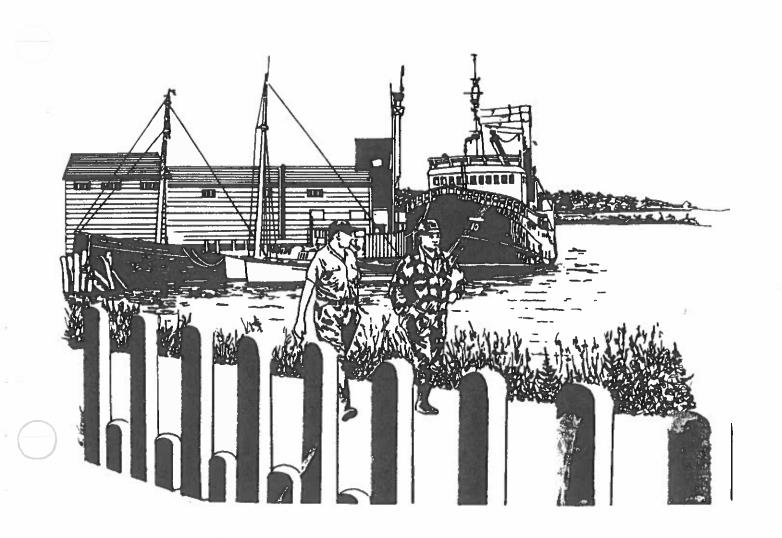
TOWN OF LOCKEPORT

MUNICIPAL PLANNING STRATEGY



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TOWN OF LOCKEPORT

MUNICIPAL PLANNING STRATEGY

Adopted by Lockeport Town Council on June 18, 1986

Recommended for approval with amendments.

Fran Robertson

Departmental Solicitor

This Municipal Planning Strategy which was adopted at a meeting of Lockeport Town Council held on June 18, 1986, is approved, pursuant to Section 24 of the <u>Municipal Affairs Act</u>, with the following amendments:

- 1. Paragraph six on page 6 is amended in lines three and four by deleting the words "the adequacy of servicing and utilities," and by inserting in line eight after the word "buffering" the following words ", and the adequacy of servicing and utilities".
- 2. Clause (i) of <u>General Policy 9</u> is amended on page 10 by inserting after the word "has" the following words "at least 25 feet of".
- Paragraph five on page 13 is amended in lines five and six by deleting the following words "regulated by the Department of Health standards" and substituting therefore the following words "as required for Class A and Class B of the Department of Health Regulations for On-site Sewage Disposal Systems" and is further amended in the last line by deleting the word "Department" and substituting therefore the word "Board".
- 4. Paragraph three on page 14 is amended in lines two and three by deleting the following ", if it so wishes," and adding to end of line four the following words "as it relates to policies in this strategy".
- Policy 15 on page 17 is amended in item 1 by deleting the words "and size of the structure or structures if a new or an expansion of an existing structure(s) is proposed".
- 6. Policy 15 on page 17 is further amended by inserting immediately after item 1 the following item:
 - "1(a). The size of the structure or structures if a new or an expansion of an existing structure(s) is proposed;".

- The fourth paragraph on page 18 is amended by deleting 7. in lines three and four the following words "with the Department of Health's minimum required lot size for septic disposal systems for the purposes of the Land Use By-law" and substituting therefore the following words "with the required lot size for Class A or B lots in the Department of Health's Regulations respecting On-Site Sewage Disposal Systems".
- 8. Policy 3 on page 19 in line three is amended by inserting a period after the word "systems" and deleting the rest of the sentence in lines three and four.
- 9. Paragraph one on page 21 is amended in the second last line by deleting the following "C-2" and substituting therefore the following "C-1".
- 10. Policy 8 on page 23 is amended in line two by inserting after the word "standards" the following words "including outdoor storage and loading space requirements".

Dated at Halifax this 3rd day of October

David Nantes

Minister of Municipal Affairs

Prepared by:

Town of Lockeport Planning Advisory Committee June, 1986 I, Clerk of the Town of Lockeport, in the County of Shelburne, Province of Nova Scotia, do hereby certify that the within and attached Municipal Planning Strategy is a true and complete copy of that Municipal Planning Strategy, passed by a majority vote of the whole council of the Town of Lockeport at its meeting on the 18th day of June, 1986 in accordance with the Planning Act of Nova Scotia being Chapter 9, Statutes of Nova Scotia 1983.

A. Hilton Chymist Town Clerk

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1. INTRODUCTION

1.1 Preamble

In 1977, the Town adopted a Municipal Planning Strategy (MPS). The Provincial Planning Act requires plans to be reviewed every five years. Therefore, in accordance with The Planning Act, the 1977 MPS has been reviewed and consequently re-written. This document and its accompanying maps replaces the 1977 MPS.

1.2 Purpose

The MPS is a legal document and a policy document. It outlines Council's planning strategies for development and redevelopment. It provides both public and private developers with a framework within which to make development decisions. In particular this 'second generation' plan reflects Council's greater awareness and understanding of the planning process and how it influences development. Council has not only strived to simplify the MPS and its accompanying Land Use By-Law but it has also tried to make these documents easier to understand.

A MPS does not stand alone. It contains policies which are primarily implemented through the Land Use By-law. In addition, in accordance with the Planning Act (Section 45), Council can not undertake development contrary to the stated policies of the MPS.

1.3 Planning Process

This MPS is the product of the Planning Advisory Committee's review of the 1977 MPS in consultation with the public. As required under The Planning Act, Council adopted a resolution to ensure public participation in the MPS review process. A Background Report was prepared that presented: (i) a statistical profile of the Town, (ii) discussed the MPS and Land Use By-law amendments that have occurred since 1977, and (iii) outlined issues that should be addressed during the review. An Open House was held to discuss this material. In addition, a file of all the Advisory Committee's notes and material was maintained at the Library.

The members of the Committee were motivated by a strong desire to simplify the planning process and to make it more understandable. Therefore, a new MPS and Land Use By-law was prepared.

1.4 The Issues

The Background Report identified a series of issues to be investigated and discussed during the review. These issues are summarized in Appendix A.

1.5 Goals

Underlying the identified issues are a number of general community goals.

to protect and enhance the natural and man-made environments;

to encourage the orderly development and redevelopment of lands within the Town without compromising the integrity of the existing residential areas;

to promote the continued improvements of the fishing industry in a manner beneficial to the Town and its residents;

to encourage economic diversification by promoting tourism, the expansion of retail services, and ocean related industries that would be in the best interests of the Town;

to protect the health and safety of residents; and

to encourage the revival and further development of Lockeport's commercial functions, particularly in the Town Centre area.

