longer term Plan.

**RL-16** In recognition of the community desire to work toward the future development of an interconnected system of trails, HRM shall adopt the River-lakes Trail and Open Space Conceptual Plan as outlined on Map RL-4, as a framework to guide future detailed planning and implementation. The community is strongly encouraged to work towards the future development of these detailed plans and implementation strategies through collaboration with the Halifax Regional Trails Association under the HRM Trails Program.

**RL-17** Given the opportunities for public recreation and the excellent opportunities for access to the unique ecological and cultural heritage assets along the Priority Trail Connectors identified on Map RL-4 River-lakes Trail and Open Space Conceptual Plan, HRM shall, to the greatest extent possible, give priority to the acquisition and development of trails and open space assets along these Connectors, through the parkland dedication process under the Regional Subdivision By-law for all applicable subdivision developments within the River-lakes Plan Area and its Village Centre.

**RL-18** HRM shall negotiate through the development agreement process to acquire land or secure the use of the land between the MacDonald Sports Park and Fall River Village for a trail and other trails as indicated on the Maps RL-4 and Map RL-5

for all developments considered by development agreement within the River-lakes Plan Area and its Village Centre.

### **The River-lakes Village Centre Designation Open Space and Trails System**

Map RL-5 represents the Conceptual Open Space and Trails Plan for the River-lakes Village Centre Designation as recommended by the Fall River Vision Implementation Committee. It features the development of a trail system around Lake Thomas, the enhancement of the active transportation system around Fletchers Run, and the development of open space components that will preserve the historic and cultural values of the Shubenacadie Canal System within the Village Core. It also provides opportunities to secure active transportation links between the River-lakes Village Centre Designation and surrounding area to develop a vibrant and attractive place over the long-term. The specific features recommended by the VIC as part of this Plan include the following:



- (a) secure a trail route in the areas generally shown on Map RL-5 as close to the water as possible;
- (b) develop a multi-use trail along the western side of Highway 2 and the eastern side of Lake Thomas from the intersection of the Fall River Road, south;
- (c) develop a trail from the Inn on the Lake to the MacDonald Sports Park;
- (d) protect the historic value of trails and areas of interest and connections;
- (e) complete trail and sidewalk linkages to create “upper” and “lower” loops around Lake Thomas and Fall River Run across Lock 4 as illustrated on Map RL-5;
- (f) protect and support reinstatement of Lock 4 as a historic area of interest;
- (g) maintain Lake Thomas frontage at Gordon R. Snow Centre in a naturalized state while providing enhanced access to all;
- (h) develop a swimming dock with minimum disturbance of the natural area along Lake Thomas at the Gordon Snow Centre;
- (i) acquire a “village green” lands (area of interest) and protect for public access and recreation;
- (j) Raise Fall River Road Bridge at Fletchers Run to allow for paddle craft access.

Detailed planning is required to determine a potential trail alignment and to assess the feasibility for the development of some aspects of the system. Other aspects of this Plan may be implemented as opportunities arise through future subdivision developments, development agreements, land trades, or road improvements.

**RL-19** HRM shall adopt the River-lakes Village Centre Designation Conceptual Open Space and Trails Plan as a framework to guide future detailed planning, cost analysis and capital planning for further consideration by Regional Council for implementation.

**RL-20** HRM shall consider the cost and feasibility of creating sufficient clearance for canoeing under any new bridge construction that may be considered to alleviate traffic congestion at the intersection of Fall River Road and Highway Number 2. HRM shall also encourage the Shubenacadie Canal Commission to consider the development of a weir that maybe used to lower water levels to facilitate canoe

access under the bridge as part of its on-going restoration initiatives of the Shubenacadie Canal.

- RL-21** HRM shall consider trading surplus municipal lands in the River-lakes Secondary Planning Strategy area in exchange for trials as close to Lake Thomas as possible or the desired community green as illustrated on Map RL-5.

### **Environmental Protection**

#### **River-lakes Sub-watersheds**

The Fall River-Shubenacadie Lakes Watershed Study was prepared by Jacques Whitford Limited, et.al. for the River-lakes Secondary Planning process. The purpose of this Study was to identify those lands most suitable for development and for environmental protection through land and water capacity analysis.

The Study was developed through a series of component studies which evaluated the capacity of the groundwater and ecological resources to support development. It also evaluated the impact of future potential development scenarios on the receiving waters of the Shubenacadie Lakes. The Study also examined options for servicing various areas throughout the River-lakes Secondary Planning Strategy Area with municipal central water and small scale on-site wastewater management systems (individual on-site and cluster septic). Options for servicing the Village Core of the River-lakes Village Centre Designation with a centralized collection system and new sewage treatment plant were also examined.

In this phase of the Secondary Plan, water quality objectives shall be set to regulate the amount of development that may occur within the portions of the Lake William, Lake Thomas, Fletchers Lake and Grand Lake sub-watersheds within the River-lakes Secondary Planning Strategy Area. Options for wastewater and central water service infrastructure will be explored during the Phase II planning process.

#### **Watershed Regulations**

The study area included all lands within the Shubenacadie Lakes Primary Watershed. The portion of the Shubenacadie Lakes Primary Watershed within the River-lakes Secondary Planning Strategy Area include the Lake William, Lake Thomas, Fletchers Lake, and Grand Lake sub-watersheds (Map RL-6). Land-use regulations for the entire Shubenacadie Lakes Watershed are contained in six municipal planning strategies of Halifax Regional Municipality including the Planning Districts 14/17 MPS, Dartmouth MPS, Hammonds Plains, Beaver Bank and Upper Sackville MPS, Sackville MPS, Lake Major MPS and the Regional MPS. The northern end of the Shubenacadie Lakes Watershed is within the Municipality of East Hants.

Grand Lake supplies the Municipality of East Hants with drinking water. The Municipality of East Hants has adopted a Source Water Protection Plan for the entire Shubenacadie Lakes Watershed pursuant to the Environment Act to educate the public on how to prevent impacts on Grand Lake. Representatives of Halifax Regional Municipality and Halifax Water participate as members of the Municipality of East Hants Source Water Protection Society to provide strategic advice for overall watershed management. Halifax Regional

Municipality however, maintains responsibility for land use regulation over the vast majority of this watershed since it is within the jurisdiction of Halifax Regional Municipality.

Lake Fletcher is also the source of water supply for the Collins Park Water Treatment System. This system provides drinking water supply for 75 homes in the Wellington Area and is under the Management of Halifax Regional Water Commission. The Halifax Regional Water Commission has also developed a management plan for the protection of its water supply which is focused primarily at public education. The Halifax Regional Water Commission monitors Fletcher Lake at 6 different locations to identify issues and areas that may need to be addressed in its environmental education program. The Halifax Regional Water Commission works with groups and organizations such as the Shubenacadie Watershed Environmental Protection Society to deliver the watershed awareness through signage and public education programs such as Adopt-a-Watershed and walking tours.

Given that the lands within the River-lakes Secondary Planning Strategy Area drain mainly to the Lake William, Thomas, Fletchers Lake and Grand Lake sub-watersheds, water quality objectives should be set for these lakes as a performance measure against which to monitor the effects of future development. Limits on phosphorus emissions shall be set as the performance standard to regulate the amount of permitted development on larger developments to reduce the impacts on receiving waters. Controls on future development in those portions of the sub-watersheds that are outside of this Secondary Planning Strategy Area will also be needed to prevent the lakes from exceeding the total annual phosphorus concentrations recommended under the Shubenacadie Lakes Watershed Study. This includes lands within the Lake Charles Sub-watershed and lands in the portion of the Lake William, Lake Thomas, Lake Fletcher and Grand Lake sub-watersheds that are outside this Secondary Planning Strategy Area. Regulations for those areas however, are beyond the planning process for the River-lakes Secondary Planning Strategy Area and will have to be dealt with in subsequent planning processes for the other affected plan areas.

### **Development Impacts**

According to the Study, “water quality is vulnerable to the effects of suburban development and has declined in the study area over the past thirty years (Mudroch et al. 1987; Vaughan Engineering, 1993; Centre for Water Resource Studies, 1991). The study attributes this decline to issues concerning malfunctioning on-site septic systems, depletion of groundwater resources, inadequate buffer zones, the current status of the lakes (receiving waters) to receive wastewater effluent and the impact of stormwater runoff.<sup>47</sup>

HRM strives to maintain the present trophic status of lakes to the greatest extent possible, as stated in the Regional Plan. Lakes range from an oligotrophic to a eutrophic state in a lake trophic classification system. An oligotrophic lake is one that is characterized as having a high degree of water clarity, sufficient supply of oxygen at all levels and fewer conditions to promote the growth of algae and plants within the lake. The upper limit of total annual phosphorus loading for an oligotrophic state is 10µg/L. The mesotrophic state is the transitional stage between oligotrophic and eutrophic on the continuum. A mesotrophic lake has an accumulation of sediments, a higher concentration of phosphorus and algae (often

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47 Fall River-Shubenacadie Lakes Watershed Study, Jacques Whitford Limited, Centre for Water Resource Studies and ABL Limited, prepared for Halifax Regional Municipality, July 2010, p.1.

measured as chlorophyll), and some loss of oxygen at the lower levels of the lake. The range of total annual phosphorus loading for a mesotrophic state is 10 - 20µg/L. A eutrophic lake contains high concentrations of phosphorus and algae (chlorophyll) and is rich with plant nutrients. A eutrophic lake is characterized by poor water clarity, little or no oxygen at lower depths, an abundance of plants and the emergence of algae blooms. A lake is considered to be in a eutrophic state when total annual phosphorus exceeds 20µg/L.

