

# **Town of Digby**

## **Municipal Planning Strategy**

## Table of Contents

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<b>1.0</b>	<b>Introduction</b>	
1.1	Preface	1
1.2	Purpose	2
1.3	Review Process and Context	2
1.4	Organization	5
<b>2.0</b>	<b>Integrated Community Sustainability Strategies</b>	
2.1	Community Vision Statement	7
2.2	Sustainability Goals, Priorities and Actions	8
2.2.1	Environmental Sustainability	9
2.2.3	Economic Sustainability	13
2.2.4	Social and Cultural Sustainability	20
2.3	ICSP Projects	23
<b>3.0</b>	<b>Land Use and Development Control Strategies</b>	
3.1	Community Context, Goals and Provincial Interests	27
3.2	Residential Development Policies	31
3.3	Commercial and Industrial Development Policies	35
3.4	Institutional and Open Space Development Policies	41
3.5	Municipal Infrastructure and Environmental Protection Policies	43
<b>4.0</b>	<b>Implementation and Administration</b>	<b>46</b>
<b>5.0</b>	<b>Generalized Future Land Use Map</b>	

## 1.0 Introduction

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### 1.1 Preface

This document is the official Municipal Planning Strategy of the Town of Digby. This Strategy replaces the previous Municipal Planning Strategy adopted by Town Council in 2000.

This Planning Strategy sets forth Council's long term policies to guide all future development and use of land within the Town. The document is written to be readily understood by Council and members of the public, to be appropriate for the needs of the community with respect to directing growth through planning policies and related development control provisions contained in the accompanying Land Use By-law and to be flexible and adaptable to changing circumstances. This Strategy is intended to be an enabling document and to provide Council and the community with a common vision for the Town's future. Recognizing that pressures, influences and underlying circumstances do change over time amendments to the policies are possible.

This Strategy also contains goals, policies and actions which the Town has identified as means to promote broad based integrated sustainable growth in relation to the Town's environmental assets and resources, the Town's economy and the linkage to the broader regional and provincial economy and the social and cultural legacy which we have inherited from the generations of people who have built the community which we now know.

The focus of the sustainability goals and policies contained in this Strategy is to ensure that our use and management of our community's diverse physical, economic and cultural resources provides benefits for current and future community members.

## **1.2 Purpose**

The Town of Digby Municipal Planning Strategy establishes the broad framework and policy guidance to manage future growth and development within the Town. The Strategy should be used as a guide when making major decisions on the directions for growth and development, the provision of municipal services or the use of land within the Town.

This Strategy also provides specific rationale and enabling policies for development control provisions contained in the accompanying Land Use By-law.

This Strategy also serves as the Town's Integrated Community Sustainability Plan and contains statements, policies and plans relating to broad sustainability "pillars" of the environment, the economy and the social and cultural components of the Town.

This Municipal Planning Strategy and the Land Use By-law have been prepared in accordance with the enabling provisions of the Municipal Government Act. The Integrated Community Sustainability Plan components have been prepared in accordance with Guidelines prepared by Service Nova Scotia and Municipal Relations on behalf of the Federal Gas Tax Agreement.

## **1.3 Review Process and Context**

In 2006 Town Council, through the Planning Advisory Committee, undertook a High Level Scan of development trends within the Town, an analysis of the policy focus of the existing strategy and the accompanying land use by-law provisions and a critical assessment of the general direction which development could take in the future.

The effectiveness and relevance of the 2000 Strategy policies and Land Use By-law's development control provisions were assessed in light of potential future needs and wants of the community.

At the time of the High Level Scan Council was generally satisfied that the 2000 Strategy, while having certain limitations, was capable in the short term of providing for adequate directions for growth and tools for the management and control of new development. The outcomes and recommendations from the High Level Scan were accepted by Council and deemed to be an important first step in the overall strategy review process.

In 2008 the Council became aware of the impending need to prepare a policy document in fulfillment of the program requirement relating to the Federal Provincial Gas Tax Program.

This program provides for the transfer of a portion of the federal excise tax on gasoline directly to municipalities for investment in "green" infrastructure and related projects directed at increasing the sustainability of communities. The Province of Nova Scotia issued guidelines on the preparation of an "Integrated Community Sustainability Plan", an "ICSP", and required the preparation of an ICSP by every municipality participating in the Gas Tax Program.

The Provincial Guidelines recognized that many of the issues addressed in a Municipal Planning Strategy were aligned with and linked to principles of environmental, economic and social sustainability. The Guidelines provided municipalities with the option of combining municipal planning documents with the required integrated community sustainability plans. Given the need to undertake a review of the 2000 Strategy and By-law,

Town Council chose to task the Planning Advisory Committee with the responsibility of undertaking a review of the Strategy in combination with the preparation of an ISCP.

The Strategy review and integrated community sustainability plan process was premised on broad public consultation. Stakeholder groups were identified and contacted, community forums were held which included facilitated workshop and public discussion components, a presence was established on the Town's web site, a public awareness and information brochure was prepared and circulated to all households within the Town, Planning Advisory Committee meetings were held, minutes of the public consultation and PAC meetings were made available and advertisements were placed in the local paper soliciting public input and providing notice of meeting held at critical points throughout the review process.

The development of this Strategy was undertaken in five primary phases:

- Phase 1**      2006 High Level Scan
  
- Phase 2**      2009 Integrated Community Sustainability Forums
  
- Phase 3**      Development of Draft Planning and Integrated Community Sustainability Documents
  
- Phase 4**      Public Open House forum for review of Draft Documents
  
- Phase 5**      Formal Public Hearing and Adoption by Town Council

## **1.4 Organization**

This Municipal Planning Strategy is organized into six sections. They are:

### **Section 1.0 Introduction**

This section introduces the municipal planning strategy. It explains the purpose, context and methodology of the Strategy.

### **Section 2.0 Integrated Community Sustainability Strategies**

This section contains the overall community vision statement which supports policies relating to broad environmental, economic and social/cultural sustainability goals, objectives and policies as well as the policies related to land use and development control.

This section also contains the specific goals, objectives policies and project identification which constitutes' the Towns Integrated Community Sustainability Plan in fulfillment of the Gas Tax Program requirements.

### **Section 3.0 Land Use and Development Control Strategies**

This section contains the specific planning and development control objectives and policies for each of the land use “sectors” - residential development; commercial and industrial development; institutional development; recreation and open space development and municipal infrastructure.

This section serves to provide rationale for policy as well as enable land use control provisions contained in the accompanying Land Use By-law.

### **Section 4.0 Implementation and Administration**

This section explains how the Municipal Planning Strategy is to be implemented, monitored and revised.

