



PART D

Realizing the Plan

SECTION E1

Implementation

The Municipal Government Act gives Council the authority to change the policies of this Strategy, and all other documents within the Official Community Plan.

Council shall only consider amendments to the Strategy which are in the best interest of the Municipality while maintaining the established and proven spirit of sound planning.

Council's intention in using planning tools is to provide for scrutiny of proposal's relative to the community interest, and provide for public input without unnecessarily or unreasonably over encumbering the development community with regulatory requirements.

Efficient Process

IM1. Council shall aim to implement planning policies in a manner which is efficient while preserving community interests.

Maintaining A Living Plan

IM2. Council shall endeavor through it's implementation and review process that:

- a)** Progress is made toward the goals and broad objectives of this plan, while adapting to changing conditions in the Municipality and broader context.
- b)** A systematic approach is taken to plan reviews and updates, with the Official Community Plan regularly reviewed

and updated.

- c)** Progress towards the Plan directions are measured, evaluated and shared.
- d)** New knowledge, opportunities and research is incorporated into policy and the Municipality's planning practice.

Plan Amendments

Consistent with the goal of maintaining long-term responsiveness and an efficient planning process, Council's intent is to outline where consideration of amendments to this Strategy are appropriate and the procedures to be followed regarding Strategy amendments.

IM3. Council recognizes that this Strategy poses a significant shift from former planning practices in the Municipality. Due to this, Council shall:

- a)** Require a housekeeping review one year after implementation of this strategy.
- b)** Following the housekeeping review of this strategy, require a review every five years, or as necessary.
- c)** Consider reviews of this Strategy as an opportunity to discuss or pilot new and innovative policies and practices such as through demonstration projects and pilot programs.

IM4. Council shall amend this Strategy in response to changing circumstances.

Plan Direction Implementation Monitoring & Tracking

Council shall develop a monitoring and evaluation program following the adoption of this Strategy. Council recognizes that while many of the directions of this Strategy depend on regional forces. However, only by monitoring the progress of this Plan and adapting can

educated changes be made.

Examples of possible evaluation indicators based on the direction of this plan are shown in the table below. Final indicators will be based on the ability to track data and access data from private companies, crown corporations or other levels of government.

FIGURE E1.1
EXAMPLE PLAN DIRECTION INDICATORS

Plan Directions	Possible Evaluation Indicators
Develop parks, open space and recreation facilities in a Municipal and regional network.	<ul style="list-style-type: none"> Commuting Modal Share Length of trails, connectivity index rating of trails.
Support well designed, pedestrian friendly small town centres.	<ul style="list-style-type: none"> Number of building permits issued for Village Core and Mixed Use Centre areas.
Foster commercial development, creative entrepreneurship, and home-based commerce.	<ul style="list-style-type: none"> Median commuting distance. Proportion of commercial assessment.
Develop healthy alternative transportation networks including walking and cycling.	<ul style="list-style-type: none"> Commuting Modal Share. Length of sidewalks, connectivity index rating of sidewalks.
Develop in a manner which is compact, environmentally and fiscally sustainable.	<ul style="list-style-type: none"> Dwelling unit density within Growth Management Areas. Land area in agricultural production.
Mix compatible land uses and buildings, and provide transitions between different areas of density.	<ul style="list-style-type: none"> Proportion of Growth Management Areas used for commercial purposes or a GIS statistical measurement of diversity.
Protect & provide opportunities to enjoy East Hants' natural beauty and rural character.	<ul style="list-style-type: none"> Land area zoned for open space purposes.
Allow a range of housing options appropriate to each neighbourhoods' form and intensity.	<ul style="list-style-type: none"> The percent of owned dwelling units for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for low and moderate income households. The percent of rental units which the rent is affordable: where it does not exceed 30% of gross annual household income. The share of residential building permits for new single detached units.

Policy	Amendment Date	Description

SECTION E2

Administration

The Municipal Planning Strategy, Land Use Bylaw and Subdivision Bylaw are the primary tools used by Council to carry out its intent regarding planning and development matters.

While this Strategy has the overall purpose of outlining Council's planning and development matters goals and objectives, it is essential to provide an administrative framework capable of providing for a means for progressive community development.

