



# COUNTY *of* ANNAPOLIS

---

NATURALLY ROOTED

## Annapolis County Municipal Planning Strategy

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## PART 1 AUTHORITY AND CONTEXT

### SECTION 1.1 PURPOSE

This Municipal Planning Strategy (MPS) for the Municipality of the County of Annapolis has been prepared according to the provisions of the *Municipal Government Act* (MGA). It is a legal document that has been adopted as a Bylaw of the Municipality of the County of Annapolis and provides a framework of land use policies to guide all forms of development within the County. Where land use and development issues are dealt with in this MPS, the accompanying Annapolis County Land Use Bylaw (LUB) shall implement them.

### SECTION 1.2 THE PLANNING AREA AND FLUM

This MPS applies to all lands within the Municipality of the County of Annapolis, as defined by the Future Land Use Map (FLUM) included as **Appendix A** to this document. The area it covers shall be referred to as the Annapolis County Planning Area or the Planning Area. The FLUM applies one of the land use designations listed in **Section 4** to all lands within the Annapolis County Planning Area.

### SECTION 1.3 SECONDARY PLANNING AREAS

The Planning Area encompasses several areas within the County that are subject to individual municipal planning strategies prepared and approved prior to the preparation of this Annapolis County MPS. The areas are more densely developed than remaining lands to which this MPS exclusively applies and are usually serviced with municipal water and wastewater systems. They include the following communities identified on the FLUM and zoning maps contained in the LUB:

- East End Planning Area
- Upper Clements Planning Area
- Cornwallis Park Planning Area
- Bridgetown Planning Area
- Habitation Community Planning Area

Additional planning strategies to protect municipal water supplies for Lawrencetown and Lake Cady have been incorporated into this MPS with revised policies and LUB provisions.

The planning strategies for each planning area identified on the FLUM and Zoning Map include policies specific to the circumstances and needs of that area. Each planning strategy is implemented through a land use bylaw that is also specific to that area. While policies and zoning regulations in this MPS and its related LUB may be replicated in one or more of those area strategies, the documents stand alone and may be amended independently, albeit with due consideration of consistency with the policies of this MPS, which is regarded as a framework for their development and implementation.

In the case of Bridgetown, Council is considering including areas within the County-wide Planning Area in the Bridgetown Planning Area. This MPS delineates those candidate areas and the associated LUB applies zoning to the lands within the candidate areas that shall apply until such time as those areas are removed from this Planning Area. For the East End Planning Area, this Plan is also recommending the incorporation of lands around Lily Lake, which is the backup water supply for the Town of Middleton, so

that measures to protect that water supply area can be developed in consideration of its importance to the adjacent community.

### SECTION 1.4 BACKGROUND

The first County-Wide MPS for Annapolis County, effective May 14, 2009, dealt solely with establishing Council's policy concerning the takeover of new municipal streets created via the subdivision process. On May 13, 2010, Council adopted a county-wide MPS and LUB to regulate wind power development, which expanded and replaced the previous documents.

The current MPS, referred to below as the Annapolis County MPS, was created through a process conducted by Stantec Consulting on behalf of the Municipality in 2022 and 2023. Review of the preceding MPS was due in accordance with its own Policy 12.1.1, which committed Council to review the document within five years of its adoption. In the same timeframe, Bill 58, adopted by the Province of Nova Scotia on October 11, 2018, established a requirement that all municipalities adopt a plan or plans sufficient to satisfy the "minimum planning requirements" set out in the *Municipal Government Act* (MGA). The minimum planning requirements are described under the Province's Minimum Planning Requirements Regulations as follows:

- 4 In addition to the requirements prescribed in subsection 214(1) of the Act, a MPS must contain all the following:
  - (a) a discussion of the background and contextual information that informed the goals and objectives of the MPS;
  - (b) a map of the lands within a municipality that depicts the intended future uses of the lands as contemplated by the municipality's MPS;
  - (c) statements of policy with respect to the lands subject to the MPS in relation to all the following:
    - (i) residential uses,
    - (ii) commercial and industrial uses,
    - (iii) institutional uses,
    - (iv) recreation facilities and public open spaces, and
    - (v) resource uses, where resources are present within a municipality;
  - (d) a statement of policy describing the procedures to be followed when reviewing a MPS that must provide for public consultation and notice.

To satisfy the minimum planning requirements, Nova Scotia municipalities must adopt comprehensive planning documents that apply to their entire area. In accordance with subsection (c), a comprehensive plan must address the full range of land uses and support a land use bylaw that includes a zoning map as required by subsection (b). Municipalities are granted the discretion to apply zoning to lands and employ other planning tools to regulate land use, protect the environment, and promote orderly and cost-effective development.

In this revision of the County-Wide MPS, therefore, policies have been expanded well beyond the subjects of public roads and wind turbines with which the 2011 document dealt. The MPS now addresses the full range of land uses required by the MGA with additional policies addressing growth management, environmental protection, and other issues and opportunities identified through consultation with Annapolis County Council and the public.



## SECTION 1.5 CONSULTATION

This MPS was developed through a robust consultation program. Stantec initially interviewed all eleven members of Annapolis County Council and asked Council members to respond to a survey designed to identify issues and opportunities they felt the MPS should address. A very similar survey was then made available online for the public.

From May 16 to May 26, 2022, Stantec planners and staff with the Municipality's Planning Department conducted consultation sessions in each of Annapolis County's eleven electoral districts. More than 350 community members participated in the sessions along with several County Councillors, PAC members and some municipal staff.

Meetings were divided into an open house segment in which participants were encouraged to read material on ten panels explaining the requirements for the County-Wide Plan Review and its objectives. Three planners – one from Stantec and two from the County's Planning Department – attended most of the sessions and helped to explain the content of the panels and answer specific questions from attendees. Within half an hour of the start of most sessions, the planners gave a presentation covering much of the content of the panels, emphasizing the Province's requirement that the County-Wide MPS be upgraded to satisfy MGA requirements for a comprehensive plan. The presentation also explained the expected content of a comprehensive plan and the implications of the LUB that is required to implement the MPS.

Following the presentation, the floor was opened to questions and comments from the audience. The key themes of the questions and comments related to the need for a comprehensive plan; the potential impact of land use restrictions on farming; and concerns with provincially regulated forestry practices in the county. After each Q and A period, the planners remained to discuss issues one-on-one with individual participants and small groups.

The consultation process culminated in two Visioning sessions hosted by Stantec on June 29, 2022, at the Bridgetown Legion. An afternoon session drew approximately 25 people and an evening meeting attracted roughly 50. The sessions were open to all members of the public. Two sessions were held to increase public access, and manage attendance numbers, while also allowing the planners to correlate views and confirm the consensus on leading topics.

Both sessions followed a similar agenda. In each case, Stantec's consultant gave a summary of the results of the district-based consultation process covering the numbers who attended each meeting and the results of our then ongoing public survey focusing on the relative emphasis placed on issue groups (e.g., environment, agriculture, and housing) by survey respondents.

In keeping with the workshop format, participants were organized at tables in groups of five to eight. The groups were asked to discuss a series of questions related to the leading topics (i.e., environment, agriculture, housing, economic development, and infrastructure). Stantec's consultants put the questions forward one at a time for 3 to 5 minutes of discussion. After discussing each issue, the groups were asked to report the key themes of their discussions to the entire group.

In addition to obtaining more detailed information on public views concerning each topic, the discussion focused participants on key content areas that the revised MPS must address including the environment, agriculture, housing, and infrastructure, which correspond to Statements of Provincial Interest, and economic development, which is a leading objective of the planning process and a priority identified

through interviewing of Council and PAC members. After a thorough discussion of the issues, we moved on to two additional exercises to identify community priorities and establish the ideas that should be incorporated in the County's Vision. With the input provided during the Visioning sessions, Stantec developed a Vision Statement to guide the MPS provided in **Part 3**.

## SECTION 1.6 COMPONENTS AND THE LUB

Further to **Section 1** of this **Part**, where it is stated that the generalized purpose of this plan is to be a framework of Council's policies concerning the development of land within the Planning Area, this plan also contains other land use policies. These policies set development standards that may vary from zone to zone and policies concerning the issuance of municipal development permits. Administrative policies include procedures on amending the MPS and LUB as well as for their review. Included also are policies for the subdivision of lots along private roads and lots with no frontage, and development permit issuance on such lots. Development control regulations themselves, which implement the policies contained in this MPS, are contained in the Annapolis County Land Use Bylaw.

## SECTION 1.7 LIMITATIONS

This MPS sets out policies directed toward a Vision and specific goals, set out in **Section 3**. In adopting these policies, Council does not commit itself to undertaking any of the projects suggested therein. However, Council is prevented from acting in a manner that is inconsistent with or at variance with this Strategy (MGA S. 217).

## SECTION 1.8 STATEMENTS OF PROVINCIAL INTEREST

The *Municipal Government Act* requires that planning documents be reasonably consistent with the Provincial Statements of Interest. The five Statements of Interest and the sections and policies on this plan that address them are as follows:

Statement of Interest Regarding	Relevant Sections and Policies
Drinking Water Supplies	<ul style="list-style-type: none"> <li>• <b>Sections 5.1, 5.2, and 5.3</b> deal with the protection of municipal drinking water supplies throughout the planning area.</li> <li>• <b>Section 5.2</b> protects surface water supplies within the planning area, including Lily Lake</li> <li>• <b>Section 5.3</b> protects groundwater supplies within the planning area including the Lawrencetown, Margaretsville, Bridgetown, and Granville Ferry wellfields</li> </ul>
Flood Risk Areas	<ul style="list-style-type: none"> <li>• <b>Policy 4.4.4</b> Agricultural Marshlands</li> <li>• <b>Policy 4.9.2</b> Wetland Protection</li> <li>• <b>Policy 4.9.3</b> Watercourse Protection</li> </ul>
Protection of Agricultural Land	<ul style="list-style-type: none"> <li>• <b>Policy 4.4.1</b> Agricultural Zone</li> <li>• <b>Policy 4.4.4</b> Agricultural Marshlands</li> <li>• <b>Policy 4.4.6 and 4.4.7</b> Rezoning to and from the AG Zone</li> <li>• <b>Policy 4.4.8</b> Topsoil Removal in Agricultural Zones</li> </ul>
Infrastructure	<ul style="list-style-type: none"> <li>• <b>Policy 4.3.6</b> Residential Rezoning</li> <li>• <b>Policy 4.10.2</b> Development of Serviced Areas</li> <li>• <b>Policy 4.10.3</b> Development at Interchanges</li> </ul>

Statement of Interest Regarding	Relevant Sections and Policies
Housing	<ul style="list-style-type: none"> <li>• <b>Section 4.3</b> Residential Designation</li> <li>• <b>Policy 4.2.2</b> Accessory Dwelling Units</li> <li>• <b>Policy 4.3.1</b> Low Density Residential Zone</li> <li>• <b>Policy 4.3.2</b> Secondary Residential Structure</li> <li>• <b>Policy 4.3.3</b> Multi-unit Residential Zone</li> </ul>

## SECTION 1.9 ZONES, ZONING AND THE ZONING MAP

The purpose of a LUB is to implement the land use development policies set out in a MPS and to establish a fair and systematic means of development control. Generally speaking, this is accomplished by dividing an area into land use zones. Land use developments are considered by way of listing them as a permitted use in a zone or, alternately, a prohibited use.

Where a land use development is considered a permitted use, usually there are specific development conditions that must be fulfilled before a development permit is issued. The LUB accompanying this Annapolis County MPS is called the Annapolis County LUB. Like the FLUM's relation to the MPS, the Zoning Maps form an integral part of the LUB. The Zoning Maps graphically show the divisions of areas of the County into zones. The Annapolis County LUB and Zoning Maps set out zones for a full range of land use types, ranging from residential to industrial uses and allows different land uses to be mixed in specific areas and circumstances. The Bylaw also includes areas in which wind resource development may be permitted in conjunction with other land use, areas in which land use will be strictly limited and, perhaps, prohibited to protect community water supplies, wetlands, watercourses, coastlines, and areas with substantial slopes to protect both unique environmental features and reduce risks to the public.

## PART 2 COUNTY PROFILE

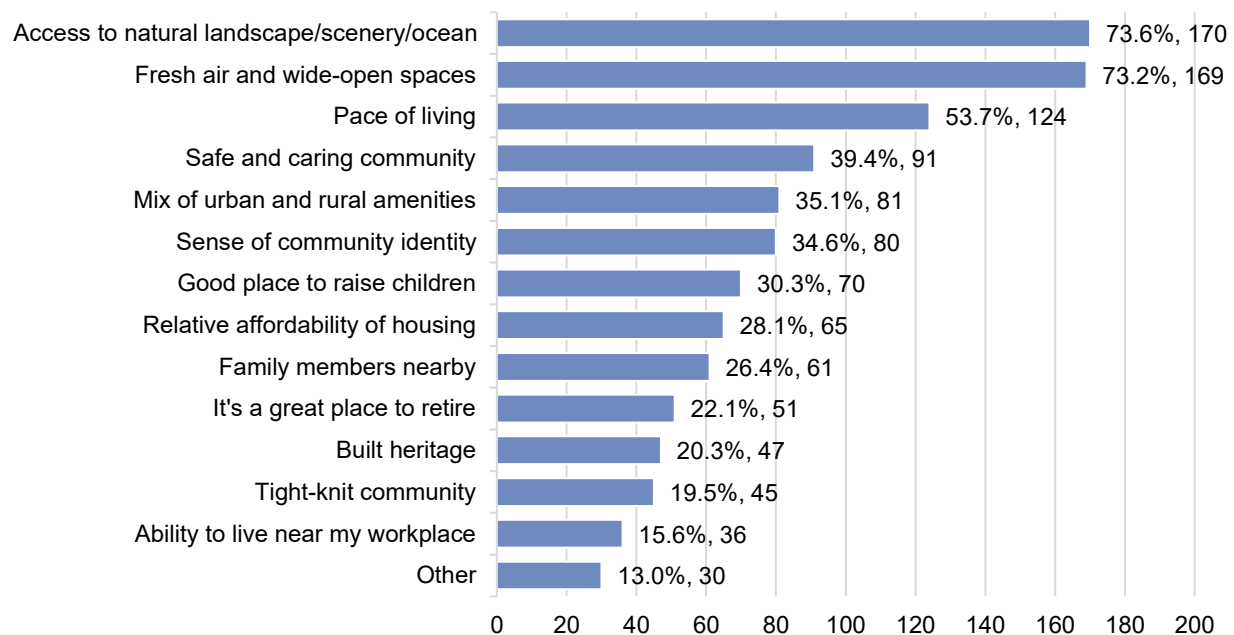
Annapolis County is located in Southwest Nova Scotia at the western end of the Annapolis Valley. The County is recognized as the site of one of the first permanent European settlements in North America at Port Royal and for its agricultural industry. While the County is directly connected to Halifax via Highway 101, which is also the primary transportation corridor within its limits, it is far enough removed to be beyond the influence of development in the province's largest urban centre. It has developed a small but largely independent economic base building on the long history of settlement in the area and its unique attributes as a well-established centre of agricultural, fishing, and forest industry.

