

# **Town of Shelburne**

# **Municipal Planning Strategy**

**2026**

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This Municipal Planning Strategy (MPS) was prepared in accordance with the requirements of the Municipal Government Act (MGA). It contains the policies and intent of Council with respect to land use matters and the overall development of the Town. The policies and intentions of Council are binding on the Town but does not require the Town to undertake any of the projects outlined below (MGA s 217).

# Definitions

This plan and related bylaws use metric measurements; imperial conversions are provided for information only.

**ACTIVE TRANSPORTATION** means any mode of travel that uses human power to get from one place to another, such as walking, biking, or using a wheelchair.

**ACCESSORY BUILDING** means a subordinate building or structure on the same lot as the main building devoted exclusively to an accessory use, but does not include a building attached in any way to the main building, or a building located completely underground.

**ADJACENT** means a property that is connects in a contiguous fashion, and includes property directly across a right of way.

**APPLICANT** means a landowner or their agent who has applied for: MPS or LUB amendment, site plan, development permit or subdivision approval.

**AUTOMOTIVE SERVICE** include commercial services that are oriented towards automobiles, including gas stations, automotive and/or RV repair centers, car and/or RV dealerships, and includes boat storage and sales.

**ARTISAN WORKSHOP** means a workspace used to create works of art or items for sale in limited quantities, displaying works or items of art and selling art or items made on site

**BUILDING** means an enclosed structure.

**COMMERCIAL USE** means any retail, food establishment, office, automotive service and/or personal service that provides goods and/or services to the general public for monetary gain and any medical service.

**COUNCIL** means the Council of the Town of Shelburne.

**CRAFT FOOD AND BEVERAGE PRODUCTION** means the production of small batch food and beverages, for sale on or off site, but does not include industrial production that would unduly impact adjacent landowners.

**DEVELOPMENT** includes any erection, construction, alteration, replacement or relocation of or addition to any building and any change or alteration in the use made of land, buildings or structures.

**DEVELOPMENT OFFICER** means the officer(s) of the Town of Shelburne from time to time charged by the municipality with the duty of administering the provisions of the Land Use Bylaw and issuing permits in keeping with the Land Use Bylaw.

**DRIVE THROUGH** means a commercial use that operates an access for members of the public to receive goods and/or services without leaving their vehicle.

**DWELLING or RESIDENTIAL UNIT** means a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units and shall not include a hotel, a motel or an apartment hotel.

**SINGLE DETACHED DWELLING** means a completely detached dwelling containing one dwelling unit but does not include a mobile home.

**DUPLEX DWELLING** means a building that is divided into two dwelling units each of which has an independent entrance either directly from outside or through a common vestibule.

**APARTMENT BUILDING** means a building containing three (3) or more dwelling units which may or may not have a common entrance from the street level and the occupants of which have common use of certain areas of the building.

**ROW HOUSE** means a building divided vertically into three (3) or more dwelling units with each unit having a front and rear exit.

**EXISTING** means existing as of the effective date of this Bylaw.

**FOOD ESTABLISHMENT** means a business selling food prepared on site and includes:

**TAKE OUT** means a business selling food prepared on site for consumption off site, but does not include drive throughs.

**RESTAURANT** means a business selling food prepared on site for consumption on site.

**DRIVE THROUGH RESTAURANT** means a commercial use that operates an access for members of the public to buy prepared food without leaving their vehicle.

**CRAFT FOOD AND BEVERAGE PRODUCTION** means the production of small batch food and beverages, for sale on or off site, but does not include industrial production that would unduly impact adjacent landowner.

**GROSS FLOOR AREA** means the total of the floor areas of the building above and below grade measured using the outside dimensions of the building.

**HEIGHT** means the vertical distance of a building between the average building grade and;

- i. The highest point of the roof surface of the parapet, or a flat roof, whichever is the greater;
- ii. The declivity of a mansard roof; or

- iii. iii. the mean level between eaves and ridges or a gabled, hip, gambrel or other type of pitched roof;

but shall not include any construction used as ornament or for the mechanical operation of the building, water reservoirs, a mechanical penthouse, chimney, flag poll, solar panels/power collection or steeple.

**HOME OCCUPATION** means an accessory use of a dwelling for gainful employment involving the provision or sale of goods or services or both goods and services.

**HOTEL** means traditional tourist accommodation for overnight accommodation for the travelling public and may include facilities open to the general public such as meeting rooms, restaurants or entertainment facilities.

**INSTITUTIONAL USE** means a building or part of a building used by any governmental body or a not-for profit entity, and shall include government sponsored senior citizen housing facilities, or an organized body or society promoting a particular purpose with no intent of profit, or places of worship.

**INDUSTRIAL USE** means manufacturing plants, distribution of goods or services, administration of business activities, research and development facilities, warehousing, shipping, stockpiling of raw materials, storage, repair and maintenance of equipment including vehicles and boards and includes open storage of material, including bulk materials such as gravel.

Solar panel arrays Wind Turbines with a capacity over 2MW or where the property is a net electrical producer, are considered industrial uses. [Prov height cap is 4 times height]

**LOT** means any parcel of land described in a deed or as shown in a registered plan of subdivision.

**CORNER LOT** means a lot situated at the intersection of and abutting on two or more streets. The shorter lot line shall be deemed the front lot line of the said lot.

**INTERIOR LOT** means a lot situated between two lots and having access to one street.

**THROUGH LOT** means a lot bounded on two opposite sides by streets or highway provided, however, that if any lot qualifies as being both a Corner Lot and Through Lot as hereinbefore defined, such lot shall be deemed to be a Corner Lot for the purpose of this Bylaw.

**LOT AREA** means the total horizontal area within the lot lines of a lot.

**LOT FRONTAGE** means the length of a line joining the side lot lines and parallel to the front lot line and faces a public street.

**LOT LINE** means a boundary line of a lot.

**FRONT LOT LINE** means the line dividing the lot from the street and for purposes of this definition the term "street" shall include existing private road; in the case of a corner lot the shorter boundary line abutting the street shall be deemed the front lot line and the longer boundary line abutting the street shall be deemed the side lot line and where such lot lines are of equal length the front lot line shall be either of the lot lines. In the case of a through lot, any boundary dividing the lot from a street shall be deemed to be the front lot line.

**REAR LOT LINE** means the lot line furthest from or opposite to the front lot line.

**SIDE LOT LINE** means a lot line other than a front or rear lot line.

**FLANKING LOT LINE** means a side lot line which abuts the street on a corner lot.

**MAIN BUILDING** means the building in which is carried on the principal purpose for which the building lot is used.

**MAXIMUM LOT COVERAGE** means that percentage of the lot area covered by all building above ground level, and shall not include that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level.

**MEDICAL SERVICES** includes clinics, pharmacies, dentist and optometrists offices, physiotherapy and other medical and para-medical services.

**MGA** means the Municipal Government Act.

**MANUFACTURED HOME** means a transportable, single- or multiple-section dwelling unit certified by an accredited certification body as complying with the CSA Z240 MH Series, Manufactured Homes, at the time of manufacture, before it is placed on the installation site.

**MODULAR HOME** means a finished section or sections of a complete dwelling unit built in a factory for transport to the site for installation and certified to CSA A277, Procedures for the Factory Certification of Buildings, by an accredited certification body at the time of manufacture, before it is placed on the installation site.

**NOT FOR PROFIT** mean an entity organized and operated exclusively for social welfare, civic improvement, pleasure, recreation, or any other purpose except profit (for example, a club, society, or association) and is considered a not for profit by the Canadian Revenue Agency.

**OFFICE** means a room or rooms where business may be transacted, a service performed or consultation given but shall not include the manufacturing of any product or the retail selling of goods.

**OWNER** means a part owner, joint owner, tenant in common or joint tenant of the whole or any part of any land or building and includes a trustee, an executor, a guardian, an agent, a mortgagee in possession, or other person having the care or control of any land or building in the event of the absence or disability of the person having the title thereof.

**PARKING SPACE** means an area of not less than fifteen (15) square meters, measuring not less than 2.6 meters by 5.5 meters by inclusive of driveways or aisles, for the temporary parking or storage of motor vehicles.

**PERSONAL SERVICES** means a business use involved with the provision of a service such as a repair shop, dry cleaning establishment, barber shop, or tailor, open to the general public for monetary gain.

**PUBLIC SERVICE** means any Board, Provincial or Federal Government, the Town of Shelburne, or a registered Not For Profit providing a services to the Town's residents.

**PUBLIC UTILITIES** means any building or structure related to the operations of Watermains, Sewermains, Stormwater management, street and traffic control infrastructure, including lift stations, water towers, treatment plans and pumps.

**RECREATIONAL VECHILE** means a vehicle or trailer built to the CSA Z241 standard and intended for seasonal residential use.

**RECREATIONAL USES** means the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor or outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, community centres and similar uses to the foregoing, together with necessary and accessory buildings and structures, but not including a track for the racing of animals, or any form of motorized vehicles.

**REGIESTERED HERITAGE PROPERTY/STRUCTURE** means a property and/or structure that is Municipality and/or Provincially Registered under the Heritage Property Act.

**RETAIL ENTERPRISE** means a business use involved with the selling of any goods, wares, merchandise, or product to the general public for monetary gain and does not include Automotive Services such as gas stations or car dealerships.

**SCRAPYARD** means a lot or premises for the storage or handling of scrap material, and without limiting the generality of the foregoing, shall include waste paper, rags, bones, bottles, used bicycles, vehicles, tires, metal or other scrap material or salvage.

**SMALL OPTION HOMES** means a residential building that is used as a community home regulated by the Nova Scotia Homes for Special Care Act, in which no more than four residents are supported by qualified staff through a combination of live-in and shift models.

**STREET OR ROAD** means the whole and entire right-of-way of every highway, road, or road allowance vested in the Province of Nova Scotia or the Town of Shelburne.

**STREET LINE** means the boundary line of the street.

**STRUCTURE** means anything that is erected, built, or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other structure. A structure shall include buildings, walls and signs and also fences exceeding six (6) feet in height.

**SEWERLINE** means a sewer pipe or line intended to services a single building, also known as a 'lateral'.

**SEWERMAIN** means a sewer or pipe intended to service multiple buildings.

**STORMWATER** means water that originates from precipitation, including rain and melted snow, falling on the ground or roof of a building.

**TOWN** means the Town of Shelburne, Nova Scotia.

**YARD** means an open, uncovered space on a lot adjunct to a building (except a court) and unoccupied by buildings or structures except as specifically permitted elsewhere in this Bylaw. In determining yard measurements the minimum horizontal distance from the respective lot lines shall be used.

(i) **FRONT YARD** means a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot;

(ii) **REAR YARD** means a yard extending across the full width of a lot between the rear lot line and the nearest wall of any main building or structure on the lot;

(iii) **SIDE YARD** means a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest wall of any building or structure on the lot;

(iv) **FLANKING YARD** means the side yard of a corner lot which side yard extends from the front yard to the rear yard between the flanking lot line

**WATERLINE** means a potable water pipe or line intended to support limited development, that cannot support a hydrant and generally less than 150mm in diameter.

**WATERMAIN** means a large potable water pipe capable of supporting a fire hydrant and generally greater than 150mm in diameter.

**VISTOR ACCOMODATIONS** mean Bed and breakfasts, hotels, motels and short term-rentals, for overnight accommodation for the travelling public and does not include facilities open to the general public such as meeting rooms, restaurants or entertainment facilities.

## Introduction and Background

The Town of Shelburne has a long and rich history. The Town was founded over 200 years ago, with the modern organization being incorporated in 1907. History strongly influences land use planning in Town, as some building and land uses are centuries old. The original street grid represents the majority of the streets in Town. The Town also has a strong connection to the harbour from a history of shipbuilding and fishing to use as an event venue on Dock St. The Town has faced limited growth as well, which has led to the retention of buildings and infrastructure.

The 1988 Municipal Planning Strategy and Land Use Bylaw were the first modern land use controls the Town adopted and have not been materially updated over the following years. The Town's population decreased from 2,312 in the 1986 census to an estimated 1,735 in 2025.

The Town is now looking at growth for the first time in decades, as this plan will outline. There is also a need to address pressing issues such as affordable housing and the impacts of climate change.

It is intended that this Strategy will provide for an orderly land development process within the town - one that promotes and protects the best interests of all those who choose to live and work in the community.

### Community Context

Shelburne Harbour has the third-best natural harbour in the world. The Town and area are heavily influenced by the impacts of glaciation, with glacial features throughout the area. The Townsite is relatively level, sloping towards the harbour in a generally south-west direction. The soil contains a significant amount of rock; leftover till from the glaciers. Most rocks are granite or related, sometimes with other sedimentary rock, especially to the east of Town. Granite has been quarried in the region in the past.

The Town consists of Class 7 soil under Canada Lands Inventory, making it poor to unsuitable for commercial agriculture. This is in part due to the presence of undifferentiated rock material in the soil, and the local soils are acidic. The soils in Town are generally a sandy-loam with some areas well drained and others poorly drained.

The Town has a number of wetlands and brooks that all drain into the harbour. The Roseway River is located on the north-western boundary of Town.

