



What We Heard Report: Shelburne Planning Documents and Town Projects

PREPARED FOR:

The Town of Shelburne
November 12, 2025



2570 Agricola Street
Halifax, NS B3K 4C6
902-482-1221
atn-strategies.ca

Executive Summary

This report presents the key findings from an extensive public engagement process designed to inform updates to the Town of Shelburne’s Municipal Planning Strategy, Land Use Bylaw, and related capital projects. The engagement initiative included direct consultations with developers, property owners, community organizations, realtors, local business leaders, and residents, as well as results from a broad-based community survey.

Across all engagement groups, there is widespread support for modernizing zoning bylaws to meet current business, housing, and community needs. Participants strongly advocate for more flexible, “by-right” approvals, streamlined development processes, and updated regulations, particularly regarding mixed-use and higher-density housing, that reflect today’s market realities and encourage growth.

Infrastructure, especially water and sewer capacity, remains a major concern; nearly all stakeholders flagged it as a critical barrier to both residential and commercial development. Other prominent issues include high property taxes, fair service delivery, better support for affordable and seniors’ housing, and clear, consistent communication between the town and its stakeholders.

Developers and investors voiced readiness to collaborate with local government, contribute to affordable housing, and invest in the long-term vitality of Shelburne, provided regulatory and infrastructure challenges are addressed. Heritage groups and residents stress the need to balance new growth with the preservation and proper maintenance of the town’s character and historic assets.

The public survey confirms high demand for more affordable rental options, upgrade of infrastructure, and fair, enforceable policies.

Together, these findings provide actionable recommendations for Council to support future growth, strengthen public trust, and ensure Shelburne’s planning framework aligns with the aspirations and needs of its community.

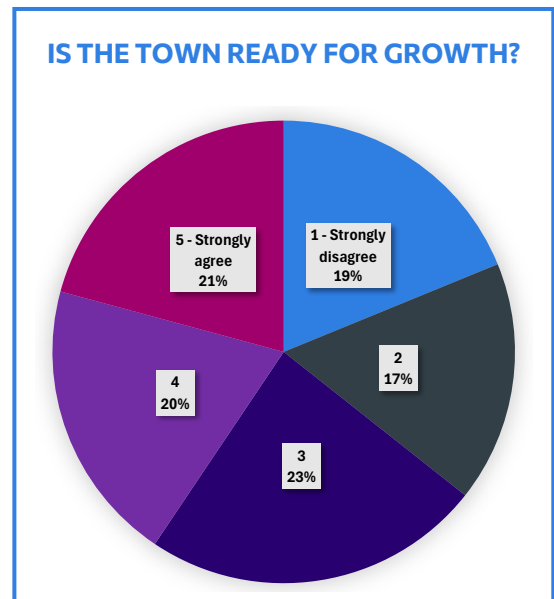


TABLE OF CONTENTS

Executive Summary i

1 Introduction..... 1

 1.1 Report Organization..... 1

2 Methodology 1

 2.1 Engagement Timeline.....2

 2.2 Interview Participant Identification.....2

3 Summary of Key Findings 3

4 Engagement Insights by Stakeholder Group.....4

 4.1 Legally Non-Conforming Property Owners.....4

 4.1.1 Key Themes & Common Trends 4

 4.1.2 Concerns and Service Gaps5

 4.1.3 Notable Revelations5

 4.2 Chamber of Commerce.....6

 4.2.1 Key Themes & Common Trends 6

 4.2.2 Concerns and Service Gaps7

 4.2.3 Notable Revelations7

 4.3 Shelburne Historical Society8

 4.3.1 Key Themes & Common Trends 8

 4.3.2 Concerns and Service Gaps 8

 4.3.3 Notable Revelations 9

 4.4 Realtors9

 4.4.1 Key Themes and Common Trends: 9

 4.4.2 Concerns and Key Themes..... 10

What We Heard: Shelburne Planning Documents and Town Projects

4.4.3 Notable Revelations 10

4.5 Developers.....11

4.5.1 Key Themes & Common Trends 12

4.5.2 Concerns and Service Gaps 12

4.5.3 Notable Revelations 13

5 Community Meeting..... 13

6 Survey Summary Results 15

6.1 Demographics 15

APPENDIX A – Raw Survey Results27

1 Introduction

The Town of Shelburne (the Town) engaged ATN strategies to design and execute a comprehensive public engagement process to inform the Town’s revised Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB). The engagement also involves discussing ongoing and future capital projects, transportation, and climate adaptation in line with the Council’s goals for gathering actionable public input to inform community planning decisions. Key objectives for the engagement include the following.

- Gather meaningful input from residents, stakeholders, and key landowners on planning documents and town projects.
- Ensure the engagement process is inclusive, accessible, and results in actionable recommendations for Council.
- Facilitate clear communication, trust, and transparency throughout all public and stakeholder engagement activities.
- Develop and administer a survey tailored to local needs, aiming for broad participation and high-quality feedback.
- Summarize all engagement findings in a comprehensive, accessible “What We Heard” report, providing strategic advice for future planning and engagement initiatives.
- Support the Council’s decision-making with evidence-based, community-informed recommendations.

1.1 Report Organization

The remainder of this report is organized as follows:

- Section 2: Methodology
- Section 3:

2 Methodology

To ensure diverse stakeholders are engaged and all community members who want to contribute to the engagement are heard, ATN developed a multi-stage engagement process to gather stakeholders’ perspectives. This approach includes using multiple modalities, including:

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

Bilateral and group interviews formed the core of engagements, bringing together individuals and organizations with direct experience and investment to gain their perspective on how the Town of Shelburne might grow.

The following groups of stakeholders were interviewed in this process:

Key Engagement Statistics

127 unique survey responses from Town residents

30 attendees of the community meeting

15 in-depth interviews

What We Heard: Shelburne Planning Documents and Town Projects

- Property owners, including those who have, or would have, legal non-conforming properties following the passing of the bylaw.
- Community Organizations
- Realtors; and
- Developers

In addition, a community meeting was held, attended by over 30 people, and a public survey was designed and deployed to gather broader community input.

2.1 Engagement Timeline

The engagement took place over six weeks in the late summer and early fall of 2025. The following is the timeline of activities completed as part of engagements.

- The ATN team conducted 6 face-to-face interviews in Shelburne on September 24, 2025 and participated in an in-person community meeting on September 27, 2025
- Nine virtual interviews (conducted via Teams, Zoom and phone) were conducted between September 23 to October 29, 2025.
- A survey was designed and was live on the engagement platform from September 10 to October 19, 2025. There were 169 valid respondents to the survey, of which 127 were identified as living in the Town.

2.2 Interview Participant Identification

To identify stakeholders to be engaged through interviews, the Town provided ATN Strategies with a list of properties that have proposed zoning changes, along with names and contact information, where available. For some properties, ownership was confirmed using Property Online, and then the owners were looked up in the Registry of Joint Stock Companies to determine if they were corporately owned. Contact information for the owners or their agents was then identified. In total, **42 properties** were identified through this process, involving **28 property owners**.

Of the property owners identified, the Town sent letters to 11; therefore, they were not engaged in this process. Out of the remainder 17 property owners, five had no contact information, three did not respond to calls or emails, one was deceased, and another declined to be interviewed. Thus, ATN interviewed five property owners as part of this engagement process.

Three developers and Realtors were identified by the Town for engagement. All the developers and two of the three realtors were engaged. Other stakeholders include the Chamber of Commerce and the Shelburne Historical Society. The Shelburne Arts Society suggested they may submit a letter.

In the next section, the insights generated through the engagement process are presented. First, a summary of emerging issues across all engagements is identified. This is followed by stakeholder group-specific insights, organized by **key themes and common trends, concerns and service gaps**, and other **notable revelations**.

3 Summary of Key Findings

Several themes were identified across the various engagement sessions. These insights underscore the need for collaboration and responsive, action-oriented approaches to planning. The following are emerging issues across all engagement sessions:

- Across all engagement sessions, there was strong support for updating and modernizing zoning bylaws and development regulations. Participants consistently **emphasized the need for clear, fair, and consistently applied “by-right” approval processes**. Perceived outdated or ambiguous zoning, discretionary council decisions, and inconsistent enforcement are seen as major barriers to investment, business continuity, and community trust. Stakeholders called for rules that better reflect today’s business activities, community needs, and evolving market trends while ensuring flexibility for future growth and adaptation.
- In addition, stakeholders identified **water and sewer capacity, reliable municipal servicing, and infrastructure upgrades as recurring priorities**. Many participants noted that existing infrastructure gaps are central obstacles to both housing and economic growth. Thus, expanding water service, especially to underserved areas, and ensuring infrastructure planning that keeps pace with new development are urgent needs.
- Many participants are accepting of higher-density housing options, provided they are thoughtfully integrated and do not compromise the neighbourhood's character or heritage value. However, concerns exist about overdevelopment and the risks of exceeding actual market demand. Participants propose that the Town ensure that new policies do not disadvantage existing residents, particularly low-income families.
- Further, heritage advocates and many other participants **value recent improvements in clear, consistent regulations, especially in the Historic Waterfront zone, to protect Shelburne’s distinct character**. However, concerns about enforcement remain strong, and there is broad recognition that economic and community vitality must be balanced with heritage preservation. Architectural guidelines, adaptive reuse, and clear standards are seen as positive steps, but resource constraints limit what can be preserved in practice.
- Stakeholders also **emphasized the need for transparent communication, explicit timelines, predictable rules, and collaborative partnerships with both the private sector and provincial bodies**. Moreso, they called for inclusive, ongoing community engagement in planning decisions, including targeted outreach to youth and other underserved groups. Participants voiced the importance of building broader buy-in, sharing clear and accessible information, and ensuring diverse voices are heard in both policy design and implementation.
- Those engaged noted that issues such as untended public spaces, outdated parking and traffic controls, and poor maintenance of public infrastructure consistently detract from the quality of life and community image. They advocate for Improved public space upkeep, traffic safety, and attention to sidewalks and accessibility, particularly by residents and realtors looking to attract and retain new families and businesses.

In summary, the engagement process highlighted broad alignment across business, resident, heritage, and developer groups on the priorities for Shelburne’s planning future. Modern, transparent, and adaptable policy, delivered alongside reliable infrastructure and practical incentives, is seen as central to achieving sustainable growth and livability. Persistent gaps in services, infrastructure, and government follow-

through continue to be challenges to address. However, the strong spirit of collaboration, combined with a pragmatic embrace of change, provides a constructive foundation for moving forward.

4 Engagement Insights by Stakeholder Group

This section contains stakeholder group-specific insights. This is intended to highlight the issues impacting each stakeholder.

4.1 Legally Non-Conforming Property Owners

Across all sessions, participants aim for solutions that will secure their current businesses and properties, protect or enhance their value, and provide a fair and predictable path for future changes, whether that means succession, rebuilding, or adapting to market trends.

They are unified in calling for clarity in zoning and smoother, more equitable approval processes, with fewer perceived as arbitrary obstacles and more support for local enterprise. Infrastructure and social issues, such as roadwork, sewer capacity, housing affordability, and climate resilience, intersect directly with property rights and business continuity in their outlook.

4.1.1 Key Themes & Common Trends

- There is **widespread support for modernizing zoning bylaws** to better match current business activity, mixed-use development, and community needs. Many stakeholders see benefits in shifting from outdated industrial and residential designations to more flexible categories that enable both commercial activity and new housing.
- Many stakeholders also **emphasized the importance of continuity and flexibility of business operations**. Owners value “grandfathering” protections, clear rebuild rights after disasters, and reasonable discontinuance periods, often advocating for at least 12 months to allow recovery from setbacks.
- Further, **stakeholders in this group advocated for a fair, transparent, and consistently applied zoning and permitting processes**. They noted a preference for “by-right” approvals and less reliance on variable council decisions.
- They also noted that economic and infrastructure development must go hand in hand. Thus, there is a need **to link new housing or business growth to upgrades in roads, sewers, and other local services**.
- **Community resiliency and adaptation to climate, and insurance-related risks** such as coastal flooding, are increasingly relevant for property owners. They observed that these risks could be mitigated through proactive planning and clear regulations.

What We Heard: Shelburne Planning Documents and Town Projects

4.1.2 Concerns and Service Gaps

- **Ambiguity remains around certain zoning details**, such as the right to rebuild after catastrophe, technical limits (like building height), and the permitted scope of mixed-use (especially in rural areas).
- **Existing parking requirements and some regulatory formulas are seen as outdated**, not reflecting the range of modern business models or the realities of small-town commerce.
- **Discontinuance rules**, especially six-month limits, are widely viewed as too short and potentially harmful if businesses face temporary closure due to events beyond their control (like disasters or forced shutdowns).

“Six months is awful short... it should be a year anyway; in case someone gets hurt or something.” ~ Engagement participant

“If it [my property] burned down, I’d want to be able to rebuild.” ~ Engagement Participant
- **Infrastructure is often inadequate**, with insufficient street width, sewer capacity, and municipal servicing impeding both business operation and future development.
- **Property owners are concerned about potential devaluation or marketability loss** when zoning becomes more restrictive or inconsistent, especially if similar neighbouring properties are treated differently.
- **Need for transition between industrial and residential was outlined**, with specific concerns that a significant buffer and screening be required between industrial and residential zones where they abut.
- **Developers and business owners highlight significant delays, unpredictability, and cost** barriers in current approval processes, which stifle expansion and affordable housing efforts.

4.1.3 Notable Revelations

- Many property owners and businesses are supportive of zoning modernization when it increases long-term security, reflects actual use, and doesn’t remove value or flexibility.
- Some industrial landowners and creative entrepreneurs are comfortable transitioning to mixed-use or residential zoning provided their unique operational needs (e.g., metal art, small-scale food service) are explicitly accounted for without unnecessary waivers.
- There is a call for more detailed and accessible information on grants and programs, especially for environmental remediation (brownfield sites) and to clarify complex regulations.
- Town economic viability is closely tied to supporting legacy businesses, facilitating new enterprise, and aligning planning with real-world business and residential priorities, job creation is as important as housing activation.

What We Heard: Shelburne Planning Documents and Town Projects

- The risk of insurance gaps, flood-prone areas, and the challenge of maintaining property value where infrastructure or climate adaptation lags are emerging as major issues for waterfront and rural stakeholders.

4.2 Chamber of Commerce

Members of the Chamber of Commerce's board consistently voiced their support for the review process, while expressing doubts about the town's track record on implementation. Their priorities are centred on practical improvements, including fairer and more predictable taxes, a rationalized parking policy, flexible zoning for both business and housing, accountable and timely infrastructure action (especially water and sewer), and meaningful climate risk planning.

They request explicit timelines and prioritized actions, urging the Town to follow through on its commitments so that local businesses and property owners can grow and invest with confidence.

"There were some very high parking requirements that arguably would have meant that you had to buy the building next door and tear it down and turn it into a parking lot, which doesn't help with the housing crisis." ~ Engagement Participant

"The high cost of taxes and sewers is my biggest issue... Sewer taxes and water, yeah, are very high." ~ Engagement Participant

4.2.1 Key Themes & Common Trends

- **Parking and Transportation:** Proposed changes reduce stringent parking requirements for businesses and adjust policies to protect heritage areas while considering the future inclusion of sidewalks, bike paths, and minimum road grids. There are discussions about accommodating heavier vehicles (like electric trucks) and concerns about winter snow further limiting parking.
- **Infrastructure and Growth Capacity:** The need for expanded or improved water and sewer infrastructure is a recurring issue, alongside managing growth in a way that doesn't excessively raise service costs for either businesses or the town.
- **Climate Change and Coastal Protection:** The session acknowledged both new local responsibilities and the slow progress on climate adaptation and coastal protection plans. Upcoming regulations will map and restrict development in flood-prone areas, though actionable rules are not yet in place.

4.2.2 Concerns and Service Gaps

- **Implementation Skepticism:** Participants repeatedly expressed doubts that new plans would be effectively implemented, citing failed attempts to update the strategy in previous decades and a

“When you finish this plan, and are you going to prioritize items and give them sort of a time frame, and this will be your highest priority, this will be your second, or at least guidance... will there be an implementation plan with timelines for how these things, these aspirations would happen?” ~ Engagement Participant

history of limited follow-through on climate recommendations.

- **Business Tax Burden:** Business owners highlighted frustration over rapidly increasing property taxes and water/sewer fees, especially compared to static or reduced services, and noted that business tax rates are high and uncapped relative to residential rates.

- **Parking Requirements and Downtown Viability:**

Stringent parking requirements were seen as a barrier to business viability and flexibility, while parking issues could be exacerbated by snow removal and potential reductions in street parking due to proposed bike lanes and widened roads.

- **Residential Assessments and Tax Fairness:** There was sharp criticism of long-term tax assessment caps for residential properties, perceived as unfair to newer property owners and local businesses forced to shoulder a disproportionate share of municipal costs.
- **Lack of Timelines and Priorities:** The draft strategy lacks clear, actionable timelines or prioritization for implementation of capital projects, leaving business owners unsure what to expect or advocate for in future municipal budgets and policies.

4.2.3 Notable Revelations

- **Provincial Collaboration Mandate:** The Chamber questioned if the new provincial law requiring municipal coordination in planning would require coordination of Town planning with the Municipality of the District of Shelburne. Some members could see merit in a joint approach.
- **Climate Adaptation Lag:** Some historic climate and flood mapping work from as far back as 2014 remains unimplemented, highlighting a significant gap between planning and action.
- **Transparency about Fiscal Constraints:** Several participants acknowledged the severe fiscal limitations faced by small towns, including the large share of municipal taxes sent to the province rather than retained by the town.
- **Planning for Growth and Proactive Policy:** There is a growing recognition that the town needs to prepare not just for expected incremental change but also for potentially major growth if the plan takes effect and outside investments or population increases materialize.

4.3 Shelburne Historical Society

The Shelburne Historical Society representative expressed general satisfaction with the new, stricter, and clearer regulations, particularly in how they address new development and renovations to maintain visual and structural continuity. Improvements stem from past challenges and recent leadership in planning.

A concern raised was any regulation is only as effective as its enforcement, a point highlighted by past failures.

The discussion highlighted the importance of heritage documentation, acknowledging the practical limitations on preservation in a small, economically constrained community.

“The language is good...assuming that the bylaw is enforced, the controls are much more rigorous... That was the difficulty with the Shakespeare House, that the bylaw and even the provincial planning regulations were not necessarily followed.” ~ Engagement Participant

Overall, participants feel the town is moving in the right direction with its planning approach, but call for consistent enforcement and continued care to balance economic vitality with heritage conservation.

4.3.1 Key Themes & Common Trends

- **Stronger Heritage Protection Through Policy Updates:** There is clear satisfaction with recent improvements to Shelburne’s planning strategy and zoning bylaws, especially for the Historic Waterfront Zone (HW). The new policies are recognized as significantly tougher and better integrated, addressing weaknesses exposed by previous controversies.
- **Importance of Clear, Enforceable Language:** The changes feature clearer, more actionable standards (“visually similar” vs. “visually related”), more specific requirements for renovations, and explicit reference to adaptive reuse, all generating a greater sense of regulatory confidence.
- **Ongoing Role of Heritage Society:** The Shelburne Historical Society is supportive of the new regulations overall. While the Society provides feedback (e.g., on historical background), it does not consider general density increases or zoning changes within its mandate, unless a specific heritage property is at risk.
- **Balancing Heritage with Vitality and Growth:** There’s broad support for density if paired with efforts to maintain character, especially for properties with heritage or character value that are not formally registered.

4.3.2 Concerns and Service Gaps

- **Regulatory Enforcement Remains a Weak Point:** The strength of bylaws depends entirely on consistent enforcement. They observed that previous failures were not due to having the wrong rules; rather, they resulted from a lack of enforcement at both the municipal and provincial levels. Thus, enforcement must form a key part of any zoning and planning work.

What We Heard: Shelburne Planning Documents and Town Projects

- **Limited Protection Outside the Historic Waterfront (HW) Zone:** The interview focused on the HW zone. There was a brief discussion of other potential contributing heritage assets in the rest of the town, but nothing substantive.

4.3.3 Notable Revelations

- **Community and Economic Reality Check:** The need to balance heritage protection with economic vitality is front-of-mind, recognizing that in a small community, discouraging investment can have negative consequences.

4.4 Realtors

Stakeholders in this group agree that the Town's updated draft zoning plan represents a positive shift, aiming to simplify housing development and clarify municipal processes. However, they emphasize that high property tax rates and inadequate infrastructure, especially limited water and sewer services, continue to hinder both residential and commercial growth. Most new housing demand comes from retirees and newcomers, not local families, who are often unable to afford new construction and typically renovate older homes instead due to high costs.

"Most of the people that have been buying here are retirees...from Ontario and retired." ~ Engagement Participant

There is broad support for fair, predictable zoning and pragmatic heritage rules, as well as efforts to improve the upkeep of public spaces. The most effective next steps for Shelburne are to reduce taxes, invest in infrastructure, and enhance community maintenance in a way that does not disadvantage vulnerable residents. These changes are expected to attract investment, address changing housing needs, and boost overall livability in the town.

4.4.1 Key Themes and Common Trends:

- **Zoning and Housing Options:** Participants highlighted the draft zoning plan's intent to increase housing density, streamline site plan approvals, and clarify where multi-unit and mobile/manufactured homes can be located. There is recognition of the need for a broader housing mix, given changing demand, particular attention to newcomer and retiree buyers, and cautious support for infill and higher density.
- **Market Trends and Buyer Profiles:** They also observed that Shelburne's housing market has shifted post-COVID, with most home purchases driven by retirees from outside Nova Scotia. There is a split between buyers seeking in-town walkable lifestyles and those preferring rural, waterfront properties. Local young buyers face affordability challenges.
- **Service Gaps – Infrastructure and Taxes:** Stakeholders also emphasized insufficient municipal water and sewer services, particularly for rural or edge-of-town properties. They noted that this issue frequently results in lost sales or buyer hesitancy. High property tax rates within Shelburne (compared to neighbouring areas) are repeatedly cited as a critical barrier to attracting new residents and investment.

What We Heard: Shelburne Planning Documents and Town Projects

- **Beautification and Standards:** Poor public maintenance and the lack of stringent property standards for municipal spaces and private properties deter investment and community pride, although there is concern about the burden on lower-income residents.
- **Market Constraints and Overbuilding:** Despite policy shifts enabling greater density, there is caution about overbuilding multi-unit apartments, with doubts about whether market demand would absorb substantial new supply or if this could depress rents and create vacancies.
- **Governance and Fairness:** There is broad support for zoning and heritage regulations that are clear, predictable, and not open to the inclination of individual councillors, creating more transparency for buyers and developers.

4.4.2 Concerns and Key Themes

- There is a risk that building too many apartments or multi-units could flood the market beyond real demand.
- Some community members continue to resist increased density, though this concern is lessening as housing needs grow.
- New minimum property standards or beautification efforts could place undue hardship on low-income homeowners.
- Young and low-income families have difficulty accessing affordable housing options.
- Most new construction serves retirees and newcomers, with limited affordable new builds suitable for local buyers.

4.4.3 Notable Revelations

- Most homebuyers in Shelburne are retirees from outside Nova Scotia, particularly Ontario, rather than local residents.
- Many local buyers, such as young fishermen, are priced out of the market due to low incomes and high housing costs; new construction is rare and expensive.
- There is ongoing community concern and occasional objection to mobile/manufactured homes being sited next to higher-value properties.
- Residents note dissatisfaction with the poor maintenance of municipal properties and public spaces, such as garden boxes full of weeds, which lowers community image and private investment.
- Opinions indicate some skepticism about the actual market demand for new multi-unit developments, with concerns about the risk of overbuilding leading to vacant units or depressed rents.

What We Heard: Shelburne Planning Documents and Town Projects

- Heritage area regulations are seen as constructive by most, as long as they bring clarity without being used to block reasonable development.
- The community is gradually moving toward more acceptance of higher-density housing, especially as the need for housing increases, though some resistance remains.
- The proposed zoning changes are valued for making the approval process clearer and removing subjective decision-making by the council in favour of predictable, fair rules.
- Newcomers' expectations for services and property standards are higher than in the past, influencing market demand and community priorities.
- Communication around zoning changes is needed to prepare residents for potential neighbourhood impacts, such as denser developments nearby.

4.5 Developers

The interviewed developers are experienced, well-resourced, and deeply committed to Shelburne's growth and revitalization. Their vision is rooted in legacy building, meaningful community contributions, and collaborative partnerships with local governments. These developers bring direct experience in developing multi-unit residential buildings in small-town Nova Scotia, emphasizing practical, long-term investment over speculative building.

Across interviews, participants describe a genuine dedication to providing a range of much-needed housing options, including affordable and senior-friendly rentals. Some are willing to donate land for public benefit and amenities, provided there is a productive, reciprocal relationship with the municipality. Their motivations include economic development, social responsibility, and a desire to see Shelburne thrive in the future.

Notwithstanding, they report substantial barriers: outdated or misaligned zoning practices, slow, inflexible, and unpredictable approval processes, high development costs (especially for water infrastructure), and a lack of tailored municipal incentives for affordable or mid-density rental housing. Participants noted that there is a risk of developer burnout due to long, unpredictable permitting waits, conflicting directions from council, and the upfront burden of infrastructure financing. They underscore how these issues significantly raise development risk, slow down project delivery, and can directly inflate housing costs.

Developers strongly advocate for permissive, modernized zoning (especially for higher-density and mixed-use projects), by-right approvals, faster and clearer regulatory processes, and municipal leadership in securing the infrastructure funding needed to support new projects. They also highlight the broader context of economic stagnation and out-migration, recommending that the town utilize its available land and strategic planning not only to attract new housing, but also to draw employers and commercial investment into the community.

"If the zoning is more flexible and permissive, the free market will start taking advantage..." ~ Engagement Participant

"Time is money, as you know, right? What we thought was going to be a fairly fast approval process has turned into months and months and months." ~ Engagement Participant

What We Heard: Shelburne Planning Documents and Town Projects

Further insights from this group are provided below.

4.5.1 Key Themes & Common Trends

- **Desire for Collaborative, Permissive Growth:** All developers emphasized the need for cooperative relationships between private builders and the municipality. They want zoning policies that are modern, flexible, and supportive of a diversity of housing types, especially affordable units for seniors, retirees, and modest-income residents.
- **Urgency of Zoning Modernization:** Developers consistently request zoning that allows more “by-right” development, especially in higher-density (R3) zones, to ensure that projects fitting local plans don’t face unpredictable council reviews.
- **Infrastructure as a Bottleneck:** Water servicing, and to a lesser degree, road conditions, are nearly universal concerns. Developers view infrastructure gaps as a limiting factor for new housing, and they often feel that the cost and logistics of extending services unfairly fall on them rather than being treated as a municipal investment.
- **Market Demand and Affordability:** There is strong, real-world demand for mid-density, modestly sized rental housing, especially for local seniors downsizing, retirees moving in, and modest-income residents. Developers are motivated to meet this demand if policies are streamlined.

"Most of the renters are locals and they just wanted to sell their homes and move into something that they could not have to look after..." ~ Engagement Participant

4.5.2 Concerns and Service Gaps

- **Permitting Delays and Approval Unpredictability:** Across all interviews, the most pressing problem is the slow, inconsistent, and sometimes opaque council approval process. Projects compliant with local plans can face delays of a year or more, sometimes receiving contradictory instructions during the process. This unpredictability increases project risk and costs.
- **Disproportionate Developer Costs for Servicing:** Developers expressed frustration at being required to front substantial costs for water or infrastructure upgrades that benefit the wider community, sometimes with fees that seem out of line with expected actual costs.
- **Lack of Incentives for Affordable Housing:** Municipal processes offer no meaningful incentives for affordable housing, and in some cases, regulatory hurdles make it difficult to keep rents low even when developers wish to do so.
- **Land Use & Mapping Clarity:** Several noted issues with current or draft zoning maps incorrectly designating parcels (for instance, as industrial rather than residential), creating extra negotiation, uncertainty, and risk for developers.
- **Disconnect Between Planning Goals and Practical Actions:** Developers note a gap between stated municipal housing needs (e.g., town plans calling for 100–300 new homes) and the reality of significant red tape, lack of incentives, and slow delivery of public infrastructure.

What We Heard: Shelburne Planning Documents and Town Projects

- **Economic and Population Stagnation:** A lack of commercial development, employer attraction, and business expansion is seen as both a cause of population loss and an impediment to broader success for housing developments.

4.5.3 Notable Revelations

- **Hidden Risk of Developer Withdrawal:** At least one developer indicated they are considering stopping future investments due to excessive delays, costs, and bureaucratic frustration, presenting a risk to the already limited local supply of builders.
- **Infrastructure as Key Gatekeeper:** Even where zoning or lot coverage rules allow higher-density projects, lack of water or requirement for costly extensions can block practical development, showing that infrastructure, not zoning, is often the main barrier.
- **Strong Local Demand Confirmed:** Rental housing for seniors and those seeking modestly sized, low-maintenance units is in high demand across all interviewed groups.
- **Desire for Economic Action:** Developers recommend the town leverage its own land holdings and be more active in attracting commercial employers, recognizing that housing success is interlinked with economic opportunity.

Process Changes Over Policy Alone: Developers want not just policy changes but operational reforms, streamlined, consistent, and “by-right” approvals for compliant projects, coupled with proactive, realistic planning for infrastructure needs.

5 Community Meeting

Thirty residents attended the community meeting held September 27, 2025 at the Shelburne Community Centre.

Water Infrastructure and Access

A central theme of the meeting was concern over water availability and infrastructure, particularly in the John Street and Mowat Street area. Residents highlighted disparities in access to municipal water, raising concerns that homes adjacent to the existing lines have never been connected despite paying the same taxes as their neighbours who are connected.

Many rely on private wells, which have run dry in recent droughts, forcing families to share water through hoses, buckets, or by transporting water from friends connected to town services. Many participants called for extending the water lines to underserved areas, ensuring affordability, and exploring flexible payment options for new connections, given the financial strain, especially on seniors and those on fixed incomes. Some were worried the cost of connection would be unaffordable to them.

Development and Capacity

Participants questioned whether the current infrastructure could handle new apartment developments, expressing concern over increased traffic and the additional load on utilities (water, sewer, power). The

What We Heard: Shelburne Planning Documents and Town Projects

adequacy of the lake and reservoir to meet potential new demand was discussed, along with a call for studies on alternative water sources and capacity. Attendees emphasized that thoughtful infrastructure planning must be integrated with any growth in residential density.

Traffic Safety and Walkability

Residents described problems at several intersections, notably the four-way stop on the way to Sandy Point, where drivers frequently ignore the signs, and at the intersection of Dock Street and Water/George Streets, where turning is difficult and truck traffic poses risks. There were calls to review traffic controls, suggesting that some intersections should be two-way stops instead. The need for more and better-maintained sidewalks, especially around homes and on Mowatt Street, where traffic to Sandy Point and the hospital is high, was emphasized for safety and to encourage walking in the community.

Public Space and Community Maintenance

Concerns extended to the maintenance and use of public spaces. Several town planters have been left untended, detracting from the community's appearance. Some residents also raised alarms about commercial zoning extending right to the waterfront, arguing the importance of preserving access and protections for these spaces rather than encouraging further commercial encroachment.

Governance and Community Engagement

Finally, some attendees raised questions about the structure and boundaries of the municipality, expressing concerns about its size and its impact on service delivery.

There was interest in greater engagement with local youth through information sessions and surveys at the high school, signaling a desire for broader community involvement in planning decisions.

6 Survey Summary Results

As noted earlier, ATN designed and deployed a survey to gather feedback from the public on MPS and LUB. These responses supplement what was gathered through other engagement methods.

Survey responses indicate clear priorities for affordable housing, heritage protection, and infrastructure improvements in Shelburne, with overwhelming support (84%) for more affordable rental housing. Furthermore, younger residents demonstrate a strong demand for affordable ownership options. Overall, community residents emphasize the need for non-market housing and support for individuals experiencing homelessness.

When it comes to heritage, most respondents want to enhance protections for existing buildings and improve the maintenance of town-owned heritage sites, rather than prioritizing the registration of new heritage properties. Infrastructure concerns are notable: a large majority believe that water main extensions should be prioritized for properties with existing sewer connections, and over half of respondents would consider connecting to town water if it were available, indicating a desire for expanded and reliable services.

The survey reveals a community focused on practical enhancements that strike a balance between growth and character. Most people feel that the parking quantity is "about right," with no significant consensus calling for more or less. There is broad support for expanding sidewalks and walking options, though enthusiasm for new biking infrastructure is somewhat lower.

