

# Town of Port Hawkesbury



## Municipal Planning Strategy

Submitted to meet the requirements of the Integrated  
Community Sustainability Plan

March 2010

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# CHAPTER 1 - INTRODUCTION

## 1.1 Legislative Mandate

The Municipal Government Act, Chapter 18 of the Statutes of Nova Scotia, 1998, gives the Town of Port Hawkesbury the authority to regulate land use planning and development within its boundaries. Among other things, the Act enables the Town to adopt a Municipal Planning Strategy, which is the primary vehicle for Town Council to express its planning objectives.

This Municipal Planning Strategy encompasses the entire area of land within the official boundaries of the Town of Port Hawkesbury as shown in the Context Map.

## 1.2 Purpose

Section 213 of the Municipal Government Act states that the purpose of a Municipal Planning Strategy is to provide statements of policy to guide the development and management of the municipality. These statements are established to do the following:

- (a) to address problems and opportunities concerning the development of land and the effects of development;
- (b) to provide a framework for the environmental, social and economic development within the municipality;
- (c) to establish policies that are reasonably consistent with the intent of the statements of Provincial interest, and
- (d) to specify programs and actions necessary for implementing the municipal planning strategy.

Specifically, the Municipal Planning Strategy for the Town of Port Hawkesbury has been prepared in order to:

- Guide the decisions of Council with respect to the regulation of development and the provision of public services and facilities.
- Provide for orderly growth and development which will preserve and improve the living environment for the community.
- Describe the integration of environmental, economic, social and cultural sustainability into broader community planning objectives.
- Enhance the Town's position as a regional centre in the Strait of Canso area.
- Protect the natural and built environments from disruptions caused by uncontrolled development.
- Provide a variety of services to maximize social benefits for the community without placing an unnecessary financial burden on the residents.

This Municipal Planning Strategy develops these goals into policies which are implemented through a variety of means outlined in the Implementation Section (Chapter 5).

### 1.3 Background to the Plan

In September 1968, the first Port Hawkesbury Municipal Development Plan (Municipal Planning Strategy) was approved by the Minister of Municipal Affairs. The Zoning By-law (Land Use By-law) was approved a year later in October 1969. A new Municipal Development Plan was prepared in 1976 but because of technical and thematic problems, it was not granted ministerial approval.

Early in 1977, the Planning Advisory Committee for the Town of Port Hawkesbury requested and received assistance from the Community Planning Division of the Department of Municipal Affairs to review the Municipal Development Plan and Zoning By-law. The 1976 documents were reviewed and revised in partnership with the Planning Advisory Committee and the documents were approved by the Province in March 1979. In accordance with the requirements of what was then called the Planning Act, the Municipal Planning Strategy (Municipal Development Plan) had to be reviewed within 5 years of its adoption. Council, through the Planning Advisory Committee and with the assistance of the Community Planning Division, began another review process in the fall of 1984 and the revised planning documents were approved in 1986, and revised again in 1994.

Since the 1994 review the Town has seen many changes. Therefore, in 2004, under the direction of the Port Hawkesbury Planning Advisory Committee, the Eastern District Planning Commission began a full review of the Municipal Planning Strategy and the accompanying Land Use By-law. Council approved these new documents on May 9, 2006. In 2005, the federal government and Province of Nova Scotia entered into an agreement where funds equivalent to a portion of the federal excise tax on municipalities would be transferred to municipalities to help fund capital projects related to sustainability. One condition of the Gas Tax Agreement is that each municipality prepares an Integrated Community Sustainability Plan (ICSP). Port Hawkesbury has decided to incorporate its ICSP into its existing Municipal Planning Strategy given the synergies between land use planning, community development and developing a sustainable vision for the future. This Strategy is based on the 2006 document but amended in March 2010 to greater address principles of cultural, economic, environmental and social sustainability.

### 1.4 Sustainability Principles

An Integrated Community Sustainability Plan is a long term plan, developed in consultation with community members, which provides direction for the community to realize sustainability objectives it has for the cultural, economic, environmental and social dimensions of its identity. This Municipal Planning Strategy expresses Council's long term vision for the development of Port Hawkesbury in the next 20-30 years. The sustainability objectives are expressed through a series of goals, which relate to one or more of the pillars of sustainability (cultural, economic, environmental and social). This Strategy outlines three general means by which these sustainability principles and associated goals are achieved:

- Through land use planning;
- Through community development initiatives;
- Through capital projects planning.

Land use planning is important from a sustainability perspective, as it encourages the efficient use of land and resources, including zoning regulations (lot sizes, etc) and the designation of lands to certain uses to achieve noted sustainability principles. Sustainability principles can also be realized through community development initiatives whereby specific programs or policies are

implemented to address a targeted goal. These are often accomplished through a partnership between the Town and outside groups or agencies. Capital projects can relate to each of the first two means, and while they may be eligible for funding under the Gas Tax Agreement, they should be tied into one or more of the sustainability objectives outlined in this Strategy.

### Community Vision

Port Hawkesbury's long term sustainability objectives are summarized in a community vision statement. A vision is a description of a preferred future state and is a powerful tool in guiding future decision making towards reaching specific objectives designed to achieve it. The community vision statement for the Town of Port Hawkesbury seeks to ask the question of what Port Hawkesbury will be in 20 years. A vision is an important part of the planning process and provides a basis for the issues, goals and strategies as identified in this Municipal Planning Strategy.

Port Hawkesbury will continue its role as a vibrant regional centre for the entire Strait of Canso area. The Town's excellent commercial, recreational and educational facilities will continue to draw visitors into the community, and make the Town an attractive place to live for residents.

While the community vision is the desired 'end result' for the Town, this Plan outlines a series of long range goals which, together, work towards achieving the vision. These goals, outlined below, relate to each of the four "pillars" of sustainability, and are addressed by actions that will implement the goals. The actions form a part of this revised Municipal Planning Strategy.

### Cultural Sustainability

- That the unique and historical architecture of Port Hawkesbury's historic buildings be preserved, protected and enhanced;
- Adequate and prominent facilities exist in Port Hawkesbury for local musicians and artists to perform; and
- Port Hawkesbury and the Strait Area's maritime and cultural heritage are showcased for residents and tourists alike.

### Economic Sustainability

- Port Hawkesbury's regional potential as a retail, service and entertainment destination enhanced by a varied and attractive array of amenities;
- Port Hawkesbury is an attractive community which helps to draw visitors to the community;
- Port Hawkesbury's waterfront be revitalized by increased businesses on Granville and waterfront becoming a recreational centre for locals;
- Port Hawkesbury continues to maintain its position as the commercial service centre of the Strait Area;
- Port Hawkesbury is an excellent setting for businesses to locate as well as local entrepreneurs to establish and grow their own business;
- In the event of future large scale industrial development, Port Hawkesbury will be able to handle any increase in housing demand, traffic, retail and industrial land, education and social services;
- The Port Hawkesbury Business Park is an attractive place for supporting industries and businesses to the heavy industrial facilities;
- Port Hawkesbury is seen as an excellent location for the development of light industry;

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- Businesses and industries in Port Hawkesbury and Point Tupper have an adequate supply of qualified workers within the community; and
- That Port Hawkesbury remains a partner in the development of the Strait of Canso Superport.

### Environmental Sustainability

- Landrie Lake watershed be protected from uses which may have an impact on the water source;
- Port Hawkesbury's environmentally sensitive valleys, watercourses and landscapes are protected and maintained intact;
- Residential and other new development in Port Hawkesbury is compact and orderly so as not to strain services;
- Municipal sewer and water services are efficient, effective and help ensure cleaner air and water for residents;
- Through various initiatives, the Town of Port Hawkesbury is a leader in the reduction of greenhouse gasses;
- Mitigative measures are in place to protect areas of Port Hawkesbury's coast that may be sensitive to sea level rise; and
- Port Hawkesbury is a leader on implementing environmental initiatives that help residents protect the land, air and water.

### Social Sustainability

- Port Hawkesbury has an expanded linear open space network providing safe and convenient paths and trails connecting the various neighbourhoods and parks throughout the Town;
- Port Hawkesbury has a network of maintained parks throughout the community that residents can enjoy;
- Port Hawkesbury is home to a wide variety of recreation programs that attracts users from around the region;
- A broad array of social and recreational programming is available to residents of Port Hawkesbury of all ages;
- Port Hawkesbury has a diverse housing stock, where all residents, including seniors, low income residents and temporary residents are able to find affordable housing;
- Port Hawkesbury's housing in the future reflects demographic changes occurring in Town;
- That all residents of the Town are adequately fed, clothed, sheltered and that they receive an acceptable level of healthcare;
- That all residents of Port Hawkesbury have the services and transportation available to allow them to participate fully in the community;
- Continuing education, adult education and literacy programs are available and accessible to all residents who need it;
- Port Hawkesbury continues to be well served by its police and law enforcement agencies; and
- Port Hawkesbury is well covered by fire protection services.

## 1.5 Planning Process and Community Consultation

As part of the sustainability plan review of 2009-10, background information has been updated and revised where necessary. In the 2004-06 review of the Planning Strategy, a number of the policies from the 1986 document were found still to be applicable, several had to be modified, some new policies were added and others were deleted because they had been implemented successfully. Most of these policies were unchanged in the 2009 plan review with several new ones added to address sustainability. In accordance with the provisions of the Municipal Government Act, specifically Sections 204 and 205, the Town adopted a public participation program on July 4, 1988 to address municipal planning processes.

Given the recent review of the existing Municipal Planning Strategy and the desire for a consistent planning direction it was decided that the Strategy would be amended to incorporate sustainability and strategic planning objectives as required in the Integrated Community Sustainability Planning process. An ICSP Advisory Committee, consisting of municipal staff, municipal councilors and Eastern District Planning Commission staff was formed, and a work plan created to guide the research, consultations and writing necessary to develop the Plan. In recent years a number of reports or plans addressing specific issues, often related to sustainability, have been prepared for the Town of Port Hawkesbury specifically or the Strait Area in general, many of which underwent extensive public consultation before submission. In the spring of 2009, these reports were reviewed and ideas, recommendations and other pertinent information have been extracted and sorted according to whether they related to cultural, economic, environmental or social sustainability. Given evolving social, political and economic trends in the region, this information was reviewed by the ICSP Committee to determine what remained relevant moving forward into the future. The proceeds of these reports and the input and suggestions of the Committee led to the outlining of strategic issues and goals relating to community sustainability principles. In early summer 2009, the Town advertised in the local paper that it was seeking input from interested residents or community groups within the Town. A focus group was held on July 6<sup>th</sup> and the issues and goals were presented to a wider audience, with the intent of refining and expanding them to ensure they meet the will of the community. The policies and goals from the 2006 Municipal Planning Strategy as well as the sustainability strategies developed by and for the ICSP Committee and members of the Community form this Municipal Planning Strategy for the Town of Port Hawkesbury.

## 1.6 Implications of the Municipal Planning Strategy

In accordance with the Municipal Government Act, Council is not required to undertake any of the projects outlined in the Planning Strategy; however, Council is prevented from undertaking any development or project which would be inconsistent with the plan. As the Planning Strategy contains policies relating to land use, Council is required to adopt a Land Use By-law for the purpose of carrying out its intents, in accordance with Section 219 of the Municipal Government Act.

### Statements of Provincial Interest

The Municipal Government Act also describes five statements of Provincial interest, regarding:

- Drinking water (protection of supplies);
- Flood risk areas (restricting development of floodplains);
- Agricultural land (protection of land);
- Infrastructure (efficient use of water and wastewater systems); and

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- Housing (addressing needs of all residents).

These statements recognize the importance of land and water resources in Nova Scotia communities, and are intended to serve as guiding principles to help municipalities and individuals make decisions regarding land use. While the statements are general in nature and provide guidance rather than rigid standards, the Act specifies that development undertaken by the Municipality or Province should be reasonably consistent with the intents of the Statements.

While Port Hawkesbury has negligible land used for agriculture, and the Town does not fall under any of the flood plain areas specified in the statement regarding flood risk areas, the goals and actions addressed in this Strategy align with the statements of Provincial Interest in all other matters.



## CHAPTER 2 - PLANNING CONTEXT

### 2.1 Physical Setting

The Town of Port Hawkesbury is located on the Eastern Shore of the Strait of Canso on Cape Breton Island, approximately seven (7) kilometres from the Canso Causeway and immediately adjacent to the Point Tupper Heavy Industrial Park. Port Hawkesbury's location beside one of the deepest ice-free, salt water harbours in the world enhances the development potential of the Town and the Strait of Canso Region.

Its position in the Strait of Canso Region makes Port Hawkesbury a major service centre. The Town has good shopping and excellent recreational facilities and is a regional government centre. It is also home to a number of educational institutions, serving both the immediate area and the wider community, as well as initiate streetscape improvements.

### 2.2 History & Early Development

Port Hawkesbury was incorporated as a Town in 1889, which makes it one of the oldest incorporated municipalities in the province. The Town has a long and prolific history. The first settlers in Port Hawkesbury were Scots, followed by French and Irish. A group of United Empire Loyalists and English settlers arrived later. The community was originally called Ship Harbour. The name was changed to Port Hawkesbury in 1860, purportedly in honour of Charles Jenkinson, who was also known as Baron Hawkesbury and the first Earl of Liverpool. An English politician with great influence at British court, Jenkinson was appointed president of the Committee for Trade and Plantations in 1786, an office that would explain his connection with places such as Ship Harbour in the British Colonies. As early as 1833, the area was the terminus for the Strait of Canso Ferry Service. Shipbuilding and fish plants provided the original economic base for the Town.

With the completion of the Canso Causeway in 1955, access to Cape Breton Island became safer and more dependable. The Causeway also blocked the cold Gulf of St. Lawrence current, transforming the harbour into an ice free port. Thus, with the combination of its deep water and ice free status, the harbour became an excellent location for heavy industrial development at Point Tupper, which closely followed the completion of the Causeway. Pressures for residential and commercial development were created by the population growth resulting from the arrival of the Stora Forest Products pulp and paper mills, the Gulf Oil Refinery, the Nova Scotia Power generating station and the Atomic Energy of Canada Ltd. Heavy Water Plant.

Early settlement took place close to the shore along Granville Street, but over time, development gradually moved away from the public wharf. The construction of Reeves Street has precipitated a new focal point of development around shopping centres, the Strait Area Education and Recreation Centre (SAERC), the Civic Centre, which was completed in 2004, the Port Hawkesbury Business Park and several other commercial, civic and residential uses. The Granville Street business district remains quiet today, although the new Justice Centre has opened at Granville and Kennedy Streets, and the Town plans to encourage residential development along Port Hawkesbury's oldest and most historic street.

## 2.3 Population

From incorporation in 1889 until 1956, the population of the Town grew from 633 to 1,078. With the opening of the Canso Causeway in 1955 and the development of the Point Tupper Heavy Industrial Park in 1959, the potential employment opportunities affected population growth significantly. By 1966 the population stood at 1,866 and by 1976 it had swelled to 4,008. This growth was expected to continue into the latter part of the 1980's, however, by the late 1970's, the world economy experienced a major decline. A number of industries at Point Tupper either reduced their numbers of employees or closed completely. As a result, the 1981 population decreased to 3,850.

By 1986 the population of Port Hawkesbury had risen slightly to 3,869 and in 1991, it had reached another high of 3,991. Future population levels are difficult to predict given the unfortunate economic situation that has faced Nova Scotia for many years. If employment levels in 1996 had remained similar to those of 1991, the population of Port Hawkesbury would have continued to grow at a rate of approximately 0.6% per year, giving the Town a projected population of approximately 4,100; however, this forecast did not materialize. Rather, the population plateaued at 3,809 in 1996 and dropped slightly to 3,701 in 2001 and 3,517 in 2006. This represented a -5% change from the 2001 figures, despite the fact that some new employment opportunities arrived in the area to complement the remaining industrial employers.

If new industrial development comes to the Strait Area into the second decade of the 21<sup>st</sup> Century, the population of Port Hawkesbury could experience another period of growth, causing population counts to rise over the 4,000 mark once again.

One population trend in Port Hawkesbury which has implications for sustainability planning in the community is the aging of the population. In 2006, the median age for the population of Port Hawkesbury was 39.0. While this is lower than the 41.8 provincial median age (and significantly lower than that of some of the surrounding municipalities), the community has aged noticeably since 2001 when the median age was 36.2. This trend is expected to continue well into the future. When planning for the long term sustainability of the community, it is important to take into account this demographic trend, particularly as housing and social service needs evolve.

## 2.4 Employment

Since the 1986 plan review, the former Gulf Oil Refinery reopened as Statia Terminals and Scotia Synfuels. In September of 1987, the Nova Scotia Nautical Institute opened in Port Hawkesbury, becoming one of the largest employers in Town. The Louisiana Pacific wall board plant opened in the early 1990s but was taken over by Federal Gypsum in 2002. In 1999 the Sable Offshore Energy fractionation project was launched, with the first gas flowing on December 31st of that year.

