

**PLANNING ADVISORY COMMITTEE MEETING
AGENDA**

**Thursday, June 13, 2019
7:00 P.M.**

Page

1. CALL TO ORDER
 2. REVIEW OF PROCEDURE FOR PUBLIC TO ADDRESS THE COMMITTEE – CHAIRPERSON (below)
 3. APPROVAL OF AGENDA (any other items to be added)
 4. APPROVAL OF MINUTES OF MAY 7, 2019 MEETING AS CIRCULATED
 5. BUSINESS ARISING FROM MINUTES
 - 5.1 Riverport and District Secondary Planning Strategy and Land Use By-law Update
 6. PLANNING ADVISORY COMMITTEE MATTERS:
 - 6.1 Provincial Minimum Planning Requirements..... 1-17
 - 6.2 Consolidation of Blockhouse-Oakland-Princes Inlet Plan Areas..... 18-81
 7. HERITAGE ADVISORY COMMITTEE MATTERS
 8. ADDED ITEMS
 9. IN CAMERA
 10. NEXT MEETING DATE: Thursday, July 25, 2019
 11. ADJOURNMENT
-

PROCEDURE FOR ADDRESSING THE COMMITTEE

An opportunity will be provided to all citizens to address the Committee on each agenda item shown on this Agenda or added to the Agenda by the Committee. Individuals who wish to address the Committee are asked to note the following:

- *On each matter on the Committee’s Agenda, the Chair will seek public comment upon the completion of staff’s presentation.*
- *Each person shall state their name.*
- *All statements and questions shall be directed to the Chairperson.*
- *Presentations shall be limited to 10 minutes. Persons wishing to address the Committee a second time will be given opportunity to do so once all others in attendance have had the opportunity to address the Committee. Persons addressing the Committee for a second time shall limit their presentations to 5 minutes.*

Anyone wishing to address the Committee on a matter not included on this Agenda can have the matter added to the next meeting’s Agenda by contacting Jeff Merrill, Director of Planning, at 902-541-1340 or by email at planning@modl.ca

Municipality of the District of Lunenburg



REQUEST FOR DECISION

REPORT TO: Planning Advisory Committee

SUBMITTED BY: Jeff Merrill, MCIP, LPP, Director of Planning & Development Services

DATE: June 4, 2019

RE: Provincial Minimum Planning Requirements

ORIGIN: Nova Scotia Department of Municipal Affairs

RECOMMENDATION

If PAC or Council wishes to provide any additional feedback to the province on the draft provincial regulations the following motion can provide direction to staff in preparing a response.

Motion

That Planning Advisory Committee recommends to Council that Staff draft a letter to the Provincial Director of Planning for the Mayor to sign that addresses the following comments/concerns:

- **[Insert comments/concerns discussed during PAC/ Council meeting here]**

BACKGROUND

The Province passed Bill 58 on October 1, 2018. Bill 58 amends the Municipal Government Act (MGA). Once Bill 58 is proclaimed it will make planning mandatory in all areas of the municipality, set minimum planning requirements, and require engagement with abutting municipalities on planning matters. Prior to Bill 58 being proclaimed the Province is developing regulations which will provide additional details

on the planning requirements. The Provincial Planning Director met with Council on December 4, 2018 to present Bill 58 and to discuss possible regulations.

On April 26, 2019 the Provincial Director of Planning sent two draft regulations (Minimum Planning Regulations and Engagement Program Regulations) to all Mayors & Wardens, CAOs & Clerks for review and feedback, *correspondence attached*. The feedback deadline is June 28, 2019.

On May 28, 2019, Planners in Lunenburg County met with the Provincial Director of Planning to discuss the draft regulations.

DISCUSSION

Minimum Planning Regulations

Regarding the minimum planning regulations Bill 58, once proclaimed, will:

- Require all land in the municipality to be subject to a municipal planning strategy (MPS);
- Will require a MPS to be reasonably consistent with every statement of provincial interest; and
- The MPS must fulfill the minimum planning requirements.

The 5 statements of provincial interest are outlined in the Schedule B of the MGA. The 5 provincial interests that must be addressed in a MPS are:

Statements of Provincial Interest Regarding	Goal
Drinking Water	To protect the quality of drinking water within municipal water supply watersheds
Flood Risk Areas	To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.
Agricultural Land	To protect agricultural land for the development of a viable and sustainable agriculture and food industry.
Infrastructure	To make efficient use of municipal water supply and municipal wastewater disposal systems.

Housing	To provide housing opportunities to meet the needs of all Nova Scotians.
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Staff are currently working with CBCL to identify all inland floodplains in MODL. The information will be used to inform Council’s policies to address the Flood Risk Areas statement of provincial interest.

Section 3 of the draft regulations outline the mandatory content of a municipal planning strategy.

Section 3

(a) a discussion of the background and contextual information that informed the goals and objectives of the municipal planning strategy; and

(b) a Generalized Future Land Use Map.

(c) statements of policy with respect to the lands subject to a municipal planning strategy in relation to:

- (i) residential uses,*
- (ii) commercial and industrial uses,*
- (iii) institutional uses,*
- (iv) recreational facilities and public open spaces,*
- (v) where applicable, resource uses.*

The Minimum Planning Regulations include a reorganized version of the current Section 214, attached, of the MGA with a few additions. Section 214 includes a list of policy topics that Council has the discretion to include in a MPS.

Once Bill 58 and the regulations are effective the amended MGA and the regulations will need to be read together when interpreting.

During the meeting with the Provincial Planning Director a few areas were noted, under the discretionary statements of policy, that require further clarification from the Province and will be addressed in a Staff response to the Provincial Planning Director, these included:

1. Bill 58 Section 10¹ will repeal and replace Section 214 of the MGA which the new Section 214(2) states “*In addition to the statements of policy required under subsection (1), a municipal planning strategy may include statements of policy respecting any matter permitted by the regulations.*”

a. Section 5(a)(ii)(B) allows for the “expanded variance authority”; However, the regulations as drafted are limited by Section 235, attached, of the MGA. **Is the intent to permit the expansion of the variance provisions?**

b. The draft regulations wording in various subsections in Section 5 use the words “In relation to...” Subsection 5(b) states “In relation to the natural environment”

Clause (ii) “the protection of the natural environment,” and

Clause (vii) “the excavation or filling in of land...”

Is it the intent of the Province to expand the powers of a Council to control activities before a “development” occurs? For example, the current MGA Section 220(5)(g) states “*in relation to a development, regulate or prohibit the altering of land levels, the excavation or filling in of land...*” The words “In relation to a development” currently limits the municipality’s ability to protect a riparian zone if a property owner removes the vegetation and alters the land levels prior to applying for a building or development permit. Until the activity is “in relation to a development” the land use by-law cannot enforce the riparian provision. Does the new Section 214(2) [In Bill 58] apply or will the current unaltered Section 220(5)(g) of the MGA?

Engagement Program Regulations

The draft Engagement Program Regulations, *attached*, will require Council to adopt an engagement program to solicit and consider comments from abutting municipalities concerning the proposed adoption or amendment of a municipal planning strategy (MPS).

The Engagement Program will outline when the municipality will engage abutting municipalities. Council’s engagement program would not need to require engagement with all municipalities for all amendments to the MPS. The District of Lunenburg (MODL) abuts 6 other municipalities. An amendment specific to a property in Garden Lots may be relevant to the Town of Lunenburg but not relevant to other municipalities

¹ https://nslegislature.ca/legc/bills/63rd_2nd/3rd_read/b058.htm

further away such as the Region of Queens, the County of Annapolis, Kings County, District of Chester, Mahone Bay, or Bridgewater.

The Engagement Program will need to have timelines, so the amendment process is not unnecessarily delayed by the non-response of an abutting municipality.

Planning Staff has discussed developing a draft Engagement Program jointly with our neighbouring Planning Staff.

Resource Guide

In addition to the draft regulations the Province is also working on updating the relevant sections in the MGA resource handbook.

Timeline

The Province is anticipates that Bill 58 and the two accompanying regulations will be proclaimed in late summer or early fall.

Once the Bill and regulations are in place municipalities will have 3 years to meet the minimum requirements.

Once the Municipal Planning Strategy and Land Use By-law has been adopted by Council the documents will be required to be reviewed every 10 years. The municipality will need to determine what needs to be amended or replaced to ensure that the MPS is consistent with every statement of provincial interest, fulfills the minimum planning requirements and reflects the current situation in the municipality.

BUDGET IMPLICATIONS

Once Bill 58 is proclaimed and the regulations are in place Staff will bring forward a workplan including the resources required to develop and implement the planning documents to meet the minimum planning requirements. The development of a municipal wide MPS may be eligible for Gas Tax funding under the capacity building project category.

STRATEGIC PLAN

Council's current Strategic Plan includes the identification of all inland floodplains. The floodplain data will be the basis for the development of MPS policies to address the Flood Risk statement of provincial interest.

POLICY RELEVANCE

The Municipality has 7 Secondary Planning Strategies and Land Use By-laws, covering approximately 12% of MODL.

Staff is currently working with Hemford Forest on developing an 8th Secondary Planning Strategies and Land Use By-law.

There are currently 6 Area Advisory Committees. The Area Advisory Committee planning model will need to be reviewed by Council.

Staff is currently in the process of consolidating 3 Secondary Planning Strategies and Land Use By-laws into one planning document.

Council's current policy (MDL-21) for the formation or abolishment of a planning area will become obsolete, once Bill 58 is proclaimed.

WORK PROGRAM IMPLICATIONS

A workplan will be developed shortly after the regulations are finalized outlining the timeline and resources required to develop and implement the planning documents required to meet the minimum planning requirements.

CONCLUSION

After a review of the draft regulations Council may choose to provide additional feedback to the Province regarding mandatory planning, the minimum planning regulations, or the engagement program regulations.



Department of Municipal Affairs

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April 26, 2019

Dear Mayors & Wardens, CAOs & Clerks:

Following the commitments made by the Department during engagement sessions held in December 2018 and January 2019, the Department of Municipal Affairs is seeking your municipality's input to help shape regulations related to Bill 58.

Bill 58 was passed last Fall on October 1, 2018, and it amends the *Municipal Government Act* and the *Halifax Regional Municipality Charter*. This request for input is the latest step in municipal engagement relating to legislative and regulatory changes establishing a framework for mandatory planning, minimum planning requirements, and engagement with abutting municipalities.

The move towards mandatory minimum planning in Nova Scotia is in response to numerous calls from municipal governments in recent years, including in a Statement of Municipal Concern from the Nova Scotia Federation of Municipalities, as well as input from over a dozen municipalities during the input process of the *Municipal Government Act* review.

Municipal land use planning documents take the form of a Municipal Planning Strategy and Land Use By-law. A Municipal Planning Strategy's purpose is to provide statements of policy to guide the development and management of the municipality. This policy is implemented through a municipality's Land Use By-law.

It is by way of the *Municipal Government Act's* [sections 212 to 214, 217, 219 and 220](#) that the intent and contents of a Municipal Planning Strategy and Land Use By-law are authorized. [Bill 58](#) amends some of these and other clauses to establish the framework for requirements related to planning for all areas within your municipality, the contents of your planning documents, and the need to establish a policy for engaging with abutting municipalities on planning related matters where necessary. The regulations will provide additional detail on these requirements

Feedback received during the sessions last December and January have helped to shape the enclosed draft regulations, which are provided for a more detailed review and comment by your municipality. Please note that the documents provided are a plain language draft of the proposed regulations. Edits will be made based on the responses received and while the aim will be to maintain the intent of the regulations, changes in wording may be required to reflect legislative requirements.

It is anticipated, once Bill 58 is proclaimed and the regulations are declared, that the Minister of Municipal Affairs will provide three (3) years for municipalities to come into compliance with these new requirements.

.../2

Please provide your input to the Department of Municipal Affairs by June 28, 2019.

Should you have any questions, please feel free to contact me. During my absence from the office from April 29 to May 10, 2019, you may connect with Andrew Paton, Senior Planner, who will be Acting Director during this time. Andrew can be reached at andrew.paton@novascotia.ca or (902) 424-7492. Alternatively, you may contact your Municipal Advisor.

We look forward to hearing from you.

Yours truly,



Gordon Smith
Provincial Director of Planning

c: Janice Wentzell, Executive Director, AMANS
Juanita Spencer, CEO, NSFM
Mark Peck, Executive Director, Policy, Planning & Advisory Services, DMA
Andrew Paton, Senior Planner, DMA
Ron Dauphinee, A/Director of Governance & Advisory Services, DMA
Ahmad Shahwan, Municipal Advisor, DMA
Jason Haughn, Municipal Advisor, DMA

Encl.
/kz

**Regulations Respecting Statements of Policy in Municipal Planning Strategies
made by the Minister of Municipal Affairs under Subsection 214(4)
of Chapter 18 of the Acts of 1998,
the *Municipal Government Act***

Citation

1 These regulations may be cited as the *Minimum Planning Regulations*.

Definitions

2 In these regulations,

“Act” means the *Municipal Government Act*,

“Generalized Future Land Use Map” means a map of the lands within a municipality that depicts the intended uses of the lands as contemplated by a municipal planning strategy; and

“Review” with respect to a municipal planning strategy, means a consideration of the content of a municipal planning strategy by a municipality to determine if it should be amended or replaced to ensure that it is reasonably consistent with every statement of provincial interest, fulfills the minimum planning requirements, and reflects the current situation within the municipality.

Municipal planning strategy mandatory content

- 3 (1) In addition to the requirements prescribed in the Act [Charter], a municipal planning strategy must contain:
- (a) a discussion of the background and contextual information that informed the goals and objectives of the municipal planning strategy; and
 - (b) a Generalized Future Land Use Map.
 - (c) statements of policy with respect to the lands subject to a municipal planning strategy in relation to:
 - (i) residential uses,
 - (ii) commercial and industrial uses,
 - (iii) institutional uses,
 - (iv) recreational facilities and public open spaces,
 - (v) where applicable, resource uses.

Planning document review

4 A municipal planning strategy and its implementing land use by-law must be reviewed within 10 years of the later of its adoption or its last review, or the effective date of these regulations, as the case may be.

Discretionary statements of policy

5 Unless these matters are subject to another enactment of the Province, municipalities may include statements of policy in their municipal planning strategy on land use relating to any of the following:

- (a) In relation to development
 - (i) studies to be carried out before undertaking specified developments or developments in specified areas, and
 - (ii) the use, content, development and administration of planning tools, including:
 - (A) development agreements,
 - (B) expanded variance authority,
 - (C) site-plan approval areas,
 - (D) the acceptance and use of cash-in-lieu of required parking,
 - (E) the establishment of comprehensive development districts,
 - (F) the staging of development,
 - (G) the subdivision of land,
 - (H) non-conforming uses and structures,
 - (I) density bonusing;
- (b) In relation to the natural environment
 - (i) climate change,
 - (ii) the protection of the natural environment,
 - (iii) the protection of the coast,
 - (iv) protection of water supplies,
 - (v) the identification, preservation and protection of landscape features,
 - (vi) stormwater management and erosion control,
 - (vii) the excavation or filling in of land, the placement of fill or the removal of soil, and
 - (viii) the identification, protection, use and development of lands subject to flooding, steep slopes, lands susceptible to subsidence, erosion or other geological hazards, swamps, marshes or other environmentally sensitive areas;
- (c) In relation to social aspects
 - (i) the means by which to incorporate the consideration of social issues into decision making,
 - (ii) the promotion of social well-being,

- (iii) housing opportunities for a range of social and economic needs and promote aging in place,
 - (iv) promotion of community food security,
 - (v) accessibility standards to help prevent and remove barriers that disable people,
 - (vi) walkability, and
 - (vii) healthy built environments;
- (d) In relation to economic development,
- (i) the establishment of comprehensive development districts,
 - (ii) the protection and use of resource lands,
 - (iii) home occupations and home-based businesses;
- (e) In relation to financial matters
- (i) municipal investment for public and private development and the coordination of public programs relating to the economic, social and physical development of the municipality, and
 - (ii) the eligibility criteria for the establishment of a commercial development district including, without limiting the generality of the foregoing, the percentage increase in the taxable assessed value of the eligible properties, as defined in subsection 71C(1) of the Act [subsection 92C(1) of the Charter], within the proposed commercial development district and the period over which the increase in the taxable assessed value of the properties occurs;
- (f) In relation to engagement
- (i) measures for informing, or securing, the views of the public regarding contemplated planning policies and actions or bylaws arising from such policies, and
 - (ii) policy on engaging with provincial and federal departments, first nations and non-adjacent municipalities;
- (g) In relation to infrastructure
- (i) the provision of municipal services and facilities,
 - (ii) the use of infrastructure charges,

- (iii) the generation, use, and conservation of energy, and
 - (iv) transportation services and networks including the establishment of transportation reserves;
- (h) In relation to culture and heritage
- (i) heritage property protection and heritage buildings, and
 - (ii) sites of historical or archeological interest;
- (i) In relation to general matters
- (i) public health and safety,
 - (ii) significant features including mapping of same, and
 - (iii) any other land use matter relating to the physical, economic or social environment of the municipality.

