



**WEST HANTS REGIONAL MUNICIPALITY
Windsor Area Advisory Committee (WAAC) Agenda
January 7, 2021 – 6:00p.m.
Sanford Council Chambers / Zoom**

1.0 Call to Order

2.0 Approval of Agenda and Additions

3.0 Approval of Minutes

4.0 Business Arising from the Minutes

4.1 Update: File # 20-17 O'Brien Street, Windsor Rezoning (Sara Poirier)

4.2 Update: File # 20-10 Heritage Property By-law (Madelyn LeMay)

4.3 Update: File # 20-23 Standards and Guidelines for the Conservation of Historic Places in Canada (Madelyn LeMay)

4.4 Update: File # 20-12 Heritage Conservation Work Grant Guidelines (Madelyn LeMay)

4.5 Update: File # 20-11 Criteria for Inclusion in the Registry of Heritage Properties (Madelyn LeMay)

4.6 Update: File # 20-13 Heritage Permits and Alterations to Registered Heritage Properties (Madelyn LeMay)

5.0 Building and Development Activity Reports

6.0 New Business

6.1 Review of Some General MPS Policies (First Set) (Madelyn LeMay) (Each policy will be individually considered by the committee)

7.0 Notices from Adjacent Municipal Units

8.0 Questions and Comments from Public

9.0 Adjournment



WEST HANTS REGIONAL MUNICIPALITY REPORT

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| Information | Recommendation X | Decision Request <input type="checkbox"/> | Councillor Activity <input type="checkbox"/> |
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To: Hantsport Area Advisory Committee
Windsor Area Advisory Committee

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: January 5, 2021 HAAC
January 7, 2021 WAAC

Subject: General MPS Policies (First Set)

1.0 LEGISLATIVE AUTHORITY

Municipal Government Act (MGA) Part 8

2.0 BACKGROUND

West Hants Regional Municipality has a separate Municipal Planning Strategy, Land Use By-law and Subdivision By-law for each of Hantsport, West Hants and Windsor. As part of the plan review, planning staff are working on updating the planning documents and combining the nine (9) documents into three (3) documents: one Municipal Planning Strategy, Land Use By-law and Subdivision By-law for the Region. To help ensure a smooth transition, staff are reviewing the general policies of each MPS and developing one consistent policy where possible. The first set of policies from each of the three (3) documents and the recommended policies appear in Attachment A. Further general policies will be brought to the committees as time permits.

4.0 DISCUSSION

The general policies of any MPS are part of the backbone of the document – they are among the most used. As a result, each will be reviewed with the WAAC and HAAC and then PAC/HAC. Once a determination on the draft MPS policy is made, staff can draft the resultant LUB section for future review. Each of these will come into play when considering the usual major policy topics such as

ATTACHEMNT A

General Policies – First Set

The following policies are taken from the existing MPS for each unit; the last column is the policy recommended by planning and development control staff. Definitions are only included for quick reference, so we all know what is being discussed, and are taken from the definitions earlier agreed to by PAC/HAC. Numbering is for ease of reference in this document only. Each section begins with the background which would be included in the document for the Region.

| Hantsport | Windsor | West Hants | Recommended |
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| - | <p><u>Automobile Service Stations</u> To avoid traffic problems and ensure safe product delivery, Council wishes to set special requirements for automobile service stations.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>2.5 include special provisions in the LUB regulating lot access, frontage and similar matters for automobile service stations; (4.2.1)</p> | <p>4.2 Automobile Service Stations (4.2) Special requirements will be established for automobile service stations to avoid traffic problems and ensure safe product delivery.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>4.2.1 regulate lot access, frontage and similar matters for automobile service stations in the LUB. (4.2.1)</p> | <p>Automobile Service Stations To avoid traffic problems and ensure safety, Council will establish requirements for automobile service stations.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>G1 regulate lot access, frontage and similar matters for automobile service stations;</p> <p>Definition: Automobile Service Station means a building, part of a building or a clearly defined space on a lot used for the retail sale of lubricating oils, fuels, automobile accessories and service and minor repairs essential to the operation of motor vehicles and may include accessory uses such as a retail convenience</p> |

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| | | | store and an automotive washing establishment |
| <p>provide for the overall development of Hantsport in accordance with the GFLUM (Schedule A); GP-1</p> <p>2.2 permit a range of compatible zones within each designation, subject to the policies of this MPS; GP-2</p> <p>2.3 encourage development in the vacant areas of Hantsport; GP-3</p> | <p><u>Development by Windsor</u></p> <p>Institutional, community use and public works development by Windsor on Town-owned land will be permitted in any zone. For major developments, such as a sewage treatment plant, town hall or other public building or facility, Council has determined it is important to consider the impact on the surrounding neighbourhood and provide an opportunity for public input. Where such developments would be subject to a development agreement or rezoning process if undertaken on privately owned land, Council will take into consideration the relevant policies of the MPS prior to commencing construction.</p> <p>Policy</p> <p>As a result, it shall be the policy of Council to:</p> <p>2.6 allow institutional, community use or public works development by Windsor on municipally-owned land in any zone and where such development involves the</p> | <p>4.5 Development on Municipally-owned Land (4.5)</p> <p>Institutional, community use and public works development on municipally owned lands shall be permitted in any zone. For major developments, however, such as a sewage treatment plant, or other public or institutional building or facility, It is important to Council to consider the impact on the surrounding neighbourhood and provide an opportunity for public input. Prior to commencing construction, Council will take into consideration the relevant policies of the MPS that would apply if the development were undertaken on privately-owned land and a development agreement or rezoning would be required.</p> <p>Policy</p> <p>As a result, it shall be the policy of Council to:</p> <p>4.5.1 allow institutional, community use or public works development on municipally owned land in any zone. However, where such development involves the construction of a new main building with a gross floor</p> | <p>Development on Municipally owned Land</p> <p>Institutional, community use and public works development on municipally owned lands will be permitted in any zone. For major developments such as a sewage treatment plant or other public or institutional building or facility, Council will consider the impact on the surrounding neighbourhood and provide an opportunity for public input. Prior to beginning construction, Council will take into consideration the relevant policies of the MPS that would apply if the development were undertaken on privately-owned land and a development agreement or rezoning would be required.</p> <p>Policy</p> <p>As a result, it shall be the policy of Council to:</p> <p>G2.1 permit institutional, community use or public works developments with a gross floor area of 2,000 ft² (185.80 square meters) or less on municipally owned land in any zone; and</p> |

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| | <p>construction of a new main building with a gross floor area over 2,000 ft² (185.8 m²) and would require a development agreement or rezoning if undertaken on privately-owned land. Prior to commencing such development Council shall consider the potential impact on the community and seek public input by:</p> <ul style="list-style-type: none"> (a) requesting a staff report reviewing the relevant policies of the MPS including policy 12.4; and (b) holding a public meeting and publishing notice of the public meeting. (4.3.1) | <p>area greater than 2,000 ft² (185.80 square meters) and would require a development agreement or rezoning if undertaken on privately-owned land, it shall be the intention of Council, prior to commencing such development, to consider its potential impact on the community and seek public input by (4.5.1):</p> <ul style="list-style-type: none"> (a) requesting a staff report reviewing the relevant policies of the MPS including Policy 15.7; and (b) holding a public meeting and publishing a notice of the public meeting. | <p>G2.2 permit institutional, community use or public works developments with a gross floor area greater than 2,000 ft² (185.80 square meters) on municipally owned land in any zone which would require a development agreement or rezoning if undertaken on privately-owned land only following:</p> <ul style="list-style-type: none"> (a) receipt of a staff report reviewing the relevant policies of the MPS; and (b) publication of and holding a public meeting to hear comments related to the development. |
| - | <p><u>Fences</u> Since fences in residential areas that are extremely high or are constructed of materials that give an unattractive or makeshift appearance detract from the visual appeal of Windsor, Council wishes to have some control over certain fence characteristics in the Land Use By-law.</p> | - | <p>(may not need policy) Fences Since extremely high fences or unattractive fences detract from the visual appeal of the community, Council will regulate some aspects of fences. Policy</p> |