The climate in Shelburne is temperate and wet due to the presence of the Atlantic Ocean which moderates temperatures. Winters are characterized by colder temperatures averaging near or slightly below zero Celsius and snowstorms, including Nor'easters. Summers are warm, often humid but sometimes dry, especially in the later summer. Autumn carries risks of severe storms, including Hurricanes.

The Town has intact woodlands, both in fragments across Town and part of the forest that surrounds the Town. Tree species and overall vegetation vary across Town depending on local conditions.

## History

The area in and around the Town has been occupied by people for thousands of years. The native Mik'maq traversed the Roseway River and used the surrounding lands for summer encampments long before these shores were visited by Spanish, Portuguese and French fishermen.

The French established Port Rasoir in the 1650's, primarily as a fishing settlement. The settlement was abandoned following raids by the British in the early 1700's.

In the spring of 1783, 5,000 settlers arrived on the shores of Shelburne Harbour from America, including former slaves of African American descent. Assurance of living under the British flag, and promises of free land, tools, and provisions lured many to the British Colonies at that time. Four hundred families associated to form a town at Port Roseway, which Governor Parr renamed Shelburne later that year. In the fall of 1783, the second wave of settlers arrived in Shelburne.

By 1784, the population of this new community is estimated to have been at least 10,000, with 1,500 Black Loyalists. This was the fourth largest European community in North America, much larger than either Halifax or Montreal.

Also in 1784, the Town experienced the Shelburne Riots, where a large group of white men attacked and destroyed 20 homes of Black Loyalists in Shelburne. The violence continued for weeks and led to many Black Loyalists leaving Shelburne for the relative safety of Birchtown, a predominately Black Loyalist community near Shelburne. Order was restored when Governor Parr dispatched a naval frigate and four companies of the 17<sup>th</sup> Regiment.

From the earliest times, Shelburne has been a centre for the building of ships. The first vessel launched at Shelburne was the 181 ton, Roseway, built for MacLean and Bogle in 1786.

In 1787, the government distribution of provisions was terminated. Within a few years, houses were put up for sale, and settlers left for England, New Brunswick, Upper Canada, and the United States. Many of Shelburne's buildings date back to Loyalist times. However, in the late 1790's government rations (food and building supplies) were halted, and the local economy collapsed, leading to significant out migration, including 1,200 Black Loyalist from the Town and area who resettled in Sierra Leone.

In the 1820s, the population of Shelburne had dwindled to about 300.

The Town of Shelburne was incorporated as a town on April 4, 1907. Through the Second World War the Town served as important naval base and shipyard, which was located immediately south

of Town. The naval base, and its infrastructure influenced the Town, both providing employment but also the Town's water supply was first established as part of the base in the 1940's.

The Town's first modern sewer system was installed in the late 1970's, bringing sanitary sewers to almost every house in Town. The Town had its water system, based on the previous naval base water treatment plant, installed in the early 1980's. The Town's first modern land use plan was created in the late 1980's and passed by Council in 1988.

Fishing is still a primary industry today. Some other industries are lumbering, fish processing, and the manufacture of barrels, institutional furniture, granite monuments, and marine supplies. Many of Shelburne's buildings date back to Loyalist times and some descendants of the first-generation immigrant Loyalists still live in the area today.

## Demographics and Population Projections

Forecasting population growth in small communities such as the Town of Shelburne is difficult given the lack of local data and minor variations that can impact growth. Previous forecasts have relied on the Town receiving the same proportion of total migration as its population. For example, if the Town represented 1% of the Province's population, it would receive 1% of all migrants expected. However, there is a trend of people moving from rural areas of the Province to urban areas that may not be factored into previous growth forecasts.

### **Growth Projections**

Natural growth, that is births-deaths, is expected to be negative for the forecast period. However migration, in particular intra provincial (within the province) and inter provincial (within Canada) is expected to cause the Town to grow, especially in the coming 5 years. This has been noted by real estate agents and other stakeholders in Town; there is currently a strong out of province demand for housing in Town. Out-migration, in particular of the younger demographic, is expected to continue. Stakeholders have noted the unavailability of affordable housing as a cause of youth leaving the community.

This will lead to an aging population in Town. This population will likely look for infrastructure and services, such as accessible sidewalks, daytime recreational opportunities, access to medical and retail services.

There are opportunities to change the demographic projections, through increased economic development and greater retention of the younger demographic.

### **Town's Growth Estimates**

Based on the information above and to guide planning decisions, the Town has prepared population estimates and projections.

For the years since the 2021 Census, the Town has used StatsCan and Government of Nova Scotia data to estimate the Town’s population from 2021-2024:

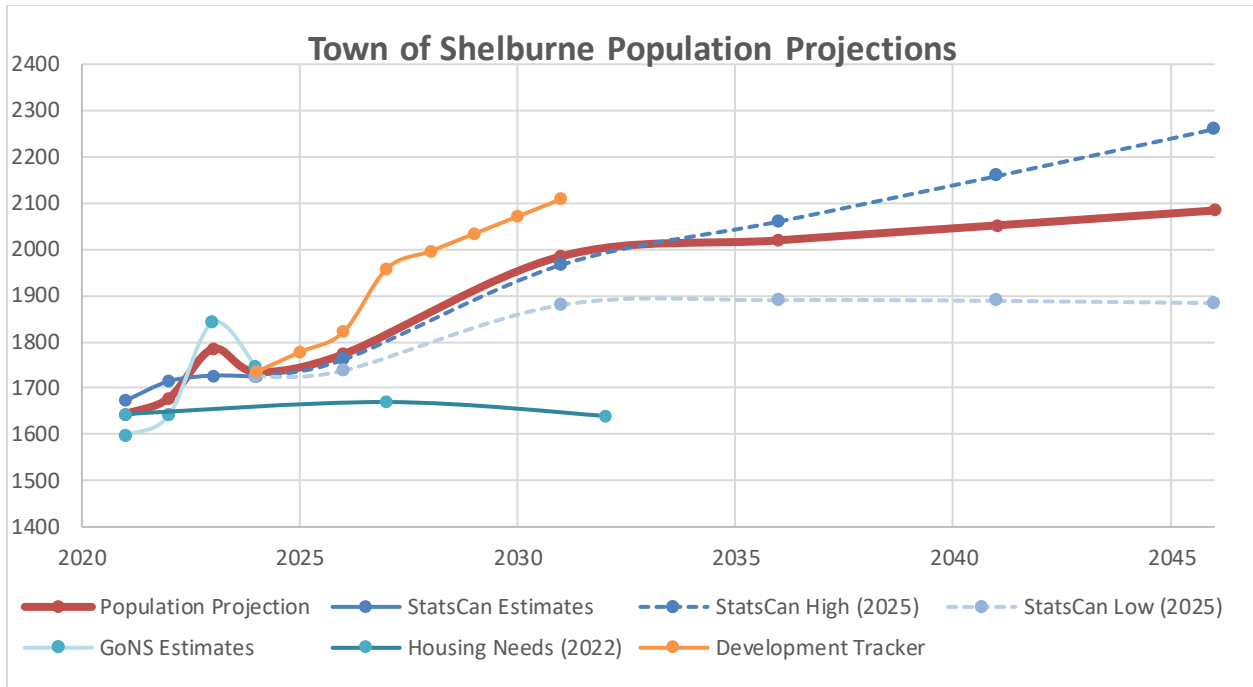
<b>Population Estimates</b>		
<b>Year</b>	<b>Population</b>	<b>Population Increase</b>
2021	1644	-
2022	1679	35
2023	1785	106
2024	1735	-50

Beyond 2024, the Town looked at Statistics Canada data and its own data to create a population projection from 2025-2046, below. The unit count is based on occupancy of 2 persons per unit.

<b>Population Projections</b>			
<b>Year</b>	<b>Population</b>	<b>Population Increase</b>	<b>New Units</b>
2024	1735	-	-
2026	1773	38	19
2031	1985*	212*	56
2036	2020	35	18
2041	2052	32	16
2046	2084	31	16
<b>Total</b>		<b>349</b>	<b>125</b>

\*additional 100 new Town residents from Roseway Manor Rebuild, excluded from new units

Below are growth projections for the Town of Shelburne:



### Population Projection Methodology

The Town’s past population estimates, 2021-2024 are based on Statistics Canada’s Population Estimates (StatsCan Table 17-10-0057-02 - January 2025) and the Government of Nova Scotia’s Annual Population Estimates by County and Census Subdivision for July 1.

Projections from 2025-2045 are based on three data sources: Statistics Canada’s High Growth Scenario; Statistics Canada Low Growth Scenario (StatsCan Table 17-10-0057-01 - January 2025); and the Town’s development tracker. The development tracker is a list of proposed developments, both approved and under construction (2025 and 2026); and those proposed but unapproved (2027-2031). For the purposes of the population projections, unapproved developments are counted at 50%, meaning half of the proposed development won’t be built, the other 50% will be built or another project is expected to take place.

### Discussion

The Town is experiencing growth for the first time in years. This is in large part due to an influx of seniors from within Nova Scotia and Canada, a demographic that will see population growth. The working age population is expected to be relatively stable. The younger demographic is expected to see a continued net out-migration, where more youths leave the community that move to the community, a trend that has been present in the community for decades.

There will also be growth in the seniors demographic stemming from the new Roseway Manor will house 112 residents. However, some of those future residents of the manor are current residents of the Town. A net increase of 100 persons is expected directly from the new Manor, which is planned to be open in the coming years.

The projections offer two related scenarios:

A rapid growth scenario, where the Town's population rises rapidly to nearly 2100 persons by 2031, an increase of roughly 365 persons, annualized at 3.4%. An average of 21 new residential units would be expected per year. This scenario predicts little to no growth beyond 2031.

The other scenario foresees the same total growth, but over a much longer timeframe with the Town's population slowly reaching 2100 persons, but not until 2046. Annualized growth rate would be 1.3% and an average of 6.25 new residential units would be expected per year.

Population growth could be impacted by a number of factors, the greatest being new economic development that increases in-migration of working aged residents and reduces the out-migration of the younger demographic.

### **Housing Needs**

The Town will need new housing units to support the expected population growth. With an estimated increase in population of 265 persons, excluding population at the new Roseway Manor, 125 residential units will be needed. This is based on 2 persons per unit, the 2021 Census states that the average persons per unit is 2.1, but has been declining since 2011, where it was 2.4 persons per unit. With an aging population, who tend to be one or two persons per units, the persons per unit is expected to decrease slightly.

An additional 125 housing units represents an increase of 13.4% over the 2021 census count of 917 units. These units are expected to be a mix of single unit dwellings and apartments. Between 6 and 21 residential units are needed per year, and this assumes there is no current shortfall of units (pent up demand).

# Plan Objectives & Approach

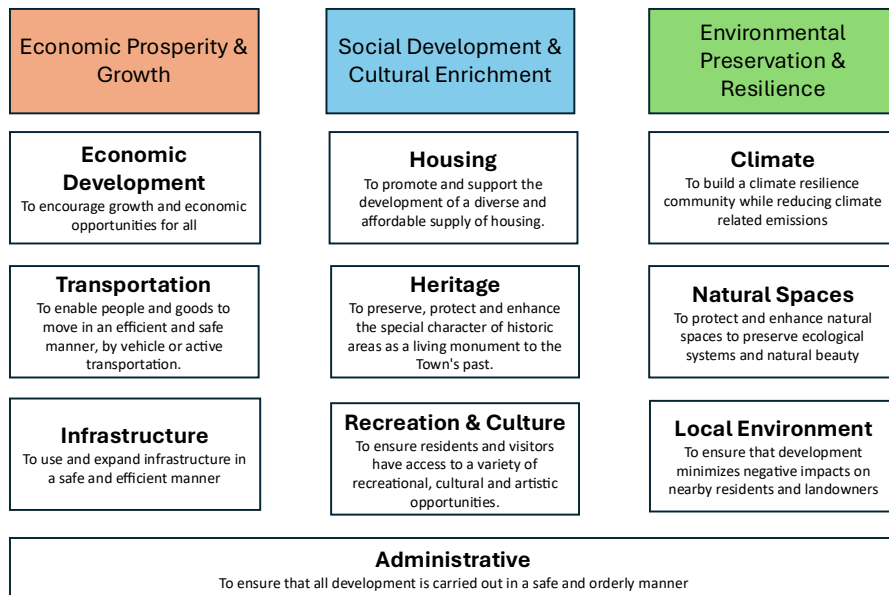
## Scope and Purpose

Generally, it is intended that this Strategy will provide for an orderly land development process within the town - one that promotes and protects the best interests of all those who choose to live and work in the community.

## Plan Objectives

The Town’s MPS Objectives are based on three core areas: The economy; society and the environment. Each of these has three objectives, plus an administrative objective with policies supporting each objective.

### DRAFT Town of Shelburne Municipal Planning Strategy Objectives



It shall be the policy of Council that this MPS and future amendments be guided by the following objectives:

### Economic Prosperity and Growth

- a. To encourage growth and economic opportunities for all
- b. To enable people and goods to move in an efficient and safe manner, by vehicle or active transportation
- c. To use and expand infrastructure in a safe and efficient manner

### **Social Development and Cultural Enrichment**

- a. To promote and support the development of a diverse and affordable supply of housing.
- b. To preserve, protect and enhance the special character of historic areas as a living monument to the Town's past.
- c. To ensure residents and visitors have access to a variety of recreational, cultural and artistic opportunities.