The process of eutrophication is naturally occurring and typically takes thousands of years to complete. In a developed watershed, a lake can become eutrophic in a few decades. One of the key contributors to an accelerated rate of eutrophication, known as cultural eutrophication, is the abundant release of phosphorus to receiving waterbodies at an unsustainable rate. Phosphorus comes from a variety of sources including, but not limited to, soil erosion, on-site septic systems within 1000 feet of waterbodies, the application of lawn fertilizers, wastewater treatment overflows and stormwater run-off. It is also naturally occurring within the soils, bedrock and from precipitation within a watershed. The retention of natural features such as wetlands, forested areas and riparian vegetation can help regulate the release of phosphorus by naturally filtering it back into the ecosystem.

According to the Shubenacadie Lakes Watershed Study, the effects of phosphorus loading on lakes stimulates the growth of algae populations which can adversely affect aquatic systems in the following ways:

Phosphorus affects aquatic ecosystems by promoting increased growth of algae. As the amount of phosphorus available to the system increases, so do the [quantity or concentration] of algal populations. The result can be a change in apparent colour of a lake or stream, resulting in a green or blue-green colour. If the populations of algae become too large, they may cause taste and odour problems for individual or municipal water supplies and can produce toxins that cause gastro-intestinal problems for people and animals. Large populations can also clog [domestic] water intakes, become a nuisance around docks or be a safety hazard for swimmers or boaters, and through the process of decomposition, have the potential to [consume oxygen and] negatively impact fish habitat.<sup>48</sup>

### **Development Scenarios**

The Study evaluated a number of possible development scenarios within the River-lakes Village Centre Designation and in the northern portion of the Secondary Planning Strategy Area, outside of the River-lakes Village Centre Designation, to determine the impact that development may have on phosphorus, total suspended solids and bacterial levels in Lake Thomas, Lake Fletcher and Grand Lake.<sup>49</sup> The two scenarios that are most closely related to the form of development provided for under the River-lakes Secondary Planning Strategy are 1) the **Within the River-lakes Village Centre Designation Development Scenario**; and 2) the **Outside the River-lakes Village Centre Designation Development Scenario**.

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48 Fall River-Shubenacadie Lakes Watershed Study, Jacques Whitford Limited, Centre for Water Resource Studies and ABL Limited, prepared for Halifax Regional Municipality, July 2010, p.43.

49 The northern portion of the Secondary Planning Strategy Area is an area where several subdivision developments were allowed to continue pursuant to the grandfathering policy (Policy S-28) under the Regional Plan.

The Within the River-lakes Village Centre Designation Development Scenario modeled for the impact of the development of 670 new units on the Lake Thomas, Fletcher Lake and Grand Lake. This Scenario included all lands along Highway 2, Sobeys, lands north of Sobeys, MacPherson Square and all lands along Fall River Road up to Lockview Road. The Outside the River-lakes Village Centre Designation Development Scenario modeled for the impact of the development of approximately 1076 new dwelling units in the northern portion of the Secondary Planning Strategy Area on Fletcher Lake and Grand Lake. This Scenario included the proposed subdivision developments of Kinloch Estates and St. Andrews Village that are situated outside of the River-lakes Village Centre Designation in the northern portion of the Plan Area.

### Current Trophic Status

Based on the empirical data collected in 2007, the Study indicated that Lake Thomas, Lake Fletcher and Grand Lake were oligotrophic (low nutrient values with greater clarity) with less than 10µg/L total annual phosphorus concentrations as indicated in Table 3 below. Lake Thomas and Lake Fletcher however, were near the boundary for transition to the mesotrophic level with total annual phosphorus concentrations at 9.2µg/L and 9.3µg/L respectively. Based on the existing amount of development that has already taken place within 1000 feet of these lakes, the model predicts that Lake Thomas will become mid-range mesotrophic and that Lake Fletcher will become upper range mesotrophic. The Study also predicts that Grand Lake will become upper range oligotrophic in the next 20 to 25 years.

**TABLE 3: 2007 BASELINE CONDITIONS AND PREDICTED IMPACTS ON WATER QUALITY PARAMETERS**

Mean Annual Parameters	2007 Water Quality Samples			Predicted Impacts: River-lakes Village Centre Designation Scenario			Predicted Impacts: Outside River-lakes Village Centre Designation Scenario		
	Lake Thomas	Lake Fletcher	Grand Lake	Lake Thomas	Lake Fletcher	Grand Lake	Lake Thomas	Lake Fletcher	Grand Lake
Phosphorus	9.2 µg/L	9.3 µg/L	4.6 µg/L	18.0 µg/L	20.2 µg/L	10.2 µg/L	14.7 µg/L	19.3 µg/L	11.2 µg/L
Total Suspended Solids (TSS)	0.88 mg/L	0.49 mg/L	0.16 mg/L	0.97 mg/L	0.50 mg/L	0.16 mg/L	0.88 mg/L	0.65 mg/L	0.18 mg/L
Bacteria (E.coli)	86 CFU/100mL	105.5 CFU/100mL	13.7 CFU/100mL	86.2 CFU/100mL	105.6 CFU/100mL	13.7 CFU/100mL	86 CFU/100mL	129.7 CFU/100mL	86 CFU/100mL

### Development Scenario Impacts

Modelling for the Within the River-lakes Village Centre Designation Development Scenario predicted that Lake Thomas will move from the mid-range mesotrophic level to the upper range mesotrophic level at 18.0µg/L as indicated in Table 3 above. Lake Fletcher is predicted to move to the meso-eutrophic boundary of 20µg/L under this development scenario. Grand Lake is predicted to move to or slightly above the oligo-mesotrophic boundary at 10.2µg/L. The Within the River-lakes Village Centre Designation Development Scenario is not predicted to have a significant effect on microbial or total suspended solids concentrations within either of these lakes.

Modelling for the Outside the River-lakes Village Centre Designation Development Scenario predicts that this development scenario would cause Lake Fletcher to approach the mesoeutrophic boundary of 20µg/L and Grand Lake would move into the low mesotrophic range. This development scenario is predicted to impose microbial impacts on Lake Fletcher that would exceed the CCME Guidelines of CFU/100mL for body contact recreation more often.

Each scenario was modeled independently and does not account for the cumulative effects that both scenarios would have on receiving waters if developed together. If the scenarios for the Within the River-lakes Village Centre Designation and the Outside the River-lakes Village Centre Designation were developed together, or if there was greater development in the sub-watersheds upstream of the River-lakes Plan Area, there would be greater impact on the receiving waters of the sub-watersheds in this Secondary Planning Strategy Area than indicated in this Study.

### Water Quality Objectives

Given the environmental sensitivity of the Shubenacadie Lakes and the desire of residents to preserve and protect its water quality, the Study recommends an oligotrophic status with an upper limit of 10µg/L should be maintained for Grand Lake. This is also desirable since Grand Lake is a municipal water supply for the Municipality of East Hants. Trophic Status limits should also be set for the lakes upstream from Grand Lake, Lake Fletcher, Lake Thomas, Kinsac, William and Charles - to ensure that this objective is maintained.

The Study recommends an upper limit of 20µg/L for Lake Thomas and Lake Fletcher which are within the River-lakes Secondary Planning Strategy Area. It also recommends 20µg/L for Lake William which may be impacted by future developments in the southern portion of the Plan Area that is within the Lake William Sub-watershed. Although a limitation of 20µg/L will maintain Lake William, Lake Thomas and Lake Fletcher at the upper range mesotrophic level in the long-term, this Secondary Planning Strategy has no control over the developments that are in the portions of these sub-watersheds that area outside of this Plan Area.

The proposed regulations for the River-lakes Village Centre Designation will significantly reduce the permitted floorspace and amount of impervious surface within the River-lakes Village Centre Designation from the previous regulations under the C-2 (Community Commercial) and C-4 (Highway Commercial) Zones. The new regulations proposed under the River-lakes Village Centre Designation Zones require the retention of a minimum of 50% of each site as pervious surface. The permitted building footprint for all buildings permitted within the various zones has been reduced from 10,000 square feet to anywhere between 2000 to 4000 square feet depending on the zone. The Regional Plan requires the retention of riparian buffers and wetlands which will also aid in the uptake of phosphorus and ameliorate its impacts. However, there is a substantial amount of housing development proposed within the southern and northern portions of the Secondary Planning Strategy Area which should be assessed to ensure that it does not exceed the capacity of the receiving waters to assimilate phosphorus without exceeding the water quality objectives established under this Secondary Plan.

In order to maintain the health and resilience of these receiving waters, this Secondary Planning Strategy will establish a no net increase phosphorus export policy for any future residential developments exceeding 8 units/lots within the River Lakes Secondary Planning Strategy Area. Pursuant to the Regional Plan, any development requiring a new road for

the development of more than 8 lots is only allowed to proceed under the provisions of a development agreement. As part of the assessment process for a development agreement, applicants shall be required to submit a study by a qualified person demonstrating that the proposed development will not export any more phosphorus from the site than what may be exported from the site prior to the development taking place. The total amount of phosphorus that is expected to be exported from the site prior to the undertaking of a development shall in effect become the phosphorus budget or limit for the amount of phosphorus that may be allowed to be exported from the site under the proposed development for that area. If the amount of phosphorus for a proposed development exceeds the phosphorus budget for the site, then the density of development will have to be adjusted to reduce the phosphorus impacts on the receiving environment. The feasibility of continuing development in the northern portion of the Secondary Planning Strategy Area should be reviewed during the Phase II planning process.