**Regulations Respecting an Engagement Program
made by the Minister of Municipal Affairs under Section 204A
of Chapter 18 of the Acts of 1998,
the *Municipal Government Act***

Citation

1 These regulations may be cited as the *Engagement Program Regulations*.

Mandatory content of an engagement program

2 An engagement program adopted by a council under subsection 204A(1) of the Act shall:

- (a) contain a requirement that council solicit comments from abutting municipalities concerning the proposed adoption or amendment of a municipal planning strategy;
- (b) ensure engagement deals with topics associated with the Statements of Provincial Interest;
- (c) provide a means by which council considers any comments received from abutting municipalities in response to a solicitation under clause (a); and
- (d) provide that engagement with abutting municipalities be complete before the first notice for a public hearing at which the adoption or amendment of a municipal planning strategy will be considered.

Permissive content of an engagement program

3 An engagement program adopted by council under subsection 204A(1) of the Act may provide that engagement with an abutting municipality be limited to the geographical area or areas or topics that are likely to be impacted by the adoption or amendment of the municipal planning strategy in question.

Certain amendments by policy

- 211 (1)** A council may, by policy, adopt amendments to
- (a) the engineering specifications in a subdivision by-law;
 - (b) the processing fees set out in a land-use by-law or in a subdivision by-law;
 - (c) a subdivision by-law resulting from an amendment to the provincial subdivision regulations.

(2) An amendment referred to in subsection (1) is not subject to the review of the Director or the approval of the Minister. 1998, c. 18, s. 211.

Municipal planning strategy

212 A council may adopt a municipal planning strategy for all, or part, of the municipality and there may be separate strategies for different parts of the municipality. 1998, c. 18, s. 212.

Purpose of municipal planning strategy

213 The purpose of a municipal planning strategy is to provide statements of policy to guide the development and management of the municipality and, to further this purpose, to establish

- (a) policies which address problems and opportunities concerning the development of land and the effects of the development;
- (b) policies to provide a framework for the environmental, social and economic development within a municipality;
- (c) policies that are reasonably consistent with the intent of statements of provincial interest; and
- (d) specify programs and actions necessary for implementing the municipal planning strategy. 1998, c. 18, s. 213.

Statements of policy in planning strategy

214 (1) A municipal planning strategy **may** include statements of policy with respect to any or all of the following:

- (a) the goals and objectives of the municipality for its future;
- (b) the physical, economic and social environment of the municipality;
- (c) the protection, use and development of lands within the municipality, including the identification, protection, use and development of lands subject to flooding, steep slopes, lands susceptible to subsidence, erosion or other geological hazards, swamps, marshes or other environmentally sensitive areas;
- (d) stormwater management and erosion control;

- (e) in connection with a development, the excavation or filling in of land, the placement of fill or the removal of soil, unless these matters are subject to another enactment of the Province;
- (f) in connection with a development, retention of trees and vegetation for the purposes of landscaping, buffering, sedimentation or erosion control;
- (g) studies to be carried out prior to undertaking specified developments or developments in specified areas;
- (h) the staging of development;
- (i) the provision of municipal services and facilities;
- (j) municipal investment for public and private development and the coordination of public programs relating to the economic, social and physical development of the municipality;
- (k) non-conforming uses and structures;
- (l) the subdivision of land;
- (m) the use and conservation of energy, including the height and siting of developments;
- (n) measures for informing, or securing, the views of the public regarding contemplated planning policies and actions or by-laws arising from such policies;
- (o) policies governing
 - (i) land-use by-law matters,
 - (ii) amendment of the land-use by-law,
 - (iii) the acceptance and use of cash-in-lieu of required parking,
 - (iv) the use of development agreements,
 - (v) the establishment of comprehensive development districts,
 - (vi) the use of site-plan approval areas, including whether notice must be given to owners and tenants of property that is thirty metres or more from the applicant's property,
 - (vii) the establishment of transportation reserves,
 - (viii) the use of infrastructure charges,
 - (ix) the eligibility criteria for the establishment of a commercial development district including, without limiting the generality of the foregoing, the percentage increase in the taxable assessed value of the eligible properties, as defined in subsection 71C(1), within the proposed commercial development district and the period over which the increase in the taxable assessed value of the properties occurs;

(p) the regulation or prohibition of development in areas near airports with a noise exposure forecast or noise exposure projections in excess of thirty, as set out on maps produced by an airport authority, as revised from time to time, and reviewed by the Department of Transport (Canada);

(q) any other matter relating to the physical, social or economic environment of the municipality.

(2) A council shall include policies in the municipal planning strategy on how it intends to review the municipal planning strategy and land-use by-law. 1998, c. 18, s. 214; 2003, c. 9, s. 57; 2014, c. 16, s. 12; 2016, c. 13, s. 2.

Intermunicipal planning strategy

215 (1) Councils of two or more municipalities may agree to adopt a mutually binding intermunicipal planning strategy.

(2) The provisions of this Act that apply to a municipal planning strategy apply to an intermunicipal planning strategy. 1998, c. 18, s. 215.

Secondary planning strategy

216 (1) A municipal planning strategy may provide for the preparation and adoption of a secondary planning strategy which applies, as part of the municipal planning strategy, to a specific area or areas of the municipality.

(2) The purpose of a secondary planning strategy is to address issues with respect to a particular part of the planning area, which may not, in the opinion of the council, be adequately addressed in the municipal planning strategy alone. 1998, c. 18, s. 216.

No action inconsistent with planning strategy

217 (1) A municipality shall not act in a manner that is inconsistent with a municipal planning strategy.

(2) The adoption of a municipal planning strategy does not commit the council to undertake any of the projects suggested in it. 1998, c. 18, s. 217.

Acquisition of land for development

218 (1) A municipality may

(a) acquire and assemble land for the purpose of carrying out a development consistent with the municipal planning strategy, whether the development is to be undertaken by the municipality or not; or

(b) by agreement with the owners of the land, acquire the right to impose easements or other development restrictions on the lands as if it had acquired the title.

development agreement or site plan, the development agreement or the site plan continues to apply to the property until, in the case of a development agreement, it is discharged by council and, in the case of a site-plan, it is discharged by the development officer. 1998, c. 18, s. 234; 2006, c. 40, s. 9.

Variance

235 (1) A development officer may grant a variance in one or more of the following terms in a development agreement, if provided for in the development agreement, or land-use by-law requirements:

- (a) percentage of land that may be built upon;
- (b) size or other requirements relating to yards;
- (c) lot frontage or lot area, or both, if
 - (i) the lot existed on the effective date of the by-law, or
 - (ii) a variance was granted for the lot at the time of subdivision approval.

(2) Where a municipal planning strategy and land-use by-law so provide, a development officer may grant a variance in one or more of the following terms in a development agreement, if provided for in the development agreement, or land-use by-law requirements:

- (a) number of parking spaces and loading spaces required;
- (b) ground area and height of a structure;
- (c) floor area occupied by a home-based business;
- (d) height and area of a sign.

(3) A variance may not be granted where the

- (a) variance violates the intent of the development agreement or land-use by-law;
- (b) difficulty experienced is general to properties in the area; or
- (c) difficulty experienced results from an intentional disregard for the requirements of the development agreement or land-use by-law. 1998, c. 18, s. 235; 2003, c. 9, s. 63.

Variance procedures

236 (1) Within seven days after granting a variance, the development officer shall give notice in writing of the variance granted to every assessed owner whose property is within the greater of thirty metres and the distance set by the land-use by-law or by policy of the applicant's property.



Municipality of the District of Lunenburg

REQUEST FOR DIRECTION

REPORT TO: Planning Advisory Committee
SUBMITTED BY: Byung Jun Kang, Planner
CC: Jeff Merrill, Director of Planning & Development Services
DATE: June 13, 2019
RE: Consolidation of Blockhouse-Oakland-Princes Inlet Plan Areas
ORIGIN: Municipal Council meeting, November 27, 2018, Resolution 10.2.1

RECOMMENDATION

Staff is seeking direction from the Planning Advisory Committee (PAC) regarding the consolidation of Blockhouse, Oakland, and Princes Inlet Plan Areas, as directed by Municipal Council on November 27, 2018. Staff recommends the following directions with alternative options available in this staff report:

Name for the Consolidated Plan Area

Option 3 "Greater Mahone Bay Plan Area" for the name of the Consolidated Plan Area;

Restructured Area Advisory Committee

Option 1 "Interim Committee" for the restructuring of the Consolidated AAC;

Adoption Process

Option 3 "Joint AAC Recommendations" for the planning documents consolidation process; and

Staff to also recommend the direct invitation of current AAC members in the three Plan Areas to the next PAC meeting regarding the final recommendation on the consolidated Plan Area.

BACKGROUND

At the Municipal Council meeting held on November 27, 2018, a motion was passed to “direct staff to work towards the integration of area advisory committees identified in District 8, being the Oakland, Blockhouse & Princes Inlet Area Advisory Committees, with a report to the Planning Advisory Committee by May 2019.” Staff report written in April 2017 also stated that the Council has already identified the potential restructuring of Area Planning Advisory Committees in District 8 following the Oakland Plan Review in March 2019.

Action Plan

Consolidation of plan areas requires three decisions: the new name of the consolidated plan area, the new planning documents, and the structure of the new Area Advisory Committee (AAC). As drafting the new Secondary Planning Strategy and the Land Use By-law has the most extensive process, staff has inserted the proposed planning documents in Appendix A. Staff discusses about the name of the consolidated Plan Area and the restructured AAC under Discussion section.

DISCUSSION

This section states the list of options that the PAC may pursue in determining the new name of the Plan Area and the structure of the consolidated Area Advisory Committee. The summary of major changes in the consolidated Secondary Planning Strategy and Land Use By-law is also stated in this section.

Name for the Consolidated Plan Area

The purpose of having a community name is for the identification of the Plan Area within the Municipality. The new name should reflect all parts of the community, have distinguishable characteristics, and be easy-to-identify. Based on the criteria, staff has determined a few options for the new name:

- Option 1: PAC to choose **Blockhouse-Oakland-Princes Inlet Plan Area**
- Option 2: PAC to choose **Oakland, Blockhouse & Princes Inlet Plan Area**
- Option 3: PAC to choose **Greater Mahone Bay Plan Area**
- Option 4: PAC to create a new name
- Option 5: Each AAC to hold its meeting and forward its recommendation
- Option 6: PAC to invite all three AAC for a decision in the next meeting

Restructured Area Advisory Committee

Policy MDL-56 governs the selection of membership in Area Advisory Committees (AAC). There are no provisions on the maximum number of committee members, unless specified in each AAC's terms of reference. The recommended maximum for the new AAC is 8 members, since all three Plan Areas state their maximum number of members as eight, including a local Councillor. As well, all existing members' terms expire in November 2020, as shown in Table 1.

There are several considerations in determining a transitional process for forming a new AAC, such as remaining terms of the existing members, and representation of each Plan Area. Based on the criteria, a few options are available:

Table 1: Current Members of the three Area Advisory Committees

Jurisdiction	Name	Term Expiring
Municipal Council	Councillor Michael Ernst	-
Oakland AAC (4)	Thomas Lockwood	November 2020
	Geoff MacDonald	November 2020
	Ron Myers	November 2020
	William Scott	November 2020
Princes Inlet AAC (0)	(none)	N/A
Blockhouse AAC (6)	Milton Countway	November 2020
	John Croft	November 2020
	Jason Martell	November 2020
	Paul Young	November 2020
	William Young	November 2020
	Paula MacDonald	November 2020

- Option 1 (**Interim Committee**): Allow remaining of all existing members until November 2020 and to nominate up to seven new members from the public with an eligibility for reappointment in December 2020.
- Option 2 (**Equal Representation**): Appoint two members of the public from each Plan Area, with a recommendation of new appointment in Princes Inlet.
- Option 3 (**New Appointment**): Receive applications for the appointment of seven members of the new AAC. Terms may last until the remaining term of November 2020 (Option A) or commencement of a new 2-year term (Option B).
- Option 4 (**Large Committee**): Create an 18-member AAC, with two new nominations from Oakland and six new nominations from Princes Inlet, as well as all existing members remaining in the new AAC.
- Option 5 (**Direct Planning**): Direct PAC to assume the role of current AACs.
- Option 6: PAC to create a new process.
- Option 7: Each AAC may hold its meeting and forward its recommendation.
- Option 8: PAC may invite all three AAC for a decision in the next meeting.

Consolidated Secondary Planning Strategy & Land Use By-law

A consolidated planning document has been prepared to combine the three existing planning documents, while the same provisions are applied throughout different parts of the consolidated Plan Areas. Draft planning documents can be found in Appendix A.

Guiding Principles

The vision is to have one Secondary Planning Strategy and one Land Use By-law that govern the consolidated Plan Area while sustaining the uniqueness of each community. Although similar policies and provisions were consolidated for conciseness, staff ensured that the new planning documents would not alter the intention of existing policies for respective Plan Areas.

Consolidated provisions are then stated in the order of that found in Oakland planning documents. For interpretation, informative text is provided following each section in a sky-blue text, which does not form part of the planning documents.

Three principles of drafting the proposed provisions are as follow: (1) if wordings are different but the intentions are the same, then the wording of the Oakland planning documents prevail; (2) if the intentions are different on the same provision, separate clauses are written in different zones or in a part regarding specific provisions, thereby sustaining community identity; and (3) none of the existing provisions are removed from the consolidated planning documents, but some provisions may have been shifted to the part regarding General Provisions, which is applicable to all three Plan Areas.

To elaborate on (2), those provisions applicable in all three current Plan Areas are written in Part III (General Provisions); those provisions applicable in only one Plan Area are written in Part VI (Specific Provisions); and those provisions applicable in two Plan Areas are written in Part III with an exemption clause stated in Part VI.

Structural Revision

Part VI (Specific Provisions) is added after Part V (Amendment) of the Secondary Planning Strategy. Part VI consists of policies that are only applicable within the geographical boundary of the former Plan Area, now referred to as a Community Area.

As shown in Table 2, staff has renamed some of the land use designations and zones to distinguish them from similarly named zones in other Plan Areas. Zonal boundaries and provisions remain the same.

