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1.0

INTRODUCTION

On May 25, 1994 in accordance with Section 212 of the Municipal Government Act, Council adopted a Municipal Planning Strategy for all of the Municipality. At that time, there were two Municipal Planning Strategies in place for parts of the Municipality, Oakland, and Hebbville. Upon the adoption of the municipal wide strategy, these became Secondary Planning Strategies. This Secondary Planning Strategy, prepared and adopted in accordance with Section 216 of the Municipal Government Act is the third Secondary Planning Strategy in the Municipality of the District of Lunenburg, (herein after referred to as 'Municipality'). The planning area to which this Planning Strategy applies is a portion of the community of Oakhill, hereinafter referred to in this document as the "Planning Area". The Planning Area is that area of land conveyed by the Municipality to the Lunenburg Municipal Industrial Commission and contains an area of approximately 254 acres and is bounded Southeasterly by portions of public highway No. 103 and the public highway known as Harold Whycott Road.

Section 212 and 213 of the Municipal Government Act enable Council to adopt a Municipal Planning Strategy for the purpose of providing statements of policy for the management of a portion of the Municipality. Section 214 of the Act enables Council to adopt a Municipal Planning Strategy that contains policies respecting a broad range of matters including: the goals and objectives of the Municipality; the improvement of the physical and social environment; the use, protection, and development of lands; the protection of pits, quarries, and aggregate deposits; the provision of municipal services and facilities; environmental protection; municipal finances; land subdivision; energy; public involvement in planning; and any other matter related to the physical, social, or economic environment to the Municipality. Section 216 authorizes Council to adopt a secondary planning strategy to address issues which may not be adequately addressed in the Municipal Planning Strategy. The Municipal Government Act is, then, the legislative basis for the preparation and adoption of this Secondary Planning Strategy.

The Land Use By-law which has been prepared and adopted in conjunction with this Planning Strategy is the primary regulatory mechanism through which the Planning Strategy is implemented. The Land Use By-law contains standards, requirements, and zoning designations which control the type and characteristics of development.

- 1.01. It shall be the policy of Council that the Municipal Planning Strategy shall apply to a portion of the community of Oakhill shown outlined on Map "A", Generalized Future Land Use, herinafter called the "Planning Area".**
- 1.02 It shall be the policy of Council that the Municipal Planning Strategy shall be the primary policy document through which the future growth and development of the Planning Area shall be encouraged, guided, and controlled.**
- 1.03 It shall be the policy of Council that the Land Use By-law, prepared and adopted by Council in conjunction with the Municipal Planning Strategy shall provide the primary regulatory mechanism for land use and development control, through which the intent of the Planning Strategy shall**

be implemented.

- 1.04 It shall be the policy of Council that Map “A”, Generalized Future Land Use Map, appended to this Municipal Planning Strategy shall form part of this Municipal Planning Strategy.**
- 1.05 It shall be the policy of Council that sections 5.1(b), 5.4, 5.6, 5.7, 5.9 of the Subdivision By-law shall apply and are operative in the Planning Area, and any lot that has been created through subdivision approval may be used for a development that is permitted in the zone where the lot is located, subject to the applicable requirements of the Land Use By-law.**

2.0 RESIDENTIAL

An existing land use survey conducted in the fall of 1998 revealed that the primary land use within the planning area is recreational, being the golf course and related facilities. This type of land use is passive and primarily focused on the exterior living environment. As such the surrounding land uses can have a significant impact on this land use.

The area surrounding the planning area, is dominated by a low-density residential development. Council recognizes the growing residential environment surrounding the planning area, and complimenting character that residential and recreational uses have with each other, and will provide for an exclusively residential zone. In recognition of the changing family structure and housing needs Council will provide for a mix of residential uses within this zone, which will accommodate a variety of housing needs. However, due to the close proximity of this residential zone to the golf course it is Council’s opinion that housing types such as mobile homes would have a negative impact on the existing land uses within the planning area, as well as the surrounding land uses. As such, mobile homes will be prohibited within the planning area.