In order to achieve an appropriate balance of development throughout the Shubenacadie Lakes System and to maintain an oligotrophic level for Grand Lake, water quality objectives should be established for each contributing sub-watershed after HRM adopts a water quality monitoring functional plan. HRM is currently undertaking a watershed study of the Shubenacadie Lakes Watershed to assess the impacts of potential future development in the Port Wallis area within the Lake Charles Sub-watershed. It would be appropriate to review the River-lakes Secondary Planning Strategy when setting targets for future growth in the Lake Charles or Lake William sub-watersheds that are upstream from Fall River. At this time, threshold values should be set for the Shubenacadie Lakes System against which to regulate the density of all future development.

**RL-22** The River-lakes Secondary Planning Strategy shall establish a no net increase in phosphorus as the performance standard for all large scale developments considered through the provisions of policy RL-13 and development agreement (RC-Mar 5/19;E-Apr 6/19) policies RL-4, RL-5, RL-11, RL-12, RL-14 and RL-15 of this Secondary Plan. This Policy shall also apply to proposed developments pursuant to policies S-14A and S-15A (RC-Oct 12/22;E-Nov 16/22) of the Regional Municipal Planning Strategy. A study prepared by a qualified person shall be required for any proposed development pursuant to these policies to determine if the proposed development will export any greater amount of phosphorus from the subject land area during or after the construction of the proposed development than the amount of phosphorus determined to be leaving the site prior to the development taking place. If the study reveals that the phosphorus levels predicted to be exported from the proposed development exceed the phosphorus levels currently exported from the site, then the proposed development will not be permitted to take place unless there are reductions in density or *other methods that* (RC-Feb 23/16;E-Apr 2/16) to reduce phosphorus export levels to those current before the proposed development. *Any stormwater management devices designed to treat phosphorus must be located on the privately-owned land included in the proposed development agreement.* (RC-Feb 23/16;E-Apr 2/16) The cost of the study shall be borne by the applicant. The study may rely on phosphorus export coefficients derived from existing studies if they can be justified for application to local environmental conditions. All existing and proposed development within the affected area shall be taken into account and the consultant shall undertake Wet Areas Mapping to help define the ecological boundaries associated with the flow channels, accumulation points, and riparian zones to restrict any high impact

development in those areas.

**RL-23** The following measures shall be incorporated into the provisions for Opportunity Site B and (RC-Mar 5/19;E-Apr 6/19) all development agreements in the River-lakes Secondary Planning Strategy Area:

- (a) A site non- disturbance area of a minimum of 50% of the site or greater if required pursuant to any other policies within this Secondary Planning Strategy or the Regional Municipal Planning Strategy; and
- (b) Stormwater management and erosion and sedimentation control plans are in place to minimize impact on receiving waters.

## **Transportation**

### **River-lakes Road Systems**

The Fall River/Waverley/Wellington Areas Transportation Study was prepared by CBCL for the River-lakes Secondary Planning process. The purpose of the study was to examine traffic conditions on the existing road network and to recommend transportation improvements for current and future potential growth.

The Study found that existing traffic at the Highway 102 / Highway 2 /Highway 118 interchange, the Fall River Road / Lockview Road intersection and Fall River Road / Highway 2 intersection is heavily congested during the am and pm peak periods. The intersection of Highway 2 / Highway 118 southbound / Highway 102 northbound ramps were found to be functioning very poorly with substantial queuing occurring on Highway 2 (up to 1500 m) during the am peak. During the pm peak, the Highway 102 southbound ramp / Highway 2 intersection and the Highway 118 southbound ramp / Highway 2 intersection were both experiencing poor operating conditions with queuing of up to 500 m on the Highway 118 southbound ramp. Also during the pm peak period, the Highway 118 northbound exit ramp was shown to experience significant queuing which would sometimes extend all the way back onto the highway.

The Study indicates that conditions will worsen at these intersections as more development takes place over the next 20-25 years and that the Fall River Road / MacPherson Road and Fall River Road / Highway 2 intersections will also exceed capacity. Without road improvements or controls on growth, the intersections of Highway 2 / Highway 118 southbound ramp, Highway 2 / Highway 102 southbound ramp, Highway 2 / Fall River Road, Fall River Road / McPherson Road, and Fall River Road / Lockview Road are predicted to experience significantly diminished operations.

The Study recommends a number of short-term improvements to alleviate current traffic conditions that were recommended by the Fall River VIC for implementation (Appendix A). These include recommendations to channelize traffic through a right turning lane from Fall River Road to Highway 2, restricting left turns from Fall River Road into Wilson's and improvement of pedestrian facilities at the intersection of Fall River Road and Highway 2. It is also recommended that the Municipality also encourage the Province of Nova Scotia to consider the development of a roundabout between Highway 2, Perrin Drive and the Highway 102 northbound ramp to alleviate current traffic conditions at the interchanges.

A number of longer-term solutions were also recommended including the widening of the Fall River Bridge to 4 lanes and upgrading the Fall River Road and Highway 2 Intersection. The Committee does not recommend the Fall River Road and Highway 2 Intersection upgrade as designed by the consultants since it will not retain the rural village character desired by the community for the River-lakes Village Centre. It is the recommendation that an alternative design solution be considered that is more in keeping with the vision for the River-lakes Village Centre.

The Study also recommends the development of a new interchange to reduce traffic on Highway 2 and to take pressure off the Highway 102 and Highway 118 interchanges. Three of the most probable locations include 1) the extension of the Windsor Junction Road past the Cobequid Road to connect with a full access interchange with Highway 102; 2) the extension of the Cobequid Road to connect with a full access interchange with Highway 102; or 3) the construction of a new road to the north of the Plan Area to connect to the eastbound leg of the interchange at Aerotech Park. The modeling results for the study predicts that the development of an interchange south of the Plan Area via connection from either Windsor Junction Road or Cobequid Road would be the more effective means of alleviating traffic congestion on Highway 2.

The Municipal Planning Strategy for Planning Districts 14/17 recommends the construction of a collector road over the backlands from Fall River Road to Wellington to provide eventual connection to a road that was previously contemplated by the Nova Scotia Department of Transportation and Infrastructure Renewal. This road was the Hammonds Plains/Beaver Bank By-pass which would have extended from the Highway 213 across the Hammonds Plains, Lucasville, Middle Sackville, Beaver Bank and Fall River/Fletchers Lake backlands to connect to Highway 102 at the Aerotech Interchange (Transportation Map 3). This by-pass road is no longer proposed by the Nova Scotia Department of Transportation and Infrastructure Renewal and responsibility for future road development is now the responsibility of HRM. HRM will review its best locations for growth and long-term infrastructure development in light of the findings of the Shubenacadie Lakes Watershed and Fall River/Waverley/Wellington Transportation studies, in the Phase II River-lakes planning process.

**RL-24** The Municipality shall work with the Nova Scotia Department of Transportation and Infrastructure Renewal to develop a plan and schedule for the implementation of the transportation improvements recommended under the Fall River/Waverley/Wellington Transportation Study. Decisions regarding long-term improvements shall be considered under Phase II of the River-lakes Secondary Planning Process. The Municipality should seek an alternative design to the recommendation for upgrading the Fall River Road and Highway 2 Intersection to ensure that future plans for upgrading are in keeping with the desire to maintain the rural village character of the River-lakes Village Centre.

**RL-25** As an interim measure, HRM shall require the proponents for any large scale residential developments considered through the provisions of Policies RL-11, RL-12, RL-13, RL-14 and RL-15 of this Secondary Planning Strategy or commercial development considered pursuant to policies RL-4 and RL-5 or Policy P-68 of the Planning Districts 14/17 Municipal Planning Strategy and policies S-14A and S-15A

**(RC-Oct 12/22:E-Nov 16/22) of the Regional Municipal Planning Strategy, to submit a traffic study to determine the impacts of development on the Fall River Road and Highway 2 Intersection, the Highway 102 / Highway 118 interchanges and the Lockview Road and MacPherson Road intersection. The study shall take into consideration the findings of the Fall River/Waverley/Wellington Transportation Study and the amount of development permitted in areas subject to these development agreements shall be regulated on the basis of the receiving road network capacity and the provisions of Policy RL-22.**

### **Transit**

**The HRM Regional Transit Plan - Park and Ride, Express and Rural Transportation Services Study was prepared by Entra Consultants to assess the feasibility of providing express bus service between the Rural Commuter Centres along the Highway 103, 102 and 107 corridors and the Downtown. The Metro X Service became operational in Fall River in 2012 and provides all day service between park and ride facilities situated at the Highway 118 Interchange in Fall River and the Airport to Downtown Halifax and Dartmouth.**

**While the community supports the provision of express bus service to the downtown, there is a strong desire for the provision of a community transit service that will link all neighbourhoods within the River-lakes Secondary Planning Strategy Area and provide linkage to Sackville. Residents throughout the River-lakes Communities have a strong connection to the Sackville Community for shopping, personal service, recreation and employment. Residents within the Fall River area also have a tendency to reverse commute to the Metro Link Terminal in Sackville to gain access to the Downtown. Thus it is the desire of the residents to have the opportunities for the provision of a bus service throughout the River-lakes Communities and to Sackville explored by HRM.**

**RL-26 In the future, should HRM entertain the expansion of transit services in rural communities, HRM shall investigate the feasibility of the providing transit service to connect the River-lakes Secondary Planning Strategy Area with Sackville.**

### **Rail Transit**

**The River-lakes Communities were previously connected to the downtown of Halifax via a train service with a stop at Windsor Junction. It is the desire of the River-lakes Communities to see the provision of a rail transit service provided to the downtown to as a means of connecting the River-lakes Communities to the Downtown. HRM is in the process of commissioning a feasibility study to examine the potential for rail transit using existing railway tracks. Thus it is the desire of the residents from the area to have the River-lakes Communities considered as an area for inclusion in the feasibility study for future rail transit service.**