### SECTION 2.1 ISSUES AND OPPORTUNITIES

As described in **Section 1.4 of Part 1**, this MPS was developed through an extensive consultation process involving Council and Planning Advisory Committee (PAC) members as well as the public and key-groups. An important source of information on issues was the community survey, which asked respondents to review an extensive list of potential planning issues categorized into topics such as housing and transportation and to identify which ones they considered relevant to Annapolis County. The survey obtained 231 responses. A similar survey was administered to Annapolis County Council and Planning Advisory Committee members.

Opinion responses reinforced and quantified views obtained through other sources. Our question regarding the features most valued by residents of Annapolis County drew responses that emphasized access to the natural environment and the area's easy-going lifestyle (**Figure 1**). Responses concerning issues the MPS may address, likewise, prioritized the environment, followed by agriculture and housing (**Figure 2**).

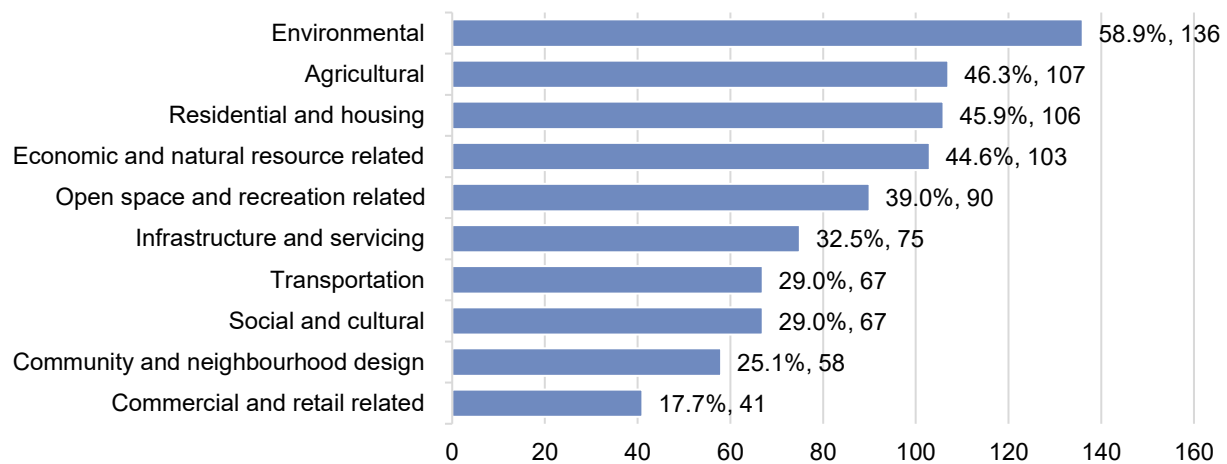
**Figure 1 Valued Features of Annapolis County, Online Community Survey, 2022**



Source Stantec Consulting Limited

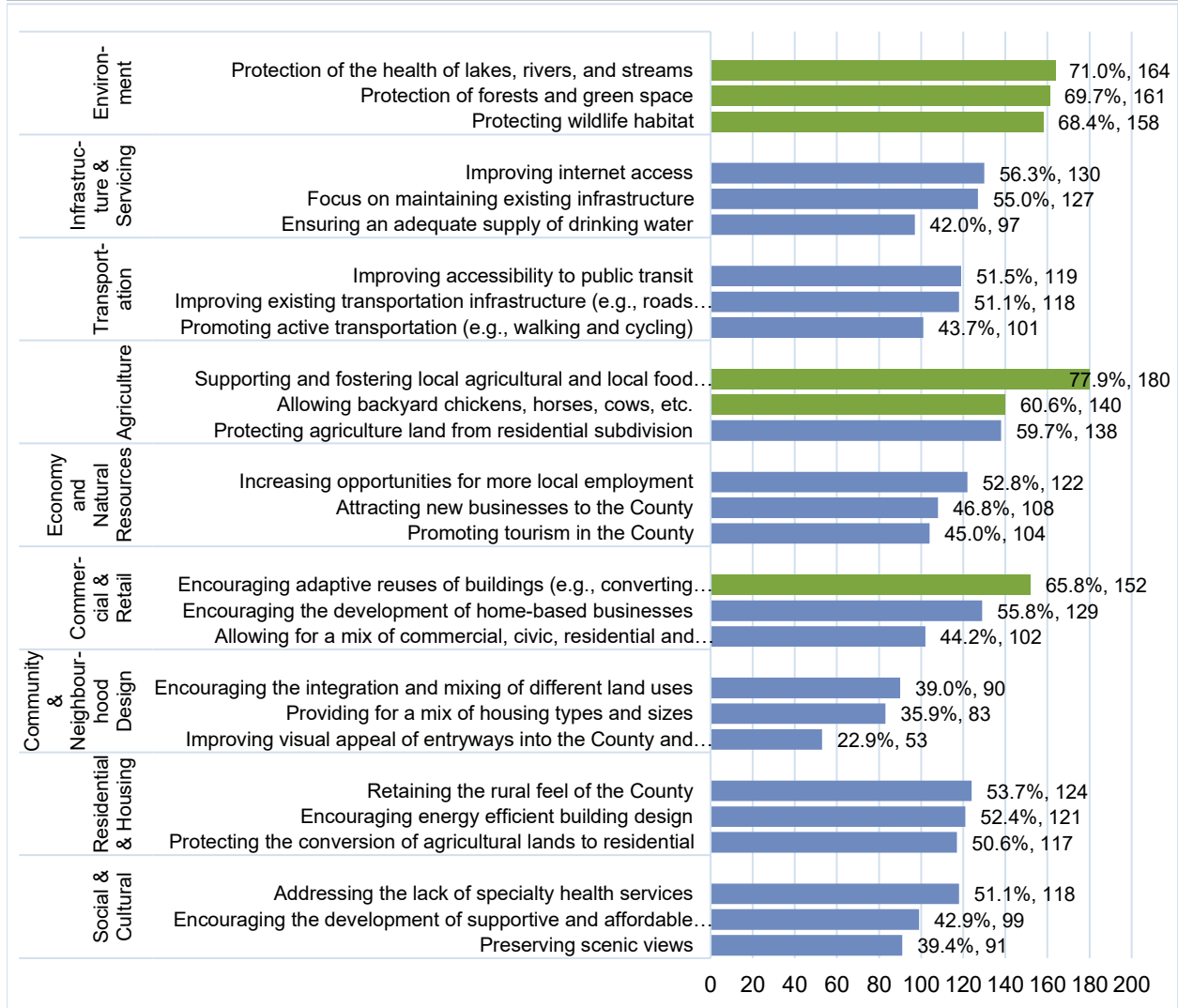
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**Figure 2 Issue Priorities for the MPS Review, Online Community Survey, 2022**



Source Stantec Consulting Limited

**Figure 3 , Most Important Issues by Category, Online Community Survey, 2022**



Source Stantec Consulting Limited

As **Figure 3** illustrates, more detailed inquiries exploring specific concerns further reinforced public interest in environmental protection. The three leading environmental issues were identified as concerns by more than 68% of the 231 survey respondents. All three received more mentions than any other issue listed in the questionnaire except for “Supporting local agriculture and local food,” which was mentioned by 77.9% of respondents and was the leading issue under the Agriculture heading. Other leading concerns mentioned by more than 60% of respondents were permitting livestock animals on residential properties (60.6%) and adaptive re-use of commercial structures for residential purposes (65.8%). On the whole, the survey reinforced the high value that Annapolis County residents place on their rural environment, particularly the preservation of natural features and habitat, but also as a cultural feature.

### SECTION 2.2 POPULATION AND HOUSING

Population change in Annapolis County has been moderate. The Census population of the County including the towns of Annapolis Royal, Bridgetown, and Middleton was 18,121 according to the first census after Confederation in 1871. It peaked at 23,641 in 1986 but fell consistently over the next 30 years. The number of residents in the County dropped to 20,591 in 2016, however, since 2016, Annapolis added 661 people or a 3.2% increase.

Stantec predictions for the municipality (i.e., excluding the Towns of Annapolis Royal and Middleton) based on Statistics Canada population estimates for 2016 and 2021, which correct Census population counts for undercount and similar errors, suggest the County will grow from 19,404 in 2021 to 20,862 by 2031, an increase of 1,458 or 7.5% (**Figure 4**).

The percentage share of total population in each age group suggest recent in-migration has stabilized the number of youth and young adults. Predictions for the future indicate numbers in younger adult age groups (i.e., 15 to 44 years) should increase moderately over the next ten years. With more families, the share of children in the population should grow more substantially, returning to levels present in 2011. At the same time, we estimate that the share of population in the oldest age groups (75 and over) will grow well ahead of other age groups, rising to 14.5% or nearly double its 2006 level (8.5%). The group that is expected to be less prominent will be middle-aged and young seniors (45 to 64 years) whose presence grew from 2006 to 2021 but will now decline as Baby Boomers born from 1946 to 1961 age out of the group and are replaced by subsequent smaller generations.

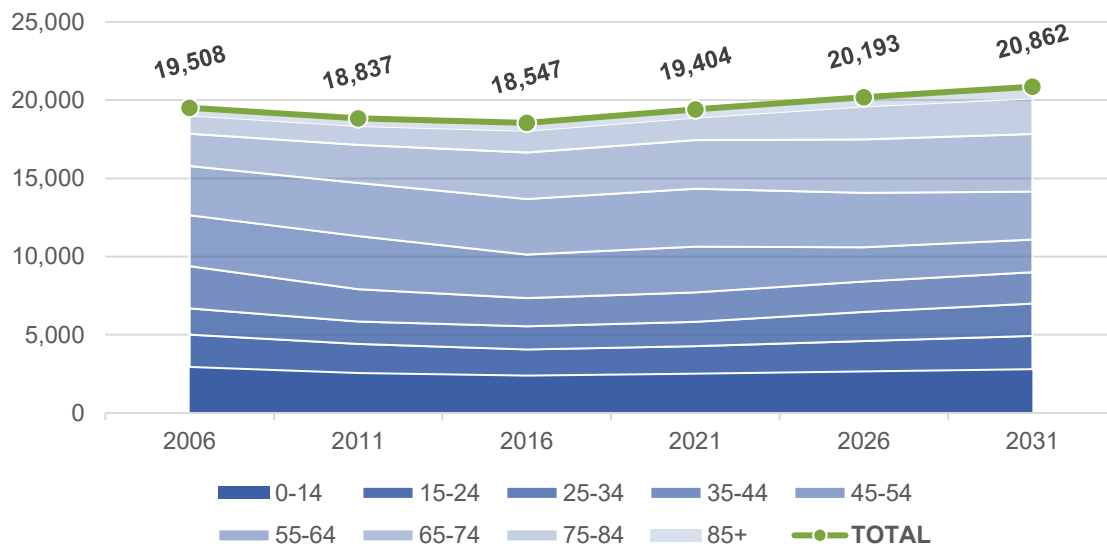
Population change has had a significant impact on housing demand in Annapolis County. The addition of nearly 1,000 residents over the past five years has created substantial housing needs and 564 dwelling units have been added in response. **Figure 5** represents dwelling units in the county in 2016 as estimated by Stantec based on the size and age structure of the county's population according to Statistics Canada's 2016 estimate for the county along with Stantec's predictions of housing requirements in 2026 and 2031 based on the same parameters.

Our predictions suggest that 760 more units will be required in the coming decade, or 380 every five years. While these expected additions are substantial, the number of dwelling units is less than the growth from 2016 to 2021 (564 units) because of aging in the county's population. According to our calculations, the number of residents between 15 and 64 years of age, which are the ages at which people are most prone to head households, will decline (see **Figure 4**). Many factors are however at work, Canada's current immigration policy is aggressive and likely to sustain or even increase the recent high level of national population growth. In addition, an increasing number of homes in the county are second residences, while housing costs and shifts in unit types may alter the profile of needs and the

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number of units required. Most notably, if the current gap between home prices in Annapolis and larger urban markets remains, housing needs in the county could very likely exceed our estimates.

**Figure 4 Population, Municipality of the County of Annapolis, 2006-2031**



Cohort	2006	2011	2016	2021	2026	2031
0-14	2,944	2,556	2,391	2,511	2,658	2,809
15-24	2,073	1,856	1,670	1,752	1,952	2,121
25-34	1,681	1,444	1,482	1,561	1,861	2,066
35-44	2,685	2,056	1,807	1,893	1,932	2,009
45-54	3,265	3,408	2,781	2,916	2,188	2,085
55-64	3,141	3,385	3,548	3,713	3,491	3,066
65-74	2,067	2,442	2,980	3,098	3,418	3,677
75-84	1,165	1,202	1,380	1,434	2,104	2,284
85+	488	489	507	526	589	745
<b>TOTAL</b>	<b>19,508</b>	<b>18,837</b>	<b>18,547</b>	<b>19,404</b>	<b>20,193</b>	<b>20,862</b>
<i>Change</i>		-3.4%	-1.5%	4.6%	4.1%	3.3%
Cohort	Share of Total Population					
0-14	15.1%	13.6%	12.9%	12.9%	13.2%	13.5%
15-24	10.6%	9.9%	9.0%	9.0%	9.7%	10.2%
25-34	8.6%	7.7%	8.0%	8.0%	9.2%	9.9%
35-44	13.8%	10.9%	9.7%	9.8%	9.6%	9.6%
45-54	16.7%	18.1%	15.0%	15.0%	10.8%	10.0%
55-64	16.1%	18.0%	19.1%	19.1%	17.3%	14.7%
65-74	10.6%	13.0%	16.1%	16.0%	16.9%	17.6%
75-84	6.0%	6.4%	7.4%	7.4%	10.4%	10.9%
85+	2.5%	2.6%	2.7%	2.7%	2.9%	3.6%
<b>TOTAL</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

**Source** Statistics Canada Estimates, 2006-2021, Stantec Consulting predictions, 2026-2031

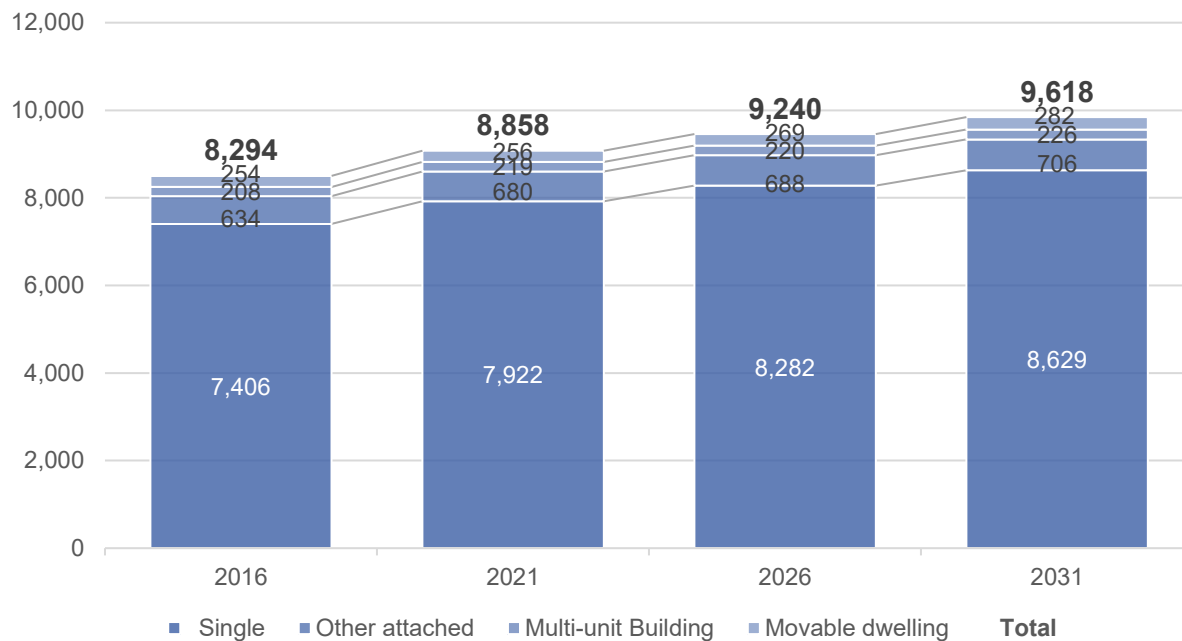


## ANNAPOLIS COUNTY MUNICIPAL PLANNING STRATEGY

Single-detached units dominate the county's housing profile. In 2016, 88% of all dwelling units were single detached followed distantly by other attached units (i.e., semis, duplexes, and rowhousing) at 7.5%. Movable dwellings, which are essentially a variant of single-detached homes, followed with 3.0%. Apartment units account for the remainder and comprise only 2.5% of the county's total housing supply.

