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# Part 1 Introduction

## 1.1 Purpose of the Municipal Planning Strategy

The Municipal Planning Strategy is the principal policy document for guiding the long term growth and development of the Town of Stewiacke. Planning for growth in a responsible and thoughtful manner will greatly contribute to making the Town sustainable, not only economically but also environmentally, socially, and culturally.

Sustainability is increasingly becoming the focus of municipal efforts in Nova Scotia as well as throughout the rest of Canada. There is a growing realization that we must change our ways if we are to address the critical issues of climate change, energy use, and environmental stewardship. By formulating and implementing innovative and beneficial sustainability plans, municipal leadership will not only make policy decisions to foster a prosperous and healthy community but will set an example for its residents to embrace sustainability principles and actions.

Municipal sustainability efforts are aided by encouragement and incentives from the provincial and federal governments. The Canada-Nova Scotia Gas Tax Agreement of 2005 provides for the transfer of revenues from the federal excise tax on gasoline to municipalities. These funds are intended to be directed towards environmentally sustainable municipal infrastructure projects. To participate in this funding program the Town is required to prepare an Integrated Community Sustainability Plan. This Plan forms part of the Strategy.

The legislative authority for the Town of Stewiacke to adopt a Municipal Planning Strategy comes from the *Municipal Government Act*. The *Act* states that the purpose of a Municipal Planning Strategy is to provide statements of policy to guide the development and management of the Town 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 interests; and
- (d) specific programs and actions necessary for implementing the municipal planning strategy.

The Town first adopted a Municipal Planning Strategy in 1988. The provincial legislation calls for a periodic review of municipal planning strategies. This document is the result of the third review since 1988.

A key component of the Municipal Planning Strategy is the Generalized Future Land Use Map (GFLUM), attached as Schedule "A". The Generalized Future Land Use Map shows the areas of the Town which are designated in the long term for residential and commercial growth, areas for open space and recreation, and environmentally sensitive areas.

The Municipal Planning Strategy is accompanied by a regulatory document called a Land Use By-law. Based on the policies in the Municipal Planning Strategy, the Land Use By-law specifies the location and conditions under which development will be permitted. The By-law divides the Town into a number of zones, i.e. residential, commercial, as shown on the Zoning Map and will specify the uses permitted in each zone. In some areas the zones will match the designations of the Generalized Future Land Use Map. In other areas zoning will not match the designations as it may be necessary to keep a different zone on some lands, at least in the short term.

The Strategy provides for amendments to the Land Use By-law. The most common type of amendment is a rezoning of a property from one zone to another. Amendments are usually triggered through a development request of a landowner but must not be approved by Council unless they are consistent with policies in the Strategy.

The Strategy also contains policies, primarily found in **Part 2: Integrated Community Sustainability Plan**, which may not be directly related to land use and development. These policies are designed to enhance Council's commitment to continue to make Stewiacke a healthy and sustainable community; a community in which residents will take pride in being involved in shaping the Town for future generations.

## 1.2 Community Profile

Stewiacke is situated in the southwest portion of Colchester County in the Province of Nova Scotia. It is located 75 kilometers north of Halifax Regional Municipality, the major urban centre and capital of Nova Scotia. The Town is adjacent to Veterans Memorial Highway 102 which is part of the Halifax-Moncton Corridor, connecting two of the major metropolitan areas of Eastern Canada. The main Canadian National Railway line runs through the Town and the Stanfield International Airport is located 40 kilometers to the south. All of these factors contribute to Stewiacke's potential to attract the growth necessary for the Town's long term prosperity.

In terms of area, Stewiacke is the third largest town in Nova Scotia consisting of approximately 1,766 hectares.

The Town is bounded by the Stewiacke River, which provides the north boundary of the Town; the Shubenacadie River, which serves as part of the west boundary; and the St. Andrews River, which provides a portion of the south boundary.

Stewiacke is one of the few towns in Nova Scotia which is growing in population. The population rose from 1306 in 1991 to 1421 in 2006 (Source: Census Canada), an increase of 8.9%. A new elementary school has recently been constructed in the Town. Subdivision activity and building starts have increased substantially in the past few years and the Town is poised to grow at a faster rate in the upcoming years.

# Part 2 Integrated Community Sustainability Plan (ICSP)

## 2.1 Background

Municipalities across Nova Scotia and Canada are increasingly taking a leadership role to address today's challenges ranging from the long term consequences of climate change to maintaining and enhancing the living and working environment of their residents. Although it is a small town, Stewiacke is also concerned about these issues and is determined to do its part to make the world a better place for future generations.

In general terms, Stewiacke's goal is to enable the Town to increasingly become a more sustainable community. Sustainability planning examines how people, businesses and organizations can work together to improve the health of both the individual and the community, and preserve the environment for future generations. By implication, the more comprehensive the sustainability plan the more informed the management decisions and capital infrastructure investments made by the Town will be.

The Town's Planning Advisory Committee (PAC) began working on the ICSP part of this Strategy in November of 2007. A brochure which provided information on sustainability planning was prepared and delivered to every household in the Town. The PAC also held a workshop to receive input from Town residents on December 1, 2007. Those in attendance discussed areas which hold potential for inclusion into the Town's ICSP.

The PAC began building upon the ideas discussed at the workshop to prepare the policies and action items that constitute the Town's ICSP. A Mission Statement was prepared to provide overall direction for the preparation of the ICSP.

### **Mission Statement:**

The Town of Stewiacke is responsible to provide professional leadership, make sound rational decisions and take appropriate action regarding the establishment and implementation of policies and standards regarding matters of public interest. Working for and with citizens of Town to make Stewiacke a more thriving, healthy, sustainable community by:

- encouraging economic activity thus increasing the Town's viability
- providing for a mix of housing choices
- reducing overall energy consumption
- encouraging sound environmental practices
- encouraging its residents to adopt a healthy lifestyle
- engaging its citizenry in the governance of the Town

## **2.2 Community Vision Statement**

The PAC held regular monthly meetings to discuss land use issues and sustainability opportunities. The discussions covered a wide variety of topics. Although differing opinions were expressed from time to time, the Committee reached a consensus on the major aspects of the ICSP.

From these discussions a Community Vision Statement for the Town of Stewiacke emerged.

### **Community Vision Statement**

Stewiacke is a small, but progressive Town that values its past and is confident of its future! Strategically located on the Halifax-Moncton Growth corridor the Town of Stewiacke, looking forward to the next twenty (20) years, will strive to become a community where:

- Businesses are successful and growth is strategically located
- Economic and other development is encouraged to support a sustainable tax rate
- The local growing and selling of food is encouraged
- The downtown is a pedestrian oriented commercial environment
- The rural areas are valued and supported
- Visitors are welcome
- The environment is healthy for everyone
- Energy conservation is commonly practiced
- Active transportation is encouraged
- Social activities are encouraged
- Public transportation is available
- Recreational opportunities are available to all age groups
- A variety of housing choices is available
- Residents take pride and participate in their community

The PAC proceeded to develop the policies of the ICSP. The ICSP is organized into the four pillars of sustainability; Environmental, Economic, Social and Cultural (Social and Cultural have been combined for the purposes of this report). It is important to note that policies that fall under one pillar may also relate to one or more of the other pillars.

The following sections contain the goals for each pillar and the policies which address each of these goals. The actions required to meet policy objectives are contained in an implementation section.

The Town's Strategic Plan also plays an important part of Stewiacke's sustainability efforts.

## 2.3 Environmental

### 2.3.1 Goals

The environment continues to be a key area of sustainability. There is an increasing realization that a healthy environment is paramount to a high quality of life. Environmental initiatives will also help in the battle against climate change.

The Town's environmental goals are as follows:

- Goal 1      Reduce the use of pesticides on Town owned land and encourage residents to engage in this practice
- Goal 2      Continue to protect the integrity of Stewiacke's drinking water supply for future generations
- Goal 3      Encourage water conservation through an education process
- Goal 4      Continue to effectively treat wastewater to meet federal and provincial guidelines
- Goal 5      Provide and maintain an efficient storm management system
- Goal 6      Protect wetlands and dykelands
- Goal 7      Reduce the town's overall energy consumption based on recommendations resulting from municipal Energy Audit
- Goal 8      Encourage the use of renewable energy sources
- Goal 9      Permit, through regulation in the planning documents, only those commercial and light industrial uses which do not adversely affect air quality
- Goal 10     Continue to provide solid waste management services
- Goal 11     Protect the infrastructure of the Town
  
- Goal which is both Environmental and Economic
- Goal 12     Growth is strategically located
  
- Goal which is both Environmental and Social
- Goal 13     Work with neighboring municipalities to develop a Transportation Strategy which includes rural public transit system options

## **2.3.2 The Use of Pesticides**

**Goal: Reduce the use of pesticides on Town owned land and encourage residents to engage in this practice.**

Many municipalities and a number of provinces have taken steps to reduce or eliminate the use of pesticides (the term “pesticides” includes insecticides and herbicides) within their jurisdiction. Some provinces have adopted an outright ban on the use of so-called “cosmetic pesticides”. In Nova Scotia, the provincial legislation provides the authority to only one municipality, Halifax Regional Municipality, to pass a by-law limiting the use of cosmetic pesticides. Halifax Regional Municipality passed such a by-law in the early 2000’s.

The authority to control pesticides was given only to HRM because, at the time, other municipalities were not in favour of pursuing a ban of pesticides within their jurisdictions. Recently many of these municipalities have reconsidered this position and have requested, through the Union of Nova Scotia Municipalities, amendments to the provincial legislation giving them the same authority as HRM. These amendments are still in the process of being enacted.

In the meantime, a number of municipalities have decided to set an example for their residents by eliminating or greatly reducing the use of pesticides on municipally owned land. The Town of Stewiacke will also take this step and will consider further action if or when they have the authority to adopt a by-law on pesticide use throughout the Town.

Council is hopeful that Town land will be successfully maintained without using pesticides; however there may be occasions where the use of pesticides is the only option available to address a serious landscaping issue.

Council will also encourage the residents of Stewiacke to eliminate or reduce the use of pesticides.

### **Policy ISCP - 1**

**It shall be a policy of Council to maintain the appearance of Town owned lands without the use of pesticides.**

### **Policy ISCP - 2**

**Notwithstanding Policy ISCP-1, Council may address a serious landscaping issue on Town lands by considering an integrated pest management approach which may include the use of pesticides.**

### **Policy ICSP - 3**

**It shall be a policy of Council to encourage residents to eliminate or reduce the use of pesticides by providing information on alternatives for lawn care.**

### 2.3.3 Water System

**Goals: Continue to protect the integrity of Stewiacke's drinking water supply for future generations.**

**Encourage water conservation through an education process.**

Approximately 90% to 95% of development in the Town is located in the serviced area of the Town (the water system serves a slightly larger area than the wastewater system). The remaining 5% to 10% of development is spread throughout a large rural area.

