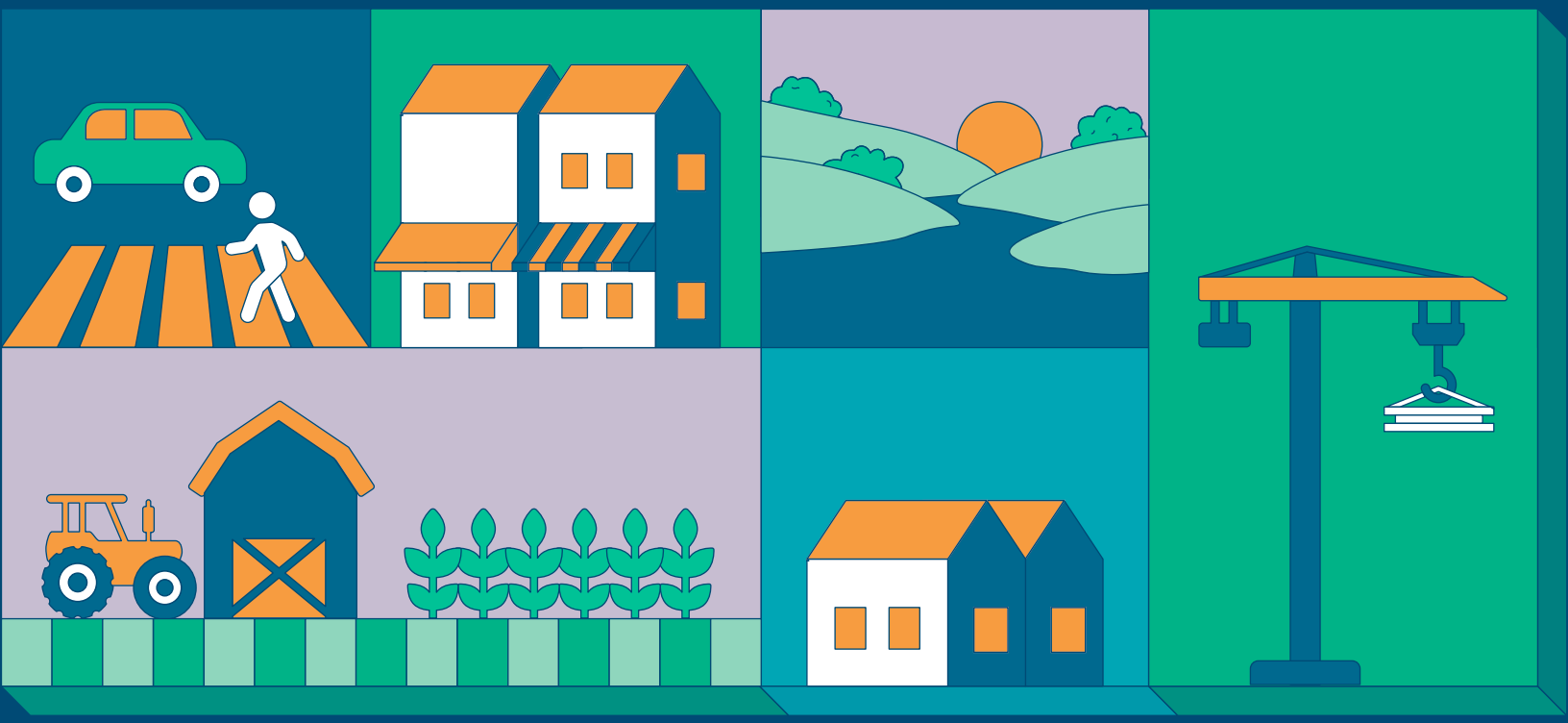
Municipality of Colchester

MUNICIPAL PLANNING STRATEGY

Chapter 39



Colchester

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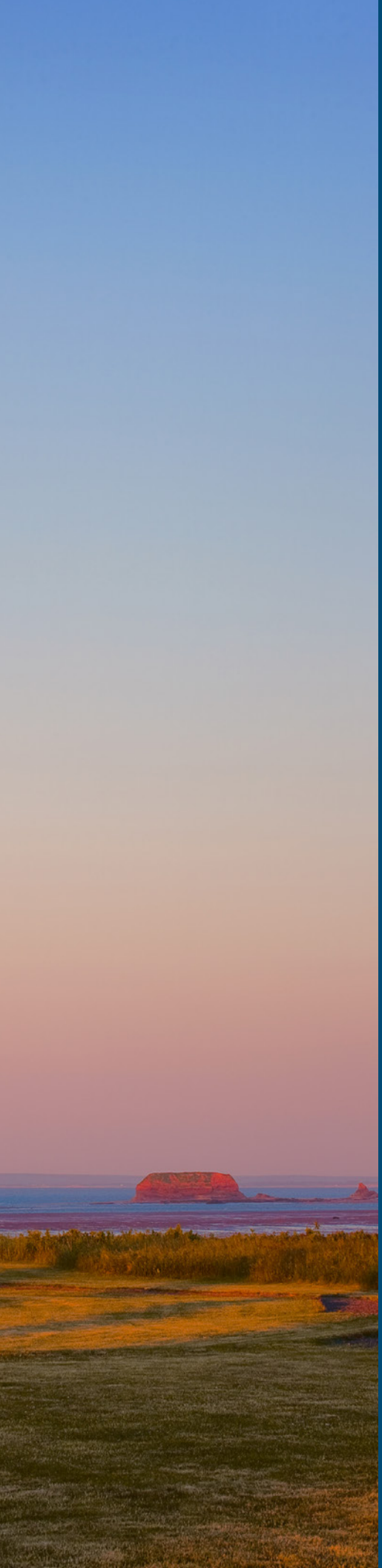

Land Acknowledgement

In peace and friendship, and in the spirit of truth and reconciliation, the Municipality of Colchester acknowledges that it is located in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq. The Mi'kmaq are a diverse and vibrant people who continue to live and thrive on this land.

From Five Islands (Nankl Mniku'l: five islands) to Tatamagouche (Taqamiku'jk: a little crossing place) to St. Andrew's River (Wisunawan: castor place) to North River (Matawipukwejk: river of the fork) to the base of Mt. Thom (Kmtnuk: at the chain of mountains) to the many communities along the Cobequid Basin (We'kopekitk: end of the flow), the beautiful land of Colchester County has been stewarded by the Mi'kmaq and their ancestors for over 11,000 years.

All of us who are fortunate to live here in Mi'kma'ki are Treaty People, bound by the Peace and Friendship Treaties of the 18th century with an inherited responsibility to share and live in peace on this land. Settler governments, like the Municipality of Colchester, are tasked with overseeing development and land use changes as our communities grow and ensuring responsible use of agricultural lands, water resources, wetlands, coastlines, and forests to protect the well-being of our communities and natural ecosystems alike.

The Mi'kmaq, among other First Nations, have a tradition to assess decisions using the Seventh Generation Principle. The principle states that decisions made today should ensure a sustainable world seven generations into the future. Similarly, the Municipality has a duty to ensure that decisions made today are in the long-term interest of our residents and the environment. This Municipal Planning Strategy is a long-term planning document that will influence Colchester well beyond the Plan's 10-year lifespan. This Plan is for us, but it's also for our children and all future generations.

Muiuatmu'kl msit kinu Ankukamkowe'l.
We are all Treaty People.

Mi'kmaw place names obtained from Ta'n Weji-sqalia'tiek / Mi'kmaw Place Names www.placenames.mapdev.ca.

Colchester

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1. Introduction and Context

1.1 INTRODUCTION

Land use planning is a key tool used by municipalities to prepare for and manage growth and development moving from the present into the future. It is a collaborative process designed to support residents, businesses, service providers, and civic leaders in creating and implementing a shared vision for the unique communities that make up their region. Practically, land use planning provides a framework to direct land use by establishing policy that guides how land is used, where growth and development happens, and how and where buildings should locate. Planning needs to be specific to a community; planning documents designed for a rural community will be very different than those established for larger towns and cities. Colchester will require more flexibility than other areas to recognize the blend of largely rural areas and more developed communities.

Land use planning is also a valuable tool for municipalities to help guide investments in infrastructure, prepare for demographic changes, support economic development, and protect environmentally sensitive areas. It can be used to promote development that is consistent with the municipality's character and culture. For Colchester this means finding the right balance between regulation and flexibility.

The *Municipal Government Act* (the "Act") requires all areas of a municipality be subject to a land use planning program. Before 2018, the implementation of planning was not a legislated requirement and municipalities applied planning tools at their discretion, often in response to development pressures. In the Municipality of the County of Colchester land use planning has been utilized since the early 1980s. Communities with sewer service capacity around the

periphery of the Town of Truro were under significant development pressure and land use planning was applied to Bible Hill, Valley, Salmon River, Hilden, and Lower Truro-Truro Heights. The five community Plans were consolidated in 1993, and the planning area extended to include an approximately 6-kilometre radius around the Town of Truro. In 2001, a municipal planning strategy and land use bylaw were created for the Village of Tatamagouche to manage incompatible land uses, heritage preservation, waterfront development, signage, mobile homes, and higher density residential uses. Central/ Upper Onslow became a Growth Centre in 2015 with the extension of sewer services.

Despite this long history of planning, much of the land area in the municipality was unplanned until the implementation of this current Municipal Planning Strategy (MPS).

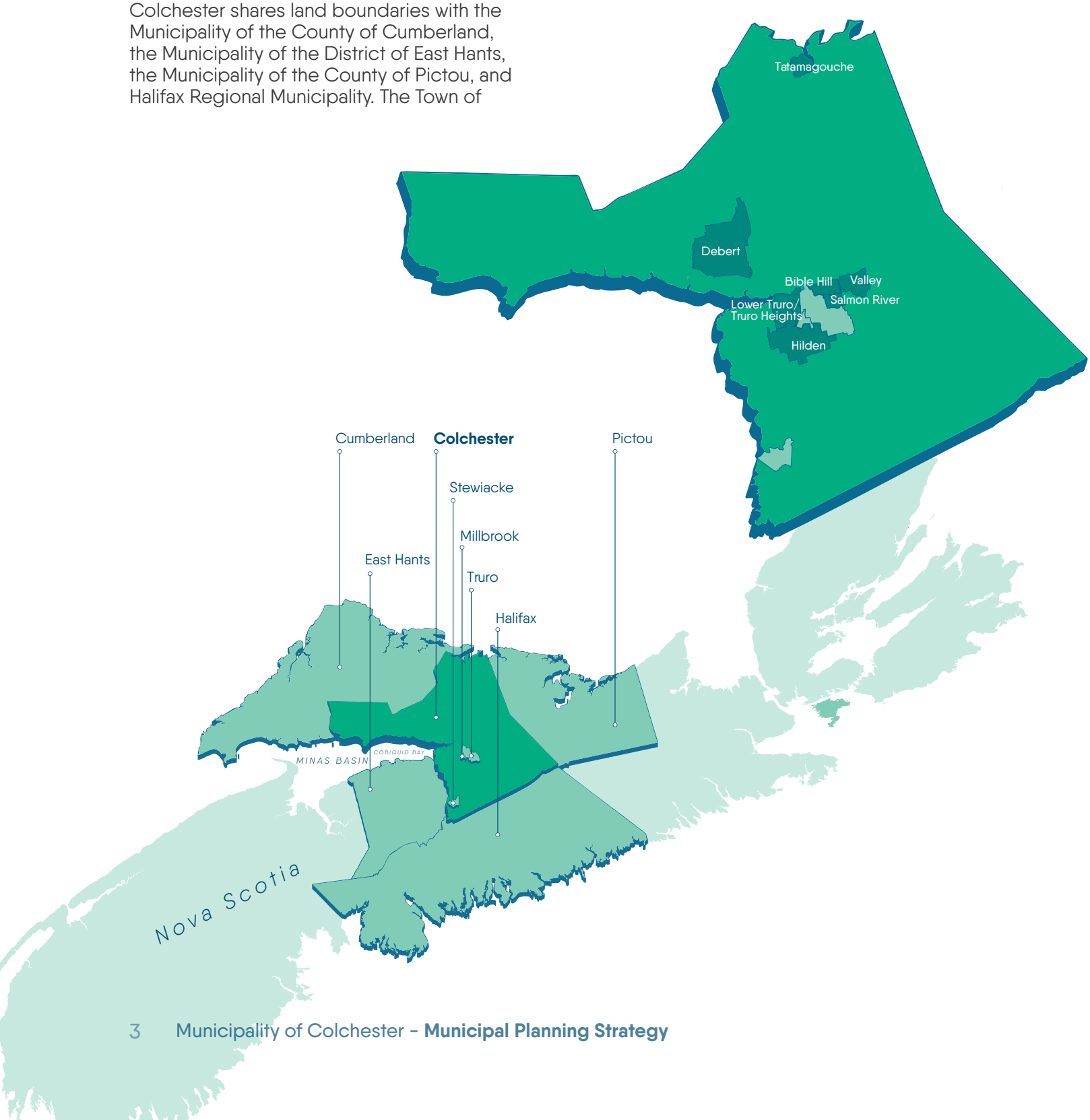
This Municipal Planning Strategy establishes the long-term vision, goals, and policies for growth and development in the Municipality of the County Colchester, building on the foundations of previously established planning documents and incorporating unplanned areas with strategies specific to those communities. This Municipal Planning Strategy provides statements of policy that reflect Council's intentions for the management of land use in Colchester. The vision, goals, and policies are based on public engagement and respond to the issues and challenges, ideas and perspectives identified in Colchester.

Major tools for implementing the polices of the Municipal Planning Strategy are the Land Use Bylaw and Subdivision Bylaw. The Land Use Bylaw establishes the specific standards and rules for development. The Subdivision Bylaw lays out the steps and requirements for creating smaller areas of land out of larger areas of land. All together these three documents largely govern how land use, growth, and development happen.

1.2 COLCHESTER CONTEXT

1.2.1 Community Context

The Municipality of the County of Colchester ("Colchester" or "the municipality") is located in north central Nova Scotia with a land area of approximately 3,578 square kilometres. Colchester shares land boundaries with the Municipality of the County of Cumberland, the Municipality of the District of East Hants, the Municipality of the County of Pictou, and Halifax Regional Municipality. The Town of Stewiacke, Town of Truro, and Millbrook First Nation are all located within Colchester County but are governed independently and do not fall within the jurisdiction of the Municipality. Significant population centres in Colchester include Bible Hill, Valley, Salmon River, Hilden and Lower Truro-Truro Heights, Tatamagouche, and Debert.



Looking across the Salmon River to Bible Hill 1894 - NovaMuse

1.2.2 A Brief History of Colchester

Evidence of early societies in the region has been found through Archeological investigations in Debert and can be dated as far back as 11,000 years to ancestors of the Mi'kmaq. The Mi'kmaq have a long and rich tradition in the region that is now known as Colchester County. They have lived in the area for thousands of years, traditionally relying on fishing, hunting, and gathering for sustenance. The Mi'kmaq had and have a deep connection to the land, rivers, and coastlines of the region.

The 16th and 17th centuries saw European explorers, such as French fisherman and later British traders make contact with the Mi'kmaq in the area. These interactions sometimes resulted in trade relationships with the Europeans, with the exchange of furs, such as beaver and other pelts, for European goods like metal tools and weapons. However, Mi'kmaq communities were also subject to colonial policies of aggression, conflict, and assimilation which deeply impacted these communities in ways that are still evident today.

By the 1700s, Acadian settlers began to move into the Cobequid region. Acadians also began to settle in the Tatamagouche area where they cleared land for agriculture, ran mills, mined, and smelted copper. A trail over the mountains had been established by the 1750s linking Tatamagouche to Cobequid (what is now Truro) where as many as 150 Acadian families lived. Acadian settlers were skilled in farming dykelands in France and they applied this knowledge to the fertile marshlands in the Cobequid Bay area and along the coastal lowlands of the Northumberland Strait. The growth of the Acadian community in Cobequid continued until the expulsion of the Acadians by the British began in 1775, while the Acadians in Tatamagouche were deported earlier in 1755. Following the deportation of the Acadians the British brought people in to settle vacated lands.

For much of Nova Scotia's early colonial history it was only the larger population centres that were incorporated as local governments. However, in 1879 the Province established rural municipalities through the *County Incorporation Act*, a predecessor of the *Municipal Government Act*. The Municipality of the County of Colchester was one such rural municipality. The most developed areas are the Village of Tatamagouche, Debert, and the communities surrounding Truro which include Central/ Upper Onslow, Bible Hill, Valley, Salmon River, Hilden, and Lower Truro-Truro Heights.

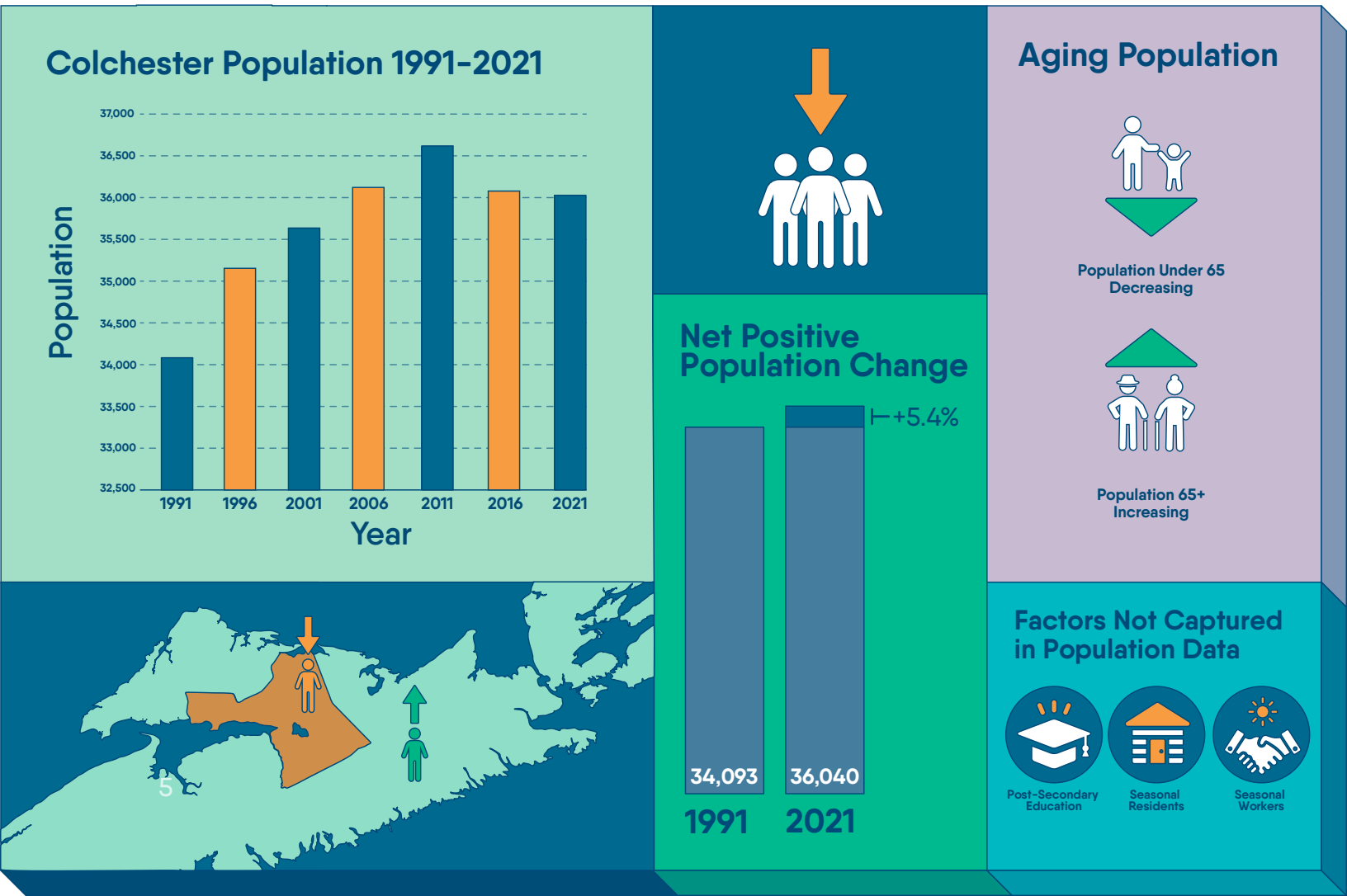
1.2.3 Demographics

According to Statistics Canada, the population of Colchester increased from 34,093 in 1991 to 36,040 in 2021, a 5.4% increase. This is a slower rate of increase than what has been experienced by the whole of Nova Scotia over the same period. While the overall 30-year population trend was net positive, population in the municipality peaked in 2011 and has slowly declined since.

Trends indicate that the population of Colchester is also aging. The number of residents over 65 has increased significantly in the past 20 years while the overall number of residents below 65 decreased. Household sizes have also decreased. This trend of an aging and declining population is consistent with the experience of nearby communities and the province when excluding major urban centres.

It is important to note that the 2021 Census does not fully capture the impact of relocations to and within the province in the wake of the COVID-19 pandemic. Population estimates produced by the Nova Scotia Department of Finance show a 3.2% increase province-wide for the period of July 1, 2022 to July 1, 2023. While the exact geographic distribution of this influx is not publicly known, the result is that communities throughout Nova Scotia, including Colchester, are likely experiencing some growth pressures.

It is also important to acknowledge that census data is based on place of primary residence, and does not count seasonal residents, temporary workers, or post-secondary students who are from elsewhere. As an area that has been historically attractive for recreational and seasonal residences, and also hosts a post-secondary school, Colchester will have needs in terms of housing, commercial services, and more that are not perfectly aligned with census data alone.

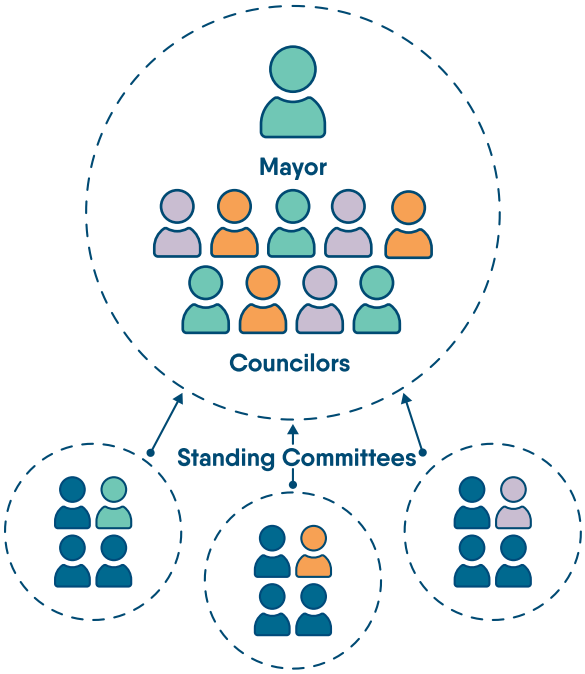


1.2.4 Governance in The Municipality of the County of Colchester

MUNICIPAL COUNCIL AND COMMITTEES

Municipal Council is the elected body that undertakes the duties and responsibilities given to the Municipality. Council consists of 12 elected representatives—11 Councillors and 1 Mayor— holding four-year terms. These representatives are responsible for decision making in the Municipality, including approving budgets and making decisions on land use planning matters.

Several standing committees support Municipal Council in its decision making, including the Regional Tourism Committee, Regional Emergency Management Advisory Committee, Central Colchester Planning Advisory Committee and Tatamagouche Planning Advisory Committee. The Planning Advisory Committee and the Tatamagouche Planning Advisory Committee are responsible for advising Council on planning matters generally, including the preparation or amendment of planning documents.



MUNICIPAL RESPONSIBILITIES

The Municipality of the County of Colchester, through Council, provides numerous important services to residents and businesses. These include critical infrastructure items like roads, sewer, and water; fire protection services; recreation; building inspection; and bylaw enforcement and land use planning services.

All municipal units in Nova Scotia are given powers and responsibilities through provincial legislation in the form of the *Municipal Government Act*, apart from Halifax, which is empowered by the Halifax Charter. The *Municipal Government Act* or "Act", details what municipalities can and must do to fulfill their roles. The Act determines what municipalities can regulate through land use planning, along with minimum standards for planning.

1.3 STATEMENTS OF PROVINCIAL INTEREST

The Province of Nova Scotia has established five Statements of Provincial Interest, which are intended to support sustainable development across the province. While land use planning is an activity that is largely undertaken by municipalities, the Province, through legislation, can help to ensure all municipalities operate under the same planning framework and to protect interests and values held across the province. The Statements of Provincial Interest are one way of doing so and deal with five topics that are relevant to the Municipality of the County of Colchester:

Each Statement of Provincial Interest includes a set of provisions that must be identified in land use planning documents. This Municipal Planning Strategy, and accompanying Land Use Bylaw, address the Statements of Provincial Interest as outlined below.

1.3.1 Statement of Provincial Interest Regarding Drinking Water

GOAL: To protect the quality of drinking water within municipal water supply watersheds.

This Plan identifies the source waters for the public drinking water supplies within the Municipality's boundaries, requires Council to include development agreement controls or reject discretionary planning approval for proposals that present an unacceptable risk to source water areas, prohibits specific high-risk uses within source water areas, includes a commitment to developing source water zoning tailored to each source water area in partnership with the applicable Source Water Committees or Towns, and establishes a watercourse buffer to limit risks to watercourses.

Applicable policies: Policy 5-46, Policy 5-47, Policy 5-48, Policy 5-49, Policy 5-49A Policy 5-55

1.3.2 Statement of Provincial Interest Regarding Flood Risk Areas

GOAL: To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in flood plains.

Colchester includes the Salmon River and North River, which are specific rivers identified within the SPI. This Plan includes a comprehensive approach to limiting development within the 1:20 flood plain, and requiring flood proofing within the 1:100 flood plain. This Plan also applies flood proofing requirements and restrictions on certain uses on provincially-regulated marshlands and lands that have been mapped through the Municipal Flood Mapping Program. There is also policy to expand once that project is complete for the Northumberland coast.

Applicable policies: Policy 4-112 through Policy 4-141

1.3.3 Statement of Provincial Interest Regarding Agricultural Land

GOAL: To protect agricultural land for the development of a viable and sustainable agriculture and food industry.

This Plan establishes the Agriculture Potential (AP) Zone, which identifies agricultural land as defined in the SPI and limits subdivision activity in these areas. This Plan is also broadly permissive of agriculturally-supportive activities, such as farmers' markets, agritourism, farm worker housing, and processing industries.

Applicable policies: Policy 4-19 through Policy 4-23

1.3.4 Statement of Provincial Interest Regarding Infrastructure

GOAL: To make efficient use of municipal water supply and municipal wastewater.

This Plan establishes a structure of community types and focuses sewer and water infrastructure within Growth Centres to limit unsustainable expansion of these systems. This Plan also enables and encourages higher densities of development where sewer and water are available, to make efficient use of these systems.

Applicable policies: Policy 5-38 through Policy 5-45

1.3.5 Statement of Provincial Interest Regarding Housing

GOAL: To provide housing opportunities to meet the needs of all Nova Scotians.

This Plan is strongly supportive of a broad spectrum of housing types and densities suited to each of the specific community types. This Plan also treats manufactured housing and supportive housing the same as other dwellings of a similar scale.

Applicable policies: Policy 5-10, Policy 5-13, Policy 5-14, Policy 5-19, Policy 5-20

1.4 HOW TO USE THIS MUNICIPAL PLANNING STRATEGY

This Municipal Planning Strategy ("MPS" or "Plan") plays a specific role in guiding the future of the Municipality of the County of Colchester by establishing a set of policies that will manage and direct growth over this planning period. These policies are accompanied by and implemented through the Land Use Bylaw, a document that contains standards and regulations for development, or through the Subdivision Bylaw, which contains standards and specifications for dividing land.

1.4.1 Document Organization

This Municipal Planning Strategy is divided into six chapters:

1. The **Introduction and Context** chapter provides contextual information about the Municipality of Colchester, how it is governed, and establishes the purpose, role, and scope of the Municipal Planning Strategy.
2. **Plan Process** outlines how this Municipal Planning Strategy was developed, including summary documentation of the public engagement undertaken to inform its development.
3. **Vision Statement** for the Municipality of the County of Colchester is laid out in **Chapter 3**. The Vision is a high-level statement that guides all policies within this plan and accompanying regulations. The Vision provides context and forms the basis for decision making in land use planning matters.
4. **Land Use** polices that establish the various land use designations and zones.
5. **Topic-specific Polices** covering planning issues that are independent of individual land use designations, such as transportation, servicing, and coastal development.
6. **Plan Implementation** provides the framework for the Municipality to implement this Municipal Planning Strategy. The plan must be feasible from a land use, administrative and legal perspective. This chapter also includes the framework for the monitoring and effective implementation of the plan and how to examine the Municipality of the County of Colchester's progress towards achieving its goals and vision.

1.4.2 Interpretation

This Plan is a statutory legal document. The language within it is intended to be precise and specific to outline the expectations of the Municipality and the public for growth and development. In this Plan, where:

- **"may" is used in policies, the Municipality may, but is not obliged to undertake future action; and**
- **"shall" is used in policies related to land use, the policy is mandatory and will typically be implemented through the Land Use Bylaw.**
- **This Plan uses illustrations, images, and maps to provide context to support the policies within. For clarity:**
- **Diagrams, sketches, or photos in this Plan are provided for illustrative purposes only and do not form the legal basis of this Plan.**
- **Schedules, which are provided at the end of the plan, form part of this plan and its legal foundation, and they should be read in concert with the policies of this plan.**

Nothing in this Plan shall affect the continuance of land uses that are lawfully in existence as of the date of this Plan coming into effect. Development that was legally initiated prior to the existence of this plan can continue without needing to come into compliance with any regulation or policy, subject to the provisions for non-conforming uses and structures (**Subsection 5.1.3**).

1.5 A NOTE ABOUT CLIMATE CHANGE

Climate change has already begun to affect residents, properties, and safety in Colchester, and the impacts in this region are expected to worsen during the 21st century. Increased duration and intensity of heat waves; increased ocean surface water temperature; expanded invasive species habitats (like ticks); increased risk of wildfire; increased intensity, frequency, and duration of rainfall events; and decreased annual snowfall are all examples of the ways climate change is impacting life here in the municipality.

This Municipal Planning Strategy considers the climate science and known risks that are available as of its writing, but the climate context is ever changing and there are many unknowns. Colchester Council has demonstrated its commitment to addressing climate change through its membership in the Partners for Climate Protection program since 2016, the adoption of the Carbon-Free Colchester Community Energy & Emissions Plan in 2022, creation of sustainability-specific staff positions, creation of the Solar Colchester and Cozy Colchester residential financing programs, and more. As the climate continues to change and impact Colchester residents in anticipated and unanticipated ways, Colchester Council commits to remaining flexible and making decisions that are in the best interest of the community and based on solid climate science evidence and best practice.

Climate change is an underlying theme throughout this document, as it impacts all facets of municipal operations and everyday life in our communities. Growth, investments in infrastructure, and changes to land use must occur in a manner that reduces our contribution to the causes of climate change while also reducing exposure to climate hazards and risks to people, property, and critical infrastructure. Climate resilient planning and decision making can save millions of dollars in avoided costs and damages and create communities that are more livable and biodiverse.

Topics that are particularly relevant to climate change mitigation and adaptation include parks and open space, energy, transportation, flood risk areas, environmental management, and coastal development.

2. Plan Process

2.1 PLAN INCEPTION AND PLAN DEVELOPMENT

The creation of the Municipality of the County of Colchester's Municipal Planning Strategy and Land Use Bylaw, a project called "Plan It Colchester", was launched by the Municipality in March of 2023. In order to generate an informed planning program, Plan It Colchester began with an extensive public engagement program with the outcome of producing an Engagement and Recommendations Report. In preparing the Engagement and Recommendations Report, Plan It Colchester utilized an interactive engagement process with ample public consultation, background research, and policy and regulatory development.

Background research involved conducting demographic, socio-economic, and spatial analysis to understand how the municipality has changed and what the current state of land use was. The project was led by the Municipality's Planning Advisory Committee. Plan It Colchester originated from legislative changes by the Province of Nova Scotia that required all land in the province to be the subject of land use controls.

2.2 PUBLIC ENGAGEMENT

2.2.1 Initial Engagement

The initial public engagement for Plan It Colchester took place between March and July of 2023. Participants were invited to share their perspectives and insights on land use and their vision for the future of Colchester.

To ensure that the findings accurately represented the diverse population of Colchester, multiple methods of engagement were used, including:

These activities were promoted through the following avenues:

- **Municipal website**
- **Municipality's social media feeds**
- **Project webpage**
- **Municipal newsletter**
- **Postcards (sent to every civic address in Colchester)**
- **Community pop-up events**
- **Direct emails and phone calls to stakeholders**

The results from the initial phase of engagement were summarized into a detailed *Engagement and Recommendations Report*. The summary included a qualitative analysis of the responses received from community members and stakeholders during the initial round of engagement.