The profile is expected in a rural municipality where land is generally plentiful, and many homebuyers are specifically attracted by the opportunity to obtain more land for their residence. From 2016 to 2021, there was a notable rise in the proportion of single detached units within the county's housing stock. Our calculations indicate that this trend will continue to 2031, with approximately 93% of new dwellings projected to be single detached units.

**Figure 5 Housing by Structural Type, Municipality of the County Annapolis, 2006-2031**



Census	Total	% Change in Total	Single	Other attached	Multi-unit Building	Movable dwelling
2016	8,294		7,295	625	205	250
Share of total units			88.0%	7.5%	2.5%	3.0%
2021	8,858	6.80%	7,922	680	219	256
Share of total units			89.4%	7.7%	2.5%	2.9%
2026	9,240	4.30%	8,282	688	220	269
Share of total units			89.6%	7.4%	2.4%	2.9%
2031	9,618	4.10%	8,629	706	226	282
Share of total units			89.7%	7.3%	2.3%	2.9%
<b>Required additions (2021-2031)</b>	<b>760</b>	<b>8.60%</b>	<b>707</b>	<b>26</b>	<b>6</b>	<b>26</b>
Share of total units			93.0%	3.4%	0.8%	3.4%

**Source** Statistics Canada Estimates, 2006-2021, Stantec Consulting predictions, 2026-2031



The tendency toward single-detached housing in the county is assisted by the availability of attached and multi-unit construction in urban areas within the geographic county. Between Annapolis Royal and Middleton, only 54.9% of dwelling units were single detached in 2016 and the proportion declined slightly to 54.5% in 2021. In the meantime, the share of attached units and apartment units shifted from 45.6% and 28.3%, respectively, to 45.5% and 28.7%. Provisions to facilitate the addition of dwelling units to existing residential uses and permit the construction of multi-unit dwellings ranging from duplexes to apartment structures are incorporated in this Plan and should encourage more affordable multi-unit residential development within the county; however, we expect single-detached units will continue to be the dominant housing form in rural areas

### SECTION 2.3 ECONOMY

Annapolis County Economic Region, which includes Hants, Kings, and Annapolis Counties, has a diverse economy with a substantial military base, a university, large employers such as Michelin in Waterville; Andritz Fabrics and Rolls Ltd., and Crown Fibre Tube Inc. in Kentville.

Notable industries and employers within Annapolis County include Mountains and Meadows Nursing Home in Bridgetown; Annapolis Royal Nursing Home; TRA in Brickton; Den Hann Nurseries in Clarence East; Acadian Seaplants and Foamworx in Cornwallis Park; and COGS (NSCC) in Lawrencetown. According to 2020 labour force data for the region, the largest sources of employment are Health Care and Social Assistance; Wholesale and Retail Trade; and Accommodation and Food Services. Although it ranks only eighth as a source of jobs, Agriculture is the economic sector in which the region is most specialized (**Figure 6**).

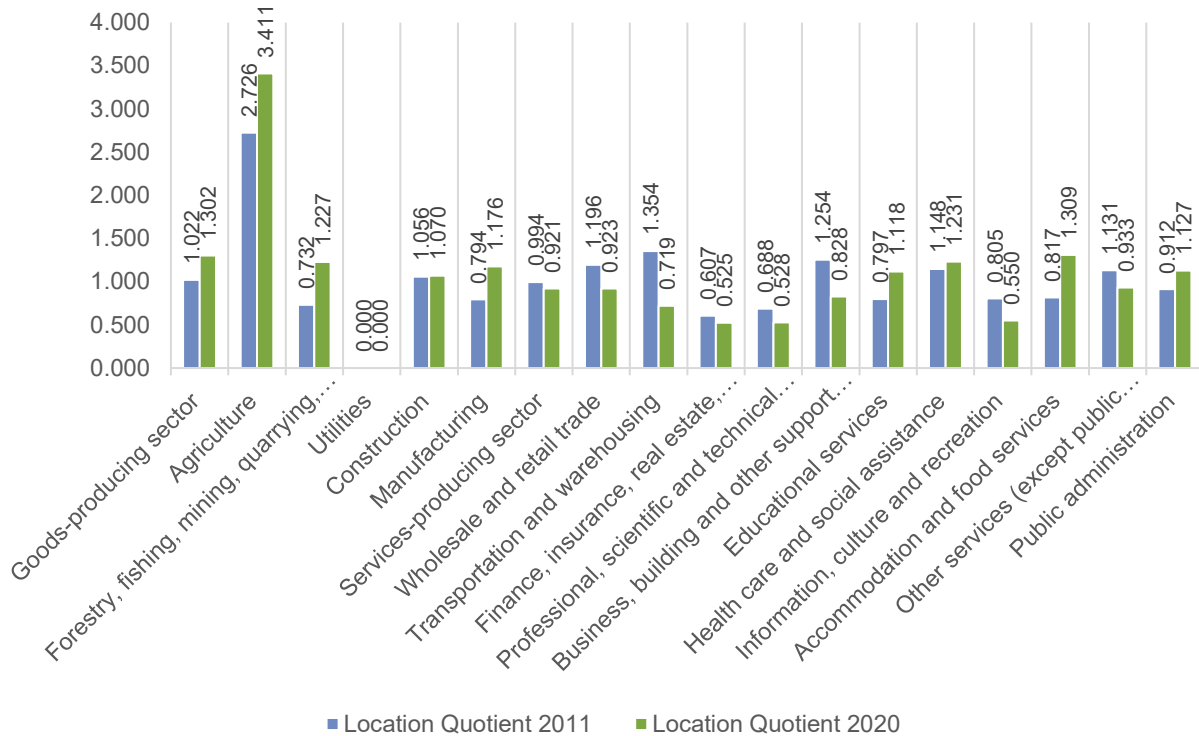
In addition to providing employment, agriculture is critical to the image and character of Annapolis County, particularly the rural areas to which this MPS applies. Approximately 3.8% of land within the planning area, mostly on the Valley floor, is used for agriculture or has the potential to be used for agriculture. Forestry is another valuable resource industry. It accounts for 88.5% of land within the county and nearly all land in the South Mountain area.

From 2011 to 2020, total employment in the Annapolis Valley Region declined by 2,600 jobs or by 4.7% but several sectors gained jobs. Educational Services, Health Care and Social Assistance saw the biggest increases, adding approximately 1,400 (46.7%) and 1,100 jobs (14.3%), respectively. Agriculture gained about 100 jobs (1.3%). The Region expanded in the Primary sector (i.e., Agriculture, Fishing, Forestry, and Extractive Industries) in which it has traditionally been strong. The Secondary sector (i.e., Manufacturing and Construction) also expanded largely because of growth in Manufacturing employment, which added 1,300 jobs (29.5%). On the other hand, despite its large gains in Education and Health Care, the Region lost about 4,400 jobs overall in the Tertiary or Service Sector (-10.3%), which has been the area of the economy that has grown the most rapidly world-wide since at least 1950. The major sectors that have lost employment are Transportation and Warehousing (45.9%); Information, Culture and Recreation (-45.0%); and Business, Building and Other Support Services (-39.3%).

### SECTION 2.4 ENVIRONMENT

The natural environment dominates most of the planning area, much of which is undeveloped. It is also an important influence in developed areas where it is a valued feature of properties and communities. The environment needs to be protected and managed. Watercourses, for example, are vulnerable to human activity and may present potential dangers through flooding. Furthermore, if water is drawn from a watercourse or the ground for human consumption, its quality is critical to human health.

**Figure 6 Location Quotients, Annapolis Valley Economic Region, 2011-2020**



NAICS Sector	Employment		Employment Change		Location Quotients	
	2011	2020	Number (,000s)	%	2011	2020
<b>Total employed, all industries</b>	<b>55.4</b>	<b>52.8</b>	<b>-2.6</b>	<b>-4.7%</b>		
Goods-producing sector	12.5	14.3	1.8	14.4%	1.0222	1.3015
- Agriculture	2.7	2.8	0.1	3.7%	2.7259	3.4106
- Forestry, fishing, mining, quarrying, oil and gas	0.8	1.1	0.3	37.5%	0.7316	1.2267
- Utilities	0.0	0.0	0.0	0.0%	0.0000	0.0000
- Construction	4.4	4.3	-0.1	-2.3%	1.0565	1.0696
- Manufacturing	4.4	5.7	1.3	29.5%	0.7944	1.1762
Services-producing sector	42.9	38.5	-4.4	-10.3%	0.9937	0.9208
- Wholesale and retail trade	10.3	7.3	-3.0	-29.1%	1.1956	0.9227
- Transportation and warehousing	3.7	2.0	-1.7	-45.9%	1.3539	0.7194
- Finance, insurance, real estate, rental and leasing	2.1	1.9	-0.2	-9.5%	0.6067	0.5248
- Professional, scientific and technical services	2.8	2.4	-0.4	-14.3%	0.6883	0.5282
- Business, building and other support services	2.8	1.7	-1.1	-39.3%	1.2536	0.8281
- Educational services	3.0	4.4	1.4	46.7%	0.7969	1.1184
- Health care and social assistance	7.7	8.8	1.1	14.3%	1.1485	1.2308
- Information, culture and recreation	2.0	1.1	-0.9	-45.0%	0.8054	0.5504
- Accommodation and food services	3.0	3.6	0.6	20.0%	0.8172	1.3088
- Other services (except public administration)	2.8	2.0	-0.8	-28.6%	1.1311	0.9332
- Public administration	2.7	3.3	0.6	22.2%	0.9119	1.1270

**Source** Stantec Consulting Limited

The planning area has extensive rivers, streams, and lakes. Lake Cady is used as a surface water source for Cornwallis Park, while Lawrencetown, Margaretsville, Bridgetown, and Granville Ferry draw water from groundwater sources within the Planning Area. A variety of measures are needed to protect lakes, streams, and groundwater sources.

These include buffer areas at the banks of lakes and rivers that will prevent construction on lands that are vulnerable to flooding, with the intent of preventing property damage and human harm, and to reduce the potential for pollutants to enter the water, compromising it as a natural habitat as well as creating human health hazards. For groundwater supplies, wellfields need separation from land uses that may threaten water quality, most notably gas stations and industrial uses but also homes where home heating fuel and other hazardous materials may be stored, and agricultural lands where *e. coli* from manure and nitrates from fertilizer may be used. Setbacks are also needed for coastal areas that may be vulnerable to erosion and storm surge and for wetlands that should be preserved as important habitat as well as to promote effective drainage.

Policies and bylaws are in place to protect Lake Cady and the Lawrencetown wellfield and they will be incorporated in the revised MPS, as we have noted. The policies and zones applicable to Lawrencetown will also be applied to protect wellfields serving Margaretsville, Bridgetown, and Granville Ferry. Village of Lawrencetown added a new well within its wellfield and has suspended use of an existing well. The zoning categories established for the Lawrencetown water supply area have been applied to the zone of influence around the new well.

Under Provincial regulations, no development can be undertaken in a wetland unless the wetland is replaced by constructed or preserved wetlands at a ratio of 2:1. The Province also manages forestry activity and the development of pits and quarries with the objective of minimizing the negative effects of both activities. The Province has been working to develop measures to control coastal development to reduce potential shoreline erosion and inundation of property but has yet to adopt procedures that have been discussed.

### SECTION 2.5 INFRASTRUCTURE

Publicly provided roads, water and wastewater systems, solid waste management facilities, and community facilities are all critical elements that shape and support communities. Outside of concentrated settlements, however, the goal should be to manage the need for public infrastructure. Certainly, roads are vital to rural residents since they connect the countryside to services and markets and rural residents to each other. Many needs are however satisfied through private systems and it is important to ensure development occurs in a manner that will sustain on-site wells and wastewater disposal systems. A key objective of this plan with respect to infrastructure is to identify where piped services and recreation and cultural facilities should be located to minimize the need for public infrastructure investments, while preserving the independence and character of rural areas

The MPS and LUB provide the framework in which development will take place. They influence the density of land use that can be developed through regulation of uses and lot sizes. Nova Scotia Environment and Climate Change plays a key role by approving, testing, and monitoring on-site septic systems and wells. The solutions if septic systems fail and/or wells become contaminated are expensive and often difficult to implement. A leading purpose of the MPS and LUB will be to control development in rural areas and direct more intense forms of development to communities with infrastructure in place.

Within the county, nevertheless, are multiple pockets of urban and suburban development. The most notable is Lawrencetown, which is a substantial community and the home of the Centre of Geographic Sciences (COGS), part of the Nova Scotia Community College (NSCC) system that offers world-recognized programs in geographic sciences. Lawrencetown is incorporated as a Village and has a mix of residential and commercial uses reliant on water and wastewater networks and other facilities maintained by the Village. It is similar in character to Bridgetown, which was a town until its dissolution in 2015, as well as Annapolis Royal and Middleton, which continue as incorporated towns within the boundaries of Annapolis County. Other communities within the county, such as Granville Ferry, Margaretsville, Lequille, Cornwallis Park, and Bear River, have community water and wastewater systems that the Municipality manages, or which extend from adjacent larger communities.

Lake Cady water supply, which serves Cornwallis Park, is a surface water system, while Lawrencetown, Granville Ferry, and Margaretsville rely on groundwater, as well as groundwater sources. The County adopted separate planning strategies and Bylaws to apply land use restrictions to Lake Cady and Lawrencetown that have been incorporated in this Municipal Planning Strategy.