The following companies are located at Point Tupper today: Ideal Concrete, Point Tupper Properties Fabrication (former heavy water plant), Georgia Pacific, Beaver Marine, AW Leil Crane Rental, Strait Supplies, Nova Scotia Department of Environment, Savage Coal Terminal, and Bear Head Terminal (Anadarko).

Growth in Port Hawkesbury has been steady in other areas. In 2003 EDS (Electronic Data System) set up a call centre facility in the Town, which has been replaced by Minacs; Stora Enso, whose plant has since been sold to NewPage Corp. upgraded its plant to include a thermo

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mechanical pulp (TMP) operation, and Nova Scotia Power built a new coal pier at its Point Tupper facility. The international Martin Marietta construction aggregate industry is located across the Canso Strait at Cape Porcupine, next to the Canso Causeway. Lastly, in April of 2004, Ocean Nutrition Canada (ONC) expanded its facility across the Canso Strait in the Town of Mulgrave, employing approximately 250 people, many of whom come from Port Hawkesbury.

In addition, there has been modest growth in the retail and service sectors. The total work force in Port Hawkesbury at the time of the Statistics Canada 2006 census consisted of 1,840 people; 1,000 males and 835 females. The largest occupation groups for males were managerial and administrative positions, processing, product fabrication and construction trades occupations. Females were most frequently employed in the clerical, sales or service sectors. The breakdown of 2005 employment statistics compared with those of the Province of Nova Scotia are as follows:

TABLE 1: Employment Statistics Comparison

Earnings	Port Hawkesbury			Nova Scotia		
	Total	Male	Female	Total	Male	Female
All persons with earnings (15 and over)	1,875	990	885	508,305	260,905	247,395
Median earnings (all persons with earnings (\$))	18,965	20,817	16,831	22,608	28,223	17,984
Worked full year, full-time	910	495	410	255,050	141,095	113,955
Median earnings (worked full year, full-time (\$))	38,846	48,685	29,003	36,917	42,328	31,516

Source: Statistics Canada, 2006 [www.statcan.gc.ca](http://www.statcan.gc.ca)

The Port Hawkesbury earnings totals for those who worked full time all year are slightly above the provincial average, with males earning more than the provincial averages and females earning noticeably less. The median family income for all Port Hawkesbury census families in 2005 was \$53,667, while the median household income for all households was \$48,141. Median household income for one-person households was only \$17,437 while the median household income for two-or-more-persons households was \$51,050 in 2001.

The average unemployment rate in 2006 was 10.3%, which is considerably lower than the 1996 estimate of 19.2%. The provincial rate for those years dropped from 10.9% to 9.1%, indicating that the Town of Port Hawkesbury has experienced a marked improvement in its economic and labour force situation in the last 10 years.

## CHAPTER 3 - LAND USE POLICIES

### 3.1 Residential Development

According to the Statistics Canada 2006 census, Port Hawkesbury housing stock consisted of 1,390 total occupied dwellings, up from 1,370 in 1996 and 1,305 in 1991, in both cases representing a less than 1% increase in new occupied dwellings. Of these 1,390 dwellings, the number of owned, privately occupied dwellings in 2006 was 890, a drop from the 955 dwellings recorded in 1996. The number of rented, privately occupied dwellings in 2006 was 505, ninety more than the 415 recorded in 1996. The differences in figures indicate that there is a strong demand for rental housing, with some private home owners presently converting basements or other rooms in their houses for rental income. These home rentals compensate for the shortage of affordable housing that has typified the Town for many years.

Statistics Canada reports that 1,155 dwellings were constructed before 1986, with only 355 new dwellings constructed between 1986 and 2006. This drop corresponds with a cumulative negative population change of -11.9% between 1991 and 2006. The decline in population normally would not contribute to a housing shortage; however, the numbers of widowed and divorced people constitute 415 one-person households. The population will continue to decline if more young people leave the area in order to find work or to attend university.

Eastern District Planning Commission Annual Reports record mildly fluctuating building permit applications and new housing starts over the past six years with the highest number of building permits issued in the 2004-2005 fiscal year. The comparison is as follows:

TABLE 2: Building Permits and Revenues 2003-2009

FISCAL YEAR	# BUILDING PERMITS ISSUED	NEW INSTITUTIONAL REVENUES	TOTAL REVENUES	# NEW HOUSING STARTS
2008-2009	27	\$ 0	\$ 3,303,600	2
2007-2008	26	0	2,303,500	1
2006-2007	22	0	1,557,500	1
2005-2006	33	0	7,572,000	6
2004-2005	59	140,000	3,323,651	10
2003-2004	51	12,400,000	15,648,275	5

Building permit revenues for the Town of Port Hawkesbury have fluctuated more dramatically because of the erection of new institutional buildings. The 2004-05 fiscal year saw a building permit application for the new sewage treatment plant on Highway 4 between Port Hawkesbury and Port Hastings. Revenues for the 2003-04 period were bolstered by plans for the new multi-million dollar Civic Centre on Reeves Street.

With the exception of a few dwellings which are on well and septic systems, all residences are serviced by Town water and sewer. Future residential development should conform to two goals: a high standard of building construction and the channelling of future development to appropriate areas. Development should be directed to areas which are the least expensive for trunk servicing close to community facilities. The fundamental objective of the residential policies is to ensure development takes place in an orderly and compact manner, at the least cost to the Town and its residents.

Future residential areas should be designed and developed to be attractive, functional and safe living environments, and to provide a diversity of housing options, including for temporary and low income residents and to accommodate an aging population. Design standards which support such a policy should be developed without imposing excessive costs, particularly since the lots in Town are sold in competition with lots in the surrounding rural areas. If rapid growth occurs as a result of the development of a large scale industrial project, reference should be made to Special Considerations.

#### Residential Designation

L-1.0.0 It shall be the intention of Council to establish a Residential designation as shown on the Generalized Future Land Use Map (Map 3). The Residential designation is intended to support and protect existing residential areas as well as to promote a low density residential environment in undeveloped areas within the designation.

L-1.1.0 It shall be the intention of Council that residential development be orderly recognizing the following criteria:

- a) development does not strain or exceed the capacity of community services and facilities; and
- b) expenditures for extensions to trunk services and for new roads shall not be made on a premature basis by virtue of the availability of existing serviced lots relative to normal housing market conditions.

#### Residential Single Unit

Generally, residential areas in Port Hawkesbury consist of single and two unit dwellings with some multiple unit dwellings. The residential lands in the Grants Pond and Pine Ridge subdivisions have developed exclusively as single unit areas with some spot zoning by St. Joseph's Roman Catholic Church. It is Council's continued intention that these areas be in a single unit residential zone in which only single unit dwellings will be permitted as-of-right.

L-1.2.0 Within the Residential designation, it shall be the intention of Council to establish a Residential Single Unit (R1) Zone in the Land Use By-law which permits single unit detached dwellings and parks and community centres subject to the Recreation Open Space (O1) Zone requirements.

L-1.2.1 It shall be the intention of Council to permit the Residential Single Unit (R1) Zone by amendment to the Land Use By-law only on previously undeveloped lands in the Residential Rural (R5) Zone in accordance with Policy I-1.5.

#### Residential Two-Unit

The balance of the serviced residential areas in Town will be zoned residential two-unit.

L-1.3.0 Within the Residential designation, it shall be the intention of Council to establish a Residential Two-Unit (R2) Zone in the Land Use By-law which permits uses such as single unit detached dwellings; duplex dwellings; semi-detached dwellings; converted dwellings to a maximum of two units; boarding or rooming houses to a maximum of six units; bed and breakfast establishments to a maximum of four units; multiple-unit dwellings with three (3) to five (5) units; Existing funeral parlours and undertaker establishments and parks and community centres subject to the Recreation Open Space (O1) Zone requirements.

L-1.3.1 It shall be the intention of Council to permit the Residential Two-Unit (R2) Zone by amendment to the Land Use By-law on previously undeveloped lands in the Residential Designation in accordance with the criteria to amend the Land Use By-law, Policy I-1.5.

#### Residential Multiple Unit

New multiple unit residential development, such as apartment buildings or condominiums, is desirable and will be permitted by amendment within the residential designation, except in the Residential Single Unit (R1) Zone, provided the site is appropriate for the proposed use. Some of the factors affecting the adequacy of the site are water and sewer capability, proximity to schools and recreation space, potential for traffic congestion, and size and nature of the proposed development. Multiple unit dwellings with more than six units will be subject to the development agreement process.

L-1.4.0 Within the Residential designation, it shall be Council's intention to establish a Residential Multiple Unit (R3) Zone in the Land Use By-law which permits uses such as multiple unit dwellings with six or fewer units; row houses with six or fewer units; double duplex dwellings; triplexes and converted dwellings of three or more units but less than six units. Multiple unit dwellings within a residential designation with more than six units shall be considered by development agreement, subject to the criteria identified in Policy L-1.4.2.

L-1.4.1 Multiple unit dwellings with six or fewer dwelling units shall be permitted in the Residential designation with the exception of lands zoned Residential Single-Unit (R1) by amendment to the Land Use By-law. In evaluating such proposals, Council shall have regard to the following:

- a) the development is to be served by municipal sewer and water services and that it will not strain the capacities of those services;
- b) the capacities of schools and parks will not be strained;
- c) the development does not require major improvements to roads, schools, recreation facilities or other social services;
- d) the parking area required on the site is of a sufficient size to satisfy the needs of the particular development and are well designed and properly related to building and landscaped areas;
- e) the development is required to abut an arterial or collector street as shown on the Transportation Map;
- f) the development will not involve a building over three (3) stories in height;
- g) for conversions of existing single unit dwellings, the conversion is undertaken without an addition or exterior alteration which would fundamentally alter the character of the building; and
- h) the proposal is consistent with the criteria to amend the Land Use By-law, Policy I-1.5.

**By-law to Amend the *Town of Port Hawkesbury*  
*Municipal Planning Strategy and Land Use By-Law*  
*to Recognize Larger Existing Apartment Buildings as Permitted***

- A) The *Port Hawkesbury Municipal Planning Strategy* is hereby amended by inserting the text shown in bold below:

Policy L-1.4.0

Within the Residential designation, it shall be Council's intention to establish a Residential Multiple Unit (R3) Zone in the Land Use By-law which permits uses such as multiple unit dwellings with six or fewer units; existing multiple unit dwellings with more than six (6) units; row houses with six or fewer units; double duplex dwellings; triplexes and converted dwellings of three or more units but less than six units. Multiple unit dwellings within a residential designation with more than six units shall be considered by development agreement, subject to the criteria identified in Policy L-1.4.2.

- B) Part 10 of the *Port Hawkesbury Land Use By-law* is hereby amended by inserting the text shown in bold below:

R3 Uses Permitted

1. No development permit shall be issued in a Residential Multiple Unit (R3) Zone except for one or more of the following uses:

Multiple unit dwellings with six (6) or fewer units

Existing Multiple Unit Dwellings with More than Six (6) Units

Row houses with six (6) or fewer units

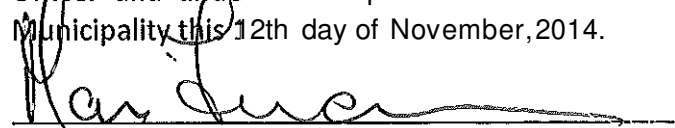
Double duplex dwellings

- Triplexes

Converted dwellings with three (3) or more but fewer than six (6) dwelling units

This is to certify that the By-law, of which this is a true copy, was passed at a duly called meeting of the Council for the Town of Port Hawkesbury on Friday November 7, 2014.

Given under the hand of the Chief Administrative Officer and under the corporate seal of the said Municipality, this 12th day of November, 2014.



Maris Freimanis, P.Eng

Chief Administrative Officer

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L-1.4.2 It shall be the intention of Council to consider approval of multiple unit dwellings with more than six (6) units either in one or more buildings within the Residential designation according to the development agreement provisions of the Municipal Government Act. In considering such an agreement, Council shall have regard to the following:

- a) the proposed use meets the R3 zone standards for multiple unit dwellings;
- b) the height, bulk, lot coverage and appearance of any building is compatible with adjacent land uses;
- c) consideration is given to building design and the provision of barriers, berms, fences, and/or landscaping as part of the residential development to minimize effects on adjacent land uses;
- d) the parking areas required on each site are of sufficient size to satisfy the needs of the particular development and are well designed and properly related to the building and landscaped areas and to adjacent public streets;
- e) there is adequate on-site recreational open space suitable in extent and design to the nature of the development;
- f) the development will not involve a building over four stories in height (subject to the requirements of the National Building Code); and
- g) the proposal is consistent with the evaluation criteria for development agreements, Policy I-1.7.

### Mobile Homes

Mobile homes fulfill a housing need for a number of the Town's residents. There are 145 mobile homes located within the Queen Street and Cairdeil Mobile Home Parks. Mobile homes will continue to be permitted to locate in Town providing they locate in a mobile home park. Any future expansion of mobile home parks must be carefully planned according to design criteria specified in this section of the Strategy and any Mobile Home Park By-law when it comes into effect. New mobile home parks and expansions to existing parks will be subject to the development agreement process. This provides Council with a high degree of control over the mobile home park and may avoid problems associated with maintenance, aesthetics and servicing.

L-1.5.0 Within the Residential designation, it shall be the intention of Council to permit the establishment of a Mobile Home Park (R4) Zone in the Land Use By-law which permits such uses as a mobile home park, recreational uses, parks and playgrounds; mobile home park offices and other structures incidental to the operation of a mobile home park such as laundry facilities and mail depots.

L-1.5.1 It shall be the intention of Council to permit mobile homes to be located only within the Mobile Home Park (R-4) Zone.

L-1.5.2 It shall be the policy of Council to regulate the external appearance of mobile homes.

L-1.5.3 It shall be the intention of Council to encourage high standards in the development of mobile home parks in Port Hawkesbury by adopting a Mobile Home Park By-law which will



address the adequacy of outdoor amenity space, the provision of parking for residents and visitors, and the design and appearance of the mobile home park.

L-1.5.4 It shall be the intention of Council to consider approval of a new mobile home park or an expansion to an existing mobile home park within the Residential designation by development agreement if the development conforms to the following criteria:

- a) the proposed use meets the R4 zone standards for mobile home parks;
- b) the development is served by municipal sewer and water services and that it will not strain the capacities of those services;
- c) the capacities of schools, recreation facilities and parks will not be strained by the development;
- d) the layout and design of the internal road network and separation distances from maintenance buildings is suitable;
- e) there is adequate on-site recreational open space suitable in extent and design to the nature of the development;
- f) street access for the mobile home park be restricted to arterial or collector streets as shown on the Transportation Map);
- g) consideration be given to park design and the provision of barriers, berms, fences, and/or landscaping as part of the development to minimize the impacts on/from adjacent uses; and
- h) the proposal is consistent with the evaluation criteria for development agreements, Policy I-1.7.

#### Residential Rural

A large proportion of the land within the corporate limits of the Town of Port Hawkesbury remains undeveloped and unserved. To protect these areas for future residential development, a residential rural zone will be established. Large minimum lot sizes will be required and developments must be serviced by private on-site sewage disposal systems pursuant to the Regulations Respecting On-site Sewage Disposal Systems.

L-1.6.0 Within the Residential designation, it shall be the intention of Council to establish a Residential Rural (R5) Zone in the Land Use By-law which permits uses such as single unit detached dwellings; boarding and rooming houses to a maximum of six units; bed and breakfast establishments to a maximum of four units; limited agricultural and forestry uses, apiaries and aviaries; animal kennels or stables; recreational uses; and veterinary establishments.

L-1.6.1 It shall be the intention of Council to permit low density residential development in the Residential Rural Zone (R5) by:

- a) instituting a large lot size requirement; and by

- b) not issuing a building permit unless a permit is obtained from the Department of Environment (Division of Health) with respect to the Regulations Respecting On-site Sewage Disposal Systems.

#### Accessory Dwelling Units

Accessory dwelling units, typically basement apartments, are self contained dwelling units within a house. This type of housing fills a need within the community for affordable housing. For the homeowner, it also provides a source of income and is seen as an appropriate housing solution for the trend of declining household size. From a land use perspective, this type of housing encourages more compact use of infrastructure by making use of unused space within a home. Despite the advantages, there are concerns about whether this type of housing is compatible with the existing character of the residential areas. As such, accessory dwelling units will be permitted only in the Residential Two Unit (R2) and Residential Rural (R5) zones. To ensure these dwelling units meet reasonable health and safety standards, a development and building permit shall be required.

L-1.7.0 It shall be the intention of Council to permit accessory apartments in the Residential Two Unit (R2) and Residential Rural (R5) zones subject to the development meeting all Building Code requirements, the size restriction and applicable parking requirements as established in the Land Use By-law.

L-1.7.1 It shall be the intention of Council to require a development permit, and where necessary a building permit, for accessory apartments.

#### Future Residential Development

Criteria will be established to facilitate the rezoning of lands from the Residential Rural (R5) zone to other residential zones upon the installation of municipal water and sewer and other requirements.