Beginning in the mid 1990s, the Town embarked on a major overhaul of its water treatment and distribution system. At a cost in the neighborhood of \$4,000,000.00, the water treatment plant was upgraded, a new water holding tank was constructed, and most of the transmission and distribution lines were replaced. Work yet to be undertaken includes the completion of the upgrading of the distribution system on several streets including Asquith Ave., Riverside Avenue, Joffre Street, a portion of Lewis Street and Pleasant Hill. In response to concerns over the ability of Stewiacke's existing water treatment system to support new growth in the Town, Council has established a Serviced Water Conservation Overlay with the intention of temporarily slowing the speed of residential development and restricting new commercial land uses that make intensive use of Town water until service capacity improves. To accompany the Serviced Water Conservation Overlay, Council has established a Rural Reserve Overlay. By restricting growth in areas that are to be serviced with public drinking water, it is probable that development pressure will be pushed to areas outside of the water coverage map through the use of on-site well, which Council wishes to mitigate through this overlay.

Another important aspect of the water system is the protection of the water supply. Please see **Part 8 Water Supply Policies** for more information.

Council has recognized the importance of its water system by making it one of its 1<sup>st</sup> Level Priorities in its Strategic Plan.

Council also feels it is very important to conserve water as much as possible. Not only is the conservation of water a worthy sustainability goal but it will reduce the need for costly water infrastructure projects in the long term.

#### **Policy ICSP - 4**

It shall be a policy of Council to establish the Serviced Water Conservation Overlay on the Town's zoning map. This overlay is intended to apply to areas where public drinking water is being supplied or has the immediate potential to be supplied by public drinking water.

### **Policy ICSP - 5**

It shall be a policy of Council to establish the Rural Reserve Overlay on the Town's zoning map. This overlay is intended to apply to rural areas outside of the Serviced Water Conservation Overlay.

### **Policy ICSP - 6**

It shall be the policy of Council to complete the upgrading of the Town's water system as funding becomes available from senior levels of government to cost share in the projects.

### **Policy ICSP -7**

It shall be the policy of Council to maintain the water system so as to continue to provide high quality water to Town customers.

### **Policy ICSP - 8**

It shall be a policy of Council to encourage water conservation practices throughout the Town by providing information to residents on both the sustainable and financial aspects of reducing water consumption.

## **2.3.4 Wastewater System**

**Goal: Continue to effectively treat wastewater to meet federal and provincial guidelines.**

The Town upgraded its wastewater collection and treatment system in the early 1990s. The system is operating efficiently and was designed to have excess capacity. Due to an anticipated increase in development, the Town recently conducted a study to clearly determine the amount of excess capacity in the system. The study has identified deficiencies in the system and has provided cost estimates to upgrade the system when it becomes necessary to do so.

The Town is aware of proposed new federal regulations which will apply to municipal wastewater systems. One issue identified by the regulations is the overflow of sewage into ditches when the power to pumping stations is disrupted. The Town has conducted preliminary investigations into remedial work to address this problem.

Another aspect is the quality of the effluent being discharges from the sewage treatment facility. The Town plans to increase its testing of the effluent to ensure that it meets or exceeds all quality regulations and guidelines.

### **Policy ICSP - 9**

**It shall be the policy of Council to maintain the wastewater collection and treatment system in an efficient manner. Upgrades to the system to accommodate new development will only be made after careful analysis has indicated that the cost of any new capital improvements will be more**

than offset by revenue provided by the new development, resulting in a net benefit to the Town.

### **2.3.5 Storm Sewer System**

**Goal: Provide and maintain an efficient storm management system.**

Approximately half of the Town is serviced by a piped storm sewer system while the remainder of the Town has ditches to handle storm water run-off. Within the serviced area the Town would like to eventually replace the ditches with a piped storm sewer system.

#### **Policy ICSP - 10**

**It shall be the policy of Council to maintain the Town's storm sewer system in an efficient manner and to extend the piped storm sewer system into all the serviced areas of the Town as funding permits.**

### **2.3.6 Protection of Wetlands and Dykelands**

**Goal: Protect wetlands and dykelands.**

There is an increasing recognition that protecting wetlands is critical to preserving the environment. The filling in of wetlands can seriously affected wildlife habitat and cause or worsen flooding problems.

The N.S. Department of Environment has policies and regulations in place to protect wetlands as a resource. The Town also has formulated policies to help protect the wetlands within the Town's boundaries. (Please see **Part 9 Conservation Policies**).

There is also a dykeland within the Town, located northwest of Farmer Clems, This area shall be designated and zoned Conservation. Because of the fragile nature of dykeland no structures except those directly related to agriculture shall be permitted. Dykeland, also known as marshland, is also protected under the *Agriculture Marshland Protection Act*.

(Please see **Part 9 Conservation Policies**)

#### **Policy ICSP - 11**

**It shall be the policy of Council to inform applicants of development permits to contact the Department of Environment if there is evidence that the land or a portion of the land they are developing is a wetland. With respect to dykeland, Council will establish regulations in the Land Use By-law to prohibit permanent building on the dykeland.**

## 2.3.7 Energy

**Goals:** Reduce the town's overall energy consumption based on recommendations resulting from a municipal Energy Audit.

**Encourage the use of renewable energy sources.**

### 2.3.7.1 Residential Energy Usage

The Province of Nova Scotia as well as the rest of Canada is taking steps to see that new home construction is as energy efficient as possible. In 2006 the *Environmental Goals and Sustainable Prosperity Act* was adopted by the Province. This Act contains targets for new home construction and uses the federal EnerGuide system to measure these targets. The Town would like to support the efforts of the Province in this regard by having material about the EnerGuide system available to anyone applying for a building permit in the Town of Stewiacke.

Amendments to the provincial "*Building Code Regulations*" also address energy efficiency and Council is fully supportive of these changes.

### Policy ICSP - 12

**It shall be the policy of Council to provide anyone applying for a building permit with material relating to the EnerGuide program being promoted by the province.**

### 2.3.7.2 Town Energy Usage

The Town would also like to reduce its energy consumption. A first step is to take advantage of a municipal program "**Ecotrust for Clean Air and Climate Change**" which began on November 7th, 2007, when the Province announced the Municipal Clean Air and Climate Change Program to assist municipalities build capacity around energy and emissions management, and to achieve reductions in greenhouse gas and air pollutant emissions. It will also help municipalities reduce their energy costs. There is \$7.5 million available over 3 years for municipalities.

Municipalities may apply for funding for individual projects. Project grant amounts will be limited by the ability of the Municipal Program to maximize the number of recipients and the environmental benefits. The program is structured into two pots of money – funding for corporate projects (those that focus on reducing greenhouse gas and air pollutant emissions from municipal operations only) and/or community projects (those that aim to reduce emissions from the community as a whole).

Municipalities that have not undertaken an emissions/energy inventory and a basic energy audit of any of their facilities (either by a consultant or by internal staff) must complete these two components before accessing additional funds - most municipalities will need to apply for these funds first. Units will be eligible to

receive 80% of funding up to a total of \$10,000.00 towards completing the inventory and an energy audit.”

There are other programs which provide assistance in making buildings more energy efficient. The Colchester Regional Development Agency is a resource to help identify and access these programs.

### **Policy ICSP – 13**

**It shall be the intention of Council to apply for funding to complete an inventory and energy audit as a first step toward reducing the Town’s energy consumption.**

#### **2.3.7.3 Wind Energy**

Wind turbines are fast becoming a viable source of energy, a source that does not contribute to climate change. Although the Town does have a significant rural area the development of utility scale turbines is not appropriate given the distance that they should be located away from residential development. However Council is in favour of allowing domestic turbines in the Town.

As the term implies domestic scale wind turbines generate power primarily for domestic use. They can be over 30 metres (100 feet) in height but are often smaller, particularly when used for a household or a small business.

Most of these turbines are installed “behind the meter” and are tied directly to a residential electrical system or indirectly to a battery reservoir system. NSP restricts the size of these turbines to 100 Kilowatts (kW) and has established technical requirements for their installation and connection to a domestic power system.

The Council believes that individual property owners should be permitted to erect domestic scale turbines on their properties provided that they are located so as to not pose a threat of property damage to adjacent properties or adversely affect the quality of life of nearby residents.

### **Policy ICSP - 14**

**It shall be the policy of Council to permit domestic scale wind turbines in the Town subject to setback requirements from property lines.**

Please see Section 5.22 of the Land Use By-law for the specific setback requirements.

#### **2.3.7.4 Geo-Thermal Energy**

Geo-thermal energy is increasingly becoming a viable option to heat homes and businesses. Stewiacke holds great promise for this alternative as much of the Town is underlain by thick glacial till with very few boulders, derived largely from

soft Carboniferous bedrock. This material is inexpensive to excavate or drill and is highly suitable for installation of earth energy systems.

Recently a geo-thermal energy system was installed. Council would like to encourage others to consider this form of renewable energy.

#### **Policy ICSP - 15**

**It shall be the policy of Council to encourage the uses of geo-thermal energy by providing information at the building permit stage.**

### **2.3.8 Air Quality**

**Goal: Permit through regulation in the planning documents only those commercial and light industrial uses which do not adversely affect air, land, or water.**

A potential threat to good air quality relates to emissions from heavy industry. The Town does not have these types of industries at present and will not permit new ones to locate within the Town.

Although there may be odors from time to time from a number of agricultural operations in and near the Town, Council recognizes that agriculture is an important part of the area's culture and economy and will continue provide for a wide range of agricultural uses in the unserved areas of the Town.

#### **Policy ICSP – 16**

**It shall be the policy of Council not to permit industrial uses which have the potential to have an adverse effect on air, land or water quality to locate in the Town.**

### **2.3.9 Solid Waste**

**Goal: Continue to provide efficient solid waste management services.**

Stewiacke is part of the Northern Region, one of seven solid waste resource management regions of Nova Scotia. Garbage and compost is collected one week and recyclables collected the next week.

The Town has installed containers at a number of locations throughout the Town to accommodate the three streams of waste. Council will review this practice and expand this service if the review is favourable.