## **Section 5.0 Generalized Future Land Use Map**

This section contains the Generalized Future Land Use Map. The GFLUM identifies the desired land use pattern of the Town and serves as the basis for the application of zones through the Land Use By-law as well as establishing the nature of changes to the Strategy which can be accommodated without the need to undertake policy review and amendment.

## **2.0 Integrated Community Sustainability Strategies**

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### **2.1 Community Vision Statement**

As identified in Section 1.3, Review Process and Context, consultation was the first component in the preparation of the ISCP portion of this Strategy. Two public discussion forums were held in June 2009. The discussions were facilitated by members of the Planning Advisory Committee and approximately 40 members of the community were in attendance at each meeting. While the focus of the first forum was directed towards economic sustainability issues and the second meeting focused on environmental and social/cultural issues, the discussion was wide ranging and inclusive at both meetings.

Discussion was structured using a variety of questions and exercises directed forming a long term vision of what the Town could aspire to be, assessing critical short medium and long term issues, identifications of community strengths and weaknesses and the identification of action to achieve goals through capitalizing on opportunities and addressing threats.

Through the public forums community were asked to identify words which they would use to characterize and describe their preferred Digby of the future. A wide variety of characteristics were identified and a number of themes and common aspirations evolved.

From this input a community vision statement has been identified.

### *A Vision of Digby*

*The Town Digby is blessed with a rich cultural and built heritage which is the legacy of the efforts of untold generations who have earned a living from the sea and the land and who built a strong sense of identity and community as means to sustain themselves. The residents of the Town know that they can enjoy a high quality of life which can be protected and enhanced for future generations by being sensitive to and building upon this heritage, by being recognized as a culturally vibrant destination for visitors and newcomers and by being a community which, through a commitment to fostering a strong economic base and a strong sense of civic pride, provides for the well being of all its citizens.*

## **2.2 Sustainability Goals, Priorities and Actions**

Through the community forum members of the community were also asked to identify the critical challenges facing the community in the context of environmental, economic and social/cultural sustainability. The challenges were discussed in the context of the resources which were available within the community to respond to them as well as the gaps which prevented effective response. The community was offered the opportunity to identify goal, objectives and actions which would promote critical initiatives directed at achieving the community vision.

## 2.2.1 Key Environmental Sustainability Issues

### Issue 1 Aging Wastewater Infrastructure

#### Context

The Town's existing sewage treatment plant is in excess of 35 years old. The sewage collection system throughout the Town ranges between modern and aged and varies in condition. Infiltration is a major problem and there are combined storm and sanitary sewer lines in some of the older parts of Town.

The sewage treatment plant discharges into the Annapolis Basin and during times of heavy precipitation the discharge from the sewage treatment plant does not comply with Nova Scotia Department of Environment's operating approvals. The discharge of inadequately treated sewage has been a concern for Town, Provincial and Federal regulatory agencies and has resulted in the closure of local clam beds for harvesting. These closures have been the source of both environmental and economic concern within the community and region.

#### Goals

- That the Digby Sewage treatment plant and related infrastructure be upgraded so as to meet operating approval requirements and all related regulations.

#### Actions

1. Implementation of the Town's Sewage Treatment Plant Upgrading and Improvement plan;
2. Development of public education program relating to water conservation including but not limited to encouraging the use of water efficient appliances and fixtures;

3. Elimination of all combined sanitary and storm water sewer lines;
4. Implementation of an infiltration reduction program for existing sewer lines;
5. Phased expansion of the Smith's Cove Sewage Treatment Plant;
6. Construction of a forcemain to the Smith's Cove Sewage Treatment Plant
7. Conversion of the Town's sewage treatment plant into a pump station enabling the integration with the Municipality of the District of Digby's treatment system.

#### Responsibilities, Partnerships and Collaborations

Primary responsibility – Town, Province of Nova Scotia

Partnership – Municipality of the District of Digby, Town Residents

## **Issue 2 Provincial Standardization in Recycling**

### Context

The Town recognizes the importance recycling and waste diversion to the health of our environment. The Town currently manages solid waste in partnership with the Municipalities of Argyle, Clare, Digby, Yarmouth and the Town of Yarmouth through the Region 7 waste authority Waste Check.

While Nova Scotia has a provincial Solid Waste Resource Management Strategy various waste management authorities have different waste diversion and recovery standards which creates a degree of confusion for the public, presents difficulties to compliance and makes achieving provincial targets and timelines a challenge.

### Goal

- That the Town of Digby, in cooperation with its regional partners, meets and exceeds target solid waste recovery and diversion rates.

## Actions

1. Establish lobbying effort at provincial level to enhance education, standardization and enforcement;
2. Investigate and if deemed feasible encourage development of waste to energy options within Waste Check;
3. Increase public awareness and education relating to waste separation and diversion requirements within the Town as a means of increasing compliance and promoting the long term success of the regions solid waste management strategy;
4. Promote innovative community based efforts aimed at recycling (i.e. annual “free-cycling” event).

## Responsibilities, Partnerships and Collaborations

Primary responsibility – Town, Waste Check

Partnership – UNSM, Province, Schools, Community Groups, Town Residents

## **Issue 3      Reduction of Green House Gases Emissions**

### Context

Carbon dioxide emitted through the burning of fossil fuels is recognized as a major contributor to global warming. Virtually all of the electrical energy used by the Town and by Town residents is generated with the use of fossil fuels. A reduction in the overall use of energy by the Town and Town residents is environmentally and economically responsible.

### Goals

- Identify and implement means for the reduction of energy consumption in Town operations.
- Encourage conservation and energy use reduction by residents.

## Actions

1. Promote anti-idling through public awareness campaign and investigate potential for municipal by-law;
2. Promote the use of public transit, and in particular continue support for Kings Transit services;
3. Undertake an energy audit of all municipal buildings and prepare capital improvement plan to address opportunities for increased energy efficiency;
4. Promote domestic energy conservation through public awareness and education programs;
5. Support the development of alternative energy sources, in particular the use of renewable tidal and wind energy sources as priorities.

## Responsibilities, Partnerships and Collaborations

Primary responsibility – Town, Province,

Partnership – Provincial Agencies (Conserve Nova Scotia), Town

Residents, community groups

## **Issue 4      Storm Surge Protection and Coastal Erosion**

### Context

The Town's location and proximity to the shore make it vulnerable to damage created by storm surge and to a somewhat less extent coastal erosion. Current scientific understanding is that as a result of global warming the nature and magnitude of significant storm events is predicted to increase over time. Communities like Digby will have to be prepared to respond to the potential impacts of increased storm surge.