Annapolis County has four water treatment plants serving the communities of Margaretsville, Bridgetown, Granville Ferry, and Cornwallis Park. Other water supplies within the county that are operating but are not currently subject to land use protections, are the wellfields in Granville Ferry serving Granville Ferry and the Town of Annapolis Royal, a surface water system serving Margaretsville, lands associated with a third wellhead installed in 2009 to serve Lawrencetown, and a wellfield serving Bridgetown. All these areas should be subject to land use controls sufficient to protect the quality and safety of the groundwater they supply.

Ten communities within Annapolis County are served by piped wastewater collection systems. Nictaux, Bridgetown, and Cornwallis Park are entirely under the jurisdiction of Annapolis County. The community of Deep Brook is connected to the Cornwallis Park system via a force main running parallel to Highway 1 and the Carleton Corner and Church Street areas are served through extensions of the Bridgetown system. Systems serving Junction Road next to the Town of Middleton; Lequille and Granville Ferry flanking the Town of Annapolis Royal; and Bear River near the County's boundary with the Municipality of the District of Digby are provided through collaborative arrangements with abutting municipalities. The County operates wastewater treatment plants in Nictaux, Bridgetown, and Cornwallis Park. Treatment for Junction Road, Lequille, Granville Ferry, and Bear River is provided by the partner municipal units.

Most of the area to which this County MPS specifically applies, however, is rural. While there are pockets of commercial development featuring gas stations, local stores, tourism-related businesses, and businesses that complement agriculture and other rural activities, rural land uses usually rely on their own private infrastructure to obtain water and dispose wastewater. The preservation of rural character requires the maintenance of private water and wastewater systems. Development must be maintained at density levels that will ensure septic systems can absorb and treat waste over the long-term without jeopardizing on-site water quality.

On the transportation side, in addition to roads, which are largely provided by and maintained by the Province of Nova Scotia within the rural areas of the county, transit and active transportation play increasingly important roles. Transit is provided by Kings Transit Authority (KTA), which operates routes serving Kings, Annapolis and Digby Counties. KTA currently offers routes between Bridgetown and Greenwood, Bridgetown and Cornwallis Park, and Cornwallis Park and Weymouth. The full network covers the area from Grand Pre in Kings County to Weymouth in Digby County within the Highway

101/Highway 1 corridor. Buses run every two hours on the routes serving Annapolis County. They do not operate on Sundays or holidays.

Active transportation is also growing in importance. Two major Active Transportation links are the Harvest Moon Trailway which extends 115 kilometres from Annapolis Royal through Annapolis County to Grand Pré in Kings County and the 47-kilometre South Shore Annapolis Valley Recreational Trail from Middleton to New Germany in Lunenburg County. Both links are multi-use trails built in former rail beds providing moderate slopes and comfortable surfaces over their lengths. Other notable trails in the county are Belleisle Marsh Trail, (Near Little Brook Lane); French Basin Trail in Annapolis Royal; Delaps Cove Wilderness Trail; Upper Clements Trails; and the Old Mill Trail in South Farmington. Trails are also a feature of many parks in the county.

## PART 3 VISION AND GOALS

### SECTION 3.1 VISION

Based on input from community members at Visioning Sessions held as part of the consultation program for the Annapolis County MPS, Stantec consultants developed the following Visioning Statement:

This Annapolis County MPS will be a framework for growing a diverse, self-reliant rural community protective of our land, environment, and heritage while welcoming to newcomers and visitors.

The statement was built from words that were repeated by Visioning Session participants. A Vision Statement should reflect a consensus view. Participants in the workshops and in our earlier district-based consultations emphasized that Annapolis is a rural community, particularly the areas covered by this MPS, and expressed their desire to preserve its character. They also endorsed growth and reinforced self-sufficiency, self-reliance, and sustainability.

### SECTION 3.2 GOALS

In order to implement this MPS, Council has adopted specific goals. These goals articulate the desired future; set the direction; focus of the Planning Area programs and activities; and act as a guide for daily decision-making with respect to budgeting, projects, and program evaluation. Specific goals of this MPS are to:

- **G-1** Provide a basis for Municipal Council to guide and direct the orderly and economical development of all lands in Annapolis County.
- **G-2** Ensure the continued enjoyment of the County's rural character while welcoming new residents and economic opportunities.
- **G-3** Provide a framework for the creation and ongoing management of secondary plans in areas of the County where more detailed planning is warranted by urban development and/or the presence of unique cultural and environmental qualities.
- **G-4** Regulate all land uses and development in Annapolis County.
- **G-5** Establish principles for the management of infrastructure maintenance and expansion in the interest of reducing costs to the County and its taxpayers, as well as reducing detrimental effects of development on the environment.
- **G-6** Establish the foundation for regulations to protect valued environmental features in the interests of public safety, preservation of natural habitat and aesthetic values, and reduction of pollution and its effects.

## PART 4 LAND USE POLICIES

### SECTION 4.1 LAND USE DESIGNATIONS

The MPS sets policies for the development and protection of land use across Annapolis County. The application of policies is guided by land use designations illustrated on the FLUM (**Appendix A**) of this MPS. Future land use designations indicate the predominant established land use in the designated area or the land use considered most appropriate for that area. Where land use designations reflect use different from the current use, the selected designation is based on the inherent characteristics of the property such as slope, environmental features, road access, and access to community facilities. It may also be influenced by land uses on adjacent lands and on the declared intentions of landowners.

The following designations have been applied on the FLUM to areas predominantly used or appropriate for future use in the land use category designated:

1. **Mixed Use** – Areas characterized by a mixture of residential, commercial, and other land uses where the range of such land uses is compatible and desirable.
2. **Residential** – Areas that are predominately or exclusively developed for residential development in which the primary use of structures is the long-term accommodation of people.
3. **Agricultural** – Areas that are currently predominantly developed or suited for the raising of livestock and/or cultivation of crops whether land or marine-based.
4. **Commercial** – Areas that are currently predominantly developed with or planned for development of structures to accommodate retail, personal service, or office uses directly serving the public.
5. **Industrial** – Areas that are currently predominantly developed with or planned for development of structures to accommodate business offices, warehousing, fabricating, and manufacturing uses.
6. **Institutional** – Areas that are currently predominantly developed with or planned for development of structures to accommodate offices, schools, churches, community facilities, warehouses, utilities, and similar uses operated by government or community-based organizations.
7. **Parks and Recreation** – Areas that are currently predominantly developed with or planned for development of structures and land for public recreation uses including structures such as recreation centres and arenas, and lands used for parks and open spaces, including structures and uses that support and complement such recreation uses.
8. **Water Supply** – Areas that are currently used, planned to be used, or may in the future be planned to be used as community water supplies including the Lake Cady watershed; the Lawrencetown wellfield; and the Margaretsville and Granville Ferry wellfields.



Given that most of the areas covered by this MPS have been subject to limited planning controls in the past, they are characterized by a mix of land uses. While residential uses predominate, farms and farmsteads are common, as are highway and roadway-oriented commercial uses, resource-based industries, and community facilities. Recognizing the mixed-use nature of the Planning Area, it is largely designated Mixed Use to accommodate the common mixture of low to medium-density residential development with agriculture and compatible commercial uses. Coastal areas where fisheries uses are found, as well as undeveloped and resource lands, are also included in the Mixed Use designation.

The Planning Strategy also designates areas for wind resource development that overlay the listed land use designations. Within wind resource areas, the rights of property owners to develop appropriate land uses in accordance with the applicable zoning are to be respected. Wind developments will be required to setback appropriately from such sensitive land uses as may exist at the time the wind development is proposed. Following approval and construction of wind turbines, property owners will continue to have the right to develop within the framework of the MPS, LUB, and Subdivision Bylaw recognizing the presence of wind development in their vicinity.

Finally, the Strategy supports measures to address sensitive environmental features that may also present hazards if developed. These include watercourses, coastal zones, and steeply sloped lands where structures may be subject to instability, flooding, or inundation, and where structures may, in turn, pose threats such as promotion of storm water runoff or reduction of wildlife habitat.

Restrictions on development in these areas complement land use designations. They do not necessarily preclude development of the land use in question, although they may limit construction in areas such as riverbanks to which they will be directly applied.

### SECTION 4.2 MIXED USE DESIGNATION

The purpose of the Mixed Use Designation is to identify on the FLUM those areas within the Planning Area that are presently characterized by mixed use development or are considered appropriate for future mixed-use development. The mixed-use term refers to present allotment or the potential availability of land to support a mixing of residential with compatible residential including single units, duplexes and townhouses/rowhouses, non-obnoxious commercial or light industrial uses.

#### Policy 4.2.1 Mixed Use Zone

It is the policy of Council to establish a Mixed Use (MX) Zone in the Annapolis County LUB to permit a wide range of compatible land uses suited to rural environments.

#### Policy 4.2.2 Accessory Dwelling Units

It is the policy of Council to permit a secondary structure containing no more than one dwelling unit on the same lot as an existing residential use where the added structure can be accommodated on the available property.

#### Policy 4.2.3 Mixed Use Development Standards

It is the policy of Council to require new land uses developed in the Mixed Use (MX) Zone to satisfy the standards set out for the land use in question in the Annapolis County LUB. Standards to regulate lot size, yard requirements, building height, the dimensions and permitted locations of accessory buildings,



and such other standards as may be deemed appropriate to ensure the quality and compatibility of residential structures for each land use category shall apply.

### **Policy 4.2.4 Rezoning in the Mixed Use Designation**

It is the policy of Council to consider rezoning properties in the Mixed Use Designation to alternative zones in accordance with the evaluative criteria set out in **Policy 7.3.3.1**, where alternative zoning provisions will provide protections from potentially incompatible land uses and/or increased development potential in locations where such alternative uses can be supported by available land and services, and are compatible with established adjacent land uses.

### **Policy 4.2.5 Land Lease Communities in the Mixed Use Designation**

It is the policy of Council to consider the development of new land lease communities (including any use necessary or incidental to normal operations of a land lease community such as an administrative office and storage buildings) in the Mixed Use (MX) Zone by site plan approval in accordance with the evaluative criteria set out in **Policy 7.3.4.1**.

In considering applications for the development of new land lease communities in the “Mixed Use” designation, the Development Officer shall have regard for the criteria set out below to ensure that:

1. The land lease community is compatible within the surrounding area.
2. Adequate vegetative or other buffering is provided between the land lease community and adjacent residential, commercial, institutional, agricultural, or industrial uses.
3. Satisfactory arrangements are made to service the land lease community with on-site water and sewer services.
4. A minimum of 10% of the total land lease community development area is reserved and developed exclusively for parks, playgrounds, and recreational open space.
5. The land lease community is a minimum of four hectares (9.88 acres) in area.

## **SECTION 4.3 RESIDENTIAL DESIGNATION**

The Residential Designation is applied to areas that have developed as residential communities or neighbourhoods with little or no commercial development. It is intended to protect the predominately residential use of the lands so designated and can be applied to lands proposed for residential subdivision that are intended to be predominantly residential development. Notwithstanding the designation, short term rentals, and typical home-based business activities (i.e., home-based businesses, offices, day cares operations) and household livestock shall be permitted.

### **Policy 4.3.1 Low Density Residential Zone**

It is the policy of Council to establish a Low Density Residential (R1) Zone in the Annapolis County LUB to permit residential structures containing no more than two dwelling units.

### **Policy 4.3.2 Secondary Residential Structure**

It is the policy of Council to consider the development of a second residential structure on a lot in the Low Density Residential (R1) Zone provided the proposed structure contains no more than one dwelling unit and is clearly secondary to the original residential use.

### Policy 4.3.3 Multi-unit Residential Zone

It is the policy of Council to establish a Multi-Unit (R2) Zone in the Annapolis County LUB that will permit the development of single-unit and two-unit residential structures, and multi-unit residential dwellings in rowhouse, stacked townhouse, or apartment structures.

### Policy 4.3.4 Household Livestock in Residential Zones

It is the policy of Council to permit the keeping of a limited number of animals defined as domestic livestock in the Low Density Residential (R1) and Multi-Unit (R2) Zones.

### Policy 4.3.5 Residential Development Standards

It is the policy of Council to establish standards to regulate lot size, yard requirements, building height, the dimensions and permitted locations of accessory buildings, and such other standards as may be deemed appropriate to ensure the quality and compatibility of residential structures.

### Policy 4.3.6 Residential Rezoning

It is the policy of Council to consider rezoning properties in accordance with the evaluative criteria set out in **Policy 7.3.3.1** to residential zones, only where the existing or planned use conforms reasonably to the proposed residential zoning category and where municipal water and wastewater services with sufficient capacity are available, or onsite servicing can be provided to support expected water and wastewater requirements of the maximum level of potential development.

## SECTION 4.4 AGRICULTURAL DESIGNATION

The Agricultural designation will be applied to lands identified as high quality agricultural areas, through the Canadian Land Inventory (CLI) Soil Classification Maps, and COGS's Agricultural Land Identification Program (ALIP) data. The designation is intended to protect and preserve agricultural land. Policies are therefore included to reduce potential land use conflicts that may infringe on agricultural operations and prohibit the removal of topsoil, which is critical to the maintenance of agricultural land. Rezoning of agricultural lands, furthermore, is limited to locations where urban services are readily accessible or where land quality is demonstrated to be insufficient to support viable agricultural operations.

### Policy 4.4.1 Agricultural Zone

It is the policy of Council to establish an Agricultural (AG) Zone in the Annapolis County LUB to permit all uses related to primary agricultural production as part of a farm operation, including greenhouses and nurseries; barns, silos, and accessory buildings required to form part of and support the agricultural operation; as well as a single farm residence containing no more than two dwelling units and additional land uses compatible with farm operations that will not diminish the production capacity of farms but will allow the generation of additional income streams to support agricultural operations including operation of a farmstead as a bed and breakfast, operation, or the incorporation of counselling offices; farm markets; micro-breweries and distilleries; veterinary offices and clinics; and arts, craft, and custom workshops in farm buildings or separate structures on the agricultural property.

### Policy 4.4.2 Subdivision in Agricultural Zones

It is the policy of Council to limit the subdivision of any area of land in the Agricultural (AG) Zone to a maximum of two lots during a calendar year.

### Policy 4.4.3 Residential Uses in Agricultural Zones

It is the policy of Council to consider, by site plan approval in accordance with the evaluative criteria set out in **Policy 7.3.4.1**, the development of up to six dwelling units to house farm labourers as an accessory use of farm properties within the Agricultural (AG) Zone either within or as an addition to a farmstead or as a separate structure or structures where municipal water and wastewater services with sufficient capacity are available or onsite servicing can be provided to support expected water and wastewater requirements of the maximum number of potential dwelling units.

### Policy 4.4.4 Commercial and Industrial Uses in Agricultural Zones

It is the policy of Council to permit commercial and industrial uses in the Agricultural (AG) Zone provided that at least 75% of their operation is related to the sale, processing, sorting, grading, packaging, inspection, storage, retailing, and transport of agricultural products or the servicing of agricultural operations. It is also the policy of Council that existing non-agriculture related commercial and industrial uses in the Agricultural (AG) Zone that have less than 75% of their operation related to the sale, processing, sorting, grading, packaging, inspection, storage, retailing, and transport of agricultural products or the servicing of agricultural operations be considered a permitted use in the Agricultural (AG) Zone.