Residents are divided about whether the town is ready for growth or climate challenges, expressing skepticism about preparedness and capacity to adapt. For local zoning changes, such as new neighbourhood commercial zones, majority support is paired with a desire for careful screening and buffering to protect residential character. Overall, the responses reflect pragmatic priorities: more housing and infrastructure, strong heritage stewardship, and fair, thoughtful urban planning.

Detailed analysis of the survey responses is provided throughout the remainder of this section.

6.1 Demographics

As noted above, 127 residents responded to the survey. Of this, 53% identified as female, 40% as male, and 7% did not identify as either (Figure 1A). Furthermore, 75% of respondents are current residents, with the remainder being either past or future residents. Consistent with the demographic profile of the Town of Shelburne, respondents span various age groups, with the majority between the ages of 45 and 64 years old. Few responses were received from younger residents (18 – 34 years old), accounting for only 15% of responses. A detailed breakdown of the respondent ages is provided in Figure 1B.

What We Heard: Shelburne Planning Documents and Town Projects

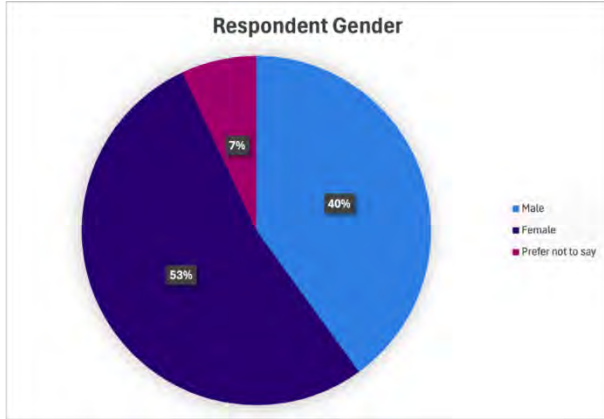


Figure 1A: Respondents Breakdown by Gender

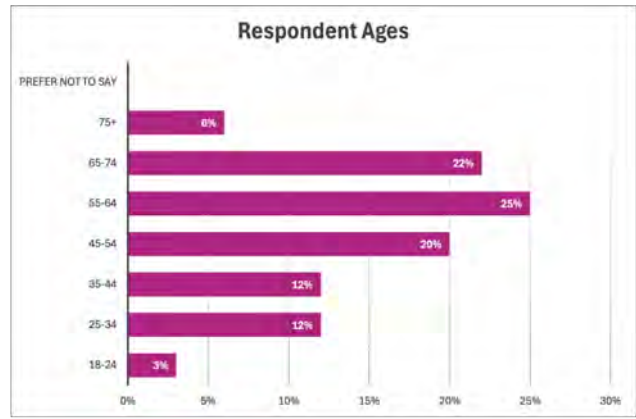


Figure 1B: Respondents Breakdown by Age

Housing Needs

- **Affordable Rental Housing** emerged as a top priority across all groups (84%), especially for women and younger (18-34) respondents. They indicate a strong preference for affordable rentals (1-bedroom units under \$900), as shown in Figure 2.
- **Affordable Ownership Housing:** Also highly prioritized (67%), with the highest demand among 18-34-year-olds (88%), indicating a generational challenge for first-time buyers.
- **Non-Market & Homelessness Options:** Nearly half (48%) identified non-market (government-assisted) housing as a key need, and 46% cite support for individuals experiencing homelessness. Needs are consistent across gender and age.

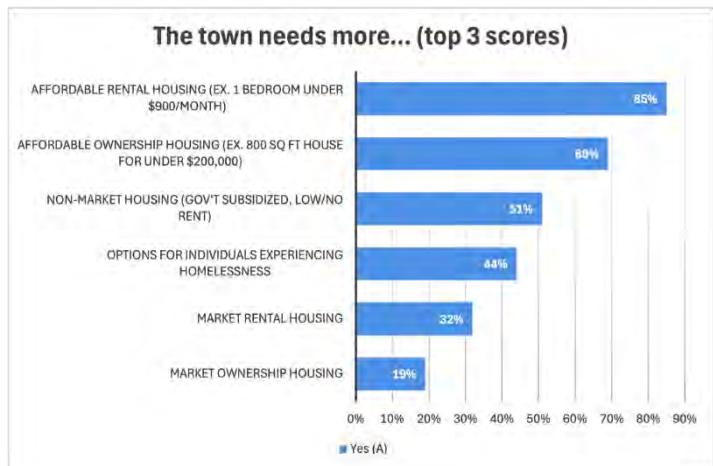


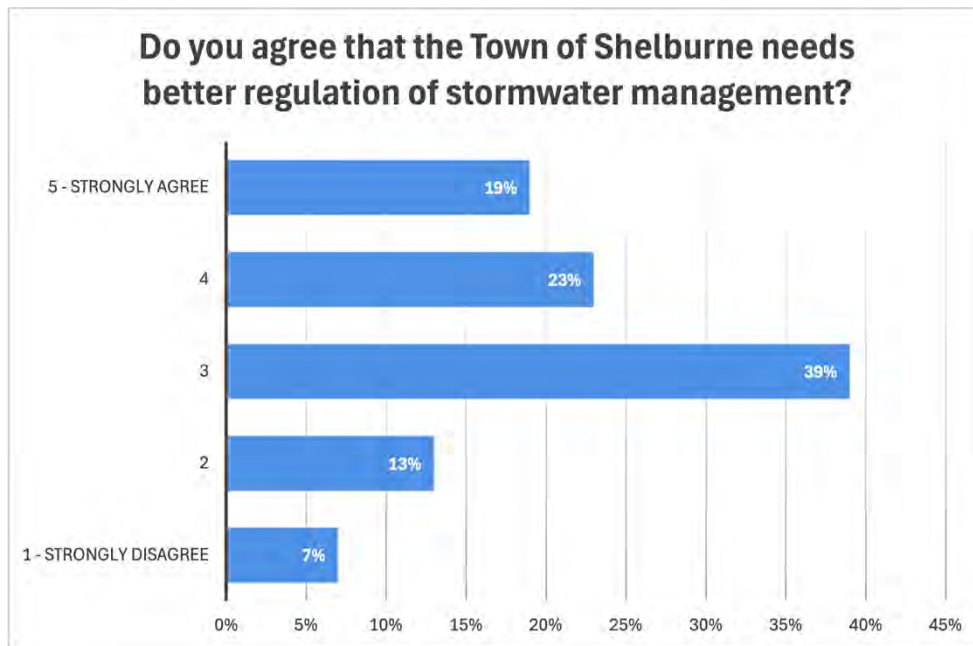
Figure 2: Priority Community Needs

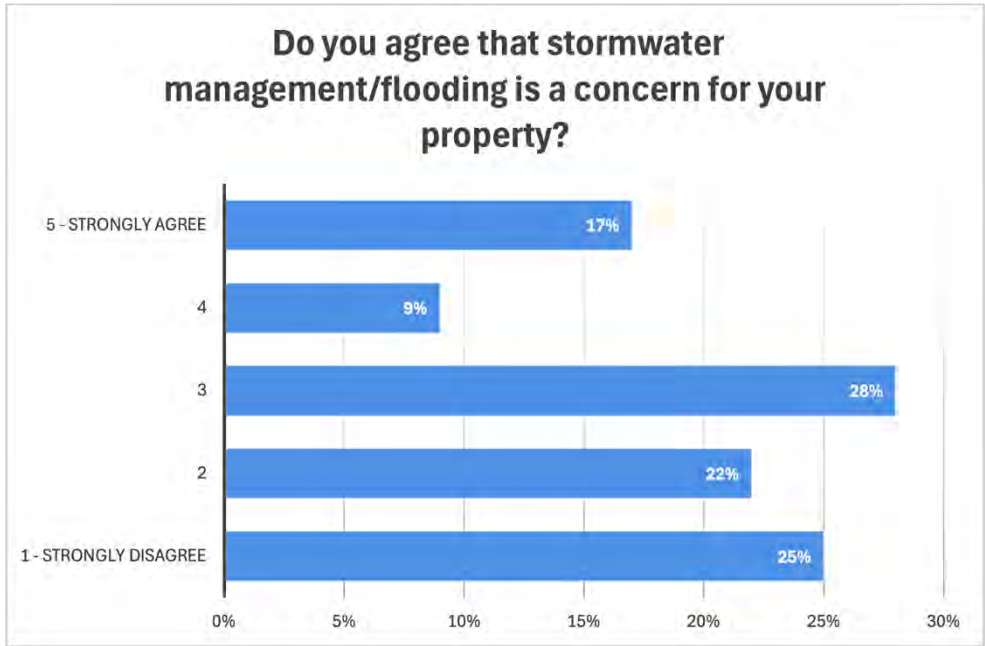
Heritage Protection

- Over 90% of respondents **support enhancing and proactively protecting existing heritage buildings**, with broad agreement on prioritizing town-owned heritage building maintenance.
- Respondents **do not view registration of new heritage buildings as urgent** compared to maintaining and enhancing existing buildings. Only 33% consider registering of new heritage buildings an urgent community need.
- Other top responses when it comes to how the Town should deal with heritage buildings include:
 - Explore ways to proactively protect heritage buildings (91%)
 - Focus on town-owned heritage buildings maintenance and improvements (85%)

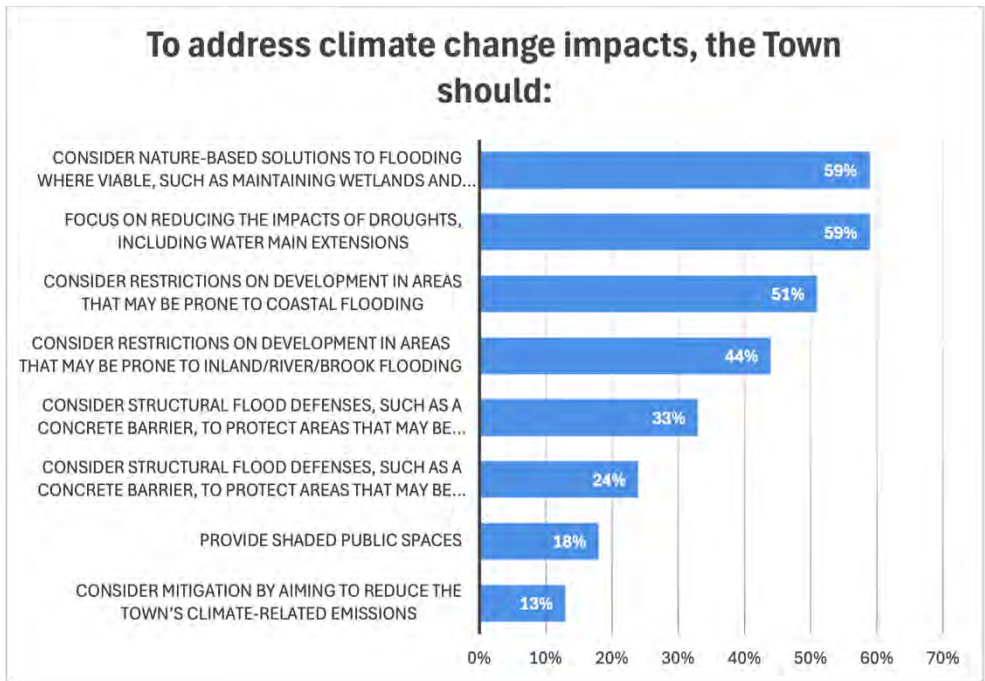
Infrastructure and Growth

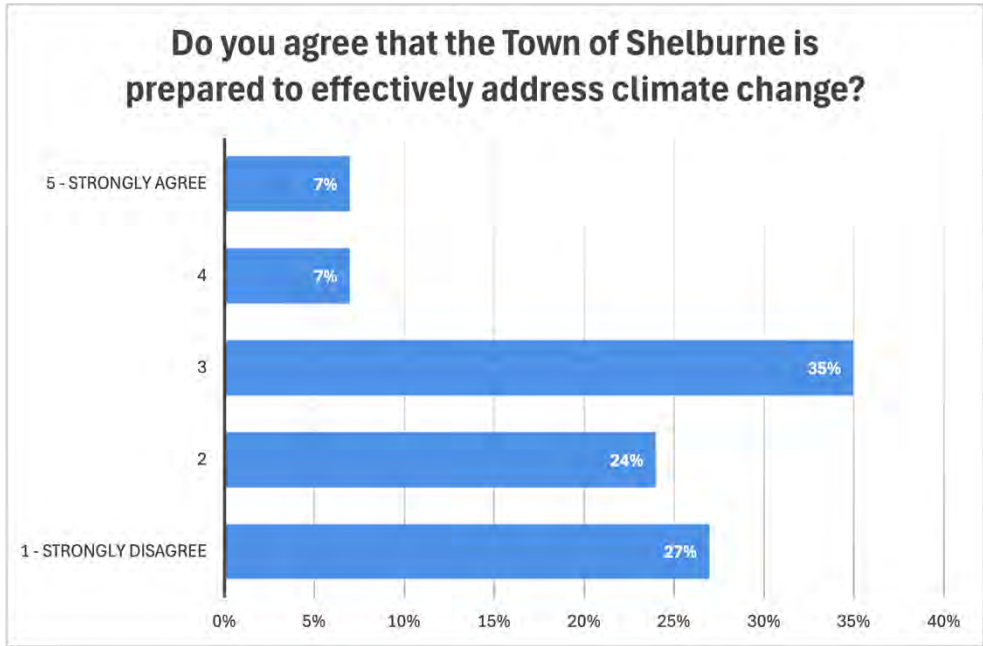
- **Work on water main extensions is a major priority for residents.** Eighty-six percent of respondents agree that water main extensions should be prioritized for properties with a town sewer nearby. There is widespread interest in connecting to town water (60% of respondents will connect to or consider connecting to town water, if available). Regarding the extension of water mains outside town boundaries, an overwhelming majority either opposes or has no opinion (61% and 30%, respectively).
- **Stormwater Management:** 62% are neutral or disagree that flooding is a concern on their property, but 41% agree the Town needs stronger stormwater regulation, with more support among older adults.



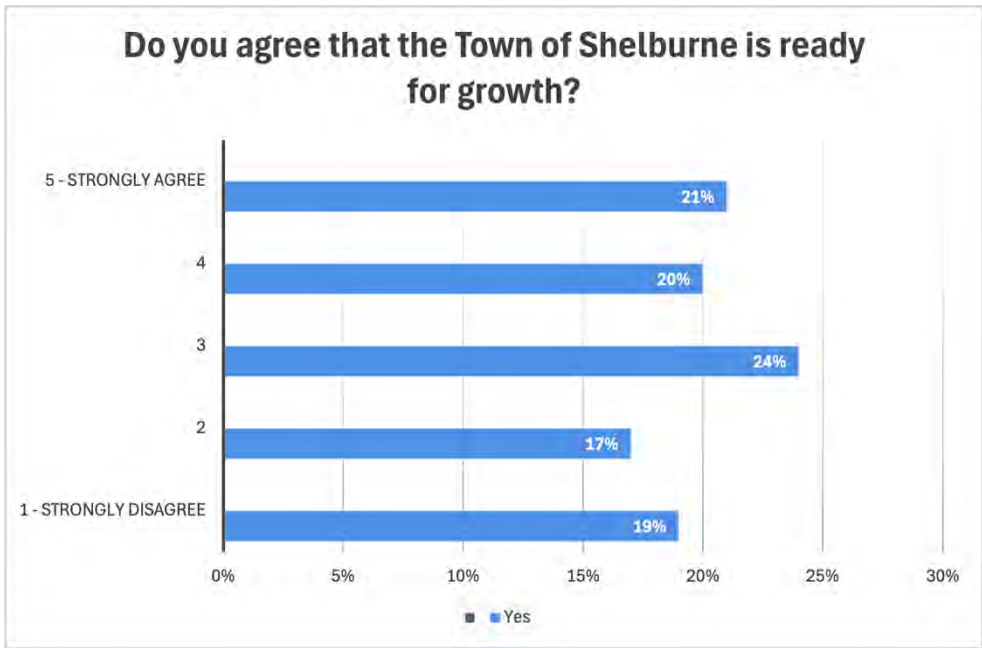


- **Preparedness for Climate Adaption:** Respondents are split on whether the Town is ready for climate adaptation (14% strongly agree), indicating skepticism about local capacity.





- Preparedness for Growth:** Respondents are split on whether the Town is ready for growth (only 38% agree/strongly agree).



Summary of answers to Q11 - If you have any special considerations or concerns regarding the list of businesses above, please indicate below:

What We Heard: Shelburne Planning Documents and Town Projects

In this open question respondents voiced a clear desire to balance growth and economic activity with the preservation of neighborhood quality and access to housing. There is cautious support for low-impact, community-oriented businesses in appropriate areas, provided they do not disrupt daily life with increased noise, traffic, or late hours.

While some respondents had concerns regarding increased traffic in residential neighbourhoods, some did not, though many both for and against suggested that hours of operation and noise should be regulated.

Strong opposition was registered against the spread of short-term rentals and high-impact enterprises such as bars, drive-throughs, or takeout restaurants in residential zones. Many called for greater clarity about zoning changes and urged the town to focus on filling existing commercial vacancies, improving accessibility, and delivering essential services, especially healthcare, mental health clinics, and affordable housing. Residents underscored the need for meaningful community input and regulation to ensure changes truly benefit the people of Shelburne, rather than outsiders or investors alone.

Summary of Open Question 18 - If you have any additional comments or input to be considered or have concerns about planning and development in the Town of Shelburne, please include them below:

People making submissions to this open question voiced strong, diverse opinions about planning and development in Shelburne. Many see untapped potential and call for significant revitalization, especially in the downtown and waterfront areas, emphasizing tourism, small businesses, and restoration of neglected properties. There is also widespread concern that fundamental infrastructure, roads, sidewalks, water, and sewer systems, is at or beyond capacity, and that service gaps (health, dental, mental health, affordable housing) must be addressed as a priority. The community feels burdened by high property taxes, and there are calls for more transparent, proactive, and collaborative leadership.

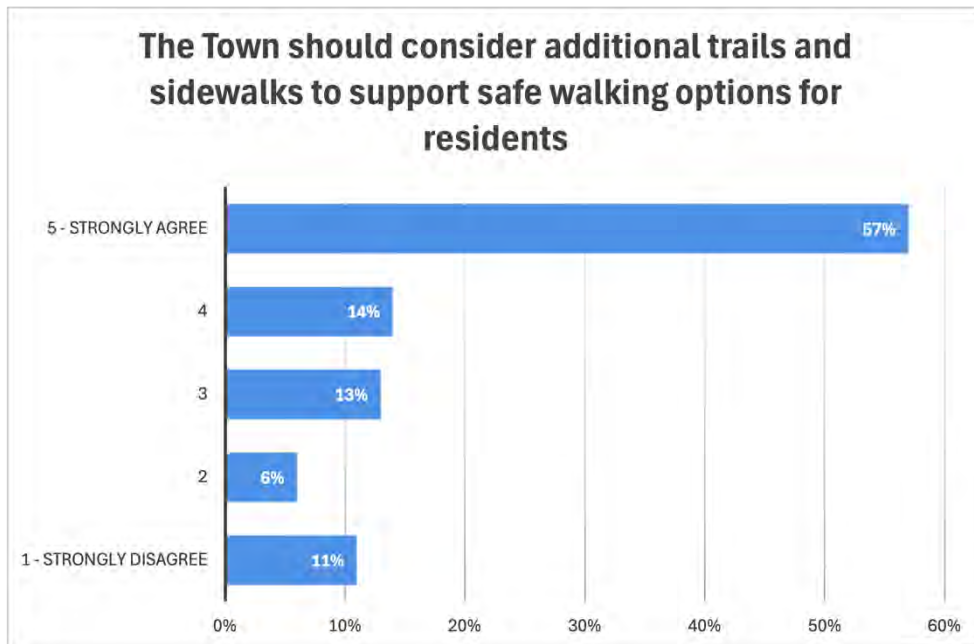
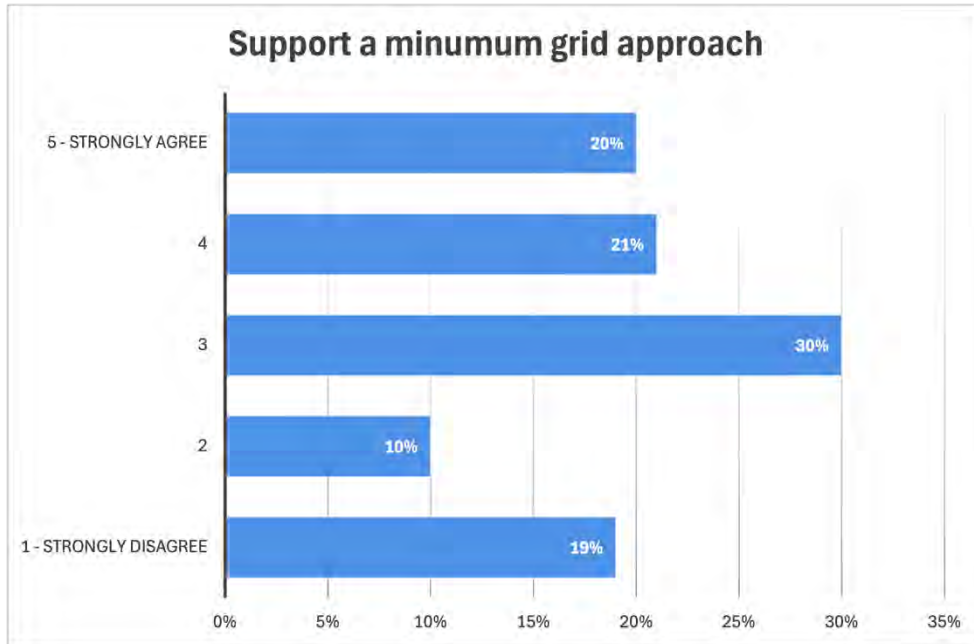
“Ready as in needing growth? Yes. Strongly agree. Ready as in infrastructure, policy and regulations! No. Strongly disagree.”

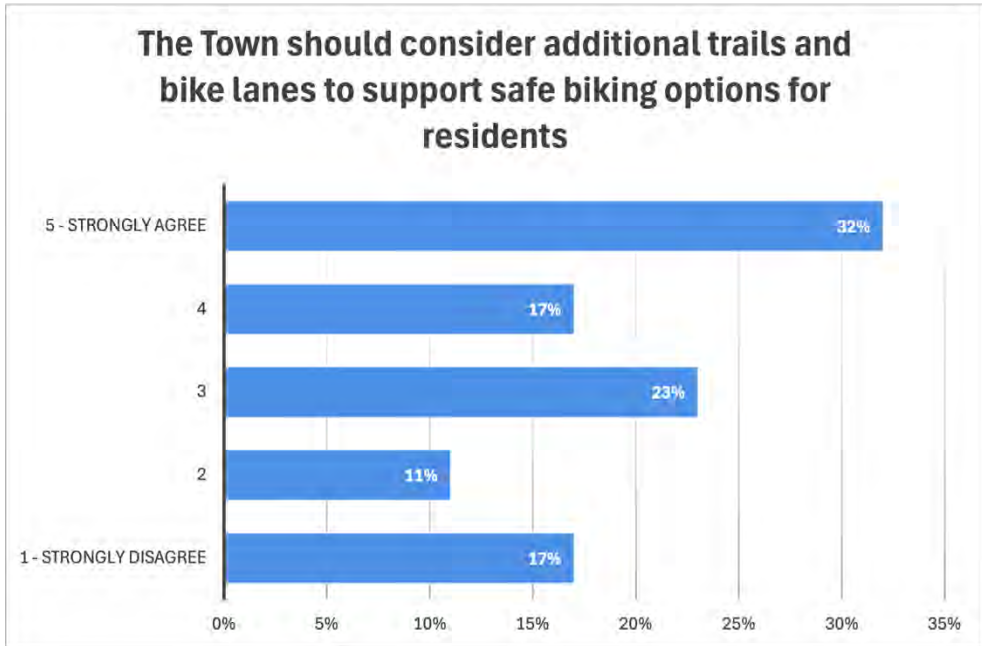
Some residents advocate for a preservation of the current character and are wary of rapid changes, while others believe the town is in decline due to lack of action and investment. Many comments highlight gaps in accessibility, social equity (including environmental racism), and engagement, with concrete suggestions for improving municipal transparency, communication, and follow-through. Notably, there is significant frustration over perceived indifference or resistance to new ideas, lack of cooperation with other levels of government, and inconsistent enforcement of existing rules.

Overall, respondents want Shelburne’s leaders to prioritize infrastructure, basic services, equity, and a vision for managed growth that leverages the town’s strengths without leaving current residents or marginalized groups behind. The mood is both hopeful and urgent: there is an appetite for action, but a call for more inclusive, transparent, and responsive governance.

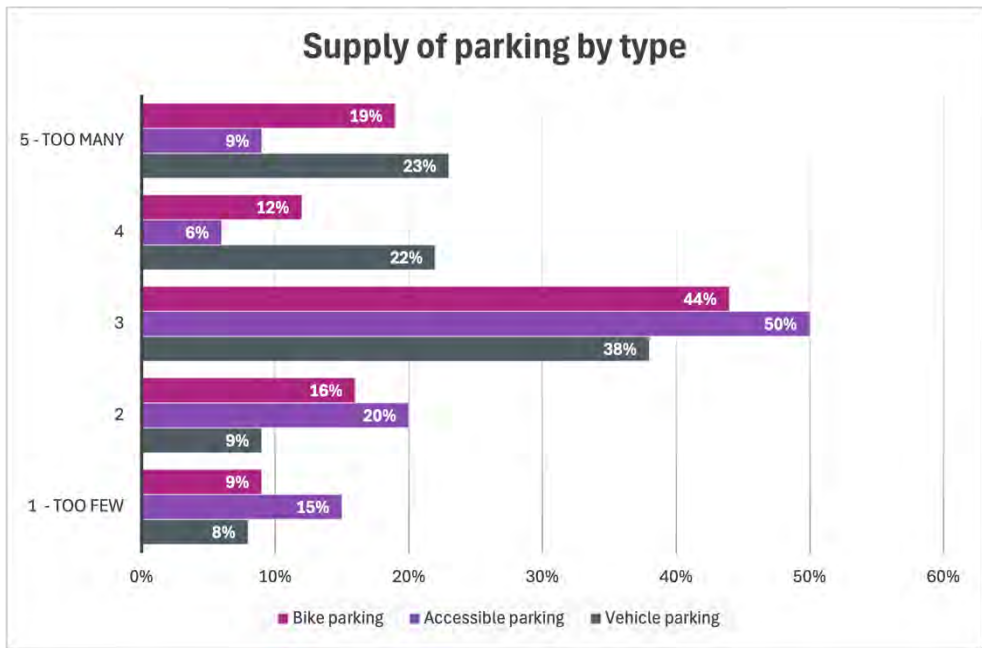
Transportation and Public Spaces

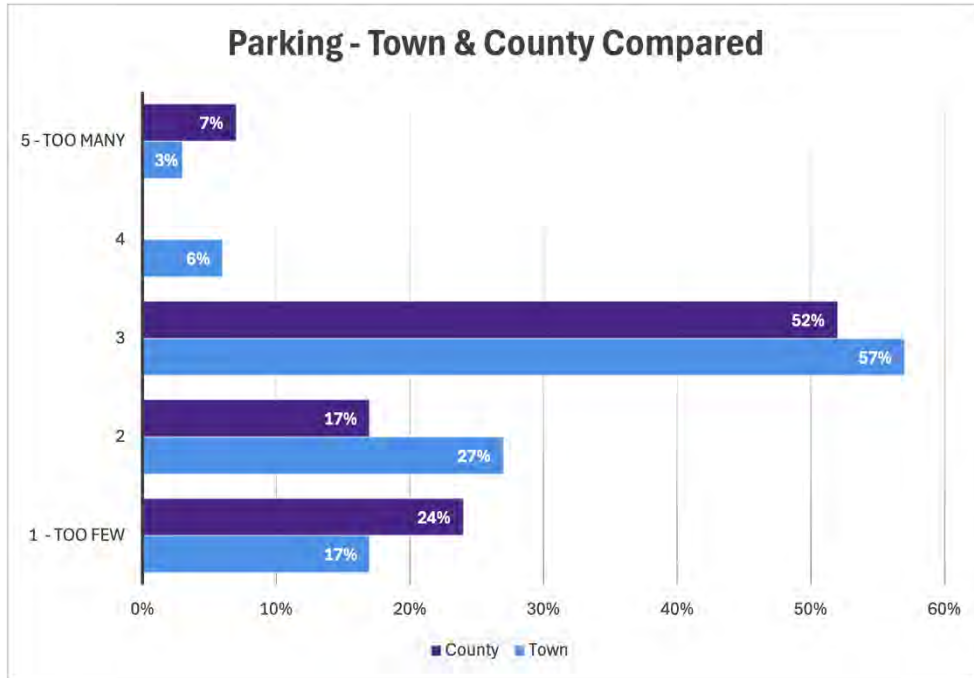
- **Sidewalks & Trails:** Over half (59%) strongly agree with expanding sidewalks and safe walking options. Support for bike infrastructure is lower (31% strongly agree), with notable resistance among women and older respondents.





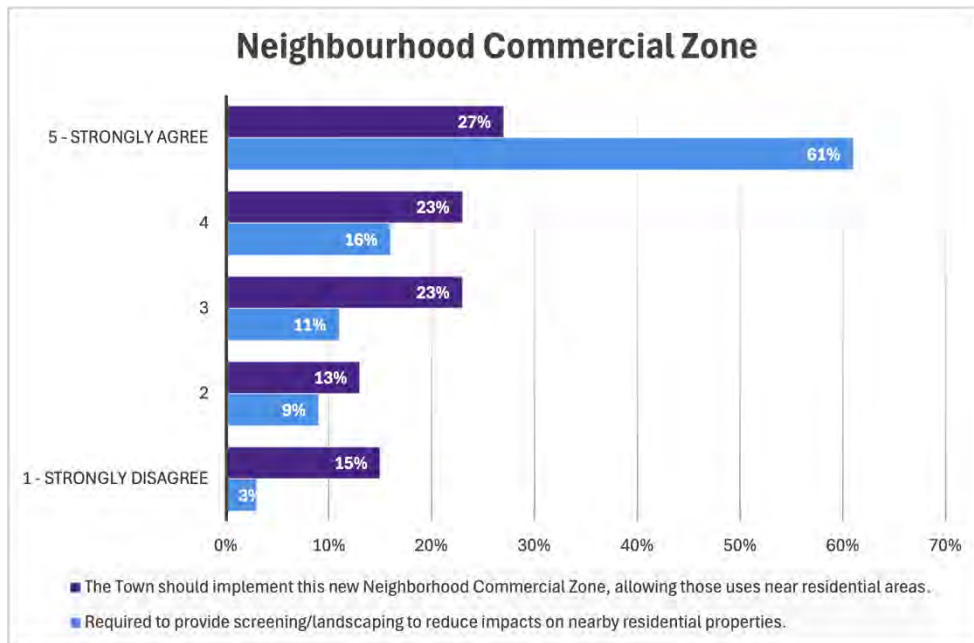
Parking: No consensus that there are too few or too many parking stalls, most (41-56%) rate vehicle, accessible, and bike parking as “about right.”





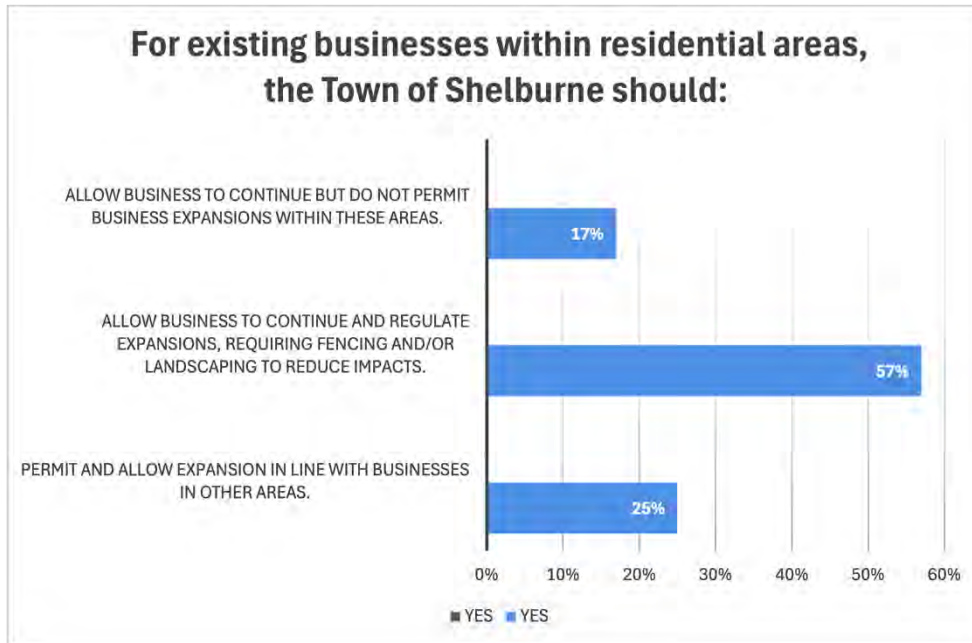
Zoning & Land Use

- Neighbourhood Commercial Zone:** Mixed views, 28% strongly agree with new commercial zoning near residential, but 17% strongly disagree. Majority (60%) strongly agree new businesses should provide screening/landscaping.

