

VILLAGE OF TATAMAGOUCHE
MUNICIPAL PLANNING STRATEGY

Certification

I, Gary MacIsaac, of Truro, in the County of Colchester and the Province of Nova Scotia, Municipal Clerk of the Municipality of the County of Colchester, do hereby certify that the within and attached Municipal Planning Strategy is a true and correct copy of that Municipal Planning Strategy as passed by the Municipal Council of the Municipality of the County of Colchester at a special meeting duly called for that purpose and held on October 9, 2001 in accordance with the provisions of the Municipal Government Act of Nova Scotia.

Gary MacIsaac
Municipal Clerk

Date: October 10, 2001

Amendments

- #1** Future Land Use Map, Schedule #2 – Village Residential to Village Commercial
April, 2012 (317 Main Street)
- #2** Future Land Use Map, Schedule #2 – Village Residential to Village Commercial
January, 2016 (450 Main Street)
- #3** Future Land Use Map, Schedule #2 – Institutional to Village Residential, May,
2018 (115 Main Street)

**TATAMAGOUCHE VILLAGE
PLANNING STRATEGY**



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FORWARD

This Municipal Planning Strategy (MPS) has been prepared in accordance with the provisions of the Municipal Government Act Chapter 18 of the Statutes of Nova Scotia, 1998. Application of this Strategy and Bylaw conforms to the bounds of incorporated Village of Tatamagouche.

i Purpose of Strategy

Preparation of this Planning Strategy and supporting Land Use Bylaw regulation is in response to a long standing request of the Tatamagouche Village Commission. The Commission's interest stems from concern about maintaining a quality community over the long term. While growth is slow, the impact of inappropriate development can be significant.

The overall objective of this Strategy and Land Use By-law is to avoid conflict between new development and the existing community by establishing standards and regulation.

ii Objectives

This Strategy is intended to achieve the following objectives:

1. implement policies of Municipal Council as stated in the Municipal Service Delivery Strategy;
2. establish policies and standards that compliment community initiatives;
3. enhance the quality of life, the physical environment of Tatamagouche and prevent deterioration of the natural and built environment from uncontrolled development;
4. encourage continuation of a land use pattern, compatible with Village character, by which the various community activities are compatibly located, with sufficient land to accommodate future growth;
5. establish a set of policies to guide the administration and any subsequent amendment of the Municipal Planning Strategy and Land Use By-law;

iii Strategy Review

It is appropriate to review policies from time to time to ensure that they reflect community interest. Municipal staff conduct technical 'in-house' reviews of strategies on a regular basis and forward proposed changes to Council for consideration. This process includes public consultation. However, as public policy, planning strategies and by-laws require broader public consultation. The Municipality will conduct a review of planning policies every five years or as deemed appropriate.

PART 1: BACKGROUND

1.0 INTRODUCTION

To understand the context in which a strategy is written it is the intention of this section to provide a brief description of community interests. This rationale ensures that the policies and standards reflect community interests.

1.1 COMMUNITY SETTING

Landscape

Tatamagouche Village is located along the coastal lowlands of the Northumberland Strait. The Village is attractively set at the head of Tatamagouche Bay, at the confluence of the French River and estuary of Waugh's River. These waterways form the west and north bounds of the Village respectively. This geographic landscape influenced the origins of the community including its name which is reported to be an Acadian pronunciation of a Mi'kmaq name meaning either "the meeting place of two rivers" or "barred across the entrance with sand" in reference to a sand bar that once lay across the mouth of Cobequid Bay.

History

The Tatamagouche area has a long history of human activity and settlement. An archeologist from Memorial University believes that Tatamagouche, especially Steele's Island, was an important meeting place for Micmacs. Artifacts found in the area may prove that earlier peoples lived in the region as long ago as 6500 BC.

The first European settlers in Tatamagouche were the Acadians, who arrived around 1710. For the 40 years they lived at Tatamagouche, the Acadians mined and smelted copper, cleared land for agriculture, ran mills and built a settlement between Waugh's River and the Balmoral Motel site. There is evidence of copper mining on Waugh's River suggests that a deposit of this valuable mineral may have played a part in choosing the site.

By 1747 they had established a trail over the mountains to Cobequid (Truro) that became a trading route, connecting at Tatamagouche with shipping transportation. Tatamagouche was an important communication link, for France, between Annapolis, Iles St Jean (PEI) and Louisbourg in Cape Breton. In 1755, when the British deported the Acadians, there were 12 to 15 families living in the settlement.

To prevent the French reclaiming the land, the British had to bring people to settle the vacated areas.

The man chosen for the job in Tatamagouche was Joseph Frederick Wallet Desbarres, a Swiss Huguenot. For his services to the British Military, the English granted him 20,000 acres at Tatamagouche on the condition that he settle it with one person for every 200 acres within ten years. Desbarres chose his site, which extended from Brule Point westward, past the present village. He wanted to run his estate as a tenant farm and collect rent from farmers, rather than sell or lease lots. In 1771 he brought 18 Huguenot families from Lunenburg to Tatamagouche to settle his holdings. The sons of some of these families wanted to own land outright, so they moved to River John, where the Philadelphia Company was giving freehold deeds.

Desbarres' mistress, Mary Cannon, ran his estate until the late 1770's, when she hired Wellwood Waugh. Waugh was Scottish and had emigrated first to Prince Edward Island, then to Pictou. He was unpopular in Pictou because residents there believed he was sympathetic to the American Revolutionaries and therefore was disloyal to England. Waugh and his family settled along Waugh's River and began farming and lumbering. He set up the first lumber mill and built the first frame house. White pine grew abundantly in the area and Waugh sold shipments of squared pine timber to England.

Up until the 1810's, most residents made their living from farming or lumbering. In the second half of the decade, however, ship building began.

At first settlers built boats for personal use, then, in 1820, Alexander Campbell, Waugh's half-brother, settled in Tatamagouche and set up the first commercial shipyard. The shipyard was located on the east bank of the French River, where Campbell's Marina Shipyard Park is now. It employed many men whose farms were not successful and drew many new residents to the village. Others came to set up shipyards, including Alexander's brothers, William and James. For the next fifty years, ship building and shipping made Tatamagouche a prosperous centre.

By 1880 ship building fell to a level of one or two ships a year. Men who lost their jobs either tried to return to farming or left Tatamagouche to find work inland. An account of the village in 1910 describes the shipyards as being abandoned and over grown. In 1880's the sand bar at the mouth of Tatamagouche Bay was removed, allowing larger ships to come into the harbour to load. Previous to this, loading had been a precarious operation, using small ships to bring loads out past the sand bar to where the larger ships were anchored.

