

# Municipality of the District of Barrington

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## Municipal Planning Strategy

11/25/2013



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## ACRONYMS

### DOCUMENTS

ICSP – Integrated Community Sustainability Plan  
LUB – Land Use Bylaw  
MCCAP – Municipal Climate Change Adaptation Plan  
MPS – Municipal Planning Strategy  
MGA – Municipal Government Act

### POLICIES

BP – Business Park  
CC – Climate Change  
CG – Commercial General  
CW – Coastal Wetland  
ECON – Economic  
ES – Environmental Stewardship  
GC – Group Commercial  
GS – Government Services  
HO – Home Occupation  
I – Industrial  
IM – Industrial Marine  
IMP – Implementation  
MU – Mixed Use  
RD – Rural Development  
REC – Recreation  
RG – Residential General  
RI – Residential Island  
RR – Residential Restricted  
SUB – Subdivision  
WTG – Wind Turbine Generator

## **PART 1      GENERAL**

### **HISTORY**

The area now comprising the Municipality of the District of Barrington has had a long and varied history. Aboriginal presence in south western Nova Scotia dates back more than seven thousand years. The earliest known European colonists were the French who arrived in sailing ships shortly after 1604. They established a settlement and fort in 1627 near present day Port La Tour. Charles de La Tour, a prominent figure in the early days of European settlement married a Mi'kmaq woman, and their Métis descendants inherited interests in the Cape Sable area. For 150 years these French adventurers carried on trade with the native Mi'kmaq and engaged in fishing. The expulsion of the Acadians that began in 1755 occurred somewhat later in south western Nova Scotia and took place during the years 1756-1758. Shortly thereafter, in 1761, the first English speaking settlers came to the area from Cape Cod and Nantucket in response to Governor Lawrence's proclamation that was issued twice in the New England states enticing English speaking settlers to take up vacated Acadian lands. Over time a number of coastal communities were established where the land favoured development and afforded protection from the elements of a marine climate. In these formative years, fishing, lumbering and subsistence agriculture was the mainstay of the area.

During most of the nineteenth century both Barrington Municipality and south western Nova Scotia prospered from the shipbuilding industry and the export trade. Major shipyards were located in Barrington and Clyde River. The advent of steam and a changing investment climate brought an end to the age of sail. Regular rail service linking the municipality with Yarmouth and Halifax commenced in 1907. Once again changing times and the arrival of the automobile witnessed the gradual decline of rail service as the public road network was gradually improved. The construction of a causeway linking Cape Sable Island with the mainland was completed in 1949. Unfortunately in 1982 Canadian National terminated rail service on its south shore line between Yarmouth and Liverpool.

Today there are many reminders of the past that have helped shape the present day municipality. The Old Meeting House and the Barrington Woolen Mill are two well-known historical buildings that survive today and remind us of Barrington's long history. An impressive stock of intact heritage homes still exist in Barrington Municipality and many of these homes are recognized as registered heritage properties.

### **MUNICIPAL PROFILE**

The Municipality of the District of Barrington is located in Shelburne County and bounded on the west by the rural municipality of the District of Argyle and on the east by the Clyde River which also serves as the municipal boundary with the rural Municipality of the District of Shelburne. Municipal district boundaries also surround the Town of Clark's Harbour on Cape Sable Island. The largest portion of Barrington's

population, of approximately seven thousand people, is located in a variety of coastal communities stretching along the southwest coast of Shelburne County from Thomasville to Charlesville. The focus of economic activity has always been the fishery as well as commercial and industrial enterprises associated with fishing. Barrington, Barrington Passage and Woods Harbour are the largest communities located within the municipality.

Cape Sable Island is a large island of approximately 3824 hectares and contains a substantial portion of residential development within the Municipality of Barrington. Cape Sable located at the southern tip of Cape Sable Island is the most southerly point of land in Nova Scotia. Cape Sable Island contains extensive coastal wetlands, inland swamps and bogs. The Island is known internationally to bird watchers.

A large portion of the interior of the municipality is crown land owned by the Province of Nova Scotia and managed by the Department of Natural Resources (DNR). Barrington Municipality is also located within the UNESCO designated Southwest Nova Biosphere Reserve. This unique designation encompasses five counties representing a major portion of south western Nova Scotia. The UNESCO designation recognizes the unique and pristine natural ecosystems located in this region.

### **AUTHORITY AND SCOPE**

This Municipal Planning Strategy supersedes the Municipal Planning Strategy approved by the Minister of Service Nova Scotia and Municipal Relations on December 11, 1996. It is the product of a review process begun in 2009 under the Municipal Government Act and incorporates the principles and policies of the Integrated Community Sustainability Plan approved by Council on February 22, 2010.

The Municipal Planning Strategy provides the policy framework for land use and development control as well as a long range vision for the future to encourage that the communities within Barrington Municipality will prosper and thrive for generations to come. This planning document recognizes the integrated and interdependent relationship between the economy, the environment and the social and cultural dimensions of our communities.

The Municipal Government Act provides Council with the power to make statements of policy with respect to a broad range of activities including future development, land use, municipal services, transportation, recreation, municipal development, coordination of public programmes and any other matter related to the physical, social or economic development of the municipality.

This Municipal Planning Strategy for the Municipality of Barrington is the policy framework by which Barrington Municipal Council will guide and control development, land use and other matters of interest to Council within the terms of the Municipal Government Act.

The Land Use By-law and the Subdivision By-law are companion documents to this Municipal Planning Strategy and are the means by which Council will carry out the

intent of the Municipal Planning Strategy as set out in the Municipal Government Act for land use and development purposes.

**INTERPRETATION**

For the purposes of this Municipal Planning Strategy, the planning area of the Municipality of Barrington is defined as the entire Municipality of Barrington as incorporated in 1879.

This Municipal Planning Strategy is a policy statement of Council and Council shall uphold the policies contained within the Municipal Planning Strategy. No new development can be permitted which is contrary to the policies of the Municipal Planning Strategy.

The Generalized Future Land Use Maps and Existing Land Use Maps appended to this Municipal Planning Strategy form part of the Municipal Planning Strategy.

## **PART 2 GOALS AND OBJECTIVES**

### **MUNICIPAL VISION STATEMENT**

*To sustain viable and vibrant communities supported by a strong local economy, a versatile cultural and heritage scene, strong social networks and a healthy natural environment. Clean air, pure water and uncontaminated soil are crucial to the well-being of our economy and the health and quality of life of our citizens.*

### **FOUNDATION PRINCIPLES**

The goals, objectives and policies in this Municipal Planning Strategy are influenced and guided by the four foundation (sustainability) principles endorsed by PAC and Council in October 2009. The following foundation principles have been adopted by Council as the building blocks on which the Municipal Planning Strategy (MPS) is based:

**Economy:** We will take action to enhance and support our local and regional economy and intend that future economic development is balanced with social, environmental and cultural concerns.

**Natural Environment:** We will strive to protect ecological diversity and prevent damage to our natural assets including our coastal areas, beaches, rivers, lakes, forests, streams and wetlands.

**Resources:** We will reduce pollution and waste and minimize our consumption of non-renewable resources.

**People & Communities:** We will work together to maintain and improve the quality of life for all our residents.

### **REGIONAL SUSTAINABILITY CHALLENGES AND ISSUES**

Many issues and challenges concerning the long term viability and vitality of our communities are not restrained by municipal boundaries. In order for communities to become more sustainable, municipalities must work collaboratively with one another to address regional issues. As part of the Integrated Community Sustainability Plan (ICSP) the following issues were identified as being common to all municipalities throughout south western Nova Scotia and best addressed from a regional perspective:

- R1 - Water Quality Protection
- R2 - Transportation
- R3 - Climate Change Adaptation
- R4 - Local Food and Sustainable Agriculture

- R5 - Solid Waste Management
- R6 - Renewable Energy Development
- R7 - Education for Sustainability
- R8 - Regional Health Care Services
- R9 - Regional Economic Development

The ISCP outlines the Municipality's strategic direction and goals with respect to the above Regional Objectives.

## **PART 3 PROVINCIAL STATEMENTS OF INTEREST**

As per MGA section 198, Barrington's Municipal Planning Strategy (MPS) must be reasonably consistent with the following Statements of Provincial Interest:

**1. To Protect the Quality of water within municipal water supply watersheds.**

Barrington does not have a municipal water supply watershed.

**2. To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.**

Barrington does not contain any Flood Risk Areas that are designated under the Canada-Nova Scotia Flood Damage Reduction Program. However, the Municipality's *Municipal Climate Change Adaptation Plan* (MCCAP) has identified flood risk and sea level rise impact areas susceptible to water damage, erosion and loss of land. The MCCAP prioritizes possible adaptation actions designed to protect the Municipality and its residents from environmental hazards and an uncertain climactic future.

**3. To protect agricultural land and to maintain viable and sustainable food resource base.**

The Municipality of Barrington has limited agricultural lands. Fisheries-based industries provide much of the Municipality's economic and food resource base.

