

**HALIFAX REGIONAL  
MUNICIPALITY**

**MUNICIPAL PLANNING  
STRATEGY**

**FOR**

**EASTERN SHORE**

**(EAST)**

**THIS COPY IS A  
REPRINT OF THE  
MUNICIPAL PLANNING  
STRATEGY FOR  
EASTERN SHORE (EAST)  
WITH AMENDMENTS TO  
18 NOVEMBER 2006**

**MUNICIPAL PLANNING STRATEGY  
FOR  
EASTERN SHORE (EAST)**

**THIS IS TO CERTIFY THAT** this is a true copy of the Municipal Planning Strategy for Eastern Shore (East) which was passed by a majority vote of the former Halifax County Municipality on the 4<sup>th</sup> day of March, 1996, and approved with amendments by the Minister of Municipal Affairs on the 18<sup>th</sup> day of November, 2006, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the 18<sup>th</sup> day of November, 2006.

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

---

Cathy Mellett  
Municipal Clerk

**MUNICIPAL PLANNING STRATEGY  
FOR  
EASTERN SHORE (EAST)  
(PLANNING DISTRICTS 11)**

**1996**

This document has been prepared for convenience only and incorporates amendments made by the Council of the former Halifax County Municipality on March 4, 1996 and includes the Ministerial modifications which accompanied the approval of the Minister of Municipal Affairs on March 29, 1996. Amendments made after this approval date may not necessarily be included and for accurate reference, recourse should be made to the original documents.

**TABLE OF CONTENTS**

	<b>PAGE</b>
<b>INTRODUCTION</b> .....	1
 <b>SECTION I</b>	
Regional Context .....	3
Regional Context Map (Population) .....	4
Population .....	5
Economic Activity .....	5
 <b>SECTION II</b>	
<b>ENVIRONMENT</b> .....	8
Sewage Disposal .....	8
Water Supply .....	9
Storm Water Management .....	9
Protection of Watercourses .....	10
Solid Waste Management .....	11
Central Water and Sewer Services .....	12
Environmentally Sensitive Areas .....	12
Resource Extraction .....	12
Forestry .....	13
Construction and Demolition Waste Management Strategy .....	14
Transfer Stations & Processing Facilities .....	15
C & D Disposal Facilities .....	17
Site Plan Approval .....	18
Existing C & D Operations .....	18
<b>Community Liaison Committee (CLC) (RC-Sep 10/02;E-Nov 9/02) .....</b>	<b>18</b>
Infrastructure Charges .....	19
Objectives .....	20
Policy Statements .....	21
<b>TRANSPORTATION</b> .....	23
Roads .....	23
Truck Routes .....	23
<b>Private Road Development (Deleted: RC-Jun 27/06;E-Aug 26/06)</b>	
<b>Private Road Residential Subdivisions (Deleted: RC-Jun 27/06;E-Aug 26/06)</b>	
Utility Corridors .....	24
<b>SUBDIVISION OF LAND</b> .....	25
Reduced Frontage Requirements .....	25
Subdivision of Lots with More than One Main Building .....	25
Fish and Boat Shed Lots .....	26
 <b>EDUCATION</b> .....	 27

**TABLE OF CONTENTS**

-ii-

	<b>PAGE</b>
<b>FIRE PROTECTION</b> .....	29
 <b>SECTION III</b>	
<b>LAND USE INTENT</b> .....	31
<b>VILLAGE DESIGNATION</b> .....	32
Residential Development .....	32
Home Based Businesses .....	34
Commercial Development .....	34
<b>RESOURCE DESIGNATION</b> .....	35
Residential Development .....	36
Commercial and Industrial Development .....	36
Salvage Yards .....	36
Parks and Coastal Areas .....	37
<b>INDUSTRIAL PARK DESIGNATION</b> .....	40
 <b>SECTION IV</b>	
<b>IMPLEMENTATION</b> .....	42
<b>Temporary Signage (RC-Sep 26/06;E-Nov 18/06)</b> .....	<b>46</b>
<b>APPENDIX "A" - Description of Plan Area</b> .....	47
<b>AMENDMENT INDEX</b> .....	48

## INTRODUCTION

This Municipal Planning Strategy has been prepared according to the provisions of the Planning Act, Chapter 9, Acts of 1983 and pursuant to a resolution of Municipal Council dated September 18, 1990. The Strategy covers the area as described in Appendix "A".

Pursuant to the Planning Act, Municipal Council's commitment to public participation, and instrumental to the planning process, a Public Participation Committee composed of land owners and residents representing the area's communities were formed. This Committee held prime responsibility for general public input and participation throughout the process. The Public Participation Committees held regular and special meetings and open houses, received written and oral representation from residents, conducted resident surveys, distributed information door-to-door throughout the Plan Area and submitted articles to local newspapers.

The Strategy is organized into four sections. Section I places the Plan Area within a regional context and provides a profile of demographic and development characteristics for the area. Section II discusses the status of, and provides the policy base for, environmental protection, environmental health, transportation, protection services and education related concerns. Section III contains the policies with respect to land use control. Section IV, the final section, consolidates the various means by which the strategy is implemented as provided for within the document and through the Planning Act.

The policies adopted by Municipal Council in this Strategy are prefaced by explanatory text which shall be considered as a legal part of the Strategy. The map which is included and specifically referred as the Generalized Future Land Use Map (Map 1), shall also constitute a legal part of this Strategy. The Generalized Future Land Use Map shall direct the preparation and amendment of the zoning map for the Plan Area.

# SECTION I



## REGIONAL CONTEXT

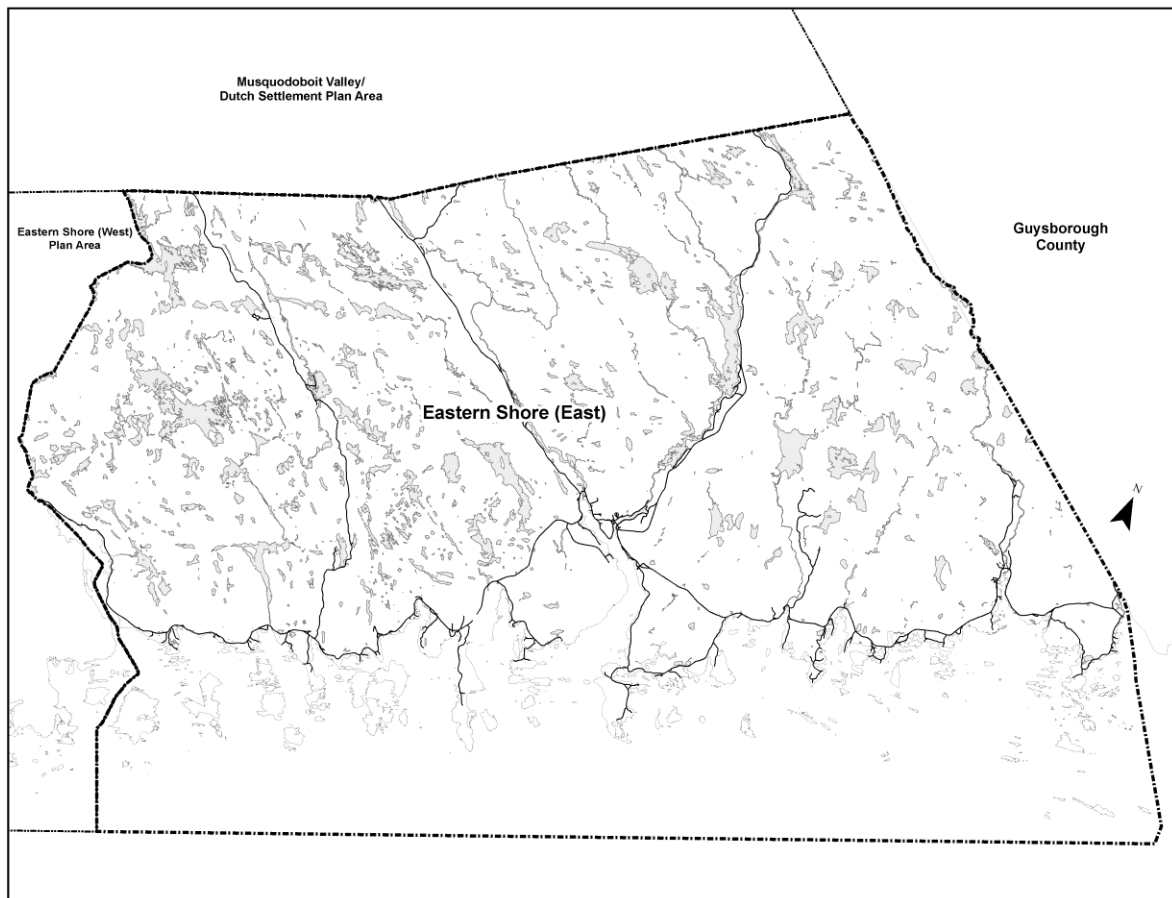
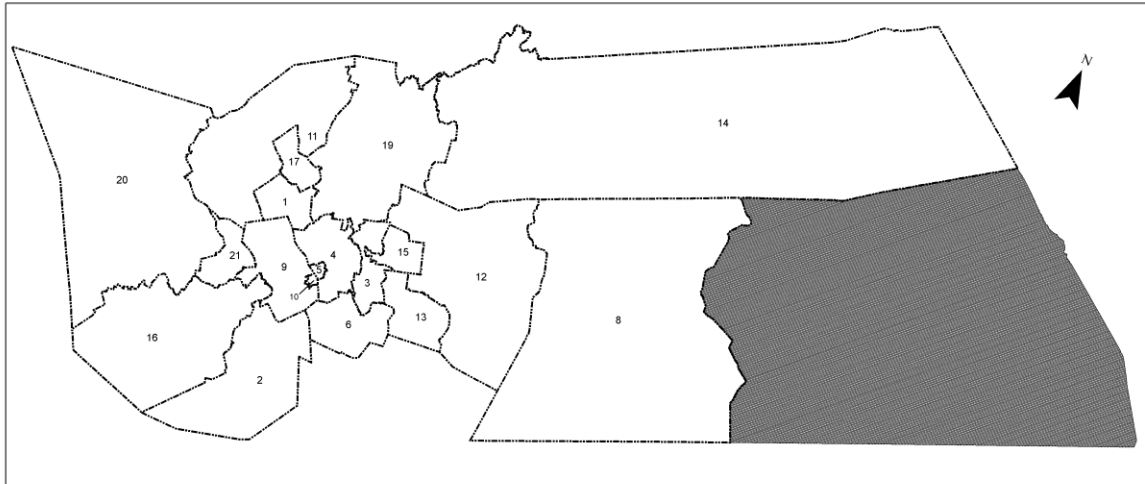
As shown on the Regional Context Map, the Eastern Shore (East) Plan Area is situated in the eastern most portion of Halifax County Municipality and extends along the coast from the Head of Ship Harbour to Ecum Secum Bridge. The Plan Area is bounded on the north by the Musquodoboit Valley - Dutch Settlement Plan Area and on the west by the Eastern Shore (West) Plan Area. The Guysborough County line serves as the eastern boundary and the Atlantic Ocean borders the Plan Area to the south.

