

**TOWN OF BRIDGEWATER
MUNICIPAL PLANNING STRATEGY**

DOCUMENT # 97 - 309

Approved by Council July 10, 1997

and

Approved by the Minister of Housing and Municipal Affairs August 12, 1997

and containing amendments to December 12, 2012

Consolidated Edition

Municipal Planning Strategy Amendments

(a)

| File # | Amendment Date | M.P.S. Reference | Contents |
|---------|---------------------|--|--|
| 1997-1 | | L.U.B. only | |
| 1998-2 | July 15, 1998 | 270 North St. FLU Map; also Schedule A | from General Commercial to Residential Mobile Home |
| 1998-3 | July 28, 1998 | Central Commercial Background and policy | allow Adevelopments@ over 1,000 sq. ft. in existing buildings |
| 1998-4 | | L.U.B. only | |
| 1998-5 | Sept. 8, 1998 | Outdoor Furnaces Part 15, Background & Policy 15.7 | controls outdoor furnaces |
| 1998-6 | | L.U.B. only | |
| 1998-7 | n/a | 4.43 | application withdrawn |
| 1998-8 | Feb. 11, 1999 | L.U.B. only | sign provisions |
| 1998-9 | January 14, 1999 | L.U.B. only | March 11, 1999 |
| 1998-10 | March 11, 1999 | temporary structures L.U.B. only | 4.8 |
| 1998-11 | n/a | 1675 King Street | application withdrawn |
| 1999-12 | Sept. 29, 1999 | new 5.21(f) & associated changes | retail sales at 969 & 1101 King St. |
| 1999-13 | n/a | n/a | creation of new office commercial zone - Churchill St. |
| 1999-14 | n/a | n/a | farm animals |
| 1999-15 | November 5/99 | 113 North Street L.U.B. only | Schedule A, Zoning Map |
| 1999-16 | November 3/99 | Criteria for Office Uses | 4.41 |
| 1999-17 | March 15, 2000 | Yard Sales | establishes some controls on yard sales |
| 1999-18 | March 15, 2000 | 73 Scotia Street | from LDR to TR designation & zone |
| 1999-19 | May 4, 2000 | Medium Density Residential Zone L.U.B. only | corrects lot size of multi-unit dwellings (4 or less) |
| 2000-20 | Nov. 3, 2000 | 113 North Street (additional area) L.U.B. only | Schedule A, Zoning Map |
| 2000-21 | Dec. 27, 2000 | housekeeping amendments | MPS & LUB maps & text |
| 2000-22 | Dec. 27, 2000 | housekeeping amendments | MPS & LUB maps & text |

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|---------|----------------------|--|---|
| 2000-23 | Feb 2, 2001 | Definition of Frontage; and Use of Accessory Buildings in RC Zone | |
| 2001-24 | July 25, 2001 | MPS Policy 5.40 | MPS text only |
| 2001-25 | June 22, 2001 | 126 & 144 Victoria Rd. & 229 York St. from SC to Institutional 132 York St. From SC to LDR | LUB Schedule A only |
| 2001-26 | | 115, 121 & 141 High St. | Refused |
| 2001-27 | July 25, 2001 | Parklands @ Corner of Davison Dr. & Aberdeen Ave. | MPS FLUM and LUB Schedule A maps |
| 2001-28 | | Subdivision By-law - Curbing | |
| 2001-29 | | 115, 121 & 144 High St. | Refused |
| 2001-30 | Nov. 1, 2001 | Definition of Institution | LUB text only |
| 2002-35 | Apr. 17, 2003 | Policy 5.40(a) | Text only |
| 2007-37 | August 22, 2007 | Part 10, Background | MPS FLUM and LUB Schedule A maps |
| 2007-38 | Sept. 19, 2007 | Part 8, introduction of new Residential Institution designation and (RI) Zone | MPS text and FLUM, and LUB text and Schedule A |
| 2010-39 | Sept. 14, 2010 | Part 10 and Policy 10.3 of the MPS and Part 25.1, Part 29 and Schedule A of the LUB | MPS text and FLUM, and LUB text and Schedule A |
| 2010-40 | November 16, 2010 | Light Industrial land on York Street | MPS FLUM and LUB Schedule A maps |
| 2012-42 | May 2, 2012 | Part 10.5 - addition of "leash free dog park" | MPS and LUB text amendments |
| 2012-41 | June 20, 2012 | Oakland Drive | MPS FLUM and LUB Schedule A maps |
| 2012-44 | July 18, 2012 | 171 Aberdeen Road | MPS FLUM and LUB Schedule A maps |
| 2012-45 | July 18, 2012 | 60 Micmac Avenue | MPS FLUM and LUB Schedule A maps |
| 2012-43 | Dec. 12, 2012 | 312 Dufferin Street | MPS FLUM and LUB Schedule A maps |

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1.0 CONTEXT

This Municipal Planning Strategy supersedes the Municipal Planning Strategy approved by the Minister of Municipal Affairs on June 9, 1988.

This Municipal Planning Strategy is the product of a review process begun in 1994, under the revised Planning Act (Chapter 346, R.S.N.S. 1989).

A Municipal Planning Strategy provides the policy framework for land use and development control. The *Municipal Government Act* provides Council with the power to make statements of policy with respect to a broad range of activities including future development, land use, public lands, transportation, municipal services, municipal development, coordination of public programmes, and any other matter related to the physical, social or economic development of the town.*(amended December, 2000)*

The Municipal Planning Strategy for the Town of Bridgewater is the policy framework by which Bridgewater Town Council will guide and control development, land use, and other matters of interest to the Council within the terms of the *Municipal Government Act*.*(amended December, 2000)*

The Land Use By-law and the Subdivision By-law are the companion documents to this Municipal Planning Strategy and are the means by which Town Council will "carry out the intent of the Municipal Planning Strategy" as set out in the *Municipal Government Act*, for land use and development purposes.
(amended December, 2000)

2.0 INTERPRETATION

For the purposes of this Municipal Planning Strategy, the planning area of the Town of Bridgewater is defined as the entire Town of Bridgewater as incorporated on February 13, 1899, and amended from time to time. This Municipal Planning Strategy is only applicable within the boundaries of the town.

This Municipal Planning Strategy is a policy statement of Council. Council shall have regard to the policies contained within the Municipal Planning Strategy; no development can be permitted which is contrary to the policies of the Municipal Planning Strategy.

The Existing Land Use (1994) Map, the Future Land Use Map, the Sewer and Water Utilities Map and the Street Classification Map appended to this Municipal Planning Strategy form part of the Municipal Planning Strategy.

The metric system is used to indicate required standards. Imperial measurements are inserted for convenience and are only approximations.

Supporting documentation for this Municipal Planning Strategy is presented as minutes of Council meeting as Committee of the Whole and reports and briefs to this Committee. These are available from the office of the Town Manager/Clerk.

This Municipal Planning Strategy has been prepared in accordance with the requirements of the *Municipal Government Act*.(amended December, 2000)

3.0 OBJECTIVES

Background

The Town of Bridgewater fulfils the role of a regional service centre for Lunenburg County and eastern Queens County. Its location in the centre of a rural settlement pattern has helped in its development as a service and employment centre. The recent construction of new roads and the upgrading of existing roads have bolstered the town's role as a regional service centre.

Council is anticipating continued growth and development at a modest but steady pace. The economy of the town will continue to be enhanced by the presence of major industries such as the Michelin Tires Canada Limited factory. Council recognizes that the prosperity of the town is closely related to industrial and economic development of the whole county, particularly resource and tourism industries. One of the main objectives of this Municipal Planning Strategy is to foster Bridgewater's role in the region while providing the necessities and amenities for the town's growing population.

Council intends to meet the demands for municipal services that come with growth and development through financial planning and the wise use of available resources. Council will try to maintain the quality of all municipal services that are now in place and to expand and improve these services where the need is identified.

Availability of land to accommodate new development is an important planning issue and Council intends to ensure that there is sufficient land available for a variety of uses. Commercial and industrial development are important to the town because of their contribution to the tax base, and play an important role in providing services and programs that add significantly to the quality of life enjoyed by town residents.

Enhancement and protection of the natural environment are fundamental components of the planning process. The natural environment has long been recognized as one of the town's most valuable assets, figuring prominently in attracting new development and people, and in keeping long time residents from leaving the area. Maintaining and enhancing the natural environment is a major objective of Council.

Objectives

It shall be the intention of Council to:

- 3.1 provide a framework and a process for the accommodation of change in development and land use in the community through this Municipal Planning Strategy.

- 3.2 control land use and development in a manner that will minimize conflicts between land uses and in a manner that is compatible with the town's service infrastructure.
- 3.3 control land use and development in a manner that will preserve, enhance, and protect the natural environment of the town.
- 3.4 maintain, improve, and expand municipal services, facilities, and programs, subject to financial constraints.
- 3.5 implement public capital aspects of this Municipal Planning Strategy through the annual Capital Budget and the Five Year Capital Program where possible.
- 3.6 encourage opportunities for development and employment which foster the town as a regional employment and service centre.
- 3.7 initiate a long range planning program in an attempt to provide a context for planning within the framework of the Municipal Planning Strategy. This program will encompass population growth, transportation, streets, services, land use, town boundaries, government structure, and financial needs.
- 3.8 encourage preservation of the architectural and cultural heritage of the town and minimize the impact of new development on this heritage.
- 3.9 encourage the preservation of the LaHave River and its banks in order to maintain it as a visible resource for the town.
- 3.10 ensure that all public facilities provide access to all potential users, and encourage other organizations to follow the requirements of the National Building Code even when there is no legal requirement to do so.

4.0 RESIDENTIAL DEVELOPMENT AND LAND USE

Background

Residential growth has remained relatively constant in Bridgewater since 1988. However, within this period a significant shift away from demand for traditional single unit dwellings to semi detached dwellings, apartments and mini homes was experienced. This trend is indicative of the increasing need for alternative and affordable housing.

Although the recent housing trends suggest a need for more diversity in the residential sector, single unit detached dwellings of various types are anticipated to continue to supply the majority of housing in Bridgewater.

Council recognizes the need to support a variety of housing options while providing measures which are aimed at maintaining or improving the character and development form of established neighbourhoods. Since Council feels that where possible, minimal controls should be placed on dwellings constructed prior to regulations being placed on land use, these dwellings will be allowed to convert to either two or three units depending on the location of the building. Council wishes to continue to protect the character of individual residential areas which have been constructed in Bridgewater since controls were imposed in 1975. Council has responded to requests for two-unit dwellings within developed areas by establishing criteria by which individual vacant lots have been chosen to be zoned to allow two-unit dwellings.

Some small businesses will be permitted within residential districts subject to provisions which attempt to insure land use compatibility. Council is interested in allowing small businesses to grow and develop, but also feels that once a business has developed to the point where it is no longer accessory to a residential use, it should be located in the commercial area, in order to preserve the integrity of residential areas. Small businesses will be required to locate entirely within a dwelling or within a building accessory to a single unit dwelling, and uses which generate substantial traffic will not be permitted, in order to reduce potential land use conflict.

Boundaries of all commercial zones are regarded as fixed boundaries. In order to provide some flexibility on properties within residential zones which abut a commercial zone, Council will consider allowing any use allowed as-of-right in the commercial zone on abutting properties, in the majority of locations, by development agreement. In two areas, Council wishes to ensure that development does not occur among established residences, and will not permit commercial development by development agreement.

In the past, Council has permitted yard sales without control. Council has recently been concerned with the number of yard sales in some locations and the overall frequency of yard sales. Council feels that these have a negative impact on the traditional economy of the Town, the atmosphere in residential areas, and on parking and traffic in a number of neighbourhoods. As a result, Council will limit the number of yard sales on any lot within the residential and commercial zones in a year, and develop controls regarding advertising.

Churches, schools and other institutional developments may be considered in residential areas by development agreement. In addition, Council will also consider by development agreement office uses, neighbourhood commercial uses and inns in buildings constructed before August 27, 1975. Council considers that allowing inns in pre-1975 buildings permits an economic use of larger old buildings while the form of the structure is retained.

amended March 2000

Low Density Residential

Background

There are several low density residential areas in Bridgewater with distinctive character. Council intends to maintain the character of these established, stable neighbourhoods by establishing a zone which will reflect the present use by permitting primarily single unit residential development.

Conversion of dwellings built before August 27, 1975, to either two or three units, depending on location, will be allowed. This is the date of the first land use controls introduced in Bridgewater, and Council feels that dwellings constructed before this date should enjoy a degree of latitude not extended to those constructed after the introduction of such controls.

A minimum width for dwellings is established within the definitions of the Land Use By-law, in order to allow a wider range of housing types without visual impact on older residential areas.

Policies

It shall be the policy of Council to:

Low Density Residential Designation

- 4.1 designate as Low Density Residential the areas shown on Map 2, the Future Land Use Map. It is intended to include the established residential areas.

Low Density Residential (LDR) Zone and Uses

- 4.2 establish a Low Density Residential (LDR) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law, within the areas designated Low Density Residential.
- 4.3 permit in the areas zoned Low Density Residential (LDR):
- (a) conversion of buildings established before August 27, 1975, to a maximum of three units, subject to specific requirements regarding location and parking established in the Land Use By-law
 - (b) parking lots established before August 27, 1975
 - (c) dwellings established before August 27, 1975
 - (d) single unit dwellings
- 4.4 consider only by development agreement, in the areas zoned Low Density Residential (LDR) proposals for inns in buildings constructed and located on the lot before August 27, 1975, in accordance with policy 4.39.

Note: see policies 4.31 - 4.38 for further uses permitted or considered in this zone

Comprehensive Residential

Background

There are a number of large blocks of undeveloped land which are intended for residential use. The type and style of housing required by residents changes over time. Because of these frequent changes and changing demand, large blocks of undeveloped land will be designated in a manner which will allow a very broad range of residential use. Single unit development will be allowed as-of-right, new two unit development will be considered on individual lots by development agreement, and a further range of residential uses will be allowed by development agreement.

A study and design for the undeveloped area near the hospital was done by U.M.A. in 1991. Although Council has not incorporated the design within the Municipal Planning Strategy, Council is requesting developers in the area to refer to this document before making development decisions.

The designation and zone on parcels which have been developed will be changed to reflect development; this will be done during each future review.

Policies

It shall be the policy of Council to:

Comprehensive Residential Designation

- 4.5 designate as Comprehensive Residential the areas shown on Map 2, the Future Land Use Map. It is intended to include developing residential areas and areas for future residential development.

Comprehensive Residential (CR) Zone and Uses

- 4.6 establish a Comprehensive Residential (CR) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law, within the areas designated Comprehensive Residential.
- 4.7 permit in the Comprehensive Residential (CR) Zone:
- (a) conversions of buildings established before August 27, 1975, to three units, subject to specific requirements regarding location and parking established in the Land Use By-law
 - (b) dwellings established before August 27, 1975
 - (c) single unit dwellings
- 4.8 consider only by development agreement in areas zoned Comprehensive Residential (CR) proposals for single unit development as a collective development, two unit development on both individual lots or as a collective development, and multi-unit residential development in accordance with policy 4.40.

Refer to U.M.A. Study

- 4.9 request that anyone considering the development of vacant land in the area of the Glen Allan Subdivision take into consideration and be guided by the development pattern identified in the 1991 U.M.A. study entitled "A Conceptual Plan for Business Park and Final Phase - Glen Allan Subdivision - for the Bridgewater Development Commission".