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| | <p>Policy As a result, it shall be the policy of Council to: 2.9 regulate the height, style and location of fences (4.5.1)</p> | | <p>As a result, it shall be the policy of Council to: G3 regulate the height, style and location of fences (4.5.1)</p> |
| - | <p><u>Lighting</u> To address safety issues and to prevent conflicts between adjacent uses resulting from outdoor lighting, particularly flood lights, Council shall regulate outdoor lighting through requirements established in the LUB. Policy As a result, it shall be the policy of Council to: 2.14 regulate outdoor lighting in order to prevent conflicts between nearby uses which may result from indiscriminate placement of outdoor lighting, particularly flood lights. (4.8.1)</p> | <p>4.14 Lighting (4.14) To address safety issues and prevent conflicts between adjacent uses resulting from outdoor lighting, particularly flood lights, Council will regulate the placement of outdoor lighting in the LUB. Policy As a result, it shall be the policy of Council to: 4.14.1 regulate outdoor lighting in the LUB to prevent conflicts between adjacent uses resulting from indiscriminate placement of flood lights and other outdoor lighting. (4.14.1)</p> | <p>Exterior Lighting In order to reduce the impact of lighting on nearby properties, Council will require any exterior lighting to minimize light spilling over into areas where it is not wanted from the property where the lighting fixture is installed (light trespass). Policy As a result, it shall be the policy of Council to: G4 regulate outdoor lighting to prevent conflict between nearby uses, minimize energy waste and reduce the amount of unnecessary brightening of the night sky.</p> |
| - | <p><u>One Main Building on a Lot</u> The general intent of the MPS is to allow one main building and multiple accessory buildings and structures on one lot. Sometimes more than one main building may be necessary to accommodate certain types of development such as industrial,</p> | <p>4.17 One Main Building on a Lot (4.17) Council's general intent is to allow one main building on a lot, along with accessory buildings and structures. For certain types of development, however, more than one main building may be necessary. For example, industrial and agricultural uses often require</p> | <p>Buildings The location, size and number of buildings on a lot can have a significant impact on neighbouring properties and the character of an area. Policy As a result, it shall be the policy of Council to</p> |

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| | <p>agricultural and fairground uses and grouped dwellings.</p> <p>Policy</p> <p>As a result, it shall be the policy of Council to:</p> <p>2.15 permit only one main building and multiple accessory buildings and structures on one lot except:</p> <p style="padding-left: 40px;">(8.5.1a) in industrial zones, except the Joint Industrial Type Three (LI-3) Zone;</p> <p style="padding-left: 40px;">(b) in the Fairground (FG) Zone;</p> <p style="padding-left: 40px;">(c) in the Shopping Centre (SC) Zone;</p> <p style="padding-left: 40px;">(d) in the Pesaquid CDA;</p> <p style="padding-left: 40px;">(e) in the College Road CDD (College road CDD) Zone;</p> <p style="padding-left: 40px;">(f) in the Agriculture Zone;</p> <p style="padding-left: 40px;">(g) mixed use development permitted under policies 9.1.1 and 9.2.1; and</p> <p style="padding-left: 40px;">(h) grouped dwellings; and</p> <p style="padding-left: 40px;">(i) in the Wentworth Road Commercial (WR-C) Zone. (4.9.1)</p> | <p>several main buildings. Grouped dwellings and manufactured home parks, by their very nature, involve more than one main building on a lot. It has been the practice in West Hants to allow a second dwelling on a lot without subdividing, provided it can be shown that the lot is large enough to subdivide and all other requirements can be met.</p> <p>Policy</p> <p>As a result, it shall be the policy of Council to:</p> <p>4.17.1 permit only one main building on a lot, along with accessory buildings and structures except for the following zones or uses (4.17.1):</p> <p style="padding-left: 40px;">(a) farm buildings, or where an additional dwelling is to be used by a farm employee, farm owner or family member involved in the farm operation;</p> <p style="padding-left: 40px;">(b) industrial zones;</p> <p style="padding-left: 40px;">(c) regional shopping centres;</p> <p style="padding-left: 40px;">(d) grouped dwellings;</p> <p style="padding-left: 40px;">(e) institutional uses;</p> <p style="padding-left: 40px;">(f) manufactured home parks; and</p> <p style="padding-left: 40px;">(g) a second dwelling on a lot where it can be shown that a second lot could be created and the building can be shown to meet all other requirements.</p> | <p>G5 establish requirements regarding the location of buildings on a lot, the number of main buildings on a lot, the placement of buildings on a lot, and the size of buildings, in order to control the impact of uses and implement the intent of each specific zone.</p> |
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| - | <p><u>Open Storage</u> Where inventory, equipment or other materials related to a business are stored outdoors without regard for location or screening from adjacent uses, it results in unattractive development and creates potential for land use conflicts.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>2.16 regulate requirements for location and screening of open storage in order to encourage aesthetically pleasing development and avoid land use conflicts (4.10.1)</p> <p>2.17 prohibit open storage in zones where potential for land use conflicts may arise. (4.10.2)</p> | <p>4.18 Open Storage (4.18) Council wishes to prevent inventory, equipment or other materials related to a business stored outdoors from become unattractive and creating potential land use conflicts. Special regard needs to be given to the location or screening of material from adjacent uses to encourage aesthetically pleasing development and avoid land use conflicts.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>4.18.1 regulate the location and screening of open storage in the LUB (4.18.1)</p> <p>4.18.2 prohibit open storage in zones where there is potential for land use conflicts. (4.18.2)</p> | <p>Outdoor Storage and Display The outdoor storage and display of goods and materials, such as vehicles and building supplies, is often a necessary part of a business. It can, however, be unattractive and may have a negative impact on nearby properties. Council will regulate outdoor storage and display to minimize potential land use conflicts, especially between commercial or industrial areas and residential neighbourhoods.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>G6.1 regulate the amount, location and required screening of outdoor storage and display associated with any use in a manner that is consistent with the intent of each specific zone in order to minimize potential land use conflict; and</p> <p>G6.2 prohibit open storage in zones where there is potential for land use conflict.</p> |
| 2.4 include in the LUB a full range of provisions to ensure a high quality urban and rural | <p><u>Signs</u> Signs are regulated to address structural and traffic safety and to</p> | <p>4.20 Signage (4.20) Council will regulate signage in the LUB to address</p> | <p>Signs Council will regulate signs to address structural and traffic safety and</p> |