### **Environmental Preservation and Resilience**

- a. To build a climate resilience community while reducing climate related emissions
- b. To protect and enhance natural spaces to preserve ecological systems and natural beauty
- c. To ensure that development minimizes negative impacts on nearby residents and landowners.

### **Administrative**

- a. To ensure that all development is carried out in a safe and orderly manner

Each of these objectives is expanded on in the relevant section of this plan.

## **Approach**

The approach to the updating of the MPS and related documents is heavily influenced by the history of planning and development in the Town. The Town's previous MPS was created in the late 1980's and adopted in 1988. The plan had not been significantly updated between that time and the 2025 update. There had been amendments to the plan and there was a draft update prepared in 2001, but it was not approved.

The adherence to land use planning and development control in the Town has been mixed, depending significantly on the availability of staff with experience and time to undertake land use planning and development control. Review of previous drafts and amendments show the Town was focused on economic development, and removed regulations seen to be an obstacle to growth.

Based on the above, this plan and related documents are designed to be easy to understand and require few resources to implement and maintain. The plan will also look to minimize infrastructure costs where possible and reduce urban sprawl.

### **Methodology**

Updating the MPS and LUB was assigned to staff in the spring of 2024. Staff undertook a review of:

- Previous amendments, Council and the former Planning Advisory Committee minutes
- Statistical review (see above)

- Engaged with staff and stakeholders, including previous public engagements
- Development activity and processes
- Studies, reports and documents, including but not limited to:
  - Water and Sewer Studies, including
    - 1979 Sanitary Sewer Distribution and Treatment Plant Construction
    - 1985 Water Distribution Plan
  - Pavement Management Report 2001
  - Integrated Community Sustainability Plan (ICSP) 2010
  - Town of Shelburne Climate Change Action Plan 2014
  - Shelburne Infrastructure Study 2015
  - Stormwater Management Project 2016
  - Building Safe and Affordable Housing Shelburne County 2018
  - Coastal Protection Guidance 2020 Government of Nova Scotia
  - [CBCL May 2025 Report]

Existing MPS Policies were reviewed against the Statements of Provincial Interest (SPI) and to determine what updates would be needed based on changes since the plan was adopted. From there the objectives were developed to meet the expected policy needs. An initial draft was then created.

The Town also undertook an extensive public engagement program from August and October of 2025 which included:

- Group and bilateral interviews
- Community sessions; and
- Public survey

This resulted in engagement with over 150 Town residents engaged, as well as an additional 30 residents of the Municipality of the District of Shelburne.

For more information on the results of the public engagement, see [What We Heard Report: Shelburne Planning Documents and Town Projects](#) (November 12, 2025).

Revisions were made based on public input in December of 2025 and made public for final review in February of 2025.

A public engagement session with the draft documents was conducted February 17, 2026, prior to first reading on March 2, 2026.

## Review Period and Conditions for Review

This plan is intended to cover a ten year period from its adoption in 2026 and a population of 1,700-2,300 persons. A review in 2036 is recommended, but this plan does contemplate development until 2046.

The plan may also be amendment where there are amendments to the Land Use Bylaw as requested by a land owner that require concurrent amendments to this plan.

### **Policy ADM 1 – Plan Review**

Review of this plan is recommended where:

- a landowner proposes amendment to the maps or text of the Land Use Bylaw that is in conflict with this Plan;
- Council decides it would be prudent to amend this plan;
- Ten (10) years following its adoption;
- Where the Town's population exceeds 2,300 persons; or
- this Municipal Planning Strategy is found to be inconsistent with the Municipal Government Act or the Statements of Provincial Interest.
-

# Economic Prosperity and Growth

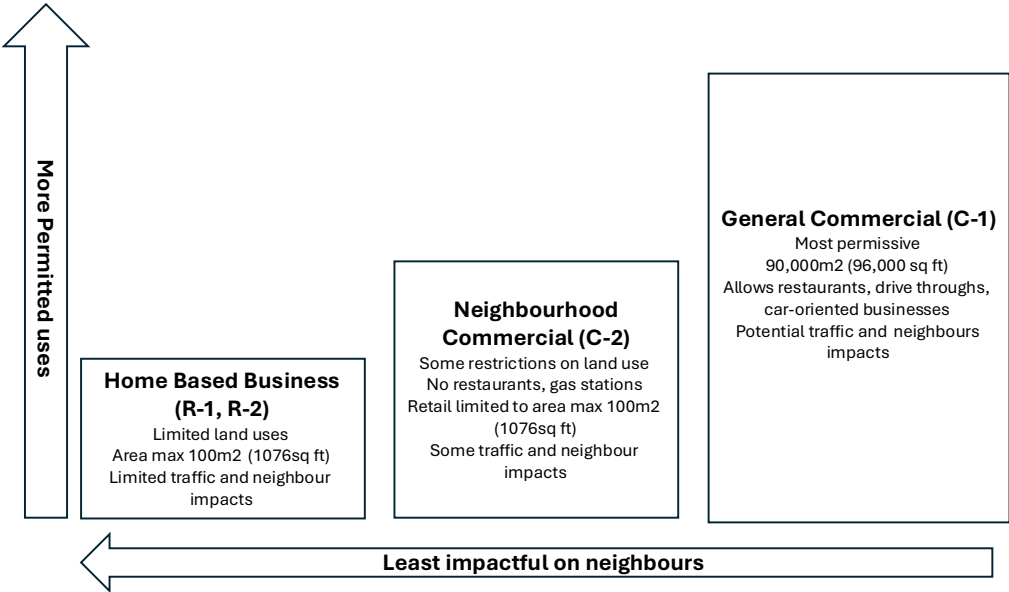
## Economic Development

**Objective: To encourage growth and economic opportunities for all**

Generally speaking, commercial land use has developed around two principal streets – King Street which runs in a roughly east/west direction and Water Street which runs in a north/south direction. This commercial area has a mix of older pedestrian oriented businesses and newer car oriented businesses, as well as some single unit dwellings.

There are two commercial zones, divided primarily based on impact to the surrounding neighbourhood and if the businesses will generate significant traffic. Commercial General is a very permissive, but potentially impactful zone as it permits larger land uses with greater potential to cause nuisance such as noise. Neighbourhood Commercial is more restrictive in uses, but as a result should have less of an impact on neighbouring lands, which could include residential properties.

As businesses grow, they may need to consider a rezoning, or moving to a site better suited to their growing needs, and impacts on neighbouring residents. Below is a chart outlining three types of commercial approvals under this plan:



## Commercial General (C-1)

The Commercial General C-1 zone is intended to be the most permissive commercial zone allowing a broad range of land uses. Uses may include gas stations, grocery stores, restaurants and other larger commercial developments. Given the potential impacts of larger commercial development, The C-1 zone will be limited to major streets and existing commercial areas in Town.

Drive throughs can create significant traffic issues and noise impacts to nearby residents. To help mitigate those impacts the Town will require a site plan to ensure there is sufficient space for waiting vehicles and sufficient buffering from nearby residents.

Larger commercial developments, over 2,500 m<sup>2</sup>, can also have significant impacts on nearby residents, are more likely to require utility connection and have the potential to create stormwater management issues. To help resolve these issues, approvals for larger commercial developments will be site plan.

For more information on Adult Entertainment and Commercial developments over 9,000m<sup>2</sup> see Administration - Development Agreements.

### **Policy COM 1– Commercial General Zone**

It shall be the intention of Council to establish the C-1 General Commercial Zone within the area designated Commercial on Map 1, the Generalized Future Land Use Map and permit any commercial use up to 2,500m<sup>2</sup> (26,000 sq ft), and residential uses permitted in General Residential R-2, excluding:

Adult entertainment

Casinos

Drive throughs

The following uses are permitted by site plan approval:

Any commercial use up to 9,000m<sup>2</sup> (96,000 sq ft), excluding adult entertainment and Casinos

Drive throughs

## Neighbourhood Commercial (C-2)

Small businesses are an important part of vibrant and prosperous economy. The Neighbourhood Commercial zone is intended to support small businesses while minimizing impacts on neighbouring residents. To minimize impacts, the uses will be limited, and some uses will be limited by size.

Areas of Town that are currently residential and designated residential on the Generalized Future Land Use Map would be eligible to be rezoned neighbourhood commercial. This means that this zone could

be found in predominantly residential areas, increasing the need to be sensitive to impacts on nearby residents.

The Neighborhood commercial zone can also be mixed use, with the same residential permissions as Residential General (R-2).

#### **Policy COM 2 – Neighbourhood Commercial Zone**

It shall be the intention of Council to establish the C-2 Neighbourhood Commercial Zone within the areas designated Residential or Commercial on Map 1, the Generalized Future Land Use Map and with the following permitted uses:

- Office
- Artisan workshop and/or gallery
- Personnel services
- Medical services
- Craft Food and Beverage Production
- Retail - up to 100 m<sup>2</sup> (1076 square feet)
- Take out food establishments, excluding drive throughs
- Visitor Accommodations, up to 4 units
- Uses permitted in General Residential R-2

#### **Home Based Businesses**

Home based businesses offer an opportunity for small businesses to start and operate in a residential zone. Given the potential proximity to other residential properties, Home Based Businesses will be subject to limitations on land use, size of uses and other criteria. This will help prevent issues with neighbours including noise and parking.

#### **Policy – COM 3 – Home Based Businesses**

It shall be the intention of Council to permit home based businesses in the R-1 Single Unit Residential and R-2 General Residential zones with the following permitted uses, limited to 25% of gross floor area of a residence and not exceeding 100 m<sup>2</sup> (1076 square feet) :

- Office
- Artisan workshop and/or gallery
- Personnel services
- Clinics/medical services
- Craft Food and Beverage Production
- Visitor Accommodations, up to 2 units

Additionally, Home Based Businesses shall:

- Not have signage larger than five (5) square feet and shall not be illuminated, unless permitted under the land use bylaw
- Not have more than one (1) additional employee on-site
- no more than two vehicles associated with the business may be parked at the residence overnight.
- Be owned and operated by the occupant of the residence, except for Visitor Accommodations which are permitted without the owner occupying the residence;
- Visitor Accommodations may be operated by a non-occupant owner. Where the owner does not occupy the dwelling the use shall be limited to one (1) Visitor Accommodation unit and the area limitations do not apply.

Home businesses that need additional space should consider applying for a rezoning to C-2 Neighbourhood Commercial.

## Industrial Zone (M-1)

The Town of Shelburne has a history of industrial development, ranging from ship building on the waterfront to lumber mills to light manufacturing. However, the number of industrial developments and jobs in manufacturing have declined over the past 25 years, and there are an increasing number of former industrial sites that are being used for commercial purposes.

Scrapyards are not permitted in the Town due to potential for groundwater contamination and challenges with ensuring setbacks for noise, odour and visual impacts in a smaller urban center.

### **Policy – IND 1 – Industrial Zone M-1**

It shall be the intention of Council to establish the M-1 Industrial Zone within the area designated Industrial on Map 1, the Generalized Future Land Use Map and permit any industrial or permitted commercial uses in the General commercial C-1 zone, up to 9,000m<sup>2</sup> (96,000sq ft), excluding:

Chemical plants or Refineries

Scrapyards

Residential Uses

### **Port of Shelburne**

The Port of Shelburne is a community asset and vital to the local economy. The Town has a long maritime tradition, and that continues today with the Port of Shelburne. The port supports the local fisheries and has played an increasingly important role in supporting cruise ships that are looking to stop in Town. The past cruise ships have been a major boost to tourism, local businesses and the tourist

attractions. The Town is also looking to support industry with the ongoing exploration of rare earth elements nearby Town.

The Port is a unique land use in Town. Expansions to the Port are also under consideration, with significant port improvements potentially impacting nearby landowners.

## Transportation

**Objective: To enable people and goods to move in an efficient and safe manner, by vehicle or active transportation.**

Development within the Town of Shelburne has progressed for more than two centuries on, more or less, the same grid pattern that was originally laid out by British military engineers. This was, in effect, the first town plan for Shelburne. Today, the Town of Shelburne's street network consists primarily of an incomplete grid pattern and other streets that connect to the broader community and the main transportation route, Highway 103.

The Town has approximately 27 km of local streets and 5 km of collector streets, almost entirely paved.

The Town is primarily car-oriented, with 87.1 % of all commuters originating in Town driving, either as a driver or a passenger, to work. This is aligned with Provincial rate of car commuting of 87.4%. 9.4% of commuters in Shelburne walk to work, well above the provincial average of 5.6%. 70% of all commutes in Town originating in Town are under 15 minutes, with 85% under 30 minutes. 3% of commuters originating in the Town commute more than an hour.

The Town has a relatively small walkable layout and with a walk from the north to south town boundary taking roughly an hour covering 5.3km via pedestrian routes.

See Map C – Transportation for more information.

## Active Transportation

Active transportation is using a person's own power to get from one place to another. This includes:

- walking
- biking
- skateboarding
- in-line skating/rollerblading
- jogging and running
- non-mechanized wheel chairing
- snowshoeing and cross-country skiing

Active transportation benefits residents health, creates a more efficient transportation system, reduces emissions from vehicles and reduces travel cost to residents.