By the turn of the century there was much less activity at Tatamagouche, but the village remained a retail centre for the surrounding area even after the shipping industry collapsed. The Shortline Railroad opened in 1890 and brought tourists to the village, to stay at the Sterling Hotel and visit the nearby beaches.

Settlement Patterns

Like most early communities, Tatamagouche is by water. Its location made the village a strategic communication and transportation link for the French and English. The village is unique, though, because many of the factors determining its development and location depended on the personalities involved in its evolution.

Desbarres tenant land system kept many settlers from establishing farms on his lands, choosing Pictou or River John instead. As a result of the sparse settlement in the early days of the village, little land was cleared and vast forests remained for use in the ship building and lumbering years.

Waugh, when he managed the estate, gave himself a 999 year lease on the lands he farmed. This action sparked a legal battle between Waugh and Desbarres that was unresolved when Desbarres died in 1824. After Desbarres' death the estate became known as Waugh's Block, now the community of Waugh's River. The legal battle may have helped to make Desbarres realize that he must begin selling or leasing his land to attract more settlers.

Alexander Campbell was among the first to secure a freehold deed from Desbarres before 1824. After Desbarres' death Campbell accumulated large land holdings. His house still stands on the property of the Atlantic Christian Training Centre.

In the 1840's new businessmen, who were moving to the village to serve the growing community, wanted to buy land. Alexander Campbell was opposed to selling most of his land but his brothers and others were not. These others owned the land framed by the rivers, where the present village is. The land the new residents were able to buy formed the new commercial centre of the growing village.

Although numerous fires during the past century have destroyed many buildings on Main Street, the general form of this commercial area has changed little over time.

Tatamagouche remains a small, vibrant community. It is the regional centre of the North Shore of Colchester, serving the coastal communities from Pugwash, Cumberland County to River John, Pictou County. As such, Tatamagouche provides schools (P to 12), shopping and banking services as well as health care facilities and associated professionals. These services keep the Village busy during the week while the influx of cottagers keeps the Village busy through the weekend.

Most new development in North Colchester is located beyond Village limits. On average only 18% of new lots and buildings created along the North Shore locate in Tatamagouche. There are various reasons for this trend. Respondents to a telephone survey indicated life style choice, family owned land, and the lack of available lots as reasons for not building in Tatamagouche.

1.2 HERITAGE VILLAGE AREA

Tatamagouche has over 100 heritage buildings, comprised of houses, commercial buildings, churches, halls and farms. Most of these structures date from 1850 to 1925 They are concentrated along Main street and at the Village core.

The traditional residential neighbourhoods and commercial areas offer a heritage quality to the community. Inappropriate development can have a detrimental impact on these areas. Infill development will be encouraged to compliment the building form of the Victorian period.

Two fires in Tatamagouche's history destroyed many, quality heritage structures of the commercial downtown and as a result there is not the same degree of quality commercial heritage structures as in the residential areas. Collectively, however, Main Street presents a traditional village centre that is both visually pleasant and pedestrian friendly.

Some large older homes become impractical as single family dwellings and there can be interest in converting them for other uses. Providing opportunity to convert older structures into B&Bs, inns or offices can be a practical way of retaining the large heritage structures provided the conversion compliments the neighbourhood in which it is located. It is important that the Land Use Bylaw set standards to limit the impact of signage, parking, additions and alterations.

The setting of homes on residential streets varies considerably. Housing along southside Main Street is set well back from the street providing an attractive, stately setting. This also provides good separation from the higher density commercial uses across the street which in contrast, abut the sidewalk.

Streetscape is an important component of a neighbourhood's identity. Building location, orientation, lot widths, trees, sidewalks and signage all establish a rhythm and uniformity for each street and should be respected. Homes in residential neighbourhoods, off Main Street, are located close to the street and each other creating a quieter, more intimate setting.

Basic design standards will be established within Heritage Village Area to ensure development compliments village setting, with attention paid to roof line, pitch, window orientation, cladding and building location. Priority of the standards is the public facade and streetscape.

It shall be a policy of Council to:

- 1. identify a Heritage Village Area, on Schedule #4 Opportunities and Constraints Map of the Land Use By-law;**
 - 2. establish design standards that encourage new building and renovation to compliment basic architectural elements and lot placement of the neighbourhood in which they are being built.**
 - 3. Set standards for signage in the Heritage Village Area that promotes the use of traditional materials and sized to compliment the traditional style of the area.**
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1.3 DEMOGRAPHICS

The incorporated Village population remains stable at 720 people. However Tatamagouche provides support services to a regional population exceeding 3,500 people. The seasonal/ cottage population of North Colchester is also significant and can increase the regional population by 1,000 people or more.

DEMOGRAPHIC TRENDS			
Population	1986	1991	1996
Tatamagouche	722	731	722
Dwellings	267	290	300
Persons/ dwelling	2.7	2.5	2.4
North Colchester		3150	3926
Dwellings	n/a	n/a	1540
Persons/ dwelling	n/a	n/a	2.5
Age Groups	North Col.		Provincial
50 - 75+	30%		21%
20 - 49	34%		41%
0 - 19	36%		38%
Growth Rate	North Col.	County Col.	Provincial
Anticipated annual growth rate	0.9%	1.4%	1.1%

Growth rate for North Colchester is consistent with provincial trends. There does, however, appear to be an increase in the older population suggesting that the area is attractive to retirement age people. This trend includes first time residents along with those returning after spending their working years elsewhere.

1.4 COMMUNITY INITIATIVES

Tatamagouche has a long tradition as a community working to improve its future. Over the years, the local Board of Trade, Chamber of Commerce, Village Commission and more recently the North Shore Development Association have been strong advocates for Tatamagouche. Today volunteers, are actively working to retain existing assets as well as improve tourism, cultural and employment opportunities. Examples of community initiatives are as follows:

Smart Rural Community Project - provides Tatamagouche with IT infrastructure to support existing businesses and institutions. Successes of Phase One includes installation of infrastructure and extensive training programs for community residents, business and training for a software development company. Long term intent is to use IT to support “home grown” employment opportunities and small businesses interested in relocating to a rural environment and life style.

Retirement Community - In recognition of Tatamagouche's current trend in attracting retirement aged residents, the Development Association have begun to package and market Tatamagouche as a retirement community.

New Investment - The North Shore is also becoming Nova Scotia's "shore of choice" for outside investors. The attraction of new home owners along this shore and the nearby Tim Horton's/ Fox Harbour investment are likely to have positive spin offs for Tatamagouche into the future.