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| <p>environment in all land use designations. Such provisions shall include, but not be limited to regulations concerning signage, landscaping and buffering, accessory buildings, separation distances, and obnoxious uses. GP-4</p> | <p>encourage advertising to be compatible with neighbouring land uses and with the community as a whole.</p> <p>Policy As a result, it shall be the policy of Council to</p> <p>2.24 regulate the size, location and placement of signs to avoid potential hazards for pedestrian and traffic movement and to encourage attractive and compatible signs. (4.13.1)</p> <p>2.25 prohibit certain types of signs which are considered to pose potential public safety hazards, or negatively affect traffic flow, or which are to be affixed to natural features. (4.13.2)</p> <p>2.26 regulate the height of ground signs, including but not limited to on the land adjacent to the St. Croix River, which will require a lower height to preserve view planes. (4.13.3)</p> | <p>structural and traffic safety and to encourage advertising to be compatible with neighbouring land uses and with the community as a whole.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>4.20.1 regulate size, location and placement of signage to avoid potential hazards for pedestrian and traffic movement and to encourage attractive and compatible signage. (4.20.1)</p> <p>4.20.2 prohibit from all land use zones certain types of signs which are considered to pose potential public safety hazards or negatively affect traffic flow, or which are to be affixed to natural features. (4.20.2)</p> <p>4.20.3 regulate the height of ground signs. (4.20.3)</p> <p>4.20.4 permit roof signs in any commercial or industrial zone and regulate the size of roof signs to address potential public safety hazards and structural damage. (4.20.4)</p> <p>4.20.5 prohibit the erection of signs on public property by non</p> | <p>accessibility and to encourage advertising compatible with neighbouring land uses.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>G7.1 regulate the size, location, height, illumination and placement of signs to minimize hazards and nuisances and to control the visual impact of signs;</p> <p>G7.2 prohibit types of signs which are considered to pose potential safety hazards, negatively affect traffic flow, or are affixed to natural features; and</p> <p>G7.3 prohibit new ground signs in the Town Centre (TC) Zone and the Pesaquid Comprehensive Development Area (Pesaquid CDA).</p> |
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| | <p>2.27 prohibit new ground signs in the Town Centre (TC) Zone and the Pesaquid Comprehensive Development Area (Pesaquid CDA). (4.13.4)</p> <p>2.28 permit roof signs only within industrial and fairground zones, and to regulate the size to address potential public safety hazards and structural damage. (4.13.5)</p> <p>2.29 regulate the size and location of signs associated with local commercial uses to preserve the small-scale nature of these land uses.(4.13.6)</p> <p>2.30 prohibit the erection of signs on public property by non-governmental bodies unless specifically permitted by Council (4.13.7).</p> | <p>governmental bodies unless specifically permitted by Council. (4.20.5)</p> | |
| - | <p><u>Temporary and Special Uses</u> Temporary uses include uses and structures which are associated with construction activity such as construction sheds for tools, materials, or site offices, or signs which are located on the construction site. Council considers</p> | <p>4.21 Temporary and Special Uses (4.21) Temporary uses include structures associated with new construction such as construction sheds for tools, materials or offices, or signs located on the construction site while work is proceeding. These are considered part of construction activity, but</p> | <p>Temporary and Special Uses and Structures Temporary uses and structures include those associated with construction such as sheds for tools and materials, site offices and signs located on a construction site. Temporary uses and structures also include yard sales.</p> |

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| | <p>these uses to be part of construction activity and will not restrict their use, but will require them to be removed shortly after work is completed.</p> <p>Special uses refer to signs, banners, display booths and other structures which are used during special events such as elections or festivals. As with temporary uses, Council will permit these uses on a short-term basis and require that they be discontinued shortly after the special event is concluded.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>2.31 permit without a development permit temporary structures used in conjunction with a construction or subdivision project, including offices, scaffolding, signs and buildings for the storage of equipment and material and require removal within 14 days of completion or discontinuation of</p> | <p>must be removed shortly after work is completed.</p> <p>Special uses refers to special events such as elections or festivals and includes signs, banners, display booths and other structures. As with temporary construction uses, they will be permitted on a short-term basis, but must be discontinued soon after the special event concludes.</p> <p>Temporary uses also include yard sales. While occasional weekend yard sales are an accepted and popular activity, yard sales that continue for weeks or even months can become a problem for neighbours. Council considers these sales a commercial use that will only be permitted in appropriate zones or in accordance with the regulations for a home-based business. To control these uses, Council will limit the length of time a yard sale can continue in the LUB.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>4.21.1 permit temporary structures used in conjunction with a construction or development project including offices, scaffolding, signs and structures for the storage of</p> | <p>Special uses and structures include events such as elections or festivals and may involve signs, display booths and other structures.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>G8.1 permit, with no requirement for a development permit, for a time period to be established in the Land Use By-law, temporary uses associated with a construction site, a special occasion, or a holiday;</p> <p>G8.2 permit, with no requirement for a development permit, for a time period to be regulated in the Land Use By-law, yard sales or auctions of personal possessions on the same lot as a dwelling; and</p> <p>G8.3 permit, with no requirement for a development permit, for a time period to be regulated in the Land Use By-law, temporary or occasional outdoor markets in areas zoned for uses other than primarily residential uses.</p> |
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| | <p>construction . (4.14.1 & 4.14.3)</p> <p>2.32 permit without a development permit special uses including signs, banners, display booths and other similar structures related to an election, festival, celebration, or other special event and require removal within 14 days of or the conclusion of the special event. (4.14.2 4.14.3)</p> | <p>equipment and material. No development permit shall be required for such uses but the length of time will be limited in the LUB. (4.21.1 and 4.21.4)</p> <p>4.21.2 permit special uses such as elections, festivals, celebrations or other special event including signs, banners, display booths and other similar structures in conjunction with these events No development permit shall be required for such uses but the length of time will be limited in the LUB. (4.21.2 and 4.21.4)</p> <p>4.21.3 consider yard sales or auctions of personal possessions on a residential lot as temporary uses that will not require a development permit, but must be discontinued within a reasonable time established in the LUB. (4.21.3 and 4.21.4)</p> | |
| - | <p><u>Utilities and Telecommunication Towers</u> The infrastructure required for supplying efficient utility services, whether public or private, to</p> | <p><u>Utilities and Telecommunication Towers</u> Council wishes to direct the location of wireless telecommunication towers to industrial, resource or agricultural lands in West Hants as</p> | <p>Utilities The infrastructure required for supplying efficient utility services, whether public or private may involve small buildings for</p> |