In recognition of a growing trend towards home based employment and the contributions of a home based business on the sustainability of the Municipality’s economy, Council will make provisions within the residential zone for home occupations.

- 2.0.1 It shall be Council’s policy to establish a Residential Designation as shown on the Generalized Future Land Use Map, which will provide for residential development.**
- 2.0.2 It shall further be the policy of Council to establish a Mixed Residential (MR) Zone within the Residential Designation, as shown on Schedule A “Zoning Map” of the Land Use By-law. It shall further be the policy of Council to provide for a mix of residential uses within the Mixed Residential (MR) Zone which accommodate a variety of housing types.**
- 2.0.3 Due to the incompatibility of mobile homes and mobile home parks with the existing land uses within and surrounding the planning area, it shall be Council’s policy to prohibit mobile homes within the Mixed Residential (MR) Zone.**

- 2.0.4 It shall be the policy of Council, in the Mixed Residential (MR) Zone, and in all other zones that permit residential uses, to permit small-scale home occupations in conjunction with a single-unit dwelling or a structure accessory to a single-unit dwelling. Council within the Land Use By-law shall define the range and scale of uses permitted, and shall limit these home occupations to a type and scale which is compatible with residential uses.**

Council does acknowledge that land within the Residential Designation and corresponding Mixed Residential (MR) Zone contains some of the most fertile soils in all of Lunenburg County. However, Council feels that due to the area of land being less than 30 acres within the Mixed Residential (MR), creating this zone is not sacrificing the agricultural industry within the Planning Area. In addition, it is Council's opinion that existing land use patterns within the Planning Area as well as the surrounding area, being primarily recreational and residential, with some industrial uses, warrant the Residential Designation, as shown on the Future Land Use Map, and the Mixed Residential (MR) Zone, as shown in Schedule "A" Zoning Map, in the Land Use By-law. In keeping with Council's position and the Municipal Government Act's Statement of Provincial Interest Regarding Agricultural Land, Council will establish policy addressing why the lands in the Mixed Residential (MR) Zone are not being preserved for agricultural uses:

- 2.0.5 It shall be Council's policy that due to the existing land use patterns in the planning area and surrounding areas being primarily recreational and residential, as well as the relatively small size of the Mixed Residential (MR) Zone, the area within the Mixed Residential (MR) Zone will not be reserved for agricultural use, but in keeping with the existing land use patterns, will be utilized for residential development**

3.0 INDUSTRIAL

The Municipality wishes to promote the establishment of commercial and industrial activities within the Planning Area.

- 3.0.1 It shall be the policy of Council to establish a Lunenburg Municipal Industrial Designation as shown on the Generalized Future Land Use Map, to accommodate existing and promote future Industrial and Commercial uses.**
- 3.0.1 It shall be the policy of Council to establish a Lunenburg Municipal Industrial Zone, as shown on Map 1, Zoning Map, of the Land Use By-law. It shall further be the policy of Council to permit a range of light industrial, commercial, manufacturing, recreational, agricultural and residential uses within the Lunenburg Municipal Industrial Zone.**
- 3.0.2 It shall be the policy of Council to permit office and public buildings, national defense buildings, ground search and rescue operations, emergency measure operations, warehousing, hotels, motels, manufacturing uses, residential, recreational, agricultural uses and retail**

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shopping facilities, excluding mobile homes or mobile home parks, within the Lunenburg Municipal Industrial Zone.