#### **Policy ICSP - 17**

**It shall be the policy of Council to continue to provide efficient solid waste services to its residents and to encourage the three R's, recycle, reduce, and reuse.**

### **2.3.10 Truck Traffic**

**Goal: Protect the infrastructure of the Town.**

In 2000 the Town adopted a by-law to restrict the amount of truck traffic on the Town streets. This by-law was replaced by a similar by-law, the “By-law Respecting Weight of Vehicles on Town Streets” in 2009.

The By-law is necessary to address the recurring problem of the deterioration of streets and water mains caused, at least in part, by truck traffic traveling through Town. Trucks which make local deliveries and trucks owned by Town residents which are parked at the resident’s home are exceptions to this By-law.

#### **Policy ICSP - 18**

**It shall be the policy of Council to continue to administer and enforce the “By-law Respecting Weight of Vehicles on Town Streets.”**

### **2.3.11 Strategic Growth**

**Goal: Growth is strategically located**

Growth in the Town should be directed to minimize the public expenditure required to accommodate new development. One way of accomplishing this goal is to encourage most development to locate in the areas of the Town currently served by the water and wastewater system, at the same time recognizing that some development is more appropriately located in the rural areas of the Town.

There is considerable vacant land adjacent to streets serviced by the water system. Almost all of these areas are also served by the Town’s wastewater system. These areas can be developed in two ways:

- by infilling along the existing public streets; and
- by the construction of new public streets and services through its subdivision by-law.

It would not be cost effective for the Town to extend the water and wastewater systems along existing public streets until the areas which are currently serviced become substantially developed. The one exception is to extend the wastewater system to match the water system where appropriate, i.e. the cost of providing pumping stations is not prohibitive.

In addition to an economic benefit to the Town, this decision by Council is good socially and environmentally. For example, people who live and work near stores,

schools, recreational facilities, etc. are more likely to walk or bicycle to use these services.

### **Policy ICSP - 19**

**It shall be a policy of Council to encourage infilling in the areas of the Town served by both a water and wastewater system. Council also encourages through the subdivision process new serviced public streets in the areas currently served by these systems. Until these areas are substantially developed Council will not extend the water system along existing public streets and will extend the wastewater system only into areas served by the water system.**

### **2.3.12 Rural Transportation**

**Goal: Work with neighboring municipalities to develop a Transportation Strategy which includes rural public transit system options.**

Rural transportation can be said to fall under all four pillars of sustainability. There is no public transportation in Stewiacke or the surrounding region.

In Nova Scotia one example of a successful rural transit system is Kings Transit Bus Line which runs along Highway 1 from Windsor to Digby. Not only does it provide low cost transportation to those who cannot afford to own and operate a motor vehicle but it is an alternative to car owners who wish to reduce both their transportation costs and their carbon footprint. In this age of high gas prices and increasing climate change, the service provided by Kings Transit is of particular importance. Kings Transit is possible because of municipal cooperation.

There are similarities between Highway 1 and Highway 2. Highway 2 runs between the Town of Truro and Halifax Regional Municipality. There are many communities located near or on this highway. It may be possible that a bus service along the highway could be just as successful as Kings Transit. Such a service would be beneficial to parts of HRM, the urban corridor in East Hants, the Town of Stewiacke, parts of Colchester County south of Truro, and the Town of Truro. The investigation into the establishment of a bus route will require the involvement of all of the municipalities. The timing is right for such an initiative because of the commitment of the province and the federal government to reduce energy consumption in all possible ways.

The Town of Stewiacke would like to indicate its willingness to work with the other municipalities to explore the possibility of establishing a bus route possibly but not necessarily modeled on Kings Transit.

Another possibility for public transportation in this area is a return to the day liner train service. This may have some merit because Via Rail still operates between

Halifax and Truro, although it runs only once a day (and not every day) and has no stops before Truro. A recent study conducted by CoRDA found that a day liner train was not feasible at this time. However, the pace of change and the possibility of high oil prices may mean a further examination of this option at some point in the future.

There may be other possibilities. Council would like to work with the neighboring municipalities to develop a Transportation Strategy.

### **Policy ICSP - 20**

**It is a policy of Council to work with the other municipalities in the region to develop a Transportation Strategy which includes rural public transit system options.**

## **2.4 Economic**

At one time Stewiacke was considered a dormitory community, but the past 10 - 20 years have seen considerable growth in business uses. The Town would like to build on this growth by taking steps to encourage economic activity. In particular the Town is partnering with the private sector to establish a business park near Highway 102.

The Town is a member of the Colchester Regional Development Authority and works with this organization on a regular basis.

### **2.4.1 Goals**

- |        |  |
|--------|--|
| Goal 1 | Assist in the development of a business park   |
| Goal 2 | Review and implement plans for the downtown area   |
| Goal 3 | Encourage the right kind of growth to contribute to the economy without detracting from the quality of life enjoyed by residents |
| Goal 4 | Encourage home based businesses  |
| Goal 5 | Encourage backyard and community gardens and provide for the sale of food locally grown on a small scale in the serviced area    |

Goal 6 Work with the neighboring municipalities to investigate economic opportunities

Goal 7 Encourage agricultural uses in the rural areas of the Town

## **2.4.2 Business Park**

**Goal: Assist in the development of a business park.**

At present there are few industrial uses in the Town of Stewiacke, although a significant number of highway commercial uses are located along Main Street near Veteran's Memorial Highway 102. In recent years the Town has received inquiries from companies interested in establishing new business uses in the Town. The Town is well positioned for highway commercial/light industrial development. It is located adjacent to Highway 102 (the Halifax-Truro Corridor) and is within 75 kilometers of Halifax. The Town has recently conducted a major upgrading of its water system. The one remaining component of the system upgrade, a reservoir, has recently been completed.

The wastewater collection and treatment system is operating efficiently but may require some upgrading to accommodate any significant increase in new business uses. The Town has undertaken a study to identify deficiencies in the system.

The main Canadian National Railway line runs through the Town. Although the train does not stop in Stewiacke at present, there may be opportunities in future to use this resource.

Council believes that attracting the right types of business uses to the Town will be instrumental in maintaining and improving the viability of the Town in the long term. These uses will significantly increase the tax base of the Town and provide much needed revenue to maintain and improve municipal services to residents. While Council hopes to encourage business development to the Town, Council also recognizes the importance of maintaining the "small town" and friendly atmosphere Stewiacke currently enjoys as a place to live and visit.

Beginning in 2004 Council began to take steps to provide for new business opportunities in the Town. The first step was the acquisition of two parcels of land totaling 73 acres adjacent to the Highway 102. These parcels are near the highway commercial uses on Main Street. The next step was to partner with the Colchester Regional Development Authority to fund the preparation of a Concept Development Plan for the area. This plan was prepared by Environment Design Management Inc.

Although the parcels about the Highway 102, direct access to the highway is not allowed by the provincial government. Therefore Council began discussions with

an adjacent landowner, Perry Lake Developments, whose property fronts on Main Street East. These discussions led to an agreement between the Town and Perry Lake Developments which was signed in 2007. This agreement provided for:

- the construction of a new public street to service in Phase I, the area south of Main Street West;
- the sale of the Town owned land to Perry Lake Developments at current market value; and
- cost sharing of the initial portion of the new public street with the Town's share being in the 15% to 25% range.

The construction of the new street has not yet begun. In addition to providing access and services to future business uses, the street will lead to a new residential area of the Town.

### **Policy ICSP - 21**

**It shall be a policy of Council to cost share in the construction of a new street and services for Phase I of the proposed Perry Lake Development for new business and residential growth. Such growth is crucial to maintaining and improving the Town's long term viability.**

The previous sections contain policies which call for providing and maintaining water and wastewater services for both economic and environmental reasons. The Town provides other services which are equally important, not only for new development but for the residents who currently live and work in the Town. These services include emergency measures, police protection, recreation facilities and are addressed in other sections of this document.

### **2.4.3 Downtown**

**Goal: Review and implement plans for the Downtown area.**

Council recognizes that a vibrant, pleasant, pedestrian-friendly downtown will be an important asset for the Town in the decades to come. In 2004 a Concept Plan entitled "Stewiacke Downtown – Enhancement and Revitalization" was completed. A key objective of the Plan is to establish a Downtown that will help "develop a Town image and identity that will provide a focus for marketing the Town both as a commercial and residential opportunity and as a tourism stopover."

Council intends to review the Concept Plan. This review will include public sessions to receive comments from residents. Council will begin implementation of the Plan as funding becomes available.

### **Policy ICSP – 22**

**It shall be the policy of Council to review the “Stewiacke Downtown – Enhancement and Revitalization Concept Plan” and to implement changes as funding becomes available.**

Please see Section 5.1 for policies relating to the regulation of uses in the Downtown.

#### **2.4.4 Residential Growth**

**Goal: Encourage the right kind of growth which will contribute to the economy without detracting from the quality of life enjoyed by residents.**

Council would like to see more residential growth occur in the Town. Stewiacke has experienced very modest growth in the past 10 years while the urban areas of the neighbouring municipalities appear to be attracting new residential development.

The Town has much to offer as a great place to reside. As previously indicated there is potential for a new business area which will provide employment opportunities. A new school has recently been completed and is fully operational. With the price of fuel ever increasing it is becoming more and more important for people to live near their place of employment and for their children to attend a nearby school. The tax rate is competitive with nearby areas if the area rates set by the adjacent municipalities for such services as public wastewater are taken into account.

The Town’s planning documents currently provide for a mix of residential uses. Council will continue this practice so that a wide range of housing choices will be available to new residents. Council will also reduce the minimum lot size in its predominant residential zone so that a greater number of people can live in the serviced areas of the Town. Not only is this environmentally friendly in that it should lead to more people to walk or bike but it also means there will be more people paying taxes without the Town incurring the cost of providing additional services, in particular extensions to the water and sewer system. Stewiacke will also strive to be an age friendly community where all residents will feel that they are an important part of their community.

#### **Policy ICSP – 23**

**It shall be the policy of Council to continue to provide for a mix of residential uses to attract new residents to the Town.**

Please see **Part 4** for specific policies on all aspects of Stewiacke’s residential sector.

#### **2.4.5 Businesses in Residential Areas**

**Goal: Encourage home based businesses.**

There are several home based businesses in Stewiacke. Council would like to encourage further development of this kind and will establish conditions to mitigate their impact on adjacent residential uses.

**Policy ICSP – 24**

**It shall be a policy of Council to encourage home based businesses subject to conditions designed to mitigate their impact on adjacent residential uses.**

Please see **Policy RP-5** for more information.