### Goal

To plan for and respond to risks presented to property and businesses within the Town relating to storm events, storm surge and coastal erosion.

### Actions

1. Identify technical resources and funding opportunities for the preparation of a coastal surge and erosion risk assessment and mitigation strategy
2. Undertake the preparation of a coastal surge and erosion risk assessment and mitigation strategy for the Town.

### Responsibilities, Partnerships and Collaborations

Primary responsibility – Town, Province of Nova Scotia, Federal Government

Partnership – Regional Municipalities, Regional EMO, community property owners and businesses, Coast Guard/Federal Agencies

## **2.2.2 Key Economic Sustainability Issues**

### **Issue 1 Development of the Regional Economy**

#### Context

While it is critical for the Town to have a solid and growing economy it is recognized that the limited size and character of the local marketplace limits the overall potential level of economic growth. As a resource based economy the Town has always relied and benefitted from access to larger, regional, provincial, national and international markets.

As technology, transportation and market demands evolve it is recognized that a strong regional economy will benefit the Town and afford the Town an opportunity to play a central role as a hub for economic growth.

#### Goals

- To promote the development of a strong regional economy with the Town as a key component.
- To expand, diversify and strengthen the Town's tax base.

#### Actions

1. Refine and adjust the Town's internal organization for better time management of staff;
2. Increase the capacity of the Town administration to serve as a resource centre that can effectively communicate with residents and stakeholder groups with an interest in promoting economic development;
3. Seek and pursue all opportunities to access funds for economic development programs;
4. Improve business climate and desirability of the Town as a preferred location for economic development through reduction of regulatory barriers and the use of effective marketing efforts;
5. Prepare an economic development strategy to raise visibility and awareness of opportunities within the Town;
6. Continued support for and participation in Regional Development Authority.

#### Responsibilities, Partnerships and Collaborations

Primary responsibility – Town, Regional Development Authority

Partnership – Board of trade, businesses, regional municipalities

## **Issue 2**

## **Development of a More Sustainable Fishery**

### **Context**

The fishery, and in particular the scallop and lobster fishery, have been the cornerstone of the Towns' economy for decades. Changes in the fishery, including changing regulation, fluctuation in stocks, the cost of operating and the value of the market have all impacted negatively on the fishery over the past number of years.

The fishery can continue to be an economic engine however the way in which it is managed and operated must change and become more sustainable. Key components of a sustainable fishery include environmentally responsible fishing and fishery management practices, diversification and the creation of value added opportunities, commitment to quality products and the ongoing community recognition and commitment to the industry.

### **Goals**

- That the fishery continues to be an economic cornerstone of the local and regional economy.
- The promotion of a stable employment base.
- That existing markets be strengthened through cooperation and the delivery of quality products and new market opportunities be developed through the creation of value added inputs and new products.

### **Actions**

1. Promote increased public and industry awareness of challenges and potential solutions;
2. The development of a strategic plan for the long term investment in industry facilities and infrastructure upgrading;

3. Promote development of value-added opportunities for product processing;
4. Support for an open and coordinated approach to management of the resource and marketing of products which includes input from fishers.

#### Responsibilities, Partnerships and Collaborations

Primary responsibility – Federal Government Departments and Agencies,  
Digby Harbour Port Authority, Regional Development Authority

Partnership – Town, industry, regional municipalities

### **Issue 3      Sustainable Transportation Links and Infrastructure**

#### Context

Transportation links, water, road and air which enable the movement of resources, goods and materials to and from the local and regional market are critical to the Digby the growth and sustainability of the Digby economy. In particular the marine ferry link to Saint John New Brunswick and the 100 series highway along the Annapolis Valley and South Shore are recognized as fundamental to the ability of the local economy to function. Telecommunication and electrical utility infrastructure are becoming increasingly important as the nature and demands of business and industry evolve.

The long term viability of the Digby-Saint John Ferry Service has been questioned. For Digby to grow and be truly sustainable major transportation links and infrastructure must be acknowledge as fundamental requirement.

#### Goals

- Ensure the maintenance of a ferry link between Digby and Saint John which supports commercial industry and tourism.

- Promote the continued upgrading of the 100 series highway.
- Promote the enhanced use and development of the Digby/Annapolis Regional Airport.

#### Actions

1. Continued lobbying at all levels of government for a permanent and continued solution to ferry service;
2. Encouragement of higher levels of government to continue improvements to existing transportation infrastructure;
3. Support actions that will improve existing facilities.

#### Responsibilities, Partnerships and Collaborations

Primary responsibility – Town, Province, Federal

Partnership – RDA, businesses, regional municipalities

### **Issue 4      Focus on a Healthy and Growing Community**

#### Context

The health and wellbeing of its citizens is fundamental to the economic and social fabric of the Town. The availability and quality of health services is of growing importance to aging demographic which is particularly significant in Digby. Health is primarily a Provincial responsibility but given fiscal and human resource pressures communities must become more proactive in encouraging the maintenance of high levels of quality services.

Regional services have moved to Yarmouth and Kentville which has created challenges and concerns within the Town with respect to access and services levels. A focus on wellness and healthy living will reduce needs for critical care services.

## Goals

- To maintain the existing regional hospital in Digby.
- To retain existing professional staff and attract new staff for hospital.
- To promote wellness and healthy lifestyles.

## Actions

1. Identify demographics and trends relating to community needs and keep the information current and available to residents and stakeholder groups;
2. Development a strategy for the creation of a of non-motorized trail network through the Town and utilize it as a major component of an active living and active transportation program;
3. Identify and work cooperatively for the availability and continuation of facilities and personnel to allow continued medical services for the community;
4. Develop a wellness awareness campaign in cooperation with health authorities and stakeholder groups.

## Responsibilities, Partnerships and Collaborations

Primary responsibility – Community Health Board, Town, Digby Area Recreation Commission  
Partnership – Province, Regional Health Board.

## **Issue 5      A Desire for an Educated Community of Life-long Learners**

### Context

Literacy and education levels within the community have improved but can still improve further. The importance of education, skills and training has increased with the evolution of business. Opportunities exist to introduce innovation within traditional sectors (such as the fishery or forestry sectors) and education and

training would be critical components of any economic development strategy or initiative.

It is also critical to recognize that education is an important component in the fulfillment of personal potential, a personal sense of well being and the growth and development of a strong and vibrant community.

#### Goals

- To promote a culture which values education and life-long learning.
- To ensure the presence of adequate educational and training opportunities for all citizens.
- To utilize education and training opportunities as economic development tools.
- To promote learning opportunities as a means of attracting and providing a welcoming environment to newcomers.