Due to the fact that East Hants has changing needs, challenges, and opportunities, it is essential to establish a flexible planning framework. This ensures that needs can be met, challenges can be overcome and opportunities can be explored.

The Municipal Planning Strategy, Land Use Bylaw, and Subdivision Bylaw are implemented within the scope and authority of the powers transferred by the Province to municipalities and their Councils under the *Municipal Government Act*.

Council cannot undertake any action that is inconsistent, or contradictory with the intent of this Strategy. However the adoption of this Strategy does not commit Council to undertake any of the projects or actions within it.

Implementation tools are put in place, as appendices to this Strategy, to clarify and visually demonstrate Council's intent with respect to various policy statements. Covered are policies regarding Council's consideration of development agreements (contract development), which govern developments

outside the intended scope of the Land Use Bylaw.

The purpose of this section is to establish a framework within which Council's expressed intent towards land use development is to be routinely administered. Whereas this Strategy is intended to remain flexible and responsive to community needs, this particular Section shall specify procedures to be followed and matters to be considered when Council is considering amendments to this Strategy and to the Land Use Bylaw.

Appointment of a Development Officer

IM5. In accordance with the *Municipal Government Act*, Council shall appoint a Development Officer whose primary function and responsibility is to administer the Land Use Bylaw, all subdivision controls and grant development permits in accordance with the Land Use Bylaw. Council may also appoint other people to act in the Development Officer's stead.

Application Requirements

IM6. Council shall institute a fee structure in relation to the issuance of development permits, and for the provision of planning services as provided for under the *Municipal Government Act*.

IM7. Any Official Community Plan amendment, site plan approval submission or development agreement application must be submitted in writing to the Municipality's Planning & Development Department. The application shall be signed by the property owner or an agent of the property owner authorized to act

on their behalf.

IM8. A Development Officer may discharge a site plan after a period of 2 years from the date that the site plan was approved with the concurrence of the property owner or if the applicant fails to enter into an undertaking to carry out the terms of the site plan.

IM9. In considering amendments to the Official Community Plan and processing development agreements, Council shall:

- a) Request a report and recommendation from the Planning and Development Department.
- b) Refer the matter to the Planning Advisory Committee for their recommendation with respect to the policies of this Strategy, that affect the proposed amendment.
- c) Refer the matter, where applicable, to the appropriate Municipal, Provincial, and/or Federal Departments and Boards and agencies where special expert advice and/or recommendations are required. These referrals are noted throughout this Section of the Strategy, but are not necessarily limited to those mentioned.
- d) Comply with all legal requirements concerning amendments to the Land Use Bylaw as set out in the *Municipal Government Act*.
- e) Ensure the applicable public participation policies outlined in this Strategy have been satisfied.

IM10. Council may require the submission of a detailed plan, or subsequent studies as part of any Official Community Plan amendment, site plan approval submission or development agreement application. Where required, the proposal shall include any information or materials required by Council in order to effectively evaluate the submission. The submission

may require professionally prepared plan(s) that effectively illustrate the proposal and include details such as, but not necessarily limited to the following:

- a) The location, area, and dimensions of the subject property or any easements on the property based on a survey or location certificate prepared by a licensed surveyor.;
- b) Elevation drawings of the proposed structure or structures;
- c) The proposed location, dimensions, height, and proposed use of all buildings;
- d) The means by which the site is to be serviced by sanitary and storm sewers, water, electrical service and other utilities;
- e) The proposed location and nature of any outdoor storage or display;
- f) The proposed location, design, and content of any signage;
- g) A traffic impact study submitted by a professional engineer;
- h) The proposed location and dimensions of any parking stalls, bicycle parking, driveways, and walkways;
- i) The proposed location of any fencing, refuse containers, and snow storage;
- j) The proposed location and type of any exterior lighting,
- k) The proposed location and features of any outdoor amenity space;
- l) Landscaping or buffering elements including the type and location of any existing and proposed trees or other vegetation;
- m) Architectural features including type of materials,
- n) The location of any watercourses on or

near the site;

- o)** Existing and proposed drainage patterns including any stormwater management measures;
- p)** The delineation of any flood elevations and a description of any proposed floodproofing measures;
- q)** Any proposed phasing of the development.