L-1.8.0 While generally it shall be the intention of Council to encourage future residential development on an infilling basis, expansion of the residential areas of Town for serviced development shall be encouraged to occur:

- a) on the lands located between Hemlock Drive in the Tamarac Heights Subdivision, the lands east of Crandall Road, and the northeast section of Old Sydney Road, as shown on the Generalized Future Land Use Map; and
- b) on the land located adjacent to and northeast of Hillcrest Drive as shown on the Generalized Future Land Use Map.

L-1.8.1 It shall be the intention of Council to encourage serviced residential development in the area presently zoned Residential Rural (R5) between Tamarac Drive and Crandall Road at a time when residential development pressures warrant the expense of providing the proposed collector street, sewage lift station and piped services needed in this area. This new development will be subject to the criteria to amend the Land Use By-law, Policy I-1.5 that will affect the change from the Residential Rural (R5) Zone to the Residential Single Unit (R1) Zone or the Residential Two Unit (R2) Zone.

### Frontage on Corner Lots

Corner lots require larger setbacks to preserve sight lines at the intersections. As such, in order to provide more usable lot area for the owner of the lot, the Town recognizes the need to have larger frontages.

L-1.9.0 It shall be the intention of Council to require larger lot frontages for corner lots.

### Home Occupations

Home occupations are businesses, trades or professions carried out by an occupant of a dwelling that are secondary to the residential use. They are not a recent phenomenon; cottage industries of the past were considered home occupations. As in the past, home occupations continue to be a benefit to the local economy by providing employment, enhancing the vitality of a community and encouraging neighbourhood interaction. Benefits to the operator include low start-up and operating costs, flexibility in caring for the household and an independent work environment. In addition to being a form of employment for the operator, home occupations can be used as testing grounds for new enterprises and ideas or where business concepts are formed and skills developed.

Changes with society and technology have resulted in more diverse characteristics for home businesses. Care must be taken to ensure the residential neighbourhood is protected from the potential negative effects of increased traffic, parking and emissions such as noise and odour. The exterior character of the dwelling should not be altered to have evidence of the secondary use other than limited signage. Home occupations shall be permitted in accessory buildings in all residential zones except the Residential Single Unit (R1) zone. A development permit shall be required for all home occupations.

L-1.10.0 It shall be the policy of Council to permit business, trade or professional uses which have no external effects or emissions to operate within a residence provided the scale of the operation and its external appearance are compatible with the residential environment. Such home occupations shall be permitted within all residential zones. Home occupations shall be permitted in accessory buildings in all residential zones except the Residential Single Unit (R1) zone.

L-1.10.1 It shall be the policy of Council to regulate signage and prohibit outdoor storage or display which is not consistent with the use of a dwelling.

L-1.10.2 It shall be the policy of Council to require a development permit for all home occupations.

### Neighbourhood Commercial

There are numerous neighbourhood commercial uses existing within residential areas in Port Hawkesbury. These shops benefit the residents by providing goods and services in close proximity to their homes, as well as provide a source of employment. However, sufficient controls are needed to ensure the protection of adjacent residential uses against potential negative impacts of these uses. Therefore, neighbourhood commercial outlets will be considered within areas of Residential Designation on the basis of a land use by-law amendment which examines the potential effect on the neighbourhood, suitability of location, adequacy of parking and the provision of appropriate landscaping to buffer adjacent residential uses. There will also be a limit on the size of these uses.

L-1.11.0 Within the Residential designation, it shall be the intention of Council to establish a Commercial Neighbourhood (C1) Zone in the Land Use By-law which permits uses such as arts, craft and antique shops; bakeries; convenience stores; gift shops; ice cream shops; service and personal service shops; and dwelling units located above stores to a maximum of six (6) dwelling units for each store.

L-1.11.1 It shall be the intention of Council to permit the establishment of new neighbourhood commercial uses in the Residential designation only by amendment to the Land Use By-law from the Residential Two Unit (R2) and Residential Rural (R5) zones to the Commercial Neighbourhood (C1) zone. In considering such amendments, Council shall have regard to the following criteria:

- a) the traffic and noise generated from the proposed use will not be of a degree to cause undue disturbance to surrounding uses;
- b) the physical scale of the use is compatible with surrounding uses;
- c) the use is primarily intended to serve local neighbourhood needs and would not be more appropriately or conveniently located in a commercial area; and
- d) the proposal is consistent with the criteria to amend the Land Use By-law, Policy 1.5.

L-1.11.2 It shall be the policy of Council to limit the floor area devoted to a commercial establishment within the Commercial Neighbourhood (C1) Zone.

#### Medical Clinics and Large Home Occupations

Medical clinics and large home businesses can be located appropriately within the Residential designation in close proximity to the residents they are intended to serve. These uses are restricted to the area of transition in the area of south Granville Street immediately beyond the boundaries of the Granville Street Business District. As these uses have the potential to produce land use conflicts, location and site specific controls are required to ensure these facilities are properly integrated into the residential neighbourhood. Therefore, new commercial development on Granville Street beyond the Business District is permitted by development agreement only. Particular attention must be given to limiting the potential for traffic generation on local streets, in addition to parking and access considerations. Site design details such as landscaping and buffering, and the scale and appearance of the proposed structures in relation to adjacent residential neighbourhoods must be considered. Council will continue to control any new commercial development in this area.

L-1.12.0 Within the Residential designation, Council may consider medical clinics and large home occupations which are too extensive to be considered small businesses within a dwelling, according to the development agreement provisions of the Municipal Government Act. In considering such an agreement, Council shall have regard to the following:

- a) the proposed use is located on Granville Street between the Granville Street Business District/ Waterfront Zone and Old Sydney Road;
- b) the proposed use meets the R2 zone standards for frontage on Granville Street;
- c) the height, bulk, lot coverage and appearance of any building is compatible with adjacent land uses;

- d) site design features, including landscaping, parking areas and driveways, are of an adequate size and design to provide for the needs of the users of the facility, as well as to address potential impacts on adjacent developments;
- e) signage;
- f) the impact on traffic circulation and in particular, the suitability of access to and from the site;
- g) hours of operation;
- h) general maintenance of the development; and
- i) the proposal is consistent with the evaluation criteria for development agreements, Policy I-1.7.

#### Institutional Development

Institutional uses within Port Hawkesbury include lands used by schools, churches, cemeteries, government buildings, community halls and libraries. Institutional buildings and lands contribute to the attractiveness of Port Hawkesbury and house important community services and facilities, and they also contribute to Port Hawkesbury's role as a regional service centre since these institutions often serve people from a wider area well outside the corporate boundaries of the Town. Council intends to permit institutional uses in the Residential Designation, except in areas with the Residential Single Unit (R1) zone, provided that the proposed use meets the rezoning criteria in this Strategy and the zone requirements for such uses. Special requirements will be developed to ensure proper buffering is provided between institutional uses and abutting properties and that adequate off-street parking is provided. Within the Granville Street/Waterfront Development (C2), Commercial Highway (C3) and the Mixed Use (M1) zones, institutional uses shall be permitted as-of-right.

L-1.13.0 It shall be the intention of Council to permit institutional uses in all designations except portions of the residential designation with the Residential Single Unit (R1) zone, subject to approval to an amendment of the Land Use By-law.

L-1.13.1 It shall be the intention of Council to establish an Institutional (I) Zone in the Land Use By-law which permits uses such as any use permitted in an Open Space (O1) zone subject to the O1 zone requirements; churches and other places of religious worship; schools; day care centres; fire and police stations; government offices and facilities; nursing homes and senior citizen housing subject to the Residential Multiple (R3) requirements; hospitals; libraries, museums and art galleries; private clubs; and any institutional use which is incorporated under the Societies Act or any other private statute of incorporation.

L-1.13.2 It shall be the intention of Council not to prezone areas for institutional uses within residential areas but to consider them by application for an amendment to the Land Use By-law to the Institutional (I) zone. In considering such amendments, Council shall have regard to the following:

- a) adequate off-street parking and loading facilities are provided; and

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b) the proposal is consistent with the criteria to amend the Land Use By-law, Policy I-1.5.

L-1.13.3 It shall be the intention of Council to permit uses permitted in the Institutional (I) zone as-of-right in the Granville Street/Waterfront Development (C2), Commercial Highway (C3) and the Mixed Use (M1) zones.

L-1.13.4 It shall be the intention of Council to establish special requirements with regard to buffering where any institutional use abuts a residential or open space use in order to minimize any potential land use conflicts.

### Public and Affordable Housing

While most housing in Port Hawkesbury consists of homes bought or rented at market rate, Council recognizes that the private sector will not necessarily be able to supply the varied housing needs of the Town. Housing for all residents is a Provincial interest as specified in the Municipal Government Act, and it is Council's intention that Port Hawkesbury boasts a diverse housing stock, where all residents, including seniors, low income residents and temporary residents are able to find housing which they can afford.

Consequently, in order to provide a variety of housing types, the Town will investigate establishing land use policies to encourage increased housing options and will work with and encourage other levels of government, especially the Province of Nova Scotia to address social housing concerns in the Town of Port Hawkesbury.

L-1.14.0 It shall be the policy of Council through the Land Use By-law to continue to permit accessory dwelling units, mobile homes, small homes on smaller lot sizes and other residential uses, where appropriate, to create a diversity of housing options within the community.

L-1.14.1 Council, in co-operation with the other levels of government, shall encourage the provision of such amounts and types of housing that are necessary to meet the needs of households unable to find adequate housing through the private market. Specifically, Council shall have regard to the shelter needs of senior citizens, temporary residents, families or individuals on low or fixed incomes.

L-1.14.2 Council shall investigate working with non-governmental groups such as Habitat for Humanity for the purpose of developing low cost housing in Port Hawkesbury.

L-1.14.3 Council shall investigate the feasibility of working with Nova Scotia Community Services to establish the Rental Housing Preservation program in Port Hawkesbury, which subsidizes builders in areas of need \$25,000 per unit of affordable housing built.

During times of new industrial development in the region, existing housing options can be stretched beyond their capacity, sometimes displacing people who require suitable affordable housing. With the development of the Strait Superport in the next few years likely bringing an influx of temporary construction workers to the Strait Area, it is the goal of Council that Port Hawkesbury be prepared for potential rapid fluctuations in the population and to ensure lower income residents are not displaced from their community.

L-1.14.4 It shall be the intention of Council to initiate a housing options plan to assess current conditions of the Port Hawkesbury housing market, particularly relating to low income and temporary residents, and potential impacts of rapid fluctuations of the work force.

Likewise, an aging population means that housing needs for a large number of Port Hawkesbury's residents are expected to change over the next number of years, and it is Council's desire that housing in the future reflects these demographic changes. The Town has identified the need for a seniors housing facility in the Town so that seniors are able to stay, participate in their community and be in close proximity to services as they age.

L-1.14.5 Council shall work with the Province of Nova Scotia and the private sector to address senior citizen's housing needs, including nursing, home care and a residential care facility.

#### Home Repair

Statistics Canada data indicate that the condition of residential structures in Port Hawkesbury has deteriorated since the last plan review. In 1991, 365 dwellings required minor repairs and 125 required major repairs, representing approximately 37.6% of the housing stock. In 2001, 13 homes required minor repairs while five homes required major repairs. These figures remain the same for 2004, representing a significant improvement since 1991.

L-1.15.0 Council, in co-operation with other levels of government, shall encourage the provision of programs that assist homeowners in carrying out home repairs to improve the quality of existing housing in Port Hawkesbury.

#### Cape Breton Regional Housing Authority

There are advantages to developing Town owned land for serviced residential use. This direct involvement in residential development and management necessitates the Town working with the Cape Breton Regional Housing Authority.

L-1.16.0 It shall be the intention of Council to work with the Cape Breton Regional Housing Authority as the appropriate means for direct involvement in the management of residential development projects.

### 3.2 Commercial Development

The Town of Port Hawkesbury is the major service centre for the Strait of Canso region. The Town provides a wide range of goods and services to a large proportion of Inverness and Richmond Counties, as well as to portions of Antigonish and Guysborough Counties. Recognizing the importance of this role to the economic sustainability of the Town, Council will work in cooperation with the Strait Area Chamber of Commerce and the Strait-Highlands Regional Development Agency to promote Port Hawkesbury as a Town that is 'open for business'. Council intends to maintain close contacts with these organizations to ensure the proper environment is provided to support existing business and to encourage new commercial development to the most appropriate locations within the Town.

Commercial development in Port Hawkesbury is concentrated in two areas; the Granville Street/Waterfront area and the Reeves Street/Trunk 4 corridor. Under the guidance of the Strait Area Waterfront Development Society, a number of physical improvements have been made to the Granville Street/Waterfront area, including the provision of benches, planters, picnic tables, walkways, a bandstand and a new wharf. These improvements are reconnecting residents of Port Hawkesbury to their historic downtown and to the waterfront. There is renewed interest in the downtown with a number of new offices and shops choosing to locate on Granville Street. Council will continue to encourage new businesses to locate in this area and, in cooperation with

the Strait Area Waterfront Development Society, Council will establish criteria to guide future development along the waterfront, recognizing the cultural and economic benefits of the vibrancy of the district.

The Reeves Street/Trunk 4 corridor is the largest commercial area in the Town of Port Hawkesbury. Developed primarily during the 1960s and 1970s, the corridor is home to four shopping centres, various tourist facilities, automobile related services, restaurants and offices. Growth in this area has slowed in recent years but new development continues to highlight this commercial area. New highway commercial development will be encouraged by Council to locate in this corridor. Council will adopt policy to support physical improvements to enhance the appearance of the area through landscaping and beautification. In addition to the concentration of commercial development, a number of commercial establishments exist throughout residential areas. These are small commercial uses other than home occupations. The entire Town benefits from these establishments meeting the needs of residents close to their homes.

#### Commercial Designation

L-2.0.0 It shall be the intention of Council to establish a Commercial designation as shown on the Generalized Future Land Use Map. The Commercial designation is intended to support and protect existing commercial areas as well as to promote the continued development of new commercial enterprises in Port Hawkesbury.

#### Granville Street/Waterfront Development Zone

The late 1990s saw a trend for new businesses to locate in the Granville Street area. This historic street is an excellent location for specialty shops, financial institutions, businesses and offices, service and personal service shops, institutional uses and convenience stores. The location is well suited to tourism developments. In order to maintain an appropriate appearance and character in the Granville Street area, Council will establish criteria to guide the most appropriate developments to the area. Council will encourage new residential development to locate above commercial uses as well as at ground level. Multiple unit dwellings will be permitted through an amendment to the Land Use By-law. To ensure land is available for future development, the Town will acquire suitable land as it becomes available, pursuant to Section 218 of the Municipal Government Act.

With the possibility of parking becoming a problem in the Granville Street area, the Town will explore possible ways to improve the parking situation through requiring new or expanding businesses to have adequate off-street parking. In certain circumstances, it may not be possible for a developer to provide the required off-street parking; in such cases, Council may accept cash-in-lieu of the parking. The money collected would be used to acquire, develop and maintain a parking lot in the Granville area.

L-2.1.0 Within the Commercial designation, it shall be the intention of Council to establish a Granville Street/Waterfront Development (C2) zone in the Land Use By-law which permits uses such as banks and financial institutions; bed and breakfast establishments, to a maximum of four units; business and professional offices; dressmaking and tailoring shops; existing residential uses; hotels and motels; institutional uses subject to the Institutional Zone requirements; marinas and boat clubs; parking lots and parking structures; pavilions and band shells; photography studios; places of entertainment, recreation, and assembly within wholly enclosed buildings; private recreation centres; public parks and recreation areas; repair shops; residential dwellings located at ground level and above commercial uses; restaurants; retail stores; service and personal service shops; and wharves and docks.



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L-2.1.1 It shall be the intention of Council to permit the Granville Street/Waterfront Development (C2) zone only by amendment to the Land Use By-law, provided the lands meet the following criteria:

- a) the development is to be located on a lot adjacent to the existing Granville Street/Waterfront Development zone;
- b) adequate off-street parking and loading facilities are provided;
- c) adequate yards, buffering or fencing shall be provided between commercial uses in the Granville Street/Waterfront Development zone and adjacent residential, open space or institutional uses to minimize any incompatible effects of such uses; and
- d) that the proposal is consistent with the criteria to amend the Land Use By-law, Policy I-1.5.

The Granville Street Business District is the historic heart of Port Hawkesbury and once again it is emerging as a major commercial area. Recognizing the distinct attributes of this area, many professional offices and services have moved to this area in recent years. Special attention should be devoted to this area to improve its appearance and to encourage its continued development through land use planning initiatives and streetscape improvement.