### Policy 4.4.5 Agricultural Marshlands

It is the policy of Council to identify dykelands and other recovered marshlands on the zoning map in the Annapolis County LUB and include them in the Agricultural (AG) Zone except where current land uses and structures would not be permitted in the Agricultural (AG) Zone in which case the zone to be applied shall reflect those current land uses and structures. On all lands identified as protected marshland, development is not permitted unless enabled under the *Agricultural Marshland Conservation Act*. Any new buildings and additions that are permitted shall be floodproofed and the placing of fill and the alteration of topography will be restricted. Residential institutions and any use associated with the warehousing or the production of hazardous materials shall not be permitted. It is, furthermore, the policy of Council to support dyke maintenance and improvement programs conducted by or under the supervision of the Nova Scotia Department of Agriculture.

### Policy 4.4.6 Agricultural Development Standards

It is the policy of Council to establish standards to regulate lot size, yard requirements, building height, the dimensions and permitted locations of accessory buildings, and such other standards as may be deemed appropriate to ensure the quality and compatibility of agricultural buildings and related residential structures.

### Policy 4.4.7 Rezoning to the Agricultural Zone

It is the policy of Council to consider rezoning properties to the Agricultural (AG) Zone in accordance with the evaluative criteria set out in **Policy 7.3.3.1** on request of any landowner who can demonstrate their ability and intention to construct one or more buildings permitted in the Agricultural (AG) Zone and/or to cultivate crops or pasture animals.

### Policy 4.4.8 Rezoning Agricultural Zones to Other Uses

It is the policy of Council to consider rezoning property in an Agricultural (AG) Zone to another use based on consideration of an Agricultural Impact Assessment Report prepared and signed by a qualified professional at the expense of the property owner that shall document the Canada Land Inventory (CLI)

soil classification applicable to the land; the implications of discontinuing or fragmenting its agricultural use; the availability of services, particularly water and wastewater networks; and the compatibility of potential alternative land uses with adjacent agricultural and rural lands, particularly potential residential uses that may conflict with established agricultural operations.

### **Policy 4.4.9 Topsoil Removal in Agricultural Zones**

It is the policy of Council to prohibit the removal of topsoil from properties within the Agricultural (AG) Zone.

### **Policy 4.4.10 Topsoil Removal Industries in Agricultural Zones**

Notwithstanding preceding **Policy 4.4.9**, it is the policy of Council to consider by development agreement in accordance with the evaluative criteria set out in **Policy 7.3.4.1**, industrial operations in the Agricultural (AG) Zone that may remove topsoil as part of their processing operations, such as, but not limited to, sod or peat removal operations. In considering such proposals, Council shall have particular regard to the impacts of anticipated topsoil removal associated with the operation's industrial processes and that the development agreement address and include a site rehabilitation plan.

## **SECTION 4.5 COMMERCIAL DESIGNATION**

The Commercial designation is designed to accommodate retail, service, and office uses that may be located separately or in clusters within the Planning Area. The designation is generally applied on major roadways and at interchanges on Highway 101, although it may also be appropriate to commercial clusters in communities within the Planning Area. It is not intended to be applied to isolated commercial uses within residential areas.

### **Policy 4.5.1 Local Commercial Zone**

It is the policy of Council to establish a Local Commercial (C1) Zone in the Annapolis County LUB suitable to permit retail, service, and community uses primarily addressing local shopping and service needs.

### **Policy 4.5.2 Highway Commercial Zone**

It is the policy of Council to establish a Highway Commercial (C2) Zone in the Annapolis County LUB to permit larger scale commercial uses intended to serve county-wide or regional needs that require larger land area for commercial space, loading and unloading, and parking; as well as access to major roadways.

### **Policy 4.5.3 Residential Uses in Commercial Zones**

It is the policy of Council that all existing residential uses shall be considered permitted uses in the Commercial zones, but the development of new residential uses shall not be permitted, except where there is an established commercial use and in the case of mixed use residential and commercial building, part of or the entire ground floor area of the structure is devoted exclusively to commercial or office use, in which case part of the ground floor not exceeding 35% of the ground floor and the upper stories may contain dwelling units.

### **Policy 4.5.4 Commercial Rezoning**

It is the policy of Council to consider rezoning properties to specifically Commercial zones in accordance with the evaluative criteria set out in **Policy 7.3.3.1** only where existing or planned land use conforms

reasonably to the proposed zoning category, where the road network is designed and has capacity to accommodate anticipated traffic, and where municipal water and wastewater services with sufficient capacity are available, or where onsite servicing can be provided to support expected water and wastewater requirements of the maximum level of potential development.

## **Policy 4.5.5 Non-conforming Commercial Uses in Residential Zones**

It is the policy of Council to consider, by site-plan approval in accordance with the evaluative criteria set out in **Policy 7.3.4.1**, a change of use to another nonconforming use, or the extension, enlargement, alteration, or reconstruction of nonconforming uses in an existing nonconforming commercial property or structure or the resumption of a nonconforming commercial or industrial use on land or within a structure after it is discontinued for a continuous period in excess of six months in the Residential Low Density (R1) and the Multi-unit Residential (R2) Zones.

## **SECTION 4.6 INDUSTRIAL DESIGNATION**

The Industrial designation is provided for lands occupied by existing manufacturing and warehousing operations, public and privately owned business parks intended to accommodate such uses, and individual properties or clusters of properties for which such uses are intended. As with the Commercial designation, the Industrial designation is generally applied on major roadways and at interchanges on Highway 101. It is not intended to be applied to isolated Industrial uses within primarily residential areas but may be appropriate for areas such as business parks and rural areas where Industrial, Commercial, and Institutional uses may be mixed.

### **Policy 4.6.1 Local Industrial Zone**

It is the policy of Council to establish a Local Industrial (M1) Zone in the Annapolis County LUB to permit one or more industrial uses, particularly industrial uses requiring more than one building on a lot.

### **Policy 4.6.2 Industrial/Business Park Zone**

It is the policy of Council to establish an Industrial/Business Park (M2) Zone in the Annapolis County LUB suitable to permit subdivisions intended to accommodate commercial, institutional, and/or industrial uses, including industrial uses requiring more than one building on a lot.

### **Policy 4.6.3 Other Uses in Industrial Zones**

It is the policy of Council that only industrial uses shall be permitted in the Local Industrial (M1) Zone, but that commercial, institutional, and parks and recreation uses shall be permitted in addition to industrial uses in the Industrial/Business Park (M2) Zone.

### **Policy 4.6.4 Compatibility of Industrial Uses**

It is the policy of Council to permit Local Industrial (M1) Zone uses in the Industrial/Business Park (M2) zone by development agreement in accordance with the evaluative criteria set out in **Policy 7.3.4.1** where the standards for the Local Industrial (M1) uses can be met.

### **Policy 4.6.5 Industrial Rezoning**

It is the policy of Council to consider rezoning properties in accordance with the evaluative criteria set out in **Policy 7.3.3.1** to an Industrial zone only where existing or planned land use conforms reasonably to the proposed zoning category, where the road network is designed and has capacity to accommodate anticipated traffic, and where municipal services with sufficient capacity are available or onsite servicing

can be provided to support expected water and wastewater requirements of the maximum level of potential development.

### **Policy 4.6.6 Solid Waste Management Facilities in Local Industrial Zones**

It is the policy of Council to consider by development agreement in accordance with the evaluative criteria set out in **Policy 7.3.4.1** the development or expansion of a construction debris disposal site, waste transfer and process facility, or a waste disposal facility.

## **SECTION 4.7 INSTITUTIONAL DESIGNATION**

The Institutional designation is intended for larger scale institutional uses and institutional campuses such as may be associated with a school, military installation, hospital, or similar publicly owned and operated campus. Smaller scale institutional uses should be accommodated in Mixed Use or Commercial designations.

### **Policy 4.7.1 Institutional Zone**

It is the policy of Council to establish an Institutional (I1) Zone in the Annapolis County LUB suitable to permit schools, religious institutions, military installations, hospitals, and similar uses owned or operated by government or not for profit organizations.

### **Policy 4.7.2 Institutional Rezoning**

It is the policy of Council to consider rezoning properties to the Institutional zone in accordance with the evaluative criteria set out in **Policy 7.3.3.1** only where existing or planned land use conforms reasonably to the proposed zoning category, where the road network is designed and has capacity to accommodate anticipated traffic, and where municipal services with sufficient capacity are available or onsite servicing can be provided to support expected water and wastewater requirements of the maximum level of potential development.

### **Policy 4.7.3 Re-use of Places of Worship**

It is the policy of Council to consider the re-use of existing places of worship for residential, commercial, parks and recreation, or other institutional uses by site plan approval in accordance with the evaluative criteria set out in **Policy 7.3.4.1**.

## **SECTION 4.8 PARKS AND RECREATION DESIGNATION**

The Recreation designation is applied to public parks and recreation facilities owned and managed by municipal, provincial, and federal governments. Areas designated Recreation include Kejimikujik National Park and the Cloud Lake Wilderness Area, as well municipal and provincial parks within the Planning Area. The designation may also be applied to sports fields and structures owned and managed by governments.

### **Policy 4.8.1 Parks and Recreation Zone**

It is the policy of Council to establish a Parks and Recreation (PR) Zone to accommodate publicly accessible parks and recreation structures, sports fields, playgrounds, trails, and open space areas.

### **Policy 4.8.2 Nature Park Zone**

It is the policy of Council to establish a Nature Park (NP) Zone to accommodate parks and open spaces established primarily for conservation and compatible nature based outdoor recreation activities.

### Policy 4.8.3 Commercial and Institutional Uses in the Recreational Zones

It is the policy of Council to permit Commercial (C1 and C2) and Institutional (I1) uses that are complementary but subordinate to recreation uses in PR Zones.

### Policy 4.8.4 Trails in Other Designations

Notwithstanding the foregoing Recreation policies, it is the policy of Council to permit publicly accessible trails for non-motorized modes of transportation in all land use designations, including the Water Supply Designations applied to groundwater supplies.

### Policy 4.8.5 Trails for Motorized Vehicles

It is the policy of Council to consider allowing appropriate motorized modes of transportation on publicly accessible trail, based on consideration of a Trails Use Impact Assessment Report prepared and signed by a qualified professional at the expense of a person or group advocating the use of such vehicles. The report shall address the vehicle types to be considered; the required surface and dimensions of the trail that will accommodate them; the commitment of individuals and groups supportive of including motorized users; and the impact of motorized users on other trail users and adjacent property owners, particularly residential and agricultural land uses.

### Policy 4.8.6 Parks and Conservation Areas

It is the policy of Council to protect and preserve lands with natural and cultural heritage value over the long term through support and/or partnership with not-for-profit organizations and senior government initiatives to recognize, preserve, and, where appropriate and financially feasible, to acquire and/or manage culturally, historically, or environmentally valuable sites for the benefit of the public.

## SECTION 4.9 ENVIRONMENTAL REGULATIONS

Preserving the natural environment is a leading goal of the MPS. Environmental features are integrated with many land uses; therefore, it is not appropriate or sufficient to designate lands specifically to protect the environment. While zoning requirements such as lot area minimums, setbacks, and landscaping requirements can protect the environment by ensuring land is preserved for natural vegetation that will stabilize soils and reduce storm water runoff, some particularly sensitive environmental features need to be directly addressed. These largely deal with the management and protection of water whether in wetlands, streams, lakes, or coastlines. Water must be protected from pollution that may compromise it as habitat for flora and fauna, and for the benefit of people who use it for recreation and consumption, including drinking.

The Province of Nova Scotia takes the lead in several areas including restricting development in wetlands, managing forestry activity, and controlling the development of pits and quarries. In these areas, the Municipality assists the Province. Municipal staff, for example, are expected to ensure compliance with wetland regulations through appropriate wetland delineation, which is normally undertaken at the expense of the landowner to define wetland areas on which building is not permitted. While the *Coastal Protection Act* was passed several years ago, regulations pursuant to the Act have not been finalized at the time of writing this plan. It is nevertheless expected they will include a vertical elevation above the ordinary high-water mark below which construction will not be permitted. They are also expected to include a horizontal setback from the water's edge that may be varied based on a report prepared on behalf of the landowner by a "designated professional" considered acceptable under the Act. Background materials prepared by the Province concerning the proposed legislation state that municipal staff will be



expected to review reports prepared by designated professionals and verify compliance with coastal zone requirements.

Other important environmental considerations include areas dealing with substantial slopes, which are often valued aesthetically in themselves and for the views of other areas they may afford, but which may be more erodible than other lands and can be dangerous on which to build. Other topics found under the Environmental heading include wind developments and water supply areas. Wind developments are restricted to specific locations within the county that offer exposure to appropriate wind regimes and are separated from established land uses with which they may be considered incompatible. Water supply areas are lands that have the potential to affect the quality of water available to property owners through piped water systems. They include lands around Lake Cady, which supplies water to Cornwallis Park, and the aquifers from which the communities of Lawrencetown, Margaretsville, Bridgetown, and Granville Ferry draw groundwater.

### **Policy 4.9.1 Parks and Conservation Areas**

It is the policy of Council to endeavour to protect and preserve lands with natural and cultural heritage value through support and/or partnership with not-for-profit organizations and senior government initiatives to recognize, preserve and where appropriate and financially feasible, to acquire and/or manage culturally, historically, or environmentally valuable sites for the benefit of the public.

### **Policy 4.9.2 Wetland Protection**

It is the policy of Council to ensure that Province of Nova Scotia regulations pertaining to the preservation of wetlands are observed and shall require applicants for development permits to verify the existence and extent of any wetland on the development property.

### **Policy 4.9.3 Watercourse Protection**

It is the policy of Council to prohibit through the Annapolis County LUB the erection of any building or structure, other than wharves, boat houses, fishery related uses, and government authorized private or public utilities within 15 metres (50 feet) of a watercourse. For clarification, the separation distance or setback shall be measured from the edge, meaning the near ordinary highwater mark of the watercourse and the watercourse setback distance can be defined as being part of any side, rear, or front yard, as the case may be, with the intention that the developer retain as much of the natural vegetation in the watercourse setback distance buffer strip as possible.

#### **Policy 4.9.3.1 Provisions for Infrastructure and Amenities Abutting Watercourses**

It is the policy of Council to permit within 15 metres (50 feet) of watercourse bridges, boardwalks, walkways, and trails of limited width for non-motorized modes of transportation; fences, public road crossings, driveway crossings; wastewater, storm, and water infrastructure; marine dependent uses; fisheries uses; boat ramps; wharfs; small-scale accessory buildings or structures and attached decks; conservation uses, parks on public lands; and historical sites and monuments.

#### **Policy 4.9.3.2 Watercourse Maintenance**

It is the policy of Council to prohibit alteration of land levels or the removal of vegetation within 15 metres (50 feet) of a watercourse other than trimming and pruning of trees, removal of fallen or dead vegetation, and other maintenance that may be required to protect people and animals, and ensure the preservation of natural habitat and flow within the watercourse or to develop or maintain any of the permitted land uses identified in **Policy 4.9.3.1**.



## Policy 4.9.4 Extreme Slopes

It is the policy of Council to prohibit development on or within 15 metres of lands with a slope of 30% or greater.