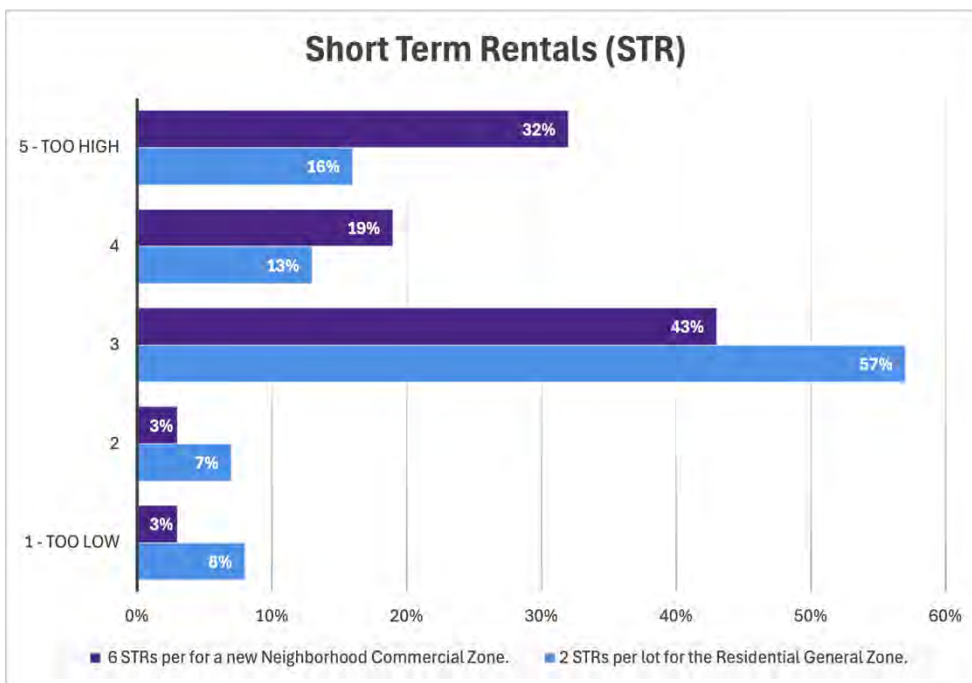


What We Heard: Shelburne Planning Documents and Town Projects

- Existing Businesses in Residential:** Most (57%) support allowing businesses to continue with regulation (buffering/fencing), while only 27% favor full expansion rights.



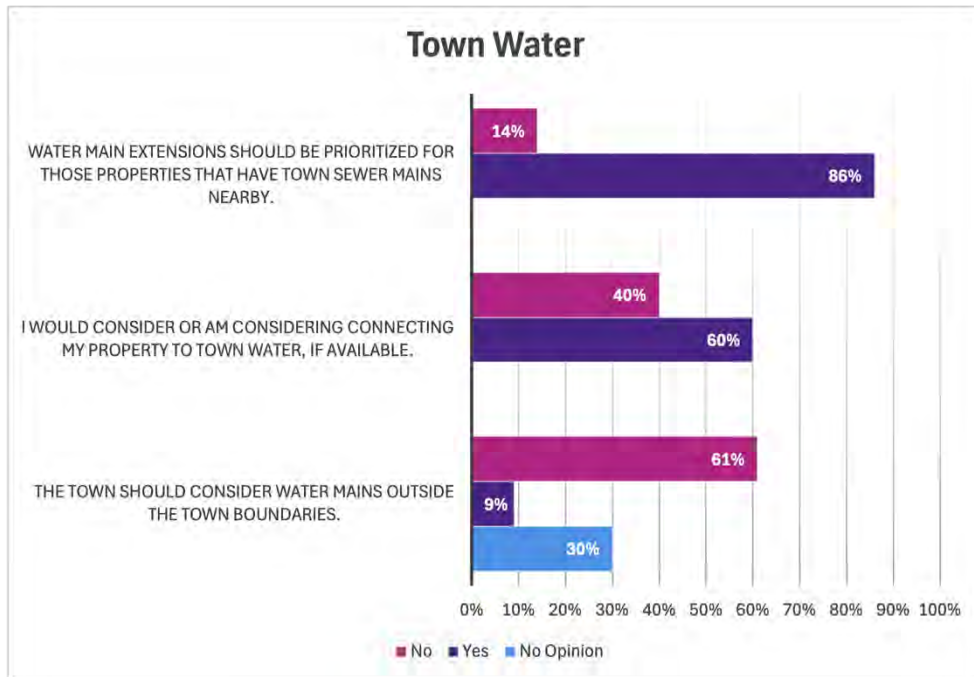
- Short-Term Rentals (STRs):** Majority think two STRs per lot in residential is “about right” (56%); fewer think six STRs in commercial is too high, but younger and male respondents are less concerned about higher numbers.



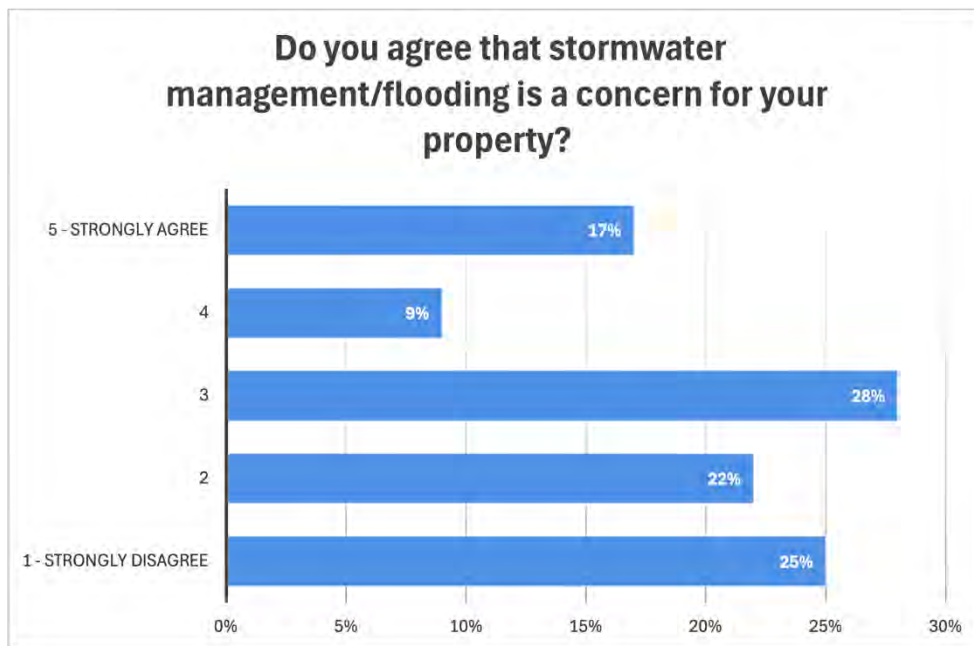
Climate Adaptation

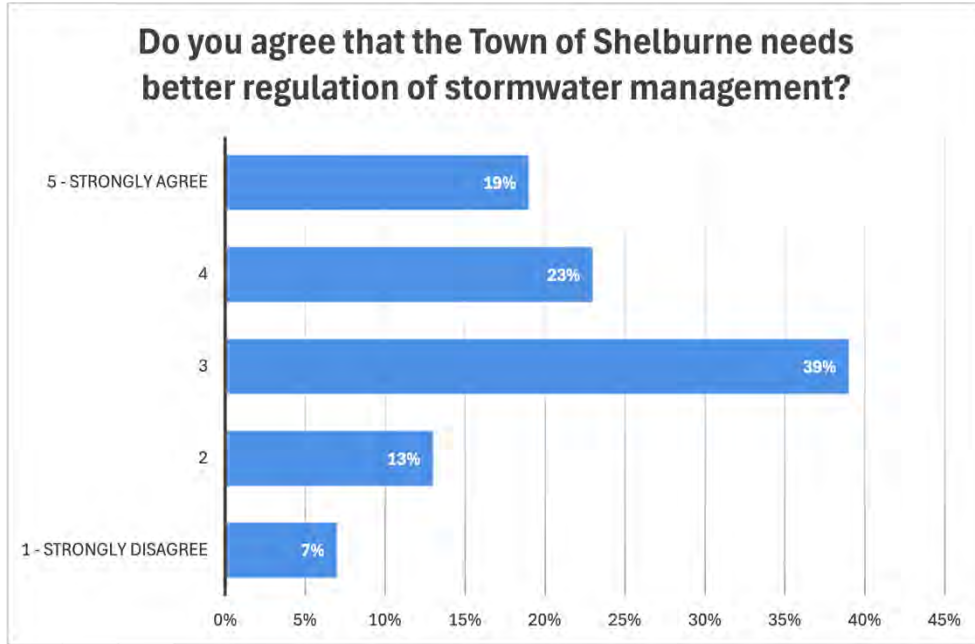
What We Heard: Shelburne Planning Documents and Town Projects

- **Priorities:** Main priorities involve reducing drought impacts (with water main extensions, 58%), adopting nature-based flood solutions (58%), and restricting development in flood-prone areas (54%).



- **Structural Barriers:** Less public support for costly physical flood defenses or large-scale emissions mitigation.





APPENDIX A – Raw Survey Results

Survey results attached.

Q0)) Into which of the following categories does your age fall?

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
		(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	169	65	88	24	52	92	127	42
18-24	2%	3%	2%	17%	0% ^a	0% ^a	3%	0% ^a
25-34	12%	14%	9%	83%	0% ^a	0% ^a	12%	12%
35-44	11%	8%	13%	0% ^a	35%	0% ^a	12%	7%
45-54	20%	17%	22%	0% ^a	65%	0% ^a	20%	21%
55-64	29%	28%	31%	0% ^a	0% ^a	53%	25%	40%
65-74	20%	23%	19%	0% ^a	0% ^a	37%	22%	14%
75+	5%	8%	5%	0% ^a	0% ^a	10%	6%	2%
Prefer not to say	1%	0% ^a	0% ^a	0% ^a	0% ^a	0% ^a	0% ^a	2%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion. Significance level for upper case letters (A, B, C): .05

a. This category is not used in comparisons because its column proportion is equal to zero or one.

**Q1)) The Town needs more....
- HIGHEST PRIORITY -**

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
		(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	168	64	88	24	52	91	126	42
Affordable Rental Housing (ex. 1 bedroom under \$900/month)	38%	22%	50% A	25%	38%	41%	38%	36%
Affordable Ownership Housing (ex. 800 sq ft house for under \$200,000)	29%	36%	23%	58% B C	25%	23%	31%	21%
Options for individuals experiencing homelessness	14%	13%	17%	4%	10%	19%	11%	21%
Non-Market Housing (gov't subsidized, low/no rent)	9%	8%	8%	8%	8%	10%	8%	12%
Market Ownership Housing	7%	13% B	2%	4%	12%	5%	8%	5%
Market Rental Housing	4%	9%	0% ¹	0% ¹	8%	2%	4%	5%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion. Significance level for upper case letters (A, B, C): .05

1. This category is not used in comparisons because its column proportion is equal to zero or one.

**Q1)) The Town needs more....
- SECOND PRIORITY -**

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
		(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	168	64	88	24	52	91	126	42
Affordable Rental Housing (ex. 1 bedroom under \$900/month)	27%	33%	22%	50% B C	19%	24%	28%	24%
Affordable Ownership Housing (ex. 800 sq ft house for under \$200,000)	22%	19%	23%	13%	29%	21%	21%	24%
Non-Market Housing (gov't subsidized, low/no rent)	17%	14%	22%	13%	13%	21%	20%	10%
Market Rental Housing	17%	22%	15%	13%	17%	18%	14%	24%
Options for individuals experiencing homelessness	12%	6%	16%	4%	13%	13%	12%	12%
Market Ownership Housing	5%	6%	3%	8%	8%	3%	5%	7%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion. Significance level for upper case letters (A, B, C): .05

**Q1)) The Town needs more....
- THIRD PRIORITY -**

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
		(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	168	64	88	24	52	91	126	42
Non-Market Housing (gov't subsidized, low/no rent)	22%	20%	25%	21%	23%	22%	23%	19%
Options for individuals experiencing homelessness	20%	22%	18%	25%	12%	24%	21%	17%

Affordable Rental Housing (ex. 1 bedroom under \$900/month)	20%	23%	15%	17%	21%	20%	19%	21%
Affordable Ownership Housing (ex. 800 sq ft house for under \$200,000)	17%	13%	19%	17%	15%	16%	17%	17%
Market Rental Housing	13%	13%	14%	8%	15%	12%	13%	10%
Market Ownership Housing	9%	9%	9%	13%	13%	5%	6%	17% A

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

Q1)) The Town needs more....

- TOP 3 PRIORITIES -

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
		(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	168	64	88	24	52	91	126	42
Affordable Rental Housing (ex. 1 bedroom under \$900/month)	84%	78%	86%	92%	79%	85%	85%	81%
Affordable Ownership Housing (ex. 800 sq ft house for under \$200,000)	67%	67%	65%	88% C	69%	60%	69%	62%
Non-Market Housing (gov't subsidized, low/no rent)	48%	42%	55%	42%	44%	53%	51%	40%
Options for individuals experiencing homelessness	46%	41%	51%	33%	35%	56% A B	44%	50%
Market Rental Housing	33%	44%	28%	21%	40%	32%	32%	38%
Market Ownership Housing	21%	28% B	15%	25%	33% C	14%	19%	29%

Multiple responses accepted!

1. Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

Q2)) With respect to registered and unregistered Heritage buildings, the Town should...

- HIGHEST PRIORITY -

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
		(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	168	64	88	24	52	91	126	42
Focus on Town owned heritage buildings maintenance and improvements	42%	42%	38%	50%	46%	36%	40%	45%
Look at ways of proactively protecting heritage buildings	32%	31%	34%	33%	29%	33%	29%	40%
Focus on enhancing protection of existing heritage buildings	21%	22%	23%	13%	15%	27%	25%	12%
Promote the registration of new heritage buildings	5%	5%	6%	4%	10%	3%	6%	2%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

Q2)) With respect to registered and unregistered Heritage buildings, the Town should...

- SECOND PRIORITY -

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
		(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	168	64	88	24	52	91	126	42
Focus on enhancing protection of existing heritage buildings	35%	36%	36%	25%	40%	34%	33%	40%
Look at ways of proactively protecting heritage buildings	30%	30%	30%	29%	35%	26%	32%	24%
Focus on Town owned heritage buildings maintenance and improvements	25%	25%	27%	29%	17%	29%	28%	17%
Promote the registration of new heritage buildings	11%	9%	7%	17%	8%	11%	8%	19% A

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

Q2)) With respect to registered and unregistered Heritage buildings, the Town should...

- THIRD PRIORITY -

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
	(A)	(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	168	64	88	24	52	91	126	42
Focus on enhancing protection of existing heritage buildings	36%	36%	34%	54% C	37%	32%	36%	38%
Look at ways of proactively protecting heritage buildings	29%	30%	28%	33%	29%	29%	31%	24%
Focus on Town owned heritage buildings maintenance and improvements	18%	16%	20%	8%	17%	21%	17%	21%
Promote the registration of new heritage buildings	17%	19%	17%	4%	17%	19%	17%	17%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion. Significance level for upper case letters (A, B, C): .05

**Q2)) With respect to registered and unregistered Heritage buildings, the Town should...
- TOP 3 PRIORITIES -**

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
	(A)	(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	168	64	88	24	52	91	126	42
Focus on enhancing protection of existing heritage buildings	92%	94%	93%	92%	92%	93%	93%	90%
Look at ways of proactively protecting heritage buildings	90%	91%	92%	96%	92%	88%	91%	88%
Focus on Town owned heritage buildings maintenance and improvements	85%	83%	85%	88%	81%	86%	85%	83%
Promote the registration of new heritage buildings	33%	33%	30%	25%	35%	33%	31%	38%

Multiple responses accepted*

a. Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion. Significance level for upper case letters (A, B, C): .05

Q3)) Do you agree with the minimum grid approach, where some streets may be upgraded and other unopened streets are sold?

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
	(A)	(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	169	65	88	24	52	92	127	42
1 - Strongly disagree	19%	18%	15%	21%	12%	22%	19%	19%
2	11%	9%	11%	13%	10%	11%	10%	12%
3	29%	15%	42% A	25%	33%	28%	30%	26%
4	21%	28%	17%	17%	17%	25%	21%	21%
5 - Strongly agree	20%	29% B	15%	25%	29% C	14%	20%	21%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion. Significance level for upper case letters (A, B, C): .05

Q4)) Do you agree that the Town should consider additional trails and sidewalks to support safe walking options for residents?

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
	(A)	(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	169	65	88	24	52	92	127	42
1 - Strongly disagree	11%	9%	13%	17%	15%	7%	11%	10%
2	7%	9%	3%	8%	8%	5%	6%	12%
3	11%	9%	13%	8%	6%	15%	13%	7%
4	12%	15%	13%	13%	6%	16%	14%	7%
5 - Strongly agree	59%	57%	59%	54%	65%	57%	57%	64%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion. Significance level for upper case letters (A, B, C): .05

Q5)) Do you agree that the Town should consider additional trails and bike lanes to support safe biking options for residents?

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
	(A)	(A)	(B)	(A)	(B)	(C)	(A)	(B)

		(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	169	65	88	24	52	92	127	42
1 - Strongly disagree	18%	29% B	11%	29% C	27% C	10%	17%	21%
2	13%	8%	17%	8%	13%	14%	11%	19%
3	22%	18%	24%	21%	19%	25%	23%	21%
4	15%	14%	17%	4%	12%	21%	17%	12%
5 - Strongly agree	31%	31%	31%	38%	29%	30%	32%	26%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

Q6) On a scale of 1-5, rate whether you feel this is 1-too few or 5-too many stalls with regard to the following:

		Total	Gender		Age			Resident	
		(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
			(A)	(B)	(A)	(B)	(C)	(A)	(B)
Vehicle parking	Total (N)	169	65	88	24	52	92	127	42
	1 - Too few	9%	11%	6%	21% B C	6%	7%	8%	12%
	2	8%	12%	6%	8%	6%	10%	9%	5%
	3	41%	35%	44%	46%	40%	41%	38%	52%
	4	18%	17%	19%	13%	21%	17%	22% B	5%
	5 - Too many	24%	25%	25%	13%	27%	25%	23%	26%
Accessible parking	Total (N)	169	65	88	24	52	92	127	42
	1 - Too few	14%	8%	17%	13%	8%	17%	15%	10%
	2	19%	18%	20%	29%	13%	20%	20%	14%
	3	51%	55%	50%	54%	60%	47%	50%	57%
	4	7%	5%	8%	0% ¹	8%	7%	6%	10%
	5 - Too many	9%	14% B	5%	4%	12%	10%	9%	10%
Bike parking	Total (N)	169	65	88	24	52	92	127	42
	1 - Too few	9%	11%	7%	17%	4%	10%	9%	7%
	2	14%	11%	16%	13%	8%	17%	16%	7%
	3	44%	35%	50%	38%	40%	49%	44%	45%
	4	12%	17%	11%	8%	15%	12%	12%	14%
	5 - Too many	21%	26%	16%	25%	33% C	12%	19%	26%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

1. This category is not used in comparisons because its column proportion is equal to zero or one.

Q7) On a scale of 1-5, rate whether you feel this is 1-too few or 5-too many stalls with regard to the following:

		Total	Gender		Age			Resident	
		(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
			(A)	(B)	(A)	(B)	(C)	(A)	(B)
Vehicle parking	Total (N)	169	65	88	24	52	92	127	42
	1 - Too few	18%	18%	16%	21%	19%	16%	17%	24%
	2	17%	15%	19%	29%	12%	16%	17%	17%
	3	56%	57%	56%	50%	60%	57%	57%	52%
	4	5%	6%	5%	0% ¹	6%	5%	6%	0% ¹
	5 - Too many	4%	3%	5%	0% ¹	4%	5%	3%	7%
Accessible parking	Total (N)	169	65	88	24	52	92	127	42
	1 - Too few	21%	15%	23%	25%	15%	23%	17%	31%
	2	21%	15%	25%	29%	12%	24%	22%	17%
	3	52%	60%	48%	42%	62%	49%	54%	48%
	4	3%	3%	3%	4%	4%	2%	4%	0% ¹
	5 - Too many	4%	6%	1%	0% ¹	8%	2%	3%	5%
Bike parking	Total (N)	169	65	88	24	52	92	127	42
	1 - Too few	10%	8%	10%	13%	8%	11%	11%	7%
	2	12%	11%	14%	8%	8%	15%	13%	10%
	3	53%	49%	56%	63%	42%	57%	51%	57%
	4	8%	9%	9%	0% ¹	13%	8%	8%	10%
	5 - Too many	17%	23%	11%	17%	29% C	10%	17%	17%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

1. This category is not used in comparisons because its column proportion is equal to zero or one.

Q8)) Please answer yes or no based on your opinion for the following questions:

	Total (A)	Gender		Age			Resident		
		Male (A)	Female (B)	18-34 (A)	35-54 (B)	55+ (C)	Yes (A)	No/PNTS (B)	
Water main extensions should be prioritized for those properties that have Town sewer mains nearby.	Total (N)	169	65	88	24	52	92	127	42
	Yes	86%	91%	85%	83%	83%	88%	86%	86%
	No	14%	9%	15%	17%	17%	12%	14%	14%
I would consider or am considering connecting my property to Town water, if available.	Total (N)	169	65	88	24	52	92	127	42
	Yes	56%	63%	49%	67%	46%	58%	60%	43%
	No	44%	37%	51%	33%	54%	42%	40%	57%
The Town should consider water mains outside the Town boundaries.	Total (N)	169	65	88	24	52	92	127	42
	Yes	15%	18%	11%	13%	21%	12%	9%	33% A
	Yes, after more of the Town is connected	57%	58%	58%	75%	54%	55%	61%	48%
	No	27%	23%	31%	13%	25%	33%	30%	19%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion. Significance level for upper case letters (A, B, C): .05

Q9)) Do you agree that stormwater management/flooding is a concern for your property?

	Total (A)	Gender		Age			Resident	
		Male (A)	Female (B)	18-34 (A)	35-54 (B)	55+ (C)	Yes (A)	No/PNTS (B)
Total (N)	169	65	88	24	52	92	127	42
1 - Strongly disagree	29%	35%	24%	33%	31%	27%	25%	40%
2	19%	22%	19%	13%	25%	16%	22%	10%
3	27%	23%	27%	38%	23%	26%	28%	24%
4	8%	5%	11%	0% ¹	2%	14% B	9%	7%
5 - Strongly agree	17%	15%	18%	17%	19%	16%	17%	19%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion. Significance level for upper case letters (A, B, C): .05

1. This category is not used in comparisons because its column proportion is equal to zero or one.

Q10)) Do you agree that the Town of Shelburne needs better regulation of stormwater management?

	Total (A)	Gender		Age			Resident	
		Male (A)	Female (B)	18-34 (A)	35-54 (B)	55+ (C)	Yes (A)	No/PNTS (B)
Total (N)	169	65	88	24	52	92	127	42
1 - Strongly disagree	7%	12% B	3%	13%	10%	3%	7%	5%
2	12%	15%	11%	13%	8%	14%	13%	12%
3	41%	40%	41%	46%	44%	39%	39%	50%
4	19%	14%	24%	8%	17%	23%	23% B	7%
5 - Strongly agree	21%	18%	20%	21%	21%	21%	19%	26%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion. Significance level for upper case letters (A, B, C): .05

Q11)) Please rate whether you agree or disagree with the following statements:

	Total (A)	Gender		Age			Resident		
		Male (A)	Female (B)	18-34 (A)	35-54 (B)	55+ (C)	Yes (A)	No/PNTS (B)	
The Town should implement this new Neighborhood Commercial Zone, allowing those uses near residential areas.	Total (N)	169	65	88	24	52	92	127	42
	1 - Strongly disagree	17%	14%	17%	17%	19%	15%	15%	24%
	2	11%	11%	11%	0% ¹	8%	16%	13%	7%
	3	24%	18%	30%	21%	27%	23%	23%	26%
	4	20%	23%	18%	17%	10%	27% B	23%	12%
	5 - Strongly agree	28%	34%	24%	46% C	37% C	18%	27%	31%
Businesses looking to establish themselves in a Neighborhood Commercial Zone for the above stated uses should be required to provide screening/landscaping to reduce impacts on nearby residential properties.	Total (N)	169	65	88	24	52	92	127	42
	1 - Strongly disagree	4%	5%	5%	4%	8%	2%	3%	7%
	2	7%	9%	3%	13%	6%	5%	9%	0% ¹
	3	9%	9%	10%	13%	10%	9%	11%	5%
	4	20%	22%	20%	21%	13%	24%	16%	33% A
	5 - Strongly agree	60%	55%	61%	50%	63%	60%	61%	55%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

1. This category is not used in comparisons because its column proportion is equal to zero or one.

Q11)) If you have any special considerations or concerns regarding the list of businesses above, please indicate below:

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
		(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	169	65	88	24	52	92	127	42
Other	28%	28%	27%	13%	21%	36% A	33% B	12%
No considerations or concerns	72%	72%	73%	88% C	79%	64%	67%	88% A

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

Q12)) For existing businesses within residential areas, the Town of Shelburne should:

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
		(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	169	65	88	24	52	92	127	42
Permit and allow expansion in line with businesses in other areas.	27%	42% B	22%	29%	27%	27%	25%	33%
Allow business to continue and regulate expansions, requiring fencing and/or landscaping to reduce impacts.	57%	43%	66% A	46%	56%	61%	57%	57%
Allow business to continue but do not permit business expansions within these areas.	15%	15%	13%	25%	17%	12%	17%	10%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

Q13)) On a scale of 1-5, rate whether you feel 2 STRs per lot is 1-too low or 5-too high for the Residential General Zone.

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
		(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	169	65	88	24	52	92	127	42
1 - Too low	9%	14% B	5% C	17% C	13% C	4%	8%	12%
2	7%	8%	7%	8%	4%	9%	7%	7%
3	56%	55%	59%	58%	52%	58%	57%	52%
4	12%	11%	14%	8%	12%	13%	13%	10%
5 - Too high	17%	12%	16%	8%	19%	16%	16%	19%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

Q14)) On a scale of 1-5, rate whether you feel the proposed allowance of 6 STRs per lot is 1-too low or 5-too high for a new Neighborhood Commercial Zone.

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
		(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	169	65	88	24	52	92	127	42
1 - Too low	3%	5%	1%	4%	6%	1%	3%	2%
2	4%	8%	2%	4%	4%	4%	3%	7%
3	43%	48%	42%	63% C	40%	39%	43%	43%
4	19%	14%	23%	13%	21%	20%	19%	19%
5 - Too high	31%	26%	32%	17%	29%	36%	32%	29%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

Q15)) The Town is looking to address the impacts of climate change, including examining the impacts of potential coastal flooding. To address these impacts, the Town should:

- HIGHEST PRIORITY -

	Total	Gender	Age	Resident
--	-------	--------	-----	----------

	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
		(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	168	64	88	24	52	91	126	42
Focus on reducing the impacts of droughts, including water main extensions	31%	30%	33%	54% C	31%	24%	33%	26%
Consider restrictions on development in areas that may be prone to coastal flooding	20%	20%	20%	0% ¹	12%	30% B	19%	21%
Consider nature-based solutions to flooding where viable, such as maintaining wetlands and living shorelines	19%	17%	18%	13%	21%	20%	20%	17%
Consider restrictions on development in areas that may be prone to inland/river/brook flooding	10%	9%	10%	4%	10%	11%	9%	12%
Consider structural flood defenses, such as a concrete barrier, to protect areas that may be prone to coastal flooding	8%	5%	9%	8%	12%	5%	8%	7%
Consider structural flood defenses, such as a concrete barrier, to protect areas that may be prone to inland/river/brook	6%	11% B	2%	13%	4%	5%	5%	10%
Consider mitigation by aiming to reduce the Town's climate-related emissions	4%	3%	3%	8% C	6%	1%	4%	2%
Provide shaded public spaces	4%	5%	3%	0% ¹	6%	3%	3%	5%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion. Significance level for upper case letters (A, B, C): .05

1. This category is not used in comparisons because its column proportion is equal to zero or one.

**Q15)) The Town is looking to address the impacts of climate change, including examining the impacts of potential coastal flooding. To address these impacts, the Town should:
- SECOND PRIORITY -**

	Total (A)	Gender		Age			Resident	
		Male	Female	18-34	35-54	55+	Yes	No/PNTS
		(A)	(B)	(A)	(B)	(C)	(A)	(B)
Total (N)	168	64	88	24	52	91	126	42
Consider restrictions on development in areas that may be prone to coastal flooding	21%	20%	22%	21%	31% C	15%	20%	24%
Consider nature-based solutions to flooding where viable, such as maintaining wetlands and living shorelines	20%	11%	24% A	17%	25%	18%	21%	14%
Focus on reducing the impacts of droughts, including water main extensions	17%	17%	18%	17%	21%	14%	15%	21%
Consider restrictions on development in areas that may be prone to inland/river/brook flooding	16%	17%	15%	0% ¹	4%	27% B	14%	21%
Consider structural flood defenses, such as a concrete barrier, to protect areas that may be prone to coastal flooding	10%	17% B	6%	4%	8%	13%	12%	5%
Consider structural flood defenses, such as a concrete barrier, to protect areas that may be prone to inland/river/brook	7%	8%	5%	17% C	6%	4%	7%	7%
Provide shaded public spaces	7%	8%	7%	21% B C	4%	4%	7%	5%
Consider mitigation by aiming to reduce the Town's climate-related emissions	3%	2%	5%	4%	2%	3%	3%	2%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion. Significance level for upper case letters (A, B, C): .05

1. This category is not used in comparisons because its column proportion is equal to zero or one.

Q15)) The Town is looking to address the impacts of climate change, including examining the impacts of potential coastal flooding. To address these impacts, the Town should:

- THIRD PRIORITY -

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
	(A)	(B)	(A)	(B)	(C)	(A)	(B)	
Total (N)	168	64	88	24	52	91	126	42
Consider restrictions on development in areas that may be prone to inland/river/brook flooding	20%	20%	20%	25%	27%	14%	21%	17%
Consider nature-based solutions to flooding where viable, such as maintaining wetlands and living shorelines	19%	20%	20%	17%	17%	21%	17%	24%
Consider restrictions on development in areas that may be prone to coastal flooding	14%	11%	15%	4%	10%	19%	12%	19%
Consider structural flood defenses, such as a concrete barrier, to protect areas that may be prone to coastal flooding	13%	14%	11%	8%	13%	12%	13%	12%
Consider structural flood defenses, such as a concrete barrier, to protect areas that may be prone to inland/river/brook	11%	11%	9%	4%	13%	12%	12%	10%
Focus on reducing the impacts of droughts, including water main extensions	10%	11%	10%	8%	10%	11%	11%	7%
Provide shaded public spaces	7%	3%	10%	13%	4%	8%	8%	5%
Consider mitigation by aiming to reduce the Town's climate-related emissions	7%	9%	3%	21% B C	6%	3%	6%	7%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion. Significance level for upper case letters (A, B, C): .05

Q15)) The Town is looking to address the impacts of climate change, including examining the impacts of potential coastal flooding. To address these impacts, the Town should:

- TOP 3 PRIORITIES -

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
	(A)	(B)	(A)	(B)	(C)	(A)	(B)	
Total (N)	168	64	88	24	52	91	126	42
Focus on reducing the impacts of droughts, including water main extensions	58%	58%	61%	79% C	62%	49%	59%	55%
Consider nature-based solutions to flooding where viable, such as maintaining wetlands and living shorelines	58%	48%	63%	46%	63%	58%	59%	55%
Consider restrictions on development in areas that may be prone to coastal flooding	54%	52%	57%	25%	52% A	64% A	51%	64%
Consider restrictions on development in areas that may be prone to inland/river/brook flooding	45%	47%	45%	29%	40%	53% A	44%	50%
Consider structural flood defenses, such as a concrete barrier, to protect areas that may be prone to coastal flooding	30%	36%	26%	21%	33%	31%	33%	24%
Consider structural flood defenses, such as a concrete barrier, to protect areas that may be prone to inland/river/brook	24%	30% B	16%	33%	23%	22%	24%	26%
Provide shaded public spaces	17%	16%	20%	33% B C	13%	15%	18%	14%
Consider mitigation by aiming to reduce the Town's climate-related emissions	13%	14%	11%	33% B C	13%	8%	13%	12%

Multiple responses accepted¹

1. Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion. Significance level for upper case letters (A, B, C): .05

Q16)) Do you agree that the Town of Shelburne is prepared to effectively address climate change?