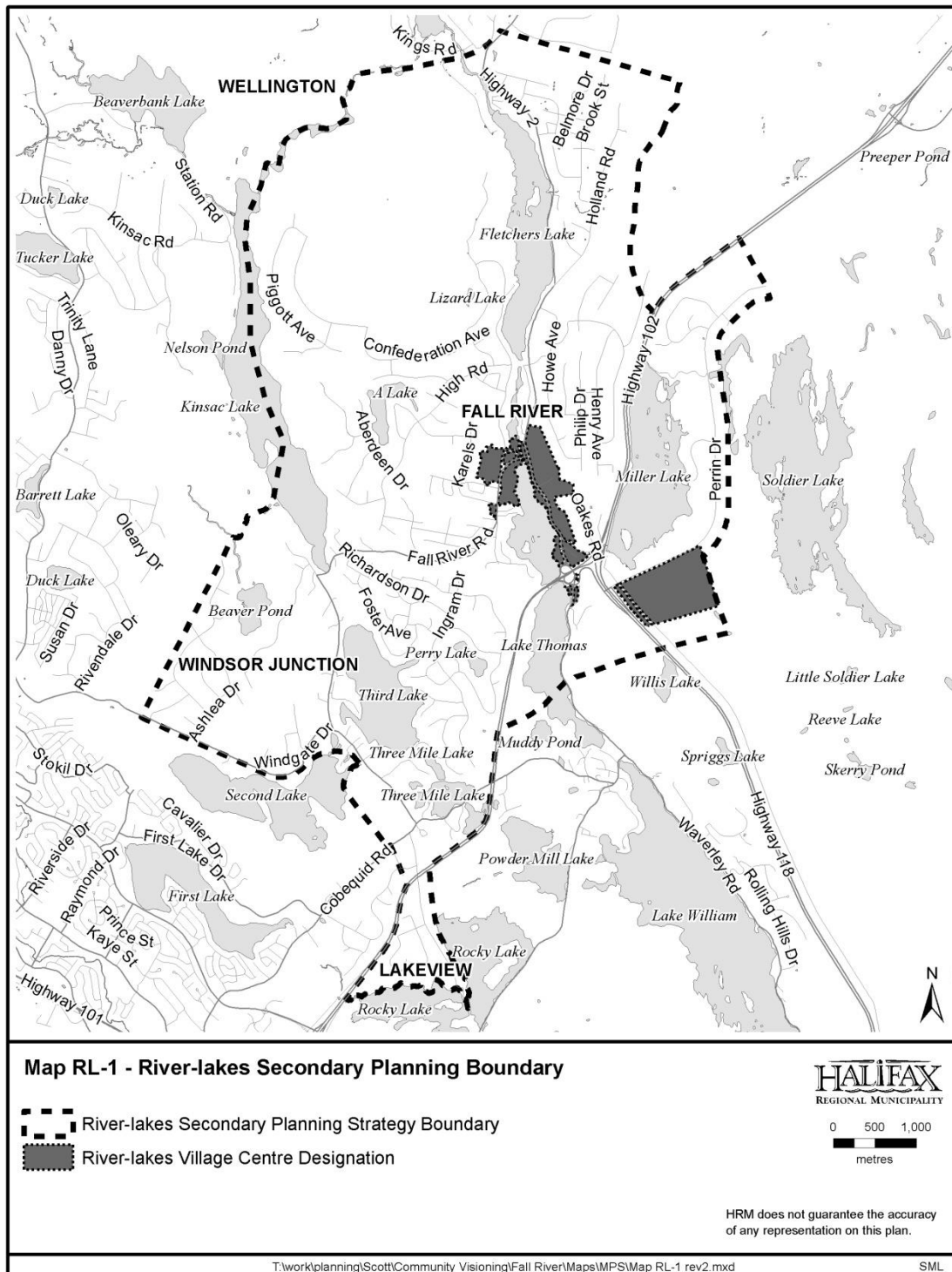
**APPENDIX A: FALL RIVER VISION IMPLEMENTATION COMMITTEE  
RECOMMENDATIONS ON THE FALL RIVER TRANSPORTATION STUDY  
RECOMMENDATIONS**

<b>Study Recommendations</b>	<b>VIC Recommendation</b>	<b>VIC Priority</b>
<b><u>Fall River Rd/Trunk 2</u></b> a) Channelized right turn lane b) Eliminate left turns from Fall River Rd to Wilson's c) Improve pedestrian facilities at intersection d) Add northbound advanced green	a) Table for future discussion b) Agree c) Agree d) Agree	<b>5</b>
<b><u>Recommendation II: Ash Lee Jefferson Drop-off</u></b> a) <b><u>Option A</u></b> : relocate existing sidewalk to provide lay-by area b) <b><u>Option B</u></b> : drop off area behind adjacent church	<b>Recommend that both options be implemented to alleviate the problem</b>	<b>2</b>
<b>Improve signal timing and detection at Highway 118 NB Ramp and Perrin Dr.</b>	- Agree with recommendation. -Also recommend that NSTIR construct an appropriately sized deceleration lane from Highway 118 at exit 14 to accommodate current PM peak traffic volumes.	<b>1</b>
<b>Construct roundabout at Highway 2/ Highway 118 southbound ramp / Highway 102 northbound ramp intersection</b>	<b>Agree with recommendation</b>	<b>4</b>
<b>Improve primary connector trail</b>	<b>Agree with recommendation</b>	<b>3</b>
<b>Implement secondary multi-use trail along Trunk 2</b>	<b>Agree with recommendation</b>	<b>7</b>

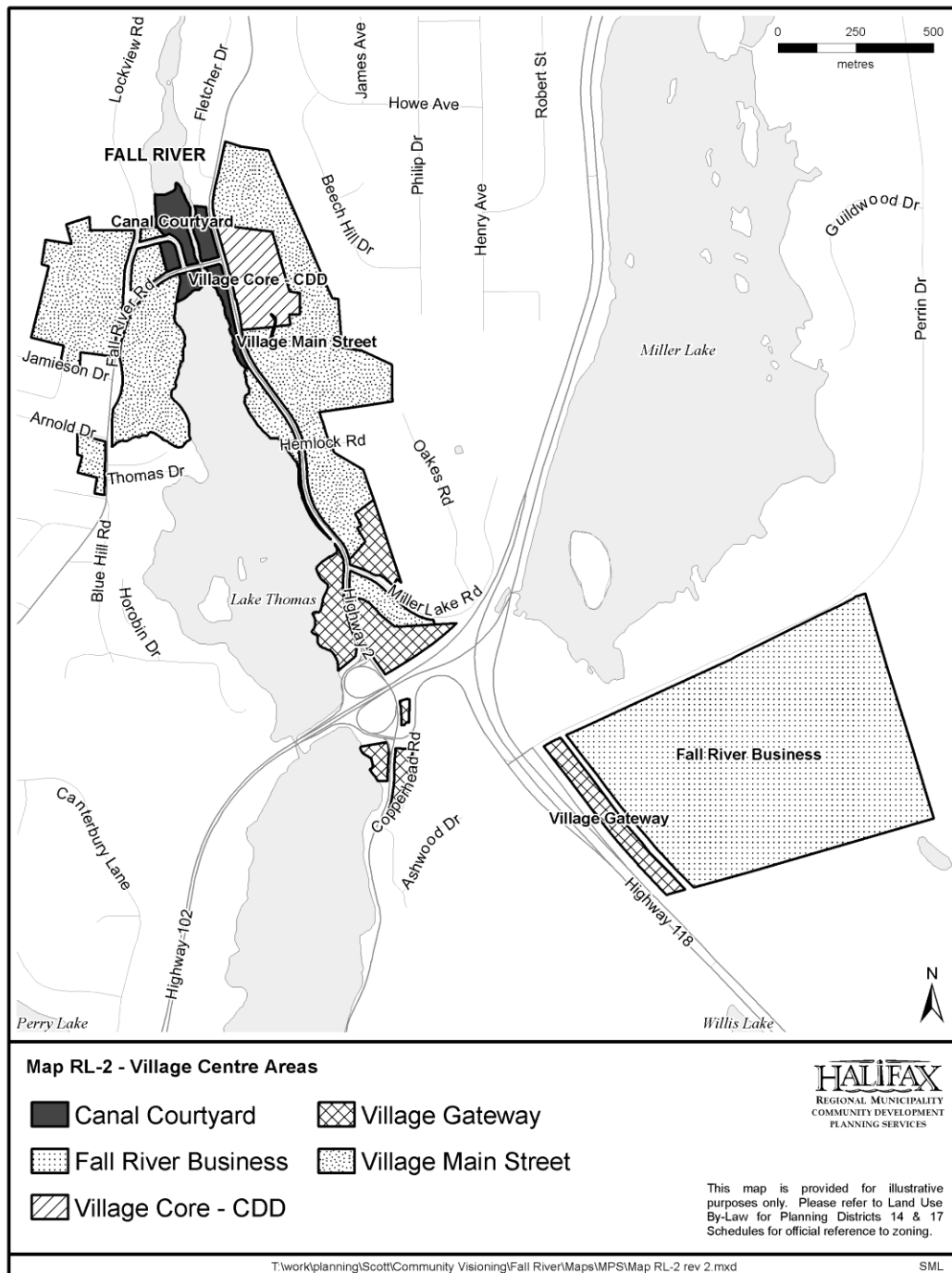
Study Recommendations	VIC Recommendation	VIC Priority
<p><b><u>Upgrade Fall River Road/Highway 2 intersection</u></b></p> <p>a) Channelized right turn lanes b) 25m right turn lane for NB and SB legs c) 35m dedicated left turn lane for EB leg d) Lengthen EB right turn lane e) Double left turn lanes on NB leg</p>	<p>The committee agrees that improvements have to be made to the intersection now and over the long-term.</p> <p><u>The committee did not endorse the proposed design</u> noting that alternative solutions should be pursued to take the pressure off this intersection over the long-term. The proposed design was <u>not considered to be in keeping with the pedestrian oriented centre envisioned for the Fall River Village Core.</u></p>	
<p><b><u>Replace Fall River Rd Bridge</u></b> 4 lane structure with pedestrian facilities</p>	<p>Agree with recommendation</p> <p>Committee further recommends that the bridge be raised to allow passage under the bridge over the Canal in the event of replacement.</p>	
<p><b><u>Most Viable Options for Future connection to Highway 102:</u></b></p> <p>a) Windsor Junction Road Extension beyond Cobequid with full access Interchange with Highway 102 b) Cobequid Road with full access Interchange with Highway 102 c) Aerotech</p>	<p>Agree with recommendation</p> <p>The Committee also recommends that future connection a) be moved forward as a recommendation for implementation and that it be given short-term priority as opposed to a long-term recommendation.</p>	6
<p><b>Implement secondary multi-use trail system</b></p>	<p>Agree with recommendation</p>	