Table 2: Proposed Land Use Designations and Zones

Designation	Zone	Code	Previous Zone Name
Rural (RUR)	Rural Oakland	R-O	Rural (Oakland)
	Rural Highway	R-H	Rural Highway (Princes Inlet)
	Rural Princes Inlet	R-P	Rural Coastal (Princes Inlet)
	Rural Blockhouse	R-B	Rural (Blockhouse)
	Institutional	I	Institutional (All three)
Residential (RES)	Two-Unit Residential	R-2	Two-Unit Residential (Princes Inlet)
Environmental (ENV)	Environmentally Sensitive	ES	Environmentally Sensitive (Princes Inlet)
	Protected Water Area	PW	Protected Water Area (Oakland)
	Oakland Commons	OC	Commons (Oakland)
	Ocean Shoreline	OS	Ocean Shoreline (Oakland)

Housekeeping Revision

While staff has attempted to include all of the existing provisions in the three Plan Areas, some provisions may have been shifted to the part on General Provisions, which is applicable to all three Plan Areas rather than to one specific Plan Area. Staff recommends the following revisions to be part of the consolidation process:

- Policies A-1, A-2, A-6, B-27, C-8, C-10, C-13, D-1, E-10 apply to all Plan Areas (subject to revision and detail investigation)
- Policy B-5: Cemeteries may be built as-of-right in Princes Inlet
- Policy D-17: Blockhouse to have subdivision requirement for an island
- Policy D-20: Blockhouse to have a policy on expansion of non-conforming uses
- Policy E-1: Blockhouse and Princes Inlet may amend SPS for inconsistent LUB

Adoption Process

A consolidated Secondary Planning Strategy and Land Use By-law will be presented at a future PAC meeting. As the Department are consolidating the planning documents, staff would like to seek a direction on the preferred process for recommending the revised planning documents to Municipal Council. A few options are available in reviewing of the new documents:

- Option 1 (**PAC Recommendation**): PAC may recommend the approval of the new Secondary Planning Strategy and the new Land Use By-law for the consolidated AAC.
- Option 2 (**Separate AAC Recommendation**): Each AAC may hold its meeting and forward its recommendation to the PAC.
- Option 3 (**Joint AAC Recommendation**): PAC may invite all three AAC for a decision in the next PAC meeting.
- Option 4 (**Public Information Session**): PAC may hold an information session for receiving public feedback.

ALTERNATIVES

PAC may choose not to consolidate the three Plan Areas and forward such recommendation to the Municipal Council.

COMMUNICATION CONSIDERATIONS

Consolidation of plan areas require some considerations on public engagement, subject to Section 2.1 of the Policy MDL-66 (Public Participation Program). Depending on the options chosen by the PAC, staff may initiate public engagement with the residents of three Plan Areas.

Municipality of the District of Lunenburg



Greater Mahone Bay

(Blockhouse-Oakland-Princes Inlet Consolidated Plan Area)

Secondary Planning Strategy

DRAFT version 1.1
2019-06-05

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Text written in blue does not form part of this planning document and exists for the purpose of interpretational aid or providing additional information only.

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PART I – AUTHORITY & SCOPE

This Secondary Planning Strategy and the accompanying Land Use By-law were adopted by Municipal Council on **October 2019** and became effective **December 2019**.

The Nova Scotia *Municipal Government Act* (R.S.N.S. 1998, c. 18) is the legislative basis for the preparation and adoption of these planning documents. Subsection 216(1) of the Act states that Council may prepare a Secondary Planning Strategy for a particular part of a municipality.

The identified planning area (hereinafter referred to as “Plan Area”) to which this Secondary Planning Strategy applies is found in the eastern portion of the Municipality of the District of Lunenburg. The Plan Area encompasses approximately half of Municipal Council District 8; it is formed by consolidating the previous three Plan Areas that surround the Town of Mahone Bay: Oakland, Princes Inlet, and Blockhouse. Communities such as Blockhouse, north of Big Lots; coastal Oakland with Strum Island and Andrews Island; Maders Cove, Sunnybrook, Martins Brooke, Deans Corner, and Hermans Island are under the regulations set in the Secondary Planning Strategy and the Land Use By-law.

The *Municipal Government Act* provides Council with the authority to adopt policies respecting a broad range of matters, including the improvement of the physical, economic and social environment; and the use, protection, and development of lands. This Secondary Planning Strategy consists of policy statements and maps that express Council's wishes and intentions with respect to development and land use in the Plan Area. The policies are intended to guide, encourage, and control future development and changes in land use. No provision in the Land Use By-law may be made that is contrary to policies included in this Planning Strategy. Maps and schedules appended to this Secondary Planning Strategy form part of the Secondary Planning Strategy. Map 1 – Generalized Future Land Use Map is identified as a generalized representation of the intended pattern of future land use in the Plan Area.

The Land Use By-law, which has been prepared and adopted in conjunction with this Secondary Planning Strategy, is the primary regulatory mechanism through which this Planning Strategy is implemented. The Land Use By-law contains standards, requirements and zoning designations that control the type and characteristics of developments. The Subdivision By-law also impacts local development, by identifying regulations affecting the creation, consolidation, and shape of land parcels.

By-law amendments that involve rezoning of land for a new or a different use from that permitted by the Land Use By-law are provided for in Planning Strategy policies. Policies also govern the circumstances under which a Development Agreement or re-zoning may be considered and approved.

1.1 Objectives

The development of new planning documents followed a request to Municipal Council from the Nominating Committee. The request of integrating three Area Advisory Committees in District 8 was recommended in November 2018 and forwarded to staff. The report was returned to the Planning Advisory Committee in June 2019.

Since land use planning was introduced in 1990s, residential development has remained the predominant type of land use in the community. Few commercial or industrial activities have developed in the Plan Area to provide citizens with local employment opportunities. As with many communities found along the shoreline of Lunenburg County, the shift away from a traditional, self-sufficient, resource-based economy has changed the dynamics of rural community development.

The general objective of this Secondary Planning Strategy is to establish a policy framework where there can continue to be a harmonious relationship between new development activity and existing land uses. The intent is to guide proposed changes in local land use over time, but not to prohibit entirely the opportunity for new developments to occur. By the adoption of this Planning Strategy, Council continues to provide a mechanism for residents to have input on major developments that substantively impact their community.

Council recognizes where there are identified concerns that some types of development could have a negative impact on the existing community. To mitigate that, Council has adopted policy statements specific to maintaining the Plan Area's existing rural aesthetic and to protecting the natural environment.

Council is also aware of that, while the consolidation of Plan Areas would reduce the number of duplicate policies and regulations, consideration on the uniqueness of each community is also needed. Council has therefore consolidated general provisions that are similar in all the communities, while sustaining different zones within each Plan Area with some adjustments for consistency with other Plan Areas in the Municipality.

Policy A-1 This Secondary Planning Strategy shall provide the framework and process for the accommodation of changes in land use and development in the Plan Area.

[\(Oakland Policy 1.1.1, Princes Inlet Policy 2.1\)](#)

Policy A-2 Council shall allow for the development of a range of residential, commercial and industrial land uses that are consistent with the existing rural coastal aesthetics of the Plan Area and encourage local economic development.

(Oakland Policy 1.1.2)

Policy A-3 Council shall control land use and development in a manner that will minimize conflicts, to provide for an attractive rural residential environment. The policy framework will provide opportunities for Council to hear public input on large-scaled developments, and developments identified as having a substantial impact on the Plan Area. Further, Council shall

- (a) provide development standards for a variety of local housing options, to meet all ages and needs;
- (b) allow for the development of a range of residential, commercial and industrial land uses that are consistent with enhancing the existing rural aesthetics of the Plan Area;
- (c) establish a residential designation and a zone that provides for restrictive development standards that reflect the needs of identified residential areas;
- (d) encourage initiatives for public transportation and improvements to the transportation network; and
- (e) maintain, improve, and acquire open spaces to meet recreational needs.

(Oakland Policy 1.1.3, Princes Inlet Policy 2.2, and Blockhouse Policies 3.3 & 6.2.2)

Policy A-4 Council shall control proposed developments in a manner that will protect or enhance the natural environment. Further, Council shall

- (a) protect water quality within the Plan Area, to include safe drinking water, surface water, groundwater, lakes, rivers, wetlands, and oceans;
- (b) develop policies concerned with the impact of emissions attributed with proposed development activities, to the extent where an identified environment or health hazard may be created; and
- (c) encourage responsible and sustainable resource management in local Forestry and Agriculture activities.

(Oakland Policy 1.1.4, Princes Inlet Policy 2.3, and Blockhouse Policies 3.2)

1.2 Services

This Secondary Planning Strategy references infrastructure services that Council considers have a direct effect on the development of property in the Plan Area. This Strategy does not include policy statements concerned with the provision of other services such as policing, fire protection, health, education, or waste management services, or statements identifying government programs or priorities concerned with economic development, social assistance or recreation.

It is evident such matters have profound consequences on a community's ongoing development. However, the formation of public policy on such issues is removed from the context of most local land use planning documents. Such matters are guided by existing legislation and strategic documents developed, directed, and resourced through well-established bureaucracies, nearly all of whom operate exclusive of statements identified or espoused in local land use plans.

Water Supply and Wastewater Treatment. Development in the Plan Area is serviced by on-site water supply and wastewater treatment. There are no municipal studies that propose to change current practices or see to the provision of municipal water or wastewater services. Further, the policy framework that Council has adopted in this Planning Strategy repeatedly references the rural nature of the local community.

Municipality communicates regularly with the Town of Mahone Bay, which is surrounded by the Plan Area, and where central services are available. Mahone Bay Municipal Planning Strategy Policy 3.2.4. ("to consider extension of the water system outside the boundaries of the Town on request") and Policy 3.3.4. ("to discourage extension of the sewage collection system outside the boundaries of the Town and encourage landowners outside the Town wishing for sewage collection and treatment services to apply for annexation to the Town") address the Town's intention on water and sewer infrastructure.

On-site sewage treatment is carried out through septic systems and drainage fields. Water is accessed by individual property owners through the installation of drilled or dug wells. The placement and use of these private services can affect the surrounding natural environment. Standards are necessary to reduce or to mitigate any impacts considered consequential to neighbouring property owners. In Nova Scotia, the provincial Department of Environment provides the legislative oversight regarding the installation and ongoing functionality of on-site services.

Several factors can influence the suitability of a site for on-site sewage disposal, such as the soil and slope of the land. It is noted that any lot area requirements that are identified in the accompanying Land Use By-law also recognizes that any proposed development remains subject to the Province's on-site sewage disposal regulations.

Policy A-5 Council shall support the efforts of the Province, in its regulating of on-site systems that impact the natural environment.

(Oakland Policy 1.2.1, Princes Inlet Policy 5.1, and Blockhouse Policy 6.1.1)

Policy A-6 Council shall consider extending the Town of Mahone Bay sewer and water infrastructure into the planning area, as capacity and funding allows.

(Blockhouse Policy 6.1.2)

Transportation. The Plan Area is served by long-established provincial roads, or by more recently developed private roads. The existing private roads are each individually connected into the provincial road network. As of May 2019, there are no municipal roads in the Plan Area. The Municipality has no established transportation reserves specific to future municipal road construction in the Plan Area either.

Highway Trunk 3 serves as the main conduit in and out of the Plan Area. Highway 3 connects the Plan Area to the Town of Mahone Bay, the Town of Lunenburg, and the communities located in the District of Chester. Highway 325 provides a connection to the Town of Bridgewater, while Highway 324 and Oakland Road act as secondary roads for area residents.

All other roads in the Plan Area may be identified as “local roads”, whether the road is provincially owned or identified as a private road. Local road conditions, to include width, surfacing, and ditches, and the degree of residential settlement or commercial development that these roads can potentially serve, varies widely. Local roads may be best considered as “subdivision” roads. That is: none of these existing roads provide for connectivity between the main provincial corridors, or act as connections between themselves.

The current infrastructure is oriented towards automobiles to travel along Highway 3, 324, 325, and Oakland Road at speed. Identified shoulders along any roads in the Plan Area for potential use by pedestrians is limited to non-existent. The NS Department of Transportation and Infrastructure Renewal, pursuant to the *Public Highways Act*, administers regulations concerned with any alterations that impact on the provincial road network. The Department is responsible for issuing access permits to property owners located adjacent to a provincial road.

Policy A-7 Council intends to communicate regularly with the Province, to ensure the continued functionality of the existing provincial road network in the Plan Area, including the identification of any volume, maintenance, or traffic safety issues, which may impact on land use and future development.

(Oakland Policy 1.2.2, Princes Inlet Policy 5.2, Blockhouse Policy 6.2.1)

PART II – LAND USE DESIGNATIONS & ZONES

Since land use controls were first adopted in the Municipality, Council has sought to create a policy framework flexible to a variety of potential development opportunities. In the decades since regulations were introduced, Council acknowledges that the development activity that has occurred in local Plan Areas has shaped the perspectives and expectations of local citizens.

Individual perspectives change over the decades, as much as the local landscape itself changes with new developments. Over time, the policy framework associated with guiding and controlling future development should be updated, to remain consistent with any changes in Council's intentions; in consideration of the perspectives of present-day residents and property owners; and in recognition of larger societal shifts in demography, economics, technology, and culture.

Residents of the Plan Area remain concerned that rapid development, in the absence of land use planning, could have profound consequences for the local living environment. There is very little commercial or industrial land use in the Plan Area. The community has indicated a desire to continue accommodating for growth and change through land use controls.

Land Use Designations. In establishing development controls, Land Use Designations have been given to the entire land mass found in the Plan Area. The following subsections outline the policies that govern the types of land use permitted within each designation. Land Use Designations are also found on Map 1 – Generalized Future Land Use Map, attached to this Secondary Planning Strategy. The associated Land Use By-law includes a Zoning Map, identifying the Zones related to each of the Land Use Designations.

Council recognizes where most communities in the Municipality may be considered rural communities. Council will establish a Rural Land Use Designation, which allows for a variety of uses consistent with a pattern of low density, mixed use development. Most of the land in the Plan Area is identified with a Rural designation. There are several reasons to support this description:

- Development remains generally unconcentrated. There is an established mix of different land uses that predates the adoption of zoning regulation.
- Development has occurred slowly and continuously. An existing use or structure on a property is not necessarily tied to the same era as a development found on adjacent property.
- There are no central services shared between private properties. Each property owner is responsible for managing their own water and wastewater requirements.

- The pattern of residential and commercial development follows provincial roads that have been in place for generations. In some locations, new residential subdivisions have developed, based on the emergence of unconnected private roads serving a limited number of properties.
- Some properties are focused on natural resource-related activities, be it forestry or farming. While the number of parcels actively devoted to such activities is relatively small, such properties continue to be valued, in that they are tied to the local community's heritage.

Other Designations identified in this Planning Strategy serve specified purposes. A Residential designation will be established for particular neighbourhoods, and provide for more restrictive policy, as a means to minimize conflicts in these identified areas of residential settlement. Council will also establish an Environmental designation to protect areas considered as significant environmental assets.

Boundaries. In creating Land Use Designations, Council would note boundary lines identified in local Plan Areas follow municipal jurisdiction. The Province considers submerged land located along the coast to be land owned by the Province, unless it has been sold by way of provincial or federal grant, or it is considered a federal harbour. Under the *Crown Lands Act*, Nova Scotia Department of Lands and Forestry is responsible for administering Crown land, including these submerged lands.

The boundary of the Plan Area, therefore, follows the ordinary high-water mark. If the ordinary high-water mark is moved seaward by any infilling along the coastline, or where a development connects with land above the high-water mark, the *Municipal Government Act* provides that the planning jurisdiction of the Municipality moves accordingly. The Land Use Designation, and accompanying zone boundaries in the Land Use By-law, will accommodate possible changes in the shape of the shoreline.

Prohibited Uses. Council considers that certain intensive land uses would not integrate successfully with existing developments in the Plan Area. Until such time that a comprehensive municipal planning strategy is adopted, affecting the entirety of the Municipality, there is a need for specific policy in this Secondary Planning Strategy, outlining the prohibition of identified uses from developing at all in the Plan Area. Such uses can be directed towards the pursuit of possible opportunity in unplanned communities in the Municipality. Where there are no land use regulations to control development in most of the Municipality, Council considers there to be many potential locations for such types of uses to develop.