Taken together, the information gathered during the initial phase of engagement was foundational to the development of policies and regulations contained within this Municipal Planning Strategy and the Land Use Bylaw.

2.2.2 Draft Plan Engagement

Once the project team developed drafts of the planning documents community members were invited to review them and provide feedback on what was good and, more importantly, what needed to be changed. This draft engagement included a number of methods, including:

- Six public open houses
- Agricultural sector session
- Meetings with the Bible Hill and Tatamagouche Village Commissions
- Online feedback form
- One-on-one phone calls and email follow-ups with interested parties

The project team summarized the results of the draft engagement in a *What We Heard and Policy Direction Report* and then met with the Planning Advisory Committee and Council to discuss how the planning documents should be updated to respond to the draft engagement comments.

2.3 KEY ISSUES

The initial engagement phase provided a wealth of information relevant to the planning process and a wide breadth of topics were discussed and documented. Some topics were present across all engagement activities, while others were less common.

Through an analysis of the engagement data collected, eight major issues emerged. This Municipal Planning Strategy fundamentally seeks to address these Key Issues.

2.3.1 Community Character & Cohesion

Participants greatly valued the character of Colchester, citing a diverse landscape, rich culture, and close access to natural areas. The municipality is described as beautiful, friendly, and picturesque. Central to engagement discussions was the importance of protecting and maintaining the rural lifestyle and strengthening community cohesion across the municipality. Maintaining the rural lifestyle and small-town atmosphere in Colchester is extremely important to residents and was identified as the principal reason many decided to live in the community. Participants wanted to build a cohesive and inclusive community. Residents expressed a desire that new planning standards do not overregulate rural areas, ensure that commonplace rural activities continue to be permitted, and promote development consistent with the existing development pattern or character of a community.

2.3.2 Environment

The environment emerged as a major topic that—while building on the theme of community character and cohesion above—is extremely important in its own right. Engagement participants extensively emphasized that the protection and conservation of the environment is essential to the future of Colchester. The municipality is in a beautiful natural environment with a range of geographies, including coastal lowlands, the Cobequid Mountains, dense forests, bucolic farmlands, rivers, lakes, and beaches all present. This variety of open and green spaces available to residents has led to a deep connection with the environment. The impacts of climate change were a frequently cited concern. Residents in coastal communities felt particularly vulnerable to erosion and flooding. Participants expressed concern for the water quality of rivers, streams, and lakes and the availability of drinking water. Generally, respondents expressed a desire to see stronger regulations protecting the natural environment.

Participants also provided feedback regarding renewable energy, and wind turbines in particular. People raised concerns about aesthetics, impacts on resident quality of life, and impacts on wildlife. The majority of these concerns were centered around the Wentworth Valley area.

2.3.3 Housing

Access to affordable and appropriate housing is a rising concern across Colchester and was identified as a high priority among residents. Issues related to housing were perceived by many participants to be disproportionately affecting young people entering the housing market, low-income individuals, and seniors seeking appropriate housing for their changing needs. The need to increase housing stock, improve access, and diversify options were all desired by engagement participants, provided new options are balanced with existing residential character.

2.3.4 Transportation

Transportation was a commonly discussed topic throughout engagement. Colchester was generally identified as being a car-centric community and there was a desire to decrease this reliance as the population changes through growth and shifting demographics. Concern was raised among participants for those who do not have access to a vehicle, along with residents who are aging and may lose transportation independence if options are not improved. Two major subthemes of transportation were public transportation and active transportation. There was broad support for improving public transportation in Colchester. Improvement of active transportation infrastructure also saw broad support. Suggestions among participants included better sidewalk maintenance, improved lighting, increased bicycle parking at popular destination like schools and community hubs, and traffic calming measures.

2.3.5 Recreation, Trails, & Open Space

Parks, trails, and access to open spaces were all identified as key to making Colchester a great place to live. Participants were proud of existing parks along with the high level of maintenance provided. Access to recreation programs and activities was an area where improvements could be made. Travelling outside of the municipality to places like the Town of Truro or Halifax Regional Municipality for recreation was identified as not uncommon. Consistency and diversity of programing was cited as the primary reason for travel related to recreation. Residents would like to see a balance of program offerings across the municipality, specifically in more rural areas along with transportation support.

Participants stressed the need to provide sufficient public space in all areas and that leisure activities meet the diverse needs of all residents.

2.3.6 Agriculture

Agriculture, along with the agricultural community, is integral to the fabric of Colchester. The importance of the agricultural sector was widely recognized by engagement participants. Residents want to ensure that Colchester remains a strong agricultural base in Nova Scotia. Within the agricultural community there were hesitations about the introduction of planning regulations. For many farmers, their single greatest asset is the land they hold and if development potential of the land is reduced their plans may be affected. However, there was a desire on the part of the agricultural community to find a balanced path forward that protects agricultural land while giving farmers the opportunity to benefit from their land holdings. Many residents also wanted to ensure land use regulations do not impede smaller scale hobby farms.

2.3.7 Infrastructure

Infrastructure should meet the needs of all residents. Engagement participants identified several infrastructure priorities to leverage opportunities and accommodate changing trends. Primary topics related to infrastructure were quality of roads, infrastructure to accommodate growth, and internet and cellular service. There were concerns in the community that infrastructure capacity within serviced areas is at or nearing capacity.

2.3.8 Economic Development & Diversity

Economic development and diversity play an integral role in ensuring a community can reach its potential. Participants across all methods of engagement describe a vibrant economy for the future of their communities. Survey participants envisioned a community with a vibrant economy as being one that is well balanced and that supports the start-up of diverse businesses while protecting existing businesses from incompatible development, providing equitable, meaningful employment, working towards sustainability.

3. Vision Statement

3.1 A VISION FOR THE MUNICIPALITY OF COLCHESTER

A Vision Statement establishes the long-term desired outcomes of the Municipality. The Vision reflects the ambitions and aspirations of the community and helps to answer the question, "what do we want to be and why?" It provides a benchmark for all of Council's decisions, irrespective of changes in the Municipality's leadership or management. The vision for the future of the Municipality of Colchester is:

> ***The Municipality of the County of Colchester is a beautiful, welcoming community that deeply values its rural and agricultural roots. We envision a future where our communities are healthy, environmentally resilient, and economically prosperous – where we take full advantage of our central location in the province and harness our opportunities for connection: with nature, within our communities, and in the wider region. We envision a community that has a diversity of housing and employment options to meet the diverse needs of our residents and empower them to lead rich, fulfilling lives.***

Policy 3-1: Council shall, through the policies of this Plan and through the Land Use Bylaw, implement the Vision for the Municipality of the County of Colchester.

4. Land Use

4.1 COMMUNITY STRUCTURE

The Municipality of Colchester has a diverse landscape, with each community holding its own unique identity, scale, and character. However, there are also some similarities to be found across communities, and from a land use and development perspective each area within the municipality can be broadly characterized into one of two categories: Growth Centres and Rural Areas.

4.1.1 Rural Areas

The vast majority of the land area within the municipality is rural in nature. These areas are characterized by natural areas, agricultural uses, resource-based development, and larger recreational areas. Many of the municipality's residents call the rural areas home, although residential densities tend to be lower than can be found in the Growth Centres. Most infrastructure in these areas is either privately or provincially owned and managed.

Generally, this Municipal Planning Strategy intends to:

- **Encourage the establishment of rural types of development in these areas;**
- **Identify, protect, and enhance the natural resources and qualities essential to retaining a healthy rural environment;**
- **Reduce the fragmentation of farmland that could restrict future expansion of farms and support the farming community's efforts to increase the economic viability of the agricultural industry;**
- **Provide opportunities for rural subdivision development;**
- **Minimize conflicts between resource uses and non-compatible land uses;**
- **Identify areas of environmental significance and aim to protect these through management, conservation and preservation.**

4.1.2 Rural Service Centres

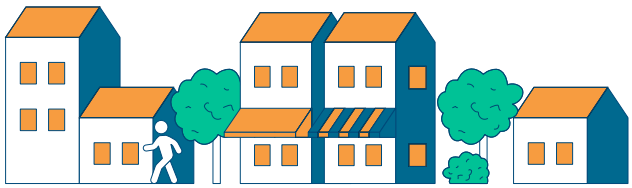
Within the rural areas are communities that feature a denser form of development and provide a range of services to the surrounding area. These communities may also feature a limited range of municipal services such as sewer, water, or sidewalks. However, for reasons such as geographical location or servicing constraints, these communities are not expected or intended to see the same level of growth as the Growth Centres described below, and will maintain much of their rural character. As such, these communities will be identified as "Rural Service Centres". Rural Service Centres include:

- **Brookfield**
- **Great Village**

4.1.3 Growth Centres

Growth Centres encompass the communities with central water, central sewer, or both. The presence of these central services–and central sewer in particular–supports smaller lot sizes and higher densities of development. These communities are also typically characterized by a wider range of residential options and commercial services, and may host other types of municipal infrastructure, such as sidewalks. In the Municipality of Colchester, Growth Centres typically fall within the areas with a long history of Land Use Planning. Growth Centres include:

- Bible Hill
- Debert
- Hilden
- Lower Truro – Truro Heights
- North River
- Central/Upper Onslow
- Salmon River
- Tatamagouche
- Valley



The general approach of this Municipal Planning Strategy is to:

- **encourage the establishment of rural service communities or urban development in these areas;**
- **provide a range of residential, commercial, industrial, institutional, and recreational land use types appropriate to the development patterns of each Growth Centre;**
- **provide a variety of urban services to each Growth Centre including but not limited to solid waste services, sewage collection and treatment, public parkland, street lighting, sidewalks, street paving, and storm water management systems; and**
- **encourage a development pattern that efficiently uses these services.**

Policy 4-1: Council shall, on Schedule 'A', Growth Centres Map, create and define urban Growth Centres for lands that are serviced by municipal water supply, municipal sewage collection systems, or both, based on previous planning strategies and the current extent of municipal service delivery.

Policy 4-2: Council shall encourage higher densities of development and more intensive uses to establish within Growth Centres to make efficient use of infrastructure investments and discourage sprawl development.

Policy 4-3: Council shall promote compact settlement form and efficient utilization of land through smaller lot sizes and a focus on infill development.

Policy 4-4: Council shall not expand the Growth Centre boundaries until a need for additional land is demonstrated and ensure that any such changes be considered in the context of other municipal planning and growth management initiatives.

4.2 RURAL DESIGNATION AND PERMITTED ZONES

Historically, land use planning in the rural areas of Colchester has been limited. The main efforts in this regard were in relation to the "rural fringe" area of Central Colchester, where planning was introduced in 1994. Until that time development occurred randomly with little regard for the land use patterns beginning to emerge. Preparation of the Municipality's *Service Delivery Strategy* at that time motivated Council to seriously consider the sprawl or ribbon development becoming evident in most peripheral rural areas and the added public costs that this represented. Since this area was under pressure to develop and there had been a tendency to "leap frog" into areas with lower tax rates it became necessary to utilize a basic form of land use planning as a means of guiding development with the future in mind. Council's planning efforts of the time have now been shown to be largely successful, with subsequent development in the "rural fringe" of Central Colchester occurring in a much more financially and environmentally sustainable manner.

Outside of the "rural fringe" and the undeveloped areas of Tatamagouche, no rural land use planning has occurred until the adoption of this current Municipal Planning Strategy. While there are development pressures in other rural areas that warrant thoughtful management, perhaps the biggest issue is ensuring the traditional rural economy—particularly agriculture—is recognized, encouraged, and protected from encroachment by incompatible land uses.

Other issues in the rural areas of the municipality include thoughtful coastal development, and sustainable development around the municipality's many lakes.

The Rural Designation is meant to guide land use planning and development decisions with respect to the rural lands in the municipality.

Policy 4-5: Council shall establish, on Schedule 'B', the Future Land Use Map, the Rural Designation.

Policy 4-6: Council shall, in the Land Use Bylaw, permit the following zones in the Rural Designation:

a. **Agriculture Potential Zone (AP)**
b. **Commercial Recreation Zone (P-2)**
c. **Shoreline Zone (SL)**
d. **Rural General Zone (RG)**
e. **Rural Industrial Zone (RM)**
f. **Rural Residential Zone (RR)**
g. **Institutional Zone (I)**
h. **Parks and Open Space Zone (P-1)**
i. **Mi'kmaw Lands Zone (ML)**

4.2.1 Rural General Zone (RG)

Issues associated with the Rural General Zone are different than those in Growth Centres. The fact that many urban types of services are not available such as central sewer has produced low density development characteristic of most other rural parts of Nova Scotia. Larger lot sizes combined with traditional values has resulted in a seemingly tolerant mix of land uses. The occurrence of commercial and resource activities interspersed with residential uses is a natural expectation in these areas and to date have typically coexisted with little difficulty. Accordingly, this Plan will reflect a more flexible approach to land use planning in the Rural General area.

The physiographic characteristics of the rural areas has enabled a diversity of land use activities, including agriculture, forestry, and mineral extraction. With much of the agricultural activity in the municipality covered by the Agriculture Potential Zone, the key resource-based issues in the Rural General Zone are forestry and mineral extraction. Wood harvesting and processing operations are abundant in this zone, particularly in the northern and eastern areas. The scale of these operations varies from portable or temporary sawmills to large permanent facilities, such as the mill in Valley. Forest management practices that reduce runoff, erosion and sedimentation as well as product storage, noise, odor, and commercial traffic are among the primary issues associated with this land use activity.

Gravel extraction is most evident in the North River area where massive deposits are situated in low lying areas east of the river. This type of mining activity is regulated under the *Pits and Quarries Act* and consequently, the *Municipal Government Act* only enables municipalities to deal with permanent processing and sales matters. The Land Use Bylaw should however address separation distances, bulk storage, and the location of permanent machinery used to process aggregate.

Residential development in the Rural General Zone is typically lower density than in Growth Centres. However, it would be incorrect to classify all rural residential development the same. For example, over the past decades, the rural fringe area around Central Colchester, as well as portions of Masstown, have seen a suburban form development, likely due to close proximity to jobs and services. Conversely, the Brule Shore and many areas along the Bay of Fundy feature dense mixes of cottage and permanent residential development on private roads. Other areas of the Rural General Zone often feature very sparse residential development along provincial roads.

Policy 4-7: Council shall, through the Land Use Bylaw, establish the Rural General Zone. This land use zone is intended to accommodate a range of lower density rural development throughout the rural areas of the municipality and to encourage the continued and sustainable development of resource-based land uses such as agriculture and forestry.

Policy 4-8: The Rural General Zone shall permit low density residential uses, a variety of commercial and institutional land uses, light industrial uses, and a variety of resource-based uses including agriculture and forestry uses. This zone shall also permit multiple dwelling units on a lot to accommodate alternatives to traditional subdivisions, such as bare land condominiums; however, conditions in the Land Use Bylaw shall restrict the overall density and form of dwellings to maintain the rural nature of this zone.

Policy 4-9: The Rural General Zone shall be applied on the zoning map of the Land Use Bylaw as the default zone outside of Growth Centres for lands that have not been identified for other zones.

Policy 4-10: The Rural General Zone shall permit existing industrial uses that have been established prior to the effective date of the Land Use Bylaw provided any enlargement or reconstruction of the use meets the requirements established in the Land Use Bylaw.

Policy 4-11: Council shall, through the Land Use Bylaw, establish specific standards for intensive livestock operations in the Rural General Zone, including separation distances between new intensive agricultural activities and non-agricultural activities.

Policy 4-12: Council shall, through the Land Use Bylaw, establish specific standards for agricultural, forestry, and other land dependent activities not involving permanent structures and allow for the subdivision of such lots on a right-of-way to accommodate the needs of such uses.

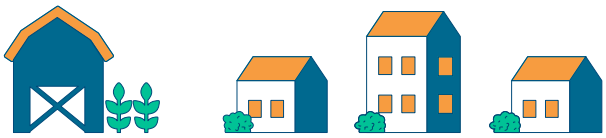
Policy 4-13: Council shall, through the Land Use Bylaw, relax the *Municipal Government Act* provisions and establish standards and conditions for the expansion of non-conforming non-residential uses and structures in the Rural General Zone.

Policy 4-14: Council shall, through the Land Use Bylaw, enable development of lots in the Rural General Zone existing on **February 27, 2025,** and accessed with a private right-of-way.

4.2.2 Rural Residential Zone (RR)

Colchester has a number of residential subdivision developments that have occurred in rural areas. Unlike the traditional mix of land uses that occur in rural areas, these subdivision developments are squarely residential in nature and should be recognized as such. The Rural Residential Zone recognizes these existing residential developments.

Council is also aware that there may be demand for additional rural residential subdivisions in the future. In general, this is to be discouraged in favour of directing development that involves new infrastructure to the Growth Centres and Rural Service Centres. Further, there is a higher risk of land use conflict when developments that are focused solely on residential are placed in rural areas where more intensive uses, such as agriculture and forestry, are present. Council is, however, willing to consider the possibility of such developments after a careful review of infrastructure requirements and the potential for land use conflicts.



Policy 4-15: Council shall, through the Land Use Bylaw, establish the Rural Residential (RR) Zone. This land use zone is intended to recognize existing rural residential subdivision developments, as well as enable new ones where the risk of land use conflict and infrastructure impacts can be shown to be low.

Policy 4-16: The Rural Residential Zone shall permit up to two dwelling units on a lot, mobile homes, and a range of complementary community and recreation uses. Existing agricultural uses shall also be permitted.

Policy 4-17: The Rural Residential Zone shall initially be applied to existing rural residential subdivision developments.

Policy 4-18: Council shall, through amendment to the Land Use Bylaw, consider requests to rezone lands to the Rural Residential Zone in the Rural Designation. Council shall not approve such an amendment unless Council is satisfied:

a. **Any new public infrastructure requirements are consistent with this Plan and capacity of the Municipality to provide and maintain such infrastructure.**

b. **If the land is zoned Agriculture Potential (AP), the proposal complies with Policy 4-23.**

c. **The potential for land use conflict with surrounding rural uses, and especially active agriculture, is low.**

d. **The proposal complies with the general policies for Land Use Bylaw amendments, found in Subsection 6.2.4**

4.2.3 Agriculture Potential Zone (AP)

Municipalities in Nova Scotia are, by way of the *Municipal Government Act*, required to identify and protect high-value agricultural soils, which are defined as Class 2, Class 3, and actively-farmed Class 4 soils as identified by the Canada Land Inventory (Nova Scotia has no Class 1 soils), as well as specialty crops (e.g. blueberries) and provincial marshlands.

Farming activity has formed a significant component of the municipality's economic base, not to mention its importance to the province's agricultural industry. The Municipality of the County of Colchester has a substantial amount of high-value arable land. In fact, approximately 50% of Colchester's landmass is Class 2, 3, or 4, and the municipality is home to 20% of the province's Class 2 soils. In addition, the municipality has approximately 3,100 hectares of wild blueberry production, or 19% of the provincial total, which typically occurs on "poor" soils. Land comprising the eastern and southern parts of Central Colchester are mostly forested, while the western and northern areas have been cleared and put into agricultural production.

Often, farmland is regarded as desirable for other types of land uses due to soil conditions for on-site sewage disposal, access, and site work. It is, however, important to view high quality agricultural land as a limited resource and one that needs to be protected for farming to remain a viable and sustainable industry – once it is developed for other uses it is difficult, if not impossible, to reclaim for agriculture.

The agriculture industry faces many pressures, not the least of which is climate change. More extreme precipitation, drought, changing growing seasons, and new pests threaten food security and make it all the more important to protect land with agricultural potential.

Despite the importance of protecting agricultural soils, there are situations where this is not always possible or desirable. In areas where past urbanization has encroached on farming activities it may not be practical to encourage protection since land has become fragmented and productive agriculture is not possible, there exists a high risk of land use conflict, and/or farming operations are under pressure of inflated land values.

Further, good soils are not always an indicator of good agricultural potential. Microclimate, topography, the continuity of soils, and water availability also impact whether farming is viable on a particular piece of land.

Council understands the significance of agriculture to Colchester County and wishes to ensure that it remains a dominant and prosperous land use activity, and that active agricultural lands and lands with agricultural potential are protected for the long-term benefit of residents in the municipality and the province beyond. Council also recognizes that microclimates and terrain within the municipality do not always align with good soils, and that past development has, in some areas, reduced the viability of agriculture.

As a result, Council will establish the Agriculture Potential Zone. This zone is intended to identify good agricultural soils as defined by the Statement of Provincial Interest, as well as well-established agricultural areas that are not located on "good" soils, and prioritize agricultural activities in these areas.

To this end, the Land Use Bylaw will contain standards that protect agricultural uses from encroaching residential development through separation distances, subdivision controls, controls on the location of new wells, and setbacks. At the same time, Council understands that it is important to support farmers and avoid over-regulating farms themselves, which are often regulated in many ways by other levels of government. The Land Use Bylaw will, therefore, ensure that agricultural activities are widely permitted with few barriers to entry, and that supportive land uses—such as agritourism and farm staff housing—are also enabled.

Policy 4-19: Council shall, through the Land Use Bylaw, establish the Agriculture Potential Zone (AP). This land use zone is intended to prioritize agricultural development on good agricultural soils as well as well-established agricultural areas even if they are not located on good agricultural soils.

Policy 4-20: The Agriculture Potential Zone shall permit agricultural, fishery, and forestry uses; agricultural industry, such as feed mills, heavy equipment repair, and animal processing; a limited range of residential, institutional, recreational, and community uses; and commercial uses that are similar to those in the Rural General Zone; however, uses that could create a long-term impact on soils, such as service stations, shall not be permitted.

Policy 4-21: The Agriculture Potential Zone shall generally be applied on the zoning map of the Land Use Bylaw to Class 2, Class 3, and active Class 4 soils in the municipality as identified in the Canada Land Inventory, as well as marshlands and on well-established agricultural areas that are not located on good soils. Exceptions shall be made where such application would conflict with the existing provision of municipal services, on specific parcels where development proposals were substantially advanced at the time this Plan was developed, where existing development patterns have significantly limited the potential for commercial agriculture, or where areas of good soils are under one hectare in size.

Policy 4-22: Council shall, through the Land Use Bylaw, reduce the fragmentation of agricultural lands by limiting the number of lots that can be subdivided on private roads created after March 27th, 2025 within the Agriculture Potential Zone.

Policy 4-23: When a policy of this Municipal Planning Strategy is used to change a property from the Agricultural Potential Zone by amendment to the Zoning Map of the Land Use Bylaw, or to advance development within the Agricultural Potential Zone by development agreement, Council shall be satisfied that the proposal:

a. **by its nature or the regulatory limitations placed upon it minimizes the risk of land use conflicts that could impact the operation of existing agricultural uses;**

b. **is limited to the land area necessary to accommodate the proposed development;**

c. **prioritizes locating of development in a manner that minimizes, to the extent possible, the fragmentation of agricultural soils; and**

d. **if carried out by development agreement:**

   i. clusters buildings, lawns, on-site services, and accessory structures to provide a buffer to any adjacent agricultural or resource uses; and

   ii. includes provisions to reduce the risk of land use conflict between agricultural operations and potential residential uses.

4.2.4 Shoreline Zone (SL)

Lakes, rivers, and the coast are a prominent feature of the landscape in Colchester. There are numerous small and medium sized lakes and rivers across the entire municipality, and they are home to an abundance of aquatic and terrestrial species. These waterbodies are, however, also popular destinations for recreational development for seasonal properties and accommodations. To accommodate recreational development and associated septic systems, large areas of land must be cleared and graded, threatening the integrity of the plants and animal species that rely on waterbodies for their habitat.

While Council generally supports development in the rural, shorelines areas of the municipality, it also believes the Municipality has a responsibility to ensure development in these areas is conducted in a manner that helps to ensure they can be enjoyed for generations to come. For these reasons, Council will establish the Shoreline Zone. This Zone will take a careful approach to development around waterbodies, including establishing setbacks from the shoreline, limiting the types of permitted development, and requiring larger minimum lot sizes, to protect these valued resources.

The Shoreline Zone will initially be applied to lakes within the municipality with existing development, or those that have the potential for development, such as larger lakes or lakes near to roads. In the future the zone may also be applied along rivers or the coast.

Policy 4-24: Council shall, through the Land Use Bylaw, establish the Shoreline Zone. This land use zone is intended to enable waterfront development with thoughtful development standards intended to protect the integrity of aquatic and riparian ecosystems.

Policy 4-25: The Shoreline Zone shall permit limited residential uses and a limited range of other uses typically found in rural areas. Complimentary uses including, but not limited to, accommodations, marinas, and parks and open spaces uses shall also be permitted.

Policy 4-26: The Shoreline Zone shall initially be applied on the zoning map of the Land Use Bylaw for approximately 300 metres (984.2 feet) around lakes with existing development, and lakes located in areas where near-term development might be possible, such as lakes in close proximity to roads. Council may consider, through amendment to the Land Use Bylaw, expanded application of the Shoreline Zone to other areas, such as rivers.

4.3 LOWER DENSITY RESIDENTIAL DESIGNATION

4.3.1 Lower Density Residential Designation

Lower density residential land uses comprise three zones in the Growth Centres. These areas are primarily residential and consist of single detached dwellings, semi-detached dwellings, duplex dwellings, and converted dwellings. Non-residential uses may also be present in the form of parks and open space and institutional uses such as educational facilities and places of worship.

Policy 4-27: Council shall on Schedule 'A,' the Future Land Use Map, designate as "Low Density Residential" lands with central services intended to give priority to residential uses.

Policy 4-28: Council shall on the zoning map of the Land Use Bylaw, permit the following zones within the Low Density Residential Designation:

a. **Single Dwelling Unit Zone (R-1)**
b. **Double Dwelling Zone (R-2)**
c. **Double Unit Conversion Zone (R-2C)**
d. **Institutional Zone (I)**
e. **Parks & Open Space Zone (P-1)**
f. **Comprehensive Development District Zone (CDD)**
g. **Mi'kmaw Lands Zone (ML)**

4.3.2 Single Dwelling Unit Zone (R-1)

Historically, the Residential Single Dwelling Unit Zone has been a zoning option available for developers who wished to provide a higher level of assurance to landowners within a subdivision. This zone is the narrowest in terms of permitted uses. Primarily this zone consists of single unit residential. Existing agricultural uses are also permitted.

Council recognizes that existing neighbourhoods have been developed under the expectation that they would consist primarily of single-unit dwellings. The Single Dwelling Unit Zone will accommodate this expectation, with minor allowances for intensification through the accessory dwelling provisions of this Plan. However, a key direction of this Plan is to enable and promote diversity in housing options. As such, Council does not intend to apply the Single Dwelling Unit Zone beyond these existing neighbourhoods.

Policy 4-29: Council shall, through the Land Use Bylaw, establish the Single Dwelling Unit Zone. This zone is intended to identify existing areas of Growth Centres dedicated to single unit residential development.

Policy 4-30: The Single Dwelling Unit Zone shall permit a narrow range of uses such as single detached dwellings, parks and open space uses, and small residential facilities, while recognizing existing agricultural uses and existing land lease communities. Complimentary uses such as education uses shall be permitted with conditions.

Policy 4-31: Council shall not consider amendments to the Land Use Bylaw to create new areas of Single Dwelling Unit Zone, except minor "rounding out" of zone boundaries to accommodate efficient development in existing Single Dwelling Unit Zone neighbourhoods. In considering such "rounding out" amendments, Council shall ensure the proposal is consistent with the general criteria for amending the Land Use Bylaw, as found in **Subsection 6.2.4**.

4.3.3 Double Dwelling Unit Zone (R-2)

The Double Dwelling Unit Zone is intended to provide increased flexibility and density within the Lower Density Residential Designation when compared to the Single Dwelling Unit Zone. The Single Dwelling Unit Zone provisions are restrictive, and a broader land use composition is also desired. A significant part of the residential land use that has occurred in the Growth Centres is characteristic of Double Dwelling Unit development. It affords a wider array of residential options such as the establishment of two dwelling units on a lot in the form of duplex dwellings and converted dwellings. Semi-detached dwellings are also enabled within the zone. Additional land uses in the form of guest homes, small options homes, existing agricultural uses, and existing land lease communities are also permitted. This is often viewed as a traditional and perfectly acceptable land use mix and will continue to serve as the base zone for much of the vacant land in the Central Colchester Growth Centres.

Some institutional land uses, such as educational uses and places of worship are vital to the community fabric of neighbourhoods within the Double Dwelling Unit Zone and will be permitted with conditions in order to ensure compatibility and reduce impact on adjacent residential uses. Parks and open space uses are also permitted. Additional housing forms such as boarding house and three units on a lot will be permitted by Site Plan Approval.

Policy 4-32: Council shall, through the Land Use Bylaw, establish the Double Dwelling Unit Zone (R-2). This zone is intended to identify residentially focused areas within the Growth Centres.

Policy 4-33: The Double Dwelling Unit Zone shall permit a range of lower density residential uses including single dwelling units, two dwelling units within a single structure, semi-detached dwellings, guest homes, and small residential facilities, while recognizing existing agricultural uses and existing land lease communities. Complimentary uses such as education uses and places of worship shall be permitted with conditions.

Policy 4-34: Residential uses up to three dwelling units on a lot, including grouped dwellings, multi-unit dwellings, and row dwellings, and boarding houses with up to four sleeping units, shall be permitted by Site Plan Approval in the Double Dwelling Unit Zone.

Policy 4-35: The Double Dwelling Unit Zone shall initially be applied on the zoning map of the Land Use Bylaw to existing such residential areas as well as much of the vacant land in Central Colchester designated Lower Density Residential on the Future Land Use Map.

4.3.4 Double Unit Conversion Zone (R-2C)

Many new subdivisions exist in Central Colchester that are characteristically single unit residential developments. Historically, in order to promote a particular theme, several developers have placed covenants on lots to restrict other forms of residential and accessory development that may compromise this objective. Covenants are usually administered by landowners and are not always able to provide the high level of control expected in such areas. In other areas, long established residential neighborhoods have grown in a similar style but without any type of development rules.

Often, property owners want to preserve the aesthetic qualities of residential subdivisions but in some cases be afforded the ability to create a second unit in some part of the dwelling to convenience a family member or otherwise. Converted dwellings in this instance can accomplish both objectives provided the Land Use Bylaw sets out specific requirements for the conversion of existing dwelling units.

Council will also consider zoning map amendments to apply the Double Unit Conversion Zone in any area designated for future low density residential land uses.

Policy 4-36: Council shall, through the Land Use Bylaw, establish the Double Unit Conversion Zone. This zone is intended to identify areas of existing single unit development that are affected by covenants that restrict residential building styles to that of traditional single unit architectural design and enable the conversion of an existing single unit dwelling into two units within the Growth Centres.

Policy 4-37: The Double Unit Conversion Zone shall permit a range of low-density residential uses including single dwelling units, converted dwellings to maximum of two dwelling units within a single structure and similar in appearance to a single unit dwelling, guest homes, and small residential facilities, while recognizing existing agricultural uses. Complimentary uses such as education uses, places of worship, and parks and open space uses shall be permitted with conditions.

Policy 4-38: The Double Unit Conversion Zone shall be applied on the zoning map of the Land Use Bylaw to known existing subdivisions affected by covenants intended to restrict residential building styles to that of traditional single unit architectural design.

Policy 4-39: Council shall consider new Double Unit Conversion Zones by amendment to the zoning map in any area designated Lower Density Residential on the Future Land Use Map, subject to the general policies for amending the Land Use Bylaw, found in **Subsection 6.2.4.**

4.4 MEDIUM TO HIGH DENSITY RESIDENTIAL DESIGNATION

4.4.1 Medium to High Density Residential Designation

Medium to high density land uses comprise two zones in the Growth Centres. Historically residential uses within this designation are multi-unit buildings that tend to generate more activity. Because of this, elements relating to their location and integration with other residential uses is important to ensure compatibility issues are addressed.

Council wishes to encourage medium to high density multiple unit residential in this designation to address shortages of housing options, particularly smaller, affordable, and rental housing.

Policy 4-40: Council shall on Schedule 'A,' the Future Land Use Map, designate as Medium to High Density Residential lands with central services, and particularly those along collector roads, intended to give priority to higher density residential uses.

Policy 4-41: Council shall on the zoning map of the Land Use Bylaw, permit the following zones within the Medium to High Density Residential Designation:

a. **Double Dwelling Unit Zone (R-2)**
b. **Residential Medium Density Zone (R-3)**
c. **Residential High Density Zone (R-4)**
d. **Local Commercial Zone (C-4)**
e. **Institutional Zone (I)**
f. **Parks & Open Space Zone (P-1)**
g. **Comprehensive Development District Zone (CDD)**
h. **Mi'kmaw Lands Zone (ML)**

4.4.2 Residential Medium Density Zone (R-3)

The Residential Medium Density Zone is intended to include structures containing three to four dwelling units. These types of buildings can take many forms such as converted dwellings, apartment buildings, and townhouses. Usually, these structures are of a scale that is compatible with other types of low-density residential uses provided sufficient amenity area and buffering exists.