L-2.1.2 It shall be the intention of Council to work with the Eastern District Planning Commission, Enterprise Cape Breton Corp. and other agencies in the Granville Street/Waterfront Development Zone to maintain a suitable appearance and character and to encourage further development redevelopment and streetscape improvements through the following:

- a) encourage and permit the development and redevelopment of commercial uses, particularly specialty retail and service operations;
- b) allow existing residential development as shown on the Existing Land Use Map in the commercial area subject to the Residential Two Unit (R2) Zone requirements;
- c) permit residential development both at ground level and above main floor commercial uses, provided the architectural design is sympathetic to the historical integrity of the Granville Street/Waterfront area;
- d) maintain public open spaces to enhance the attractiveness of the area to pedestrian traffic and tourists;
- e) investigate the possibilities of providing amenities in the area such as pocket green areas, planters, benches, bike racks, new lighting, civic signage and other appropriate street furniture;
- f) encourage activities such as downtown paint-up, storefront renovations and similar activities;
- g) establish in the Land Use By-law setbacks and side yards consistent with the existing development;

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- h) using the appropriate legislation to preserve existing residential buildings in good condition or buildings with architectural or historical significance;
- i) encourage the attractive maintenance of all institutional uses in the Granville Street/Waterfront Development zone; and
- j) investigate the possibility of relocating the power poles from the edge of the street to less visually conspicuous locations.

L-2.1.3 It shall be the intention of Council to acquire land in the Granville Street/Waterfront area pursuant to Section 218 of the Municipal Government Act as it becomes available and as funds permit to carry out activities and development which Council has determined is in the best interest of the Town.

L-2.1.4 It shall be the intention of Council to require all new uses or the expansion of existing uses in the Granville Street/Waterfront Development (C2) zone to provide adequate off-street parking.

L-2.1.5 Notwithstanding Policy L-2.1.4, Council may within the Granville Street/Waterfront Development (C2) zone, accept from the developer, cash-in-lieu of the required off-street parking or a combination of parking spaces and cash for the balance of the required parking spaces. Council shall use this money to acquire, construct and maintain Town-owned parking lots within the Granville Street/Waterfront Development (C2) zone.

L-2.1.6 It shall be the intention of Council to improve the on-street parking areas along Granville Street by proper demarcation, providing appropriate parking area barriers and other street design improvements.

L-2.1.7 It shall be the intention of Council to encourage the commercial properties along Granville Street to be well maintained.

Council also recognizes the importance of this district to the cultural heritage of Port Hawkesbury and the Strait Area as many buildings, which played important historic roles, remain in active use. It is Council's intention that the unique and historical architecture of these buildings be preserved, protected and enhanced. For this to occur it is important that a vision and distinct character for Granville Street be defined that respects its unique heritage. This can be done through heritage conservation districts and façade improvement programs, which may provide opportunities for provincial and federal grants and tax incentives to make improvements on buildings.

L-2.1.8 To preserve and protect the cultural and historical integrity of the Granville Street area, Council shall work with the Nova Scotia Department of Tourism, Culture and Heritage to establish a Conservation Plan and Heritage Conservation District for the downtown core.

L-2.1.9 Council shall work with Enterprise Cape Breton Corp. to investigate a façade improvement program for Granville Street. The Town will work with Granville Street merchants and the provincial government to establish the guidelines for the program, which will respect Port Hawkesbury's unique cultural attributes.

Port Hawkesbury's waterfront is gradually becoming known as a regional recreation centre. Along with the nearby Granville Green, various outdoor festivals and events which occur in that area draw in many residents of Port Hawkesbury and surrounding communities in addition to

visitors to the region. The industrial marine component of the waterfront is also an important part of Port Hawkesbury's heritage as well as currently an important source of employment. It is Council's belief that the two roles can co-exist in this context. Council will work with organizations such as the Strait Area Waterfront Development Society, the Nova Scotia Community College and others to develop opportunities for year-round activity on the waterfront.

2.1.10 It shall be the intention of Council to continue working closely with the Strait Area Waterfront Development Society to evaluate potential opportunities on the waterfront.

2.1.11 It shall be the intention of Council to work with the Nova Scotia Community College to investigate interpretive opportunities and partnerships with the Nautical Institute for work or training on the waterfront which will bring increased activity to the waterfront and showcase skills related to maritime careers.

### Highway Commercial

Highway commercial uses are located along Reeves Street and Trunk 4. These uses are interspersed with the shopping centres and serve a useful function for large scale, highway oriented uses. These centres provide retail services not only for Port Hawkesbury, but for the entire Strait Area. New proposals must be examined to ensure they will not cause traffic congestion, that they have adequate off-street parking and loading spaces, and that they have appropriate abutting yard provisions and landscaping to buffer any adjacent residential, open space or institutional use. Outdoor storage and outdoor display will be permitted only in the highway commercial zones providing they conform to controls regulating the location on the lot and the area devoted to the activity. In addition, buffering between highway commercial uses and other uses will be required to ensure conflicts are minimized.

Presently there are four shopping centres in Port Hawkesbury. Over the last number of years concern has been raised that the shopping centres have contributed to the lack of vitality in the Granville Street area, though recent trends showing Reeves Street attracting regional retail business and Granville Street attracting business and professional offices and community commercial uses indicate that the two commercial districts do not necessarily compete with one another. New shopping centres on Reeves will be permitted only in commercially designated areas if demand for a new shopping center can be established. Existing shopping centres will be permitted to expand if adequate parking is available and if they conform to all applicable by-laws.

L-2.2.0 Within the Commercial designation, it shall be the intention of Council to establish a Commercial Highway (C3) Zone in the Land Use By-law which permits such multiple uses as animal hospitals and veterinary establishments; automobile sales and service establishments; banks and financial institutions; business and professional offices; clubs; dry cleaning and laundry distribution facilities; food and grocery stores; funeral monument sales and display establishments; funeral parlours and undertaking establishments; garden and nursery supplies and sales establishments; hotels, motels and other tourist establishments; residential uses; indoor recreational establishments; institutional uses subject to the Institutional (I) zone requirements; medical clinics; printing establishments; sales and rental establishments for boats, trailers and snowmobiles; shopping centres; restaurants and drive-in restaurants; retail lumber and home improvement supplies establishments; and retail sales within wholly enclosed buildings.

L-2.2.1 It shall be the intention of Council to regulate outdoor storage and outdoor display in the Commercial Highway (C3) Zone and to prohibit the same in the other commercial zones.

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L-2.2.3 It shall be the intention of Council to permit the Commercial Highway (C3) Zone only by amendment to the Land Use By-law providing the lands meet the following criteria:

- a) the development is located either on Reeves Street or Trunk 4;
- b) adequate off-street parking and loading facilities are provided for the development;
- c) there are adequate yards, buffering or fencing provided between the highway commercial uses and adjacent residential, open space or institutional uses to minimize any incompatible effects of the uses;
- d) that there is a need for shopping centers established according to the procedure outlined in the Shopping Centre Development Act; and
- e) the proposal is consistent with the criteria to amend the Land Use By-law, Policy I-1.5.

The recent building of the Port Hawkesbury Civic Centre on Reeves Street, in addition to the existing Strait Area Educational and Recreation Centre and Provincial Building leading to the evolution of a community core in that area which already abuts a number of significant retail establishments. Council is interested in seeing continued development of that area, particularly the vacant Vocational School site and ultimately intends to investigate improved streetscape and pedestrianization initiatives to make the area more inviting to visitors.

Future development on Reeves Street will be permitted as curb-side development in line with the new Civic Centre, with parking behind, in order to improve the appearance of the street and to make it more inviting for pedestrians to walk and shop. The construction of the Highway 104 By-pass will automatically improve the safety of pedestrians and cyclists on Reeves Street and may encourage additional streetscape improvement initiatives. On the other hand, it will also draw through traffic off Reeves Street which can be detrimental to local businesses.

L-2.2.4 It shall be the intention of Council to investigate community branding and streetscape improvement initiatives for the community core area, which includes the land bounded by Reeves Street, MacSween Street, Reynolds Street and the MacQuarrie Drive Extension.

L-2.2.5 It shall be the intention of Council to permit new development in the Commercial Highway (C-3) Zone to be built closer to street curbs in line with the Civic Centre, with parking in the rear as a means of creating a more inviting and aesthetically-pleasing shopping atmosphere, provided the new development meets the criteria listed under General Lot Requirements in Part 16 2(a) of the Land Use By-law.

L-2.2.6 Upon construction of the planned Highway 104 By-pass, it shall be the intention of Council to study the impacts of the By-pass on Reeves Street and investigate mitigative strategies to help merchants who might otherwise be negatively impacted.

### General Commercial Provisions

The opinion of Council is that commercial waste bins, although necessary, are both unsightly and one of the causes of litter in Town. When the bins are left open, there is increased potential for waste and odour to be carried to adjacent properties. Council intends to adopt regulations requiring commercial operators to erect fences around these bins thereby screening them from public roads and walkways.

L-2.3.0 It shall be the intention of Council to require the screening of waste bins in the Commercial designation.

Council's intention is to mitigate the potential for land use conflicts between commercial and residential uses by adopting buffering requirements in the Land Use By-law to protect land owners whose property abuts a commercial use.

L-2.3.1 It shall be the policy of Council to require buffering between uses in the Commercial designation or the Commercial Neighbourhood (C1) zone which abut a residential use such that any land use conflicts may be minimized.

#### Commercial Restricted

A recent trend in diversifying the resource based economies of urban areas on Cape Breton Island has been the establishment of call centres within several communities. Call centres serve a client group composed of businesses that require customer service support. This customer service role is fulfilled either by handling an outbound telemarketing role, which seeks to expand an existing customer base, or an inbound customer service function dealing with enquiries by telephone, fax, e-mail, or the internet. Typically, these facilities allow a rapid service sector expansion within a municipality by creating a large number of jobs with the establishment of each operation.

Commercial Restricted uses accommodate the potential growth or expansion of this type of development within the Commercial designation, but also allow business/professional office, retail, and commercial uses which are similar in nature. These uses are characterized either by generating a significant volume of vehicular traffic at specific time intervals or a low volume of traffic over an extended period. Proposed Commercial Restricted uses will be scrutinized for potential traffic impacts, adequate off-street parking, and appropriate abutting yard provisions and landscaping in order to buffer any adjacent residential, open space, or institutional use.

L-2.4.0 Within the Commercial designation, it shall be the intention of Council to establish a Commercial Restricted (C4) Zone in the Land Use By-Law which permits such uses as telephone customer service call centres; business and professional offices; banks and financial institutions; food and grocery stores; hotels and motels; places of entertainment, recreation, and assembly; retail sales within wholly enclosed buildings; and shopping centres.

L-2.4.1 It shall be the intention of Council to permit the Commercial Restricted (C4) Zone only by amendment to the Land Use By-law, provided the lands meet the following criteria:

- 1) adequate off street parking and loading facilities are provided for the development;
- 2) the volume and nature of vehicular movements to and from the property do not conflict with existing adjacent land uses;
- 3) there are adequate yards, buffering or fencing provided between the commercial restricted uses and adjacent residential, open space or institutional uses to minimize any incompatible effects of the uses.
- 4) the proposal is consistent with the criteria to amend the Land Use By-law, Policy I-1.5.

#### Business Attraction and Retention

**A By-law to Amend the *Town of Port Hawkesbury*  
*Municipal Planning Strategy and Land Use By-law to*  
*Permit Medical Research and Production Facilities***

- A) The Port Hawkesbury Municipal Planning Strategy is hereby amended by inserting the text shown in bold below:

Policy L-2.4.0

Within the Commercial designation, it shall be the intention of Council to establish a Commercial Restricted (C4) Zone in the Land Use By-Law which permits such uses as telephone customer service call centres; **medical research and production facilities**; business and professional offices; banks and financial institutions; food and grocery stores; hotels and motels; places of entertainment, recreation, and assembly; retail sales within wholly enclosed buildings; and shopping centres.

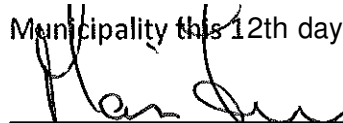
- B) Part 17 of the Port Hawkesbury Land Use By-law is hereby amended by inserting the text shown in bold below:

C4 Uses Permitted

1. No development permit shall be issued in a Commercial Restricted (C-4) Zone except for the following uses:
  - Telephone customer service call centers
  - Business and professional offices
  - Banks and financial institutions
  - Food and grocery stores
  - Hotels and motels
  - Medical Research and Production Facilities**
  - Places of entertainment, recreation and assembly
  - Shopping Centres

This is to certify that the By-law, of which this is a true copy, was passed at a duly called meeting of the Council for the Town of Port Hawkesbury on Friday November 7, 2014.

Given under the hand of the Chief Administrative Officer for the corporate seal of the said Municipality this 12th day of November, 2014.



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Maris Freimanis, P.Eng  
Chief Administrative Officer

It is Council's intention that Port Hawkesbury continues to be an excellent setting for new businesses to locate, as well as for local entrepreneurs to establish and grow their own businesses. The Strait Area has had mixed results attracting businesses and industries in recent years, and most new industries locating at Point Tupper are related to local resources such as wood, gypsum or natural gas liquids. Port Hawkesbury's business park and retail areas have served as supports for these industries and their employees and families.

There are several agencies in the area whose mandates include business attraction and retention and Council is very supportive of their efforts. The Strait Area Chamber of Commerce and the Strait-Highlands Regional Development Agency both work to promote Port Hawkesbury as an attractive place to do business. Nova Scotia Economic Development, Nova Scotia Business Inc., Enterprise Cape Breton Corp., and InRich are also involved in attracting and supporting businesses through investment attraction, advocacy, seed capital and financial assistance. Assistance is also available including offering training and technological support which companies may need to operate in our technological society. There is some concern that there may be some overlap in the mandates and activities of some of these organizations which may be causing some inefficiencies. Given the importance of their roles, it is important to Council that they continue to serve the business community and that their respective mandates be clarified to maximize the efficiency of each.

L-2.5.0 It shall be the intention of Council to work with the Strait Area Chamber of Commerce and the Strait-Highlands Regional Development Agency to support and promote commercial development in Port Hawkesbury.

L-2.5.1 It shall be the policy of Council to work with the various economic development agencies in the region to offer support for small businesses for areas such as e-commerce, web design, developing business plans and navigating the bureaucracy.

L-2.5.2 The Town will encourage each of these agencies to clarify their roles and mandates to avoid duplication of services and maximize the efficiency of the services they provide.

### 3.2 Industrial Development

With the development of Point Tupper as a heavy industrial area, the Town of Port Hawkesbury recognized the need for a business park in the late 1960s. In response to this need, the Town developed a 137-acre business park next to Trunk 4 to be used for both light industrial and commercial uses. Today the majority of lots in the Port Hawkesbury Business Park have been developed and all the lots adjacent to Trunk 4 have been developed for highway commercial uses.

Recognizing the need for new light industrial and business land in the late 1980s, the Town developed 50 acres of a 100-acre parcel of land in Richmond County, jointly with the Municipality of the County of Richmond, directly adjacent to the Business Park. Both Councils involved in this joint venture intended to proceed with the expansion of the Park cooperatively; however, to date nothing has been built on the land. Port Hawkesbury Town Council will continue to encourage growth in the light and service industrial sectors of the economy through its involvement in the Business Park.

L-3.0.0 It shall be the intention of Council to designate lands Industrial as illustrated on the Generalized Future Land Use Map.

## Port Hawkesbury Municipal Planning Strategy - March 2010

L-3.0.1 It shall be the intention of Council to recognize light industrial development as a priority objective for future growth of Port Hawkesbury.

L-3.0.2 It shall be the intention of Council to work with the Strait-Highlands Regional Development Agency to promote Port Hawkesbury as an excellent location for light industrial development in order to expand the Town's tax base and to increase the employment opportunities in the immediate area.

### Port Hawkesbury Business Park

The Town of Port Hawkesbury is responsible for managing and promoting the Business Park. The Park is being promoted on the basis of its many advantages including:

- the availability of services such as water, sewer, roads, power and telephone lines;
- the location on Trunk 4, a major arterial, and the close proximity to Point Tupper Heavy Industrial Park;
- the site has more than adequate separation from any residential areas; and
- that there is room for expansion.

L-3.1.0 Within the Industrial designation, it shall be the intention of Council to establish an Mixed Use (M1) Zone in the Land Use By-law which permits uses such as animal hospitals, shelters or veterinary establishments; activities connected with the automotive trade or automotive repair service industry; any manufacturing, industrial, assembly, warehousing operation or recycling facility which is not obnoxious by reason of sound, odour, dust, fumes, smoke or other emissions; banks and financial institutions; breweries and distilleries; building supply and equipment depots; business and professional offices; clubs; display courts; educational facilities; fuel storage depots; funeral parlours and undertaker establishments; hotels and motels; institutional uses subject to the Institutional (I) zone requirements; medical clinics; commercial parking lots and parking structures; parks and community centres; places of entertainment, recreation and assembly; utilities; printing establishments; railway uses; restaurants; retail stores; sales and service establishments; and transportation depots.

The Port Hawkesbury Business Park serves several important functions, including providing support services to Point Tupper industries as well as meeting additional retail and service needs of residents of Port Hawkesbury and surrounding municipalities. Nonetheless, there have been concerns raised that due to its visual condition, access and low visibility from Highway 4, the Park will struggle to meet its full potential.

L-3.1.1 It shall be the intention of Council to initiate a development concept plan for the Port Hawkesbury Business Park addressing issues such as visual amenities, vehicle and pedestrian access and visibility from other parts of the Town with the objective of attracting new businesses to the Park.