THE BACKGROUND

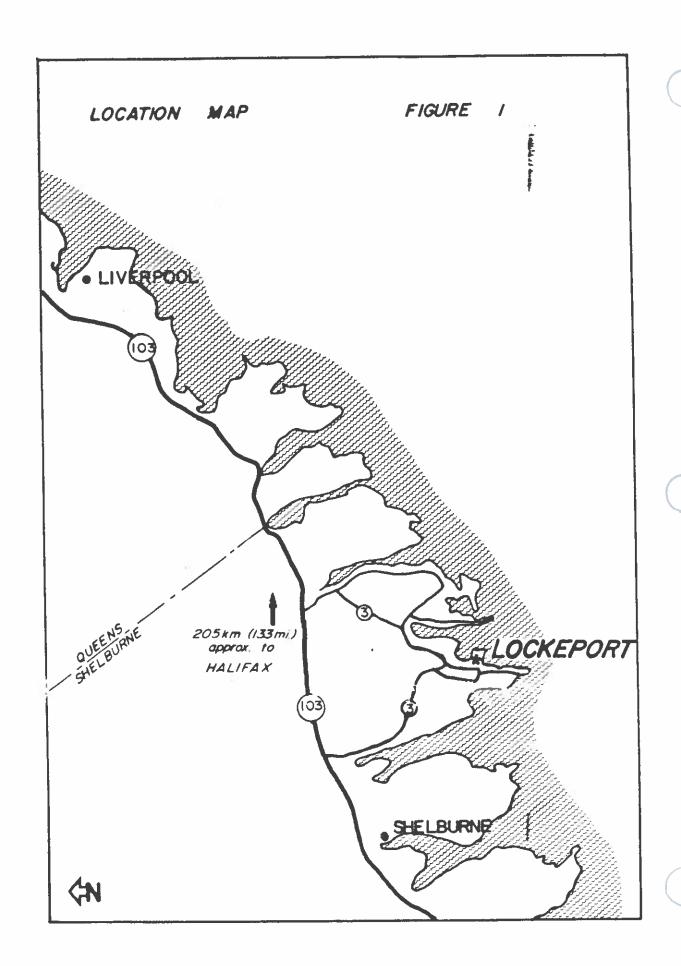
2.1 Setting

The Town of Lockeport is situated in Shelburne County on the south shore of Nova Scotia at the tip of a peninsula. It is about 228 kilometers south of Halifax and about 30 kilometers east of the Town of Shelburne (See Figure 1).

Lockeport was incorporated in 1907; however, it was first settled in 1755 by settlers from Plymouth, Massachusetts. They were attracted by the area's proximity to the rich fishing grounds. These settlers originally called the settlement Ragged Islands. However, the entire community became known as Lockeport in 1870 when that name was adopted over several others, including Ragged Islands and Locke's Island.

Lockeport is a fishing community and historically its prosperity has been linked to the fishing industry. Present day fishing activities are focused on Locke's Island around the harbour and the two main fish processing plants. In addition, the Town acts as a small service centre for the surrounding rural

Physically, the Town can be divided into 3 parts: Locke's Island, the mainland, and the offshore islands. Locke's Island contains the bulk of the Town's development and thus its dwellings, schools, churches and shops. A well developed narrow grid-street pattern with small lots characterizes the



A

To the same

northern half of the island. The southern half in contrast is less densely developed, the land being slightly hilly and rocky with several low lying The island is connected to the mainland by a magnificent sandy beach. The land on the mainland slopes toward the coastline and development is less dense than on Locke's Island. Development has generally occurred in a ribbon fashion along the principle roads, Highway #3, Brighton Road and the East Green Harbour Approach Road. Seven off-shore islands fall within the Town's boundaries, Calf, Carter's Cranberry, Firth's, Bull (or Boulle), Benham's and William's. Cranberry is the largest island. Six of the seven islands are in private ownership. Little development has taken place on these islands except for a dwelling on Cranberry, two on Calf and a lighthouse on Carter's Island which is owned by the federal government. Calf Island is located in the 'back' harbour and is connected to the mainland by a causeway while Cranberry Island is east of Locke's Island and can be reached by foot at low tide. The remaining islands are scattered across the bay and are more remote. (See Map 1 for the existing land uses in the Town.)

2.2 Population

Lockeport is a small Town. In 1981 the population was 929. This represented a 10% decline from the 1976 population of 1,020. (See Figure 2 for historical trends). On a positive note, the rate of decline between 1976-81 was smaller than that experienced between 1971-76 (15%). By comparison, the Town of Shelburne declined by 8% over the 1976-81 period. But Lockeport and Shelburne are not unique. Many cities and towns in Canada experienced a decline in their populations between 1976-81. For example, in Nova Scotia, Dartmouth's population fell by 5%, and Yarmouth's and Annapolis Royal's fell by 4% and 14.5% respectively. Again, on a positive note, using the existing population data, population projections for the Town indicate a steady move toward the population stabilizing around 900 by the year 1991.

The population structure of the Town is changing too. There are fewer people under the age of 21 and more over the age of 64. This trend has important implications because the demand for municipal services changes with age level. For example, there is no longer a demand for more schools but instead there is a demand for senior citizen housing and leisure activities.

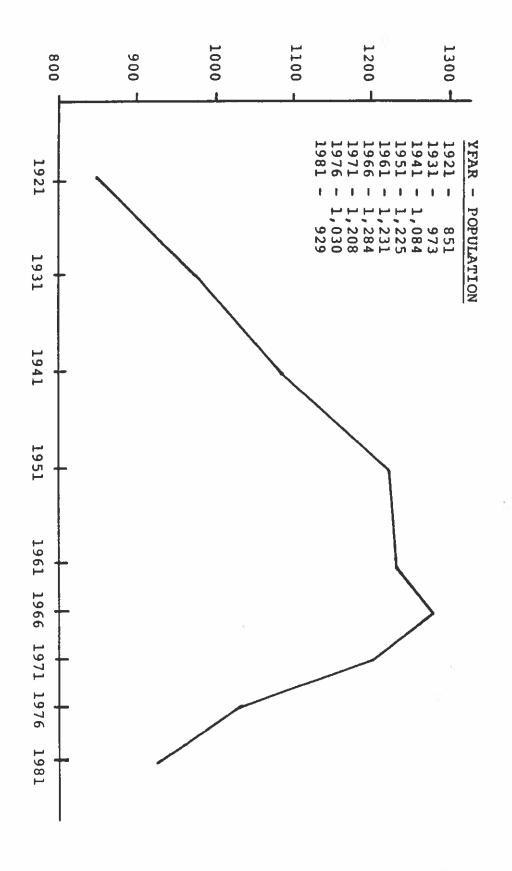
Along with a population that is getting older, households are getting smaller. In 1981 there were an average 2.8 persons per household in Lockeport compared to 3.4 persons per household in 1971. In general terms, children have grown up and left home and couples are having fewer children.