Land Use Bylaw

The Land Use Bylaw (LUB) is the principal mechanism by which the intent and policy statements embodied within this Strategy shall be implemented. It sets out zones, permitted uses, general provisions, and development standards that reflect the policies of this Strategy as provided for by the *Municipal Government Act*. The Land Use Bylaw Maps (Zoning Maps) visually show the areas to which different zones apply.

Municipal Planning Strategy

- IM11.** Council shall only consider private applications to amend this Strategy where said amendments in the best interest of the Municipality.
- IM12.** Council shall consider text amendments to this Strategy when:
 - a)** A need arises to change policy.
 - b)** New information is identified or studies have been undertaken which necessitate or recommend an amendment to the strategy.
 - c)** A provincial policy change requires a change in this Strategy.
 - d)** The boundaries of the planning area are altered.
 - e)** Housekeeping amendments are warranted.

IM13. Council shall consider map amendments

to this Strategy when:

- a)** A request is received for a zoning amendment that is not consistent with this Strategy's maps, but is consistent with the intent of this Strategy.
- b)** Where the boundaries of the comprehensively planning area are altered.
- c)** Where a request for a comprehensive development district is made and it is not already designated as such; and studies show that the intent of the Strategy could be met through said proposal.
- d)** The boundaries of the planning area are altered.
- e)** Housekeeping amendments are warranted.

Land Use Bylaw Amendment Process

- IM14.** It shall be the policy of Council to consider amendments to the Land Use Bylaw provided the amendment is consistent with the intent of the Municipal Planning Strategy.
- IM15.** It shall be the policy of Council to consider an application for amendment to the Land Use Bylaw 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.
- IM16.** It shall be the policy of Council to consider an application for amendment to the Land Use Bylaw only if the site meets all of the lot size and zone standards for the zone sought.
- IM17.** Council shall consider the Land Use Bylaw Amendments within the applicable Generalized Future Land Use designation as subject to the policies of this Strategy.

Land Use Bylaw Amendment Criteria

IM18. Council shall, in considering amendments to the Land Use Bylaw, in addition to all other criteria as set out in the policies of this Strategy, have regard for the following matters:

- a) Whether the proposed development is in conformance with the intent of this Strategy and with the requirements of all other Municipal Bylaws and regulations as applicable matters.
- b) Whether Planning Staff have initiated a review of this Strategy, or any of the Official Community Plan documents.

IM19. Council shall consider if the proposal is premature or inappropriate by reason of:

- a) The financial capability of the Municipality to absorb any costs relating to the development.
- b) The adequacy of municipally approved water and wastewater services or if services are not provided, the adequacy of physical site conditions for private on-site septic and water system. Council shall consider comments from the Municipal Infrastructure and Operations Department or Nova Scotia Environment as applicable.
- c) The adequacy and proximity of school, recreation, and any other community facilities. Council shall consider comments from Municipal departments and the appropriate School Board as applicable.
- d) The potential for significantly reducing the continuation of agricultural land uses.
- e) The adequacy of existing or proposed road networks in, adjacent to, or leading to the development and ability of the proposed development to satisfy applicable stopping sight distances. Council shall consider comments from

the appropriate Municipal Engineer and/or Nova Scotia Transportation and Infrastructure Renewal.

- f) The potential for the contamination of watercourses or the creation of erosion or sedimentation. Council shall consider comments from relevant Provincial Departments as applicable.
- g) Creating a leap frog, scattered, or ribbon development pattern as opposed to compact and orderly development.

IM20. Council shall consider if the proposed development is shown on a professionally drawn site plan as being in compliance with the applicable sections of the Subdivision Bylaw, with the following matters of the Land Use Bylaw:

- a) Type of use.
- b) Number of buildings.
- c) Yard setbacks.
- d) Height, bulk, setback requirements, and lot coverage of any proposed structures.
- e) External appearance of any structures where design standards are in effect.
- f) Street layout and design.
- g) Access to and egress from the site, parking.
- h) Open storage and outdoor display.
- i) Signage.
- j) Similar matters of planning concern.