The Town has a mix of existing active transportation infrastructure, including asphalt and concrete sidewalks, and the rail trail that runs through the Town. The Town also has informal bike lanes on Water and King Streets. There are areas of Town that do not have nearby access to active transportation, and pedestrian traffic shares the sometimes narrow roadway with vehicle traffic.

A minimum grid approach is where a municipality creates a grid of infrastructure that provides access to major designations, such as the waterfront, schools, the mall and extends to within a certain radius of most residents. With the Town's existing active transportation infrastructure there are only a few gaps: the south end Town, from Prince Street to George Street, except residents near the rail trail; and the northern portion of Town near Elliot and Transvaal Street.

#### **Policy T1 – Active Transportation**

It shall be the policy of Council to support Active Transportation and develop a minimum grid for active transportation system.

### **Accessibility**

With an aging population there is increasing need for accessible infrastructure. Accessible infrastructure is also beneficial to others, such as those with children in wheeled strollers and those with limited mobility. The Town has a role to play in regulating parking, including accessible parking and general Town infrastructure, such as parks and Town owned buildings.

The Province has also directed municipalities through the Built Environment Accessibility Standard to ensure minimum accessibility standards will be met.

#### **Policy T2 – Accessibility**

It shall be the policy of Council to require accessible parking stalls, or cash in lieu of parking, for new developments, as stated in the Land Use Bylaw and for the Town to follow the Built Environment Accessibility Standard.

### **Streets**

The street sizes and components, such as sidewalks, are not standardized. The Town has streets that are paved to a 18-20 foot standard, the minimum for 2 way traffic, and some that are closer to the 26-28 foot (7-8m) modern standard for a two way road. Sidewalks are a mix of asphalt and concrete. There are also many unopened street right of ways in Town, from a time when the Town was expected to grow and follow a strict grid pattern.

The Town will look to improve the traffic safety and capacity of its streets, in particular as new development occurs and increases traffic. Residents have noted areas of Town where traffic safety is a concern. The Town will look at adopting standards that promote a safe traffic environment for pedestrians and vehicles.

#### **Policy T3 – Streets**

It shall be the policy of Council to develop public street standards and improve streets to support a minimum grid system for vehicles.

All lots must front onto a public street in towns under the Provincial Subdivision Regulations. Given this and the prevalence of public streets and unopened rights of way in Town, new private streets are not permitted.

Outside of the existing grid of streets, Town streets tend to be long with few cross connectors to promote efficient development patterns and a walkable, permeating transportation network. To help ensure that parts of the Town do not become cut off from public streets and enable future development, the Town will require space be reserved for future street connections in certain parts of Town.

Further, given the Town has significant existing road infrastructure and unopened right of ways, existing roads and rights of way should be used before extending or expanding the road network.

#### **Policy T4 – Existing and Connector Streets**

It shall be the policy of Council to encourage the use of existing streets, including unopened streets, and require applicants for subdivision to reserve space for future streets on: Wrights Road, Ohio Road, Falls Lane, Annapolis Road and Morven Road.

## Parking

Vehicle parking has been a growing concern in parts the community, especially in the urban core of the community, from Dock to Digby Streets and Buckley to George Streets. In other parts of the Town, the narrow streets prevent on street parking. The Town also recognize the Historic Waterfront was not designed for modern vehicles.

With an aging population and to enable access for all persons, the Town will be requiring accessible parking for all developments over a certain size. Details on parking can be found in the land use bylaw.

#### **POLICY T5 – Parking Requirement**

It shall be the intention of Council to require a minimum number of vehicle and accessible parking stalls, or cash in lieu of accessible vehicle parking, in the Land Use Bylaw.

## Infrastructure

**Objective: To use and expand infrastructure in a safe and efficient manner**

The Town has existing potable water, sanitary sewer and stormwater infrastructure.

Using existing infrastructure increases efficiency and reduces the need for costly expansion to the Town's infrastructure systems. Using existing infrastructure, as opposed to building new infrastructure also aligns with the Statements of Provincial Interest regarding Infrastructure:

1. Planning documents must promote the efficient use of existing infrastructure and reduce the need for new municipal infrastructure. Measures that should be considered include:
  - (a) encouraging maximum use of existing infrastructure by enabling infill development on vacant land and higher density development;
  - (b) discouraging development from leapfrogging over areas served by municipal infrastructure to unserved areas;
  - (c) directing community growth that will require the extension of infrastructure to areas where serving costs will be minimized. The use of practical alternatives to conventional wastewater disposal systems should be considered;

The Town has a significant number of lots that have street and sewer access but are undeveloped but could be used for infill developments. Infill development refers to developing, filling in, lands that are currently vacant, but typically have other developments nearby. The Town aims to promote the use of these lots as they will cost less to service as the infrastructure exists. This also helps ensure the infrastructure systems remain efficient and compact, along with urban development. Compact urban form has a number of advantages, from enabling a walkable community to reducing the climate related emissions to providing more efficient use of land for housing.

This plan is intended to guide and regulate growth of infrastructure, but costs associated with expansions will need to be considered carefully. Additional work on determining a fair method for cost sharing is needed.

## Water

Many properties are connected to the Town's sanitary sewer system, however few are connected to the municipal water system. The Town has sought to increase the number of properties connected to the water system as there are areas of Town where low water usage can cause issues with water standing in pipes longer than recommended.

Expansion of the Town's water system is expected to service new higher density developments. It has been the policy of Council for many years to expand the water system to more residential and businesses in Town. This has been hampered by a lack of growth.

The Town will also look to implement water connection standards, including requiring backflow prevention devices, in the Land Use Bylaw and town engineering standards.

Aligning the Town's water system with its sewer system also aligns with several of the Statements of Provincial Interest regarding infrastructure including:

1. Installing municipal water systems without municipal wastewater disposal systems should be discouraged.

#### **Policy W1 – Municipal Water System**

It shall be the policy of Council to expand the municipal water system only to lots that are currently served by the Town’s sanitary sewer and to lands identified in this planning strategy on Map A, subject to engineering and cost feasibility to be defined in the Town Water Bylaw.

### **Sanitary Sewer**

As with many smaller municipalities the Town has a combined sanitary and stormwater systems in parts of Town. This means that sewage from homes and businesses is combined with stormwater collected during a rain event through storm drains on streets or in some cases from downspouts connected to the Town’s sewer system. Combining the sanitary wastewater and stormwater can result in the sewer system becoming overwhelmed and raw sewage discharged into the harbour. This can cause environmental issues, and potentially damaging to municipal infrastructure.

The Town will also be exploring and implementing new sewer connection standards to ensure that waste, such as commercial wastewater from restaurants or other uses that generate significant wastewater, is treated on site and/or the impact on the Town’s sewer system is reduce and/or mitigated prior to discharge into the Town’s sewer mains.

The Town will continue to require development near sewer mains to connect to protect local water supplies. The Town will also require sewer main extensions where there are water main extensions, which is in keeping with the Statements of Provincial Interest encouraging sewer and water system alignment.

#### **Policy W2 – Municipal Sanitary Sewer**

It shall be the policy of Council to:

- Require the use of the existing sanitary sewer system for all development located within 30 m (100 feet) of the Municipal Sanitary Sewer System, in keeping with the Town’s Public Sewer Bylaw; and
- To extend sewer mains in conjunction with water main extensions under Policy W1 and subject to engineering and cost feasibility in keeping with the Town’s Public Sewer Bylaw.

### **Stormwater**

The stormwater system is varied; in some parts of Town the stormwater system is a ditch leading to a brook, in other parts its buried pipe leading to the Harbour. The stormwater system has been added onto incrementally and has not previously been regulated through the planning process.

The 2010 report on South End Drainage and 2016 Stormwater Management Project highlighted the increasing strain on the Town’s stormwater system and the need to expand the Town’s stormwater

system. The 2016 report also stated that there was limited concerns at the time regarding private stormwater issues, such as pooling water after precipitation events or erosion from unmanaged stormwater.

With the combined sanitary and stormwater systems in certain parts of Town, and increasingly intense rain events, stormwater management will be an important aspect of infrastructure planning for both the Town and landowners.

Where possible stormwater should be managed on site. This reduces the potential impacts not only on the Town's stormwater system but also potential impacts on adjacent properties. Properties are close to the Town's piped stormwater may be required to connect to the stormwater system depending on local conditions and capacity.

The Town will look to the site plan process to help with regulation of stormwater, in particular where there is a significant amount no non-permeable surfaces proposed.

The Town will also explore using natural assets, such as existing brooks and wetlands, to help manage stormwater across Town.

**Policy W3 – Stormwater**

It shall be the policy of Council to :

1. Regulate on site stormwater management in the Land Use Bylaw; and
2. Examine ways to upgrade the Town's stormwater infrastructure to address increased precipitation due to climate change.

# Social Development and Culture Enrichment

## Housing

**Objective:** To promote and support the development of a diverse and affordable supply of housing.

Housing, especially affordable housing, is an increasing concern for residents. The 2018 Building Safe and Affordable Housing noted that 69% of renters throughout Shelburne County have difficulty finding housing to meet their needs. The situation has worsened as housing prices have increased. As outlined above in the Housing Needs section, there will be a need for 125 new housing units to support expected growth.

### Affordable Housing

One important, but complex piece of affordable housing is how to define it. The Canadian Mortgage and Housing Company (CMHC) has defined housing as being affordable where a household spends 30% or less of gross income on housing. Building on that, the Town will use a basket approach using local income levels and thresholds to develop a definition of affordable housing. For example, the Town has a low income tax policy which specifies a household income for homeowners to be eligible for tax relief; Statistics Canada provides income related data such as median income of a single parent household.

By defining affordable housing, the Town can enact policies, programs and track progress on making housing more affordable.

#### **Policy H1 - Affordable Housing**

It shall be the policy of Council to define the terms Affordable Housing in the Land Use Bylaw and to enact policies to promote, encourage and support Affordable Housing.

### Single Unit Residential R-1

The Single Unit Residential zone is intended for smaller buildings, such as mobile homes and tiny homes, individually located on smaller lots, in part to improve affordability. This style of development also can allow for relatively higher densities, creating efficiencies in the provision of municipal infrastructure. It replaces the Residential – Mobile home designation.

#### **Policy RES 1– Single Unit Residential R-1**

It shall be the policy of Council to establish a Single Unit Residential R-1 zone in areas identified as residential on the Generalized Future Land Use Map with the following permitted uses:

- Manufactured Homes
- Single detached dwelling
- Home based business
- Accessory buildings

- Institutional uses
- Park and Recreational Uses

## Residential General R-2

The residential general zone makes up the majority of the lands zoned residential. It is intended to be broadly permissive of lower density residential developments.

Accessory dwellings, sometimes called secondary suites, are additional residential unit(s) in addition to a primary unit, usually a single detached home and takes the form of a basement apartment, garden suite or other unit located on the same lot as the primary unit. Accessory dwelling units can greatly improve housing affordability as the accessory unit is usually rented average apartment prices as the units have limitations (underground, smaller size), but the primary unit also benefits from the additional income.

Accessory dwellings are permitted in the R-2 zone, and are treated as a standard residential unit, subject to setback, parking and other requirements under this plan and the Land Use Bylaw.

### **Policy RES2 –Residential General R-2**

It shall be the policy of Council to establish a Residential General R-2 zone in areas identified as residential on the Generalized Future Land Use Map with the following permitted uses:

- Single detached dwellings, up to 4 units per lot
- Duplex and semi-detached dwellings, up to 4 units per lot
- Rowhouse and Apartment buildings, up to 4 units per lot
- Home Based Businesses
- Accessory buildings
- Institutional uses
- Park and Recreational Uses

The following uses are permitted by site plan approval:

- Single detached dwellings, up to 6 units per lot
- Duplex and semi-detached dwellings, up to 6 units
- Rowhouse and Apartment buildings, up to 6 units per lot

## Residential Apartment R-3

Higher density apartments have been limited to certain areas of Shelburne to promote a vibrant walkable town center and make efficient use of infrastructure. This is also to protect more sensitive areas, such as the Historic Waterfront and established lower density neighbourhoods, from more intensive land uses and ensure the character of these areas is not compromised.

Pocket communities, a type of residential development found in town where there is a cluster of buildings around a common driveway, are permitted by site plan approval in the R-2 General Residential zone (up to 6 units) and up to 75 units per Hectare in the R-3 Residential Apartment zone.

**Policy RES 3 –Residential Apartment R-3**

It shall be the policy of Council to establish a Residential Apartment R-3 zone in areas identified as residential or commercial on the Generalized Future Land Use Map with the following permitted uses:

- Single detached dwellings, up to 4 units per lot
- Duplex and semi-detached dwellings, up to 4 units per lot
- Rowhouse and Apartment buildings, up to 6 units per lot
- Boarding or Rooming House, up to 6 rooms
- Accessory buildings
- Institutional uses
- Park and Recreational Uses

The following developments are permitted by site plan approval in the Residential Apartment R-3 Zone, subject the requirements of this bylaw:

- Single detached dwellings, 5 or more units per lot
- Duplex and semi-detached dwellings, 6 or more units pe lot
- Apartments and Rowhouse up 65 units per Hectare (26 units per acre)
- Permitted commercial uses in Neighbourhood Commercial C-2, except for visitor accommodation; and retail space limited to 100 m2 (1076 square feet) or the ground floor of an apartment building of 4 or more units.
- Developments of 7 or more residential units must be connected to the Town’s water system or have entered into an agreement to connect to the Town’s water system prior to site plan approval.