The total area consisting of approximately 464 square miles (1202 km<sup>2</sup>), had a 1981 population of approximately 3,981. The Plan Area population declined slightly between 1981 and 1986. During the same period, Halifax County Municipality grew by 14.3 percent to 119,425. The population for 1991 was recorded at 3,661 which represents a decline of approximately 320 persons since 1986.

With a population density of approximately 7.9 persons per square mile, the Plan Area is very rural in nature. Virtually all of the area's communities stretch along Highway No. 7 and most of the settlements which dot the coastline have fewer than 100 residents. Sheet Harbour is the largest settlement in the Plan Area.

Highway No. 7 is the main transportation route through the Plan Area. In addition to providing the primary link between many of the area's communities, this highway serves as an alternative route for trips from Metro-Halifax to Antigonish or Cape Breton. Highway No. 224 which extends from Sheet Harbour to Upper Musquodoboit and the Trafalgar Road, which extends from East River Sheet Harbour to Stellarton, link the Plan Area with the interior of the province.

## Eastern Shore (East)



## Population

Based on information from Census Canada data, the Eastern Shore (East) Plan Area had a 1981 population of approximately 3,981 persons and a 1986 population of 3,910. A population of 3,661 was recorded in 1991.<sup>1</sup> Based on available building permit data and the number of assessed dwellings, the estimated 1994 population was 3,653.<sup>2</sup>

In terms of age structure, Table 1 illustrates the 1991 population by age group.

TABLE 1: AGE STRUCTURE 1991

Total Population	County 136,882	Eastern Shore (East) 3,661
Age Groups	%	%
0-14	24.5	19.5
15-24	14.1	12.7
25-34	19.4	14.5
35-44	18.5	13.7
45-64	17.2	25.8
65+	6.2	19.4

As shown in Table 1, the Eastern Shore (East) Plan Area has a smaller proportion of school-aged children than the County as a whole and a greater percentage of senior citizens. The proportions of young adults and older adults are less than that of the whole County. This trend seems to illustrate fewer young families and children, and an increase in the number of senior citizens.

## Economic Activity

The traditional resource-oriented economy of the Eastern Shore is still very much evident in the Plan Area. Fishing and forestry remain the primary resource activities, although few residents today make their livelihood solely from these activities. According to the 1991 Census, approximately 11 percent of those employed were engaged in primary industries although not necessarily within the Plan Area. Development related to the processing or manufacturing of natural resources is very limited in the Plan Area. Most of the local resource products are sold in an unprocessed state to the nearby urban market.

The aquaculture sector is becoming an increasingly important part of the local area's economy. The clean water and many inlets are ideally suited for aquaculture. In 1989, the Nova Scotia Department of Fisheries established an Aquaculture Demonstration Centre at Ship Harbour. This facility provides services to aquaculture firms in the area and encourages the development of molluscum and finfish aquaculture in the province. At present, there are several aquaculture

<sup>1</sup> Census of Canada 1981, 1986 and 1991.

<sup>2</sup> Department of Planning and Development/Provincial Assessment Department.

firms operating in the Ship Harbour area.

A number and variety of retail and service establishments are distributed throughout the settled areas and tend to be located along the main highway. The greatest concentration of commercial facilities is situated in Sheet Harbour. This commercial area serves many of the smaller communities, while for some items, residents must rely on the Halifax/Dartmouth and Stellarton areas.

The beaches and coastal scenery also support a growing tourism industry, while the area's motels, bed and breakfasts, campgrounds, restaurants, shops and services compliment these natural attractions.

# **SECTION II**

## ENVIRONMENT

### Sewage Disposal

The vast majority of development in the plan area is served by on-site septic tank and field disposal systems. Each building lot is inspected by the Provincial Department of the Environment before the lot is approved for development purposes.

The provincial regulations respecting subdivision govern lot sizes. These regulations allow a provincial health inspector to require a range of lot sizes from twenty thousand (20,000) square feet (1,858 m<sup>2</sup>) to one hundred thousand (100,000) square feet (9,290 m<sup>2</sup>) according to the soil condition in an area.

A mapping survey of septic tank disposal system malfunctions in the province was carried out in 1978 by the Nova Scotia Department of Health and Fitness and the Department of Municipal Affairs. The survey showed that septic tank malfunctions occurred along Highway No. 7 in the vicinity of Sheet Harbour.<sup>3</sup> The malfunctions occurred due to problems associated with bedrock, slow percolation and soil saturation. While septic tank malfunctions have not been reported in other areas of the Plan Area, this does not necessarily mean these areas have no limitations. A review of the map entitled, "Limitations for Septic Tank Absorption Fields for Nova Scotia" shows that all areas of the Plan Area have some limitation.

In 1990, the Department of Health and Fitness carried out a sanitary survey on properties in Sheet Harbour, between the east and west bridges. The survey included dye testing of on-site sewage disposal systems and sampling of water supplies for bacteriological and chemical analysis. This survey concluded that there did not appear to be a problem with malfunctioning sewage disposal systems as none of the 155 properties tested appeared to be malfunctioning. Inspections of the systems indicated that during the past ten to twelve years, many of the sewage disposal systems serving the homes and businesses in the survey area had been repaired, upgraded or completely replaced. The Sheet Harbour study did note that approximately 15 percent of properties tested had direct lines to the harbour; however, these problems could be dealt with or improved upon.

With continuing development in the Plan Area, the importance of adequate and well-maintained on-site services will become even more critical. One means of addressing this issue is through a public information program which outlines the maintenance requirements for on-site sewage disposal systems. By undertaking rural residential development only on lands which are suitable for on-site sewage disposal systems, and improving the design and maintenance of these systems potential health hazards will be reduced.

E-1 It shall be the intention of Council, in cooperation with senior government departments, to investigate and implement methods of public information and information dissemination relative to improving public awareness of on-site sewage disposal system maintenance requirements and other matters of environmental and public health concern.

---

<sup>3</sup> On-Site Sewage Disposal System Malfunctions, Survey and Report, Department of Health and Department of Municipal Affairs, 1980.

## Water Supply

An adequate supply of potable water is essential to all human settlements. In the rural areas of Halifax County the majority of residents obtain water from private wells located on-site.

There are, however, problems associated with wells. Depending on soils and bedrock type, water composition and depth flows may be limited. Also, wells are affected by mineral contamination in the ground water supply. Uranium and arsenic which are dangerous to the public health, have been found in well water samples in some areas. Iron and manganese which affect water quality are prevalent. In coastal areas, salt water may intrude into wells and bacterial contamination may occur if wells are not properly constructed or are too close to septic systems.

The Provincial Department of the Environment maintains separation distances between wells and septic systems. Wells may be inspected by department staff at the owner's request, however, there are no regulations affecting the type of water source used. In addition, areas where mineral contamination may occur have not been delineated. New lots can be approved without reference to any guidelines on a useable water supply.

E-2 It shall be the intention of Council, in cooperation with senior government departments to investigate areas where water quality or water quantity problems exist.

## Storm Water Management

Storm water normally flows through drainage systems which include rivers, creeks, lakes, ponds, marshes and other natural features. In rural areas, there is generally little notice of the impact of these drainage systems, but when development occurs significant environmental and economic costs can arise as a result of changes in these systems. In developing areas, additional surface runoff from development can lead to erosion and sedimentation in rivers and lakes, and infilling of natural wetlands and water retention areas. There is a growing recognition of the need to protect watercourses through effective storm water management programs which can provide a significant reduction in development associated drainage impacts and their consequent costs.