In a community survey conducted in 1997, 63% of respondents were very satisfied with living in the Village and 66% identified "quality of life" and "quietness/smallness" as things that they liked about living in Tatamagouche. Regardless of the community initiative, one theme remains constant - protect, enhance and promote the lifestyle of Tatamagouche.

It shall be a policy of Council to:

- 4. support community based initiatives where appropriate and consistent with Municipal policy.**

1.5 WATERFRONT OPPORTUNITY AREA

The Village has limited, high quality land overlooking the Waugh's River estuary. While the area has servicing difficulties due to slope, the landscape, views and proximity to the water, gives this land potential to attract quality development not likely to locate in other parts of the Village. It is also the area likely to attract development that compliments many of the community's initiatives.

Policies to establish a Waterfront Opportunity Area will consider alternative, higher density development, dependant upon views overlooking the river to be successful. Proposals should complement existing residential neighbourhoods, community initiatives, and have limited impact on existing vistas. The type of development envisioned for the area includes tourism based accommodation, higher density residential, or an IT training centre through the Smart Rural project.

The Waterfront Opportunity Area, corresponds with land zoned Village Residential on the north side of Main Street and will be identified on Schedule #4 Opportunities and Constraints Map of the LUB.

It shall be a policy of Council to:

- 5. identify a Waterfront Opportunities Area on Schedule # 4 Opportunities and Constraints Map of the land Use By-law;**
- 6. consider tourism accommodation, Smart Rural Community initiatives and higher density residential development, not normally permitted in the Village Residential Zone, by development agreement in the area designated Waterfront Opportunity Area. Review of an application will consider the following along with conditions set in Policies 56 & 57:**
 - 1. Impact on neighbouring land use;**
 - 2. Complimentary to community's strategic initiatives;**
 - 3. Impact on vistas overlooking Waugh's River**

1.6 MUNICIPAL SERVICES

1.6.1 Sewerage Collection, Treatment & Water Distribution

The provision of municipal services influences the growth pattern of any community. While expensive to install and maintain, these services are necessary for the health of any, community with higher density settlement.

Tatamagouche has many services for a small community. Municipal sewer and water has been provided in Tatamagouche since the late 1960's. Expansion of the user base is largely attributable to infill development. Expanding the use of existing services is an effective way to reduce the cost of system maintenance and upgrade for the utility and home owner alike. Infill development will become more difficult as available road frontage is depleted and the Village will have to look toward other methods of expanding the user-base of the utilities.

Tourism development has focused on the Creamery Building located next to the municipal sewage treatment plant. Some concern has been expressed about the plants functionality and impact on water quality along the waterfront. The Community explored alternative approaches to treatment, that could be packaged as part of a botanical garden project to compliment the creamery project.

1.6.2 Sidewalks

The Village Commission constructs and maintains the sidewalk network. Sidewalks are an important component of the pedestrian friendly, quality of life response to the community survey referenced in section 1.4 . Consideration should be given to improving the pedestrian aspect of Village life by incorporating trail linkages that provide affordable, practical connections and encourage more activity.

1.6.3 Streets

The Nova Scotia Department Transportation and Public Works (TPW) own and maintain streets in Tatamagouche. They also own a large land tract that serves as the North Colchester depot, within the Village limits, on Maple Street. Under the latest servicing agreements, the Municipality pays a maintenance fee to the province. While there has been Province wide debate about future ownership and maintenance of rural roads, the current scenario is not expected to change in the short term.

Any new street will be the responsibility of the Municipality and while no new streets have been constructed in the past 30 years, there is a new road proposed at the writing of this Strategy. This should encourage more home construction within village limits.

Standards for roads and building setbacks should reflect village settlement patterns and life style. Road standards should reflect the light travel loads of the Village without compromising the structural integrity or life span of a new road.

It shall be a policy of Council to:

- 7. encourage expanded use of existing municipal infrastructure;**
 - 8. to maintain, improve and expand municipal services and facility subject to financial constraints;**
 - 9. explore servicing standards to encourage more development in a form compatible with traditional Village settlement patterns.**
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PART 2: GENERAL LAND USE POLICY

2.0 INTRODUCTION

Tatamagouche has a balanced land use mix. Along with residential neighbourhoods, it has a definable institution area and traditional commercial Main Street. Of Tatamagouche's land mass, 73% remains undeveloped yet underutilized agriculturally. These areas appear to be in slow transition from agricultural fields to a built village.

Existing Land Use						
	Area	% Dev	% Total		Area	% total
Residential	46.2	55	14.6	Forest	142.3	45.0
Commercial	12.8	15.2	4.1	Agriculture (active)	59.7	18.9
Institutional	13.2	15.7	4.2	Agriculture (abandoned)	30.1	9.5
Industrial	0.2	0.2	0.01			
Parkland	11.6	13.8	3.7			
<i>Total Dev</i>	84 ha	100%	26.6%	<i>Total Undeveloped</i>	232.1	73.4
				Grand Total	316ha	100%

2.1 GENERAL PROVISIONS FOR ALL ZONES

2.1.1 Non-Conforming Structures and Uses

Statutory requirements pertinent to non-conforming structures and uses are provided in sections 238 to 242 of the Municipal Government Act.

It is inevitable that certain uses will be made non-conforming uses by accident or mapping error. Where, in the future such a case comes to light, this will be a particular consideration in any Land Use By-law amendment request.

It shall be a policy of Council:

10. to identify specifically any non-conforming uses in the Municipal Planning Strategy;

11. where a non-conforming use condition appears to have been created by oversight or mapping error in the planning process, to take particular consideration of that fact in reviewing a Land Use By-law amendment application to rectify the condition.

2.1.2 Accessory Structures

Accessory structures are a normal and usual use associated with lots. The location of these can affect access to the rear of a lot, and can intrude on the enjoyment of adjacent property, and if permitted in front of main structures, can affect the general appearance of a streetscape.

The stabling or keeping of animals is a traditional activity in rural Colchester that can have negative impact on moderately dense residential areas like Tatamagouche. It is not intended to end this traditional use of accessory structures, but particular specifications should apply, in future, to limit the impact of noise, odour, and waste storage on adjacent properties. While being a recreational amenity, swimming pools are an accessory structure that has a safety element that must be considered. Specifications will be established to control the access to both in-ground and above-ground swimming pools.