IM21. Council shall consider the suitability of the proposed site in terms of the environmental features of the site, particularly susceptibility to flooding and other nuisance factors, and where applicable, comments from relevant Provincial Departments concerning the suitability of the site for development.

- IM22.** Council shall consider the provision of buffering, screening, and access control to minimize potential incompatibility with adjacent and nearby land uses, rail lines and traffic arteries.
- IM23.** Council shall consider the extent to which the proposed development, where applicable, provides for efficient pedestrian circulation and integrates pedestrian walkways and sidewalks within adjacent developments.
- IM24.** Council shall consider the proposed development is shown to manage stormwater on-site in a manner which does not negatively impact on other properties.
- IM25.** Council shall consider massing, and compatibility of the proposed development's external appearance with adjacent buildings by means of design features, roof type, exterior cladding materials, and overall architectural style that is reasonably consistent with the style and character of the community or compliments the character of the community.
- IM26.** Council shall consider the following matters in Growth Management Areas and other areas where applicable to determine if the proposed development contributes to a favourable community form, and the proposed development's ability to:
- a)** Provide for efficient pedestrian movement into, out of, and within the development, especially between commercial and residential neighbourhoods, as well as the ability for pedestrian routes to link with existing sidewalks, active transportation routes and walking trails on abutting lands to provide for a cohesive network of same.
 - b)** Council shall consider, where appropriate, the impact of the development on the comfort and

design of proposed streets and existing street users. This shall include whether the proposed development is human-scaled, is easily accessible to active transportation users, and if it promotes visual variety and interest for active transportation users.

Development Agreement Criteria

- IM27.** Council shall consider the evaluation criteria, terms, and conditions for development agreements enabled by this Strategy, and specifically in this subsection.
- IM28.** Council shall consider the following evaluation criteria for any development agreement application:
- a)** The impact of the proposed development on existing uses in the area with particular regard to the use and size and of proposed structure(s), buffering and landscaping, hours of operation for the proposed use, and other similar features of the proposed use and structures.
 - b)** The impact of the proposed development on existing infrastructure with particular regard to Municipal piped water and wastewater systems, fire protection, refuse collection, school capacities, and recreation amenities. Council shall consider comments from the Municipal Engineer and other agencies as applicable.
 - c)** The impact of the proposed development on pedestrian and motor traffic circulation with particular regard to ingress and egress from the site, traffic flows and parking, adequacy of existing and proposed road networks to service the proposed development, adequacy of pedestrian infrastructure including walkways and sidewalks where required. Council shall consider comments from Municipal Engineer(s)

and/or the Provincial Transportation Departments as applicable.

- d) Council shall consider, where appropriate, the impact of the development on the comfort and design of proposed streets and existing street users. This shall include whether the proposed development is human-scaled, is easily accessible to active transportation users, and if it promotes visual variety and interest for active transportation users.
- e) The suitability and availability of other appropriately zoned sites for the proposed use.
- f) The submission of a professionally drawn site plan showing the location of all new and existing structures on the lot, parking areas, proposed and existing walkways, areas of tree retention, watercourses or environmentally sensitive areas, buffering, and landscaping and building plans, including signage plans, if applicable, showing the nature and design of the proposed structure.
- g) Adequacy of the size of the lot to ensure required buffering and screening can be carried out.
- h) Potential for significantly reducing the continuation of agricultural land uses.
- i) The proposed density and urban form, including height, massing, bulk, setbacks and setbacks, are compatible with (not necessarily the same as) existing development forms.
- j) If the proposal is inappropriate by reason of the financial capability of the Municipality to absorb any costs relating to the development; and
- k) The adequacy of municipally approved water and wastewater services or if services are not provided, the adequacy of the lot to provide an adequate and

safe water supply as determined by a hydrogeological assessment prepared by a hydrogeologist. The requirement for a hydrogeological assessment shall be determined by the Municipality.