### Industrial Waterfront

There is a limited amount of industrial land available on the Town's waterfront as shown on the Generalized Future Land Use Map. The ideal industrial use would take advantage of the rail access and water frontage, such as a small boat building or ship repair facility, a marine related industrial use, a yachting facility or a government wharf. While Port Hawkesbury's waterfront has many uses, Council recognizes that the harbour serves an important role as a working harbour, and that any waterfront jobs gained in other sectors of the economy should not have to come at the expense of jobs in the waterfront industrial sector.



L-3.2.0 Within the Industrial designation, it shall be the intention of Council to establish an Industrial Waterfront (M2) Zone in the Land Use By-law which permits uses such as small craft servicing and supply facilities; marinas; marine railway facilities; institutional uses subject to the Institutional (I) zone requirements; public buildings; ship building and repair facilities; ship chandlery and provisioning facilities; storage buildings for commercial fishing gear; wharves and docks; wholesale fish establishments; yacht display and sales establishments; rail handling, storage and trans-shipment facilities.

#### Industrial Extractive

Within the southwest corner of Town, immediately abutting the Cardeil Mobile Home Park, there are several industrial uses. There are concerns regarding the environmental impacts of some of those uses, particularly as they are located adjacent to the Landrie Lake watershed. At the present time, the Town is working with the Eastern District Planning Commission to restore the property to its permitted use within the Industrial Extractive Zone.

L-3.3.0 Within the Industrial designation, it shall be the intention of Council to establish an Industrial Extractive (M3) Zone in the Land Use By-law permitting all uses listed in the Mixed Use (M1) zone; industrial uses involving the processing of mineral substances, the bulk storage of sand and gravel; facilities for the manufacturing of concrete and concrete products; and buildings or offices accessory to the permitted uses.

#### General Industrial Provisions

Where industrial uses abut residential, open space or institutional uses, appropriate yard requirements are necessary to buffer the industrial use from the non-industrial use. Outdoor storage and outdoor display of goods in industrial zones will be regulated where they abut residential, open space or institutional uses in order to minimize any potential land use conflicts.

L-3.4.0 It shall be the intention of Council to require appropriate abutting yard and buffering requirements for industrial uses where they directly abut residential, open space or institutional uses so that any land use conflicts may be minimized.

L-3.4.1 It shall be the intention of Council to regulate outdoor storage and outdoor display of goods in industrial zones where they abut residential, open space or institutional zones.

#### Supporting Regional Industry

Port Hawkesbury has long been supportive of the Point Tupper Heavy Industrial Park in Richmond County. At the writing of this Plan, the next major industrial development proposed for the Strait Area is the Canso Superport, with construction expected to start in the Fall of 2009. Like most major industrial projects in the region, this one is located outside the boundaries of the Town of Port Hawkesbury (in Melford, Guysborough County). Council however remains strongly supportive of regional industrial projects such as this given the spin-off benefits such development typically incurs for Port Hawkesbury. As the primary regional service centre for the Strait Area, Council expects that some of the housing and retail needed to support such development would be located in Port Hawkesbury. As such, Council will support other municipalities in planning for the development of industrial lands, including presenting a united face in lobbying for transportation upgrades to improve the flow of goods and people in and outside the region.

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L-3.5.0 It is the intention of Council to support the Strait of Canso Port Master Plan. Council will continue to work with other municipalities to guide the development of this project.

L-3.5.1 It is the intention of Council to lobby for a new Highway 104 interchange to connect the south end of Port Hawkesbury to provide quicker truck access to the Industrial Park from Richmond County and the Cape Breton Regional Municipality in addition to removing truck traffic from Trunk 4 in Port Hawkesbury.

L-3.5.2 It shall be the intention of Council to support the business case of maintaining rail service throughout Cape Breton Island given the rumoured closure of the Cape Breton and Central Nova Scotia Railway.

L-3.5.3 Where it enhances the region's attractiveness for industry and commerce, it shall be the policy of Council to support upgrades and improvements to the Port Hawkesbury regional airport and explore the possibility of an industrial sector contribution to maintaining its continued winter operation.

While a large and educated labour pool has traditionally been considered a significant asset for the Strait Area when lobbying for businesses, there has been some concern recently that the continued out-migration of workers from the region has made it harder to advertise a good supply of skilled workers as an asset to lure industry. Council views the Strait Area Campus of the Nova Scotia Community College as a tremendous benefit to the region and as a valuable resource in helping to help achieve the goal of ensuring that businesses and industries in Port Hawkesbury and Point Tupper have an adequate supply of qualified workers within the community.

L-3.5.4 It shall be the intention of Council to work with representatives from the industrial and commercial sector and the Nova Scotia Community College (Strait Area Campus) to encourage the extension of programs at the school that meet the changing labour force requirements in the region.

### 3.2 Open Space and Recreation

Residents of Port Hawkesbury regard open space as a valuable community asset. These areas provide a variety of recreational opportunities for residents, contributing to an enhanced quality of life, and they also serve to protect many environmentally sensitive valleys, watercourses and other landscapes. Given their social and environmental benefits, Council intends to continue providing a high quality system of parks and open space within the Town. Through the use of an open space designation, Council intends to protect the existing open space system and identify areas suitable for future recreational opportunities.

Those areas which are used for recreational activities, including parks, playgrounds, sports fields, picnic areas, camping grounds, hiking trails, fair grounds and similar uses, will be designated as Open Space on the Generalized Future Land Use Map.

L-4.0.0 It shall be the intention of Council to establish an Open Space designation, as shown on the Generalized Future Land Use Map.

#### Open Space Recreation

The Town has identified a number of areas for acquisition and development by virtue of their scenic quality, natural beauty or location. These areas include the lands encircling Grant's Pond

and Long Pond, the land between Tamarac Heights and the sports field adjacent to the Reynolds Street Extension, the Bain Street walkway, and the lands along Ship Harbour which are intended to be used as a Waterfront Park. The development of these areas for recreational uses will complement the existing parks, playgrounds and sports fields.

During the last plan review, residents clearly demanded that a better walkway system be developed in the Town of Port Hawkesbury. The plan review survey indicated nearly 70% of residents expressed a desire for further development of a linear open space network of paths and trails connecting the various neighbourhoods and parks within the Town. In response to residents' demands, Council intends to work towards developing a comprehensive system of paths and trails, and ultimately to work with surrounding municipalities to develop a trail network connecting different sites in the region.

L-4.1.0 Within the Open Space designation, it shall be the intention of Council to establish an Open Space Recreation (O1) Zone in the Land Use By-law which permits the following and similar types of uses: community and recreation centres; community gardens and nurseries; hiking trails; marinas and boat clubs; pavilions and band shells; picnic areas; parks and recreation areas; and buildings and structures accessory to the foregoing including a refreshment booth.

L-4.1.1 It shall be the intention of Council to investigate the need for new recreation areas in the Town.

L-4.1.2 It shall be the intention of Council to:

- a) acquire and develop the lands encircling Grant's Pond and Long Pond for nature trails, picnic areas and a woodland park;
- b) acquire the land and develop a walkway between Tamarac Heights and the sports field adjacent to MacQuarrie Drive;
- c) maintain and improve the Bain Street walkway between Reeves Street and Bernard Street through to Granville Street and the Waterfront by landscaping and lighting;
- d) acquire and develop as a waterfront park the lands along Ship Harbour which have not been zoned as Industrial Waterfront (M2);
- e) develop a walkway along Reeves Street to the Nova Scotia Community College; and
- f) encourage new subdivisions to develop walkways connecting them to existing walkways;
- g) develop bicycle lanes on Reeves Street once the Highway 104 By-pass is constructed;
- h) create a regional greenway master plan to link regional trails with Port Hawkesbury Civic Centre area and existing and potential cultural, ecological and other strategic destinations in the region.

Council has determined that mobile home parks and multi-family residential developments must provide recreational space for residents in the form of playgrounds and other open spaces. Council will require on-site playgrounds or other usable outdoor amenity space in new mobile

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home parks or multi-family residential developments and encourage existing mobile home parks or multi-family developments to develop or upgrade playgrounds.

***L-4.1.3** It shall be the intention of Council to require developers of mobile home parks or multiple unit housing developments to provide an on-site playground or other usable outdoor amenity space in accordance with the standards identified in the Land Use By-law.*

## CHAPTER 4 - COMMUNITY DEVELOPMENT

### 4.1 Transportation

To facilitate development in Town, it is necessary to have an efficient and safe transportation system. Transportation systems, while not a direct land use control, exercise an indirect control on all development schemes within the Town. The transportation network serving the community consists of the following components: road, rail, marine, air and walkways. Each system should be integrated with the other to provide a high level of service.

Efficient and safe road and pedestrian systems are key elements of this plan and in Port Hawkesbury there are several traffic circulation problems which should be addressed. The Town's most critical traffic problems occur along Reeves Street and Trunk 4. These arterials are heavily travelled by through traffic and trucks carrying pulp, gypsum or coal to Stora Forest Industries, the Georgia Pacific dock, Federal Gypsum, and the Nova Scotia Power Corp. Plant at Point Tupper. In addition, there are other industries at Point Tupper that generate traffic: Ideal Concrete, Savage Coal Terminal, Sable Offshore Energy fractionation plant, Statia Terminals, Nova Scotia Department of Environment, Point Tupper Properties Fabrication (former heavy water plant), AW Leil Crane Rental, Strait Supplies, Beaver Marine, and Bear Head Terminal. It is estimated that trucks carrying gypsum and pulp wood alone account for between 200 - 400 truck trips per day, with at least one truck every six minutes traveling in and out of Stora Forest Industries (Source: Dwayne Cross, Department of Transportation, October 13, 2005).

The widening of Reeves Street to four lanes has created problems for pedestrians. Consequently, Council has requested that the Province construct a by-pass connecting the Canso Causeway to the controlled access Highway 104 northeast of Town. This new route will remove the heavy truck traffic from Reeves Street, which will result in reduced traffic volumes and improved pedestrian safety. It is Council's intention to integrate better pedestrian and bicycling amenities along this corridor to take advantage of this opportunity.

CD-1.0.0 It is the intention of Council to indicate to the provincial government that the present traffic problems encountered on Reeves Street and Trunk 4 will be resolved if and when a by-pass is constructed between the Canso Causeway and Highway 104 as indicated on the Transportation Map, and in this regard, Council encourages the construction of this By-pass as soon as possible.

CD-1.0.1 It shall be the intention of Council to develop an active transportation study once the proposed by-pass is constructed to determine how to better integrate walking, bicycling and other modes of human powered travel into the Town's transportation network.

The Transportation Map provides guidance for Council when considering traffic patterns. This map identifies the road hierarchy, truck routes, existing and proposed roads, areas with congested parking and problem intersections. The proposed roads shown on the map are based on the Master Plan study conducted for the Town of Port Hawkesbury in 1994. In addition, Figure 1-Hierarchy of Streets provides the specifications for each road category.

FIGURE 1 - Hierarchy Of Streets

Type of Facility	Function and Design Features	Minimum Right-of-Way	On-Street Parking
Arterial Street	Major carrier of through traffic and access for major traffic generators	Over 66 feet	None
Collector Street	Move traffic from local streets to arterials and provide access to adjacent uses	66 feet	Restricted
Local Street	Provide vehicular and pedestrian access to abutting uses	50 feet	Generally no restrictions

CD-1.1.0 It shall be the policy of Council to designate streets in the Town according to the Hierarchy of Streets identified in Figure 1 and to require new streets to meet these standards and to upgrade existing streets, as funds permit, to meet the standards.

CD-1.1.1 Council shall give priority for street improvements to arterial and collector streets.

To ensure that pedestrian problems are minimized, crosswalks will be properly marked and guards will be provided where necessary to ensure the safety of students to and from school.

CD-1.1.2 It shall be the intention of Council to encourage a high standard of pedestrian and vehicular safety on Reeves Street.

In order to effect the upgrading of existing roads to the standard indicated on the Figure 1- Hierarchy of Streets, Council may need to acquire additional rights-of-way and give priority to sidewalks leading to community, recreational and educational facilities, and on arterial or collector roads. Maintaining street markings, particularly at dangerous or confusing corners and intersections, will be a priority as will the ongoing evaluation of the need for stop signs, left turn lanes and other improvements to the traffic network. Adequate exits in emergency situations from subdivisions are paramount to public safety. The Emergency Measures Organization has recommended the Town construct alternate exits for certain areas.

CD-1.1.3 It shall be the intention of Council to acquire additional rights-of-way where the existing roadway is inadequate, to permit the upgrading of the road and the construction of sidewalks where necessary to ensure the road network is adequate.

CD-1.1.4 It shall be the intention of Council to give priority to the construction of sidewalks and walkways along streets leading to community facilities, schools, the Nova Scotia Community College, recreation areas, and along arterial and collector roads.

CD-1.1.5 It shall be a policy of Council to achieve a high level of maintenance of street markings and to monitor the need for stop signs, left turn lanes or other improvements at dangerous or confusing intersections on an ongoing basis.

CD-1.1.6 It shall be the policy of Council to encourage the construction of an alternate exit in the Tamarac subdivision as directed by the Emergency Measures Organization.

CD-1.1.7 It shall be the policy of Council to encourage the construction of an alternate exit to Bourinot Drive.

## 4.2 Town Services

The Town provides many services to its residents in the area of public works including: water treatment and distribution; sewage treatment and sanitary sewerage; storm water system; and solid waste disposal.

### Drinking Water

Drinking water protection is identified in the Municipal Government Act as a matter of Provincial interest, and as clean drinking water is an important component of a community's environmental sustainability, it is important to Council that Port Hawkesbury's supply be protected. The Town's municipal water source is the Landrie Lake Watershed, located near Point Tupper. Water is pumped from there to a treatment plant at Point Tupper, which can treat slightly more than 1.8 million litres per day. The water treatment process involves chlorination, filtration, fluoridation, flocculation and sedimentation. To meet Department of Environment guidelines, a second filter is being installed at the plant as of Fall 2009. The distribution system contains two above ground reservoirs consisting of pipes varying in size from 6 to 12 inches (15.24 to 30.48 cm). In 1996, a new reservoir to serve the business park and Tamarac Heights became operational adjacent to the Tamarac Subdivision, making lands available for future development. This was a joint project between the Town and the Government of Canada.

The daily per capita water usage is estimated to be 568 litres per person. The average daily water demand in 1992 was about 2.5 million litres, greater than the system's operating capacity. The expanded water treatment plant is now capable of handling about 9 million litres per day, and currently handles roughly 5.7 million litres. This increased capacity will support a population of about 6,700 based on the current daily rate of water consumption. The Town also has an extensive system of fire hydrants, which are flushed semi-annually.

The Town is concerned about the possible contamination of the water supply caused by development within the Landrie Lake watershed boundaries. Covering an area of 10.9 square kilometers, this watershed is the source of water for people in the Town of Port Hawkesbury and the residential community and industrial activities at Point Tupper. The operation and protection of this water supply falls under the jurisdiction of the Nova Scotia Department of Environment. Unfortunately, only a portion of the actual watershed has been designated officially. The designated protection area does not align well with the natural contours of land and a significant portion of the watershed lies within lands owned and developed by the Statia Terminals Canada Partnership and Point Tupper Industries. The Watershed Protection Zone in the West Richmond plan document permits limited development while ensuring that the remaining undesignated watershed lands are protected in order to provide continued water quality. Therefore, the Town will ask for the co-operation of the Municipalities of Inverness and Richmond in controlling development in the Landrie Lake Watershed. In addition, the Town will continue to seek assistance from the Nova Scotia Department of Environment in monitoring and regulating development within the watershed.

CD-2.0 It shall be the intention of Council to recognize, with respect to water expenditures, the following measure to continue improving the efficiency of the existing system:

- a) to meter the water consumption of serviced properties in the Town of Port Hawkesbury, with the exception of the Cairdeil Mobile Home Park;

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- b) install a second filter at the Water Treatment Plant to meet Department of Environment guidelines.

CD-2.1 It shall be the intention of Council to seek the assistance of the Councils of the Municipalities of Inverness and Richmond to restrict development in the Landrie Lake Watershed. Further, Council shall urge the Department of Environment to maintain the protection of the Landrie Lake Watershed Area by prohibiting all development not compatible with watershed protection regulations.

CD-2.2 It shall be the intention of Council, with the assistance of the Department of Environment, to continue monitoring the adequacy of the Town water supply system.

### Wastewater Treatment

Port Hawkesbury and denser parts of Port Hastings are served by a newly constructed wastewater treatment plant, which opened in April 2008 on lands located on Highway 4 across from the Pioneer Cemetery. This plant replaced an old one, which has been overloaded for many years. With almost 55 kilometres of street to service, the distribution system comprises approximately 40 kilometres of pipe varying in size, and nine lift stations that pump raw sewage from Port Hawkesbury and Port Hastings through the force mains to the treatment plant. Treated effluent is discharged into the Strait of Canso. The new wastewater treatment plant has a capacity of about 7.6 million litres/day, and handles a daily dry weather flow of about 3 million litres.

In areas where there are no central sewer services, Council will permit on-site sewage disposal systems pursuant to the Department of Environment Regulations Respecting On-site Sewage Disposal System.