**Policy RES 4– Residential Apartment R-3 Criteria**

It shall be the policy of Council when considering rezoning lands to Residential Apartment R-3 that the following criteria be adhered to:

Not be located in the Historic Waterfront as identified on Map A of this Plan;

Have access to a Town watermain and sewer with sufficient capacity to support the proposed rezoning; or has entered into an agreement with the Town to extend/expand Town water and sewer.

## Rural Unserviced R-U

The rural unserviced zone primarily contains large undeveloped lots in a natural forested state. Some lots are without street access or with poor frontage onto public streets and none have access to the Town's sanitary sewer or water system.

Although there are a number of permitted residential and commercial uses, no significant development is expected on in the rural unserviced without extension of public streets and rezoning. To be rezoned potential infrastructure and street extensions would need to be considered by the Town.

### **Policy RES 5 –Rural Unserviced (R-U)**

It shall be the policy of Council to establish a Rural Unserviced R-U zone in areas identified as Rural Unserviced on the Generalized Future Land Use Map with the following permitted uses:

- Single detached dwellings, up to 4 units per lot
- Duplex and semi-detached dwellings, up to 4 units per lot
- Accessory buildings
- Institutional uses
- Park and Recreational Uses
- Permitted commercial uses in Neighbourhood Commercial C-2

## Heritage

**Objective: To preserve, protect and enhance the special character of historic areas as a living monument to the Town's past.**

The Town of Shelburne has a long, rich history, with many historic buildings throughout Town, including along the Waterfront where in addition to the historic buildings, the smaller scale, pedestrian friendly streets add to the special character and charm of the area.

The Town will continue to work on ways to preserve and enhance the Town's heritage, including encouraging landowners throughout Town to consider Municipal Heritage Registration.

### **Policy HIS 1 – Heritage Building Registration**

It shall be the policy of Council to encourage landowners to consider applying to be a Municipally Registered Heritage Property under the Heritage Property Act, and for the Heritage Advisory Committee to recommend to Council if the registration is warranted.

## Historic Waterfront H-W

The historic waterfront area is a community asset and special part of town. Bounded roughly by Water Street to the East, King Street to the North, St. George Street to the South and the Harbour to the West, this is an area of historically significant buildings, small lanes and open access to the water, all of which

contribute to the special character. Because of the special nature of this area, the Town intends to apply a separate designation and control land use in a more detailed way.

An outline of the Historic Waterfront area can be found on Map A.

**Policy HIS 2 – Historic Waterfront H-W**

It shall be the policy of Council to establish within the Historic Waterfront area as shown on the Generalized Future Land Use Map with the following permitted uses:

- Office
- Artisan workshop, museum and/or gallery
- Personnel services
- Clinics/medical services
- Craft Food and Beverage Production
- Retail
- Restaurants, bars, take out establishments
- Hotels and visitor accommodations up to 10 rooms
- Residential uses permitted in R-2

The Historic Waterfronts special character stems in large part from the built form; the smaller pedestrian scale, limited setbacks, wood exteriors and fences. To protect and enhance the special character of the waterfront, additional regulations on signs, fences, and the exterior appearance of all buildings and structures. This includes ensuring fences, signs and accessory structure do not detract from Historic Waterfront.

The Historic Waterfront also has many open spaces, private and public lands that are largely undeveloped areas of grass and gardens. These spaces contribute to the special character of the area, showcasing houses with intact yards and accessory buildings, but also provide space for informal stormwater management. Except along Dock Street, the Historic Waterfront also has a tree canopy, provided by many mature trees. These large trees provide shade, absorb stormwater and contribute to a more pedestrian friendly environment.

Part of the historic nature of the waterfront area is the lack of car friendly infrastructure, such as wide streets and large parking lots. To protect this aspect of the historic waterfront, the Town will not be requiring vehicle parking, excluding accessible parking, in the Historic Waterfront.

Adaptive reuse of buildings is where a building is reused for a use that was not originally intended. Industrial loft style development, an old schools converted to apartments, and houses converted to commercial spaces are examples of adaptive reuse. The Town encourages adaptive reuse of heritage buildings.

**Policy HIS 3 – Historic Waterfront Regulations**

It shall be the policy of Council to additional regulations to protect the special character of the H-W Historic Waterfront Zone, including regulations regarding:

- architectural style;
- building length to width ratio;
- height;
- roof shape;
- appearance of exterior cladding and roof materials; architectural details and trim;
- shape and size of porches, doors and windows; window area to wall area ratio; and
- accessory buildings;
- outdoor storage;
- fences; and
- Signs

## Recreation and Culture

**Objective:** To ensure residents and visitors have access to a variety of recreational, cultural and artistic opportunities.

The Town's waterfront is a well used community asset, enjoyed by both residents and visitors. The waterfront is primarily an open passive recreational space, offering seating and walking along the coast. The Town has also begun to use the space to host events, such as Dock Street Days, the Pumpkin Regetta and Miracle on Dock Street.

Adjacent to the waterfront area is Water Street, which between King and George Streets is a broad commercial street with a variety of businesses and buildings, with a strong street wall, promoting the main street feel of the area. The area has benefited in the past from beautification/revitalization efforts; and a number of plans were created in the early 1990's outlining potential revitalization of the Dock and Water Street area.

The Town has several parks ranging from larger parks such as the Roger Grovestine Recreation Complex to Graham Huskison Park, an urban park with splashpad. There are additional parks on Parr St, Acker Ballfield, as well as park space at Hillcrest Academy.

The Town has parkland in most developed areas of the Town, the exception being the northern part of Town in the Ohio Road, Falls Lane, Wrights Road and Minto Street areas.

Given the Town's generally has sufficient land for parks and a significant amount of the in Town has been already been subdivided, the Town will not be requiring parkland dedication as part of the subdivision of land. This will also help improve housing affordability.

Council encourages all applicants to consider the inclusion of Public Art in new developments, in keeping with the Town's Public Art policy.

**Policy REC 1 – The Waterfront, Parks, Recreation and Culture**

It shall be the policy of Council to:

- Promote and enhance the Waterfront area as coastal recreational area and event space;
- Enhance and beautify the Water Street area as the Town’s main street;
- Protect and enhance parks and recreational spaces across Town;
- Work with stakeholders to provide recreational, cultural and artistic opportunities; and
- Encourage public art installations and spaces as part of new developments.

# Environmental Preservation and Resilience

## Climate and Coastal Protection

### **Objective: To build a climate resilience community while reducing climate related emissions**

Climate change is a result of the earth's temperature rising due to increased carbon dioxide emissions, commonly referred to as greenhouse gases (GHG), produced by human activity. GHG are emitted from a variety of sources including driving, producing electricity, heating and cooling buildings, operating appliances and equipment, manufacturing and transporting goods, and providing services and transportation for communities. The impacts of climate change can range from hotter and drier summers that increase risk of wildfire and drought, to increased extreme weather events such as hurricanes and rainstorms that put communities at risk of flooding and erosion.

Nova Scotia has already begun experiencing the harsh realities of our changing climate. The 2023 wildfires in Shelburne County burned more than 23, 500 hectares and damaged or destroyed 60 structures. In the same year, a wildfire in Halifax County burned hundreds of hectares of forest, destroying upwards of 150 homes, and Lunenburg and Annapolis County both experienced severe flooding events that resulted in extensive road wash outs and loss of life. With more severe storms and weather to be expected in coming years, it is important that municipalities recognize that Nova Scotia is not exempt from the extreme impacts of climate change and that we must act to mitigate and adapt to climate change.

The Town is key partner to assist the provincial and federal implement climate policies. Some key ways that municipalities can address climate action is through mitigating greenhouse gas emissions through decisions that impact community energy use such as land use, transportation and green development standards. Municipalities can provide climate accountability and leadership through implementing detailed climate action plans outlining key steps the community can take to address climate change.

### **Climate Adaptation**

The Town is experiencing the effects of climate change. There are increasingly intense precipitation events that are taxing the Town's stormwater and sanitary sewer infrastructure. The Town has begun upgrades to infrastructure in anticipation of climate impacts, including increased sea levels and storm surges.

Additionally, the Town can expect more intense storms with strong winds, heatwaves, droughts and risk of forest fires. The Town will need to continue to find ways to adapt to the changing climate.

With increasing temperature will come an increasing the number, and intensity of heatwaves. The Town will look to provide shaded public spaces in parks and encourages landowners to provide shaded spaces where appropriate.

The massive Barrington Lake wildfire of 2023 in Shelburne County, which temporarily displaced half the County, demonstrated that forest fires are a significant concern for the region. Ensuring properties are well maintained, with minimal flammable debris such as downed trees or dry underbrush, can be an important aspect of reducing fuel for forest fires. The Town will work proactively with stakeholders to ensure the Town is prepared in the case of forest fires.

While the town has a central water system, but it reaches less than half of all residential properties, with many residents in Town reliant on shallow dug wells. These shallow wells have shown vulnerability to increasing long periods without rain, or times when what little rain comes is in short intense rain events that do not allow rainwater to recharge groundwater supplies. Expansion of the water system will reduce the potential impacts of drought.

### **Policy CLM 1 –Climate Change Adaptation**

It shall be the policy of Council to enact policies and take actions to ensure the Town is resilient to climate change, including:

- Encouraging residents and businesses to ensure their stormwater is managed on site, where possible;
- Working proactively with stakeholders to ensure the Town is prepared in the case of forest fires;
- Providing shaded public spaces where possible; and
- Encouraging residents and businesses to connect to the Town’s water system

### **Climate Change Mitigation**

The Town, its residents and businesses have a relatively small impact from a greenhouse gas emissions standpoint, however it is important that everyone work to reduce climate related emissions to reduce the need for sometimes costly climate adaptation projects.

There are a number of ways the Town’s growth and land development can have a climate impact. Promoting Active Transportation and compact development helps reduce transportation related emissions.

The Town has significant stands of mature trees, which help store carbon. Maintaining these trees and vegetation will help keep and increase the carbon captured, reducing emissions.

The Town is currently working to better understand its climate impacts by taking an inventory of climate related emissions. With the inventory, Council and the public will have a better understanding of the Town’s Climate impacts, and how to meaningfully reduce them. This inventory will need to be updated periodically to understand track progress on emission reductions going forward.

### **Policy CLM 2 –Climate Change Mitigation**

It shall be the policy of Council to reduce climate related emissions by:

- Promoting compact development and use of the existing street network;
- Encouraging the development of an active transportation network;
- Encouraging the retention of trees and vegetation through the development process;
- Maintaining an inventory of climate related emissions from Town owned sources; and
- Exploring ways to reduce climate related emissions from Town owned sources.

Natural spaces, such as woodlands and wetlands, can also absorb and retain carbon, reducing climate change impacts. Retaining natural spaces and encouraging tree protection and planting will help reduce the impacts of climate change.

## Coastal Protection and Flooding

The Coastal areas of Town are at risk of rising sea levels, increasing storm surge and related erosion. Coastal protection and flood risk planning are newer and sometimes controversial, as shown with the Province’s extensive work on the unproclaimed Coastal Protection Act.

The Town’s waterfront also is home to many historic buildings and the waterfront area is a community asset. This makes implementing coastal protections both important and complex. The Town intends to engage with landowners, relevant professionals and the public regarding potential additional regulations that could be implemented for coastal properties.

The Town aims to use the Government of Nova Scotia’s coastal flood mapping to help determine the extent of the coastal protection area. The Land Use Bylaw will reference the 2100 worst case scenario prepared by the Government of Nova Scotia as the current coastal protection area.

The Town will also be considering the impacts of over land flooding that originates from high water levels in brooks and rivers. A similar approach to coastal flooding will be taken, recognizing action is needed, but the issue is complex.

### **Policy CLM 3 –Coastal Protection and Inland Flooding**

It shall be the policy of Council, through the Land Use Bylaw, to establish the Coastal Protection and Inland Flood Planning Area Map identifying lands that are subject to additional regulation in the Land Use Bylaw to ensure that people and property are not at risk of coastal and/or inland flooding. Those additional regulations shall include exemptions and/or relaxations as identified in the Land Use Bylaw.

## Natural Spaces

**Objective:** To protect and enhance natural spaces to preserve ecological systems and natural beauty

The natural environment provides ecological services, from removing water contaminants and floodwater retention in wetlands to carbon capture, wildlife habitat, and potentially harvesting of

timber in wooded areas, there are many examples where preservation of ecological systems holds great benefit.

There are numerous small and medium sized wetlands in the Town. These wetlands provide important ecological functions such as stormwater retention. Wetlands are primarily regulated by Nova Scotia Environment. Where a proposed development is expected to impact wetlands, applicants should contact Nova Scotia Environment.