IM29. Terms and conditions of the agreement to ensure consistency with Strategy policies and the employment of sustainable development practices shall include, but are not limited to the following where applicable:

- a) The use and size of any new structures or any expansions of existing structures.
- b) The compatibility of the structure in terms of design elements including, but not limited to roof type, exterior cladding material, and overall architectural form and elements that are reasonably consistent with the style and character of the community.
- c) Provisions for adequate buffering and screening to minimize the impacts of the development on adjacent uses, such buffering and screening to be designed with consideration given to the types of impacts that may be felt by adjacent properties (ie. noise, headlights, dust, etc.).
- d) Any matter that may be addressed in the Land Use Bylaw, such as yard requirements, outdoor storage, height, bulk and lot coverage, etc.
- e) Time limits for the application for a development permit and the initiation and completion of construction.
- f) The establishment of hours of operation and maintenance of the proposed use.
- g) The provision of adequate parking and parking lot design to include maximum ease and safety of traffic flow and dust control.
- h) Provisions regarding signage that

may be sensitive to the overall visual amenity of the immediate area and safety issues.

- i) Methods of protection of the land and watercourses and mitigation practices during and after construction of the proposed development.
- j) Methods of stormwater management on-site during and after construction and methods used to control erosion and sedimentation.
- k) Provisions regarding tree removal, devegetation, and tree planting on the site and overall adequacy of landscaping.

Administrative Development Agreements and Site Plan Approvals

Policy Goal

Council's intent is provide a mechanism for limited flexibility through available planning tools, specifically the use of development agreements and site plan approvals where Land Use Bylaw standards cannot be satisfied. The underlying intent of these policies is to ensuring the quality of development is not compromised and the larger community and Municipal interest is protected.

Policy Statements

IM30. Council may consider the development of any accessory building in excess of the Land Use Bylaw requirements provided the intent and provisions of this strategy are satisfied, in particular, the Development Agreement Criteria of this Strategy.

IM31. Providing that the intentions of all other policies of this strategy are satisfied, and a leap-frog development pattern is not being established, Council may, for the purposes of providing for the development of similar uses on abutting land parcels, consider the following by

development agreement:

- a) The development of uses on a property within a designation that are permitted uses within a zone supported by the abutting designation;
- b) The development of uses that are permitted within the zone and designation on an abutting property; and
- c) The development of uses within a designation that are extensions of development agreements in effect on an abutting property within the abutting designation.

IM32. Pursuant to the *Municipal Government Act*, in relation to nonconforming uses, Council shall consider site plan approval for the following circumstances in satisfaction of this Strategy:

- a) The expansion or alteration of nonconforming structures containing non-conforming uses beyond 25% of its existing gross floor area.
- b) The expansion of the non-conforming use of land.
- c) The rebuilding of a non-conforming structure or structures containing a non-conforming use after destruction of fire.
- d) Under no circumstances shall Council consider the recommencement of a non-conforming use that has been discontinued for a period of two years or more.
- e) Further to this policy, unless otherwise enabled in this Municipal Planning Strategy, Council shall not permit any change in the use from one non-conforming use to another. Council may require that any rebuilding of a non-conforming structure after destruction or damage be done in accordance with the Land Use Bylaw. In considering site plans pursuant

to this policy, Council shall give consideration to any steps taken to move the development towards compliance with the Land Use Bylaw.

IM33. For existing undersized lots, including those with less than the minimum required frontage, development agreements in conformity with the policies of this strategy and all other requirements of the Land Use Bylaw may be considered to enable developments on the property.

Variances, Non-Conforming Uses & Lawfully Existing Uses

Policy Goal

A variance is as an allowed reduction in one or more Land Use Bylaw requirements which has been granted by the Municipality's Development Officer. The Development Officer is able to grant a variance in accordance with the procedures outlined in the *Municipal Government Act* and other circumstances where the matters are identified within the Official Community Plan.

Policy Statements

IM34. Where circumstances warrant, Council shall permit the Development Officer to grant a variance in accordance with the *Municipal Government Act* for these matters:

- a) Front & rear yard requirements.
- b) The number of parking spaces and loading spaces required.
- c) The floor area occupied by a home-based business.
- d) Change to the height requirement of fences.
- e) Development in excess of lot coverage standards.
- f) Lots with less than the minimum frontage or lot area.
- g) Ground area and height of a structure.

Non-Conforming Uses Policy Statements

It shall be Council's intent that where any zone of the Land Use Bylaw lists existing uses as a permitted use, this shall mean uses which were lawfully existing at the time the Bylaw came into effect.