It shall be a policy of Council:

- 12. to regulate the size of accessory structures relative to lot sizes and the location of all accessory structures.**
- 13. to have particular specifications for the location of accessory structures and uses related to the keeping of animals, limit the impact of odour, noise, and waste storage on adjacent properties;**
- 14. to regulate access to swimming pools with requirements for gates and fencing in the commercial and residential zones.**

2.1.3 Parking and Loading Areas

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 being served. Additionally, commercial uses need space not only for staff and customers, but also for the loading and unloading of delivery vehicles. Parking provisions of the accompanying Land Use By-law are designed to ensure sufficient parking is provided on the lot with the business, in the VC-1 Zone. Where possible communal parking and access should be encouraged. Due to lot size, density and character of the VC-2 Zone, parking is provided off-site at communal parking areas and on street.

High density land uses such as commercial, institutional and medium to high density residential uses that abut low density residential land use, can jeopardize the integrity of the low density land use. Where this is the case, separation by setback and screening shall be required to minimize the impact of parking and loading areas.

The parking of commercial vehicles on residential properties can distract from the integrity of the neighbourhood and create a disturbance for adjacent home owners. This practice is essentially a commercial use of land and as such can be incompatible with residential areas.

It shall be a policy of Council:

- 15. to establish parking standards in the Land Use By-law for various land use types and encourage the provision of communal parking and access where appropriate;**
- 16. to require commercial and industrial uses to provide space sufficient for the loading and unloading of commercial vehicles;**
- 17. that where general commercial, industrial, institutional, and high density residential uses abut other residential designations, no parking or storage will be permitted in the abutting required yards. To minimize disruption to the abutting residential designation, screening of parking, loading, and storage areas will be required;**
- 18. to regulate the parking or storage of commercial motor vehicles on lots in residential areas.**

2.1.4 Signage

Signage is an essential element in the conduct of business. However, signs can also have considerable visual intrusions if too numerous, over scaled, inappropriately located, or distracting due to colouration and lighting. Signage should also compliment the community values expressed in Section 1.2 Village Heritage Area.

It shall be a policy of Council to:

- 19. establish limits for the size, height, lighting, number and location of signs as appropriate in various zones including design in the Village Heritage Area.**

2.1.5 Subdivision of Land

a) General

The creation of new lots or the subdivision of land is regulated by the Municipal Subdivision By-law of the County of Colchester. The subdivision and development of land, however, has occurred long before the advent of regulation resulting in some unusual circumstances.

b) Exceptions to Lot Specifications

Large lots exist with limited development opportunity due to existing structures, which precludes further subdivision and development in accordance with usual by-law provisions. Where it is the case that the intention of lot specifications can be met - such as density and separation distances - limited subdivision should be permitted.

Development that pre-dates land use policy and regulation does not always fit well in new circumstances of lot size and other specifications. Such a case is where two or more main structures, a house and business for example, are located on one lot. Where separate lots for each main structure is desired, and reasonable access can be provided, subdivision should be permitted.

It shall be a policy of Council:

- 20. to permit the subdivision of lots existing on the effective date of this Strategy, and located in a residential zone, into two lots, one of which can have a reduces minimum street frontage;**
- 21. that notwithstanding usual zone specifications where two or more main structures, legally in existence are located on one lot, a lot may be created for each main structure, provided that the resection of lot specifications shall be as little as possible from the minimum specifications, and the lot is within a Residential Zone identified in the Land Use By-law.**

PART 3: RESIDENTIAL LAND USE

3.0 VILLAGE RESIDENTIAL (VR-1) ZONE

Residential is the predominate 'built' land use in Tatamagouche. This trend is expected to continue as community leaders promote the Village as a retirement destination. While the population has remained consistent between census periods, some infill development has occurred.

The community is attractive to people of all ages and backgrounds. Therefore an objective of this Plan is to accommodate a variety of housing options within the village bounds. Options should include rental as well as home ownership and should provide opportunity for the first time home owner and retirement purchaser.

The Village and surrounding lands have traditionally been used for agriculture. The old Creamery and "Tatamagouche Butter" remain as testament to the agricultural past. Farms, formally sighted in the Village are now closed but some fields are hayed each season by farms outside of the Village. The nursery/ greenhouse operation is the sole agriculture activity that remains within the Village. As much of the village remains undeveloped and conversion to a built use will be a gradual process, new nonintensive agricultural uses will be permitted. The greenhouse operation or hobby farm with limited number of animals are will be encouraged as non-intensive use that will cause little

disturbance due to odour. The Village Residential Designation and Zone will be the base zone for undeveloped areas of the Village with enough flexibility to accommodate non-intensive agricultural activity.

It shall be a policy of Council to:

- 22. encourage the continued provision of quality housing targeting a variety of needs;**
- 23. create a Village Residential Zone (VR-1), and zone existing such residential uses to that zone except in areas specifically defined for other activity;**
- 24. designed non urbanized areas Residential on the Future Land Use map and provide standards for new non-intensive agriculture activity.**

3.1 MANUFACTURED HOUSING

There are 13 existing manufactured homes located within the Village limits. For the most part these homes do not cause a problem. Most manufactured homes will be zoned Residential VR-1, and identified as a permitted land use, allowing for replacement and upgrading. Due to architectural differences, additional manufactured homes will not be permitted in the Heritage Village Area, as identified on the Opportunities and Constraints Map, accompanying the Land Use Bylaw.

Existing manufactured homes situated between Queen and Riverside Avenue have raised considerable concern by village residents who consider the location inappropriate. These manufactured homes are on small rented lots, surrounded by roads, with no privacy or screening. These homes fall within the Village Heritage Area and will be identified as existing non-conforming uses.

Further manufactured home development will be permitted in the Village Residential Zone, excluding the Heritage Village Area, in the form of new manufactured home park or subdivision dedicated to manufactured homes. This will provide opportunity to cluster manufactured home development and limit the impact of inappropriate infill development on existing neighbourhoods.

New residential subdivisions, as of the date of this by-law, that construct a public road can permit manufactured homes on the newly created street frontage. Manufactured homes will be permitted by development permit in manufactured home subdivisions.

Manufactured Home Parks offer a rental situation where the developer provides the services and retains land ownership. As densities can be higher in a Park than traditional subdivision, new mobile home parks will be considered by Development Agreement outside the Village Heritage Area. The agreement process offers mechanism for community input into the design and ensures, through contract, that the development occurs as proposed.