## **2.4.6 Growing and Selling Food Locally**

**Goal: Encourage backyard and community gardens and provide for the sale of food locally grown on a small scale in the serviced area.**

Significant parts of the Town are not serviced and are rural in nature. A wide range of agricultural uses are permitted in these areas (please see Section 2.4.8). Allowing agricultural uses on a smaller scale in the serviced areas not only supports the “Buy Local“ movement but presents a commercial opportunity.

This opportunity is the backyard growing of fruits, vegetables, herbs, etc. Often a greenhouse is constructed. The produce is not only used by the resident but is often sold to other people in the community.

Council is supportive of this movement. There is a concern that the selling of the produce is a commercial use not suitable in a residential area. But as long as the commercial aspect is small, Council would like to encourage this activity.

An initiative that has been undertaken by other municipalities and proven to be successful is participating in the establishment of a community garden. This kind of project involves preparing a site, preferably one central to the built up area of the Town, to be used by any number of residents to grow herbs, vegetables, etc. Often volunteers do most of the work and the municipalities’ role is to promote and manage the community garden.

**Policy ICSP – 25**

**It shall be a policy of Council to allow for small scale growing and selling of food within the serviced area of the Town, including allowing the use of accessory buildings to support this activity.**

**Policy ICSP – 26**

**It shall be a policy of Council to investigate opportunities to establish a community garden in a central area of the Town.**

## **2.4.7 Regional Economic Opportunities**

**Goal: Work with the neighbouring municipalities to investigate economic opportunities.**

Stewiacke is a member of the Colchester Regional Development Agency (CoRDA). The other members are the Town of Truro and the Municipality of the County of Colchester. CoRDA has supported the Town in a number of economic initiatives including participating in a study on the establishment of a business park.

In 2004 CoRDA with the participation of the Millbrook Band Council began an economic development process for the region. Many other groups and organizations contributed to this process which resulted in a Regional Economic Plan entitled “Growing Colchester 2005 – 2010”.

The Plan establishes an economic model “to focus on our economic foundation of 1) supporting existing businesses to survive and grow, 2) attracting new enterprise to Colchester, 3) creating new enterprises through innovation and entrepreneurial activity and 4) by creating a vibrant and welcoming community in which to live and work.”

Stewiacke supports the Regional Economic Plan and is guided by it as the Town moves forward toward sustainable economic growth.

**Policy ICSP – 27**

**It shall be a policy of Council to continue to be a member of CoRDA and to work with all municipalities in the region to forge partnerships on economic opportunities.**

### **2.4.8 Agriculture**

**Goal: Encourage agricultural uses in the rural areas of the Town.**

The Town has a large rural area which includes several farming operations. Because the Town has a significant amount of land in the serviced area, the unserved area will remain rural for the foreseeable future.

Council is appreciative of the rural area and believes it contributes to the “small town friendly” atmosphere and way of life enjoyed by the residents.

In addition to encouraging the small scale local growing and buying of local food products in the serviced areas, Council also supports a wider range and larger scale agricultural uses in the rural area of the Town.

**Policy ICSP – 28**

**It shall be a policy of Council to permit a wide range of agricultural uses in the rural area of the Town.**

## 2.5 Cultural and Social

### 2.5.1 Goals

- Goal 1 Organize and support festivals
- Goal 2 Maintain the community centre as a venue for local events
- Goal 3 Support the Fire Department
- Goal 4 Provide services to promote a safe and healthy and vibrant community
- Goal 5 Encourage active transportation
- Goal 6 Provide recreational programs and opportunities for all ages
- Goal 7 Support the library and CAP site

Goal which is both Cultural/Social and Environmental

- Goal 8 To maintain the existing open space system, to encourage activities on the open space, and to accept land donations as open space provided they are consistent with the Town's open space objectives

## **2.5.2 Heritage**

Stewiacke has a rich history and heritage. The Town has a number of older buildings which are scattered throughout the Town.

The Town does have a Heritage By-law but there is no formal heritage group currently active in the Town. At present the Town does not have the resources to pursue any projects with respect to heritage but may revisit this matter at some point in the future.

## **2.5.3 Festivals**

**Goal: Organize and support festivals.**

Two annual festivals are held in Stewiacke, the Rhubarb Festival and the Town Days Festival. These events are well attended and are made possible due to the efforts of volunteers. Council is appreciative of the volunteer efforts to organize and hold festivals and believe they greatly contribute to the social fabric of the Town.

### **Policy ICSP – 29**

**Council supports the holding of the Rhubarb Festival and the Town Days Festival, believing them to be important events for the residents of the Town and the surrounding area.**

## **2.5.4 Community Centre and Fire Department**

**Goals: Maintain the community centre as a venue for local events.**

**Support the Fire Department.**

The Town owns a building that houses both a community centre and the Town's volunteer fire department. Both make important contributions to the Town.

The Town has had a volunteer fire department for 75 years. Volunteer fire departments provide essential services to many communities in Nova Scotia. They form an important part of the culture and tradition of these communities. The same holds true in Stewiacke. Council recognizes the valuable contributions made by its volunteer fire department.

The community centre is available to individuals and groups for a reasonable price. Having such an asset allows events such as weddings and other special occasions to be held in the Town rather than having to go elsewhere for a suitable facility.

### **Policy ICSP – 30**

**Council recognizes and supports the efforts of the volunteer fire department.**

### **Policy ICSP – 31**

**It shall be a policy of Council to continue to own and manage the community centre to provide opportunities for any number of events to be held in the Town.**

## **2.5.5 Services**

**Goals: Provide services to promote a safe and healthy.**

**Encourage active transportation.**

The Town provides and maintains a water and wastewater system, both of which are described in **Section 2.3 Environmental**. The Town also provides other services which contribute to the safety of residents and the social fabric of the Town.

### **2.5.5.1 Sidewalks**

The subject of sidewalks also relates to the environmental and economic pillars of sustainability. Council has been constructing sidewalk in a number areas of the Town. A sidewalk leading to the new school has recently been completed. Council believes that providing sidewalks is an important municipal service and will continue with a sidewalk construction program.

### **Policy ICSP – 32**

**It shall be a policy of Council to continue with a program of sidewalk construction as funding becomes available.**

### **2.5.5.2 Emergency Services**

The Town is a member of a regional Emergency Measures Organization. The Colchester Region has worked cooperatively to establish a Regional Emergency Measures Plan. As a region the three municipalities are responsible to ensure they have at least 2 elected officials available to sit on a Regional Advisory Committee; the mayors are automatically members of an advisory committee and one other elected official as decided by Council. The Chief Administrative Officers of the three units are also active members of this committee. There are numerous other resource people in place to deal with emergencies if and when they arise.

The Regional Emergency Measures Advisory Committee has the responsibility for the safety, health and welfare of its citizens should a threat arise from any emergency or disaster. Any effective emergency response requires a regional

plan to fully integrate the use of all available resources and capabilities; public and private, and provides for the proper coordination of these elements.

The aim of the Regional Emergency Measures Plan is to establish arrangements and procedures necessary for the earliest possible coordinated response in order that the following be assured:

- (a) minimizing the effects of an emergency or disaster on the Colchester Region and its citizens.
- (b) the safety and preservation of health, private property and the environment; and
- (c) the restoration of essential services.

### **Policy ICSP – 33**

**It shall be a policy of Council to continue to be an active member in the regional EMO in order to provide for an effective response to emergencies.**

#### **2.5.5.3 Police Services**

The Town uses the RCMP to provide police protection for the Town. There is an RCMP office located in the Town and RCMP officers conduct regular patrols. Stewiacke is considered a very safe place to live and Council will continue to provide this high level of policing.

### **Policy ICSP – 34**

**It shall be a policy of Council to continue to provide a high level of police protection in the Town.**

#### **2.5.5.4 Green Space**

**Goal: To maintain the existing open space system, to encourage activities on the open space, and to accept land donations as open space provided they are consistent with the Town's open space objectives.**

The Town currently owns and maintains a number of parks within its boundaries, including Canada Place (Squabble Green), Dennis Park, and the Crawford Trail.

The protection of these parks is addressed in **Part 6 Parkland Policies**. In addition to the protection these parks, Council would like to address in its ICSP policies the broader questions regarding the development of the parks and whether the acquisition of additional parkland is needed in the Town of Stewiacke.

The Crawford Trail is located on a large parcel of Town land situated in the eastern part of Town off of Kitchener Street. Council is interested in promoting the use of the Trail and would like to see the Trail extended to the St Andrew's River. Such an extension would cross over lands not owned by the Town.

The Town owns and maintains recreational lands consisting of soccer and ball fields located on the western portion of Joffre Street. This area is adjacent to the Stewiacke River. There may be the potential to construct a trail from this recreational area along the Stewiacke River in an easterly direction to eventually meet up with Matthews Drive and provide a link to the Crawford Trail. The trail may also go westerly from the recreational area to access the tourist commercial area known as Mastodon Ridge. Such a project would be a major undertaking only to be considered in the long term.

Many municipalities address their open space requirements through the subdivision approval process. The Town has a Subdivision By-law but in the past has not required the transfer of land or cash-in-lieu when new lots are subdivided. All of the municipalities in the region make use of this tool to address their open space needs and Council has decided to follow suit. In order to pursue its goal of acquiring land for a trail system, Council will require that only cash-in-lieu be transferred when new lots are subdivided pursuant to the Subdivision By-law. This requirement will not apply for resubdivisions or consolidations as these do not result in an increase in the number of lots being created.

In addition to obtaining land or rights-of-way to establish trails in the Town, Council also believe it is important to acquire additional land for green spaces. One way to acquire land is to accept land as a donation from residents who may be interested in leaving a legacy for the Town for future generations. In some cases land is left to municipalities by will with the stipulation that it be preserved as green space.

**Policy ICSP - 35**

**It shall be a policy of Council to promote the use of the Crawford Trail to both residents and visitors alike by providing information about the Trail on the Town's website and by other means, such as additional signage directing visitors to the Trail. The Town will also continue to provide resources to maintain the Trail.**

**Policy ICSP - 36**

**It shall be the policy of Council to investigate means of extending the Trail to the St. Andrew's River, including the possibility of acquiring ownership or a right-of-way over lands not owned by the Town.**

**Policy ICSP - 37**

**It shall be a policy of Council to consider as a long term project the construction of a trail from Mastodon Ridge along the Stewiacke River, thence overland to link up with the Crawford Trail.**

**Policy ICSP - 38**

**It shall be the policy of Council to require that 5% of the assessed value of lots being created pursuant to the Subdivision By-law be transferred to the Town, except for subdivisions in which no additional lots are created.**

**Policy ICSP - 39**

**It shall be the policy of Council to accept, as open space, land which is transferred to the Town, provided it is consistent with the recreation and open space objectives of the Town.**

#### **2.5.5.5 Recreational Programs**

**Goal: Provide recreational programs and opportunities for all ages.**

The Town supports recreational programs and also maintains ball and soccer fields which are made available to various groups. In addition, as previously stated, the Town would like to participate in the construction of more trails in the Town.