TOWN OF LOCKEPORT

POPULATION TRENDS OVER TIME 1

1921 - 1981

FIGURE 2



Sec. 1

2.3 Development Trends

2.3.1 Housing

There are about 305 dwelling units in the Town. Of these, there are 262 (86%) single detached units (including 8 mobile homes), 33 multiple-family units (11%) and 10 senior citizen units (3%). Over eighty percent of the dwellings are owner occupied.

Two hundred and twenty-five dwellings (76%) are located on Locke's Island including 29 multiple units in 14 buildings. There are six units associated with other uses (eg. an apartment above a store). The remaining multiple family units essentially represent the conversion of existing large houses into several dwelling units. The largest multiple-family building is a structure with a store on the ground floor and four flats above it and a ten-unit senior citizen complex was built on Locke's Island in 1980.

Residential development on the mainland consists primarily of single family detached dwellings (including two mobile homes). There are also three - 2 dwelling houses and three former tourist cabins now used for residential purposes.

Since 1977, 24 building permits have been issued for a total of 33 dwelling units. The permits were for five mobile homes, a ten unit senior citizen complex and 18 single detached dwellings. Of the latter, six dwellings were built on Locke's Island, seven on the mainland and one on Cranberry Island. The dwellings for the remaining 5 permits were not built. (See Figure 3.)

The scale of residential activity consequently is less than three dwellings per year or in terms of population increase less than 8 persons per year based on an average household size of 2.8 persons. In terms of land consumption (new lots), it represents less than an acre a year based on a minimum lot size of 10,000 square feet.

The quality of the housing stock is good. Residents have taken full advantage of federal and provincial housing programs to upgrade and improve existing homes under the Residential Rehabilitation Assistance Program. The results are very visible. Under the program, 197 applications were received for improvements. The estimated total cost of the work done is \$750,000 or about \$3,800 per application. In conjunction with this program there was also the Neighbourhood Improvement Program (N.I.P.) which enabled the Town to upgrade community facilities and services. About \$270,000 was spent on NIP projects such as a medical centre, a new library, construction of a foot bridge and the athletic field. The Town's share of the cost was about \$119,000.

Figure 3

Town of Lockeport

Residential Building Permit Activity

1978 - 1984¹

Type of Dwelling	1978	1979	1980	1981	1982	1983	1984	Dwelling Units	% of Total
Single Family Dwelling	3	3	3	4	2	3	_	18	5 5
Mobile Home	-	-	10 10	2	1	-	2	5	15
Multiple Family	-	-	=	-	-	-	-	_	_
Senior Citizen	-	-	1(10) ²	~	-	-	-	10	30
Total (Building Permits)	3	3	4	6	3	3	2	24(33)	3 100

- 1. Source: Town of Lockeport Development Officer's Reports
 1978 1984
- Figure in bracket represents the total number of units in the building
- 3. 24 Buidling Permits issued for a total of 33 dwelling units.

Note: Not all of these units were built.

2.3.2 Commercial and Industrial Trends

The number of commercial businesses in the Town has continued to decline and vacant commercial premises dot the Town centre area on Locke's Island. However, a new bank and pharmacy have been built since 1977 but the tourist cabins along the West Head Road are now permanent dwellings.

In 1980, the National Sea fish processing plant was destroyed by fire. It was replaced by a larger plant. The latter handles ground fish and regularly employs about 325 people. Pierce Fisheries operates the other main plant and handles scallops and ground fish. In addition to these main plants, several smaller plants operate along the wharf. (See Appendices B & C for a 1985 inventory of commercial and industrial businesses.)

2.3.3 Other Major Events

Since the adoption of the Town's first plan, a number of events have occurred. They are: a centralized sewer system, a fresh water system for the fish plants, a new sports field, a tourist hut, a new library, and renovations to the museum. (See Map 2 for the Piped Sewer and Water Systems in the Town.) In addition, the railway line was abandoned and the tracks removed. The railway bridge was converted into a foot bridge and the Town is no longer responsible for providing educational services but it still has a financial commitment.

3. PLANNING STRATEGIES

3.1 Introduction

The MPS policies in this chapter establish six Generalized Future Land Use Classifications: Residential General, Residential Large Lot, Commercial General, Commercial Tourist, Industrial, and Open Space. These classifications are depicted on the Generalized Future Land Use Map. (See Map 3.) This Map is very important as it indicates Council's intentions with respect to the desired future general distribution of land uses within the Town. The classifications are discussed and described in detail under the following headings in this chapter: Residential Activity (this includes the classifications Residential and Residential Large Lot), Commercial, Industrial and Open Space.

In addition, there are sections in this chapter to deal with policies respecting municipal services, transportation, tourism, and general provisions. The latter deals with policies that affect several land use classifications or policies that cover all development within the Town.

Through these policies, seven land use zones are to be established in the Land Use By-law. They are: Residential General (R-1), Residential Multiple Family (R-2), Residential Large Lot (R-3), Commercial General (C-1), Tourist Commercial (C-2), Industrial General (M-1) and Open Space and Recreation (OS-1).

The policies also allow Council to consider certain types of development by a development agreement as set out in Section 55 of the Planning Act.

A development agreement is a legal agreement between the Town and a developer. It is an instrument through which Council can consider a development that would not otherwise be allowed because the proposed development is not a permitted use in the existing land use zone classification placed on the land. In other words, a development agreement does not give the developer a blank cheque to develop whatever use is permitted within the land use zone rather it restricts the developer to the use or types of uses he is proposing. In addition it allows Council to exercise more specific control over not only the type of use or uses but over the character and form of the development. In essence Council judges each request for an agreement on the merits of that proposed development as it relates to the policies contained in this strategy.