#### Actions

1. Support a continued presence and expansion of the NSCC presence in Digby;
2. Support a continued presence and expansion of the Digby Area Learning Association;
3. Promote a strong availability of a skilled labour force through training opportunities which are tied to economic development trends and opportunities.

#### Responsibilities, Partnerships and Collaborations

Primary responsibility – Digby Area Learning Association, Town  
Partnership – Province, Regional School Board, NSCC, Town School  
communities, residents

## **2.2.3 Key Social and Cultural Sustainability Issues**

### **Issue 1 Plan for Population Demographics and the Aging Population**

#### Context

Between 2001 and 2006 the population of the Town declined by approximately 1% while the provincial population grew by approximately .5%. The 2006 Census data shows that the median age of the Town's population was 46.4 years old compared to a provincial average of 41.8 years old. In 2006, Census data indicates that approximately 44.4% of the Towns' population was aged 50 or older where the provincial average was 36.1%.

The implications for the Town of an aging population are significant and include changing demands for housing, social, health and leisure services and labour market participation. The Town's demographics have a significant impact on current and future social and economic development potential.

#### Goals

- Be able to respond to changing demands (services, housing, social) resulting from the aging population demographic facing the Town.
- To attract young families to the Town as a means of responding to demographic trends.

#### Actions

1. To identify and support opportunities to promote a safe environment for senior living, such as Senior Safety;
2. To promote and support the maintenance of medical facilities and resources necessary to address the increasing needs of an aging population;

3. Support and work cooperatively for the development and promotion of job opportunities specifically aimed at youth retention;
4. Identify and champion a strategy for developing and promoting community pride.

#### Responsibilities, Partnerships and Collaborations

Primary responsibility – Town, Regional Development Authority

Partnership – Province, residents, regional municipal partners

### **Issue 2      Lack of Job Opportunities and Economic Diversity**

#### Context

With pressures being placed on traditional industries and a provincial wide trend of the movement of people and growth to regional centres, like many smaller communities Digby has experienced the loss of population, particularly its youth. The ability to retain and attract new residents is in large part directly tied to their ability to find appropriate, fulfilling long term employment. To this end it is critical that Digby not loses any of its current employment base and that new employment opportunities be identified.

#### Goals

- The development and support of long term sustainable employment based on a diverse range of economic opportunities.

#### Actions

1. Develop a coordinated strategy to promote the Town as a unique tourism destination through a focus on the areas rich heritage;
2. Encourage and promote economic, cultural and social events that bring people to the Town year round;

3. Town administration to encourage entrepreneurial initiatives and new business development by means of providing a supportive corporate environment;
4. Seek and coordinate funding opportunities for assisting new business development;
5. Investigate the opportunity to promote Digby as a “green energy” centre with a focus on wind and tidal energy potential.

#### Responsibilities, Partnerships and Collaborations

Primary responsibility – Regional Development Authority

Partnership – Town, Digby Area Tourism Association, Province, Regional municipal partners

### **Issue 3      Community Apathy and the need for Community Engagement**

#### Context

Important decisions about the future of the Town are made every day and Town administration and Council benefit from input from the citizens. Much of the social and cultural fabric of the community is maintained by volunteers, including community groups and not-for-profit societies. These types of organizations have been on the decline, and their positive impacts on the life of the community have decreased due to a lack of support and participation.

A number of critical services including the Fire Service also depend on human and financial support of the community. Many groups and organization are experiencing volunteer burn out.

A sense of civic pride is essential in drawing visitors and newcomers.

## Goals

- Design and implement a strategy for the promotion of civic pride and engagement within the Town based upon a realistic vision of a more affluent and productive future.
- Increase volunteerism.

## Actions

1. Improve communications between Town Council/ Town Administration and Town residents including but not limited to the development of a newsletter;
2. Support for ongoing efforts relating to recognition and appreciation of volunteers including annual reception/presentation event and support for volunteer recruitment and training;
3. Development of a Town-wide beautification strategy incorporating residential and commercial properties.

## Responsibilities, Partnerships and Collaborations

Primary responsibility – Town

Partnership – Not-for-Profit groups and organizations, residents, businesses

### **2.3 ICSP Projects**

The goals and actions identified in the previous section involve a variety of partners and will require substantial funding from a variety of sources, including private investment, to be achieved. The time horizon for completion of these actions is also deliberately long term, the Community Vision statement itself is recognized in the context of a 20 to 30 year timeframe.

It is therefore necessary for the goals and actions to be placed in the context of priority projects which align with the requirement of the Gas Tax Program and which can be supported in the near term with the funds which the Town has received through the program. The Town of Digby's priority projects are:

**1. Upgrading of Wastewater Treatment Plant and Collection System**

Project Summary

Interim and long term strategic upgrading of Town's waste water collection and treatment infrastructure to meet current and future Nova Scotia Department of Environment regulatory requirements. Cooperative undertaking with the Municipality of the District of Digby.

Timeline

Short to medium term ongoing, 5 to 10 year program commenced in 2007.

**2. Upgrading of Industrial Drive including sewer, water and road Construction**

Project Summary

Development of an extension of public road and related infrastructure to enable subdivision and new development in Joint Industrial Park. Cooperative undertaking with the Municipality of the District of Digby.

Timeline

Short Term – completed in 2011

### **3. Warwick Street Storm Sewer Upgrading**

#### Project Summary

Construction of new storm sewer infrastructure to address flooding risk from naturally occurring surface flows.

#### Timeline

Short Term – completed in 2010

### **4. Capacity Building, in particular within the Town's ICSP process and ongoing ICSP project implementation efforts**

#### Project Summary

The preparation of an Integrated Community Sustainability Plan, including communications, public consultation and process facilitation, enabling integration of ICSP into the Town's Municipal Planning Strategy.

#### Timeline

Short Term – 2009 - 2011

### **5. Tangible Capital Asset Program**

#### Project Summary

Development of an inventory, financial documentation and database for all municipal capital assets prepared in compliance with Provincial financial management program requirements.

#### Timeline

Short Term – completed in 2010

## **6. Household Hazardous Waste Depot**

### Project Summary

Development of a storage and transfer facility for hazardous household waste. Facility managed through Waste Check and undertaken in cooperation with the Municipality of the District of Digby.

### Timeline

Short Term – completed in 2010

## **7. Kings Street Sanitary Sewer Upgrading**

### Project Summary

Multi-phase program for the refurbishment of road, sanitary and storm sewer, water and sidewalk infrastructure.