Council is interested in expanding its involvement in recreational programs. There may be opportunities for programs being made available in the Community Centre and new school.

#### **Policy ICSP - 40**

**It shall be a policy of Council to continue to support the current recreational programs and to maintain the ball and soccer fields.**

#### **2.5.5.6 Library and CAP Site**

**Goal: Support the library and CAP site.**

The Stewiacke Branch of the Colchester-East Hants Public Library is housed in the Town's Administrative Building. Part of the library is devoted for use as a CAP site. The library is part of a municipal partnership which provides efficient library services to the region.

Stewiacke's library is one of the busiest in the region. Council will continue to work with the other municipalities to provide this most important service.

#### **Policy ICSP - 41**

**It shall be a policy of Council to continue to work with the other municipalities to provide library services to the region, including maintaining the library in the Town.**

## **2.6 ICSP Projects**

The Town's ICSP contains many policies to help the Town become more sustainable in the decades to come. Some policies call for substantial funding in order to be implemented. The federal government is providing the revenue from the gas tax to help municipalities fund sustainability projects. Although the Town has been receiving gas tax revenues since 2001, Council has not expended any of this funding to date.

As is to be expected, the cost of financing all the projects which flow from the Town's sustainability policies will be much greater than the amount of revenue the Town will receive from the gas tax. It is therefore necessary to indicate which projects receive priority over other projects.

**Priority #1**

**To share in the cost of constructing a new street and services pursuant to the agreement reached with Perry Lake Developments to establish a business park.**

Council believes that having a strengthened commercial tax base will be a major factor in the Town's long term viability. This project is also a 1<sup>st</sup> Level Priority in the Town's Strategic Plan.

**Priority #2**

**Improve the quality of our wastewater infrastructure.**

The Town's wastewater system has recently been evaluated to assess its capacity to accommodate new development. This evaluation has identified upgrades that will be necessary as growth takes place. As well, work will be required to meet new guidelines set by the federal government. Again this project is a 1<sup>st</sup> Level Priority in the Town's Strategic Plan.

**Priority #3**

**Improve the quality of our road, sidewalk, and storm drainage infrastructure.**

In addition to a water and wastewater system, the other components of the Town's infrastructure are important, not only for existing development but to attract new development.

**Priority #4**

**Implement the Downtown Concept Plan.**

A pleasant, pedestrian-friendly downtown will encourage visitors and shoppers and promote commercial development.

**Priority #5**

**Expand the Trail System.**

Section 2.5.5.4 contains plans to construct a comprehensive trail system to compliment the Crawford Trail. This project is a long term one, which will no doubt be done in phases.

**Priority #6**

**To maintain the water utility to safe industry standards.**

Having a safe and secure source of high quality drinking water is one of the most important services a Town can provide to its residents. The Town has recently

completed all phases to upgrade much of its water system. The remaining immediate work is the replace of water mains on several town streets.

## **Part 3 General Land Use Policies**

### **3.1 Overall Development**

The **Integrated Community Sustainability Plan** in Part 2 provides a vision of what the Town could be as Council looks ahead to the decades to come. Guiding the growth of the Town will play a major role in fulfilling of this objective. Council and the citizens of Stewiacke must be committed to a shared vision of the physical form of the Town and the preparation and implementation of policies to establish clear rules for future development.

The following parts of the Strategy build on many of the goals and policies of sustainability to offer a framework for the future development and redevelopment of the Town. This Part contains policies which pertain to the high level development goals of the Town and will be followed by more detailed policies on the Open Space, Residential, Commercial and other sectors.

The Generalized Future Land Use Map shows land use designations that in the long term are the most appropriate locations for the residential, commercial, highway commercial and other land uses in the Town.

Stewiacke has a water and wastewater system which services most of the Town's population. There is a significant amount of vacant land located adjacent to the systems. Development on this vacant land may occur on the existing public streets or a landowner may construct a new public street with services connecting to the public services.

It makes sense economically, environmentally, and socially to encourage future development to locate in the serviced areas of the Town, as follows:

- Economically – the Town will benefit by having a greater density of development in the existing serviced areas of the Town. Such additional development will increase the tax revenue of the Town without leading to a corresponding increase in expenditures to provide services. This development will be economically beneficial to existing taxpayers because it will help to limit increases to both the residential and commercial tax rates and may possibly lower them.

- Environmentally - encouraging development to locate in a compact manner close or relatively close to the Town Centre should result in a greater number of people walking or bicycling. This not only has obvious health benefits but will reduce the number of people using cars for work, shopping, and entertainment.
- Socially – people living and working in close proximity to one another will lead to more interaction and promote a greater sense of community.

At the same time the Town values its rural area. There are agricultural uses located in the rural areas and in fact agriculture is a traditional industry of the Town. By encouraging urban uses in the serviced area, Council is preserving the rural area for rural uses such as agriculture and other resource uses. In the long term, when the serviced area of the town is fully developed, the Town will be considering the extension of the services into the rural area. But in the interim Council will recognize the unserved area as a rural and agricultural area.

**Policy GP-1**

**It shall be the intention of Council to provide for the overall development of the Town in accordance with the Generalized Future Land Use Map attached as Schedule A of this document.**

**Policy GP-2**

**It shall be the intention of Council to allow a range of compatible uses in each designation, subject to the policies of this document.**

**Policy GP-3**

**It shall be the intention of Council to encourage the majority of future development to locate in the serviced areas of the Town.**

**Policy GP-4**

**It shall be the intention of Council to support the unserved areas of the Town as a rural and agricultural area.**

## **3.2 General Provisions**

### **3.2.1 Quality Control**

In addition to providing for compatible development in a number of land use designations, Council feels it is important to regulate other aspects of development in order to facilitate an aesthetic and functional physical environment.

#### **Policy GP-5**

**It shall be the policy of Council to include in the Land Use Bylaw a full range of provisions to ensure a high quality urban and rural environment in all land use designations. Such provisions shall include, but not be limited to regulations concerning signage, landscaping and buffering, accessory buildings, separation distances, architectural controls and obnoxious uses.**

### **3.2.2 Parking**

Provision of space for vehicular parking is necessary for the efficient use of land and safe movement of traffic. The number of parking spaces provided should be proportional to the type of land use that is being served. Additionally, commercial uses require parking space not only for customers and staff, but also for the loading and unloading of delivery vehicles.

For parking requirements an exception will be made for the Downtown Commercial (C-1) Zone. The focus for this area will be to encourage small stores and shops. The “Stewiacke Downtown – Enhancement and Revitalization Concept Plan” calls for a public parking area from which shoppers will be able to walk to the stores in the downtown area. Therefore parking spaces will not be required for uses in this zone.

#### **Policy GP-6**

**It shall be a policy of Council to establish parking and loading requirements in the Land Use By-law, except parking spaces will not be required in the Downtown Commercial (C-1) Zone.**

### **3.2.3 Variance**

In order to provide a degree of flexibility in the regulation of development, the *Municipal Government Act* enables the Development Officer to grant a variance from the requirements of the Land Use By-law, as follows:

- (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.

The granting or refusal of a variance may be appealed to Council.

Council may also authorize the Development Officer to grant a variance to other requirements as listed in the *Municipal Government Act*. Council is in favour of these additional powers which will bring a higher degree of flexibility to the regulation of development.

#### **Policy GP-7**

**It shall be a policy of Council, in accordance with Section 235 of the Municipal Government Act, to enable the Development Officer to grant a variance in one or more of the requirements of the land use bylaw:**

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

### **3.2.4 Setback from a Watercourse**

If development is permitted close to a watercourse, the activity associated with the development, from construction to pesticides on lawns, may have a negative impact on the water quality. Council believes it is important to establish a suitable setback from watercourses.

#### **Policy GP-8**

**It shall be a policy of Council to establish in the Land Use By-law a setback from a watercourse.**

### **3.2.5 Retention of Vegetation**

In addition to establishing a setback from a watercourse, it is important that the vegetation adjacent to watercourses be retained as part of any development application. This vegetation provides acts as a buffer to help screen possible pollutants from entering the watercourse.

#### **Policy GP-9**

**It shall be a policy of Council to require the retention of vegetation adjacent to watercourses in the Town.**

### **3.3 Special Provision – Relaxation of Lot Frontage Requirement**

The *Provincial Subdivision Regulations* require that all lots to be subdivided in towns must have frontage on a public road. However the *Municipal Government Act* authorizes a relaxation of this requirement in a municipal subdivision by-law where there is support for the relaxation in the Municipal Planning Strategy.

There is a unique situation that has occurred on Garden Gate Lane which Council believes justifies substituting the requirement for frontage on a public road with a right-of-way to a public road. Prestige Homes Limited has for the past eight years occupied a site on the same property as Farmer Clem's on PID#20309191. Prestige Homes has been leasing this site but for business reasons would like to have ownership of the land. The owner is willing to sell but at the present time the site does not have frontage on Garden Gate Lane. There are no immediate plans to extend Garden Gate Lane to provide frontage.

A right-of way does provide the legal right for the landowner of a lot to access a public road. In this case Council is of the opinion that the circumstances warrant allowing a right-of-way for the following reasons:

- Prestige Homes has been a good corporate resident of Stewiacke;
- Council would like to retain existing businesses as well as encourage new ones;
- Prestige Homes has occupied the site for the past eight years;
- A private roadway already exists to the site;
- Garden Gate Lane will no doubt be extended at some point in the future, at which time the lot will have public road frontage and the right-of-way can be extinguished.

#### **Policy SP-1**

**It shall be the policy of Council to allow the subdivision of one lot without public road frontage from PID# 20309191 provided that:**

- (a) the lot is served by a right-of-way to a public road;**
- (b) the right-of-way has a minimum width of 6 metres;**
- (c) the lot includes the site occupied by Prestige Homes Ltd.;**
- (d) the lot area and yards meet the requirements of the Land Use By-law.**

## **Part 4 Residential Policies**

The residential sector of the Town consists of a mix of single unit, two unit, and multi-unit development most of which is located on the Town's water and wastewater system. A small number of homes are located in the more rural parts of the Town where wells and on-site sewage disposal systems are utilized.