Items that Council may include and regulate in an agreement are such things as hours of operation, maintenance, provisions for adequate buffering or screening, time limits for the initiation of construction, the adequacy of servicing and utilities, and any matter which may be addressed in a Land Use By-law. Furthermore, when evaluating an application for an agreement Council shall consider where applicable such things as the proposed use, traffic it would generate, exits and accesses, parking, signage, outdoor lighting and storage and buffering. AND THE ADERUACY OF SCAUCIAG AND THE ADERUACY OF SCAUCIAG AND THE ADERUACY OF SCAUCIAG

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A development agreement is processed in the same manner as a land use by-law (zoning) amendment with the accompanying public hearing and the decision of Council is appealable to the Nova Scotia Municipal Board.

The circumstances under which a development proposal shall be considered by Council by a development agreement are:

- (i) for office and commercial uses (other than a home occupation) in areas designated Residential General on the Generalized Future Land Use Map; See Residential Policies.
- (ii) for amusement arcades in areas designated Commercial General on the Generalized Future Land Use Map; See Commercial Policies.
- (iii) for shopping centres in areas designated Commercial General on the Generalized Future Land Use Map; See Commercial Policies.
- (iv) for commercial and office uses for Memorial Park; See Open Space Policies.

The circumstances when development agreements may be used, the criteria Council shall use in evaluating them and the items that may be included in an agreement are discussed in more depth in the ensuing sections of this chapter.

The plan's concluding chapter Implementation describes how the policies in the MPS will be put into effect.

3.2 General Provisions

3.2.1 Mobile Homes In Residential Areas

There are 8 individually sited mobile homes in the Town. They are found in the residential areas on both Locke Island and the mainland. In the past Council has treated individually sited mobile homes as conventional single family dwellings subject to siting requirements. Council has no intention of changing this policy. It is recognized that mobile homes may not be acceptable to everyone but that they represent an affordable housing alternative that should not be excluded from Lockeport.

General - Policy 1 - It shall be the intention of Council to treat individually site mobile homes as conventional single detached family dwellings subject to the requirement that they be appropriately skirted.

3.2.2 Mobile Home Park

There are no mobile home parks in the Town nor has there ever been a proposal to establish one. In this light, Council does not feel it is necessary to establish a mobile home park land use zone as it did in the 1977 MPS. If a development proposal is ever received for a mobile home park, Council will investigate amending the MPS and the Land Use By-law so that it can consider the application.

General - Policy 2 - It shall be the intention of Council in the event that a development proposal is received for a mobile home park, to investigate amending the MPS and Land Use By-law so that Council can consider the request.

3.2.3 Small Businesses, Professional Offices and Domestic Household Arts in Residential Dwellings (Home Occupations)

Council does not want to deter or discourage entrepreneurs in the Town from locating small business, professional offices or businesses involving domestic household arts in private dwellings or accessory buildings provided such uses neither alter the exterior of the home nor become the dominant use. These uses shall be subject to a number of criteria with respect to signage, floorspace used, number of employees and parking requirements to further protect against the disruption of or conflicts with the general character of the residential neighbourhood.

General - Policy 3 - It shall be the intention of Council to permit small businesses, professional offices and businesses involving domestic household arts in private dwellings and in buildings accessory to a private dwelling.

General - Policy 4 - It shall be the intention of Council to establish special requirements in the Land Use By-law with respect to small businesses, professional offices and businesses involving domestic household arts in dwellings and in accessory buildings to protect against disruption of or conflicts with the general characters of the residential neighbourhood. These requirements shall, however, be more flexible in the areas designated Residential Large Lot. (See Section 3.3.2 Residential Large Lot Designation, page 17.)

3.2.4 Private Garages and Boathouses in Residential Areas

In the old MPS and Land Use By-law, it was not possible to build a private garage or boathouse on a vacant residential lot. However, many of the existing lots in the Town are small and consequently lack land for private garages. To overcome this situation, residents frequently want to build a garage on nearby vacant residential land but are prohibited from doing so. It is Council's intention to rectify this situation by including provisions in the Land Use By-law to enable this type of development to occur. However, a size limit will be established in the By-law and only one such building will be allowed on a lot. In addition, owners should be encouraged to site the garages on the lots so that they do not restrict the construction of dwellings on the properties at some future date.

General - Policy 5 - It shall be the intention of Council to establish in the Land Use By-law provisions to permit the development of a private garage or boathouse on vacant residential land in the areas designated Residential General and Residential Large Lot on the Generalized Future Land Use Map and provisions will also be established in the by-law to limit the size and number of these buildings. (See Section 3.3.1 and 3.3.2.)

3.2.5 Temporary Uses

Periodically, situations arise during the construction of a development where temporary uses such as scaffolds, toolsheds, construction camps including mobile homes and similar buildings or structures and the temporary use of land are required. These uses should be allowed provided they are removed within a reasonable length of time upon completion of the development.

General - Policy 6 - It shall be the intention of Council to establish provisions in the Land Use By-law for the temporary use of land (such as for fairs and holiday events) and for the temporary use of buildings or structures required during the construction of a development in the Town.

General - Policy 7 - It shall be the intention of Council to establish in the Land Use By-law a period of time for which temporary uses shall be permitted.

3.2.6 Public Road Frontage

Council recognizes the need for development to have access to public roads. Therefore, all new development in the Town should occur on lots that abut a public road subject to two exceptions: one, development occurring on the off-shore islands of Bull, Benham's, William's, Cranberry, Firth's, Calf and Carter's; and two, development taking place on the federal government wharves.

Similarly, Council recognizes that residential lot frontage requirements should not be so much as to discourage in-filling particularly on existing lots with 85 or more feet of road frontage but less than 120 feet. Therefore, Council intends to allow residential lots existing at the time of the adoption of this MPS with 85 feet of road frontage but less than 120 feet to be split into 2 lots providing that at least one lot has a road frontage of 60 feet.

General - Policy 8 - It shall be the intention of Council to establish in the Land Use By-law a requirement that all new development abut and front on a public street or provincial highway except for development on Bull, Benham's, William's, Cranberry, Firth's, Calf and Carter's Islands and on the federal government wharves.

<u>General - Policy 9</u> - It shall be the intention of Council to allow lots existing at the time of the adoption of this MPS in the areas designated Residential General and Residential Large Lot and having 85 feet of road frontage but less than 120 feet to be split into 2 lots provided that:

AT LEAST 25 FEET OF

- (i) each lot has public road frontage;
- (ii) one lot has at least 60 feet of road frontage, and
- (iii) the other lot size requirements as detailed in the Land Use By-law are met.