Given the history of lower-density zoning in Central Colchester, this zone will typically only be proactively applied to lands with frontage on collector roads.

However, in Tatamagouche the previous planning documents featured a base residential zone (Village Residential) that was most similar to the Residential Medium Density Zone. Therefore, residential properties in Tatamagouche will most typically be zoned Residential Medium Density. This former "village residential" area includes a number of historic structures, most of which date from 1850 to 1925. These traditional residential neighbourhoods 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, with basic design standards established to guide building massing, roof lines, and cladding materials.

Similarly, the Rural Service Centres of Brookfield had no planning at all, and therefore no restrictions on dwelling types, prior to the development of this Plan. As a result, the residential areas of this community are typically placed in the Residential Medium Density Zone to continue to provide a reasonable spectrum of residential opportunities.

Policy 4-42: Council shall, through the Land Use Bylaw, establish the Residential Medium Density Zone. This zone is intended primarily for medium density multiple unit dwellings in the Growth Centres.

Policy 4-43: The Residential Medium Density Zone shall permit a range of medium density residential uses typically consisting of up to four dwelling units on a lot. Lower density residential uses and complimentary uses such as but not limited to boarding houses, community halls, guest homes, and residential facilities are also permitted. Some existing uses are also recognized in the form of agricultural uses and mobile homes. Complimentary uses including converted dwellings, education uses, places of worship, and parks and open space uses shall be permitted with conditions.

Policy 4-44: Council shall, through the Land Use Bylaw, permit boarding houses of five to eight sleeping units, and five to eight dwelling units on a lot by Site Plan Approval in the Residential Medium Density Zone.

Policy 4-45: Council shall, in the Land Use Bylaw, establish a Tatamagouche Heritage Village Area Overlay to identify properties subject to enhanced design controls.

Policy 4-46: Council shall, through the Land Use Bylaw, establish design standards for properties within the Tatamagouche Heritage Village Area Overlay that encourage new buildings and renovations to complement basic architectural elements and lot placement of the neighbourhood in which they are being built.

4.4.3 Residential High Density Zone (R-4)

For the purposes of this strategy, high density residential structures are considered to be those with 5 units or more, and can take the form of multi-unit dwellings, row housing, or grouped dwellings.

At the present time, Bible Hill and Truro Heights contain the most significant number of multi-unit development. Due to limited placement of the Residential High Density Zone, residential developments of up to sixteen units can be accommodated as-of-right. Higher densities may also be considered but will require more oversight through the development agreement process to ensure impacts are managed and servicing is adequate.

High density residential developments are generally larger and consequently are more visible within a community. The increase in density is likely to create a higher activity level as well as a greater potential for disruption of quieter single unit neighborhoods. It is often preferable for these types of uses to be located in close proximity to designated collector roads; however, direct access is not always necessary or desirable. Collector roads are intended to move large volumes of traffic through a community efficiently. Linear development that result through numerous driveways on to collector roads can interfere with the function of collector roads and it may be better to utilize existing streets and intersections to access such roads. It is important in these cases that such uses have fairly direct access to the collector roads so that the traffic generated does not travel large distances through local subdivision roads.

Policy 4-47: Council shall, through the Land Use Bylaw, establish the Residential High Density Zone. This zone is intended primarily for higher density multiple unit dwellings of five units or more in the Growth Centres.

Policy 4-48: The Residential High Density Zone shall permit a range of higher density residential uses typically consisting of five or more dwelling units in the form of multi-unit dwellings, grouped dwellings, and row dwellings. Lower density uses and complimentary uses such as but not limited to boarding houses, community halls, guest homes, daycares, and residential facilities are also permitted. Existing agricultural uses are also recognized. Complimentary uses including education uses, places of worship, and parks and open space uses shall be permitted with conditions.

Policy 4-49: Council Shall consider entering into a development agreement to enable proposals for dwellings with more than 16 dwelling units per lot or more than 16 boarding house sleeping units in the in the Residential High Density Zone, and proposals for dwellings with more than 8 dwelling units on a lot in the Residential Medium Density Zone. When considering such developments special consideration shall be given to the following:

a. Landscaping, fencing or similar visual barriers shall be provided around structures, parking, and open storage areas including solid waste facilities to minimize visual impacts and privacy intrusion on surrounding residential properties to a reasonable extent.

b. Where possible, on-site vegetation shall be retained and incorporated into the site landscaping, particularly for protection of environmentally sensitive or significant areas.

c. Mature trees on the lot shall be preserved whenever possible.

d. Where a sidewalk, trail, or similar walking path is available abutting the subject site, the primary entrance(s) of all dwelling units shall be connected to such walking paths by a means of a barrier free (accessible) pedestrian walkway at least 1.5 metres (4.9 feet) in width and paved with asphalt, concrete, or interlocking pavers.

e. Other pedestrian walkways shall be clearly delineated on the property and allow for efficient movement throughout the site.

f. Vehicle circulation on-site shall be designed to support efficient movement, enable emergency services access, and avoid obvious points of conflict.

g. Stormwater runoff from impervious areas shall be appropriately managed and unlikely to cause disturbance on neighbouring properties.

h. The proposal shall be consistent with the general policies for development agreements, found in **Subsection 6.3.2.**

4.5 COMMERCIAL DESIGNATION

4.5.1 Commercial Designation

The commercial components of each Growth Centre vary in their role, with some servicing the regional market, some serving the immediate local community, some serving travellers moving through the municipality to reach communities beyond, and some serving heavy summer tourism populations.

The development of commercial land uses has always been influenced by four main characteristics: access, visibility, available land mass, and population servicing needs. Within the region, Downtown Truro has been historically the center of business activity since it is centrally located to most of the population and major transportation links including the railway. Changes in population, lifestyles, and physical community growth created new development pressures beyond the traditional core area and led to the emergence of other commercial areas such as Robie Street, Pictou Road, and Exit 13. Today these serve an important function in the regional commerce activity of Central Colchester.

Many commercial land uses have an inherent incompatibility with low density residential uses that can often result in a variety of disruptions and nuisances. Activity levels associated with each are different and need to be separated so that they can both exist and function according to their purpose. Ultimately, there needs to be a transition from one to the other and the challenge will be to create standards in the Land Use Bylaw that help ease such changes. Buffers, landscaping techniques, spatial separations, as well as other land uses are possible ways to achieve this.

Medium to high density residential land uses however, are commonly located in commercial areas where access to amenities and services is readily available. This combined with their increased intensity corresponds with the character of commercial areas. It is often desirable for certain commercial districts to have a "living" component to help maintain a varied purpose, offer stability, and add life and activity outside traditional business hours. The presence of people can also promote a higher degree of security for businesses that are typically not always open.

The random establishment of commercial land uses is not a good practice for the reasons discussed above. Usually, clustering commercial uses in well located areas better serves both businesses and residents alike while minimizing many of the land use impacts. This Plan intends to identify suitable areas within each Growth Centre for a range of commercial activities while at the same time protect the limited supply of available land from less demanding land uses.

Other parts of this Strategy have touched on the elements necessary for commercial land uses. Parking, signage as well as residential and accessory uses are an integral part of the development form that characterizes commercial districts. The Land Use Bylaw will set out appropriate development standards in this regard. Another important consideration is access to commercial development that is typically located along collector roads. Too many driveways can not only interfere with the function of collector roads but may also create safety hazards for both motorists and pedestrians. To address this, standards should be developed in the Land Use Bylaw that encourage managed access and allow for communal parking areas that serve more than one commercial development.

Policy 4-50: Council shall, on Schedule 'A,' the Future Land Use Map, designate as "Commercial" lands in Growth Centres and Rural Service Centres intended to give priority to commercial development.

Policy 4-51: Council shall, on the zoning map of the Land Use Bylaw, permit the following zones within the Commercial Designation:

a. **General Commercial Zone (C-1)**
b. **Highway Commercial Zone (C-2)**
c. **Main Street Commercial Zone (MS)**
d. **Local Commercial Zone (C-4)**
e. **Institutional Zone (I)**
f. **Parks & Open Space Zone (P-1)**
g. **Commercial Recreation Zone (P-2)**
h. **Comprehensive Development District Zone (CDD)**
i. **Mi'kmaw Land Zone (ML)**

4.5.2 Commercial Expansion in Tatamagouche

The defined commercial areas of the Growth Centre of Tatamagouche reflect the existing land use pattern that has evolved to this point. There is capacity for some growth within the commercial areas, 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 in Tatamagouche 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. Permitted commercial development in the residential zone shall meet the standards of the commercial zone which they abut.

Policy 4-52: Council shall, through the Land Use Bylaw, permit the contiguous expansion of commercial uses in Tatamagouche on lots designated Commercial and zoned residential by development permit, subject to conditions in the Land Use Bylaw.

4.5.3 General Commercial Zone (C-1)

The Plan identifies several areas for general commercial development which often correspond with areas designated under previous planning strategies. These are often primary commercial districts in the communities that do not have a traditional, pedestrian-oriented "main street".

With a few exceptions, the establishment and distribution of general commercial land uses has not created serious concerns to date. Many of these existed prior to community planning and much of the recent development has grown around these. Organic growth is, however, prone to land use conflict and this Plan intends to encourage future commercial growth by concentrating such land uses at appropriate and strategic locations in each community. The approach and rationale is discussed for each Growth Center below.

BIBLE HILL

The historic area for commercial activity in Bible Hill was along Main Street, containing many long-established businesses. As housing growth expanded east, new commercial development followed mostly along the north side of Pictou Road beginning at Jennifer Drive and ending in the vicinity of Village Court. Land on the south side of Pictou Road, extending from Wright Avenue to Armstrong Avenue, mirrors the existing commercial designation on the north side from Jennifer Drive to Innovation Drive. This creates a commercial node that would be well positioned in relation to the proposed Farnham Road arterial extension in the future.

An area of land in the vicinity of Main Street, including the lower portions of Pictou Road, College Road, Ryland Avenue, and Farnham Road, has also been designated general commercial. This has been the traditional core of Bible Hill and many of the properties have been developed for a variety of purposes. In recent years, there has been a considerable amount of new development in this area and this trend is expected to continue.

To the south of Brookside Drive, bounded by Dr Bernie MacDonald Drive on the east, the large parcel of land has been zoned as a Comprehensive Development District. This undeveloped area is covered almost entirely by a forest, with the Farnham Brook running through it. This massive greenspace is viewed as a prime location for future development in Bible Hill.

Two remaining areas along Pictou Road have also been designated General Commercial. First an area of vacant land that was previously encompassed by two commercial garden nurseries located between Oak Drive and the intersection of Village Court. Finally, it is the intention of Council to designate General Commercial lands located at the intersection of Vimy and Pictou Roads, two collector streets. This intersection has historically supported three businesses and further commercial expansion in this area is desirable.

LOWER TRURO / TRURO HEIGHTS

The Growth Center of Lower Turo / Truro Heights contains two principal commercial nodes; one along the Robie Street at Exit 14 and the other along the Truro Heights Connector at Exit 13. Due to location, these areas are important components of the larger Colchester regional market.

During the late 1970s, the twinning of Highway 102 led to a significant shift in development patterns within Lower Truro and Truro Heights. To the east of the highway, the area is characterized by commercial and industrial land uses. While to the west, residential communities can be found ranging from single detached dwellings, to apartments. Additionally, the well-maintained Cobequid Trail provides an active transportation route that is utilized by residents and visitors along the Bay of Fundy. Further east on the Glooscap Trail, the area becomes more rural, where agricultural uses can be seen throughout.

Future development along Robie Street is constrained by the Salmon River and McClure's Brook flood plains which are periodically inundated with water; however, most of the development is relatively new and elevated above the 1 in 100 year flood elevation. The Environmental Section of this Plan envisions new development and redevelopment opportunities in such flood risk areas which is an important consideration for these established commercial areas. This is indeed necessary to ensure Robie Street continues to evolve, improve, and remain competitive in the regional markets.

HILDEN

Commercial development in Hilden is almost exclusively located along Highway 2. This includes a large pocket of commercial development along the west side of Highway 2 near the Millbrook First Nations Community, as well as a few smaller nodes dispersed along Highway 2. A few businesses have established on the Truro Road in the years predating the former Hilden Municipal Planning Strategy but the area is generally not suited to general commercial development given the residential nature of the surrounding area and the nearby elementary school.

Future commercial developments in Hilden is likely to be convenience orientated, serving the needs of local residents. Land will be designated for this purpose along Highway 2 and it is intended to concentrate commercial uses in areas that have already been developed for this purpose.

SALMON RIVER

Like many of the other Growth Centres, commercial development in Salmon River has tended to be established along collector roads such as East Queen Street and East Prince Street. Businesses along East Queen Street have existed for some time and tend to be interspersed with residential uses. Commercial land uses along East Prince Street consist mostly of local convenience businesses and extend from the Town boundary to Harmony Road. This particular area is isolated from the majority of residential land uses well suited to the types of commercial uses that have established here.

VALLEY

Commercial land uses in Valley are limited and is perhaps due to the availability of shopping choices in Bible Hill. Those that do exist have been established several years ago and are mainly located along Pictou Road. Exit 17 at the intersection of Highway 104 with Pictou Road has prominent exposure to large traffic volumes and a reasonably large undeveloped land mass. One drawback is that this is a split interchange making access a little more difficult, particularly for east bound traffic. The general area has features that would be attractive to certain types of commercial development and this Plan intends to accommodate future growth here.

TATAMAGOUCHE

Tatamagouche feature a strong mixed-use main street, and much of the commercial properties in this community are placed in the Main Street Zone. However, there exist within the community several larger-format or automobile service businesses, such as a gas station and building supply store. These commercial uses will be recognized with the General Commercial Zone.

GREAT VILLAGE AND BROOKFIELD

These Rural Service Centres lack a significant commercial component, and much of what does exist is recognized in the Land Use Bylaw through other applicable zones. However, these communities host a few larger or automobile service businesses, such as gas stations, which have been placed in the General Commercial Zone.

Policy 4-53: Council shall, through the Land Use Bylaw, establish the General Commercial Zone. This zone is intended to accommodate a wide range of commercial uses.

Policy 4-54: The General Commercial Zone shall permit a wide range of commercial and community institutional uses varying in type and service provision and shall include automobile-services such as gas stations. Existing agricultural uses, existing small residential facilities, and existing low density residential uses are also recognized. Residential uses shall also be permitted, subject to conditions that maintain the primacy of commercial uses in this zone.

Policy 4-55: Council shall, through the Land Use Bylaw, establish regulations in the General Commercial Zone to prevent negative impacts on surrounding uses, including requirements for outdoor storage, outdoor commercial display, and landscaping.

Policy 4-56: Council shall, through the Land Use Bylaw, establish requirements for yards abutting low density residential zones including outdoor commercial displays, outdoor storage, parking, loading, areas for garbage collection and storage, and accessory commercial uses within the General Commercial Zone.

Policy 4-57: Council shall, through the Land Use By-law, permit medium sized commercial structures with a net floor area exceeding 930 m^2 but less than 4,645 m^2 by Site Plan Approval in the General Commercial Zone.

Policy 4-58: Council Shall consider entering into a development agreement to enable proposals for shopping centres and large sized commercial structures in the General Commercial Zone, subject to the general policies for development agreements, found in **Subsection 6.3.2.**

4.5.4 Highway Commercial Zone (C-2)

The land use classification of Highway Commercial generally describes uses that are highway dependent, land intensive, and moderate traffic generators. Traditionally, these types of uses do not include independent specialized retail uses, which tend to favor downtown locations. The emergence of shopping centers, strip malls, and "box store" developments serving larger regional market created new community development issues since they share similar locational requirements and the high activity associated with these uses is generally not conducive with other types of land uses. As a result, highway commercial uses are commonly found near major transportation arteries and can provide a good transition between these busy traffic corridors and less intensive land uses. Key nodes of Highway Commercial zoning include the area surrounding Exit 13 in Truro Heights, Exit 14A in Upper Onslow, Exit 17 in East Mountain, and Exit 13 in Debert.

Small scale light industrial uses are often found in close proximity to highway commercial uses since their basic location requirements are similar to highway commercial businesses and they tend not to conflict with one another. This can be seen in communities such as Debert, where commercial and industrial land uses are well mixed.

Generally, the nature and activity levels associated with highway commercial, including light industrial uses, are not conducive to residential land uses; however, there sometimes will exist a desire to establish a dwelling in conjunction with a business to provide additional security. Under such circumstances, any such residential land use will be considered accessory to the main commercial use and may only exist as long as the business operates from the property. While the Industrial section of this Plan indicates generally that new industrial uses should be encouraged to locate in existing industrial parks, previous planning reports suggest that these may not provide a suitable location for some businesses and available land is limited in the Truro Industrial Park.

A Highway Commercial Zone that permits light industrial uses could enable these types of uses to be established in areas demonstrating the necessary characteristics.

Policy 4-59: Council shall, through the Land Use Bylaw, establish the Highway Commercial Zone which is to be applied within Growth Centres and Rural Service Centres at major highway intersections and along secondary highway corridors. This zone is intended to accommodate a wide range of commercial uses and light industrial uses that generally benefit from proximity to a highway.

Policy 4-60: The Highway Commercial Zone shall permit a wide range of commercial uses and light industrial uses. Existing agricultural uses are also recognized. Complimentary uses that would benefit from additional requirements including single detached dwellings associated with a main commercial or light industrial use and kennels shall be permitted with conditions.

Policy 4-61: Council shall, through the Land Use Bylaw, establish regulations in the Highway Commercial Zone to prevent negative impacts on surrounding uses, including requirements for outdoor storage, outdoor commercial display, and landscaping.

Policy 4-62: Council shall, through the Land Use Bylaw, establish requirements for yards abutting low density residential zones including outdoor commercial displays, outdoor storage, parking, loading, areas for garbage collection and storage, and accessory commercial uses within the Highway Commercial Zone.

Policy 4-63: Council shall, through the Land Use Bylaw, establish requirements for the continuation, expansion, and enlargement of light industrial uses in the Highway Commercial Zone.

Policy 4-64: Council shall, through the Land Use Bylaw, establish requirements for the establishment of a single detached dwelling use in the Highway Commercial (C-2) Zone, provided that the dwelling unit is clearly accessory to the main use of the property.

Policy 4-65: Council Shall, consider entering into a development agreement to enable proposals for shopping centres and large sized commercial structures [4,645 square metres (49998.4 square feet) or more] in the Highway Commercial Zone subject to the general development agreement policies of **Subsection 6.3.2.**

4.5.5 Main Street Zone (MS)

Many of Colchester's Growth Centres feature a commercial core that harkens to the traditional "main street", with a mix of small businesses and residential uses. Typically, these are in densely clustered buildings and located close to the street, which makes these areas very pedestrian-friendly.

The Growth Centre of Tatamagouche, in particular, is well known for its commercial core. This bustling hub of activity is a popular attraction for visitors from all over the region and beyond. The street is lined with unique shops, galleries, cafes, and restaurants, each offering their own distinctive character and charm. Visitors can stroll along the street, taking in the sights and sounds of the village, and stopping to browse the many shops and boutiques. The previous Village of Tatamagouche Municipal Planning Strategy and Land Use Bylaw included a "Village Main Street Commercial" zone, which recognized and encouraged this traditional form of development.

Council wishes to recognize this valued form of commercial development and encourage the ongoing preservation and enhancement of the traditional village character, while also establishing a framework for extending this approach to other communities in Colchester. The Main Street Zone is an evolution of the former Tatamagouche zone, enabling it to be applied more widely to other Growth Centres in the future.

This zone continues to encourage and promote pedestrian-friendly, mixed-use areas at the core of the municipality's Growth Centres.

Policy 4-66: Council shall, through the Land Use Bylaw, establish the Main Street Zone. This zone is intended to accommodate mixed commercial and residential uses primarily focused on pedestrians, and to establish and promote a "main street" character.

Policy 4-67: The Main Street Zone shall permit a mix of pedestrian-oriented commercial uses and community institutional uses. Commercial uses that are focused on automobiles, such as service stations, or that do not contribute to an activated main street, such as self-storage facilities, will not be permitted. Existing agricultural uses, existing residential facilities, and existing low density residential uses are also recognized. New residential uses and small residential facilities shall be permitted, with controls to ensure building frontages at grade are reserved for commercial and community uses.

4.5.6 Local Commercial Zone (C-4)

Local commercial generally comprise a category of land uses that are aimed at serving local areas with convenience types of goods and services. These often represent the least intense form of commercial land uses as they are generally situated in predominantly residential areas. They include convenience stores, daycare centres, personal service shops, and small take-out restaurants, together with accessory uses serving immediate neighborhoods with amenity items.

Notwithstanding their necessity, the establishment of local commercial uses in any residential area has the potential of creating disruption and nuisances to adjoining properties. Traffic, architectural details, buffering / screening, as well as the location of buildings and parking areas are matters that must be carefully considered in order to effectively integrate these uses into such areas. For this reason, and due to the fact that it is impossible to determine where local commercial uses will be desired, Council will consider proposals for their establishment by amendment to the zoning map. Equally as important will be the development of a comprehensive set of requirements in the Land Use Bylaw that adequately address associated issues. These may also involve performance standards aimed at ensuring ongoing maintenance and operational items meet compatibility concerns.

Policy 4-68: Council shall, through the Land Use Bylaw, establish the Local Commercial Zone, which is to be applied to lands previously zoned Local Commercial and shall be available via rezoning to accommodate future local commercial development as needed. This zone is intended to accommodate a narrow range of commercial uses that are generally aimed at serving local areas with convenience goods and services.

Policy 4-69: The Local Commercial Zone shall permit low density residential uses, small residential facilities, and a narrow range of commercial uses serving adjacent residential neighbourhoods. Existing agricultural uses are also recognized. Complimentary uses that would benefit from additional requirements, such as places of worship, shall be permitted with conditions.

Policy 4-70: Council shall, through the Land Use Bylaw, permit boarding houses of three to four sleeping units, and dwellings of three to four units on a lot by Site Plan Approval in the Local Commercial Zone.

Policy 4-71: Council shall, through the Land Use Bylaw, establish regulations in the Local Commercial Zone to prevent negative impacts on surrounding uses, including requirements for screening, outdoor storage, outdoor commercial display, and landscaping.

Policy 4-72: Council shall, through the Land Use Bylaw, establish restrictions on the roof style of main structures and on ground signs in the Local Commercial Zone in order to improve visual compatibility with adjacent residential neighbourhoods.

Policy 4-73: Council shall, through amendment to the Land Use Bylaw, consider requests to rezone lands to the Local Commercial Zone in Future Land Use Map designations identified as permitting the Local Commercial Zone, as identified in policies elsewhere in this Plan. When considering such a request, special consideration shall be given to the following:

a. **The compatibility of the proposed land use activity with adjacent uses particularly as it relates to the proposed building in terms of architecture, height, and size.**

b. **The adequacy and location of roads and vehicle circulation on-site to support efficient movement, enable emergency service access, and avoid obvious points of conflict.**

c. **The compliance of the proposal with the general policies for Land Use Bylaw amendments, found in Subsection 6.2.4.**

4.6 INSTITUTIONAL ZONE

4.6.1 Institutional Zone (I)

Institutional land uses traditionally have been categorized as developments, either publicly or quasi-publicly owned and operated, that are intended to provide services to the community and region in which they are located. Private clubs, community groups, religious organizations, and certain businesses also provide public services and are usually included in this land use classification.

Each Growth Centre and many of the rural communities contains a number of institutional uses, most commonly in the form of a fire department, schools, places of worship, public works projects, and community centres or facilities. In Bible Hill, institutional land uses are a dominant feature of the community composition and in addition to those identified above include the Dalhousie University Agricultural Campus (formerly NSAC), a regional detachment of the RCMP, the Agri-tech Business Park and other government offices.

Institutional land uses generally need to be located close to the population they serve and have historically been established throughout communities. Fortunately, many of these uses are desirable and do not create nuisances or disruptions to neighbourhoods if they are properly integrated with existing conditions. Certain institutions such as schools and places of worship are commonly located in residential areas. Additionally, institutional uses should be permitted in any commercial designation where they are generally considered a complementary use. It is appropriate that standards be developed in the Land Use Bylaw for visual and acoustic buffering of structures and parking areas where such uses adjoin low density residential uses.

It is difficult to predetermine where institutional land uses are intended to occur in a community. The scale and intensity of these can vary dramatically and therefore their appropriateness for any particular area depends on the type of use and design elements of the proposed development. Council will, therefore, not establish a separate Institutional Designation, and will instead consider proposals to rezone to the Institutional Zone in other Designations of this Plan.

Policy 4-74: Council shall, through the Land Use Bylaw, establish the Institutional Zone, which is initially to be applied to lands with existing institutional uses of a nature or scale where it is advantageous to identify or protect the institutional use the application of specific institutional zoning.

Policy 4-75: The Institutional Zone (I) Zone shall permit a wide range of community and institutional uses. Existing agricultural uses shall also be recognized.

Policy 4-76: Council shall, through the Land Use Bylaw, establish additional requirements for appropriate development in Institutional Zone yards abutting all low-density residential zones or the Residential Medium Density (R-3) Zone, including specifications on setbacks, outdoor commercial displays, outdoor storage, and signage.

Policy 4-77: Council shall, through the Land Use Bylaw, establish additional requirements for uses in the Institutional Zone that involve barns, stables, or on-site manure storage.

Policy 4-78: Council shall consider, through amendment to the Land Use Bylaw, requests to rezone lands to the Institutional Zone. Council shall not approve such an amendment unless:

a. **the Institutional Zone is permitted in the applicable land use designation on the Future Land Use Map, as outlined in other policies of this Plan;**

b. **the proposed land use is compatible with adjacent uses, particularly as it relates to environmental impacts associated with the application of pesticides, herbicides, and fertilizers;**

c. **stormwater runoff from impervious areas can be appropriately managed and is unlikely to cause disturbance on neighbouring properties;**

d. **vehicle circulation on-site can be designed to support efficient movement, enable emergency service access, and avoid obvious points of conflict;**

e. **where agricultural soils are involved the proposal complies with Policy 4-23; and**

f. **the proposal complies with the general policies for Land Use Bylaw amendments, found in Subsection 6.2.4.**

Policy 4-79: Council shall consider proposals for the development of dwellings in the Institutional Zone by development agreement. In considering such proposals, Council shall be satisfied:

a. **the dwellings are supportive of, or related to, institutional activities, such as, but not limited to, staff housing, seniors' housing associated with a long-term care facility, or dwellings for students;**

b. **the proposal includes active transportation connections to the surrounding neighbourhood; and**

c. **the proposal is consistent with the general policies for development agreements found in Subsection 6.3.2.**

4.7 INDUSTRIAL DESIGNATION

4.7.1 Industrial Designation

Industrial Development that exists in Colchester was, in many cases, created prior to any form of municipal planning. Industrial development is perhaps one of the most volatile forms of development given the range of possible uses and the potential for land use conflict with residential, institutional, and small-scale commercial development. However, industrial uses are important to the regional economy because they provide inputs for resource uses or process their outputs, and because they create value-added products for export. In order to balance the challenges and benefits of industrial development, the modern approach is to encourage industrial uses to cluster in designated industrial parks separated from more sensitive forms of development. Three industrial parks serve the Colchester region – one located in the Town of Truro, one in Debert, and one in Kemptown.

The Truro Industrial Park was established in 1963 and is owned and managed by the Town through the Truro Industrial Development Society. Comprising a fully serviced area in excess of 250 acres, the park has been successful in attracting a diverse range of industrial uses to the area. These have tended to be light to medium manufacturing, among other commercial, warehousing, and distribution uses. A steady rate of development in the Park has led to a limited land supply.

The Debert Business Park is owned by the Municipality. With nearly 3300 acres in land holdings and 550 of which is at least partially serviced, the Debert Business Park has ample room to handle future demands for industrial expansion. As of 2024, there are over 50 businesses located here, including light to heavy manufacturing, warehousing, and distribution. One key feature of the Park is the airport, which was once part of the former CFB Debert facility. While primarily used for general aviation business and flight training, Debert Airport has potential to expand infrastructure and provide services for air cargo and commercial passenger flights.

The Colchester Waste Management Park in Kemptown was established in 1995 with the construction of the Colchester Balefill Facility. Shortly after, a composting facility and the Materials Recovery Facility were constructed as part of a program intended to remove and process organics and recyclables from mainstream household waste. There still remains significant growth potential for private sector initiatives to remanufacture recycled materials. In this regard, the Waste Management Park can efficiently provide raw materials to companies interested in pursuing such projects.

In addition to these formal industrial parks, the Service Centre of Brookfield features a significant area of industrial land located immediately adjacent to Highway 102, at Exit 12, and the Lafarge Brookfield Cement Plant, also off Exit 12.

In late 2023, Millbrook First Nation and a private partner announced that it would be undertaking a significant project to develop a transportation and logistics facility, We'kopektki, adjacent to the CN Rail main line in Onslow. Council supports the economic development efforts of Millbrook First Nation and appreciates the benefits this facility will have to the wider region. The extent and specifics of this proposal are currently unknown to the Municipality; as such, no special zoning has been applied to this area to differentiate it from the surrounding areas. However, Council will support the process to redesignate and rezone these lands if and when it is necessary to accommodate this proposal.

Policy 4-80: Council shall, on Schedule 'A,' the Future Land Use Map, designate as "Industrial" lands intended to give priority to industrial development. Existing industrial uses in areas where there is a risk of land use conflict may be zoned to reflect their industrial nature but will not be designated as such on the Future Land Use Map.

Policy 4-81: Council shall, on the zoning map of the Land Use Bylaw, permit the following zones within the Industrial Designation:

a. **Industrial Zone (M)**
b. **Rural Industrial Zone (RM)**
c. **Airport Zone (AIR)**
d. **Mi'kmaw Lands Zone (ML)**

Policy 4-82: Council shall, at the request of Millbrook First Nation, initiate a process to redesignate and rezone lands to accommodate a logistics facility adjacent to the CN Rail main line in Onslow.

4.7.2 Industrial Zone (M)

A range of industrial uses are present throughout the municipality. Many predate land use planning. While industrial uses are economically vital, a balanced approach is necessary in order to avoid land use conflict. The Industrial Zone will accommodate industrial uses in serviced areas, with additional buffering and screening requirements to help manage these uses.

Policy 4-83: Council shall, through the Land Use Bylaw, establish the Industrial (M) Zone which is to be applied to existing serviced industrial lands as well as serviced industrial parks.

Policy 4-84: The Industrial Zone shall permit a range of industrial and commercial uses. Existing agricultural uses are also recognized. Complimentary uses that would benefit from additional requirements including kennels, retail stores associated with an industrial use, scrap yards, and parks and open space uses shall be permitted with conditions.

Policy 4-85: Council shall, through the Land Use Bylaw, establish additional requirements for Industrial Zone development in yards abutting any residential zone, including controls on setbacks, parking, open storage, and screening.

Policy 4-86: Council shall, through the Land Use Bylaw, establish additional requirements within the Industrial Zone for industrial uses that involve open and bulk storage, including outdoor displays, exposed machinery, storage, and collection of waste material.

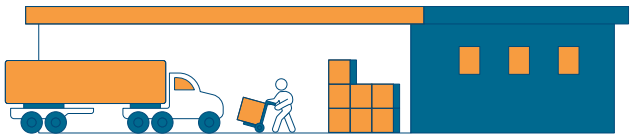
Policy 4-87: Council shall, through the Land Use Bylaw, allow for reduced setbacks in the Industrial Zone for yards directly abutting a railway right-of-way.

4.7.3 Rural Industrial Zone (RM)

The term “industrial” encompasses a wide variety of uses, including warehousing and wholesaling, manufacturing, assembling, fabrication, or processing uses. By and large, industrial uses are encouraged to locate in existing industrial parks in Truro, Debert, and Kemptown. These areas have the infrastructure and setting that enables industrial uses to exist and grow without concern from other incompatible land uses.

However, because of the availability of large lots and low population densities, rural areas can be attractive for industrial uses. Several industrial land uses have been established throughout the rural areas of the municipality for these reasons. Additionally, industrial uses in rural areas can be important components of the rural resource-based economy. Often resource-based industrial uses locate close to raw material sources or are located in relation to transportation networks. Lumber mills, gravel pits, and food processing plants are examples of resource dependent industries found in the area.

For these reasons, Council supports the establishment of the Rural Industrial Zone to accommodate a range of industrial uses in the rural areas of the municipality including, but not limited to scrapyards, solid waste facilities, and industrial uses with large footprints.



Policy 4-88: Council shall, through the Land Use Bylaw, establish the Rural Industrial Zone. This zone shall initially be applied to existing unserviced industrial properties.