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| | <p>Windsor can involve small buildings for equipment and servicing. It is not the intention of Council to restrict the location of these small buildings. However, larger buildings which include office space or another other use will be required to locate in an appropriate zone. Since towers create a greater visual impact on the community, Council wishes to direct the location of wireless telecommunication towers to industrial and agricultural lands. Although Industry Canada regulates telecommunication facilities, the proponent is required to consult with municipal land use authorities before approving a new installation. In most instances, telecommunications companies are willing to work with municipal staff to reduce the impact of such structures on the community. By establishing requirements for fencing and landscaping Council provides a standard for companies to meet or exceed. Since it is sometimes possible for companies to co-locate on a single tower rather than building several structures in close</p> | <p>towers can create a strong visual impact. There are two self support towers on Ivey Lane in the Joint Industrial Park, as well as several guyed wire towers throughout the community, including at Hants Border and Ellershouse. Although Industry Canada regulates telecommunication facilities, the proponent is required to consult with municipal land use authorities before approving a new installation. In most instances, telecommunications companies are willing to work with municipal staff to reduce the impact of such structures on the community. Council will provide a standard for companies to meet or exceed by setting out requirements for fencing and landscaping in the LUB. Sometimes it is possible for companies to co locate on a single tower rather than building several structures in close proximity. In these cases, Council encourages service providers to work together to build a single tower.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>4.22.1 permit utility buildings and uses under 100 square feet (9.29 square meters) in floor area in any zone. (4.22.1)</p> | <p>equipment and servicing. Council will not restrict the location of these small buildings, but will require larger buildings, including office space or other uses to locate in an appropriate zone.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>G9 permit utility buildings and uses under 100 square feet (9.29 square meters) in floor area in any zone. (4.22.1)</p> <p>Telecommunication Towers Since towers can create a strong visual impact, Council wishes to direct the location of wireless telecommunication towers to industrial, resource or agricultural lands. Industry Canada regulates telecommunication facilities, but the proponent is required to consult with municipal land use authorities before approving a new installation. In most instances, telecommunications companies are willing to work with municipal staff</p> |
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| | <p>proximity Council encourages service providers to work together to build a single tower.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>2.35 permit utility buildings and associated uses under 100 ft² (9.3 m²) in floor area in any zone in Windsor.(4.16.1)</p> <p>2.37 encourage wireless telecommunication towers to be located in the Industrial and Agriculture zones subject to requirements for fencing, landscaping and co-location of towers and related buildings. (4.16.2)</p> | <p>4.22.2encourage the location of wireless telecommunication towers in Industrial, Resource and Agricultural designations and include requirements for fencing, landscaping and co location of towers and related buildings in the LUB. (4.22.2)</p> | <p>to reduce the impact of such structures on the community. Council will provide a standard for companies to meet or exceed by establishing requirements for fencing and landscaping. Council encourages service providers to work together to locate on a single tower rather than building several structures close together.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>G10.1encourage the location of wireless telecommunication towers in Industrial, Resource and Agricultural designations;</p> <p>G10.2encourage service providers to work together to locate on a single tower rather than building several structures close together; and</p> <p>G10.3regulate fencing and landscaping of wireless telecommunication towers and related buildings.</p> |
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| <p>Watercourses If development is permitted close to a watercourse, the activity associated with the development, ranging from construction to pesticides on lawns, may have a negative impact on the water quality. Council has determined that it is important to establish a suitable setback from the rivers.</p> <p>Policy As a result, it shall be the policy of Council to: 2.6 regulate the setback of any development from wetlands, watercourses and areas of steep slopes adjacent to watercourses, including increased setbacks for uses that may create a higher risk of contamination for watercourses, in order to protect watercourses from the risk of contamination caused by development; (GP-7)</p> | <p>Watercourses Human activity and development adjacent to watercourses can destroy wildlife habitat and affect water quality. By establishing minimum setback requirements from watercourses, negative impacts of construction, such as siltation, can be minimized or avoided.</p> <p>Policy As a result, it shall be the policy of Council to: 2.38 establish a minimum separation distance for development on lands adjacent to a watercourse in order to preserve natural habitats and limit environmental impacts, such as siltation, which often accompany construction. (4.17.1)</p> | <p>4.23 Watercourse (4.23) Human activity and development adjacent to watercourses can destroy wildlife habitat and affect water quality. By establishing minimum setback requirements from watercourses, negative impacts of construction, such as siltation, can be minimized or avoided. Residents highly value the many lakes and streams in West Hants for both passive and active recreation. It is important that future generations continue to have access to this resource.</p> <p>Policy As a result, it shall be the policy of Council to: 4.23.1 regulate development of lands adjacent to watercourses in the LUB. n order to preserve natural habitat and to limit environmental impacts such as siltation by establishing a minimum separation distance from watercourses. (4.23.1) 4.23.2 prevent development from eliminating public access to lakes and rivers in West Hants by accepting waterfront land</p> | <p>Watercourses Human activity and development adjacent to watercourses can destroy wildlife habitat and affect water quality. Residents value the many lakes and streams in the Region for both passive and active recreation, and it is important that future generations have access to this resource. Council will establish minimum setback requirements from watercourses to reduce or eliminate negative impacts of construction, such as siltation.</p> <p>Policy As a result, it shall be the policy of Council to: G11.1 regulate the setback of any development from wetlands, watercourses and areas of steep slopes adjacent to watercourses, including establishing increased setbacks for uses that may create a higher risk of contamination; and G11.2 maintain public access to lakes and rivers in the Region by accepting waterfront land under the parkland dedication provisions of the Subdivision</p> |
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| | | under the parkland dedication provisions of the West Hants Subdivision By-law or by the purchase of such lands with the money collected in lieu of land dedication. (4.23.2) | By-law and when possible by purchasing waterfront lands with the cash-in-lieu contributions. |
| 2.4 include in the LUB a full range of provisions to ensure a high quality urban and rural environment in all land use designations. Such provisions shall include, but not be limited to regulations concerning signage, landscaping and buffering, accessory buildings, separation distances, and obnoxious uses. GP-4 | | | Moved to individual policies |
| <p>Parking (3.2.2) Provision of space for vehicular parking is necessary for the efficient use of land and safe movement of traffic. The number of parking spaces provided should be proportional to the type of land use that is being served. Commercial uses require loading spaces in addition to parking spaces. Policy As a result, it shall be the policy of Council to:</p> <p>2.5 establish parking and loading requirements for a variety of uses in the LUB; GP-5</p> | <p>Parking To ensure adequate parking areas are provided throughout Windsor, parking is regulated in the LUB. Council promotes locating and landscaping parking lots in a way which lessens their impact on the streetscape. Council will also enable developers to provide cash in lieu of parking in the downtown area, and the money received will be used to enhance public parking in the Town Centre area. Policy As a result, it shall be the policy of Council to:</p> | <p>4.19 Parking (4.19) To ensure adequate parking areas are provided for business and residential uses, parking requirements will be established in the LUB. Parking lots should be located and landscaped in a manner which lessens their impact on streetscapes and neighbouring properties. Policy As a result, it shall be the policy of Council to: 4.19.1include provisions in the LUB establishing requirements for the number and size of parking spaces and the location, landscaping and screening of parking lots. (4.19.1)</p> | <p>Parking & Access Parking areas and driveway access are needed to accommodate motor vehicles associated with many uses. Council also recognizes that too much land used for parking consumes land unnecessarily, contributes to storm water runoff issues, and can place a financial burden on property owners. Within more developed areas, residences, shops, and other businesses tend to be clustered close enough together to allow people to reach them by walking or bicycling. Areas which are more developed also tend to have sidewalks, bicycle lanes, and other</p> |