**4. To make efficient use of community infrastructure, particularly municipal water and waste water facilities.**

The central sewer systems situated in the communities of Barrington-Barrington Passage and Woods Harbour enable development in these areas where limitations of lot size availability and on-site sewage constraints would otherwise severely limit development. Development, and higher density development is encouraged in the sewer serviced areas. Strategy policies include designation of the areas where central sewer services are located as Rural Centres, and designating zones in these areas where multi-unit residential and commercial uses are permitted. Policy to undertake environmental studies to determine the need for expansion of existing sewers, or the development of new sewer system infrastructure is also included in this Strategy.

**5. To provide a range of housing opportunities that meets the needs of all Nova Scotians.**

All forms of residential housing, including multi-unit dwellings and manufactured housing, are considered in this Strategy and listed in the Land Use Bylaw.

## **PART 4 COASTAL WETLANDS, ENVIRONMENTAL STEWARDSHIP AND CLIMATE CHANGE**

Previous planning documents and studies have recognized that certain landscape features pose specific constraints for development. Coastal salt marshes and beaches were clearly identified as not being suited for development purposes. Salt marshes are susceptible to flooding and are an extremely productive ecosystem as they support rich and diverse forms of life and act as the nursery for various fish species important to fish stocks and the fishing industry. Beaches and coastal wetlands exhibit unstable slopes and soil conditions created by wind and wave erosion and tidal flooding.

Development on floodplains and wetlands can destroy important natural habitat and dramatically effect natural cycles and processes. Site specific constraints to development should be recognized and respected on flood plains and wetlands. Development should be restricted in these environmentally sensitive areas in order to protect the environmental fabric of the landscape and reduce the risk to human settlement from extreme weather, coastal erosion, flooding and storm surge.

A strong stewardship program is essential for the conservation of wetlands, watercourses and sensitive natural environments. Stewardship can be viewed as the wise and ethical management of natural resources by the stakeholders who share a common interest in the sustainable management of the natural resources that occur in the environment.

Barrington Municipality is one of sixteen municipalities contained within the five counties (Annapolis, Digby, Queens, Shelburne and Yarmouth) that comprise the UNESCO designated South West Nova Biosphere Reserve. This designation recognizes the unique natural resources and assets located within the biosphere reserve area and supports the concept of conserving and protecting biodiversity while working towards the sustainable management of natural resources and long term sustainable development. The Southwest Nova Biosphere reserve is one of fifteen biosphere reserves in Canada. Its core protected areas are Kejmkujik National Park & National Historic Site as well as The Tobeatic Wilderness Area.

Wetlands, watercourses and undisturbed natural areas are ecologically, economically and socially important. They provide wildlife habitat and in turn play a vital role in the ecological and biological processes that are essential to life itself. Exposure to nature and wildlife enhances our lives and is important in developing an understanding of our role in the web of life and our place in nature. Natural watercourses such as lakes, rivers, streams and wetlands are important to biodiversity and the health of natural communities, both plant and animal.

Barrington Municipality is home to several types of Atlantic Coastal Plain Flora that are regarded as species at risk because they are either threatened or endangered. The thread-leaved sundew is a carnivorous plant found only in five bogs at the southwest tip of Nova Scotia and nowhere else in Canada. The tubercled spike-rush occurs on

the shoreline of five lakes in southwest Nova Scotia and is a threatened plant species typically found on lakeshores and peat rich areas that receive full sunlight.

The piping plover, the red knot and the roseate tern are all migratory birds that are found in coastal areas and are recognized both provincially and nationally as endangered bird species. Land based activities can threaten the survival of these plant and bird species. Cottage development and its associated activities, including shoreline alteration (dock building, mowing, raking, infilling, off highway vehicle use) land clearing and road building can pose a threat to the survival of these species as can nutrient, sediment and pesticide runoff from cottages, forestry activities and agricultural operations.

Watercourse buffers help protect watercourses from adjacent development. Retaining watercourse buffers is important to water quality, plant and animal communities and the protection of property from the natural hazards of flooding. In addition to mitigating flood hazard, riparian buffers also reduce the impacts of sedimentation, erosion and nutrient loading on watercourses. They help to regulate the temperature of adjacent watercourses, provide important plant and animal habitat and add aesthetic value to the municipality. Both surface and ground water supplies are important natural resources that require protection in the long term as well as environmentally responsible management by those who benefit from the resource. Although Barrington Municipality doesn't currently provide a central water supply system to residents, problems both with water quality and quantity have been identified in the past. The Barrington Lake watershed, located north of the community of Barrington, was identified in a 2005 CBCL Ltd. report, as a potential surface water supply source for central water distribution. Two potential groundwater supply sources were also identified and it was the reports recommendation that land use activities be restricted in proximity to these future, potential water supply sources.

The foundation principles recently adopted by Council as part of the Integrated Community Sustainability Plan (ICSP) identify the need to reduce our encroachment upon nature. This requires the protection of ecological diversity and respect for natural landscape features as well as protection of environmentally sensitive areas, such as coastal and inland wetlands, beaches, lakes and watercourses.

**COASTAL WETLANDS POLICIES (CW)**

**IT SHALL BE THE POLICY OF COUNCIL:**

- CW-1 To identify and designate on the Generalized Future Land Use Map 1 of the Municipal Planning Strategy coastal salt marshes and beaches as Coastal Wetlands (CW) where development shall be limited to passive and active recreational uses.
- CW-2 To establish a Coastal Wetlands (CW) zone in the Land Use By-law for all lands within the Coastal Wetlands designation.
- CW-3 To permit in the areas zoned Coastal wetlands (CW) a variety of passive and active recreational activities.

**ENVIRONMENTAL STEWARDSHIP POLICIES (ES)**

**IT SHALL BE THE POLICY OF COUNCIL:**

- ES-1 To manage municipally owned land in an ecologically sustainable manner.
- ES-2 To work with other agencies, institutions, organizations and levels of government to encourage the protection of environmentally sensitive and ecologically significant areas.
- ES-3 To establish a watercourse, wetland and oceanfront buffer, where the erection of structures, removal of vegetation and the altering of land levels will be controlled.
- ES-4 To consider establishing an Environmentally Sensitive (ES) Zone around Barrington Lake to restrict land use activities that could threaten water quality should the Municipality develop a public drinking water supply project.

**CLIMATE CHANGE ADAPTATION POLICIES (CC)**

Climate change adaptation is also of key concern to the Municipality. The majority of the world's scientists agree that the consumption and burning of fossil fuels has contributed to greenhouse gases in our atmosphere and resulted in increased temperatures on both land and water throughout the globe. As coastal communities long dependent on natural resources we must prepare ourselves for the changes that extreme weather events such as hurricanes, storm surges and floods can present for our communities. Emergency measures plans are developed by municipalities as a

way of encouraging a timely, co-ordinated and efficient response to emergency situations is facilitated by various organizations and agencies.

Extreme weather can offer a variety of challenges and understanding the implications of sea-level rise, flooding and storm frequency should assist human populations with long term land use planning decisions. Information provided by conducting a vulnerability assessment of existing infrastructure would help to provide a baseline inventory and critical information about the potential problems and risks for our communities from extreme weather events.

**IT SHALL BE THE POLICY OF COUNCIL:**

- CC-1 To work co-operatively with EMO organizations and various levels of government to broaden public understanding about climate change issues.
- CC-2 To undertake a vulnerability assessment of existing municipal infrastructure in relation to sea level rise, storm surge and flood risk.
- CC-3 To consider climate change impacts in relation to water resources on a watershed by watershed basis.
- CC-4 To provide leadership and advocacy for the stewardship role of Municipal government in relation to the protection of environmental resources.

## **PART 5 RURAL CENTRES**

Much of the land development activity in Barrington Municipality is concentrated in two rural centres: the Barrington-Barrington Passage area and the Lower and Central Woods Harbour area. These communities have the greatest concentration of residential, commercial and industrial development contained within a relatively confined geographic area. These two rural centres exhibit a more compact and small town/village development pattern with a mixture of land uses located along both sides of the public highway in well-established communities with a long and varied history. These communities will continue to be the focus of social and economic activity and are at present the only two areas of the municipality served by a municipal central waste water (sewer) system. Encouraging mixed use developments, containing residential and commercial components within these rural centres could benefit the municipality's aging population and make efficient use of land capable of connecting to a central sewer system. Council will encourage the development of these rural centres in a manner that is compatible with the existing character of the community and responsive to the needs of its residents.

### **RURAL CENTRE - BARRINGTON-BARRINGTON PASSAGE**

The Barrington-Barrington Passage corridor is located along the shores of Barrington Bay. The larger communities of Barrington and Barrington Passage anchor the north and south ends of the corridor while encompassing a variety of smaller and distinct communities such as Sherose Island and Brass Hill. It is generally an area running parallel with Highway 3 from the shoreline approximately .5 km deep extending from Fresh Brook in the south to just east of the Old Post Road on the north, encompassing an area of approximately eight square kilometres.