Note: see policies 4.31 - 4.38 for further uses permitted or considered in this zone

Two Unit Residential

Background

Recognizing the need for a variety of housing forms within the town, Council wishes to provide locations where two unit development can be located as-of-right. The areas specified for two unit development are small, since the majority of undeveloped land in town is designated for a wide range of residential uses under the Comprehensive Residential designation. Existing vacant lots which meet specific criteria have been individually designated and zoned for two-unit development.

Policies

It shall be the policy of Council to:

Two Unit Residential Designation

- 4.10 designate as Two Unit Residential the areas shown on Map 2, the Future Land Use Map. It is intended to include established two unit dwellings, land which had been zoned in the past for two unit development, and any vacant lot which:
- (a) abuts an Institutional (I) Zone; or
 - (b) abuts a Park (P) or Recreation (REC) Zone; or
 - (c) abuts any commercial zone; or
 - (d) abuts an existing Two Unit Residential (TR) Zone; or
 - (e) abuts an existing High Density Residential (HDR) or Medium Density (MDR) Zone; or
 - (f) abuts a Rural (RU) Zone; or
 - (g) abuts an Industrial (IN) Zone; or
 - (h) fronts on a primary street with a significant non-residential component, such as King Street, Dufferin Street, Aberdeen Street, Victoria Street, and High Street; or
 - (i) is across a street from a High Density Residential (HDR) Zone.
- unless an owner has requested that specific lots be otherwise designated and zoned.

Two Unit Residential (TR) Zone

- 4.11 establish a Two Unit Residential (TR) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law, to correspond to the areas designated Two Unit Residential.
- 4.12 permit in the areas zoned Two Unit Residential (TR):
- (a) conversions of buildings established before August 27, 1975, to three units, subject to specific requirements regarding location and parking established in the Land Use By-law
 - (b) dwellings established before August 27, 1975
 - (c) single unit dwellings
 - (d) two unit dwellings

- 4.13 consider only by development agreement in the areas zoned Two Unit Residential (TR), proposals for:
- (a) inns in buildings established before August 27, 1975, in accordance with policy 4.39.
 - (b) single unit development as a collective development, two unit development on both individual lots or as a collective development, and multi-unit residential development in accordance with policy 4.40.

Note: see policies 4.31 - 4.38 for further uses permitted or considered in this zone

Medium Density Residential

Background

Three and four unit dwellings provide an affordable alternative to single and two unit dwellings, and also use municipal services more efficiently and cost-effectively. Council wishes to provide locations for as-of-right development of medium density housing, as well as include established medium density development in this designation and zone.

Policies

It shall be the policy of Council to:

Medium Density Residential Designation

- 4.14 designate as Medium Density Residential the areas shown on Map 2, the Future Land Use Map. It is intended to include established three and four unit dwellings as well as land for future three and four unit development.

Medium Density Residential Zone (MDR) and Uses

- 4.15 establish a Medium Density Residential (MDR) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law, to correspond to the areas designated Medium Density Residential.
- 4.16 permit in the areas zoned Medium Density Residential (MDR):
- (a) conversions of buildings established before August 27, 1975, to a maximum of four units, subject to specific requirements regarding location and parking established in the Land Use By-law
 - (b) multi-unit dwellings to a maximum of four units
 - (c) dwellings established before August 27, 1975
 - (d) single unit dwellings
 - (e) two unit dwellings
- 4.17 consider only by development agreement, in the areas zoned Medium Density Residential (MDR) proposals for:
- (a) inns in buildings established before August 27, 1975, in accordance with policy 4.39.
 - (b) single unit development as a collective development, two unit development on both individual lots or as a collective development, and multi-unit residential development in accordance with policy 4.40.

Note: see policies 4.31 - 4.38 for further uses permitted or considered in this zone

Mixed Residential

Background

The older, central residential areas are a mix of housing resulting from the conversion of large older homes to multi-unit dwellings. These central areas have traditionally supported not only a mix of residential *developments*, but also commercial and institutional *developments*. Council has enabled continued opportunity for a mix of housing from low density residential to small scale multi-unit residential in keeping with the unique character and established development form of the area. The architectural appearance of buildings is important to the appearance of this area, and will be regulated through the architectural controls established in the Land Use By-law. Further background regarding the appearance of buildings can be found in Part 12, Architectural Heritage. (*amended December 2000*)

Policies

It shall be the policy of Council to:

Mixed Residential Designation

4.18 designate as Mixed Residential the areas shown on Map 2, the Future Land Use Map. It is intended to include only the older, central, residential area, defined generally as the area between York Street and Pleasant Street and extending from Maple Street to Wiles Brook, and an area centred on Prince and Maple Streets.

Mixed Residential (MR) Zone and Uses

4.19 establish a Mixed Residential (MR) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law, to correspond to the areas designated Mixed Residential.

4.20 permit in the areas zoned Mixed Residential (MR):

- (a) conversions of buildings established before August 27, 1975, to a maximum of four units, subject to specific requirements regarding location and parking established in the Land Use By-law
- (b) dwellings established before August 27, 1975
- (c) rooming and boarding houses in buildings constructed, and located on the lot, prior to August 27, 1975
- (d) single unit dwellings
- (e) two unit dwellings

4.21 consider only by development agreement, in the areas zoned Mixed Residential (MR) proposals for:

- (a) inns in buildings established before August 27, 1975, in accordance with policy 4.39.
- (b) single unit development as a collective development, two unit development on both individual lots or as a collective development, and multi-unit residential development in accordance with policy 4.40.

- 4.22 establish architectural controls to include the areas designated Mixed Residential and Restricted Commercial as set out in policies 12.5 and 12.6.

Note: see policies 4.31 - 4.38 for further uses permitted or considered in this zone

High Density Residential

Background

High density residential development will be permitted as-of-right with a maximum of twenty-three units per development; developments containing twenty-four (24) or more units will be considered by development agreement on an individual basis in order to control the impact on the neighbourhoods in which they are located. The maximum density of development in either case will be sixty two (62) units per hectare (25 units per acre).

Policies

It shall be the policy of Council to:

High Density Residential Designation

- 4.23 designate as High Density Residential the areas shown on Map 2, the Future Land Use Map. It is intended to include established high density residential uses and provide for future high density multi-unit residential development with a maximum density of 62 units per hectare (25 units per acre).

High Density Residential (HDR) Zone and Uses

- 4.24 establish a High Density Residential (HDR) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law, to correspond to the areas designated High Density Residential.
- 4.25 permit in the High Density Residential (HDR) Zone the following uses:
- (a) conversions of buildings established before August 27, 1975, to a maximum of five (5) dwelling units, subject to specific requirements regarding additions, location and parking established in the Land Use By-law
 - (b) new dwellings containing a maximum of twenty-three (23) dwelling units
 - (c) dwellings established before August 27, 1975
 - (d) rooming or boarding houses in buildings established before August 27, 1975
- 4.26 consider only by development agreement, in the areas zoned High Density Residential (HDR), proposals for:
- (a) inns in buildings established before August 27, 1975, in accordance with policy 4.39.
 - (b) dwellings containing twenty-four (24) or more dwelling units in accordance with policy 4.40.
 - (c) single-unit development as a collective development, two unit development on both individual lots or as a collective development, and multi-unit residential development in accordance with policy 4.40.

Note: see policies 4.31 - 4.38 for further uses permitted or considered in this zone

Residential Mobile Home

Background

The nature of mobile and mini homes and mobile home parks has changed significantly in recent years and continues to evolve. Mini homes are an affordable housing option, and have become a viable alternative for a wider segment of the population. Within the past five years mini homes have accounted for a significant percentage of residential development in Bridgewater. While allowing some of these dwellings in residential areas other than mobile home parks, Council wishes to maintain an area where mobile and mini homes can be located within mobile home parks, and where mini homes are the prevalent housing form. For all matters concerning mobile home parks, reference must also be made to the Bridgewater Mobile Home Park By-law.

Policies

It shall be the policy of Council to:

Residential Mobile Home Designation

4.27 designate as Residential Mobile Home the areas shown on Map 2, the Future Land Use Map. It is intended to include existing mobile home parks and land intended to develop primarily as either mobile and mini home parks or as mini home subdivisions.

Residential Mobile Home (RMH) Zone and Uses

4.28 establish a Residential Mobile Home (RMH) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law, to correspond to the area designated Residential Mobile Home.

4.29 permit in the Residential Mobile Home (RMH) Zone the following uses:

- (a) mobile home parks
- (b) dwellings established before August 27, 1975
- (c) single unit dwellings, including dwellings without a permanent foundation and dwellings with a minimum footprint dimension of less than 6 metres (20 ft.)
- (d) two unit dwellings, including dwellings without a permanent foundation and dwellings with a minimum footprint dimension of less than 6 metres (20 ft.)

4.30 consider only by development agreement, in areas zoned Residential Mobile Home (RMH), proposals for inns in buildings established before August 27, 1975, in accordance with policy 4.39.

Note: see policies 4.31 - 4.38 for further uses permitted or considered in this zone

Uses Throughout Residential Designation

- 4.31 permit, in areas designated Low Density, Comprehensive, Two Unit, Medium Density, Mixed, or High Density Residential or Residential Mobile Home, one accessory apartment in any dwelling built before August 27, 1975.
- 4.32 permit in areas zoned Low Density (LDR), Comprehensive (CR), Two Unit (TR), Medium Density (MDR), Mixed (MR), or High Density Residential (HDR) or Residential Mobile Home (RMH), on Map 2, the Future Land Use Map, business uses that are incidental and secondary to a main residential use. Requirements will be established in the Land Use By-law regarding the type of use, the maximum size and location of the use, associated outdoor storage and display, signs, and parking.
- 4.33 permit in areas designated Low Density, Comprehensive, Two Unit, Medium Density, Mixed, or High Density Residential or Residential Mobile Home, on Map 2, the Future Land Use Map, parks and playgrounds.
- 4.33A *permit yard sales in all residential and commercial zones. Council, through the Land Use By-law, will establish controls regarding the number of sales which may be held each year, and signs for such sales. amended March 2000*
- 4.34 consider only by development agreement in areas designated Low Density, Comprehensive, Two Unit, Medium Density, Mixed, or High Density Residential or Residential Mobile Home, on Map 2, the Future Land Use Map, proposals for office uses in accordance with policy 4.41.
- 4.35 consider only by development agreement in areas designated Low Density, Comprehensive, Two Unit, Medium Density, Mixed, or High Density Residential or Residential Mobile Home, on Map 2, the Future Land Use Map, proposals for institutional developments in accordance with policy 4.42.
- 4.36 consider only by development agreement in areas designated Low Density, Comprehensive, Two Unit, Medium Density, Mixed, or High Density Residential or Residential Mobile Home, on Map 2, the Future Land Use Map, proposals for neighbourhood grocery and convenience stores in accordance with policy 4.43.
- 4.37 consider only by development agreement in areas designated Low Density, Comprehensive, Two Unit, Medium Density, Mixed, or High Density Residential or Residential Mobile Home, on Map 2, the Future Land Use Map, proposals for restaurants within neighbourhood grocery and convenience stores in accordance with policy 4.44.
- 4.38 consider only by development agreement in areas designated Low Density, Comprehensive, Two Unit, Medium Density, Mixed, or High Density Residential or Residential Mobile Home, on Map 2, the Future Land Use Map, proposals for developments allowed in an abutting *Central Commercial (C1), General Commercial (C2), Group Commercial (C3), Restricted Commercial(RC) or Special Commercial (SC) Zone as shown on Schedule A, the Zoning Map of the Land Use By-law* in accordance with policy 4.45. *amended September 1999*

Criteria For Development Agreements

- 4.39 ensure that the following criteria are met when Council is considering proposals for inns by development agreement:
- (a) the proposed use fronts on a primary street as designated on Map 4, the Street Classification Map; and
 - (b) the use is located in a building constructed before, and located on the lot, before August 27, 1975; and
 - (c) the maximum number of rental rooms in the building is ten (10); and
 - (d) any associated dining room is not open to the public unless there are a minimum of six (6) rental rooms within the building; and
 - (e) signs are modest in size and do not include flashing or pulsating lighted elements or moveable parts; and
 - (f) development is in accordance with policy 18.9.
- 4.40 ensure that the following criteria are met when Council is considering proposals for new single unit development as a collective development, two unit development on both individual lots or as a collective development, and multi-unit residential development by development agreement:
- (a) the maximum development density does not exceed 62 dwelling units per hectare (25 units per acre); and
 - (b) the proposal provides sufficient on site open space, recreation space and recreation facilities to adequately serve the residents of a proposed multi-unit residential development; and
 - (c) development is in accordance with policy 18.9.
- 4.41 ensure that the following criteria are met when Council is considering proposals for office uses by development agreement:
- (a) the use is in an area influenced by a substantial, well defined, and long established non-residential land use component; and
 - (b) the maximum floor area *within the building, used for (amended December, 2000) office space does not exceed 418 sq.metres (4,500 sq. ft.); (amended November, 1999) and*
 - (c) *the use is primarily within a structure located on the lot before August 12, 1997.(amended December, 2000)*
 - (d) development is in accordance with policy 18.9.
- 4.42 ensure that the following criteria are met when Council is considering proposals for institutional developments by development agreement:
- (a) the proposed use is located on a primary street as designated on Map 4, the Street Classification Map; and
 - (b) development is in accordance with policy 18.9.
- 4.43 ensure that the following criteria are met when Council is considering proposals for neighbourhood grocery and convenience stores by development agreement:
- (a) the proposed use is located on a primary street as designated on Map 4, the Street Classification Map; and

- (b) the proposed use is located on a corner lot; and
 - (c) the maximum floor area within the building *used for (amended December, 2000)* display and sales does not exceed 93 sq. metres (1,000 sq. ft.); and
 - (d) parking areas and driveways are hard surfaced or otherwise surfaced with stable material that will not generate dust; and
 - (e) signs are modest in size and do not include any flashing or pulsating lighted elements or any movable parts; and
 - (f) the primary service area for the use is the immediate residential area in which the neighbourhood commercial use is located; and
 - (g) the proposed use will not have a negative effect on nearby properties as a result of noise or the generation of litter; and
 - (h) development is in accordance with policy 18.9.
- 4.44 ensure that the following criteria are met when Council is considering proposals for restaurants within neighbourhood grocery and convenience stores by development agreement:
- (a) all access and egress for the business is from a primary street as designated on Map 4, the Street Classification Map; and
 - (b) the *maximum* floor area *used for (amended December, 2000)* the restaurant including kitchen facilities does not exceed forty percent (40%) of the *commercial (amended December, 2000)* floor area of the neighbourhood grocery or convenience store; and
 - (c) the restaurant may include a maximum of six (6) seats for in-restaurant service. The area of the seating shall be included within the forty percent (40%) designated under (b) above; and
 - (d) development is in accordance with policy 18.9.
- 4.45 ensure that the following criteria are met when Council is considering proposals for developments permitted in an abutting commercial zone by development agreement:
- (a) the use is permitted as-of-right in the abutting commercial zone; and
 - (b) access to the proposed use is from a primary street; and
 - (c) the proposed use will not create nuisances, including but not limited to the emission of noise, odour, litter, lighting or dust that could have a negative impact on the nearby residential area; and
 - (d) the lot for which the development is proposed was created before the date of approval of this Municipal Planning Strategy, or has not been increased in area after the date of approval of this Municipal Planning Strategy by more than twenty five (25%) of its pre-Municipal Planning Strategy approval size; and
 - (e) the lot on which the development is proposed does not abut either Queen St. or MacNeil Drive; and
 - (f) development is in accordance with policy 18.9.