<b>Study Recommendations</b>	<b>VIC Recommendation</b>	<b>VIC Priority</b>
<b>Installation of signals where warranted</b> <b>a) Lockview/Fall River Road</b> <b>b) Trunk 2/Highway 102 SB Ramps</b>	<b>Agree with recommendation</b>	

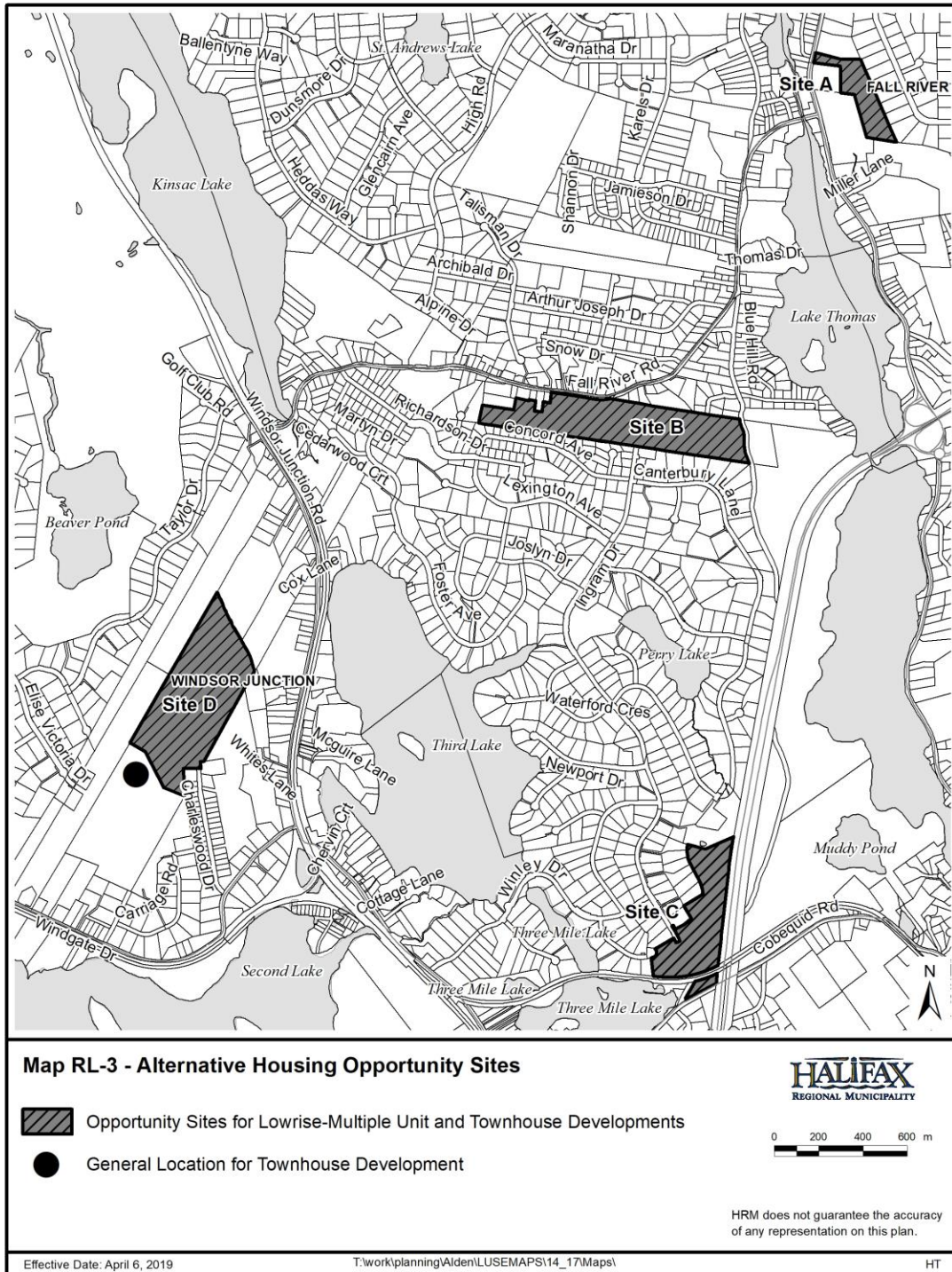
## Map RL-1: RIVER-LAKES SECONDARY PLANNING BOUNDARY