### **RESIDENTIAL GENERAL (RG)**

Most of the residential development in the Barrington-Barrington Passage rural centre is distributed along the Highway #3 corridor east of the abandoned Canadian National Railway right-of-way. Although the predominant land use is residential in nature, a mixture of land uses ranging from recreational and institutional to commercial and industrial also exist in close proximity to many residential uses. Sherose Island with the exception of municipal recreation property and a marine industrial use is primarily developed with residential uses.

Past planning documents have recognized this predominantly residential area of the Barrington rural centre and designated this area as Residential General (RG) on Map 1 Generalized Future Land Use of the Municipal Planning Strategy. Within this designation, two zone categories will be established. The bulk of the area will be zoned as Residential General (RG) on the Zoning Map (Schedule A) of the Land Use By-law to permit a wide range of residential, recreational and institutional uses as well as listing in Schedule 'J' of the By-law existing industrial uses and to consider, by way of development agreement, expansions to and changes in use of these industrial uses.

It is the intent of Council to permit, by agreement, Commercial uses in the RG zone, so long as the predominate residential aesthetic of the surrounding area is maintained.

**IT SHALL BE THE POLICY OF COUNCIL:**

- RG-1 To designate as Residential General (RG) the built up residential sector and reserve vacant land in the Barrington-Barrington Passage Corridor as shown on Generalized Future Land Use Map.
- RG-2 To establish a Residential General (RG) Zone in the Land Use By-law, as shown on Schedule A of the Land Use By-law for lands located within the Residential General designation.
- RG-3 To regulate RG uses in the LUB.
- RG-4 To permit the operation of existing commercial uses in the RG zone and to permit new commercial uses in an existing building.
- RG-5 To consider expansions, lot consolidations and the construction of new commercial buildings by development agreement subject to the following criteria:
  - a) That adequate screening is provided to screen storage and work yards so as not to be visible from abutting uses;
  - b) That the architectural form of the building is in general compliance with the residential surroundings;
  - c) That the use generally conforms to all relevant criteria of Policy IMP-17 inclusive.

**COMMERCIAL GENERAL (CG)**

The Barrington-Barrington Passage Corridor is the focal point of commercial and business activity in the municipality. This activity is most highly concentrated in the Barrington Passage area. Over the last ten years (2000-2010) this commercial area has experienced considerable growth and change. Barrington Passage now serves as a regional trade and commerce centre for Shelburne County and communities in nearby Yarmouth County located in proximity to Barrington Passage. Within this commercial district two distinct commercial areas have evolved, these areas of commercial activity are separated by a mixed use area where long standing residential uses are interspersed with commercial and institutional uses.

A long established mixed use, compact and commercial core has developed in the vicinity of Snow's Road and Station Road. Sidewalks in this core area offer an alternative to car travel and provide residents with a wide range of goods and services that are accessible by foot. Due to the fact that this area contains a mixture of land uses many of which are residential in nature new lounges, taverns and cabarets seeking to locate in the commercial general zone are not permitted as-of-right but

may be considered by development agreement subject to specific criteria designed to protect existing residential and institutional uses and provide separation from adjacent residential or institutional uses.

The intensive development of a highway commercial area in the vicinity of the intersection of the Cape Sable Island causeway with Highway #3 on the mainland has resulted in traffic congestion that necessitated the installation of new entrance and exit lanes and a set of traffic lights. This highway commercial area contains a mixture of both old and new commercial developments. Council recognizes the need for special requirements related to accessing a commercial development and will include policy in the Municipal Planning Strategy and requirements in the Land Use By-law for greater control of vehicular and pedestrian traffic in relation to commercial development.

In order to foster and accommodate commercial development in Barrington Passage Council will designate as Commercial General the lands located between Fresh Brook and the northern property line of the Community Health Centre located at 3322 Highway 3 Barrington Passage. Within this designation Council will zone most of the land, except for those properties located within the Group Commercial (GC) zone and the Business Park (BP) Zone as Commercial General (CG) and will establish the Commercial General (CG) zone in the Land Use By-law to primarily accommodate a wide range of commercial uses as well as a mixture of residential, institutional, recreational, utility and existing industrial uses listed in Schedule J.

**IT SHALL BE THE POLICY OF COUNCIL:**

- CG-1        Except for the areas designated Coastal Wetlands and Business Park to designate as Commercial General the area between Fresh Brook and the eastern property line of the Barrington Passage Fire Department as shown on Generalized Future Land Use Map 1 to primarily accommodate commercial uses and developments and secondarily to accommodate residential, institutional, and utility uses along with existing industrial uses listed in Schedule J.
  
- CG-2        To establish a Commercial General (CG) zone in the Land Use By-law, as shown on Schedule A of the Land Use By-law to correspond to the areas designated Commercial General, excluding the area zoned Group Commercial (GC).
  
- CG-3        To regulate CG uses in the LUB.
  
- CG-4        To consider only by development agreement in areas zoned Commercial General (CG) proposals for:
  - New lounges, taverns and cabarets in accordance with Policy IMP-17.
  
- CG-5        To permit the expansion of existing commercial uses and the establishment of new commercial uses in areas immediately adjacent to

the Commercial General (CG) designation only by amendment to the Land Use by-law in accordance with Policy IMP-9.

- CG-6 To establish special access provisions in the Land Use By-law for commercial developments in the Commercial General (CG) zone.

**GROUP COMMERCIAL (GC)**

Close to the causeway in Barrington Passage a number of small, contiguous lots have been developed commercially with buildings that share common walls. Most of these lots have limited access and parking. The lots are almost entirely covered with existing buildings and many of the lots do not have frontage on a public road. This commercial area was developed many years ago before many of the land use controls that maintain minimum lot standards such as lot area, lot frontage and building setbacks were a requirement. Development potential for this commercial district, with the present lot configuration is quite limited in terms of change and expansion to the structures that house these existing businesses. In recognition of this situation Council wishes to create a new Group Commercial (GC) zone within the Commercial General designation to encourage the orderly development of this area and to address issues of parking and loading and safe access to the development from the existing entrance to the busy causeway. New access points for undeveloped lots will be restricted and this new zone will also address issues of shared loading and parking areas from a group commercial perspective. The uses permitted in this commercial zone will be similar to the uses permitted in the General Commercial zone excluding industrial uses. Any re-development of these properties in terms of lot consolidations and the construction of new buildings will be controlled through the development agreement process.

**IT SHALL BE THE POLICY OF COUNCIL:**

- GC-1 To designate as Group Commercial (GC) the areas shown on Generalized Future Land Use Map 1 of the Municipal Planning Strategy.
- GC-2 To establish a Group Commercial (GC) zone in the Land Use By-law for the area shown on Schedule A. This zone is established to recognize the unique circumstances of this commercial area that contains numerous small lots with limited access and amenity space.
- GC-3 To permit a broad range of commercial and residential uses (similar to the commercial uses permitted in the Commercial General zone) in existing or new buildings, with the exception of industrial uses.
- GC-4 To permit commercial and residential uses in existing structures but to limit the ability to replace or enlarge structures or develop new structures on lots within this zone except by development agreement in accordance with Policy IMP-13 thru IMP-17 inclusive.

**BUSINESS PARK (BP)**

Council has long recognized the potential for business opportunities which could be realized by the development of a Business Park in the Municipality. Council has researched this issue and commissioned consultants to investigate the suitability of sites for business/industrial park sites within the municipality. The conclusions of the studies were recommendations for short term development of a business park site in the Barrington Passage area and a long term development of an industrial park site in the Ridge Road area off Highway 103.

Council decided to proceed in the short term with the development of a Business Park on Municipal owned property in the area of Sterling Road in Barrington Passage. The site met the criteria recommended in the consultant study and can be serviced by an extension of the central sewer system in Barrington. Council intends to proceed in the long term with development of an industrial park site in the Ridge Road area off Highway 103 when conditions warrant.

During the 2010 construction season a new municipal public road was constructed off of Sterling Road to provide access to Barrington's new business park. A variety of Business Park uses shall be permitted as-of-right in the Business Park Zone while other uses will only be permitted by development agreement.

**IT SHALL BE THE POLICY OF COUNCIL:**

- BP-1 To designate municipal lands in the vicinity of Sterling Road in Barrington Passage as Business Park as shown on Generalized Future Land Use Map 1 of the Municipal Planning Strategy to accommodate a range of commercial and light industrial uses.
- BP-2 To establish a Business Park (BP) Zone in the Land Use By-Law to correspond with the area designated Business Park (BP) in the Municipal Planning Strategy.
- BP-3 To regulate BP uses in the LUB.
- BP-4 To consider only by development agreement in areas zoned Business Park (BP) potentially obnoxious uses including certain light industrial uses, food processing operations, laboratories, heavy equipment repair operations, recycling depots and service industries subject to the following criteria:
  - a) That the use will not, by way of emissions of odour, dust, smoke, noise or vibration, or by excessive traffic generation; disrupt or detrimentally affect abutting or nearby land uses nor be a use characterized by producing wastes that can contaminate soils or watercourses
  - b) That the use excluding storage facilities and wholesale warehousing and distribution facilities is contained and conducted within a wholly enclosed building

- c) That adequate screening is provided to screen storage and work yards so as not to be visible from abutting uses;
- d) That all provisions of the By-Law respecting minimum yards, parking, loading and unloading requirements are satisfied;
- e) That the use generally conforms with all relevant criteria of Policy IMP-17 inclusive.