Uses Prohibited or Limited

- 4.46 prohibit new residential *developments*, except for those to be occupied by a keeper or guard, in areas designated Industrial or Light Industrial on Map 2, the Future Land Use Map. (*amended December 2000*)
- 4.47 prohibit new single unit and new two unit dwellings in areas that are zoned General Commercial (C2), or Group Commercial (C3) except where the new dwelling is a replacement of a dwelling established before August 27, 1975, or is located above a commercial use.
- 4.48 prohibit the display of goods in residential areas for the purpose of advertising or sales, except for display of goods related to occasional private garage sales or yard sales.

5.0 COMMERCIAL DEVELOPMENT AND LAND USE

Background

Bridgewater serves as a regional trade and commerce centre for the South Shore and area. Partially due to its central location within this region and its strategic location for transportation links with other centres, the town supplies a full complement of local and regional commercial services.

Yard sales associated with a dwelling rather than a legally existing commercial use will be controlled in the same manner in the commercial zones as they are in the residential zones. Yard sales, unlike other retail sales and outdoor display, will be permitted within the front yard of a lot in the commercial zone. amended March 2000

Within Bridgewater four primary and distinct commercial districts have evolved. The King St. Central Commercial District, the Bridgewater Plaza, the Bridgewater Mall and nearby commercial development and the South Shore Mall represent the established major commercial and shopping areas within the town. Individual developments are relatively small in scale; any large scale developments would have a very visible impact on the community. As a result, Council will restrict the size of as-of-right commercial development to 4,645 sq. metres (49, 999 sq. ft.) or less. Any commercial development over this size will require a development agreement.

Business and commercial uses are considered intrusive in residential areas. Uses which require frequent visits and generate excessive traffic and parking will not be permitted. However, there are some uses which have an extremely low profile, which will be allowed as-of-right in residential areas. *In addition, due to the increasing number of commercial developments in this area, limited retail uses, with specific site controls, will be permitted on two (2) lots, located at 969 and 1101 King Street, which have been used for neighbourhood convenience stores in the past. amended September 1999*

The following commercial policies are intended to facilitate a wide range of commercial activity and services varying from the regional scale to the local level. Council has defined the nature and scope of commercial uses which will be permitted in each designated district and which reflect the intended function of each district.

Central Commercial

Background

The King St. commercial district is the traditional commercial centre of Bridgewater, dating back to the early days of the town's development. This traditional central commercial district offers a range of retail, professional, and service related businesses. Over the years this commercial core area has maintained much of its historic river-side charm while new development has added to its unique character. A number of groups have aided in the development of downtown Bridgewater. Among these, and active since the late 1970's, is the Bridgewater Town Centre Development Corporation Limited. Town Centre, with a mandate to promote and develop the downtown area of Bridgewater as a shopping and business district, works for the constant improvement of business in the downtown.

Through the Central Commercial district policies, Council recognizes the traditions of this area and provides for complementary commercial activity. Council intends to allow a wide range of commercial and community services while respecting the pedestrian streetscape.

Conventional development standards related to lot area, lot frontage, and setbacks are considered to be inappropriate for this area. Lots that do not have street frontage may be created provided that the lot has a deeded right-of-way. The land ownership pattern, lot coverage, accessibility, parking, and relationships between buildings and uses warrants special consideration by Council for all *new buildings* over 93 sq. metres (1,000 sq. ft.). *amended July 1998*

Policies

It shall be the policy of Council to:

Central Commercial Designation

- 5.1 designate as Central Commercial the areas shown on Map 2, the Future Land Use Map. It is intended to include the areas fronting on King St. between Pleasant St. and the LaHave River and between Victoria Road and Maple St., an area fronting on Aberdeen, and a strip of land on the east side of King St. north of Victoria Road.

C1 Zone and Uses

- 5.2 establish a Central Commercial (C1) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law, to correspond to the areas designated Central Commercial.

- 5.3 permit in the Central Commercial (C1) Zone:
- (a) a broad range of commercial and service developments;
 - (b) institutional developments;
 - (c) residential development where the ground floor is wholly or partially used for a commercial purpose;
- with all new as-of-right development restricted to a *gross* floor area of less than 93 sq. metres (1,000 sq. ft.).*(amended December, 2000)*
- 5.4 permit in the Central Commercial (C1) Zone, the creation of lots without frontage which are served by a deeded right-of way.
- 5.5 consider only by development agreement in areas zoned Central Commercial (C1) proposals for:
- (a) new commercial *buildings* in excess of 93 sq. metres (1,000 sq. ft.) gross floor area in accordance with policy 5.34. *amended July 1998*
 - (b) new multi-unit residential *buildings* in excess of 93 sq. metres (1,000 sq. ft.) gross floor area in accordance with policy 5.34. *amended July 1998*
 - (c) additions over 93 sq. metres (1,000 sq. ft.) in gross floor area in accordance with policy 5.34.
 - (d) new lounges and beverage rooms, additions to, or extensions of, established lounges and beverage rooms and outdoor facilities associated with these *developments*, in accordance with policy 5.35. *(amended December 2000)*
- Note: Drinking establishments may switch from holding a lounge licence to a beverage room licence, and vice versa under the Liquor Control Act, without requiring a development agreement or an amendment to an executed development agreement.
- 5.6 regard the Bridgewater Town Centre Development Corporation Limited as the body with the principal interest in the development of the downtown core. Any amendment to policies within the Central Commercial designation, or to the Central Commercial (C1) Zone of the Land Use By-law, shall be given to the Bridgewater Town Centre for review and comment prior to a decision being made by Council.

General Commercial Designation

Background

Over the years in Bridgewater, as in many other towns, commercial strip development has occurred along some of the major collector streets. Such development has created separate and unique commercial districts. General Commercial policies identify three specific districts: North St., the lower portion of Aberdeen Road and the upper section of Dufferin St. near the town boundary.

Commercial development on the north end of North St. has accelerated in recent years. North St. has become a major traffic artery within the town and the volume of traffic is expected to increase in conjunction with anticipated residential, commercial, and institutional development on the east side of the river. North St. is considered to be a desirable location for new commercial development because it is a major traffic artery. Although residential uses exist on North St., the area will continue to be zoned commercial to enable commercial uses in the area. Council concedes that there may be disruption of the established residential properties during this conversion; however, Council is concerned that there will be gradual deterioration of the living environment in this area due to the increasing traffic.

The lower part of Aberdeen Road has also assumed a commercial identity. This area has been transformed into a commercial district primarily through conversion of residential buildings. Consequently, this area has retained much of its original residential appearance. Like North St., Aberdeen Road has experienced a significant increase in traffic volume which can be attributed to construction of the new bridge which created a direct link between two major traffic arteries, Aberdeen Road and Victoria Road.

Council will maintain its long term plan to designate North St. and Aberdeen Road below North St., as General Commercial in response to the diminishing quality of the residential environment of these areas due to increasing traffic flow.

A small commercial strip on the upper end of Dufferin St. near the town boundary connects with the commercial development in the Village of Hebbville.

Policies

It shall be the policy of Council to:

General Commercial Designation

5.7 designate as General Commercial the areas shown on Map 2, the Future Land Use Map. These areas include lands along North St., the lower portion of Aberdeen Road and the upper section of Dufferin St. near the town boundary, and incorporate both existing commercial development and those areas which Council feels will develop as commercial districts.

C2 Zone and Uses

- 5.8 establish a General Commercial (C2) Zone in the Land Use By-law , as shown on Schedule A, the Zoning Map of the Land Use By-law, to correspond to the areas designated General Commercial.
- 5.9 permit in areas zoned General Commercial (C2):
- (a) a broad range of commercial and service developments, with a maximum *gross floor area* of 4, 644 sq.metres (49, 999 sq. ft.)(*amended December, 2000*)
 - (b) dwellings established before August 27, 1975
 - (c) institutional developments
 - (d) residential development where the ground floor is wholly or partially used for a commercial purpose
- 5.10 consider only by development agreement in areas zoned General Commercial (C2) proposals for:
- (a) new multi-unit residential developments in accordance with policy 4.40.
 - (b) new commercial developments or additions to established commercial developments which result in a *gross floor area (amended December, 2000)* of more than 4,645 sq. metres (49,999 sq. ft.), in accordance with policy 18.9.
 - (c) new lounges and beverage rooms, additions to or extensions of established lounges and beverage rooms and outdoor facilities associated with these *developments*, in accordance with Municipal Planning Strategy policy 5.35. (*amended December 2000*)

Note: Drinking establishments may switch from holding a lounge licence to a beverage room licence, and vice versa under the Liquor Control Act without requiring a development agreement or an amendment to an executed development agreement.

Group Commercial Designation

Background

Three distinct “shopping centre style” commercial areas have evolved in Bridgewater.

In 1959, the development of the first commercial area outside of the central commercial district began near the top of Dufferin Hill, on the site of the old Bridgewater race track. This development, now known as the Bridgewater Plaza, started with construction of the town's first supermarket.

In 1973, on a site off North St. near the North St.-Aberdeen Road intersection, the South Shore Mall was developed, providing a shopping centre on the east side of the LaHave River.

The third shopping centre, the Bridgewater Mall, was constructed in 1974 just below the old bridge, between LaHave St. and the LaHave River. This shopping centre, together with the East Side Plaza, the recently constructed Superstore and other established developments located along LaHave St. and on the lower portion of Aberdeen Road, form a prominent commercial district.

These three major districts represent separate and unique shopping areas of the town.

Policies

It shall be the policy of Council to:

General Commercial Designation

5.11 designate as Group Commercial the areas shown on Map 2, the Future Land Use Map. It is intended to include the Bridgewater Plaza, the South Shore Mall, and the Bridgewater Mall and area.

C3 Zone and Uses

5.12 establish a Group Commercial (C3) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law, to correspond to the areas designated Group Commercial.

5.13 permit in areas zoned Group Commercial (C3):

- (a) a broad range of commercial and service developments, with a maximum *gross floor area* of 4, 645 sq.metres (49, 999 sq. ft.)(*amended December, 2000*)
- (b) dwellings established before August 27, 1975
- (c) established retail developments over 4, 645 sq.metres (49, 999 sq. ft.) in *gross floor area*
- (d) institutional developments (*amended December, 2000*)
- (e) residential developments where the ground floor is wholly or partially used for a commercial purpose

5.14 consider only by development agreement in areas zoned Group Commercial (C3) proposals for:

- (a) new commercial developments or additions to established commercial developments which result in a *gross floor area* (*amended December, 2000*) of more than 4,645 sq. metres (49,999 sq. ft.), in accordance with policy 18.9.

- (b) new lounges and beverage rooms, additions to or extensions of established lounges and beverage rooms and outdoor facilities associated with these *developments*, in accordance with Municipal Planning Strategy policy 5.35. (*amended December 2000*)

Note: Drinking establishments may switch from holding a lounge licence to a beverage room licence, and vice versa under the Liquor Control Act without requiring a development agreement or an amendment to an executed development agreement.

- (c) new multi-unit residential development in accordance with policy 4.40.

5.15 permit in the Group Commercial (C3) Zone, the creation of lots without frontage which are served by a deeded right-of way.

LaHave Street Commercial Designation

Background

LaHave Street between Aberdeen Road and Davison Drive has undergone considerable change over the past ten (10) years. The closure of the railway, the development of a major retail store and associated parking on the north side of the street, the relocation of a service station and the re-alignment of the road itself have all contributed to change in the area. Pressure for commercial development of the area is likely; it is in an extremely visible and central location. Drawbacks to development in the area are the limited amount of land available for parking and the relatively small size of individual properties.

Should this area undergo further change, it is the opinion of Council that the land on the south side of LaHave Street, between Aberdeen Road and Davison Drive, could best serve the needs of Bridgewater if it were developed for commercial uses. To this end Council has designated the area as the LaHave Street Commercial Development District.

Policies

It shall be the policy of Council to:

LaHave Street Commercial Development District Designation

- 5.16 designate as the LaHave Street Commercial Development District the area shown on Map 2, the Future Land Use Map. It is intended to include all properties on the south side of LaHave Street between Aberdeen Road and Davison Drive.

- 5.17 consider only by development agreement in areas designated as the LaHave Street Commercial Development District, proposals for commercial developments in accordance with policy 5.36.

King Street Mixed Commercial and Residential

Background

In response to a development proposal for a block of land on the north-western edge of the central commercial district, Council established a designation which allows a combination of residential and commercial development in an area zoned Mixed and High Density Residential. This allows the land to be developed for residential purposes in accordance with the residential policies of the Municipal Planning Strategy, and also allows for development as a commercial/residential mix by development agreement.

Policies

It shall be the policy of Council to:

King Street Mixed Residential and Commercial Designation

- 5.18 designate as King Street Mixed Residential and Commercial an area shown on Map 2, the Future Land Use Map. It is intended to include one parcel of land on the south side of King St., south of Wiles Brook. The area will be zoned Mixed Residential and High Density Residential.
- 5.19 consider only by development agreement in areas designated King Street Mixed Residential and Commercial, and zoned Mixed Residential (MR) and High Density Residential (HDR), proposals for:
- (a) mixed commercial and multi-unit residential development in accordance with policy 5.37.
 - (b) multi-unit residential development in accordance with policy 4.40.

Neighbourhood Commercial (NC) Zone

Background

In the past, some neighbourhoods have requested the ability to have convenience stores; new residential areas may express a similar need in the future. Convenience stores cater to neighbourhoods and supply a specific local market. Council intends to provide limited opportunity for small neighbourhood commercial uses in residential areas. In order to reduce the impact on residential areas, Council will require new neighbourhood commercial uses to locate on corner lots, with the exception of 300 St. Phillips St. Established neighbourhood commercial uses will be zoned to allow their continued operation, *and both 969 King Street and 1101 King Street will be allowed to convert to limited retail sales, with specific site controls. amended September, 1999*

Policies

It shall be the policy of Council to:

NC Zone and Uses

- 5.20 establish a Neighbourhood Commercial (NC) Zone in the Land Use By-Law, as shown on Schedule A, the Zoning Map of the Land Use By-law, within areas designated Low Density, Comprehensive, Two Unit, Medium Density, Mixed and High Density Residential on Map 2, the Future Land Use Map. It is intended to include all existing neighbourhood commercial uses and the property located at 300 St. Phillips Street. Rezoning to the Neighbourhood Commercial (NC) Zone shall be considered by Council on corner lots located in these designations.
- 5.21 permit in areas zoned Neighbourhood Commercial (NC):
- (a) conversion of buildings established before August 27, 1975, to a maximum of three (3) units, subject to specific requirements regarding location and parking established in the Land Use By-law.
 - (b) existing neighbourhood grocery stores and convenience stores
 - (c) new neighbourhood grocery stores and convenience stores
 - (d) single unit dwellings
 - (e) small scale businesses uses that are incidental and secondary to a main residential use. Requirements will be established in the Land Use By-law regarding the type of use, the maximum size and location of the use, associated outdoor storage and display, signs and parking.
 - (f) *retail sales at 969 and 1101 King Street, to a maximum of 232 sq. metres (2, 495 sq. ft.) in accordance with criteria established in the Land Use By-law. amended September 1999*
- 5.22 consider only by development agreement, in areas zoned Neighbourhood Commercial, proposals for:
- (a) inns in buildings constructed and located on the lot before August 27, 1975, in accordance with policy 4.39
 - (b) office uses in accordance with policy 4.41
 - (c) institutional developments in accordance with policy 4.42
 - (d) restaurants within neighbourhood grocery and convenience stores in accordance with policy 4.44.