While the system adequately meets Port Hawkesbury's needs, one concern the Town has with the facility is the lack of a backup power supply. If the power to the Wastewater Treatment Plant fails for longer than two to three hours, the storage of the sewage overflows and gets sent directly into the Strait of Canso. Given concerns over significant weather events or other potential causes of lengthy power outages, it is Council's intention that a generator be installed at the Plant to help avoid instances of untreated wastewater being discharged into the Strait.

CD-2.3 It shall be the intention of Council to invest in a generator for the wastewater treatment plant to protect against untreated sewage dumps in the Strait in the event of a prolonged power outage.

Solid waste disposal is currently handled on a cooperative arrangement with the other municipalities in the Canso Strait area by a single solid waste site located in Guysborough County.

CD-2.4 It shall be the intention of Council to co-operate with the other municipalities in the Strait of Canso Region to direct all solid waste on a shared-use basis to the new landfill site in Guysborough County.

CD-2.5 It shall be the intention of Council to encourage and promote recycling programs in order to reduce the amount of solid waste produced by Port Hawkesbury.



### Protective Services

Public safety in Port Hawkesbury is provided by a number of organizations; police protection is maintained by the RCMP; a By-law Enforcement Officer enforces municipal legislation; fire protection is provided by the Port Hawkesbury Volunteer Fire Department; and emergency measures and safety planning are provided by the municipality and the two senior levels of government. Recognizing the benefits protective services provide and their contribution to the social sustainability of the community, it is Council's intention to continue to support them as needed on an ongoing basis.

#### Police Protection and By-law Enforcement

Police protection in Town is provided on contract by a local detachment of the Royal Canadian Mounted Police. In 1995, a new RCMP facility opened in the Business Park housing the members serving Port Hawkesbury and surrounding area.

The Town employs a By-law Enforcement Officer who is officially recognized by the Nova Scotia Police Commission. This individual enforces various Town By-laws.

CD-3.0 It shall be the intention of Council to assess its policing requirements on an ongoing basis with a view to maintaining a permanent police force in the Town, either under contract with RCMP or by establishing its own police force.

CD-3.1 It shall be the intention of Council to provide By-law enforcement capabilities to cover areas not provided for in the contract with the RCMP.

#### Fire Protection

The Port Hawkesbury Volunteer Fire Department responds to fires and other emergencies in Town. The fire department is a member of the Strait Area Mutual Aid Association which ensures first and second response backup in the event of a large fire or in the event that circumstances prevent a department from responding to an emergency within its district. Funding is covered by volunteer fund drives and a municipal grant, and Council is committed to ensuring that the facilities and training available to members meets their ongoing needs.

CD-3.2 It shall be the intention of Council to encourage and support the continued upgrading of the volunteer fire department through ongoing training programs.

CD-3.3 It shall be the intention of Council to promote fire safety and fire fighting efficiency through such provisions as:

- a) ensuring that no building is constructed with a height that exceeds the capacity of the Town's fire fighting equipment; and
- b) providing adequate side yard requirements to permit access to fire fighting equipment and to prevent the spread of fire.

#### Emergency Operations

In the event of a natural disaster or some other occurrence where power is lost to part or all of the community, or in the event of any other necessity for the provision of shelter for residents of Port Hawkesbury, it is Council's intention that the Port Hawkesbury Civic Centre be designated as a comfort centre and that it be equipped to provide heat, shelter and other necessary services to residents. The Town intends to work with their counterparts in the Emergency Management Office (E.M.O.) to prepare for and provide this essential service when it is needed.

CD-3.4 It shall be the intention of Council to work with the Emergency Management Office to ensure proper emergency planning is in place in Port Hawkesbury in the event of a natural disaster or other emergency.

CD-3.5 It shall be the intention of Council to designate the Port Hawkesbury Civic Centre as a comfort centre in the event of an emergency or extended power outage, and Council intends to facilitate this purpose through the installation of a backup generator to provide reliable power.

### 4.3 Community Services

#### Social Services

Social services are administered through the Town of Port Hawkesbury's Community Services Department under the guidance of the Council's Community Services Committee. Council's intention is that all residents of the Town are adequately fed, clothed, sheltered and that they receive an acceptable level of health care. With this in mind, the Town has been negotiating with the Nova Scotia Department of Community Services for the establishment of a special care facility.

CD-4.0 It shall be the intention of Council to review annually the Social Assistance Policy to ensure that all residents are adequately fed, clothed, sheltered and receive an acceptable level of health care.

CD-4.1 It shall be the intention of Council to encourage the province to continue home care services to care for the aged and infirm in their homes.

CD-4.2 It shall be the intention of Council to investigate the design details and estimated cost-sharing and budgeting requirements with representatives from the Nova Scotia Department of Community Services to determine the suitability of locating a special care facility within the Town of Port Hawkesbury.

#### Public Health

In Port Hawkesbury there are several doctors, dentists and public health staff. Private offices and clinics provide services to both residents of the Town and the neighbouring municipalities. The Strait Richmond Hospital in Evanston, Richmond County is the closest hospital to Port Hawkesbury. The Board of Health and Health Services Committee of Council work closely with the Provincial Health Department to ensure the enforcement of health regulations under the Public Health Act.

CD-4.3 It shall be the intention of Council, through its Board of Health and Health Services Committee, to monitor and assess the level of public health services and if need be, to continue to lobby for more doctors to locate to Port Hawkesbury.

#### Town Buildings

In the year 2004 the Town offices relocated to the new Civic Centre at 606 Reeves Street, a location which is central to all Town activity. While other government agencies and departments are located in different buildings throughout the Town, Town administrators are mindful of achieving centralized access to the entire range of government services.

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Since the last Municipal Planning Strategy review in 1996/97, the Town has seen the construction of the new Justice Centre on Kennedy Street near Granville Street. The post office has resided in its current location on Pitt Street for approximately 35 years. These buildings are important meeting places in the community and serve as focal points for its citizens. All of these buildings are central to other parts of the Town.

CD-4.4 It shall be the intention of Council to encourage the centralization of all government agencies and departments for the convenience of Port Hawkesbury residents and for the prudent use of economic resources.

CD-4.5 It shall be the intention of Council to encourage Canada Post Corporation, should they propose to construct a new post office, to locate the building in the Granville Street area.

### Education

The Town has excellent education facilities that are meeting present enrollment demands. The elementary school currently has 681 students in attendance, while the high school this year is accommodating 447 students. The Town will not require additional schools for several years unless there is a significant growth in the population of school-aged children.

The schools are under the jurisdiction of a Regional School Board and the Town is represented by an elected member who sits on the school board. With respect to education, the Town seeks to ensure a low teacher/student ratio and maintenance of high education standards. In addition, Council is concerned that classes are available for students with special needs.

Post-secondary education in Port Hawkesbury is provided by the Strait Area Campus of the Nova Scotia Community College, located on Reeves Street, to the north of the town core. This college features the Nautical Institute and attracts approximately 500 students from many parts of Nova Scotia.

Council is also concerned that adult education and literacy training be available to all residents who need it, recognizing the benefits this brings to those residents and the community as a whole.

CD-4.6 It shall be the intention of Council to support the School Board in the following areas:

- a) ensure a suitable teacher/student ratio is maintained;
- b) encourage the maintenance of a high standard of education.

CD-4.7 It is the intention of Council to encourage the School Board in its endeavours to provide classes for students with special needs.

CD-4.8 It shall be the intention of Council to continue to work with local schools and the Port Hawkesbury Literacy Council to support adult education and literacy training to all residents who desire it.

### Recreation Facilities and Programs

The Parks and Recreation Department endeavours to maintain and improve existing recreational facilities. This is important, as these facilities, which include fields for football and soccer, baseball diamonds, tennis courts, an indoor arena and pool serve to encourage a healthy lifestyle in residents by offering opportunities for physical exercise, both structured and unstructured.

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Several local groups and organizations are involved in providing recreational programming and the upgrading of recreational facilities.

While Port Hawkesbury presently has excellent indoor and outdoor recreation facilities, some of the infrastructure was built many years ago, and in some cases, particularly with the football field and some fencing, are showing signs of decay. For reasons of safety, as well as with the goal of maintaining the interest of residents in these facilities, Council wishes to ensure infrastructure improvements are made as needed and remains committed to encouraging the broad use of the recreation facilities by a variety of users. Modern recreational facilities in good repair also attract users from out of region, which can provide additional financial benefit to the local economy and a degree of civic pride when hosting out of town competitions. Once the fields and facilities at the main outdoor recreation area on the MacQuarrie Drive Extension are completed, Council would like to investigate the feasibility of building a change room and clubhouse with showers, which would make the community an attractive location to host regional and provincial tournaments.

CD-4.9 It shall be the intention of Council to support the Parks and Recreation Department in their endeavours to provide more and better recreational facilities and programming for the benefit of everyone in Port Hawkesbury.

CD-4.10 It shall be the intention of Council to continue to support local groups and organizations involved in promoting recreation in the Town.

CD-4.11 It is the intention of Council to make necessary infrastructure repairs to the soccer and football fields and fencing to provide a safe and attractive facility for residents of Port Hawkesbury.

CD-4.12 It shall be the intention of Council to investigate the feasibility of constructing a clubhouse with amenities at the recreation area adjacent to the MacQuarrie Drive Extension, with the intention of hosting regional and provincial scale athletic tournaments.

Opened in 1977, the Strait Area Education and Recreation Centre (SAERC), includes the junior and senior high schools, library, gymnasium, workshops and labs, meeting rooms, kitchens, a large auditorium, offices and an indoor pool.

CD-4.13 It is the intention of Council, in agreement with the Strait Regional School Board to operate SAERC as a regional recreational facility, provided that it does not place an unnecessary burden on the taxpayers of Port Hawkesbury.

Autumn 2004 saw the opening of the new Civic Centre, which is located on Reeves Street next to SAERC. The building houses a large conference room with catering facilities, a regulation-size hockey arena, a walking track, an art gallery, the Quilt Market, Town Council offices and meeting rooms and a YMCA. The Civic Centre is considered a state of the art facility, and is noted for its energy efficiency and attractive layout. Council considers it a very important asset to the community, and in recent years the centre has attracted a number of significant events that would probably not have otherwise come to Port Hawkesbury, such as an International Ice Hockey Federation game in the spring of 2008 and the training camp for the Florida Panthers hockey team in September 2009.

CD-4.14 It is the intention of Council to operate the Civic Centre as a regional administrative and recreational facility provided it does not place an unnecessary burden on the taxpayers of Port Hawkesbury.

#### Arts and Culture

In addition to the distinct architecture in the Granville Street area, Port Hawkesbury's cultural heritage is also expressed through the visual, literary and performing arts. Throughout the year a number of events and festivals take place, giving local artists the chance to display or perform their work. Notably in the summer, the Granville Green concert series features weekly musical performances on Granville Street, and local bands often open for the featured performer, who usually comes from elsewhere in Nova Scotia. In the Fall, Celtic Colours, an international Celtic music festival, is held annually in various communities throughout Cape Breton Island, including Port Hawkesbury. Port Hawkesbury has a number of venues where performances are held throughout the year, featuring both local and groups on tour. These facilities include the auditorium of the Strait Area Education and Recreation Centre and Shannon Studio in the Port Hawkesbury Civic Centre. The Creamery Building on the waterfront is also undergoing renovation, which will create more performance space. The Civic Centre, as well as local churches hold craft sales from time to time where local artisans are able to sell their products to locals and tourists alike. Council recognizes the important role the arts play in the community's cultural sustainability and wish to continue supporting it.

CD-4.15 It shall be the intention of Council to continue to support the operating aspect of arts and cultural facilities within Port Hawkesbury and to promote performances by local and visiting artists.

#### Inter-municipal Interests

Port Hawkesbury Council is aware of the role the Town plays as a regional retail, recreational and cultural centre for the roughly 20,000 residents of the Strait Area and that many of the social and recreational services provided by the Town also benefit residents who live outside the boundaries of the municipality. While this can create a taxation imbalance, it also brings more people into the Town, which in turn supports the retail sector. Given the inter-municipal nature of many of the amenities in the Strait Area, it may be advantageous and efficient in some instances for the municipalities in the Strait of Canso area to co-operate in the provision of programs and services.

CD-4.16 It shall be the intention of the Town to continue cooperating with the other municipal units to provide programs and services for the benefit of all residents within the Strait area.

### 4.4 Leadership in the Environment

In recent years, ecological issues and the environment have taken increased prominence in news reports and the political climate. With sea level rise affecting coastlines and a warming climate impacting weather patterns, Port Hawkesbury is not immune. In addition to providing important community services to residents, Council also feels responsibility to take leadership on environmental issues to help ensure citizens have access to cleaner air, water and land. While much of Port Hawkesbury's economic sustainability relates directly or indirectly to supporting the industrial sector, which may seem at odds with Council's goals regarding environmental sustainability, there are many ways in which the two interests can be balanced, and Council feels there is much that can be done to lessen the Town's impact on the environment. Council is of the position that regarding environmental initiatives, governments should lead by example through

demonstration projects and through their own policies. There may also be opportunities to coordinate plans with neighbouring municipalities.

#### Maximize Efficient Development

Between the 1960's and 1990's, the Town of Port Hawkesbury has been subject to rapid residential and commercial growth. Most of this took the form of greenfield development where new subdivisions and shopping centres were constructed on the rural lands surrounding the existing historic core of the town. With each new development, municipal sewer and water services needed to be extended and roads needed to be built. Efficient provision of services is addressed in a Provincial Statement of Interest, and is also important for the Town on the basis of economic and environmental sustainability, given these infrastructure extensions are costly for the Town, and also have substantial environmental impacts. While new construction has obvious impacts on wildlife and habitat, the creation of impervious surfaces such as roofs, roads and driveways can also change the nearby environment. Conventional road surfaces alter drainage patterns so that rainwater rather than draining into the soil and feeding underground aquifers runs off into ditches and sewers which typically feed into other bodies of water. When major storms dump a large amount of water onto roads, this can result in flooding, which can lead to excessive sedimentation of other watercourses, and more significantly pollution, when chemicals, oils and other materials are washed off roads. Dark road surfaces can also lead to a heat island microclimate and road salt and other de-icers in the winter are thought to have negative impacts on soil, water and plant life. While Council recognizes the benefits residential and commercial growth bring to the community, it is their wish that any such development occur in a manner that is compact and efficient so as not to strain services and that the Town's ongoing public works and construction practices improve their impact on the environment.

CD-5.1.0 It shall be the intention of Council through the Department of Public Works to purchase a new salt truck which is more fuel efficient than the existing one and more efficient in the spreading of salt, reducing the amount used.

CD-5.1.1 In re-asphalting streets, it shall be the intention of Council through the Department of Public Works to look towards improving the contouring of asphalt to maximize storm drainage efficiency.

CD-5.1.2 It shall be the intention of Council to develop the Aspen Close road in the Pine Ridge Subdivision to provide opportunity to locate new residents near existing services, and to surface in gravel initially to minimize runoff.

Efficient development can also occur at the neighbourhood level in terms of home construction. Passive solar design features, where homes are oriented on an east-west axis with southerly windows can save homeowners substantial heating and cooling costs, without raising the cost of building. Ecological landscaping, where conifers are strategically planted to block winter wind and deciduous trees to block summer sun, can also have the same effect. It is the goal of Council that new home construction in Port Hawkesbury increasingly uses passive solar design features. This will require the Town to work with the Eastern District Planning Commission to update land use by-law and development permit requirements and work with developers to encourage and assist them in adopting the new standards.

CD-5.1.3 It shall be the policy of Council to work with the Eastern District Planning Commission and developers to encourage passive solar design features in new home construction through education and changes to land use policy and development permit requirements.

### Action on Climate Change

While there is disagreement as to the source of climate change and the extent of the role humans may play in it, there is little doubt at this point that the overall climate has warmed somewhat over the last century and as a result, sea levels have risen. Most experts believe this trend will continue over the next number of decades. While the impacts of this change vary throughout Canada, Port Hawkesbury, as a maritime community might expect an increased level of tropical and extra-tropical storm activity, both in terms of frequency and intensity. Port Hawkesbury, as a coastal town, has depended on the sea for much of its history, in previous centuries for fishing and the Strait of Canso ferry and to this day for its strategic location for industry and maritime shipping routes. While Port Hawkesbury is mostly built on higher elevations, and the majority of the Town would likely not be vulnerable to moderate sea level change, there are some industries within the Town's boundaries, as well as the Cape Breton and Central Nova Scotia Railway tracks that abut the shoreline. As such, it is Council's intention that mitigative measures are put in place to protect areas of Port Hawkesbury's coast, which may be sensitive to sea level rise.

CD-5.2.0 Council shall work to identify environmentally sensitive areas within the Town of Port Hawkesbury that may be vulnerable to sea level rise.

CD-5.2.1 It shall be the intention of Council to work with the Eastern District Planning Commission to ensure that shoreline businesses address sea level rise whenever rebuilding their properties.