## Policy 4.9.5 Wind Resource Areas

Wind Resource Areas have been identified in four locations within Annapolis County that are reasonably separated from existing developed areas and enjoy good regular exposure to wind. They are all on the peninsula on the north side of the Annapolis River and are generally elevated. All these areas are designated in at least one of the specific land use categories defined in **SECTION 4.1**. The wind resource designation is an overlay identified in Schedule A of the Land Use Bylaw that will permit consideration of wind resource developments within the designation.

### Policy 4.9.5.1 Application of the Wind Resource Designation

The Wind Resource designation shall apply to areas previously designated for wind resource development within Annapolis County and shall not restrict the development of other uses permitted by the underlying land use designation.

### Policy 4.9.5.2 Adding and Expanding Wind Resource Designations

It is the policy of Council to consider applications to amend this MPS and to concurrently amend the Annapolis County LUB, where the intent of the application is to include additional land in the Wind Resource designation, subject to the proponent having first received any permit, license, authorization, or approval for a large-scale wind turbine project from any other applicable department, authority or agency, such as but not limited to Department of National Defense, Transport Canada, Nav Canada, Province of Nova Scotia, or Government of Canada where a provincial or federal environmental assessment is required, and to submit copies of any required project specific permit, license, authorization or approval for the large-scale wind turbine project as part of the amendment application.

### Policy 4.9.5.3 Wind Turbine Classification

It is the policy of Council to classify wind turbines into the following categories, and to recognize these categories in the LUB as the basis for regulating wind turbines:

1. **Mini-scale Wind Turbines** – means a roof mounted or a free-standing wind turbine with an overall height above ground level of 10.6 metres (35 feet) or less
2. **Small-scale Wind Turbines** – means a wind turbine with an overall height above ground level greater than 10.6 metres (35 feet) but less than 47 metres (155 feet)
3. **Large-scale Wind Turbines** – means a wind turbine with an overall height above ground level greater than 47 metres (155 feet).

### Policy 4.9.5.4 Mini-scale and Small-scale Wind Turbine Development

It is the policy of Council to permit mini-scale and small-scale wind turbines in the Mixed Use (MX), Agricultural (AG), Local Industrial (M1), and Business Park (M2) Zones as well as in Wind Resource Areas subject to regulations provided for each wind turbine type in the Annapolis County Land Use Bylaw.

### Policy 4.9.5.5 Large-scale Wind Turbine Development

It is the policy of Council to permit large-scale wind turbines only in Wind Resource Areas by development agreement in accordance with the evaluative criteria set out in **Policy 7.3.4.1** and subject to regulations provided for large-scale wind turbines in the Annapolis County Land Use Bylaw.

### SECTION 4.10 INFRASTRUCTURE

While developers are responsible to build local roads, and water, wastewater, and storm water systems required to service new subdivisions, infrastructure when transferred to the Municipality following construction requires ongoing expenditure for operations and maintenance at the expense of the County. It may also require complementary expenditure on community facilities such as schools, and parks and recreation facilities that municipal governments may have to build or otherwise support.

Reducing these costs is an important goal of this MPS. It can be achieved by managing development so as to avoid the unnecessary expansion of service networks. While agriculture, forestry, and similar resource-based rural activities typically require extensive use of land, residential, business, and institutional development can be more efficiently developed and managed if it is concentrated in nodes or limited corridors where the length of roads and underground services can be minimized.

More compact development can, furthermore, have important benefits for residents and businesses. In addition to reducing the Municipality's need for taxes, limiting the footprint of development reduces travel time and costs with complementary reductions in the output of pollutants. More manageable distances between home and work or school, or shopping may also allow some residents to walk or cycle rather than drive, which not only further reduces pollution, but also promotes healthier lifestyles.

Through this MPS, therefore, Annapolis County will seek to encourage a compact land use pattern by encouraging new residential and business development within or adjacent to areas where roads and municipal services are already in place. New lots are expected to have access to public roads.

Council's strategy, in accordance with Section 271 (4) of the *Municipal Government Act*, is to limit the development of new municipal public streets through the Annapolis County Subdivision Bylaw, to areas where Council has adopted development-oriented land use plans; where municipal services, in the form of municipally-owned and operated sewer services, are provided, or within a one-kilometre radius of another municipal public street.

#### Policy 4.10.1 Regulation of Public Streets

It is the policy of Council to regulate the development of municipal public streets through the Annapolis County Subdivision Bylaw and permit the development of new municipal public streets only on lands within the East End Planning Area, the Upper Clements Planning Area, the Cornwallis Park Planning Area, the Bridgetown Planning Area, and the Habitation Community Planning Area as established through the MPS for each planning area; within a serviced area, as identified in the Annapolis County Subdivision Bylaw, or within a one kilometre radius of another municipal public street.

#### Policy 4.10.2 Development of Serviced Areas

It is the policy of Council to encourage the location of R1, R2, C1, C2, M1, M2, and I1 development in or adjacent to existing service networks.

### **Policy 4.10.3 Development at Interchanges**

It is the policy of Council to encourage the location of C2 and M2 development in the vicinity of interchanges serving Highway 101.

### **Policy 4.10.4 Transit Infrastructure**

It is the policy of Council to work with and support transit suppliers to enhance transit service through the expansion of routes and increased frequency of service as well as addition of bus shelters and other supporting infrastructure that will encourage transit ridership.

### **Policy 4.10.5 Active Transportation Network**

It is the policy of Council to encourage the development of sidewalks and trails for motorized and non-motorized modes of transportation and the provision of cycling lanes as a component of collector roadways and secondary highways, building on the existing Harvest Moon Trail and South Shore Annapolis Valley Recreational Trail with particular attention to connecting to schools, commercial facilities, and recreation sites.

## PART 5 WATER SUPPLY POLICIES

Plans to protect the Lake Cady watershed and the Lawrencetown wellfield pre-date this version of the Annapolis County MPS. In addition, the communities of Bridgetown, Granville Ferry, and Margaretsville draw water from lands within the Planning Area, and the Village of Lawrencetown is working to extend land use controls to a recently developed portion of its wellfield.

### SECTION 5.1 ALL WATER SUPPLY AREAS

Water supplies can be very sensitive. Many industrial and commercial uses, as well as some agricultural activities and even some features of residential use can pose serious threats to water quality, and potentially to public health. Such uses need to be strictly prohibited from water supply areas and the integrity of such areas needs to be maintained.

The risk to water supplies generally increases the closer that threatening land uses are located to a water source. Zoning to protect water supplies, consequently, is normally graduated in relation to distance. Buildings and infrastructure, as well as most active uses are usually strictly limited on lands that abut a watercourse or a wellhead from which water is drawn for human consumption. A wider range of uses will normally be permitted with increasing distance and only those land uses that pose a direct threat to water quality will be allowed in the outermost zones.

#### Policy 5.1.1 Prohibited Uses in all Water Supply Protection Zones

It is the policy of Council to prohibit any land use from a water supply protection zone that may present a threat to the quality of water supplied to the public whether as a primary or an accessory use or a home occupation.

#### Policy 5.1.2 Maintaining Water Supply Designations

It is the policy of Council not to alter the limits of water supply designations put in place by this MPS until such time as plans to develop areas so designated as public water sources are officially abandoned or, in the case of water supply areas currently in use or in previous use, when the water supply is officially decommissioned and no off-site property receives any water intended for human consumption from the designated area.

### SECTION 5.2 SURFACE WATER SUPPLY PROTECTION

The only surface water supply currently covered by this MPS is Lake Cady watershed, which supplies water to Cornwallis Park. The watershed area around Lake Cady contains substantial development. Four zones have been established to control development within the watershed in the interest of minimizing risks to water quality. These zones permit limited residential development that may be altered by means of development agreements satisfying criteria set out in the policies of this MPS. Should additional surface water supplies be developed within the area subject to this MPS, the zone requirements applied to Lake Cady will be considered as the model for their protection, although modifications may be required for specific circumstances.

## Policy 5.2.1 Additional Surface Water Supplies

It is the policy of Council to designate lands around Lake Cady and any other watershed area feeding a municipally operated surface water source within the Annapolis County Plan Area as a Surface Water Supply Protection Area. In such areas, the Municipality shall adopt designations, zones, and related restrictions to limit development that may impact the quality and quantity of water supplied to residents. First consideration shall be given to adopting the zones and related standards applied to Lake Cady through **Policy 5.2.2** but shall not limit the consideration of differing measures designed to address the features of each surface water supply area.

## Policy 5.2.2 Lake Cady Water Supply Protection Zones

It is the policy of Council to establish the following zones in the Annapolis County LUB to accommodate the uses described below in the Lake Cady Surface Water Supply Protection Designation:

1. **Lake Cady Lakeside Residential (LCR1) Zone** in which only single-unit dwellings will be permitted with appropriate related standards, including provisions to permit limited home occupations.
2. **Lake Cady Residential Low Density (LCR2) Zone** in which single and two-unit dwellings will be permitted with appropriate related standards, including provisions to permit limited home occupations, as well as municipal parks, playgrounds, and trails.
3. **Lake Cady Rural Residential (LCR3) Zone** in which single-unit dwellings will be permitted with appropriate related standards, including provisions to permit limited home occupations, as well as municipal parks, playgrounds, and trails.
4. **Lake Cady Rural Residential (LCR4) Zone** in which single and two-unit dwellings will be permitted with appropriate related standards, including provisions to permit limited home occupations, as well as municipal parks, playgrounds, and trails.

## Policy 5.2.3 Accessory Dwelling Units in LCR-2 and LCR-4 Zones

It is the policy of Council to consider approval, in the Lake Cady Lakeside Residential (LCR2) and Lake Cady Rural Residential (LCR4) Zones, of a secondary structure containing no more than one dwelling unit on the same lot as an existing residential use by way of a development agreement in accordance with the evaluative criteria set out in **Policy 7.3.4.1**. In considering such agreements, Council shall have particular regard to the impact the second dwelling will have on adjacent uses and the water supply, especially in terms of the lots capability to support appropriate on-site sewage disposal systems.

## Policy 5.2.4 Rezoning in the Lake Cady Water Supply Protection Designation

It is the policy of Council to refuse to consider applications to rezone any lands within the Lake Cady Water Supply Protection Designation.

## Policy 5.2.5 Lily Lake Water Supply

It is the policy of Council to collaborate with the Town of Middleton and relevant stakeholders to develop land use measures to protect the Town's back up water supply at Lily Lake for inclusion in this Plan and its related LUB or, subject to the East End MPS and LUB. Until those specific land use measures are developed, the following PIDs shall be designated Water Supply (WS) and zoned Lake Cady Lakeside

Residential (LCR1) Zone, PID 05069315, 05069331, 05069307, 05004502, 05069323, 05194055, and 05085246.

## SECTION 5.3 GROUNDWATER SUPPLY PROTECTION

Wellfields have been developed as municipal water supplies in Lawrencetown, Margaretsville, Bridgetown, and Granville Ferry. The Lawrencetown wellfield is on the western edge of the Village of Lawrencetown and is subject to ongoing development to meet the needs of community land uses. The Margaretsville Source Water Protection Plan has clearly delineated the Margaretsville wellfield and recommended the adoption of planning and zoning measures for its protection. Groundwater protection zones contained in the Annapolis County LUB accompanying this MPS were applied previously through the Lawrencetown Water Supply Municipal Planning Strategy and Land Use Bylaw and are applied to both the Lawrencetown and Margaretsville water supplies through this Municipal Planning Strategy. New water supply protection zones emulating the provisions for Lawrencetown, have been applied to the Bridgetown and Granville Ferry well fields.

### Policy 5.3.1 Groundwater Supply Designation

It is the policy of Council to designate lands containing a municipally operated well field and surrounding lands that may affect the water quality in a well field within the Annapolis County Plan Area as a Groundwater Supply Protection Area. In such areas, the Municipality shall adopt zones and other land use designations to limit development that may impact the quality and/or quantity of water supplied to residents. First consideration shall be given to adopting the zones and related standards applied to Lawrencetown water supply through **Policy 5.3.2** but shall not limit the consideration of differing measures designed to address the features of each ground water supply area.

### Policy 5.3.2 Groundwater Supply Protection Zones

It is the policy of Council to establish the following zones in the LUB to accommodate the uses described below in any Groundwater Supply Protection Designation:

1. **Well Head 1 (GW1) Zone** in which only passive recreation uses; public utilities; municipal service facilities; and government owned, operated, and maintained water extraction, water treatment, water retention, and water distribution uses including structures or facilities for the display and interpretation of the waterworks its groundwater management plan and protection strategy; and storm water management facilities will be permitted shall be applied to all lands within the 0 to 250-day and 250-day to five-year capture zone around an active well head.
2. **Well Head 2 (GW2) Zone** in which only passive recreation uses; public utilities; municipal service facilities; and government owned, operated, and maintained water extraction, water treatment, water retention, and water distribution uses including structures or facilities for the display and interpretation of the waterworks, its groundwater management plan and protection strategy; and storm water management facilities will be permitted shall be applied to all lands within the 0 to 2-year capture zone around an active well head.
3. **Groundwater Supply (GW3) Zone** in which only passive recreation uses; public and private utilities; municipal service facilities; and government owned, operated, and maintained water extraction, water treatment, water retention, water distribution uses; storm water management facilities; and public passive recreation uses will be permitted and single-unit residential uses may be considered by development agreement shall be applied to all lands within the 2 to 5-year

capture zone around an active well head.

4. **Groundwater Supply Buffer (GW4) Zone** in which only passive recreation uses; public and private utilities; municipal service facilities; and government owned, operated, and maintained water extraction, water treatment, water retention, water distribution uses including structures or facilities for the display and interpretation of the waterworks and its groundwater and surface water management plan and protection strategy; storm water management facilities; public passive recreation uses, and single and two-unit residential uses will be permitted.
5. **Groundwater Supply General (GW5) Zone** in which in which only passive recreation uses; public utilities; municipal service facilities; and government owned, operated, and maintained water extraction, water treatment, water retention, and water distribution uses including structures or facilities for the display and interpretation of the waterworks and its groundwater and surface water management plan and protection strategy; storm water management facilities; and any other use not prohibited from the zone will be permitted.

### Policy 5.3.3 Rezoning in the Groundwater Supply Protection Designations

It is the policy of Council to refuse to consider applications to rezone any lands within a Groundwater Supply Protection Designation except for the following circumstances:

1. From the Groundwater Supply Buffer (GW4) Zone to the Well Head 1 (GW1) and/or Well Head 2 (GW2) Zones.
2. From the Well Head (GW1) and Well Head 2 (GW2) Zones to the Groundwater Supply Buffer (GW3) Zone should an existing production well be decommissioned in accordance with Provincial regulations and guidelines, so that there is no hydraulic interaction between the decommissioned well and any other existing production well.
3. From any existing zone to the Well Head (GW1), Well Head 2 (GW2), and/or Groundwater Supply (GW3) Zones, or to another appropriate zone in the event a Groundwater Supply Protection Designation is expanded and/or a new well or wells is brought into production as appropriate to ensure the protection of water resources within the Water Supply Protection Designation.