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| | <p>2.18 establish requirements for parking and for the location and landscaping of parking lots. (4.11.1)</p> <p>2.19 require off-street parking to be provided on the same lot as the use. (4.11.2)</p> <p>2.20 consider parking on a separate lot by development agreement notwithstanding policy 2.19. In considering such development agreements Council shall be satisfied that:</p> <p>(a) the lot is within 300 ft. (91.44 m.) of the lot for which the parking is required;</p> <p>(b) the two lots are in the same ownership;</p> <p>(c) the agreement ensures the parking is provided for a specific use on another separate lot; and</p> <p>(d) the provisions of policy 12.5 of the MPS are met.(4.11.3).</p> <p>2.21 consider waiving on-site parking requirements for new local commercial uses permitted by policy 5.14 where traffic safety concerns are not created (4.11.4).</p> <p>2.22 establish requirements for cash in lieu of on-site parking within the Town Centre designation for use to enhance public parking in the Town Centre. (4.11.5)</p> | <p>4.19.2 require off street parking on the same lot as the use. (4.19.2)</p> | <p>infrastructure that supports active transportation. This can help reduce the need for parking. An oversupply of parking can decrease function in more developed areas since unnecessarily large parking areas push land uses apart and make the provision of sidewalks and bicycle lanes more expensive and less viable. The number of on-site parking spaces Council will require is intended to minimize the amount of space taken up by parking lots, provide for a reasonable amount of access by personal vehicles, and reduce the spillover of parking onto roads and neighbouring properties.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>G12.1 establish requirements for the minimum number and size of parking spaces related to uses and the location, landscaping and screening of parking lots, ensuring that the regulations reflect Council’s intention to give priority to uses over parking;</p> <p>G12.2 establish requirements for cash in lieu of on-site parking</p> |
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| | | | <p>within the Town Centre designation for use to enhance public parking in the Town Centre; and</p> <p>G12.3 require off-street parking to be provided on the same lot as the use; or consider parking on a lot separate from the use by development agreement. In considering such development agreements Council shall be satisfied that:</p> <ul style="list-style-type: none"> (a) the lot is within 300 ft. (91.44 m.) of the lot for which the parking is required; (b) the two lots are in the same ownership; (c) the agreement ensures the parking is provided for a specific use on a separate lot; and (d) the proposal meets the general development agreement criteria set out in section xx <i>Development Agreements and Amending the Land Use By-law</i>. |
| <p><i>Variances</i> In order to provide a degree of flexibility in the regulation of development, the Municipal Government Act enables the</p> | <p>16.6 Guidance for Variances In addition to the provisions of the <i>Municipal Government Act</i> allowing the Development Officer to grant a variance in the Land Use By-law</p> | <p><i>Guidance for Variance (16.7)</i> In addition to the provisions of the Municipal Government Act allowing the Development Officer to grant a variance in the LUB requirements for</p> | <p>Variances There are situations related to development that cannot be predicted. In order to ensure that undue hardship is not caused by</p> |

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| <p>Development Officer to grant a variance from the requirements of the Land Use By-law, as follows:</p> <p>2.7 enable the Development Officer to grant a variance in one or more of the following requirements of the LUB:</p> <ul style="list-style-type: none"> (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; (GP-6) | <p>requirements for the percentage of land that may be built upon, yards, lot frontage or lot area, Council also wishes to allow the Development Officer some increased flexibility in other areas.</p> <p>Policy 16.6.1 <i>It shall be the policy of Council to allow the Development Officer to grant a variance in Land Use By-law requirements or terms of a development agreement where the development agreement so provides, in one or more of the following:</i></p> <ul style="list-style-type: none"> (a) number of parking and loading spaces required; (b) ground area and height of a structure; (c) floor area occupied by a home-based business; and (d) height and area of a sign. <p>Policy 16.6.2 <i>It shall be the policy of Council to allow the Development Officer to vary one or more of the following requirements in the Waterfront Development District (WDD) zone by site plan approval: (WMPS 19-01 Effective October 1, 2019)</i></p> <ul style="list-style-type: none"> (a) Streetwall heights; (b) Maximum building length; (c) Parking requirements; (d) Stepbacks and setbacks; (e) Frontage requirements; (f) Commercial requirements. | <p>the percentage of land that may be built upon, yards, lot frontage or lot area, Council also wishes to allow the Development Officer some increased flexibility in other areas.</p> <p>Policy</p> <p>As a result, it shall be the policy of Council to:</p> <p>15.18 allow the Development Officer to grant a variance in LUB requirements or terms of a development agreement, where the development agreement so provides, in one or more of the following:</p> <p>(16.7.1)</p> <ul style="list-style-type: none"> (a) number of parking and loading spaces required; (b) ground area and height of a structure; (c) floor area occupied by a home based business; and (d) height and area of a sign. | <p>requirements for developments, the ability to vary requirements enabled in the <i>Municipal Government Act (MGA)</i> will be used.</p> <p>Policy</p> <p>As a result, it shall be the policy of Council to:</p> <p>G13 enable the Development Officer to vary the following LUB requirements or terms in a development agreement, if provided for in the development agreement:</p> <ul style="list-style-type: none"> (a) the percentage of land that may be built on; (b) the size or other requirements relating to yards, lot frontage or lot area; (c) the number of parking and loading spaces required; (d) the ground area and height of a structure; (e) the floor area occupied by a home-based business; and (f) the height and area of a sign. |
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| | Add the above to the zone | | |
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| <p><i>Police Services</i></p> <p>The RCMP detachment in Hantsport serves the community and provides a high level of service, with no outstanding issues to be addressed. As an aid to police services, Council will place security cameras at various locations throughout Hantsport, at a cost of approximately \$100,000. Council believes this initiative will contribute to Hantsport continuing to be a very safe place to live and work. This project may provide leadership for other municipalities to use this technology to assist in creation of safe environment.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>2.9 continue to provide a high level of police protection in Hantsport. (ICSP-21)</p> | <p>15.4 Police</p> <p>The Town of Windsor is policed by a detachment of the Royal Canadian Mounted Police. Prior to April 1948 the Town had its own police force. This was replaced by a 2-person detachment. Currently, there are eight RCMP officers with administrative support provided by the Town. The force is also supported by two auxiliary members and a "Citizens on Patrol" group as well as the West Hants Detachment of the RCMP.</p> | <p>Above 14.1 – background only</p> <p>West Hants is served by a detachment of the Royal Canadian Mounted Police located in the Windsor-West Hants Industrial Park. West Hants'2005-2006 budget provided \$1,025,795 for police services, or the equivalent of 9.8 full-time positions. The detachment serves not only West Hants, but also the community of Hantsport and the Mount Uniacke area of East Hants. As of September 2005, the detachment included: 16 detachment officers; four traffic services officers, one community liaison officer, one sergeant, one staff sergeant, one geographic information system (G.I.S.) officer and three detachment assistants. In addition, there were four auxiliary constables, volunteers from the area who work with the officers.</p> | <p>(Note: although policy can be placed in MPS, there is no ability to regulate in the LUB)</p> <p>Police The Region is served by a detachment of the Royal Canadian Mounted Police.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>G14 continue to provide a high level of police protection throughout the Region.</p> |
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| <p><i>Emergency Services</i></p> <p>Hantsport has joined with The Town of Windsor and West Hants to form a Regional Emergency Measures Organization (REMO) for this region. The former Town Hall in Hantsport is headquarters for many of the REMO operations.</p> <p>The Regional Emergency Measures Advisory Committee has the responsibility for the safety, health and welfare of its citizens should a threat arise from any emergency or disaster. Any effective emergency response requires a regional plan to fully integrate the use of all available resources and capabilities, either public or private, and provides for the proper coordination of these elements.</p> <p>The aim of the Regional Emergency Measures Plan is to establish arrangements and procedures necessary for the earliest possible coordinated response in order to:</p> <ul style="list-style-type: none"> (a) minimize the effects of an emergency or disaster on the region and its residents; (b) maximize the safety and preservation of health, private property and the environment; and | - | - | <p><i>(Note: although policy can be placed in MPS, there is no ability to regulate in the LUB, and if PAC/HAC wants to keep this policy, policy regarding Fire Services and EHS should be added)</i></p> <p>Emergency Services</p> <p>The Region is served by a Regional Emergency Measures Organization (REMO) which has the responsibility for the safety, health and welfare of residents should a threat arise from any emergency or disaster. Any effective emergency response requires a regional plan to fully integrate the use of all available public and private resources and capabilities and provide for the coordination of these elements.</p> <p>Policy</p> <p>As a result, it shall be the policy of Council to:</p> <p>G15 continue to be an active member in REMO in order to provide an effective response to emergencies.</p> |
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| <p>(c) ensure the restoration of essential services.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p><i>2.8 continue to be an active member in REMO in order to provide an effective response to emergencies. (ICSP-20)</i></p> | | | |
| - | - | <p>4.6 Existing Buildings Exceeding Floor Area Limited in Hamlet and Resource Designations (4.6)</p> <p>Permitted floor area is limited for certain commercial uses in the Hamlet and Resource designations. This restriction ensures that larger scale, non-resource commercial and industrial development is directed to the Growth Centres, while Hamlets and resource areas provide small-scale, local services. There are, however, several existing non-residential buildings in the Hamlet and Resource designations which far exceed the floor area limit. In some cases, large sections of these existing buildings are not?? used. Council does not wish to prevent the redevelopment of these existing buildings, but wants to have some control over their development and the impact on neighbouring</p> | <p>Existing Buildings Exceeding the Floor Area Limit in Hamlet and Resource Designations</p> <p>The area certain commercial uses in the Hamlet and Resource designations can occupy will be restricted to ensure that larger scale, non-resource commercial and industrial development is directed to the Growth Centres. Hamlets and resource areas are intended to provide small-scale, local services. Council does not want to prevent the redevelopment of existing non-residential buildings in the Hamlet and Resource designations which exceed the floor area limit, but wants to have some control over their development and the impact on neighbouring properties. Council will consider a wide range of uses in these buildings by development agreement.</p> <p>Policy</p> |