While on a global scale, Port Hawkesbury's contribution to greenhouse gas production is minute, Council is committed to doing its share and reducing the greenhouse gas and associated particulate emissions generated by municipal activities, and by demonstrating municipal leadership in the 'greening' of its infrastructure and operations. This can be done through enhanced energy efficiency initiatives in new municipal buildings and in retrofits of existing ones. The Town is looking to construct a new Public Works building and upgrade the building envelope of the Fire Hall, and expects to achieve a high level of energy efficiency for both developments. Additionally, the Town is interested in exploring possibilities for renewable energy, including wind, geothermal, solar and biomass both in regards to policy initiatives as well as enhancements to new and existing public buildings. The Town is currently investigating an initiative where a geothermal heat pump would be built connecting the Port Hawkesbury Civic Centre to the Strait Area Education and Recreation Centre whereby excess heat from the Civic Centre would be pumped underground to SAERC to heat the swimming pool.

Emissions audits done for municipalities in the Strait Area in 2005 have shown that a significant majority of Port Hawkesbury's corporate emissions come from inefficient infrastructure relating to water and wastewater treatment facilities. While Port Hawkesbury has since opened a new wastewater treatment plant, likely reducing emissions in that sector, it is still beneficial to monitor energy use at these stations and perform regular maintenance.

CD-5.2.2 It shall be the intention of Council that the proposed new Public Works building for the Town of Port Hawkesbury and upgraded Port Hawkesbury Volunteer Fire Department Hall be built to high energy efficiency standards.

CD-5.2.3 It shall be the intention of Council to consider using renewable energy sources to heat and power municipal buildings including the proposed geothermal heat pump connecting the Port Hawkesbury Civic Centre and the Strait Area Education and Recreation Centre.

CD-5.2.4 It shall be the intention of Council to develop policy regulating the installation of small and large scale wind turbines on public and private property within the Town.

To support Council's goal of cleaner air, water and soil, there are many initiatives that can be taken within the community. While municipal leadership is important in achieving these environmental goals, buy-in from residents and businesses is essential and should take into account specific characteristics of Port Hawkesbury. Compared to many other towns its size, Port Hawkesbury has a relatively high proportion of apartment dwellers, in addition to a number of vacant and underutilized properties within the built up area. Given the large number of residents without yards, and the high financial and environmental cost of shipping fresh fruits and vegetables to Cape Breton, Council would like to investigate the possibility of converting some of these underutilized lots and open spaces into community allotment gardens. This, despite a likely modest overall impact initially, would create a local food supply, and also be an initiative with a high degree of visibility in the community, which could promote interest in additional green activities.

CD-5.2.5 It shall be the intention of Council to work with landowners to investigate the feasibility of creating allotment community gardens in under used open spaces in town to provide an opportunity for residents unable to do so otherwise to grow their own vegetables, and show community leadership in the environment.

The Strait Highlands Regional Development Agency recently commissioned a report entitled "Partners for Climate Protection: Milestone Three Report" which assessed municipal options for addressing climate change and the environment in the Strait Area. This report outlines many initiatives local municipalities can take to reduce greenhouse gas emissions and protect the local environment, both relating to municipal operations and infrastructure as well as taking leadership in the community. Given workloads of existing municipal staff, in addition to the wide range of departments covered, it is Council's intention to hire a municipal sustainability coordinator to help provide leadership and direct the implementation of elements of this plan. Due to budget concerns regarding the hiring a full time staff member to serve Port Hawkesbury only, the Town may wish to co-operate with neighbouring municipalities to hire an individual whose sustainability mandate covers the entire region. While this may pose logistical challenges, it can also provide a wide range of efficiencies.

CD-5.2.6 It shall be the intention of Council to investigate the feasibility of hiring a regional sustainability coordinator, either alone or in cooperation with other Strait Area municipalities, to implement the numerous initiatives suggested in the Partners for Climate Protection Milestone 3 Report.

#### 4.5 Special Considerations

The potential exists for large scale industrial development projects to be proposed for the Strait Area because of the available facilities and established services. Any major project would have a significant impact on Port Hawkesbury in the form of short-term construction impacts and long-term production impacts.

The impacts associated with such a project are usually of a nature significant enough to require a review of the Municipal Planning Strategy. Some of the areas which may face an increased demand are short-term and permanent housing, water and sewer systems, transportation networks, retail and recreational facilities, social services and industrial and commercial land.



Consequently, it is important that the Strategy contain suitable provisions to guide Council until appropriate amendments can be made, if found desirable.

CD-6.0 It shall be the intention of Council to undertake a thorough review of the Municipal Planning Strategy to determine the impacts of the development of an approved large scale industrial project on the Town and to make the appropriate amendments to ensure that the Strategy is adequate to meet those potential impacts.

## 4.6 General Development Policies

### Illumination

Outdoor illumination should be as unobtrusive as possible. It is important to protect the privacy of residents adjacent to non-residential uses and to ensure potential traffic hazards are not created.

CD-6.0 It shall be the policy of Council to establish requirements to minimize the impacts of any outdoor illumination on adjoining properties and adjacent streets.

### Sign Regulations

Care should be taken to control the design standards of commercial development in order to prevent the proliferation of garish and oversized signs and billboards. This may be achieved by using strict advertisement and sign controls which would restrict the size, type and the number of signs in all areas of the Town, particularly in commercial and retail zones which closely abut residential areas.

CD-6.1 It shall be the intention of Council to regulate the size, type and number of signs in all areas of the Town to ensure that they are safe and compatible with the architectural style of the community.

### Subdivision

Subdivision is the division of land into two or more parcels or the consolidation of two or more lots. In order to regulate subdivision, and to set standards for water and sewer services, street construction and public land dedication, the Town adopted a Subdivision By-law in 1995.

CD-6.2 It shall be a policy of Council to adopt a Subdivision By-law pursuant to the Municipal Government Act, and that this By-law shall include the following with respect to serviced development:

- a) sewer and water services are provided by the developer;
- b) the streets in a subdivision are completed to finish grade and gravel surface preparatory to paving; and
- c) for subdivisions creating 5 or more lots, sufficient lands (5% of area subdivided) of adequate size, slope, location and quality have been designated and set aside for recreational purposes.

With the adoption of a Subdivision By-law, certain sections are inoperative when a Land Use By-law is in place unless they are specifically reenacted within the Municipal Planning Strategy and Land Use By-law.

There may be a desire or need to subdivide an existing lot containing more than one existing main building or where a building, structure, driveway, well or on-site sewage disposal system encroaches in or upon an abutting lot. These development components are generally permanent in nature and therefore it may not be always possible to subdivide and meet a particular lot requirement. It would be prudent to relax minimum lot requirements in instances where they would otherwise meet the subdivision regulations.

CD-6.3 It shall be the policy of Council to permit the approval of a plan of subdivision creating the same number of lots or fewer as there are main buildings provided each lot meets the minimum frontage requirement for such lots.

CD-6.4 It shall be the policy of Council to permit the approval of a plan of subdivision to the extent necessary to remove an encroachment of a permanent development component such as a building, structure, well, driveway or on-site sewage disposal system encroaching in or upon an immediately adjacent lot pursuant to the Subdivision Regulations.

CD-6.5 It shall be the policy of Council to permit the approval of a plan of subdivision pursuant to the "Relaxation of requirements" section of the Municipal Government Act, of a maximum of two lots which do not meet but are at least 90% of the minimum lot dimensions and/or lot areas as required for the Land Use By-law in all zones except the Multiple Unit (R3) zone. The by-law shall treat these lots in the same manner as existing undersized lots.

Lots on which developments such as memorials, cairns, fish sheds and similar structures are located do not require servicing of any kind and typically do not require the area of land specified in the Land Use By-law. For these types of development, it is more appropriate to reduce the lot area requirement.

CD-6.6 It shall be the policy of Council to reduce the lot area requirement of a subdivision which does not require an on-site disposal system.

#### Swimming Pool Regulations

Swimming pools within the Town are subject to a Swimming Pool By-law.

CD-6.7 It shall be the policy of Council to regulate swimming pools to ensure they conform to the Town's Swimming Pool By-law.

#### Temporary and Special Uses

New development or construction often requires the use of small storage sheds, equipment and offices. These uses are considered a normal part of the construction project and Council has no intention of restricting their use in Town, although Council will require any temporary use to be removed soon after the construction project has been completed.

Special uses refer to signs, banners, display booths and other associated structures which are used during special events and celebrations. Council does not wish to restrict these uses within the Plan Area, but will require that the special uses be removed when the event has concluded. A development permit shall be required for both of the above uses.

CD-6.8 It shall be the policy of Council to permit temporary structures used in development or construction projects, including equipment, scaffolding, sheds and offices within the Plan Area.

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Council will require that any temporary use be removed within a specified time period upon completion of the project. A development permit shall be required for a temporary use.

CD-6.9 It shall be the policy of Council to permit special uses such as signs, banners, display booths or other related structures within the Plan Area. Council shall require that any special use be removed within a specified time period upon conclusion of the event. A development permit shall be required for the special use.

### Watercourse and Sensitive Area Protection

Port Hawkesbury's geography features varied terrain, including several steep ravines, streams, ponds, hills and plateaus. While this terrain has habitually posed obstacles for intensive development, some low impact development such as parks and hiking trails has occurred. It is Council's intention that the integrity of Port Hawkesbury's environmentally sensitive valleys, watercourses and landscapes are maintained.

Development on land that is within 5 metres [16.4 feet] of a watercourse or is otherwise hazardous for development by virtue of a slope of greater than 15% shall be restricted. Only activities which do not involve buildings or structures shall be permitted in these areas.

CD-6.10 It shall be the intention of Council to limit development on lands within a specified distance of a watercourse and other sensitive areas to activities which do not involve buildings or structures.

## CHAPTER 5 – IMPLEMENTATION

### 5.1 Municipal Planning Strategy

The Port Hawkesbury Municipal Planning Strategy is the policy document providing the framework by which the future growth and development of the Town shall be encouraged, controlled and coordinated. The policies in the Planning Strategy can be assessed on the basis of their general acceptance by the residents of the Town and by the means and feasibility of implementation. Implementation is achieved through the adoption of by-laws and programs designed to ensure that Council's intentions for high quality development are effective. The Land Use By-law is the principal document used to implement the policies in this Strategy, but other by-laws which may implement some of the policies include the Subdivision By-law and a Mobile Home Park By-law. The programs are reflected through public works projects and capital improvement programs.

I-1.0 This Municipal Planning Strategy shall be implemented by means of the powers given to the Council by the Municipal Government Act, 1998, c 18, s 1.

I-1.1 In addition to employing specific implementation measures, it shall be the intention of Council to maintain a program of ongoing planning through its Planning Advisory Committee. Such a program shall include the drafting or revision of Town by-laws which deal with planning issues, review of questions related to the environmental effects of public works or development, and any other issues related to the growth and development of the Town.

#### Municipal Planning Strategy Amendments

I-1.2 It shall be the intention of Council to require amendments to the policies and maps of the Municipal Planning Strategy under the following circumstances:

- a) where a policy intent is to be changed;
- b) where the Municipal Planning Strategy is in conflict with applicable provincial land-use policies or regulations in accordance with the Municipal Government Act;
- c) where a requested amendment to the Land Use By-law is in conflict with this planning strategy and there are valid reasons for the amendment; or
- d) where a secondary planning strategy is to be incorporated into the Municipal Planning Strategy.

#### Actions Not Requiring a Planning Strategy Amendment

Since the Generalized Future Land Use Map is not intended to be a precise representation of the configuration of future land use patterns in the Town, it is wise to provide some flexibility for those land uses on the boundary or fringe areas for which plan amendments might otherwise be required.

I-1.3 Areas immediately adjacent to a given land use designation on the Generalized Future Land Use Map may be considered for a zoning amendment to a use permitted in that given designation

without requiring an amendment to this Strategy provided that the intents of all other policies of the Strategy are satisfied.

#### Amending the Land Use By-law

The Town of Port Hawkesbury Land Use By-law is the means by which most of the policies in this Municipal Planning Strategy dealing with land use control and development will be implemented. The Land Use By-law establishes zones, identifies their location on a Zoning Map, indicates the uses permitted within the zone and the development standards required.

It is not intended that all land shall be pre-zoned at the outset as indicated by the policies of this strategy or as indicated on the Generalized Future Land-Use Map. Rather, in order that Council may maintain a high degree of control and be able to monitor future development, initial zoning provisions will be restrictive and development will be permitted by an amendment to the Land Use By-law in accordance with the policies of this Municipal Planning Strategy.

It may be necessary from time to time to amend the Land Use By-law, although the by-law must always be in conformity with the Municipal Planning Strategy. Examples of situations which may create the need to amend the Land Use By-law include:

- a request by an individual to amend the by-law;
- a motion by a member of Council to amend the by-law; or
- the amendment of the Municipal Planning Strategy such that the Land Use By-law is no longer in conformance with the strategy.

Should Council consider amending the Land Use By-law, it must examine fully the implications of the change and the amendment must comply with all other legal requirements as set out in the Municipal Government Act.

I-1.4 It shall be the intent of Council that the following uses, within the designations specified, shall be considered only by amendment to the land-use by-law:

- a) single-unit dwellings according to Policies L-1.2.1 and I-1.5;
- b) residential two-unit dwellings according to Policies L-1.3.1 and I-1.5;
- c) multiple dwelling uses with six units or less according to Policies L-1.4.1 and I-1.5;
- d) neighbourhood commercial uses according to Policies L-1.11.1 and I-1.5;
- e) institutional uses according to Policies L-1.13.2 and I-1.5;
- f) commercial development of lands adjacent to the Granville Street/Waterfront Development zone according to Policies L-2.1.1 and I-1.5;
- g) highway commercial uses according to Policies L-2.2.3 and I-1.5;
- h) commercial restricted uses according to Policies L-2.5.1 and I-1.5.

### Criteria for Amending the Land Use By-law

Zoning is the mechanism for implementing land use aspects of a Municipal Planning Strategy. Therefore, the land use aspects must be in conformity with the Municipal Planning Strategy. An amendment to the Land-Use By-law can have a significant impact on fiscal, land use and other matters in the Town. With this in mind, the Municipal Government Act requires that a Municipal Planning Strategy contain the criteria to be used by Council when considering an amendment to the Land-Use By-law.

I-1.5 In considering amendments to the Land Use By-law, in addition to all other criteria as set out in various policies of this planning strategy, Council shall have regard for the following matters:

- a) The proposal is in conformance with the intents of this Strategy and with the requirements of all other Town by- laws and regulations;
- b) The proposal is not premature or inappropriate by reason of:
  - i) the financial capability of the Town to absorb any costs relating to the development;
  - ii) the adequacy of sewer and water services to support the development;
  - iii) the adequacy and proximity of school, recreation and other community facilities;
  - iv) the adequacy of road networks adjacent to, or leading to the development;
  - v) the potential for the contamination of watercourses or the creation of erosion or sedimentation; or
  - vi) the potential for damage to or destruction of historical buildings and sites.
- c) The proposal conforms to the requirements contained in the Land Use By-law relating to the following:
  - i) type of use;
  - ii) height, bulk, and lot coverage of the proposed building;
  - iii) traffic generation, access to and egress from the site, and parking;
  - iv) open storage;
  - v) signs;
  - vi) provision for buffering, landscaping, screening and access control to reduce potential incompatibility with adjacent land uses and traffic;
  - vii) development is located so as not to obstruct any natural drainage channels or watercourses;
  - viii) building separations are provided sufficient to permit access to fire fighting equipment and to prevent the spread of fire;
  - ix) no building is approved whose height could exceed the limit imposed by the effective capacity of the Town's fire fighting equipment; and
  - x) similar matters of planning concern.
- d) Suitability and development costs of the proposed site in terms of steepness of grades, soil and geological conditions, marshes, swamps, or bogs and proximity of highway ramps, railway rights-of-way and other nuisance factors.

## 5.1 Development Agreement

A development agreement is a legally binding document which is negotiated between Council and an applicant. It provides an approach to development control which is more flexible than the traditional zoning techniques. When preparing such a document, Council shall refer to the items to be included in a development agreement and the evaluation criteria contained the Municipal Planning Strategy.

I-1.6 The following uses shall be considered subject only to the entering into of a development agreement:

- a) multiple-unit dwellings over six units according to Policy L-1.4.2;
- b) new mobile home parks and expansions to existing mobile home parks according to Policy L-1.5.4; and
- c) medical clinics and large home businesses according to Policy L-1.12.0.

### Evaluation Criteria and Terms for Development Agreements

I-1.7 In considering development agreements, in addition to all other criteria set out in various policies of this planning strategy, Council shall have regard for the following matters:

- a) The proposal is in conformance with the intents of this Strategy and with the requirements of all other Town by-laws and regulations;
- b) The proposal is not premature or inappropriate by reason of:
  - i) the financial capability of the Town to absorb any costs relating to the development;
  - ii) the adequacy of sewer and water services to support the proposed development;
  - iii) the adequacy and proximity of school, recreation and other community facilities;
  - iv) the adequacy of road networks adjacent to, or leading to the development;
  - v) the potential for the contamination of watercourses or the creation of erosion or sedimentation; and .
- c) The potential for damage to or destruction of historical buildings and sites.