## PART 6 GENERAL DEVELOPMENT STANDARDS

The following policies provide the basis for the Subdivision and Land Use Bylaws. They address the subdivision of land, development on public or private roads, development of land under conditions that would not ordinarily meet the requirements of a LUB, and general requirement provisions for all zones (such as parking, signage, home occupations, etc.).

### SECTION 6.1 SUBDIVISION BYLAW

Annapolis County Subdivision Bylaw regulates the subdivision of land and sets out standards for the construction of new roads and the installation of water and sewer services in serviced areas. When subdividing land, a developer is required to provide a 5% dedication of land to the County for park and open space purposes or in lieu of land, a cash equivalent. In addition, the Subdivision Bylaw requires developers to pay for the construction of any new roads and the installation of water and sewer services.

Subdivision Bylaw has a key role to implement MPS policies encouraging the concentration of development in serviced areas. At the same time, the Bylaw requires the flexibility to address the traditional lotting pattern that characterizes much of the rural area covered by this Plan.

#### Policy 6.1.1 Establishment of Subdivision Bylaw

It is the policy of Council to maintain a Subdivision Bylaw for Annapolis County to set out regulations for the subdivision of land including standards for road construction and the installation of services, open space dedication, cash in lieu of land dedication, and other requirements in accordance with the permissive content provisions for subdivision of land in Part 8 of the MGA.

##### Policy 6.1.1.1 Compliance of Subdivided Lots with LUB Requirements

It is the policy of Council to require that all new lots subdivided in the Annapolis County Planning Area about a public or private street, road, or highway and meet the area and frontage requirements provided in the Annapolis County LUB for the zone in which the property to be subdivided is located.

##### Policy 6.1.1.2 Exceptions to Requirements

It is the policy of Council to permit the approval of lots that do not meet all requirements of the LUB and/or the Subdivision Bylaw, including provisions in the Annapolis County LUB to allow for the issuance of development permits for the development of lots subdivided in the following circumstances:

1. Where a lot legally in existence on or before the effective date of the Subdivision Bylaw contains two or more existing main buildings and the owner wishes to rationalize an existing situation by creating a separate lot for each building, provided that each new lot meets the requirements of Nova Scotia Environment and Climate Change, and Public Works, and contains at least one main building and retains a minimum of 12.2 metres (40 feet) of frontage along a public or private street, road, or highway.
2. Where a lot with 40 metres (200 feet) of lot frontage was legally in existence on or before the effective date of the Subdivision Bylaw, or is located within the Mixed Use (MX) Zone, but is lacking the frontage required for two lots in the applicable zoning category, and the owner wishes to subdivide the lot to allow a new flag lot to be created, provided the lot has sufficient area to meet all other bylaw requirements including minimum lot areas and yard setbacks with access to the street via a minimum 12.2-metre (40-foot) strip for driveway access.



3. Where a maximum of two lots will be created that both have 90% or more of the required minimums for lot area and frontage.
4. Where a no frontage lot can be subdivided in accordance with the provisions set out within the Subdivision Bylaw for lots in existence on or before August 1, 1987.
5. Where a development component of a permanent nature such as a structure, driveway, well, or septic tank is encroaching in or on an abutting property, the lots affected may be subdivided to the extent necessary and practical to remove the encroachment.

### SECTION 6.2 LAND USE BYLAW

The LUB, as stated previously, will implement the land use intent of this MPS. While the primary purpose of the Bylaw will be to identify and apply zones, it will also contain additional requirements that shall apply to more than one land use or to all land uses pursuant to the policies of this MPS. It must also, like the Subdivision Bylaw, have the flexibility to address situations where past subdivision and construction does not satisfy LUB requirements, but where Council wishes to preserve existing uses and structures and permit their continuation and, where appropriate, change and expansion.

#### Policy 6.2.1 Establishment of the Land Use Bylaw

It is the policy of Council to create and maintain a Land Use Bylaw or LUB that will implement the land use policies of this MPS through the identification of zones for specific land uses and adoption of standards for construction of those land uses.

##### Policy 6.2.1.1 General Provisions

It is the policy of Council to include in the LUB a section titled General Provisions For All Zones that sets out the development standards, relating to matters such as loading; accessory uses and structures; lighting; signage; permitted encroachments into yards, and home occupations among other matters.

##### Policy 6.2.1.2 Sign Provisions

For reasons of public safety, visual appearance, and to avoid a proliferation of signs in the Planning Area, sign requirements dealing with the size, location, illumination, type, and number of commercial signs shall be included in the Land Use Bylaw. In addition, certain types of commercial signs shall be prohibited completely or prohibited in specific zones and other types of signs, not requiring a development permit, shall be permitted in all zones.

##### Policy 6.2.1.3 Additional General Provisions

Additional standards in the “General Provisions For All Zones” section of the LUB shall include:

1. Provisions respecting temporary buildings (e.g., construction huts), temporary uses and special occasions, such as fairs, that shall not require a development permit but shall be subject to time restrictions.
2. Provisions respecting illumination from lights such that it is directed away from abutting lots for privacy and to prevent nuisance situations.
3. Provisions with respect to accessory buildings to ensure a subordinate relationship to the main use.

4. Provisions with respect to permitted encroachments into yards to allow for some architectural flexibility and to meet accessibility standards.
5. Provisions with respect to traffic movement for vehicular and pedestrian safety reasons including development in corner vision triangles.
6. Provisions to permit the development of government authorized, private or public, operated utilities within any zone or within the watercourse setback.
7. Provisions to permit the keeping of agricultural animals as a primary use or as an accessory use to an existing residential use.

### **Policy 6.2.1.4 Provisions for Existing Lots with no Street Frontage**

It is the policy of Council to include provisions in the Annapolis County LUB to allow the reasonable use of a lot legally existing on or before the effective date of the Annapolis County LUB coming into force that does not meet the required lot frontage on a municipal or provincial public street or highway or private road, provided that all other applicable sections of the LUB are met.

### **Policy 6.2.1.5 Existing Undersized Lots and Existing Buildings**

It is the policy of Council to include provisions in the Annapolis County LUB to allow a lot legally existing on or before the effective date of the Annapolis County LUB coming into force that has less than the minimum frontage or area or both required by the LUB, or has been subdivided in accordance with **Policy 6.1.1.2** to be used for a purpose permitted in the zone in which it is located.

### **Policy 6.2.1.6 Buildings on Undersized Lots**

It is the policy of Council to include provisions in the Annapolis County LUB to allow a building legally erected on a lot on or before the effective date of the Annapolis County LUB coming into force that does not meet the requirements of the LUB respecting lot area, frontage, or setbacks to be enlarged, reconstructed, repaired, or renovated, except as provided for in other policies of the MPS.

### **Policy 6.2.1.7 Multiple Main Buildings on a Lot**

It is the policy of Council to permit no more than two main buildings on a lot except by site plan approval in accordance with the evaluative criteria set out in **Policy 7.3.4.1** where development on the lot shall comply with the land use, yard, height, setback, and coverage requirements of the applicable zone and where provisions for separation of all additional structures are sufficient to accommodate convenient pedestrian and vehicle access, provide for onsite water and wastewater servicing where applicable, and ensure the safety of occupants and the public.

## PART 7 IMPLEMENTATION

Policies in this part establish procedures for reviewing, amending, and applying the MPS and LUB, including public consultation procedures.

### SECTION 7.1 PLANNING DOCUMENT REVIEW AND AMENDMENTS

While Council does make provisions in every plan to consider policy changes and amendment requests to its planning documents, Section 214 (2) of the *Municipal Government Act* requires a Municipality to include policies in their planning documents on how it intends to review a MPS and LUB. For this purpose, Council intends this MPS to be a ten-year plan and Council's intent is to commence review within five years of the date of adoption of this MPS to meet the requirements of the MGA.

#### Policy 7.1.1 MPS and LUB Review

It is the policy of Council to commence a review of the Annapolis County MPS and the Annapolis County LUB within ten years after the effective date to ensure that the planning documents remain consistent with the planning and development control needs of the Municipality.

#### Policy 7.1.2 Secondary Planning Strategies

It is the policy of Council to periodically review secondary planning strategies for the East End, Upper Clements, Cornwallis Park, Bridgetown, and Habitation Community Planning Areas as depicted on the FLUM and Zoning Map and to consider the alteration of the boundaries of existing secondary planning areas or the creation of secondary planning areas for communities or areas that are deemed by virtue of differences in settlement pattern, character, infrastructure requirements, role, or other distinguishing features to require the creation of policies and land use regulations separate from this Plan.

##### Policy 7.1.2.1 Criteria for Creating Secondary Planning Areas

In considering the creation of additional secondary planning areas, Council shall give priority to:

1. Communities with municipal water and/or wastewater services and communities in which such services are expected to be installed.
2. Ongoing or potential development in the proposed secondary planning area.
3. The interest of community members in having a secondary planning strategy.
4. The availability of financial and staff resources to undertake and complete a secondary planning process.

##### Policy 7.1.2.2 Altering Secondary Planning Area Boundaries

Council shall consider altering the boundaries of an existing secondary planning area to take in lands that are related to the community or communities within the secondary planning area and/or where residents express a clear interest in being included in the secondary planning, and shall consider removing an area from an existing secondary planning area where the lands in question are no longer considered to be related to the secondary planning area and/or where residents express a clear interest in being removed from the secondary planning area.

In consideration of the foregoing, is the intention of Council in consultation with relevant stakeholders to consider:

1. The addition of lands abutting to the north and of the current Bridgetown Planning Area to the Bridgetown Planning Area as shown on the FLUM.
2. The addition of lands around Lily Lake to the East End Planning Area as shown on the FLUM.

### **Policy 7.1.2.3 Interim Policy for Areas to Be Added to Secondary Planning Areas**

It is the policy of Council to apply the policies of this Plan and the regulations contained in its accompanying LUB in the areas suggested to added to the Bridgetown and East End Planning Areas until such time as those lands are formally added to each planning area by resolution of Council and alternative policies and regulations are adopted by amendment to the respective secondary planning strategies and their accompanying LUBs.

### **Policy 7.1.3 Conditions for Amending the MPS**

It is the policy of Council to amend this Plan where any of the following occurs:

1. A change to the intent of one or more MPS policies.
2. A change to the FLUM.
3. Where the plan is in conflict with a Provincial Government land use policy or regulation.
4. Where a requested amendment to the LUB is in conflict with this Plan and there are valid reasons for an amendment to address the conflict.
5. Where a secondary planning strategy is to be incorporated into this MPS.

### **Policy 7.1.4 Notification of Abutting Municipalities**

It is the policy of Council, as required by the Section 206(5) of the *Municipal Government Act*, to notify all abutting municipalities of its intention to consider the adoption of a revision of this MPS, or the LUB or Subdivision Bylaw, or an amendment to this MPS.

## **SECTION 7.2 DEVELOPMENT OFFICER**

*Municipal Government Act* requires a municipality to appoint a Development Officer to administer their LUB and Subdivision Bylaw.

### **Policy 7.2.1 Appointment of Development Officer**

It is the policy of Council, as required by Section 243(1) of the *Municipal Government Act*, to appoint Development Officers to administer the Annapolis County LUB and the Subdivision Bylaw for the Municipality of the County of Annapolis.

## **SECTION 7.3 ANNAPOLIS COUNTY LAND USE BYLAW**

Annapolis County LUB is the principal mechanism by which the land use policies of this MPS are implemented, and as such, the LUB defines applicable land use zones, permitted uses, and development standards that reflect the policies of this Plan. Development standards may vary according to the use, zone, and location.

The common theme throughout the LUB is that Council has set appropriate development standards that aim to maintain sufficient control to ensure good quality, compatible development within the Annapolis County Planning Area; however, the need may arise to change Bylaw provisions and standards in response to changing conditions and opportunities either within the context of established MPS policy or pursuant to amended MPS policy.

Applications for a LUB amendment, whether a rezoning or a text amendment, require careful consideration of the circumstances surrounding the request and Council has established policy below setting out criteria for such consideration. To ensure Council's informed consideration, it is incumbent on the applicant to supply adequate information to Council so Council can adequately evaluate the application.

### Policy 7.3.1 LUB Content

Annapolis County LUB shall state in text, the permitted or prohibited uses and development standards, while identifying on the Zoning Map the division of land into zones. These regulations and zones shall be generally compatible with the policies of the Annapolis County MPS. The Zoning Map, appended as Appendix A to the LUB, shall represent the geographical extent of all zones in the Planning Area and the following zones shall be established in the LUB:

1. Mixed Use (MX) Zone
2. Low Density Residential (R1) Zone
3. Multi-unit Residential (R2) Zone
4. Agricultural (AG) Zone.
5. Local Commercial (C1) Zone
6. Highway Commercial (C2) Zone
7. Local Industrial (M1) Zone
8. Industrial/Business Park (M2) Zone
9. Institutional (I1) Zone
10. Parks and Recreation (PR) Zone
11. Nature Park (NP) Zone.
12. Lake Cady Lakeside Residential (LCR1) Zone
13. Lake Cady Residential Low Density (LCR2) Zone
14. Lake Cady Residential (LCR3) Zone
15. Lake Cady Rural Residential (LCR4) Zone
16. Well Head 1 (GW1) Zone
17. Well Head 2 (GW2) Zone

18. Groundwater Supply (GW3) Zone
19. Groundwater Buffer (GW4) Zone
20. Groundwater General (GW5) Zone.

### Policy 7.3.2 LUB Provisions

It is the policy of Council to regulate the use and development of land, buildings and structures in the LUB. This LUB shall also contain provisions, regulations, and development standards, which may vary according to the use, zone and location, including but not limited to:

1. Requirements for municipal development permits and the submission of supporting documentation.
2. Listing of permitted or prohibited uses in a zone.
3. Permitting multiple uses, buildings, or structures to be developed on a lot and provisions with respect to permitting multiple uses to be developed within a building.
4. Regulate the location of buildings and structures relative to other buildings and structures.
5. Regulate the location of buildings and structures relative to public roads and watercourses.
6. Regulate the location of buildings and structures relative to property boundaries, allowing for a waiving of setbacks of common boundaries where the properties under consideration are owned by the same person.
7. Waiving the minimum property setback requirement so as to permit the rotor blade of a large-scale wind turbine to overhang a property boundary.
8. Regulate the height of buildings or structures.
9. Regulate or prohibit the placing of signage on buildings, structures or property.
10. Nonconforming uses of land, nonconforming structures and nonconforming uses in a structure.
11. The regulation of main buildings and structures and accessory buildings and structures on a lot.
12. The regulation of mini-scale, small-scale, and large-scale wind turbines.

### Policy 7.3.3 Amending the LUB

Council may entertain applications to amend this LUB and what additional information must be submitted. However, there may be instances where Council may wish to entertain amendments to the LUB concerning the requirements established in the LUB.