Neighbourhood Plaza Designation

Background

Neighbourhood plazas provide specialized commercial and community facilities for a larger population than convenience stores.

Within Glen Allen subdivision Council intends to permit, by development agreement, one neighbourhood plaza at the future intersections of Ridgecrest Drive with Miller Drive and Glen Allan Drive with Miller Drive.

Policies

It shall be the policy of Council to:

Neighbourhood Plaza Designation

- 5.23 designate as Neighbourhood Plaza an area of land as shown on Map 2, the Future Land Use Map.
It is intended to include one parcel of land located at the intersections of Ridgecrest Drive with Miller Drive and Glen Allan Drive with Miller Drive.

- 5.24 consider only by development agreement in areas designated Neighbourhood Plaza, proposals for neighbourhood plaza in accordance with policy 5.38.

Restricted Commercial

Background

Dufferin St. has evolved as a small but distinct commercial area. It has become a predominately office and service related commercial district primarily through conversion of residential buildings. In addition to controls regarding the type of commercial use, controls regarding architectural style and the size of additions have been in place since 1988. Council feels that these controls have resulted in appropriate development for this area, and as a result will maintain control over architectural style and the size of additions.

Council anticipates that Pleasant St., between Dufferin St. and Dominion St., will experience the same development pressure that Dufferin St. has in the past. Council recognizes that both Dufferin St. and Pleasant St. border on established residential areas and that the buildings within the commercial areas on both Pleasant and Dufferin St. represent a significant part of the built heritage of Bridgewater. In recognition of the proximity of residential development, the uses allowed as-of-right in the Restricted Commercial Zone are limited. In addition, because of the architectural significance of the area, Council will overlay architectural controls on the land use controls.

Policies

It shall be the policy of Council to:

Restricted Commercial Designation

5.25 designate as Restricted Commercial the areas shown on Map 2, the Future Land Use Map. It is intended to include Dufferin St. between York St. and Exhibition Drive, and the west side of Pleasant St. between Dufferin St. and Dominion St.

RC Zone and Uses

5.26 establish a Restricted Commercial (RC) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law, to correspond to the Restricted Commercial designation.

5.27 permit in areas zoned Restricted Commercial (RC):

- (a) single, two and three unit dwellings
- (b) the following uses in converted residential, institutional and commercial buildings:
 - (i) ambulance service
 - (ii) clinics
 - (iii) craft workshops
 - (iv) day care centres
 - (v) funeral homes
 - (vi) inns
 - (vii) institutional uses
 - (viii) office uses

- (ix) personal service shops
- (x) private and service clubs and fraternal organizations
- (xi) restaurants, with the exception of drive-in, drive-through or take-out restaurants
- (xii) retail sales to a maximum of 140 sq. metres (1,500 sq. ft.)
- (xiii) take-out restaurants with frontage and access only on Dufferin St.

5.28 consider only by development agreement in areas zoned Restricted Commercial (RC) proposals for:

- (a) developments permitted in the General Commercial (C2) Zone which are not otherwise permitted in the Restricted Commercial (RC) Zone, in accordance with policy 5.39
- (b) single unit development as a collective development, two unit development on both individual lots or as a collective development, and multi-unit residential development in accordance with policy 4.40.
- (c) additions of more than ten percent (10%) for multi-unit residential purposes, and additions for commercial purposes, to buildings established before August 27, 1975 in accordance with policy.18.9

5.29 establish architectural controls to include the areas designated Mixed Residential and Restricted Commercial as set out in policies 12.5 and 12.6.

Special Commercial

Background

Bridgewater was settled during the 1800's; land use controls were not instituted until the 1970's. As a result, a number of commercial and industrial uses were established in areas which are predominately residential and are designated and zoned residential. Council is aware of both the present and potential conflicts between these commercial and industrial uses and their residential neighbours. Council is also aware that the majority of these uses pre-date any form of land use control in town. As a result, these uses are allowed to remain in the buildings and on the sites they have occupied. Controls are placed on the expansion or change in use of these *businesses* in order to reduce future conflict in residential areas. *(amended December, 2000)*

Policies

It shall be the policy of Council to:

Special Commercial Zone and Uses

- 5.30 establish a Special Commercial (SC) Zone in the Land Use By-Law, as shown on Schedule A, the Zoning Map of the Land Use By-law, within areas designated residential on Map 2, the Future Land Use Map.
- 5.31 permit in areas zoned Special Commercial (SC):
- (a) single unit dwellings
 - (b) two unit dwellings
 - (c) developments in existence before the date of approval of this Municipal Planning Strategy and listed in the Special Commercial (SC) Zone of the Land Use By-law
 - (d) business uses that are incidental and secondary to a main residential use. Requirements will be established in the Land Use By-law regarding the type of use, the maximum size and location of the use, associated outdoor storage and display, signs and parking.
 - (e) conversion of buildings established before August 27, 1975, to a maximum of three units, subject to specific requirements regarding location and parking established in the Land Use By-law.
 - (f) personal service shops
 - (g) offices
- 5.32 consider only by development agreement in areas zoned Special Commercial (SC), proposals for:
- (a) expansion of a building or use, or replacement of a building, listed in the Special Commercial Zone of the Land Use By-law, in accordance with policy 5.40.
 - (b) change of use to any of the following uses, or the addition of any of the following uses in accordance with policy 5.40.
 - (i) catering establishments
 - (ii) craft workshops

- (iii) craft shops, including retail sales
- (iv) day care centres and nursery schools
- (v) guest houses
- (vi) inns
- (vii) institutional *developments* (*amended December 2000*)
- (viii) office uses, *provided the maximum floor area used for office space does not exceed 140 sq. metres (1,500 sq. ft.) in gross floor area (amended December, 2000)*
- (ix) personal service shops
- (x) repair shops, excluding small engine repair shops such as but not limited to auto, chain saw, outboard motor and lawn mower repair shops
- (xi) retail sales not exceeding 232 sq. metres (2,495 sq. ft.) in gross floor area; service stations shall not be considered
- (xii) studios for the practice or instruction of fine arts, commercial arts, or crafts
- (xiii) tailoring or dressmaking
- (c) inns in buildings constructed and located on the lot before August 27, 1975, in accordance with policy 4.39
- (d) single unit development as a collective development, two unit development on both individual lots or as a collective development, and multi-unit residential development in accordance with policy 4.40.
- (e) office uses in accordance with policy 4.41
- (f) institutional developments in accordance with policy 4.42
- (g) neighbourhood grocery and convenience stores in accordance with policy 4.43
- (h) restaurants within neighbourhood grocery and convenience stores in accordance with policy 4.44.

Large Scale Commercial Development

Background

There are few developments of more than 4,645 sq. metres (49,999 sq. ft.) in Bridgewater. Because of the impact of such developments, Council will consider any new commercial development of more than 4,645 sq. metres (49,999 sq. ft.), or any addition which will result in total commercial development of more than 4,645 sq. metres (49,999 sq. ft.), only by development agreement. This is intended to reduce the impact of large scale development on the community and to insure, among other matters, that the appearance, parking requirements and landscaping of such developments are adequately addressed.

Policies

It shall be the policy of Council to:

- 5.33 consider only by development agreement, in areas zoned Central Commercial (C2), Group Commercial (C3), Industrial (IN) and Light Industrial (LIN), proposals for either new commercial developments or additions to established commercial developments which result in a *gross floor area* of more than 4,645 sq. metres (49,999 sq. ft.), in accordance with policy 18.9.(*amended December, 2000*)

Criteria For Development Agreements

- 5.34 ensure that the following criteria are met when Council is considering proposals for:
- (i) new commercial *buildings* (*amended July 1998*) over 93 sq. metres (1,000 sq. ft.) in gross floor area; or
 - (ii) new multi-unit residential *buildings* (*amended July 1998*) over 93 sq. metres (1,000 sq. ft.) in gross floor area; or
 - (iii) additions over 93 sq. metres (1,000 sq. ft.) in gross floor area, in the Central Commercial (C1) Zone by development agreement:
 - (a) development with a residential component shall provide sufficient parking for residential tenants so that residential parking demands do not negatively affect commercial parking in the area; and
 - (b) the maximum height of the building is to be based on what is considered appropriate and practical within the context of the built environment and the economic viability of the downtown area; and
 - (c) the development is functionally integrated with other buildings and developments to provide for safe and efficient access, servicing, fire protection, receiving and shipping; and
 - (d) development is in accordance with policy 18.9.
- 5.35 ensure that the following criteria are met when Council is considering proposals for premises licensed under the Liquor Control Act as either lounges or beverage rooms and outdoor cafes associated with these facilities or any additions or expansions of such new or established *developments* by development agreement: (*amended December 2000*)
- (a) the proposed use shall not be within 60 metres (200 ft.) of a residential designation . Where Council determines that appropriate measures have been taken to reduce potential conflicts and nuisances the minimum setback for the development may be reduced accordingly; and
 - (b) the proposal shall include provision for sound insulation, location requirements for doors, windows, fire exits and any other architectural feature that will reduce the emission of noise or lessen the effect of any other nuisances, provided that these features are not inconsistent with the requirements of the Building Code Act or the Fire Prevention Act; and
 - (c) the proposed use shall not result in any undue traffic hazard nor increase traffic flow on residential streets to the extent that local traffic, local on-street residential parking, and on-street pedestrian movement is unduly disrupted or displaced; and
 - (d) the proposed use shall not have an adverse effect on any adjacent properties, especially residential; and
 - (e) the proposed use shall not have a negative effect on nearby residential uses due to the hours of operation; and
 - (f) parking lots and driveways for the use of patrons shall not be located in any minimum required yard that abuts a residential zone; and
 - (g) screening and buffering in the form of vegetation, berming or fencing, shall be provided, where necessary, to screen or buffer structures, storage areas, parking lots, driveways or any other feature of the development that may have a negative impact on near by uses; and
 - (h) development is in accordance with policy 18.9.

- 5.36 ensure that the following criteria are met when Council is considering proposals for commercial development in the LaHave Street Commercial Development District designation by development agreement:
- (a) the development is focussed on the LaHave River in terms of its layout and design; and
 - (b) visual and pedestrian access to the LaHave River is provided from the development; and
 - (c) the appearance of the development from the south side of the LaHave River acknowledges the River; and
 - (d) landscaping of the property incorporates views of and access to the River; and
 - (e) public pedestrian access to the waterfront is provided throughout the development; and
 - (f) parking, either on or off the lot, loading facilities and access are provided so as not to unreasonably increase congestion on LaHave St.; and
 - (g) the appearance of the development, whether the development is within an existing building or a new building, reflects the heritage of the area in terms of building size, shape, scale and architectural details, and reflects the appearance of other developments carried out under this policy; and
 - (h) development is in accordance with policy 18.9.
- 5.37 ensure that the following criteria are met when Council is considering proposals for mixed commercial and multi-unit residential development in the King Street Mixed Residential and Commercial designation by development agreement:
- (a) nearby residential properties shall not be adversely affected by the proposed use; and
 - (b) there shall be no vehicular access to Pleasant St. from this site nor access from Pleasant St. into the site; and
 - (c) any development of the area shall not create a traffic or pedestrian hazard or result in undue traffic congestion, and adequate, efficient ingress and egress must be provided; and
 - (d) the proposed use shall not have an adverse affect on Wile's Brook. The natural features of this watercourse and its banks shall be treated such that its capability to support or augment existing or potential recreational and leisure activities and storm water management shall not be adversely affected; and
 - (e) the ratio of residential to commercial floor area within the designated area shall at no time be less than a ratio of 20:80; and
 - (f) the proposed use is permitted in the Central Commercial (C1) Zone; and
 - (g) development is in accordance with policy 18.9.
- 5.38 ensure that the following criteria are met when Council is considering proposals for a neighbourhood plazas by development agreement:
- (a) the development does not exceed 745 sq. metres (8,020 sq. ft.) in *gross floor area*; and (*amended December, 2000*)
 - (b) the development serves primarily Glen Allan Subdivision; and
 - (c) the development is restricted to commercial and institutional *developments* which are "neighbourhood service" oriented, and contains a mix of retail and service or professional businesses; and (*amended December, 2000*)

- (d) the proposed use does not include either a take-out restaurant, a restaurant with a seating capacity of more than twenty, or a service station; and
 - (e) vehicular access and egress is to Glen Allan Drive only; and
 - (f) pedestrian access is provided to both Ridgecrest Drive and Miller Drive by means of walkways; and
 - (g) one wall sign, not exceeding 2 sq. metres (22 sq. ft.) in sign area is allowed for each use within the neighbourhood plaza. One free standing ground sign not exceeding 4 sq. metres (43 sq. ft.) in sign area is allowed for the overall plaza. Signs shall not include any flashing or pulsating lights, movable parts or luminous or fluorescent colours; and
 - (h) the building is restricted to one storey in height and has a pitched roof; and
 - (i) no construction is to occur until such time as a second access road, such as Miller Drive, is opened to the site; and
 - (j) development is in accordance with policy 18.9.
- 5.39 ensure that the following criteria are met when Council is considering proposals for development in the Restricted Commercial (RC) Zone by development agreement:
- (a) the proposed use will not have an adverse effect on any abutting residential properties due to noise, lighting, odours, and litter that may be generated on the site; and
 - (b) existing trees, which impart a distinctive character and charm to the streetscape, shall be retained and incorporated into the development except where it is necessary to remove trees to gain access and to provide for safe vehicular movement into and out of the site; and
 - (c) development is in accordance with policy 18.9.
- 5.40 ensure that the following criteria are met when Council is considering proposals for expansion, replacement or change of use in the Special Commercial (SC) Zone by development agreement:
- (a) any new building, or any expansion in the volume of a building in which an established commercial or industrial use is located shall not result in the creation of new floor area that is in excess of *twenty percent (20%) (amended July, 2001) of the gross (amended December, 2000) floor area of the building prior to expansion; or shall not result in the creation of new floor area that is in excess of forty (40%) of the gross floor area of the building prior to expansion where a maximum of twenty-five (25%) of the abutting zones are Residential as shown on Schedule "A" of the Land Use By-law and; (amended April 2003)*
 - (b) the area of outdoor storage or open display uses that are located on the lot shall not increase; and
 - (c) any nuisances that are associated with the use will be eliminated or reduced to an acceptable level as a result of the change, including noise, odour, dust, unsightly material, and unsanitary conditions, or no new nuisances will be created as a result of the proposed change; and
 - (d) any new buildings and any alterations, or additions made to established buildings with respect to the development shall be compatible in terms of architectural features, height and bulk, with other buildings in the neighbourhood; and
 - (e) development is in accordance with policy 18.9

Commercial Uses Allowed In Other Zones

- 5.41 permit in areas designated residential, business uses that are incidental and secondary to a main residential use. Requirements will be established in the Land Use By-law regarding the type of use, the maximum size and location of the use, associated outdoor storage and display, signs and parking.
- 5.42 consider only by development agreement in areas designated residential, proposals for new neighbourhood commercial *developments* provided development is in accordance with policy 4.36.(*amended December, 2000*)

Commercial Zone Boundaries

- 5.43 regard commercial designation and zone boundaries as fixed. Council may consider proposals to designate and zone property to a commercial zone which it abuts provided:
- (a) access to the subject property is from a primary street as designated on Map 4, the Street Classification Map; and
 - (b) the subject site and proposed use meet all requirements for the proposed designation and zone; and
 - (c) the proposed designation and zone are not in conflict with the intent of any Municipal Planning Strategy policies and;
 - (d) development is in compliance with policy 18.9.