The predominant form of residential development in the Town is the traditional "stick built" housing. In addition a number of mini homes are interspersed throughout the Town and a small mini home park is located west of Highway 102.

Multi-unit development consists primarily of small apartment buildings of four, six and eight units. There is also a senior citizens complex of considerably more dwelling units.

Council will establish two residential designations on the Generalized Future Land Use Map, the Serviced Residential designation and the Rural Residential designation.

### **4.1 Serviced Residential**

The residential areas of the Town that are serviced with the Town's water and wastewater system will be designated as "Serviced Residential". Vacant land within these areas will also be so designated. A small area of the Town is served the water system only and is included in the "Serviced Residential" designation.

One of these residential areas deserves special mention, and that is the area along Main Street between the highway commercial uses near the highway and the downtown. Although there will be pressure to convert this area to commercial uses (there are already several commercial uses intermixed with the residential ones), Council feels it is important to maintain the area as residential to provide a buffer between the two commercial areas. If this main entrance of the Town becomes an unbroken commercial strip, the goal of promoting the Downtown area as a vibrant, pedestrian-friendly place to visit will be jeopardized.

Equally important is this area's proximity to the residential component of the Perry Lake proposal, located just to the south of this area. The proposal consists of a subdivision in excess of 30 lots for the first phase and a mix of residential uses. Maintaining the residential uses on Main Street will solidify this entire area as a stronger residential community. The Serviced Residential designation will include an area on Main Street East up to Riverside Avenue.

Council believes that future residential development should be encouraged to locate in these serviced areas to maximize the existing wastewater and water infrastructure and to promote compact development. Council also would also like to provide for a variety of housing types by establishing a number of residential

zones within this designation. Only uses that are compatible with residential development will be permitted in the Serviced Residential designation.

#### **Policy RP-1**

**It shall be a policy of Council to designate an area as “Serviced Residential” as shown of the Generalized Future Land Use Map. Council shall establish a number of residential zones in the Land Use By-law which shall apply to this designation.**

### **4.1.1 Single Unit Residential Development**

There are areas of housing within the Serviced Residential designation that consist only of single unit residential development. Council would like to see that these areas are maintained for only this type of housing.

#### **Policy RP-2**

**It shall be a policy of Council to establish the Residential Single Unit (R-1) Zone and to apply this zone to three separate areas which consist of single unit residential development. The only permitted use in the zone shall be single unit residential development. Lots which are zoned R-1 shall not be rezoned to any other zone.**

### **4.1.2 General Residential Development**

The remainder of the residential areas within the Serviced Designation of the Town is a mix of single, two unit residential and multi-unit residential development. There is also a considerable amount of vacant land adjacent to these uses. Council shall establish a General Residential (R-2) Zone and apply it to these areas except for those lots currently developed by multi-unit uses and lots for which multi-unit development has formally been proposed. For the large lots which abut a serviced street, the R-2 Zone will not extend the entire depth of the lots but only on the front portion. The back portion of these lots will be place in the rural residential zone which permits agricultural uses.

The R-2 Zone shall permit one and two unit residential development, converted dwellings to a maximum of three units as well as other uses which are compatible with residential development such as bed and breakfast homes, boarding houses, and home based business uses.

Council’s decision to permit converted dwellings to a maximum of three units is consistent with the goal of increasing density. Council will minimize the impact of converted dwelling by not allowing an exterior alteration.

With respect to home based businesses, Council will impose restrictions on these uses designed to promote compatibility with adjacent residential uses.

These restrictions include limiting the number of employees and the size of the business use.

Due to the rural heritage of the Town, the keeping of farm animals is practiced by a number of residents in the serviced area of the Town. Council would like to support this practice provided the lot is of sufficient size to accommodate the keeping of farm animals.

#### **Policy RP-3**

**It shall be a policy of Council to establish the General Residential (R-2) Zone and to apply this zone to the areas within the Residential designation characterized by a mix of one and two unit development. Existing residential uses located outside of the Residential designation will also be zoned R-2.**

#### **Policy RP-4**

**It shall be a policy of Council to permit in the R-2 Zone one and two unit residential development, converted dwellings to a maximum of three units, bed and breakfast homes, boarding houses, residential day care centres, and home based business uses.**

#### **Policy RP-5**

**It shall be a policy of Council to establish restrictions on home based businesses including but not limited to having a maximum area devoted to the business use and a maximum number of employees.**

#### **Policy RP-6**

**The size of residential day care facilities shall be restricted so that they will not cause an unreasonable impact on adjacent residential uses.**

#### **Policy RP-7**

**Notwithstanding Policy RP-4, Council will permit the keeping of farm animals in the R-2 Zone provided the lot is of sufficient size to accommodate this practice.**

### **4.1.3 Multiple Unit Residential Development**

Multiple unit residential development consists of buildings containing three or more units (except for converted dwellings which contain four or more). All of the multiple unit development in the Town is low rise, not more than three storey's.

Council believes that low rise multiple unit development is more in keeping with the size and form of the residentially developed area of the Town. However, Council would also like to provide for apartment buildings of a greater height if they are located in areas or on sites which are appropriate for higher buildings. Therefore Council will establish two multiple unit residential zones, a Multiple Low Rise Residential (R-3A) Zone and a Multiple Mid-Rise Residential (R-3B)

Zone.

The R-3A Zone will have a maximum height so that buildings will be more compatible with the traditional form of the Town. The R-3A Zone shall also require a pitched roof as Council believes this architectural feature makes the appearance of buildings more attractive. The R-3B Zone will not have these restrictions. All of the existing and proposed multiple residential development will be place in these zones. The proposed multiple residential developments are described as follows:

- The developer of the Business Park (please see Section 2.4) is proposing a major residential development to be established concurrently with the Park. In addition to single and two unit residential developments this proposal includes a site for multiple unit residential development consisting of two buildings of six storey's. Council has determined that this development is consistent with criteria contained in this Strategy and will zone these sites to the Multiple Mid Rise Residential (R-3B) Zone. The R-3B Zone is appropriate because the sites are adjacent to proposed highway commercial development and are some distance away from the established residential areas if the Town.
- A site, off of Riverside Avenue that is proposed to be accessed by a new street to create a number of lots for low-rise multiple residential development. This site will be zoned R-3A.

Council would like to see more multiple unit residential development occur in the Town, provided it is compatible with lower density residential uses. Therefore new multiple unit development shall only be permitted through rezoning subject to specified criteria, including criteria to protect adjacent existing low density residential development.

#### **Policy RP-8**

**It shall be the policy of Council to establish the Multiple Low Rise Residential (R-3A) Zone and a Multiple Mid-Rise Residential (R-3B) Zone and to zone existing and proposed multi-unit residential development to these zones.**

#### **Policy RP-9**

**Permitted uses in the R-3A Zone are residential uses of three or more units, including triplexes, row housing, and apartment buildings. Converted dwellings of four or more units are also permitted. The R-3A Zone will also restrict the height of main buildings and require a pitched roof. The R-3B Zone will permit the same uses but there will be no restrictions on height or roofline.**

#### **Policy RP-10**

**It shall be the policy of Council to allow new multi-unit residential uses within the Serviced Residential Designation by rezoning to the R-3A or R-3B Zone provided proposed rezoning will not have a negative impact on adjacent residential uses and subject to the criteria contained in Section**

**11.3. For a rezoning to a R-3B Zone Council shall also have regard as to whether the location of the proposed rezoning will be compatible with the existing, surrounding development.**

**Policy RP-11**

**It shall be a policy of Council that where a R-3 use adjoins a R-1 or R-2 use, a buffer shall be provided on the R-3 lot.**

## **4.2 Rural Residential Development**

A major portion of the Town is not serviced by the wastewater system and water system. This area has a scattering of residential uses and agricultural uses. There is also some woodland and some active forestry operations.

There is very little pressure in terms of residential or commercial development as it is advantageous for this development to be serviced. Council would like to support this trend by allowing uses which are suitable to a rural area.

**Policy RP-12**

**It is a policy of Council to designate the rural area of the Town as Rural Residential as shown on the Generalized Future Land Use Map.**

**Policy RP-13**

**It is a policy of Council to establish the Rural Residential (R-4) Zone and to allow uses which are suitable for a rural area, such as agricultural uses, forestry uses, and golf courses. The R-4 Zone shall apply to the area designated Rural Residential. Existing R-4 uses located outside of the designation will also be zoned R-4.**

## **4.3 Mini Home Development**

A Mini Home dwelling is defined in the Land Use By-law as “a dwelling unit built to a CSA standard which meets or exceeds a length to width ratio of 3:1.”

Because of the long narrow nature of these dwellings, Council believes they are not compatible with the more traditional housing form which characterizes most of the Town’s residential development in the area of the Town east of Highway 102. As a result Council will not permit any new mini homes in this area.

However there are a number of existing mini homes on individual lots in the area east of Highway 102 and Council would like to provide for their continuance until such time as the owners redevelop to the more traditional housing form. These mini homes will be identified in a schedule in the Land Use By-law and be considered permitted uses in the R-2 Zone.

Stewiacke has one mini home park which is located west of Highway 102.

Because this area is relatively undeveloped compared to the area on the other side of the Highway 102 Council would like to provide more opportunity for mini home development in this area, either in mini home parks or in mini home subdivisions. The primary difference between the two forms of mini home development is that a park is under one owner who operates the park. In a mini home subdivision the lots are individually owned. The street, water and wastewater services in a subdivision are constructed by the subdivider but are turned over to the Town to maintain before the lots are sold. In a mini home park, the road and services are the responsibility of the park owner. The owner leases sites for the placement of mini homes. The sites cannot be sold as lots.

Council does not want mini home subdivisions to occur in a linear fashion along Main Street West but to take place on new streets intersecting with Main Street West.

As previously indicated, there is an existing mini home park located west of Highway 102 on Main Street West. Council will establish a Mini Home Park (R-6) Zone and zone the lot on which the park is located to the R-6 Zone. New mini home park development shall be permitted by rezoning to the R-6 zone but only in the area of Town west of Highway 102.