Policy 4-89: The Rural Industrial Zone shall permit a wide variety of non-obnoxious industrial uses, resource-based uses, automotive uses, limited commercial uses, and limited institutional uses. Complimentary uses that would benefit from additional requirements including aggregate-related industries, intensive livestock operations, kennels, parks and open space uses, scrap yards, and accessory single detached dwellings shall be permitted with conditions.

Policy 4-90: The Rural Industrial Zone shall establish standards for buffering and screening for yards abutting the Rural General Zone, with controls on lot sizes, setbacks, and outdoor storage for new industrial uses.

Policy 4-91: Council shall develop performance standards for aggregate related industries within the Rural Industrial Zone to address separation distances from existing dwellings, exterior lighting, and the enclosure of equipment.

Policy 4-92: Council may consider, through amendment to the Land Use Bylaw, requests to rezone lands to the Rural Industrial (RM) Zone in areas designated Industrial or Rural on the Future Land Use Map. When considering such a request special consideration shall be given to the following:

a. **the potential impact of the proposed use on adjacent properties, particularly by way of noise, odor, and dust;**
b. **the adequacy of existing transportation system to safely accommodate any increased traffic created by the proposed use;**
c. **buffering and screening from adjacent uses;**
d. **potential impacts on the ground water supply and contamination;**
e. **that where agricultural soils are involved, the proposal complies with Policy 4-23; and**
f. **the proposal complies with the general requirements for amending the Land Use Bylaw of Subsection 6.2.4.**

4.7.4 Airport Zone (AIR)

The community of Debert features an active airport. This area was first established as Camp Debert and a Royal Canadian Airforce aerodrome, with completion in 1941. After World War II, Camp Debert and the aerodrome were relatively inactive, and over time many of the military assets were demolished. However, the aerodrome continued to be used for training purposes until 1969 when it was formally closed by the Department of National Defence.

In 1971 the Province purchased the lands and aerodrome and developed them into the Debert Air Industrial Park. Ownership was transferred to the Municipality of Colchester in 2008.

Today, much of the lands of the former Camp Debert are actively used for industrial and commercial purposes as part of the Industrial Park, and are covered by zoning applicable to those uses. However, the aerodrome continues to be an active airport serving the needs of general aviation activities, aircraft repair and maintenance, flight training, and charter flights.

The Airport Zone is intended to recognize and support the active airport uses surrounding the aerodrome.

Policy 4-93: Council shall, through the Land Use Bylaw, establish the Airport (AIR) Zone which is initially to be applied to the Debert Airport and supporting lands.

Policy 4-94: The Airport Zone shall permit a limited range of uses supportive of the airport activities, such as light industrial uses, commercial education uses, and civic uses. Existing agriculture shall also be permitted.

4.8 PARKS AND OPEN SPACE DESIGNATION

4.8.1 Parks and Open Space Designation

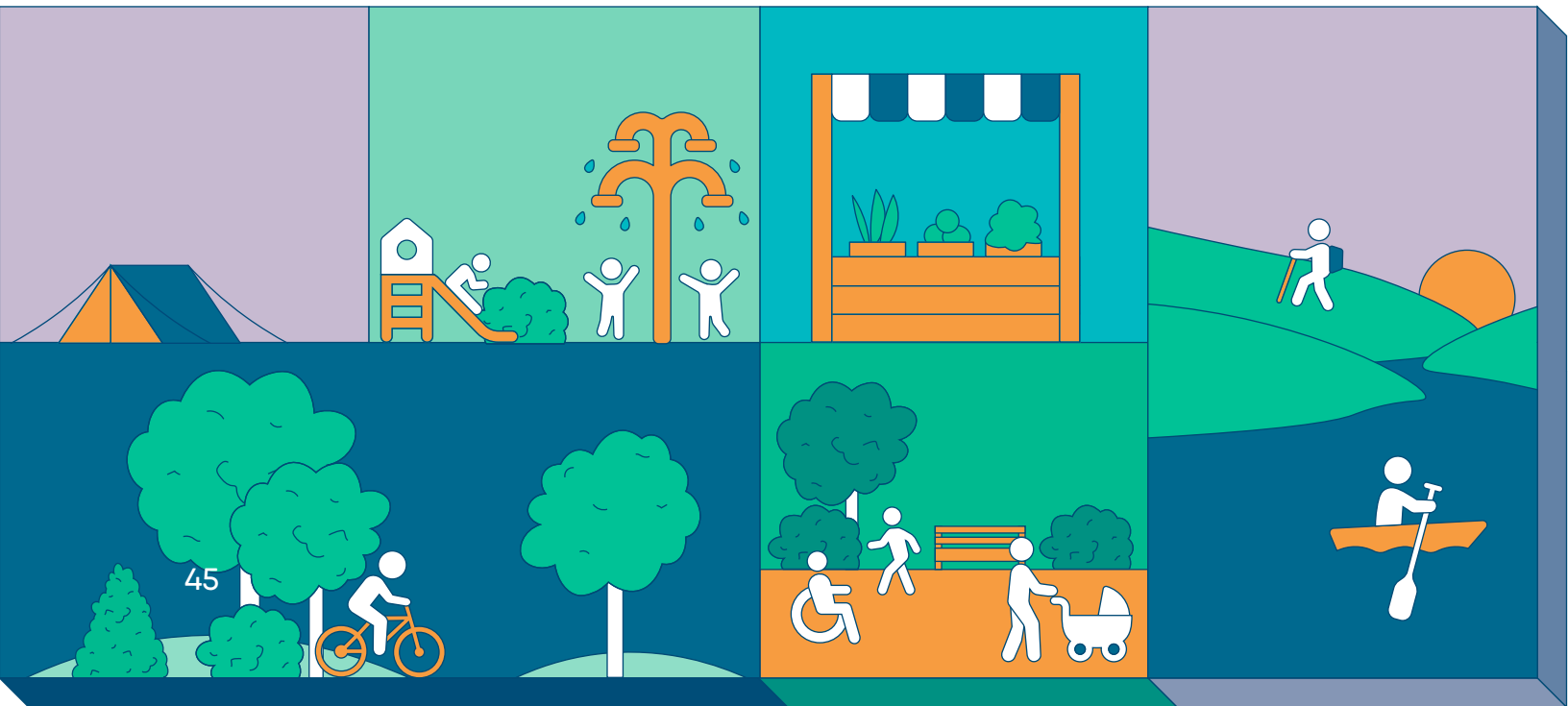
Recreation amenities in Central Colchester are abundant and provide for a variety of recreational opportunities. These can be grouped into two categories: publicly owned land and facilities managed by government or an agency thereof, and privately owned facilities that generally operate as a business. These may or may not involve accessory and secondary uses such as club houses, maintenance and storage facilities, washrooms, offices, and similar types of structures.

Public parks and open spaces are generally desirable in a community. In addition to providing amenity space, these areas create effective buffers, visual relief, and are often an ecological resource. For these reasons, parks and open space will be a permitted use in all zones. However, a specific Parks and Open Space Designation and Zones will be established to identify and recognize important public open spaces, as well as provide an appropriate pathway for approving commercial recreation uses.

Policy 4-95: Council shall, on Schedule 'A,' the Future Land Use Map, designate as Parks and Open Space lands intended to give priority to parks, open spaces, trails, and recreation developments.

Policy 4-96: Council shall, on the zoning map of the Land Use Bylaw, permit the following zones within the Parks and Open Space Designation:

a. **Parks and Open Space Zone (P-1)**
b. **Commercial Recreation Zone (P-2)**
c. **Institutional Zone (I)**
d. **Mi'kmaw Lands Zone (ML)**



4.8.2 Parks and Open Space Zone (P-1)

The Municipality of the County of Colchester prepared a Municipal Parkland Strategy to help guide the provision of recreational amenities throughout Colchester. Two guiding principles of the Strategy are to retain 3% of the developable land in each Growth Centre as neighborhood park space, and provide an appropriate amount of parkland within a reasonable distance of the neighborhoods it serves. A significant residential component exists in the peripheral areas of Truro which, in turn, emphasizes a need to address this topic. The Municipal Parkland Strategy indicates that the Hilden, Truro Heights, Valley, and Salmon River Growth Centers contain a combined area of approximately 31 hectares over 28 sites devoted to public open space purposes. Many of these sites remain undeveloped and are not maintained; however, the Municipality has recently taken measures to address these deficiencies. Bible Hill and Tatamagouche were not addressed in the Parkland Strategy since the Villages own and manage recreation land within their boundaries.

In general, public parks, open space, and related recreational uses are appropriate in a wide variety of contexts, and can be accommodated in other land use zones. However, there is also an advantage to specifically identifying public recreational lands and communicating the long-term intent of these lands as public spaces. The Parks and Open Space Zone is intended to achieve this.

Policy 4-97: Council shall, through the Land Use Bylaw, establish the Parks and Open Space Zone (P-1), which is to be applied to publicly owned recreation land, lands previously zoned parks and open space, and to properties currently used as parks and open space.

Policy 4-98: The Parks and Open Space Zone shall permit community halls, farmers' markets, and a range of outdoor recreational uses. Existing agricultural uses are also recognized.

Policy 4-99: Council shall, through the Land Use Bylaw, establish additional requirements for recreational uses that involve barns, stables, or on-site manure storage within the Parks and Open Space Zone.

Policy 4-100: Council shall, through the Land Use Bylaw, permit parks and open space uses in all other zones.

Policy 4-101: Council shall not permit recreational activities in the Parks and Open Space Zone that depend entirely on enclosed buildings and are typically commercial in nature, such as bowling alleys.

Policy 4-102: Council shall consider, through amendment to the Land Use Bylaw, requests to rezone lands to the Parks and Open Space Zone. When considering such request special consideration shall be given to the following:

a. **the zone is permitted in the land use designation applicable to the subject site, as outlined in policies elsewhere in this Plan;**

b. **where agricultural soils are involved, the proposal complies with Policy 4-23; and**

c. **the proposal complies with the general requirements for amending the Land Use Bylaw, found in Subsection 6.2.4.**

4.8.3 Commercial Recreation Zone (P-2)

Privately owned open space is also an amenity resource to a community. The principal difference is ownership; private open space uses generally operate as a business and provide recreational activities for a profit. Golf courses, driving ranges, sports fields and courts, and similar types of uses are largely land based except for accessory structures that may include clubhouses, maintenance facilities, and washrooms that may be located in conjunction with the main use. While there is a commercial element to such recreational activities, larger expanses of private open space are a benefit to a community for many of the same reasons as public amenities.

Private recreational facilities can be seasonal depending on the type of activity. The peak season for golf courses and sports fields, for instance, is during the summer months. This can result in a dramatic increase in activity on the site and land use issues can become more pronounced. Lighting, parking areas, access, buildings, and servicing requirements are potential sources of nuisances that must be considered prior to establishing such uses on the site. Furthermore, there is a growing trend to co-locate other uses with recreational opportunities, such as accommodations and restaurants.

Certain privately held recreation facilities can be established in any zone with minimal impact, but the Land Use Bylaw must set out specific requirements that address the potential issues noted above. Other types of recreation uses such as campgrounds, miniature golf, driving ranges, and tennis clubs may be established through a rezoning process where compatibility and suitability issues may be properly addressed.

In some cases, residential development may also be a component of commercial recreation sites, such as subdivisions integrated with a golf course. Given the unique considerations in terms of the layout of such developments, as well as the potential need for public infrastructure, such residential developments will be considered via the development agreement process.

Policy 4-103: Council shall, through the Land Use Bylaw, establish the Commercial Recreation Zone (P-2), which is initially to be applied to existing commercial recreation sites, such as golf courses and campgrounds.

Policy 4-104: The Commercial Recreation Zone shall permit a wide range of recreational and civic uses, as well as supporting amenities such as restaurants and accommodations. Campgrounds shall only be permitted by site plan approval.

Policy 4-105: Council shall consider proposals for residential development, including small residential facilities, in the Commercial Recreation Zone by development agreement. In considering entering into such an agreement, Council shall be satisfied:

a. **the residential use is incidental to, and integrated with, the recreational use of the land;**

b. **appropriate conditions have been established to ensure the long term maintenance and financial sustainability of any infrastructure in the development;**

c. **where agricultural soils are involved, the proposal complies with Policy 4-23; and**

d. **the proposal complies with the general requirements for development agreements, found in Subsection 6.3.2.**

Policy 4-106: Council shall consider, through amendment to the Land Use Bylaw, requests to rezone lands to the Commercial Recreation Zone. When considering such request special consideration shall be given to the following:

a. **the zone is permitted in the land use designation applicable to the subject site, as outlined in policies elsewhere in this Plan;**

b. **where agricultural soils are involved, the proposal complies with Policy 4-23; and**

c. **the proposal complies with the general requirements for amending the Land Use Bylaw, found in Subsection 6.2.4.**

4.9 COMPREHENSIVE DEVELOPMENT DISTRICTS

In recent times, Colchester has been faced with significant development pressures. Meeting the needs of a growing community requires flexible and creative approaches, especially when responding to housing shortages and a corresponding requirement for commercial services and amenities. For many years, several communities across Nova Scotia have created policies enabling the establishment of Comprehensive Development Districts (CDDs) as a planning tool to better manage such challenges, especially for large tracts of land where a thoughtful and phased approach is needed to blend new development within the communities in which they are situated. For this reason, CDDs can be an attractive alternative to traditional zoning standards since roads, infrastructure, amenity space, and active transportation routes need to be carefully planned and integrated with surrounding neighborhoods. Given the detailed level of site-specific design, conventional zoning is replaced by a development agreement that will guide future development with a high degree of certainty.

Due to the complexities associated with developing large tracts of land, Council wishes to utilize Comprehensive Development Districts as a means of reconciling local needs with larger community and public infrastructure investments in stormwater systems, sanitary sewer collection and treatment, water distribution, waste collection, active transportation networks and recreation space while being mindful of the form, function and impact new developments may impose on adjoining lands. Since CDDs are often used to infill large vacant areas within sewer serviced areas that are proximate to many community services and amenities, having consideration for density will help maximize public investments in infrastructure while providing for an efficient and sustainable use of land.

Policy 4-107: Council shall, on the Future Land Use Map, establish the Comprehensive Development District Designation and use it to identify lands where a comprehensive approach to development is encouraged.

Policy 4-108: Council shall, through the Land Use Bylaw, establish the Comprehensive Development District Zone.

Policy 4-109: Development within the Comprehensive Development District Zone shall only be permitted by development agreement, with the exception of single unit dwellings and small residential facilities which shall be permitted by development permit. When considering entering into a development agreement for proposals in the Comprehensive Development Zone, Council shall ensure: [no amendments to (a) through (i) as set out in this policy]

a. **The planned district provides a mix of land uses as appropriate to the location of the site. Where appropriate, this should include a variety of residential types and densities and a mix of commercial, institutional, and parks and open space uses. Uses and densities beyond what is otherwise permitted in Growth Centres may be considered.**

b. **The adequacy of existing and proposed active and public transportation and automobile networks within and adjacent to the site, including the manner in which the proposed roadways within the development are linked with streets of adjacent developments to provide for a cohesive grid-like network of local and collector streets and active transportation infrastructure.**

c. **The development does not create the potential to landlock or reduce the ability to subdivide adjacent parcels.**

d. **The development provides for efficient pedestrian movement into, out of, and within the development, especially between commercial and residential neighbourhoods.**

e. **The adequacy of surface area park land, which is to be transferred to the Municipality through the subdivision process.**

f. **The adequacy of stormwater management.**

g. **Appropriate phasing of the development relative to the distribution of the specific land uses and infrastructure within all or a portion of the site.**

h. **The development agreement provides for its discharge and the application of appropriate zoning once the infrastructure and phasing goals of the comprehensive development have been achieved.**

i. **The proposal is consistent with the general development agreement policies of Subsection 6.3.2.**

Policy 4-110: Council may consider, for lands located within Growth Centres, requests to rezone lands to the Comprehensive Development District Zone provided Council is satisfied:

a. **the Comprehensive Development District is permitted within the applicable Future Land Use Map designation, as outlined by designation-specific policies elsewhere in this Plan;**

b. **the area being considered has access to a designated collector road;**

c. **the proposal cannot be accommodated through the standard permitting process or by rezoning to another zone or zones permitted within a Growth Centre;**

d. **the complexity, scale, or other characteristic of the proposal is such that Council believes the proposal would benefit from a public review process; and**

e. **The proposal complies with the requirements of the general policies for Land Use Bylaw amendments outlined in Subsection 6.2.4.**

4.10 FLOOD RISK AREAS

Flooding in Central Colchester is perhaps one of the most serious environmental conditions affecting nearly 1100 properties. Development in flood prone areas has occurred practically since the beginning of the community's formation in the early 1700s and remnants of the early Acadian dikes can still be found in parts of Lower Truro and Onslow. Originally, development was sparse, consisting of agricultural structures, homes and small businesses mostly located in peripheral areas of Robie Street, Main Street, North River, Lower Truro, and Onslow. Improvements to transportation systems during the late 1960s and early 1970s had a dramatic effect on development patterns, particularly along Robie Street. Twinning of the 102 Highway provided excellent exposure to large undeveloped tracts of land and soon the Robie Street area succumbed to pressures of commercial development.

The persistence to develop in flood risk areas brought about many dangers that have historically been difficult to manage in a meaningful way. Often, property owners relied on historical data and local folklore to protect new buildings from flood risk. However, as development pressures increased, the urgency to create policy and regulations grew. This became more acute as demands on government for flood damage assistance increased, especially when the insurance industry was becoming more reluctant to underwrite such risks.

The confluence of the Salmon and North Rivers with their many tributaries is a complex and unpredictable water system. Its interface with the significant Bay of Fundy tides has resulted in it being one of the most studied flood plains in North America. Since 1900 there have been no less than a dozen studies that have examined components of the river system and flooding. These have been generally issue specific and offered little help to provide a comprehensive understanding of the nature and characteristics of this tidal flood plain.

It was not until the Canada - Nova Scotia Flood Damage Reduction Program in late 1970s when uniform development standards were together with the formal designation of five flood risk areas in the province of Nova Scotia, one of which included the Salmon and North Rivers. This designation and a resulting Federal - Provincial Agreement Respecting Flood Damage Relief in 1988 pressured municipal governments to recognize the serious nature of flooding and conditions necessary for basic development standards; first that development must be prohibited in areas flooding at a relative frequency of once every twenty years, and second that buildings must be flood proofed in areas flooding at a frequency of 1:100 years. Together, these are the two basic principles on which planning documents in Colchester and the remainder of the province are based.

For more than a century, there have been many proposals aimed at solving the flooding problems experienced in Central Colchester. Dikes, piers, tidal and headwater dams, river realignments, ice parks, and aboiteaux and channel alterations have all been designed to solve one problem but have either created others or were far too costly. Circumstances in the mid 1990s prompted planning staff from both Truro and Colchester to consider a joint management approach to flood related issues involving a balanced "cut and fill" process that could enable alterations to established flood boundaries, subject to certain criteria. It was envisioned that this approach could have the following advantages:

- **flood prone areas could continue to flood naturally without significant damage to property;**
- **allow existing developed areas to evolve and continue to grow without affecting the capacity of the flood plain which decreases the storage capacity of flood waters;**
- **this approach would be non-capital or maintenance intensive to governing bodies; and**
- **would not interfere with upstream management of storm water runoff.**

The benefits of this approach have been based on two key points: first, the flood plain outside of developed areas is relatively pristine and needs to be protected and, second, the flood way or natural drainage patterns need to be maintained and, in some cases, restored.

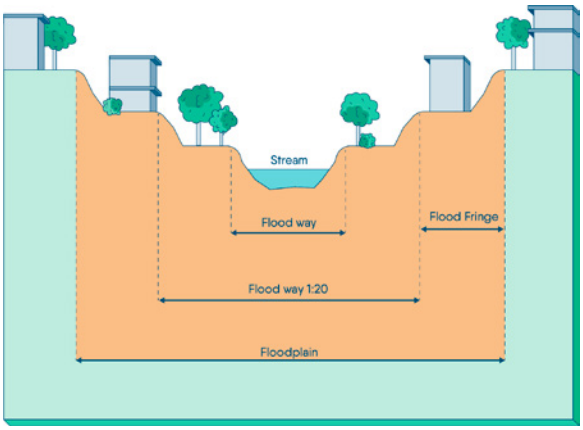
To test the "cut and fill" concept, the Town of Truro, Municipality of Colchester and Province of Nova Scotia cost shared the Truro Flood Plain Study - 1997 completed by Environmental Design & Management (EDM) in 1998. The report concluded the approach was valid and had further identified a series of improvements and recommended process through which it could be implemented.

While novel in its approach, the impacts of climate change have since become more pronounced and more sophisticated flood modelling has the capacity to integrate storm frequencies and sea level rise to more accurately predict flood risk areas. To address this emerging reality, the Province of Nova Scotia has partnered with municipalities to develop flood mapping for all major watercourses in the province. The project, known as the Municipal Flood Line Mapping Program, is currently in progress. As of early 2025, in Colchester only watercourse draining to the Minas Basin have been mapped.

Policy 4-111: Council shall recognize the principles and standards established under the 1988 Canada – Nova Scotia Flood Damage Reduction Program.

4.10.1 Boundaries and Flood Plain Areas

The flood plain is composed of two main geographic areas: first, the area that floods at a relative frequency of 1:20 years, referred to as the "flood way", and second, areas that flood at a relative frequency 1:100 years, known as the "flood way fringe". The flood plain became officially designated under the Flood Damage Reduction Agreement between the federal and provincial governments in March of 1988 which effectively removed any responsibility to pay flood damage relief claims for new development that did not meet the recommended flood proofing standards.



Until 1998, the regulation of flood plains had been a municipal responsibility and had generally only occurred in areas where land use planning has been completed. In Colchester, flood plain regulations have existed in Bible Hill, Salmon River, Lower Truro, and Valley since 1986, 1987, 1988, and 1991 respectively. Adoption of the *Municipal Government Act* in 1998 also brought into force the Statements of Provincial Interest, one of which identifies the five designated flood plains in the province and obligates all affected municipalities to address such through municipal planning documents.

Policy 4-112: Council shall, on the maps of the Land Use Bylaw, apply the Flow Way Zone (E-1) to certain land within the 1:20 year flood frequency depicted in the Truro Area Floodplain Management Study prepared by EDM Consultants in 1998 to ensure that primary drainage ways remain unobstructed.

Policy 4-113: Council shall, on the maps of the Land Use Bylaw, apply the E-2 Flood Way Zone to the remainder lands within the 1:20 year flood frequency depicted in the Truro Area Floodplain Management Study prepared by EDM Consultants in 1998, except areas described under **Policy 4-115**.

4.10.2 Accommodating Development in Flood Risk Areas

One element of the EDM 1997 Truro Flood Plain Study examined the impact of minor adjustments to the 1:20 year flood way boundary to accommodate development in certain areas of Truro - Colchester where development pressures are highest, and the complex interface exists between development and flooding. The modelling revealed that limited amounts of "cut and fill" are possible when designed properly and where the principal objective is a net zero loss to storage capacity. A 2016 Flood Risk Study by CBCL also examined this approach and likewise concluded infilling in existing commercial corridors (e.g. Robie Street) would have an insignificant impact on flood elevations and it is reasonable to accommodate limited development in such areas.

The EDM Study recommended a managed approach to flood plain protection in the urban core which was based on two fundamental principles: first, the flood flow way must not be encroached upon in any manner and, second, flood water storage may be moved within a localized area provided there is no net loss to storage capacity. Adjustments to the 1:20 year flood way line using this "cut and fill" procedure must be confined to localized areas limiting the extent to which fill can be moved, subject to a design prepared by a qualified professional. Other areas remain relatively pristine, and development will not be encouraged to continue in the absence of supporting studies.

The Provincial Statement of Interest also allows municipalities to study alternatives concerning the development of land in flood risk areas. As provided for under the Statement, mapping revisions "...may be permitted provided a hydro technical study, carried out by a qualified person, shows that the proposed development will not contribute to upstream or downstream flooding or result in a change to flood flow patterns." There are pockets of development in the 1:20 year flood way along Robie Street, Lower Truro and Main Street / Farnham Road that have developed mostly for commercial purposes, some of which in the absence of modern floodproofing standards. Council has made significant infrastructure investments in these areas and intends to allow redevelopment of these lands subject to a balanced "cut and fill" process, provided any main structures are situated above the 1:100-year flood elevation. Use of this approach will be conditional on a property owner retaining a qualified professional to assess and design such.

Policy 4-114: Council shall, notwithstanding **Policy 4-114**, on the maps of the Land Use Bylaw, apply the Flood Way Modification Overlay (E-3) to lands in the area examined under the EDM 1997 Truro Flood Plain Study and having a 1:20 year flood frequency. These lands may be developed using a "cut and fill" procedure described in the Land Use Bylaw.

Policy 4-115: Council shall, subject to the underlying zoning applied to the affected lands, allow development in the Flood Fringe Overlay (E-4) and the Flood Way Modification Overlay (E-3) provided that all main buildings are flood proofed in accordance with the policies of this Strategy and associated provisions in the Land Use Bylaw.

Policy 4-116: Council shall encourage all levels of government to observe the objectives expressed in this Strategy regarding land use and capital work programs in areas exposed to flood risks as described in the Statement of Provincial Interest Regarding Flood Risk.

4.10.3 Other Known Flood Risk Areas

The Statement of Provincial Interest Regarding Flood Risk Areas also applies to "known floodplains that have not been mapped under the Canada-Nova Scotia Flood Damage Reduction Program". In these cases development must be subject to the flood fringe requirements.

The two areas that qualify as "known floodplains" in Colchester are provincially-designated marshlands and lands mapped under the Provincial Municipal Flood Mapping Program. The latter program is, at the time of this writing, currently in progress and only the Minas Basin has mapping. Once this program is complete, Council will revisit the flood overlays and will adjust them based on the full findings of the Municipal Flood Mapping Program.

Policy 4-117: Council shall, through the Land Use Bylaw, apply the Flood Fringe Overlay (E-4) to lands identified as protected marshland under the *Agricultural Marshland Conservation Act* that are not otherwise covered by more stringent flood overlays.

Policy 4-118: Council shall, through the Land Use Bylaw, apply the Flood Fringe Overlay (E-4) to lands currently mapped under the Municipal Flood Line Mapping Program.

Policy 4-119: Upon completion of the Municipal Flood Mapping Program within the Municipality of Colchester, Council shall amend the flood overlays of the Land Use Bylaw to apply the Flood Fringe Overlay (E-4) in compliance with the boundaries of the updated Municipal Flood Mapping Program mapping.

4.10.4 Land Uses Prohibited in Flood Risk Areas

Flooding is a serious environmental condition that has direct implications on certain types of land uses that are situated in areas of high risk. Development in Central Colchester has encroached on the floodplain but fortunately many of these uses do not present serious safety or environmental issues. To ensure that such human and environmental risks are minimized, this Strategy will prohibit the establishment of certain land uses in areas exposed to varying degrees of flooding.

The E-1 Flow Way Zone delineates the primary drainage ways for flood waters. It is critical their function be maintained and, in some cases, improved to ensure water flows freely into the Cobequid Basin. These areas, together with land identified E-2 Flood Way Zone, create the highest risk of flooding and accordingly, structural development of any kind must not be allowed, particularly during seasons where heavy rainfall and freezing conditions are most likely to occur. Recreational activities, land cultivation, and in some areas, parking lots are among the only types of uses suited to such areas. Even these activities may involve alterations to topography which can have significant effects on the extent and pattern of flooding in both the E-1 and E-2 Zone. Standards will be developed in the Land Use Bylaw outlining precise requirements for land forming and soil conservation practices.

The moderate risk of flooding in areas associated with the E-4 Flood Way Fringe Overlay (i.e. 1:100 years) and the E-3 Flood Way Modification Overlay, affords an expanded list of development options provided any such buildings meet flood proofing standards. These areas provide valuable flood water storage capacity and

are generally less affected by ice or moving water. Consequently, development in such parts of the floodplain is tolerable with minimal repercussions since water will rise and fall around the structure in a relatively short time frame. There are, however, certain types of land uses that are not suited to the Flood Way Fringe or Flow Way Modification Overlay. Hospitals, senior citizen housing, homes for special care, and similar types of uses could threaten the occupant safety if flood evacuation becomes necessary. Other uses such as the warehousing or production of hazardous materials may also increase the risks of environmental contamination during a period of flooding. For these reasons, the Land Use Bylaw will only permit these types of land uses in areas not affected by flood risk.

Policy 4-120: Council shall seek to preserve flood dynamics by prohibiting permanent structural development in the E-1 Flow Way Zone and the E-2 Flood Way Zone except for temporary structures accessory to permitted agricultural, recreational, and / or resource land uses and set out specific requirements in the Land Use Bylaw for vegetation management and topographical alterations.

Policy 4-121: Council shall, through the Land Use Bylaw, not permit the establishment of institutional land uses such as hospitals, senior citizen housing, special care facilities, and other land uses with elevated public safety considerations in areas exposed to flood risk.

Policy 4-122: Council shall undertake to protect environmental quality in all floodplain areas by not allowing any land use activity that has heightened potential of contaminating the Salmon and North Rivers.

4.10.5 Flood Proofing Standards

Traditional flood proofing standards recommended under the Flood Damage Reduction Program consist of elevating buildings by depositing fill to an elevation above the predicted 1:100 year flood event. This is the "minimum opening elevation" for any main structure to be constructed. It is important to recognize the 1988 Flood Damage Reduction Agreement between the Federal and Provincial Governments used the 1:100 year flood elevation as a minimum standard for new construction in flood risk areas and anything less would not qualify for flood damage relief payments.

Moving fill into the 1:100 year floodplain can reduce the capacity of the flood plain to flood; however, it is marginal compared to other areas that flood more frequently. It is, however, important to conserve as much of the storage space as possible and infilling must be limited to an area immediately around the buildings. There are cases where infilling may be necessary to address practical site design issues. For instance, an elevated development may not be able to accomplish safe, functional, and convenient shopping cart access to parking areas below. There may also be other circumstances where an owner wishes to carry out land alterations only to improve site drainage, aesthetics, or for general maintenance considerations. In such cases, limited infilling should be allowed to overcome or accommodate such issues provided an equivalent amount of flood storage space can be supplied in the immediate vicinity. The Land Use Bylaw will identify a process for this to occur, similar in concept to the development provisions for the E-3 Flood Way Modification Overlay.

The Truro Flood Plain Study -1997 briefly examined alternative flood proofing methods such as piers, buildings designed to flood, and lot layout re-design. It further suggested a document named “Flood Proofing: A Component of Flood Damage Reduction, PORTFOLIO OF CASE STUDIES” prepared by James MacLaren Limited, Consulting Engineers, Planners and Scientists in 1978 could be a potential source of alternative flood proofing techniques that may have current applications. While these may not be suitable for all development scenarios, the document demonstrates that other flood proofing options exist which may better respond to specific development needs and further study could be done to accommodate innovative solutions.

Policy 4-123: Council shall require that any main structure permitted in an area exposed to flood risk be flood proofed to an elevation that exceeds the 1:100 year flood frequency indicated on mapping prepared under the Municipal Flood Line Mapping Program.

Policy 4-124: Council shall develop standards in the Land Use Bylaw that set out specific requirements for the infilling of land for flood proofing purposes and limit the amount of infilling to an area immediately around the structure as a means of conserving flood storage.

Policy 4-125: Council shall, notwithstanding **Policy 4-125**, apply the “cut and fill” principle to permitted developments in the flood plain that require fill to better accommodate access, parking lots, accessory structures, improved drainage and aesthetics, or other functional site features.

Policy 4-126: Council may explore other flood proofing alternatives that may better meet the individual needs of landowners and investigate how these may be incorporated into the Land Use Bylaw.

4.10.6 Ponding, Reinstatement, & Soil Conservation

The "cut and fill" approach can lead to undesirable excavations in the flood plain particularly to facilitate smaller forms of development. Random pits and ponds of water not only create safety issues but can be unattractive and interfere with flood flow characteristics. Because of such concerns, the establishment of new ponds must be limited to planned developments that are part of a land use activity permitted in the flood plain.

The practice of "cut and fill" will inevitably lead to areas of exposed soils. While land in the flood plain tends to be flat, the impacts of erosion on the river systems can be severe during a flood event or periods of high precipitation. This is because the floodplain is directly adjacent to the river and numerous drainage ways. It is necessary to keep the river channel free of sedimentation to both maintain environmental quality and to ensure drainage systems (including aboiteaux) function properly.

The flood plain has traditionally been an important agricultural resource particularly in areas where large expanses of land are still farmed. The "cut and fill" procedure has the potential of placing a higher value on land due to the fact that elevated areas may be excavated to accommodate development elsewhere. The Province's *Agricultural Marshlands Conservation Act* identifies areas of the flood plain where economically viable tracts of land exist for agricultural purposes.