The Town is home to many brooks (small watercourses) that generally run east to west, following the topography before draining into the harbour. These brooks provide vital stormwater drainage for the Town, but could also be the source of flooding. The brooks are also enjoyed by residents for their aesthetic value. These brooks, and the land they cross, may need to be examined to determine the impacts of increased runoff from climate change and increased development.

There are also aesthetic considerations to retaining mature trees and landscapes. Access to natural spaces and viewing natural spaces have been shown to improve mental health and wellbeing.

Council encourages all applicants to consider the use of native plants in landscaping. Native plants use has a number of benefits, including supporting local biodiversity and native plants are generally more resilient than non-native plants. Use of native plants also eliminates the potential introduction of invasive species.

The Town will look to better understand the ecological systems it relies on, to ensure their protection and enhancement as needed to ensure those systems function.

#### **Policy NAT 1 – Natural Systems**

It shall be the policy of Council to

- Require the retention of mature trees, natural habitat and ecological systems as identified in the Land Use Bylaw; and
- Use native plants in Town projects and recommend the use of native plants for private landowner.

For development near water courses (brooks) or wetlands that alter those features, Provincial approval matters, will ensure the protection of the natural environment for all residents.

#### **Policy NAT 2 – Watercourses, Wetlands and Provincial Approvals**

It shall be the policy of Council to issue approvals involving alternations to wetlands, watercourses, or other areas of Provincial jurisdiction, following approval by the appropriate Provincial authority.

## Local Environmental Impacts and Development

**Objective:** To ensure that development minimizes negative impacts on nearby residents and landowners.

There can be negative impacts from development on adjacent properties, including: noise, odour and visual impacts. The site plan process can help with preventing and mitigating impacts of nearby development by requiring engagement with nearby landowners and requirements for buffering around solid waste storage areas, fencing and landscaping requirements.

### Potentially Contaminated Sites

As a Town with a long history, and industrial development in areas of residential growth, it is possible that there are contaminated sites in Town. The Town will encourage landowners to undertake property specific research and testing to understand if the lands are contaminated. The Town will consider support landowners in application for grants related to testing for suspected contaminated sites. Remediation work of any contamination would be the responsibility of the landowner. The Town would look to work with the landowner on land uses for the remediated lands.

#### **Policy NAT 3 – Potentially Contaminated Sites**

It shall be the policy of Council to encourage landowners with potentially contaminated lands to test their lands for contamination to better understand what if any contamination exists; to encourage remediation as needed; and promote adaptive reuse of formerly contained lands.

### Legal Non-Conforming

Legal non-conforming refers to a property where the existing use is legal, but does not conform to the land use bylaw. It is essentially a form of grandfathering, however expanding the grandfathered uses is generally not permitted unless otherwise stated in the Land Use Bylaw.

Concerns were raised especially about seasonal businesses that might be closed for more the 6 months. There were also concerns about businesses that operate intermittently could lose permissions to recommence a land use. This plan and the land use bylaw will extend the timeframe for recommencing a use from 6 to 12 months.

Structures that are damaged or destroyed and land use that are discontinued as a result, may be rebuilt to the extent they existed prior to the damage or destruction.

Where the Town has several older buildings that were built before modern surveying, and the number of encroachments of private structures and public infrastructure on land throughout Town. Where these structures existed on or before September 1, 1988, the passage of the Town's first Municipal Planning Strategy and Land Use Bylaw, those structures are grandfathered and may be expanded or altered despite not conforming with setbacks and/or land use provisions in the Land Use Bylaw.

#### **Policy LNC -1 – Legal Non-Conforming**

It shall be the policy of Council to relax provisions around Legal Non-Conforming structure and land uses including:

Allowing the recommencement of a non-conforming use of land after a period not exceeding 12 months;

Allowing non-conforming structures and uses to be rebuilt if damaged or destroyed;

Allowing existing non-conforming structures built before September 1, 1988 to be expanded and altered.

## Site Specific Provisions

As a community with a long history, the Town has several legacy businesses that have operated for decades throughout the Town. These businesses have provided jobs and important services to residents and businesses throughout the region. The business have a limited impact on nearby residents, including noise. These properties are subject to the noise bylaw and other Town bylaws. The Town aims to work with businesses and local residents near the site specific properties to mitigate negative impacts of existing development. Future developments in site specific areas may be subject to additional requirements, such as site plan approval.

### Policy LNC 2 – Site Specific Provisions

It shall be the policy of Council to have site specific provisions for existing uses on certain properties as outlined in the Land Use Bylaw, including the following PIDS:

PIDS 80144033, 80144041 (Huskilson Funeral Home)

PIDS 80143209, 80143092 (Harlow's Construction)

PID 80147002 (135 Ann Street)

PIDS 82570060, 80147168, 82569930 (Lou Acker's Machining and Repairs)

PID 80146897 (137 Hammond Street)

PIDS 80141351, 80141377 (Wildwood Motel)

PID 80146897 (60 Ann Street)

PID 80149040 (Hessel Handcrafted)

#### **Huskilson Funeral Home**

58 Bulkley Street

Located in a primarily residential area, the funeral home is a lower impact commercial use. The funeral home and related uses will be permitted to continue and expand within the Neighbourhood Commercial zone, in addition to permissions under the Neighbourhood Commercial zone.

PIDS 80144033, 80144041

### **Harlow's Construction**

108 King Street

Located on King Street near the Shelburne Mall, the site contains the region's only concrete plant and is essential for the region's construction industry. The plant has been operating for decades, with slow some residential growth north and south of the site.

PID 80143209, 80143092

### **135 Ann Street**

Currently used as a storage yard and warehouse, the large lot is surrounded by residential development. The current use will be permitted to continue and expand within the Neighbourhood Commercial zone, in addition to permissions under the Neighbourhood Commercial zone.

PID

### **Lou Ackers Machining and Repairs**

83 John Street

The site has been home to a machinist shop for decades and has been in operation before the previous 1988 bylaw was passed, and has been grandfathered for many years, despite non-conforming setbacks and encroachment onto Clement's St. There have been concerns raised about the impacts on the neighbouring properties since the 1990's. The land will remain industrial, but future expansions may be subject to site plan approval.

PIDS 82570060, 80147168, 82569930

### **137 Hammond Street**

This site has been used for small scale automotive repairs for decades, despite being in a primarily residential area, and was previously grandfathered. That use will be continued along with those permitted in the Neighbourhood Commercial zone.

PID 80146897

### **Wildwood Motel**

242 Hammond Street; 41 Minto Street

The Wildwood Motel has been in operation for decades, with residential properties developing nearby. There are two buildings on two lots, 242 Hammond Street and 41 Minto Street, each with a drive up style motel. The property will be zoned Neighbourhood Commercial with the added permission to allow for the current number of rooms.

PIDS 80141351, 80141377

### **60 Ann Street**

The property is used as a warehouse and has been for many decades. The property will be zoned Neighbourhood Commercial with the added permission for warehousing. It is relatively isolated from nearby residential properties, and is adjacent to the Shelburne Exhibition.

PID 80146897

### **Hessel Handcrafted**

80 Hammond Street

The property was recently bought and rezoned under the previous MPS and LUB to allow for a restaurant on site. The site is on Hammond St at the corner of Thomas, with good separation from all but one neighbour.

PID 80149040

# Administration

**Objective: To ensure that all development is carried out in a safe and orderly manner**

## Institutional Zone (I-1)

There are several institutional land uses in Town that do not conform to other land use types, these range from a long-term care facility to schools to the wastewater treatment plant. The Institutional Zone is intended to provide significant flexibility to enable a wide range of public uses.

The Fire Hall and Community Centre, located at 63 King Street, is one example of an institutional use in Town. The Town has a volunteer Fire Department that operates one fire hall and is considering developing a training facility.

Adherence to the site plan process is recommended, but not required.

### **Policy – ADM 2 – Establishing Institutional Zone**

It shall be the intention of Council to establish an Institutional Zone, permitted in any area designated 'Institutional' on the Future Land Use Map (Map A) and permitting any use related to a Public Service subject to the following criteria:

1. The proposed development must be in relation to a project that provides a public service and is owned or operated by: the Town of Shelburne; Government of Nova Scotia; Government of Canada or a Not For Profit that will provide service to local residents.

## Generalized Future Land Use Map

The Generalized Future Land Use Map (GFLUM) outlines a proposed future zoning map. Where a landowner is seeking a rezoning under the land use bylaw, the GFLUM indicates if that rezoning will also require an amendment to this plan. The GFLUM designations are intended to help guide landowners and Town decisions about future rezoning and overall growth. The GFLUM also acts to define and protect the historic waterfront zone.

### **Policy – ADM 3 – Generalized Future Land Use Map**

It shall be the policy of Council to use the Generalized Future Land Use Map A, as attached, to guide future land use bylaw amendments and amendments to this plan.

## Development Officer

The development officer(s) are responsible for the issuance of development permits, site plan review and approval of proposed subdivisions. The development officer must follow the Land Use Bylaw and may use the Municipal Planning Strategy to better understand and interpret the Land Use Bylaw.

### **Policy ADM 4 – Development Officer**

It shall be the policy of Council to appoint a Development Officer to administer the Land Use Bylaw and issue permits in accordance with the Land Use Bylaw.

## Application Standards

Standardizing application standards helps applicants and the development officer to quickly understand what is needed and evaluate the application against the land use bylaw. These standards shall apply to all development, but different standards may apply to different types of development.

### **Policy ADM 5 – Application Standards**

It shall be the policy of Council to state requirements when applying for development permit, variance, site plan, land use bylaw amendments in the Land Use Bylaw; for subdivision applications in the subdivision bylaw; and to require complete applications in keeping with the MGA s. 245.

## Intermunicipal Collaboration

The Town is open to collaborative planning with the Municipality of the District of Shelburne (MoDS). The two organizations share a number of services and share many goals. Future collaboration on land use planning may result in new documents or amendments to this plan.

The Town is committed to engaging with the MoDS on planning matters, and will be providing notice of certain applications to the MoDS.

### **Policy ADM 6 - Intermunicipal Notice**

It shall be the policy of Council to require the following notification standards when consulting with the Municipality of the District of Shelburne as required by the *MGA*:

Notification shall occur under the following circumstances:

- The creation or review of a Municipal Planning Strategy.
- The creation or review of a Land Use Bylaw.
- The creation or review of a Subdivision Bylaw.
- The preparation of amendments to a Municipal Planning Strategy, Land Use Bylaw, or draft a Development Agreement, where:

- the property is located within 500 metres of the Municipality Boundary, or
- the proposal is expected to have a direct impact on the infrastructure of the Municipality of the District of Shelburne.
- The preparation of amendments to a Municipal Planning Strategy or Land Use Bylaw, where the amendment is associated with the Statements of Provincial interest.

Notification shall be sent by regular mail or electronic mail to the Clerk of the adjacent municipality prior to any public notice starting the amendment or adoption process. The notice shall provide a general summary of the proposed work and provide an opportunity for the abutting municipality to submit comments on the proposal.

Comments received from the abutting municipality shall be considered at a Council meeting prior to Council giving first reading.

The notification and opportunity to submit comments prior to the date of the first reading shall be deemed as having solicited comments, regardless of whether a written response is received.

## Development Standards

Development standards help ensure orderly, standardized development that is in keeping with the character of the Town. This character varies throughout Town, and as such development standards will vary. Along Water Street between George and King Streets, buildings are close together creating a street wall, with minimal space on any side of the buildings. This is a contrast to the residential areas of Town that have a somewhat rural character, with large open or wooded spaces with buildings clustered together. This development pattern has been noted in Shelburne since the 1980s. It should be noted that across Town there are lots that do not conform with the Town's development standards, these developments are grandfathered (legal non-conforming) lots.

Yardage, references to the minimum requirements for the front, side and rear yards. This helps promote similar development to that found in Town. Separation of buildings and land uses can help reduce conflicts between landowners. The standards are also intended to allow for recreational opportunities to occur on private land, typically in rear or side yards.

Building coverage is an important aspect when considering stormwater management. It is also one aspect, along with yardage, that helps maintain the nature of the community.

Under the Land Use Bylaw, the Town will have a building height maximum, that excludes mechanical and other elements (see definitions – Height). This height restriction reflects the overall nature of existing development and the character of the community. Buildings along Water Street are near or slightly taller than 35 feet, but the majority of the Town's buildings are below 10.5m in height. As of the time of writing, the Town's tallest fire rescue ladder is 35 feet, re-enforcing the height restriction.

### **Policy ADM 7– Development Standards**

It shall be the policy of Council to establish development standards in the Land Use Bylaw and Subdivision Bylaw, which shall set out requirements for matters including:

- Lot size and dimensions
- Yard requirements, including setbacks and frontage
- Height of structures
- Maximum lot coverage

These standards shall apply to all development but different standards may apply to different types of development.

## Site Plans

The site plan process offers the Town a better tool for regulating larger, more complex and impactful developments. It also includes an opportunity for public engagement. This is balanced with minimizing the burden on applicants.

Site plans are to scale graphical representation of a site, similar to building 'blue prints', but for the site instead of the building. A site plan will include information on a variety of topics, from stormwater, to infrastructure and street connections.