It shall be a policy of Council to:

- 25. permit existing manufactured dwellings in the residential VR-1 Zone as existing permitted uses provided that:**
 - a) such uses existed prior to the adoption of this Strategy;**
 - b) such uses are limited to the lot on which they exist at the adoption of Strategy;**
- 26. permit the replacement of an existing manufactured dwellings on a residential VR-1 lot, identified in the appendix of the Land Use By-law, and set specifications for that purpose;**
- 27. pursuant to policy 26, permit replacement of an existing manufactured dwelling nonconforming due to the VR-1 yard standards only, provided the non-conformance is not increased;**

- 28. not permit manufactured dwellings in the Village Heritage Area and to designate and zone the existing manufactured dwellings located at 16 and 20 Queen Street (PIN # 20335964 & 20335972 respectively), as non-conforming uses;**
- 29. consider new Manufactured Home Parks by development agreement, in the Residential Designation, excluding the Heritage Village Area, subject to Policy 55;**
- 30. in review of an application for a new Manufactured Home Park, Council will give consideration to the conditions set in Policies 56 & 57 of the Implementation Chapter as well as:**
 - a) give consideration community integration of the development in relation to traffic patterns, location of collector streets, neighboring land use development densities;**
 - b) that development make provision for landscaping, buffering and recreation space**
- 31. consider uses other than residential on the subject lot when considering development under Policy 55 provided they are clearly accessory to the residential use proposed;**

3.2 APARTMENTS

A small but solid rental housing market exists in Tatamagouche. Aside from publically owned buildings, apartment buildings do not exceed four units, a scale that seems to be in keeping with the Village. There may be opportunity for larger, more expensive development in the Waterfront Opportunity Area where an upscale development project could command a good return on investment. Policy is set in the Waterfront Opportunities Area section 1.5.

New apartment development of 3 to 4 units are considered to be in keeping with the village scale and will be permitted by development permit within the Residential VR -1 Zone.

It shall be a policy of Council:

- 32. To permit existing and new apartment development of up to 4 units as permitted use in the Residential VR-1 Zone, excluding the Village Heritage Area;**

3.3 HOME BASED BUSINESS

Home based businesses are emerging as an important incubator for small and new businesses. Increased use of information technology should increase the opportunity for home based businesses and will be encouraged in the residential zone subject to provisions established in the Land Use Bylaw.

It shall be a policy of Council to:

- 33. permit Home Based Business in conjunction with residential use in the Residential VC-1 Zone with particular specifications and limitations for size, parking signage, and like matters, to ensure the residential character is retained.**

PART 4: COMMERCIAL LAND USE

4.0 INTRODUCTION

There are, characteristically, two distinct types of commercial areas in Tatamagouche - the traditional downtown at the village centre and the newer areas at the entrances to the Village. Of Tatamagouche's land mass, 16% is used

commercially. Commercial assessment accounts for 28% of the Village's total. The commercial areas appear healthy and should remain healthy as long as the community maintains its region service role. It is difficult to forecast the amount of space will be required in the future.

4.1 VILLAGE COMMERCIAL ZONE - General Commercial (VC-1)

Two newer commercial areas have evolved along the east and west entrances to Tatamagouche. These areas are more suburban in character with larger buildings, lots and setbacks. Areas include gas stations, hardware & lumber yards, auto dealership, grocery store and strip mall.

Commercial activity is more generic in this area. While supportive of new business opportunity, the planning committee were concerned with the potential impact on the visual quality of the entire Village. Specifically, concern was raised about the potential wide spread use of vertical metal siding and flat roofs on structures. Standards in the Land Use Bylaw will address exterior finish in the VC-1 zone.

4.2 VILLAGE COMMERCIAL ZONE - Main Street Commercial (VC-2)

Tatamagouche has a traditional, village scale main street. This area contributes to the community's charm and is included in the Village Heritage Area described in section 1.2 of this plan. Community leaders, however cannot become complacent about its downtown and should consider ways to promote and finance improvements. A healthy downtown is integral to the community's initiatives noted in Section 1.4 of this Strategy.

Parking for Main Street businesses is provided on-street and a communal parking lot north of Main. As Main Street is part of Route #6 highway, on-street parking helps traffic calming by slowing travel speeds and providing a buffer between traffic and pedestrians. The parking lot, north of Main street is located between the Main Street businesses and the historic homes along the river. This area requires some landscaping improvements to make it more presentable including improved pedestrian connections to Main Street.

The severe grade change north of Main exposes the basements of Main Street businesses. This space has attracted cottage industries such as North Shore Pottery. Small businesses and cottage industries that do not require traditional Main Street exposure and generate minimal noise, odour or open storage will be encouraged. Above street grade, traditional uses of apartments and office space will also be encouraged.

4.3 NON-CONFORMING COMMERCIAL LAND USE

Four commercial operations are located in areas not appropriate for further commercial development. NS Power Corporation, 60 Pine St and Ultramar bulk oil storage, 54 Maple St are long established businesses in areas now predominately residential. The MTT building 134 Blair Ave is situated between the hospital and seniors housing. Scotsburn Cooperative continue to use a shed located on the west side of the old Creamery at 31 Creamery Rd. A few years ago Scotsburn turned the Creamery over to the community and it has become a focal point for community activity.

All of these businesses are long established in the community and have not generated complaints through the planning process. However, should these businesses move on, the lots could attract new commercial activity, not in keeping with the long term vision for the area in which they are situated. These businesses will be identified as non-conforming under the guidelines of the MGA and once closed, future use of the property will comply with the zone classification for the lot.

4.4 CONTIGUOUS EXTENSION of COMMERCIAL in the RESIDENTIAL ZONE

The defined commercial zones reflect the existing land use pattern that has evolved. There is capacity for some growth within the commercial zones, and over time, there will be demand for further commercial development, particularly along Main Street, in areas not zoned commercial.

To encourage the logical extension of existing commercial areas, policies will permit new commercial development on properties Designated Commercial on the Future Land Use Map, but not zoned Commercial, provided the proposed commercial lot abuts an existing commercial use along the side lot lines and constitutes a contiguous expansion. Conditions will be established in the Land Use Bylaw to consider this type of Commercial extension by development permit for both the Commercial General VC-1 and the Main Street Commercial VC-2 zones. Permitted commercial development in the residential zone shall meet the standards of the Commercial zone which they abut.

4.5 RESIDENTIAL in COMMERCIAL AREAS

Existing residential uses exist within commercial areas. These homes will be identified as permitted uses within the commercial zones and thus able to expand. As the commercial areas are small and well defined in comparison to residential areas, new residential structures will not be permitted in the commercial zones.

Traditional commercial areas commonly have residential uses located above store fronts as an accessory use. This helps to retain the residential population downtown. Residential will continue to be a permitted accessory use within commercial structures.