Conservation of quality agricultural soils is important, yet it will always compete with the economics of valuable flood storage capacity. It is however possible to remove topsoil, stockpile it on site, excavate the less desirable under burden, and then reapply the topsoil over an excavated site. This approach would encourage broader areas of disturbance (i.e. four inch as opposed to a four-foot-deep cut to achieve the required fill) and as a result may affect drainage patterns. Consequently, any land forming being done to achieve a "cut and fill" should be completed in accordance with the principles and practices of land forming to achieve positive drainage.

Policy 4-127: Council shall, through the Land Use Bylaw, restrict the creation of ponds to planned developments in the floodplain that are part of a land use activity permitted in the zone in which they are located.

Policy 4-128: Council shall require any soil disturbances in the flood plain be reinstated by appropriate means to minimize erosion and sedimentation and maintain environmental quality within the Salmon and North River systems.

Policy 4-129: Council shall identify areas of the floodplain suitable for agricultural soil conservation.

Policy 4-130: Council shall require that a prescribed depth of topsoil be retained for reclamation of an area being excavated within the floodplain.

Policy 4-131: Council shall set standards in the Land Use Bylaw for reinstatement of disturbed land in the flood plain subject to the principles and practices of land forming promoted by the agricultural industry.

4.10.7 Remedial Measures

A significant amount of development in the flood plain predates findings of the 1988 Flood Damage Reduction Program. The standard flood proofing approach for new development and expansions to existing structures, as discussed in earlier sections, is to elevate these above the 1:100 year flood elevation identified under the Municipal Flood Line Program mapping. This is normally accomplished by infilling the footprint of the building and sloping fill at outer edge of the structure to natural grade.

Many development scenarios are flexible enough to apply the elevated flood proofing technique. Others, however, are limited by structural elements that cannot be easily raised. In these cases, it may be possible to accept alternative flood proofing methods such as dikes, piers, flood gates, etc. that ensure flood waters to protect the main structure. These types of approaches should be limited to situations where raising a structure is not reasonably practical and must be analyzed and designed by qualified professionals. The mechanical and physical nature of flood proofing alternatives require a certain amount of maintenance to be effective. Development agreements can provide a means of ensuring ongoing tests, monitoring, and maintenance are performed at specified intervals.

Similarly, there are many instances where existing homes are affected by periodic flooding, and it is not always economical to flood proof these structures by conventional means. It is important property owners be allowed an opportunity to use alternative approaches to protect their homes from flooding. Since this is directed at existing residential uses, development agreements need not be used, and professional services would be preferable but not required.

Policy 4-132: Council may consider alternative flood proofing techniques where it is clear that the use and expansion of the structure must remain at the existing elevation provided the expansion is subject to a development agreement. In addition to the criteria outlined in the Implementation Chapter of this Strategy, Council shall be satisfied that the following matters have been addressed:

a. **the flood proofing technique has been designed by a qualified professional engineer;**

b. **the approach does not impede or in any way restrict flood way drainage patterns including the formation and movement of ice;**

c. **that the agreement provides for adequate and regular maintenance, testing, and monitoring of the flood proofing method, where applicable;**

d. **that Council may require, at the applicant's expense, to provide a study from a qualified professional acceptable to Council, to assure that the proposed flood proofing method will not alter flood plain dynamics and is appropriate in consideration of localized flooding characteristics.**

Policy 4-133: Council may allow for the alternative flood proofing of existing private residential uses and encourage property owners to obtain professional advice in this regard.

4.10.8 Mapping Amendments

While the 1988 Flood Damage Reduction Program designated and set standards for new development in the floodplain, municipalities were largely left to implement recommended development standards. Many parts of Central Colchester were not zoned until 1994 and consequently no restrictions on infilling were in force until after this date. Other zoned areas prior to completion of the Flood Damage Reduction Program had modest requirements for development in the floodplain but not always consistent with those of the Program. Development since that time led to some inaccuracies that should be considered only if such changes occurred lawfully. Council will consider amending the floodplain zones and overlays if an applicant can demonstrate that such changes are warranted.

Policy 4-134: Council may consider amendments to the E-1 Flow Way Zone, E-2 Flood Way Zone, E-3 Flood Way Modification Overlay, and E-4 Flood Fringe Overlay where a hydro-technical study or topographical survey information indicates that amendments are warranted. Under this Policy, Council may require, at the applicant's expense, a study from a qualified professional hydrologist, surveyor, or survey engineer of Council's choice.

Policy 4-135: Council may consider floodplain mapping amendments where topographical alterations associated with a development, or mapping error has lawfully occurred.

4.10.9 General Flood Plain Issues and Provisions

VARIANCES & DEVELOPMENT AGREEMENTS

The *Municipal Government Act* contains provisions that allows the Development Officer to consider variances under unique circumstances which allows for a slight deviation from the standards set under the Land Use Bylaw. In a similar way, a development agreement can contain a set of development standards that vary from those usually applied under traditional zoning.

The sensitive nature of the flood plain together with the high risks and associated legal implications do not lend themselves to variances of flood plain development standards. To ensure that the objectives are not compromised, planning and/or administrative processes shall not permit the variation of development standards in flood risk areas except as provided for under **Subsection 4.10.7.**

Policy 4-136: Council shall not waive any of the Land Use Bylaw requirements for flood proofing under a variance or development agreement process except in circumstances described by **Policy 4-133** and **Policy 4-134** of this Strategy.

FLOOD MONITORING

The Salmon River has often been referred to as one of the most studied flood plains in Canada and little has been done to implement a long-term flood monitoring program to compile data for future analysis. Council intends to promote and support initiatives aimed at improving the quality of flood related data for future reference.

Policy 4-137: Council may consider participating in any flood monitoring initiatives designed to record flood event characteristics and pursuing partnerships with the Town of Truro, the Province of Nova Scotia, Government of Canada, and any other stakeholders having an interest in flood related issues.

PUBLIC INFRASTRUCTURE AND MAINTENANCE PROJECTS

Infilling on the flood plain has not always occurred on privately owned land. Public projects like the twinning of the 102 Highway, construction of the trunk sewer line, trails, installation of lift stations and others may be necessary projects carried out with the public interest in mind. While the location of these is dependent on several siting criteria, there is the possibility that they may interfere with the flood plain dynamics. Council intends to observe the objectives expressed under this Section whenever possible but recognize that this may not always be possible because of competing factors. It will also endeavor to improve upon problem areas where practical.

The Department of Agriculture has the responsibility of maintaining approximately 17 kilometres of dikes and several aboiteaus in the lower reaches of the Salmon River and Cobequid Bay. Farmers, residents, businesses, and other property owners rely on this diking system for protection against flood damage. From time to time, this type of infrastructure requires maintenance and improvement so that it may continue to function properly and offer some measure of security that residents have come to depend on.

Policy 4-138: Council may encourage the improvement of flood plain storage and flood way dynamics in areas where this can be achieved over time and particularly where lands are owned or controlled by municipal and other levels of government.

Policy 4-139: Council will generally support dike maintenance and improvement programs carried out by or under the supervision of the Nova Scotia Department of Agriculture.

STORM WATER MANAGEMENT

Flooding along the Salmon River is often aggravated by localized storm water problems that tend to be more pronounced and occur on more frequently in areas of the flood plain. This type of flooding is every bit as troublesome and costly as the tidal flooding shown on flood risk mapping. Regardless of the source of flooding, storm water is a major topic that should be addressed in the future, not only within areas exposed to flood risk but throughout the entire watershed. Cooperation with neighboring municipalities, villages, and other levels of government will be necessary to develop a comprehensive masterplan capable of fully addressing this matter.

Policy 4-140: Council may, in conjunction with **Subsection 5.4.4** of this Strategy, explore approaches of managing storm water effectively in areas of the floodplain together with the upstream drainage systems that strongly influence the extent of flooding in low lying areas.

4.11 MI'KMAW LAND ZONE (ML)

The Debert Palaeo-Indian National Historic Site is today, the oldest known and best-recorded Palaeo-Indian site in Atlantic Canada and the most northerly within North America. It gives evidence of the earliest human occupation in eastern North America dating to 10,500-11,000 years ago.

The ancient inhabitants of Debert were the first people to live on the far north-eastern seaboard of North America. Excavations continue to be funded by the Municipality of Colchester at the site in Debert to protect and expand our knowledge about the people referred to as Saqiwe'k L'nuk in the Mi'kmaw language, meaning ancient people. These people occupied the land now called Nova Scotia between 11,000 and 9,000 before present (BP) during an interval referred to by archaeologists as the Palaeo period. The Saqiwe'k L'nuk are the ancestors of the present-day Mi'kmaq, and they play an important role in the history of Mi'kma'ki, the traditional unceded territory of the Mi'kmaw People.

In 2003, a 4.4-kilometre forest trail, the Mi'kmawey Debert Interpretive Trail, was developed to share the story of Mi'kmawey Debert. Plans are well underway for the establishment of the Mi'kmawey Debert Cultural Centre connected to the Trail. The Centre's Elders Advisory Council describes their vision for the facility as "a living place where ancestors roam and where the past and present are connected in our daily lives."

Policy 4-141: Council shall, through the Land Use Bylaw, establish the Mi'kmaw Land Zone. This zone shall initially be applied to the area of the proposed Mi'kmawey Debert Cultural Centre. Additional areas of this zone may be established by amendment to the Land Use Bylaw.

Policy 4-142: The Mi'kmaw Land Zone shall permit a wide range of uses to ensure continued social, cultural and economic development of Mi'kmaw First Nations.

5. Topic-specific Policies

5.1 GENERAL DEVELOPMENT POLICIES

The land use designations and zones discussed in the previous chapter provide a geographic framework to guide and manage development in the municipality. They recognize and address specific land use planning issues and challenges associated with certain areas (e.g., serviced versus unserviced, coastal versus inland) or certain types of development (e.g., residential, industrial, commercial); however, some issues and opportunities are shared among all areas of the municipality. These issues include signage, the regulation and buildings and lots, and non-conforming uses and structures.

5.1.1 Regulation of Buildings and Lots

Land use planning can have a significant impact on the look and feel of a community, and fundamental to land use planning is the establishment of rules and regulations that influence the location and size of buildings on a lot and the size of new lots. In areas where lot sizes and buildings are smaller and where buildings are closer to each other, this helps to foster characteristics of an urban or "village" setting. In these areas, residential and commercial densities are often higher, enabling greater access to services and amenities. Conversely, in areas where lot sizes are large and buildings are spaced out from one another, this is more suited for rural and lower-density areas of the municipality.

Lot size is also strongly correlated with the availability of central services such as municipal sewer and water. In these areas, it is particularly advantageous to smaller lot sizes to utilize municipal services most efficiently.

Village Setting

Rural Setting

Policy 5-1: Council shall, through the Land Use Bylaw, regulate the size, location, and number of buildings on a lot in order to carry out the intent of each land use designation and land use zone.

Policy 5-2: Council shall, through the Land Use Bylaw and Subdivision Bylaw, regulate the size of newly created lots to be consistent with the intent of each land use designation and land use zone.

Policy 5-3: Council shall, through the Land Use Bylaw, establish regulations for development on flag lots.

Policy 5-4: Council shall, through the Land Use Bylaw, enable development as "existing undersized lots" of lots created pursuant to provisions of the Subdivision Bylaw or *Municipal Government Act* that provide for the creation of lots that do not meet Land Use Bylaw standards.

Policy 5-5: Council shall, through the Land Use Bylaw and Subdivision Bylaw, relax lot provisions to enable subdivision and development of lots on islands that do not contain public or private roads.

5.1.2 Accessory Structures

Accessory structures are a normal and usual use associated with development. However, in some situations 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.

Policy 5-6: Council shall, through the Land Use Bylaw, regulate the size of accessory structures relative to lot sizes and the location of all accessory structures.

5.1.3 Non-conforming Uses and Structures

Structures and land uses are usually made non-conforming when new policies and regulations are adopted or changed. The result is that the existing land use is no longer permitted in a particular zone or that existing structures no longer meet new development standards (e.g. setbacks, building heights, sign sizes, etc.). **Sections 238 to 242** of the *Municipal Government Act* outline several requirements in this regard and, by reference in the Land Use Bylaw, are intended to guide decisions when such conditions exist.

The *Municipal Government Act* guarantees certain protections for non-conforming uses and structures that were legally developed to ensure they can continue to operate and function. One of the provisions for non-conforming uses, however, is that once a use has ceased to operate for a period of six months it must then conform to the new planning rules. Similarly, the Act does not permit non-conforming structures to expand. The Act also enables municipalities to relax these regulations. Council does not wish to establish undue hardships on property owners who developed in good faith, and intends to implement relaxations permitting the expansion of non-conforming structures, as provided for by the Act.

Policy 5-7: Council shall, through the Land Use Bylaw, permit the expansion of a non-conforming structure provided the expansion does not increase the non-conformity of the structure.

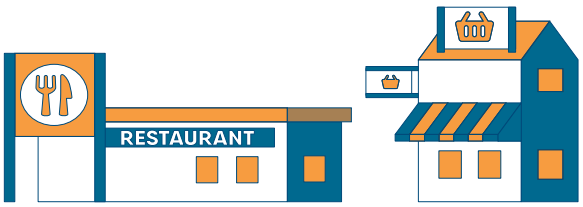
5.1.4 Signage

Signs are an essential component of business activity and play an important role in the local economy of both rural areas and growth centres. Signage also helps establish the personality of the community and provides information to the travelling public about the services and amenities available in an area. They can provide marketing and directional information and can also in certain situations contribute to the architectural fabric of a community.

However, when left unfettered and unregulated, signage can result in 'sign pollution' which can have negative impacts on the amenity and landscape. It can also result in derelict, and sometime dangerous signs being left erected.

Fairly balancing the rights of a business owner to communicate their presence in a community with the right of a community to exercise some control over its visual environment is a difficult task. Typically, sign requirements in a land use bylaw are intended to allow for a variety of signage types while also respecting the form and appearance goals of a community. Scale is of extreme importance, as signs need to be proportionate to the environment they represent in order to achieve a positive result.

Council supports a careful and balanced approach to advertising signage to ensure businesses can advertise their businesses while also maintaining and protecting the character of the municipality.



Policy 5-8: Council shall, through the Land Use Bylaw, regulate the type, size, location and lighting of signs to balance the need for advertising with the need to protect the quality of the community.

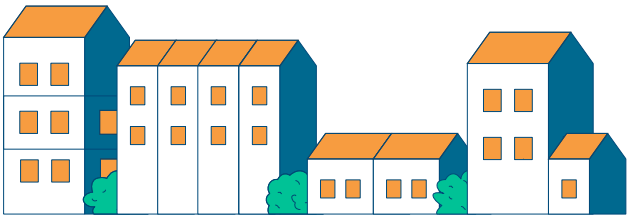
Policy 5-9: Council may establish a uniform off-site signage program to enable off-site commercial directional signage while managing the design of such signage to limit visual clutter along roadways in the municipality. Signage developed under such a program shall be exempt from the signage requirements of the Land Use Bylaw.

5.2 RESIDENTIAL DEVELOPMENT

Housing is one of the necessities of life. Access to affordable, appropriate, and safe housing is a need for every person living and wanting to live in Colchester.

However, the Affordable Housing Needs & Supply Study for Truro-Colchester, completed in 2021, found that there are gaps in the availability and affordability of housing that meets of current and future residents in the municipality. Renter households, in particular, were identified as having challenges with affordability, with 44% of such households in Colchester County (including the Towns) spending more than 30% of their before-tax household income on shelter.

Meeting the housing needs of residents in Colchester will require a spectrum of approaches, from Affordable housing provided by senior levels of government and non-profits, to increases in the supply of market housing. Importantly, new housing must come in a variety of forms and sizes in order to provide options to people with different housing needs and at different stages of their lives. This is reflected in the various residential zones that are outlined elsewhere in this Plan.



Policy 5-10: Council shall, through the policies of this Municipal Planning Strategy and the regulations of the Land Use Bylaw, enable diversity in the form, scale, and location of housing that is permitted in the Municipality.

Policy 5-11: Council may explore and implement municipal tools for increasing the diversity and affordability of housing, including—but not limited to—tax or development fee incentives, divestiture of municipal lands for housing purposes, and municipal support for affordable housing providers.

5.2.1 Home Occupations

Home occupations are emerging as an important incubator for small and new businesses. They offer homeowners and tenants the opportunity to develop and grow small-scale businesses while also helping provide their communities and neighbourhoods with many of the necessary day-to-day services like childcare and personal services. Home occupations also provide the venue for artisans to perfect their craft and build a customer base.

Council recognizes and supports home occupations and the benefits they bring to the community and municipality, but is aware that some home occupations can create challenges for neighboring uses. Council, therefore, intends to limit the uses permitted as home occupations, and their scope, in keeping with the intensity of the land uses zones in which they are located.

Policy 5-12: Council shall, through the Land Use Bylaw, permit home occupations accessory to residential uses with particular specifications and limitations for size, use, signage, and outdoor storage and display to ensure the residential character is retained.

5.2.2 Residential Facilities and Small Options Homes

The diverse residents of Colchester require housing options that support their needs. In some cases, this may include residential care or other forms of support to varying degrees. The spectrum of supportive housing can range from residential facilities offering 24/7 care for residents to small options homes where adults share a living arrangement supplemented by support workers. Council strongly believes in meeting the housing needs of all of the municipality's residents and wants to ensure planning rules do not create barriers to supportive housing options.

Policy 5-13: Council shall, through the Land Use Bylaw, treat supportive housing options, such as small options homes and residential care facilities, the same as other residential uses of a similar scale.

5.2.3 Accessory Dwellings

One approach to increase housing options without drastically altering existing neighbourhoods is to enable "accessory dwellings". This housing option can take the form of a subsidiary apartment within the main dwelling, or as a standalone accessory structure.

Because this form of housing is intended to be low-impact intervention—often in established neighbourhoods—Council will establish provisions to limit its scale.

Policy 5-14: Council shall, through the Land Use Bylaw, permit accessory dwellings in all zones where new single detached dwellings are permitted, except those zones where single detached dwellings are primarily intended as housing for on-site employees.

Policy 5-15: Council shall, through the Land Use Bylaw, establish standards for accessory dwellings that limit their scale and location on a lot.

5.2.4 Cluster Developments

Over the last number of decades, a considerable amount of attention has been drawn to urban sprawl, the preservation of open space and rural character, environmental protection, and the loss of quality farmland.

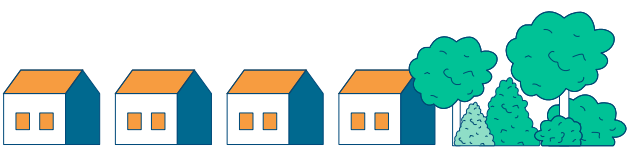
Since the 1990s, "cluster development" models have emerged as a partial response to these challenges. The cluster development concept allows for the establishment of residential development in higher concentrations while preserving remaining open space for farmland, recreation, maintenance of rural character, protection of environmental features, or to generally improve amenities and aesthetics. While gross development densities usually resemble those of traditional subdivisions, buildings are typically constructed in a series of higher density nodes separated by generous amounts of open space.

Most common of these are developments that have been carefully integrated with recreational amenities like golf courses that wind through pockets of compactly sited detached and multi-unit housing. Other examples include agriculture-focused developments. Such agriculture-focused developments could be focused on farm worker housing, or could simply be market housing where the intent is to obtain the same net density of development but protect as much agricultural land as possible by clustering homes on poor soils.

The cluster development form has the ability to reduce costs, restore areas of ecological sensitivity, meet a market need for low maintenance housing, and significantly reduce the impacts of development on watersheds. The cluster development model has not been widely used in Canada to date but is growing in popularity as many excellent examples have withstood the test of time in the United States.

Cluster developments generally do not respond well to traditional zoning practices because the resulting built form can be varied and give rise to issues associated with higher density development. Storm water, traffic management, utilities and infrastructure, land ownership arrangements, building design and densities, landscaping and road maintenance are among the important elements that require consideration as the design process proceeds. For these reasons, Council feels that proposed cluster developments need to be carefully reviewed in the context of land use planning and other community development objectives. Smaller cluster developments will proceed via site plan approval. For larger cluster developments, a development agreement is the preferred approach since these offer a high level of assurance that such site design and ongoing maintenance issues are properly addressed.

Cluster developments are typically comprised of residential land uses; however, when these are associated with recreation amenities like golf courses, equestrian facilities, ski hills, etc. a certain amount of accessory commercial activity is likely. Council recognizes that these types of uses are integral to such recreational based businesses and intends to allow them in an accessory capacity.



Policy 5-16: Council shall permit cluster developments of up to 16 dwelling units by site plan approval in all residential zones except the Residential Single Unit Zone in Growth Centres. Council shall also permit cluster developments of up to 16 dwelling units by site plan approval in the Rural General Zone, in the Rural Residential Zone, in the Agricultural Potential Zone, and in the Shoreline Zone. The minimum property size to consider cluster development is 4 hectares (10 acres)

Policy 5-17: Council shall consider entering into a development agreement to enable proposals for all cluster developments in the Commercial Recreation Zone and Single Dwelling Unit Zone and cluster developments larger than 16 dwelling units in residential zones in Growth Centres, in the Rural General Zone, in the Rural Residential Zone, in the Agricultural Potential Zone, and in the Shoreline Zone. The minimum property size to consider cluster development is 4 hectares (10 acres). When considering such developments special consideration shall be given to the following:

a. **The development shall retain at least 60% of the total land area as open space, agriculture, or developed for outdoor recreational purposes such as a golf course.**

b. **The overall density of the entire development, in terms of dwelling units per hectare, shall not exceed 1.5 times what could be achieved through as-of-right development in the applicable land use zone(s). Where the development encompasses more than one zone, the as-of-right development potential shall be calculated proportional to the land area of each of the applicable zones.**

c. **Housing clusters shall comprise no less than ten dwelling units and no less than five independent residential structures.**

d. **Commercial uses may be permitted provided they are accessory to the open space use.**

e. **The development agreement shall outline responsibilities for the use, ownership, maintenance, and improvement of the open space, as well as any amenities or services associated with the development.**

f. **The proposal shall be consistent with the general policies for development agreements, found in Subsection 6.3.2.**

5.2.5 Manufactured Housing and Land Lease Communities

Detached housing in North America is typically built in one of two fashions: site-built, with foundations poured on site and framing constructed on site or brought in as panels, or "manufactured", where entire homes are built off-site and trucked in, either on a flatbed or on their own wheeled substructure.

Decades previous, such homes were known as "mobile homes" and were built to a less-stringent set of codes than site-built housing of the time. While these mobile homes are no longer constructed, there remain many such existing structures. Given their mobile nature, provision is needed to accommodate their placement in new locations.

Today, manufactured housing is required to be built to modern codes and can be indistinguishable from site-built housing. Often known as "mini homes" or "modular homes", these dwellings will be permitted in the Land Use Bylaw the same as site-built dwellings.

One of the unique aspects of manufactured housing is that the ability to more easily move these structures around enables "land lease communities", where units of land are rented for individuals to place their manufactured home. Land lease communities typically include infrastructure and services, such as interior "streets" and water connections, and may also include communal amenities, such as laundry facilities, playgrounds, pools, etc. In the past this necessitated a separate by-law and specific planning and development policies. However, this Plan's approach to various housing densities has made those past tools redundant and new land lease communities will be approved in same manner as other higher density dwellings.

Some provision must be made for regulating existing land lease communities that were developed under the assumption of the framework provided by old policies and by-laws. Therefore, the Land Use Bylaw will contain some regulations specifically related to existing land lease communities.

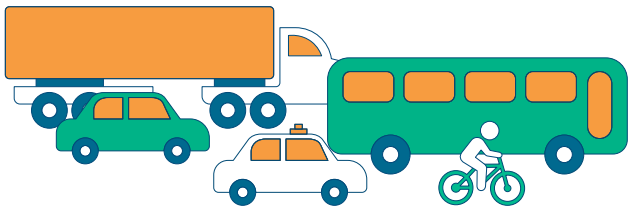
Policy 5-18: Council shall, through the Land Use Bylaw, permit mobile homes in the Rural General Zone, Rural Residential, Agriculture Potential Zone, and Shoreline Zone, as well as on lots zoned Double Dwelling Unit and fronting on Guest Drive in Bible Hill.

Policy 5-19: Council shall, through the Land Use Bylaw, permit manufactured housing in the same manner as site-built dwellings.

Policy 5-20: Council shall, through the Land Use Bylaw, establish regulations to manage existing land lease communities that were subject to previous policies and by-laws related to land lease communities. New land lease communities shall be approved in the same manner as other dwellings of a similar density.

5.3 TRANSPORTATION

Perhaps one of the most distinct influences on community growth patterns are transportation networks. Considering a population's dependency on vehicular transportation, the importance of safe and efficient transportation linkages, as well as alternatives such as active transportation, has never been more prominent. Providing this infrastructure is a major responsibility for the Province, the Municipality, and, in some cases, private landowners. It is, therefore, important that this Plan's policies support an efficient, sustainable, transportation system.



5.3.1 Public Arterial and Collector Roads

Each Growth Centre is serviced by several roads that function as an arterial or collector. By nature, the function of these roads is to move traffic efficiently from and to key points within a community. To accomplish this, it is a good practice to minimize the number of new intersections or concentrating local traffic at a few intersections to reduce the traffic flow interference. Additionally, certain types of land uses such as commercial, institutional, and higher density residential development are suited to collector road corridors due to visibility, traffic volumes, access, and the high intensity of such land use activities. These can act as a good transition between active areas of the community and the quieter residential neighborhoods. The function of certain roads may change over time and Council should periodically monitor the performance of road systems.

Policy 5-21: Council shall, as an appendix to the Land Use Bylaw, establish an urban street hierarchy and list streets that now function as collectors in the Growth Centres.

Policy 5-22: Council shall, when considering entering into a development agreement or amending the maps of the Land Use Bylaw, consider the presence of adjacent arterial or collector roads as a positive aspect when establishing the suitability of higher densities or intensities of development.

5.3.2 Public Local Roads

Local roads are generally those that are deeded to the Municipality since 1997 through the subdivision process and exist to provide internal traffic movement within a node of development. This creates a need for the Municipality to maintain these roads and to replace them when they reach end-of-life. It is in the Municipality's interest to ensure these roads are clustered within limited areas and designed to an appropriate standard so ongoing maintenance (such as snow clearing) is efficient and financially sustainable.

Since construction of such roads relies entirely on the subdivision process, the completion of internal road networks can take years to complete. Often, road reserves and dead ended streets serve as access points to adjacent properties and connections are required as new roads are built. This can come as a surprise to residents who have, for many years, enjoyed the luxury of a dead ended street. Nonetheless, the continuation of such roads is necessary to provide linkages for local traffic as neighborhoods develop and internal road networks will help reduce the number of new intersections with collector and arterial roads.

Policy 5-23: Council shall, through the Subdivision Bylaw, establish design and construction standards for public roads.

5.3.3 Private Roads

Private roads are roads that are not owned by a municipal or provincial government. They enable development in areas where it would not be financially feasible to build roads to a public standard due to the low density of development. However, private roads can also come with challenges such as differences in maintenance expectations when they are shared by multiple people. As a result, Council believes that private roads should only be used in areas where there are few other feasible options.

Council also believes that private roads should be built to a basic minimum standard to ensure property owners can expect reasonable maintenance requirements and safe roadway widths to accommodate emergency vehicles and heavy equipment, such as construction material deliveries. As a result, Council has adopted minimum specifications for private roads.

Policy 5-24: Council shall, through the Subdivision Bylaw, identify areas where new private roads are permitted and not permitted.

Policy 5-25: Council shall adopt minimum standards for the construction of new private roads that provide access to more than three lots.

Policy 5-26: The Municipality shall not take over ownership or provide municipal services to private roads unless the private road has been upgraded to the design and construction standards for public roads established in the Subdivision Bylaw and Council has established that taking over the road or providing services would be in the good interests of the Municipality.

5.3.4 Regional Transportation Connections

The greater Truro area has played a significant role in the development of railway systems throughout Nova Scotia. Appropriately named, the "Hub Town" serves as an important focal point for the Canadian National Railway linkages across the province. Both freight and passenger rail services continue to use existing lines. Following a decline in usage of the last decade or more, the use of rail transportation is on the rise again and becoming a more viable distribution alternative. This, combined with the fact that the CNR's main lines exist here, assure the greater Truro area of ongoing rail service into the future. This is of obvious benefit to businesses in the industrial parks in Truro and Debert that are presently serviced with spur lines.

Colchester's primary source of air transportation is the Halifax International Airport located approximately 70 kilometers southwest of Truro. This facility provides a broad range of national and international passenger and cargo air services.

The former CFB Debert Base also contains airport infrastructure that was once used for military purposes. While the base closed in 1998, the airport was subsequently used for cadet training, also hosts a flying club, and provides the opportunity for commercial services related to the adjacent industrial park.

As of early 2025, Colchester is included within the study efforts of the Joint Regional Transportation Authority, a provincial Crown corporation studying ways of improving the regional transportation network centred on Halifax Regional Municipality. While the regional study is ongoing and the outcome is not yet known, it is expected to look at potential highway and rail infrastructure investments focused on efficiently moving commuters from outlying communities into the city. Future investments arising from this study could affect communities in Colchester, particularly in the southern half of the municipality. Council will continue to monitor the progress of this work and may revisit the policies of this Plan to adjust course in response to proposed changes to regional transportation patterns.

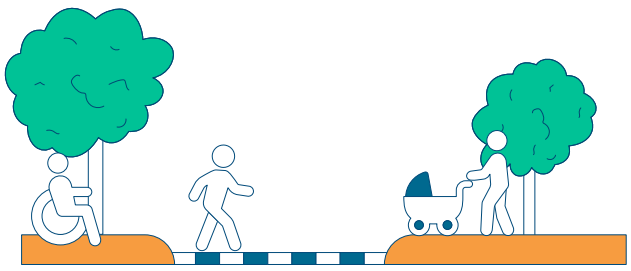
Policy 5-27: Council shall continue to monitor and—where appropriate—participate in discussions relating to changes in regional rail, air, and highway connections and may consider updating the policies of this Plan to capitalize on proposed changes to regional transportation networks.

5.3.5 Sidewalks + Active Transportation

Local transportation considerations should not be restricted to motorized vehicles. Alternative modes of transportation such as cycling and walking should be encouraged with safe routes made available through special lanes, sidewalks, and trails. When properly integrated into a community and separated from motorized vehicles, these facilities encourage a safe and healthier mode of transportation that can potentially reduce demands on road capacities, particularly in an urban setting.

In 2011 the Municipality developed an *Active Transportation Strategy* that focused on sidewalk improvements throughout Growth Centres. Over time, the Municipality was successful in completing many of the projects identified within this original *Active Transportation Strategy.* The Municipality updated the strategy in 2017 with additional sidewalk projects, as well as an expanded focus on multi-use and bicycling infrastructure. The updated strategy also recognizes the efforts to establish a provincial cycling network, called "The Blue Route". The 2017 strategy is now reaching the end of its planning horizon and will shortly need to be updated.

While the Municipality has undertaken some efforts to retrofit active transportation infrastructure in existing communities, the easiest time to develop an effective active transportation network is at the outset of development. This allows for thoughtful connections to areas beyond the development, as well as reduced construction costs compared to later retrofit installations.



Policy 5-28: Council may, through the Subdivision Bylaw, require sidewalks and/or multi-use paths on new public roads in the Growth Centres.

Policy 5-29: Council shall, through the Land Use Bylaw, permit trails as a land use in all zones.

Policy 5-30: Council shall, through the Land Use Bylaw, require pedestrian connections to adjacent active transportation networks for developments approved via the site plan approval process.

Policy 5-31: Council shall, through the Land Use Bylaw, enable a reduction in required automobile parking spaces in certain zones if the developer provides bicycle parking spaces meeting standards established in the Land Use Bylaw.

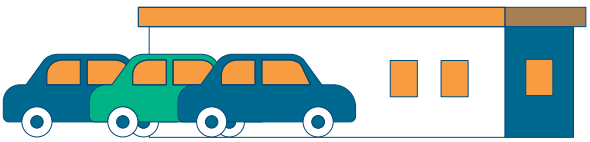
Policy 5-32: Council shall regularly review and update the Municipality's Active Transportation Strategy and shall work to implement the active transportation network identified in each successive version of the Municipality's Active Transportation Strategy.

5.3.6 Automobile Parking

The provision of adequate space for vehicle parking as part of a development is necessary for both convenience and safety. Different land uses often have different vehicle parking needs that are dependent on the amenity or service provided, delivery requirements, staffing or customer demand to name just a few. Parking arrangements can take on several forms based on these needs.