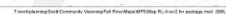
## MAP RL-2: VILLAGE CENTRE AREAS



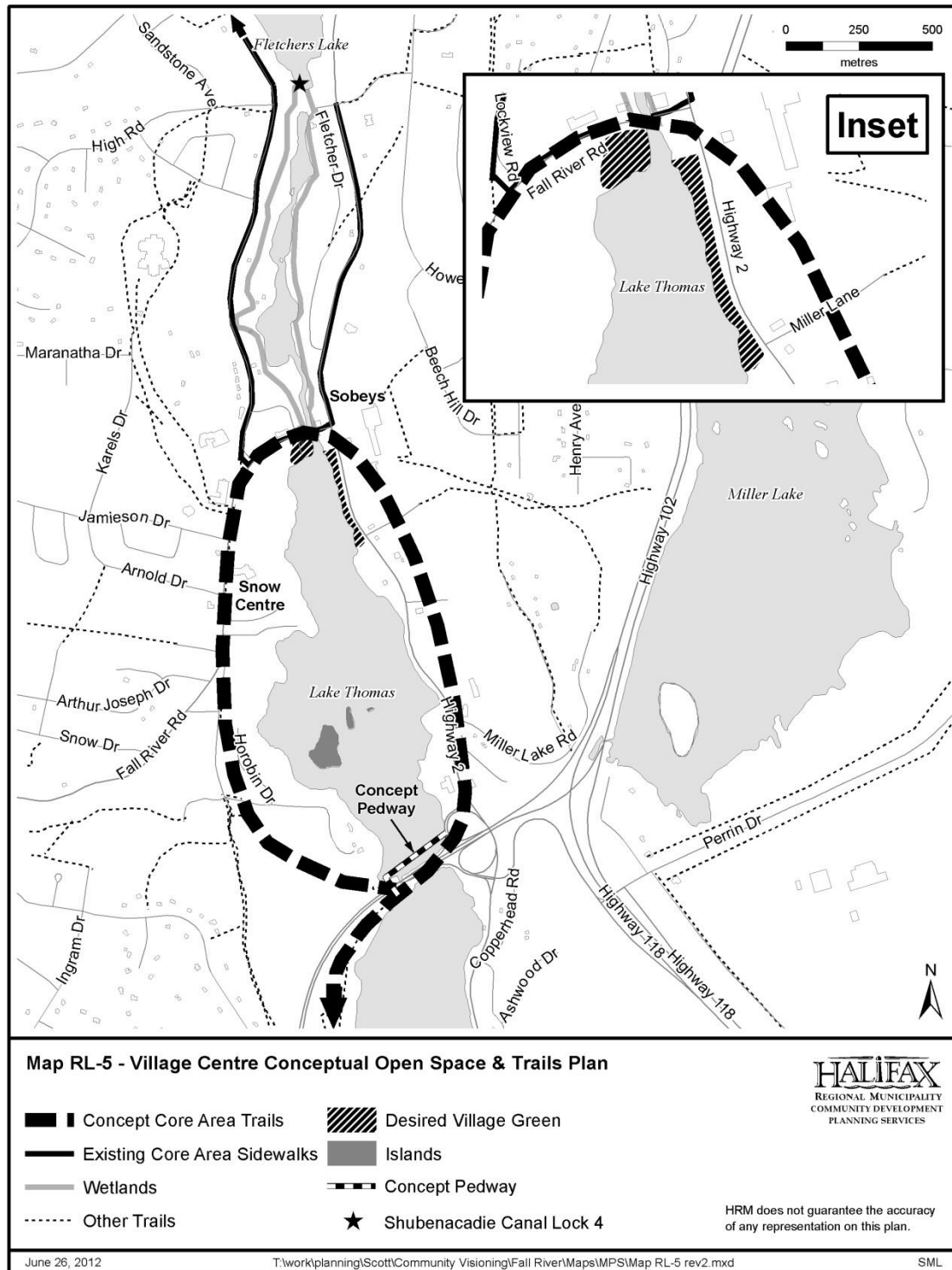
## MAP RL-3: ALTERNATE HOUSING OPPORTUNITY SITES



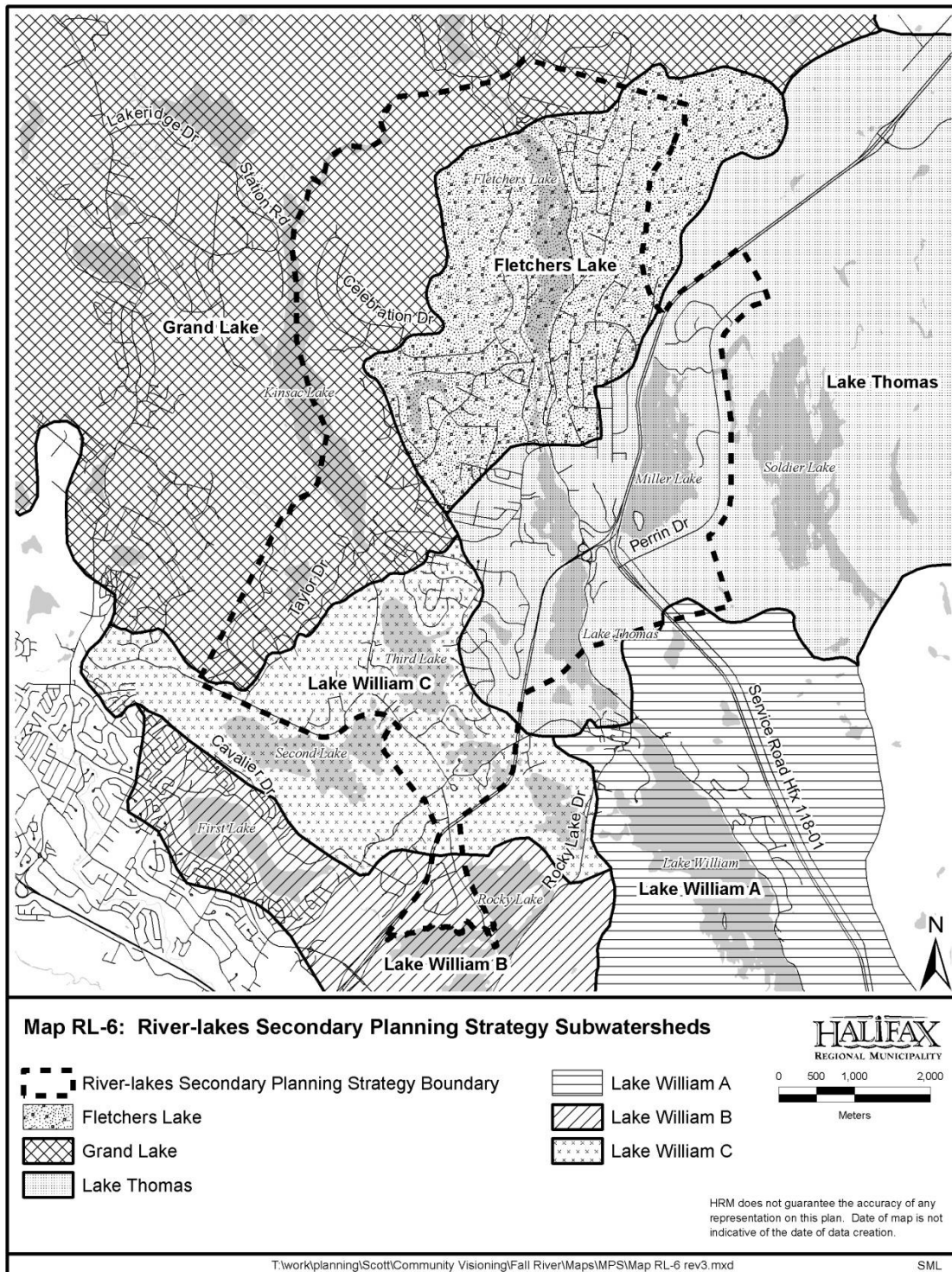
*(Larger scale version available upon request)*



## RL-5: VILLAGE CENTRE CONCEPTUAL OPEN SPACE AND TRAILS PLAN



## RL-6: RIVER-LAKES SECONDARY PLANNING STRATEGY SUBWATERSHEDS



# SECTION IV

## IMPLEMENTATION

In accordance with Section 45 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 Plan which would, in any manner, be inconsistent with (or at variance) with the Strategy.

The measures which Council may investigate to implement the Plan 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 of this Strategy.

The following policies include the basic requirements for proper implementation, including the development of a land use by-law based on the policies of this Strategy, and the full and consistent enforcement of general by-laws and regulations of the Municipality.

P-146 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.

P-147 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.

P-148 It shall be the intention of Council to require amendments to the policies of this Strategy or to the **Generalized Future Land Use Maps 1A and 1B (RC-Oct 23/12;E-Jan 12/13)** under the following circumstances:

- (a) where any policy is to be changed; or
- (b) where a request for an amendment to the land use by-law which is not permitted is made and subsequent studies show that the policies of this Strategy should be amended.

P-149 More specifically, Council may consider undertaking a review to determine if the land use designations are still appropriate, in the following instances:

- (a) where central municipal sewer and water services are extended to service lands within the Plan Area;
- (b) where new central sewerage and water service areas are created within the Plan Area;
- (c) where any major public work is undertaken, in particular the restoration of the Shubenacadie Canal System, the creation of a new Regional Park or the major expansion of industrial or transportation facilities at Halifax International Airport or Aerotech Business Park; and
- (d) where major transportation projects are undertaken, in particular completion of an interchange at the Cobequid Road and Highway #1 or the completion of an interchange at Highway #118 and #318.

- P-150 In accordance with Section 49 of the Planning Act, this Plan 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.
- P-151 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 development agreements or amendments to the land use by-law 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, as shown on the **Generalized Future Land Use Maps 1A and 1B (RC-Oct 23/12;E-Jan 12/13)** except where specifically precluded by the policies of this Strategy.
- P-152 It is not intended that all lands shall be rezoned 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 by Sections 55, 66 and 67 of the Planning Act. Such amendments and agreements shall be considered only if they meet the policies found within this Strategy.
- P-153 The following uses shall only be considered by amendment to the land use by-law:
- (a) within the Residential Designation:
    - (i) community facility uses according to Policy P-70;
    - (ii) a single unit dwelling zone according to Policy P-73;
    - (iii) local commercial and personal service uses according to Policy P-74;
    - (iv) auxiliary dwelling units according to Policy P-83; and
    - (v) **larger home business uses and the keeping of hoofed animals according to Policy P-66A. (C-Jun 29/92;M-Aug 6/92)**
  - (b) within the Mixed Residential Designation:
    - (i) community facility uses according to Policy P-70;
    - (ii) single unit dwelling or suburban residential zone in accordance with Policy P-87;
    - (iii) rural residential zone in accordance with Policy P-88;
    - (iv) local commercial, office, service and personal service uses according to Policy P-90;
    - (v) light industrial and heavy commercial uses according to Policy P-92; and
    - (vi) **larger home businesses and the keeping of hoofed animals according to Policy P-87A. (C-Jun 29/92;M-Aug 6/92)**
  - (c) within the Community Centre Designation:
    - (i) community commercial uses in accordance with Policy P-99; and
    - (ii) **uses permitted in the Fall River Business Zone (RC-Oct 23/12;E-Jan 12/13)** in accordance with Policy P-101.
  - (d) within the Light Industrial Designation:
    - (i) extension of the light Industrial Zone according to Policy P-119.
  - (e) within the Special Area Designation:
    - (i) industrial, parkland, and residential uses on lands owned by CIL according to Policy P-127.

- (f) within the Resource Designation:
  - (i) residential uses on lots having less than eighty thousand (80,000) square feet according to Policy P-131; and
  - (ii) industrial uses in accordance with Policy P-132.

P-154 The following uses shall only be considered subject to the entering into of a development agreement according to the Provisions of Section 55, 66 and 67 of the Planning Act.

- (a) within any Designation:
  - (i) development within the flood danger area shown on the Environmental Features Map (Map 4) according to Policy P-50;
  - (ii) multiple unit residential uses on existing oversize septic systems or existing private sewage treatment plants according to Policy P-68;
  - (iii) expansion of existing salvage operations according to Policy P-120; and
  - (iv) kennels according to Policy P-98.
- (b) within the Residential Designation:
  - (i) **shared housing at a larger scale than permitted in the underlying zone** according to Policy P-69A and P-69B(RC-Aug 9/22;E-Sep 15/22);
  - (ii) the expansion of existing mobile home parks according to Policy P-71;
  - (iii) the expansion or change of use of existing industrial and commercial uses according to Policy P-75;
  - (iv) a construction yard on the lands of Mr. F. Webbink LRIS #507848 according to Policy P-77;
  - (v) the expansion of existing dwelling units within the waterfront residential zone according to Policy P-82;
  - (vi) commercial recreation uses according to Policy P-91;
  - (vii) highway commercial uses on the lands of Gordon and Shirley Taylor, LRIS #526699, and Irving Oil Company Ltd., LRIS #40461865, according to Policy P-78.
  - (viii) Bed and breakfast uses in accordance with Policy P-74A. (C-May 27/97;M-Jul 2/97)
  - (ix) **Deleted (RC-Mar 5/19;E-Apr 6/19)**
  - (x) **Low scale multiple unit dwellings, townhouses, single or two unit dwellings up to 4 units per acre or local commercial use and self-storage facility in conjunction with the housing component, within the RCDD Residential Comprehensive Development District Zone, according to Policy RL-14. (RC-Oct 23/12;E-Jan 12/13)**
  - (xi) **Townhouses up to a maximum density of 2 units per acre on Site D shown on Map RL-3 of the River-lakes Secondary Planning Strategy, according to Policy RL-15. (RC-Oct 23/12;E-Jan 12/13)**
- (c) within the Mixed Residential Designation:
  - (i) **shared housing at a larger scale than permitted in the underlying zone** according to Policy P-69A and P-69B (RC-Aug 9/22;E-Sep 15/22);
  - (ii) commercial recreation uses according to Policy P-91; and
  - (iii) the expansion of existing home business uses according to Policy P-93.
- (d) within the Community Centre Designation:
  - (i) **shared housing at a larger scale than permitted in the underlying zone** according to Policy P-69A and P-69B (RC-Aug 9/22;E-Sep 15/22);
  - (ii) larger community commercial zone uses according to Policy P-97;