6.0 INDUSTRIAL DEVELOPMENT AND LAND USE

Background

Within Bridgewater three areas are intended for industrial development. They are the Bridgewater Industrial Park located to the north of Starr St. between King St. and St. Phillips St.; the Deep Water Terminal; and the industrial area on the south end of LaHave St. which is associated with the Deep Water Terminal.

The Bridgewater Industrial Park is an eighty nine hectare (220 acre) land assembly and accommodates more than thirty (30) occupants. Land use within the park is primarily light industry with some heavy industry such as Michelin Tire Canada Ltd. Approximately 35 hectares (85 acres) within the Industrial Park remain undeveloped. These holdings are seen as a sufficient reserve for the near future.

The Department of Transport Deep Water Terminal on the east side of the river occupies a large site with extensive frontage both on the river and LaHave St. To complement the Deep Water Terminal, Council intends to maintain some industrially designated land on the opposite side of LaHave St., behind the residential frontages. This land is designated and zoned Light Industrial (LIN) so as to limit activity in order to reduce the potential for conflict with the residential neighbourhood.

Policies

It shall be the policy of Council to:

Industrial Designation

6.1 designate as Industrial the areas shown on Map 2, the Future Land Use Map. The areas include the Bridgewater Industrial Park and the Deep Water Terminal.

IN Zone and Uses

6.2 establish an Industrial (IN) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law, to correspond to the areas designated Industrial.

6.3 permit in the Industrial (IN) Zone a broad range of commercial developments with a *gross (amended December, 2000)* floor area of less than 93 sq. metres (1,000 sq. ft.), and industrial developments, including but not limited to:

- (a) crematoria
- (b) emergency services
- (c) existing industrial and commercial *developments (amended December, 2000)*
- (d) manufacturing, processing, assembly or production developments
- (e) public works depots
- (f) repair shops
- (g) supply and distribution centres
- (h) transport and trucking developments
- (i) *developments allowed in the Group Commercial (C3) Zone, with the exception of dwellings (amended December, 2000)*

- (j) warehouses
 - (k) wholesale developments
- 6.4 consider only by development agreement in areas designated Industrial, proposals for any industrial or commercial development not specifically permitted as-of-right in the Industrial Zone, in accordance with policy 6.11.
- 6.5 consider only by development agreement in areas designated Industrial, proposals for new industrial developments and expansion of existing developments, which are considered to be hazardous or have the potential for creating land use conflicts, in accordance with policy 6.11. These *developments* shall include but not be limited to: (*amended December, 2000*)
- (a) asphaltic concrete production
 - (b) commercial or recreational racing of motorized vehicles
 - (c) fish meal production
 - (d) metal corrosion treatment facilities
 - (e) outdoor, open storage of scrap materials of all kinds including but not limited to auto bodies and auto parts
 - (f) penal institutions
 - (g) petroleum bulk storage plants where petroleum products are stored for distribution, excluding associated office buildings and accessory uses
 - (h) pulp and paper mills
 - (i) ready mix concrete plants
 - (j) refining of hydro carbons
 - (k) shooting ranges
 - (l) slaughter and butchering of animals
 - (m) smelting and ore refining
 - (n) tanning
 - (o) warehousing and wholesale distribution of explosives, pesticides, herbicides, fungicides, biocides and other poisonous or hazardous substances
 - (p) wood debarking and chipping, except for activities at or in close proximity to harvesting operations
 - (q) wood preserving

Light Industrial Designation

- 6.6 designate as Light Industrial an area shown on Map 2, the Future Land Use Map. This includes one area of land on the east side of LaHave St..

LIN Zone and Uses

- 6.7 establish a Light Industrial (LIN) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law, to correspond to the areas designated Light Industrial.
- 6.8 permit in areas zoned Light Industrial (LIN) a broad range of commercial developments with a *gross (amended December, 2000)* floor area of less than 93 sq. metres (1,000 sq. ft.) and light industrial developments, including but not limited to:
- (a) emergency services
 - (b) public works depots
 - (c) repair shops
 - (d) wholly enclosed manufacturing, processing, assembly and production developments
 - (e) supply and distribution centres
 - (f) transport and trucking developments
 - (g) *developments* allowed as-of-right in the Group Commercial (C3) Zone, with the exception of dwellings *(amended December, 2000)*
 - (h) warehouses
 - (i) wholesale developments
- 6.9 consider, only by development agreement in areas zoned Light Industrial (LIN), proposals for open storage of scrap materials including but not limited to auto bodies and auto parts in accordance with policy 6.11.
- 6.10 consider, only by development agreement in areas zoned Light Industrial (LIN), proposals for wood debarking and chipping operations in accordance with policy 6.11. Those located in close proximity to harvesting operations do not require a development agreement.

Criteria for Development Agreements

- 6.11 ensure that the following criteria are met when Council is considering proposals for open storage of scrap materials, wood debarking and chipping operations, any commercial or industrial use not specifically allowed as-of-right in an industrial zone, and any industrial use identified as being considered to be hazardous or having the potential for creating land use conflict, by development agreement:
- (a) where any development site abuts an industrial zone boundary, the *development* shall be located on the site in a manner that achieves the maximum separation of the *development* from the abutting boundary. Subject to the physical characteristics of the site and the characteristics of the use or uses on the site, screening in the form of fencing, vegetation, or a berm, as appropriate, shall be constructed on the site in order to minimize impact on properties in the abutting zone; and (*amended December, 2000*)
 - (b) there shall be no emission generated from the development such as noise, dust, radiation, light or other emission to either the air, water, or ground that could have any undue negative effect on properties either within, or in the vicinity of, the designation and zone. Emissions shall not exceed applicable standards or guidelines set by any department or agency of the Federal or Provincial government; and
 - (c) no development shall be permitted that could create a health hazard or that would have a negative effect on the quality of life or living environment of the town; and
 - (d) where Council determines, on the advice of a qualified person, that there is a significant risk of environmental damage from any proposed commercial or industrial development, an environmental impact assessment shall be carried out by the developer for the purpose of determining the nature and extent of any impact and no agreement shall be approved until Council is satisfied that the proposed development will not create or result in undue environmental damage; and
 - (e) the location and siting of any development within the Bridgewater Industrial Park shall be in accordance with any infrastructure and land use master plan that has been prepared by the Bridgewater Development Commission; and
 - (f) development is in accordance with policy 18.9.

General Industrial

- 6.12 require all new industries to locate in areas designated Industrial or Light Industrial.
- 6.13 co-operate with the Bridgewater Development Commission in its efforts to develop and promote the Bridgewater Industrial Park and to encourage the Commission's involvement in industrial development and promotion in other designated industrial or light industrial areas.
- 6.14 establish in the Land Use By-law specific abutting yard requirements designed to reduce the impact of developments within the industrial zones on abutting properties.
- 6.15 consider amending the zoning of areas zoned Light Industrial (LIN) on Schedule A, the Zoning Map of the Land Use By-law, to Industrial (IN) provided:
- (a) the rezoning is for a specific development proposal; and
 - (b) the proposed use or any other industrial use that may be permitted in the area to be rezoned will not have a negative impact on residential properties in the area due to noise, odour, dust, or any other emission that could create a nuisance or hazard to residential uses in the area; and
 - (c) access to any industrial use is not through a residential zone; and
 - (d) the proposed development is in accordance with policy 18.9.

7.0 RURAL DEVELOPMENTS AND LAND USE

Background

The Town of Bridgewater is an urban community with a distinct urban settlement pattern. Although this urbanized area is well defined, there are areas within the town that are rural in character. Much of the rural land is forested and there are some active agricultural uses such as crop land, pasture land, and hay fields. Also within the rural areas, particularly in the north end of town, there are extensive borrow pits where the shallow overburden has been removed, exposing the bedrock. Council recognizes the existence of these and other rural uses. Council also recognizes that rural areas may be required in the future to satisfy land requirements for housing or other urban uses. The rural areas are viewed primarily as future residential lands.

The rural areas of the town are currently not serviced by central water or sewer although services are within reach of some areas. Rural lands will be zoned to permit uses that are customary in the area, and designated for future residential use in anticipation of sewer and water line extensions. The types of use that will be permitted in these rural zones will be limited in order to avoid future land use conflicts.

Policies

It shall be the policy of Council to:

Designation

7.1 designate as Residential, on Map 2, the Future Land Use Map, undeveloped or lightly developed rural lands for resource related agricultural and forestry activities and low density residential development.

Rural (RU) Zone and Uses

7.2 establish a Rural (RU) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law, within the Residential designation.

7.3 permit in areas zoned Rural (RU):

- (a) business uses that are incidental and secondary to a main residential use. Requirements will be established in the Land Use By-law regarding the type of use, the maximum size and location of the use, associated outdoor storage and display, signs and parking
- (b) conversion of existing buildings to three (3) units, subject to specific requirements regarding location and parking established in the Land Use By-law
- (c) dwellings established before August 1975
- (d) resource related agricultural activities
- (e) resource related forestry activities
- (f) single unit dwellings

- 7.4 consider only by development agreement in areas zoned Rural (RU) proposals for:
- (a) inns in existing dwellings, in accordance with policy 4.39.
 - (b) single unit development as a collective development, two unit development on both individual lots or as a collective development, and multi-unit residential development in accordance with policy 4.40.
 - (c) office uses in accordance with policy 4.41.
 - (d) neighbourhood grocery and convenience stores in accordance with policy 4.43.
 - (e) restaurants within neighbourhood grocery and convenience stores in accordance with policy 4.44.
 - (f) developments allowed in an abutting commercial zone in accordance with policy 4.45.

8.0 INSTITUTIONAL DEVELOPMENT AND LAND USE

Background

Bridgewater serves as an institutional centre for the South Shore. The South Shore Regional Hospital has added to the town's profile in this regard. Additional institutional services, which benefit the local economy and serve as an attraction for an even wider range of development, also increase employment.

Institutional developments in Bridgewater exist in a variety of locations and land use contexts. These developments serve residents throughout the town and surrounding area.

Established institutional developments within the town will be designated primarily in accordance with the surrounding land uses and zoned for institutional use.

As the town grows, it is to be expected that there will be a need for supporting institutional facilities to serve new residential areas. Council does not intend to designate or zone undeveloped land for institutional developments, but will allow institutional *developments* as-of-right in commercial areas and will consider institutional *developments* by development agreement in residential areas. (*amended December, 2000*)

Policies

It shall be the policy of Council to:

Institutional Designation

8.1 designate as Institutional the areas shown on Map 2, the Future Land Use Map. It is intended to include only those areas where the developed institutional use is unlikely to change over time.

Institutional (INST) Zone and Uses

8.2 establish an Institutional (INST) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law. This zone is intended to include existing institutional uses within a number of designations on Map 2, the Future Land Use Map.

8.3 permit in areas zoned Institutional (INST):

- (a) religious, education, health care, and specific government facilities
- (b) homes for special care
- (c) cultural facilities
- (d) emergency services
- (e) day care centres, both residential and commercial
- (f) incidental, occasional or temporary outdoor or indoor markets, bake sales, flea markets, and vegetable and produce markets

- 8.4 permit in areas zoned Central (C1), General (C2), Group (C3), or Restricted Commercial (RC), institutional developments subject to the standards and lot sizes of the zone in which they are located.
- 8.5 consider only by development agreement in areas designated residential on Map 2, the Future Land Use Map, proposals for institutional developments in accordance with policy 4.35.
- 8.6 co-operate with and encourage the efforts of institutions to improve and extend their facilities, services, and programs within the town.

Residential Institutional

Background

Bridgewater serves as an institutional centre for the South Shore. In addition to traditional institutional uses, such as hospitals and schools, there is a growing demand for residential care facilities and related uses with an institutional component. These types of developments include assisted living and long term health care services for residents throughout the town and surrounding area. In the Residential Institutional designation, Council will limit the types of permitted institutional uses to those which include a residential component, and will not permit sole residential development without an institutional component included as part of a large development. Limited commercial uses listed in Section 8.9 below will be permitted. All uses in Section 8.9 are subject to specific site controls.

Policies

It shall be the policy of Council to:

Residential Institutional Designation

- 8.7 designate as Residential Institutional in the areas shown on Map 2, the Future Land Use Map. This designation is intended to provide for future residential land use with an institutional component.

Residential Institutional (RI) Zone and Uses

- 8.8 establish a Residential Institutional (RI) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law, to correspond to the areas designated Residential Institutional.
- 8.9 permit in the Residential Institutional (RI) Zone the following uses:
- (a) residential care facilities for nine (9) or more persons, including but not limited to assisted living and licensed long term health care
 - (b) rectories, manses and staff residences associated with uses permitted in this section
 - (c) multi-unit dwellings when associated with developments consisting of residential care facilities, as described in Section 24.4(a), of no less than 50,000 square feet of gross floor area
 - (d) two-unit dwellings when associated with developments consisting of residential care facilities, as described in Section 24.4(a), of no less than 50,000 square feet of gross floor area
 - (e) clinics, when associated with developments consisting of residential care facilities, as described in Section 24.4(a), of no less than 50,000 square feet of gross floor area, and which do not exceed 8% of the total gross floor area of a proposed development
- 8.10 Consider only by development agreement multi-unit dwellings and two-unit dwellings when associated with developments consisting of residential care facilities, as described in Section 24.4(a), of **less** than 50,000 square feet of gross floor area

9.0 LAHAVE RIVER DEVELOPMENT AND LAND USE

Background

The LaHave River is a prominent natural feature within the Town of Bridgewater which defines and gives structure to the town. As such, the river and land along its banks warrant special consideration within the Municipal Planning Strategy and Land Use By-law.

Development along the banks of the river, within the river, and on land created by infilling has the potential to significantly alter the character of the river and thus the character of the town. Development in this area can also have a profound effect on the use and enjoyment of the river by residents of the town and visitors as well.

The river and its banks and shoreline are highly visible from many points in the town. Long stretches of the shore on either side can be seen from the banks, shoreline, and public streets. Any developments on the river banks or in the river have a very high profile and can dominate the established riverscape and streetscape of the immediate neighbourhood. Compatibility with the major architectural features of existing buildings must be a consideration in all development in this area.

Visual and physical access to the river is also of concern. Building design and site planning are the key factors that determine visibility and accessibility. When developments are permitted along the river bank, the external appearance of buildings, and the preservation of views and vistas from public streets will be a consideration. Opportunities for getting to the water or being near the water will also be a factor in the development agreement process.

Although control over infilling of the river is beyond Council's jurisdiction, developments on filled land can be regulated. Because any development in the river would be highly visible and closely associated with a publicly owned resource, an additional level of control is warranted.