It shall be a Policy of Council to:

- 34. designate areas for commercial development on the Future Land Use Map;**
 - 35. to permit the contiguous expansion of commercial on lots designated Commercial and zoned residential by development permit, subject to conditions in the Land Use Bylaw**
 - 36. create two commercial zones: Village Commercial General (VC-1) and Village Commercial Main Street (VC-2) and zone existing commercial uses and areas designated commercial on the Future Land Use Map to an appropriate zone;**
 - 37. permit existing residential uses and mixed residential and commercial uses in a structure, in the VC-2 Commercial Zone;**
 - 38. permit existing and new cottage industries in the VC-1 and VC-2 commercial Zones subject to specific criteria regarding noise, odour, and open storage; C-1 and VC-2 commercial zones;**
 - 39. establish specifications for parking, screening, lot size, yards and yards that abut residential designation, for general buffering;**
 - 40. encourage new development to compliment the existing built form of the Village by establishing specific standards for each Commercial Zone**
 - 41. encourage the Village Commission to maintain sufficient, communal off-street parking in the VC-2 Zone to support business activities of the Main Street and off set the lack of on-site parking opportunity;**
 - 42. identify existing commercial uses on lots identified by PID # 20087557, 20087326, 20087953, and 20310587 as existing non-conforming uses.**
-

PART 5: PARKLAND, OPEN SPACE & INSTITUTIONAL LAND USE

5.0 PARKLAND

There are 29 acres or 3.7% of Tatamagouche that could be considered park space. This largely represents the trail route and open space in front of the high school. The Municipality considers 3 to 4% is a reasonable amount of park space dedicated for play in a community. Additional space can often be assembled in a community in the form of large open space areas such as a flood plain or trail way.

Playground space is provided at the elementary school which is centrally located for community use. The community recently assumed control of abandoned rail line along Waugh's River as part of the Trans-Canada Trail route through Nova Scotia. The large area located in front of the High School is used partly as soccer field and as a grassed area. The parkland issue today is less about the amount of space required to serve the community and more about how to best utilize the existing space. New space should only be acquired as the community grows or to address a specific need.

Ball fields are now located at Nelson Park beyond Village limits. Sports fields should be consolidated as a "Sport Common" on lands beside the high school and behind the North Shore Recreation Centre. This would facilitate cooperative use of facilities and improve opportunities for the hosting of tournaments at the Rec Centre while promoting Nelson Park as a quiet family campground.

An attractive feature of Tatamagouche is its compact form and the ability to walk to destinations. Future trail and walkway connections should be encouraged to link activity nodes and promote walking and cycling.

It shall be a policy of Council to:

- 43. assist the community, including the Village Commission and Development Association to identify park space opportunities and set guidelines for the public acceptance of new park space.**

5.1 TATAMAGOUCHE VILLAGE SQUARE & COMMON

One of the issues that emerged as part of the planning exercise was making better use of the openspace available in the Village. The design firm of Peter Klynstra was hired to conduct a design charrette with a cross-section of community people.

The Tatamagouche Village Square and Common concept envisions a string of four public commons, connected by the network of trails and sidewalks. Each common has a specific theme and supports a number of community initiatives.

1. Tatamagouche Sports Common - Located behind the North Shore Rec Centre and the High School, this common would house a combination of soccer field and ballfields relocated from in front of the High School and Nelson Park respectively. This central location is ideal for serving both community and school use. Combining the sports fields with the Rec Centre also improves facility for hosting tournaments including space for registration, meals and celebrations. This large parcel of land is owned by the Rec Centre.

2. Tatamagouche Common - having relocated the soccer field, a traditional village common would become the predominate community feature. The concept envisioned re-establishing this as a festival site incorporating the former service station for storage, power supply and public washrooms. The east portion of the side would become a common garden, creating a quiet are that compliments the neighbouring seniors housing, hospital, cenotaph and cemetery.

3. Tatamagouche Village Square - The proposed Village Square would commence as a beautification project for the north side of Main Street. Attention would be paid to parking, seating, green space and improved connections to Main Street. As the area becomes a focal point, there is opportunity to attract new businesses to the lower level of existing

commercial properties. Similar to redevelopment along Lunenburg's waterfront, this redevelopment could expand retail space without expensive construction and retaining the compact downtown, so attractive to Village life.

4. Tatamagouche Creamery/ Cultural Centre - The final link is the Creamery Centre. Recently donated to the community by Scotsburn cooperative, the historic creamery is becoming a cultural focal point in Tatamagouche. It is home of a successful coffee house, a regular farmers market and is located on the Trans-Canada Trail. There is plans to locate a fossil and historical museum at this location which will increase activity. As these plans move forward, the community should approach Scotsburn to take over the neighbouring out buildings.

With proper landscaping and development of the site it offers tremendous views of the estuary as well as water access.

It shall be a policy of council to:

- 44. encourage the cooperative provision any new facility with the Village Commission, the School Board and other potential partners;**
- 45. encourage the clustering of athletic fields at a location that supports multi-use of facilities in partnership with School Board, Village Commission and Recreation Association.**

5.2 INSTITUTIONAL

Tatamagouche has an abundance of Institutional uses:

2 schools (P to Grade 12),	4 churches	RCMP station, Hospital
2 Senior facilities	Ice Rink	Fire Station

Tatamagouche is well serviced for a small community which is a testament to the dedication of the community in establishing its role as a service centre. Most existing institutional activities are attractively clustered in the village centre. While it is impossible to predict future institutional space requirements limited new development is anticipated. New development should be encouraged to become part of this cluster.

Institutions play an important role in defining our community's character. They should not be hidden on back streets but proudly presented at prominent locations. Bylaw standards should address issues of site layout including signage, parking and landscaping.

With appropriate development guidelines, any new institutional use should have minimal impact on the existing community. Therefore new institutional uses will be allowed by permit in the Village Residential Zone. Institutional uses that involve multiple living units, such as publically owned, seniors apartments, will be considered in the Residential Designation by development agreement.

It shall be a Policy of Council:

- 46. the institutional uses will be permitted by development permit in the Village Residential Zone, subject to the conditions set in the Institutional zone of the Bylaw;**
- 47. the publicly owned Seniors Apartments shall be considered only by development agreement, in areas designated residential. In review of an application Council will give consideration to the conditions set in Policies 56 & 57 and to community integration of the proposal in relation to with neighbouring land use.**

PART 6: ENVIRONMENTAL

6.0 INTRODUCTION

Not all land within a community is appropriate for development. Under certain conditions, environmental priority should prevail.

6.1 DRAINAGEWAYS

Small, localized watersheds within the Village rely on specific watercourses to handle storm water. Inappropriate downstream treatment of the drainage ways can cause localized flooding and erosion of private property. To ensure important drainageways are protected, they will be identified on the Opportunities and Constraints Map of the Land Use Bylaw and buffers established.