### **Policy ADM 8 –Site Plan**

It shall be the policy of Council to require site plans for certain developments as defined in the Land Use Bylaw. The Development Officer to use the following criteria when evaluating site plans:

The development must:

1. Minimize the negative impacts of the proposed development, including buildings and signs, on the surrounding neighbourhood, including noise, lighting, shadows, or other nuisance or inconvenience to occupants of nearby residences, specifically:
  - a. Outdoor lighting is designed to light the structure, driveways and pedestrian infrastructure, but not trespass onto adjacent properties;
  - b. Shadows cast on adjacent properties should be minimized;
  - c. Noise generators, such as building air handlers, drive through queues and industrial facilities shall be located and buffered in a manner to reduce the noise impacts on adjacent properties;
2. Comply with the Heritage Property Act, where applicable
3. Retain existing vegetation where possible to provide mature landscaping and minimize the impacts of development on the surrounding neighbourhood;
4. Outline the proposed landscaping, including trees, hedges, shrubs, ground cover, including species section for non-native plants, fences, walls, other landscaping features and must not plant species identified by the Province of Nova Scotia as invasive species, to reduce impacts on adjacent properties and create greenspaces;

5. Minimize undue erosion and/or sedimentation, and other negative impacts on neighbouring properties from grading or alteration in elevation or contour of the land,
6. Minimize visual and noise impacts on nearby properties, through landscaping, fencing or a combination of both;
7. Ensure parking and loading is either behind the building, or appropriately screened from the street with landscaping to minimize the impacts of traffic, noise, lighting, or other nuisances;
8. Site accessible parking close to a building entrance without any barriers and in keeping with the Exterior barrier-free path of travel in the Nova Scotia Building Accessibility Checklist;
9. Provide pedestrian access(es) to link public sidewalks, if any, and parking areas to entrances of all primary buildings;
10. Ensure safe traffic flow, including but not limited to the protection of sightlines at intersections and driveways;
11. Meet engineering standards of the Town, including for sewer, water and stormwater connections, which may be required;
12. Ensure proposed stormwater flows do not damage adjacent properties or Town infrastructure;
13. Ensure the storage of solid waste does not create a visual nuisance or excessive odour and is separated or screened from residential development and public areas;
14. For site plans that contain multiple buildings:
  - a. Must ensure access for emergency vehicles;
  - b. Buildings are to be of similar architectural style and appearance, particularly if the existing structure is a heritage building,
  - c. Include pedestrian connections between buildings
  - d. Provide separation between buildings that is at least half the height of the tallest building;
  - e. Signage may be required at the discretion of the Development Officer, to aid the navigation of residents and guests;
15. Mitigate the potential impacts of coastal and/or inland flooding if in a Coastal Flooding or Inland Flooding area as identified in the Land Use Bylaw;
16. Where application for site plan is made for an existing non-conforming building that is being expanded, the development officer may choose to accept existing frontage, setbacks, coverage and lot area instead of requiring a variance; and
17. Other criteria as stated in the Land Use Bylaw, including but not limited to signage and accessory building requirements.

## Signs, Outdoor Storage, Accessory Buildings and Temporary Development

Smaller developments, such as signs, accessory buildings and temporary developments can negatively impact the surrounding neighbourhood and will be regulated in the Land Use Bylaw.

It shall be the policy of Council to regulate signs, outdoor storage, accessory buildings and temporary development in the Land Use Bylaw

These standards shall apply to all development but different standards may apply to different types of development.

## Development Agreements

Certain uses are not permitted in any zone, however the Town would consider amendments to this plan, the Land Use Bylaw and entering a Development Agreement, as outlined in sections 225A and 225B of the MGA, to consider permitting:

- Adult Entertainment, Casino; or
- Large scale commercial and/or industrial development with a proposed gross floor area of over 9,000m<sup>2</sup> (96,000 square feet)

### **Policy ADM 10 – Development Agreements**

It shall be the policy of Council to require an amendments to this plan, the Land Use Bylaw, and entering into a Development Agreement in keeping with section 225A of the MGA for:

- Adult Entertainment, Casino; or
- Large scale commercial and/or industrial development with a proposed gross floor area of over 9,000m<sup>2</sup> (96,000 square feet)

## Amendments to Land Use Bylaw

From time to time amendments to the Land Use Bylaw will be required. To guide those applications and considerations, the Town will have application requirements and amendment criteria, outlined below:

### **Policy ADM 11 – Land Use Bylaw Amendment Criteria**

It shall be the policy of Council to follow these criteria when considering an amendment to the Land Use Bylaw. The proposed amendment must:

1. be consistent with the intent of this Municipal Planning Strategy;
2. not knowingly conflict with any Town or Provincial programs, bylaws, or regulations;
3. not be premature or inappropriate due to:
  - a. the ability of the Town to absorb public costs related to the proposal;
  - b. impacts on the Town's sanitary sewer system;
  - c. impacts the Town's stormwater systems, including ditches;
  - d. impacts on the Town's water system;

- e. impacts on streets nearby and leading to the proposed development, including active transportation;
- f. the adequacy of fire protection services;
- g. the adequacy and proximity of schools, recreation, parks and other community facilities;
- h. impacts on the Town's historic areas and/or heritage buildings
- i. Natural hazards, such as wetlands, steep slopes, areas at risk of erosion and/or prone to flooding, either overland or coastal;
- j. Compatibility of the proposed land use with adjacent land uses, including but not limited to the bulk and scale of the proposed development; and
- k. The potential odour, noise, visual and/or pollution related impacts on nearby landowners.

**Policy ADM 12 – Municipal Planning Strategy and/or Land Use Bylaw Amendment Application**

It shall be the policy of Council to require the following from applicants, other than the Town, when considering a Land Use Bylaw Amendment:

Scale drawings prepared by a licensed surveyor or Professional Engineer that indicate the:

- a. Physical characteristics of the proposed site, including lot dimensions, elevations, natural drainage, existing watercourses and shorelines, existing structures and vegetation;
- b. Registered heritage structures on or adjacent to the site;
- c. Adjacent streets, rights-of-way and easements;
- d. Proposed location and use of all buildings, signs and structures to be constructed, including external lighting;
- e. Proposed solid waste storage
- f. Proposed stormwater management;
- g. Proposed Town sewer and water connections;
- h. Proposed streets, driveways, parking lots, walkways, active transportation routes; and
- i. Proposed landscaping, fencing and other site features.

A preliminary meeting with the Development Officer to review the proposed application, which the Development Officer may waive;

Applicant must adhere to the Town's Planning Public Engagement Policy.

Amendments to the Historic Waterfront zone require comment from the Heritage Advisory Committee.

Payment of a fee for land use bylaw amendment application as stated in the Town's Municipal User Fees.

At the discretion of the Development Officer, the applicant may be required to provide a:

Flood Study – A study prepared by a qualified professional that outlines the potential flood risk, Coastal and/or inland, and proposed mitigation measures;

Traffic Impact Study – A study prepared by a qualified professional that outlines the impact of the proposed amendments on the local and major streets in Town, potentially including active transportation;

Water, Wastewater and/or Stormwater Study – A study prepared by a qualified professional that outlines the impacts on the local Water, Wastewater and/or Stormwater systems in the Town.

## Variances

The variance process creates flexibility to vary/change certain aspects of the Land Use Bylaw, including: yards, parking, setback, area and lot coverage requirements.

The variance process will include public engagement similar to a site plan approval, where nearby landowners will be asked for written input and made aware of the right to appeal variances under the MGA.

Variations may also be subject to approval criteria under the Land Use Bylaw. These criteria are intended to guide the Development Officer and offer greater certainty for applicants and members of the public regarding variations.

### **Policy ADM 13 –Variations**

It shall be the policy of Council to enable the Development Officer to grant variations subject to criteria in the Land Use Bylaw, regarding:

- Setbacks and yard sizes;
- Frontage;
- Parking and loading spaces;
- Percentage of land that may be built upon; and
- Height and area of a sign.

## Severability & Compliance with Other Legislation

If any provision of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this Bylaw.

Nothing in this Bylaw shall exempt any person from complying with the requirements of any other bylaw in force within the Town, or from obtaining any license, permission, permit, authority, or approval required by any other bylaw of the Town or statute or regulation of the Province of Nova Scotia or the Government of Canada.

Where the provisions in this Bylaw conflict with those of any other bylaw of the Town or statute or regulation of the Province of Nova Scotia or the Government of Canada, the more stringent provision shall prevail.

## Previous Bylaws Repealed

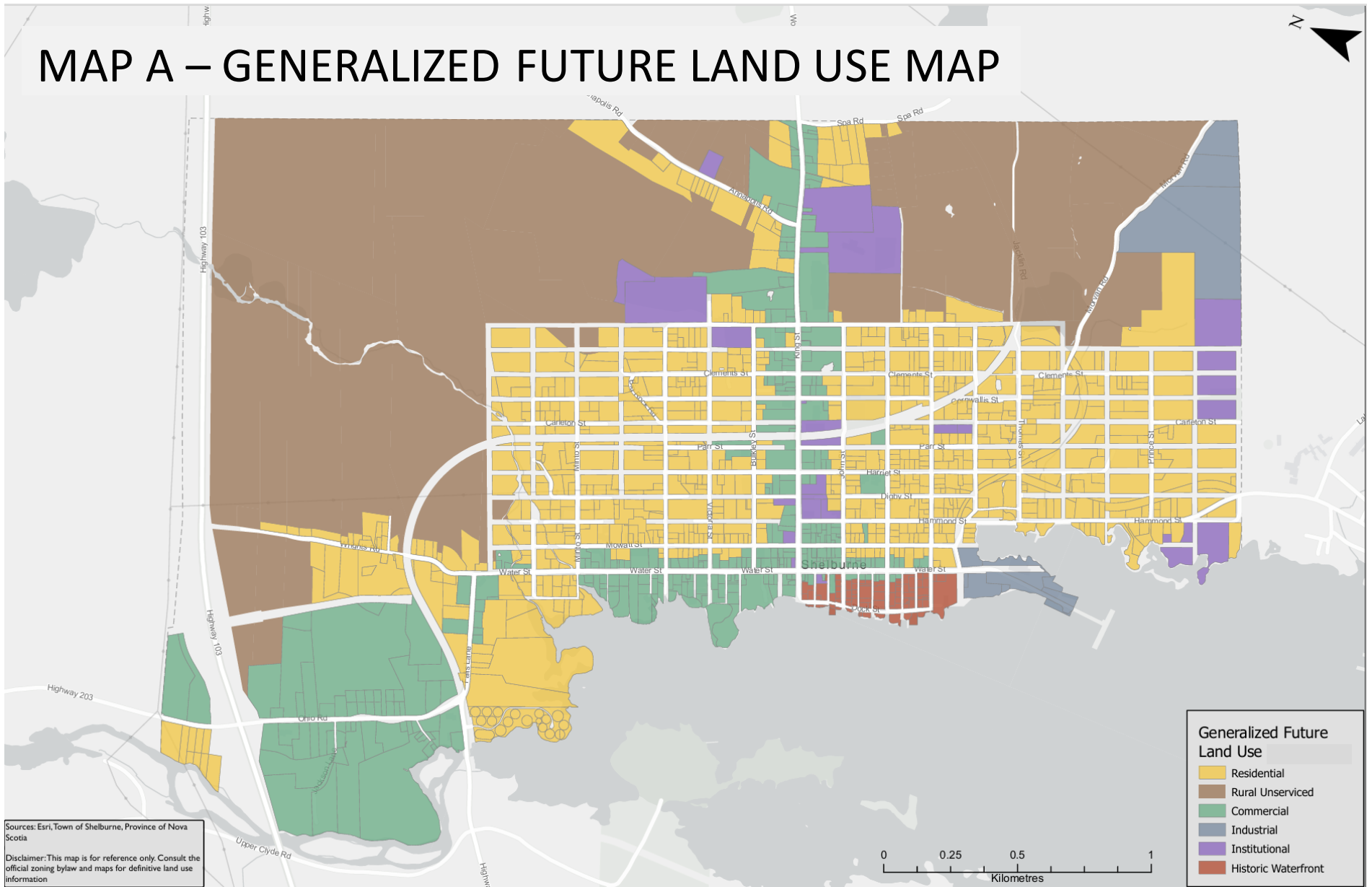
Upon this bylaw coming into force, the Municipal Planning Strategy and Land Use Bylaw passed December 12, 1988 are hereby repealed and no longer in force.