Policy B-1 Council shall prohibit specific developments entirely from the Plan Area, in consideration of the potential negative impacts that such uses would have

on existing developments, and on residents living in the community. Prohibited Uses shall be identified in the Land Use By-law.

[\(Oakland Policy 2.0.1, Princes Inlet Policy 3.1.2, and Blockhouse Policy 4.1.9B\)](#)

2.1 Rural Land Use Designation

In Council's consideration, most of the land in the Plan Areas can continue to be designated as Rural and can continue to provide for a mix of compatible uses that reflect the existing landscape.

Council recognizes that properties in rural areas have been used historically for agricultural or forestry-related purposes. It is Council's intention that these traditional rural-based resource activities continue to be supported through the Municipality's land use policy. Future development proponents can be made aware of Council's perspective in supporting traditional rural resource-related activities, by these identified statements in this Planning Strategy. Certain resource-related developments will be subject to specified requirements in the By-law.

Some types of development provide potential benefits to the general community and may be considered as suitable as-of-right developments in any areas identified with a Rural Designation. Such uses include emergency service facilities and non-commercial recreational land uses.

Policy B-2 Council shall establish a Rural (RUR) Designation within the Plan Area, as shown on attached Map 1 – Generalized Future Land Use Map.

[\(Oakland Policy 2.1.1, Princes Inlet Policy 3.1.1, and Blockhouse Policy 4.1.1\)](#)

Policy B-3 Council shall permit agricultural, forestry, and land-based aquaculture activities on properties identified with a Rural designation, subject to identified requirements in the Land Use By-law. Permitted activities include the growing of agricultural and forestry products, and the sale of those products grown on the property by their producers. In all Zones identified with a Rural designation, standards will include requirements for the keeping of farm animals and livestock, and requirements for any areas used for manure storage or bedding. Proposed developments which exceed the thresholds identified in the By-law will be considered by Council only by Development Agreement. Before entering into a Development Agreement, Council shall be satisfied that the proposal satisfies the relevant policies of Section 5.4.

[\(Oakland Policy 2.1.2, Princes Inlet Policy 3.1.3, and Blockhouse Policy 4.1.1, 4.1.3 f\)](#)

Policy B-4 Council shall permit for the primary processing of agricultural and forestry products at the farm site or harvest site, on properties identified with a Rural designation, subject to identified requirements in the Land Use By-law. Proposed developments that involve the processing of off-site harvested wood products will be considered by Council by Development Agreement. Uses associated with aggregate and mineral resource extraction operations will be considered by Council by Development Agreement. Before entering into a Development Agreement, Council shall be satisfied that the proposal satisfies the relevant policies of Section 5.4.

(Oakland Policy 2.1.3, Princes Inlet Policy 3.1.3, and Blockhouse Policy 4.1.3 f))

Policy B-5 Council shall permit non-commercial recreational uses, emergency service facilities, and cemeteries on properties identified with a Rural designation, subject to identified requirements in the Land Use By-law.

(Oakland Policy 2.1.4, Princes Inlet Policy 3.1.4, and Blockhouse Policy 4.1.3 d), e))

This policy allows building of parks, police stations, fire halls, EMS stations, and cemeteries. In Princes Inlet, cemeteries were not included in this policy.

Rural Oakland Zone. The number of existing land uses identified in the Oakland Plan Area which are not single-unit residential uses is minimal. There are few properties associated with another type of development. Further, the pace of local development activity, or change of use, is relatively slow. Since 2003, the time of the last Planning Strategy's adoption, Oakland is not considered one of the communities in the Municipality that experienced substantial growth, in terms of a significant increase in housing stock, or in new commercial development.

In the past thirty years, since local land use regulations were first introduced, the pattern of development in Oakland has come to resemble much of what has occurred elsewhere on rural Nova Scotia's seacoast. That is: new residential development generally unconnected with the use of adjacent lands for resource purposes, and largely unassociated with any sizeable new commercial or industrial development activities found in the immediate vicinity or surrounding neighborhood. While there are consequences associated with the lack of identifiable local employment growth, such aspects are occurring on a provincial-wide scale and are linked with rural demographic change and migration patterns.

Council recognizes where the preponderance of new residential development in the community has largely created a rural residential environment. Not all types of commercial or industrial land uses may be as well-suited to be integrated with the residential development activities that have occurred in the last three decades.

Council's intent, therefore, is to encourage Oakland's potential, and its continued development, by establishing a Rural Oakland (R-O) Zone that permits for identified types of commercial and industrial uses that are specifically listed in the Land Use By-law. Development proposals which are not associated with a commercial or industrial land use listed in the By-law will be considered by Development Agreement.

The type of residential development that has occurred in the last three decades has also shaped local expectations regarding future residential growth. Most developments are concentrated near the coast, in proximity to the existing road network. The scale of existing residential use is clearly low-density. There are few instances where new housing developments have been carried out in a purposefully compact, dense development pattern. Past public consultation undertaken by the Municipality surveyed and affirmed the community's expectations around residential density. For these reasons, the number of dwelling units per lot in the Rural Oakland Zone that are permitted as-of-right is specified in Policy B-7.

Policy B-6 Council shall establish a Rural Oakland (R-O) Zone within the Rural Designation. Council shall permit identified land uses within the Rural Oakland Zone considered compatible with the existing development pattern. Council shall establish specific zone standards in the Land Use By-law, including size thresholds and setbacks, to minimize potential conflicts between the different permitted land uses.

[\(Oakland Policy 2.1.5\)](#)

Policy B-7 Council shall permit residential uses, to a maximum of ten (10) dwelling units per lot, in the Rural Oakland (R-O) Zone, subject to identified requirements in the Land Use By-law. Proposed residential developments which involve more than two (2) dwelling units per lot will be considered by Council only by Development Agreement. Before entering into a Development Agreement, Council shall be satisfied that the proposal satisfies the relevant criteria of Section 5.4.

[\(Oakland Policy 2.1.6 and 5.4.13\)](#)

Policy B-8 Council shall permit a limited range of commercial, industrial and institutional uses, in the Rural Oakland Zone, subject to identified requirements in the Land Use By-law. Any identified uses of this nature which are permitted in the Rural Zone, shall be listed in the By-law. Proposed developments which exceed the size thresholds identified in the By-law will be considered by Council only by Development Agreement. Before entering into a Development Agreement, Council shall be satisfied that the proposal satisfies the relevant criteria of Section 5.4.

(Oakland Policy 2.1.7)

Policy B-9 Except where uses have been identified as Prohibited Uses pursuant to Policy B-1, commercial and industrial uses not listed in the Land Use By-law shall be permitted in the Rural Oakland Zone only by way of Development Agreement, regardless of the size or scale of the proposal. Before entering into a Development Agreement, Council shall be satisfied that the proposal satisfies the relevant criteria of Section 5.4.

(Oakland Policy 2.1.8)

Rural Highway Zone. That part of the Princes Inlet situated along Highway 3 is a diverse landscape of residences, resource properties, and a very small number of scattered commercial and industrial uses. Currently, many parcels along this roadway corridor are inactive. Since the introduction of land use planning, the amount of new development in this part of the Plan Area has been light. The range of potential opportunities is influenced by the consistent volume of highway traffic that uses Highway 3 to travel to the more densely settled towns of Mahone Bay and Lunenburg.

It is the intention of Council to recognize and encourage the potential development of this highway corridor, by establishing a Zone that permits for a diverse range of residential, industrial, and commercial uses. While not all types of land uses will be permitted as-of-right, it is identified that this Zone will accommodate for a wider diversity of uses than is found anywhere else within the Plan Area. As with past Planning Strategies, Council will continue to control the scale of uses permitted, and consider those uses that exceed the size thresholds established in the By-law by way of a Development Agreement application.

Some uses have the potential to negatively impact on the community, regardless of size. Council will require that these types of uses, identified as Restricted Uses, be considered only by way of a Development Agreement application. The intention of Council is to ensure that such proposals are considered through a Public Hearing process, so that the community can be made aware of proposed land uses where there is a greater potential to impact on the character of the community.

Policy B-10 Council shall establish a Rural Highway (R-H) Zone, within the Rural Designation, identified on Map 1 – Zoning Map of the Land Use By-law. Council shall permit a wide variety of identified land uses within the Rural Highway (R-H) Zone considered compatible with the existing low-density development pattern. Council shall establish specific zone standards in the Land Use By-law, including size thresholds, setbacks, and abutting zone requirements, so as to minimize potential conflicts between the different permitted land uses.

(Princes Inlet Policy 3.1.5)

Policy B-11 Council shall permit residential uses, to a maximum of eight (8) dwelling units, in the Rural Highway (R-H) Zone, subject to identified zone requirements in the Land Use By-law.

(Princes Inlet Policy 3.1.6)

Policy B-12 Except where uses are identified as Prohibited Uses under Policy B-1, or identified as Restricted Uses under Policy B-13, Council shall permit commercial, industrial and institutional uses in the Rural Highway (R-H) Zone, subject to identified zone requirements in the Land Use By-law. Proposed developments which exceed the size thresholds identified in the By-law will be considered by Council only by Development Agreement. Before entering into a Development Agreement, Council shall be satisfied that the proposal satisfies the relevant criteria of Section 5.4.

(Princes Inlet Policy 3.1.7)

Policy B-13 Specific uses, considered to have the potential for creating unacceptable land use conflicts, shall be permitted in the Rural Highway (R-H) Zone only by Development Agreement, regardless of size or scale of the proposed operation. These uses shall be listed as Restricted Uses in the Land Use By-law. Before entering into a Development Agreement, Council shall be satisfied that the proposal satisfies the relevant criteria of Section 5.4.

(Princes Inlet Policy 3.1.8)

Rural Princes Inlet Zone. As Highway 3 greatly impacts on the potential development of properties located adjacent to it, so too does the coastline affect those parts of the Plan Area situated in proximity to the water's edge. Local development has come to resemble much of what has occurred elsewhere on rural Nova Scotia's seacoast – that is, new residential developments generally unconnected with the use of adjacent lands for resource harvesting, and largely unassociated with any sizeable new commercial or industrial developments being developed in the immediate vicinity, or in the surrounding neighbourhood.

Since land use regulations were introduced, commercial development in this part of the Plan Area has been near to non-existent, despite there being a policy framework where such uses would be permitted. The secondary and tertiary nature of the road network serving this part of the Plan Area provides different expectations in terms of traffic volumes and road standards. There is a scattering of tourist accommodation-

related uses, the Lunenburg Yacht Club, and a commercial property that has been used for marine-related purposes since before the introduction of the initial By-law.

While it is not the objective of Council to discourage the potential commercial use of lands in this part of the Plan Area, Council would recognize where the preponderance of new residential development has, in turn, largely created a rural residential environment. Not all types of commercial or industrial land uses may be well-suited with the development activities that have occurred in the last three decades. Council's intent, therefore, is to encourage this area's potential, and its continued development, by establishing a Zone that permits for residential uses, and permits for only those identified types of commercial and industrial uses that are listed in the By-law.

Policy B-14 Council shall establish a Rural Princes Inlet (R-P) Zone, within the Rural Designation, identified on Map 1 – Zoning Map of the Land Use By-law. Council shall permit only those identified land uses within the Rural Princes Inlet (R-P) Zone considered compatible with the existing development pattern. Council shall establish specific zone standards in the Land Use By-law, including size thresholds, setbacks, and abutting zone requirements, so as to minimize potential conflicts between the different permitted land uses.

[\(Princes Inlet Policy 3.1.9\)](#)

Policy B-15 Council shall permit residential uses, to a maximum of four (4) dwelling units, in the Rural Princes Inlet (R-P) Zone, subject to identified zone requirements in the Land Use By-law.

[\(Princes Inlet Policy 3.1.10\)](#)

Policy B-16 Council shall permit commercial, industrial and institutional uses, in the Rural Princes Inlet (R-P) Zone, subject to identified zone requirements in the Land Use By-law. Any identified uses of this nature which are permitted in the Rural Princes Inlet (R-P) Zone, shall be listed in the By-law. Proposed developments which exceed the size thresholds identified in the By-law will be considered by Council only by Development Agreement. Before entering into a Development Agreement, Council shall be satisfied that the proposal satisfies the relevant criteria of Section 5.4.

[\(Princes Inlet Policy 3.1.11\)](#)

Policy B-17 Specific uses listed as Restricted Uses of Rural Highway (R-H) Zone in the Land Use By-law shall not be permitted to develop in the Rural Princes Inlet (R-P) Zone.

(Princes Inlet Policy 3.1.12)

Rural Blockhouse Zone. The Rural designation allows for a mix of land uses; however, Council recognizes the need to control the scale of uses permitted to minimize the potential for land use conflicts. Council will do this by establishing a Rural Blockhouse (R-B) Zone within the Rural designation and permit a range of land uses up to a maximum size deemed to be compatible with a rural setting, subject to zone standards. Land uses that exceed the thresholds established in the Land Use By-law will be subject to a Development Agreement. A Development Agreement will give Council and the community greater flexibility and input into how larger scale developments fit into the planning area.

However, Council recognizes that the existing residential, commercial, industrial, and non-municipal institutional uses exceeding the threshold have already been established in the Plan Area need not be treated in the same manner as new uses of this kind. Where such uses are listed on Schedule A of the Land Use By-law, these existing uses will be considered permitted uses in the RU Zone, and may expand beyond the established thresholds, subject to approval of a Site Plan. Following a review of Table 1 in 2016, the Municipality identified where listed Existing Uses can be associated with descriptions linked to the North American Industry Classification System [2012 Edition].

Some uses have the potential to negatively impact on the community, regardless of size. These types of uses will be listed in the Land Use By-law and will only be allowed by Development Agreement. Certain uses permitted by Development Agreement must also comply with setback requirements, specifically identified in the Land Use By-law, which will provide for the separation of such proposed uses from the existing settlement pattern found in Blockhouse.

Further, Council considers that certain commercial and/or intensive industrial land uses would not integrate successfully with existing residential developments in the Blockhouse Plan Area. Such uses can be best directed towards unplanned areas of the Municipality. With most of the Municipality having no land use regulations in place, Council considers there to be many opportunities for such uses to develop. Uses prohibited from developing in the former Blockhouse Plan Area will be listed in the Land Use By-law.

The intention of Council is to provide property owners in the community of Blockhouse with a clear indication of both the size and the type of land uses considered to be complimentary with existing development. Through the adoption of a Development Agreement process for certain developments, it is Council's intent to inform the

community of any larger-scaled proposals, as well as those proposed developments that have a greater potential to impact the broader community.

Policy B-18 Council shall establish a Rural Blockhouse (R-B) Zone within the Rural Designation. Council shall permit identified land uses within the Rural Blockhouse Zone considered compatible with the existing development pattern. Council shall establish specific zone standards in the Land Use By-law, including size thresholds and setbacks, to minimize potential conflicts between the different permitted land uses.

(Blockhouse Policy 4.1.2 and 4.1.3)

Policy B-19 Council shall permit residential uses, to a maximum of twelve (12) dwelling units per building, and to a maximum of fifty (50) dwelling units per hectare, in the Rural Blockhouse Zone, subject to identified requirements in the Land Use By-law. Proposed residential developments which involve more than four (4) dwelling units per lot shall be considered by Council only by Site Plan Approval.

(Blockhouse Policy 4.1.6)

Policy B-20 Council shall permit a limited range of commercial, industrial and institutional uses, in the Rural Blockhouse Zone, subject to identified requirements in the Land Use By-law. Any identified uses of this nature which are permitted in the Rural Zone, shall be listed in the By-law. Proposed developments which exceed the size thresholds identified in the By-law will be considered by Council only by Development Agreement. Before entering into a Development Agreement, Council shall be satisfied that the proposal satisfies the relevant criteria of Section 5.4.