### Timeline

Medium term, 5 to 7 year program scheduled to commence in 2012

## **Implementation Monitoring**

In order to assess and monitor the advances made towards achieving the Town's sustainability goals an ICSP Progress Report will be incorporated into the Town's annual budget preparation process. This progress report will enable Council and the citizens to document achievements, reconfirm and/or assign priorities according to financial and human resource capabilities as well as identify changing circumstances and opportunities which may create new actions and priorities.

### 3.0 Land Use and Development Control Strategies

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#### 3.1 Community Context, Goals and Provincial Interests

The Integrated Community Sustainability Plan component of this Strategy provides a vision of what the Town of Digby aspires to be and identifies a broad range of initiatives which will assist the Town in achieving its long term potential as a sustainable community. Guiding the physical growth and development of the Town will play a major role in realizing this potential. This section of the plan establishes policy objectives, intentions and policies relating to land use and development control within the Town.

This section of the Strategy has been prepared in compliance with enabling provisions contained in the Municipal Government Act. The *Act* establishes that the purpose of a Municipal Planning Strategy is to provide statements of policy to guide the development and management of the Town by means of identifying:

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

This section of the Strategy contains policy statements which focus on various general types of land use and development activities: residential; commercial; institutional and recreation. Provisions relating to land use and development

control are also considered in the context of municipal infrastructure requirements. The Implementation component of the Strategy contains a variety enabling policies for the ongoing administration of the Strategy and a framework for ongoing consideration of planning matters.

The land use and development control policies are supported by and implemented through a companion document, the Land Use By-law. Like the Strategy itself the Land Use By-law has been prepared within the enabling legislation contained in the Municipal Government Act.

The high level goal of the land use and development control portion of this Strategy is to support fulfillment of the Community Vision statement contained in Part 2.1. To this end the overall goal of the integrated Strategy is:

*To provide a rich and satisfying quality of life for Town residents through embracing a sustainable physical environment, a strong and diverse economy, a vibrant culture and a community lifestyle which is healthy and based on civic pride and engagement.*

Various components of the community and its physical form support achievement of this high level goal in differing manners. With respect to the “sectors” which are addressed in this part of the Strategy a number of issues and objectives have been identified to frame and direct specific land use and development control policies.

### **Residential Objectives**

To protect and maintain the character of existing residential areas while providing for a wide range of housing options which meet the varied needs of all Town residents. To this end, development within residential areas should promote

affordability, choice and options for accommodation, be respectful of the character of existing neighbourhoods and accommodate the need for growth and renewal of the residential building stock and be capable of integrating economic opportunities in a regulated manner.

### **Commercial and Industrial Objectives**

To promote of a diverse range of commercial and industrial economic activities as a cornerstone to a sustainable community through minimization of regulation within identified commercial and industrial districts while providing for responsible integration of new development with existing adjacent non-commercial development and the protection of environmental resources and in particular ground water resource protection. The promotion of new industrial activities will be done in cooperation with the Municipality of the District of Digby.

### **Institutional Objectives**

To facilitate the development of a broad range of institutional uses, in particular the development of regional government services, in a manner which is consistent with the general community form.

### **Open Space and Recreational Objectives**

To promote the development of active and passive recreation facilities and opportunities which promote health and wellness for all citizens and which contribute to supporting strengthened civic pride.

### **Infrastructure Objectives**

To ensure that all new development is serviced by appropriate municipal infrastructure and services and that both public and private investments in infrastructure upgrading or the development of new infrastructure be managed in a coordinated, cost efficient and environmentally responsible manner.

## **Statements of Provincial Interest**

The Province of Nova Scotia has adopted Statements of Provincial Interest relating to specific land use issues: the protection of drinking water supplies; the efficient and responsible use and extension of municipal infrastructure; the preservation of high quality agricultural lands; development within identified flood risk areas; and the provision of adequate housing. The Municipal Government Act requires that the contents of a Municipal Planning Strategy be generally consistent with these Statements of Provincial Interest.

This Strategy has been prepared with a recognition and acknowledgement of the Statements of Provincial Interest and it contains policies which are consistent with the goals and objectives of these Statements. To this end both the Integrated Community Sustainability and Land Use and Development Control provisions of this Strategy address the following relevant issues:

- The identification of the Digby Source Water Protection Area and the regulation of land use to minimize potential risks of groundwater contamination;
- A long term plan for the upgrading of the Digby Wastewater Collection and Treatment System;
- The efficient use of existing municipal infrastructure and requirements for appropriate servicing of new development;
- The encouragement of the provision of a range of high quality housing options which can meet the varied needs of all Town residents.

### **3.2 Residential Development Policies**

In light of the goals and objectives contained in this Strategy and in particular the Residential development objectives identified in Part 3.1, the following policies are intended to regulate residential development within the Town.

- R 1 It shall be the intention of Council to create a Residential Generalized Future Land Use Designation on the Generalized Future Land Use Map and encourage the development, maintenance and enhancement of a wide variety of residential uses and related compatible uses within this Designation.
- R 2 It shall be the intention of Council to designate areas of the Town which are predominately residential in character and which are appropriate for long term residential development as Residential on the Generalized Future Land Use Map.
- R 3 It shall be the intention of Council to designate vacant lands generally located east of Lighthouse Road and the Town boundary and north of the property of the Digby Pines Resort as Residential and to provide for development of these lands at such time as comprehensive planning and the extension of municipal infrastructure is deemed appropriate.
- R 4 It shall be the intention of Council to include in the Land Use By-law a Residential Low Density (RLD) Zone. This Zone shall permit one (1) and two (2) unit residential dwellings as-of-right and establish minimum zone requirements and development control provisions for uses within the Zone.

The Residential Low Density Zone shall be applied to all existing one (1) and two (2) unit residential development as well as vacant lands, other than those provided for in Policies R 3 and R 8, within the Residential Designation.

- R 5 It shall be the intention of Council to include in the Land Use By-law a Residential Medium Density (RMD) Zone. This zone shall permit multiple unit dwellings containing a maximum of four (4) dwelling units as-of-right. The zone will permit one (1) and two (2) unit dwellings as-of-right subject to conformity with the provisions of the Residential Low Density Zone. The Zone will establish minimum zone requirements and development control provisions for uses within the zone. The Residential Medium Density Zone shall be applied to all existing dwellings containing three (3) or more dwelling units located within the Residential Designation.
- R 6 It shall be the intention of Council that the development of new multiple unit residential dwellings containing a maximum of four (4) units within the Residential Designation shall be considered by amendment to the Land Use By-law (rezoning) and be subject to criteria contained in Policy IM 7.
- R7 It shall be the intention of Council to include in the Land use By-law a Residential Mixed Use (RMU) Zone. This zone shall permit residential uses to a maximum of four (4) dwelling units as well as small scale commercial, institutional and light industrial uses as-of-right. This zone will be applied to lands generally located between Queen Street and Montague Row south of St. George Street.