#### **Policy RP-14**

**It shall be the Policy of Council to permit new mini homes in only the area of Town west of Highway 102.**

#### **Policy RP-15**

**Notwithstanding Policy R-14, it shall be the policy of Council to consider the mini homes existing on the effective date of this By-law and located east of Highway 102 as permitted uses in the R-2 Zone.**

#### **Policy RP-16**

**It shall be the policy of Council to establish the Mini Home Park (R-5) Zone which permits mini home parks and home based businesses. The existing Mini Home Park shall be zoned R-5. New mini home parks shall be permitted by rezoning to the R-5 Zone subject to criteria contained in Policy IM-3 and the following:**

- (a) the minimum area of the site shall be 2 hectares;**
- (b) the site is serviced with municipal water and wastewater services; and**
- (c) the site is located in an area of Town west of Highway 102.**

#### **Policy RP-17**

**It shall be the policy of Council not to prezone any area to the R-5 Zone but Council will consider a rezoning to the R-5 zone subject to the criteria contained in Policy IM-3 and the following:**

- (a) the site is serviced with municipal water and wastewater services; and**
- (b) the site is located in an area of Town west of Highway 102.**

**Policy RP-18**

**It shall be the policy of Council to establish the Mini Home (R-6) Zone in the area west of Highway 102. Mini homes and home based businesses will be permitted in this zone. Minimum lot frontage and area requirements will be less than in the R-2 Zone. Development on lots zoned R-6 shall not front on Main Street West.**

## **Part 5 Commercial Policies**

Commercial development in Stewiacke is generally located in two areas, both within the serviced area of the Town. There is a downtown area which Council would like to promote as a pedestrian friendly shopping destination. Commercial uses which do not require large lots will be encouraged to locate in the downtown area. This will lead to a compact downtown area in the long term, an area which will offer a wide range of retail goods and services.

The other commercial area is located in the proximity of Highway 102 and is predominantly highway commercial in nature. As the term “highway commercial” implies, these uses are more likely to service the needs of the traveling public and often require comparatively large lots.

### **5.1 Downtown Commercial**

Council will designate an area as shown on the Generalized Future Land Use Map as Downtown Commercial. Council will establish a Downtown Commercial (C-1) Zone which will permit a wide range of commercial uses conducive to pedestrians and bicyclists. Commercial development on small lots will be encouraged. In the long term Council sees a downtown which will encourage shoppers to drive to (those who do not live within walking distance) and park in the downtown but who will be able to walk to many businesses to meet a high percentage of their shopping needs. The Town completed a Concept Plan for the downtown in 2004 (please see Section 2.4.3).

There are a number of commercial uses located in the C-1 Zone which are more of a highway commercial use and may be better located in the area of Town which is designated and zoned for highway commercial uses. Rather than make these uses non-conforming Council will consider them to be existing permitted uses.

There are existing downtown commercial uses which are located outside of the Downtown Commercial designation. Council will provide for their continuance and possible expansion by zoning them C-1. As well there is a building located at 131 Riverside Avenue which, although vacant at the time of the adoption of the planning documents, has been assessed as a Commercial property for many years. As the owner has recently indicated to the Town that he wishes to continue to pursue a commercial use for the building, the property will be zoned C-1.

#### **Policy CP-1**

**It shall be a policy of Council to designate the downtown area of the Town as Downtown Commercial as shown on the Generalized Land Use map.**

**Policy CP-2**

It shall be a policy of Council to establish a Downtown Commercial (C-1) Zone which will permit a wide variety of land intensive businesses. All of the area designated Downtown Commercial will be zoned C-1.

**Policy CP-2A**

It shall be a policy of Council to zone existing downtown commercial uses which are located outside of the Downtown Commercial designation as C-1. The property located at 131 Riverside Avenue shall also be zoned C-1.

**Policy CP-3**

It is the policy of Council to treat uses not listed generically as permitted uses in the C-1 Zone as existing permitted uses.

**5.2 Highway Commercial**

Because of its proximity to Highway 102, Stewiacke has attracted and will continue to attract highway commercial development. Most of this development has occurred on Main Street West which begins west of Highway 102 and goes to Highway 2. After crossing Highway 2 the street, now called Main Street East, continues into the downtown.

Much of the land fronting on Main Street West has been developed. Council would like to provide for an expansion of highway commercial uses in an area south of Main Street West. Council has recently partnered with a land owner to construct a street into this area for a Business Park, which will create great opportunities for new highway commercial uses (please see Section 2.4.2).

Both of the areas shall be designated "Highway Commercial" and placed in a Highway Commercial (C-2) Zone. In addition there is a number of existing highway commercial uses which are located outside of the Highway Commercial designation. These uses will be protected by zoning them C-2.

In order to mitigate the effect that highway commercial uses may have on adjacent serviced residential uses, Council shall require a buffer be provided on the commercial lot where it adjoins a residential use.

**Policy CP-4**

It is the policy of Council to designate an area as shown on the Generalized Future Land Use Map as Highway Commercial.

**Policy CP-5(a)**

It shall be a policy of Council to establish the Highway Commercial (C-2) Zone which will permit a wide range of highway commercial uses and light industrial uses. All of the area designated Highway Commercial shall be zoned C-2.

**Policy CP-5(b)**

**It shall be a policy of Council to zone the existing highway commercial uses which are located outside of the Highway Commercial designation as C-2.**

**Policy CP-6**

**It shall be a policy of Council that where a commercial use adjoins a residential use, a buffer shall be provided on the commercial lot.**

**5.3 Architectural Controls**

Main Street is the principal entrance into the downtown area of Stewiacke. Council would like to make this gateway into Town as visually pleasing as possible. Council has identified one step in Section 4.1 to achieve this goal. Instead of having a continuous commercial strip along the street, the residential area that currently exists near Highway 2 will be preserved for the long term. Council also feels that the external appearance of new commercial buildings in view as one travels along Main Street will be a major factor in creating an attractive gateway. Therefore Council will require a number of architectural features for new buildings that will be constructed the immediate view plane of Main Street.

As previously indicated Council plans to revitalize the downtown. Having the same architectural standards as the highway commercial area will be an important part of this revitalization. Together these actions will lead to the development of a Town identity which will be a source of pride to residents and a destination point for the traveling public.

The Land Use By-law will contain the architectural requirements which will apply to new commercial buildings. Additions to existing buildings will not be subject to the requirements but will be required to be consistent with the building.

The requirements will apply to the entire Downtown Commercial (C-1) Zone. With respect to the highway commercial uses which will be in view of Main Street, the Zoning Map will have an overlay on the Highway Commercial (C-2) Zone showing the area subject to the requirements.

**Policy CP-7**

**It shall be a policy of Council to require architectural features for new commercial buildings in the areas of the Highway Commercial (C-2) Zone shown on the Zoning Map as the “Highway Commercial Architectural Control Area” and also for all buildings in Downtown Commercial (C-1) Zone.**

## Part 6 Parkland Policies

Council recognizes the important role parks and open space plays not only in the lives of Town residents but also for attracting visitors. Tourism is a significant contributor to the Town's economy. The Town is highly visible from Highway 102. Mastodon Ridge already offers a number of attractions to the traveling public. Having parks, open space, and trails create an inviting atmosphere will add to the Town's appeal as a stopping point for travelers.

Section 2.5 focuses on a trail system for the Town and Council's plans for future acquisitions of open space. This section deals with the land use aspects of parks and open space. Council will create a Parkland designation and zone to protect these areas.

The Town owns and maintains a number of parks within its boundaries, including Canada Place (Squabble Green), Dennis Park, and the Crawford Trail. Council would like see more trails in the Town.

As well the Town owns and maintains ball and soccer fields across Highway 2.

Council believes it is important to provide and protect parkland and open space within the Town. To protect parkland from incompatible uses in the long term the parkland must be publicly owned.

### **Policy P-1**

**It shall be a policy of Council to designate the existing open space and recreational areas, parks, and trails as "Parkland" on the Generalized Future Land Use Map.**

### **Policy P-2**

**It shall be the policy of Council to establish a "Parks (P-1) Zone" and to place all of the areas so designated in this zone. Such uses as parks and recreational facilities shall be permitted in this zone.**

For more information on trail development, parkland acquisition/improvement, and recreational programs please see Section 2.5.5.5.

## **Part 7 Institutional Policies**

Institutional uses are those developments which are operated for the general benefit of society. These include public operations such as schools and government offices, and also developments that are under private operations that include community groups, religious organizations, and so on. In Stewiacke, examples of institutional use would include Town Structures, the school, and the various churches in the community.

Institutional uses are generally perceived as being compatible or non-disruptive with other uses. However, given the diversity of activities included under this general heading, some guidelines are warranted where the proposal involves the erection of structures and parking vehicles.

### **Policy IP-1**

**It is the policy of Council to establish an Institutional (I-1) Zone and to zone such existing use to that zone.**

### **Policy IP-2**

**It is the policy of Council to permit new institutional uses by rezoning to the I-1 Zone in any area, except areas zoned R-1, designated Serviced Residential or Commercial subject to Policy IM-3.**

## Part 8 Water Supply Policies

The Town is supplied by a central water system delivered from the St. Andrews River. The watershed of the St Andrews River is 96 square kilometers in area and only a small portion of it is located within the Town. The watershed area which is located outside of the Town is rural in nature. A decommissioned landfill site is also located in this area.

The portion of the watershed that is located within Town is also primarily rural except for the eastern part of Kitchener Street which is serviced with wastewater services almost out to the Town boundary. The water service extends past the wastewater service. The area that is serviced with both wastewater and water services, even though it is in the watershed will be placed in the R-1 or R-2 Zone, including a comparatively large area which abuts Hillside Crescent and Sherbrooke Street. This will protect existing development and any future development plans for lots adjacent to the wastewater and water service. This is a continuation of the zoning that was established in the previous planning documents.

The unserviced areas of the watershed which abut St. Andrew's Street and Kitchener Street will be zoned R-4.

The remainder of the watershed will be placed in a Protected Water Supply (PWS) Zone. An important aspect of watershed protection is to limit density of development. This aspect is reflected in the Statement of Provincial Interest for drinking water supplies, which forms part of the *Municipal Government Act*. The PWS Zone will call for a low density of development by requiring a large lot size. However, Council believes there may well be other methods of protecting the watershed and at the same time allowing development on smaller lots, thereby reducing the amount of road required to provide access. If such a proposal were submitted to the Town, Council is prepared to proceed with amendments to accommodate the proposal.

The water supply area was first designated in 1973 under the *Water Act* (now the *Environment Act*) as a 'Protected Water Supply Area'. Limited and rather general regulations apply to activities within the designated area. In recent years the Town has been working with the provincial Department of Environment to review these regulations, a process that is still ongoing.