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- 3.0.3 It shall be the intention of Council to develop and promote the Lunenburg Municipal Industrial Park.**
- 3.0.4 It is the policy of Council to encourage stringent controls over land use and the construction of buildings thereon in the Planning Area through agreements with purchasers of lots within the Planning Area.**
- 3.0.5 It shall be the policy of Council to prohibit certain developments which Council feels are not compatible with the development of the Industrial Park and surrounding properties.**

4.0 OUTDOOR STORAGE, YARDS, LOT AREA, FRONTAGE, AND FENCING

Minimum requirements for lot area, frontage, and setbacks from lot lines will be established for structures and uses. Such requirements will be implemented to ensure and provide for safety, emergency vehicle access to rear of structures, aesthetics, privacy and to reduce nuisances from abutting properties.

Council will furthermore, establish requirements for fencing and outdoor storage, so as to reduce impacts between neighboring properties, to ensure safety and privacy, and enhance aesthetics. Hazardous fencing will be prohibited and fencing high and obtrusive will be regulated as structures, whereby they will be required to be setback the required distance. These requirements will be applied to those zones within the Planning Area as the need for such requirements arise.

Council recognizes the negative impacts that certain signs can have in residential neighborhoods in terms of aesthetics, nuisance and safety. At the same time Council realizes the necessity of signs in various instances, such as the identification of a property or business. This Planning Strategy will therefore provide the policy support for the regulation of signs to ensure that they do not pose a nuisance, safety hazard or negatively impact the aesthetics of the neighborhood in which it is located.

- 4.01 It shall be the policy of Council to establish within the Land Use By-law, minimum lot area, minimum lot frontage and minimum yard requirements and these minimum requirements shall provide for adequate fire separation between structures, on-site parking, maintenance of buildings and land, private outdoor space, solar exposure, air circulation and minimal traffic obstruction.**
- 4.02 It shall be the policy of Council, through the Land Use By-law to regulate the height of structures so as to control the impact on the landscape and skyline, and to ensure that structures are compatible with the existing planning area.**
- 4.0.3 It shall be the policy of Council, through the Land Use By-law, to regulate the type, height and location of fencing so as to minimize the impacts of fencing on abutting properties**

- 4.0.4 It shall be the policy of Council, through the Land Use By-law, to regulate or prohibit signage with respect to the type, size, height, illumination and location of signs within the planning area so as to ensure the signage will not create hazards or nuisances, and to control the impact of signs on the landscape, streetscape of the planning area**
- 4.0.5 Notwithstanding Policy 4.0.1, it shall be the policy of Council that a lot that has less than the minimum required area and/ or frontage and that:**
- a) was created on or before the effective date of this by-law; or**
 - b) was created by an instrument to which the Municipal Government Act does not apply; or**
 - c) pursuant to policy 1.0.5, the lot was created in accordance with a Plan of Subdivision approved in accordance with the Planning Act;**

may be used for any purpose permitted in the zone in which the lot is created, provided that all applicable requirements are satisfied.

IMPLEMENTATION

This Secondary Planning Strategy consists of policies statements and a Future Land Use Map that express Council's intentions with respect to development and land use in the Planning Area. The area within the planning area is relatively small, at approximately 254 acres, and as such Council feels that a review of this document every so many years would be futile. Council does, however, recognize that over time, growth and development patterns will warrant changes to these policies and as such will review the Planning Strategy and accompanying Land Use By-law as growth and development warrant.

- 5.01. It shall be the policy of Council to review this Planning Strategy and accompanying Land Use By-law as growth and development warrants.**
- 5.02 It shall be the policy of Council that, pursuant to the Municipal Government Act, a Public Participation Program (MDL-66) shall be held prior to any proposed amendment to the Secondary Planning Strategy, as well as in conjunction with the review of this Planning Strategy and Land Use By-law. The purpose of the Public Participation Program shall be to hear the opinions of the public. Council shall meet with the Planning Advisory Committee when Council is considering a proposal for a rezoning or Development Agreement, or an amendment to the Planning Strategy or the Land-Use By-law. Public Notice of any Planning Advisory Committee meeting at which the proposal is to be discussed shall comply with the Public Participation Program policy as adopted by Council.**

Amended April 1, 2015