- (iii) the change of use or expansion of existing industrial and heavy commercial uses according to Policy P-100; and
  - (iv) kennels according to Policy P-98.
- (e) within the Airport Industrial Designation:
  - (i) commercial recreation uses according to Policy P-114.
- (f) within the Resource Designation:
  - (i) extractive facilities according to Policy P-136.
- (g) within the Watershed Designation:
  - (i) a golf course on the lands of Brightwood Golf and Country Club, LRIS #517054, according to Policy P-143;
  - (ii) commercial recreation uses according to Policy P-145.
- (h) **within the River-lakes Village Centre Designation:**
  - (i) **Larger scale mixed commercial and residential development may be considered, within the River-lakes Village Centre Designation, over the portion of the lands shown on Schedule H of the Land Use By-law, according to Policy RL-4. (RC-Oct 23/12;E-Jan 12/13)**
  - (ii) **Large commercial and medium density residential uses, within the Village Core Comprehensive Development District Zone, according to Policy RL-5. (RC-Oct 23/12;E-Jan 12/13)**
  - (iii) **Low scale multiple unit dwellings up to 3 units per acre, with or without a ground floor commercial component, townhouses, single or two unit dwellings within areas zoned Village Mainstreet, according to Policy RL-11. (RC-Oct 23/12;E-Jan 12/13)**
  - (iv) **Low scale multiple unit dwellings and townhouses up to 4 units per acre where no central water service are provided, and up to 8 units per acre when central water services are provided, on Site A shown on Map RL-3, according to Policies RL-12. (RC-Oct 23/12;E-Jan 12/13)**

**P-154(a) Within the Airport Industrial Designation, Council may consider a variance of zone requirements subject to the entering into of a development agreement according to Policy P-108A. (C-Apr 30/90;M-Jun 29/90)**

P-155 In considering development agreements and amendments to the land use by-law, in addition to all other criteria as set out in various policies of this Plan, Council shall have appropriate regard to the following matters:

- (a) that the proposal is in conformity with the intent of this Plan and with the requirements of all other municipal by-laws and regulations;
- (b) that the proposal is not premature or inappropriate by reason of:
  - (i) the financial capability of the Municipality to absorb any costs relating to the development;
  - (ii) the adequacy of central or on-site sewerage and water services;
  - (iii) the adequacy or proximity of school, recreation or other community facilities;
  - (iv) the adequacy of road networks leading or adjacent to or within the development; and
  - (v) potential for damage to or for destruction of designated historic buildings and sites.

- (c) that 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 the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility or flooding.
- (e) **Within any designation, where a holding zone has been established pursuant to AInfrastructure Charges - Policy P-64F@, 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 AInfrastructure Charges@ Policies of this MPS. (RC-Jul 2/02;E-Aug 17/02)**

P-156 In considering amendments to the land use by-law or development agreements, Council shall hold a public hearing according to the provisions of Section 60 of the Planning Act.

P-157 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 Subdivision By-law;
- (b) the Building Code Act and Regulations of the Building By-law;
- (c) the Unsightly Premises By-law;
- (d) the Sewer Connection By-law;
- (e) the Mobile Home Park By-law;
- (f) the Blasting and Dangerous Material By-law;
- (g) the Topsoil By-law; and (h) the Excavation By-law.

P-158 In accordance with Sections 54 (1)(a) and (b) of the Planning Act, it shall be the intention of Council to establish regulations and standards within the Land Use By-law, with respect to the nature, type and size of signs permitted and prohibited within the Plan Area generally as well as within specific zones.

P-159 In accordance with Sections 77 and 95 of the Planning Act, the Development Officer appointed by Council or any other person designated to act in the development officer's stead, shall administer the land use by-law and the subdivision by-law and grant development permits.

P-160 It shall be the intention of Council, in considering amendments to the Municipal Planning Strategy, to give notification to community groups and ratepayers associations in the area affected including but not limited to the Waverley Village Commission, the Riverlake Residents Association, and the Lockview Ratepayers Association.

P-161 It shall be the intention of Council, in considering amendments to the land use by-law or Municipal Planning Strategy, to give notification to the Shubenacadie Lakes Advisory

Board, for any proposed amendment adjacent to a watercourse within the Shubenacadie Lake system.

- P-162 It shall be the intention of Council to establish provisions in the land use by-law which would regulate the manner by which specific uses existing on the effective date of this Strategy shall be permitted to continue. It shall further be the intention of Council at the time of adoption of this Plan, to apply the appropriate zone to some existing uses irrespective of the general land use designation.
- P-163 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 municipality.
- P-164 It shall be the intention of Council to recognize the following list of priorities in the Plan Area established through the Municipal Planning Strategy:
- (a) Transportation
    - (i) Upgrade Old Guysborough Road (0-3 years).
    - (ii) Cobequid Road/Highway #102 interchange (0-5 years).
    - (iii) Burnside Drive extension (0-10 years).
    - (iv) Myra Road extension (0-10 years).
    - (v) Resolve rail crossing difficulties (0-10 years).
    - (vi) Ring Road Right-of-Way reserved (0-10 years).
    - (vii) Ring Road construction (5+ years).
    - (viii) Collector road development (0-10+ years).
    - (ix) Addition of crossing of Fletcher's Road (10+ years).
    - (x) Alternative interchange on Highway #118 (5-10 years).
  - (b) Environmental Health Services
    - (i) Preparation of Preliminary Servicing Scheme (0-5 years).
    - (ii) Resolution of servicing needs in McPherson Road/Lockview Road area (0-3 years).
  - (c) Recreation
    - (i) Acquisition and development of additional public access to lakes (0-10 years).
    - (ii) Redevelopment of Shubenacadie Canal System (0-10 years).
    - (iii) Creation of a new regional park (5-10 years).

During the preparation of the Sackville municipal planning strategy and land use by-law, a portion of District 14 was placed within the Sackville Plan Area Boundary. These lands form the most westerly portions of the communities of Lakeview and Windsor Junction and abut the eastern portion of the urban community of Sackville and the eastern shore of Second Lake. In recent years, the pace of development in the Lakeview/Windsor Junction area has increased and residents have placed increased emphasis on environmental matters. These lands, although now largely undeveloped, form an area with a high probability for infilling development eventually linking the communities.

On the basis of these circumstances, community representatives have agreed that joint planning of these infill lands should be a priority in the Sackville planning strategy review.

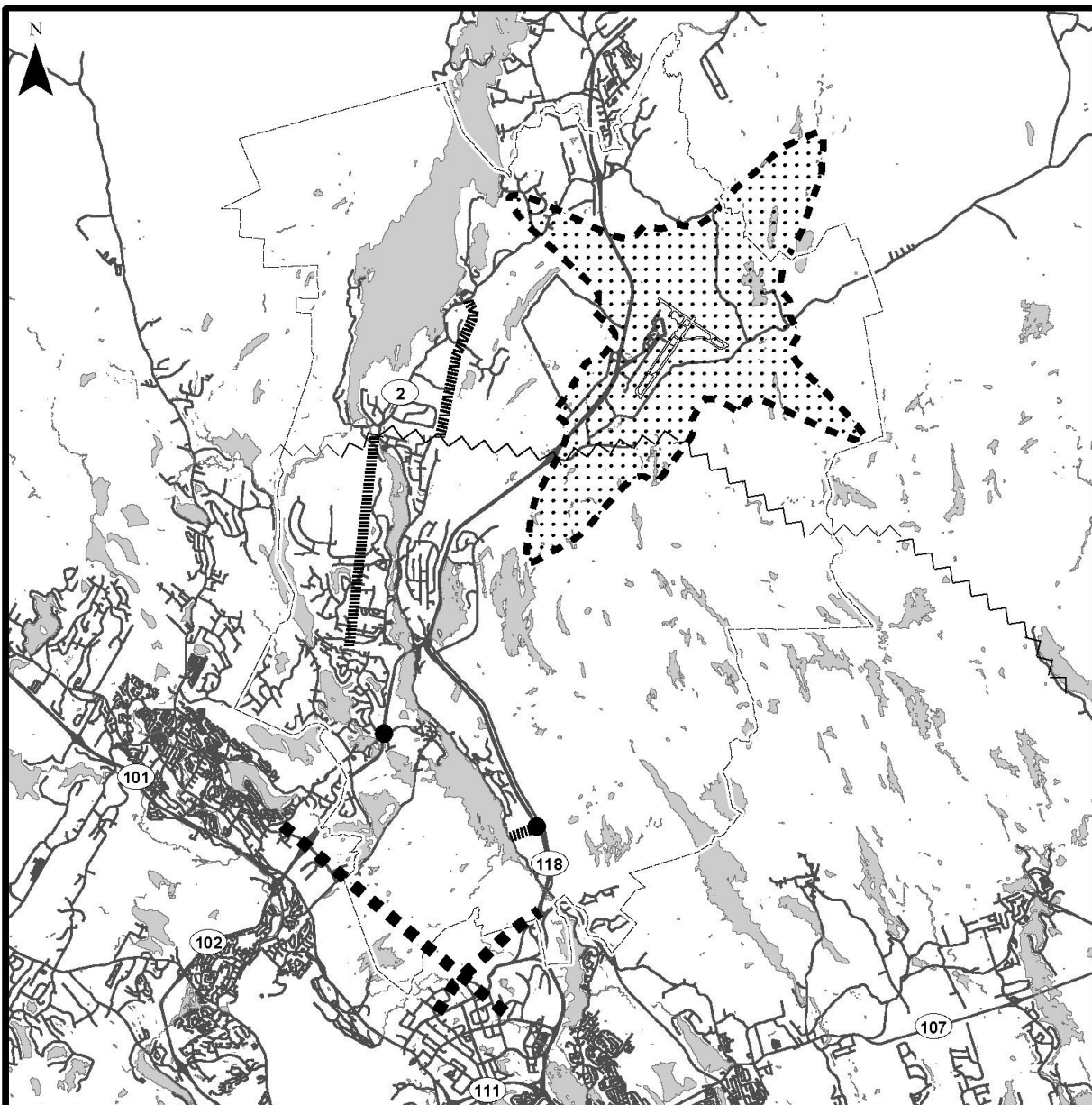
- P-165 During the review of the Sackville municipal planning strategy, it shall be the priority of Council to provide for the joint consultation of Sackville, Windsor Junction, and Lakeview, together with affected land owners and residents within that portion of District 14 which lies within the Sackville plan boundary.