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
	(A)	(B)	(A)	(B)	(C)	(A)	(B)	
Total (N)	169	65	88	24	52	92	127	42
1 - Strongly disagree	26%	18%	25%	25%	35%	21%	27%	24%
2	27%	28%	27%	21%	21%	32%	24%	33%
3	34%	35%	38%	38%	31%	36%	35%	33%
4	7%	9%	5%	8%	8%	5%	7%	5%
5 - Strongly agree	7%	9%	6%	8%	6%	7%	7%	5%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

Q17)) Do you agree that the Town of Shelburne is ready for growth?

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
	(A)	(B)	(A)	(B)	(C)	(A)	(B)	
Total (N)	169	65	88	24	52	92	127	42
1 - Strongly disagree	21%	15%	20%	25%	25%	17%	19%	29%
2	16%	14%	17%	4%	15%	20%	17%	14%
3	25%	31%	23%	25%	17%	29%	24%	29%
4	16%	15%	17%	8%	17%	17%	20% B	5%
5 - Strongly agree	22%	25%	23%	38% C	25%	16%	21%	24%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

Q18)) If you have any special considerations or concerns regarding the list of businesses above, please indicate below:

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
	(A)	(B)	(A)	(B)	(C)	(A)	(B)	
Total (N)	169	65	88	24	52	92	127	42
Other	38%	35%	34%	38%	42%	37%	40%	33%
No additional comments	62%	65%	66%	63%	58%	63%	60%	67%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

D1)) How do you identify your gender?

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
	(A)	(B)	(A)	(B)	(C)	(A)	(B)	
Total (N)	169	65	88	24	52	92	127	42
Male	38%	100% ^a	0% ^a	46%	31%	41%	40%	33%
Female	52%	0% ^a	100% ^a	42%	58%	52%	53%	50%
Prefer not to say	9%	0% ^a	0% ^a	13%	12%	7%	7%	17%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

a. This category is not used in comparisons because its column proportion is equal to zero or one.

D2)) Are you are resident of the Town of Shelburne?

	Total	Gender		Age			Resident	
	(A)	Male	Female	18-34	35-54	55+	Yes	No/PNTS
	(A)	(B)	(A)	(B)	(C)	(A)	(B)	
Total (N)	169	65	88	24	52	92	127	42
Yes	75%	78%	76%	79%	77%	74%	100% ^a	0% ^a
No	11%	14%	10%	8%	12%	11%	0% ^a	43%
Prefer not to say	14%	8%	14%	13%	12%	15%	0% ^a	57%

Results are based on two-sided tests. For each significant pair, the key of the category with the smaller column proportion appears in the category with the larger column proportion.
Significance level for upper case letters (A, B, C): .05

a. This category is not used in comparisons because its column proportion is equal to zero or one.

ID	Resident	Q11 - If you have any special considerations or concerns regarding the list of businesses above, please indicate below:
26	No/PNTS	Daytime and night time noise associated with the business should not be allowed, ie restaurant/pub/bar/cafe. sidewalk cafe's must be screened,
11	No/PNTS	I welcome more businesses to Shelburne town, however feel that we need to make sure to not compete with the existing local businesses. They are the heart of the town. I highly recommend keeping that in mind and updating the "look" of the downtown area, to attract more visitors and other people to this area. (More green areas, more welcoming foot-traffic areas, less parking more communal space, etc).
21	No/PNTS	Redone all of the Dock street loop to water as commercial
560	No/PNTS	Take out food establishments
581	No/PNTS	Time allowed to open and when can they stay open to.
756	Yes	Afternoon/evening business closures shouldn't be too late if located in residential areas so homes are not disrupted in the evening/ bedtimes.
938	Yes	All businesses, should have better access for customers with disabilities!
90	Yes	Commercial businesses should not be allowed in residential zones. I would agree with personal services and/or bookkeepers, where there is one customer at a time, at a scheduled time so that parking is not an issue and residential streets are not congested. Over 1/2 the streets in town barely have enough room for two vehicles to pass at a time. Adding business vehicles would be a shit show
218	Yes	Craft food and beverage production should be restricted to areas with not a lot of homes or a minimum requirement for distance in case of fire or explosion of commercial equipment (grease fires etc) and possibly some sort of residents per area and distance to building noise restrictions a quiet Airbnb vs some sort of loud equipment etc
947	Yes	Drive through business is awful and should never be allowed in Town
150	Yes	Hours of operation and already vacate commercial for rent and sale in downtown and mall areas.
917	Yes	Hours of operation should reflect bylaws concerning noise.
1002	Yes	I agree the first three could be set up in or near residential neighbourhoods. Craft food and beverages is manufacturing and should not be in residential neighborhoods.
146	Yes	I think it's a great plan, with the exception of visitor accommodations if it includes airbnbs, as they are one of the reasons locals are being priced out of living in their own community.
675	Yes	I would exclude visitor accommodation from this list eg airbnbs...they can be disruptive and disrespectful to a community
846	Yes	If a commercial business being established is a bar or other drinking establishment, approval or input from neighbours should be required. Anything operating past 9 PM that would increase traffic in the neighborhood, should also require neighbourhood approval/input.
107	Yes	Increasing vehicle traffic on streets that do not have any sidewalks is a real concern, especially if there are young children living on those streets.
1057	Yes	Is this a version of a 15 min. City?
1113	Yes	It's all very vague. It would very much depend on the business and the location of the neighbourhood commercial zone. It could be really nice to have some artisan shops and retail around. Craft food and beverage sounds nice, but the production of any of those leaves a lot of wiggle room for noise and air pollution of different types. At the same time, it would be extremely strange for a McDonald's, without a drive through, to open on Transvaal, hypothetically, which sounds like it could be a possibility with the neighbourhood commercial zone as it's been described here.
380	Yes	Less short term and air bnbs
529	Yes	Low noise, dust and debris controls
823	Yes	Maybe limit to the residential areas adjacent to current commercial or along heavier traffic where projected commercial growth is preferred
112	Yes	medical should not be included, too much traffic. 6 units is too much for visitor accommodation; 2 is acceptable.

640	Yes	My main concern would be that this would further deplete the number of residential homes available.
72	Yes	Need more info. I can't proceed without making a false claim below
491	Yes	No accomadation in non commercial areas. The concept leads to fewer available homes for new home owners. Developers and investors take away ownership oportunities from new home buyers.
267	Yes	Noise bylaw should be strictly adhered to
63	Yes	Noise levels must be considered and controlled. Pollution controls must be strict.
328	Yes	Not enough info on where these business would be.
329	Yes	Not enough information provided to be able to note concerns at this time.
244	Yes	Parking or blocking of residential properties from customers/ clients during business hours
542	Yes	Retail seems broad
84	Yes	Signage and lighting need to be regulated or we will have flashing and bright lights by someone
779	Yes	Sometimes change can harm the neighbours property values, tread carefully.
62	Yes	Take out and craft food and beverage production
288	Yes	Take out food would need regulated business hours to limit night-time traffic; Parking would have to be adequate to avoid any impact on residential parking.
151	Yes	The commercial businesses will need sufficient parking which must be examined with respect to the residential neighbours.
435	Yes	There are already too many vacant and available commercial rental spaces to consider adding more, especially in residential space.
1183	Yes	there is already a lot of mixed uses zone in town no need for more. those light industries should clean up or helped to be relocated
98	Yes	This list is too varied. Obviously living next-door to a gallery is quite different than living next-door to a drive-through. They shouldn't all be in the same category. I would say no to a drive-through.
118	Yes	Traffic and noise issues
404	Yes	Water street, Falls lane, King street, Ohio rd and Dock street should be prioritized for existing/future commercial development before any 'side' streets in order to grow and enhance a better and accessible shopping environment
117	Yes	We already have too many air B&B or equivalent accommodations. No more should be allowed. Craft food & beverage production should not be allowed in a residential area. Any take out food establishments should not be allowed to be open pat 9 pm.
188	Yes	We have enough of all this already! We need entertainment in this town ..a pool hall for the adults an arcade and a skate park for the juvinal youth...we def DO NOT NEED more restaurants or lil cafes we have too many now! We need mental health clinics and walk in clinics ..and walk in Laboratories like it used to be! We need more doctors! Not more buildings! We don't need a commercial zone thay just further dividing us and conforming to the governments 15 minute city agenda foolishness ..we need harsher laws for criminals ..or actual punishment I should say??.this town needs many things and one that needs to be provincial wide is a rental cap lower than there's atrocious rental rates noone can afford ..we need mental health care clinics! ...we need affordable livable wages and housing!
20	Yes	Why would artists and artisans be i clouded with cat food production or any of these.
79	Yes	Would depend on the quality of any of the above
487	Yes	Would need more info and what areas in the town are being considered for this zoning

ID	Resident	Q18 - If you have any additional comments or input to be considered or have concerns about planning and development in the Town of Shelburne, please include them below:
684	No/PNTS	Find ways to attract better services. We dont need more restaurants, we need doctors, dentists, teachers, tutors, and whatever brings them to town is what we need. Tourism is great and all but it doesn't keep tax payers in the area to contribute year round.
469	No/PNTS	Form a committee made up of local residents and councillors from municipalities and the town to see where we ca. work together. Working against each other is no longer a viable option if we are to live in modern rural area.
11	No/PNTS	I think Shelburne should (and will) be ready for growth. It's hard for me to say if we ARE, as I am not 100% up to date about everything that is being done to be ready. What I do hope, while we grow, is that we maintain the focus on local. Our current businesses are great and I would hate to see them gone because the large-scale companies come in and take over. I also believe that we have great local products that we could support in marketing more (and need more in our supermarket).
560	No/PNTS	I'm concerned about the sewage treatment plant. I don't think it will sustain the inevitable growth in town. Cost of accessing water and sewer is so high it's prohibitive, especially if your land is on 'the wrong side of the road'.
530	No/PNTS	Is the cost of all this going to fall on the tax payers
517	No/PNTS	Our town is not encouraging new businesses or residents to establish due to exorbitant property and other taxes. This needs to be addressed prior to any other ideas are implemented, or it's just a waste of time. We also don't want wind turbines, hydrogen plants or anything of the sort, we need to focus on attracting tourism and those things will destroy that option. The municipality/town also needs to stop spending taxpayers money on properties that have no purpose yet, wasting our money.
135	No/PNTS	Please add a traffic light or four-way stop to the intersection of Kind and Water streets
470	No/PNTS	Shelburne has been ready for growth for decades
281	No/PNTS	The old post office needs to be rennovated by its current owner or sold as it is becoming an eyesore. Need a new bylaw for commercial property owners to give them 2 years to develop the property or it must be sold
297	No/PNTS	The town should always be ready for growth. I had lived in town for 9 years (7 years ago) and many of these issues should have been addressed then. Nice to see this survey for input.
133	No/PNTS	There are multiple issues with this engagement and survey — why does this survey not address the clearly documented environmental racism in the Town of Shelburne or ask any questions about the remediation of the Morvan Road dump site? Priority must be given to providing access to potable water, sidewalks and fire hydrants in the South End of Shelburne. Implement a Water Supply Lending Program to support residents with upgrading their wells and water systems.
14	No/PNTS	Town cannot grow if there are no housing for people. So many empty buildings ..Tooooo many Air B & B's.....these should be taxed higher as some owners live out of province!
176	No/PNTS	Town MUST have better activities for cruise ship passengers line up local craft/artisan booths etc.
304	No/PNTS	Town needs to better take control of buildings that have been purchased by others and left abandoned. They not only could be a safety concern they become unsightly and impact the impression of the town
540	Yes	A downtown revitalization project
218	Yes	Amount of out buildings on property is currently listed as one There is no reason for a restriction I should be able to fill my yard with whatever I please if its not considered an eyesore or hurtful to the environment building small storage sheds onto my property should not be restricted many people out of the eye of the inspectors just do as they please and face no consequences Unrestrict Minimum amount of buildings on property that is owned by the invidual with a minimum distance between
237	Yes	As a relative new resident, I am struck both by the enthusiasm among some for growth (creativity and motivation) but offset by a strong element that seems to want minimal change. I hope things move in the direction of the former. Shelburne has a lot to offer.

78	Yes	Based on my own limited knowledge I *feel* that the town's existing municipal water supply and sewer systems are probably insufficient to handle much additional capacity without very expensive upgrades. I'm not sure the town is prepared for any significant new construction be it residential or commercial. I hope that any stary-eyed development dreams are anchored in that reality. Townsfolk mustn't be expected to pay for infrastructure on behalf of developers.
783	Yes	Build a Big Warf to the deepest part of the harbour and a bypass road to 103, Shelburne has perfect weather, but it needs Jobs that don't Suck.
244	Yes	Clean up of unsightly unkempt premises!! Follow through with consequences instead of years of " warnings", Fix the streets of patchwork and Jerry rigged paving...those that live on back streets..such as Clements , Mowatt, Hammond deserve to have the same as taxpayers in other areas of the town that Tourists are exposed to.They pay the same rate per \$100 on taxes no matter the value of their abode.
380	Yes	Climate change is a money grab. Period. Stop. HOUSE LOCALS FIRST. Stop air Bnbs
487	Yes	Continue to keep the town updated with information and enough notice for feedback. Thank you for doing what you do to support our beautiful town of Shelburne.
491	Yes	Develope Dock street with vendor oportunities. Stop local residents from holding back Dock street development. Historic considerations are being used to restrict the full potential of the towns heart. Empisize the towns boat building and fishing heritage not just its british loyalist and black loyalist heritage. Shelburne is on the ocean but you can find no reference to it for tourist attractions. Fishing sheds, fishing museum, world class salt water aquariums highllight native species.
757	Yes	Fast food
779	Yes	Growth is not why most choose to stay here. It's good the way it is.
479	Yes	Growth requires infrastructure.
1057	Yes	Healthcare facilities are closed too much to support present population.
85	Yes	I am unsure what you are asking in the last question. Ready as in needing growth? Yes. Strongly agree. Ready as in infrastructure, policy and regulations! No. Strongly disagree.
409	Yes	I feel the tax rate is too high right now to encourage new business and new people to settle here. The drought will also affect how people decide to settle here if there is s good chance they may run out of water. The town has a lot to offer otherwise.
10	Yes	I think it NEEDS growth, but it's not ready. Too many restrictions, too many people crying over things that will hold it back from being progressive. Also, is going to be difficult for some to understand. There were a lot of terms that are not used by the general public or information that you need to know about the current Town land use.
1183	Yes	i went to town to know about urbanism and was told the bylaws were not available
107	Yes	I would encourage the growth and diversification of both housing and business as long as it done with the respect and knowledge of the people already living in those area
117	Yes	In 2014 the town developed a CCAP to obtain their provincial gas money. To date, I see no evidence that they completed any of the actions outlined in that plan. What will your plan do to ensure important climate crisis mitigation actions will be implemented??
188	Yes	Just start putting the tax money back into our towns ..our roads...sandy point road is shameful and I mean after the hospital! Look into a rental cap and forcing some of these rental rates down! Too many are homeless with no real future to look forward too...we need more health clinics that operate as walk ins ..these 8 hour waits in Emergency Dept in these hospital is shameful!!! We need mental health help! Tim Houston either needs to comply with that the citizens actually wants and needs or go
328	Yes	Look at all business wanting to come to town.
79	Yes	maintain the roads. Build more sidewalks in highly traveled streets. Put speed bumps in highly traveled residential roads. More signs for children at play in residential areas.
823	Yes	More industry would be necessary for growth within the town however keeping that on the outskirts or in a specific area would be preferable. Does the town have enough area? Is amalgamation off of the table? Lots of benefits to growth with a broader view.
99	Yes	More trash bins are needed. Way too much garbage found in road and ditches.

72	Yes	Plans are fine yet Provincial and Federal level cooperation is a must and many potential Town issues are directly related to Provincially controlled failures and shortcomings and lack of planning...let alone acting on studies etc that are being poorly handled (if at all)
563	Yes	Please work with the province to provide a safe sidewalk to the hospital area of town/municipality. Residents deserve this.
844	Yes	Property taxes must be lowered.
63	Yes	Quadplexes seem to be the future in every community in NS. Direct some attention to copying this successful pattern.
112	Yes	Racism is rampant and the law is well known to be far too lenient and suspect. "A lawless town" and "Catch and release" is what people say. This town is incredibly resistant to change and growth, and is shamefully negligent when it comes to protecting against climate and other disasters at its peril. Does the town have supplies for the public in the event of disaster? Blankets, cots, water, portatoilets, food? The former are people problems and a public campaign to address is urgently needed.
377	Yes	Ready or else it dies. Prepared. Not at all Water st buildings must become commercial. If the bldg is derelict it must be repaired or torn down. Do not allow residential there going forward and no str. Make this commercial
1113	Yes	Seriously, so many issues within the town currently could be solved by fixing the roads that we have already and upgrading a few roads encircling the main residential areas of downtown. Upgrade George St, Transvaal and Elliot Street, and possibly Hammond as well. Remove the 4 way stops along those roads to allow a bypass of water street during busy times. That would also allow for more retail or artisan businesses to attract more business by being seen in travel through those areas.
575	Yes	Shelburne is often referred to as dying town. As someone trying to sell our home, the feedback from potential buyers who drive around town is that it is lacking from the run down homes (Bulkley area) to the lack of industry. They don't feel the town beyond Dock Street has any expectations.
160	Yes	Shelburne needs more dentists, Dr's, grocery stores and banks.
7	Yes	Stricter rules on developments in Historic District. IE: Sheds, swimming pools
15	Yes	The people are, the town is not! Too bad. Change must happen!
84	Yes	The Town has not demonstrated an ability to care for its existing parks, sidewalks, streets and trees - how can we expand when we don't value and care for what we already have
947	Yes	The waterfront along the commercial zone should be protected and not allow commercial use down to the shore!
146	Yes	There are only a few items that speak to on accessibility in this survey. With the high amount of seniors and people with mobility issues in our area as well as accessibility legislation, this needs to be more of a priority, with someone hired to work on the town's accessibility plan like they used to be.
90	Yes	There has been no obvious planning, advertising, or committees set for further development.
797	Yes	There is little to no economic planning for Water Street nor is there any apparent plan to attract tourists (eg cruise ships) due to a "old guard" mentality in council. The town MUST (humbly) acknowledge and support creative new ideas to revitalize the town and bring economic growth, for which is questionable at this point. There are many living within the town that are willing and have the experience to help, however shy away because of too many "nay sayers" who want to protect the "old way".
424	Yes	There needs to be a serious focus & investment on Drought and water, not bandaid approach but serious action like salt to fresh water conversion. Too much emphasis on emissions and solar projects with no meaningful or tangible return to residents.
503	Yes	This town is not ready for growth. we've now got a council that does NOTHING!! money is missing, money is wasted on salaries for town employees that do NOTHING!!! go inside town hall and just watch. They moved their town hall upstairs so the most troublesome of the populous (seniors and infirm) will find it hard to access town hall (they have a small elevator that barely works). haven't seen the town mayor do shit since he got elected. ALLOW this town to grow.

938	Yes	To expand the exhibition grounds to accommodate vehicle parking!
150	Yes	Town is not being vocal enough about what opportunities are available. For someone wanting to open a business or build housing, what is the data research saying, need to work in conjunction with the Municipality to pressure NS government. All new development has been left up to individual people.
570	Yes	Town of Shelburne needs to focus on the safety and water of its citizens more, and spend less time focusing on making deals that make the counselors rich. We are important too.
120	Yes	Town should look after existing pipes for sewer and water before looking to expand, i believe town water should be expanded throughout the town, but we should make sure supply lines are able to handle and not break, leaving much of the town without water.
423	Yes	Water Street is sad and run down looking. We need vibrancy - colour! The sidewalks are terrible. The parking lot at King and Water is UGLY and could be a fantastic public space. Imagine a patio there! The visitor's centre is pathetic and totally a missed opportunity. Why isn't it a cafe?? Ice cream? We need late afternoon and evening café there. And reliably open! How can we get tourists here for long weekends when the only cafe and Ships Galkey is closed???
66	Yes	We need more restaurants, grocery stores, banks, Canadian Tire store, a tavern/pub/bar.
98	Yes	Well these are important questions I feel like the town definitely needs to address their support of tourism in Shelburne. It's our number two industry and nothing is being done to attract people to Shelburne. Also, this survey is somewhat confusing and needed either additional answers or a space for short answers. There are some things that I answered that I have no idea what they are. Like acronyms that aren't explained.
229	Yes	What makes Shelburne special is its self-sustainability, but that doesn't come without some growth. We need growth in the form of local businesses and recreational facilities that support our youth- bulk foods/ingredients, public parks and recreation programs, diners/cafes, indoor and outdoor yoga studios, gym facilities, a yacht club open to the public to attract more transient visitors to stay longer.
329	Yes	When considering safety on our streets, speed bumps should be considered especially on residential streets (eg. Mowatt Street) and Dock Street (possibly even consider pedestrianizing Dock Street). Also, clearer speed signs. Commercial expansion should focus on Dock Street and Water Street. To encourage growth, the residential & commercial mil rates for property taxes need to be examined because they are a deterrent to living/having a business here. With the capped rates newcomers are penalized.



Phone

902-482-1221

Email

info@atn-strategies.ca

Web

atn-strategies.ca

New Brunswick

77 Vaughan Harvey Blvd.
Moncton, NB | E1E 3R2

22 King St. 2nd Floor
Saint John, NB | E2L 1G3

Nova Scotia

2570 Agricola St.
Halifax, NS | B3K 4C6

Newfoundland & Labrador

570 Newfoundland Drive
P.O. Box 13305 Stn. A
St. John's, NL | A1A 5B1

Prince Edward Island

119 Kent St. Suite 320 (BDC Place)
Charlottetown, PE | C1A 1N3



COUNCIL REPORT - FOR DECISION

Subject: Draft Municipal Planning Strategy and Land Use Bylaw Updates
Date: May 28, 2025
Authority: NA
Council Dates: June 2, 2025
Prepared by: Mike Kahn, Director of Planning and Development Services

Background

Council directed staff to begin work on updates to the Municipal Planning Strategy (MPS), Land Use Bylaw (LUB) and Subdivision Bylaw (SDB) at the April 2, 2024 Council meeting. The current MPS and LUB have not been comprehensively updated since 1988 and the Province is requiring a review of all LUB's and MPS's by 2029. The MPS outlines land use and policies of Council related to development, the LUB is a working document that speaks to the specifics of development, such as maximum height, and is used to determine if a development applications should be approved.

On July 29, 2024 Council received a presentation from staff on the MPS and LUB providing an update on the project and highlighting some potential new policies.

Council directed staff to bring forward important amendments regarding affordable housing, variance and the commercial improvement district on September 3, 2024. Following public meetings, those amendments were passed by Council on February 5, 2025 and approved by the Province March 28, 2025.

Staff are nearly complete the first draft of the planning documents and are seeking Council input prior to finalizing the drafts for public and stakeholder input later in June. Draft documents, with some exceptions, are planned to be made public in early July as part of a phased release leading into public engagement. The remaining parts of the plan, relating to grandfathering and legal non-conforming uses, will be release to the public in early August, along with the SDB.

Analysis

The MPS and LUB updates are now entering the Council and public review phase. The Town will be looking to hire an external consultant to lead the public and stakeholder engagement, conduct a survey, and prepare a 'What We Heard' document. Staff will be engaged throughout the consultation process. Staff are also planning for a public engagement event in September to gain feedback.

The next step would be for staff to make revisions based on input received. The final draft would then be brought to Council for approval, including a public hearing.

Date	Planned Work & Milestones	Documents Available
June 2025	Council Review	Summary Table
July 2025	Public Engagement inc.	Draft MPS, LUB except

	survey, stakeholder and specific landowner meetings	Legal Non-conforming and related maps
August 2025	Public Engagement inc. survey, stakeholder meetings	All drafts: MPS, LUB, SDB
September 2025	Public Engagement Event, survey closes	All drafts: MPS, LUB, SDB
October 2025	Revisions	
November 2025	Revisions	
December 2025	Revisions	
January 2026	Council 1 st Reading	Revised Final Draft MPS, LUB, SDB
February 2026	Public Hearing and Council 2 nd Reading	Revised Final Draft MPS, LUB, SDB
March 2026	Provincial Approval Process	
April 2026	Provincial Approval Process	

Council Review Process

Attached are draft documents for review. Staff will prepare a more detailed briefing for a Council workshop to ensure clarity on the draft documents and answer questions. Staff will collect any input and bring that forward, with any additional Council input, at the June 17 Council meeting. At that meeting Council can direct the document be revised, or be taken forward for public and stakeholder engagement over the summer.

Public and Stakeholder Engagement

The public and stakeholders will be able to review the draft documents and provide input from June 17, assuming Council approval. The engagement will be led by a consultant, but is expected to include:

- A survey running for two months;
- Engagement with specific landowners who are or may be legal non-conforming uses;
- Meetings with stakeholders (individually or as groups);
- A public engagement event in September, coinciding with engagement on the potential parks upgrades; and
- Written input from residents and businesses.

The information gathered will becoming part of a ‘What We Heard’ document that will guide revision to the draft documents.

Highlights of proposed policies:

- Bylaws use Metric with imperial conversions for info only
- Heritage Protections

- Accessory structure must be shorter than main building and meet architectural requirements like a main building.
- Expanded similar existing building radius from 100 feet to 50m (165 ft)
- Buildings may be wood appearance, not only wood.
- Development Officer may ask HAC for comment on Development Permits in H-W.
- Affordable Housing
 - Define Affordable Housing
 - Density Bonusing: where 10%+ units are affordable for 20+ years, gain 10 units per HA; 4 units per acre.
- Infrastructure
 - Water main extensions – Watermains will only be extended to properties with sewer access. New connections will be subject to connection requirements, including a backflow prevention device. Cost of extensions will be addressed in a Town Water Bylaw (TBD)
 - Wastewater -Wastewater mains will not be extended except in conjunction with a waterline. New connections will be subject to connection requirements, including for properties that may have a significant impact, such as restaurant, has a grease trap .
 - Stormwater policies – including a potential requirement to connect to Town Stormwater system where it exists and has capacity.
 - Minimum Grid and Streets – state the Town is looking to improve some streets and improve pedestrian connections; links with street standards and surplus roads as a concept to drive those initiatives.
- Coastal and Climate Change polices
 - Includes mitigation (reducing emissions) and adaptation (responding to changes in climate)
 - Uses 2100 worst case for Coastal Flooding from Government of Nova Scotia; aligns with MoDS.
 - MPS states “It shall be the policy of Council, through the Land Use By-law, 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. ”
 - The land use bylaw will not contain additional regulations; those will developed in a later project that can focus on Coastal issues.
- Neighbourhood Commercial – Creates a new zone that enables commercial use near residential areas that respect the residential neighbours while providing economic opportunity.
- Institutional Zone – Creates new zone for institutional uses ranging from pumping/lift stations to the new Nursing Home to the Wastewater Treatment Plant to the King St Center.

- Apartment Residential could include commercial uses (linked with Neighbourhood Commercial).
- Homes businesses and Short-Term Rentals (STR) – up to 2 STR in Residential General; up to 6 in Neighbourhood Commercial. Home businesses can operate out of accessory structure.
- Parking
 - Reduced minimum parking stall from 20 feet x 10 feet, North American XL to fifteen (15) square meters, measuring not less than 2.6 meters by 5.5 meters (18.5 feet by 8.5 feet) North American large
 - Added Accessible parking requirement of all zones
 - Added bike parking requirement for larger developments (residential 10 or more units; commercial with 1000m2+ (10,700 sq ft+)
 - Removed vehicle parking for Historic Waterfront Zone (only need to provide accessible stall or cash in lieu)
- Height cap of 10.5m (~34ft 4 inches) for all zones

Some work is planned to be completed by late July, to allow for engagement with specific landowners who may current or future legal non-conforming uses. Work to be completed for late July includes:

- Legal Non-Conforming (LNC) – Review current properties that are being used legally but are not in compliance with the LUB ('grandfathered' land uses) to determine what if any action is needed.
 - Includes agricultural and livestock provisions
- Zoning Map – Linked with above, the zoning map is expected to be released mid-summer following engagement with landowners on LNC issues.
- Generalized Future Land Use Map (GFLUM) linked with above, the GFLUM is expected to be released mid-summer following engagement with landowners on LNC issues.

Considered but not included in the drafts:

- Development Agreements – A planning approval type, approvals are by Council not staff. Greater control over development compared to other approvals, locks in built form, but most time consuming and staff resource intensive.
- Open Space Zone – A zone for open space, ranging from parks to woodlots.
- Parkland and Amenity Space - Consider if requiring parkland and amenity space is needed to provide more space for recreation.
- Work that would identify which specific unused streets could be declared surplus.

Options

	Pros	Cons
Council receives a Council workshop briefing and provides feedback for the June 17 meeting	<ul style="list-style-type: none"> • Allows in depth briefing on MPS and LUB, with later opportunity for input during a public Council Meeting 	<ul style="list-style-type: none"> • None

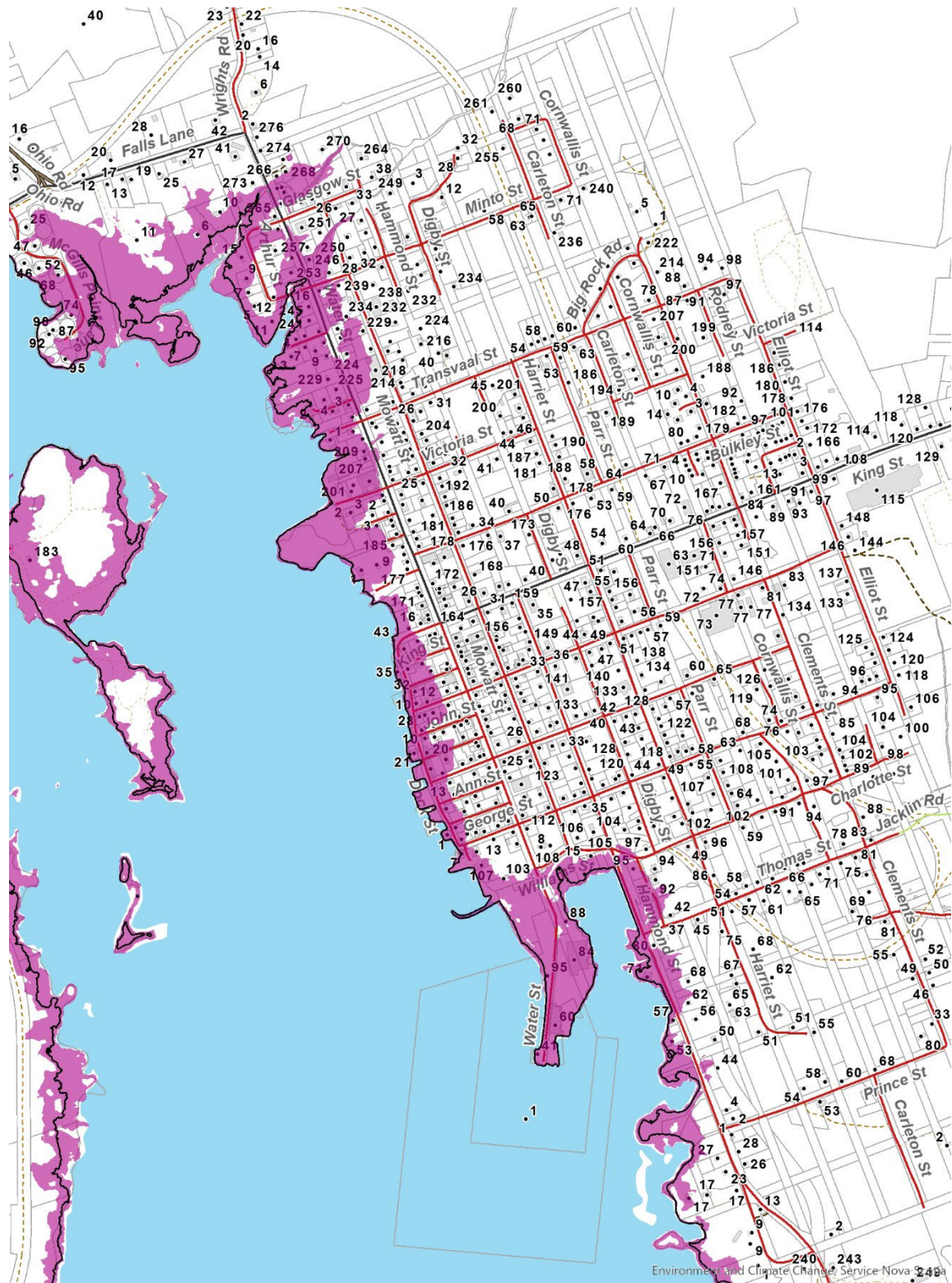
Council postpones engagement until the Fall to allow for greater Council engagement and revisions	<ul style="list-style-type: none"> • Allows Council greater input 	<ul style="list-style-type: none"> • Delays project by 3 months
---	--	--

Recommendation

THAT Council directs staff to prepare for a Council workshop outlining the draft planning documents; and that staff prepares for public engagement on the planning documents, including hiring of a consultant to assist staff in gathering public input.