Hard surfaces that are necessary for parking spaces can increase stormwater runoff. Too much parking can compound this problem and can also push buildings apart, detracting from a community's aesthetics and creating an unfriendly pedestrian environment. Parking lot arrangements can help to alleviate these negative impacts and where possible communal parking facilities between adjacent properties are enabled. This will assist in better land utilization and improve safety by reducing the overall number of new driveway entrances. Land uses associated with higher activity levels such as commercial, institutional, industrial, and higher density residential can create traffic volumes incompatible with lower density residential uses and neighbourhoods. Transitions in use are inevitable but can be managed with increased separation distances and screening. Landscaped buffers between streets and parking areas can also provide an effective separation that improves the pedestrian experience, overall safety, and community aesthetics.

Parking of commercial vehicles on residential properties can create disturbances and detract from neighbourhood character. This commercial use of land tends to be incompatible with residential land uses. Limitations on the parking and storage of commercial motor vehicles in residential areas can be utilized to mitigate impacts.



Policy 5-33: Council shall, through the Land Use Bylaw, establish parking and design standards for a variety of land uses and encourage communal parking access where appropriate.

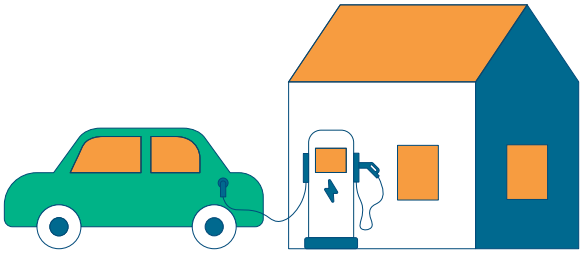
Policy 5-34: Council shall, through the Land Use Bylaw, establish requirements for commercial, industrial, and certain institutional uses to provide sufficient areas for loading and unloading.

Policy 5-35: Council shall, through the Land Use Bylaw, establish increased setbacks and screening requirements for parking lots that adjoin low density residential uses and public streets.

Policy 5-36: Council shall, through the Land Use Bylaw, establish limitations on the parking and storage of commercial motor vehicles on lots within residential zones.

5.3.7 Electric Vehicle Charging

The transition to electric vehicles (EVs) is a key part of Colchester's pathway to net-zero emissions. Unlike gasoline and diesel vehicles, much of the "fueling" for electric vehicles is expected to occur while the vehicle is otherwise parked at home, at work, or at destinations like restaurants and hotels. As of 2025, most existing EV charging infrastructure in Colchester consists of "slower" Level 2 chargers, which can take several hours to fully charge a vehicle, making it important for chargers to be strategically located for users. Council will, therefore, ensure Land Use Bylaw regulations are not a barrier to the expansion of the charging network.



Policy 5-37: Council shall, through the Land Use Bylaw, permit electric vehicle charging stations as an accessory use in all zones.

5.4 SERVICING

5.4.1 Introduction

The provision of services throughout Colchester has been funded by various agencies over the years, involving the Villages of Bible Hill and Tatamagouche, the Province of Nova Scotia, the Municipality of Colchester and citizen / volunteer groups. In 1994, the Province undertook a study of services they traditionally provided and attempted to rationalize a more logical approach towards service delivery. The *Act to Provide for Municipal Reform* was enacted in 1995 and generally made municipalities responsible for "land based" services (local roads, sidewalks, sewer systems, etc.) while the province assumed the provision of "people" services (e.g. corrections, social services, etc.).

The provision of municipal services has traditionally responded to community growth patterns within Colchester. Capital projects are expensive to install and maintain but are necessary for public health and safety, environmental quality, and assist in achieving sustainable development patterns. The types and extent of these services are dependent on how a community is intended to grow which is balanced by the Municipality's ability to pay and maintain such services. Based on the "economies of scale" principle, urban types of development will be encouraged to locate within "Growth Centres" where services are available and higher densities make their provision affordable. This will aid in reducing the amount of sprawl development while protecting rural qualities and resources.

Policy 5-38: Council shall encourage development requiring an extensive range of municipal services to establish in Growth Centers to help achieve sustainable and efficient development patterns.

Policy 5-39: Council shall periodically review the types and methods of service delivery to ensure that they represent the needs and expectations of the community while ensuring that the provision of such remain cost effective.

5.4.2 Sewer Services

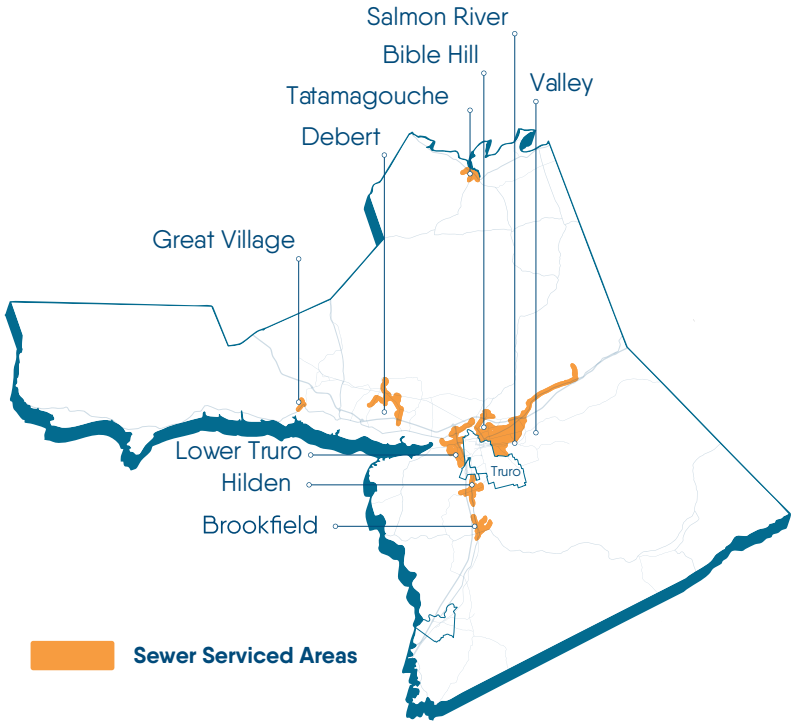
Construction of a public sewer system in Colchester County began in 1957 with the installation of the Village of Bible Hill system. Addition of the Tatamagouche system in 1965 lead to the adoption of a *Sewer By-law* in 1966, which has guided the use of sewer lines throughout the municipality. That By-law underwent an extensive review in 2019 to better address issues of quality control, installation procedures, and other measures necessary to enable the proper treatment of sewage.

The Municipality owns and operates five sewage treatment plants: the Central Colchester Wastewater Treatment Facility, the Tatamagouche Sewage Treatment Plant, the Debert Sewage Treatment Plant, and the Great Village Treatment Plant.

The Great Village Plant uses activated sludge technology, while the remaining four use sequencing batch reactor technology.

The Central Colchester Facility was installed in 1995, followed by the plants in Brookfield and Great Village, both installed in 2003. The Debert Plant, originally installed in 1976, was reconstructed in 2007. The Tatamagouche Sewage Treatment Plant was installed in 1976 and was expanded in 2005 to allow for septic tank waste to be received and processed before being transferred to the Colchester Central Wastewater Treatment Facility for composting.

Centralized sewage systems are a very expensive asset to maintain and operate and take up significant portions of the municipal budgets. Good utilization of central sewage systems should therefore be promoted through infill development while extensions of the network should only be considered if a clear need is demonstrated (e.g. a community need that goes beyond the benefit of individual property owners).



Policy 5-40: Council shall ensure proper and safe operation of the municipal wastewater collection and treatment systems.

Policy 5-41: Council shall require all new development located within a Sewer Area be connected to a municipal sewer system, subject to the Municipal *Sewer By-law*.

Policy 5-42: Council shall, through the Land Use Bylaw, require lot development not within a Sewer Area to comply with the requirements of the Nova Scotia Department of Environment for the installation of on-site sewage disposal system.

Policy 5-43: It is the intention of Council to consider expansions to the existing sewer systems only to locations where a clear need is demonstrated which goes beyond the gain of individual property owners benefiting from such extension. Such need may include, but is not limited to, treating an environmental problem, enabling the development of a major economic initiative, or continuing a development pattern that is of sufficient density to sustainably finance the ongoing maintenance and capital costs of the system.

5.4.3 Water

Most residents of Colchester draw water supply from groundwater sources through on-site wells. A few exceptions exist where central water distribution systems have been installed in Debert, Tatamagouche, at the Dalhousie University Agricultural Campus, the College Park Water Utility (Maple Blvd. / Scenic Drive.), Perennia Park, as well as most land lease communities. The Robie Street area of Lower Truro and parts of Bible Hill, including the Stella-Jones site, are serviced by extensions of the Town of Truro water system.

In Growth Centers development is at a density that places greater strain on the groundwater regime and increases the risk potential for contamination. Many of the Growth Centers have a user base or sufficient densities that may soon support a water utility or warrant expansion of the Truro system. However, such infrastructure is costly and must be properly considered for long-term sustainability, both financially and in terms of sustainable supply.

The *Municipal Government Act* contains a Statement of Provincial Interest with respect to Drinking Water which elevates the importance of this resource. Its purpose is to *"...protect the quality of drinking water within municipal water supply watersheds."* The Statement lists several provisions that must be incorporated in to planning strategies that aim to address issues of water quality and quantity. Land use types, densities, development practices, combined with the area's physiographic characteristics all play a role in protecting this resource.

Tatamagouche's water supply is the French River, and in 2022 the Province designated the French River watershed as a Protected Water Area under the *Environment Act.* This designation layers on top of municipal land use controls to limit activities that could threaten the quality and safety of the water supply.

Debert's water supply is provided by two groundwater wells located near the developed areas of the community. Given the amount of industrial development in the community, there is some risk of source water contamination.

The water source for serviced areas within and surrounding the Town of Truro is located almost entirely within the Town boundaries and is primarily protected by appropriate development controls within the Town's planning documents. However, a small portion extends into the Municipality.

In addition to containing water sources for communities within the Municipality of Colchester, the municipality is also home to a portion of the watershed for the Town of Stewiacke's drinking water supply. This area is formally designated as a Protected Water Area under the *Environment Act,* and has basic regulations to reduce the risk of contamination.

Given the large land area affected by source water areas (especially French River) and the potential for impacts on existing land uses, Council believes it would be inappropriate to establish specific development controls in these areas without the benefit of source water protection plans, prepared by qualified persons, that identify the applicable risks and the necessary mitigative measures. Council will continue to support the establishment of source water protection plans for all source water areas within its jurisdiction and will implement specific land use controls in compliance with those source water plans as applicable. In the meantime, Council will work with the Debert and Tatamagouche Source Water Protection Committees and the Towns of Truro and Stewiacke to ensure planning proposals do not enable land uses that threaten those water supplies.

Policy 5-44: Council shall ensure proper and safe operation of the municipal water treatment and distribution systems.

Policy 5-45: It is the intention of Council to consider expansions to the existing municipal water supply networks only when a clear need is demonstrated which goes beyond the gain of individual property owners benefiting from such extension. Such need may include, but is not limited to, treating a public health problem, enabling the development of a major economic initiative, or continuing a development pattern that is of sufficient density to sustainably finance the ongoing maintenance and capital costs of the system.

Policy 5-46: Council shall, on the Zoning Map of the Land Use Bylaw, identify the boundaries of the source water areas for Debert, Tatamagouche, Truro, and Stewiacke.

Policy 5-47: Council shall, via amendment to this Plan and the Land Use Bylaw, establish specific source water zoning in compliance with source water protection plans prepared for public source water areas within the Municipality's land area.

Policy 5-48: Council shall refer proposed Municipal Planning Strategy amendments, Land Use Bylaw amendments, and development agreements within the Tatamagouche, Debert, Truro, and Stewiacke source water areas to the applicable Source Water Committee or Town for comment.

Policy 5-49: As a result of any comment received under **Policy 5-48** identifying an unacceptable risk to the source water area, Council shall reject a proposed amendment or development agreement, or shall implement controls within a development agreement to mitigate the risks to the source water area.

Policy 5-49A: Council shall, through the Land Use Bylaw and notwithstanding underlying zoning, prohibit the following uses within public source water areas:

a. **Aggregate-related industries;**
b. **Cemeteries;**
c. **Heavy equipment sales and service;**
d. **Heavy industrial uses;**
e. **Solid waste disposal; and**
f. **Warehousing and light industrial uses involving the bulk storage of chlorinated organic compounds, petroleum solvents, or petroleum fuels, excluding propane.**

Policy 5-50: Council may require a groundwater study for proposals to rezone land or to enter into a development agreement.

Policy 5-51: Council may, through the Subdivision Bylaw, establish a requirement for a groundwater study for large subdivisions.

5.4.4 Storm Water Management

Issues associated with storm water management have become more evident in recent years throughout Colchester County, due, in part, to climate change. Urban development can heighten problems associated with storm water management since the ratio of impermeable to porous surfaces is reduced, overwhelming the natural ability of the landscape to absorb rainfall. This together with malfunctioning and undersized storm drainage systems can cause localized flooding.

Drainage systems are wide-ranging and form an integrated network within the municipality, therefore requiring a variety of groups to be involved in managing storm water effectively.

The *Municipal Government Act* enables municipal planning documents to create policy and regulations in this regard.

Policy 5-52: Council shall, through the Land Use Bylaw, require applicants for large-scale commercial, residential, and industrial developments to provide a storm water management plan for the development, prepared by an appropriate professional at the applicant's cost.

5.4.5 Solid Waste Facilities

The Colchester Waste Management Park in Kemptown was established in 1995 with the construction of the Colchester Balefill Facility. Shortly after, a composting facility and the Materials Recovery Facility were constructed as part of a program intended to remove and process organics and recyclables from mainstream household waste. There still remains significant growth potential for private sector initiatives to remanufacture recycled materials. In this regard, the Waste Management Park can efficiently provide raw materials to companies interested in pursuing such projects.

In addition to the Waste Management Park, the municipality is served by private construction and demolition debris sites in Middle Stewiacke and the Truro Business Park, and four Enviro-Depots that handle bottle engage and electronics drop-off.

Policy 5-53: Council shall, through the Land Use Bylaw, permit solid waste facilities in industrial zones.

5.4.6 Utilities

Utilities, including those related to communications, gas, and electricity, provide essential services to residents. Often these utilities involve equipment, buildings, or transmission lines in order to operate. Council does not wish to place undue hardships on these utilities; therefore, these uses will be permitted in any zone within the plan area.

Policy 5-54: Council shall, through the Land Use Bylaw, permit public and private utilities, except for electrical generation facilities, in all zones within the plan area.

5.5 ENVIRONMENTAL MANAGEMENT

5.5.1 Watercourses

Rivers, streams, ditches, piped storm services, curbs and gutter collectively compose a water shed drainage system. This complex network of channels performs the principal function of directing storm water runoff in a receiving body, such as the Bay of Fundy. Water quality control in these receiving water bodies has been an ever-increasing area of interest. Watercourses are typically dynamic and self-regulating systems that are influenced by a whole host of factors including land use activities within the watershed. The rate and extent of development in Colchester has been a major factor in the deterioration of natural waterways. Council wishes to address this subject with the hope that these may assist in the restoration of environmental quality.

Drainage systems also provide a diverse habitat for many species of aquatic life. Conditions necessary for this to exist are directly affected by the quality of storm water entering the system. In an urban environment, piped and open drainage systems collect water from roof tops, roads, parking lots, and lawns, which is eventually directed into established rivers and streams. Runoff from these sources pick up a variety of contaminants such as petroleum products, fertilizers, trace metals, chlorides (i.e. road salt), and other toxic chemicals that can upset the ecological balance of waterways downstream. Sediment is also a problem and, although relatively inert, the consequences of sedimentation on ecosystems can be devastating.

Drainage buffers along established watercourses provide a measure of filtering before surface runoff finds its way into rivers and streams. This is important for a number of reasons. First, it can be effective in reducing velocity and erosion thereby allowing more time to infiltrate into the ground; second, many contaminants like sediment are filtered from the surface water; and, third, they are easily maintained and can provide recreational opportunities. Buffers along the fringe areas

of watercourses have the added benefit of creating habitat, maintaining water temperature, and stabilizing the banks of the watercourse.

Drainage buffers alone cannot control environmental quality, particularly in the context of large developments that create significant areas of impervious surfaces (e.g. commercial parking lots). Numerous Best Management Practices (BMP) techniques have been developed that can manage aspects storm water before it is released into natural waterways. These often create artificial environments that are incorporated into an overall or localized storm water management plan. Retention ponds, grass swales, artificial wetlands, infiltration basins, porous pavements, seepage trenches and filter strips are among the many possible solutions that can improve the quality of natural drainage systems.

Most development will involve some amount of earthwork that will expose soil for a period of time. It is a situation that is impossible to avoid but one that can be managed. Soils that are not protected from rain and snow will eventually erode and sediment be deposited in water systems. This condition is more prominent in areas that have steep slopes or where sandy soils exist. Soil stabilization should be a requirement of any development project and accordingly the Land Use Bylaw will set out standards in this regard.

Policy 5-55: Council shall, through the Land Use Bylaw, establish a minimum horizontal buffer distance from watercourses, in which development is restricted.

Policy 5-56: Further to **Policy 5-55**, the only developments permitted within the watercourse buffer shall be uses within the Debert Industrial Park and land uses that functionally depend on access to the water, such as boat houses; scientific research structures; public infrastructure; and structures necessary for public safety.

Policy 5-57: Council shall, through the Land Use Bylaw, permit the reduction of zone standards to enable a minimum level of development on existing lots where development is difficult due to the watercourse buffer.

Policy 5-58: Council shall, through the Land Use Bylaw, enable the reduction of the watercourse buffer distance where a qualified professional has demonstrated the site is at an appropriate elevation and such a reduction does not increase the risk of erosion or flooding.

Policy 5-59: Council shall, through the Land Use Bylaw, set standards in the with respect to techniques and time requirements for soil stabilization in all developments to reduce the risks of erosion and sedimentation.

5.5.2 Shoreline Development

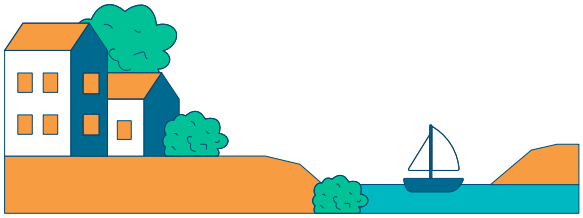
Colchester has an extensive shoreline on both the Northumberland Strait and the Bay of Fundy, home to the world's highest tides. While much of the land along the shoreline is used for agriculture, it is also a popular location for residential development, with areas such as the Brule Shore, Five Houses, Economy, and Five Islands hosting coastal communities. Traditionally, these areas were cottage areas, with small, non-winterized buildings for recreational purposes. However, recent years have seen an increase in the size and complexity of coastal developments, as well as the number of people choosing to live year-round in these areas.

While coastal areas are attractive places for living and leisure, they are also dynamic landscapes, subject to erosion from the

forces of the sea; some properties in Five Houses have lost as much of 50 horizontal metres (164.0 feet) of land over the years.

In Nova Scotia, the relative level of the ocean is also rising. This is caused by two separate processes. The first is subsidence, where the landmass is sinking due to a rebound effect from the weight of the glaciers in the last ice age. Central Canada is rising with the glacial retreat, and the outer edges of the continent (e.g. Nova Scotia) are sinking in response. The second process is the increase of water levels caused by melting glaciers and the physical expansion of water as ocean temperatures increase as a result of climate change. As a result of these combined processes, sea levels are expected to be approximately one metre (3.3 feet) higher by the year 2100.

A prudent approach to coastal development must consider the risks of both erosion and sea level rise. In 2019, the Province of Nova Scotia introduced the *Coastal Protection Act* to do this, and to bring a consistent approach to coastal regulation across Nova Scotia. However, the Act was never proclaimed and responsibility for this regulation has fallen to municipalities. Council, therefore, intends to establish coastal setbacks in the Land Use Bylaw to address risks of erosion and flooding.



Policy 5-60: Council shall, through the Land Use Bylaw, increase the watercourse buffer established in **Policy 5-55** for properties located along the marine shoreline.

Policy 5-61: Council shall, through the Land Use Bylaw, establish a minimum vertical elevation for the habitable areas of buildings along the coast.

5.5.3 Forest Management

In 2024, the Municipality developed a long-term forest management plan for municipal lands. The report, *Ecologically-Based Forest Management Plan for Lands of the Municipality of Colchester,* includes opportunities for forest management, fire risk management considerations, ecological park management, and the benefits of reforestation.

Policy 5-62: Council shall utilize *Ecologically-Based Forest Management Plan for Lands of the Municipality of Colchester* or successor studies as a guide for the management of the forests of the Municipality, including park lands, in support of multiple benefits to the community.

5.6 PARKS, RECREATION, AND COMMUNITY FACILITIES

5.6.1 Park Dedication

Most of the Municipality's recreation land (including recreation land owned by Bible Hill) has been acquired through the subdivision process. The Subdivision Bylaw requires that an area equal to 5% of newly developed lots be deeded to the Municipality for recreation purposes. Alternatively, a subdivider may pay an equivalent amount of money in lieu of providing recreation land, or a combination of both. This money must in turn be used to acquire additional park land or improve existing recreation sites. The Subdivision Bylaw also contains specific criteria and circumstances under which the Municipality will accept such land, to ensure the land is of high quality and usable for recreation purposes. Unfortunately, the present Subdivision Bylaw was created after much of the subdivision activity in the Growth Centers and, consequently, a number of the sites dedicated for this purpose are not suitable, by reason of size and/or character, for many recreation purposes.

The recreational requirements of a community are a derivative of the population they serve. Tot lots, sports fields and playgrounds are more useful to younger families while walking trails, gardens, and natural parks may be more attractive to older residents. Consideration of intergenerational spaces is also important It is important that recreational amenities are both plentiful and varied to ensure that they respond to demographic profiles. Adaptability is also a feature which can enable the redevelopment of recreation land to a different purpose in this regard. New recreation initiatives resulting from the subdivision process should be assessed in relation to any municipal parkland or recreation plan and in consultation with the Village of Bible Hill, Village of Tatamagouche, and the Municipality's Recreation Department.

Parks also serve an important role in climate adaptation by providing access to green and shady public spaces that can remain several degrees lower than paved areas during heatwaves. Natural spaces can serve as a refuge from overheated dwellings or hot suburban streets, which is additional motivation for the Municipality to ensure that sufficient and suitable parkland is dedicated during subdivision processes.

Policy 5-63: Council shall, through the Subdivision Bylaw, require the dedication of lands for public purposes as part of the subdivision process. Such dedication shall take the form of:

a. **usable lands with adequate size, slope, drainage, and recreational potential;**

b. **usable lands that contain unique ecological, physical, cultural, or historical characteristics; or**

c. **cash-in-lieu otherwise.**

Policy 5-64: Council may, through the Subdivision Bylaw, exempt certain classes or sizes of subdivision from all or a portion of the dedication of lands for public purposes.

5.6.2 Racetracks and Outdoor Shooting Ranges

While most recreational uses can be reasonably addressed through the selective application of land use zones, there are a few where the potential for impacts on the wider community—and the need for mitigative measures—requires a more involved approach. In particular, racetracks and outdoor shooting ranges have the potential for noise. When carefully developed, these uses can be valuable community assets, but when poorly sited or designed can lead to land use conflict. Therefore, Council will only consider these uses via the development agreement process, except the Truro Raceway which will be recognized as an existing use.

Policy 5-65: Council shall only consider proposals for racetracks by development agreement in the Commercial Recreation Zone, Highway Commercial Zone, Agricultural Potential Zone, and Rural General Zone. The existing racetrack in the Institutional Zone shall be recognized as an existing permitted use.

Policy 5-66: Council shall only consider proposals for outdoor shooting ranges by development agreement in the Commercial Recreation Zone, Highway Commercial Zone, Agricultural Potential Zone, Rural General Zone, and Rural Industrial Zone.

Policy 5-67: Council shall, in considering proposals enabled under **Policy 5-65** or **Policy 5-65**, ensure:

a. **the development agreement contains provisions to mitigate potential land use conflicts, with special considerations regarding noise emissions; and**

b. **the proposal meets the development agreement policies of Subsection 6.3.2.**

5.6.3 Community Facilities

The communities of Colchester feature a range of community facilities, such as community halls, churches and other places of worship, and schools. These facilities lie at the heart of the municipality, providing essential opportunities for social interaction, wellbeing, recreation, and a strong community identity. While many existing community facilities are specifically zoned Institutional to identify and protect the community-focused use (see **Subsection 4.6.1**), Council also intends to make it relatively easy to establish new community facilities and will, therefore, permit them in other zones.

Council also recognizes that the role of community facilities changes, and occasionally a hall, church, or school will close. While the original use may cease, the buildings the hosted these facilities remain as prominent landmarks within the community. Rather than see such buildings neglected, Council would like to see them given a new life in another way that benefits the community. Council will, therefore, consider proposals to utilize these buildings for other purposes.

Policy 5-68: Council shall, through the Land Use Bylaw, widely permit community facilities, with the type and scale of permitted facility tailored to intent of each land use zone.

Policy 5-69: Council shall, through the Land Use Bylaw, permit the reuse of community facilities for dwelling uses, at a higher density than would typically be permitted, by site plan approval in zones that permit dwellings.

Policy 5-70: Council shall consider entering into a development agreement for proposals that cannot meet the site plan approval criteria to reuse former schools, community halls, places of worship, and other similar community facilities for uses not otherwise permitted in the applicable land use zone. When considering such developments, special considerations shall be given to the following:

a. **the proposal provides a community benefit such as, but not limited to, the provision of housing or the provision of a commercial space that provides opportunity for the community to gather;**

b. **the proposed use will not, by its nature or by the controls placed upon it in the development agreement, impact surrounding uses due to noise, odour, or dust;**

c. **the proposal preserves and restores prominent aspects of the building; and**

d. **the proposal complies with the general development agreement policies of Subsection 6.3.2.**

5.7 ENERGY

With the political, economic, and ecological pressure to lessen dependence on fossil fuels for energy supply, communities throughout Atlantic Canada are looking at alternative sources of energy. The Government of Nova Scotia's *Renewable Energy Regulations* require that by 2030, 80% of the province's electricity will come from renewable sources, including wind, biomass, tidal and solar power. *The Carbon-Free Colchester Community Energy & Emissions Plan*, adopted in 2022, outlines a pathway for Colchester to achieve net-zero emissions by 2050, and transitioning from fossil fuels to clean energy is an integral component of that plan.

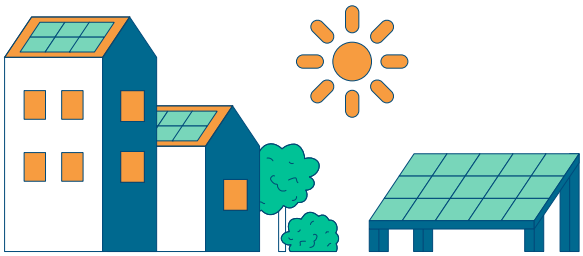
5.7.1 Solar Panels

Solar photovoltaic (PV) panels convert the energy of the sun to useable energy either in the form of electricity. The popularity and feasibility of solar PV has increased dramatically in recent years as equipment prices have dropped and local electricians have become trained in solar installation. The scalable nature of solar PV arrays make it possible to design systems well-tailored to the energy needs and financial means of a potential owner. Solar panels are also increasingly installed as commercial projects, selling electricity to the grid to supply the needs of all Nova Scotians.

In 2019, Colchester established the "Solar Colchester" program to help homeowners to install solar PV through the provision of technical advice and low-interest financing. The program was expanded in 2021 to offer loans for energy efficiency upgrades, under the name "Cozy Colchester". The programs together are a key part of Colchester's community emission reduction strategy. Current and upcoming projects will also see solar PV installed at the Tatamagouche Library, local arenas, and the Central Colchester Wastewater Treatment Facility.

Solar panels typically have no moving parts and can be installed on existing structures, so they are relatively unobtrusive beyond aesthetic preferences. Council wishes to support residents to generate renewable energy, so will widely permit solar panels as an accessory use. Council also supports commercial-scale projects but is aware of the potential for these projects to use large areas of land. This can result in inefficient use of land in serviced areas, as solar panels require neither water nor sewer.

Solar water heaters are another type of solar panel that has fallen out of favour as the price of solar PV has dropped. Today it is cheaper to heat water using electricity from solar PV than it is to use solar water heaters. Highly efficient heat pump water heaters are another relatively new technology that has helped to make the solar water heater obsolete. While solar water heaters are rarely installed, they shall be treated the same in policy as solar PV panels, using the umbrella term "solar panels".



Policy 5-71: Council shall, through the Land Use Bylaw, permit solar panels as an accessory use in all zones and shall provide an exemption from building height limits to enable solar collectors to be installed on top of buildings.

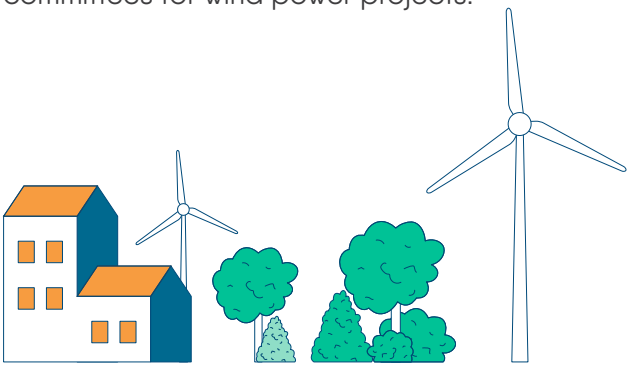
Policy 5-72: Council shall, through the Land Use Bylaw, permit solar panels as a main use in the General Commercial and Highway Commercial Zones, industrial zones, and rural zones excepting the Shoreline Zone.

5.7.2 Wind Turbines

Wind energy is becoming an important and increasingly viable source of energy in Atlantic Canada. In recent years, many wind turbine projects have been constructed throughout Nova Scotia, with several more currently under consideration. These facilities range from single turbines to "wind farms", consisting of many turbines clustered together.

Given their potentially large scale, wind turbines require thoughtful oversight. Council had previously established an extensive framework for such oversight through the adoption of a separate Municipality of the County of Colchester *Wind Turbine Development Bylaw*. With the establishment of this Plan and comprehensive planning across the whole Municipality, Council elected to roll the provisions of the Wind Turbine Development Bylaw into the Land Use Bylaw. These provisions are largely unchanged, except to fit within the organizational framework of the Land Use Bylaw versus a standalone bylaw.

Council has also established a separate terms of reference for citizen monitoring committees for wind power projects.



Policy 5-73: Council shall, through the Land Use Bylaw, regulate the development of wind turbines and associated temporary wind test towers.

Policy 5-74: Council shall, through the Land Use Bylaw, permit large-scale and small-scale wind turbines in all zones, subject to conditions on siting related to separation distances from dwellings; setbacks from roads and property lines external to the wind turbine project; and ambient noise degradation standards.

Policy 5-75: Council shall, through the Land Use Bylaw, establish design standards for wind turbines, including standards on advertising, finishes, access control, and lighting.

Policy 5-76: Council shall, through the Land Use Bylaw, establish performance standards for public engagement for wind turbines and for wind test towers that are to be met prior to application for a development permit.

Policy 5-77: Council shall, through the Land Use Bylaw, establish performance standards for construction of wind turbines.

5.7.3 Other Energy Systems

Solar and wind are currently the main growth technologies for electrical energy in Nova Scotia. However, there are other technologies that are in development, such as tidal power, and existing technologies that may see new installations under certain site conditions, such as hydroelectricity. It is important for the Municipality to have a tool to consider other energy systems when such proposals arise. This policy is intentionally broad to enable consideration of technologies that may not yet be mature, or even invented yet. However, Council intends to take a close look at any such proposals through the development agreement process to ensure they are appropriate for the context in which they are proposed.

Policy 5-78: Council shall consider entering into a development agreement to enable proposals for energy systems other than wind turbines and solar collectors in all use zones. When considering such developments, special considerations shall be given to the following:

a. **the proposal is consistent with the intent of the land use zone in which it is proposed; and**

b. **the proposal complies with the general development agreement policies of Subsection 6.3.2.**

6. Implementation

6.1 ADMINISTRATION

The policies and intended outcomes of this Plan can only be achieved through thoughtful implementation, making plan administration one of the most critical elements of land use planning. In the Municipality of the County of Colchester, planning is implemented and administered by municipal development staff who are responsible for providing planning, subdivision, and building inspection services for the municipality.

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

The administration and implementation of the Municipal Planning Strategy and the Land Use Bylaw are governed chiefly by the provisions of the *Municipal Government Act* (MGA), 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.

The *Municipal Government Act* allows Council to amend the Land Use Bylaw provided that the amendment conforms with the overall policy framework of the Planning Strategy. Amendments to the Plan 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.

6.1.1 Statements of Policy

The policies within this Municipal Planning Strategy establish Council's intention with respect to the management of land use and development in the municipality. Statements of policy are denoted by the text "Policy #-#", where the numbers are replaced by the chapter number and appropriate sequential policy number, respectively.