BP-5 That any development agreement entered into shall contain such terms and conditions to intend compliance with the policies of this strategy and the agreement shall also include some or all of the following where applicable:

- a) A site plan based on a survey indicating the specific use and size of all the buildings and structures
- b) Indication of type and method required for adequate buffering from adjacent properties.
- c) The location, size and number of parking and loading spaces, access points, and driveways
- d) All other matters enabled under the Municipal Government Act.

BP-6 To require a site plan showing the location, dimensions and height of buildings or structures on the lot, watercourses, parking and loading areas, access, the location and type of screening which shall form part of the development agreement.

### **RECREATION (REC)**

Culture and recreation are important to the social fabric of the community. In today's economy cultural and recreational activities generate economic value. Benefits include physical and social wellbeing, cognitive, developmental and behaviour benefits, environmental benefits, job creation, and youth retention. Council recognizes the strong interaction between the culture of a community and its economic life. Through its cultural policies, Council is attempting to strengthen Barrington's cultural foundation for the benefit of the whole municipality both now and in the future.

Council has long supported programs that provide financial assistance to local groups and organizations in promoting recreation and culture. The municipality's recreation complex on Sherose Island is a significant public asset and is strongly supported by public funds and community participation. In recognition of the importance of this facility and other municipally owned park and recreation facilities to Barrington Municipality, Council will designate these municipally owned properties as Recreation (REC) on the Generalized Future Land Use Map of the Municipal Planning Strategy. A

new zone in the Land Use By-law will be created to correspond to the area designated Recreation and this new zone will be reflected on the Zoning Map of the Land Use By-law. This designation and zone are created to recognize the current use of these properties for recreational purposes and to protect the public nature of these existing facilities for recreational use in the future.

**IT SHALL BE THE POLICY OF COUNCIL:**

- REC-1 To designate as Recreation those lands owned by the Municipality of Barrington and used for park or recreational purposes as shown on Generalized Future Land Use Map 1 of the Municipal Planning Strategy.
- REC-2 To establish a Recreation zone in the Land Use By-law, as shown on the Schedule A of the Land Use By-law to correspond to the area designated Recreation.
- REC-3 To regulate REC uses in the LUB.
- REC-4 To permit the development and use of land in all zones for park, recreation and open space uses.

### **RURAL CENTRE- WOODS HARBOUR**

The five square kilometre area that encompasses the Woods Harbour Rural Centre lies approximately fourteen kilometres northwest of Barrington Passage along Highway 3. The distinct communities of Lower and Central Woods Harbour are located within this rural centre.

Historically this area has developed with a mixture of land uses in a predominantly, linear fashion along both sides of Highway #3 with a focus along the waterfront. Land uses located along the waterfront, harbour area on the west side of Highway 3 have been associated with the fishery or associated marine resource industries. This area still supports viable fish plants, lobster pounds, boat shops and marine related industrial and commercial activity. Over time the scale and nature of some of these marine related activities has changed but they are still the dominate land use in this industrial marine waterfront area. The east side of Highway #3 and the areas above and below the marine industrial waterfront area have been developed with a mixture of uses interspersed amongst the predominantly residential character of the community.

This rural centre is fairly self-sufficient in nature since most basic services and amenities can be found throughout the community. A post office, fire hall and several churches make up the main institutional land uses in the area. Most commercial activity, outside the marine industrial areas is small scale and local in nature and often conducted as a home occupation. This mixture of commercial land use provides the basic amenities such as retail outlets, eating establishments and business services for this rural centre. A substantial portion of this area is serviced with central sewer and a wastewater treatment plant located at the southern end of the community adjacent to the Shag Harbour community boundary.

### **MIXED USE (MU)**

In keeping with the historical development of this rural centre Council recognizes that there is still a desire within the community to accommodate a broad range of land uses in the built up area west of the abandoned Canadian National Railway right-of-way and the shoreline of Woods Harbour. Some land uses with the potential to create adverse conditions that are not compatible with the residential fabric of the community will be prohibited or restricted. This area will be designated as Mixed Use on the Generalized Future Land Use Map 1 of the Municipal Planning Strategy and zoned as Mixed Use on Schedule A of the Land Use By-law.

### **IT SHALL BE THE POLICY OF COUNCIL:**

- MU-1 To designate as Mixed Use (MU) the built-up mixed development area between the abandoned Canadian National Railway right-of-way and the shoreline of Woods Harbour (except those lands designated as Industrial Marine (IM) and Coastal Wetlands (CW) as shown on the Generalized Future Land Use Map 1 of the Municipal Planning Strategy to accommodate a mixture of land uses.

- MU-2 To establish a Mixed Use (MU) zone in the Land Use By-law, as shown on Schedule A of the Land Use By-law, to include all lands within the Mixed Use designation.
- MU-3 To regulate MU uses in the LUB.
- MU-4 To consider only by development agreement, in areas zoned Mixed Use (MU) proposals for: new heavy industrial uses, except fish reduction plants and fish composting operations, in accordance with Policy I-5.

**RESIDENTIAL RESTRICTED (RR)**

With the built up area west of the abandoned rail line to the shoreline of Woods Harbour there is a need to set aside lands for residential purposes including some institutional and recreation uses. Lands east of the abandoned rail line are ideal for these purposes. Therefore Council will designate as Residential Restricted all lands in the Woods Harbour Rural Centre east of the abandoned rail line to accommodate any residential, institutional or recreational use. Council will zone these lands as Residential Restricted (RR) on Schedule A of the By-law and establish the residential Restricted (RR) Zone in the By-law to permit any residential, institutional or recreational uses.

**IT SHALL BE THE POLICY OF COUNCIL:**

- RR-1 To designate as Residential Restricted on Generalized Future Land Use Map 1 all lands east of the abandoned rail line in the Woods Harbour Rural Centre to permit any residential, institutional or recreational use.
- RR-2 To zone as Residential Restricted (RR) on Schedule A all lands within the Residential Restricted designation.
- RR-3 To establish the Residential Restricted (RR) Zone to permit residential, institutional or recreational use.

## **PART 6 RURAL DEVELOPMENT**

The majority of land in the Municipality of the District of Barrington is located outside of the rural centres of Woods Harbour and Barrington, Barrington Passage. Here development is scattered in predominantly rural coastal communities on both the mainland and Cape Sable Island. This development pattern on the mainland creates a coastal corridor predominantly along the established public highway system that follows the coastline. Within this area the prevailing land use character is low density residential and mixed use in nature. A variety of land uses including residential, institutional, recreational, commercial, industrial, forestry, agriculture and utility uses can be found throughout the Rural Development designation. This designation is designed to accommodate a wide variety of land uses that are common in rural coastal communities in Southwest Nova Scotia.

Past planning documents placed very few restrictions on the types of land uses permitted within this designation and only established special setback requirements and development standards for shopping centres, drinking establishments, industrial uses, fish reduction plants, scrap yards and salvage yards, fox, mink and piggery operations. This MPS will restrict certain land uses and no longer permit some types of land uses except by development agreement. This process requires a public review before approval can be granted. Land uses with the greatest potential for creating conflict with existing less intensive uses will be controlled in this manner.

### **RURAL DEVELOPMENT (RD)**

#### **IT SHALL BE THE POLICY OF COUNCIL:**

- RD-1 To designate as Rural Development the rural areas of the Municipality located outside the Rural Centres as shown on the Generalized Future land Use Map 1 of the Municipal Planning Strategy. This designation does not include areas designated Coastal Wetlands, Business Park, Industrial Marine or Residential Island.
- RD-2 To establish a Rural Development (RD) zone in the Land Use By-law, as shown on Schedule A of the Land Use By-law to correspond to the area designated Rural Development.
- RD-3 To permit in the Rural Development (RD) Zone a wide range of land uses including residential, institutional, recreational, commercial (Lounges, taverns and cabarets subject to Development Agreement), industrial, agricultural, forestry and utility uses.
- RD-4 To consider only by development agreement, in areas zoned Rural Development (RD) proposals for fish reduction and fish composting operations, intensive livestock operations, motor vehicle race tracks, wind farms, expansion of existing fur farms and new fur farms in accordance with Policy ECON-1.