3.2.7 Institutional Uses

Institutional uses refer to such uses as churches, cemeteries, schools, the post office, the branch of the Royal Canadian Legion, the senior citizens club, the community centre, Town Hall, museums, libraries, tourist information centres, the fire hall and uses of a similar nature. These uses are found throughout the Town. Rather than create a special zone for these uses as was done in the 1977 MPS it is Council's intention to modify this approach and to permit institutional uses in any area of the Town. It should be noted that the Nova Scotia Liquor Board Store is not considered an institutional use.

General - Policy 10 - It shall be the intention of Council to establish provisions in the Land Use By-law to permit as-of-right institutional type uses in all areas of the Town.

General - Policy 11 - It shall be the intention of Council to establish in the Land Use By-law some requirements for institutional uses pertaining to lot size but there shall be no lot or parking requirements for public schools or for a fire hall.

General - Policy 12 - It shall be the intention of Council to treat a Nova Scotia Liquor Commission Store as a commercial activity and not as an institutional use.

3.2.8 Signs

In order to ensure a certain degree of safety for both the motorist and pedestrian, Council intends to adopt general signage provisions in the Land Use By-law to regulate the size, number and types of signs permitted in the Town.

<u>General - Policy 13</u> - It shall be the intention of Council to establish general requirements in the Land Use By-law for signs.

3.3 Residential Activity

The residential areas of the Town have been divided into 2 future land use designations on the Generalized Future Land Use (GFLU) Map - Residential General (which is approximately the same as the Residential designation in the 1977 MPS) and Residential Large Lot (which is approximately the same area as the Residential Rural designation in the 1977 MPS only the name has been changed). See Map 3.

Several additional properties have been included in the residential designations as a result of the 1983 Planning Act. The latter contains provisions whereby a Council must be prepared to purchase private lands it designates or zones open space. Lockeport has no intention of purchasing the private lands it designated or zoned open space in the 1977 MPS. Therefore, the islands of Firth's, Benham's and Carter's shall be designated Residential Large Lot and zoned accordingly along with a property on the mainland along Brighton Road around 'Hen Bill's Pond' that had also been zoned open space. Similarly, properties on Locke Island will be designated and zoned Residential: a parcel of land along the shore line at the gravel pit south of South Street owner unknown; a property owned by National Sea Products between the pedestrian foot path and Upper Water Street and a parcel along the harbour shoreline adjacent South Street. These were all zoned open space in 1977.

3.3.1 Residential General Designation

There are approximately 305 dwelling units in the Town and 76% are located on Locke's Island. The majority of these are situated north of South Street while a relatively high concentration is located in the southeastern corner of the island. Overall residential development on Locke's Island is compact with a number of small, irregular shaped lots throughout the area. Also of note, are several interior vacant lots, particularly in the southeast quarter.

On the mainland, the residential built-up area abuts existing Town roads or provincial highways and generally but not always within 300 feet of these roads. Development is basically a mixture of old and new single and detached dwellings though there are two mobile homes and two duplexes.

In the 1977 MPS these residential lands were designated Residential General on the General Future Land Use Map and it is Council's intention to maintain this designation. In turn, this designated area shall be zoned Residential General (R-1) in the Land Use By-law.

Permitted uses in the Residential General (R-1) zone will be relatively low density residential uses. This will include such uses as, but not limited to, single detached dwellings, mobile homes, 2 unit dwelling types, conversions of existing dwellings into a maximum of 4 units, senior citizen housing, nursing homes, institutional uses, group homes, parks and bed and breakfast establishments.

Residential development particularly on Locke's Island has occurred on relatively small lots. These lots are often smaller than the 1977 MPS minimum required lot size established for residential lots connected to a centralized sewer system (10,000) square feet). Because of the development pattern in the last 50 or 60 years, a 10,000 square foot lot looks out of character with previous development. In addition, the scale of new residential development in Therefore, Council believes a smaller minimum the Town is not substantial. lot size is more in keeping with the established development pattern. Council does acknowledge, however, the recent water shortage problems experienced by residents and consequently shall approach the Department of Environment to discuss with them the possibility of having a water study conducted to determine whether or not an even smaller minimum lot size is feasible and prudent. In the meantime, the minimum required residential lot size for lots connected to the centralized sewer system shall be reduced. Should the results of the study indicate further changes then they will be implemented by amending the MPS and the Land Use By-law.

The intent of this designation is to guide residential development in a manner that preserves the relatively low density and relatively compact characteristics of the community and to minimize the future cost of servicing residential lands within the Town.

New multiple family development (buildings with 3 or more dwelling units) is non-existent in the Town. Apartment buildings, as such, do not exist. There are several converted dwellings and one building with 4 units over a ground floor store. Council does not want to prohibit such development but on the other hand, Council would like to have some control should someone propose such development. Therefore, it is felt that new multiple family development should be allowed in the area designated Residential General by amendment to the Land Use By-law (re-zoning).

A Residential Multiple Family (R-2) Zone will be established in areas designated Residential to allow for new multiple family dwelling types (town houses and apartments). Provisions will be established in the By-law concerning the maximum number of units in a building block, parking and buffering requirements and height restrictions. Such developments should also be connected to the centralized sewer system. In considering re-zonings, Council will consider the applicable criteria of Implementation Policy 11, Page 47.

Council also feels that senior citizen housing, boarding houses, hostels, hospitals, churches, and nursing homes should be permitted as of right in the areas designated Residential General. However, these uses should be subject to special requirements in the Land Use By-law such as parking and connection to the centralized sewer system.

There is one senior citizen complex in Lockeport. It was built in 1980 and has 10 units. There are indications that there is a demand for additional units; Council should pursue this with the appropriate provincial and federal housing officials and assist the officials in identifying an appropriate site.

There are a number of vacant parcels of land in the southern portion of Locke's Island. These too will be designated Residential General on the Generalized Future Land Use Map and zoned Residential General (R-1). Similarly, vacant lots adjacent public streets on either Locke's Island or the mainland will be designated Residential General and zoned R-1 (to a depth of approximately 300 feet or to the old C.N.R. right-of-way).

It is Council's intention that all residential development in the area designated Residential General have public road frontage. (See General Policies 8 and 9, page 9.)