(Blockhouse Policy 4.1.4)

Policy B-21 Except where uses have been identified as Prohibited Uses pursuant to Policy B-1, commercial and industrial uses not listed in the Land Use By-law shall be permitted in the Rural Blockhouse Zone only by way of Development Agreement, regardless of the size or scale of the proposal. Before entering into a Development Agreement, Council shall be satisfied that the proposal satisfies the relevant criteria of Section 5.4, and the established setback requirements identified in the Land Use By-law.

(Blockhouse Policy 4.1.9, and 4.1.9A)

Policy B-22 Council shall allow the existing commercial, institutional, and industrial uses listed in Table 1 of the Land Use By-law to expand beyond the

established thresholds established in the Land Use By-law subject to the Site Plan Approval.

[\(Blockhouse Policy 4.1.5\)](#)

Policy B-23 A Site Plan required pursuant to Policy B-19 or B-22 shall include the following, if applicable:

- (a) Location of structures;
- (b) Location of off-street loading and parking;
- (c) Location, number, and width of driveway accesses to streets;
- (d) Type, location, and height of walls, fences, hedges, trees, shrubs, ground cover, or other landscaping elements necessary to protect and minimize the land use impact on adjoining lands;
- (e) Retention of existing vegetation;
- (f) Location of walkways, including the type of surfacing material, and all other means of pedestrian access;
- (g) Type and location of outdoor lighting;
- (h) Location of facilities for the storage of solid waste;
- (i) Location of easements;
- (j) Grading or alteration in elevation or contour of the land and provision for the management of storm and surface water; and
- (k) Provision for the maintenance of any items referred to in the above list.

[\(Blockhouse Policy 4.1.7\)](#)

Policy B-24 A Site Plan Approval by the Development Officer shall be subject to the following criteria:

- (a) subject to the physical characteristics of the property, the development shall achieve optimum separation from

adjacent properties which are not in Commercial or Industrial use;

- (b) screening in the form of fences, vegetation, or berms as appropriate shall be constructed or installed wherever possible in order to minimize impact on the abutting uses;
- (c) driveways, parking areas, and any areas used for the open storage of equipment or stock shall be surfaced with stable materials to prevent dust from blowing onto adjacent properties; and
- (d) the site for residential development shall be landscaped with trees, shrubs, lawns, fences, and hard surfaced walkways, as necessary to create a residential living environment.

[\(Blockhouse Policy 4.1.8\)](#)

Institutional Zone. There are no large-scaled institutional uses found in the Plan Area. In this Planning Strategy, Policies B-8, B-12, B-16, and B-20 allow for institutional uses to be developed in the Rural Zone, subject to a size threshold. A proposed institutional use larger than the identified thresholds shall only be considered by way of Development Agreement.

Many municipal developments are institutional in nature. As a municipality cannot enter into a Development Agreement with itself, Policy E-9 enables for the rezoning of land within the Rural Designation to the Institutional (I) Zone, where the Municipality is proposing a new institutional development.

This zone may be considered a floating zone, as no land was identified as Institutional on Map 1 – Zoning Map of the Land Use By-law at the time that this Planning Strategy was initially adopted.

Policy B-25 Council shall establish an Institutional (I) Zone within the Rural Designation, to provide for a range of potential institutional uses undertaken by the Municipality of the District of Lunenburg. Council may rezone identified lands within the Rural Designation to Institutional, provided Council is satisfied that the proposal satisfies the relevant criteria of Section 5.4.

[\(Oakland Policy 2.1.9, Princes Inlet Policy 3.4.1, and Blockhouse Policy 4.1.12\)](#)

2.2 Residential Land Use Designation

Residential development is the most prominent land use in the Plan Area. Past Planning Strategies identified the potential allowance of introducing a more restrictive designation that would inhibit the proposed development of other types of uses.

The Plan Review process undertaken in the development of this Planning Strategy reviewed the policy alternatives of establishing different zone designations for distinct parts of the Plan Area. It was determined that a mix of compatible uses under a Rural Zone identification remained the appropriate policy framework.

Council will continue to allow for future consideration of residential designation in policy, where it is identified that a part of the community may, at some point in the future, warrant the development of more restrictive regulation. Currently, only a small proportion of Maders Cove is designated as a Residential Designation.

Specific regulations, as may be identified with any new Residential Zone, would be consistent with restrictions that already exist in Land Use By-laws adopted in other communities in the Municipality. Such zoning controls would restrict new development to a maximum of two dwelling units per lot, and to small-scaled, non-residential uses considered compatible with a low-density residential neighbourhood.

The intent in Council's consideration and the potential application of any Residential (RES) Designation is to outline clearly to all development proponents where identified parts of the Plan Area are restricted to residential uses.

Policy B-26 Council shall establish a Residential (RES) Designation within the Plan Area, as shown on Map 1 – Generalized Future Land Use Map.

[\(Oakland Policy 2.2.1, Princes Inlet Policy 3.2.1\)](#)

Policy B-27 Council may consider the re-designation of land in the Plan Area to a Residential Designation, provided Council is satisfied that:

- (a) the proposal satisfies the relevant criteria of Section 5.4; and
- (b) the identified area is to include developed lands which are predominantly used for residential purposes.

[\(Oakland Policy 2.2.2\)](#)

Two-Unit Residential Zone. While residential development is the most prominent active land use in the Plan Area, it is only within one neighbourhood that there has been an expressed desire for more land use control than what the existing rural zoning related regulations provides. These increased controls aim to preserve the established residential character and the quality of their living environment.

Policy B-28 Council shall establish a Two-unit Residential (R-2) Zone, within the Residential Designation, identified on Map 1 – Zoning Map of the Land Use By-law. Council shall permit residential uses to a maximum of 2 units per lot in the Two-unit Residential (R-2) Zone. Small scale business developments that are considered to be compatible with residential uses within dwellings and residential accessory buildings shall also be permitted. The size and scale of these uses shall be limited to zone standards and identified requirements specified in the By-law.

(Princes Inlet Policy 3.2.2)

2.3 Environmental Land Use Designation

Council wishes to protect certain lands within the Plan Area considering its sensitivity, its unique circumstances, and its protected standing by the Provincial government. Council recognizes that there is a general lack of municipal mandate to protect the environment from harmful individual activity. Council acknowledges that this responsibility rests with applicable senior-level government departments. However, municipalities are enabled in ways, including Zoning, to help protect specific environmentally sensitive areas found within their jurisdiction.

Policy B-29 Council shall establish an Environmental (ENV) Designation within the Plan Area, as shown on Map 1 – Generalized Future Land-Use Map.

(Oakland Policy 2.3.1, Princes Inlet Policy 3.3.1)

Environmentally Sensitive Zone. Council wishes to protect certain lands within the community of Maders Cove, in recognition of their unique environmental sensitivity. In particular, Council recognizes the lands adjacent to Westhaver Pond, near to Westhaver Beach, are considered as important environmental assets to the local community, and that these lands merit protection through local land use controls.

As found in previous Strategies for the Plan Area, and initially resulting from a request of the adjacent residents, Council will place the identified provincial wetland which is located around Westhaver Pond in a restrictive Zone, which will not permit for any structures, including raised boardwalks, to be built within its boundaries.

Policy B-30 Council shall establish an Environmentally Sensitive (ES) Zone, within the Environmental Designation, identified on Map 1 – Zoning Map of the Land Use By-law. The Environmentally Sensitive (ES) Zone shall be considered a “no-build” zone, in which no structures shall be permitted. For further clarity, Council shall prohibit any development within the Environmentally Sensitive (ES) Zone.

(Princes Inlet Policy 3.2.2)

Policy B-31 Council shall rezone the Environmentally Sensitive (ES) Zone in the Land Use By-law to an adjacent zone where study of a wetland, by a qualified person recognized by the provincial department responsible for provincial wetland identification, has identified to the Department's satisfaction that land within the Environmentally Sensitive (ES) Zone is not wetland.

(Princes Inlet Policy 3.2.3)

Protected Water Area Zone. Oakland Lake serves as the water supply source for the Town of Mahone Bay. The Nova Scotia Water Authority first designated the waters of Oakland Lake and surrounding watershed lands as a Protected Water Area in 1963. Part of the Provincially designated area lies within the Plan Area.

Council will establish land use controls to support existing provincial Protected Water Area regulations. Council will limit permitted uses to those uses that will have minimal impact on the water quality of Oakland Lake, and incorporate standards into the By-law to minimize the impact of development on Oakland Lake.

Policy B-32 Council shall establish a Protected Water Area (PW) Zone, within the Environmental Protection Designation. The Protected Water Area Zone includes that portion of watershed lands surrounding Oakland Lake prescribed as a Protected Water Area by Nova Scotia Department of Environment that is also located within the Plan Area. Land uses that affect the quality and quantity of water shall be regulated.

(Oakland Policy 2.3.2)

Policy B-33 Within the Protected Water Area Zone, Council shall permit structures essential to the operation of a water supply. Council shall also permit multi-use recreation trails, forestry, and the keeping of farm animals, provided these uses do not involve the placement, erection or alteration of structures, other than raised boardwalks for recreation trails. Regulations include development standards for the keeping of farm animals, to ensure minimal impact from development on the Oakland Lake Watershed. Council shall also establish minimum lot area requirements within this zone to reduce the density of development and its impacts on the water quality of Oakland Lake.

(Oakland Policy 2.3.3)

Policy B-34 Council shall co-operate with the Town of Mahone Bay on matters related to their public water supply and the portion of the Protected Water Area

that lies within the Plan Area. Officials responsible for Protected Water Area regulations will be notified of development proposals located within the Protected Water Area Zone identified in the Land Use By-law.

[\(Oakland Policy 2.3.4\)](#)

Oakland Commons Zone. The community of Oakland includes a significant asset that is a unique aspect of its historical development. The Oakland Commons is a large property whose title was passed by the Crown to residents of the community of Oakland in the eighteenth century.

During the Plan Review process, the Trustees of the Oakland Commons were invited to present the future vision for activities and future use of the Commons property. It was identified that the Oakland Commons is presently considered as passive, recreational parkland, and provides residents with access to natural open space, in a community where the majority of parcels are privately-owned.

In establishing a specific Zone for the Oakland Commons under the Environmental Designation, it is Council's intent to respectfully identify that future use and enjoyment of the Oakland Commons property is to be determined by local residents, via the Trustees. Any municipal land use policy, or identified regulations in the Land Use By-law, seeks to remain consistent with the Trustee's vision.

Policy B-35 Council shall establish an Oakland Commons (OC) Zone, within the Environmental Designation. The Oakland Commons Zone will be specific to the Oakland Commons. Council shall permit the development of uses consistent with the objectives identified by the Trustees of the Oakland Commons, at the time this Planning Strategy became effective.

[\(Oakland Policy 2.3.5\)](#)

Policy B-36 The principal use of the Oakland Commons is identified as passive, recreational parkland. Permitted uses also include traditional resource-related activities, carried out by residents of Oakland, as recognized by the Board of Trustees. Storage buildings in support of these identified uses will also be permitted.

[\(Oakland Policy 2.3.6\)](#)

Ocean Shoreline Zone. Public roads follow much of the ocean shoreline in Oakland. These roads have historical significance, having been developed as part of the initial overland connection between Halifax and communities on the South Shore prior to construction of Highway Trunk 3 or Highway 103. In many instances, the road right-of-way is immediate to the water. In other places, there is a narrow strip of private

land. Where these conditions exist, the ocean has an immediate and visible presence that is enjoyed by the public, and by residents whose homes are established on the inland side of the road.

The ocean shoreline plays a role in defining the community. Development and land use in this shoreline area, either on existing lands, or on land created by infilling of the ocean, is identified as a planning concern. Uncontrolled development could substantially alter or interfere with public views of the ocean, and limit opportunities for future public access. Restrictive controls in the form of development standards and Development Agreements can help preserve those features considered community assets. Council will create an Ocean Shoreline (OS) Zone to include continuous stretches of identified waterfront land that have a depth of less than 45.7 metres.

Traditionally, the narrow strips of land between the public road and shoreline have been used for a variety of non-residential uses that required access and proximity to the water. Common waterfront structures would include boat building establishments, storage buildings identified with marine activities, wharves, and boat-launching facilities. Such structures have been built on land, on areas of infill, or on pilings. Given their functionality, these traditional and customary uses are considered by Council to be appropriate waterfront developments, and will be permitted to develop in the OS Zone, within the Environmental Designation.

Council does not permit new residential development in the OS Zone. Council will also adopt policy that will prevent non-conforming structures and non-conforming uses from being enlarged, altered, or extended. However, Council will enable structures containing existing non-conforming uses to be reconstructed in the event of destruction, provided that the reconstructed structure has the same footprint, floor area and volume as the original structure. The three existing residential uses identified in the OS Zone will also be subject to specified restrictions and related requirements in the By-law, where it pertains to the proposed development of any home-based occupation, and any allowance for a conversion to, or the incorporation of, fixed roof accommodations.

Policy B-37 Council shall establish an Ocean Shoreline (OS) Zone in the Environmental Designation, as shown on Map 1 – Zoning Map of the Land Use By-law, for those areas of land that lie between identified public highways in the community of Oakland and the ordinary high-water mark of the ocean shoreline, excepting those identified areas of land with a continuous depth greater than 45.7 metres. Council intends to limit future development to preserve views, access to the water, and character of the shoreline. Specified zone standards will be established in the Land Use By-law, including size thresholds, setbacks, height restrictions, and lot related requirements.

(Oakland Policy 2.4.1 and 2.4.2)

Policy B-38 Within the Ocean Shoreline Zone, Council shall permit customary and traditional waterfront uses such as personal boat storage, building and repair; and uses involving the fishery and recreation, subject to identified zone requirements.

(Oakland Policy 2.4.3)

Policy B-39 Commercial and industrial marine uses, as specified in the Land Use By-law, shall be considered by Council in the Ocean Shoreline Zone only by Development Agreement. Before entering into a Development Agreement, Council shall be satisfied that the proposal satisfies the relevant criteria of Section 5.4.

(Oakland Policy 2.4.4)

Policy B-40 Existing residential dwellings found in the Ocean Shoreline Zone will be listed in Schedule D the Land Use By-law, and identified as non-conforming uses, and will be subject to additional restrictions, as identified in the By-law.

(Oakland Policy 2.4.5)

Policy B-41 Non-conforming uses in the Ocean Shoreline Zone shall be subject to the non-conforming use provisions of the *Municipal Government Act*. Council shall permit structures containing non-conforming uses to be reconstructed in the event of destruction, provided that

- (a) the reconstructed structure shall have the same or smaller footprint, floor area and volume as the original structure; and
- (b) the reconstruction of the structure is commenced within 12 months of the date of its destruction.

(Oakland Policy 2.4.6)

PART III – GENERAL PROVISIONS

Council acknowledges that certain types of development require consideration in the Land Use By-law, due to their relatively unique impacts on the land, or on surrounding properties, or due to the nature of jurisdictional authority over such activities also resting in part with senior levels of government. Therefore, certain proposed developments shall be subject to special provisions and regulatory requirements established in the Land Use By-law, in addition to zone standards.

3.1 Wind Turbine

Council recognizes that there are ongoing changes in technology, societal demand, and public policy affecting renewable energy generation installations. Such changes are likely to continue, and rural communities will be impacted by proposed developments. Council considers that wind turbines may be permitted in the Rural Designation, provided that the proposed use complies with additional requirements set out in the Land Use By-law. Council recognizes that additional provisions can mitigate potential conflicts in a community where such developments are introduced. Council considers that as-of-right wind turbine developments are to be restricted to small-scaled applications, of a specific generation capacity.

Policy C-1 Council shall permit the development of wind turbines in the Rural Designation, subject to an annual energy generation capacity established in the Land Use By-law, provided such proposed developments also comply with identified setback, safety, screening, and noise emissions requirements.