**RESIDENTIAL ISLAND (RI)**

Like much of Shelburne County Cape Sable Island is characterized by areas of swamps and coastal wetlands. It was only in 1949 that the existing causeway was built creating a land connection from the community of Barrington Passage to the various communities located on Cape Sable Island. Cape Sable Island is located between Barrington Bay and Barrington Passage and Cape Sable is the southernmost point of land in Nova Scotia that stretches into the Atlantic ocean. The communities of North East Point, Clam Point, Stoney Island, South Side and The Hawk are located on the Barrington Bay side of the island while the communities of West Head, Newellton and Centreville are found on the eastern side of Barrington Passage and the western side of Cape Sable Island. All of these communities have developed historically in relation to the fishery and a variety of land use activity ranging from marine related industrial uses such as fish plants and lobster pounds to institutional uses such as fire halls and churches exist on the island often in proximity to residential uses that now constitute approximately 1000 households. A number of residential, suburban type subdivisions have been developed in the last twenty years. These areas do not contain a mixture of other land uses often evident in older residentially developed areas. These suburban type residential areas where single unit dwellings constitute the predominant land use will be designated and zoned as Residential Island (RI) in recognition of the existing residential nature of the area. This designation and zone prohibits and restricts many of the land uses permitted in the adjacent Rural Development designation and zone.

**IT SHALL BE THE POLICY OF COUNCIL:**

- RI-1            To designate as Residential Island (RI) several subdivisions on Cape Sable Island as shown on Generalized Future Land Use Map 1 of the Municipal Planning Strategy.
  
- RI-2            To establish a Residential Island (RI) zone in the Land Use By-law, as shown on Schedule A to correspond to the areas designated Residential Island on the Generalized Future Land Use Map 1 of the Municipal Planning Strategy.
  
- RI-3            To regulate RI uses in the LUB.

## **PART 7      HOME OCCUPATIONS**

In addition to the commercial and industrial activity in the commercial core areas of the rural centres and the industrial marine areas in the Municipality, many individuals are involved in small scale business activities on their own residential properties. Business activities include commercial uses, manufacturing, repair shops, business and professional offices, arts and crafts fabrication, hairdressing and aesthetic salons, guest homes and day care facilities. Council recognizes the importance of supporting all scales of commercial activity and supports economic growth and diversity in the local economy. Council intends to permit home occupations within dwellings and within accessory structures in all zones which permit residential uses. To maintain continuity in residential areas Council will establish requirements in the Land Use By-law to regulate the floor area within dwelling units devoted to home occupations, the size of accessory structures devoted to home occupation uses, parking requirements and open storage requirements. Some home occupations may include outdoor storage of goods and materials which may generate conflict with abutting residential uses. To address any potential issues of outdoor storage it is Council's intention to include restrictions on outdoor storage for home occupations in the By-law limiting the storage area and requiring screening from abutting residential or institutional uses.

### **IT SHALL BE THE POLICY OF COUNCIL:**

- HO-1      To permit home occupation uses in all zones which permit residential uses.
  
- HO-2      To regulate the floor area permitted to be used for home occupations in residences and accessory buildings.
  
- HO-3      To regulate the requirement for parking for home occupation uses.
  
- HO-4      To regulate the area permitted to be used on home occupation properties for open storage, and to require screening of storage areas from abutting residential and institutional uses.

## **PART 8      INDUSTRIAL**

The focus of economic activity in the municipality is linked directly with the fishery, and related industrial activity is prominent in many communities. Industrial development must be carefully located so as not to intrude into existing predominately residential communities. Historical development patterns have resulted in some industrial operations being located in relative proximity to residential areas. Industrial uses have the potential to create unwanted traffic, noise, dust, odours and similar conditions that often result in conflict with existing residential and institutional uses. Large lot sizes, special separation distances and screening requirements establish greater control of industrial uses and offer greater protection to existing residential and institutional uses in proximity to new or expanding industrial uses. Not all areas are suitable for all types of industrial activity and Council will establish policies to regulate certain types of industrial development and the locations where they will be permitted. Certain types of industrial uses will only be permitted subject to a contract known as a development agreement that must satisfy specific criteria outlined in various policies of this Municipal Planning Strategy.

Fish reduction plants, scarp yards and salvage yards, land fill operations, composting operations, wind farms, intensive livestock operations and fur farming will only be permitted in the Rural Development Zone by development agreement subject to meeting specific conditions and satisfying a variety of policy requirements.

### **IT SHALL BE THE POLICY OF COUNCIL:**

- I-1            To list existing heavy industrial uses in the Rural Development (RD) Zone, and all industrial uses in the Mixed Use (MU), General (CG) and Residential General (RG) zones in Schedule J of the By-law and to require development agreements subject to special requirements in the By-law for their expansion beyond existing boundary lines or change of use.
- I-2            To permit fish reduction plants, fish composting operations, fish plants, boat shops, scrap yards, salvage yards, wind farms, intensive livestock operations, and fur farming in the Rural Development (RD) Zone subject to special requirements in the By-law and to require development agreements for their use.
- I-3            To establish By-law requirements for large lot sizes, special separation distances and screening requirements for industrial uses.
- I-4            To permit new light industrial uses in the Rural Development (RD) and Mixed Use (MU) zones subject to setback and screening requirements in the By-law.
- I-5            To permit new heavy industrial uses except fish reduction plants and fish composing operations, fish plants, boat shops, scrap yards and salvage

yards in the Mixed Use (MU) Zone and to require development agreements for their use.

I-6 To permit new industrial uses except fish reduction plants, fish composing operations, fish plants, boat shops, scrap yards and salvage yards in the Commercial General (CG) and Residential General (RG) zones and to require development agreements subject to special requirements in the By-law for their use.

I-7 When evaluating development agreement proposals to expand an existing industrial use or for new industrial development, in addition to all other criteria set out in various policies of this Municipal Planning Strategy, Council will consider the following matters:

- a) That the industrial use will not, by way of hours of operation, emissions of odour, dust, smoke or noise or vibration, disrupt or detrimentally affect abutting or nearby existing land uses nor be a use characterized by producing wastes that can contaminate soils or watercourses;
- b) That the primary industrial activity shall be contained within a wholly enclosed building;
- c) That adequate screening is provided on the site to screen any objectionable features such as the outdoor storage of equipment, parts or waste materials so as not to be visible from abutting residential, institutional, recreational or commercial properties or such properties immediately across the road or from the public roads;
- d) That the use shall not create traffic congestion or undue traffic hazards on public roads in the neighbourhood and that all provisions of By-law respecting minimum lot size, setbacks, and parking, loading and unloading requirements are satisfied;
- e) That any proposed alteration or expansion to an existing building with respect to the industrial use does not further reduce any yard that does not conform to the requirements of the By-law;
- f) That adequate provision is made for sewage disposal, and Council is satisfied that all necessary permissions for sewage disposal have been received from the Department of Environment.

I-8 To encourage that the following criteria is met when considering development proposals for expansion of existing industrial uses listed in Schedule J of the By-law:

- a) That the setback distances and screening requirements between residential and institutional uses and industrial uses in the By-law are satisfied.
- b) That the proposed development is in accordance with Policy ES-4.

**INDUSTRIAL MARINE (IM)**

The economic backbone of Barrington Municipality and Southwest Nova Scotia for many generations has been the fishery. The fishery is dependent on a system of decentralized wharf facilities located throughout the municipality. Local Harbour Authorities now oversee the management and operations of wharf facilities, and the local authorities work with the Small Craft Harbours Branch of the federal Department of Fisheries and Oceans through various government programs to maintain and upgrade wharf infrastructure. The active fishery and marine related industries have traditionally located near existing wharf facilities. Most of these wharf facilities, with the exception of several in the Woods Harbour area are located in relatively isolated locations throughout the rural area. In order to minimize the potential for conflict between marine industrial uses and other land uses, especially residential and institutional land uses Council will continue to encourage fishery and marine related industries (excluding fish reduction plants and fish composting operations) to locate in the general vicinity of existing wharf facilities. These marine related industries include both light and heavy industrial uses.

The downturn in some areas of the fishery over the last number of years has created a reduction in the number of active full scale fish plants operating in Barrington Municipality. No fish reduction plants or fish composting operations are currently located in the municipality and any new fish reduction plants and fish composting operations are only permitted in the Rural Development designation and zone by development agreement subject to specific criteria.

Council will designate lands in the general vicinity of existing wharfs as Industrial Marine (IM) on the Generalized Future Land Use Map 1 of the Municipal Planning Strategy. Council will zone as Industrial Marine (IM) on Schedule A of the Land Use By-law all lands within the Industrial Marine designation as well as establish the Industrial Marine (IM) zone in the Land Use By-law to permit fishery and marine related industrial uses except fish reduction plants and fish composting operations.

**IT SHALL BE THE POLICY OF COUNCIL:**

- IM-1 To designate as Industrial Marine (IM) the areas shown on Map 1 Future Land Use of the Municipal Planning Strategy. These areas include lands in the vicinity of existing wharf facilities located both inside and outside of the rural centres of Woods Harbour and Barrington-Barrington Passage.
- IM-2 To establish an Industrial Marine (IM) zone in the Land Use By-law, as shown on Schedule A of the Land Use By-law, to correspond to the areas designated Industrial Marine (IM) on the Generalized Future Land Use Map 1 of the Municipal Planning Strategy.
- IM-3 To permit in areas zoned Industrial Marine (IM) fishery and marine related industries except fish reduction plants and fish composting operations.