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| | | <p>properties and land uses. Council will consider development of these existing large buildings by development agreement. To allow for a wide variety of uses, uses permitted in the Local Commercial (LC), Hamlet Industrial (M-2) and Rural Commercial (RC) zones will be considered.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>4.6.1 enable existing non residential buildings to exceeding the commercial floor area limit and use the full extent of their floor area in the Hamlet and Resource designations for a commercial or industrial use by entering into a development agreement, subject to the following (4.6.1):</p> <ul style="list-style-type: none"> (a) the proposed use or uses are permitted in the Local Commercial (LC), Hamlet Industrial (M-2) or Rural Commercial (RC) zones; (b) the proposed use or uses are not considered obnoxious by reason of noise, odours, dust, | <p>As a result, it shall be the policy of Council to:</p> <p>G16 consider only by development agreement proposals for commercial or industrial uses which exceed the commercial floor area limit in non-residential buildings constructed before May 13, 2008, the date of first land use regulation throughout West Hants, and use the full extent of their floor area in the Hamlet and Resource designations. In considering such development agreements, Council shall be satisfied that:</p> <ul style="list-style-type: none"> (a) the proposed use or uses are permitted in the Local Commercial (LC), Hamlet Industrial (M-2) or Rural Commercial (RC) zone; (b) the proposed use or uses are not considered obnoxious by reason of noise, odours, dust, fumes, or other emissions; (c) adequate landscaping and screening, especially of open |
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| | | <p>fumes, or other emissions;</p> <p>(c) adequate landscaping and screening, especially of open storage and parking, is provided;</p> <p>(d) the use or uses are compatible with adjacent land uses with respect to traffic generation, hours of operation and other matters;</p> <p>(e) any other matter which may be addressed by development agreement; and</p> <p>(f) Policy 15.7.</p> | <p>storage and parking, is provided;</p> <p>(d) the use or uses are compatible with adjacent land uses with respect to traffic generation, hours of operation and other matters; and</p> <p>(f) the proposal meets the general development agreement criteria set out in section xx <i>Development Agreements and Amending the Land Use By-law</i></p> |
| - | - | <p>4.10 Indoor Storage Facility (4.10)</p> <p>The agricultural areas of West Hants are facing economic pressure similar to other agricultural areas in Nova Scotia. Property owners are looking to diversify uses on lots used primarily for agricultural purposes to make it financially viable to continue agricultural operations. Buildings on lots used for agriculture purposes are commonly constructed for storage of agriculture-related supplies and products such as fertilizers, harvest totes, hay,</p> | <p>Indoor Storage Facility</p> <p>The agricultural areas of West Hants are facing economic pressure similar to other agricultural areas in Nova Scotia. Property owners are looking to diversify uses on lots used primarily for agricultural purposes to make it financially viable to continue agricultural operations. Buildings on lots used for agricultural purposes are commonly constructed for storage of agriculture-related supplies and products such as fertilizers, harvest totes, hay, animals and equipment.</p> |

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| | | <p>animals and equipment. These large buildings may not be fully utilized all year round.</p> <p>To encourage and support the continuation of agricultural operations by providing the opportunity to earn additional income, Council will permit the use of buildings which are erected and regularly used as part of a main agricultural use for indoor storage facilities. Indoor storage facilities will mean indoor storage of a wide range of items. To ensure agricultural activities remain the dominant land use, indoor storage facilities will have to meet specific requirements.</p> <p>Policy As a result, it shall be the policy of Council to: 4.10.1 permit indoor storage facilities as an accessory use to agricultural uses. (4.10.1)</p> | <p>These large buildings may not be fully utilized all year round. To encourage and support the continuation of agricultural operations by providing the opportunity to earn additional income, Council will permit the use of buildings which are erected and regularly used as part of a main agricultural use as indoor storage facilities. Indoor storage facilities will mean indoor storage of a wide range of items. To ensure agricultural activities remain the dominant land use, indoor storage facilities will have to meet specific requirements.</p> <p>Policy As a result, it shall be the policy of Council to: G17 permit indoor storage facilities as an accessory use to agricultural uses. (Note: Indoor Storage Uses will be added to other zones where they are appropriate but may not be related to agricultural uses)</p> |
| <p>4.1 permit home based businesses with regulations intended to minimize the impact on nearby residential uses;</p> | <p><u>Home-based Businesses</u> A home-based business is a small business carried on in a dwelling by a resident of the dwelling. For many businesses no outward sign of the</p> | <p>4.8 Home-based Businesses (4.8) A home based business is a small business carried on in a dwelling by a resident of the dwelling. Such</p> | <p>Home-based Businesses Home-based businesses are small businesses carried on in a dwelling by a resident of the dwelling. They provide flexible employment</p> |