Attachments

- 1 - Chart of all MPS policies and key LUB polices
- 2 – Slides outlining next steps and timelines



TOWN of SHELBURNE
Municipal Planning Strategy

TOWN OF SHELBURNE
MUNICIPAL PLANNING STRATEGY

ADOPTED BY TOWN COUNCIL SEPTEMBER 1, 1988

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS

~

DECEMBER 12, 1988

THIS DOCUMENT IS AN OFFICE CONSOLIDATION
ACCURATE REFERENCE SHOULD BE MADE ONLY FROM THE OFFICIAL
DOCUMENTS
MUNICIPAL PLANNING STRATEGY - TOWN OF SHELBURNE

**THIS COPY IS
A REPRINT OF THE
TOWN OF SHELBURNE
MUNICIPAL PLANNING STRATEGY
WITH AMENDMENTS TO
JANUARY 26, 2016**

CONSOLIDATED EDITION

This CONSOLIDATED EDITION is prepared for convenience only. For complete reference, please consult the original documents. This CONSOLIDATED EDITION has the following history.

- 1.) Original Adoption Municipal Planning Strategy adopted by Town Council on September 1, 1988.
- 2.) Amended, September 11, 2001 Amendments to the Public Open Space Requirements (Section 11) to require that a subdivider give to the Municipality 2% of the market value of every new lot created, and to exempt lots around existing buildings, consolidations, additions and remainder lots from this requirement; and housekeeping amendments.
- 3.) Amended, June 10, 2003 Amendments to define "Main Building"; exempt private roads approved as a separate lot from the public open space requirement; and miscellaneous housekeeping amendments.
- 4.) Amended, May 21, 2007 Amendments allow land held in joint tenancy or tenancy in common that does not have frontage on a public highway or private designed road to be subdivided as many times as there are tenants holding title in the area of land, prior to January 1, 2007.

TABLE OF CONTENTS

CONTENTS

1. INTRODUCTION

1.1 Preamble.....1
1.3 Planning Process.....1
1.4 Plan Objectives.....2

2. BACKGROUND

2.1 Town History.....2
2.2 Population.....5
2.3 Development.....7

3. GENERAL DEVELOPMENT

3.1 Land Use Designations (**RC-Nov 01/95; E-Nov 10/95**) (**RC-Jun 29/98;E-Jul 08/98**) (**RC-Oct 03/01;E-Oct 11/01**)(**RC-Feb07/07;E-Feb 23/07**).....8
3.2 Serviced and Unserviced Development.....10
3.3 Private Roads.....10
3.4 Development Standards.....11
3.5 Health and Safety Standards(**RC-Sep 01/88;E-Dec 12/88**).....12
3.6 Temporary Uses.....13

4.	RESIDENTIAL DEVELOPMENT	
4.1	General.....	13
4.2	Residential Development Designation.....	14
4.3	Special Provisions (RC-Sep 01/88;E-Dec 12/88).....	16
5 •	COMMERCIAL DEVELOPMENT	
5.1	General.....	19
5.2	Commercial Development Designation (RC-Nov 01/95; E-Nov 10/95) (RC-Jun 29/98;E-Jul 08/98)(RC-Feb07/07;E-Feb 23/07).....	19
5.3	Parking.....	21
6.	INDUSTRIAL DEVELOPMENT	
6.1	General.....	22
6.2	Industrial Development Designation (RC-Jun 16/93; E-Jul 13/93) (RC-Apr 05/00;E-Apr 20/00) (RC Apr 04/01; E-May 3,01).....	22
7.	HISTORIC WATERFRONT DEVELOPMENT	
7.1	General.....	25
7.2	Historic Waterfront Designation.....	25
7.3	Special Provisions (RC-Jul 04/12;E-Aug 01/12).....	26
8.	RURAL DEVELOPMENT	
8.1	General.....	28
8.2	Rural Development Designation.....	28
9.	IMPLEMENTATION	
9.1	General.....	29
9.2	Municipal Planning Strategy Amendment and Review.....	29
9.3	Actions Not Requiring a Planning Strategy Amendment.....	30
9.4	Land Use By-law.....	30
9.5	Amendment to a Land Use By-law.....	31
9.6	Minor Variance (RC-Feb 02/11; E Apr 04/11).....	32
9.7	Capital Program.....	32

MAPS AND FIGURES

MAPS

1. Generalized Future Land Use (**RC-Nov 01/95; E-Nov 10/95) (RC-Sep 02/15;E-Nov 23/15)**(in envelope attached at back).
2. Historic Waterfront Property Age
3. Historic Waterfront Existing Land Use
4. Municipal Services - Sewer & Water (in envelope attached at back)

FIGURES

1. Total Population by Age and Sex - 1981
2. Population Trends from 1921-1986

INTRODUCTION

1.1 Preamble

This Municipal Planning Strategy-is prepared in accordance with the requirements of the Planning Act Chapter 9, SNS 1983. It represents the stated intentions of the Council of the Town of Shelburne with respect to the future development and use of land within the town boundaries. The main body of the Strategy consists of a number of policy statements and explanatory material. Maps that are specifically referred to in policy and are included in this document shall also constitute a legal part of the Strategy. Most importantly, this includes the Generalized Future Land Use Map, (Map 1) which is a graphic representation of the future disposition of land use as described in the policy.

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.

1.2 Scope and Purpose

This Municipal Planning Strategy shall apply to all the land and water areas which fall within the legally established boundaries of the Town of Shelburne. The purpose of the strategy is to provide both public and private land developers with a framework within which to make

development decisions. In addition, it also provides Council with a more effective means of managing land use change so that it keeps pace with the town's financial capability to provide the necessary services.

1.3 Planning Process

Planning work for the Town of Shelburne began in the fall of 1984. A Planning Advisory Committee (PAC) was appointed by Town Council at that time and assigned the major task of preparing this Municipal Planning Strategy. Since 1984, the PAC has prepared and administered a household survey which was designed to find out what issues or concerns were of public interest. The results of that survey were presented at an informal public meeting and a report prepared. In addition, the PAC has participated in two municipal government open house events as well as meeting once a month for the better part of three years.

1.4 Plan Objectives

The following are the general objectives of this Municipal Planning Strategy:

1. To insure that all development is carried out in a safe and orderly manner.
2. To insure that development decisions are made with due consideration for the best interest of the Town as a whole.
3. To preserve, protect and enhance the special character of the historic waterfront area as a living monument to the Town's Loyalist past.
4. To insure that adequate land is available for the future growth of residential, commercial, and industrial development.
5. To locate commercial and industrial land uses in such a manner so as to minimize their impact upon residential neighborhoods.
6. To encourage a wide variety of commercial and industrial activity with a view of promoting Shelburne as the industrial and commercial centre of Shelburne County.

2. BACKGROUND

2.1 Town History

The following is an excerpt from the Shelburne County Profile prepared by the Nova Scotia Department of Development. It offers an excellent account of the early development of the Town and its subsequent struggle to survive and prosper.

Until 1780, settlement in southwestern Nova Scotia had been rather slow. However, events were culminating in the United States that would produce tremendous population changes in the Province and particularly in the area that would become Shelburne County. As the American Revolution drew to a close, people were forced to choose between the new Republic and loyalty to Britain. Those intent on the latter sought refuge in New York, the last stronghold of the Loyalist forces. It was there during the winter of 1782-83 that they made their final plans to leave the country. Approximately 21,000 of these United Empire Loyalists decided to make Nova Scotia their home.

The most exciting story of this large scale immigration concerns those who formed the Port Roseway Association. This group, including some of New York's wealthiest people, negotiated with the Government of Nova Scotia for a tract of land to build a town upon. This was the beginning of the Town of Shelburne.

On May 4, 1783, eighteen square riggers and a number of smaller craft sailed into Shelburne Harbour. We can only guess at the thoughts going through their minds as they looked out on the unsettled wilderness and remembered the comforts and splendors they had left behind in New York just five days earlier.

Although the government in Halifax supplied the new settlers with generous quantities of food, temporary housing and all the supplies needed to build a town; this was not to be enough. From the very beginning things became tough for these unlikely pioneers who were more suited to paperwork than using an axe. Ineffective leadership, bickering about the location of the town, and jealousies in allocating the prime building sites hampered the project in its earliest days.

The factor that continually compounded whatever other problems were being wrestled with was the steady influx of people. Government rations provided for the first three years attracted thousands of Loyalists. Not only did these new immigrants add to the demand for government supplies, but many were not desirable citizens for a young town. Former soldiers without the responsibility of family and not used to self discipline were inclined to be loud and rowdy. One of the first buildings erected was a house of correction.

As an example of the supplies being provided by the Government, there were 70,000 barrels of flour purchased early in 1783. The quantity of building and farming materials sent out was on a colossal scale; nails and spikes by the millions and hammers, axes, locks and tools of all sorts in the thousands. In spite of the difficulties the Town did progress, so that by September of 1784 there were 3,000 house lots, 1,000 store and waterfront lots, and 1,000 farm lots of from 50 to 500 acres blocked out. It was during this growth that the County of Shelburne was officially created (1784).

Industries began to develop as well; cod and whale fishing showed great potential and a lumber and timber trade developed. There were fifty fishing vessels in the Shelburne Harbour in the second summer. Shipbuilding was progressing, especially after 1785 when a Bill was passed by the Provincial House of Assembly offering a bounty of ten shillings per ton on all vessels over forty tons built in the Province.

In light of the progress that was made during these early years it would seem, at a glance, strange that Shelburne should have suffered such a drastic decline in industry and population. The Provincial Revenue Reports give an indication of the business activity of the community. From March 1786 to June 1787 it gave a custom revenue of 960 pounds compared to that of Halifax which was 8,168 pounds. Although it increased for a few years, it was down to 46 pounds in 1808 whereas Halifax's was up to 39,575 pounds. The population of the Town in 1808 was 300.

A principal reason for the decline of Shelburne was the lack of sufficient agricultural lands in the immediate area. This seems to have been a major oversight in the original choice of Shelburne. This deficiency in farming lands became a particular problem when the Government rations ceased in 1786. Without adequate roads to the agricultural areas of Nova Scotia, the community was further disadvantaged.

Even had there been farming lands available and some measure of self-sufficiency in food possible, the certain decline of Shelburne was predictable anyway. Its growth was not in response to the normal economic conditions that dictate the rise and fall of any industry, town or country, but rather in response to a political situation. Financing for this politically inspired venture had come from the savings of Loyalists and the Government subsidies (rations). 'When these funds ran dry, the Town discovered how "artificial" its quick growth had been. Incomes now depended upon the viability of industry and expenses could no longer be paid from savings. The natural laws of business and economics took their toll. The population dropped drastically and those enterprises that could not be competitive suffered accordingly.

During the early years of the 1800's, with broken and decaying buildings lining the streets of Shelburne, it must have seemed that the Town was doomed to die completely. This, however, was not to be its final fate. By the 1850's the Town had established itself as a shipbuilding centre. Nova Scotia was becoming a "maritime power" and Shelburne was taking its part. The Town, after some eighty years of growth, decline, and growth, had at long last established itself in accordance with its natural resources.

2.2 Population

The total population of the Town of Shelburne is 2,312 people based on the 1986 Census of Canada. Detailed information for the Town is not yet available from the 1986 Census but some useful conclusions can be made using data from 1981.

Population characteristics for the Town showed that in 1981 the population was fairly evenly split between men and women. Of the total population count of 2,303, 48 percent were male and 52 percent female. Statistics also show that the age breakdown is remarkably even. Young children between the ages of 0-9 years account for 15 percent of the total, teenagers from 10-19 years account for 19 percent, young adults between 20-34 years account for 24 percent, older adults between 35-54 were 20 percent, with the middle aged group between 55-64 years accounting for 10 percent and finally the older age group at 65 years and over accounting for 12 percent of the total population. Figure 1 shows this in graphic form. The largest single age group was from 20-34 years with 24 percent of the total. (See Table 1)

These findings indicate a stable and well distributed population. There are no striking features which would point to problems or issues that would impact in an unusual way on the land use activity of the Town. Demand for services aimed at all sectors of the population will continue at about the same rate as they have in the recent past. Statistics from previous census reports show that the Town's population had a steady increase from 1921 to 1971, rising from a figure of 1,360 in 1921 to 2,689 in 1971. (See Table 2)

In the 10 year period from 1971 to 1981, however, the population declined by about 15 percent to a figure of 2,303 people. The most recent statistics show that decline has stopped and in 1986 the census recorded a slight increase of less than 1 percent. (See Figure 2) Making future population predictions is very difficult for such a small area. Circumstances change so rapidly that may have a marked effect upon migration rates into or out of the area. It would appear, though, that the population has stabilized at about the 2,300 to 2,400 level.

TABLE 1

TOTAL POPULATION BY AGE AND SEX SHOWING PERCENTAGE DIFFERENCES BETWEEN MALES AND FEMALES AND THE DIFFERENT AGE GROUPS - TOWN OF SHELBURNE - 1981

AGE GROUPS	MALES %		FEMALES		%	TOTAL	% OF TOTAL
0-9	180	53	160	47	340	15	
10-19	225	51	220	49	445	19	
20-34	270	49	275	51	545	24	
35-54	225	48	240	52	465	20	
55-64	100	44	125	56	225	10	
65+	115	40	170	60	285	12	
TOTAL	1,105	48	1,195	52	2,300	100	

TABLE 2

POPULATION FIGURES FOR THE PERIOD BETWEEN 1921-1986 - TOWN OF SHELBURNE

YEAR	POPULATION	% CHANGE
1921	1,360	
1931	1,474	8.4
1941	1,605	16.6
1951	2,040	27.1

1961	2,408	18.0
1966	2,654	10.3
1971	2,689	1.3
1976	2,511	-5.4
1981	2,303	-8.3
1986	2,312	0.4

2.3 Development

There are approximately 1,280 acres of land area within the Town boundaries of Shelburne. Apart from vacant or forested land the largest single land use in town is residential with about 298 acres or 23 percent of the total. This can be compared with all of the other land uses which when combined make up only 111 acres or 9 percent of the total. Commercial land use takes up only 2 percent of the total land area while industrial use accounts for 3 percent. Table 3 shows this breakdown in more detail.

Development on the whole has been slow but evenly paced over the past few years. Based upon building permit information, most of the development activity since 1981 has been in the residential sector. From 1981 to 1986 a total of 46 residential units have been added to the town at a total value of over \$2 million. The total value for all construction during that period was \$2,754,000. As Table 4 indicates, 1985 was an unusually good year for residential construction. In that year 23 units were built at a value of over \$1 million. This accounts for about half of all the residential units constructed since 1981.

The Town participates in a number of federally and provincially funded development incentive programs. Such programs as Mainstreet, Residential Rehabilitation Assistance Program (RRAP) and Business Improvement Districts (BID) have all helped to encourage private investment in residential as well as commercial development in the Town.

TABLE 3

ESTIMATES OF EXISTING LAND USAGE - 1986 TOWN OF SHELBURNE

LAND USE	ACRES	PERCENT
Residential	298	23
Commercial	23	2
Industrial	36	3
Park & Institutional	52	4
Vacant	871	68

TOTAL 1280 100

TABLE 4

BUILDING PERMIT INFORMATION - 1981 - 1986 - TOWN OF SHELBURNE

YEAR	RES. CONST. NO. UNITS	RES. CONST. \$ VALUE	NON-RES. CONST. \$ VALUE	TOTAL CONST. \$ VALUE
1981	1	68,000	120,000	188,000
1982	3	82,000	0	82,000
1983	6	212,000	47,000	259,000
1984	6	270,000	44,000	314,000
1985	23	1,058,000	318,000	1,376,000
1986	7	351,000	184,000	535,000
TOTAL	46	2,041,000	713,000	2,754,000

3 GENERAL DEVELOPMENT

3.1 Land Use Designation

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 and it has served the Town well.

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. These two streets have formed the focal point for the town and it is here where most business and government activities take place. Council will designate this area for commercial use **and encourage new business activities to locate there.** In addition an existing commercial node west and south of the Water Street-Falls Lane intersection will be designated commercial (RC-Nov 01/95;E-Nov 10/95) **(RC-Oct 03/01;E-Oct 11/01).?** There is also an area east of Falls Lane just north of MacKenzie's Motel and Cottages which shall be designated Commercial to provide for an expansion of the motel. (RC-Jul 07/07; E Jul 23/07)

Existing commercial development is also located in an area near the junction of Highway 103 and the Ohio Road. As well, Council have recently become aware of a proposal to develop an adjacent lot for a commercial use. Since the downtown core is becoming full

developed and as the Ohio Road is recognized as one of the main arterial streets leading into Town, Council shall designate this area as commercial.) (RC-Jun 29/98;E-Jul 08/98)

Council would also like to enlarge the C-1 (Commercial General) zone on the east side of the Ohio Road and Highway 103 and establish another commercial area long the Ohio Road and Highway No.3. A number of commercial uses have already begun to locate in this area as commercial space in the downtown becomes less available. The proposed new ferry service from the town to the United States may attract additional commercial development by designating this area as commercial (RC-Oct 03/01;E-Oct 11/01).

The historic waterfront area is a 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 and charm of years gone by. 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.

Industrial development, generally associated with shipbuilding and repair, and fish processing, has in the past been focussed on the waterfront at the south end of town. While shipbuilding has become less of a factor in the town's economy, the Council still intends to focus the industrial activity in this south end location. In addition, the Council will identify two new industrial areas, one up from the waterfront but still in the south end area, and the other in the north end of town adjacent to Highway 103.

Residential development generally occurs throughout the town in the area of the original grid pattern and along Wrights and Ohio Roads. By identifying commercial and industrial areas, the residential area will normally fall within the remainder of the built up area of town.

The majority of the peripheral vacant areas of the town will be designated as rural. It is not intended to restrict development in these areas to any great extent.

Policy 1- It shall be the intention of Council to designate certain areas of the Town as Residential, Commercial, Industrial, Historic Waterfront and Rural on the Generalized Future Land Use Map (Map1) which will form part of this plan.

Policy 2- The land use designations as shown on the Generalized Future Land Use Map (Map 1) shall serve a guide for the general pattern of development within the Town and shall apply to both public and private land development decisions.

3.2 Serviced and Unserviced Development

For the most part, sewer services are available throughout most of the built up areas of town. (See Map 4). Water service, on the other hand, are limited to only a few streets. Water service is an issue for the town but it is one that may find resolution outside of this planning process. Council will continue to monitor the situation, however, and proceed with the view of expanding the water system throughout the developed portions of town.

In order to encourage the use of the sewer system, Council will institute a large lot requirement for unserviced development. In areas where sewer service is existing, Council will require connection for all development within 100 feet of the pipe. These provisions will make it economically more logical to utilize the existing system or add to it where a number of lots are proposed.

Policy 3- It shall be the intention of Council to encourage the use of the existing sanitary sewer system and the extension of the system where practical by:

{a) instituting a large lot requirement in the Land Use By• law for all development which is not served by the Municipal Sanitary Sewer System, and

{b) requiring through the Town Sewer By-law that all development located within 100 feet of the Municipal Sanitary Sewer System shall be connected to the system.

Policy 4- It is the intention of Council to improve and expand the municipal water system and in that regard shall continue to negotiate with senior levels of government to insure that such a system can be provided at a fair and reasonable cost.

3.3 Private Roads

There are now four private roads within the town boundaries of Shelburne. One, McGill Point Lane, serves a major subdivision where 18 lots have been created. Since August of 1984, Provincial Subdivision Regulations have been applied to the town. Under these regulations no subdivision can take place on a private road. In view of this, the town should evaluate the situation regarding private roads and begin a process aimed at having these roads brought into public ownership. In the interim, or in the event that the owners of existing private roads do not want to have them made public, the town will enable the development of existing lots which have private road frontage. It should be clear, though, that the town does not intend to spend public money on the conversion of private roads to public road status.

Policy 5- It shall be the intention of Council to begin a process of negotiation with the owner(s) of existing private roads with the aim of having these roads deeded over to the Town for public ownership.

Policy 6- Further to Policy 5, should any negotiation result in the conversion of a private road to public road status, such conversion shall be completed before the town accepts ownership of the road.

Policy 7- Where existing lots abut a private road, it shall be the intention of Council to make provision in the Land Use By-law for the development of such lots provided all other applicable provisions in the By-law can be met.

3.4 Development Standards

Development standards are necessary to provide for an orderly and systematic development pattern for the town. Town Council intends to bring in standards that will apply to all development.

These standards will regulate such things as lot sizes, yard requirements relating to where a building can be placed on a lot, maximum height restrictions, and parking requirements.

Policy 8- For the purpose of providing for the orderly development of the Town, it is the intention of Council to establish development standards in the Land Use By-law. The By-law shall set out requirements for such things as lot size, yard requirements, height restrictions and parking. These standards shall apply to all development but different standards may apply to different types of development.

3.5 Health and Safety Standards

Town Council is interested in insuring that when development takes place, it is done in such a way as to protect public health and safety. To do this, the Town Council will require certain basic health and safety standards be applied to all development within the town. A Building By-law which includes the standards of the National Building Code of 1985, has already been adopted and will continue to be enforced as will the enforcement of the Unsightly Premises By-law, the limitation and control of signs through the Land Use By-law and the control of the keeping of animals also through the Land Use By-law.

With respect to signs, Council is most interested in insuring that private signs do not interfere or confuse the motoring public, that they are not a nuisance or hazard by virtue of their illumination

or size, and that they are aesthetically pleasing in that they contribute to and not detract from the overall beauty of the town.

For health reasons, the keeping of animals as part of a farming or agricultural use shall be prohibited within the town. Large animals such as horses may be kept as pets but their numbers will be limited according to the amount of land available for their use.

- Policy 9- It shall be the intention of Council to continue to enforce the Requirements of the Building By-law which incorporates the standards of the 1985 National Building Code.
- Policy 10- For the purposes of public safety, it shall be the intention of Council to review update and enforce the Unsightly Premise By- law for the Town
- Policy 11- It shall be the intention of Council to control the number, size, illumination, and placement of all signs within the Town through the provisions of the Land Use By-law. Such measures shall be taken to establish reasonable standards for public safety and civic beauty.
- Policy 12- It shall be the intention of Council to prohibit the use of land within the Town for the purposes of intensive livestock operations such as those associated with farming or agricultural activity. ~~Large a~~ Animals such as horses may be kept as pets but their numbers shall be limited based on the amount of land available for their use. **(Rev. RC-Sep 01/88;E-Dec 12/88)**

3.6 Temporary Uses

A temporary use is a building or structure which is not intended to be placed permanently on a lot. Council will consider as temporary, any structure which is placed on a lot in conjunction with an on-going construction project provided the structure is removed within 60 days from the completion of the project, or a structure placed on a lot for a period of 60 days or less. Because these uses are temporary, no development permit will be required provided there is a legitimate construction project taking place or their use does not exceed 60 days.

- Policy 13- It shall be the intention of Council to allow the development of temporary buildings or structures for a period not exceeding 60 days and when used in conjunction with a construction project, for a period not exceeding 60 days after the construction project has been completed. No development permit will be required for a temporary development.

4. RESIDENTIAL DEVELOPMENT

4.1 General

As a general premise, the intent of the regulatory aspects of this plan is to more carefully control the extent of commercial and industrial development throughout the town. Residential development has traditionally taken place in almost every part of town and although this plan will designate certain areas as residential in nature it is not intended to impede this traditional practice. Council will continue to allow residential development activity to locate throughout the town, including within the commercial and industrial designated areas. Property owners or land developers who wish to develop residential uses within these non residential areas will do so

with the knowledge that the primary use for these areas will be commercial or industrial and the marketability for residential uses will be limited. In addition, with respect to industrial areas, Council is also interested in providing that adequate land area is reserved for industrial uses. To that end, Council will monitor the residential development activity as it relates to the industrial areas and, if necessary, consider an amendment to this Municipal Planning Strategy which would prevent undue residential intrusion into these areas.

4.2 Residential Development Designation

The Residential Development Area will be designated on the Generalized Future Land Use Map (Map 1) pursuant to Policy 1 of this plan. Within this designation all forms of residential activity will be permitted. In addition, it is intended to allow institutional uses, recreational uses, and park and open space uses to locate within this designation. These uses are in many ways self regulating and are completely compatible within residential neighborhoods.

Within this designation, there will be two residential zones established. The Residential General (R-1) Zone will accommodate the traditional more familiar form of residential uses (including single detached dwellings, double dwellings, row houses and apartment buildings). The Residential Mobile Home (R-M) Zone will accommodate mobile homes on individual lots only.

Mobile homes have been separated out for special treatment as a residential use because of their transitory nature and the relative speed at which such developments can occur. These two aspects tend to have a disruptive effect upon the ability of the town to plan for future servicing requirements, park and recreation facilities and so on. This is particularly true if such development takes place in a helter skelter form throughout the town.

There are two established mobile home parks in town at the present time. One just off the north side of King Street between Elliot and Clements Streets, and the other on a lane leading from Water Street to the harbour at the foot of Bulkley Street. These two parks accommodate 49 mobile homes. In addition to these there are 37 mobile homes scattered throughout the town situated on individual lots.

Council recognizes mobile homes as being a viable and necessary alternative to the regular form of single detached dwelling. They provide a desirable housing option for many people and their use is to be encouraged. By establishing the Residential Mobile Home Zone (R-M) Council can better control the locational aspects of these uses. Within the zone only mobile homes located on individual lots and single detached dwellings will be permitted. In addition, because of the low density of development in the Rural Undeveloped Zone, mobile homes sited on individual lots will also be permitted there. All mobile homes intended for permanent human habitation will

be required to be skirted around their entire base thus concealing the foundation and undercarriage from public view.

Existing mobile homes, located outside the Residential Mobile Home Zone or the RU Zone, including the two mobile home parks, will be treated as existing permitted uses. They will be permitted to stay where they are and enjoy all of the development rights of any other permitted use in that zone including the ability to expand within their existing lot boundaries or be replaced by a new or different mobile home.

Policy 14- Within the Residential Development designation as shown on the Generalized Future Land Use Map (Map 1), Council intends to establish two residential use zones - R-1 Residential General and R-M Residential Mobile Home.

Policy 15- It is the intention of Council that within the R-1 Residential General Zone a variety of housing types will be permitted (subject to Policies 17, 18, 19, 20 and 21), exclusive of mobile homes. In addition, Council intends to permit institutional uses, recreational uses and park and open space uses to locate in the R-1 Zone.

Policy 16 (1)- It is the intention of Council that within the R-M Residential Mobile Home Zone, only mobile homes sited on individual lots and single detached dwellings will be permitted.

(2)- It is further the intention of Council to consider amendments to the Land Use By-law which would create additional R-M zoned areas provided the following criteria can be satisfied:

i) that the area proposed to be zoned is within the Residential or Rural land use designations as found on the Generalized Future Land Use Map,

ii) that the area proposed to be rezoned is serviced by the municipal sanitary sewer system,

iii) that the area proposed to be rezoned has sufficient area to contain no less than six (6) standard residential lots.

iv) that no part of the area proposed to be rezoned will abut an existing residentially developed R-1 zoned lot, and

v) the proposal is consistent with the criteria established in Policy 44.

(3)- It is also the intention of Council to require all mobile homes, once permanently placed, to be skirted in accordance with standards to be set out in the Land Use By-law.

Policy 17- Where existing mobile homes are located outside of an area zoned R-M or the R-U Zone, it is the intention of Council to consider such mobile homes as existing permitted uses. Such uses shall be identified in the Land Use By-law and given all of the development rights of any permitted use in the zone in which they are located.

4.3 Special Provisions

With the exception of mobile homes no special locational restrictions will be placed on **low density** residential development. There are some forms of residential activity, however, which will require special land use control provisions because of the nature of their impact on the residential neighborhoods, transportation and parking requirements, and servicing requirements. **(RC-Sep 01/88;E-Dec 12/88)**

Apartment buildings are buildings built exclusively for multi-family or apartment type of accommodation or conversions from other types of buildings already in place. Depending on the size and number of units these buildings contain, they can have a large impact upon the character of a residential neighborhood.

Because of this and in view of the fact that Shelburne does not have large apartment buildings at the present time, it is intended to regulate the location of these buildings according to their size and number of units. Small apartment buildings containing up to six (6) units or conversions with up to six (6) units will be permitted anywhere where R-1 uses are permitted. Larger apartment buildings containing more than six (6) units will be restricted to lots where R-1 uses are permitted and which abut Ohio Road, Falls Lane, Yater Street, King Street and the Sandy Point Road. In addition, parking standards will be applied so that all tenant parking will be located at the side or back of the building at a rate of one (1) space per unit for buildings with six (6) or less units and one and one half (1.5) spaces per unit for buildings with more than six (6) units.

Policy 18(1)- It is the intention of Council to permit new apartment buildings up to six (6) units or conversions up to six (6) units to locate anywhere where R-1 uses are permitted provide that:

a) the height of the building does not exceed 35 feet, and b) tenant parking is provided at the side or back of the building at a rate of one {1} space per unit.

{2)- Where larger apartment buildings greater than six {6} units are to be developed, Council intends to restrict these buildings to lots where R-1 uses are permitted and which abut Ohio Road, Falls Lane, Water Street, King Street and Sandy Point Road, provided that:

a) the height of the building does not exceed 35 feet, and

b) tenant parking is provided at the side or rear of the building at a rate of one and one half {1.5} spaces per unit.

Row houses are a form of residential activity which combines the concepts of individual ownership and higher densities. This type of development is to be encouraged because it adds variety and economy to the housing stock of the Town. These units are often more economical to build and ultimately to own and maintain. Because of the higher densities though, Council wants to insure that this kind of development takes place only on lots which are served by the municipal sanitary sewer system.

Policy 19- It shall be the intention of Council to permit row house development only on lots which are served by the municipal sanitary sewer system.

Home occupations refer to a commercial enterprise that is carried out within a single detached dwelling. There is a potential for these kinds of uses to become a nuisance in residential R-1 zoned areas and therefore some restrictions will need to be applied. The maximum size of the commercial operation will be limited to 25 percent of the gross floor space of the home. No outdoor storage will be permitted. Accessory buildings may be used for storage but the commercial enterprise itself cannot occupy the accessory building. The person that runs the business must also occupy the home and there will be a limit of one (1) additional employee permitted who does not reside in the home. Signs advertising the business will be limited to five (5) square feet in area and shall be non- illuminated. Only one (1) commercial vehicle will be permitted to be parked at the residence and customer parking will not be required on the property.

These restrictions reflect the small scale nature of home occupations. The regulations are not intended to discourage this form of commercial enterprise but it should be clear that the priority use of these areas is residential. If the business grows to the extent that more space or employees

are required then the business should no longer take place in the residential neighborhood and should move to a more appropriate location where growth and expansion can be accommodated.

Policy 20- It is the intention of Council to permit home occupations located within single detached dwellings in the R-1 zoned areas provided the following criteria can be met:

- a) the business does not occupy more than 25 percent of the gross floor area of the single detached dwellings,
- b) there is no outdoor storage of any product or material associated with the business,
- c) accessory buildings are not used to carry out or conduct the business, although, they may be used for storage,
- d) the business is owned and operated by the occupant of the single detached dwelling in which it is located,
- e) there is no more than one (1) additional employee associated with the business,
- f) the sign advertising the business shall be no larger than five (5) square feet and shall not be illuminated, and
- g) no more than one vehicle associated with the business may be parked at the residence overnight.