Some residential in-filling possibilities exist along public roads. These should be identified and development encouraged to locate on these parcels. Similarly, Council recognizes that it may be appropriate at some future date to upgrade to public road status the easement at the south end of Church and John Streets so as to open up more residential land. The upgrading should be dictated by the demand and costs.

All residential development in the area designated Residential General should be encouraged to connect to the centralized sewer system. However, it is recognized that there are some properties on the mainland where topographical limitations prevent the economic installation of services. In these instances the minimum lot size shall be regulated by the Department of Health standards. Similarly, on Locke's Island there are several dwellings more than 100 feet from a sewer line and consequently have not (by choice) been connected to it. (The Town's Sewer By-law requires all dwellings within 100 feet of a sewer line to be connected to it.) These existing dwellings should be encouraged to connect to the system to remove the possibility of environmental pollution. Wherever on-site disposal systems are employed they will be subject to the approval of the Department of Health.

DREETE

Lockeport is a fishing community and because of this many residents are involved in the fishing industry. Therefore, Council feels it is only reasonable to allow fishermen to store their fishing gear on their residential properties provided it is done so in an orderly manner.

Small businesses, professional offices and home occupations in a dwelling will be allowed in this designation. (See General Policies 3 and 4, page 8.)

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In 1984 the old MPS was amended to allow commercial and office uses in those areas designated Residential General on the Generalized Future Land Use Map by development agreement. This policy shall be maintained. The amendment was undertaken because Council recognized that there was a limited amount of developable vacant land on Locke's Island and most of the land that was available was designated Residential General on the Generalized Future Land Use Map which allowed relatively low density residential type uses. Secondly, there was an expressed interest by a developer to build a shopping centre on Locke's Island.

In reviewing this possible development Council became aware of its complete inability to consider any commercial or office development proposal on lands designated Residential General even if it felt such development was in the overall best interests and long term well being of the Town. Council did not want to open up the residential lands by allowing commercial re-zonings but it did recognize that in certain instances the development, redevelopment or expansion of commercial and offices uses in the Residential General designated areas might be undertaken with due care toward the existing residential uses yet at the same time provide uses that would be beneficial to the long term prosperity and vitality of the Town as a whole. Therefore, it was decided to consider requests for such development proposals by development agreement.

As explained earlier, a development agreement is a legal contract between the Town and the developer. It offers more control and enables Council, if it so wishes, to have a greater say in the form and character of the development. Also each proposal is judged on its own merits, AS IT RELATES TO POLICIES IN THE

The criteria Council shall have regard to when evaluating an agreement shall be established to minimize land use conflicts with adjacent uses. In addition, the items that Council may include in an agreement shall be identified.

Residential - Policy 1 - It shall be the intention of Council to designate the built-up residential areas in the Town, the vacant lands on Locke's Island adjacent the residential area and portions of the vacant lands on the mainland that abut Brighton Road, Residential General on the Generalized Future Land Use Map.

Residential - Policy 2 - It shall be the intention of Council to zone the Residential General designated lands Residential General (R-1). This zone shall allow as-of-right relatively low density residential type uses including such uses as converted dwellings (to a maximum of 4 units), guest homes, senior citizens housing, single detached dwellings, duplexes, semi-detached dwellings and bed and breakfast accommodations.

Residential - Policy 3 - It shall be the intention of Council in the Land Use By-law to reduce the minimum required lot size in the Residential General (R-1) zone for development that is connected to a centralized sewer system.

Residential - Policy 4 - It shall be the intention of Council to approach the Department of Environment to discuss the possibility of having a water table study conducted for the Town.

Residential - Policy 5 - It shall be the intention of Council, if the results of the water table study indicate, to change the minimum required lot size for serviced development by amending the Land Use By-law.

Residential - Policy 6 - It shall be the intention of Council to establish special conditions in the Land Use By-law pertaining to parking and connection to the centralized sewer system for such uses as hostels, boarding homes, nursing homes, hospitals, churches, and senior citizen apartment buildings in those areas designated Residential General on the Generalized Future Land Use Map.

<u>Residential - Policy 7 - It shall be the intention of Council to identify existing vacant residential lots on the existing Land Use Map and to encourage their development.</u>

Residential - Policy 8 - It shall be the intention of Council to encourage the development of additional Senior Citizen Housing accommodations in the Town.

Residential - Policy 9 - It shall be the intention of Council to encourage those dwellings on Locke's Island that are not connected to the centralized sewer system to do so in order to reduce the threat of environmental pollution.

Residential — Policy 10 — It shall be the intention of Council to establish a Residential Multiple Family (R-2) zone in the Land Use By-law for the area designated Residential General which shall allow town house and apartment development of 3 or more dwelling units.

Residential - Policy 11 - It shall be the intention of Council to establish in the Land Use By-law provisions pertaining to the R-2 zone with respect to the maximum number of dwelling units in a structure, parking and buffering requirements, lot requirements, height restrictions and servicing requirements.

Residential - Policy 12 - It shall be the intention of Council to consider proposals for townhouse and apartment development in the areas designated Residential General by amendment to the Land Use By-law subject to Implementation Policy 11.

Residential - Policy 13 - It shall be the intention of Council to consider the development, redevelopment or expansion of commercial and office uses in the areas designated as Residential General on the Generalized Future Land Use Map that are in the best interests and well being of the Town by development agreement pursuant to Section 55 of the Planning Act.

Residential - Policy 14 - It shall be the intention of Council when evaluating development proposals under Residential Policy 13 to consider the following matters:

- 1. The impact of the proposed development on:
 - (i) the existing residential uses in the area with particular regard to the use and size of the structure or structures that are proposed, buffering and landscaping, hours of operation for the proposed use (where applicable) and other similar features of the use and structure.
 - (ii) municipal services with particular regard to demands on the sewer system, fire protection, refuse collection and police protection.
 - (iii) pedestrian and motor traffic circulation with particular regard to ingress and egress from the site, traffic flows and parking areas.
- The suitability of other sites in the Town zoned for the proposed commercial or office use.
- The submission of a site plan showing the location of the structure or structures on the lot, parking areas and building plans showing the nature and design of the proposed structure.
- 4. The lot shall be large enough to ensure that adequate screening and land-scaping can be done.