Statements of policy are binding on Municipal Council and the decisions they make.

In addition to the statements of policy, this Municipal Planning Strategy contains preamble, or descriptive text, before a set of policies. This preamble is used to provide context and help interpreted the intent of statements of policy, but it does not form part of the policy.

Policy 6-1: Policy statements of Council shall be denoted in this Plan with the text "Policy #-#", with the number signs (hash) replaced by the appropriate chapter number and sequential policy number, respectively.

Policy 6-2: Written content of this Municipal Planning Strategy not contained within a Policy statement of Council shall be considered preamble. Preamble may be considered to help interpret the intent of Policy statements of Council, but do not form a part of the Policy statement.

6.1.2 Effective Date and Repeal

Policy 6-3: This Municipal Planning Strategy shall come into effect on the date that a notice is published in compliance with the Act, informing the public that the planning documents are in effect.

Policy 6-4: The following documents are hereby repealed as of the effective date of this Municipal Planning Strategy:

a. **The Central Colchester Municipal Planning Strategy, adopted June 20, 2002, as amended;**

b. **The Central Colchester Municipal Future Land Use Maps, adopted June 20, 2002, as amended;**

c. **The Village of Tatamagouche Municipal Planning Strategy, adopted October 9, 2001, as amended.**

6.1.3 Regional Cooperation

The community planning process is one that has historically been applied to individual municipal jurisdictions. While this approach has generally served municipalities well and has offered a mechanism for each to articulate its own community development objectives, it does present some limitations. Locally, transportation, flood plains, stormwater management, municipal servicing, and peripheral land uses have varying degrees of influence on development patterns that result in the region. These, by nature, are systems that can only be effectively managed through the cooperation of neighboring municipalities.

To address these broader implications this Municipal Planning Strategy was developed in consultation with the incorporated Towns of Truro and Stewiacke, as well as the Municipality of East Hants, the Municipality of Cumberland, the Municipality of Pictou County, and Halifax Regional Municipality.

Planning decisions made by Colchester in the future may also impact adjacent communities. The Municipality of the County of Colchester will continue to support a cooperative approach where land use decisions have the potential to impact adjacent municipalities and first nations communities. Council supports efforts to notify and consult neighbouring municipalities when considering amendments to this Municipal Planning Strategy and when adopting new municipal planning strategies in the future.

While not a municipal entity, another important community the Municipality must look to collaborate with and notify regarding planning decisions is the Millbrook First Nation. The Millbrook First Nation has, over the years, engaged in a number of economic development initiatives that have influenced the type and form of development around the Millbrook Reserve. Also, the Reserve borders two of Colchester's Growth Centres, Hilden and Truro Heights, and it will be important to examine existing and future land use patterns to ensure that mutual development objectives can be achieved. Council generally supports such endeavours and wishes to improve its relationship with Millbrook First Nation in recognition of this.

Policy 6-5: Council shall consult and engage with the Town of Truro, Town of Stewiacke, the Municipality of East Hants, the Municipality of Cumberland, the Municipality of Pictou County, and Halifax Regional Municipality when:

a. **adopting a new municipal planning strategy to replace this one; or**

b. **considering amendments to this Municipal Planning Strategy which would affect lands that share a common boundary with the applicable neighbouring municipality.**

Policy 6-6: Council shall consult and engage with the Town of Stewiacke or the Town of Truro when considering Land Use Bylaw amendments, development agreements, or Municipal Planning Strategy amendments for lands within the their public watersheds.

Policy 6-7: Consultation undertaken through **Policy 6-5** and **Policy 6-6** shall:

a. **invite comment on matters of municipal interest;**

b. **invite comment in relation to Statements of Provincial Interest;**

c. **be considered by Council or the Planning Advisory Committee as its designate as part of the body of feedback on the proposed amendment or new Municipal Planning Strategy; and**

d. **be completed prior to Council publishing its first notice for a Public Hearing on the proposed amendment or new Municipal Planning Strategy.**

Policy 6-8: Council shall notify Millbrook First Nation and invite comment when:

a. **adopting a new Municipal Planning Strategy to replace this one; and**

c. **considering amendments to this Municipal Planning Strategy.**

Policy 6-9: Council shall work to engage and build stronger relationships with the Millbrook First Nation and other First Nation Communities.

6.1.4 Inter-municipal Planning

The *Municipal Government Act* provides a framework for two or more municipalities to jointly carry out planning projects and adopt inter-municipal planning documents to address matters of mutual concern.

In January of 2000, the Councils for Truro and Colchester approved the Inter-Municipal Planning Strategy for Inter-Jurisdictional Properties for an area of land along the western municipal boundary. This, being the first such planning document to be adopted in the province, was created to enable the two Councils to jointly consider development agreements for commercial projects on lots located in shared jurisdictions. Due to the nature of inter-municipal planning documents, it is intended that the planning policy contained within that document be considered in advance of relevant policy and requirements of this Plan.

Policy 6-10: Council shall regard the Truro-Colchester Inter-Municipal Planning Strategy for Inter-Jurisdictional Properties as the primary policy document for the area of land affected by that Plan.

6.2 LAND USE BYLAW AND SUBDIVISION BYLAW

6.2.1 Land Use Bylaw

The vision and land use policies in this Municipal Planning Strategy are primarily implemented through the Land Use Bylaw. The Land Use Bylaw serves as the main administrative document translating the higher-level goals into tangible and concrete actions. This Bylaw sets out zones, the permitted uses for each zone, development standards for each zone and/or for certain types of uses, and the uses and circumstances for development by development agreement and site plan approval. In doing this, the Bylaw reflects the policies of the Municipal Planning Strategy. Council approves the Land Use Bylaw at the same time this Plan is approved.

Policy 6-11: Council shall adopt a Land Use Bylaw consistent with the intent of this Plan.

6.2.2 Subdivision Bylaw

The Subdivision Bylaw is another key tool used by Council to implement this Plan. The Subdivision Bylaw sets out the requirements and processes for such things as subdividing land, creating streets, and providing recreational lands. The Subdivision Bylaw is also a tool that enables the Municipality to require the provision of green space for recreational lands when subdivision of land occurs.

Policy 6-12: Council shall adopt a Subdivision Bylaw consistent with the intent of this Plan.

Policy 6-13: The Subdivision Bylaw shall:

a. **apply to the whole of the Municipality;**

b. **ensure that any subdivision, with the exception of lots created using the variance provisions of Part 9 of the *Municipal Government Act*, conforms with the lot requirements contained in the Land Use Bylaw;**

c. **establish locations and standards for the development of public and private roads, central services, and other publicly owned infrastructure;**

d. **contain provisions intended to ensure that lots are suitable for onsite sewage disposal where there is no central sewer system, as required per provincial regulations under the Environment Act;**

e. **contain provisions for dedicating land or an equivalent value for park, playground, and similar public purposes; and**

f. **contain any other provisions needed to fulfill the intent of this Plan.**

6.2.3 Implementation of the Land Use and Subdivision Bylaw

The Land Use Bylaw and Subdivision Bylaw are administered by a Development Officer appointed by the Municipality of Colchester County. The Development Officer is responsible for issuing development permits in accordance with the Bylaws.

Policy 6-14: Council shall appoint one or more Development Officers to administer the Land Use Bylaw and the Subdivision Bylaw and to issue, deny, amend, and revoke permits under the terms of these Bylaws.

6.2.4 Amending the Land Use Bylaw

While this Plan and its supporting bylaws were designed to be comprehensive, Council recognizes it cannot foresee all possible types of development that might be acceptable in the municipality in general, or on a specific piece of land. As such, there will be times when the Land Use Bylaw needs to be amended to accommodate a new development trend or specific development proposal. 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.

Land Use Bylaw amendments are a common process that councils deal with and can involve either a change to the bylaw standards or the zoning map. "Rezonings", or zoning map amendments, must be specifically provided for through policies in the Plan. It is difficult to determine where these uses may wish to establish and, for that reason, policies in the planning strategy will set out certain conditions and criteria for a rezoning application. Council's main interest in this process is to ensure that the development is suited to characteristics of the area and that land use impacts are tolerable to residents, the Municipality, and other interest groups. In making its decision, Council will be guided by specific criteria policies that serve to address key development considerations. Since a rezoning is carried out under established planning policy, any decision of Council is appealable to the Nova Scotia Utility and Review Board.

Another type of Land Use Bylaw amendment involves a change to the text itself such as permitting a new land use in a particular zone, adjusting setback distances, parking spaces, signage specifications, or any other provision provided the amendment is consistent with related planning policy. Many requirements under the bylaw are based on industry standards, other regulations (e.g. building code, fire code, etc.) accepted planning principles, scientific study, or simply local desires. These standards can easily become obsolete over time or not fully serve the purpose for which they were created. Council will consider text changes to the Land Use Bylaw, including amendments to permitted uses, revisions to existing requirements, and/or the inclusion of new provisions to more properly carry out the intent of existing land use policies as circumstances dictate.

Council also recognizes that it is possible to inadvertently make mapping errors in preparing the maps that accompany this Plan and the Land Use Bylaw. Such errors do not reflect the policies in this Plan and thus will be corrected via Bylaw amendments.

Policy 6-15: Council shall amend the text of the Land Use Bylaw if the proposed amendment is reasonably consistent with this Plan and meets the general criteria set out in **Policy 6-27**.

Policy 6-16: Council shall consider amendments to the maps of the Land Use Bylaw when the proposed zoning change is not specifically prohibited within this Plan and at least one of the following three conditions is true:

a. **the proposed zone is enabled by this Plan for use within the same designation;**

b. **a non-conforming use appears to have been created by an inadvertent administrative oversight in the Municipal Planning Strategy and Land Use Bylaw preparation process, resulting in a property being zoned inconsistent with stated policies in this Plan; or**

c. **notwithstanding the zones permitted within a designation the land to be rezoned is adjacent to a designation that permits the proposed zone. For clarity, land that abuts a right-of-way, such as a street, is considered to be adjacent to the designation on the other side of the right-of-way.**

Policy 6-17: Council shall not amend the maps of the Land Use Bylaw unless Council is satisfied that:

a. **the proposal meets the zone intent and any applicable zone placement criteria set out in policies, elsewhere in this Plan, applicable to the proposed zone; and**

b. **the proposed zone and the uses it permits meet the general criteria set out in Policy 6-27.**

6.2.5 Variances

Section 235 of the *Municipal Government Act* gives the Development Officer the power to grant "variances" from the requirements of the Land Use Bylaw. This is intended to alleviate hardships where an irregular set of circumstances on a lot makes it unreasonable to comply with the requirements of the Bylaw. The Act sets out the circumstances when such variances may be granted, the Land Use Bylaw provisions for which variances may be granted, and the process for granting such variances.

Policy 6-18: Council shall, in accordance with **Section 235** of the *Municipal Government Act,* permit the Development Officer to vary:

a. **the percentage of land that may be built upon;**

b. **the size or other requirements relating to yards;**

c. **lot frontage;**

d. **lot area;**

e. **the location and number of parking spaces and loading spaces required;**

f. **the ground area of a structure;**

g. **the height of a structure;**

h. **the floor area occupied by a home-based business; and/or**

i. **the height and area of a sign.**

Policy 6-19: Council shall, through the Land Use Bylaw, make it clear that variances to the provisions of the flood overlays and flood proofing standards are not consistent with the intent of the Land Use Bylaw and shall not be permitted.

6.3 SITE PLAN APPROVAL AND DEVELOPMENT AGREEMENTS

Outside of the standard development permitting process ("as of right"), Council has other tools that enable a finer-grained level of management over a development. Two such tools are Site Plan Approval and Development Agreements.

6.3.1 Site Plan Approval

Site plan approval is a development process by which applicants must meet additional standards established and outlined in the Land Use Bylaw. These additional standards are often qualitative and design oriented, allowing the Development Officer a degree of flexibility and the ability to negotiate with an applicant outside of a Council process. The *Municipal Government Act* outlines what these additional requirements may pertain to and can include:

- **the location of structures on a lot;**
- **the location of parking and loading facilities, and driveway accesses;**
- **the type, location, and height of walls and fences;**
- **the retention of natural vegetation;**
- **outdoor lighting;**
- **grading and stormwater management;**
- **the location of sidewalks and walkways;**
- **signs; and**
- **solid waste storage.**

Uses that are enabled by the site plan approval process must be identified in this Municipal Planning Strategy. The Development Officer must be satisfied that the proposal meets the applicable standards, at which point a site plan approval is established and the Development Officer can issue development permits.

Policy 6-20: Council shall enable the use of the site plan approval process within the Land Use Bylaw as a tool to review developments that require additional oversight or management or where Council sees benefit in providing flexibility for land use proposals.

Policy 6-21: Council shall establish a notification area of 150.0 metres (492.1 feet) for the approval of a site plan agreement.

6.3.2 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 addresses 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.

Development agreements may be a desirable tool when proposals have a strong level of public interest or there is a specific need for additional levels of engagement or for proposals that are unique in nature and the standard permitting process does not quite satisfy the level of oversight required for the complexity of the proposal. However, development Agreements should typically be used in a limited fashion. The trade-off of extra flexibility and control is a higher administrative burden for the Municipality and for the applicant. Accordingly, these agreements will be used only in specific and limited circumstances as provided for in this Plan.

Policy 6-22: Council shall consider entering into a development agreement with an applicant to permit a proposed development where the development agreement is enabled by the policies within this Municipal Planning Strategy and subject to the general evaluation criteria of **Policy 6-27**.

Policy 6-23: A development agreement that has been approved by Council shall:

a. specify the development, expansion, alteration, or change permitted;
b. specify the conditions under which the development may, or may not, occur; and
c. set terms and conditions by which Council may amend or terminate and discharge the agreement.

Policy 6-24: Council may specify conditions in any development agreement to bring the proposal into alignment with the enabling policy and general criteria set out in **Policy 6-27**. Such conditions may include, but are not limited to:

a. servicing;
b. the type, location, and orientation of structures;
c. the architectural design of structures, including, but not limited to, bulk, scale, height, roof shape, building and cladding materials, and the shape and size and placement of doors and windows;
d. the provision of open space and amenities;
e. the type, size, and location of signage;
f. the type and orientation of exterior lighting;
g. management of solid waste, compost, and recycling;
h. pedestrian, bicycle, public transit, and vehicular circulation;
i. connections to existing or planned pedestrian, bicycle, and vehicular networks;
j. the location and number of bicycle and vehicular parking and loading spaces;
k. access for emergency vehicles;
l. the location and type of landscaping, including fences and other forms of screening;
m. stormwater management;
n. flood damage reduction controls with regards to possible flood plain development;
o. grading and erosion control;
p. the emission of noise, odour, light, liquids, gases, and dust;
q. the type of materials stored and/or sold on site;
r. hours of operation;
s. the phasing of development;
t. financial bonding for the construction and maintenance of components of the development, including, but not limited to, roads and landscaping;
u. mitigation measures for construction impacts;
v. time limits for the initiation and/or completion of development; and
w. all other matters enabled in **Section 227** of the *Municipal Government Act*.

6.3.3 Evaluating Land Use Bylaw Amendments and Development Agreements

Amendments to the Land Use Bylaw and the adoption of development agreements are processes that require careful thought. As such, Council has established a set of general criteria to consider when evaluating all Land Use Bylaw amendments and development agreement proposals.

Undertaking this evaluation depends on clear information about the proposal and may require technical studies (e.g. traffic or environmental studies) where the scope and context of the proposal dictates. Therefore, before Council will consider any application for a Land Use Bylaw amendment or development agreement, a clear proposal must be presented for examination. Where applicable to the type of application, a graphic representation may be required to aid in the understanding and evaluation of a proposal by Council, staff, the 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.

Policy 6-25: Council shall require a clear proposal to be submitted before considering any application for a Land Use Bylaw amendment or development agreement. Unless deemed by municipal staff to be not applicable to the development being proposed, the application shall include, at a minimum:

a. **the 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 for sewage, potable water, and telecommunications;**
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.**

Policy 6-26: Council may, addition to any other required information, require any or all of the following information, prepared by an appropriate qualified professional at the applicant's cost, and at a level sufficiently detailed to evaluate whether the criteria for amending the Land Use Bylaw or entering into a development agreement have been met:

a. **a detailed site plan showing features such as, but not limited to:**
    - **i.** topography;
    - **ii.** location and dimensions of existing and proposed property and/or unit lines;
    - **iii.** location of zoning boundaries;
    - **iv.** use, location, and dimensions of existing and proposed structures;
    - **v.** existing and proposed watercourses and wetlands;
    - **vi.** location of minimum coastal elevation;
    - **vii.** location and dimensions of existing and proposed road, bicycle, and pedestrian networks;
    - **viii.** location and dimensions of driveways, parking lots, and parking spaces;
    - **ix.** type and amount of site clearing required, if any;
    - **x.** location of buffers;
    - **xi.** location and dimensions of existing and proposed parks and recreation lands, whether public or private;
    - **xii.** location of utilities;
    - **xiii.** development densities;
b. **elevation drawings of existing and proposed structures including, but not limited to, dimensions and exterior materials;**
c. **a site grading plan;**
d. **a landscaping plan;**
e. **a drainage and stormwater management plan;**
f. **a hydrological assessment to determine groundwater resource**

volumes, availability, quality, and sustainability pre- and post-development;

g. **a traffic impact assessment that evaluates the ability of existing road, bicycle, and pedestrian networks to accommodate traffic generated by the proposed development;**

h. **a geotechnical study;**

i. **environmental studies, including, but not limited to, studies addressing Species at Risk, climate change, and environmental contamination;**

j. **a shadow study;**

k. **a wind study;**

l. **a vibration study; and**

m. **a noise study.**

Policy 6-27: Council shall not amend the Land Use Bylaw or enter into a development agreement unless Council is satisfied the proposal:

a. **is consistent with the intent of this Municipal Planning Strategy;**

b. **conforms to the applicable requirements of all other Municipal By-laws;**

c. **does not conflict with any Municipal or Provincial programs, bylaws, or regulations in effect in the municipality;**

d. **is not premature or inappropriate due to:**

i. the ability of the Municipality to absorb public costs related to the proposal;

ii. the creation of a "leapfrog", scattered, or ribbon development;

iii. Impacts on existing drinking water supplies, both private and public;

iv. the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;

v. the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;

vi. the adequacy of fire protection services and equipment;

vii. the adequacy and proximity of schools and other community facilities;

viii. the creation of a new, or worsening of a known, pollution problem in the area, including, but not limited to, soil erosions and siltation of watercourses;

ix. its impact on nearby watercourses, wetlands, or watercourse and/or wetland alteration as regulated by the Environment Act;

x. site specific climate change risks such as threats of flooding and projected sea level rise on the subject site;

xi. the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;

xii. impacts on known habitat for species at risk, as identified in the Department of Natural Resources Significant Species and Habitats Database, or any successor database;

xiii. light pollution and impacts on dark sky views;

xiv. the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility rights-of-way; and

xv. the risk of land use conflicts that could place limits on existing operational procedures of surrounding businesses.

Policy 6-28: Council shall not enter into a development agreement or permit an amendment to the Land Use Bylaw that would create a deviation from the flood plain and flood proofing standards of the Land Use Bylaw unless such deviations are specifically enabled by, and consistent, with the policies of this Plan.

6.4 ENGAGEMENT AND NOTIFICATION

The *Municipal Government Act* sets out minimum requirements for the advertisement of public hearings and mandatory adoption of a public participation program. These are aimed at promoting a public awareness of planning matters and offer an opportunity to participate in the community development process. In spite of these and other approaches the Municipality uses to inform the public of proposed changes or developments, there still remains limited participation, particularly in the early stages of the process. Council recognizes that in order for a community to take ownership of its Plan, public involvement is essential to ensure a positive result. To this end Council will continue to explore new ways and means of increasing public participation throughout the planning process.

Policy 6-29: Council shall undertake public engagement programs consistent with the Municipality of Colchester County *Public Participation Program Policy*.

Policy 6-30: Where Council has given notice of its intention to adopt and amendment to the Land Use Bylaw or enter into a development agreement, notification of the amendment or development agreement shall be served upon all assessed property owners as follows:

a. **Within the Rural Designation, notice shall be served on all properties that lie within 250 metres of the property that is subject to the proposed amendment or development agreement.**

b. **Within the all other Designations, notice shall be served on all properties that lie within 150 metres of the property that is subject to the proposed amendment or development agreement.**

Policy 6-31: Notification of a development agreement or amendment to the Land Use Bylaw shall:

a. **outline the proposed amendment or development agreement;**

b. **identify the property(s) subject to the proposed amendment or development agreement; and**

c. **state the time, date, and place of a public hearing regarding the proposed amendment or development agreement.**

6.5 MONITORING, REVIEWING, AND UPDATING THIS PLAN

Municipal Planning Strategies are not unchanging. They are meant to be flexible, 'living' documents that can adapt and evolve as circumstances change. Over the life of this Plan it will be updated as a result of regular review or to respond to specific situations. To accomplish this the Municipal Planning Strategy will be monitored and periodically reviewed and updated to remain effective.

6.5.1 Municipal Planning Strategy Reviews

Policy 6-32: Within two years of the adoption of this Municipal Planning Strategy, Council shall initiate a 'housekeeping' review to identify errors, omissions, or ways to improve or streamline the Plan.

Policy 6-33: Within five years of the adoption of this Municipal Planning Strategy, Council shall complete an interim review of the Plan. The intent of this review is to identify emerging policy issues and gaps in the Plan and adopt new or modified Plan policies to address these issues and gaps.

Policy 6-34: Within ten years of adopting this Municipal Planning Strategy, Council shall complete a comprehensive review of this Plan to conduct extensive public consultation and review the vision of the Plan. The Plan shall be updated, and components replaced as necessary to support the updated vision.

6.5.2 Amendments to the Municipal Planning Strategy

This Municipal Planning Strategy may be amended from time to time; it is not necessary to wait for a formal review. 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 *Municipal Government Act*. 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.

Council may initiate an amendment arising from an internally-identified need, or from a request from a member of the public. However, Council is under no obligation to consider or approve a plan amendment unless the current Plan conflicts with the *Municipal Government Act*. There is no appeal procedure within the framework of the *Municipal Government Act* for Municipal Planning Strategy amendments.

Policy 6-35: Council shall consider an amendment to this Municipal Planning Strategy when:

a. **any policy intent is to be changed;**
b. **an amendment to the Land Use Bylaw would conflict with any portion of the Municipal Planning Strategy;**
c. **an amendment to the Subdivision Bylaw would conflict with any portion of the Municipal Planning Strategy; or**
d. **when this Municipal Planning Strategy is inconsistent with any Statements of Provincial Interest.**

Policy 6-36: Council shall require sufficient information and reason from the applicant in support of any proposed Municipal Planning Strategy amendment.

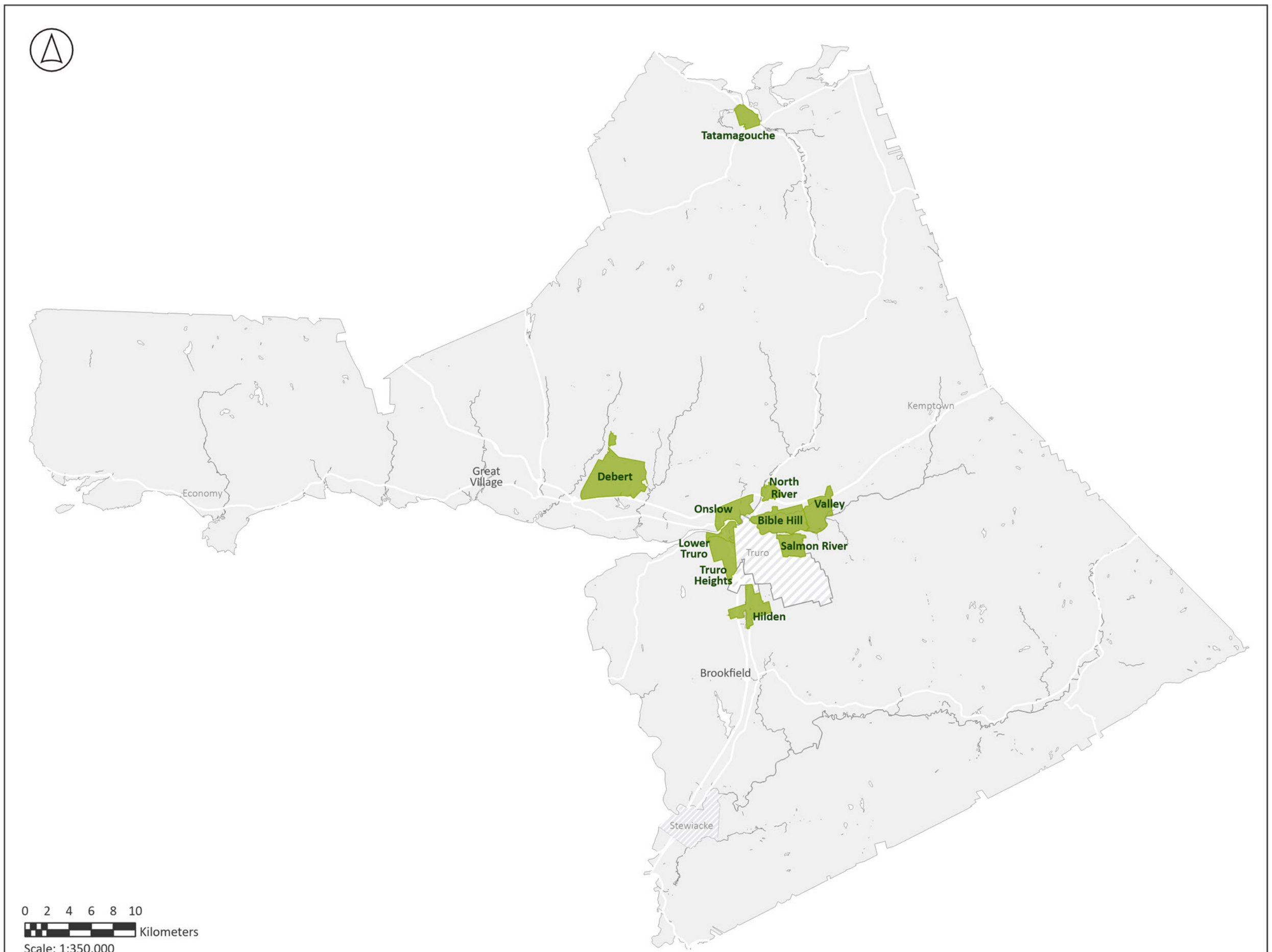
7. Schedules

7.1 SCHEDULE ‘A’ – GROWTH CENTRES MAP

7.2 SCHEDULE ‘B’ – FUTURE LAND USE MAP

GROWTH CENTRES

SCHEDULE A
MUNICIPAL PLANNING STRATEGY



Growth Centres

Town of Truro

Millbrook First Nations

Town of Stewiacke

Colchester

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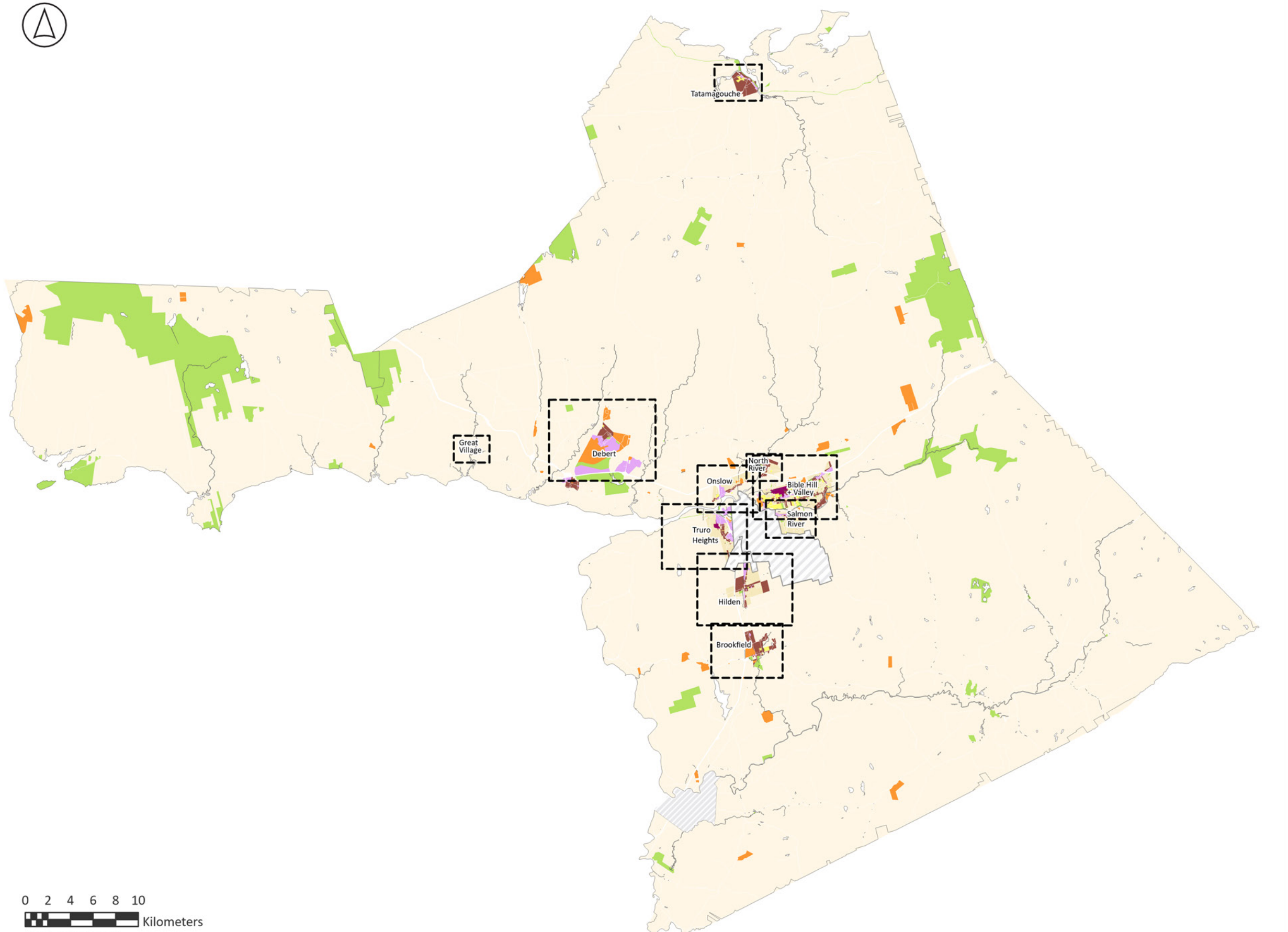
FUTURE LAND USE

SCHEDULE B



- I Institutional
- C Commercial
- CDD Comprehensive Development District
- M Industrial
- POS Parks and Open Spaces
- R Rural
- RLD Low Density Residential
- RMHD Medium-High Density Residential
- Inset Map Extent

0 2 4 6 8 10
Kilometers
Scale: 1:350,000
When Printed at 17" x 11"

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BIBLE HILL & VALLEY
FUTURE LAND USE
SCHEDULE B

- I Institutional
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Town of Truro

0 200 400 600 800 1,000
Meters

Scale: 1:25,000
When Printed at 17" x 11"