Storm water management has assumed a higher priority in the Municipality since Council's adoption of the Storm Water Task Force Report. This led to the passage of the Halifax County Storm Water Drainage Act in 1988, which is now consolidated with other special Acts under the Halifax County Charter. The County Charter enables the Municipality to enact its own controls over storm water drainage. In addition, storm water design criteria have been developed with additional attention given to engineering considerations during the subdivision stage of a development. These features are to be incorporated into a by-law which controls infilling, diversion and removal of natural storm water systems and requires adequate storm water drainage systems for both subdivisions and individual lots.

While interest in storm water management was initiated largely in response to problems and concerns with the flooding of developed areas, storm water runoff is also a cause of water pollution, something that is often overlooked. Its proper management is, therefore, essential in order to maintain water quality.

- E-3 It shall be the intention of Council to implement the Storm Water Policy and Design Criteria for those types of development and in those portions of the Plan Area where it is determined to be appropriate and feasible, through necessary amendments to the Subdivision By-law.

#### Protection of Watercourses

The provincial Department of the Environment has primary jurisdiction with regard to the protection of watercourses. The infilling, dredging, diversion, or alteration of any waterbody or watercourse requires a permit from this department. Unnecessary watercourse alterations can cause unforeseen problems such as flooding, erosion and siltation which may damage fish and wildlife habitat. In some instances, in order to divert, infill, or otherwise alter any watercourse or body of water, permission may be required from the federal department of Transport (for navigable waters). These requirements, unfortunately, are all too often ignored.

- E-4 It shall be the intention of Council to strongly encourage the federal Department of Transport and the provincial Department of the Environment to enforce their regulations and guidelines governing infilling or other interference with watercourses within the Plan Area.

Poor construction practices, particularly in developing areas, can also result in damage to watercourses or bodies of water. A prime example is careless excavation which leads to increased siltation from uncontrolled runoff. Proper construction practice guidelines have been jointly prepared by the federal and provincial governments. However, while such guidelines are widely distributed, there are no provisions for their enforcement.

- E-5 It shall be the intention of Council to encourage the provincial Departments of Transportation and Communications and the Environment to enforce compliance with the Province of Nova Scotia Environmental Construction Practice Specifications.

The locational setback of buildings and structures from watercourses is necessary when development takes place in these areas because of the potential to damage the natural environment. Inappropriate and careless development near watercourses, including unnecessary and excessive removal of vegetation and mature trees can cause erosion, sedimentation, flooding and other detrimental side effects. In order to alleviate these problems, the land use by-law will establish building setbacks from watercourses to provide appropriate buffer zone protection for watercourses and water bodies. Those uses which require direct access to the water, such as fish and boat sheds, will be exempt.

- E-6 It shall be the intention of Council, through the land use by-law, to establish requirements for setbacks from watercourses within the Plan Area which are appropriate to the environmental sensitivity of particular areas.

- E-7 It shall be the intention of Council to discourage the removal of trees and other vegetation within the setback areas established pursuant to Policy E-6, and to encourage all property owners, when developing property bordering watercourses, to maintain a natural woodland buffer within setback areas.



## Solid Waste Management

In most areas of the Municipality, solid waste collection is contracted to private firms on a weekly pick up basis. Waste is then transferred to the regional waste disposal facility located in Upper Sackville.

Within the Plan Area, solid waste is collected by a private firm on contract with the Municipality. Waste is stored at a municipally owned transfer facility near Mushaboom and then transferred to the regional facility in Upper Sackville.

With the impending closure of the regional waste disposal facility, the Metropolitan Authority initiated a process to find a future landfill site in August of 1989. 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 and an alternative strategy and landfill site must now be developed before the closing of the Upper Sackville facility on December 31, 1996.

On August 9, 1994, the Metropolitan Authority passed a resolution requesting Halifax County Municipality to assume responsibility for solid waste management. By resolution dated September 6, 1994, Municipal Council accepted responsibility for solid waste management on behalf of the four metropolitan Halifax regional municipal units. Acceptance is on the basis of certain principles which form the basis for the Municipality's position on solid waste management.

An underlying principle of the Municipality's position is to make available to the general public and all interested parties all information and details relevant to the development of the next waste management strategy, including the siting of a landfill. This is to be ensured through a consultative process which forms part of the Municipality's position. This process has been recognized by the Provincial Round Table on the Environment as a preferred method of public participation and is consistent with Planning Act objectives aimed at ensuring public consultation and participation into decisions which affect community development. It is an open, non-adversarial to decision-making in which all stakeholders are provided with equal representation.

E-8 It shall be the intention of Council to make available to the general public and all residents of the Plan Area all information and details related to the development of the Halifax metropolitan region's next solid waste management strategy and landfill and to encourage the participation by all stakeholders in the consultative process which forms the basis for the Municipality's acceptance of responsibility for solid waste management.

E-8A 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 the I-1 (Business Industry) Zone and the RE (Rural Resource) Zone.

E-9 It shall be the intention of Council to investigate, in cooperation with other levels of government, programs for reducing waste and for waste reclamation.

E-10 It shall be the intention of Council to support community based recycling, reduction and

reclamation efforts and to initiate public education campaigns on these matters.

E-11 It shall be the intention of Council to support annual domestic hazardous waste collection.

### **Deletion (RC-Sep 10/02;E-Nov 9/02)**

#### Central Water and Sewer Services

In more recent years, there has been some pressure from residents and property owners in the Sheet Harbour area to have central municipal sewer and water services installed in this area. Investigations to date by health officials have not supported the installation of central services, however, some residents and property owners feel that the existing environmental and public health concerns will escalate as development in this area continues.

E-13 It shall be the intention of Council to monitor the extent of any environmental or public health concerns in the Sheet Harbour area and to investigate the feasibility of water and sewer services in the future should such services be necessary to alleviate environmental and public health problems.

#### Environmentally Sensitive Areas

Environmentally sensitive areas can be protected through the use of conservation zoning. At this time there are no scientific studies which identify specific environmentally sensitive areas in the Plan Area. However, should such areas be identified, amendments to the land use by-law will be considered to establish the necessary protection by including these areas within the Coastal Conservation Zone.

E-14 It shall be the intention of Council to encourage the necessary scientific studies to identify environmentally sensitive areas requiring specific protection, and to consider amending the land use by-law by applying coastal conservation zoning in such areas.

The acquisition of environmentally sensitive areas by government agencies is one mechanism by which some level of long term protection can be provided. However, this approach is simply not an option in many circumstances. It is necessary, therefore, to find other ways to preserve these areas while they remain in private ownership. Protection through private land stewardship initiatives offers an alternative to public acquisition.

E-15 It shall be the intention of Council to investigate opportunities for providing greater protection of environmentally sensitive areas through private land stewardship initiatives.

#### Resource Extraction

Extractive operations are recognized as an important land use from an economic perspective, as these operations provide employment opportunities. However, extractive operations can potentially create harmful effects on the natural environment and surrounding land uses.

E-16 It shall be the intention of Council to request the provincial Department of the Environment to adopt regulations for pits and quarries under the Environment Act.

E-17 It shall be the intention of Council to adopt Municipal By-law 42 (Blasting and Dangerous Materials By-law) within the Plan Area.

### Forestry

The Municipality has limited jurisdiction with respect to forestry activities. It must, therefore, rely on senior levels of government to properly manage the forest resource and to ensure that adequate protection is provided for wildlife, wildlife habitat and watercourses, as well as other aspects of the forest resource.

E-18 It shall be the intention of Council to strongly encourage the provincial Department of Natural Resources to implement and strictly enforce the Forest and Wildlife Guidelines and Standards for Nova Scotia for all forest harvesting programs within the Plan Area.

**CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT STRATEGY**  
(RC-Jul 2/02;E-Aug 17/02)

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. waste should be reused or recycled, it is necessary for some of this material to be buried.

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

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

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

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

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

components of HRM's C&D Strategy.

- SW-1** It shall be the intention of Council to initiate an education and public awareness program for builders, home renovators and developers describing best practices for maximizing the amount of C&D materials recycled, reused and/or diverted from municipal landfill.
- SW-2** It shall be the intent of Council to review its construction and procurement practices to ensure that C&D debris materials resulting from municipal construction projects are diverted to appropriate reuse and recycling facilities.
- SW-3** Further to Policy SW-2, Council shall encourage provincial and federal agencies working within HRM to also review their construction and procurement practices to support recycling / reuse of C&D materials.

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

Operational and compatibility considerations related to C&D facilities require they not be located within residential, community facility, or environmentally sensitive designated areas. To minimize compatibility concerns, the Land Use By-law will permit C&D facilities only in areas designated 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.

- SW-4** It shall be the intention of Council to provide a consistent approach to permitting C&D operations throughout HRM. Further, the Land Use By-law shall clearly define each type of operation and implement measures to minimize the impact of C&D operations on surrounding land uses and watercourses.
- SW-5** It shall be the intention of Council to prohibit C&D operations from establishing in areas designated residential, community facility, or environmentally sensitive.