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| <p>7.6 permit within the Residential Single Unit Residential (R-1) Zone single-unit dwellings, residential daycare facilities, home-based businesses and the keeping of horses subject to a minimum area requirement for each horse; (RP-2)</p> | <p>commercial activity can be noticed. Provided they remain small in scale, home-based businesses are considered compatible uses in residential areas as they provide flexible employment opportunities. Policy As a result, it shall be the policy of Council to:</p> | <p>businesses provide flexible employment opportunities. In many cases, there is no outward sign of the commercial activity. Home based businesses are considered compatible uses in residential areas provided they remain small in scale. This is especially true in rural areas with large lots where a business can be operated from a home with little or no impact upon adjacent uses. Policy As a result, it shall be the policy of Council to:</p> | <p>opportunities, allow individuals to determine the viability of a new business and reduce transportation and child-care needs. There is often no outward sign of the commercial activity. Home-based businesses are compatible with residential uses. Policy As a result, it shall be the policy of Council to:</p> |
| <p>7.7 permit within the Two Unit Residential (R-2) Zone single-unit dwellings, two-unit dwellings, residential daycare facilities, home based businesses, and the keeping of horses subject to a minimum area requirement for each horse; (RP-3)</p> | <p>2.10 permit home-based businesses in any dwelling and in any zone in which a dwelling is located; (4.7.1) 2.11 establish development standards regulating the nature and size of home-based businesses to ensure that they remain small-scale and compatible with residential neighbourhoods; (4.7.2) 2.12 regulate signs and prohibit outdoor storage and display associated with home-based businesses to minimize the effect on adjacent uses; (4.7.3)</p> | <p>4.8.1 permit home based businesses in any dwelling and in any zone in which a dwelling is located. (4.8.1) 4.8.2 establish development standards in the LUB regulating the nature and size of home based businesses to ensure they remain small scale and compatible with residential neighbourhoods and adjacent uses. (4.8.2) 4.8.3 regulate signage, open storage and outdoor display associated with home based businesses to minimize impacts on adjacent residential uses. (4.8.3)</p> | <p>G18.1 permit home-based businesses within any dwelling,-subject to specific requirements regarding type of use and related traffic, floor area, signs, outdoor storage and display and parking which are intended to minimize the effect on nearby uses; and G18.2 prohibit home-based businesses which may be considered obnoxious by reason of sound, odour, dust, fumes, smoke or other emission, refuse material or water-carried waste.</p> |

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| | <p>2.13 prohibit home-based businesses which may be considered obnoxious by reason of sound, odour, dust, fumes, smoke or other emission, refuse material or water-carried waste, or which may be considered incompatible with residential areas for reasons such as increased traffic flow and required parking. (4.7.4)</p> | <p>4.8.4 prohibit home businesses which may be considered (4.8.4):</p> <ul style="list-style-type: none"> (a) obnoxious by reason of sound, odour, dust, fumes, smoke or other emission, refuse material or water-carried waste; (b) incompatible in residential or rural areas because of increased traffic flow, parking requirements or other reasons; or (c) more suitable to a commercial zone which allows accessory residential uses. | |
| <p>8.4 permit within the Recreational Open Space (ROS) Zone cemeteries, recreation uses and associated buildings;</p> <p>8.6 continue to maintain the parks within Hantsport and provide recreational services for all residents;</p> | <p><u>Parks and Playgrounds</u> Encouraging and supporting the development of parks and playgrounds is consistent with Council's goal of promoting healthy living in Windsor.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>2.23 permit parks and playgrounds in any zone, provided any accessory buildings are small</p> | <p>12.9 permit parks and playgrounds in any zone, provided accessory buildings are small scale, any signage meets the requirements of the zone and all other requirements of the LUB are met. (13.2.3)</p> | <p>Parks and Playgrounds Encouraging and supporting the development of parks and playgrounds is consistent with Council's goal of promoting healthy and active living.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>G19 permit parks and playgrounds in any zone, provided any accessory buildings are small</p> |

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| | scale, signs meet the requirements of the zone and all other requirements of the LUB are met. (4.12.1) | | scale and signs on private property or not erected by a public entity meet the requirements of the zone in which they are located. |
| 2.4 | include in the LUB a full range of provisions to ensure a high quality urban and rural environment in all land use designations. Such provisions shall include, but not be limited to regulations concerning signage, landscaping and buffering, accessory buildings, separation distances, and obnoxious uses. GP-4 | = | Moved to individual policies |
| | | 4.3 <i>Commercial Development</i> (4.3) Commercial development should be appropriately sited and designed, with safe driveway access, adequate on-site parking, and control over open storage, setbacks from residential uses and similar matters. Policy As a result, it shall be the policy of Council to: 4.3.1 encourage the proper development of commercial uses by addressing the following in the LUB (4.3.1): | Moved to individual policies |

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| | | <ul style="list-style-type: none"> (a) providing adequate on-site parking and loading areas; (b) providing safe driveway access by ensuring driveways meet commercial stopping sight distance requirements; (c) limiting points of access and egress to parking areas; (d) requiring adequate landscaping of developments; (e) controlling open storage; and (f) establishing abutting zone requirements such as setbacks from adjacent non-commercial zones. | |
| - | = | <p>4.12 Kennels (4.12) The establishment of kennels or boarding facilities close to residential properties can be a source of great annoyance to neighbours subjected to late-night barking.</p> <p>Policy As a result, it shall be the policy of Council to: 4.12.1 regulate the establishment of kennels in the LUB by</p> | <p>Kennels The establishment of kennels or animal boarding facilities close to residential uses can be a source of annoyance to neighbours subjected to noise and late-night barking.</p> <p>Policy As a result, it shall be the policy of Council to:</p> |

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| | | <p>including soundproofing requirements and conditions limiting the hours during which animals will be permitted to occupy outdoor exercise runs. (4.12.1)</p> | <p>G20 regulate both hobby and commercial kennels by including soundproofing requirements and limiting the hours during which animals are permitted to occupy outdoor runs.</p> <p>Definitions: Kennel means a lot, building or structure on or within which domesticated animals are housed, groomed, bred, boarded, trained or sold for monetary gain:</p> <p><u>Commercial Kennel</u> means a kennel which may provide overnight accommodations for eight (8) or more domesticated animals;</p> <p><u>Hobby Kennel</u> means a kennel accessory to a residential use which may provide overnight accommodations for fewer than eight (8) domesticated animals;</p> |
| - | = | <p>4.13 Landscaping (4.13) The provision of landscaping or ground cover is important for erosion control as well as to maintain the overall appearance and character of communities. The LUB will specify buffer zones between non-residential development and</p> | <p>Landscaping and Buffers Landscaping is important for erosion control and the appearance and character of communities. Non-residential development will be required to provide buffer areas on their lots to reduce conflict with residential uses.</p> |

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| | | <p>residential uses to reduce land use conflicts.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>4.13.1 regulate landscaped open space in the LUB. (4.13.1)</p> <p>4.1.3.2 require buffering between residential and non-residential uses to mitigate land use conflicts. Buffering may include setbacks, landscaping or planting strips and similar methods. (4.13.2)</p> | <p>Policy As a result, it shall be the policy of Council to:</p> <p>G21.1 require non-residential uses to provide a buffer strip along any lot line which abuts a residential use in order to minimize conflicts. Requirements established in the LUB for buffer strips may vary depending on the zone and may include landscaping, planting strips and fences.</p> |
| - | = | <p>4.24 Wind Turbines (4.24) Council will encourage the use of technologies that reduce dependence on non-renewable resources and do not contribute to greenhouse gas emissions. Wind energy systems are a clean, renewable source of electric power. Residential-scale wind turbines will be permitted in most zones, subject to lot size, setback and height requirements.</p> <p>Utility-scale wind turbines have a rated production capacity greater than 100 kW. Much larger than those used for residential energy generation,</p> | <p>Wind Turbines Council will encourage the use of technologies that reduce dependence on non-renewable resources and do not contribute to greenhouse gas emissions. Wind energy systems are a clean, renewable source of electric power. Residential-scale wind turbines will be permitted in most zones. Utility-scale wind turbines have a rated production capacity greater than 100 kW. Much larger than residential-scale turbines, utility-scale turbines may have towers ranging from 165 to 400 feet (50 to 120 meters) high. These large wind turbines may be located in wind farms, where a number of turbines</p> |