Residential - Policy 15 - It shall be the intention of Council that the development agreements under Residential Policy 14 shall contain such terms and conditions that it feels necessary to ensure that the development is consistent with the policies of this MPS, to this end, the agreement shall include some or all of the following where applicable:

- 1. The specific use and size of the structure or structures if a new or an expansion of an existing structure(s) is proposed;

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- 2. Provisions for adequate buffering to screen the development from adjacent conflicting land uses;
- Any matter which may be addressed in a Land Use By-law, i.e. parking requirements, yard requirements;
- 4. Time limits for the initiation of construction:
- 5. Establish the hours of operation (where applicable) and the maintenance requirements of the proposed use;
- 6. All other matters enabled by the Planning Act in Section 66 and 67;
- 7. The compatibility of the structure or structures in terms of exterior materials uses, scale and appearance with adjacent residential uses.

Residential - Policy 16 - It shall be the intention of Council in the areas designated Residential General to allow the outdoor storage of fishing gear in an orderly manner on residential properties.

3.3.2 Residential Large Lot Designation

On the mainland, development has occurred adjacent the main roads and along one or two dead end roads. Many of the properties along these roads extend back for considerable distance. On the west side of Brighton Road these lands extend back to the Town limits. They are essentially vacant undeveloped lands. Similarly, the lands east of the railway right-of-way (on the mainland) are vacant with the exception of one or two dwellings. It is Council's intention to designate these back lands Residential Large Lot on the Generalized Future Land Use Map. In addition, all the off-shore islands except for Calf Island which is connected to the mainland by a causeway will be designated Residential Large Lot. The water tower property on the mainland will also be designated Residential Large Lot.

Council does not want to prohibit development on these lands but to allow rural related uses and tourist establishments that would, in most instances, be served by septic sewage disposal systems approved by the Board of Health. Council, however, recognizes that in this designated area, the situation may arise whereby an owner may want to be connected to the centralized sewer system. Council does not want to defer this but the owner must pay for the costs associated within connecting up to the sewer line.

The lands designated Residential Large Lot will be zoned Residential Large Lot (R-3). This zone will permit uses such as single detached dwellings, individually sited mobile homes, tourist cabins, tourist establishments and small tourist related retail activities, parks, playgrounds, campgrounds, tourist trailer parks, forestry and agricultural uses and uses of a similar nature. Criteria will also be provided for permitting some livestock activities. In essence these lands are being held in reserve for future residential development.

With respect to tourist facilities in this designation provisions will be included in the Land Use By-law concerning abutting side yard requirements when such development is immediately adjacent existing residential or institutional development.

In the 1977 MPS, the area designated Residential Rural (now called Residential Large Lot) on the Future Land Use Map and subsequently zoned Residential Rural on the 1977 Land Use By-law had a minimum required lot size of 5 acres. Since 1977 there has been no development on these lands except for a single family dwelling on Cranberry Island. It is felt that the location of these lands is not conducive to development and therefore a five acre minimum lot size is unrealistic. Council consequently feels that the 5 acre minimum lot size is too large and that a smaller lot size would serve the same purpose.

In these areas the required lot size will be larger than that for lots connected to the centralized sewer system in the Residential General areas. The size will correspond with the Department of Health's minimum required lot size for septic disposal systems for the purposes of the Land Use By-law. Furthermore, when lots lie adjacent water bodies or watercourses the minimum required lot size will be even larger to minimize the risk of environmental pollution particularly ground water pollution.

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Development in these designated areas must occur on lots with public road frontage except for development on the designated off-shore islands and Government wharves. Small businesses and home occupations will also be allowed as will the outdoor storage of fishing gear (See General Policies 3, 4, 8, and 9, pages 8 and 9). With respect to development on the off-shore islands, the Town wants to make it clear that it will not be responsible for providing municipal services to the islands. A statement to this effect will be written on all development permits issued for any development on the islands.

Industrial development including scrapyards and auto body repair shops (other than a service station) will be permitted in the areas designated Residential Large Lot by amendment of the Land Use By-law (i.e. rezoning to Industrial General (M-1)). Special provisions will be set up in the Land Use By-law with respect to scrapyards, salvage yards and auto body repair shops to mitigate against land use conflicts with immediately adjacent uses. (See Industrial Policy 5 and 7, page 27.)

Residential Large Lot - Policy 1 - It shall be the intention of Council to designate the undeveloped back lands on the mainland west of Brighton Road including the water tower land and east of the C.N.R. right-of-way and Cranberry, Bull, Firth's, Benham's, William's and Carter's Islands Residential Large Lot on the Generalized Future Land Use Map.

Residential Large Lot - Policy 2 - It shall be the intention of Council to zone the lands designated Residential Large Lot, Residential Large Lot (R-3). This zone shall allow rural uses and tourist establishments including such uses as, but not limited to single detached dwellings, individually sited mobile homes, forestry and agricultural uses, tourist cabins, tourist related retail uses, parks, playgrounds, campgrounds, guest homes, motels, and tourist trailer parks.

Residential Large Lot - Policy 3 - It shall be the intention of Council that development on lands designated Residential Large Lot be serviced by on-site sewer disposal systems, approved by the Board of Health pursuant to the Depart- Daniel ment of Health's Regulations. However, in the event that a developer wishes to be connected to the centralized sewer system at his expense he shall be allowed to do so.

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Residential Large Lot - Policy 4 - It shall be the intention of Council to establish a minimum required lot size in the areas designated Residential Large Lot of 20,000 square feet in the Land Use By-law.

Residential Large Lot - Policy 5 - It shall be the intention of Council where development lies adjacent to or within 25 metres of watercourses or water bodies to establish in the Land Use By-law a minimum required lot size of 40,000 square feet and a minimum required lot frontage of 150 feet.

Residential Large Lot - Policy 6 - It shall be the intention of Council to establish special provisions in the Land Use By-law with respect to tourist establishments, tourist related retail activity, tourist trailer park and campgrounds concerning abutting side yard requirements when these uses lie immediately adjacent existing residential or institutional uses.

Residential Large Lot - Policy 7 - It shall be the intention of Council in the area designated Residential Large Lot to allow the outdoor storage of fishing gear in an orderly manner on residential properties.

Residential Large Lot - Policy 8 - It shall be the intention of Council to establish provisions in the Land Use By-law with respect to livestock activities and their minimal distances from existing residential lot lines.

Residential Large Lot - Policy 9 - It shall be the intention of Council not to provide municipal services to the off-shore islands and a statement to this effect shall be written on all development permits issued for development on the off-shore islands.