Policies

It shall be the policy of Council to:

LaHave River Designation

- 9.1 designate the areas shown as the LaHave River Development Agreement Area on Map 2, the Future Land Use Map, for additional development controls. This district includes the entire LaHave River, and those lands lying between the LaHave River and King St. to the west and the LaHave River and either the former rail-right-of-way or LaHave St. on the east.
- 9.2 consider only by development agreement, in areas designated as the LaHave River Development Agreement Area, proposals for any development other than single and two unit dwellings, park and recreation developments and additions of less than 56 square metres (600 sq. ft.) to existing buildings, or new buildings of less than 56 square metres (600 sq. ft.) in accordance with policy 9.3.

- 9.3 ensure that the following criteria are met when Council is considering proposals for development within the LaHave River Development Agreement Area by development agreement:
- (a) no development shall be permitted in any area where flooding presents a risk or hazard to people and property as determined by a qualified person; and
 - (b) the siting of the development shall, to the extent that site conditions warrant, be functionally integrated with abutting properties and *developments* with regard to: vehicular access to the site, pedestrian movement, parking, servicing, maintenance of buildings and structures, and accessibility for equipment and personnel in the event of an emergency in the area; and
(*amended December, 2000*)
 - (c) where the site abuts a Recreation (REC) or Park (P) Zone, buffers and/or screening shall be provided to protect and preserve the park environment; and
 - (d) measures shall be taken in the landscaping, site planning, building design, and building orientation to ensure that the entire development is visually integrated with the landscape and streetscape in which it is situated, to the extent that some of the dominant architectural features of buildings, if any, in the area are present and some characteristics of the natural land form and vegetation are retained; and
 - (e) measures shall be taken in the landscaping, site planning, building design, and building orientation to promote physical and visual access to the river; and
 - (f) where public streets are in close proximity to the river and views of the river from the street and properties that abut the street would be diminished by any development, views shall be preserved to the extent that the river will continue to have a visual presence; and
 - (g) any excavation or infilling of the river or of land along the banks of the river that is associated with any development, shall not increase the risk of ice jamming or otherwise affect the flow of water in the river to the extent that any flooding problem would be made worse or any new flooding problems created as determined by a qualified person; and
 - (h) developments on any filled land and those involving structures affixed to the river bed or the shore, beyond the ordinary high water line, shall have a functional dependence on water, otherwise such developments shall be permitted only where Council is satisfied that the development would significantly increase opportunities for access and enjoyment of the river by residents of the town; and
 - (i) the proposal shall include a comprehensive landscaping plan that includes lawns, trees, shrubs and other landscaping elements appropriate for functional and aesthetic purposes, and for prevention of erosion; and
 - (j) where the zone in which the development is located permits specific *developments* by development agreement, no development shall be permitted that is inconsistent with any policy which provides for such developments; and (*amended December, 2000*)
 - (k) the orientation of buildings and particular features of buildings such as doors, windows, balconies, and patios shall be toward the river as well as toward public streets; and
 - (l) where any site has had a prior history of use and development that is of historical or cultural significance, the developer shall be encouraged to undertake the development in such a manner that elements of this past use are reflected in the style and ornamentation of buildings; and
 - (m) development is in accordance with policy 18.9.

10.0 PARKS AND RECREATION

Background

There are approximately *81 hectares (198 acres)* of Town owned or leased land developed for or dedicated to park land, open space, playground, and sports fields. *(amended July, 2007, and September, 2010)*

Riverview Park, 19.1 hectares, (47 acres) in the north end, *the recent addition of the Glen Allan active parkland, 7 hectares (18 acres) in the southeast end*, and the Town Park, 9.3 hectares, (23 acres) in the south end represent the bulk of the park land holdings within the town. Riverview Park, also known as the Scott Pine Lot, is leased by the town from the Department of Lands and Forests. Incorporated into Bridgewater Woodland Gardens, 9.7 hectares, (24 acres) is the DesBrisay Museum National Exhibition Centre and the Bridgewater Swimming Pool. Both of these major parks are oriented toward passive recreation activities such as walking, nature observation, and nature appreciation. The recent addition of a 2.5 hectare (6 acre) strip of land on either side of the Town Pond Brook, which drains into the pond has enlarged the park considerably and it now extends from Alexandra Avenue to Exhibition Drive. Other developed park lands include: Pine Crest Park, 1.8 hectares, (4 acres) in the south end, which straddles Hebb Brook, developed as a passive park with trails and a small children's playground; small playgrounds located in Glen Allan Subdivision, at the swimming pool and on St. Phillips St.; and a 6.5 hectare (16 acre) passive park in Glen Allan Subdivision. Several small parks enhance the downtown shopping district. *(amended July, 2007)*

In an effort to maximize public access to the LaHave River and to enhance the aesthetic qualities of the River, Council has acquired a considerable amount of riverfront land. On the west side, the Town owns a narrow strip of undeveloped land between King St. and the River, extending from the railway bridge on King St. to Starr St., a distance of some 945 metres (3,100 ft.). Further south on King St., the Town owns an extremely narrow strip of undeveloped river frontage extending from Maple St. approximately 411 metres (1,340 ft.) to the site of the former Acadia Gas Engines Foundry. On the east side, a narrow strip of land located between LaHave St. and the river and extending from the old bridge to Davison Drive is owned by the Town. A portion of this site has been developed as a mini park. It is Council's policy to acquire river frontage when it becomes available and where there is potential to develop it for public purposes subject to the availability of funding. In keeping with this policy, the Town acquired and carried out extensive maintenance on the former government wharf located under the south parkade in the town. The availability of parks and open space areas that provide opportunities for leisure activity is regarded by Council as necessary for the health and well being of residents of the town, and Council will continue to play a key role in providing space and facilities where the need is identified and as financial circumstances dictate.

The Town owns and operates three major sports facilities which, in conjunction with other privately owned facilities, provide town residents, as well as residents of other municipal units, with a well rounded selection of facilities. Town-owned fields such as the Kinsmen Field and the LaHave St. sports field complex include a little league baseball diamond, a soccer field, a big league baseball diamond, and a fastball diamond. These provide opportunities for all age groups to participate in a broad range of sporting activities. In addition to these playing fields, the Town owns and operates the Bridgewater Arena and the Bridgewater Swimming Pool. Complementing these publicly owned facilities are the Bridgewater Curling Club's curling rink on Empire

St., and the Bridgewater Golf and Country Club's nine hole golf course which is partially located in the town. The Bridgewater Tennis Club's courts at the Kinsmen Field round out the list of sports related facilities in the town. The courts are leased to the Tennis Club by the Town and the Club is obligated to make the courts available to the public under an agreement with the Town.

Playgrounds for children have been developed by the Town in a number of locations. Council will consider the development of additional playgrounds in developed areas where facilities are inadequate or nonexistent. Consideration will also be given to providing playgrounds in developing areas at such time that the population density would justify the expenditure. *The Glen Allan active parkland is one such area where new playground facilities are being planned.* It is Council's objective to provide playgrounds so that all areas of the town are adequately served. *(amended July, 2007)*

Parks and recreation services and facilities in the town are under the jurisdiction of the Bridgewater Parks and Recreation Commission, which was first appointed by Council in 1973. The Parks and Recreation Commission plays a key role in the delivery of recreation services in the town. Council has made a major commitment to the development of these services for the use and enjoyment of residents of the town, and that commitment will continue to the extent that financial resources permit.

The majority of recreation policies within the Municipal Planning Strategy were developed in 1990. Approval in principal was given to these policies by Council in 1993. Background information regarding these policies is to be found in the 1990 document entitled "Town of Bridgewater Park and Recreation Comprehensive Plan - Final Report".

Policies

It shall be the policy of Council to:

Open Space Designation

10.1 designate as Open Space the areas shown on Map 2, the Future Land Use Map. It is intended to include the publicly owned, established recreation areas and areas Council intends to develop in the future.

Park (P) Zone and Uses

10.2 establish a Park (P) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law. It is intended to include established parks and playgrounds.

10.3 permit in the areas zoned Park (P):

- (a) interpretation centres
- (b) museums and galleries
- (c) parks and playgrounds, including associated facilities
- (d) public swimming pools
- (e) *community gardens* (amended September, 2010)

Recreation (REC) Zone and Uses

- 10.4 establish a Recreation (REC) Zone in the Land Use By-law, as shown on Schedule A, the Zoning Map of the Land Use By-law. It is intended to include publicly and privately owned recreation facilities and sports fields.
- 10.5 permit in the areas zoned Recreation (REC):
- (a) community centres
 - (b) curling clubs
 - (c) exhibitions, trade shows, and fairs, including associated temporary midway entertainment facilities
 - (d) interpretation centres
 - (e) museums and galleries
 - (f) occasional, incidental, temporary outdoor or indoor markets, bake sales, flea markets, and vegetable and produce markets
 - (g) passive parks and children's playgrounds
 - (h) recreation facilities and uses
 - (i) water reservoir established before 1996
 - (j) *leash free dog parks* (amended May, 2012)

Open Space

- 10.6 educate the public on environmental matters in relation to natural open spaces through the education system and other public forums.
- 10.7 prepare an open space inventory and management plan for the town in conjunction with the Municipal Planning Strategy which includes all publicly owned open spaces, environmentally sensitive open spaces, and other important environmental areas.
- 10.8 require developers to dedicate land for recreation, or cash in lieu of such land, when subdividing land.
- 10.9 develop open space lands within subdivisions for active recreation purposes.
- 10.10 require developers to provide space for leisure or recreation facilities in association with new multi-unit residential developments.
- 10.11 acquire and develop open space for the enjoyment of residents according to a plan with established priorities, as funds permit.
- 10.12 seek means other than acquisition for the control of public access to and enjoyment of environmentally sensitive and other important open spaces throughout the town.

- 10.13 provide a diversity of open space experiences for residents through acquisition and development with priorities placed on the following needs:
- (a) neighbourhood park and play areas within easy walking distance of developed and future neighbourhoods with medium to high density residential development.
 - (b) areas which provide public access to water bodies for swimming, boating, or shoreline activity including beaches, ponds, and rivers.
 - (c) subdivision areas for the development of small play areas.
 - (d) town-wide open spaces for passive and active recreation uses including a sports/recreation/performing and visual arts centre complex to be developed in cooperation with other government bodies.
 - (e) open spaces which form buffers around environmentally sensitive and aesthetically important water bodies and land areas.
 - (f) intensive trail systems which provide linkages between communities and/or recreation areas.
- 10.14 permit the development and use of land in all zones for park, playground and open space uses.
- 10.15 recognize the LaHave River and land along its shoreline as a resource. Council shall seek to acquire property that is on or near the LaHave River for public purposes when possible. Council shall also encourage owners of land on or near the River to develop or maintain their property so that views of the river are maximized, access to the river is provided, and , as far as possible, open space and green areas are maintained or developed in conjunction with development of the property.
- 10.16 preserve and enhance the natural attributes afforded by the town's unique location in any future consideration of property acquisition, or property use or development along the LaHave River.
- 10.17 maintain the former Canadian National Rail right-of-way as part of a trail system. Council may consider exchanging the Town's interest in any portion of the right-of-way for other lands which Council, following the direction of the Parks and Recreation Commission, considers equally suitable for maintaining a linear trail system.

Facilities

- 10.18 prepare feasibility studies for the construction of new cultural and recreation facilities.
- 10.19 avoid the duplication of cultural and recreation facilities in areas where there is an overlap of users.
- 10.20 work in cooperation with other municipal units in the provision of major cultural and recreational facilities which serve the region.

Access

- 10.21 ensure, when constructing new facilities or improving existing facilities, that they are designed to be accessible to all segments of the population.
- 10.22 encourage other organizations and private clubs to ensure that new facilities or improvements to existing facilities are designed to be accessible to all segments of the population.

Programs

- 10.23 encourage, promote, and assist community organizations in the delivery of direct programs to the public.
- 10.24 work cooperatively with the school board to provide recreation and cultural opportunities for residents within the Town of Bridgewater.
- 10.25 develop and promote outdoor recreation programs for all segments of the population of the Town of Bridgewater.
- 10.26 involve youth in the planning and delivery of program opportunities targeted for youth.
- 10.27 involve seniors in the planning and delivery of program opportunities specifically targeted for this group and prepare for the increasing recreation and cultural needs of seniors.
- 10.28 provide a diverse range of both recreation and cultural opportunities to meet the needs and interests of residents.
- 10.29 work in cooperation with other government bodies in the provision of recreation and cultural opportunities.

Recreation Delivery

- 10.30 establish a regional delivery system for services provided to recreation and cultural clubs and organizations in cooperation with other government bodies.
- 10.31 establish a regional delivery system for the delivery of recreation and cultural programs in cooperation with other government bodies.
- 10.32 expand the role of the public in the planning and decision making process for the delivery of recreation and cultural programs, services, facilities, and open spaces.

General

- 10.33 develop, in cooperation with other government bodies, equitable cost sharing formulas for the provision of shared recreation services and facilities.

11.0 CULTURE

Background

Council of the Town of Bridgewater has maintained the reputation of being one of the municipal units most supportive of culture in Canada. In Bridgewater, culture in its broadest sense is embodied in institutions such as the library and museum, in activities such as those supported and sponsored by the recreation department, in areas such as parks and green spaces which represent the natural heritage, and in local organizations such as the Waterfront Development Steering Committee.

Institutions provide one forum for cultural exchange. The library provides not only a collection of local authors but also an opportunity to reach outside the bounds of local experience. Its mission is to provide "equitable access to an organized collection of resources, providing information, culture, education and recreation to the people of Queens and Lunenburg Counties". Council has supported both the capital projects and operating costs of the library and will continue to do so. The mandate of the Museum Commission is "to nurture the natural and cultural heritage of town and county". The activities of the Commission carry out this mandate in a variety of ways. It fulfils a custodial role in the protection of the Judge DesBrisay collection, amassed in the 1870's by the County's first historian. The collection is the fifth oldest public history museum collection in Canada. The Commission provides a forum for presentation of collections from other areas to broaden the horizons of local residents. Through the Museum it also provides a location for groups involved in the natural cultural heritage to meet.

The Town also has a role in supporting artists, by both recognition of achievement and by commissioning art for public facilities.

The province has acted to protect evidence of the cultural background of the area, through its preservation of the Wile Carding Mill. This site, one of the last carding mills in the province, is also the last evidence of a mid- nineteenth century industrial park within the town.

There is a strong interaction, recognized by Council, between the culture of a community and its economic life. Through its cultural policies, Council is attempting to strengthen Bridgewater's cultural foundation for the benefit of the community.

Policies

It shall be the policy of Council to:

- 11.1 continue to support a library facility in Bridgewater.
- 11.2 support the local, regional and provincial library networks by continuing to fund library operating costs in accordance with the formula as established from time to time.

- 11.3 encourage awareness of natural and cultural heritage through support of the facilities, collection and programs of the DesBrisay Museum.
- 11.4 recognize outstanding contributions and achievement through the Town's Achievement Policy.
- 11.5 encourage protection of unique or rare natural areas as they are identified to Council.
- 11.6 recognize the LaHave River and its waterfront as an important community resource and encourage its protection.
- 11.7 consider the commissioning of art work for public facilities.

12.0 ARCHITECTURAL HERITAGE

Background

The Town of Bridgewater was incorporated in 1899. Considerable development had occurred before incorporation, both on the site of the town and in the surrounding area, based on the lumbering and shipping industries prevalent at the time. The growth in these industries, coupled with Bridgewater's role at the centre of the transportation web for this area, gave rise to Bridgewater's rapid growth as a commercial centre.