Boarding or rooming houses and bed and breakfast establishments are also a form of residential activity that require special regulation. Generally, these uses fit in very nicely with the surrounding residential area but Council would like to be sure they maintain a reasonable scale of operation. An upper limit of five (5) rooms will be permitted to be used for rental purposes provided that off street parking can be provided for each of the rooms so used. Signs for these establishments will be limited to five (5) square feet in area and shall be non- illuminated.

Policy 21- It shall be the intention of Council to permit single detached dwellings located in R-1 zoned areas to be used for rooming or boarding houses or for bed and breakfast establishments provided the following criteria can be met:

- a) Off street parking is provided at the side or the back of the house at a rate of one space for each room available for rent, and
- b) the sign advertising the establishment is no larger than five (5) square feet and is not illuminated.

5. COMMERCIAL DEVELOPMENT

5.1 General

The Town of Shelburne is the commercial and service centre for the Shelburne County area. There are 140 commercial enterprises within the town catering to a wide variety of business and service needs. Town Council wants to encourage this activity and provide for its future expansion.

Commercial activity is public oriented. That is to say it depends upon an ease of public accessibility to be successful.

Any business that is hard to find or difficult to get to will not last long in a competitive market place. Because of this and because of Council's desire to protect established residential neighborhoods, commercial activity will generally be directed to the two main streets of town - King Street and Water Street.

5.2 Commercial Development Designation

For King Street, the basic approach will be to designate the largest portion of those blocks which face King Street from the eastern town boundary west to Water Street as Commercial (see Map 1). The intent is to focus the commercial activity to King Street and some of the side streets which cross it while at the same time keeping the property which faces Bulkley Street and St. John Street residential. For those properties which face on Bulkley and St. John Streets but which take up a large part of the block they are in, only a strip 120 feet deep will be kept in the residential designation. Council feels that this arrangement will provide adequate room for commercial expansion and still keep the integrity of the residential neighborhoods intact.

On Water Street, Council intends to apply the commercial designation to the properties on the east side from Minto Street south to St. George Street. In addition, the commercial designation will be applied on the west side down to the harbour from Minto Street south to the Historic Waterfront area (see Map 1). These areas will be designated pursuant to Policy 1 of this plan. **The designation will also include an area east of Falls Lane across from Water Street just north of MacKenzie's Motel and Cottages to provide for an expansion of the motel. (RC-Jul 07/07;E-Jul 23/07)**

~~In addition, a smaller commercial area will be located at the junction of Ohio Road and Highway 103, just inside the northern town boundary. It is hoped that this area will attract the more high profile establishments such as auto sales or motels. The front part of the area along Ohio Road will be zoned for residential use so as to keep the residential feel of the street. (Del-RC Nov 01/95;E Nov 10/95)~~

~~**In addition the commercial area on the east side of Ohio Road north of Highway 103 will be enlarged to include the front portion facing the Ohio Road. Another commercial area will be located along the east and west side of the Ohio Road north to Highway 103 and along the north side of Highway No.3 from the Ohio Road intersection west to the Roseway River, as defined on the attached maps. A twenty-five foot area fronting the Roseway River from Highway 103 south to Rogers Lane will continue to be zoned R-U in order to offer**~~

~~some measure of protection for the watercourse. This commercial designation is necessary because of the increasing lack of commercial space in the downtown. (Add-RC Oct 03/01; E Oct 11/01) (Del -)?~~

In addition 2 three smaller commercial areas will be designated commercial) (Del & Add RC-Jun 29/98;E-Jul 08/98)

- 1. Designate an area at the junction of the Ohio Road and Highway 103 just inside the northern town boundary. It is hoped that this area will attract the more high profile establishments such as motels. The front part of the area along Ohio Road will be zoned for residential use so as to keep the residential feel of the street.**
- 2. Designate an area west and south of the junction of Water Street and Falls Lane to include the existing commercial uses and the vacant land in between the fronts on Falls Lane. This recognizes the existing commercial node and provides potential for commercial infilling of the vacant land in between the existing commercial uses. (Add-RC Nov 01/95;E Nov 10/95)**
- 3. Designate an area on the west side of the Ohio Road south of Highway 103 as commercial to recognize existing commercial uses and provide for new commercial development.) (Add RC-Jun 29/98;E-Jul 08/98)**

Within the commercial designation, Council will establish the C-1 General Commercial Zone. The C-1 Zone will permit any commercial business activity of retail, office or a service nature provided they are not obnoxious. In addition, any use permitted in the R-1 Residential General Zone will also be permitted in the C-1 Zone. ~~The level of commercial activity is such that it does not warrant exclusive zone protection at this time. (Del ?)~~

Policy 22- It shall be the intention of Council to establish the C-1 General Commercial Zone within the area designated Commercial on Hap 1, the Generalized Future Land Use Hap.

Policy 23- (1) Permitted uses in the C-1 Zone shall include any retail, office or service enterprise that is not obnoxious.

(2) In addition to subsection (1) above, any use permitted in the R-1 Zone shall also be considered a permitted use in the C-1 Zone.

There are a number of commercial businesses located outside of the commercial designated area. Council would like to protect these uses and permit their continued operation. To do this Council will consider these uses as existing permitted uses in the zone in which they are located. In this way they can continue to operate and expand if they wish to the limits of their existing property

boundaries. The use, however, must remain the same, (for example, a retail store must remain a retail store although what the store sells could change) and no expansion can be made beyond the existing property lines.

Policy 24- It is the intention of Council to treat existing commercial uses not otherwise permitted in the zone in which they are located, as permitted uses. Such uses shall be afforded all of the development rights of any permitted use in zone in which they are located.

5.3 Parking

Customer parking is an important aspect of commercial development. In most cases parking will be provided at or near the actual business location by the business owner. To facilitate this, Council will develop parking standards to be included in the Land Use By-law. But Council also recognizes that there will be occasions when a commercial development will not reasonably be able to provide the required parking, perhaps due to lack of available land area or poor or inadequate access. In the event that this situation should arise, Council will waive the parking requirements for commercial operations where a cash payment is made to the town according to a formula to be outlined in the Land Use By-law. Such payments will be placed into a special fund to be used by the town to provide public parking spaces in the commercial designation area.

Policy 25- (1) It shall be the intention of Council to require customer parking for all business establishments located within the C-1 Zone according to the standards outlined in the Land Use By-law.

(2) Notwithstanding subsection (1), Council shall waive the parking requirements where the developer, owner, or operator of such establishment pays to the Council an amount of money to be determined by a formula described in the Land Use By-law. Such payment shall be made at the time of application for a development permit.

Policy 26- Where cash payments are made pursuant to policy 25(2), Council shall reserve such payments in a special fund to be used to provide public parking spaces in the commercial designated area.

In conjunction with the development of parking lots and lots used for automobile service stations, Council is interested in providing for their safe operation through the regulation of their points of access to a public street.

Policy 27- Where a lot is to be used for a parking lot or an automobile service station, council shall establish provisions in the Land Use By-law for the proper control of entrance and exit points of such lots from the public street.

6. INDUSTRIAL DEVELOPMENT

6.1 General

Industrial development is the key to the future growth of the town. Industry is the backbone of the local economy and improvements made in this sector will have a beneficial impact in virtually every other sector of the economy. The United States Chamber of Commerce recently estimated that for every 100 new manufacturing jobs there would be a corresponding increase in population of 360 people, 100 new households, 91 new school children, \$400,000 increase in personal income, \$250,000 increase in bank deposits, \$350, 000 increase in retail sales, 3 new retail outlets, 65 additional industry related jobs, and 33 additional service related jobs. Because of this filtering down effect, the importance of industrial development cannot be under estimated.

The Town of Shelburne local economy is for the most part dependent upon fishing, fish processing and related industries. Continental Seafood Ltd. is the town's largest employer with an average employment level of about 250-300 people. Shelburne Marine Ltd., a ship repair facility employs about 75-100 people. Town Council recognizes the importance of these industries and intends to promote their continued growth and expansion.

6.2 Industrial Development Designation

The existing industrial area of town is generally located on the waterfront at the south end of town. This area will be designated Industrial, pursuant to policy 1 of this plan. In addition, an area of land in the south/east corner of town (presently undeveloped) will be designated industrial in an attempt to promote an expanded wholesale, warehousing and manufacturing sector in the economy.

~~Council will establish the Industrial General (I-1) zone within these two designated areas and permit any manufacturing, assembly, utility, processing, warehousing, or salvage operation to locate there provided such uses are not obnoxious. In addition, commercial operations accessory to the main industrial use will be permitted, as will uses in the R-1 zone. Council is aware of potential incompatibility between residential and industrial uses but the state of the industrial development is such that Council is not prepared to exclude residential uses at this time. As development proceeds, Council will monitor the situation and consider appropriate plan amendments as the need arises. (Del-RC Apr 04/01; E-May 3,01)~~

Council will establish an Industrial General (I-1) zone which will permit a wide range of industrial uses including manufacturing, assembly, utility, processing, warehousing, or salvage operations provided such used are not obnoxious. This zone will apply to a portion of the waterfront at the south end of town and to lands at the south/east corner of the town designated as Industrial. Recognizing that the town has a tradition of industrial and non-industrial uses locating in close proximity to each other the Industrial General Zone shall also include commercial uses permitted in the Commercial General (C-1) Zone and residential uses permitted in the Residential General (R-1) Zone. Council is aware of the potential incompatibility between industrial and non-industrial (commercial and residential) uses however, in recognition of the general mixed-use nature of existing development in these areas and in the interest of long term economic development, a broad range of permitted uses in the I-1 Zone is appropriate. As development proceeds, Council will monitor the situation and consider appropriate Strategy amendments as the need arises. (Add-RC Apr 04/01; E-May 3,01)

A third industrial area will be designated in the north end of town adjacent to Highway 103. This area will, however, not be zoned for industrial use until such time as proper road access can be made to the site. Council's main concern here is to ensure that truck traffic does not utilize the residential portion of Wrights Road.

~~As an added safeguard to the residential areas, in those areas where the I-1 Zone abuts a R-1 or R-M zone, the development in the industrial zone will be required to provide a 50 foot setback from the abutting property line. (Del RC-Jun 16/93; E-Jul 13/93)~~

Policy 28- It shall be the intention of Council to establish the I-1 Industrial General Zone within two of the three areas designated Industrial on Map 1, the Generalized Future Land Use Map. Council shall consider industrial development in the third area, adjacent to Highway 103, only by amendment to the Land Use By-law. When considering such amendments Council shall have regard for the following criteria:

- i) that access to the proposed development shall not be along the residential portions of Wright Road, and
- ii) that the proposal is consistent with the criteria established in Policy 44.

Policy 29 - (1) Permitted uses in the I-1 Industrial General Zone shall be limited to any manufacturing, assembly, processing, wholesaling, warehousing, utility, or salvage operation provided such uses are not obnoxious.

(2) Notwithstanding subsection 1, commercial uses ~~which are accessory to the main industrial use and uses permitted in the R-1 Zone~~ shall also be considered permitted uses in the I-1 Zone permitted in the Commercial General (C-1) Zone and residential uses permitted in the Residential General (R-1) Zone shall be included as permitted uses in the I-1 Zone and all non-industrial (commercial and residential) uses within the I-1 Zone shall be subject to the development control provisions of their respective Commercial General (C-1) and Residential General (R-1) Zones. (Del&Add-RC Apr 04/01; E-May 3,01)

Policy 30- (1) With respect to ~~residential- non-industrial (commercial and residential)~~ uses in the I-1 Zone, **as enabled through policy 29**, Council shall monitor this type of development to ensure that it does not become the predominant land use activity in these areas. **(Del-RC Apr 04/01; E-May 3,01)**

(2) Where there is evidence of excessive ~~residential- non-industrial (commercial and residential)~~ activity in the I-1 Zone, Council shall take steps to amend this plan in order to prevent any further intrusion. **(Del-RC Apr 04/01; E-May 3,01)**

Industrial uses not located within the three areas designated industrial merit special consideration. In the Historic Waterfront (H-W) Zone existing industrial uses will be considered as permitted use. Council feels that industry in this area has been an important

part of the area's history. At the same time though, council wants to prevent any new development of such uses because of the potential negative impact on the character of the areas.

In the areas designated Residential existing industrial uses will be zoned industrial General (I-1). This approach in the residential areas does two things. First it allows these existing uses to expand on their properties subject to the requirements of the I-1 zone and secondly, it allows them to change to any other use permitted in the I-1 Zone

Council feels that existing industrial uses in residential areas create much needed jobs in the town. They are an important asset and their development should not be restricted. At the same time council recognises that industrial uses may have a detrimental impact on residential uses. To Minimize this impact Special requirements will be set out in the bylaw for the I-1 Zone concerning industrial uses that abut or lie directly across the street from lands zone R-1 or R-M. These requirements will include such things as fencing, landscaping, lighting, signs and driveway accesses.

~~Any other existing industrial uses located outside the areas designated industrial will be treated as non-conforming uses. They may continue in operation but their expansion or change in use will be limited.~~ (Add RC-Jun 16/93; E-Jul 13/93) (Del RC-Apr 05/00; E-Apr 20/00)

There is on existing Industrial Use located within the Commercial General (C-1) Zone. It is Council's intent to protect this use and permit it to continue in operation. To do this Council will consider this use as an existing permitted use in the zone in which it is located. This will allow it to continue in operation and expand if it wishes. However, the use must remain the same. (RC-Apr 05/00; E-Apr 20/00)

Policy 31- ~~It shall be the intention to require a 50 foot setback from the affected property line for any industrial development where such development is located on a property which abuts a R-1 or R-M Zone.~~ (Del RC-Jun 16/93; E-Jul 13/93)

(1) It is the intention of Council to zone existing industrial uses in areas designated residential to the Industrial General (I-1) Zone. This will enable these uses to expand on their properties or change their use to another industrial type.

(2) It shall be the intention of Council to set up special requirements in the By- law to minimize the detrimental impact industrial uses may have where they abut or lie directly across the street from the lands zoned R-1 or R-M.

These requirements shall include provisions for fencing, landscaping, lighting, signs and driveway accesses. (Add RC-Jun 16/93; E-Jul 13/93)

~~Industrial uses not located within the Industrial General (I-1) Zone are a special problem. With the exception of those located within the H-W Zone, it is Council's intent to permit these uses to continue in operation but to treat them as non-conforming uses. In this way their expansion or change in use will be limited. Existing industrial uses located within the H-W Zone will be treated as existing permitted uses. Council feels that industry in this area has been an important part of the area's history. At the same time though, Council wants to prevent any new development of such uses because of the potential negative impact on the character of the area. Council does not want to create undue hardship for these business operations but at the same time must consider the interests of the town as a whole when considering the appropriate location for industrial and other land use activity. (Del RC-Jun 16/93; E-Jul 13/93)~~

As non-conforming uses, these businesses may continue to operate at their present location but they will not be permitted to expand or change except to a use that is permitted in the zone in which they are located. In addition, if these uses discontinue for a period greater than 6 months the uses cannot be recommenced in their non-conforming state. If, however, they are destroyed by fire, Council will allow their reconstruction but only to the extent that they had existed prior to the fire.

Policy 32- **It is the intention of Council to consider all industrial uses located outside of the Industrial General (I-1) Zone as existing permitted uses. Such uses shall be afforded all of the development rights of any permitted use in the zone in which they are located including the right to expand. It is also the intention of Council to allow the one existing industrial use located within the Commercial General (C-1) Zone to increase its lot size as Council feels that any expansion will not adversely affect established or adjoining development in that area. (Add RC-Apr 05/00; E-Apr 20/00)**

~~(1) It is the intention of Council to consider all industrial uses located outside of the Industrial General (I-1) Zone and the Historic Waterfront (H-W) Zone as non-conforming uses. Such uses may continue in operation but shall be subject to the provisions of Sections 85 and 86 of the Planning Act.~~

~~(2) Notwithstanding subsection (1) where a building is destroyed partially or totally by fire, it is the intention of Council to permit the reconstruction or repair of the building and the continuance of the non-conforming use to the extent that it had existed prior to the fire. (Del RC-Apr 05/00; E-Apr 20/00)~~

7. HISTORIC WATERFRONT DEVELOPMENT

7.1 General

The waterfront heritage area is a compact area of town with a high percentage of older buildings. All but about three buildings in the area were built before 1940, ten were built before 1800 and thirty-three were built between 1800 and 1900. (See Map 2 for age of buildings). These buildings are found on generally smaller lots than in the rest of town and the street system consists of small lane ways and streets that run east-west between Water Street and Dock Street. Without curbs or side-walks, these lanes and streets help to create a pedestrian atmosphere, and human scale. The waterfront area must be walked to be appreciated.

There have been attempts by public agencies to enhance and maintain this area. Grouped in a cluster around Maiden Lane and Dock Street are: the Ross Thompson House, the Shelburne Historical Society Museum, and the Dory Shop. In addition, to celebrate the town's 200th Anniversary, a tourist information building was built at the junction of Dock and King Streets. The Cox Warehouse Building at the corner of Maiden and Dock Streets has also been recently turned over to the Shelburne Historical Society.

There are 76 properties in the Historic Waterfront area. This includes 50 dwellings (34 single detached dwellings, 6 multi-family buildings and 2 dwellings units in association with commercial operations) a lounge and restaurant, a co-op store, a craft shop, an insurance office, a barrel factory and associated storage area, several warehouses, the Town's public works building, and the boys and girls club. (See Map 3 for existing land uses).

7.2 Historic Waterfront Designation

Town Council is interested in protecting this historic area in order to preserve a unique part of the town's heritage and to maximize its economic potential in terms of tourism. To achieve this, the area will be designated Historic Waterfront pursuant to Policy 1 of this plan and as shown on the Generalized Future Land Use Map (Map 1). Council will also establish a Historic Waterfront (H-W) Zone within the designation.

In keeping with the wide variety of land use presently located in the area, the H-W Zone will permit all uses except industrial uses and mobile homes provided they are not obnoxious. This reflects the feeling that it is not so important as to what use is being carried on within a building as it is to insure that the exterior character of the building is in keeping with the areas character as a whole. The area presently has a predominance of residential uses but amongst these are interspersed a variety of other uses. This pattern has developed over the past 200 years and is an important element to the area's character.

There is a small portion of existing industrial use within the area. Council will treat these uses as existing permitted uses and enable them to continue in operation and expand to the limits of their existing property boundaries.

7.3 Special Provisions

Within the Historic Waterfront (H-W) Zone, a number of provisions will be established in the Land Use By-law to ensure that new development maintains and enhances the existing architectural cohesiveness of the area. Special provisions will be developed for signs, conversions, new buildings, exterior renovations, fences, outdoor storage, setback and side yard requirements, and accessory buildings.

Signs will be required to be wooden and be of a scale and size that does not dominate the building to which it is attached.

Building conversions or exterior alterations will not be permitted which alter the roof lines of an existing structure or which are visible from the front of the building at the street line.

Outdoor storage of goods associated with an industrial or commercial use will be permitted but it will have to be screened by use of a wooden fence so as not to be visible from the street. The type of fence used will also be regulated to insure compatibility with the area.

New structures on vacant lands in the area must have a roof line similar to that of adjacent historic buildings within 100 feet of the vacant lot, a similar style of windows and doors, a similar wall to window ratio and similar setback and side yards as those of adjacent historic buildings as well.

Because of the small size of the blocks, a smaller minimum lot size for this area, will be incorporated into the By-law. Provisions will also be established with respect to accessory buildings to ensure these, as well, do not compromise the character of the area.

In conjunction with these policies, Council will also encourage the heritage designation of buildings in this area under the Heritage Property Act and the Town's Heritage By-law.

- Policy 33-
- (1) It shall be the intention of Council to establish within the Historic Waterfront area as shown on the Generalized Future Land Use Map (Map 1), the Historic Waterfront (H- W) zone.
 - (2) Permitted uses within the Historic Waterfront (H-W) Zone shall include all uses permitted in the R-1 and C-1 Zones **as well as microbreweries. (RC-Jul 04/12; E-?)**

- (3) The existing industrial uses in the H-W Zone shall be treated as permitted uses. Such uses shall be afforded all of the development rights of any permitted use within the H-W Zone.

Policy 34- To ensure the compatibility of new development with the existing character already established within the Historic Waterfront (H-W) Zone, Council shall require certain special provisions in the Land Use By-law with respect to:

- (a) new construction on vacant lots,
- (b) conversions, additions or alterations to existing buildings,
- (c) signs,
- (d) outdoor storage,
- (e) accessory buildings, (f) fences,
- (g) minimum lot size, and
- (h) setback and side yard requirements.

Policy 35- It shall be the intention of Council to encourage the evaluation and where appropriate, designation of historic buildings within the historic waterfront area as a first priority. Historically, significant buildings outside the Historic Waterfront area should be considered for designation on a second priority basis.

8. RURAL DEVELOPMENT

8.1 General

Rural development is not really an issue for the town. There is a large amount of undeveloped land at the periphery of the town which is primarily under forest cover at the present time. Council intends to leave this area with a minimum of development restriction and allow any use permitted in the two residential zones.

Council is also interested in allowing industrial uses to locate in the Rural designation area but would like to maintain some control over where it locates and what sort of impact it may have on neighbouring areas. Therefore, Council will consider new industrial development in this area only by amendment to the Land Use By-law.

8.2 Rural Development Designation

The Rural Development area will be designated as Rural on the Generalized Future Land Use Map (Map 1) pursuant to Policy 1 of this plan. Within the Rural designation, Council will

establish the R-U Rural Undeveloped Zone. Because of the uncertainty of how this area will develop, Council will permit any use permitted in the R-1 Zone and the R-M Zone.

Policy 36- It is the intention of Council to establish the Rural Undeveloped (R-U) Zone within the Rural Development Designations as shown on the Generalized Future Land Use Map (Map 1). Any use permitted in the R-1 Zone or the R-M Zone shall also be permitted in the R-U Zone.

Policy 37- In addition to the residential uses identified in Policy 36, Council shall consider new industrial development within the Rural Development designation only by amendment to the Land Use By-law. In considering such amendments, Council shall have regard to the following criteria:

i) that the lot to be developed is served by the Municipal Sanitary Sewer System,

ii) that the lot to be developed is not adjacent to an existing residentially or institutionally developed lot, and

iii) that the proposal is consistent with the criteria established in Policy

9 . IMPLEMENTATION

9.1 General

Many of the policies of this Municipal Planning Strategy propose to regulate the use of land within the town's boundaries. To do this, the Nova Scotia Planning Act requires that the town adopt a Land Use By-law which will carry out or implement the regulatory aspects of the policy. In addition, the Town is also empowered through the Town's Act to adopt other land use related by-laws which will help in the administration of this plan.

Policy 38- It is the intention of Council to implement this Municipal Planning Strategy by means of the powers given to it by the Planning Act, Chapter 9, S. N. S. 1983, and the Town's Act, Chapter 309, R. S. N. S. 1967, and other Provincial Statutes as may be applicable.

Policy 39- In addition to employing specific implementation measures, it is also the intention of Council to maintain a program of on-going planning through its Planning Advisory Committee.

9.2 Municipal Planning Strategy Amendment and Review

Policy 40- It shall be the intention of Council to require amendments to the policies and maps of the Municipal Planning Strategy under the following circumstances:

- (a) where any policy intent is to be changed,
- (b) where the Municipal Planning Strategy is in conflict with any applicable Provincial Land Use Policy or regulation in accordance with Section 47(1) of the Planning Act,
- (c) where a request to amend the Land Use By-law is in conflict with this planning strategy and there are valid reasons for the amendment, and
- (d) where a secondary planning strategy is to be incorporated into this Municipal Planning Strategy.

Policy 41- In accordance with Section 49 of the Planning Act this Municipal Planning Strategy may be reviewed when either Council considers it necessary or when requested by the Minister of Municipal Affairs but in any case shall be reviewed not later than five years from the date of its coming into force or from the date of its last review.

9.3 Actions Not Requiring a Planning Strategy Amendment

While the Generalized Future Land Use Map provides a general overview of the land use distribution in town, it is not intended to be a precise delineation. Because of this it is advisable to include some flexibility when considering developments for those properties which abut the land use designation boundaries.

Policy 42- With the exception of the Historic Waterfront Designation, areas immediately adjacent to a given land use designation on the Generalized Future Land use Map (Map 1) may be considered for a zoning amendment to enable a use permitted in that given designation without requiring an amendment to this strategy provided that the intent of all other policies of the strategy are satisfied.

9.4 Land Use By-law

The Land Use By-law is an important companion document with this Municipal Planning Strategy. It is the chief means of carrying out the regulatory aspects of the plan policy. It must be approved in conjunction with this plan by Town Council and subsequently by the Minister of Municipal Affairs before it becomes effective.

The plan area will be divided into zones which roughly correspond to the land use designation areas. The Land Use By-law will identify these zones on a zoning map and indicate what types of development will be permitted or prohibited from each zone. It will also describe any other requirements or standards which must be met by a development proposal.

In association with the Land Use By-law and as required under the Planning Act, Council will appoint a Development Officer who will be responsible for issuing development permits where required, and insuring that all development is carried out in compliance with the By-law.

Policy 43- (1) It is the intention of Council to adopt a Land Use By-law in conjunction with this Municipal Planning Strategy as required under the Planning Act in order to implement the regulatory aspects of the Strategy.

(2) It is further the intention of Council to appoint a Development Officer to administer the Land Use By-law and to issue development permits in accordance with the requirements of the Land Use By-law.

9.5 Amendment to a Land Use By-law

It may become necessary from time to time to amend the Land Use By-law, although the Land Use By-law must always conform to the Municipal Planning Strategy. Council will consider amending the Land Use By-law under the following circumstances.

(a) a request is made by an individual,

(b) upon a motion by a member of Council, or

(c) the Municipal Planning Strategy is amended to an extent that the Land Use By-law is no longer in conformance.

The Planning Act outlines a number of notice, hearing and appeal provisions which must be complied with when Council considers a by-law amendment.

Policy 44- When considering amendments to the Land Use By-law, Council shall have regard for the following matters:

(a) that the proposed amendment is in conformance with the intent of the policies of this Strategy;

(b) that the proposed development that would result from the amendment is not premature or inappropriate by reason of:

(i) the financial capability of the town to absorb any costs related to the development,

(ii) the adequacy of the sewer and water services to support the proposed development,

(iii) the adequacy and proximity of school, recreation, and other community facilities,

(iv) the adequacy of the road network in, adjacent to, or leading to the development,

(v) the potential for damage or destruction of historical buildings and sites, and

(vi) its bulk and scale in relation to the existing surrounding development.

Policy 45- Where a list of permitted uses is included in a schedule in the Land Use By-law, it shall be the policy of Council to enable such list to be amended by way of amendment to the Land Use By-law where it can be shown that the use to be added was in existence prior to the effective date of the By-law.

9.6 ~~Minor Variance~~ (Del RC- Feb 02/11;E-Apr 04/11)

In addition to the general powers granted to the Development Officer under the **Planning Act Municipal Government Act**, the Act also empowers the development officer to grant a **minor** variance from the requirements of the Land Use By-Law. ~~Sections 79-82 of the Act provide complete details as to the powers and under what circumstances the Development Officer can grant a variance and the powers of Council with respect to an appeal of the granting or refusal to grant a minor variance by the Development Officer.~~ Sections 235-237, of the **Municipal Government Act** provides complete details. (RC- Feb 02/11;E-Apr 04/11)

Policy 45(A)- It is the intention of council to grant authority to the development officer to issue a variance, where appropriate, in the following additional areas:

- The number of parking spaces and loading space required,**
- the ground area and height of structure,**
- the floor area occupied by a home based business,**
- the height and area of a sign (RC- Feb 02/11;E-Apr 04/11)**

9.7 Capital Programs

An important aspect of planning for the Town is the relationship of the plan policies to capital spending. Council intends to consider its priorities as established in this plan when looking at any proposed capital programs.

Policy 46- As an aid in the co-ordination of planning and capital programming, it shall be the intention of Council to have the Planning Advisory Committee report to the Finance Committee prior to the approval of the Annual Capital Budget. This report will normally include a review of the Budget proposal with respect to the policies contained in the Municipal Planning Strategy.

TOWN of SHELBURNE

Land Use By-Law

**TOWN OF SHEBURNE
LAND USE BYLAW**

ADOPTED BY TOWN COUNCIL SEPTEMBER 1, 1988

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS
ON
DECEMBER 12, 1988

THIS DOCUMENT IS AN OFFICE CONSOLIDATION
ACCURATE REFERENCE SHOULD BE MADE ONLY FROM THE OFFICIAL DOCUMENT

**THIS COPY IS
A REPRINT OF THE
TOWN OF SHELBURNE
LAND USE BY-LAW
WITH AMENDMENTS TO
June 19th 2023**

CONSOLIDATED EDITION

This CONSOLIDATED EDITION is prepared for convenience only. For complete reference, please consult the original documents. This CONSOLIDATED EDITION has the following history.

- 1.) Original Adoption Land Use By-law by Town Council on September 1, 1988.
- 2.) Amended, June 16, 1993. Amendments to the Industrial General (I-1) Zone and Schedule "B".
- 3.) Amended, November 1, 1995. Amendments to Schedules "A" and "B" regarding the Commercial General (C-1) Zone.
- 4.) Amended, June 29, 1998. Amendments to Schedules "A" and "B" regarding the Commercial General (C-1) Zone.
- 5.) Amended April 5, 2000. Amendments to the Commercial General (C-1) Zone and Schedule "A".
- 6.) Amended April 4, 2001. Amendment to the Industrial General (I-1) Zone.
- 7.) Amended October 3, 2001. Amendments to Schedules "A" and "B" regarding the Commercial General (C-1) Zone.
- 8.) Amended February 7, 2007. Amendment to Schedule "B" regarding re-zoning of land.
- 9.) Amended February 2, 2011. Amendments to General Provisions for All Zones.
- 10.) Amended July 4, 2012. Amendment to Historic Waterfront (H-W) Zone.
- 11.) Amended February 6, 2013. Amendments to the Commercial General (C-1) Zone.
- 12.) Amended May 21, 2014. Amendments to Schedule "A".
- 13.) Amended September 3, 2014. Amendments to the Commercial General (C-1) Zone.
- 14.) Amended September 2, 2015. Amendment to Schedule "B" regarding re-zoning of land.
- 15.) Amended September 12, 2017. Amendment to the Residential General (R-1) Zone.
- 16.) Amended July 18, 2018. Amendments to General Provisions for All Zones.
- 17.) Amended January 6th, 2020. Amendments to Part 5 re: Accessory Dwellings
- 18.) Amended May 18th, 2021. Amendments to Schedule "B" regarding zoning of land from Residential (R-1 General) and Commercial (C-1 Commercial) to fully Commercial (C-1 Commercial)
- 19.) Amended February 7th, 2022. Amendment to Schedule "B" regarding zoning of land.

20) Amended November 7th, 2022 . Amendment to Schedule B, regarding re-zoning of land.

21) Amended June 19th, 2023. Amendment to Part 2 Definitions, Part 6 Residential General (R-1) Zone Section 38, Part 7 Residential Mobile R-M) Zone Section 44, Schedule D under a new column Pocket Dwellings.