**Temporary Signage:**

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.

- P-166 Further to Policy P-158, the land use by-law shall not contain sign provisions for signs regulated under HRM By-law S-800 (A By-law Respecting Requirements for the Licensing of Temporary Signs). (RC-Sep 26/06;E-Nov 18/06)
- P-167 Where there is enabling policy to consider the development, by development agreement, of a multiple unit dwellings or the expansion of existing multiple unit dwellings, such policy may be used to consider the development of shared housing uses at a larger scale than what is permitted by the Land Use By-law. (RC-Aug 9/22;E-Sep 15/22)
- P-168 Notwithstanding Policies P-69A and P-69B, applications for non-substantive amendments to development agreements that now meet the definition of shared housing with special care in the land use by-law that were in force on the coming in force of Policies P-69A and P-69B shall be considered under the policies in effect at the time the development agreement was approved provided that the proposed amendments were identified in the agreement as non-substantive. (RC-Aug 9/22;E-Sep 15/22)
- P-169 Complete applications for development agreements on file with the Municipality located in this plan area, which were received on or before July 12, 2022, shall continue to be considered under the policies in effect on immediately prior to that date. Where any such application is withdrawn, significantly altered, or refused by Council, any new development applications shall be subject to all applicable requirements of this Plan and the Land Use By-law. Applications that have not proceeded to public hearing within 36 months of July 12, 2022 shall be subject to all applicable requirements of this Plan and the Land Use By-Law. (RC-Aug 9/22;E-Sep 15/22)

### Map 3: Transportation (RC-Jan26/16;E-Apr 2/16)

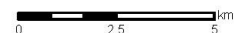


### MAP 3 TRANSPORTATION PLANNING DISTRICTS 14 & 17



- 
- |                              |                            |
|------------------------------|----------------------------|
| ● Interchange - Proposed     | Highway                    |
| Proposed Collector           | Road                       |
| ■ ■ ■ ■ Proposed Road        | Waterbody                  |
| Ring Road                    | Noise Exposure Forecast 30 |
| Planning Districts 14 and 17 |                            |
| MPS Boundary                 |                            |

## Planning and Development



May 12, 2015

*HRM does not guarantee the accuracy of any base map information on this map.*

**MUNICIPAL PLANNING STRATEGY  
AMENDMENTS - SHUBENACADIE LAKES (14/17)**

<b><u>Amendment Number</u></b>	<b><u>Policies/Maps</u></b>	<b><u>Subject</u></b>	<b><u>Council Adoption</u></b>	<b><u>Effective Date</u></b>
1	Municipality - to permit Council to consider variances to the zone standards within the five zones applied within the Airport Industrial Designation.	PA-F&S-05-90	C - April 30, 1990	M - May 18, 1990
2	Municipality - to allow a rezoning of lands within the Bennery Lake Watershed from the Watershed Zone P-4 to the Business Zone AE-4.		C - April 30, 1990	M - June 29, 1990
3	Hall=s Road - amend Policy P-66 by permitting limited use of residential properties for business purposes and the keeping of hooved animals through the application of a Residential Estate Zone.	PA-F&S-10-90	C - June 29, 1992	M - August 6, 1992
4	Ledwidge Lumber Company - apply rural residential zoning (Policy P-86) to the present properties owned by Ledwidge Lumber Company (zone will contain specific provisions to permit the use and expansion of existing forestry uses, subject to zone standards established in conjunction with the Mixed Resource Zone (Policy P-84).	PA-F&S-10-92	C - August 17, 1992	M - October 2, 1992
5	Establishment of Water Service Districts.	PA-F&S-17-93	C - March 28, 1994	M - April 15, 1994
6	Municipality - to establish policies and a serviceable area boundary relative to the Lockview-MacPherson sewer servicing project.	PA-F&S-11-93	C - May 30, 1994	M - July 25, 1994
7	Extend the Water Service District Boundaries to include approximately 700 acres in the Windsor Junction Area.	PA-F&S-08-94	C - October 3, 1994	M - October 21, 1994
8	Composting Operations; adding Solid Waste Management and P-21		C - February 26, 1996	M - March 28, 1996
9	Bed and breakfast uses; Policy P-65 amended; Policy P-73 amended; Policy P-74A added; Preamble and Policy P-82(a)		C - May 27, 1997	M - July 2, 1997

	deleted; Policy P-154(viii) added.			
10	Policy P-32(b) - McGuire Lane		C - May 2, 2001	E - June 3, 2000
11	Amendments to include Capital Cost Contribution: add AInfrastructure Charges@ after Policy P-21; add Policy P-64A, P-64B, P-64C, P-64D, P-64E, P-64F, P-64G, and P-64H; amend Policy P-155 by add clause (e) after Policy P-155(d).	Project No. 00423	C - July 2, 2002	E - August 17, 2002
12	Amendments to include Construction & Demolition Waste immediately after Policy P-21.	Project No. 00082	C - September 10, 2002	E - November 9, 2002
13	Amended by inserting Interim Growth Management section immediately following the Watershed Destination section.	Project No. 00664	C - April 13, 2004	E - April 22, 2004
14	Interim Growth Amendments: Preamble to ADevelopment Options@ section; P-145A.6, P-145A.7, P-145A.8, P-145A.8a, P-145A.8b, P-145A.12, P-145A.13, P-145A.16, P-145A.16a and P-145A.17.	Project No. 00667	C - May 4, 2004	E - July 24, 2004
14	Deleting the section on Interim Growth Management	Regional Plan	C - June 27, 2006	E - August 26, 2006
15	Add new preamble - Temporary Signage.	Case No. 00327	C - September 26, 2006	E - November 18, 2006
16	Amend Maps 1, 2, 3, and 4 to remove some land from Burnside Business Park from the Plan Area.	Case No. 01287	C - January 19, 2010	E - May 8, 2010
17	Replace GFLUM Map 1 with GFLUM Maps 1A and 1B; Amend "Community Profile" Section; Insert Policy P-4(b); Amend "Land Use Intent" Section; Amend "Community Centre Designation" Section; Amend Policy P-101, P-153(c)(ii), P-154(b)(viii), P-154(g); Insert "River-lakes Secondary Planning Strategy; Redesignate lands on GFLUM; Insert Map RL-1, RL-2, RL-3, RL-4, RL-5, RL-6	River-lakes Secondary Planning Strategy	C - October 23, 2012	E - January 12, 2013
18	<b>Amend</b> parts of Policy RL-13, RL-14, RL-15.	RP+5	RC-June 25, 2014	E-October 18, 2014
19	<b>Add</b> Policy P-78A, P-93A, P-	Case 01192	RC-January 26,	E-April 2, 2016

	111A, P-111B, P-111C, P-127A, P-132A, and P-145A in Section III; <b>Replace</b> Map 3 – Transportation Map.		2016	
20	<b>Amend</b> parts of Policy RL-22 re: Phosphorus emissions reduction.	Case 20150	RC-February 23, 2016	E-April 2, 2016
21	<b>Amend</b> River-lakes SPS “Site B – Fall River Village North Residential Opportunity Site”; Policy RL-13, RL-22, RL-23, and Map RL-3 / <b>Delete</b> Policy P-154(b)(ix).	Case 20594	RC-March 5, 2019	E-April 6, 2019
22	<b>Amended</b> Map 1B to designate and redesignate lands; Policy P-101 to include the quarry lands to the north of Montague Road/Highway 107; <b>Added</b> Policy P-119A: To establish the CI and GI Zones over the quarry lands”	Case 22670	RC–February 15, 2022	E–April 9, 2022
23	<b>Amended</b> Section II, Housing, Employment and Social Development – Policy P-53; Section III, Residential Designation – after Policy P-68, River-Lakes SPS – Policy RL-5; Section IV, Implementation – Policy P-154 <b>Deleted</b> Section III, Residential Designation – Policy P-69 <b>Added</b> Section III, Residential Designation – Policy P-69A, P-69B; Section IV, Implementation – Policy P-167, P-168, P-169	Case RP16-16 (Shared Housing)	RC-August 9, 2022	E-September 15, 2022
24	<b>Amended</b> Map 1B, GLUM, redesignate land from RSV to I (Schedule B-4); Policy PL-14; Site D – Charleswood Residential Opportunity; Policy RL-15, RL-22, RL-25 <b>Repealed</b> Section III, Residential Designation P-72	Case 22257 (Regional Plan – Phase 3)	RC-October 12, 2022	E – November 16, 2022