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| | | <p>utility-scale turbines may have towers ranging from 165 to 400 feet (50 to 120 meters) in height. These large wind turbines may be used in wind farms, where a number of turbines feed electricity directly into the utility grid, or as stand-alone installations. As Council wishes to facilitate the development of wind energy systems, the installation of exploration or test turbines will be treated as a temporary use and permitted as-of-right outside of the Growth Centres, Village and Hamlets subject to setbacks, minimum lot size standards, and requirements for removal within specified time limits.</p> <p>More permanent installations, including the establishment of wind farms, will be considered only by development agreement. Where these facilities have a production rating of two megawatts or more, they are also subject to the Nova Scotia Environmental Assessment Regulations as a Class I Undertaking. Most wind</p> | <p>feed electricity directly into the utility grid, or as stand-alone installations.</p> <p>As Council wishes to facilitate the development of wind energy systems, the installation of exploration or test turbines will be treated as a temporary use and permitted as-of-right outside the more urban areas. Requirements for removal within specified time limits will be established since a derelict turbine would have a negative impact on the surrounding area.</p> <p>More permanent installations, including the establishment of wind farms, will be considered only by development agreement. Where these facilities have a production rating of two megawatts or more, they are also subject to the Nova Scotia Environmental Assessment Regulations as a Class I Undertaking. Most wind farms also require a federal Environmental Assessment under the Canadian Environmental Assessment Act (CEAA).</p> <p>Policy As a result, it shall be the policy of Council to:</p> |
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| | | <p>farms also require a federal Environmental Assessment under the Canadian Environmental Assessment Act (CEAA).</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>4.24.1 include standards in the LUB for the development of small wind turbines for residential or small business use, which are intended primarily to reduce on-site consumption of utility power, including minimum lot size, setback, height and similar requirements to ensure public safety and minimize the potential for land use conflicts. (4.24.1 and 4.24.2)</p> <p>4.24.2 include standards in the LUB for the temporary establishment of large wind turbines with a production capacity greater than 100 kW for exploration or test purposes outside the Growth Centre, Village and Hamlet designations, including requirements for removal within specified time limits. (4.24.1 and 4.24.3)</p> <p>4.24.4</p> | <p>G22.1 permit small wind turbines for residential or small business use, which are intended primarily to reduce on-site consumption of utility power, and regulate the minimum lot size, yard requirements and maximum height of the turbines to ensure public safety and minimize the potential for land use conflict;</p> <p>G22.2 permit the establishment of temporary large wind turbines with a production capacity greater than 100 kW for exploration or test purposes outside the Growth Centres and Hamlet designations and the communities of Windsor, Hantsport and Brooklyn, subject to a requirement for removal within specified time limits.</p> <p>G.22.3 consider only by development agreement permanent or long-term installations of large wind turbines or wind farms outside the Growth Centre, Village and Hamlet designations. In considering such development</p> |
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| | | <p>It shall be the policy of Council to consider the development of permanent or long-term installations of large wind turbines or wind farms outside the Growth Centre, Village and Hamlet designations by development agreement, having regard to the following:</p> <p>(a) any required provincial and/or federal government environmental assessment processes have been completed;</p> <p>(b) adequate separation distances are maintained from adjacent land uses to minimize impacts of noise and shadow and to ensure public safety;</p> <p>(c) the development is not visually intrusive in the landscape, taking into account the location and distance from which it is visible, and the significance and sensitivity of the landscape, topography, vegetation and built form in the surrounding area;</p> <p>(d) safe roadway access can be provided;</p> | <p>agreements, Council shall be satisfied that:</p> <p>(a) any required provincial and/or federal government environmental assessment processes have been completed;</p> <p>(b) adequate separation distances are maintained from adjacent land uses to minimize the impact of noise and shadow and to ensure public safety;</p> <p>(c) the development is not visually intrusive in the landscape, taking into account the location and distance from which it is visible, and the significance and sensitivity of the landscape, topography, vegetation and built form in the surrounding area;</p> <p>(d) the proposal meets the general development agreement criteria set out in section xx <i>Development Agreements and Amending the Land Use By-law</i>.</p> |
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| | | <p>(e)any other matter which may be addressed in a development agreement; and</p> <p>(f)Policy 16.3.1.</p> | |
| - | <p><u>Existing Undersized Lots</u> It is not the intention of the MPS and LUB to prevent development on undersized lots created prior to the introduction of the first planning regulations.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>2.7 permit development on undersized lots that existed on January 27, 1976, the effective date of the first Zoning By-law; (4.4.1)</p> <p>2.8 require all lots created after January 27, 1976, the effective date of the first Zoning By-law, to have adequate frontage upon a street.</p> | <p>4.7 Existing Undersized Lots (4.7) Council does not intent to prevent development on lots legally created prior to the effective date of this MPS and LUB which may not meet lot area or frontage requirements imposed by these planning documents, provided all other LUB requirements are met.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>4.7.1 allow development on undersized lots that existed on the effective date of this MPS and LUB, provided all other LUB requirements are met. (4.7.1)</p> | <p>Existing Undersized Lots Council will not prevent development on lots legally created prior to the introduction of planning regulations.</p> <p>Policy As a result, it shall be the policy of Council to:</p> <p>G23 permit development on undersized lots that existed on the effective date of the first land use regulations in the Region as follow:</p> <ul style="list-style-type: none"> (i) in the former Town of Hantsport, on January 27, 1977; (ii) in the former Town of Windsor, on January 27, 1976; (iii) in the area covered by the Area 1 MDP and Zoning By-law, on February 6, 1982; (iii) in the area covered by the Area 2 and 3 MPS and |

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| | | | <p>LUB, on November 23, 1994;</p> <p>(iv) in the area covered by the Falmouth MPS and LUB, on December 22, 1986;</p> <p>(v) in the area covered by the upper Falmouth MPS and LUB, on April 11, 1989; and</p> <p>(vi) in the remainder of West Hants Regional Municipality, on June 26, 2008.</p> |
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| <p>Only mentioned in relation to a variance</p> | <p>5.5 Height Provisions There are no residential buildings in Windsor taller than three storeys. The general intent of the Municipal Planning Strategy is to restrict residential uses to three storeys; however, buildings of more than three storeys may be considered, provided they are compatible with the area.</p> <p>Policy 5.5.1 <i>In any residential zone, Council may consider permitting dwellings in excess of three storeys by development agreement, subject to the following conditions:</i></p> <p>(a) <i>the side yards are at least one-half the height of the building;</i></p> <p>(b) <i>the building will in no instance exceed 80 ft (24.38 m) in height;</i></p> <p>(c) <i>the building design, height and scale is compatible with the surrounding area;</i></p> | <p>Height mentioned in several zones; no overall discussion</p> | <p>(may not need policy)</p> <p>Height Restrictions The height of structures is regulated to help provide a coherent pattern of development, ensure density does not exceed the capacity of existing services and allow for solar exposure. Exemptions will be provided for structures such as chimneys, flag poles, and utilities, which have less impact on neighbouring properties and require additional height in order to function.</p> <p>Policy As a result, it shall be the policy of Council to:</p> |
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| | <p><i>(d) any other matter which may be addressed in a development agreement; and</i></p> <p><i>(e) the provisions of Policy 16.3.1 of the Municipal Planning Strategy.</i></p> | | <p>G24 regulate the maximum height of structures and provide for specific exemptions consistent with the intent of this MPS.</p> <p>Definition: Structure means anything that is erected, built, or constructed, or parts joined together or any such erection, fixed to or supported by the soil or any other structure, including buildings, walls, signs and fences exceeding six feet (1.82 m) in height;</p> |
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