(Oakland Policy 2.5.1, Princes Inlet Policy 3.5.1, and Blockhouse Policy 4.1.11)

Policy C-2 Notwithstanding Policy C-1, Council may consider the development of any proposed wind turbines in the Rural Designation that are of a larger generation capacity only by Development Agreement, subject to the satisfaction of the relevant criteria in Section 5.4, provided such proposed developments also comply with identified setback, safety, screening, and noise emissions requirements.

(Oakland Policy 2.5.1, Princes Inlet Policy 3.5.1, and Blockhouse Policy 4.1.11)

3.2 Keeping of Livestock and Manure Storage

Council recognizes that conflicts between livestock operations and residential uses may occur. Common conflicts between residential uses and livestock operations are the nuisance of odour from manure storage facilities and livestock barns, and the

concern of a potential risk to watercourses and the ground water supply from manure storage and application practices.

Programs associated with the provincial Department of Agriculture are available to help farm operators identify environmental risks on their property, prevent nuisances and help them implement best practices. Council can help protect local water sources by requiring livestock operators meet best management practices when developing a new building, or expanding an existing structure, used for the keeping of livestock, or in identifying manure storage areas.

Where it is possible that not all livestock operations will want to develop an Environmental Farm Plan or an approved Nutrient Management Plan, Council will permit for smaller-scaled operations to be subject to an identified yard setback requirement for any structures used for the keeping of livestock. These setback requirements will also apply to any associated manure storage sites or facilities.

Policy C-3 Pursuant to Policy B-3, Council shall establish yard requirements within the Land Use By-law associated with best management practices for the keeping of farm animals, and any associated manure storage sites or facilities, in the Rural Designation.

(Oakland Policy 2.5.2, Princes Inlet Policy 3.5.2, and Blockhouse Policy 4.1.13)

3.3 Fixed Roof Accommodation

Council recognizes the importance of tourism to the local economy, and that the tourism industry may be strengthened with the vast availability of accommodation options – whether they are hotels or frequent residence-sharing services. Council also recognizes the impact of accommodations onto a hosting neighbourhood; therefore, a Development Agreement threshold will be established after a certain number of size and units.

Contrary to Campground Accommodations, *NS Tourist Accommodations Act* defines Fixed Roof Accommodations as every building, part of a building, group of buildings or place of accommodation that provides one or more rental units used mainly for the reception of the travelling or vacationing public, including overnight cottages or cabins. Hotels, motels, inns, and B&Bs are some of the examples of Fixed Roof Accommodations. Operators of Fixed Roof Accommodations are subject to provincial licensing requirements. All plan areas regulate the number of size and unit threshold. Similar to wind turbines, a large-scale development requires a development agreement.

Policy C-4 Council shall permit for fixed roof accommodation uses in the Rural Designation, subject to a size threshold and unit threshold requirement established in the Land Use By-law.

(Oakland Policy 2.5.3, Princes Inlet Policy 3.5.3, and Blockhouse Policy 4.1.3 c))

Policy C-5 Council shall consider proposed developments which exceed the thresholds identified in the Land Use By-law only by Development Agreement, subject to the satisfaction of the relevant criteria in Section 5.4.

(Oakland Policy 2.5.3, Princes Inlet Policy 3.5.3, and Blockhouse Policy 4.1.3 c))

3.4 Outdoor Wood Furnace

Policy C-6 Council shall regulate the placement, location, or alteration of outdoor wood furnaces on a lot in a Zone within the Rural Designation to minimize nuisances and conflicts with surrounding land uses.

(Oakland Policy 2.5.4, Princes Inlet Policy 3.5.4, and Blockhouse Policy 4.1.10.)

This is a policy regarding outdoor wood furnaces. Furnaces are only allowed in a Rural Designation, hence the wording “placement of outdoor wood furnaces”. All Plan Areas established a policy in regulating outdoor wood furnaces, except that Oakland and Blockhouse limit the regulation to the Rural zones only. The intention is not to allow furnaces in an urban area or in environmental zones without regulations; residents are only allowed to live in the Rural Zone in the two Plan Areas.

3.5 Private Storage

Policy C-7 Council shall permit the development of private storage structures, on properties where there are no other buildings located on the lot, are permitted in the Zones within the Rural Designation and the OS Zone, subject to the requirements of the Zone of the property.

(Oakland Policy 2.5.5, Princes Inlet Policy 6.7, and Blockhouse Policy 7.1.2)

3.6 Watercourse Setbacks

Council recognizes that development near or adjacent to watercourses has the potential to impact water quality through surface runoff, and to destroy or alter the soils and vegetation found immediately adjacent. By restricting where a proposed development may be located with respect to a significant watercourse or waterbody, Council improves the chances of such lands remaining in a natural state. Retaining a portion of natural vegetation along identified watercourses achieves several functions, in

addition to controlling the potential impacts of erosion and sedimentation. Vegetated buffers are aesthetically pleasing, can help moderate air and water temperatures, filter noise and air pollution, reduce runoff, and provide wildlife habitat corridors near to water resources. For these reasons, the Land Use By-law will contain provisions to ensure that proposed developments be set back horizontally from significant watercourses in the Plan Area.

The potential impacts of coastal flooding and erosion events can result in significant costs for property owners, as well as impact on potential costs associated with public safety and emergency response. The Municipality is aware of climate change adaptation research and analytical work undertaken on behalf of the Province through the Atlantic Climate Adaptation Solutions initiative, including Scenarios and Guidance for Adaptation to Climate Change and Sea Level Rise for NS Municipalities (2011). In addition, Integrated Community Sustainability Plan (2010) and Municipal Climate Change Action Plan (2013) were developed for Municipality that specifically identified the issue of potential climate-related hazards affecting coastal development.

Council recognizes that it can mitigate - although not eliminate completely - potential concerns regarding future coastal hazards, by adopting policy that identifies a vertical setback requirement, to couple with existing horizontal setback requirements in local Plan Areas. In review of the possible scenarios associated with future coastal flooding resulting from climate hazard events, Council is prepared to restrict new developments from those parts of the coastline where the estimated risk is perceived to be more pronounced in 2055.

It is important to note that this identified limitation does not eliminate risk from flooding, erosion, or storm surge events, to developments which may be situated at higher vertical elevations. Council will be prepared to consider amending existing requirements as information becomes known, or to conform with provincial guidelines like the *Coastal Protection Act* as they may be developed.

Horizontal and vertical setbacks are in place for Oakland and Princes Inlet, as well as construction control in all Plan Areas. Since the provisions Oakland contain the greatest number of provisions, it is recommended that Oakland's policy on watercourse setback will prevail. Additional clause has been added to recognize the adoption of the Nova Scotia Coastal Protection Act in April 2019, although its regulation will be in effect by 2020.

Policy C-8 Council shall protect identified water resources by restricting identified development activities near to significant watercourses and waterbodies, as shown on Map 2 – Development Constraints Map of the Land Use By-law. Proposed developments shall be horizontally set back from the

ordinary high-water mark to minimize the impacts of development on fish, wildlife, aquatic ecosystems, and to preserve the natural aesthetic characteristics of waterbodies and the immediate shoreline.

(Oakland Policy 3.1.1, Princes Inlet Policy 4.2.1)

Policy C-9 To reduce soil erosion, minimize sedimentation of watercourses, and provide a corridor of wildlife habitat along watercourses, Council shall control the infilling, excavation, or removal of natural vegetation, where undertaken in relation to a development, in areas of proximity to the ordinary high-water mark of a significant watercourse, as shown on Map 2 – Development Constraints Map of the Land Use By-law.

(Oakland Policy 3.1.2, Princes Inlet Policy 4.2.2, and Blockhouse Policy 5.1.2)

Policy C-10 To reduce potential impacts associated with coastal hazards, Council shall restrict the location of development activities near the coastline, within an area shown on Map 2 – Development Constraints Map of the Land Use By-law. Proposed developments shall be vertically set back at a distance identified in the Land Use By-law.

(Oakland Policy 3.1.3, Princes Inlet Policy 4.4.1)

Policy C-11 Where certain land uses are dependent upon having access to a watercourse, or developing in proximity to a watercourse or waterbody, such uses shall not be subject to the setback requirements identified in Policies C-8 and C-10, except otherwise stated in the Zone requirements.

(Oakland Policy 3.1.4)

3.7 Wetland Protection

Wetlands act as nature's water purifiers by effectively absorbing and breaking down contaminants and helping to prevent contaminants from entering surface water and groundwater supply. Wetlands can also help stabilize surface water levels and reduce soil erosion and sedimentation.

Council acknowledges there are applicable provincial departments mandated with the primary responsibility to manage and protect wetlands. To assist in the protection and preservation of wetlands, Council recognizes that the Municipality's development permit application process may be linked with relevant provincial departments, where and when any proposed development in the Plan Area may be in a provincially identified wetland.

The identified information source regarding wetland location and boundaries on properties within the Municipality is the NS “Wetlands Vegetation and Classification Inventory”. This Inventory is maintained and updated by NS Department of Lands and Forestry. Council also recognizes that NS Environment officials are identified as the principal agents in determining the specific location of local wetlands, in that it is NS Environment’s regional offices which oversee any proposed wetlands alterations approval process.

To protect provincially identified wetlands, a developer shall obtain a Development Permit by complying with the regulations by Departments of Lands & Forestry and Environment. All Plan Areas have the same intentions.

Policy C-12 Council shall define provincially identified wetlands as those wetlands identified on the NS Department of Lands and Forestry “Wetlands Vegetation and Classification Inventory” and at the time of Council’s adoption of this Planning Strategy, as shown on Map 2 – Development Constraints Map of the Land-Use By-law.

(Oakland Policy 3.2.1 a), Princes Inlet Policy 4.3.1, and Blockhouse Policy 5.1.5)

Policy C-13 Municipality shall not issue a Development Permit until corresponded with and confirmed by the Province that the proposed development is consistent with any related provincial policy and has satisfied any related wetlands-related approvals process where necessary.

(Oakland Policy 3.2.1. Preamble and b))

3.8 Erosion Control

A sizable portion of the Plan Area located and along the Atlantic coastline is associated with a soil type classified as Wolfville Loam. Wolfville soils are considered one of the more fertile soil types in the Municipality but are also susceptible to erosion especially when found in areas of steep slopes. Council will require development control standards, including the retention or replantation of natural vegetation, to minimize erosion and sedimentation from development in identified areas of steep slope.

Policy C-14 All development in any zone permitted in identified areas with excessive slopes, as shown on Map 2 – Development Constraints Map of the Land Use By-law shall be subject to erosion control standards as specified in the Land Use By-law. Requirements to prevent or to minimize erosion and sedimentation shall include the retention or replanting of natural vegetation, and other measures to stabilize disturbed soils.

(Oakland Policy 3.3.1, Princes Inlet Policy 4.1.1, and Blockhouse Policy 5.1.3)

Policy C-15 Wherever this Secondary Planning Strategy provides for developments by way of Development Agreement that are also proposed to be within identified areas of excessive slopes, as shown on Map 2 – Development Constraints Map of the Land-Use By-law, the related Development Agreement shall contain provisions respecting erosion and sedimentation, to minimize the impact on the natural environment.

(Oakland Policy 3.3.2, Princes Inlet Policy 4.1.2, and Blockhouse Policy 5.1.4)

3.9 Environmental Impact Assessment

Where a proposed development may be considered by way of Development Agreement, or where amendments to the Land Use By-law or to this Secondary Planning Strategy are proposed by way of specific application, the determination of environmental protective measures will be a consideration of the amendment or Development Agreement.

Policy C-16 Where Council determines on the advice of a qualified person that there is a significant risk of environmental damage from any development which may be permitted by Development Agreement, amendment, or re-zoning, an environmental impact assessment shall be undertaken by the developer for the purposes of determining the nature and extent of any impact. No amendment or Development Agreement shall be approved until Council is satisfied that the proposed development will not cause or result in significant environmental damage.

(Oakland Policy 3.4.1, Princes Inlet Policy 4.5.1, and Blockhouse Policy 5.1.1.)

PART IV – IMPLEMENTATION

This Planning Strategy provides a broad policy framework for land use and development. The accompanying Land Use By-law provides detailed regulations and requirements, as intended to express and carry out the intent of this Planning Strategy.

This part outlines general policies, where municipalities are provided with authority under the *Municipal Government Act*, to control matters with respect to development. Such matters include, but are not limited to lot frontage, lot area, yard requirements, signage, parking, outdoor storage, lighting, restrictions regarding non-conforming uses and structures, and subdivision related requirements. Council considers these policies are intended to reflect the concerns of the general community, in terms of how proposed developments can impact on matters pertaining to public safety, aesthetics, and existing community design. This part also outlines Council's policies regarding the general administration of the Planning Strategy and Land-Use By-law, and includes policies associated with temporary uses, where Council intends to be flexible in allowing for specified activities that are limited in duration to not require a development permit.

4.1 Administration

This section describes Council's policies regarding the administration of the Secondary Planning Strategy and Land Use By-law.

Policy D-1 This Secondary Planning Strategy shall be implemented by means of powers conferred upon Council by the *Municipal Government Act* and such other provincial statutes as may be applicable.

(Oakland Policy 4.1.1, Princes Inlet Policy 7.1.1)

Policy D-2 The Land Use By-law shall be the principal means for implementing the Secondary Planning Strategy, pursuant to the *Municipal Government Act*.

(Oakland Policy 4.1.2, Princes Inlet Policy 7.1.2, and Blockhouse Policy 8.1.2)

Policy D-3 The Development Officer for the Plan Area covered by this Secondary Planning Strategy and Land Use By-law, appointed under the authority of the *Municipal Government Act*, shall be responsible for the administration of the Land Use By-law and Development Agreements, and shall issue or deny permits under the terms of said By-law and Agreement.

(Oakland Policy 4.1.3, Princes Inlet Policy 7.1.3, and Blockhouse Policy 8.1.9)

Policy D-4 Any Development Permit issued under the Land Use By-law shall specify the development and the period for implementation. Any such permit shall

automatically lapse and become null and void if the development has not commenced within the period of time identified on the Permit.

(Oakland Policy 4.1.4, Princes Inlet Policy 7.1.4, and Blockhouse Policy 8.1.10)

Policy D-5 Council shall allow the Development Officer to revoke a Development Permit where the permit was issued in error or based on false or mistaken information.

(Oakland Policy 4.1.5, Princes Inlet Policy 7.1.4, Blockhouse Policy 8.1.10)

Policy D-6 Council shall carry out a review of this Planning Strategy and any subsequent amendments, pursuant to the *Municipal Government Act*, when deemed necessary by the Minister of Municipal Affairs and Housing or when so determined by Council, but not later than 10 years from the date of its coming into force and effect.

(Oakland Policy 4.1.6, Princes Inlet Policy 7.1.7, and Blockhouse Policy 8.1.11)

4.2 Lot Frontage, Lot Area, and Yard Requirements

Each zone may have specific requirements regarding lot frontage, lot area, and yard requirements. Oakland and Princes Inlet have the exact requirement together, while Blockhouse does not have any requirements.

Policy D-7 Minimum lot area, minimum lot frontage, and minimum yard requirements shall be established in the Land Use By-law, where Council considers such requirements, as identified, provide for the adequate separation of uses, to minimize potential conflicts. These requirements also allow for adequate fire separation between structures, the maintenance of buildings and land, the provision of private outdoor space, solar exposure, and the mitigation of potential on-site water supply or on-site sewage disposal system problems affecting adjacent properties.

(Oakland Policy 4.2.1 and Princes Inlet Policy 6.1)

Policy D-8 Notwithstanding Policy D-7, a lot may be used for any purpose permitted in the Zone in which the lot is located, provided all applicable Land Use By-law requirements are met, excepting those specified requirements set out in the By-law for lot area and lot frontage, provided the lot was either:

- (a) created prior to the effective date of the Land Use By-law;
- (b) created by an instrument to which the *Municipal Government Act* does not apply; or

- (c) created in accordance with a Subdivision Plan approved in accordance with the *Municipal Government Act*.