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

#### **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 "industrial" or "processing" operations. This resulted in inconsistency and the creation of an uneven "playing field" for contractors and C&D

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

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

- (a) safe access to and from the site of the proposed operation shall be obtained from the abutting street or highway and the development shall not cause traffic circulation problems or traffic hazards due to the nature or level of traffic created;
- (b) no operation shall have direct access to a local road, as determined by the Municipality's Traffic and Transportation Services Division and any access road for such operations shall not be provided through lands zoned for residential or community use;
- (c) sites shall allow for the reasonable separation of the proposed operation from surrounding residential development;
- (d) consideration shall be given to the extent and location of open storage with respect to abutting properties;
- (e) scale and appearance of the proposed operation will not detract from or adversely affect surrounding developments;
- (f) the proposed site layout, including but not limited to landscaping, buildings or structures, access and egress, parking areas, signage, and outdoor storage or display areas, shall be appropriate having regard to the other provisions of this Policy;
- (g) adequate buffering and screening measures, including the use of berms, opaque fencing, and vegetation, shall be provided as a means to reduce any visual and/or noise intrusion to surrounding residential development;
- (h) applicant shall provide a report that addresses the effectiveness of environmental measures used to protect the natural environment (ie watercourse, groundwater, etc.);
- (i) no portion of the operation shall be located within a floodplain (1:100 year event);
- (j) consideration shall be given to the adequacy of onsite or central services; and
- (k) provisions of Policy IM-10

**SW-7** A CD-2 (C&D Recycling Operations) Zone shall be established in the land use by-law. The zone shall permit C&D recycling operations and CD-1 zone uses, excluding disposal, and shall establish controls on setbacks from adjacent uses, provide buffering and screening, landscaping measures, regulate access and

outdoor storage in order to minimize impact on adjacent uses. Amendments to the schedules of the land use by-law to permit new CD-2 Zone uses shall only be considered where such operations are within the Industrial and Resource Designations, and pursuant to criteria of Policy SW-6.

### C&D Disposal Facilities

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

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

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

- (a) Facilities which dispose of only inert C&D materials for which Ministerial approval and a permit from the Department of the Environment are not required. Inert materials are defined as “rock (excluding sulphide bearing rock), aggregate, soil, bricks, mortar, concrete, asphalt pavement, porcelain or ceramic materials, trees, brush, limbs, stumps, root balls, organic mat, milled wood that is free of adhesives, coatings or preservatives.
- (b) Facilities which dispose of all types of C&D materials (inert and non-inert) for which Ministerial approval is required. These operations require a permit from the Department of the Environment and Labour in accordance with Provincial “Construction and Demolition Debris Disposal Site Guidelines”, to address the design and operational requirements.

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

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

**SW-8** A CD-3 (C&D Disposal) Zone shall be established in the land use by-law. The zone shall permit C&D disposal operations, CD-2 zone uses and establish controls relative to setbacks from adjacent uses, buffering and screening, landscaping, access, and outdoor storage in order to minimize impact on adjacent uses. Amendments to the schedules of the land use by-law to permit new C&D disposal operations shall be considered where such operations are within the Industrial & 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 SW-6.

### Site Plan Approval

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

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

### Existing C&D Operations

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

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

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

### Community Liaison Committee (CLC) (RC-Sep 10/02;E-Nov 9/02)

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



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

### **Infrastructure Charges**

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

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

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

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

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

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

- (a) new or expanded water systems;**

- (b) new or expanded waste water facilities;**
- (c) new or expanded storm water systems;**
- (d) new or expanded streets;**
- (e) upgrading intersections, new traffic signs and signals, and new transit bus bays,**

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

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

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

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

### **Objectives**

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

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

## **Policy Statements**

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

- IC-1** Where capital costs have been or are anticipated by reason of the subdivision or future development of land, the Subdivision By-law shall be amended from time to time to identify specific charge areas and related Infrastructure Charges applicable in the Municipality. In amending the Subdivision By-law to establish a charge area, Council shall consider:
- (a)** The adequacy of existing infrastructure;
  - (b)** Transportation requirements, including existing streets;
  - (c)** Drainage patterns and drainage requirements;
  - (d)** Water service requirements, including existing and proposed water service districts;
  - (e)** Storm and sanitary sewer system requirements, including the extension of existing systems and servicing boundaries;
  - (f)** Land use and existing and future development;
  - (g)** Financial impacts on the Municipality;
  - (h)** Soil conditions and topography; and
  - (i)** Any other matter of relevant planning concern.
- IC-2** Infrastructure Charges within a charge area shall be in an amount determined by Council, as set out in the Subdivision By-law.
- IC-3** Infrastructure Charges imposed pursuant to the Subdivision By-law may be set at different levels related to the proposed land use, zoning, density, traffic generation, lot size and number of lots in a subdivision and the anticipated servicing requirements for each infrastructure charge area.
- IC-4** The Subdivision By-law shall establish conditions for Subdivision Approval with respect to the payment of Infrastructure Charges including provisions for any agreements with the Municipality as a condition of Subdivision Approval.
- IC-5** An Infrastructure Charge Holding Zone shall be established in the Land Use By-law. The Holding Zone may be applied by Council to lands within any designation on the Generalized Future Land Use Map where, in respect of development, Council has determined that: the cost of providing municipal wastewater facilities, stormwater systems or water systems would be prohibitive; or the cost of maintaining municipal streets would be prohibitive.

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

- IC-6** Where an area is zoned as an **Infrastructure Charge Holding Zone** area, the municipality shall, within one year of the effective date of the zone, commence the procedure to amend the **Subdivision By-law** to include provision for the payment of **Infrastructure Charges**, prior to permitting development or the designation(s) and zone(s) in effect immediately prior to the **Pending Infrastructure Charges Area** zone comes into effect.
- IC-7** Council shall be guided by the **Municipality's Multi-Year Financial Strategy** and capital budget process in determining the extent and timing of municipal contributions toward new infrastructure.
- IC-8** An infrastructure charge may only be used for the purpose for which it is collected.

## **TRANSPORTATION**

### Roads

The road network in the Plan Area is dominated by Highway No. 7 which runs east-west along the coast. Route No. 7, which extends from Metro through the Head of Ship Harbour to Ecum Secum and beyond, is part of the Marine Drive Travelway as identified by the Nova Scotia Department of Tourism. Route No. 7 is the only truck highway in the Plan Area and is classified as a Type "C" Arterial Highway. Highway No. 224 runs from Sheet Harbour to Middle Musquodoboit in the Musquodoboit Valley - Dutch Settlement Plan Area. This collector highway runs through an essentially unsettled portion of the Plan Area and serves as an important link to the interior of the province. Route 224 is classified as a Type "E" Collector Highway. Running north from East River Sheet Harbour, the Trafalgar Road links the Sheet Harbour area with Stellarton. The Trafalgar Road is classified as a Type "E" Collector Highway.

Another important feature of the transportation network is Highway No. 107, which will eventually extend easterly throughout the Plan Area and beyond. In November of 1991, the extension of Highway No. 107 to Musquodoboit Harbour was completed. The completion of this section provides a one hundred series highway link or Type "B" Freeway between Dartmouth and Musquodoboit Harbour.

The extension of Highway No. 107 through to the Plan Area is recognized as a key component in the future development of the area. While a future transportation corridor is under consideration for the extension of Highway No. 107, no firm alignments or start up dates have been identified.

With respect to transportation matters such as the future alignment of the Highway No. 107 extension, the Municipality has very limited jurisdiction. The future alignment of Highway No. 107, however, is a fundamental component of local planning. The residents of the Plan Area strongly urge the province to seek community consultation regarding the future alignment and development of Highway No. 107.

T-1 It shall be the intention of Council to strongly urge the provincial Department of Transportation and Communications to involve community participation in the decision making process regarding the future alignment of Highway No. 107.

### Truck Routes

All truck traffic which travels the eastern shore of Nova Scotia must pass the Sheet Harbour main street area. This causes conflict between local traffic parked to use shops and services and truck traffic trying to get through the village area. Several years ago, the provincial Department of Transportation investigated the possibility of a by-pass to route traffic around Sheet Harbour. Beyond a preliminary investigation, no further action has been taken on this matter.

T-2 It shall be the intention of Council to encourage the provincial Department of Transportation to further investigate the feasibility of a by-pass route around Sheet Harbour to relieve the main street area of truck traffic.

**Private Road Development (Section Deleted: RC-Jun 27/06;E-Aug 27/06)**

**Private Road Residential Subdivisions (Section Deleted: RC-Jun 27/06;E-Aug 27/06)**

Utility Corridors

Utility corridors such as pipe and power lines can have detrimental impacts on the environmental and aesthetic qualities of communities. The siting of utility corridors should, therefore, be subject to municipal review due to the effects upon scenic, recreational, residential and environmentally sensitive areas of the Municipality and to general development patterns.

T-5 It shall be the intention of Council to encourage all utility companies to submit proposed plans of any utility corridors prior to approval of construction. Furthermore, Council shall discourage the location of utility corridors through scenic, recreational, residential and environmentally sensitive areas of the Municipality.

## **SUBDIVISION OF LAND**

### Reduced Frontage Requirements

In many parts of the Plan Area, traditional approaches to landownership have resulted in the creation of numerous long narrow strips of land. These often extend back miles from the ocean or a lake to the boundary of the original land grant with many having insufficient road frontage to permit subdivision under current regulations. Many are still owned by the descendants of the original grantees who wish to continue the custom of giving a piece of the backland to family members to build upon.