## Future Studies

Next steps to improve this plan include:

- Creation of an Affordable Housing Policy
- Development of Coastal and Flooding regulation for the Land Use Bylaw
- Development of street and municipal infrastructure standards
- Creation of stormwater management guidelines for the Land Use Bylaw and the Town more broadly
- Identification and regulation of mature trees and ecological systems

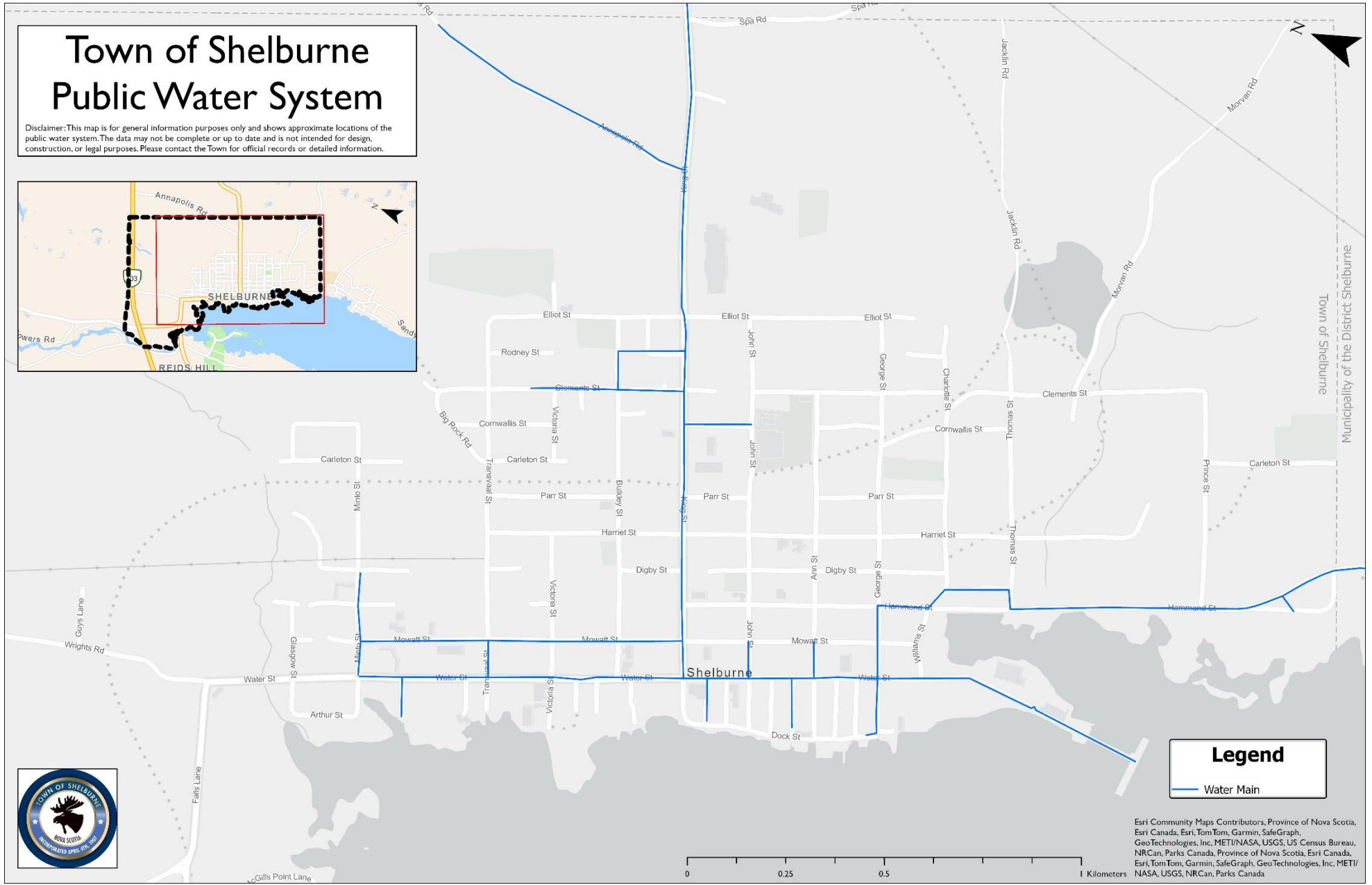
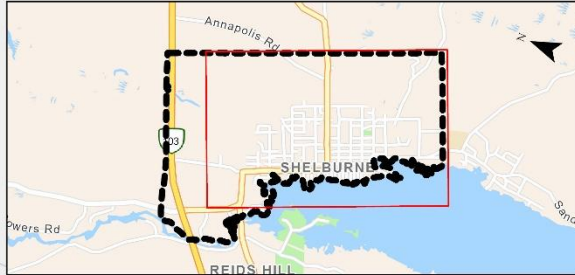
# Map A – Generalized Future Land Use Map (GFLUM)



# Map B – Water System Map

## Town of Shelburne Public Water System

Disclaimer: This map is for general information purposes only and shows approximate locations of the public water system. The data may not be complete or up to date and is not intended for design, construction, or legal purposes. Please contact the Town for official records or detailed information.



**Legend**

— Water Main



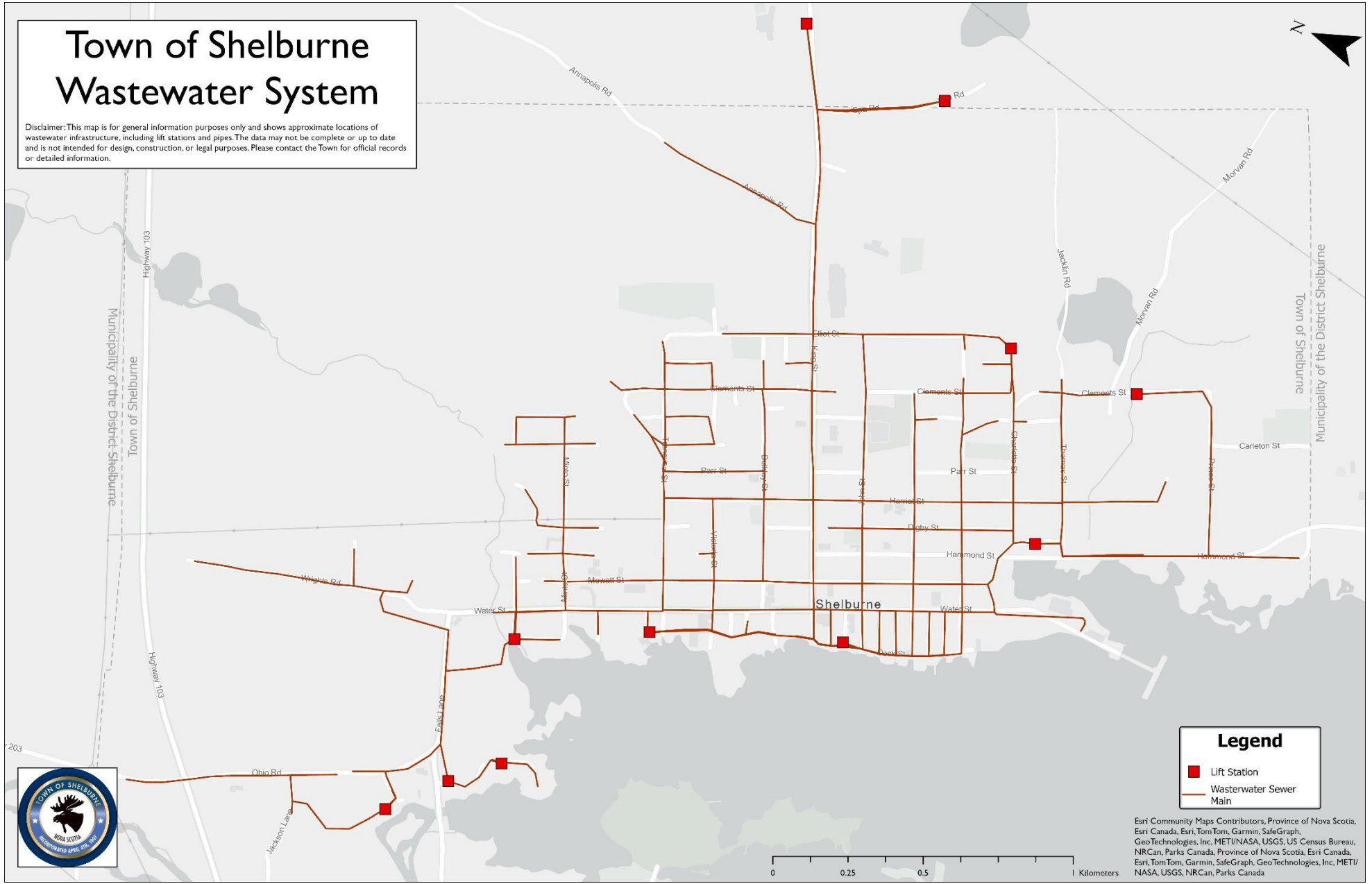
Esri Community Maps Contributors, Province of Nova Scotia, Esri Canada, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, US Census Bureau, NRCan, Parks Canada, Province of Nova Scotia, Esri Canada, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, NRCan, Parks Canada



# Map C – Sewer System Map

## Town of Shelburne Wastewater System

Disclaimer: This map is for general information purposes only and shows approximate locations of wastewater infrastructure, including lift stations and pipes. The data may not be complete or up to date and is not intended for design, construction, or legal purposes. Please contact the Town for official records or detailed information.



**Legend**

- Lift Station
- Wastewater Sewer Main

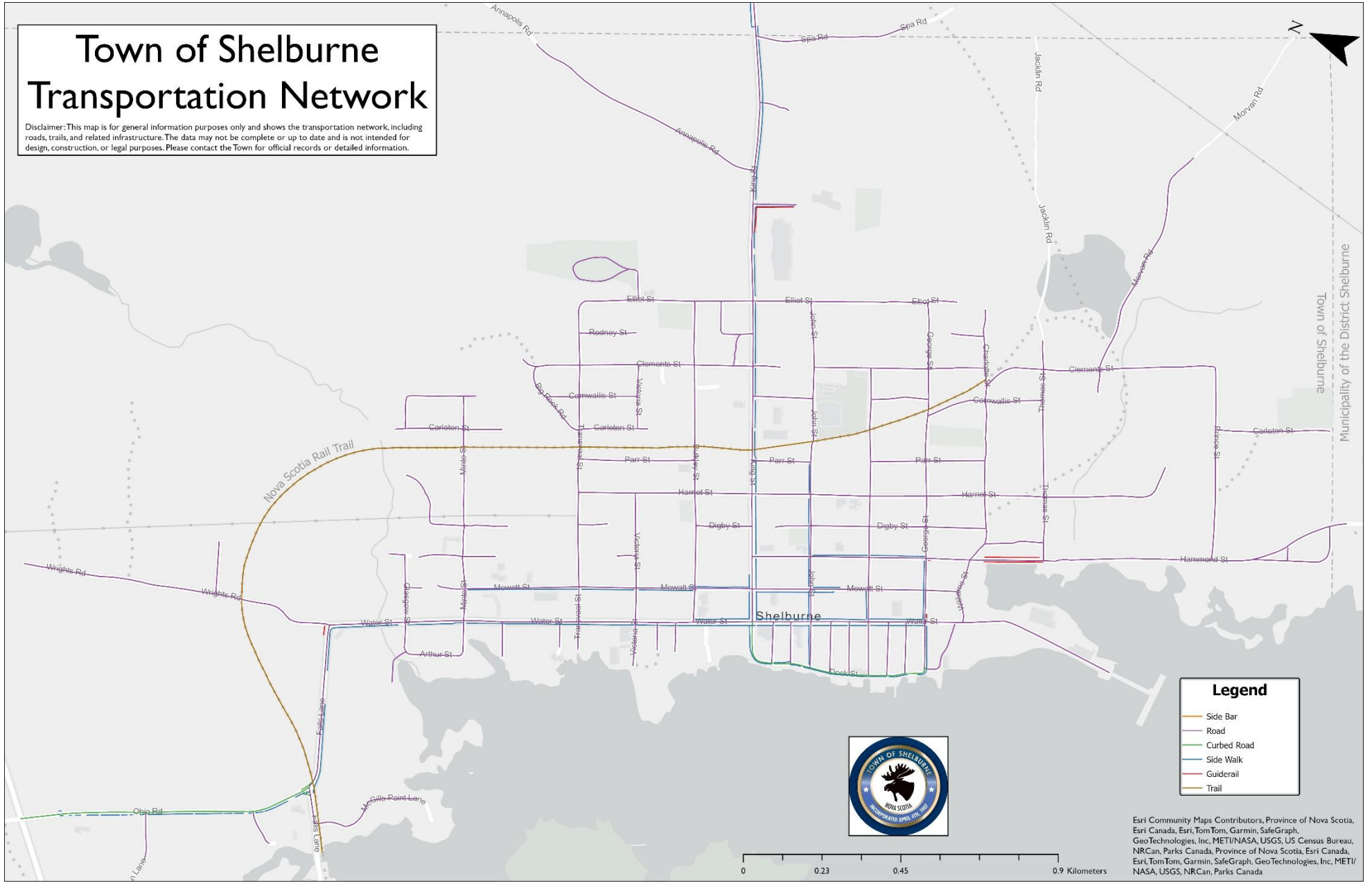
Esri Community Maps Contributors, Province of Nova Scotia, Esri Canada, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, US Census Bureau, NRCan, Parks Canada, Province of Nova Scotia, Esri Canada, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, NRCan, Parks Canada



# Map D - Transportation

## Town of Shelburne Transportation Network

Disclaimer: This map is for general information purposes only and shows the transportation network, including roads, trails, and related infrastructure. The data may not be complete or up to date and is not intended for design, construction, or legal purposes. Please contact the Town for official records or detailed information.



Esri Community Maps Contributors, Province of Nova Scotia, Esri Canada, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, US Census Bureau, NRCAN, Parks Canada, Province of Nova Scotia, Esri Canada, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, NRCAN, Parks Canada