22) Amended February 5, 2025 to include new Residential Apartment Zone, Site Plan, Variance provisions and map amendments

LAND USE BY-LAW - TOWN OF SHELBURNE

TABLE OF CONTENTS

CONTENTS

PART	1	TITLE	PAGE 5
PART	2	DEFINITION	PAGE 5
PART	3	ZONES AND ZONING MAP	PAGE 12
PART	4	INTERPRETATION	PAGE 13
PART	5	GENERAL PROVISIONS FOR ALL ZONES	PAGE 14
PART	6	RESIDENTIAL GENERAL (R-1) ZONE	PAGE 23
PART	7	RESIDENTIAL MOBILE HOME (R-M) ZONE	PAGE 26
PART	8	COMMERCIAL GENERAL (C-1) ZONE	PAGE 27
PART	9	INDUSTRIAL GENERAL (I-1) ZONE	PAGE 29
PART	10	HISTORIC WATERFRONT (H-W) ZONE	PAGE 31
PART	11	RURAL UNDEVELOPED (R-U) ZONE	PAGE 34
PART	12	ADMINISTRATION	PAGE 35

Schedule "A" Existing Permitted Uses

- Mobile Homes Outside the R-M Zone and the R-U Zone
- Commercial Uses Outside the C-1 Zone
- Industrial Uses in the H-W Zone

Schedule "B" Zoning Map

Schedule "C" Fences Permitted in the H-W Zone

Schedule "D" Development Standards Tables 1 and 2

PART 1 - TITLE

1. This By-law shall be known and may be cited, as the Land Use By-law of the Town of Shelburne.

PART 2 - DEFINITIONS

2. (1) In this By-law words used in the present tense include the future; words in the singular number include the plural; words in the plural include the singular; and the word shall is mandatory and not permissive. All other words carry their customary meaning except for those as defined in this Section.
 - (2) (a) **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.
 - (b) **ACCESSORY USE** means a use subordinate and naturally, customarily and normally incidental to and exclusively devoted to a main use of land or building and located on the same lot.
 - (c) **BED AND BREAKFAST ESTABLISHMENT** means a single detached dwelling where no more than five rooms are provided for overnight accommodation with breakfast to the travelling public for monetary gain and does not include facilities open to the general public such as meeting rooms, restaurants or entertainment facilities.
 - (d) **BOARDING OR ROOMING HOUSE** means a dwelling in which the proprietor supplies either room or room and board for monetary gain, to more than two but not more than five persons exclusive of the lessee or owner thereof or members of his family and which is not open to the general public.
 - (e) **BUILDING LINE** means any line regulating the position of a building or structure on a lot.
 - (f) **COMMERCIAL USE** means any retail, office or service enterprise that provides goods and/or services to the general public for monetary gain.
 - (g) **COUNCIL** means the Council of the Town of Shelburne.
 - (h) **CORNER VISION TRIANGLE** means that part of a corner lot adjacent to the intersection of the exterior lot lines measured from such intersection, the distance required by this By-law, along each such street line and joining such points with a straight line. The triangular-shaped land between the intersecting lines and the straight line joining the points the required

distance along the street lines shall be known as the "corner vision triangle".

- (i) DEVELOPMENT includes any erection, construction, alteration, replacement or relocation of or addition to any structure and any change or alteration in the use made of land, or structures
- (j) DEVELOPMENT OFFICER means the officer of the Town of Shelburne from time to time charged by the municipality with the duty of administering the provisions of this By-law.
- (k) DWELLING 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.
 - (i) SINGLE DETACHED DWELLING means a completely detached dwelling containing one dwelling unit but does not include a mobile home.
 - (ii) SEMI-DETACHED DWELLING means a building which is divided vertically into two dwelling units each of which has an independent entrance
 - (iii) DUPLEX DWELLING means a building that is divided horizontally into two dwelling units each of which has an independent entrance either directly from outside or through a common vestibule.
 - (iv) 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
 - (v) APARTMENT CONVERSION means an existing building which has been converted from any other use to a use which contains three (3) or more dwelling units.
 - (vi) ROWHOUSE means a building divided vertically into three (3) or more dwelling units with each unit having a front and rear exit.
- (l) DWELLING UNIT means one or more habitable rooms designed or intended for use by one or more individuals as an independent and separate housekeeping establishment which separate kitchen and sanitary facilities are provided for the exclusive use of such individual or individuals, with a private entrance from outside the building or from a common hallway or stairway inside the building

- (m) ERECT means to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, or structurally altering any existing building or structure by an addition, deletion, enlargement or extension.
- (n) EXISTING means existing as of the effective date of this By-law.
- (o) 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.
- (p) 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 decline of a mansard roof; or
 - 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.
- (q) 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 and includes the small scale manufacturing or assembling of crafts or other hand-made goods provided that such goods are also offered for sale on the premises.
- (r) INSTITUTION means a building or part of a building used by any governmental body or related service agency, and shall include government sponsored senior citizen housing facilities, or an organized body or society promoting a particular purpose with no intent of profit, but shall not include a utility or a private club.
- (s) LOADING SPACE means a vacant area of land provided and maintained on the same lot upon which the principal use is located and which is suitable for the temporary parking of at least one (1) commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicles.
- (t) LOT means any parcel of land described in a deed or as shown in a registered plan of subdivision.

- (i) 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.
- (ii) INTERIOR LOT means a lot situated between two lots and having access to one street.
- (iii) 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 By-law.
- (u) LOT AREA means the total horizontal area within the lot lines of a lot.
- (v) LOT FRONTAGE means the length of a line joining the side lot lines and parallel to the front lot line.
- (w) LOT LINE means a boundary line of a lot.
 - (i) FRONT LOTLINE means the line dividing the lot from the street and for purposes of this definition the term "street" shall include existing private roads and rights-of-way referred to in Section 13; 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.
 - (ii) REAR LOTLINE means the lot line furthest from or opposite to the front lot line.
 - (iii) SIDE LOT LINE means a lot line other than a front or rear lot line.
 - (iv) FLANKING LOTLINE means a side lot line which abuts the street on a corner lot.
- (x) MAIN BUILDING means the building in which is carried on the principal purpose for which the building lot is used.
- (y) 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.

- (z) **MOBILE HOME** means a detached dwelling designed for transportation after fabrication, whether on its own wheels or on a flatbed or other trailer, and which arrives at the site where it is to be occupied as a dwelling complete and ready for occupancy, (except for minor and incidental unpacking and assembling operations), located on wheels, jacks or permanent foundation, and which may be connected to utilities and sanitary services. The foregoing shall not include prefabricated mini homes which are built to National Building Code Standards and are placed upon a permanent concrete foundation.
- (aa) **OBNOXIOUS** shall mean a use which, from its nature or operation creates a nuisance or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, oil or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material.
- (bb) **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.
- (cc) **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.
- (dd) **PARKING SPACE** means an area of not less than two hundred (200) square feet, measuring ten (10) feet by twenty (20) feet inclusive of driveways or aisles, for the temporary parking or storage of motor vehicles.
- (ee) **PUBLIC AUTHORITY** means any Board, Commission or Committee of the Town of Shelburne established by or exercising any power of authority under any general or specific statute of Nova Scotia with respect to any of the affairs or purposes of the municipality or a portion thereof and includes any committee or local authority established by By-law of the town.
- (ff) **PRIMARY USE** means the use for which the zone has been created.
- (gg) **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.

- (hh) RETAIL ENTERPRISE means a business use involved with the selling of any goods, wares, merchandise, or product to the general public for monetary gain.
- (ii) SCRAP YARD 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.
- (jj) SERVICE ENTERPRISE means a business use involved with the provision of a personal service such as a repair shop, dry cleaning establishment, barber shop, or tailor, and shall include hotel and motel establishments, to the general public for monetary gain.
- (kk) 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.
- (ll) SIGN means any structure or device used, to advertise or otherwise draw attention to any commercial or industrial enterprise, any facility designed to serve the public, or to provide the public with information.
 - (i) GROUND SIGN means a sign supported by one or more uprights, poles, or braces placed in or upon the ground.
 - (ii) PROJECTING WALL SIGN means a sign which projects from and is supported by a wall of a building.
 - (iii) FACIAL WALL SIGN means a sign positioned flat against the wall to which it is attached.
 - (iv) ILLUMINATED SIGN means a sign which is illuminated by an artificial light source which forms part of or is internal to the sign itself.
- (mm) STREET LINE means the boundary line of the street.
- (nn) 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.
- (oo) TOWN means the Town of Shelburne.

- (pp) UTILITY means the electric power, telephone, cable television, water sewage and garbage treatment services for the Town of Shelburne.
- (qq) YARD means an open, uncovered space on a lot appurtenant to a building (except a court) and unoccupied by buildings or structures except as specifically permitted elsewhere in this By-law. 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; a "minimum" front yard means the minimum depth allowed by this By-law of a front yard on a lot between the front lot line and the nearest main wall of any main 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; and "minimum" rear yard means the minimum depth allowed by this By-law of a rear yard on a lot between the rear lot line and the nearest main 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; and "minimum" side yard means the minimum width allowed by this By-law of a side yard on a lot between a side lot line and the nearest main wall of any main 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 and the nearest main wall of any building or structure.
- (rr) ZONE means a designated area of land shown on the Schedules of this By-law.
- (ss) POCKET COMMUNITY means four (4) or more buildings, which can contain up to two (2) dwellings each, located on one lot under one ownership. The number of dwellings per lot cannot exceed the equivalent of 6,400 square feet of land per single dwelling units or 3,600 square feet for two-dwelling buildings, per dwelling unit. Dwellings will all face towards the common area, NOT the abutting streets.

PART 3 - ZONES AND ZONING MAPS

Zones

3. For the purposes of this By-law, the Town of Shelburne is divided into the following zones, the boundaries of which are shown on the attached Schedule "B". Such zones may be referred to by the appropriate symbols:

Residential General	R-1
Residential Mobile Home	R-M
Commercial General	C-1
Industrial General	I-1
Historic Waterfront	H-W
Rural Undeveloped	R-U

Zoning Maps

4. Schedule "B" attached hereto may be cited as the "Zoning Map" and is hereby declared to form part of this By-law.

Zoning Map Amendment

5. Schedule "B" of this By-law, the Zoning Map, may be amended, in conformance with the Municipal Planning Strategy, to utilize any zone in this By-law.

PART 4 - INTERPRETATION

Symbols

6. The symbols used on Schedule "B" hereto attached, refer to the appropriate zones established by this By-law.

Interpretation of Zoning Boundaries

7. The extent and boundaries of all zones are shown on Schedule "B", hereto attached, and for all such zones the provisions of this By-law shall apply.
8. Boundaries between zones shall be determined as follows:
- (a) where a zone boundary is indicated as following a street or highway, the boundary shall be the centre line of such street or highway;
 - (b) where a zone boundary is indicated as approximately following lot lines, the boundary shall follow such lot lines;

- (c) where a street, highway, railroad or railway right-of-way, electrical transmission line right-of-way or water-course is included on a zoning map, it shall, unless otherwise indicated, be included in the zone of the adjoining property on either side thereof;
- (d) where a railroad or railway right-of-way, electrical transmission line right-of-way or watercourse is included on a zoning map and serves as a boundary between two or more different zones, a line midway on such right-of-way or watercourse shall be considered the boundary between zones unless specifically indicated as otherwise.
- (e) Where none of the above apply, and where appropriate, the zone boundary shall be scaled from the Zoning Map, Schedule "B", hereto attached.

PART 5 - GENERAL PROVISIONS FOR ALL ZONES

These general provisions apply to all uses in all zones except where specifically indicated as otherwise.

Accessory Buildings

- 9. (1) Accessory buildings and structures shall be permitted in any zone within the Town of Shelburne but shall not:
 - (a) rescinded;
 - (b) be located within the front or side yard of a lot;
 - (c) in the case of a corner lot, be located closer to the flanking street than the main building;
 - (d) be built closer than two (2) feet from a lot line except that:
 - (i) common semi-detached garages may be centered on a mutual side lot line, and
 - (ii) boat houses and boat docks may be built to the lot line when the line corresponds to the water's edge or is in the water;
 - (e) when used for the keeping of farm animals, be built closer than twenty (20) feet from a lot line;
 - (f) exceed fifteen (15) feet in height; and
 - (g) exceed six hundred (600) square feet in area.

- (2) Notwithstanding anything else in this By-law, awnings, clothes poles, flag poles, garden trellises, fences, and retaining walls shall be exempted from any of the requirements of subsection (1).

Accessory Dwellings

- 9A (1) Accessory dwellings shall meet the following requirements:
 - (a) Only one accessory dwelling shall be permitted on a lot.
 - (b) The accessory dwelling shall be subject to zone requirements for main buildings.
 - (c) Lot coverage shall not exceed 35 percent.
 - (d) The gross floor area of the accessory dwelling shall not exceed the gross floor area of the single-unit dwelling.

Accessory Uses Permitted

10. Where this By-law provides that any land may be used, or a building or structure may be erected or used for a purpose, the purpose shall include any accessory use.

Buildings to be Erected on a Lot

11. No person shall erect or use any building unless such building is erected upon a single lot.

Buildings to be Moved

12. No person shall move any building within or into the Town of Shelburne without first obtaining a development permit from the Development Officer.

Frontage on a Street

13. No development permit shall be issued unless the lot intended to be used or upon which the building or structure is to be erected, abuts and fronts upon a public street or an existing private road, or has access to a public street by an existing right-of-way.

Corner Vision Triangle

14. In the case of a corner lot, a fence, sign, hedge, shrub, or any other structure or vegetation shall not be erected or permitted to grow to a height of greater than two (2) feet above the grade of the streets that abut the lot for a distance of twenty (20) feet

along the street lines at their point of intersection including the triangular area of land formed inside the 20 foot distance.

Calculation of Lot Frontage

15. The following means shall be used for the purposes of determining lot frontage:
 - (a) in the case of regularly shaped lots, lot frontage shall be measured as a straight line between the points where the two (2) side lot lines meet the front lot line;
 - (b) in the case of irregularly shaped lots, lot frontage shall be deemed to be the horizontal distance between the side lot lines measured perpendicularly to a line joining the middle of the front lot line with the middle of the rear lot line, at a point equal to the minimum applicable front yard.

Existing Buildings with Non-Conforming Yards

16. Any building erected on or before the effective date of this By-law which is not in conformance with the Development Standard requirements as established in this By-law, may be enlarged, renovated, reconstructed or repaired provided that such enlargement, renovation, reconstruction or repair does not further reduce or impair the required development standard, and provided that all other applicable provisions of this By-law are satisfied.

Existing Buildings

17. Any building erected on or before the effective date of this by-law may be changed to a use permitted in the zone in which it is located even though the lot frontage, front yard or lot area, or all of these, is less than the Development Standard requirements as established in this By-law, provided that all other applicable provisions of this By-law are satisfied.

Existing Undersized Lots

18. Any lot in existence on or before the effective date of this By-law, having less than the required minimum lot frontage or area, may be used for a purpose permitted in the zone in which it is located, and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied. In addition, such existing undersized lots may be increased in area and/or frontage as a result of a subdivision and still be considered an undersized lot under this By-law.

Front Yard for a Through Lot

19. In the case of a through lot, the front yard shall be deemed to be any yard which abuts either of the two opposite streets.

~~Exemption from Height Regulations~~

- ~~20. The height regulations of this By-law shall not apply to church spires or steeples, water reservoirs, elevator enclosures, silos, flag poles, television or radio antennae, ventilators, barns, chimneys or clock towers.~~

Temporary Development Permitted

21. Nothing in this By-law shall prevent the temporary development of a building or structure on its own or incidental to a main construction project provided the development is discontinued and removed within a period of 60 days or, when incidental to a main construction project, within 60 days following completion of the project.

Restoration to a Safe Condition

22. Nothing in this By-law shall prevent the strengthening or restoring to a safe condition of any building or structure, provided that in the case of non-conforming use, Sections 85 and 86 of the Planning Act shall prevail, except where a building or structure is destroyed partially or totally by fire, it may be reconstructed or repaired and the non-conforming use may continue to the extent that it had existed prior to the fire.

Truck, Bus and Coach Bodies

23. No truck, bus or coach bodies, or similar structure of any kind not originally designed for housing purposes, shall be used for human habitation or as an accessory use within the Town of Shelburne.

Parking Lots

24. Where parking facilities for more than four (4) vehicles are to be provided the following requirements shall be met:
 - (a) the parking area shall be maintained with a stable surface that is treated to prevent the rising of dust or loose particles;
 - (b) the lights used for illumination of the parking lot shall be so arranged as to divert the light away from adjacent streets, lots or buildings;

- (c) a structure not more than 50 square feet in area and 15 feet in height may be erected in the parking lot for the use of an attendant;
- (d) the parking lot shall be within 300 feet of the location it is intended to serve and shall be situated in the same zone;
- (e) no gasoline pumps or other service station equipment shall be located on the parking lot;
- (f) entrance and exit ramps shall not be closer than 50 feet to any corner or street intersection.

Compliance with Other Regulations

25. Nothing in this By-law shall exempt any person from complying with the requirements of any other By-law in force within the Town or from obtaining any license, permission, permit, authority or approval required in any other By-law of the Town of Shelburne. Where the provisions of this By-law conflict with those of any other municipal or provincial requirements, the higher or more stringent regulations shall prevail.

Non-Conforming Uses

26. Any use of land or a building or structure erected on the land which had begun on or before the effective date of this By-law and which does not conform to the requirements of this By-law shall be subject to the provisions laid out in Sections 83 to 86 inclusive, of the Planning Act, except where and building or structure is destroyed partially or totally by fire, it may be reconstructed or repaired and the non-conforming use may continue to the extent that it had existed prior to the fire.

Developments Not Requiring a Development Permit

27. With the exception of the Historic Waterfront (H-W) Zone, no development permit shall be required where:
- (a) the development undertaken involves an interior or exterior renovation which will not change the shape of the building, add more units to the building, or involve a change in use of the building;
 - (b) a fence is proposed which does not exceed six (6) feet in height;
 - (c) a temporary building or structure is to be erected for a period not exceeding sixty (60) days;

- (d) signs of less than five (5) square feet in area are to be erected.

Multiple Uses

- 28. In any zone where more than one use is combined in any one building, the development standards for the primary use of the building shall apply.

One Main Building on a Lot

- 29. Except in the Commercial General (C-1), Industrial General (I-1) and the Historic Waterfront (H-W) Zone and within mobile home parks, no more than one main building shall be erected on a lot.

Loading Space Required

- 30. Any commercial or industrial use with a gross floor area of greater than 5,000 square feet shall be required to provide one off street loading space for every 30,000 square feet of gross floor area or fraction thereof, to a maximum of six (6) spaces. Such loading spaces shall be located at the side or rear of the building and where abutting a residential, institutional or park and recreational use, shall be screened from such uses through the use of a fence or vegetation which shall be a minimum of six (6) feet in height. This section does not apply to the Historic Waterfront Zone.

Signs General

- 31. (1) No person shall erect a sign greater than five (5) square feet in any zone without first obtaining a development permit from the Development Officer and no permit shall be issued unless all of the sign provisions of this By-law are satisfied.
- (2) Notwithstanding subsection (1) every permanent sign to be erected in an H-W zone shall require a development permit. Temporary signs such as those advertising a building or land for sale shall fall under the requirements of subsection (1).
- (3) Every sign and all parts thereof shall be erected and maintained in conformance with the building, electrical, and fire prevention codes.

Signs Prohibited

- 32. (1) The following signs shall not be permitted in any zone within the Town of Shelburne:
 - (a) roof signs,

- (b) any sign or sign structure which constitutes a hazard to public health or safety,
 - (c) signs which by reason of size, location, content, colouring, or manner of illumination obstruct the vision of drivers on a public roadway or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on a public roadway,
 - (d) any sign which obstructs the free use of any fire exit door, window, or other required exit way,
 - (e) any sign not erected by a public authority which makes use of words such as "stop", "look", "one way", "danger", "yield", or any similar words, phrases, symbols or lights, which may interfere with, confuse, or mislead traffic along a public roadway,
 - (f) any sign which no longer advertises a bona fide business conducted or product sold,
 - (g) signs erected on public property or a public right-of-way unless erected or authorized to be erected by a governmental body, and in no case shall a sign be located on public property or in a public right-of-way bear any commercial advertising,
 - (h) signs painted on, attached to, or supported by a tree, stone, cliff or other natural object,
 - (i) signs not related to any business or use located on the lot or premises.
- (2) Notwithstanding subsection (1)(i), one ground sign may be erected for any one business on a lot not pertaining to the business provided that such signs are no larger than 20 square feet in area and are located on lots abutting the Sandy Point Road, King Street, or Ohio Road.

Facial Wall Signs

33. No facial wall sign shall:

- (a) cover more than one (1) square foot of area per lineal foot of wall on which the sign is affixed,
- (b) extend above the top or beyond the sides of the wall upon which it is affixed.

Projecting Wall Signs

34. No projecting wall sign shall:

- (a) exceed twenty (20) square feet in area,
- (b) project more than six (6) feet from the wall to which it is attached,
- (c) project over a public right-of-way,
- (d) project above the roof line of the building to which it is attached, (e) be erected below a height of ten (10) feet or above a height of fifteen (15) feet above grade.

Ground Signs

35. No ground sign shall:

- (a) exceed 100 square feet in sign area where one side of the sign is used or 200 square feet where both sides of the sign are used,
- (b) exceed a height of twenty (20) feet from grade level to the highest part of the sign and have not less than ten (10) feet clearance at ground level,
- (c) extend or project beyond the property lines or over any driveway or parking space on the lot on which it is erected,
- (d) be set back less than five (5) feet from any street line, common lot boundary, driveway, or parking area,
- (e) have more than one sign on the supporting structure.

Parking Requirements

36. Unless otherwise specifically stated, one (1) parking space shall be provided for every dwelling unit and for every 300 gross square feet of non-residential floor area developed within the Town of Shelburne.

Keeping of Farm Animals

- 37. (1) The keeping of farm animals shall be limited to lots having a minimum area of 20,000 square feet and in no case shall there be more than one (1) animal unit permitted for every 20,000 square feet of land in the lot so used.
- (2) For the purpose of this Section, one (1) animal unit means one or more farm animals or combinations of farm animals as specified in the following table:

Type of Animal	Number Equal to One Animal Unit
Cattle	1
Horses	1
Sheep	1
Goats	1
Swine	1
Bees	1 hive
Fowl	3
Mink	3
Fox	3
Rabbit	3

37(A) In addition to the general variance provisions found in Section 235(1) of the Municipal Government Act and pursuant to Policy 45A of the Municipal Planning Strategy, and subject to the criteria under section 37(E) of this bylaw, the Development Officer may also grant a variance in the following areas:

- the number of parking spaces and loading spaces required,
- the ground area and height of a structure,
- the floor area occupied by a home based business.
- the height and area of a sign

37(B) Variance Application

Applicants for variance must provide a complete application, including:

1. Identify the property where the variance is proposed;
2. Describe the variance(s) requested;
3. How the requested variance (s) meets applicable criteria under s. 37E;
4. Payment of a fee for variance application as stated in the Town’s Municipal User Fees Policy.

37 (C) Variance Notice

At least seven days prior to approval of the variance, the development officer shall notify and provide opportunity for written comment to all assessed owners within thirty (30) meters. The notice shall:

- a) Identify the property where the variance is proposed;
- b) Describe the proposed variance; and
- c) Identify how landowners can provide comment.

Alternatively, where the Applicant has provided evidence of providing notice in compliance with the above, with written comments are directed to the Town, the development officer may determine the requirement for notice under this section has been met.

37 (D) Variance Approval Notice

Within seven days of approving a variance, the development officer shall give notice in writing of the variance granted to every assessed owner whose property is within thirty (30) meters, in keeping with requirements in the MGA. The second notice shall:

- a) Describe the site plan approval granted;
- b) Identify the property where the site plan approval was granted; and
- c) Set out the right to appeal the decision of the development officer

37 (E) Criteria for Variance Approval

1. A variance will not be granted if the approval of the variance would be premature or inappropriate due to:
 - a. The potential financial impact on the town;
 - b. The adequacy of the sewer and water services;
 - c. The adequacy of the road network in, adjacent to, or leading to the development;
 - d. The potential for damage or destruction of historical buildings and sites; and
 - e. The bulk and scale in relation to the existing surrounding development
2. For variance to parking requirements, the Development Officer shall only consider a variance to parking requirements that would result in at least one of:
 - a. Improved internal traffic flow;
 - b. Increased traffic safety;
 - c. Providing space for stormwater management structures or landscaping;
 - d. The protection mature tree(s);
 - e. The protection of heritage structure(s);
 - f. Providing tree (s) to shade vehicles and pedestrians; and/or
 - g. Providing bicycle parking in lieu of 20% of the required parking or one tall, whichever is greater.

The development officer shall not approve a variance for parking for properties that are on or adjacent to streets with existing parking issues as identified by the Town.

3. The development officer shall have regard for the comments of assessed owners within 30 meters.

37 (F) Private Storage Uses

Private storage buildings including but not limited to private garages and private boathouses where there is no other main building on the lot, shall be permitted in any zone provided that:

- a) The applicable zone requirements of this By-Law are satisfied as if the private storage building is the main building on the lot; and
- b) The private storage building does not exceed 93 m² (1,001 ft²) in gross floor area.

PART 6 – RESIDENTIAL GENERAL (R-1) ZONE

R-1 Uses Permitted

38. No development permit shall be issued in a Residential General (R-1) Zone except for one or more of the following uses:

- Single detached dwellings
- Duplex and semi-detached dwellings
- Rowhouse dwellings (subject to the requirements of Section 43, not exceeding 6 units)
- Apartment buildings (not exceeding 6 units)
- Boarding houses, rooming houses and bed and breakfast establishments (subject to the requirements of Section 41)
- Home occupations (subject to the requirements of Section 42)
- Institutional uses
- Park and Recreational Uses
- Existing Commercial uses (as listed in Schedule "A")
- Existing mobile homes (as listed in Schedule "A").
- Pocket Community Dwellings (subjected to requirements of Section 43A)

Development Standards

39. No development permit shall be issued for use in a Residential General (R-1) zone except in conformance with the requirements set out in Schedule "D" of this By-law.

Special Requirements - Apartment Buildings

40. (1) In addition to all other requirements, where a proposed development is for an apartment building with six (6) units or less or for a conversion with six (6) units or less such development shall include tenant parking space at the side or rear of the building at a rate of one (1) space per unit.

40. a) Further, developments of 7 or more residential units shall provide accessible parking in accordance with the table below:

Number of Units	Minimum Number of Accessible Stalls
7-15	1
16-45	2
46-100	3
Every additional 100 units	+1

Accessible parking stall shall be at minimum 3.9m wide and 5.5m long.

Residential Apartment R-A Uses Permitted

40. b) No development permit shall be issued in a Residential Apartment (R-A) Zone except for one or more of the following uses:

- Single detached dwellings
- Duplex and semi-detached dwellings
- Rowhouse dwellings
- Apartment buildings
- Boarding Houses, rooming houses subject to the requirements of Section 41
- Institutional uses
- Park and recreational

40. c) No development permit shall be issued for a use in a Residential General (R-A) zone except in conformance with the requirements set out in Schedule "D" of this By-law.

40. d) No development permit shall be issued for proposed residential developments greater than 25 units per acre (62 units per hectare) or 35 feet in height.

Special Requirements

40. e) All apartments of 7 or more residential units must submit a site plan as outlined in section 66A Site Plan Process and section 66B Site Plan Submission Requirements, and receive approval, as outlined in section 66C Site Plan Criteria, prior to approval of a Development Permit.

40. f) All apartments of 7 or more residential units must be connected to the Town's water and sewer system, or have entered into an agreement, including cost sharing, with the Town to extend Town water and/or sewer as needed.

40. g) Buffering and fencing may be required as part of the site plan, at the discretion of the Development Officer, as stated in section 66C Site Plan Criteria.

Special Requirements - Boarding Houses, Rooming Houses and Bed & Breakfast Establishments

41. In addition to all other requirements, where a proposed development is for a boarding or rooming house or a bed and breakfast establishment, such development shall:

- (a) be located within a single detached dwelling;
- (b) provide guest parking at the side or rear of the house at a rate of one (1) space for each room available for rent,
- (c) be advertised by a sign no larger than five (5) square feet which is non-illuminated, and
- (d) conform to the requirements of the Provincial Fire Marshall where such requirements are more stringent.

Special Requirements - Home Occupations

42.. In addition to all other requirements, where a proposed development is for a home occupation, such development shall:

- (a) be located within a single detached dwelling **and/or accessory buildings,**
- (b) occupy no more than 25 percent of the gross floor area of the dwelling **and/or accessory buildings,**
- (c) have no outdoor storage of product or material associated with the business,
- (d) rescinded;

- (d) be owned and operated by the occupant of the dwelling,
- (e) have no more than one (1) additional employee associated with the business,
- (f) be advertised by a sign no larger than five (5) square feet in area which is non-illuminated,
- (g) have no more than one (1) commercial vehicle associated with the business parked at the dwelling overnight, and
- (h) notwithstanding Section 36, no offstreet parking shall be required. **(RC-Jul 05/17;E-Sep 12/17)**

Special Requirements - RowHouse

43. In addition to all other requirements, where a proposed development is for row houses, such development shall be limited to lots served by the municipal sanitary sewer system.

Special Requirements – Pocket Community

43A. In addition to all other requirements, where a proposed development is for a pocket community, such development shall:

- (a) each cluster of dwellings shall have a common area to provide a sense of openness and function as a shared front yard
- (b) each dwelling unit shall be located no further than 10 feet from the common area
- (c) A cluster in a pocket community may not be subdivided
- (d) a system of continuous walkways, no less than four (4) feet wide, shall connect each dwelling to each other and to the common area, as well as to the parking area and to the property line that abuts an open public street bordering the development
- (e) each dwelling shall connect via continuous walkways being no less than 4 feet width
- (f) no part of any dwelling shall be further than 180 feet from the parking lot
- (g) no less than one (1) parking space per unit plus one (1) accessible parking space per four (4) dwellings located closest to the dwellings
- (h) the parking lot area, at the centre of the common space, shall allow for at least a twenty-five (25) foot wide opening for emergency vehicles to access the common space
- (i) attached garages are not permitted in pocket communities
- (j) if detached garages are provided, they must be designed similar to or compatible with the dwelling design(s)
- (k) community amenity buildings are permitted as an accessory building to serve the needs of the residents and their guests for incidental use and must be designed similar to or compatible with the dwelling design(s)
- (l) architectural requirements include:

- i. dwellings will be designed to have a cottage-like appearance, avoiding taller-than-wide designs
- ii. each dwelling must have a different appearance whether colour, materials or design
- iii. dwellings shall be clustered around and orientated towards the common frontal area
- iv. it is encouraged that dwellings have covered front porches at least 60 square feet (the porch does not contribute to the maximum floor area of the dwelling)

PART 7 – RESIDENTIAL MOBILE HOME (R-M) ZONE

R-M Uses Permitted

44. No development permit shall be issued in a Residential Mobile Home (R-M) Zone except for one or more of the following uses:
- Mobile homes (sited on individual lots)
 - Single detached dwellings
 - **Pocket Community** dwellings (subjected to requirements of Section 43A)

Development Standards

45. No development permit shall be issued for a use in a Residential Mobile Home (R-M) Zone except in conformance with the requirements set out in Schedule "D" of this By-law.

Special Requirements - Mobile Home Skirting

46. In addition to all other applicable requirements of this by-law, where a mobile home is placed permanently on a lot, and such mobile home is not placed on a concrete, concrete block or wooden foundation, the entire undercarriage shall be required to be skirted with a solid opaque material.

PART 8 – COMMERCIAL GENERAL (C-1) ZONE

C-1 Uses Permitted

47. No development permit shall be issued in a Commercial General (C-1) Zone except for one or more of the following uses
- Any retail, office, or service enterprise provided such uses are not obnoxious,

- Any use permitted in the R-1 Zone.
- Existing Industrial Use (listed in Schedule A), whether or not the lot is increased in size.
- Microbreweries
- Small scale manufacturing that is not obnoxious

Development Standards

48. No development permit shall be issued for a use in a Commercial General (C-1) Zone except in conformance with the requirements set out in Schedule "D" of this By-law.

Special Requirement - Parking Exemption

49. Notwithstanding the parking requirements set out in Section 36, where a proposed development is for a commercial use, Council may accept a cash payment in lieu of the developer providing the required parking spaces or a combination of parking spaces and cash for the balance of the required spaces. Such payment shall be at the option of the developer and shall be calculated in accordance with the following formula:

Amount of payment – $(A \times 200) \times B + (B \times 50)$

- A assessed value of the land per square foot.
 200 number of square feet in each parking space.
 B number of required parking spaces.
 50 cost of construction of one parking space (in dollars)

Special Requirement - Automobile Service Stations

50. Notwithstanding anything else in this By-law, where a proposed development is for an automobile service station, the following special provisions shall apply:
- (a) minimum lot frontage: 150 feet,
 - (b) no portion of any pump island shall be located closer than 20 feet from any street line
 - (c) minimum distance between entrance and exit driveways shall not be less than 30 feet,
 - (d) minimum distance from an entrance or exit driveway and a street intersection shall be 50 feet,
 - (e) minimum width of an entrance or exit driveway shall be 20 feet

PART 9 – INDUSTRIAL GENERAL (I-1) ZONE

I-1 Uses Permitted

51. No development permit shall be issued in an Industrial General (I-1) Zone except for one or more of the following uses:
- Any manufacturing assembly, processing, wholesaling, warehousing, utility, or salvage operation, which are not obnoxious,
 - Commercial uses permitted within the Commercial General (C-1) Zone subject to the Commercial General (C-1) Zone provisions.
 - Residential uses permitted in the Residential General (R-1) Zone subject to the Residential General (R-1) Zone provisions.

Development Standards

52. No development permit shall be issued for a use in an Industrial General (I-1) zone except in conformance with the requirements set out in Schedule "D" of this By-law.