While consolidation of these strips is the logical and preferable solution to many of the development problems, it is recognized that this is not always practical. In many cases, financial or other hardship may be incurred if subdivision is not permitted. In order to allow reasonable use and development of strip lots, some reduction of subdivision standards is justifiable.

The Subdivision By-law contains provisions which are designed in part to ease the development problems of these narrow strips of land. Those provisions permit the creation of an additional lot which does not have the required minimum frontage on a public road. There is support in the more rural areas to allow for the creation of additional lots. There is no wish, however, to create a large number of lots with narrow frontage as this is seen as creating potential traffic hazards due to the increased number of accesses onto local streets or highways.

- L-1 It shall be the intention of Council to apply the lot frontage exemptions of Part 14 of the Subdivision By-law within the Plan Area.
  
- L-2 It shall be the intention of Council to amend the Subdivision By-law to allow, within the MU (Mixed Use), R-6A (Rural Residential A) and RE (Rural Resource) Zones, the creation of a maximum of three lots having a minimum road frontage of twenty (20) feet (6.1 m), from an area of land existing on the effective date of this planning strategy.

### Subdivision of Lots With More Than One Main Building

The former practice of family members constructing more than one home or other building on the family property has also led to problems with subdivision. The problem often arises when it becomes necessary to provide legal proof of ownership of the land when selling or arranging a mortgage for one of the properties. The Subdivision By-law offers only limited relief in these cases and it is felt that more flexible regulations with respect to required frontage and area, such as are contained in the provincial regulations, should generally apply.

An additional problem in resolving boundary lines in such cases is that many of the buildings or structures were built prior to the adoption by the Municipality of modern building standards. This has resulted in main and accessory buildings being located closer to each other than current regulations allow. As it is often impossible to subdivide without encroaching into a required side yard, it is felt that reduced yard requirements for accessory buildings and structures be allowed in such cases.

- L-3 It shall be the intention of Council to amend the Subdivision By-law so that where more

than one main building exists on a lot or parcel of land on the effective date of this planning strategy, the lot or parcel may be subdivided to create up to the same number of lots as there are main buildings and a remainder lot provided that the remainder lot meets the requirements of the Subdivision By-law.

- L-4 It shall be the intention of Council, where a proposed lot or remainder lot cannot be subdivided without encroaching upon the required yard for an accessory building, to provide for a reduction to any such required yard through the land use by-law.

### Fish and Boat Sheds

The use of land for fish and boat sheds deserves special attention in this Plan Area where there are not only a number of licensed fisherman, but also a considerable number of residents who fish and boat for recreational purposes. While public boat launching facilities are provided in some areas, many residents desire a more convenient location for launching and hauling out boats, as well as for landing catches, storing equipment and carrying out routine boat maintenance.

The creation of smaller lots for fish and boat sheds requires an amendment to the Subdivision By-law. It is also necessary to indicate to the buyers of the fish and boat shed lots that these types of lots are approved for this purpose only and are not intended for any residential or other use.

- L-5 It shall be the intention of Council to amend the Subdivision By-law to permit the creation of fish and boat shed lots subject to the following conditions:

- (a) that fish and boat shed lots shall only be created on lands zoned MU (Mixed Use) and RE (Rural Resource) and having water frontage on the Atlantic Ocean and its inlets; and
- (b) that the area of any fish and boat shed lots shall not be greater than five thousand (5,000) square feet (464.5 m<sup>2</sup>), but there shall be no required minimum area, width or length.

- L-6 It shall be the intention of Council to amend the Subdivision By-law so that where any fish and boat shed lot is approved, the following words shall be written or stamped on any FINAL subdivision plan which is endorsed: "Lots \_\_\_\_ and \_\_\_\_ can be used only for the purposes of storing or repairing boats and fishing equipment as provided for in Sections \_\_\_\_\_ and \_\_\_\_\_ of the Land Use By-law for \_\_\_\_\_ (the Plan Area)".



## EDUCATION

The control and management of schools and programs in the Municipality is the responsibility of the Halifax County-Bedford District School Board. The provincial government cost-shares various items related to the operation of the School Board and is fully responsible for the costs of new school construction.

In the matter of the selection of new school sites, the school board consults with both the Municipality and local school trustees before identifying three potential sites. The provincial Department of Education makes the final selection. Monitoring of population growth and development trends are conducted jointly by the school board and the municipal Department of Planning and Development.

Although educational facilities are primarily used for the education of school-aged children and adolescents, a number of schools within the Municipality are used for community school programs. In providing a broad range of educational and leisure programs for all age groups, the programs help to foster community development by providing a focus for a wide range of community activities.

The Eastern Shore (East) Plan Area is served by four schools including three elementary and one junior-senior high school. All four schools are located within the Plan Area and are shown in the following table:

**TABLE 2: EASTERN SHORE (EAST) PLAN AREA SCHOOLS**

Type of School	Plan Area
Elementary (Grades primary - 6)	Sheet Harbour Consolidated School Eastern Consolidated School (Moser River) Lakefront Consolidated School (Tangier) Duncan MacMillan High School (Sheet Harbour)
Junior/Senior (Grades 7 - 12)	

As indicated in Table 1 (p.5), there is a smaller proportion of school-aged children in the Plan Area compared to both Halifax County Municipality and Nova Scotia as a whole. Presently, the Plan Area is adequately served by existing schools, which are capable of accommodating project enrolment over the next few years. Since 1990, overall enrolment within the schools has remained fairly constant, with a slight decline noted at Sheet Harbour Consolidated and Eastern Consolidated. The following table illustrates enrolment between 1990 and 1995.

TABLE 3: SCHOOL ENROLMENTS

Schools	1990	1991	1992	1993	1994	1995
Sheet Harbour Consolidated	212	205	205	202	-	198
Eastern Consolidated	59	59	58	51		46
Lakefront Consolidated	74	74	74	76		81
Duncan MacMillan	315	314	333	308		315

- ED-1 It shall be the intention of Council to encourage the Halifax County-Bedford District School Board to closely monitor population and development within the Plan Area. Furthermore, it shall be the intention of Council to make strong representation to the provincial government to provide a planned response to the needs for new schools or the expansion of existing schools.
- ED-2 It shall be the intention of Council to encourage the Halifax County-Bedford District School Board to continue to consult with the community and the Municipality prior to altering the functions of any school or constructing a new school.
- ED-3 It shall be the intention of Council, when new school sites are being considered, to encourage the provincial government and the Halifax County-Bedford District School Board to locate the schools so that pedestrian and vehicular safety is enhanced. Furthermore, it shall be the intention of Council to encourage the location of new schools adjacent to existing or proposed parks, open space and community facilities.
- ED-4 It shall be the intention of Council to encourage the Halifax County-Bedford District School Board to continue applying standard site criteria, including minimum site requirements, for each type of school.
- ED-5 It shall be the intention of Council to encourage the Halifax County-Bedford District School Board to support the continued use of school facilities as community schools in order to provide for a range of individual educational needs and to help foster community social and cultural development.

## FIRE PROTECTION

Fire Protection is provided from six fire departments located throughout the Plan Area. All departments rely on voluntary fire fighters to respond to fire emergencies, such as house fires, forest fires, etc. In addition to fire fighting, the local departments respond to a variety of other emergency situations ranging from car accidents to fuel spills.

Fire Department	# of Fire Fighters	Equipment
Sheet Harbour Volunteer Fire Department	31	Tanker Truck (3300 gal.) Tanker/Pumper Truck (1500 gal.) Pumper Truck (500 gal.) Rescue Van Station Building (40' x 100')
Moser River Volunteer Fire Department	35	Pumper Trucks (2) (800 gal.) Rescue Van Recreation Hall Two-bay Garage
Three Harbours Volunteer Fire Department (Port Dufferin)	32	Pumper Trucks (2) (750 gal.) Cube Rescue Van Buildings
Mushaboom Volunteer Fire Department	20	Pumper Truck (700 gal.) Pumper Truck (500 gal.) Equipment Van Recreation Hall (60' x 60') Two-bay Garage
Tangier & Area Volunteer Fire Department	15	Pumper Truck (1800 gal.) Pumper Truck (1000 gal.) Pumper Truck (800 gal.) Recreation Hall (40' x 80') Sub-station (20' x 30')
Mooseland Volunteer Fire Department	16	Pumper Trucks (2) (800 gal.) Recreation Hall Two-bay Garage

Due to the variety of emergency situations fire fighters must respond to, it is important that equipment and training for these volunteers is provided to properly meet these emergency situations.

FP-1 It shall be the intention of Council to support the activities of all fire departments within the Plan Area and, where possible, to ensure that the quality and quantity of equipment, training and facilities available are appropriate to the needs of the communities which they serve.

# **SECTION III**

## LAND USE INTENT

Future land use within the Plan Area will be directed by land use policy and more specifically by land use designations. These designations are set out in the Generalized Future Land Use Map (Map 1) and are as follows:

Village Designation  
Resource Designation  
Industrial Park Designation

The Village Designation has been applied to the areas of Sheet Harbour, West East River, Church Point Road, West Sheet Harbour (Shore Road) and along Route 224 to the Killag Road. The Village Designation represents a central area within the Plan Area where commercial services, community uses and recreational facilities are provided. This area serves both local residents and the travelling public. The Village Designation is intended to reinforce this area as a focal point for the provision of goods and services while recognizing and preserving the rural character within this central area. Support is given to continued residential development.