Lawfully Existing Uses Policy Statements

IM35. It shall be Council's intent that where any zone of the Land Use Bylaw lists existing uses as a permitted use, this shall mean uses which were lawfully existing at the time the Bylaw came into effect.

Policy	Amendment Date	Description

SECTION E3

Municipal Projects & Studies

In order for East Hants to maintain relevant and progressive Planning Documents the Municipality needs to invest into its future by completing projects and studies that will provide decision makers with the knowledge necessary to move East Hants forward. The projects and studies listed in this section strengthen the Municipality's Vision of creating a vibrant, diverse, and growing community.

Policy Goal

Council's goal is to conduct, where necessary and reasonably possible, various studies and projects during the life of the East Hants Official Community Plan, that facilitate and encourage planning for the social, economic, environmental, and cultural development and growth of the Municipality.

Policy Statements

MP1. Council shall approve five year capital budgets during each annual budget deliberation, and during these deliberations, Council shall consider approving funds necessary to undertake the studies outlined in this strategy.

MP2. Council shall have its Departments review and, where applicable, include the various projects and studies outlined in the East Hants Official Community Plan in their annual capital budget for consideration of approval.

MP3. Council for the purpose of reducing costs, shall, where deemed advisable and in the best interests of the Municipality, encourage Departments to utilize various planning and engineering schools and research centres or institutions to conduct studies outlined in this Plan.

MP4. Council shall make available to the public all completed Municipal Projects and Studies, unless the completed project or study is deemed by Council to contain sensitive information.

MP5. Council shall consider reviewing and approving, as part of its annual operating and capital budgets, the following major projects and studies, which are not listed in any particular order of priority.

1. Creation of a Municipal Environmental Constraints Map to identify environmentally sensitive (ie. Wetlands) or hazardous areas within the Municipality.
2. Review of Municipal, community, and landmark signage.
3. Parking study for all Village Core areas.
4. Identification and Preservation Study and Strategy for preserving significant archaeological and natural sites within the Municipality through such means as the Nova Scotia Special Places Protections Act.
5. Floodplain Mapping Study for the Sackville River in Mount Uniacke and Nine Mile River within the Planned Districts.
6. Review of the creation of protection and enhancement measures for the Upper Sackville River.
7. Creation of a greenhouse gas/air pollutant

- emissions reduction strategy.
- 8. Update the Agricultural Land Identification Project (ALIP) and review Agricultural Reserve (AR) Zone boundaries based on the ALIP update.
- 9. Create an active transportation plan for East Hants based on the Active Transportation needs Assessment completed in 2014
- 10. Identify opportunities to locate a public rail access point in East Hants to service local industry and the community at large.
- 11. Develop an implementation plan for the Village Cores, based on recommendations made in the East Hants Village Cores Plan by Ekistics, for making improvements to our village cores to improve the streetscapes (street furniture, tree plantings, ornamental street lighting, etc).
- 12.
- 13. Complete a Comprehensive Master Plan for Belnan GRA, Regional Commercial GMA, and the Highway 214 Corridor.
- 14. Complete a Comprehensive Master Plan for the Lantz GRA.
- 15. Complete a Feasibility Study to examine the possibility of servicing the Milford GMA with Municipal water.
- 16. Establish a water monitoring program for lakes with residential/cottage development.
- 17. Study the possible establishment of a Bylaw to enable Wastewater Management Districts for lakes with residential/cottage development.
- 18. Complete a feasibility study for the establishment of water and wastewater services in Mount Uniacke.
- 19. Review of Maitland Heritage Conservation District Plan & Bylaw.
- 20. Develop an inventory of heritage properties which are currently non-registered.
- 21. Develop a non-regulatory plan for Maitland
- 22. Approach Heritage Gas for pre-planning for natural gas laterals.
- 23. Investigate high speed internet access in East Hants.
- 24. Examine incentives to make the undergrounding of cables a more feasible option for developers.
- 25. Secondary Planning Strategy for Mount Uniacke and Lakelands.
- 26. Investigate specific land use regulations for the rural settlements.
- 27. Update the Coastal Vulnerability and Projected Erosion in East Hants County Study when new climate change and other relevant data becomes available.

Policy	Amendment Date	Description