(Oakland Policy 4.2.2 and Princes Inlet Policy 6.2)

Policy D-9 Notwithstanding Policy D-7, a lot created for a designed road or for a public highway, is exempted from requirements identified in the Land Use By-law, subject to the specific design standards outlined in the municipal Subdivision By-law.

(Oakland Policy 4.2.3 and Princes Inlet Policy 6.3)

4.3 Signs

Policy D-10 Council shall control the impact of signs on the landscape, streetscape and skyline of the Plan Area. Council shall regulate or prohibit signs in all zones in the Land Use By-law to ensure that signs will not create hazards or nuisance with respect to the following:

- (a) sign area;
- (b) height of sign;
- (c) illumination and animation; and
- (d) location of sign on lot.

(Oakland Policy 4.3.1. and Princes Inlet Policy 6.4)

4.4 Parking

Policy D-11 Council shall regulate use-specific and zone-specific off-street parking standards and loading facilities in the Land Use By-law. Where uses are permitted by Development Agreement, the agreement shall make provision for adequate parking to serve the development proposal.

(Oakland Policy 4.4.1, Princes Inlet Policy 6.5, and Blockhouse Policy 7.1.6.)

4.5 Landscaping

Policy D-12 Council shall require landscaping to be carried out for any proposed development that is subject to a Development Agreement, where landscaping is considered reasonably necessary in providing additional screening or buffers, in reducing erosion and dust, or to minimize incompatibility with surrounding land uses.

(Oakland Policy 4.5.1 a) and Princes Inlet Policy 6.6)

Policy D-13 Council shall regulate the type, height, and location of fencing for any proposed development that is subject to a Development Agreement, for the purposes of screening storage areas that contain unsightly materials, or to minimize incompatibility with surrounding land uses.

(Oakland Policy 4.5.1 b))

This is a policy regarding fencing. Blockhouse nor Princes Inlet did not have this policy.

Policy D-14 Council shall regulate or prohibit outdoor storage and display, to include the amount, type, and location of outdoor storage and display, on a lot for any proposed development that is subject to a Development Agreement.

(Oakland Policy 4.5.1 c), and Blockhouse Policy 8.1.13 c))

This is a policy regarding outdoor storage as an accessory use on a lot. It is to be distinguished with Policy C-7.

Policy D-15 Council shall control the impact of outdoor lighting for any proposed development that is subject to a Development Agreement, to minimize any adverse off-site impacts to properties in the surrounding area.

(Oakland Policy 4.5.1 d))

This is a policy regarding outdoor lighting. Princes Inlet did not have this policy.

4.6 Subdivision Requirements

Policy D-16 It shall be the policy of Council that all sections of the Subdivision By-law shall apply and are operative in the Plan Area, and any lot that has been created through subdivision approval may be used for a development that is permitted in the Zone where the lot is located, subject to applicable requirements identified in the Land-Use By-law.

(Oakland Policy 4.6.1, Princes Inlet Policy 6.11, and Blockhouse Policy 7.2.1)

Policy D-17 Notwithstanding Policy D-16, it shall be the policy of Council that, where the Subdivision By-law provides for the subdivision of a lot on an island with no public highway, any minimum lot frontage requirement that would otherwise apply shall apply to the lot frontage on the surrounding waterbody, as specified in the Land Use By-law or Subdivision By-law.

(Oakland Policy 4.6.2 and Princes Inlet Policy 6.12)

This is a policy regarding subdivision of island properties. Blockhouse did not have this clause.

4.7 Temporary Uses

Policy D-18 Temporary uses, associated with a construction site, a special occasion, or a holiday, shall be permitted for a time period to be regulated in the Land Use By-law. No Development Permit shall be required for these temporary uses.

(Oakland Policy 4.7.1, Princes Inlet Policy 7.1.6, and Blockhouse Policy 7.1.1)

4.8 Non-Conforming Uses & Structures

Section 242 of the *Municipal Government Act* enables Council, through a Planning Strategy and Land Use By-law, to provide for a relaxation of the restrictions respecting non-conforming structures, non-conforming uses of land, and non-conforming uses in a structure. The following policies identify Council's intentions where provisions in the By-law will impact such structures and uses.

Policy D-19 Council shall incorporate provisions within the Land Use By-law enabling the extension, expansion, alteration or reconstruction of non-conforming structures, subject to satisfying requirements of the Zone in which they are located.

(Oakland Policy 4.8.1, Princes Inlet Policy 6.8, and Blockhouse Policy 7.1.4)

Policy D-20 In recognition of the need to not impose unreasonable restrictions on non-conforming uses, Council shall consider, subject to the satisfaction of the relevant criteria in Section 5.4, only by way of Development Agreement in the Zones within the Rural Designation:

- (a) the extension of a non-conforming use of land;
- (b) the extension, enlargement and alteration of structures containing non-conforming uses and the expansion of the non-conforming use within the extension, enlargement or alteration; and
- (c) the reconstruction of structures containing non-conforming uses, after destruction.

(Oakland Policy 4.8.2 and Princes Inlet Policy 6.9)

This is a policy regarding development agreement expansion of non-conforming uses and structures. Blockhouse did not have this policy.

Policy D-21 Council shall permit a non-conforming use of land or a non-conforming use in a structure within the Zones within the Rural Designation to recommence, provided the non-conforming use of land or the non-conforming use of a structure has not been discontinued for a period in excess of 12 continuous months.

(Oakland Policy 4.8.3, Princes Inlet Policy 6.10, and Blockhouse Policy 7.1.5)

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PART V – AMENDMENT

This part describes Council’s policies regarding proposed amendments, rezonings, development agreements, variances, and related procedural considerations pertaining to the implementation of this Secondary Planning Strategy and accompanying Land Use By-law.

Council may make amendments to the Land Use By-law, provided the amendments conform with policy statements identified in this Secondary Planning Strategy. Any amendments to this Planning Strategy are subject to review by the Provincial Director of Planning at the Department of Municipal Affairs and must be reasonably consistent with Statements of Provincial Interest. Under certain circumstances, planning strategy amendments are subject to the approval of the provincial Minister.

5.1 Amendment to Planning Documents

Policy E-1 Amendments to this Secondary Planning Strategy will be required where

- (a) any policy statement is to be changed;
- (b) any amendment to the Land-Use By-law would contravene with Map 1 – Generalized Future Land-Use Map, attached to this Planning Strategy; or
- (c) any amendment to the Land Use By-law is inconsistent with the text of this Planning Strategy.

(Oakland Policy 5.1.1, Princes Inlet Policy 7.2.1, and Blockhouse Policy 8.1.8)

This is a policy listing the cases of triggering the amendment procedure to the SPS. Both Princes Inlet and Blockhouse did not have clause c).

Policy E-2 Council shall hold the Public Participation Program (Municipal Policy MDL-66) prior to any proposed amendment to this Secondary Planning Strategy or to the accompanying Land Use By-law, as well as in conjunction with the future review of this Planning Strategy.

(Oakland Policy 5.1.2, Princes Inlet Policy 7.2.8, and Blockhouse Policy 8.1.6)

Policy E-3 Council shall hold a Public Hearing prior to approving any amendment to the Land Use By-law, or prior to entering into any Development Agreement. No Development Permit shall be granted until the appeal period and any appeals pursuant to the *Municipal Government Act* have been completed.

(Oakland Policy 5.1.3, Princes Inlet Policy 7.2.9, and Blockhouse Policy 8.1.7)

Policy E-4 Where any development shall require amendment of the Land Use By-law, Council shall adopt no amendment unless the application is for a specific development proposal.

(Oakland Policy 5.1.4)

Policy E-5 A Development Agreement, approved by Council pursuant to this Planning Strategy, may contain terms with respect to any or all matters specified in the *Municipal Government Act* for the matters that may be addressed by Development Agreement.

(Oakland Policy 5.1.5 and Princes Inlet Policy 7.2.4, and Blockhouse Policy 8.1.5)

Policy E-6 No Development Agreement shall be executed until all identified permits required by a Federal, Provincial or Municipal Government agency have been issued, or where Council is satisfied that the required permits will be issued.

(Oakland Policy 5.1.6, Princes Inlet Policy 7.2.7, and Blockhouse Policy 8.1.4 f))

5.2 Variances

Policy E-7 Council shall permit the Development Officer to grant a variance in one or more of the following Land Use By-law requirements, pursuant to the *Municipal Government Act*:

- (a) number of parking spaces and loading spaces required;
- (b) height of a structure;
- (c) floor area occupied by a home-based business or home occupation;
- (d) height or area of a sign;
- (e) lot frontage; and
- (f) size or other requirements related to yards.

(Oakland Policy 5.2.1 a)-f), Princes Inlet Policy 7.2.10 a)-d), and Blockhouse Policy 8.1.14 a)-b))

Policy E-8 Notwithstanding Policy E-7, Council shall not grant a variance where:

- (a) the variance violates the intent of the Land-Use By-law;

- (d) the difficulty experienced is general to properties in the area;
or
- (c) the difficulty experienced results from an intentional disregard for the requirements of the By-law.

(Oakland Policy 5.2.1 g)-i), Princes Inlet Policy 7.2.10 e)-g), and Blockhouse Policy 8.1.14 c)-e))

5.3 Rezoning

This policy lists the possible changes of zones. Rezoning is conducted by amending the Land Use By-law Map 1 – Zoning Map, while Re-designation is conducted by amending the Planning Strategy Map 1 – Generalized Future Land Use Map. Note that re-designating also implies the amendment to both Secondary Planning Strategy and Land Use By-law as no zone is included within more than one land use designation.

Policy E-9 Council shall provide for the rezoning of lands in the Plan Area where

- (a) lands in any zone of the Plan Area may be re-designated to an Institutional designation if conditions identified in Policy B-25 have been satisfied;
- (b) lands designated as the Rural designation may be re-designated to the Residential designation, if conditions identified in Policy B-27 have been satisfied;
- (c) lands designated as the ES Zone may be re-designated to the R-P Zone, if all conditions identified in Policy B-31 have been satisfied.

(Oakland Policy 5.3.1, Princes Inlet Policy 7.2.2, and Blockhouse Policy 4.1.12)

The clause “all policies within Section 5.4 have been satisfied” will be deleted as it repeats in Section 5.4.

Policy E-10 Rezoning proposals shall meet the identified requirements of the Land Use By-law for the Zone that is being sought.

(Oakland Policy 5.3.2)

Policy E-11 In assessing any amendment application for a rezoning, Council shall consider the planning implications of the proposed use, as well as other uses that are permitted in the requested Zone.

(Oakland Policy 5.3.3, Princes Inlet Policy 7.2.3)

5.4 Consideration of Amendments & Agreements

When considering amendments to the Land Use By-law, rezonings, and Development Agreements, in addition to all other criteria as set out in the various policies of this Planning Strategy, Council shall be satisfied that:

Policy E-12 the development conforms to the intent of the Municipal Planning Strategy and of this Secondary Planning Strategy;

(Oakland Policy 5.4.1, Princes Inlet Policy 7.2.6 a), and Blockhouse Policy 8.1.3 a))

Policy E-13 where in considering a Development Agreement, the development conforms with any specific requirements identified in applicable sections previously found in this Planning Strategy:

- (a) **Policy B-3** (proposed forestry, agricultural, and land-based aquaculture uses exceeding identified threshold levels in the Zones within the Rural Designation),
- (b) **Policy B-4** (proposed off-site wood processing-related activities and proposed uses associated with aggregate and mineral resource extraction operations in the Zones within the Rural Designation),
- (c) **Policy B-7** (proposed residential uses exceeding the identified dwelling unit per lot density threshold in the respective Rural Zone),
- (g) **Policies B-8, B-12, B-16, B-20** (proposed commercial, industrial, and institutional uses exceeding identified threshold levels, listed in the Land Use By-law, as permitted uses in the respective Rural Zone),
- (h) **Policies B-9, B-13** (proposed commercial or industrial uses not listed in the Land Use By-law as permitted uses in the respective Rural Zone, where also not identified as a prohibited use),
- (i) **Policy B-39** (proposed commercial uses, as listed in the Land Use By-law, in the OS Zone),

- (j) **Policy C-2** (proposed wind turbine uses exceeding the identified generation capacity threshold in all the zones within Rural designation),
- (k) **Policy C-5** (proposed fixed roof accommodation uses exceeding the identified threshold levels in all the zones within Rural designation), or
- (l) **Policy D-20** (proposed developments that would result in the extension, enlargement, alteration, expansion or reconstruction of non-conforming uses, or structures containing non-conforming uses, in the Plan Area);

(Oakland Policy 5.4.2, Princes Inlet Policy 7.2.6 a))

Policy E-14 the development conforms with specific policies concerned with environmental protection identified from Section 3.6 to 3.9 of this Secondary Planning Strategy;

(Oakland Policy 5.4.3, Princes Inlet Policy 7.2.6 b))

Policy E-15 the development conforms with specific policies identified from Section 3.1 to 3.5 of this Secondary Planning Strategy, so that Council has been satisfied that any impacts pertaining to the following components have been sufficiently addressed, and comply with regulations in the Land Use By-law, or, where Council considers it necessary, with specified conditions identified in the Development Agreement:

- (a) yard requirements,
- (b) signage,
- (c) parking,
- (d) landscaping & fencing, to include screening measures,
- (e) outdoor display and storage, and
- (f) lighting measures;

(Oakland Policy 5.4.4, Princes Inlet Policy 7.2.6 c))

Policy E-16 in Council's consideration, the proposed development is not premature or inappropriate due to:

- (a) the financial ability of the Municipality to absorb costs related to the development,
- (b) the adequacy of Municipal services, or the adequacy of physical site conditions for on-site services,
- (c) the creation or worsening of a pollution problem, including soil erosion and siltation,
- (d) the adequacy of storm drainage and effects of alteration to drainage patterns, including the potential for creation of a flooding problem,
- (e) the adequacy and proximity of school, recreation, emergency services, and other community facilities, and
- (f) the adequacy of street networks and site access regarding traffic volume and congestion, traffic and pedestrian hazards, and emergency access;

(Oakland Policy 5.4.5, Princes Inlet Policy 7.2.6 e), and Blockhouse Policy 8.1.3 b))

Policy E-17 in Council's consideration, the development shall not generate emissions such as noise, dust, radiation, odours, liquids or light to the air, water, or ground, so as to create an excessive nuisance or health hazard for adjacent properties, or for residents in the immediate vicinity;

(Oakland Policy 5.4.6, Princes Inlet Policy 7.2.6 d), and Blockhouse Policy 8.1.4 b))

Policy E-18 the development can be serviced with on-site sewer and water, and that the disposal of sewage or other effluent, as well as the demand on the water source, will not have a negative impact on the environment, or the quality and quantity of the water resources;

(Oakland Policy 5.4.7, Princes Inlet Policy 7.2.5, and Blockhouse Policy 8.1.4 h))

Policy E-19 the development site is suitable regarding grades, soils, geological conditions, location of watercourses, flooding, marshes, bogs, swamps, and susceptibility to natural or man-made hazards that could present a health risk, as determined by a qualified person;

(Oakland Policy 5.4.8, Princes Inlet Policy 7.2.6 f), and Blockhouse Policy 8.1.3 c))

Policy E-20 all structures associated with the proposed development shall be built, repaired, and maintained with durable, weather-resistant materials, such

that the appearance of structures complements the natural surroundings or is consistent with the existing built environment;

(Oakland Policy 5.4.9, Princes Inlet Policy 7.2.6 g), and Blockhouse Policy 8.1.4 e))

Policy E-21 parking areas, loading areas and driveways shall be hard surfaced or otherwise surfaced with stable materials to prevent dust from blowing into adjacent properties, and allow for adequate drainage and snow removal;

(Oakland Policy 5.4.10, Princes Inlet Policy 7.2.6 h), and Blockhouse Policy 8.1.4 i))

Policy E-22 where any development includes facilities that have amplified or other loud music or sound, the building shall be located on the property and designed such that activities within the building or otherwise associated with the use, will not unduly disturb any abutting residential uses;

(Oakland Policy 5.4.11, Princes Inlet Policy 7.2.6 i), and Blockhouse Policy 8.1.4 j))

Policy E-23 in Council's consideration, the proposed development shall not have a negative impact on surrounding properties due to hours of operation;

(Oakland Policy 5.4.12)

Policy E-24 all other matters of planning concern have been addressed.