The Resource Designation reflects the very rural character and traditional land use pattern of the major portion of the Plan Area. The designation has been applied to a majority of the lands within the Plan Area and supports a generally unrestrictive approach to development.

The Industrial Park Designation supports the industrial park in Sheet Harbour. The designation supports shipyard activities, industrial uses, commercial uses, and activities normally associated with industrial and commercial development.

## VILLAGE DESIGNATION

The Village Designation has been applied to Sheet Harbour and surrounding areas including West East River, Church Point Road, West Sheet Harbour (Shore Road) and along Route 224 to the Killag Road. The designation recognizes the concentration of residential, commercial and institutional land use in this area and supports its continuation as a focal point for social and economic activity in the Plan Area. Within this designation, a mix of uses will be permitted including residential, commercial and community facility uses. Other permitted uses include existing service industry uses, traditional uses and resource related activities of a limited scale. Specific performance standards will address matters of scale, outdoor storage and display, parking, and the protection of watercourses.

- V-1 It shall be the intention of Council to establish the Village Designation as shown on Map 1. Lands within this designation shall constitute a focal point for social and economic activity within the Plan Area.
- V-2 Within the Village Designation, it shall be the intention of Council to establish a MU (Mixed Use) Zone which permits a wide range of residential uses, commercial uses and communities facilities, as well as resource and traditional uses, and existing service industry uses. The zone shall control the scale of commercial buildings, outdoor storage and display, parking and the separation from watercourses for specific uses.

### Residential Development

The development of senior citizen housing in the form of apartment buildings or townhouses is supported within the Village Designation to encourage this form of housing in the district. Other forms of higher density residential development, however, will be subject to a site-by-site review process to ensure that proper safeguards are established to protect overall community form and the natural environment.

It is recognized that there may be a future demand to provide for multiple unit dwellings or mobile home parks within this designation. Multiple unit dwellings containing more than four dwelling units and mobile home parks will only be considered by development agreement which will ensure that matters relating to scale, transportation, servicing and the protection of the natural environment are adequately addressed.

- V-3 Notwithstanding Policy V-2, it shall be the intention of Council to consider permitting multiple unit dwellings containing more than four dwelling units in accordance with the development agreement provisions of the Planning Act. In considering such an agreement, Council shall have regard to the following:
- (a) that the architectural design and scale of the building is compatible with nearby uses;
  - (b) that adequate separation distances are maintained from low density residential developments and that landscaping measures are carried out to reduce the visual effects of the proposed use;
  - (c) that open space and parking areas are adequate to meet the needs of residents;
  - (d) the means by which solid and liquid wastes will be treated;

- (e) the impact of the proposed use on traffic volume and the local road network, and the adequacy of sighting distances from the entrance and exit of the site;
- (f) the provisions of Policy IM-10.

V-4 Notwithstanding Policy V-2, it shall be the intention of Council to consider permitting mobile home parks in accordance with the development agreement provisions of the Planning Act. In considering such an agreement, Council shall have regard to the following:

- (a) the adequacy of park services including sewer, water and stormwater systems, recreation facilities, roads, park maintenance, garbage collection and street lighting;
- (b) the ability of education facilities, protection services and community recreation facilities to adequately meet increased demands of the development or to respond with the provision of additional services;
- (c) the provision of landscaping or buffering from nearby land uses in order to protect the privacy, reasonable use and enjoyment of these properties;
- (d) the provision of landscaping or buffering from the public road to which it has access;
- (e) the impact of the proposed use on traffic volume and the local road network, as well as traffic circulation in general, sight distances, and the entrance to and exit from the site;
- (f) the means by which solid and liquid waste will be treated;
- (g) the park layout and design, including the design of the internal road network and separation distances from maintenance buildings and any sewage treatment plants;
- (h) the guidelines of the Mobile Home Park By-law; and
- (i) the provisions of Policy IM-10.

While the primary objective of the Village Designation is to support a mix of land uses and the rural character of the Sheet Harbour area, it is recognized that there are areas where new suburban style residential development is taking place. In areas where this suburban style development has occurred, appropriate levels of protection will be provided so as to maintain greater uniformity within the residential environment and prevent an intrusion of non-residential uses.

V-5 Notwithstanding Policy V-2, it shall be the intention of Council to support the development of more uniform suburban residential environments through the application of a more restrictive R-6A (Rural Residential A) Zone. In considering amendments to the land use by-law, Council shall have regard to the following:

- (a) the land to be rezoned contains a minimum of ten (10) contiguous acres;
- (b) the effect of the proposed amendment on overall community form;
- (c) the effect upon the future use of any lands which may be accessed through the area to be rezoned;
- (d) that the existing use of surrounding lands is compatible with such a suburban environment; and
- (e) the provisions of Policy IM-10.

### Home Based Businesses

Home based businesses play a vital role in rural areas in the provision of local goods and services. As such, the Plan Area supports a multitude of home based businesses which are scattered throughout the Village and Resource Designations. In most instances these activities are not intrusive and consequently do not adversely affect the communities within which they are located. Home based businesses will, therefore, be permitted by right in all areas of the Village and Resource Designations. The Land Use By-law shall place restrictions on these businesses in order to reduce conflicts with adjacent uses.

### Commercial Development

The Village Designation supports a wide range of commercial uses designed to meet the needs of local residents and the travelling public. The scale of commercial uses is limited to five thousand (5,000) square feet. Other performance standards would provide controls on outdoor storage and display, parking areas, buffering and landscaping. It is recognized that larger scale commercial uses may be appropriate in certain situations where adequate protection is provided for adjacent residential properties and concerns related to environmental matters, traffic generation, architectural design, outdoor storage and display and hours of operation are addressed. Larger scale commercial uses may, therefore, be considered by development agreement.

- V-6 Notwithstanding Policy V-2, it shall be the intention of Council to consider permitting commercial uses in excess of five thousand (5,000) square feet of floor area in accordance with the development agreement provisions of the Planning Act. In considering such an agreement, Council shall have regard to the following:
- (a) that the architectural design and scale of any building is compatible with nearby uses;
  - (b) the impact of the proposed use on traffic volume and the local road network, as well as traffic circulation in general, sighting distances, and the entrance to and exit from the site;
  - (c) the means by which solid and liquid wastes are treated;
  - (d) the overall layout and design of the site, including all buildings, parking areas, landscaped areas, refuse collection areas and signage; and
  - (e) the provisions of Policy IM-10.



## RESOURCE DESIGNATION

A majority of the lands within the Plan Area are located within the Resource Designation. In terms of land use control, residents wish to see the least amount of restriction placed on development. The designation therefore supports the continuation of the existing land use pattern, providing for a wide range of residential, commercial, industrial and resource uses.

The settled areas of the Resource Designation are typically spread out along the highway. There is often no clear visual break between one community and the next. The communities are characterized by a mixture of single unit dwellings including mobile dwellings, wide ranging home businesses, small scale resource-based activities, general stores, service stations and community facilities like churches, schools and meeting halls. It is felt that as market conditions will effectively determine the scale and location of most development, there is no need to predetermine such matters in the planning strategy.

Maintaining the rural character and form of the area is, however, very important to residents. As such, it is felt that certain higher density forms of residential development are not appropriate. Higher density housing such as multiple unit dwellings (containing more than four units) and mobile home parks are not, therefore, encouraged within the Resource Designation. There is support, however, for senior citizen accommodation in conventional row or apartment housing.

While resource-based activity constitutes a vital and continuing base for the economy of the area, local employment opportunities are largely concerned with the provision of services for the local market. A significant number of these businesses are conducted from a dwelling or accessory building. In general, the community supports these businesses and accepts the need for individuals to earn their living as best they can. Overall, these businesses have remained small and are fairly responsive to local needs and concerns.

Given the desire of residents to maintain traditional development rights, the existing character of the communities and the integrity of the natural environment, it is the intent of the Resource Designation to allow for fairly complete range of uses, but to restrict certain types of uses which will detract from the character of the area or be detrimental to the natural environment.

RE-1 It shall be the intention of Council to establish the Resource Designation, as shown on Map 1. Lands within the designation shall constitute a general development area for low density residential development, local businesses and services, general commercial and industrial uses, resource-related development, traditional uses and community facilities.

RE-2 Within the Resource Designation, it shall be the intention of Council to create a rural resource zone (RE Zone) which permits residential uses except multiple unit dwellings which contain more than four units and mobile home parks, commercial uses, industrial uses except salvage yards, resource and traditional uses, and community facility uses. The zone shall control parking, open storage and outdoor display, and depending on the nature of the use, provide for the adequate separation and screening of certain non-residential uses from residential uses and from watercourses.

## Residential Development

As in the Village Designation, it is recognized that there may be demand in the future for the development of suburban style areas within the Resource Designation, especially in areas closest to the commercial and industrial center of the district and those areas most accessible to commuters. Suburban style zoning designed to protect residential areas may therefore be considered within the Resource Designation by amendment to the land use by-law.

RE-3 Notwithstanding Policy RE-2, it shall be the intention of Council to consider the rural residential zone within the Resource Designation subject to Policy V-5.