- IM-4 To permit new fishery and marine related industries or the expansion of such existing uses beyond the Industrial Marine (IM) zone boundary into the immediately adjacent Rural Development (RD), Mixed Use (MU) or Residential General (RG) zones only by amendment to the Land Use By-law subject to the following criteria:
- a) That the potential nuisance effects of odour and noise resulting from the operational activities of the proposed uses does not detrimentally affect abutting residential or institutional uses.
  - b) That traffic noise and headlight glare does not cause nuisance effects upon abutting residential or institutional uses.
  - c) That the development conforms to all relevant criteria of Policy I-7.

## **PART 9 SUBDIVISION OF LAND AND LOT ACCESS**

The subdivision of land is closely related to the provision of streets and services and the orderly progression of land development. The land development pattern that results from the division of property is greatly influenced by the location of streets and services. These factors can often determine or constrain future growth and development if they are not properly planned. Some form of subdivision regulation has been in place in Barrington Municipality since the mid-eighties. On April 1, 1995 the administration of the Provincial Subdivision Regulations became the responsibility of the Municipality. Council recognized the need to better integrate planning, development and the subdivision process especially in matters concerning central sewer services as well as public and private roads. This recognition led to the adoption of a Subdivision By-law August 19, 1996.

Council recognizes that existing lot configurations and existing development structures on lots can create circumstances where subdivision difficulties may be encountered. To accommodate the orderly and reasonable subdivision of land in such situations Council will include policy to enable waiving of minimum lot requirements and minimum yard requirements where they cannot otherwise be met, and to enable development permits to be issued to the affected lots.

To encourage future development throughout the Municipality that has immediate access to safe and reliably maintained public roads, Council will establish a general provision in the By-law to require all development in any area of the Municipality to locate on lots which abut and front on public roads. Council also recognizes there are certain developments and conditions where the requirement for a lot to abut and front on a public road is not always necessary or practical. In the past a series of amendments to the Strategy and By-law were undertaken exempting certain development from this requirement provided they met other access requirements. These accesses include private roads, "K" roads, rights-of-way or water access. This Strategy will maintain these exemptions for residential uses, including dwellings in the Rural Development (RD) Zone on islands or where lots are not to be accessed except by water. Any other uses, except commercial uses, will be permitted in the Rural Development (RD) zone on lots abutting private roads or served by rights-of-way. These exemptions will also be maintained for any use permitted in the Industrial Marine (IM) Zone, including on lots abutting a "K" road.

Instruments of Subdivision enable subdivision of land without a requirement for a legal survey plan. This mechanism for the creation of new parcels of land is recognized by Council as being appropriate, however where subdivisions of a number of lots are involved it is felt a legal survey plan should be undertaken. Council will include policy in the Subdivision By-law which limits the number of lots able to be approved by Instrument of Subdivision approval to three (3) lots.

New public and private road design and construction standards are issues of concern for Council. Development on new private roads may result in requests for Council to take over and maintain the private road, and Council would require assurance of

proper design and construction in order to consider such requests. New public road design and construction standards need to consider that these road elements satisfy the needs for all future development on the road and are sufficient to enable efficient and affordable maintenance of the road. Council recognizes the value of the Subdivision By-law in guiding future development in the Municipality, and it is the intention of Council to undertake a review the Subdivision By-law following completion of the Municipal Planning Strategy and Land Use By-law review process.

**IT SHALL BE THE POLICY OF COUNCIL:**

- SUB-1 To establish a general provision in the By-law to require all development to locate on lots which abut and front on a public listed maintained road.
- SUB-2 Notwithstanding Policy SUB-1 Council will establish a general provision in the By-law exempting dwellings from public listed maintained road frontage requirements:
- a) Where lots abut and front on an existing private road; or
  - b) Where existing lots are served by a right-of-way and where new lots are served by rights-of-way created pursuant to the requirements of the Subdivision By-law; or
  - c) Where existing lots or lots created pursuant to the Subdivision By-law have water access only.
- SUB-3 Notwithstanding Policy SUB-1 Council will establish a general provision in the By-law exempting any other use permitted in the Rural Development (RD) Zone from public listed maintained road frontage requirements, except for commercial uses:
- a) Where lots abut and front on an existing private road; or
  - b) Where existing lots are served by a right-of-way and where new lots are served by rights-of-way created pursuant to the requirements of the Subdivision By-law.
- SUB-4 Notwithstanding Policy SUB-1 Council will establish a general provision in the By-law exempting any use permitted in the Industrial Marine (IM) Zone from public listed maintained road frontage requirements where lots abut and front on a private road, "K" road or which are served by a right-of-way.
- SUB-5 Notwithstanding Policy SUB-1 Council will establish a general provision in the By-law exempting Grouped Commercial uses east of Highway 330 in the CG Zone Barrington Passage from public listed maintained road frontage requirements.
- SUB-6 To establish in the By-law a minimum width which shall apply to all newly created rights-of-way.

- SUB-7 Notwithstanding the minimum lot area requirements of any zone, the Development Officer may approve a final plan of subdivision where the Department of Environment has approved the lots for the installation of on-site sewage disposal systems, and such lots shall be deemed to meet the minimum lot area requirements of the By-law, except for industrial uses.
- SUB-8 To enable the Development Officer to approve the subdivision of a maximum of two lots having no less than 90% of the required minimum frontage and/or area required by the By-law in accordance with the Subdivision By-law and Section 279 of the Municipal Government Act, provided the Department of Environment has approved the lots and all other requirements of the By-law are satisfied. Such lots shall be deemed to meet the minimum lot area requirements of the By-law.
- SUB-9 To enable the subdivision of lands where a development component of a permanent nature such as a building, structure, well, on-site sewage disposal system or driveway is encroaching in or upon an immediately adjacent area of land, to the extent necessary to remove the encroachment; and to set out provisions in the Land Use By-law to allow development to occur on any such resulting lot.
- SUB-10 To enable the creation of lots containing at least one existing main building from an existing area of land containing two or more such buildings in any area of the Municipality pursuant to Section 5.01(a) of the Subdivision By-law, and to establish special provisions in the By-law that:
- a) Waive any or all of the minimum yard requirements for the use where they cannot otherwise be met; and
  - b) Waive the requirement for any such lots to abut and front upon a public road where this requirement cannot otherwise be met.

## **PART 10      GOVERNMENT SERVICES**

### **WASTEWATER, WATER RESOURCES, SOLID WASTE**

The need for protection of the environment and proper management of sewer wastewater has long been recognized in Barrington Municipality, where established older communities with their pattern of small residential lots combined with increased water use has resulted in overloading of older septic systems. The shallow soil and high bedrock conditions in the area create challenges for the installation of conventional on-site sewage disposal systems, and the Municipality has invested in the construction of substantial central sewer systems and sewage treatment facilities. Sewers have been built in the eastern portion of Barrington from the Old Post Road to Sterlings Road west of Highway 330 in Barrington Passage, a distance of nearly 10 kilometres. The community of Lower Woods Harbour is also served with four kilometres of sewer main. More recently Council had initiated a proposal to install central sewer on Cape Sable Island, however there were constraints encountered which prevented completion of the project. This experience provided an opportunity to establish policy to prioritize future infrastructure developments or expansion of existing systems based on background research to determine the environmental needs in specific areas in advance of initiation of sewer projects.

The CBCL Engineering and Environmental Design and Consulting Services 'Water Supply Strategy' report in 2005 identified options for potential municipal drinking water supplies in the Municipality. The study identified Barrington Lake in Argyle as the best surface water source, however the expense for protection and monitoring of its large watershed, much of which is located in the Municipality of Argyle, led the consultants to recommend to Council a ground water source option as the best option for the potential surface water supply source. Council recognizes the need to continue to consider the potential need for the development of a municipal drinking water supply for residents and businesses. Council will maintain an awareness of the quality of drinking water in the municipality in the future in keeping with the recommendations contained in the CBCL Water Supply Strategy.

Barrington Municipality participates in Region 6 of Nova Scotia's Resource Recovery Fund Board partnerships. Solid waste and compost in the Municipality is collected by local waste hauler contractors from all parts of the Municipality and shipped to the Region of Queens landfill and composting facility site. Recycling and hazardous waste are handled locally by the Enviro Depot on Oak Park Road. A construction and demolition debris landfill site is owned and operated by the Municipality located on Highway 3 in Goose Lake.

#### **IT SHALL BE THE POLICY OF COUNCIL:**

- GS-1            To undertake background environmental studies to determine the need for new central sewer or expansion of existing sewer systems prior to initiating sewer projects.

- GS-2 It shall be the policy of Council to provide the most efficient and cost effective management to meet the needs of the residents of the Municipality for disposal of waste.