R 8 It shall be the intention of Council to include in the Land Use By-law a Residential Comprehensive Development District (RCDD) Zone. This zone shall permit a variety of residential types, including low, medium and high density residential uses within comprehensively planned development. This zone will be applied to vacant lands generally located east of Lighthouse Road and the Town boundary and north of the property of the Digby Pines Resort. Development within the Residential Comprehensive Development District will be considered only by Development Agreement. When considering approval of a Development Agreement for lands within the Residential Comprehensive Development District Zone Council shall give consideration to:

- (a) The provision for and integration of trunk water, wastewater and storm water into the existing municipal systems;
- (b) The provision for and integration of collector and local road systems into the existing municipal road network;
- (c) Criteria contained in Policy IM 7, the General Criteria for Development Agreements.

R 9 It shall be the intention of Council to consider the development of the following uses on lands designated Residential by Development Agreement subject to criteria contained in Policy IM 7, the General Criteria for Development Agreements:

- (a) New residential dwellings containing five (5) or more units;
- (b) Expansion of existing multiple unit dwellings containing four (4) or more units;
- (c) Multiple residential structures located on a single lot;
- (d) Group Homes;
- (e) Boarding and Rooming Houses;

- (f) All development located within the Residential Comprehensive Development District (RCDD) Zone;
- (g) Expansion or alteration of an existing commercial use pursuant to Policy R 11;
- (h) Erection of a wind turbine or a free standing solar panel.

R 10 It shall be the intention of Council to include in the Land Use By-law provisions enabling and regulating the establishment of home occupations within the Residential Designation accessory to a permitted residential use. By-law provisions shall ensure that the residential character of an area can be maintained while providing for economic opportunities for residents.

R 11 It shall be the intention of Council to include as permitted uses within the Residential Low Density (RLD) Zone and apply the Residential Low Density Zone to commercial uses existing within the Residential Designation as of the effective date of this Strategy. The establishment of new commercial uses other than home occupations provided for in Policy R 9 shall be prohibited within the Residential Designation. Existing commercial uses within the Residential Designation may expand or be altered only by Development Agreement. The change of use of any existing commercial use within the Residential Designation shall only be in conformity with the provisions of the Residential Low Density (RLD) Zone.

R 12 It shall be the intention of Council, except as provided for in Policy R 7, to zone industrial uses within the Residential Designation existing as of the effective date of this Strategy as Residential Low Density (RLD) and make such uses non-conforming.

- R 13 It shall be the intention of Council to zone existing institutional uses and open space and recreational uses within the Residential Designation according to their use pursuant to policies INS 3 and OS 2.
- R 14 It shall be the intention of Council to include within the Residential Low Density RLD Zone provisions for alternative minimum lot standards where:
- (a) a through lot, existing as of the effective date of this Strategy, is to be subdivided;
  - (b) a lot, existing as of the effective date of this Strategy containing more than one existing residential building is to be subdivided.

### **3.3 Commercial and Industrial Development Policies**

In light of the goals and objectives contained in the Strategy and in particular the commercial and industrial development objectives identified in Part 3.1 the following policies are intended to regulate commercial and industrial development within the Town.

#### **Commercial Development**

- C1 It shall be the intention of Council to create a Commercial Generalized Future Land Use Designation on the Generalized Future Land Use Map and encourage the development and redevelopment of a broad range of commercial activities within this Designation.
- C2 It shall be the intention of Council to Designate as Commercial the two established commercial areas of Town: the traditional downtown core including lands fronting on Montague Row north of Warwick Street, Water Street and First Avenue north of Church Street as well as lands fronting on

Warwick Street east of Second Street; and the commercial district generally located at the intersection of Warwick and Victoria Streets including lands fronting on Warwick Street west of West Street and lands fronting on the east side of Victoria Street south of Mount Street and on the west side of Victoria Street generally south of the intersection of Prince William Street and Highway 217. The Commercial Designation will also be applied to the lands of the Digby Pines Resort and adjacent property owned by the Province of Nova Scotia.

- C 3 It shall be the intention of Council to include in the Land Use By-law a Commercial Downtown (CD) Zone. This zone shall permit a wide variety of commercial retail, service, office, tourism and institutional uses as well as existing residential uses and new residential uses accessory to commercial uses as-of-right.
- C 4 The Commercial Downtown (CD) Zone will be applied to those lands within the Commercial Designation which encompass the recognized traditional central business district of the Town.
- C 5 It shall be the intention of Council to establish development control standards and requirements within the Commercial Downtown (CD) Zone which reflect the character and pattern of existing development within this district. Lot standards and development control provisions will be created for general commercial development, institutional development and development fronting on First Avenue which will provide for appropriate site planning needs of various types of development within the Commercial Downtown Zone.

- C 6 It shall be the intention of Council to require any accessory residential use on a property zoned Commercial Downtown (CD) which fronts on Water Street to be located above or at the rear of a commercial use.
- C 7 It shall be the intention of Council to allow the development of residential uses within existing commercial structures on lands zoned Commercial Downtown (CD) fronting on First Avenue north of Church Street or fronting on Birch Street provided that there is no exterior alteration or expansion of the structure.
- C 8 Notwithstanding Policy C 6, it shall be the intention of Council to consider the development of new multiple unit apartment dwellings on lands zoned Commercial Downtown only by Development Agreement. In considering proposals for multiple unit residential development within the Commercial Downtown (CD) Zone Council shall give consideration to, in addition to the general criteria contained in Policy IM 7, the following:
- (a) The minimum number of dwelling units shall be eight (8);
  - (b) Adequate provisions are made for on-site parking;
  - (c) Adequate provisions are made for amenity space.
- C 9 It shall be the intention of Council to include existing general industrial and marine-related industrial uses located within the traditional central business district as permitted uses within the Commercial Downtown (CD) Zone. Existing industrial uses shall be permitted to expand only by Development Agreement. In considering proposals for the expansion of existing industrial uses within the Commercial Downtown (CD) zone Council shall give consideration to the general criteria contained in Policy IM 7.