Higher density forms of residential development like multiple unit dwellings and mobile home parks raise concerns about sewage disposal and their impact on the low density residential environment and rural character of the area. As in the Village Designation, multiple unit dwellings containing more than four dwelling units and mobile home parks will only be considered by development agreement where the impact on the existing rural environment can be evaluated on a site specific basis.

RE-4 Notwithstanding Policy RE-2, it shall be the intention of Council to consider multiple unit dwellings containing more than four dwelling units and mobile home parks within the Resource Designation subject to Policies V-3 and V-4 respectively.

## Commercial and Industrial Development

Larger scale commercial and industrial uses will also be subject to a site specific review process as provided for in a development agreement. Matters relating to architectural design, transportation, sewage disposal and the impact on adjacent residential development would be assessed.

RE-5 Notwithstanding Policy RE-2, it shall be the intention of Council to consider commercial and industrial uses with a floor area in excess of 5,000 square feet within the Resource Designation subject to Policy V-6.

## Salvage Yards

The general thrust of the Resource Designation is to support and encourage development of the rural economy. In this regard, non-residential uses considered suitable for the area are relatively wide ranging and allowed by right anywhere. Salvage yards are considered a significant exception to this general rule. They are seen as creating potential safety hazards to adjacent residential areas and as potential threats to natural environmental systems such as lakes and rivers. In addition, most operations are viewed as potentially detrimental to the visual appearance of existing communities and residential areas.

It is realized, however, that salvage yards are a necessary fact of life and that they require relatively inexpensive land in order to be economically feasible. Furthermore, such operations provide a source of income, as well as local employment opportunities. Most residents, however, do not wish their communities or neighbourhoods to be perceived as a convenient dumping ground for the discarded, partially recyclable, materials of the metropolitan area. Some control is therefore considered necessary over the number and location of salvage yards. Furthermore, residents wish

to maintain a similar level of control as existed before the adoption of this planning strategy.

RE-6 Notwithstanding Policy RE-2, within the Resource Designation, it shall be the intention of Council to consider salvage yards in accordance with the development agreement provisions of the Planning Act and with consideration to Policy IM-10.

### Parks and Coastal Areas

Existing coastal park areas and other crown owned coastal lands and islands within the Plan Area will be recognized through appropriate zoning. The zoning will support only those uses which are consistent with long term park objectives and will provide for overall protection of coastal lands including islands.

RE-7 It shall be the intention of Council to establish a P-3 (Coastal Conservation) Zone. This zone shall be applied to coastal crown lands and other publically owned coastal lands and islands within the Resource Designation.

In 1972, the Provincial and Federal Governments signed a memorandum of intent regarding the establishment of a national park on the Eastern Shore. The memorandum produced wide-spread public opposition. In response, the provincial government re-examined the whole question of a national park, as well as its overall land use policy for the area. As an alternative, the province announced in December 1973, its intention to establish the Eastern Shore Seaside Park System.

The provincial alternative differed substantially from the national park concept. No permanent residents were to be displaced from their homes, while disruption to cottage owners and seasonal residents was to be minimized.

In response to the high level of public interest, a citizen advisory committee was established. Following an intense review, the citizens' committee accepted the park concept in principle. The proposal which resulted, incorporated a variety of park sites and backcountry recreational opportunities linked through roads, trails and waterways to form an integrated "system". At both ends of the system, the proposal provided for overnight camping and day use beach activities. The proposal also identified several scenic coastal parks and an inland resource and management area.

The Seaside Park System extends eastward from Lake Charlotte to Taylor Head, a distance of approximately 19 miles (30 kms). In a north-south direction it extends approximately 12 miles (20 kms) inland from the coast.

The Provincial Park at Taylor Head was established in 1980 as a component of the Seaside Park System. The park is classified under the Parks Act as a natural environment park. In managing a natural environment park, the challenge is to ensure that recreational use and development are in harmony with the environment on which they are based. According to this approach, the development of recreational facilities are concentrated within specifically defined areas, with the remainder of the parks left in a natural state and devoted to hiking, viewing and nature study. The Resource Designation supports the provincial park at Taylor Head. Only development which is consistent with the long term park objectives shall be permitted.

RE-8 Within the Resource Designation, it shall be the intention of Council to establish a (P-4 Provincial Park) Zone to recognize and support provincial parks and protected areas. The zone shall permit park uses consistent with the long term park objectives.

RE-9 It shall be the intention of Council to include the Taylor Head Provincial Park within the P-4 Zone.

In the spring of 1994, the provincial Department of Natural Resources released a plan for the establishment of a comprehensive system of parks and protected areas in Nova Scotia. The proposed plan was based on a three year inventory and evaluation of crown lands that remain intact as significant natural areas.

As part of this inventory and evaluation process, important natural sites and features within existing designated parks and reserves were also documented, and new candidate areas on crown lands were proposed. The proposed plan also recommended priority actions to guide the implementation of the plan.

Ultimately, the systems plan for Nova Scotia's parks and protected areas will incorporate representative examples of the province's typical natural landscapes and ecosystems, include unique, rare or outstanding natural features and processes, and offer quality opportunities for wilderness recreation.

Under the proposed plan, thirty-one (31) new sites have been identified as candidates for protection. These sites encompass 287,000 hectares (700,000 acres) of Nova Scotia's most outstanding natural areas. Combined with the 45 protected sites in existing parks, ecological reserves and wildlife management areas, the 31 sites proposed in the plan would increase the area of protected spaces in Nova Scotia to approximately 8 percent of the province.

The Tangier Grand Lake site is located within the Plan Area. It is situated north of Highway No. 7 and the communities of Ship Harbour and Tangier. The site comprises 38,987 acres (15,778 ha) and represents an excellent example of the Eastern Shore Granite Ridge Landscape.<sup>4</sup> The area contains an outstanding concentration of freshwater lakes, outstanding wetland and barren complexes, old coniferous forest on islands and unique geological features, providing opportunities for wilderness canoe travel.<sup>5</sup> Areas of the Tangier Grand Lake site have traditionally been used for canoeing and fishing.

RE-10 It shall be the intention of Council to include the Tangier Grand Lake site, as identified in the Proposed Systems Plan for Parks and Protected Areas in Nova Scotia, within the P-4 Zone. Further, it shall be the intention of Council to encourage the provincial Department of Natural Resources to develop management plans for the preservation and protection of this site and to incorporate a public consultation process in developing objectives for environmental management, public access and wilderness and recreation potential.

The provincial Department of Natural Resources, under the provisions of the Beaches Act,

---

<sup>4</sup> Natural History of Nova Scotia, Volume One, Theme Regions, Parks and Recreation Division, Department of Lands and Forest and Nova Scotia Museum Department of Education, 1983.

<sup>5</sup> Proposed Systems Plan for Parks and Protected Areas in Nova Scotia, Department of Natural Resources, 1994.

R.S.N.S., 1989, may designate an area of land as a "protected beach". Once designated, any development of the lands within the protected area is subject to the Act and its regulations. A protected beach includes all shoreline areas below the mean high water mark, and may include adjacent beach and dune systems. A designated beach may include both private and public lands.

At the present time, there are no beaches within the Plan Area which have been designated under the Beaches Act. It is important, however, that should a beach(s) become designated in the future, that appropriate protective zoning be applied to recognize the protected beach(s) at the Municipal level.

RE-11 It shall be the intention of Council to amend the land use by-law by applying a P-3 (Coastal Conservation) Zone to any beach designated under the Beaches Act within the Plan Area.

## **INDUSTRIAL PARK DESIGNATION**

The Industrial Park Designation has been applied to the Sheet Harbour Industrial Park. The 100 acre marine-oriented park is situated across the harbour directly south of the community of Sheet Harbour. The port of Sheet Harbour is one of the province's newest offshore and shipping facilities. Completed in 1988, the industrial park and 500 foot common user dock, is the closest marine facility to the Sable Island offshore oil fields. The industrial park is owned by the province and administered by the Nova Scotia Department of Small Business Development and the Sheet Harbour Industrial Port Advisory Committee.

Sheet Harbour has long been considered one of the province's finest natural harbours on the Atlantic Coast, however, until recently, land based transportation systems have reduced its potential. The recent completion of the Trafalgar Road between Sheet Harbour and Stellarton now provides the port with a direct link to both the Trans-Canada Highway and the CNR Truro-Sydney line at New Glasgow. The port facilities are also served by Highways No. 7 and No. 107 west to Halifax-Dartmouth. As the No. 107 is extended further east, the present distance of 72 miles (115 kms) will be reduced and travel time improved to the Metro region.

Within the Industrial Park Designation, a mix of industrial and commercial uses will be permitted. Ship yard activities will be limited from other areas of the district in order to promote port-related activities at Sheet Harbour.

- I-1 It shall be the intention of Council to establish the Industrial Park Designation as shown on Map 1. Lands within the designation shall constitute a priority area for marine-oriented industrial and general industrial development.
- I-2 Within the Industrial Park Designation, it shall be the intention of Council to create a business industry zone (I-1 Zone) which permits industrial and commercial uses including all ship yard activities.

Although a majority of industrial lands have been sold to private industry, a few select lots are still available within the present park boundaries. In addition, there is in excess of 4,000 acres of crown land adjacent to the industrial park which may have development potential in the future. While adjacent crown lands are not included within the Industrial Park Designation, provision will be made for the expansion of industrial park uses onto adjacent lands provided there is adequate separation and screening of industrial uses from residential properties and from watercourses.