The diverse elements involved in Bridgewater's rapid growth are evident in the architectural forms that remain today. The architectural styles of the older buildings reflect the development of the town over time, and represent not only the ornate and detailed construction of the architecturally prominent buildings constructed by those involved in commerce, but also the smaller and less detailed buildings constructed in the earliest days of settlement.

The variety of architectural styles and detailing, in addition to the natural features of the town, adds to the warmth and ambience of the town, helping to create a community with an excellent quality of life.

In order to help preserve the architectural heritage of the town, Council has enacted a Heritage By-law, and in 1982 established a Heritage Advisory Committee under the Heritage Property Act (Ch. 190, R.S.N.S. 1989). At the request of a property owner, this Committee recommends to Council the designation of buildings considered to be of architectural merit. To date three (3) structures have been designated as heritage buildings.

Under the direction of the Heritage Advisory Committee, an inventory of heritage buildings has been completed; a computerized index and general upgrading of the Inventory is now underway. A heritage evaluation of the buildings is also being carried out based on criteria which are also used in the designation of Municipal Heritage Properties.

Council recognizes the importance of both the built and natural heritage to the Town of Bridgewater. Council intends to control the appearance of buildings in some of the older areas of central Bridgewater by using an architectural control area designation. This designation will not affect the use of properties so designated; the underlying designations and zones will allow for a range of uses as they have in the past.

Policies

It shall be the policy of Council to:

- 12.1 encourage the preservation of the heritage of Bridgewater through cooperation with the DesBrisay Museum, the Friends of the DesBrisay, the Heritage Society, the Waterfront Development Steering Committee, the Bridgewater Historical Society, the LaHave River Valley Heritage Association, and other heritage organizations.

- 12.2 maintain Town owned buildings in a state of good repair and carry out any alterations to heritage buildings in a manner which enhances the historic character of the town.
- 12.3 regard the Heritage Property By-law as the principal means of control of substantial alteration to designated historic buildings, streetscapes and areas.
- 12.4 require all developments which are subject to development agreement to be visually compatible with nearby buildings in the case of a new building or with the original building in the case of an addition.

Architectural Control Area Designation

- 12.5 designate the areas shown as Architectural Control Areas on Map 2, the Future Land Use Map, for architectural control of the public facade of older buildings. It is intended to encompass those lands designated either Restricted Commercial or Mixed Residential on Map 2, the Future Land Use Map .
- 12.6 incorporate special provisions in the Land Use By-law for the lands designated Architectural Control Area with respect to the public facades of:
 - (a) new buildings; and
 - (b) additions or alterations to buildings built prior to 1920; and
 - (c) accessory structures greater than 46 sq. metres (485 sq.ft.) in total area,in order to ensure the compatibility of new buildings and additions and alterations with the established character of the town.

13.0 PUBLIC SERVICES AND UTILITIES

Water - Background

The Town of Bridgewater Water Utility is operated by the Bridgewater Public Service Commission, a corporate body created under the authority of the Water Act. The Utility supplies customers in the town, and portions of the Village of Hebbville and the community of Wileville, with a daily average of 7.2 million litres (1.6 million gallons) of water. The water is treated with lime to counteract natural acidity and with chlorine to destroy potentially infectious organisms.

The water that supplies the town is pumped from Hebb Lake which is located to the west of town in the Municipality of the District of Lunenburg. Water is pumped approximately 8 kilometres (5 miles) to a newly constructed reservoir and from this 4.5 million litre (1.0 million gallon) capacity reservoir, water is delivered through a 61 kilometre (38 mile) network of waterlines to water consumers. A second transmission line which originates from the pump house at Hebb Lake supplies the north end of town, including the Industrial Park. The new reservoir was built off Aberdeen Road near the town limit in 1995. This reservoir is connected to both transmission mains through the distribution system, via two river crossings. This reservoir provides storage and ensures fire flows for the east side of the river, which has experienced much of Bridgewater's recent growth.

A chain of lakes within the Petite Riviere Watershed area comprises the principal storage reservoir within the water supply area. A portion of the watershed lands has been designated as a Protected Water Area under the Water Act. Regulations pertaining to activities on the lakes and on the land have been prescribed for this designated area to ensure that water quality is not affected. The designated area encompasses a land and water surface area of approximately 116 sq. kilometres (45 sq. miles), of which 23 sq. kilometres (9 sq. miles) are water. The water volume or storage capacity of the three (3) lakes in the designated area is approximately 1224 million litres (272 million gallons) and the projected safe yield of the watershed is 13.5 million litres (3 million gallons) per day based on a one (1) in fifty (50) year failure recurrence.

In terms of capacity, the town's water supply is adequate to provide a secure supply for the foreseeable future. Although quantity is not a concern, water quality, as it relates to aesthetic characteristics such as colour, taste, odour and chlorine by-products, is a matter that is being studied by the Public Service Commission. The Public Service Commission has the support of the town in its efforts toward improvement of water quality through water treatment; however, the cost of establishing a water treatment facility could have financial implications for the Town that warrant careful consideration. The Public Service Commission is now giving serious consideration to a water treatment facility.

Maintenance and upgrading of the water distribution system by the Public Service Commission to meet required standards for water supply and fire fighting is an ongoing activity that is supported by Council, and Council will continue to support such ventures to the extent of its jurisdiction over such matters. Council will encourage the Public Service Commission to identify developed areas of the town that are unserved or that have inadequate water service as priority areas for water supply improvements.

Council will also encourage future development in areas where development can be serviced by the existing water distribution pressure zones to avoid further requirements to boost water pressure for domestic and fire flow water distribution. In new subdivisions, the developer will be responsible for the cost of installing water lines as provided for in the Subdivision By-law.

Map 3, Sewer and Water Utilities, shows details of the water distribution network.

Water - Policies

It shall be the policy of Council to:

- 13.1 require a developer to design and install water mains within a development and negotiate the costs of providing water mains outside the development sufficient to connect to the Town's water supply system.
- 13.2 require all water lines to be designed and constructed to meet the standards set out in the Subdivision By-law.
- 13.3 encourage the Bridgewater Public Service Commission to consider inadequately serviced or unserved developed areas of the town as priority areas for improvement or extension to the water distribution network.
- 13.4 support the efforts of the Bridgewater Public Service Commission to improve water quality.
- 13.5 co-operate with the Bridgewater Public Service Commission to protect the waters and watershed land of Hebb Lake, Leipsigate Lake, and Minamkeak Lake as a public water supply.
- 13.6 recognize the role of the Petite Riviere Watershed Advisory Group in assisting in the management and protection of the Protected Water Area.

SANITARY AND STORM SEWERS - BACKGROUND

The Public Works Department of the Town is responsible for maintenance and repair of sewer lines and sewage treatment facilities and undertakes major sewer line replacement, upgrading and extension projects. Council is committed to providing an ongoing, efficient, high quality, and responsive sewage management program for the town, including the treatment of sanitary sewage before it is discharged into the LaHave River. At present, approximately ninety nine percent (99%) of all sanitary sewage generated within the town passes through the treatment plant where it receives secondary treatment. A new secondary waste water treatment facility was constructed in 1990. The treatment process involves reduction of suspended solids, reduction of biological oxygen demand, chlorination of the effluent and anaerobic digestion and dewatering of sludge before it is discharged into the LaHave River.

Collection and treatment of all sewage that is generated within the town is a goal of Council; however, there are some areas where due to the low density of development and the topography this is not currently feasible. In these areas on site treatment is accepted for existing development. Developed areas that are serviced by on site septic tanks include Pearl St. west of the former railway right-of-way, St. Phillips St. north of Logan Road, LaHave St. south of Appleberry Farm Market, the north end of Pleasant St. extension and Frank's Lane extension. Extension of services to these areas is not necessary as long as on site systems are in place and working properly. Extension of trunk sewer lines to service developed lands will be considered where it is deemed by Council to be financially feasible, provided that the developer or abutting landowners, as appropriate, are prepared to share the capital costs of such projects. Council will require, through the Town's Subdivision By-law, developers of new subdivisions to be responsible for the entire capital cost of storm and sanitary sewers and water lines within the subdivision, and as a prerequisite to or condition of subdivision approval, ownership of the sewer system shall be transferred to the Town.

Council recognizes that it is necessary to provide separated sanitary and storm sewer systems due to the capacity of sanitary sewers and the sewage treatment plant. It is, therefore, Council's intention where new sewers are needed and where it is feasible during replacement of existing sewers, that separate storm and sanitary sewers lines be installed.

The practice of utilizing natural watercourses to convey storm water run off from developed areas has been adopted throughout the town. It is recognized that for watercourses to function as storm sewers, it is necessary that development within the watershed of these watercourses must be planned in such a way that storm water flows will not result in downstream flooding or potentially hazardous conditions. Council will ensure that appropriate hydrological design and engineering techniques are employed where water courses in the town are utilized for the conveyance of storm water discharge from the storm sewer network.

The existing sewage network and treatment facilities are identified on Map 3, Sewer and Water Utilities Map.

Sanitary and Storm Sewers - Policy

It shall be the policy of Council to:

- 13.7 provide efficient and responsive sanitary collection and treatment and storm drainage collection programs for the town.
- 13.8 require a developer to install sanitary sewers, and storm sewers or open channels, within a development and negotiate the costs of providing sanitary sewers, and storm sewers or open channels, outside the development sufficient to connect to the town's sanitary sewer system.
- 13.9 require all of the sanitary sewer and storm sewer system to be designed and constructed to meet the standards set out in the Subdivision By-law.

- 13.10 encourage the separation of roof, subsoil and storm water drainage, particularly street storm water drainage, from the sanitary sewer system.
- 13.11 consider capital expenditures for installation of trunk sewer lines for inadequately serviced developed areas or vacant land where there is a need for sewer line extension. Financial participation by abutting property owners or developers may be required.
- 13.12 continue to provide sewage treatment according to Provincial standards for all sewage that is generated within the town.
- 13.13 continue to work toward the development of a storm water management policy for the major watercourses within town.
- 13.14 utilize natural water courses for conveyance of storm water run off from serviced areas, subject to statutory provisions for utilization and alteration of watercourses. In so doing, Council will ensure that appropriate planning, design, and engineering techniques are employed to minimize any impact that alteration of the natural water flow may have.

Streets and Sidewalks - Background

There are approximately 64 kilometres (40 miles) of public streets in Bridgewater. Construction of streets since 1988 has expanded the transportation network within the town by approximately 8 kilometres (5 miles).

It is Council's policy that construction of streets in new subdivisions is the responsibility of the developer. The Subdivision By-law provides that streets shall be constructed by the developer and conveyed to the Town before subdivision approval is granted or as a condition of subdivision approval. The developer also has the responsibility for paving new streets and installing curbing.

Council is working toward the adoption of a future street development plan to ensure an integrated long term street development pattern. Council's intent is to identify the general location of primary streets in undeveloped areas. This is necessary in order to co-ordinate and interconnect development because of the diverse ownership patterns in Bridgewater. Until a street development plan is adopted, the authority to ensure the connection of new streets to primary street routes lies with the Town Engineer. In the undeveloped area of Glen Allan Subdivision, the 1991 U.M.A. study identified the location for the extension of two primary streets, Hollingsworth Drive and Glen Allan Drive. These extensions having been identified by a major engineering study, Council will require that the extensions be developed when adjacent land is being developed, and that these rights-of-way be regarded as fixed.

Council recognizes the importance of providing sidewalks for safety and convenience. The existing sidewalk network will be maintained and replaced by Council as required, and new sidewalks will be provided by the developer in conjunction with new street development. Construction of sidewalks will be a priority along primary streets where the traffic flow makes walking conditions on streets unsafe. Sidewalks on residential streets in new subdivisions are required on one side of collector streets but have been considered unnecessary on local streets in most cases.

Council will consider the development of pedestrian walkways that are not associated with streets in order to provide a continuous network of sidewalks and walkways throughout the town.

The street network within the town is shown on Map 4, the Street Classification Map.

Streets and Sidewalks- Policy

It shall be the policy of Council to:

- 13.15 maintain and upgrade sidewalks and pedestrian walkways within the town, as necessary, to provide for safe and convenient pedestrian movement.
- 13.16 require developers to construct new sidewalks and walkways, as set out in the Subdivision By-law, in order to provide pedestrians with continuous, integrated sidewalks and walkways for access to public facilities, shopping areas and residential neighbourhoods throughout the town.
- 13.17 require developers to construct streets within new subdivisions, in order to provide convenient and safe traffic patterns throughout the town.
- 13.18 require all new streets and extensions to existing streets to be constructed to standards set out in the Town Subdivision Bylaw.
- 13.19 require all new secondary streets or extensions to existing secondary streets to be laid out in a manner which improves the general traffic flow of the area.
- 13.20 regard as fixed the extensions to Hollingsworth Drive and Glen Allan Drive as identified in the 1991 U.M.A. study. Development of these extensions shall occur when adjacent land is developed.
- 13.21 encourage rights-of-way to be reserved for primary streets when land is being subdivided within the town. The location shall be determined by Council pursuant to Section 95 of the Towns Act on recommendation of the Town Engineer at the time of subdivision.

- 13.22 participate in a Joint Transportation Committee with the Nova Scotia Department of Transportation and Communications for the purpose of resolving issues respecting traffic and transportation management and planning within the town which involve cost shared streets.
- 13.23 develop a transportation plan for undeveloped areas of Bridgewater to ensure development of convenient and safe traffic patterns.

Service and Utility Uses - Background

Service and utility uses stand apart from other uses in that they provide the infrastructure for all other development. The majority of these use rights-of-way which must cross zone boundaries (i.e. Maritime Tel & Tel). However, these same uses often have offices, facilities and supply or storage structures. The following policies do not essentially differ from past practice.

Service and Utility Uses - Policies

It shall be the policy of Council to:

- 13.24 permit service and utility linear facilities throughout the town.
- 13.25 permit service and utility facilities, other than rights-of-way but including outdoor storage, sewage treatment plants, water treatment plants, water reservoirs and telephone exchanges only in accordance with the Land Use By-law.

Solid Waste - Background

The disposal of solid waste is an on going concern. Economic and environmental pressures are combining to ensure that all local Councils address this problem.

Solid Waste - Policies

It shall be the policy of Council to:

- 13.26 continue to consider the Solid Waste Collection By-law as the principal means of controlling the disposal of solid waste within Bridgewater.

Police and Fire Protection - Background

The Town employs a police force consisting of fourteen full time uniformed police officers and a seven person support staff, providing twenty four hour police protection to the town. The police department is housed in the Town Hall. Police protection is recognized by Council as an essential service and Council is committed to providing the best possible police protection for the town.

The town relies on the Bridgewater Volunteer Fire Department for fire protection and prevention services. The fire department operates out of the fire station on Dominion St. The Bridgewater Volunteer Fire Department is a member of the South Shore Mutual Aid Association through which all fire departments in Lunenburg and Queens Counties have made provision for reciprocal firefighter and equipment assistance. Although the Town does not assume full financial responsibility for the fire department's expenses, it provides a significant level of financial support. As with police protection, Council acknowledges that fire protection is an essential service. Council will continue to support the Bridgewater Volunteer Fire Department in its efforts to provide fire protection to properties within the town, while giving the department the authority that will enable it to function as a self regulating group.

Council recognizes that fire prevention is an essential component of a fire protection program. The Town employs a fire inspector who is responsible for identifying potential fire hazards and for informing property owners of acceptable fire prevention techniques.