- C 10 It shall be the intention of Council to include in the Land Use By-law a Commercial General (CG) Zone. This zone shall permit a wide variety of commercial retail, service, office uses as well as the development of new institutional and high density residential uses which are complimentary to vehicle-oriented commercial demands.
- C 11 It shall be the intention of Council to apply the Commercial General (CG) Zone to those lands within the Commercial Designation generally located on Warwick and Victoria Streets.
- C 12 It shall be the intention of Council to establish within the Land Use By-law Commercial General (CG) Zone minimum lot requirements and development control provisions for the Commercial General (CG) Zone in keeping with the nature of the intended development.
- C13 It shall be the intention of Council to include existing residential dwellings located within the Warwick and Victoria Street commercial area as permitted uses within the Commercial General (CG) Zone. Except as provided for in Policy C 14, new low and medium density residential development will be prohibited within the Commercial General Zone.
- C14 It shall be the intention of Council to consider the development of new high density apartment building and townhouse dwelling development within the Commercial General (CG) Zone only by Development Agreement. Council shall give consideration to, in addition to the general criteria contained in Policy IM 7, the following:
- (a) The minimum number of dwelling units shall be eight (8);
  - (b) Adequate provisions are made for on-site parking;
  - (c) Adequate provisions are made for amenity space;

- (d) Setback provisions are made to encourage preservation of commercial development potential adjacent to the street line.

C 15 It shall be the intention of Council to include in the Land Use By-law a Commercial Resort (CR) Zone. This zone shall be established specifically to acknowledge and accommodate the Digby Pines Resort property. Tourist related accommodations, services and facilities will be permitted as-of-right within the Commercial Resort Zone and zone requirements and development control provisions will be in keeping with the nature of the existing development. The Commercial Resort (CR) Zone will be applied to those lands of the Digby Pines Resort and adjacent lands of the Province of Nova Scotia at Shore Road.

C 16 It shall be the intention of Council to consider the development of the following uses on lands designated Commercial by Development Agreement subject to criteria contained in Policy IM 7, the General Criteria for Development Agreements:

- (a) New residential dwellings containing eight (8) or more units within the Commercial Downtown (CD) and Commercial General (CG) Zones;
- (b) Expansion of industrial uses within the Commercial Downtown (CD) Zone:
- (c) Erection of a wind turbine or a free standing solar panel.

### **Industrial Development**

IND 1 It shall be the intention of Council to create an Industrial Generalized Future Land Use Designation on the Generalized Future Land Use Map and encourage the development of industrial activities within this Designation.

- IND 2 It shall be the intention of Council to Designate as Industrial the two established marine-related areas of Town: lands adjacent to The Racquette located on the north side of Carleton Street between Queen and Birch Streets; and lands adjacent to the Digby Wharf on Water Street east of Maiden Lane.
- IND 3 It shall be the intention of Council to include in the Land Use By-law an Industrial (IND) Zone. This zone shall permit a wide variety of industrial manufacturing, assembly and warehousing uses including marine related services and storage, fish and food processing facilities and Harbour Authority administrative and operational facilities. Existing residential uses will be considered permitted uses within the Industrial (IND) Zone however new residential uses will not be permitted.
- IND 4 It shall be the intention of Council to apply the Industrial (IND) Zone to those lands within the Industrial Designation generally located adjacent to the Digby Wharf and lands located adjacent to the Racquette on the north side of Carleton Street between King and Birch Streets.
- IND 5 It shall be the intention of Council to include in the Land Use By-law lot standards and development control provisions for the Industrial (IND) Zone which encourage development while minimizing potential conflict with adjacent non-industrial areas.
- IND 6 It shall be the intention of Council to consider the development of a wind turbine on lands zoned Industrial (IND) only by Development Agreement subject to criteria contained in Policy IM 7 and IM 8.

### **3.4 Public Use Policies**

In light of the goals and objectives contained in the Strategy and in particular the commercial and industrial development objectives identified in Part 3.1 the following policies are intended to regulate institutional and open space development within the Town.

#### **Institutional Uses**

INS 1 It shall be the intention of Council to include in the Land Use By-law an Institutional (INS) Zone. This zone shall permit a wide variety of public, fraternal, community and not-for-profit uses as-of-right.

INS 2 It shall be the intention of Council to include in the Land Use By-law lot standards and development control provisions for the Institutional (INS) Zone which encourage development while minimizing potential conflict with adjacent non-institutional uses and areas.

INS 3 It shall be the intention of Council to apply the Institutional (INS) Zone to all existing institutional uses located within the Residential Designation and allow for the development of new institutional uses within the Residential Designation only by amendment to the Land Use By-law (rezoning).

INS 4 It shall be the intention of Council to include institutional uses as uses permitted as-of-right within the Commercial Downtown (CD), Commercial General (CG) and Industrial (IND) zones and to zone them accordingly within the Commercial and Industrial Designations.

INS 5 It shall be the intention of Council to consider the redevelopment or change of use of properties zoned Institutional (INS) to any use permitted in the Residential Low Density (RLR), the Residential Medium Density (RMD) or the Commercial General (CG) Zones only by Development Agreement subject to provisions contained in Policy IM 7.

#### Public Open Space

OS 1 It shall be the intention of Council to include in the Land Use By-law a Public Open Space (OS) Zone. This zone shall include as permitted uses public parks, public recreation space, public trails and related uses.

OS 2 It shall be the intention of Council to apply the Public Open Space (OS) Zone to all existing open space uses located within the Residential, Commercial and Industrial Designations.

OS 3 It shall be the intention of Council, through the Subdivision By-law, to provide for the acquisition of public open space and/or cash-in-lieu for the development of residential subdivisions containing three (3) or more lots.

OS 4 It shall be the intention of Council to zone, and where necessary amend the Land Use By-law (rezone), all lands which may be acquired for public open space purposes, including the expansion of existing facilities or the acquisition of new land or facilities.

### **3.5 Municipal Infrastructure and Environmental Protection Policies**

In light of the goals and objectives contained in the Strategy and in particular the commercial and industrial development objectives identified in Part 3.1 the following policies related to municipal infrastructure and environmental protection matters.

#### **Municipal Infrastructure**

- MI 1 It shall be the intention of Council to require that all development within the Town front on a public street and be serviced with municipal sewer and water.
  
- MI 2 It shall be the intention of Council that a property owner be responsible for the construction of all proposed extensions of municipal road, sanitary sewer, storm sewer, water and related infrastructure for the purposes of enabling development of private property and that all construction be in conformity with the provisions of the Town Subdivision By-law and related regulations and servicing specifications.
  
- MI 3 It shall be the intention of Council to work cooperatively with the Municipality of the District of Digby in relation to the extension, integration and future development of municipal infrastructure and services, and in particular with respect to the Digby Area Industrial Park and the upgrading of the Town's wastewater management system, to ensure fiscally and environmentally responsible growth within and adjacent to the Town.