### **ROADS**

The road network in Barrington Municipality includes provincially owned local, collector and one-hundred series highways. Maintenance is provided on all but K class roads which are owned but not maintained by the Nova Scotia Transportation and Infrastructure Renewal (NSTIR). Some of these K class roads currently serve existing development and are in varying states of repair. A variety of private roads also exist in the municipality and service both year round and seasonal dwellings. Council recognizes the need to review the current Subdivision By-law and adopt appropriate construction standards for the construction of new public and private roads located within the Municipality of Barrington. Policies concerning land division and access can be found in the Subdivision and Lot Access section of this Municipal Planning Strategy. In order to facilitate repair and maintenance of provincially owned public roads Council will liaise with the Nova Scotia Transportation and Infrastructure Renewal (NSTIR).

#### **IT SHALL BE THE POLICY OF COUNCIL:**

- GS-3 To work in co-operation with NSTIR to resolve issues of mutual concern regarding road conditions and hazards as well as the repair, maintenance and upgrading of provincial public roads

## **PART 11 ECONOMIC DEVELOPMENT**

### **AGRICULTURE**

Soil and climate conditions in Barrington Municipality severely limit the potential for food agriculture of any significant scale. Family gardens will remain popular for individuals interested in growing their own food. There is some potential for berry farming on a small commercial scale in the few areas where soil conditions enable horticulture, and renewed interest and initiatives in studying local micro climate conditions and research into alternate and innovative crops may yield results which could lead to the development of a modest agriculture industry in the future.

Council recognizes the importance of agriculture in the broader community, and the long term sustainable goals and objectives of the Municipality support the principles of maintaining and improving air, water and soil quality. This emphasis on environmental health includes the principle of sustainability of a healthy and vibrant food agriculture into the future. The need for study and innovation with cooperation of senior levels of government and industry is understood to be necessary to improve and expand any potential agricultural endeavours.

Fur farming is a segment of the overall agricultural industry which may have a future in the Municipality as it is not based on soil conditions. Council recognizes this potential, and also recognizes the potential this industry has for contamination of the environment and creating conflict with existing residential uses. To minimize any potential conflicts the By-law will include separation distance requirements in the Land Use By-law between fur farm structures and watercourses and existing residences, and the By-law will require development agreements for the development of any new fur farms in the Municipality.

#### **IT SHALL BE THE POLICY OF COUNCIL:**

ECON-1 To require development agreements for all proposals for fish reduction and fish composting operations, intensive livestock operations, motor vehicle race tracks, wind farms, expansion of existing fur farms and new fur farms subject to Policies IMP 13 to IMP 17 inclusive.

## **PART 12 RENEWABLE ENERGY**

### **WIND TURBINE GENERATORS**

A primary objective of the 2007 Nova Scotia Environmental Goals and Sustainable Prosperity Act was to achieve one of the cleanest and most sustainable environments in the world by the year 2020. The 2009 Nova Scotia Energy Strategy and subsequent development of Renewable Energy Standards and more recently the Renewable Electricity Plan of 2010 including its Community Based Feed-In Tariff program have provided incentives for alternate energy producers. The Nova Scotia Wind Atlas revealed an abundance of wind energy resources in South West Nova Scotia. A 17 turbine 30 MW wind farm was developed in West Pubnico in Argyle Municipality in 2004 and a 20 turbine 30 MW wind farm was developed on Digby Neck in Digby Municipality in 2010. It is evident there is potential for both large and small scale wind turbine generator developments in the South Western part of the province and Council recognizes the need to update its policies to address wind turbine generator development in the Municipality. Council recognizes that wind energy technology is developing rapidly and there will be a need to be flexible to accommodate changes in the industry in the future. For this reason Council will re-evaluate the wind energy development policies from time to time.

The long term sustainable goals and objectives of the Municipality incorporate principles of reducing pollution and encouraging development of renewable energy sources. The primary sustainable development goal is to intend that new and existing development strives to balance the environmental, economic, social and cultural dimensions of the community. Large scale wind turbine generators (WTG) in groups, single small scale turbines and micro scale turbines all have the potential to have impacts on adjacent land uses. The Council recognizes the need to balance the importance of encouraging and promoting development of alternate energy solutions and the responsibility to minimize the impacts such developments may have on communities and its citizens, and to establish appropriate development control mechanisms and By-law provisions for the different scales of wind turbine development. Large scale WTG developments are not considered appropriate in the environmentally sensitive Coastal Wetlands (CW) Zone or in the built up rural centres of Barrington, Barrington Passage and Woods Harbour or in the Residential Island (RI) Zone on Cape Sable Island.

Large scale multiple generator wind farms which generate electric power for the power grid are recognized as having the potential to create impacts on adjacent communities. A separation distance in the order of 1 kilometre between wind farms and residences has been generally recognized around the Province as an industry standard. Council intends to limit large scale WTG development to the Rural Development designation only and to require a development agreement approval process for their development. Smaller scale WTG developments are also recognized as having the potential to create impacts on adjacent land uses, but to a lesser extent than large groups of turbines. Council intends to enable small scale WTG use in all areas of the municipality except in the Coastal Wetlands (CW) Zone and Residential

Island (RI) Zone and to use a site plan approval process to regulate the location of WTG in relation to existing residential and institutional uses. Recognizing that some existing land parcel configurations in the municipality may cause siting constraints for WTG, Council intends to incorporate special waiver provisions from setback and separation distance requirements in the Land Use By-law to accommodate such developments where affected abutting property owners enter into legal agreements for the purpose of enabling the wind turbine development. Council intends to enable micro scale WTG in all zones except the Coastal Wetlands zone using a development permit process to regulate their location.

**IT SHALL BE THE POLICY OF COUNCIL:**

- WTG-1 To encourage the growth and development of alternate energy resources including wind turbine generators and to establish policy framework and Land Use By-law provisions to enable the development of varying sizes and scales of wind turbine generators in areas of the Municipality.
- WTG-2 To establish in the Land Use By-law definitions of and provisions for regulating the use and location of Large Scale, Small Scale and Micro Scale wind turbine generators.
- WTG-3 To establish in the Land Use By-law provisions for regulating the use and location of Large Scale WTG in the Rural Development (RD) Zone and to require a Development Agreement to enable their use.
- WTG-4 To establish in the Land Use By-law provisions for regulating the use and location of Small Scale WTG in all zones except the Coastal Wetlands (CW) Zone and the Residential Island (RI) Zone and to require a Site-Plan approval to enable their use.
- WTG-5 To establish in the Land Use By-Law special waivers from the setback and separation distance requirements for WTG and to enable development permits to be issued for their use where the developer obtains registered legal agreements for the siting of the WTG from affected adjacent land owners.
- WTG-6 It shall be the intention of Council to establish a waiver provision in the By-law to enable the issuing of development permits for WTG where the minimum separation distance requirement to a habitable dwelling cannot be satisfied where the WTG is situated on the same lot as the habitable dwelling.
- WTG-7 To establish in the Land Use By-law provisions for regulating the use and location of Micro Scale WTG in all zones except the Coastal Wetlands (CW) Zone and to require a Development Permit approval to enable their use.

- WTG-8 That no advertising signage other than the manufacturer's name be permitted on any WTG or accessory structures.
- WTG-9 To review the policies and provisions regulating the use of wind turbine generators in the municipality from time to time.
- WTG-10 To consider the following criteria prior to entering into a development agreement for Large Scale wind turbine generator developments:
- a) That wind turbine generators be setback from habitable dwellings, institutional and recreational uses a minimum of 1 kilometre.
  - b) That mitigation of noise, visual, shadow effects and environmental impacts of wind turbines is undertaken to minimize any negative effects of the development.
  - c) That safety concerns are addressed both on site and off site for matters of ice throw, blade throw, turbine collapse, and emergency response.
  - d) That all documentation required to demonstrate compliance with any requirements of the Canadian Environmental Assessment Act and the Nova Scotia Environment Act for the proposal is included in the documentation submitted by the developer to the Municipality.
  - e) That all documentation required to demonstrate compliance with any requirements of the Department of National Defence, Environment Canada, Navigation Canada, Transport Canada, Canadian Coast Guard, Royal Canadian Mounted Police and Nova Scotia Department of Natural Resources for the proposal is included in the documentation submitted by the developer to the Municipality.
  - f) That a decommissioning plan be included in the development agreement to be enacted after two (2) years of the cessation of electrical power generation on the site.
  - g) That the proposed development is in accordance with Sections 15.3 in Part 15, the Implementation Chapter of this Strategy.
  - h) That Council may consider for inclusion in a development agreement terms for any of the provisions enabled by Section 227 of the Act.
- WTG-11 To consider the following criteria prior to approving a site plan for Small Scale WTG developments:
- a) That wind turbine generators be setback from habitable dwellings a minimum of five times the total height of the WTG.
  - b) That notification of the site plan approval be sent by regular mail to all owners of habitable dwellings within five times the total height of the WTG from the boundary of the WTG property. The costs associated with this notification shall be the responsibility of the applicant.