Police and Fire Protection - Policies

- 13.27 provide and maintain a twenty four hour police protection service for the protection and security of residents and property owners.
- 13.28 continue to support the Bridgewater Volunteer Fire Department in its efforts to provide residents and property owners within the town with adequate fire protection and fire prevention programs.
- 13.29 provide a fire inspection service to supplement the fire protection and fire prevention efforts of the Bridgewater Volunteer Fire Department and to enforce the provisions of the Fire Prevention Act.

14.0 SIGNS

Background

Signs and public displays of advertising are a component of many types of development. Signs have the potential for creating public nuisance and hazards. Most conventional signs are safe and acceptable. Others are considered to be either dangerous or incompatible with the character of the town. Signs are also a subject of frequent debate because they raise concerns about appearance, maintenance standards and compatibility with nearby architecture and neighbourhood character.

This Municipal Planning Strategy prohibits those forms of advertising displays which are most likely to create hazards or nuisances. All other signs will be regulated to provide business a reasonable opportunity to advertise without allowing signs to dominate the architecture and landscape.

Policies

It shall be the policy of Council, through the Land Use By-law, to:

- 14.1 prohibit signs which create hazards to traffic or pedestrians, which constitute a public nuisance, or which are incompatible with the character of Bridgewater.
- 14.2 regulate the height, maximum area, illumination and location of signs throughout the town in order to minimize hazards and nuisances.
- 14.3 control the impact of signs on the landscape, streetscape and skyline; and ensure that the nature, size and location of signs permitted in the various zones is appropriate and compatible with the character of the areas within those zones.

15.0 LANDSCAPING, FENCING, LIGHTING, OUTDOOR STORAGE and ACCESSORY STRUCTURES

Background

Establishment of turf, grading, planting of vegetation, installation of surfacing materials or walkways and driveways, and erection of structures such as fences and walls constitute the basic elements of landscaping. Sensitive landscaping can reduce the negative impact of new development on nearby properties and can improve the living environment. Well established turf and ground covers such as shrubs can prevent serious erosion and control dust. Hedges can screen unattractive elements such as storage and parking areas, and pavement or gravel will control dust when applied to driveways and parking lots. Landscaping is particularly important when site conditions require major alterations to the topography.

Fences can produce negative impacts, and so the Land Use By-law controls the height and location of fences as well as the use of electrified fences, barbed wire and other hazardous materials. Fences around swimming pools are now regulated, and Council has ensured that these regulations are accommodated in the Land Use By-law.

Outdoor lighting, although necessary for safety and security reasons, can create a nuisance if it is improperly directed. Where lighting is proposed in any development, consideration will be given to its proper installation, to avoid interference with nearby properties.

The outdoor display of goods for sale, and the outdoor storage of supplies, equipment and raw materials can be unsightly and can create nuisances or hazards. In order to reduce the impact, controls will be placed on these uses.

Recently there has been an increased interest in wood as a source of home heating fuel. In response to all of the perceived drawbacks to having wood furnaces within a dwelling, an "outdoor furnace", which heats hot water which is in turn used to heat a dwelling, has been developed. These furnaces, or "outdoor waterstoves" as they are sometimes known, generally require only a very short chimney, which may result in low-lying smoke in built-up areas. Due to concerns for public health, safety, and nuisance to adjacent uses, Council is controlling outdoor waterstoves throughout the Town. *amended September, 1998*

Policies

It shall be the policy of Council, through the Land Use By-law, to:

- 15.1 require landscaping in any development subject to a development agreement, in order to enhance or preserve the character of the area, to provide screening or buffers, or to reduce conflict with surrounding land uses.
- 15.2 regulate the height and location of fences.
- 15.3 require fences for screening of storage areas that contain unsightly materials, for enhancement and preservation of the character of areas, and for reducing conflicts with the surrounding land uses.
- 15.4 control outdoor lighting in *all* development in order to minimize the impact lighting creates on properties in the surrounding area. *(amended December 22, 2000)*
- 15.5 regulate the amount, type, and location of outdoor display and outdoor storage on a lot.
- 15.6 regulate the size, number and location of accessory structures.
- 15.7 control the use of outdoor waterstoves within the Town. *amended September, 1998*

16.0 PARKING, YARD REQUIREMENTS AND TEMPORARY USES

Background

Parking areas are required to accommodate the motor vehicles associated with most activities. On-street parking usually is not adequate to accommodate a substantial number of cars, and can contribute to traffic congestion and snow removal problems. Council requires developers to provide adequate off-street parking, or a percentage of the costs of developing parking spaces which would normally be required by a development.

The downtown area of Bridgewater has developed as commercial area over a long period of time. As a result, development is very concentrated, with parking being provided primarily through the parkades and other lots operated by the Parking Commission. The geographic area for parking which will actually be of service to the downtown is constrained by the river on one side and a steep hill on the other. The Parking Commission plays a key role in the provision and maintenance of parking within this constrained area.

Although the National Building Code and the Fire Prevention Act incorporate requirements for separation between buildings or between a building and a lot line for reducing the spread of fire, the Land Use By-law also contains standards in each zone for those separations. These standards arise from Council's concern for emergency vehicle access, safety, health, privacy, nuisances and the traditional development of the community.

Policies

It shall be the policy of Council, through the Land Use By-law, to:

- 16.1 establish parking standards in the Land Use By-law, and ensure that where developments are permitted by development agreement, the agreement makes provision for adequate parking to serve the proposal.
- 16.2 regard the Bridgewater Parking Commission as the body with the principal responsibility for the provision of off-street parking in the Central Commercial (C1) Zone. Any amendment to parking policies, or Part 27, General Requirements for Parking and Loading Areas, shall be given to the Bridgewater Parking Commission for review and comment prior to a decision being made by Council.
- 16.3 establish in the Land Use By-law the ability for the Town to accept cash in lieu of required parking, where space is not readily available for parking.
- 16.4 establish in the Land Use By-law minimum yard standards for separation between buildings and lot lines in order to provide adequate fire separation, emergency vehicle access, on site parking, maintenance of buildings and land, private outdoor space, solar exposure, air circulation, and separation of land uses to reduce land use conflicts.
- 16.5 permit for a time period to be established in the Land Use By-law, temporary uses associated with a construction site, a special occasion, or a holiday, with no requirement for a development permit.

17.0 SUBDIVISION OF LAND AND LOT ACCESS

Background

The subdivision of land is closely related to the provision of streets and services as well as the orderly progression of land development. The town has had some form of subdivision regulation in place since 1955 and intends to continue such control. The *Municipal Government Act* sets out the matters which Council can address in any Subdivision By-Law. The *Municipal Government Act* and the Provincial Subdivision Regulations set out the basic requirements for information that must be shown on plans of subdivision as well as the essential procedures which must be followed in reviewing and in approving plans of subdivision. Within this framework, the Subdivision By-Law deals with matters such as lot size, access to lots, the extension of sewer and water lines to any new lots, and the provision of recreation space. The Subdivision By-law must be closely linked to the Land Use By-law, especially in the matter of lot size and access to lots. *(amended December, 2000)*

Policies

It shall be the policy of Council to:

- 17.1 specify in the Land Use By-law minimum lot areas and frontages required for new lots within the various zones established by the Land Use By-law.
- 17.2 provide that all new lots created by subdivision under the authority of the *Municipal Government Act* shall satisfy the requirements for lot area and lot frontage contained in the Land Use By-law with the following exceptions: *(amended December, 2000)*
 - (a) lots created by the consolidation of two (2) or more lots; or
 - (b) lots which, having been expanded or made larger, are nonetheless below the minimum requirements; or
 - (c) lots created by the action of the variance provisions of *Section 279 of the Municipal Government Act*; or *(amended December, 2000)*
 - (d) lots created around a main building, where two main buildings established before *April 16, 1987, the date of validation of real property transactions under the Municipal Government Act*, were located on a single lot, provided the lot has a minimum of 6 metres (20 ft.) frontage on a street; or *(amended December, 2000)*
 - (e) lots in the Central (C1) or Group (C3) Commercial Zones which have access by means of a right-of-way in accordance with policy 5.4 and 5.15.
- 17.3 specify in the Land Use By-law the uses of land and the location of structures permitted upon lots in the various zones and enable those uses and structures on lots which do not meet the minimum requirements for lot area or lot frontage or both, provided:
 - (a) such undersized lots were created prior to 16 April, 1987; or
 - (b) such undersized lots were created after 16 April, 1987, *the date of validation of real property transactions under the Municipal Government Act*, by any instrument to which the *Municipal Government Act* does not apply. *(amended December, 2000)*

- 17.4 require the subdivider, except where two (2) or fewer lots are being created, where no new vacant lots are being created, where lots are being consolidated, or where the subdivision changes lot boundaries without creating new lots, to convey to the Town for park, playground or similar public use one of the following:
- (a) an area of useable land not to exceed five percent (5%) of the area shown on the final plan of subdivision, exclusive of streets, roads and the remainder of land owned by the subdivider; or
 - (b) cash of value equivalent to (a) above, calculated on the assessed value of the new lots created, exclusive of streets, roads and the remainder of land owned by the subdivider; or
 - (c) a combination of usable land and cash as set out in (a) and (b) above.
- 17.5 include in the Subdivision By-law specifications for the construction of sanitary sewers, storm water drainage, and potable water supply systems to service new lots created by the subdivision of land.

18.0 IMPLEMENTATION

Municipal Planning Strategy

This Municipal Planning Strategy is the main document through which the future growth and development of the town shall be encouraged, controlled and co-ordinated. The policies of the Municipal Planning Strategy will be implemented through the powers provided Council in the *Municipal Government Act* and other relevant statutes.(*amended December, 2000*)

This Municipal Planning Strategy and any subsequent amendments shall be reviewed pursuant to *Subsection 214(2) of the Municipal Government Act* when deemed necessary by the Minister of Municipal Affairs or by Council but no later than five (5) years from the date of its coming into force and effect.(*amended December, 2000*)

The Municipal Planning Strategy approved by the Minister of Municipal Affairs on June 9, 1988 and subsequent amendments thereto is repealed upon the date of coming into force and effect of this Municipal Planning Strategy.

Land Use By-law

The Land Use By-law shall be the principal means for implementing the land use policies of the Municipal Planning Strategy pursuant to *Sections 219 and 220 of the Municipal Government Act*.(*amended December, 2000*)

Policies

In order to implement the policies contained within the Municipal Planning Strategy and in order to ensure clarity, it shall be the policy of Council to:

Administration

18.1 appoint a Development Officer to administer the Land Use By-law, development agreements, Subdivision Regulations, and Subdivision By-law and to issue or deny permits under the terms of these By-laws and Regulations.

Development Permits

18.2 require that any development permit issued shall specify, in addition to the development, the period for implementation. Any development permit shall lapse, becoming null and void, if the development has not been begun within one (1) year of the date of issue of the permit.

Any development permit issued may be revoked by the Development Officer where there is reason to believe that the development permit was issued as a result of mistaken or false information.

Public Hearing

18.3 hold a public hearing in accordance with the *Municipal Government Act*, prior to approval of any amendment to the Municipal Planning Strategy and Land Use By-law or entering into a development agreement.(*amended December, 2000*)

Municipal Planning Strategy Amendments

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

An amendment to the Municipal Planning Strategy shall not be required for an area contiguous to a given designation on the Future Land Use Map provided all other relevant policies of this Municipal Planning Strategy are satisfied, except in the case of a commercial or industrial designation or the expansion of a zone across a public street.

Land Use By-law Amendments

- 18.5 amend the Land Use By-law provided the amendment reflects the intent of the Municipal Planning Strategy.
- 18.6 consider an application for amendment to the Land Use By-law only if the application has identified a proposed use for the property. Council shall give consideration to both the proposed use and to the impact of other uses permitted in the requested zone.
- 18.7 consider an application for amendment to the Land Use By-law only if the site meets all of the lot size and zone standards for the zone sought, with the following exceptions:
- (a) a rezoning may be granted for a lot or lots which meet all zone standards but has less than the required frontage or area specified for the zone sought; or
 - (b) a rezoning may be granted for a lot or lots with a building or buildings on it, which meets all other zone requirements except minimum lot area, frontage, setback or yard standards specified for the zone sought. Any proposed addition to such a building or replacement of such a building shall not further reduce the setback or yard standard.

Development Agreements

- 18.8 enter into development agreement pursuant to the *Municipal Government Act* on the terms and conditions set forth in this Municipal Planning Strategy and a development agreement shall: *(amended December, 2000)*
- (a) specify the development, expansion, alteration, or change permitted; and
 - (b) specify the conditions under which the development may occur; and
 - (c) set forth the terms by which Town Council may terminate the agreement.
- The provisions of the Land Use By-law shall prevail after discharge of any agreement.

Criteria For Development Agreements and Land Use By-law Amendments

- 18.9 consider the following in addition to all other criteria set out in the various policies of this Municipal Planning Strategy, when considering amendments to the Land Use By-law, or proposals for development agreements:
- (a) that a development permit may be issued for any existing use on the lot for which the development agreement or amendment has been requested; and
 - (b) that the proposal conforms to the intent of the Municipal Planning Strategy and to all other applicable Town By-laws and regulations, except where the application is for a development agreement and the requirements of the Land Use By-Law need not be met; and
 - (c) that the proposal is not in conflict with Municipal or Provincial programs in effect in the town; and
 - (d) that the proposal is not premature or inappropriate by reason of:
 - (i) financial ability of the Town to absorb costs related to the development; or
 - (ii) adequacy of town sewer and water services, including fire flows and water pressure or the adequacy of the site for on site services; or
 - (iii) creation or worsening of a pollution problem in the area such as but not limited to soil erosion and siltation of watercourses; or
 - (iv) adequacy of storm drainage and effects of alteration to drainage pattern, including potential for creation of a flooding problem; or
 - (v) suitability of the site regarding grades, soils and geological conditions, location of watercourses, marshes, bogs and swamps, and proximity to utility rights-of-way; or
 - (vi) adequacy and proximity of school, recreation and other community facilities; or
 - (vii) adequacy of street networks in, near by, and leading to the development, regarding congestion and traffic hazards; and
 - (e) that the proposal provides adequate off street parking to prevent congestion, nuisance and inconvenience in the area; and
 - (f) the hours of operation; and
 - (g) that the primary architectural features of the proposal, including but not limited to bulk, scale, roof shape, building materials, exterior cladding and shape, and size and relationship of doors and windows, shall be visually compatible with nearby buildings in the case of a new building, or with the original building in the case of an addition; and
 - (h) that the proposal will not significantly alter the character or stability of the surrounding neighbourhood; and

- (i) that the proposal will be integrated into the surrounding area by means of appropriate landscaping and sensitive site orientation and with screening provided by means of fences or hedges as required; and
- (j) that the proposal minimizes the impact of lighting within the development on properties in the surrounding area; and
- (k) where Council determines, on the advice of a qualified person, that there is a significant risk of environmental damage from any proposed commercial or industrial development which does not require an assessment under the Environmental Assessment Act, environmental studies shall be carried out by the developer for the purpose of determining the nature and extent of any environmental impact and no agreement shall be approved until Council is satisfied that the proposed development will not create or result in undue environmental damage; and
- (l) no development agreement shall be executed until any permit required by a Federal, Provincial, or Municipal government agency has been issued, or Council is satisfied that the required permit will be issued.