6.2 EXCESSIVE SLOPES

Shoreline of the French River has high, steep banks that are forested, stable and undeveloped. Due to the excessive slope, inappropriate development and clear cutting would cause considerable environmental degradation, causing erosion and siltation of the River. This area falls within the Village Residential Zone of the plan and standards will be provided to prohibit new construction in areas where slope exceeds 15%. Tree harvesting should be limited to select cutting for the purposes of forest maintenance or to create filtered views for future home builders.

It shall be a Policy of Council to:

- 48. identify significant drainage ways in Tatamagouche on the Opportunities and Constraints Map of the Land Use Bylaw and set standards for development of properties in which this condition applies;**
- 49. Zoning map and to set standards for development of properties in which this is an overlay condition on the condition applies.**

PART 7: IMPLEMENTATION & ADMINISTRATION

7.0 GENERAL

The Municipal Planning Strategy and Land Use By-law are legal documents which govern land use and developments within the planning area. The Planning Strategy provides broad policy direction while the Land Use By-law provides detailed regulation to implement the intent of the Strategy.

The Municipal Government Act (MGA) allows Council to amend the Land Use By-law provided that the amendment conforms with the overall policy framework of the Planning Strategy. Amendments to the Planning Strategy may only be made with the approval of the Director or Minister of Municipal Affairs and will be evaluated for consistency with Statements of Provincial Interest that form part of the MGA.

The administration and implementation of the Municipal Planning Strategy and the Land Use By-law are governed chiefly by the provisions of the Municipal Government Act, although other Provincial Statutes and the principles of the

common law may also control Council's actions in matters such as the issuing, refusing or revoking of Development Permits.

A Tatamagouche Area Planning Advisory Committee, in consultation with staff, will review and make recommendation to Council on the appropriateness of proposed changes to policy, specifications, and map schedules.

7.1 GRAPHIC REPRESENTATION

Before Council will consider any application for a development agreement, a clear graphic proposal must be presented for examination. Graphic representation aids in the understanding and evaluation of a proposal by Council, staff, the Area Planning Advisory Committee, and the public. The applicant also benefits from the forethought required to prepare the plan and the insurance that the lot fulfills their expectations. This requirement shall be mandatory, and no application may proceed without it.

It shall be a policy of Council:

- 50. to require a clear proposal to be submitted before considering any application for a Land Use By-law amendment, or a Development Agreement;**
- 51. to require a proposal under Policy 50 to clearly show in graphic terms the following:**
- a) location of the subject property, to scale, showing lot dimensions, area, and street frontage;**
 - b) the means by which the site is to be serviced by sanitary and storm sewers, water, electrical service, and telephone service;**
 - c) the proposed location of driveways and parking areas;**
 - d) areas that are to be landscaped and/or buffered; and**
 - e) the proposed location of all buildings on site.**

7.2 LAND USE BY-LAW AMENDMENT

The conditions and locations by which most development will occur in Tatamagouche is purposely simple and clear. Development is either permitted 'as of right', by development permit, or by development agreement for specific larger projects.

Through internal review or external request, sections of the Land Use Bylaw may require amendment to clarify intent or reflect a change in community desire. If non-substantive in nature, these changes may not require an accompanying amendment to policy in the Planning Strategy.

It shall be a policy of Council to:

- 52. consider non-substantive amendments to the Land Use Bylaw deemed to be consistent with the intent of the Village Municipal Planning Strategy, and provided a proposal is not premature based on the criteria set in policy 56(c)**

7.3 MUNICIPAL PLANNING STRATEGY AMENDMENTS

The procedure for amending the Municipal Planning Strategy is the same as the procedure for adopting Municipal Planning Strategy. Council must pass an amendment by majority vote after holding a properly advertised public hearing as set out in the MGA. Any objections received from the public at this meeting must be heard and considered by

council. An amendment is then subject to approval of the Director or Minister of Municipal Affairs. There is no appeal procedure for Municipal Planning Strategy amendments.

Municipal Planning Strategy amendments are required when:

- 1) a policy change is necessitated by changing circumstances;
- 2) detailed studies have been carried out as a refinement to the Municipal Planning Strategy and it is the desire of Council to incorporate such studies into the plan; or
- 3) a Provincial Land Use Policy has been released which differs from policy content in the strategy. A Municipal Planning Strategy must be amended to agree with such Provincial policies.

When a Municipal Planning Strategy amendment is requested by a citizen or developer, the Municipality should not be required to undertake all research and studies. Accordingly, the applicant may be required to provide sufficient reason and information in order to support the amendment.

It shall be a policy of Council:

53. to consider amendments to the MPS when:

- a) **there is an apparent need to change policy due to changing circumstances;**
- b) **additional information is forth coming or studies have been undertaken**
- c) **which should be incorporated into the strategy or recommend an amendment; or a Provincial Land Use Policy has been released that required a change in policy by the Municipality;**

54. to require sufficient information and reason in support of any proposed MPS amendment from the applicant.

7.4 DEVELOPMENT AGREEMENTS

A Development Agreement is a binding legal agreement between the Municipality and a property owner. In such agreements, a wide range of factors may be addressed beyond those normally considered under standard zoning practices. All the factors normally addressed under zoning may be included, as well as site specific information, hours of operation and maintenance requirements. The use of these agreements more properly address the concerns of adjacent landowners, and provides a greater degree of flexibility to the developer in fitting the neighbourhood. These agreements may provide for termination by either party, at which time the prevailing zoning will come into effect. The property must then conform to those requirements.

Development Agreements are to be used in a limited fashion. Despite their high degree of effectiveness, excess numbers of these agreements may cause administrative problems for the Municipality. Accordingly, these agreements will be used only in specific and limited circumstances as provided for in this strategy. The following evaluation criteria is only intended to apply when specifically called for by the originating policy of this plan.