- I-3 It shall be the intention of Council to allow for the expansion of the Sheet Harbour Industrial Park onto adjacent crown lands in the event that more land is required for industrial park uses. Specific controls to address the protection of residential properties and watercourses as outlined in the business industry zone will be imposed.
- I-4 Further to Policy I-3, it shall be the intention of Council to monitor the level of industrial park development which occurs adjacent to the existing park boundaries with a view to formally expanding the Industrial Park Designation in the future.

# **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 Strategy which would, in any manner, be inconsistent with the Strategy or at variance with it.

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

- IM-1 This Municipal Planning Strategy shall be implemented by means of powers conferred upon Council by the Planning Act, the Halifax County Charter and such other provincial statutes as may be applicable.
- IM-2 In addition to employing specific implementation measures, it shall be the intention of Council to maintain an ongoing monitoring and planning process through its Planning Advisory Committee.
- IM-3 It shall be the intention of Council to require amendments to the policies of this strategy or to the Generalized Future Land Use Maps 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.
- IM-4 It shall be the intention of Council, in considering amendments to the Municipal Planning Strategy, to:
- (a) notify ratepayers associations and known community groups by letter of the public hearing;
  - (b) post a notice of the public hearing in any post office, community hall and fire hall located within the Plan Area; and
  - (c) consider holding a public participation session within the Plan Area in accordance with Sections 34 and 50 of the Planning Act.
- IM-5 In accordance with Section 49 of the Planning Act, this Strategy may be reviewed when the Minister of Municipal Affairs or Council deems it necessary, but in any case not later than five years from the date of its coming into force or from the date of its last review.



- IM-6 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 amendments to the land use by-law within a designation to provide for the development of uses which are uses permitted by the zone or development agreement on the abutting property within the abutting designation, as shown on the Generalized Future Land Use Map (Map 1).
- IM-7 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.
- IM-8 The following uses and zones shall only be considered by amendment to the land use by-law:
- (a) Within the Village Designation:
    - (i) Rural Residential Zone according to Policy V-5;
  - (b) Within the Resource Designation:
    - (i) Rural Residential Zone according to Policy RE-3; and
    - (ii) Coastal Conservation Zone according to Policy RE-11.
- IM-9 The following uses shall only be considered subject to the entering into of a development agreement according to the provisions of Sections 55, 66 and 67 of the Planning Act.
- (a) Within the Village Designation:
    - (i) Expansion of existing multiple unit dwellings or new multiple unit dwelling containing more than four (4) units according to Policy V-3;
    - (ii) Mobile home parks according to Policy V-4; and
    - (iii) Commercial uses in excess of five thousand (5,000) square feet of floor area according to Policy V-6.
  - (b) Within the Resource Designation:
    - (i) Expansion of existing multiple unit dwellings or new multiple unit dwellings containing more than four (4) units according to Policy RE-4;
    - (ii) Mobile home parks according to Policy RE-4;
    - (iii) Commercial and industrial uses in excess of five thousand (5,000) square feet of floor area according to RE-5; and
    - (iv) Salvage yards according to Policy RE-6.
    - (v) **Residential Subdivisions with private roads in excess of 600 feet according to Policy T-4(a). (RC-Aug 17/99;E-Sep 18/99)**

- IM-10 In considering development agreements and amendments to the land use bylaw, in addition to all other criteria as set out in various policies of this Strategy, Council shall have appropriate regard to the following matters:
- (a) that the proposal is in conformity with the intent of this Strategy and with the requirements of all other municipal by-laws and 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) the 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; and
    - (v) signs.
  - (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 to flooding; and
  - (e) any other relevant matter of planning concern.
  - (f) **Within any designation, where a holding zone has been established pursuant to “Infrastructure Charges - Policy IC-6”, Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the “Infrastructure Charges” Policies of this MPS. (RC-Jul 2/02;E-Aug 17/02)**
- IM-11 In considering amendments to the land use by-law or development agreements, Council shall hold a public hearing according to the provisions of the Planning Act.
- IM-12 It shall be the intention of Council to provide for the notification of affected property owners of any public hearing to consider amendments to the zoning schedule of the by-law, proposed development agreements or amendments thereof.
- IM-13 It shall be the intention of Council to provide further controls over development within the Plan Area by fully enforcing the following by-laws:
- (a) the Building By-law;
  - (b) the Subdivision By-law;
  - (c) the Building Code Act and Regulations of the Building By-law;
  - (d) the Unsightly Premises section of the Halifax County Charter;

- (e) the Mobile Home Park By-law;
- (f) the Blasting and Dangerous Materials By-law;
- (g) the Topsoil By-law;
- (h) the Excavations By-law; and
- (i) the Occupancy Permit By-law.

- IM-14 In accordance with Sections 77 and 95 of the Planning Act, the development officer appointed by Council shall administer the land use by-law and the subdivision by-law and grant development permits.
- IM-15 It shall be the intention of Council to provide for the relaxation of any required lot area and frontage in accordance with Section 98 of the Planning Act.
- IM-16 It shall be the intention of Council to continue to allow any lot or lots shown on a completed application for tentative subdivision received before the effective date of this planning strategy, to receive final approval under the Subdivision By-law.
- IM-17 It shall be the intention of Council to request any provincial departments and agencies authorized to review subdivision applications not to apply any new regulations made after the submission of any completed application for tentative to the final plan of subdivision. Furthermore, it shall be the intention of Council to strongly urge that such provincial departments or agencies inform the Municipality at least ninety (90) days before the implementation of any new policy adopted in accordance with any applicable regulations.
- IM-18 It shall be the intention of Council to consider that uses permitted as existing uses are conforming uses and, unless otherwise limited by the land use by-law, can expand subject to the requirements of the said by-law.
- IM-19 In order to enable the reasonable development of existing undersized lots, it shall be the intention of Council to encourage the application of Section 79 of the Planning Act wherever necessary.
- IM-20 It shall be the intention of Council, in order to limit potential adverse effects on adjacent properties and to assist the travelling public, to:
- (a) restrict and regulate signs within the Plan Area;
  - (b) regulate parking spaces including parking spaces for the mobility disabled and parking lots; and
  - (c) regulate the number of commercial vehicles parked in residentially zoned lands.
- IM-21 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.
- IM-22 It shall be the intention of Council to provide for the temporary use of land or structures which is accessory to and necessary for the construction of a development for which a development permit has been issued.

## **TEMPORARY SIGNAGE (RC-Sep26/06; E-Nov18/06)**

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

**Policy IM-23            Further to Policy IM-20, the sign provisions contained within the land use by-law shall not apply to those signs regulated under HRM By-law S-800 (A By-law Respecting Requirements for the Licensing of Temporary Signs)."**

APPENDIX “A”

EASTERN SHORE (EAST) PLAN AREA DESCRIPTION

BEGINNING at a point in the waters of the northern arm of Scraggy Lake, on the base line between the Eastern Shore Districts and the Musquodoboit Valley Districts;

THENCE by a line through Scraggy Lake, the several courses thereof southwardly to and through the Narrows, to the outlet flowing into Dreadnought Lake and down the said stream to and through Dreadnought Lake unto the southern end thereof and thence by a straight line southwardly passing through Cranberry Lake unto the northern end of the Lake Dam and through Lake Dam unto the southern end thereof;

THENCE by a straight line southwardly unto the north branch of Little River and down the said River, through the First Lake into the Head of Ship Harbour;

THENCE down the said Harbour by the channel and passing between Wolf Island and Cable Island and seaward of Friar Island;

THENCE in a general eastwardly direction passing seaward of Tangier Island, Taylor Head, Guildford Island, Fish Island, Pumpkin Island, Beaver Island and Bower Ledge;

THENCE in a northerly direction passing eastward of White Island and Rocky Island into Ecum Secum Inlet, and through the said Inlet to the Ecum Secum River;

THENCE in northwestwardly direction by the line of division between the Counties of Halifax and Guysborough to the base line between the Eastern Shore Districts and the Musquodoboit Valley Districts, at or near the northern end of Moser Lake;

THENCE by said base line in a westwardly direction to the outlet from Lower Beaver Lake on the Sheet Harbour Road;

THENCE continuing westwardly by said base line to the place of beginning.

**MUNICIPAL PLANNING STRATEGY - EASTERN SHORE (EAST)  
AMENDMENT INDEX**

<b>AMENDMENT NUMBER</b>	<b>POLICIES &amp; MAPS</b>	<b>SUBJECT</b>	<b>COUNCIL ADOPTION</b>	<b>EFFECTIVE</b>
1	T-4(a), IM-9(b)(v)	Permit development of a residential subdivision with private roads in excess of 600 feet (PA-ES(E)-10-97)	C - August 17, 1999	E - September 18, 1999
2	IC-1 to IC-8, IM-10(e)	Infrastructure Charges (Project No. 00423)	C - July 2, 2002	E - August 17, 2002
3	SW-1 to SW-12	Construction and Demolition Waste Management Strategy (Project No. 00082)	C - September 10, 2002	E - November 9, 2002
4	Deleting Section T-3, T-4 & T-4(a) Including Preamble	Regional Plan Amendments	C - June 27, 2006	E - August 26, 2006
5	Policy IM -23	Temporary Signage	C - September 26, 2006	E - November 18, 2006