- c) That mitigation of noise, visual impacts, shadow effects and environmental impacts of wind turbines is undertaken to minimize any potential negative effects of the development on the community.
- d) That all documentation required demonstrating compliance with any requirements of the Department of National Defence, Environment Canada, Navigation Canada, Transport Canada, Canadian Coast Guard, Royal Canadian Mounted Police and Nova Scotia Department of Natural Resources is included in the documentation submitted by the proponent.
- e) That a decommissioning plan be included in the site plan approval to be enacted after two years of the cessation of electrical power generation on the site.

## **PART 13 IMPLEMENTATION**

This Municipal Planning Strategy is the main policy document through which the growth and development of the municipality shall be encouraged, co-ordinated and controlled. The policies of this Municipal Planning Strategy will be implemented through the powers provided Council in the Municipal Government Act and other relevant statutes. The main regulatory documents used to implement the policies of the Municipal Planning Strategy are the Land Use By-law and the Subdivision By-law.

This Municipal Planning Strategy and any subsequent amendments shall be reviewed pursuant to Subsection 214(2) of the Municipal Government Act when deemed necessary by the Minister of Service Nova Scotia and Municipal Relations(SNSMR) or by Council within 5 to 10 years of it coming into force and effect.

The Municipal Planning Strategy approved by the Minister on March 20, 2001 and subsequent amendments thereto is repealed upon the date of coming into force and effect of this Municipal Planning Strategy.

### **IT SHALL BE THE POLICY OF COUNCIL:**

#### **PLANNING ADVISORY COMMITTEE:**

- IMP-1 To maintain an ongoing, comprehensive community planning program with advice and assistance from the Planning Advisory Committee;
- IMP-2 To undertake a regular review of the Municipal Planning Strategy and Land Use By-law within five to ten years from the date of its coming into force or the date of the last review
- IMP-3 To appoint a Development Officer to administer the Land Use By-law, development agreements, and the Subdivision By-law and to issue or deny permits and approvals under the terms of these By-laws and agreements.

#### **DEVELOPMENT PERMITS**

- IMP-4 To require that any development permit issued shall specify, in addition to the development, the period for implementation. Any development permit shall lapse, becoming null and void, if the development has not commenced within one (1) year of the date of issue of the permit.
- IMP-5 Any development permit issued may be revoked by the Development Officer where there is reason to believe that the development permit was issued as a result of mistaken or false information.

**VARIANCES**

IMP-6 In accordance with Municipal Government Act Section 235(2) the Development officer may vary parking requirements for multi-unit residential developments where appropriate.

**PUBLIC HEARING**

IMP-7 To hold a public hearing in accordance with the Municipal Government Act, prior to approval of any amendment to the Municipal Planning Strategy and Land Use By-law or entering into a development agreement.

**MUNICIPAL PLANNING STRATEGY AMENDMENTS**

IMP-8 To require an amendment to the Municipal Planning Strategy:

- a) where any policy intent is to be altered; or
- b) where a text or map amendment to the Land Use By-law would conflict with the text or maps of the MPS; or
- c) where an amendment to the Subdivision By-law would conflict with the text of the Municipal Planning Strategy.

IMP-9 An amendment to the Municipal Planning Strategy shall not be required to rezone areas adjacent to a given land use designation to a zone established by policies for that designation provided all other relevant policies of this Municipal Planning Strategy are satisfied.

**LAND USE BY-LAW AMENDMENTS**

IMP-10 To amend the Land Use By-law provided the amendment reflects the intent of the Municipal Planning Strategy.

IMP-11 To consider an application for amendment to the Land Use By-law only if the application has identified a proposed use for the property. Council shall give consideration to both the proposed use and to the impact of other uses permitted in the requested zone.

IMP-12 To consider an application for amendment to the Land Use By-law only if the site meets all of the lot size and zone standards for the zone sought, with the following exceptions:

- a) A rezoning may be granted for an existing lot or lots which meet all zone standards but has less than the required frontage or area specified for the zone sought; or
- b) A rezoning may be granted for an existing lot or lots with a building or buildings on it, which meets all other zone requirements except minimum lot area, frontage, setback or yard standards specified for the zone sought. Any proposed addition to such a building or replacement of such a building shall not further reduce the setback or yard standard.

- c) To notify by direct mail, land owners located within 152 metres (500 feet) of a property requesting rezoning. The costs associated with this notification shall be the responsibility of the applicant.

#### **DEVELOPMENT AGREEMENTS**

IMP-13 To enter into development agreement pursuant to the *Municipal Government Act* on the terms and conditions set forth in this Municipal Planning Strategy a development agreement shall:

- a) specify the development, expansion, alteration, or change permitted; and
- b) specify the conditions under which the development may occur; and
- c) set forth the terms by which Council may terminate the agreement.

IMP-14 A public information meeting on a proposed Development Agreement shall be held by the Planning Advisory Committee prior to the Public Hearing of Council required by Section 230(2) of the Municipal Government Act.

IMP-15 When considering a development agreement proposal, to notify land owners within 152 metres (500') of the subject property or properties by direct mail of the proposed development agreement. The costs associated with this notification shall be the responsibility of the applicant.

IMP-16 The provisions of the Land Use By-law shall prevail after discharge of any agreement.

#### **CRITERIA FOR DEVELOPMENT AGREEMENTS AND LAND USE BY-LAW AMENDMENTS**

IMP-17 To consider the following in addition to all other criteria set out in the various policies of this Municipal Planning Strategy, when considering amendments to the Land Use By-law, or proposals for development agreements:

- a) That a development permit may be issued for any existing use on the lot for which the development agreement or amendment has been requested; and
- b) That the proposal conforms to the intent of the Municipal Planning Strategy and to all other applicable Municipal By-laws and regulations, except where the application is for a development agreement and the requirements of the Land Use By-law need not be met; and
- c) That the proposal is not in conflict with Municipal or Provincial programs in effect in the municipality; and
- d) That the proposal is not premature or inappropriate by reason of:
  - i. The financial ability of the municipality to absorb costs related to the development; or

- ii. The adequacy of sewer and water services, including fire flows and water pressure or the adequacy of the site for on-site services; or
- iii. The creation or worsening of a pollution problem in the area such as but not limited to soil erosion and siltation of watercourses; or
- iv. adequacy of storm drainage and effects of alteration to drainage patterns, including the potential for creation of a flooding problem; or
- v. The suitability of the site regarding grades, soils and geological conditions, location of watercourses, marshes, bogs and swamps, and proximity to utility rights-of-way; or
- vi. The adequacy and proximity of school, recreation and other community facilities; or
- vii. The adequacy of road networks in, nearby, and leading to the development, regarding congestion and traffic hazards; and
- viii. That the proposal provides adequate off street parking to prevent congestion, nuisance and inconvenience in the area; and
- ix. The hours of operation are appropriate for the neighbourhood; and
- x. That the primary architectural features of the proposal, including but not limited to bulk, scale, roof shape, building materials, exterior cladding and shape, and size and relationship of doors and windows, shall be visually compatible with nearby buildings in the case of a new building, or with the original building in the case of an addition; and
- xi. That the proposal will not significantly alter the character or stability of the surrounding neighbourhood.

**SITE-PLAN APPROVAL**

- |        |  |
|--------|--|
| IMP-18 | To use the Municipal Government Act 'site-plan approval' process to enable Small Scale WTG developments.   |
| IMP-19 | When granting a site-plan approval for small scale WTG development to meet the provisions of Part 16 of the Land Use By-law.   |
| IMP-20 | When granting a site-plan approval for small scale WTG development to notify land owners within five times the total height of the WTG from the WTG property by direct mail of the site-plan approval. The costs associated with this notification shall be the responsibility of the applicant. |
| IMP-21 | To establish criteria for the Development Officer to consider prior to granting site-plan approval.  |

- IMP-22 To consider the following criteria prior to granting a site-plan approval:
- a) That the development does not create or worsen a pollution problem in the area such as but not limited to soil erosion and siltation of watercourses.
  - d) That mitigation of noise, visual impacts, and environmental impacts of the operation is undertaken to minimize any potential negative effects of the development on the community.
  - e) That the proposal will not significantly alter the character or stability of the surrounding neighbourhood.

**COST OF ADVERTISING**

- IMP-23 To require any person who wishes to obtain an amendment to the Land Use By-law or enter into a development agreement or an amendment thereto to pay all the costs of advertising in accordance with Section 220 of the Municipal Government Act.

**CAPITAL PROGRAM**

In addition to regulating private development, Council may undertake programs of its own to encourage development in certain areas to enhance, improve or protect the environment of the municipality, or to provide a greater range of social, recreational or cultural facilities and activities. As part of the Federal Gas Tax agreement Council is required to develop five year capital investment plans outlining how they intend to expend gas tax revenues on capital projects that improve the long term sustainability of the municipality.

**IT SHALL BE THE POLICY OF COUNCIL:**

- IMP-24 To incorporate the policies and provisions of this Municipal Planning Strategy into the five year capital investment plan and annual budget of the municipality wherever possible.