It shall be a policy of Council to:

- 55. consider certain land uses, which would not be permitted by the Land Use Bylaw, by development agreement as directed by the policies of this Strategy;**
- 56. be satisfied, in addition to all other criteria set out in the various policies of this Strategy, that:**
- a) the proposal fits within the intent of the Village Planning Strategy;**
 - b) the proposal conforms to the applicable requirements of all Municipal By-laws, excluding the Land Use By-law;**
 - c) the proposal is not premature or inappropriate due to:**
 - 1. financial ability of the Municipality or Village to support any public costs;**
 - 2. adequacy of Municipal services;**
 - 3. the creation of a “leapfrog”, scattered or ribbon development pattern as opposed to orderly compact development**
 - 4. suitability of the site in terms of grade, soil and bedrock conditions, location of watercourses, marshes, swamps, or bogs;**
 - 5. adequacy of Provincial and Municipal infrastructure including roads, sewer, drainage, school, and emergency services as examples;**
 - 6. adequacy and proximity of school, recreation, emergency services, and other community facilities;**
 - 7. compatibility of the development in terms of height, scale, lot coverage and bulk with adjacent properties;**
 - 8. provision for buffering, screening and access control to reduce potential incompatibility with adjacent land use and traffic arteries;**
 - 9. consideration of the impact of other permitted uses in the proposed zone.**
- 57. to include in any agreement to be entered into as set out under Policy 55, terms and conditions necessary to ensure that the development is consistent with the policies of the Strategy. The agreement shall include, but shall not be limited to, some or all of the following:**
- a) the specific use and size of the structure whether new, or an expansion, or renovation of an existing structure is proposed;**
 - b) the compatibility of the structure with adjacent uses in terms of architecture and appearance;**
 - c) the compatibility of the site, in terms of landscape design with adjacent uses;**
 - d) provision for adequate setbacks from adjacent land uses and adequate buffering to screen the development from adjacent and dissimilar land uses which conform to this Municipal Planning Strategy;**
 - e) that the application must include, or be accompanied by a detailed site plan clearly showing:**
 - 1. the site work proposed;**
 - 2. the landscaping proposed;**
 - 3. the design of servicing infrastructure proposed;**
 - f) any matter which may be addressed in the Land Use By-law;**
 - g) time limits for the initiation and completion of construction (and may include phased construction);**
 - h) the provision of services and utilities;**
 - i) hours of operation;**
 - j) maintenance and upkeep of the property; and**
 - k) any other matter which Council feels is necessary to ensure the general compatibility of the use and structure with adjacent uses and structures.**
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**SCHEDULE # 1
TATAMAGOUCHE
EXISTING LAND USE
Municipal Planning Strategy**

Land Use Designations

Notes

Property information provided by
Land Information Services of Service Noa Scotia
and Municipal Relations

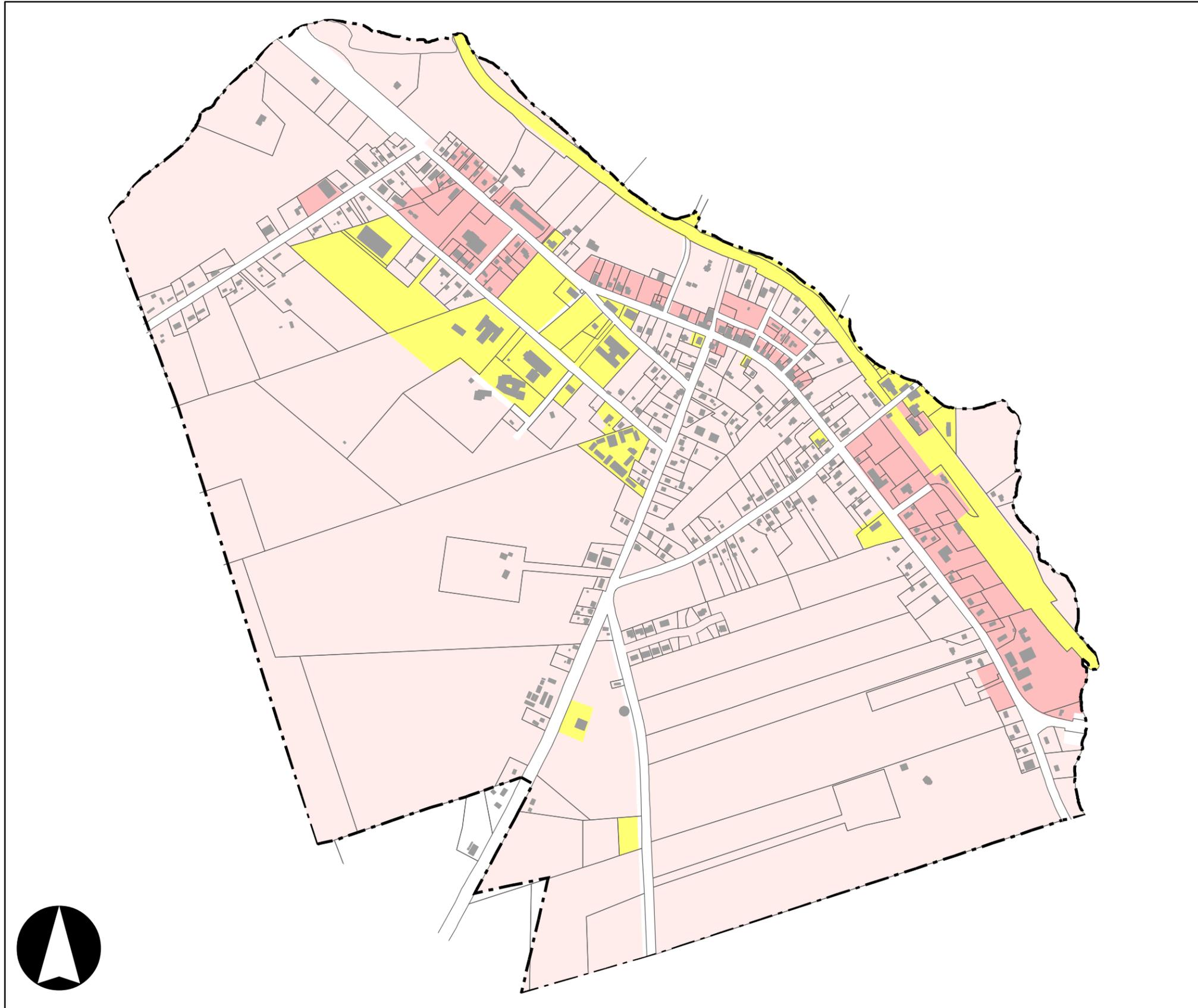
Maps Originally Generated with ArcInfo 8.0.2
August 02, 2001

Current Version Property Layer updated 2016



Municipality of Colchester
Dept. of Community Development
1 Church Street Truro, Nova Scotia
B2N 3Z5

SCHEDULE # 2 TATAMAGOUCHE FUTURE LAND USE Municipal Planning Strategy



Land Use Designations

-  Village Residential
-  Village Commercial
-  Institutional

Notes

Property information provided by
Land Information Services of Service Noa Scotia
and Municipal Relations

Maps Originally Generated with ArcInfo 8.0.2
August 02, 2001

Current Version updated 2018



Municipality of Colchester

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