## Environmental Protection

- EP1 It shall be the intention of Council to accept the recommendations of the Hiltz and Seamone Digby Wellfield Water Resources Management Plan in relation to the protection of lands which support the Town's wellfield and source water supply area.
- EP 2 It shall be the intention of Council to protect the quality of ground water within the Digby Wellfield Area through the control of land use and development as set forth in this Strategy.
- EP 3 It shall be the intention of Council to prohibit the development of certain uses within the Town which have been deemed to be inconsistent with the long term protection of groundwater resource quality.
- EP 4 It shall be the intention of Council to establish in the Land Use By-law a Wellhead Protection Zone (WHP) Overlay which shall be applied to lands within 30 meters (98.4 ft.) of the production well (Well No. 3) located on Town property at the Racquette. Permitted uses within this zone will be limited to existing uses and uses relating to the operation of the Town's water utility.
- EP 5 It shall be the intention of Council to establish in the Land Use By-law a Wellfield Protection Zone (WFP) Overlay which shall be applied to lands which have been identified as being within "Protection Zone A, Time-to-Travel 0 to 2 Years" and "Protection Zone B, Time-to-Travel 2 to 5 Years" and "Protection Zone C", Time to Travel 5 to 25 Years as delineated in the

Digby Wellfield Source Water Protection Plan, Hiltz and Seamone Consulting Engineers Limited/ W.G. Shaw and Associates Consulting Geoscientists 2009

- EP 6 The Wellhead Protection Zone (WHP) and Wellfield Protection Zone (WFP) Zone Overlay shall be as shown on Schedule B of the By-law.
- EP 7 It shall be the intention of Council to identify a range of uses which, due to the potential risk to maintaining ground water quality, shall be prohibited within the in the Wellfield Protection Zone (WFP) Overlay. The redevelopment, expansion or alteration of all exiting prohibited uses, or the establishment of a prohibited use which would otherwise be permitted in zone to which the overlay is applied, shall be considered only by Development Agreement. In addition to general criteria contained in this Strategy any proposed development shall be subject to environmental engineering design and review to identify any risks for groundwater contamination and assessment of potential risk mitigation techniques.
- EP 8 It shall be the intention of Council to develop a public information and education program for the Digby Wellfield Protection Area which will promote awareness of the issues surrounding protection, management and conservation of the water resource. The program will include but not be limited to signage, public notification, technical information and “best practices” statements focused on impacts from land uses on water quality. The program will also address operation and maintenance procedures for government undertakings within the area including but not limited to seasonal road maintenance, pesticide use, fencing and protective measures for wellhead area including property acquisition where appropriate and/or feasible and enforcement of existing municipal and provincial regulations relating to environmental controls.

## 4.0 Implementation and Administration

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- IM 1 It shall be the intention of Council to provide for the overall development of the Town in accordance with the Generalized Future Land Use Map (Map 1) which shall constitute a part of this document. Any change to the boundaries of a Generalized Future Land Use designation shall require an amendment to this Strategy.
- IM 2 It shall be the intention of Council to adopt a Land Use By-law to implement the policies of this Planning Strategy. The Land Use By-law will apply zones and appropriate regulations to all land within the Town to carry out the goals, objectives and policies of this Strategy.
- IM 3 It shall be the policy of Council to include in the Land Use By-law a broad range of development control provisions to ensure a high quality environment in all land use designations. General provisions which shall apply to development within all zones shall include, but not be limited to regulations concerning lot standards, building heights, property line setbacks, signage, landscaping and buffering, accessory buildings, parking, and obnoxious uses.
- IM 4 It shall be the intention of Council, in accordance with Section 243 of the Municipal Government Act, to appoint a development officer(s) to administer this Planning Strategy, the Land Use By-law, the Subdivision By-law, Subdivision Regulations the granting of development permits, variances, site and any other such regulatory tool permitted by the MGA.

- IM 5 It shall be a policy of Council to review the Municipal Planning Strategy and Land Use By-law as deemed necessary by Council due to changing conditions but not later than every five years.
- IM 6 It shall be a policy of Council to review the Integrated Community Sustainability strategies which comprise a part of this document independently from the rest of the Strategy as deemed necessary by Council or in response to direction from the senior levels of government.
- IM 7 In considering amendments to the Land Use By-law and/or the entering into of a Development Agreement, in addition to the criteria set out in various policies of this Strategy, Council shall consider:
- (a) whether the proposal is considered appropriate in terms of:
    - (i) the adequacy of sewer and water services;
    - (ii) the adequacy of school facilities;
    - (iii) the adequacy of fire protection;
    - (iv) the impact on adjacent uses;
    - (iv) the adequacy of road networks adjacent to, or leading to the development; and
    - (v) the financial capacity of the Town to absorb any costs relating to the development.
  - (b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;
  - (c) the adequacy of the dimensions and shape of the lot for the intended use;
  - (d) the compatibility with the existing pattern of development and adjacent uses;

- (e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;
- (f) any other matter required by relevant policies of this Strategy.

IM 8 It shall be the intention of Council, in addition to provisions contained in Policy IM 7, to give consideration to the following when reviewing application for Development Agreements for the erection of wind turbines or free standing solar panels:

- (a) The site plan ensures that a separation distance equal to the height of the tower or panel is maintained from all dwelling on any abutting properties;
- (b) That technical information relating to any equipment utilized for the generation of power confirm that its maximum noise output not exceed 45 db at the property line.

IM 9 It shall be the intention of Council to regulate the granting of a variance pursuant to Section 235(1) of the Municipal Government Act. Pursuant to Section 235(2) it shall also be the intention of Council that the Development Officer be enabled to grant a variance in one or more of the requirements of the Land Use By-law:

- (a) the number of parking spaces and loading spaces;
- (b) ground area and height of a structure;
- (c) floor area occupied by a home based business;
- (d) height and area of a sign.

IM 10 It shall be the intention of Council to adopt a Subdivision By-law which reflects the intent and policies of this Strategy. The By-law shall include:

- (a) road construction standards;

- (b) water and sewer installation standards; and
- (c) other requirements as permitted through the Municipal Government Act.

IM 11 It shall be the policy of Council to prohibit subdivision of land on private roads.

IM 12 It shall be the policy of Council to levy fees from the applicant for following:

- (a) cost of notifying adjacent land owners;
- (b) cost of advertising in the newspaper; if the advertising costs are more than the established fee, then the applicant will be billed for the difference, or if it is less, the difference shall be refunded; and
- (c) administrative and application processing costs.

#### Repeal of Strategy

The Town of Digby Municipal Planning Strategy as adopted by Town Council April 3, 2000, and all amendments thereto, are hereby repealed.