Vantor

Colchester

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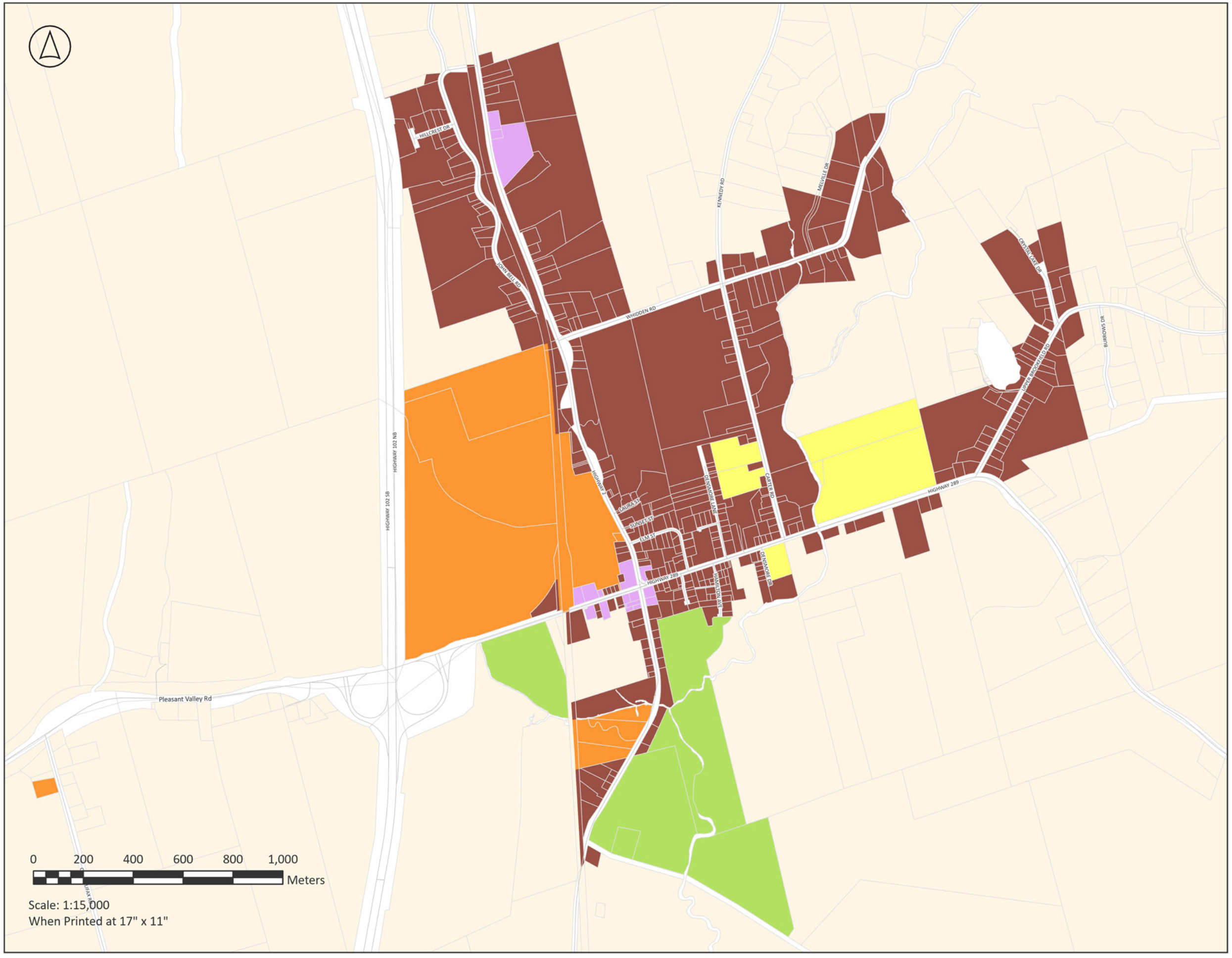
BROOKFIELD
FUTURE LAND USE
SCHEDULE B



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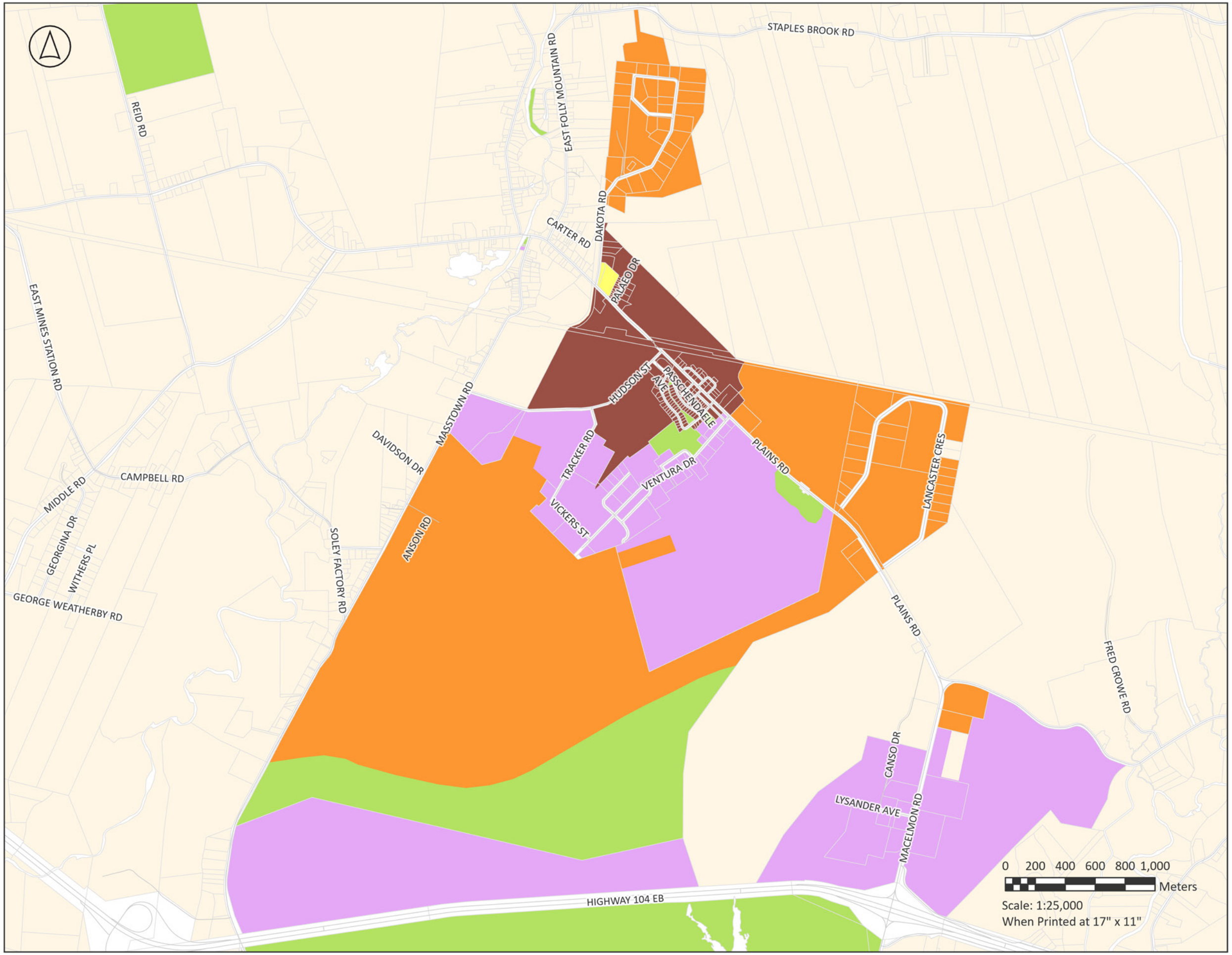
DEBERT
FUTURE LAND USE
SCHEDULE B



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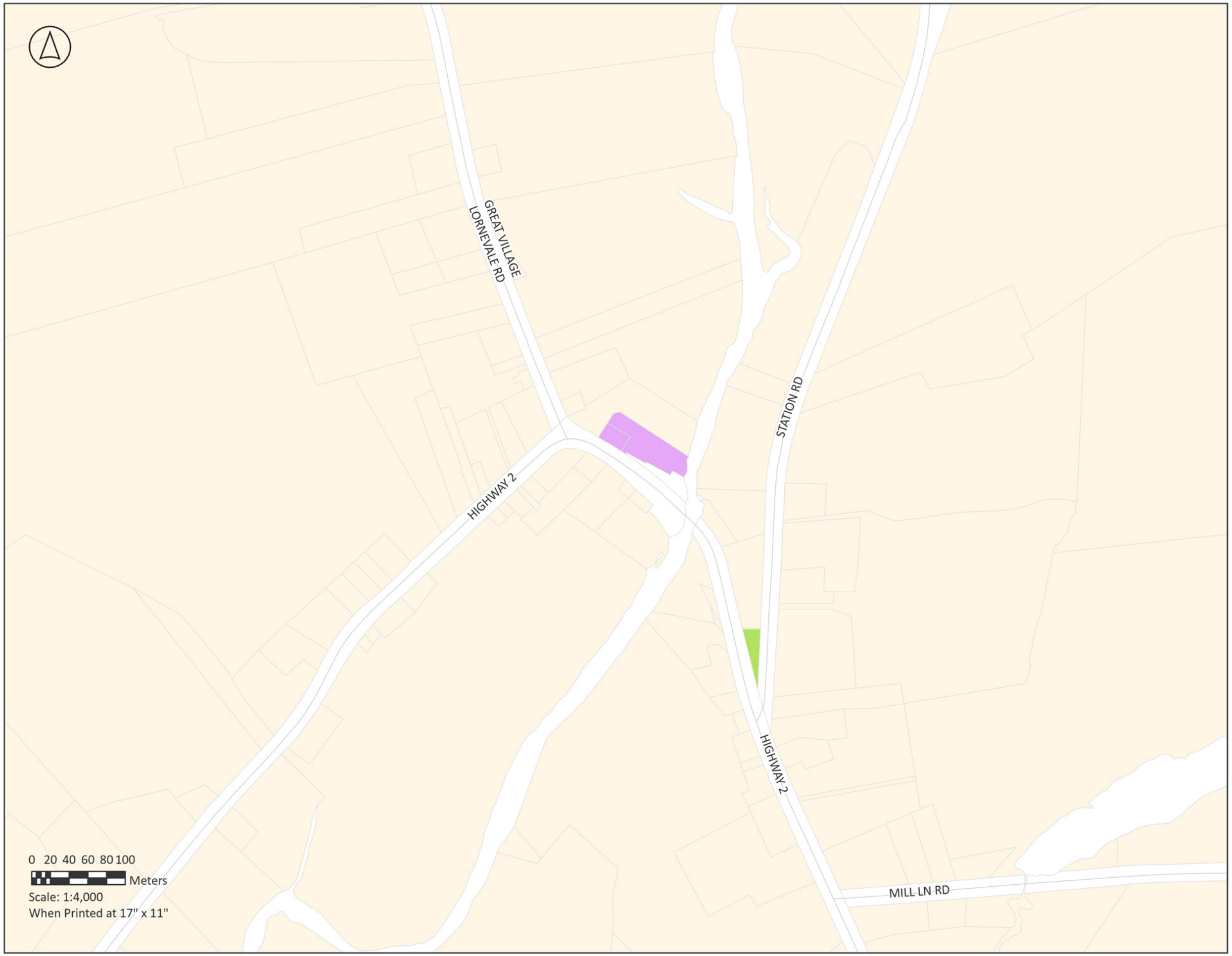
GREAT VILLAGE FUTURE LAND USE

SCHEDULE B



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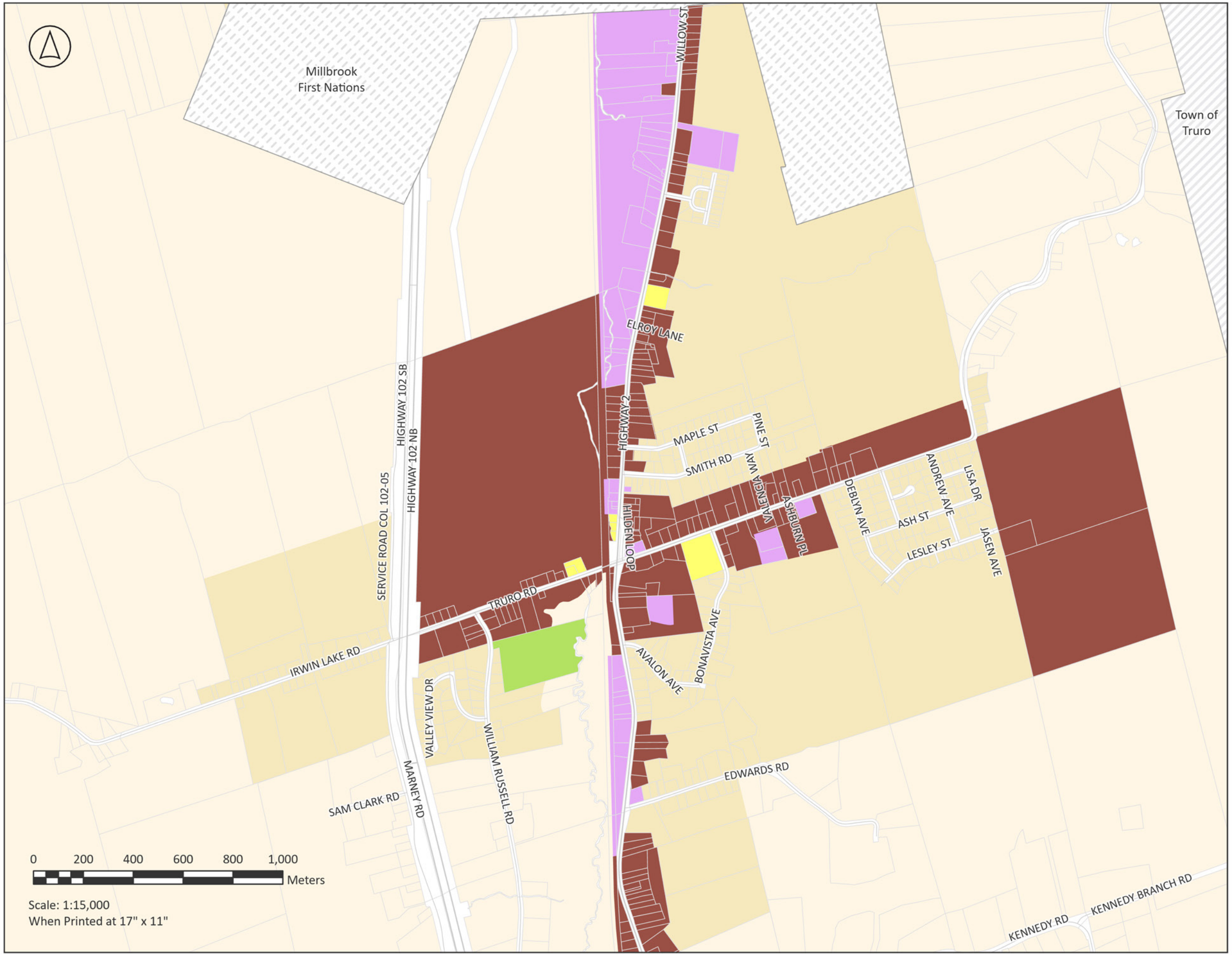
HILDEN
FUTURE LAND USE
SCHEDULE B



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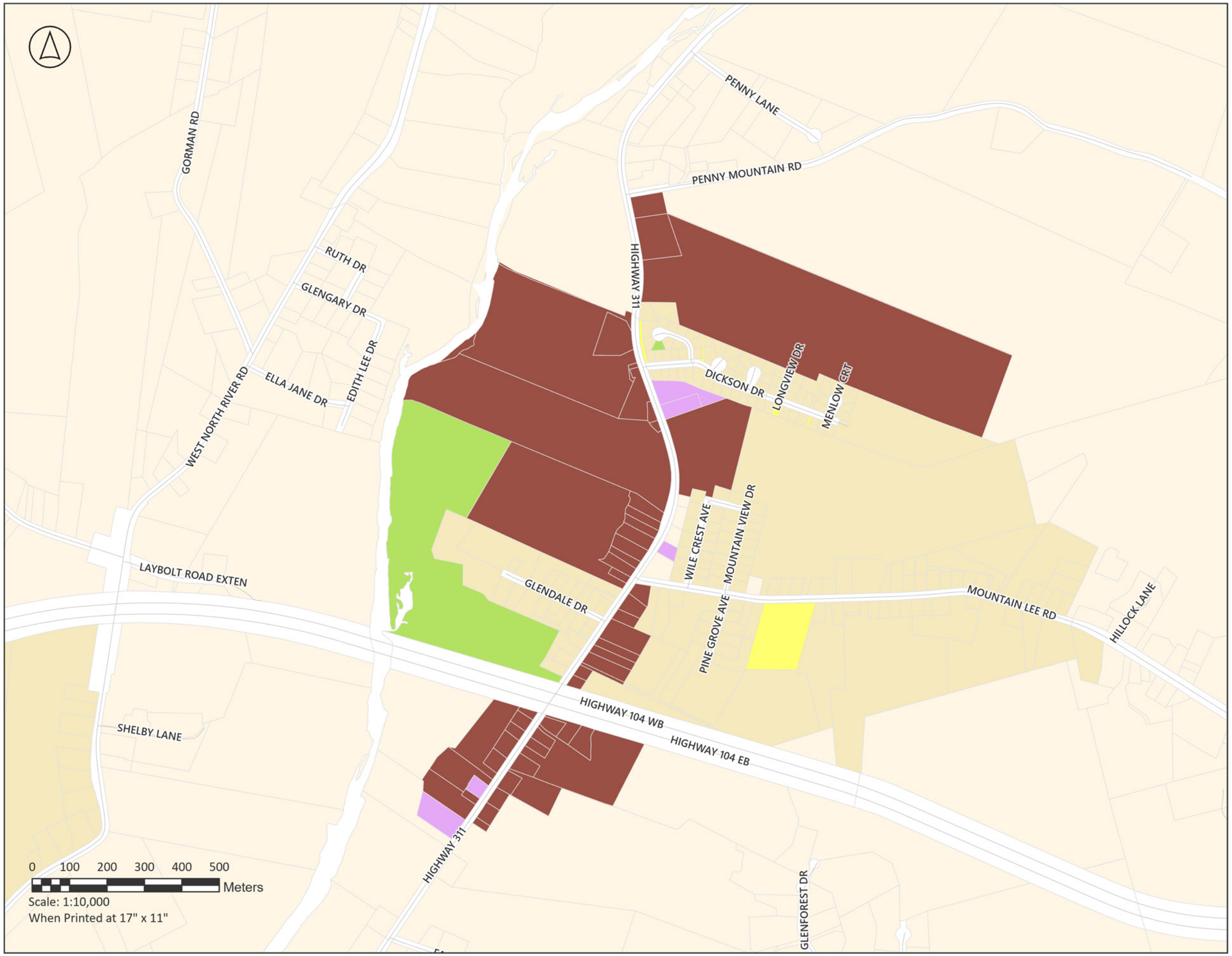
NORTH RIVER FUTURE LAND USE

SCHEDULE B



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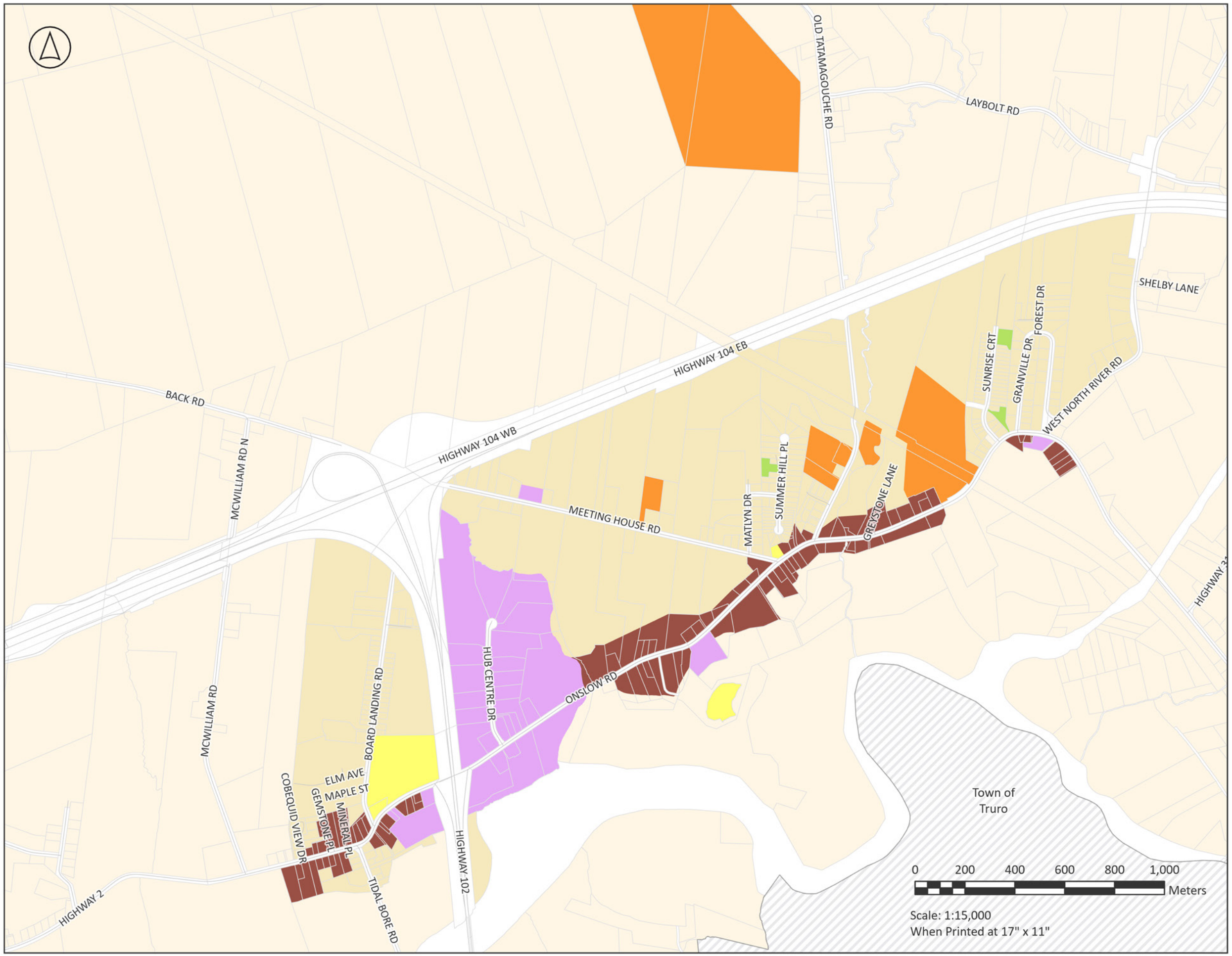
ONSLOW
FUTURE LAND USE
SCHEDULE B



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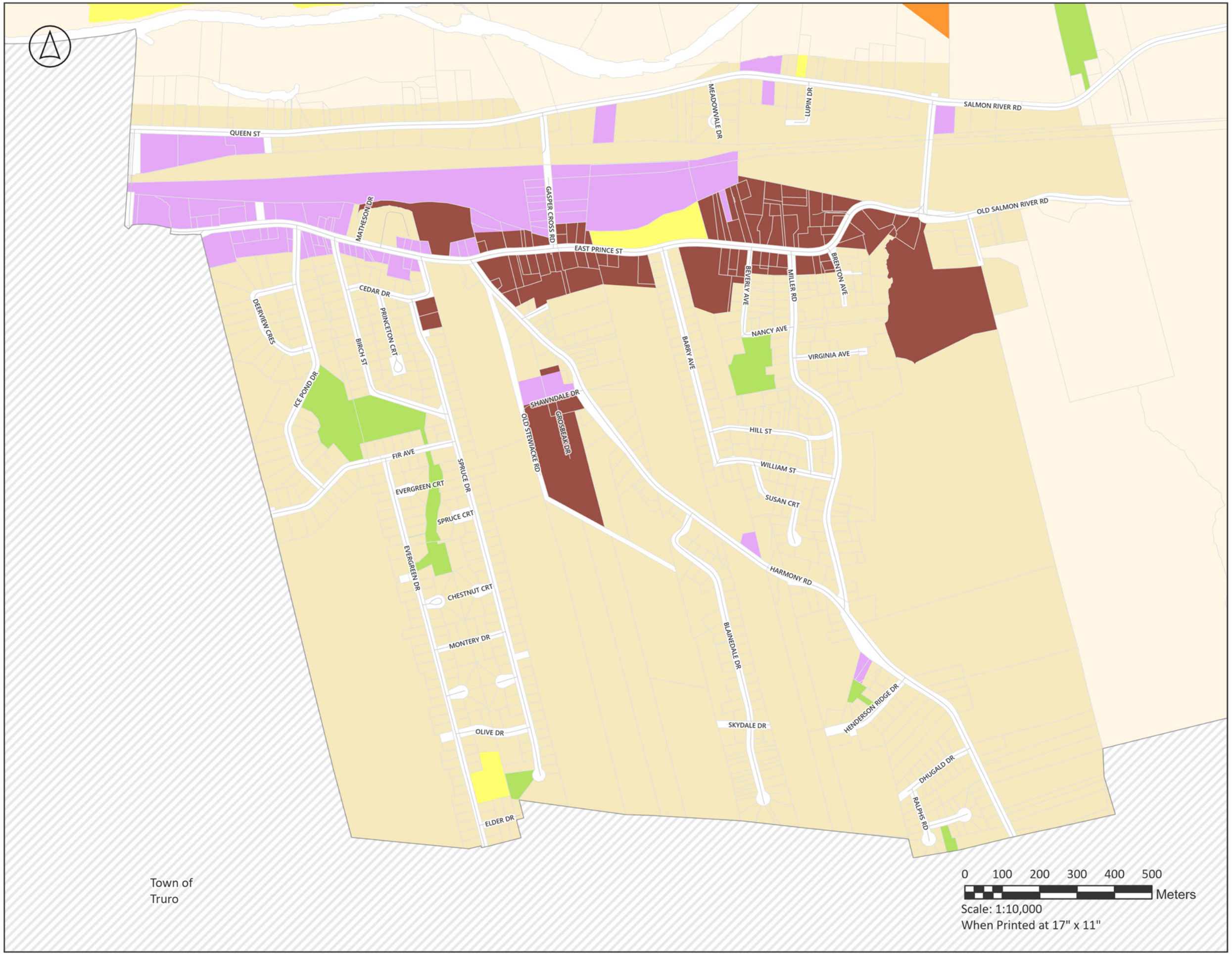
SALMON RIVER FUTURE LAND USE

SCHEDULE B



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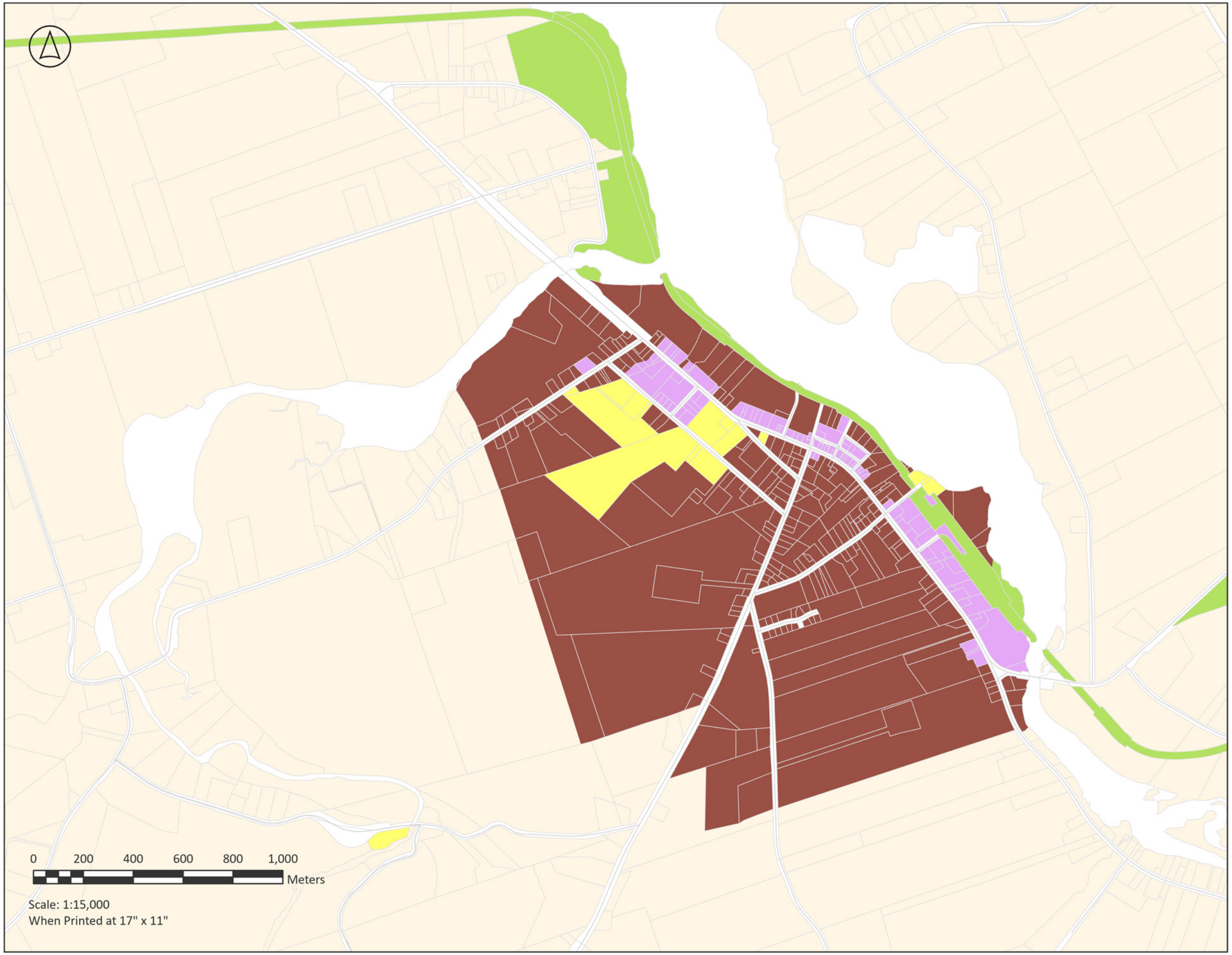
TATAMAGOUCHE FUTURE LAND USE

SCHEDULE B



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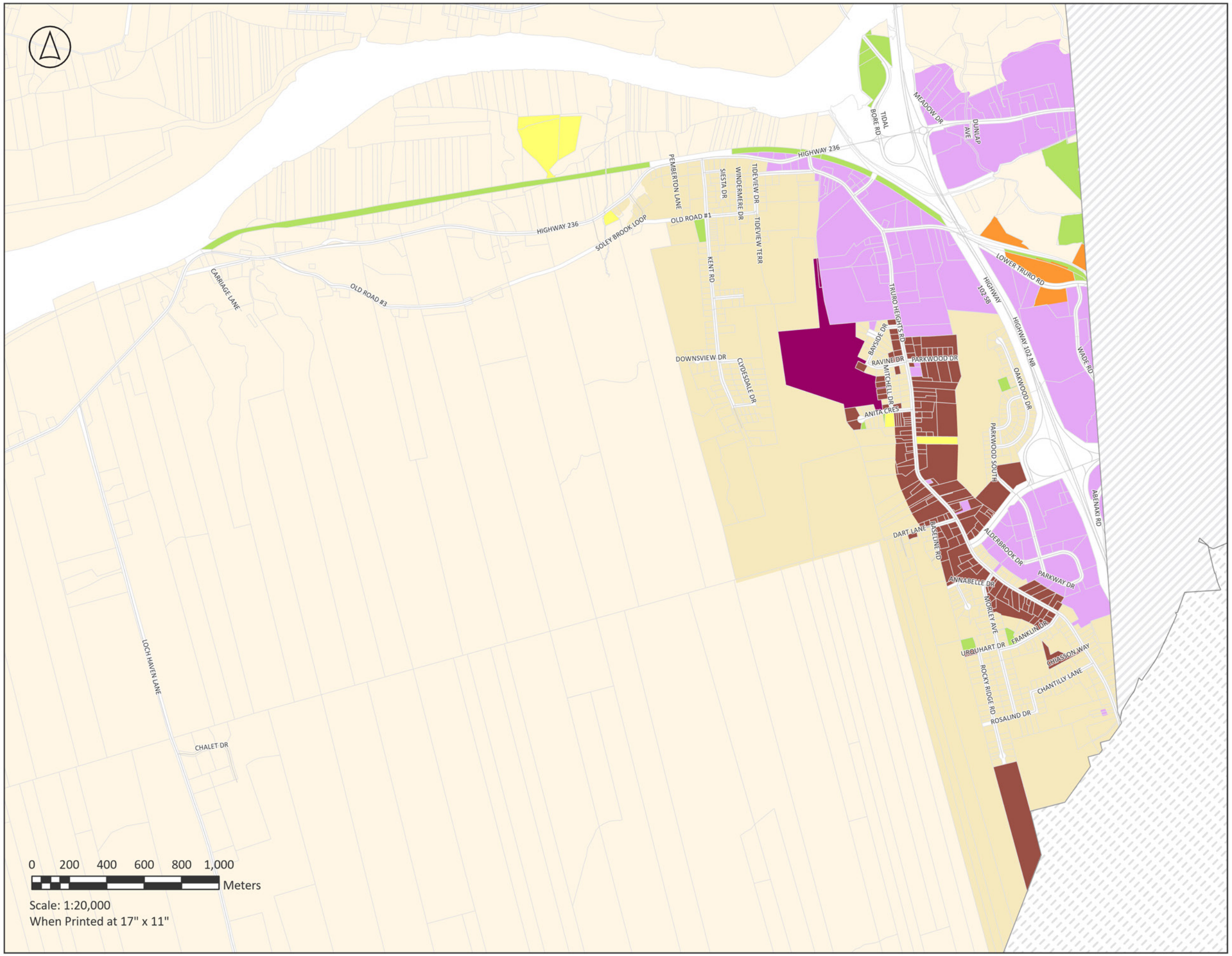
TRURO HEIGHTS FUTURE LAND USE

SCHEDULE B



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