(Oakland Policy 5.4.14, Princes Inlet Policy 7.2.6 j), and Blockhouse Policy 8.1.3 d))

PART VI – SPECIFIC PROVISION

This part is reserved for policies that are only applied in a community area, or a former Plan Area, which is part of this consolidated Plan Area.

6.1 Blockhouse Community Area

Authority and Scope. The former Blockhouse Secondary Planning Strategy and Land Use By-law was adopted by Municipal Council on September 9, 2008. Policies F shall only be applied in the former Blockhouse Plan Area, as identified in Map 2 – Community Area Map.

Policy F-1 This Secondary Planning Strategy shall be the primary policy document through which the future growth and development of the planning area shall be guided, encouraged and controlled.

(Blockhouse Policy 2.1.1)

Policy F-2 Council shall draft the Land Use By-law, prepared and adopted by Council in conjunction with the Secondary Planning Strategy, to provide the primary regulatory mechanism for land use and development control, through which the intent of this Planning Strategy shall be implemented.

(Blockhouse Policy 2.1.2)

Policy F-3 The maps and appendices appended to this Secondary Planning Strategy shall form part of the Secondary Planning Strategy.

(Blockhouse Policy 2.1.3)

Policy F-4 Map 1 – Generalized Future Land Use Map, which is attached to this Secondary Planning Strategy, shall be regarded as a generalized representation of the intended pattern of future land use in the planning area.

(Blockhouse Policy 2.1.4)

Policy F-5 Policies in Section 6.1 apply to the former Blockhouse Planning Area as shown in Map 2 – Community Area Map.

(Blockhouse Policy 2.1.5)

Policy F-6 Throughout this Secondary Planning Strategy and throughout the Land Use By-law, the metric measurement system is used to indicate the required standards. Imperial measurements are approximate only and are inserted only for convenience.

(Blockhouse Policy 2.1.6)

Objectives. There is heightened awareness of the quality of Blockhouse’s living environment and a growing concern that some types of development could have a negative impact on the community. Residents and landowners are concerned that without appropriate planning and development controls, individual properties or the entire community could be adversely affected. These planning and development controls will be put in place without placing undue restrictions on the other forms of development considered compatible with rural uses. Municipal Council has set three goals for Blockhouse: an Environmental goal, a Social goal, and an Economic Goal.

Policy F-7 The goals of Council shall be:

- (a) Environmental – to preserve Blockhouse’s environmental resources for present and future generation.
- (b) Social – to provide an attractive rural residential environmental for all ages; and
- (c) Economic – to provide a sustainable economic base.

(Blockhouse Policy 3.1.1)

Policy F-8 Further to Policy F-7, the Council shall

- (a) protect the water resources of the Plan Area, including but not limited to surface water, lakes, rivers, wetlands, and drinking water;
- (b) take steps to control development activity having emissions that can negatively impact air quality to the extent that an environmental or a health hazard is created; and
- (c) encourage responsible and sustainable development.

(Blockhouse Policy 3.2.1-3.2.3)

Policy F-9 Further to Policy F-7, the Council shall

- (a) encourage efforts to maintain and improve existing open space and to acquire and develop land in strategic locations to meet recreational needs;
- (b) enhance and preserve the rural aesthetics of Blockhouse’s living environment.
- (c) take all possible steps to see that schools remain in the area.

- (d) promote health care services.

(Blockhouse Policy 3.3.1-3.3.6)

Policy F-10 Further to Policy F-7, the Council shall

- (a) encourage the provision of amenities such as education opportunities, health care, recreational opportunities, public transportation, a variety of housing options and an aesthetically pleasing living environment to attract new industries and business.
- (b) encourage industrial and commercial activity.

(Blockhouse Policy 3.4.1-3.4.2)

Sewage and Waste Disposal. A successfully operating on-site sewage disposal system requires regular maintenance. This involves removal of sludge from the septic tank and relocating a drainage field every 15 to 25 years. Unfortunately, not all owners of on-site sewage disposal systems are aware of the necessity of maintenance. This obstacle can be overcome by educating the public of this need. The proper maintenance of wells is important in continuing to have a safe and reliable water source.

Policy F-11 Council shall promote education of the public on the essential maintenance of on-site sewage disposal systems and on-site wells.

(Blockhouse Policy 6.1.3)

Policy F-12 Council shall maintain and improve the systems of solid waste collection and disposal, including programs for recycling materials and reducing the volume of waste.

(Blockhouse Policy 7.1.3)

Emergency Services. The Royal Canadian Mounted Police (RCMP) from the Lunenburg Office, Lunenburg County Detachment provide Police protection to the section of the Blockhouse planning area south of Highway 103, while RCMP from the Bridgewater Office, Lunenburg County Detachment provide police protection for the section of the planning area north of Highway 103. The Blockhouse Fire Department provides fire protection for all of Blockhouse.

Policy F-13 Council shall co-operate with the RCMP in providing police protection.

(Blockhouse Policy 6.3.1)

Policy F-14 Council shall continue to co-operate with Blockhouse Fire Department to ensure the provision of adequate fire protection to the Community of Blockhouse.

(Blockhouse Policy 6.3.2)

Recreation. The Municipal Recreation Department focuses on areas with greater concentrations of the Municipality's population to determine where the Municipality will offer recreation programs and services. Blockhouse is not one of the focus areas, however, the area is in close proximity to the Towns of Mahone Bay and Lunenburg, so many of the residents in the planning area likely use the recreation facilities, programs and services in these towns.

There are few formal opportunities for recreation in Blockhouse. Perhaps the main outdoor recreational resource is the abandoned rail bed, which is being developed as a multi-use trail, and there is a Provincial Day Use Park along Highway 325, near the west boundary of the planning area. Other than these resources, residents must travel to other areas for formal recreational activities, such as swimming, skating and team sports. There are no parcels of Municipal Land, Municipal Common Land or Private Commons in the Blockhouse planning area.

In 2004, Municipal Council approved a Public Open Space Strategic Plan for the Municipality. Part of the research for the Open Space Plan involved a survey of the quantity, quality and location of the Municipal owned public open space within the Municipality of Lunenburg. The Open Space Strategic Plan includes recommendations for the evaluation of existing municipal lands respecting its recreational potential as well as to target locations where the acquisition of open space for recreational use is considered a priority.

Policy F-15 Council shall recognize the importance of open space and low impact recreational opportunities.

(Blockhouse Policy 6.4.1)

Policy F-16 Council shall acquire and develop land in strategic locations to meet recreational needs by implementing the Open Space Strategic Plan.

(Blockhouse Policy 6.4.2)

Policy F-17 Council shall work with the RCMP to police the multi-use trail.

(Blockhouse Policy 6.4.3)

Policy F-18 Council shall continue to support the local trail groups in the development and maintenance of trails.

(Blockhouse Policy 6.4.4)

Policy F-19 Council shall promote healthy living to the residents of Blockhouse.

(Blockhouse Policy 6.4.5)

Miscellaneous Services. A number of services such as recreational programs, education, health care, garbage collection, building inspection and planning are funded by the general tax base. Sewer, water, street lighting and other services are available by way of area rates as provided for by the *Municipal Government Act* and subject to the agreement of ratepayers.

Policy F-20 Council shall recognize the importance of historic sites, cultural sites and buildings through the Heritage By-law.

(Blockhouse Policy 6.5.1)

Policy F-21 Council shall encourage local volunteer groups in providing a range of services.

(Blockhouse Policy 6.5.2)

Policy F-22 Council shall co-operate with the Nova Scotia Department of Community Services in providing housing for senior citizens within the planning area.

(Blockhouse Policy 6.5.3)

Policy F-23 Council shall maintain an ongoing monitoring and planning process through the Blockhouse Area Advisory Committee.

(Blockhouse Policy 8.1.1)

Wind Turbine. Council realizes that wind energy is a renewable resource and it should be encouraged as an alternative energy source. As such, Council will allow wind turbines subject to requirements established in the Land Use By-law to reduce the possible noise and safety issues, while not discouraging the use of wind turbines in Blockhouse.

Policy F-24 Notwithstanding Policy C-2, Council shall permit the development of wind turbines in the Rural Designation located in the former Blockhouse Plan Area, that are of a larger generation capacity as established in the Land Use By-law, provided such proposed developments comply with identified setback, safety, screening, and noise emissions requirements.

(Blockhouse Policy 4.1.11)

Exceptions to Administration & Amendment. Council wishes to encourage developments in the former Blockhouse Plan Area.

Policy F-25 The former Blockhouse Plan Area shall not be subject to Policies D-7, D-8, D-9, D-10, D-12, D-13, D-14, D-15, E-11, E-13, E-14, E-15, and E-23.

Non-Conforming Uses. Structures that existed on or before the effective date of the Land Use By-law that do not satisfy the requirements of the Land Use By-law are non-conforming structures within the meaning of the *Municipal Government Act*. The *Municipal Government Act* contains provisions restricting the extension, enlargement, reconstruction or alteration of these non-conforming structures. The *Municipal Government Act* enables Council, through a Planning Strategy and Land Use By-law to provide for a relaxation of these restrictions. Council does not wish to impose undue hardship on the owners of these structures and has incorporated policy and Land Use By-law provisions to enable a non-conforming structure to be extended, enlarged, altered or reconstructed, provided that the structure shall not thereby be permitted to extend or increase any existing encroachments.

Policy F-26 Council shall ensure that land uses and associated structures in existence on February 11, 1997 and which would not otherwise be permitted are subject to the non-conforming use provisions of the *Municipal Government Act*.

(Blockhouse Policy 7.1.5)

Consideration of Amendments & Agreements. In addition to the policies listed in Section 5.4 and all other criteria as set out in the various policies of this Planning Strategy, when considering amendments to the Land Use By-law, rezonings, and Development Agreements in relation to a commercial, industrial, or institutional development proposal in the former Blockhouse Plan Area, Council shall be satisfied that:

Policy F-27 the development shall not create undue traffic hazards, traffic congestion, or pedestrian hazards;

(Blockhouse Policy 8.1.4 a))

Policy F-28 subject to the physical characteristics of the site, that the development shall achieve optimum separation from adjacent properties which are not in Commercial or Industrial use;

(Blockhouse Policy 8.1.4 c))

Policy F-29 screening in the form of fences, vegetation, or berms as appropriate shall be constructed or installed wherever possible in order to minimize impact on the abutting uses and ensure public safety;

(Blockhouse Policy 8.1.4 d))

Policy F-30 no development shall increase traffic volume so as to have an undue negative effect on properties that are served by a residential street;

(Blockhouse Policy 8.1.4 g))

Policy F-31 where this Secondary Planning Strategy and Land use By-law permit developments up to a threshold that is based on floor area, site area, number of rental units, number of units or on the amount of goods or materials that are processed and produced annually, this threshold shall not be exceeded on any lot as it existed February 11, 1997, regardless of the effect of any subsequent subdivision approval, except as may be permitted by Development Agreement where provided for in this Strategy and By-law.

(Blockhouse Policy 8.1.12)

Minor Structures.

Policy F-32 Council shall establish within the Land use By-law provisions enabling miscellaneous minor structures, such as but not limited to, fences less than 2 metres in height, children's play structures, pet houses, and accessory buildings less than 20m² (215ft²) in floor area, to be erected, located, constructed, or altered without the necessity of obtaining a development permit.

(Blockhouse Policy 8.1.13)

6.2 Princes Inlet Community Area

The former Princes Inlet Secondary Planning Strategy and Land Use By-law was adopted by Municipal Council on January 12th, 2016 and became effective February 17th, 2016. Policies G shall only be applied in the former Princes Inlet Plan Area.

Policy G-1 This Secondary Planning Strategy shall be the primary policy document through which the future growth and development of the Plan Area shall be guided, encouraged and controlled.

(Princes Inlet Policy 1.1)

Policy G-2 The Land Use By-law, prepared and adopted by Council in conjunction with the Secondary Planning Strategy, shall provide the primary mechanism for land use and development control, through which the intent of this Planning Strategy shall be implemented. The Municipality's Subdivision By-law will also guide local development, by identifying regulations affecting the creation, consolidation, and the shape of land parcels within the Plan Area.

(Princes Inlet Policy 1.2)

Policy G-3 The maps and schedules appended to this Secondary Planning Strategy shall form part of the Secondary Planning Strategy. The Generalized Future Land Use Map shall be regarded as a generalized representation of the intended pattern of future land use in the Plan Area.

(Princes Inlet Policy 1.3)

Policy G-4 Throughout this Secondary Planning Strategy and the accompanying Land Use By-law, the metric measurement system is used to indicate the required standards. Imperial measurements are approximate only and are inserted only for convenience.

(Princes Inlet Policy 1.4)

Policy G-5 The Princes Inlet Area Advisory Committee shall act in an ongoing monitoring and advisory capacity to the Municipality, with respect to local land use planning and development activity.

(Princes Inlet Policy 1.5)

Policy G-6 Notwithstanding Policy B-4, primary processing of products at the harvest site and other applicable land-based aquaculture activities in the former Princes Inlet Plan Area exclude fish processing plants.

(Princes Inlet Policy 3.1.3)

Policy G-7 Where this Planning Strategy and accompanying Land Use By-law permits developments up to an identified threshold that is based on floor area, site area, number of guest rooms, or on the amount of goods or materials that are processed or produced annually, this threshold shall not be exceeded on any lot as it existed on the effective date of this Planning Strategy, regardless of the effect of any subsequent subdivision approval, except as may be permitted by Development Agreement where provided for in this Strategy and By-law.

(Princes Inlet Policy 7.1.5)

Policy G-8 Section 6.2 of this Secondary Planning Strategy applies to the former Princes Inlet Plan Area as shown as an area of land on Map 2 – Community Area Map.

Policy G-9 The former Princes Inlet Plan Area shall not be subject to Policies D-13, D-14, D-15, E-7 (b), E-7 (d), and E-23.

6.3 Oakland Community Area

Policy H-1 Notwithstanding Policy B-3, Council shall not permit land-based aquaculture activities on properties identified with a Rural designation in the former Oakland Plan Area.

(Oakland Policy 2.1.2)

Policy H-2 Notwithstanding Policy C-1, the development of wind turbines on properties identified with a Rural Designation in the former Oakland Plan Area shall not be subject to complying with identified screening and noise emissions requirements.

(Oakland Policy 2.5.1)

GREATER MAHONE BAY

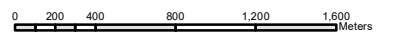
Secondary Planning Strategy MAP 1 Future Land Use

Date Approved by Council:
DRAFT

-  Planning Area
-  Town of Mahone Bay
-  Provincial Road
-  Private Road
-  Watercourse (1:10000 Topographic, 2016)
-  ENV - Environmental Designation
-  RES - Residential Designation
-  RUR - Rural Designation
-  Properties (May 2019)



Sources: Digital Base Map Data from the Nova Scotia Geomatics Centre, Amherst, NS
Disclaimer: Information compiled from numerous sources and may not be complete or accurate. Graphical representation only.



Projected Coordinate System: NAD 1983 CSRS UTM Zone 20N

Date: June 2019

Prepared By: Planning & Development Services
Municipality of the District of Lunenburg