I-1.8 It shall be the policy of Council, when considering an application for a development agreement or an amendment to a development agreement, that the agreement may include but not be limited to the following:

- a) the specified use and size of the structure, either new or an expansion of an existing structure, and the maximum floor area of additional or accessory uses;
- b) the location of any structures within the development;
- c) the percentage of land area that may be built upon and the size of yards, courts or other open spaces;

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- d) the external appearance of, in particular the compatibility with adjacent structures;
- e) access to streets and parking;
- f) the landscaping or buffering of development which may include fencing, trees, shrubs, walkways and outdoor lighting;
- g) signs;
- h) open storage and screening;
- i) hours of operation;
- j) maintenance;
- k) minimum lot sizes;
- l) minimum area of land to be required for any class of use or size of structure;
- m) regulating or prohibiting the use of land or the erection or use of structures except for such purposes as may be set out;
- n) the maximum density of the population within the development; and
- o) any other similar matter that may be addressed in a Land Use By-law which Council feels is necessary to ensure the general compatibility of the use and structures with adjacent areas.

I-1.9 To aid in the assessment of an application for a development agreement, it shall be the intent of Council to require any or all of the following information, in addition to information relevant to Policy I-1.7, to be submitted by the applicant:

- a) information as to the physical and environmental characteristics of the proposed site including information regarding topography, contours, elevations, dimensions, natural drainage, soils, existing watercourses, vegetative cover, size and location of lands;
- b) information as to the proposed location, height, dimensions and use of all buildings or structures proposed to be built or erected on the lands;
- c) for lands on which municipal servicing is not provided, information regarding the provision of water and sewage disposal;
- d) information as to the proposed access and egress to and from the lands and estimated traffic flows to be generated and parking provisions;
- e) information as to the intended hours of operation, open storage, signs; and
- f) information as to the provision for an appropriate buffer.



Development Agreement and Amendment Process

I-1.10 In considering development agreements or amendments to the Municipal Planning Strategy or Land Use By-law, it shall be the intention of Council to:

- a) request a report from the Eastern District Planning Commission;
- b) refer the matter to the Planning Advisory Committee for their recommendation with respect to the appropriate policies of this Strategy which affect the proposed development agreement or amendment.

Development Officer

I-1.11 In accordance with the Municipal Government Act, it shall be the intention of Council to appoint a Development Officer who shall administer the Land Use By-law. Further, in accordance with the Municipal Government Act, Council shall also appoint the Development Officer to administer the Subdivision By-law.

Variance

In addition to the general powers granted in the Municipal Government Act, the Development Officer is empowered to grant variances from the Land Use By-law in accordance with the Municipal Government Act. Specifically, the Development Officer may vary the percentage of land that may be built upon, the size of yards, courts and other open spaces, lot frontage and lot area.

The Municipal Government Act provides complete details on a variance with respect to the powers of the Development Officer and Council's powers when considering an application of a variance.

I-1.12 In addition to the general powers granted in the Municipal Government Act, the Act also empowers the Development Officer to grant variances from the Land Use By-law. Specifically, the Development Officer may vary the percentage of land that may be built on, the sizes of yards, courts and other open spaces, lot frontage and lot area. Should the Development Officer grant a variance, a notice of this action must be served in accordance with the Municipal Government Act. Anyone served with such notice may appeal to Council.

Mobile Home Park By-law

I-1.13 It shall be the intention of Council to prepare and adopt a Mobile Home Park By-law.

Unightly Premises By-law

I-1.14 It shall be the intent of Council to administer the Unightly Premises provisions of the Municipal Government Act in order to maintain properties in Town.

Strategy Review

In accordance with the Municipal Government Act, this Strategy may be reviewed either when the Minister of Municipal Affairs or Council deems necessary.

I-1.15 In accordance with the Municipal Government Act, the Municipal Planning Strategy may be reviewed when Council deems advisable or when requested by the Minister of Municipal Affairs.

### 5.3 Sustainability Strategies and Building Capacity

The intention of this Municipal Planning Strategy is to outline the direction for future development of Port Hawkesbury and guide the decisions of Council to that effect, while ensuring community sustainability principles are upheld. Appendix A of this Plan summarizes the sustainability strategies Council wishes to undertake in Port Hawkesbury over the next 20 years, subject to regular review. While Council maintains ultimate ownership of these actions, responsibility for their implementation in many cases will be delegated to Town Staff and other agencies reporting to Council.

While land use planning policies, directed studies, capital projects and other tangible products and benefits are the desired outcomes of this Plan, Council recognizes that many of these positive outcomes cannot be addressed to the most complete level by Town resources and staff alone. There are many agencies and community groups in and around Port Hawkesbury whose mandates match specific goals within this Strategy, and Council recognizes these groups are a valuable resource to the community. Some of these groups have been mentioned in this Plan and there are many others. By collaborating with and forming relationships with these groups, the Town will build a greater capacity to implement the actions and strategies outlined in this Plan.

I-1.16 It shall be the intention of Council to work with groups, agencies and professionals whose mandates coincide with strategies outlined in this Plan to help implement these strategies.

### 5.4 Capital Projects and Timeline

In addition to promoting private development, Council may undertake programs of its own to encourage development in certain areas, to enhance, improve, or protect the environment of the Town, or to provide a greater range of services. Several of the community sustainability strategies outlined in this Plan entail the completion of capital projects. The Integrated Community Sustainability Plan requirements stipulate that the Town adopt a prioritized list of capital projects relating to the four pillars of sustainability and that these be renewed on an annual basis. The capital projects for the Town of Port Hawkesbury for the 2010-11 fiscal year are outlined in Appendix B. It is Council's intention that this list be updated on a yearly basis.

I-1.17 It shall be the intent of Council to incorporate policies and provisions of this Strategy into the Capital Budget and the five-year Capital Program of the Town to the greatest extent possible, with the goal of eventual integration of planning, capital programming, and budgeting.

I-1.18 Further to Policy I-1.17, and to assist in coordinating, planning and budgeting, it shall be the intent of Council to have the Planning Advisory Committee report to the Finance Committee of Council, prior to the approval of the annual Capital Budget. This report shall include a review of the Budget proposal with respect to the policies contained in the Municipal Planning Strategy.

I-1.19 It shall be the policy of Council that the prioritized capital projects addressing sustainability in Port Hawkesbury are outlined in Appendix B and this list be revised on an annual basis.

## Appendix "A"

### Chapter 5 - Implementation

#### **5.5 Site Plan Approval**

Site Planning is a tool in the Municipal Government Act that enables a municipality to negotiate certain items with a developer as a condition of receiving a development permit. In the Port Hawkesbury Plan Area, multiple-unit residential developments with three (3) to five (5) units in the Residential Two-Unit (R-2) zone shall be subject to Site Plan Approval. This will allow additional review by the Development Officer of the layout of any structures, parking, landscaping and screening, refuse collection areas and amenity areas. The proposed site plan will need to satisfy evaluation criteria outlined in the Land Use By-law. Site Plan Approval will also help to ensure that developments are designed to properly interface with adjacent land uses.

**Policy I-20** No development permit for new structures or additions shall be issued for a multiple-unit residential dwelling in the Residential Two-Unit (R-2) zone unless a site plan has been approved by the Development Officer.

**Policy I-21** Criteria for the review of Site Plan Approval applications shall be established in the Land Use By-law.

## APPENDIX A: IMPLEMENTATION STRATEGIES

### Cultural Sustainability

Action/Strategy	Reference Policy	Ownership (*)	Timeline
Conservation plan and heritage conservation district for Granville core	L-2.1.8	Council/Strait Area Waterfront Development Society (SAWDS)	2010-12
Façade improvement program for Granville	L-2.1.9	Council/SAWDS	2010-12
Support continued operation and promotion of arts and culture	CD-4.13	Town Staff: Port Hawkesbury Civic Centre (PHCC) and Dept. Parks, Recreation & Tourism (PR&T)	Ongoing

### Economic Sustainability

Action/Strategy	Reference Policy	Ownership (*)	Timeline
Establish Waterfront Development Zone	L-2.1.0	Council/Eastern District Planning Commission (EDPC)	Existing
Work with ECBC and others to establish streetscape improvements for Granville Street.	L-2.1.2	Council/EDPC	2010-12
Evaluate opportunities for waterfront development	L-2.1.10	Town Staff/SAWDS	Existing
Work with NSCC to promote activities on waterfront	L-2.1.11	SAWDS	Ongoing
Branding community core area near SAERC and Civic Centre	L-2.2.4	PHCC/Parks, Recreation & Tourism	Ongoing
Highway 104 By-pass impact mitigation study for Reeves St. businesses	L-2.2.6	Council/EDPC/Strait-Highlands Regional Development Agency (S-HRDA)	Ongoing
Co-operate to support commercial development in Port Hawkesbury	L-2.5.0	Council/Strait Area Chamber of Commerce (SACC), S-HRDA	Ongoing
Support for small businesses in E-commerce, web design, developing business plans, etc.	L-2.4.1	S-HRDA	Ongoing
Clarify roles of each of the economic development agencies to maximize efficiency	L-2.4.2	S-HRDA	2010-12
Recognize light industry as priority growth objective	L-3.0.1	Council/S-HRDA	Existing
Work with S-HRDA to promote town as good location for light industry	L-3.0.1	Council, S-HRDA	Existing
Develop concept plan for Port Hawkesbury Business Park	3.1.1	Council/EDPC/S-HRDA	2010-12
Council supports Strait of Canso Superport and will work with other Municipalities where needed	L-3.5.0	Council	Ongoing
Lobby for new interchange off Highway 104 at south end of town to take truck traffic off of Hwy 4	L-3.5.1	Council	Ongoing
Support business case of maintaining	L-3.5.2	Council	Ongoing

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railroad throughout Cape Breton Island			
Support upgrades and improvements to P.H. regional airport as needed and investigate cost sharing with industry	L-3.5.2	Port Hawkesbury Airport Committee	Ongoing
Work with industries, businesses and NSCC to ensure programming at the college meets changing labour force requirements of region	L-3.5.4	S-HRDA/SACC	Ongoing
Build clubhouse at Dan Willie MacDonald Memorial Ballfield with change rooms/showers to attract out of town tournaments	CD-4.11	Dept. Parks, Rec. & Tourism	2012-17

### Environmental Sustainability

Action	Reference Policy	Ownership (*)	Timeline
Ensure orderly development to maximize efficiency of services	L-1.1.0	Council/EDPC	Existing
Install second filter at Water Treatment Plant to meet Dept. Environment guidelines	CD-2.0	Dept. Public Works/P.H. Water Utility	2010-12
Work with surrounding municipalities and Department of Environment to ensure protection of Landrie Lake watershed	CD-2.1	Council	Existing
Work with Department of Environment to monitor adequacy of water supply system on ongoing basis	CD-2.2	Dept. Public Works/P.H. Water Utility	Existing
Generator for Wastewater Treatment Plant to ensure continual operation of system	CD-2.3	Council/Dept. Public Works	2010-12
Encourage and promote recycling programs to reduce solid waste	CD-2.5	Council	Existing
Invest in salt truck to save on fuel costs and increase efficiency of salt spreading to use less salt	CD-5.1.0	Council/Public Works	2010-12
Improve contouring of asphalt on new roads to increase drainage efficiency	CD-5.1.1	Council/Public Works	2010-12
Identify environmentally sensitive areas which might be sensitive to sea level rise	CD-5.2.0	EDPC	2012-17
Mandate shoreline businesses address sea level rise when rebuilding	CD-5.2.1	EDPC	2010-12
New Public Works building and upgraded Fire Hall built to high energy efficient standards	CD-5.2.2	Council/ Dept. Public Works	2010-12
Support the use of renewable energy to heat municipal buildings, including heat pump connecting Civic Centre to SAERC Pool	CD-5.2.3	PHCC/Dept. Parks, Rec.& Tourism	2010-12
Develop policy regulating and encouraging responsible wind turbine development	CD-5.2.4	Council/EDPC	2010-12
Work to establish allotment gardens on vacant land to create local food supply, reduce transportation costs and give apartment dwellers and others chance to grow own food	CD-5.2.5	Dept. Parks, Rec.& Tourism/EDPC	2010-12
Investigate feasibility of hiring regional sustainability coordinator to implement green sustainability objectives in Partners for Climate Protection Report	CD-5.2.6	Council	2012-17
Establish limitations for development near watercourses and on slopes	CD-6.10	Council/EDPC	Existing

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### Social Sustainability

Action/Strategy	Reference Policy	Ownership (*)	Timeline
Permit accessory apartments to encourage affordable housing	L-1.7.0	EDPC	Existing
Allow small homes on smaller lot sizes, mini homes on individual lots, apartments and others to encourage diverse housing stock	L-1.14.0	EDPC	Existing
Work with other levels of government to encourage provision of housing for those unable to find through the private market (seniors, low income...)	L-1.14.1	Council	Existing
Establish Residential Mini Home Zone to allow greater affordable housing options	L-1.5.4	Council/EDPC	2010-12
Investigate working with groups such as Habitat for Humanity to develop low cost housing	L-1.14.2	Council	2012-17
Investigate working with NS Community Services to implement Housing Preservation Program which subsidizes builders per unit of affordable housing	L-1.14.3	Council	2010-12
Initiate housing options plan to assess current conditions of market and potential impacts of changing labour force	L-1.14.4	EDPC/S-HRDA	2010-12
Work with Province and private sector to develop senior citizen's housing complex	L-1.14.5	Council	2012-17
Develop trails and walkways, and acquire land for that purpose in various parts of the Town	L-4.1.2	Dept. Parks, Rec. & Tourism	Existing
Create greenways master plan for region linking key cultural, ecological and other strategic destinations	L-4.1.2 (h)	Dept. Parks, Rec. & Tourism	2012-17
Develop active transportation plan to address walking and biking opportunities in town created by Highway 104 By-pass construction	CD-1.0.1	EDPC/Parks, Rec.& Tourism	Ongoing
Give priority to sidewalks and walkways along main roads and streets leading to public bldg's	CD-1.1.4	Council	Existing
Assess policing requirements on an ongoing basis	CD-3.0	Council/RCMP	Existing
Support operations of Port Hawkesbury Vol. Fire Dept. and encourage training and upgrades as needed	CD-3.2	Council/ Port Hawkesbury FD	Existing
Work with Emergency Management Office to ensure emergency planning is in place in the event of a natural disaster or other emergency	CD-3.4	Council	Ongoing
Designate Port Hawkesbury Civic Centre as a comfort centre in the event of an emergency; install backup generator to ensure reliable power supply	CD-3.5	Council	2010-12
Work to determine and assess feasibility and location of special care facility in town	CD-4.2	Council	Existing
Work with other organizations to support adult literacy and continuing education to those who need it	CD-4.8	Council/PH Literacy Council/schools	Ongoing
Upgrades and necessary repairs to sports facilities to encourage residents to use them	CD-4.11	P.H. Dept Parks, Rec. & Tourism	2010-12

\*Port Hawkesbury Council is the ultimate owner for all of these action items; different entities have been identified for action on them.

## APPENDIX B: PRIORITIZED CAPITAL PROJECTS

Priority Rating	Action/ Strategy	Reference Policy	Sustainability Benefit (Pillar(s) of Sustainability impacted)	Total Cost
1	Paving	CD-5.1.1	Maximizing storm drainage efficiency on repaved roads (Environmental)	\$600,000
2	New salt truck	CD-5.1.0	Much more fuel efficient than existing model, more efficient spreading techniques saves on salt use on roads (Environmental)	\$200,000
3	2 <sup>nd</sup> filter unit for Water Treatment Plant	CD-2.0	Enhances the operational capacity of existing water supply system (Environmental)	\$2,600,000
4	Recreation field updates	CD-4.11	Safer facilities maintain interest in citizens of an active healthy lifestyle (Social)	\$186,000
5	Backup generator for Port Hawkesbury Civic Centre	CD-3.4	Facilitates the designation of the Civic Centre as a comfort centre to provide shelter to residents in the event of an emergency or extended power outage (Social)	\$50,000
6	Streetscape improvements on Granville	L-2.1.2	Improves overall image of street to attract visitors and tourists, helps communicate a strong sense of heritage and culture (Economic, Cultural)	\$309,000
7	Aspen Close	CD-5.1.2	Road phased in (gravel initially) to provide opportunity to locate new residents near existing services (Environmental, Economic)	\$377,000
8	New public works building	CD-5.2.2	Built to more advanced energy efficiency standards reducing greenhouse gas emissions (Environmental)	\$800,000
9	Upgrades to exterior envelope of Fire Hall	CD-5.2.2	Built to more advanced energy efficient standards reducing greenhouse gas emissions (Environmental)	\$300,000
10	Wastewater treatment plant generator	CD-2.3	Provides emergency power supply preventing sewage overflows into Strait of Canso from plant in event of extended power outage (Environmental)	\$250,000
11	Business Park Upgrade	CD-3.11	Investment on signage and landscaping to improve visibility and attractiveness of Port Hawkesbury Business Park to encourage new businesses to establish there (Economic)	\$1,300,000