#### Policy 7.3.3.1 Criteria for Amending the LUB

In considering an application to amend the LUB, Council shall ensure that the amendment is in conformity with the intent and policies of this Plan, the requirements of the *Municipal Government Act*, and is not conflicting other areas of the LUB. Council shall also ensure that the proposal is not premature or inappropriate by reason of:

1. The financial capability of the Municipality to absorb any costs relating to the development.

2. The proposal not being consistent the remaining requirements of the LUB.
3. The extent to which development might conflict with any adjacent or nearby land uses, buildings or structures by reason of the type of use proposed; the compatibility of its design; the impact of height, bulk and lot coverage of proposed buildings or structures; and the impact of nuisance factors from the proposed development such as illumination, flicker, noise, vibration, shadows, dust, odors, and other safety concerns related to the development.
4. The adequacy of road networks, in, adjacent to, or leading to the development, the adequacy of provisions for vehicle access to and from the site, and the adequacy of provisions for on and off-site parking and loading areas.
5. The adequacy of physical site conditions for, and the provision of, on-site sewage disposal, water and storm water management, where not connected to a municipal system.
6. The adequacy of municipal services with particular regard to the demand the proposed development will have on the municipal storm water system, sanitary sewer system, and water system.
7. The presence of significant natural features or buildings or sites of historical or architectural significance.
8. The suitability of the proposed site in terms of steepness of grades, soil, or geological conditions and the potential for the creation of erosion or sedimentation.
9. The potential impact of the development on watercourses, protected wetlands, or other sensitive habitat, and on endangered species in the area of the proposed site.
10. The proposal not meeting the requirements of any other applicable municipal, provincial, or federal government or First Nations department, authority, board, band, or agency and not having been granted a permit, license, authorization, or approval of any other applicable provincial or federal government or First Nations department, authority, board, tribunal, band, or agency.

### **Policy 7.3.3.2 Information Required for Application to Amend the LUB**

Council may require that any or all the following information be submitted by the applicant in text, map, photographic, or electronic form to explain and support applications for LUB amendments:

1. Information as to the physical and environmental characteristics of the proposed site, including information regarding topography, contours, elevations, dimensions, natural drainage, soils, geological features, watercourses, wetlands, swamps, or marshes, existing vegetative cover, and vegetative cover to be retained.
2. Information as to the lot area, dimensions, ownership, and location of the property.
3. Information as to the proposed location, height, color, dimensions, nameplate capacity in the case of wind turbine developments, and use of all existing and/or proposed buildings or structures to be built, erected or altered on the site.
4. Information as to the adequacy of municipal services with particular regard to demands on the municipal storm water system, sanitary sewer systems, water system, fire protection, solid waste



collection, police protection, existing schools and churches.

5. Where central piped services are not to be provided, information as to the adequacy of physical site conditions for on-site sewage, water, and storm water management.
6. Information as to the adequacy of the proposed access to and from the lands and estimated traffic flows to be generated by the proposed development, as well as parking and loading provisions.
7. Information as to intended outdoor storage and/or display, and commercial signage.
8. Information as mitigation of the impact of nuisance factors such as illumination, flicker, noise, vibration, shadows, dust, odors and other safety concerns related to the development.
9. Information as to the separation distance of the development from other buildings or structures, setback distance from public roads, watercourses, and property boundaries, and buffering between the proposed development and adjacent buildings, structures, and properties.
10. Information as to the presence of significant natural features or buildings or sites of historical or archaeological significance.
11. Information as to the presence of sensitive habitat or endangered species on the site of the proposed development.
12. Copies of a permit, license, authorization, or approval from any other applicable provincial or federal government or First Nations department, authority, board, tribunal, band, or agency approving the design and operation of the proposed use, building, structure, or project.
13. A suitability study specified by the Municipality to justify the requested amendment.

### **Policy 7.3.3.3 Information Required for Application to Amend the LUB**

It is the policy of Council to consider rezoning a property that is split between multiple residential zones in the same Residential Designation or split between the Agricultural and Mixed Use Zone, to the predominant zone. In considering such application, Council shall have regards to the criteria set out in Policy 7.3.3.1. Policy 4.4.8 shall apply when rezoning any lands in the agricultural Zone.

### **Policy 7.3.4 Development Agreements and Site-Plan Approvals**

Development agreements provide a flexible approach to approving development applications through structured negotiation between Council and the development proponent. A development agreement is a formal written agreement between Council and a developer and as such is binding on both parties. As provided for through the provisions of the *Municipal Government Act*, where a Council intends to regulate development by way of a development agreement, a municipal planning strategy is required to establish policy with regard to the types of development to be considered by development agreement; those items that may form a part of the development agreement; and evaluation criteria that Council shall consider prior to entering into a development agreement. Policies establishing the types of development subject to development agreements are found in the land use sections of this Annapolis County MPS and are implemented by the Annapolis County Land Use Bylaw. The evaluative criteria for a development agreement as well as items to be included in the agreement are summarized in the following two policies.

### **Policy 7.3.4.1 Criteria for a Development Agreement or Site-Plan Approval**

It is the policy of Council that in considering an application for a development agreement, a development by site-plan approval, or an application for an amendment to an existing development agreement or site-plan that Council, with the written advice of staff, shall have regard to the following evaluative criteria, where applicable, to ensure that the agreement or agreement amendment is in conformity with the intent and policies of this Municipal Planning Strategy and the requirements of the Land Use Bylaw. It is further the policy of Council to have regard to the provisions of **Policy 7.3.4.2** concerning the content of a proposed development agreement or site-plan approval application and **Policy 7.3.4.3** concerning the provision of information by the applicant:

1. The adequacy and the proximity of the proposed development to recreation and other community facilities.
2. The impact of the proposed development on existing nearby land uses with particular regard to the use and size of the structures that are proposed, buffering and landscaping, hours of operation for the proposed use (where applicable), and other similar features of the use and structure in order to minimize any potential land use conflicts.
3. The adequacy of municipal services with particular regard to demands on the municipal storm water, sanitary sewer, and water systems: fire protection: solid waste collection: police protection; and existing schools and churches.
4. The adequacy of provisions for on-site sewage disposal and on-site water where the proposed development will not be connected to a centralized municipal system.
5. The impact of and the adequacy of proposed pedestrian and vehicular traffic circulation with particular regard to the traffic that the development will generate, the adequacy of the proposed access and egress points from the site, traffic flows in and around the site in terms of its ability to handle any new traffic and the adequacy of the proposed parking areas.
6. The impact of the proposed development on structures on the immediately abutting lots in terms of such considerations as height, roof line, setbacks, and lot coverage to minimize any potential land use conflicts between the proposed development and structures on abutting properties.
7. The adequacy of the proposed lot to ensure that adequate screening and landscaping can be undertaken to minimize the potential for any land use conflicts with adjacent uses.
8. The suitability of the proposed site in terms of steepness of grades, soils and geological conditions, location of watercourses, wetlands such as marshes, swamps, and bogs and the proximity to highway ramps, and other nuisance factors.

### **Policy 7.3.4.2 Development Agreement Terms**

It is the policy of Council, when considering an application for a development agreement or a site plan approval application or an application for an amendment to an existing development agreement or approved site plan, that the agreement or amendment agreement may include, but is not limited to, some or all of the following terms:

1. The specific use and size of a structure, either new or an expansion of an existing structure, the

minimum lot sizes and accessory uses.

2. The regulating or prohibiting of the use of land or the erection or use of structures except for purposes as may be set out in the agreement.
3. The location of any structure within the development.
4. The percentage of land area that may be built upon, setbacks and the size of yards, courts or other open spaces.
5. The external appearance of structures, in particular the compatibility with adjacent structures and uses in terms of architecture and appearance, with respect to, but not limited to, height, roof type, window type, building cladding, and building footprint.
6. Adequacy of access to and from streets and parking.
7. Adequacy of the proposed landscaping or buffering of development which may include fencing, vegetation, walkways and lighting and their compatibility with adjacent structures and uses.
8. Other forms of advertising, open storage and screening, the provision of services and utilities, time limits for the initiation of construction (and may include phased construction).
9. The hours of operation and the maintenance of the property.
10. The maximum density of the population within the development.
11. Any other matters that may be addressed in a Land Use Bylaw which Council feels is necessary to ensure the compatibility of the development with adjacent uses, structures and areas; and
12. It is also the policy of Council to require, where applicable, that the development agreement be accompanied by a site plan or other clear description showing the existing and proposed site characteristics, and existing and proposed developments that shall form part of the agreement. A development agreement shall not require an amendment to the Land Use Bylaw but shall be binding to the property until the agreement or part thereof is discharged by the Council. Information required for evaluation of a proposed development agreement or amendment to an existing development agreement may be required to be submitted (in text, map, or photographic form) by the applicant pursuant to **Policy 7.3.4.3**

### **Policy 7.3.4.3 Information Required for a Development Agreement Application**

Council may require that any or all of the following information be submitted (in text, map, or photographic form) by the applicant with respect to applications for development agreements, or amendments to an existing development agreement:

1. Information as to the physical and environmental characteristics of the proposed site including information regarding topography, contours, elevations, dimensions, natural drainage, soils, existing watercourses, vegetative cover, size and location of the lands.
2. Information as to the location, height, dimensions and use of all buildings or structures proposed to be built or erected on the lands.

3. Information as to the adequacy of the proposed provisions for site drainage and servicing with water supply and sewage disposal or if central piped services are not provided, the adequacy of physical site conditions for private on-site sewer and water systems and storm water management.
4. Information as to the adequacy of the access to and from the lands, estimated traffic flows to be generated and parking provisions.
5. Information as to intended hours of operation, open storage, and signs.
6. Information as to provision of appropriate buffering between the proposed development and the adjacent structures and/or uses; and
7. Presence of significant natural features or historical buildings or sites of historical or archaeological significance.

### Policy 7.3.5 Completeness of Applications

Applications for development agreements, site-plan approval, or Land Use Bylaw amendments, whether a rezoning or a text amendment, require careful consideration of the circumstances surrounding the request. The onus therefore falls to the applicant to provide adequate and accurate information to Council to make the case for receiving development agreements, site-plan approvals, or Land Use Bylaw amendments. However, because the complexity of requests varies, the nature of the information that Council will require to assess the request will also vary.

## SECTION 7.4 PUBLIC CONSULTATION

As outlined at the beginning of this MPS, Council through its staff and consultants undertook an extensive public consultation process. It was designed to involve the residents of Annapolis County and to solicit their input in the development of this MPS and LUB. It is the opinion of Council that this plan and Bylaw are public documents and the public must be informed of changes to, or the entering into of development agreements made pursuant to the documents, beyond the statutory public hearing as set out in the *Municipal Government Act*.

### Policy 7.4.1 Public Participation Program

It is the policy of Council that a public participation program for development agreements, LUB text or rezoning amendments, and amendments to this MPS shall consist of the following:

1. Setting the date of the Public Information Meeting
2. Advertising the Public Information Meeting on the Municipal website (with the advertisement specifying in both cases the date, time and place of the public meeting, the matter to be discussed, the specific property affected, where applicable, and the place where application information is available)
3. Where a development agreement or amendment pertains to a specific site, the applicant shall post a sign on the site in a location visible to the public in text readable from the property boundary stating the nature of the application and the date, time and place of the Public Information Meeting
4. At the Public Information Meeting, prior to any meeting of the Planning Advisory Committee

members, members of the public are to be afforded an opportunity to speak, ask questions or obtain further information about the application

5. At the Public Information Meeting, written submissions from members of the public may be received prior to the Planning Advisory Committee meeting.
6. Referral of the application to the Planning Advisory Committee.

### Policy 7.4.2 Extending the Public Participation Program

It is the policy of Council to extend the public participation program, where Council deems it to be applicable and warranted, in relation to applications for LUB text or rezoning amendments and amendments to this MPS so as to require more advertisements or more information in the advertisement or otherwise vary the public information process set out in County of Annapolis Policy.

Council may, in any matter, choose to extend the public information process more widely, require the Development Officer to notify all landowners within a minimum 61-metre (200 foot) radius affected area by personal service or regular mail, require more advertisements or more information in the advertisement or otherwise vary the public information process, so long as the minimum set out above is met.

Council, in the case of a LUB amendment or development agreement, or their subsequent amendment which does not require Ministerial approval, allows the Municipal Clerk to refer the application to the Annapolis County Planning Advisory Committee for recommendation and to set and advertise a date for a public hearing for Council.

### Policy 7.4.3 Notifying Abutting Municipalities

It shall be the policy of Council to require the following notification standards when consulting with abutting municipalities as required by the *Municipal Government Act*:

1. Notification shall occur under the following circumstances directed by Council:
  - The creation or review of a Municipal Planning Strategy.
  - The creation or review of a Land Use Bylaw.
  - The creation or review of a Subdivision Bylaw.
  - The preparation of a draft Development Agreement, where the property is located within 500 metres of the County Boundary.
  - The preparation of amendments to a Municipal Planning Strategy or Land Use Bylaw, where the amendment is for a property located within 500 metres of the County boundary, or where the amendment has potential to impact a property located within 500 metres of the Town boundary.
  - The preparation of amendments to a Municipal Planning Strategy or Land Use Bylaw, where the amendment is associated with the Statements of Provincial interest.
2. Notification shall be sent by regular mail or electronic mail to the Clerk of the adjacent municipality. The notice shall provide a general summary of the proposed work and provide an opportunity for the abutting municipality to submit comments on the proposal.

3. Comments received from the abutting municipality shall be considered at a Council meeting prior to Council giving first reading.
4. The notification and opportunity to submit comments prior to the date of the first reading shall be deemed as having solicited comments, regardless of whether a written response is received.

### SECTION 7.5 COST RECOVERY

The MGA permits a municipality to recover notification and advertisement costs, as well as processing costs associated with MPS and LUB amendments, variances, and development permits. Costs can be expected to change over time and may also vary in relation to the scope of the application in question.

#### Policy 7.5.1 Advertising Costs Associated with Amendments and Variances

It is the policy of Council to include provisions in the LUB regarding an administration deposit fee to cover the cost of advertising for development agreements, MPS and LUB Amendments and Variances, and the processing costs for notification of affected property owners. As estimated by the Council, the applicant shall deposit to the Municipality an amount sufficient to pay the cost of all advertising and notification with respect to the application. Should the notification or advertising cost be more than the established deposit, the applicant may be billed for the difference, or if the cost is less than the established deposit, the applicant shall be refunded the difference.

#### Policy 7.5.2 Processing Costs for Amendments and Permits

It is the policy of Council to include provisions in the LUB regarding an administrative processing fee to recover costs associated with applications for development agreements, MPS and LUB Amendments, Variances, and Municipal Development Permits.

### SECTION 7.6 REPEAL

Municipal Planning Strategy of the Municipality of the County of Annapolis, approved by the Minister of Municipal Affairs and Housing and effective on December 1, 2011, and amendments thereto, are hereby repealed.

Lake Cady Water Supply Area Municipal Planning Strategy, approved by the Minister of Municipal Affairs and Housing and effective on November 10, 2004, and amendments thereto, are hereby repealed.

Lawrencetown Water Supply Area Municipal Planning Strategy, approved by the Minister of Municipal Affairs and Housing and effective on June 5, 2008, and amendments thereto, are hereby repealed.

## APPENDIX A FUTURE LAND USE MAP



*Plannapolis*

MUNICIPALITY OF THE COUNTY OF  
ANNAPOLIS PLAN REVIEW