Because regulations made pursuant to the *Environment Act* deal with activities rather than development and the use of land, the Provincial Water Strategy calls for all watersheds of drinking water supplies to be subject to a Land Use By-law designed to protect the watershed from inappropriate development. In 2002 the Town commissioned a study to prepare a Municipal Planning Strategy and Land Use By-law for the watershed. These documents recommend the types of uses that may be located in the watershed and the lot size and setback requirements that apply.

Council will apply the findings of this study into this Strategy and the accompanying Land Use By-law but there is no authority to apply these documents to the watershed area located outside of the Town in the Municipality of the County of Colchester. The Town worked with the County to adopt a Municipal Planning Strategy and Land Use By-law for this area but this effort met with fierce opposition by the residents of the area. Without the acceptance of land use controls by the residents, the County decided to suspend the process to adopt the Strategy and By-law.

The Town understands that the difficulty in adopting land use controls over the objections of the residents but is hopeful that the County will revisit this issue in the near future.

**Policy WS-1**

**With respect to the watershed area located within the Town it is the policy of Council to designate this area as Protected Water Supply as shown on the Generalized Future Land Use Map.**

**Policy WS-2**

**It shall be a policy of Council to zone the serviced area within the Protected Water Supply designation to the R-1 or R-2 Zone, including an area adjacent to Hillside Crescent for which development plans are proposed.**

**Policy WS-3**

**It shall be a policy of Council to zone the existing unserviced residential development and adjacent areas on Kitchener Street and St. Andrew's Street located within the Protected Water Supply Designation to the Rural Residential (R-4) Zone.**

**Policy WS-4**

**It shall be a policy of Council to establish the Protected Water Supply (PWS) Zone and to apply this zone to rest of the Protected Water Supply designation. Uses permitted in the PWS Zone will be restricted to low density residential development and forestry uses. The zone will require a large lot size to lesson the impact of development on the water supply.**

**Policy WS-5**

**Not withstanding Policy WS-4, it shall be a policy of Council to consider proposals for developments on smaller lots provided such proposals offer the same level of protection to the watershed. The proposal will be allowed to proceed through amendments to the planning documents.**

**Policy WS-6**

**With respect to the watershed area located outside of the Town, Council shall encourage the Municipality of the County of Colchester to again consider establishing planning controls to protect the water supply, consistent with the goals and objectives of the Provincial Water Strategy.**

## Part 9 Conservation Policies

The Nova Scotia Department of Natural Resources has identified and mapped wetlands in the province. The Nova Scotia Department of Environment has a mandate to protect wetlands. Council would like to work with these departments to protect the wetlands within the Town.

Rather than restrict uses on wetlands in the Land Use By-law, Council will direct the Development Officer to inform the applicant of a development permit to contact the Department of Environment to determine what wetland protection measures, if any, are required to be incorporated into the development plan of the site.

There is one area of dykeland in Stewiacke, located northwest of Farmer Clems. Because of the fragile nature of dykeland no structures except those directly related to agriculture shall be permitted. Dykeland, also known as marshland, is also protected under the *Agricultural Marshland Protection Act*.

### **Policy CP-1**

**It shall be a policy of Council that development permit applicants will be provided information advising them to contact the Department of Environment to determine what wetland protection measures, if any, is required to be incorporated into the development plan of the site.**

### **Policy CP-2**

**It shall be a policy of Council to designate the dykeland as “Conservation” on the Generalized Future Land Use Map and to establish the Conservation (Con) Zone to apply to these areas. The Con Zone will permit only agricultural uses, including structures related to agriculture, and open air recreational uses.**

## **Part 10      Transportation**

As previously indicated, the Town is interested in working with neighbouring municipalities to explore a Transportation Strategy for the region (please see Section 2.3.10).

On a local level, within the Town there are 24 kilometers of paved public streets and 5.5 kilometers of gravel streets. All but 1.5 kilometers of the gravel streets are located in the rural area of the Town and are in good condition. A number of the unpaved streets are in need of improvements. The Town recently completed a repaving project on Main Street West.

As the Town grows in the coming years there will be more and more pressure on the transportation system. Some work has been done to determine what is needed to accommodate increased traffic but Council feels a traffic study is required to plan for this traffic in a comprehensive manner.

### **Policy TP-1**

**It shall be a policy of Council to undertake a comprehensive traffic study for the Town as funding becomes available.**

# Part 11 Implementation

## 11.1 Statements of Provincial Interest

The Municipal Government Act requires that a Municipal Planning Strategy be reasonably consistent with Statements of Provincial Interest which have been adopted by the Province. At the time of the preparation of this Strategy the Province had adopted 5 separate statements respecting the following: the quality of water within municipal water supply watersheds; protection of public safety and property in designated and recognized floodplains; the protection of agricultural lands; the efficient use of municipal water and wastewater infrastructure; and the provision of housing opportunities which meet the needs of communities.

There are no designated floodplains in Stewiacke. Council has identified wetland and dykeland and has taken steps to protect these areas.

Because Stewiacke is a town with water and wastewater services, the protection of agricultural land does not carry the same impact as agricultural land in rural municipalities which has little or no likelihood of receiving services. However Council recognized the importance of agricultural uses in its un-serviced areas and has provided for them in the Land Use By-law.

The other three statements of provincial interest relate directly to Stewiacke and Council's policies and regulations are consistent with them.

## 11.2 Review of Municipal Planning Strategy

The Municipal Government Act states that a Strategy shall include policies on how Council intends to review the Strategy and Land Use By-law. We live in a world in which conditions relating to development may change rapidly. When Council determines that these types of changes warrant a review of the planning documents it shall conduct a review, and seek public input throughout the process.

The same holds true with the ICSP part of the Strategy. Council may review ICSP policies independently of the entire Strategy when circumstances such as direction from the senior levels of government with respect to sustainability change.

Council also believes that a review should occur no later than seven years from the effective date of the Strategy and Land Use By-law.

### **Policy IM-1**

**It shall be a policy of Council to review the Municipal Planning Strategy and Land Use Bylaw as deemed necessary by Council due to changing**

conditions but not later than every seven years.

#### **Policy IM-2**

It shall be a policy of Council to review the ICSP part of the Strategy independently from the rest of the Strategy as deemed necessary by Council.

## **11.3 Amendments of the Land Use Bylaw**

### **11.3.1 Criteria**

The Strategy is accompanied by a regulatory document known as a Land Use By-law. It is intended that the Land Use By-law be amended from time to time usually through a formal application process made to the Town. An application may be received to amend a clause(s) or section(s) of the By-law or to amend the Zoning Map (these latter amendments are also known as rezoning's).

Council may only approve amendments to the Land Use By-law if they are consistent with the policies of this Strategy. In addition to policies or statements contained throughout the Strategy the following is a list of general criteria to be followed by Council in its consideration of an amendment.

#### **Policy IM-3**

In considering amendments to the Town of Stewiacke Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:

- (a) whether the proposal is considered premature or inappropriate in terms of:
  - (i) the adequacy of sewer and water services;
  - (ii) the adequacy of school facilities;
  - (iii) the adequacy of fire protection;
  - (iv) the adequacy of road networks adjacent to, or leading to the development; and
  - (v) the financial capacity of the Town to absorb any costs relating to the development.
- (b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;
- (c) the adequacy of the dimensions and shape of the lot for the intended use;
- (d) the pattern of development which the proposal might create;
- (e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;

- (f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations;
- (g) the impact of not only the use being proposed but all uses permitted in the zone;
- (h) the site meets all of the zone requirements for the zone sought;
- (i) the impact of the proposed development on adjacent uses; and
- (j) any other matter required by relevant policies of this Strategy.

### **11.3.2 Amendments not Requiring a MPS Amendment**

When a rezoning to a zone is in an area not consistent with the Generalized Future Land Use Map, the rezoning should not be approved unless the Map is amended. However, since the designations on the Generalized Future Land Use Map are meant to be general, a rezoning in an area adjacent to a required land use designation may be considered without amending the Generalized Future Land Use Map.

#### **Policy IM-4**

**It shall be a policy of Council to consider a Land Use By-law amendment to zone any area immediately adjacent to a given land use designation on the Generalized Future Land Use Map (Schedule A) to a zone permitted in the adjacent designation without requiring a Strategy amendment, provided that all policies of the Strategy are satisfied.**

### **11.4 Subdivision**

Subdivision includes the creation of one or more new lots, consolidation of two or more existing lots or boundary adjustments on existing lots. All subdivision in the Town of Stewiacke is controlled by the standards set out the Subdivision By-law.

#### **Policy IM-5**

**It shall be the intention of Council to adopt a Subdivision By-law which reflects the intent and policies of this Strategy. The By-law shall include:**

- (a) road construction standards;
- (b) water and sewer installation standards;
- (c) requirements for cash-in-lieu of open space; and
- (d) other requirements as permitted through the *Municipal Government Act*.

#### **Policy IM-6**

**It shall be the policy of Council to prohibit subdivision of land on private roads.**

### **Policy IM-7**

It shall be the intention of Council to include in the Subdivision By-law provisions for the subdivision of lots that do not meet the applicable minimum lot area and frontage requirements of the Land Use By-law. The conditions under which such lots may be approved are as follows:

- (a) where two or more main buildings are located on a lot, subdivision is permitted to create the same number or fewer lots as there are main buildings;
- (b) where two lot owners wish to alter their common boundary, provided that no additional lots are created and each lot meets the Land Use By-law frontage and area requirements or does not have its frontage or area reduced;
- (c) where new lots are being created, two lots may be approved in accordance with Section 279 of the Municipal Government Act which allows for the creation of not more than two undersized lots where the lot dimensions and area are not less than 90 percent of the required minimum; and
- (d) where two lots have a common boundary, they may alter their common boundary where a development component of a permanent nature such as a structure, driveway, well or septic tank is encroaching in or upon an immediately adjacent area of land.

### **11.5 Recovery of Expenses**

The *Municipal Government Act* allows municipalities to establish fees to cover the costs of amendments to the Land Use By-law and variances.

### **Policy IM-8**

It shall be the policy of Council to levy fees from the applicant for following:

- (a) cost of advertising in the newspaper; if the advertising costs are more than the established fee, then the applicant will be billed for the difference, or if it is less, the difference shall be refunded; and
- (b) administrative processing costs.

### **11.6 Repeal of Strategy**

The Town of Stewiacke Municipal Planning Strategy as adopted by Town Council on March 28, 2002, and all amendments thereto, are hereby repealed.