Special Requirements - Abutting Residential Zones

53. Notwithstanding anything else in this By-law, where a proposed I-1 development immediately abuts or lies across the street from a R-1 or R-M Zone, the following special requirements shall apply:
- (a) a six foot opaque fence shall be provided along any lot line that abuts a residential zone with the exception that the fence not extend to within the feet of a street for reasons of vehicular safety and except where existing vegetation or natural landforms provide a screen such that the proposed development is not visible from adjacent residential properties.
 - (b) a ten foot landscaped buffer strip shall be provided along any lot line that abuts a street and a landscaped buffer strip means at a minimum a grassed area.
 - (c) signs shall be limited to a maximum area of 32 square feet and a ground sign shall not exceed a height of ten feet.
 - (d) any lighting on the property shall be deflected away from any abutting residential property .
 - (e) driveway accesses shall be restricted to two per street for every street; and

- (f) driveway accesses shall be clearly demarcated.

Special Requirement - Parking Spaces

- 54. Notwithstanding the parking requirements set out in Section 36, parking spaces for an industrial development shall be provided at a minimum rate of one (1) space for every 1,000 square feet of gross floor area up to a maximum of 20 spaces.

PART 10 - HISTORIC WATERFRONT (H-W) ZONE

H-W Uses Permitted

- 55. No development permit shall be issued in a Historic Waterfront (H-W) Zone except for one or more of the following uses:
 - Any use permitted in the R-1, and C-1 Zones as well as microbreweries provided such uses are not obnoxious.
 - Existing industrial uses (listed in Schedule A).

Development Standards

- 56. No development permit shall be issued for a use in a Historic Waterfront (H-W) Zone except in conformity with the following requirements:

Minimum Lot Area	4,200 square feet
Minimum Lot Frontage	60 feet
Minimum Front Yard	equal to or an average of each of the adjacent structures (where there are no adjacent structures - 5 feet)
Minimum Rear Yard	20 feet
Minimum Side Yard	10 feet each side
Maximum Lot Coverage	35%
Maximum Building Height	35 feet

Special Requirements – New Development or Redevelopment

- 57. (1) In addition to all other requirements, where a new development or redevelopment is proposed on a lot, any part of which is visually related to an existing historically significant building, designated pursuant to the Heritage Property Act, the major architectural features of the proposed development or redevelopment shall be similar to one of the buildings to which it is visually related with respect to:
 - (a) roof shape,

- (b) window, porch and door style,
 - (c) window area to wall area ratio
 - (d) building length to width ratio, and
 - (e) exterior cladding
- (2) For the purposes of this Section, visually related shall mean within 100 feet of a designated building, such distance to be measured from the extent of the lot boundaries on which the designated building is situated.

Special Requirement - Renovation of Existing Buildings

58. In addition to all other requirements, where a renovation is proposed for a building located within the H-W Zone, which has not been designated pursuant to the Heritage Property Act, such renovation shall not change the established character of the building by virtue of:
- (a) roof shape,
 - (b) window, porch and door style,
 - (c) window area to wall area ratio, and
 - (d) exterior cladding,
 - (e) for any portion of the building that is visible from the street.

Special Requirement - Open Storage

59. (1) No open storage shall be permitted in the front yard of any building.
- (2) Any area used for open storage shall be screened from the public view by means of an opaque wooden fence such that the material being stored is not visible from the ground level of any abutting yard or from the street.

Special Requirement - Signs

60. In addition to the requirements of Sections 31-35 of this By-law, any sign erected in a H-W Zone by any person or agency other than a government agency shall:
- (a) be constructed of wood,

- (b) be non-illuminated,
- (c) with reference to ground signs, be no higher than 15 feet at the highest point.

Special Requirement - Accessory Buildings

- 61. No accessory buildings shall be permitted in a H-W Zone which does not have a wood material exterior cladding

Special Requirement - Fences

- 62. All fences to be erected in the H-W Zone shall be constructed of wooden material and shall not exceed six (6) feet in height. Only fences identified in Schedule "C" of this By-law shall be permitted in the H-W Zone.

PART 11 – RURAL UNDEVELOPED (R-U) ZONE

R-U Uses Permitted

- 63. No development permit shall be issued in a Rural Undeveloped (R-U) Zone except for one or more of the following uses:
 - Any use permitted in the R-1 Zone,
 - Any use permitted in the R-M Zone,

Development Standards

- 64. No development permit shall be issued for a use in the Rural Undeveloped (R-U) Zone except in conformance with the requirements set out in Schedule "D" of this By-law.

PART 12 – ADMINISTRATION

Enforcement

- 65. This By-law shall be administered by the Development Officer for the Town of Shelburne.

Scope of Application

66. (1) Every application for a Development Permit shall be accompanied by two copies of a plan or sketch of the proposed development drawn to an appropriate scale and showing:
- (a) the true shape and dimensions of the lot to be used,
 - (b) the proposed location, dimensions and height of the building, structure or work to be developed on the lot,
 - (c) the location of every building or structure already erected on the lot and the location of every building on adjacent lots,
 - (d) the proposed location and dimensions of any parking spaces, loading spaces, driveways and landscaped areas,
 - (e) the proposed use of the lot and each building or structure to be developed, and
 - (f) any other information which the Development Officer deems necessary to determine whether or not the proposed development conforms with the requirements of this By-law.
- (2) Where the Development Officer is unable to determine whether the proposed development conforms to this By-law or other by-laws and regulations under his administration, he may require that the plan submitted under subsection (1) be based on an actual survey certified and stamped by a Nova Scotia Land Surveyor.

66. A. At least seven days prior to approval, the development officer shall notify and provide opportunity for written comment to all assessed owners within thirty (30) meters. The notice shall:

- a) identify the property where the site plan is proposed;
- b) describe or show the proposed site plan; and
- c) identify how landowners can provide written comment

Alternatively, where the Applicant has provided evidence of providing notice in compliance with the above, with comments are directed to the Town, the development officer may determine the requirement for notice under this section has been met.

66.B. Within seven days of approving a site plan, the development officer shall give notice in writing of the site plan granted to every assessed owner whose property is within thirty (30) meters, in keeping with requirements in the MGA.

The second notice shall:

- a) identify the property where the site plan approval was granted;
- b) describe or show the site plan approval granted; and
- c) set out the right to appeal the decision of the development officer

Site Plan Submission Requirements

66.C. An application for site plan is not complete unless:

1. It contains three (3) copies of 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.
2. Payment of a fee for a site plan application as stated in the Town's Municipal User Fees Policy.

Site Plan Criteria

66.D. The Development Officer shall not approve a site plan unless it meets the criteria below. A site plan 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. Minimize undue erosion and/or sedimentation, and other negative impacts on neighbouring properties from grading or alteration in elevation or contour of the land,
5. Minimize visual and noise impacts on nearby properties, through landscaping, fencing or a combination of both;
6. 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;
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, unless exempt;
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;
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; and
15. Not be contrary to the intent of any policies in the MPS or requirements in the LUB.

In addition to the aforementioned criteria, the development officer shall have regard for the comments of assessed owners within 30 meters, including but not limited to buffering options.

Amendment to Schedule D Table 1

Apartment Residential (7+ units)*

Min Lot area	10,000 square feet
Min Frontage	60 feet
Min Front yard	20 feet or average of adjacent buildings

Min rear yard	20 feet
Min side yard	8 feet
Max Lot Coverage	50%
Max Height	35 feet

*for rowhouse, see rowhouse requirements

Signature of Applicant

67. The application shall be signed by the registered owner of the lot or by the owner's agent duly authorized in writing to act for the owner.

Expiration of Development Permit

68. Any Development Permit issued pursuant to this By-law shall be in force for a period of one year from the date of issuance. If no development has commenced within that time period, the permit shall expire.

No Exemption from Requirements

69. Every development shall be subject to the requirements of this By-law regardless of whether or not a permit is required to be issued.

Advertising Costs for Amendment

70. Where a proposed amendment to this By-law is requested by an individual, said individual shall deposit with the Clerk at the time of application, an amount established by the Clerk to be sufficient to pay the costs of all advertising required. If the amount paid is not sufficient to cover the costs incurred, then the applicant shall pay to the Clerk the additional amount required. If the amount paid is more than sufficient then the Clerk shall refund the excess amount.

Penalty

71. In the event of any contravention of the provisions of this By-law, the Town of Shelburne may take action as provided for in Sections 108, 109 and 110 of the Planning Act.

Effective Date

72. This By-law shall take effect when approved by the Minister of Municipal Affairs.

Harold Locke, Mayor

Sherry Doane, Town Clerk

TABLE 1: DEVELOPMENT STANDARDS FOR ALL USES WITHIN ANY ZONE -
MUNICIPAL SEWER SERVICES ARE AVAILABLE

	ROW HOUSES**	SEMI-DETACHED** DWELLINGS	MOBILE HOMES	ALL OTHER RESIDENTIAL USES	COMMERCIAL USES	INDUSTRIAL USES	INSTITUTIONAL USES	PARK AND RECREATIONAL USES (STRUCTURES OR BUILDINGS ONLY)	POCKET DWELLINGS
Minimum Lot Area	2400 Sq. ft. interior unit 3600 sq. ft. end unit	3600 sq. ft.	7200 sq. ft.	7200 sq. ft.	7200 sq. ft.	7200 sq. ft.	7200 sq. ft.	7200 sq. ft.	see definition Part 2
Minimum Lot Frontage	20 ft. interior 30 ft. end	30 ft.	60 ft.	60 ft.	60 ft.	60 ft.	60 ft.	60 ft.	see below ***
Minimum Front Yard	25 ft.	25 ft.	25 ft.	25 ft.	5 ft.	25 ft.	25 ft.	25 ft.	n/a
Minimum Rear Yard	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Minimum Side Yard i) one side	interior i) - ii) - End i)	-	10 ft.	8 ft.	10 ft. *	10 ft.	10 ft.	10 ft.	10 ft.
ii) other side	ii) 10 ft.	10 ft.	10 ft.	10 ft.	10 ft. *	10 ft.	10 ft.	10 ft.	10 ft.
Maximum Lot Coverage	35%	35%	35%	35%	-	35%	35%	35%	35%
Max. Building Height	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.

*Can be reduced to zero if fire wall is built to National Fire Code Standards and the adjoining lot is also

**Standards apply to each unit.

***shared frontal common area no less than two (2) times the total dwelling square footage

TABLE 2: DEVELOPMENT STANDARDS FOR ALL USES WITHIN ANY ZONE - MUNICIPAL SEWER SERVICES ARE NOT AVAILABLE

	SEMI-DETACHED ** DWELLINGS	MOBILE HOMES	ALL OTHER RESIDENTIAL USES	COMMERCIAL USES	INDUSTRIAL USES	INSTITUTIONAL USES	PARK AND RECREATIONAL USES (STRUCTURES OR BUILDINGS)	POCKET DWELLINGS
Minimum Lot Area	14,400	28,800	28,800	-	28,800	28,800	28,800	see definition Part 2
Minimum Lot Frontage	60 ft.	120 ft.	120 ft.	-	120 ft.	120 ft.	120 ft.	see below ***
Minimum Front Yard	25 ft.	25 ft.	25 ft.	-	25 ft.	25 ft.	25 ft.	n/a
Minimum Rear Yard	20 ft.	20 ft.	20 ft.	-	20 ft.	20 ft.	20 ft.	20 ft.
Minimum Side Yard i) one side	-	10 ft.	8 ft. 10 ft.	-	10 ft.	10 ft.	10 ft.	10 ft. 10 ft.
ii) other side	10 ft.	10 ft.			10 ft.	10 ft.	10 ft.	
Maximum Lot Coverage	35%	35%	35%	-	35%	35%	35%	35%
Max. Building Height	35 ft.	35 ft.	35 ft.	-	35 ft.	35 ft.	35 ft.	35 ft.

*Can be reduced to zero if fire wall is built to National Fire Code Standards and the adjoining lot is also **Standards apply to each unit.
 ***shared frontal common area no less than two (2) times the total dwelling square footage

RESOLVED by the Town Council of the Town of Shelburne that the following By-Law be and the same is hereby enacted and the Clerk is hereby instructed to forward four copies thereof to the Minister of Municipal Affairs with a request for her approval thereof.

SUBDIVISION BY-LAW

FOR THE

TOWN OF SHELBURNE

TABLE OF CONTENTS

SHORT TITLE 3

INTERPRETATION..... 3

GENERAL PROVISIONS 3

 A- Procedure 3

 B- Lot Requirements..... 5

 C- Public Streets 7

PRELIMINARY PLANS OF SUBDIVISION..... 7

 A- Requirements 7

 B- Procedure 8

TENTATIVE PLANS OF SUBDIVISON 8

 A- Requirements 8

 B- Procedure 11

FINAL PLANS OF SUBDIVISION 11

 A- Requirements 11

 B- Procedure 12

REPEAL OF A PLAN OF SUBDIVISION 12

Schedule A – Application For Subdivision Approval

Schedule B – Notice of Approval

Schedule C – Application for Repeal of a Plan of Subdivision

Schedule D – Repeal of a Plan of Subdivision

SUBDIVISION BY-LAW

SHORT TITLE

1. This By-Law may be cited as the “Subdivision By-Law” for the Town of Shelburne and shall apply to all lands within the Town.

INTERPRETATION

2. In this By-Law:
 - a. “Act” means the Planning Act;
 - b. “Area of land” means any existing lot or parcel as described by its boundaries;
 - c. “Frontage” means the frontage as measured in the land use By-Law;
 - d. “Lot” means any parcel to be created by the filing of a plan of subdivision;
 - e. “Province” means Her Majesty the Queen in right of the Province of Nova Scotia;
 - f. “Public street” includes any street or road owned and maintained by a Municipality or the Province;
 - g. “Registry of Deeds” means the office of the registrar of deeds for the registration district in which the area of land being subdivided is located;
 - h. “Subdivider” means the owner of the area of land proposed to be subdivided and includes anyone acting with the owner’s written consent;
 - i. “Subdivision” means the division of any area of land into two or more parcels, and includes a resubdivision or a consolidation of two or more parcels;
 - j. “Town” means the Town of Shelburne.

GENERAL PROVISIONS

A - Procedure

3. Application for approval of a plan of subdivision shall be made to the Development Officer in the form specified in schedule “A” of this By-Law.
4. The Development Officer shall comply with the notification and approval provisions of the Act.
5. The Development Officer shall forward a copy of the plan of subdivision to
 - a) in areas not served by a central sewer, the Department of the Environment of the Province to determine compliance with the Regulations Respecting Subdivision of Land to be Serviced by On-site Sewage Disposal Systems;

- b) in areas served by a central sewer, the authority having jurisdiction for central sewers;
 - c) the authority having jurisdiction for public streets; and
 - d) any other agency of the Province or the Municipality which the Development Officer deems necessary.
6. Any agency which has been forwarded a copy of the plan of subdivision pursuant to Section 5 shall forward a written report of their assessments or recommendations to the Development Officer.
7. Approval of a plan of subdivision may not be refused or withheld as a result of the assessment or recommendations made by the Department of the Environment, the Department of Transportation and Communications or of any other agency of the Province or the Municipality unless the plan of subdivision is clearly contrary to a law of the Province or regulation made pursuant to a law of the Province including any applicable requirements for lot area and lot frontage contained in a land use By-Law.
8. (1) At the time of final application, the subdivider shall submit to the Development Officer
- a) The fees contained in the Costs and Fees Act, and regulations made thereunder, for
 - i. filing the endorsed final plan of subdivision and registering a notice of approval of the plan, or
 - ii. registering a repeal of a plan of subdivision; and
 - b) A processing fee of \$350.00 per final application for subdivision approval or the repeal.
- (2) Where the Development Officers refuses to approve or repeal a final plan of subdivisions, the Development Officer shall return the fees referred to in clause (1)(a) to the subdivider.
9. The Development Officer shall forward a copy of the approved tentative plan of subdivision to the subdivider and the surveyor.
10. The Development Officer shall forward an endorsed cop of the final plan of subdivision to the subdivider and the surveyor.
11. Where the Development Officer refuses to approve a tentative plan or a final plan the Development Officer shall give notice of the refusal to all agencies which were forwarded a plan pursuant to Section 5.

12. Where the Development Officer refuses to approve a tentative plan or final plan the Development Officer shall notify the subdivider pursuant to clause 105(3)(c) of the Act, give reasons for refusal, and advise the subdivider of the appeal provisions of Section 115 of the Act.
13. A final plan of subdivision showing lots to be approved under circumstances described in subsection 111(3) of the Act by special note on the plan shall
 - a) identify such lots;
 - b) state the names of the grantor and the grantee of such lots; and
 - c) state the date, book and page number of the conveyance of such lots as recorded in the registry of deeds.

B- Lot requirements

14. All lots shall abut a public street.
15. All lots shall meet the requirements for minimum lot area of minimum lot frontage contained in the Town's Land Use By-Law.
16. Section 17, 18, 20, and 21 are inoperative and do not apply unless the Land Use By-Law permits development on any lot created pursuant to these sections and the Municipal Planning Strategy provides for both the subdivision and development of such lots.
17. (1) Notwithstanding the lot area and frontage requirements of Section 15 the Development Officer may approve a maximum of two lots, shown on a plan of subdivision, in accordance with Section 107 of the Act provided all other requirements of this By-Law are met
 - (2) Subsection (1) shall not vary the dimension for frontage below 6 meters (19.7 feet) or the minimum requirement for area for a lot served by an on-site sewage disposal system.
18. (1) For the purposes of this Section "water frontage" means the distance measured as a straight line between the two points where the side lot lines meet a watercourse.
 - (2) Notwithstanding Section 14 and the lot frontage requirements of Section 15, the Development Officer may approve a subdivision on an island which does not contain a public street provided each lot has water frontage of 6 meters (19.7 feet) or more.
19. (1) Notwithstanding Section 14, and the lot area and frontage requirements of Section 15, the Development Officer may approve a subdivision altering the boundaries of two or more areas of land where

- a) no additional lots are created
- b) each resulting lot
 - i. meets the minimum dimension for lot frontage of the land use By-Law; or
 - ii. has not had its frontage, if any, reduced, and

c) each resulting lot

- i. meets the minimum requirement for lot area of the land use By-Law; and
- ii. has not had its area reduced.

(2) Where the proposed lot is not surveyed, the final plan of subdivision prepared pursuant to subsection (1) shall

- a) be certified and stamped by a Nova Scotia Land Surveyor that the boundaries of the parcel or area of land proposed to be added to the existing area of land have been surveyed and show as a heavy solid line, except the common boundary between the existing areas of land, which is surveyed and certified as being the common boundary and show as a heavy broken line;
- b) notwithstanding clause 33(1)(b), other than the new boundaries which have been surveyed pursuant to clause (a), show the remaining boundaries of the resulting lot for which approval is requested described graphically as a light solid line; and
- c) have the following notation, completed and signed by the surveyor, affixed to the plan adjacent to the certification required by the Nova Scotia Land Surveyors Act and the regulations made thereunder:

“NOTE: the only boundaries shown on this plan which have been surveyed are the boundaries of _____. The common boundary between the existing areas of land identified by _____, and _____, which is shown by a heavy broken line, is hereby certified as having been the common boundary.

The remaining boundaries of the resulting lot _____ shown on this plan are a graphic representation only and do not represent the accurate shape or position of the lot boundaries which are subject to a field survey.

20. (1) Notwithstanding the lot area and frontage requirements of Section 15, where a development component of a permanent nature such as a structure, driveway, well, or on-site sewage disposal system is encroaching in or upon an immediately adjacent area of land, the Development Officer may approve a plan of subdivision to the extent necessary and practical to remove the encroachment.
- (2) Where a lot created pursuant to subsection (1) is not surveyed, the provisions of subsection 19(2) shall apply.
21. (1) For purposes of subsection (2), “main building” is a building which is not an accessory building to another building on the area of land.
- (2) Notwithstanding the lot area and frontage requirements of Section 15, where an area of land contained more than one main building built or placed on the land prior to August 6, 1984, the Development Officer may approve a final plan of subdivision creating the same number of lots or fewer as there are main buildings provided that each proposed lot is served by a central sewer and has minimum frontage of 6 meters (19.7 feet).
22. Lots shall not be subdivided to create a width or depth of less than 6 meters (19.7 feet).

C – Public Streets

23. (1) All proposed public streets shall be
- a) Shown on a final plan of subdivision;
 - b) Designed in accordance with “Specifications for Subdivision Roads in Urban and Rural Areas” prepared by the Department of Transportation and Communications of the Province, or specifications adopted by the Municipality; and
 - c) Constructed prior to endorsement in accordance with “Standard Specifications for Municipal Services” prepared by the Nova Scotia Road Builders Associations (NSRBA) and the Nova Scotia Consulting Engineers Association (NSCEA) Joint Committee on Contract Documents, or specifications adopted by the Municipality.
- (2) The specifications referred to in clauses (b) and (c) may be waived or varied in accordance with accepted engineering practice.
- (3) The minimum right-of-way of a proposed public street shall be 15 meters (49.2 feet)

24. Where a plan of subdivision shows a proposed lot abutting an existing public street, the authority having jurisdiction shall verify that the street is a public street.

PRELIMINARY PLANS OF SUBDIVISION (Optional First Step)

A-Requirements

25. The subdivider proposing to subdivide an area of land may submit to the Development Officer four copies of the preliminary plan of subdivision drawn to scale showing:
- a) the name of the owner of the area of land being subdivided;
 - b) the names of all owners of all properties abutting the area of land being subdivided;
 - c) where a civic addressing system is in place, the civic number of main buildings on the area of land being subdivided;
 - d) a location plan showing the approximate distance between the area of land being subdivided and the nearest prominent landmark;
 - e) the shape, dimensions, and area of the lots being created;
 - f) each proposed lot identified by a number except in cases where a parcel is being added to or subtracted from an existing area of land, in which case the parcel shall be identified by a letter and the new lot identified by the existing area of land identifier, where available, and the letter;
 - g) no duplication of lot identifiers;
 - h) the approximate location of railways;
 - i) the location of existing and proposed public streets;
 - j) the name of existing and proposed public streets (and the public street number), as issued by the civic addressing system;
 - k) the graphic representation of lots being created shown by solid lines, and the vanishing boundaries of existing areas of land being resubdivided, consolidated or both, shown as broken line;
 - l) the location of existing buildings within 10 meters (32.8 feet) of a property lines;
 - m) the general location of watercourses;
 - n) the north point;
 - o) the scale;
 - p) any other information necessary to determine whether the subdivision conforms to this By-Law.

B-Procedure

26. The procedure for processing preliminary plans of subdivision is contained in the GENERAL PROVISIONS.

TENTATIVE PLANS OF SUBDIVISION

A-Requirements

27. The subdivider proposing to subdivide an area of land shall submit to the Development Officer eight (8) copies of the tentative plan of the proposed subdivision meeting the requirements of Section 30 of this By-Law.
28. Notwithstanding Section 27, the Development Officer may waive the requirement that tentative application and plan of subdivision be submitted where
- a) lots abut an existing public street except where lots are created without frontage pursuant to Sections 18, or 19;
 - b) a central water or sewer system is not being installed; and
 - c) all lots to be served by on-site sewage disposal systems
 - i. are 9890 square meters (100,000 square feet) or more in area;
 - ii. have been evaluated by an authorized person of the Department of the Environment and the Development Officer has been informed in writing by the authorized person that the information already provided by the subdivider is satisfactory; or
 - iii. do not require an assessment by virtue of the exception contained in clause 2(1)(c) of the Regulations Respecting Subdivision of Land to be Serviced by On-Site Sewage Disposal Systems.
29. (1) Tentative plans of subdivision submitted to the Development Officer shall be
- a) drawn to a scale or scales sufficient for clarity of all particulars on the tentative plan of subdivision;
 - b) based on a description of the area of land to be subdivided, preferably but not necessarily as surveyed; and
 - c) folded to approximately 20/30 cm (8x12 in.) with the face of the folded print being the title block which is located in the lower right-hand corner of the tentative plan of subdivision.
- (2) Tentative plans of subdivision shall show the following
- a) the words "PLAN OF SUBDIVISION" located in the title block;
 - b) the words "TENTATIVE PLAN" located above the title block;
 - c) a clear space for stamping being a minimum of 225 square centimeters (36 square inches) with a minimum width of 8 centimeters (3 inches);
 - d) the name of the subdivision, if any, and the name of the owner of the area of land;

- e) if applicable, the book and page number of the deed to the area of land as recorded in the name of the owner in the Registry of Deeds;
- f) where Nova Scotia property mapping exists, the unique Parcel Identifier (PID) of all areas of land being subdivided, or where this property mapping does not exist the assessment account number may be shown;
- g) where a civic addressing system is in place, the civic number of main building on the area of land being subdivided;
- h) the names of all owners or the identifiers of all properties abutting the proposed subdivision;
- i) a location map, drawn to a scale not smaller than 1:50,000 (such scale to be shown on the map), preferably with the same orientation as the area of land and, if possible, showing the location of the closest community to the area of land proposed to be subdivided;
- j) the shape, dimensions, and area of the lots being created;
- k) each lot being approved identified by a number, except in cases where a parcel is being added to or subtracted by a letter and the new lot identified by the existing area of land identifier, where applicable, and the letter;
- l) no duplication of lot identifiers;
- m) the boundaries of lots being created shown by solid lines, and the vanishing boundaries of existing areas of land being resubdivided, consolidated or both, shown as broken lines;
- n) the location of existing building within 10 meters (32.8 feet) of a property boundary;
- o) the location of existing and proposed public streets;
- p) the name of existing and proposed public streets (and the public street number) private roads, and Schedule "B" roads as issued by the civic addressing system;
- q) the width and location of railroads;
- r) the location of any watercourse, prominent rock formation, march, or swamp which might affect the layout or provision of public streets or private roads and services to the area where the subdivision is to be located;
- s) the width, location, and nature of any easements on or affecting the area of land proposed to be subdivided;
- t) where applicable, a notation stating the lots are serviced by a public sewer and/or water system;
- u) the north point;
- v) the date on which the plan of subdivision was drawn and the date of any revisions;
- w) the scale to which the plan of subdivision is drawn; and
- x) any other information necessary to determine whether or not the plan of subdivision conforms to this By-Law.

(3) In addition to meeting the requirements of subsections (1) and (2), where the proposed lots front on a proposed public street or tentative plan of subdivision shall

- a) show a boundary survey of the area of land proposed to be subdivided, excluding the remainder lot, certified and stamped by a Nova Scotia Land Surveyor in the manner required by the Nova Scotia Land Surveyors Act and the regulations made thereunder.
- b) be accompanied by four copies of a plan showing
 - i. contours at 2 meter (5 foot) intervals, and drainage patterns,
 - ii. the width and location of proposed public streets and their intersection with existing public streets, and
 - iii. the location of existing and proposed central sewer and water systems and proposed connections thereto; and
- c) be accompanied by two (2) copies of centerline profiles of proposed public streets.

B-Procedure

30. The procedure for processing tentative plans of subdivision is contained in the GENERAL PROVISIONS.
31. The following information shall be stamped or written and completed by the Development Officer on any tentative plan of subdivision which is approved together with any other information necessary for the tentative plan to proceed to the final plan stage.
- a) “this tentative plan of subdivision is approved for lots _____. Such approval lapses if the lots are not shown on a final plan of subdivision approved within two years of the date of the approval of the tentative plan.”;
 - b) the date of the approval of the tentative plan; and
 - c) “this tentative plan of subdivision shall not be filed in the registry of deeds as no subdivision takes effect until a final plan of subdivision is endorsed by the Development Officer and filed in the registry of deeds.”

FINAL PLANS OF SUBDIVISION

A-Requirements

32. The subdivider proposing to subdivide an area of land shall submit twelve (12) copies of the final plan of subdivision meeting the requirements of Section 33 of this By-Law to the Development Officer for approval.
33. (1) Final plans of subdivision submitted to the Development Officer shall be drawn to a scale or scales sufficient for clarity of all particulars of the final plan of subdivision;

- a) certified and stamped by a Nova Scotia Land Surveyor that the lots for which approval is requested have been surveyed in the manner required by the Nova Scotia Land Surveyors Act and the regulations made thereunder, except for a final plan of subdivision prepared pursuant to subsection 19(2) of this By-Law; and
- b) folded to approximately 20x30 centimeters (8x12 inches) with the face of the folded print being the title block which is located in the lower right-hand corner of the final plan of subdivision.

(2) Final plans of subdivision shall meet the plan content requirements of subsection 29(2) except that

- a) clause 29(2)(b) does not apply.
- b) proposed streets shall be surveyed, and
- c) the geographical and mathematical location of all buildings within 3 meters (9.8 feet) of a proposed boundary shall be shown.

B-Procedure

34. The procedure for processing a final plan of subdivision is contained in the GENERAL PROVISIONS.
35. The following information shall be stamped or written and completed by the Development Officer on any final plan of subdivision which is endorsed:
 - a) “This final plan of subdivision is approved for Lots _____” and;
 - b) where applicable, the classification of each lot within one of the classes A, B, C, or D, including the definition of such class, specified in Schedule “A” to the Regulations Respecting Subdivision of Land to be Serviced by On-Site Sewage Disposal Systems or a note stating that the lots have not been assessed pursuant to clause 2(1)(c) of said regulations;
36. The Development Officer shall forward to the registry of deeds one (1) endorsed copy of the final plan of subdivision and a notice of approval in the form specified in Schedule “B” of this By-Law.

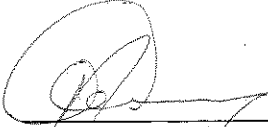
REPEAL OF A PLAN OF SUBDIVISION

37. Any person requesting the repeal of a plan of subdivision shall submit to the Development Officer an application in the form specified in Schedule “C”.
38. The Development Officer shall comply with the notification and approval provisions of the Act which apply to the repeal of a plan of subdivision.

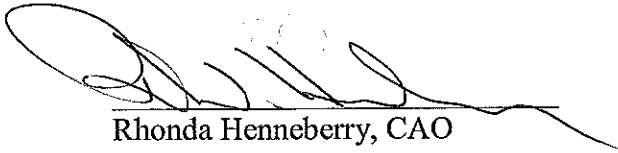
39. When the Development Officer is satisfied that an application for repeal is complete, the Development Officer may forward a copy to any agency who provided an assessment or recommendations on the original plan of subdivision.
40. Where buildings have been erected on the subject lands after the date of the subdivision approval sought to be repealed, no repeal shall be granted which would cause these buildings to be in violation of any building code regulations, Land Use By-Law, or Sewage Disposal Regulations unless the violation can be rectified by the approval of a new plan of subdivision filed at the Registry of Deeds on the same day as the repeal is filed.
41. Sections 14 to 36 inclusive of this By-Law do not apply to the repeal of a plan of subdivision.
42. A plan of subdivision may not be refused or withheld as a result of the assessment or recommendations made by the Department of the Environment, the Department of Transportation and Communications of any other agency of the Province or the Municipality unless the repeal of the plan of subdivision is clearly contrary to a law of the Province or regulation made pursuant to the law of the Province.
43. The Development Officer shall forward to the Registry of Deeds the repeal in the form specified in Schedule "D" for a plan.
44. The Development Officer shall forward a copy of the repeal referred to in Section 43 to:
 - a) the subdivider, and
 - b) any agency who provided an assessment or recommendations on the original plan of subdivision.
45. Where the Development Officer refuses to repeal a plan of subdivision, the Development Officer shall give notice of the refusal to all agencies which were forwarded the application for repeal pursuant to Section 39.
46. Where the Development Officer refuses to repeal a plan of subdivision, the Development Officer shall notify the subdivider pursuant to clause 105(3)(c) of the Act, give reasons for refusal, and advise the subdivider of the appeal provisions of Section 115 of the Act.

THIS IS TO CERTIFY that the By-Law, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Council of the Town of Shelburne duly held on the 1st day of June, 2011.

GIVEN under the hand of the Mayor and Chief Administrative Officer and under the corporate seal of the Town of Shelburne this 2nd day of June, 2011.



Mayor Alan Delaney



Rhonda Henneberry, CAO

**REPEAL OF A PLAN OF SUBDIVISION PURSUANT TO
SECTION 113 OF THE PLANNING ACT**

Name of Owner(s) _____

Name of Subdivision _____

Location _____

Surveyor _____

Date of Approval of the Plan of Subdivision _____

Being Plan # _____ at the registry of deeds.

THIS PLAN OF SUBDIVISION IS REPEALED

Dated at _____ in the _____

Province of Nova Scotia, this _____ day of _____, 20 _____

Development Officer