3.4 Commercial Activity

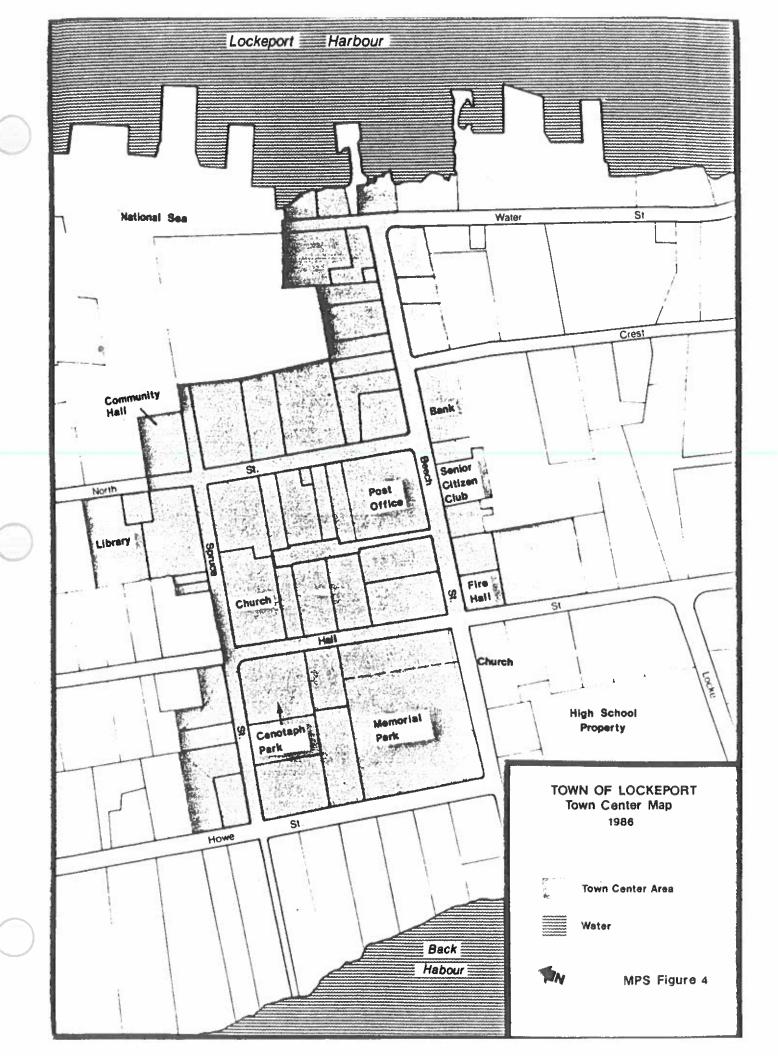
There are 29 commercial businesses in the Town. As stated in the 1977 MPS the scale and type of commercial activity is influenced by: the island like setting which restricts expansion; the relatively isolated geographical location from other commercial centres; and the small but stable population of the Town. The factors that have historically attributed to the lack of commercial development include: the increased mobility of residents allowing them to take advantage of goods and services available in Shelburne and Liverpool; the limited public parking areas; and the reduced variety of goods resulting from very little specialization in the various stores.

The general objective of the 1977 MPS still applies and it is — to encourage the revival and further development of Lockeport's commercial functions, particularly in the Town Centre area. The latter area contains the majority of the Town's businesses. It is situated on Locke's Island and generally defined by Spruce and Beach Streets to the north and south and by Water and Hall Streets to the east and west. But, also including Linda's Pizza Station on Hall Street behind the fire hall, the medical clinic and the former Savoury' Grocery store on Spruce Street and the block bounded by Beach, Howe, Spruce and Hall Streets. This area will be referred to as the Town Centre Area. (See Figure 4) This represents an expansion and consolidation of the 1977 MPS Town Centre area. This is the area eligible for project funding under the Provincial Mainstreet Program.

The Town Centre area is compact in form and has the potential for growth. The existing development includes: a bank, a pharmacy, a drugstore, a post office, a senior citizen club, an appliance store, a liquor store, a pizza station, a restaurant, a service station, a funeral home, a medical clinic, a clothing store, a general store, a branch of the Canadian Legion, a pool hall, the community centre and a dentist's office. The bank and pharmacy have been built since 1977 and the pizza station opened this year.

Unfortunately, the land (at the corner of Beach and North Streets) left vacant by a fire in 1975 has not attracted development to date. As an alternative, this site may provide the Town with a site for a public parking lot. Council should pursue this idea and seriously investigate the possibility of leasing this land for a public parking lot. Another possible site for a parking lot is behind the Pizza Station. There are also a number of vacant buildings in the Town Centre and Council should encourage new businesses to locate in these buildings. Filling in these store front gaps will be visually and economically beneficial to the Town Centre.

On the mainland, the existing commercial uses are spread out along Brighton Road. There is a general store at the southend and another general store and a service station at Page's Corner (the intersection of Brighton Road and Highway #3). In addition, since 1977 a property was re-zoned tourist commercial to accommodate a proposed motel. With respect to the latter only the foundation was built.



3.4.1 Commercial General Designation

It is Council's intention to designate the Town Centre area Commercial General on the Generalized Future Land Use Map. (Except for Memorial Park here the portion along Hall Street will be designated Commercial General and the remainder will be designated Open Space. See Open Space Policies 1, 8, 9, and In the Town Centre, the existing commercial uses, vacant commercial premises and vacant land will be zoned commercial general (C-1). This zone, will allow a wide range of business, commercial and retail uses and utilities. It will also permit residential dwellings above and/or at the rear of commercial buildings. The institutional uses in the Town Centre area with the exception of the Church and the Cenotaph Park will be zoned C-1. standing General - Policy 10 (page 10) the latter institutional uses along with the existing residential properties in the Town Centre will be zoned Residential General (R-1). The portion of Memorial Park along Hall Street will also be zoned C-2 as was the case in the 1977 Plan. This area is used for parking. C-1

Since the 1977 MPS there have been complaints from residents concerning the Land Use By-law setback and yard requirements in the Town Centre. It was felt that these were too restrictive considering the size of the average lot in the Town Centre. Council believes that these were too restrictive and that these requirements should be modified or removed subject to certain fire safety precautions and to vehicular safety at street intersections. One of the reasons for setback and yard requirements is to prevent fires from spreading. However, if a developer proposes to build fire walls to provincial fire standards it may be possible to eliminate side yard requirements.

On the mainland the existing commercial activities will be zoned commercial general (C-1). This will not include home occupations. In the 1977 MPS the ESSO Bulk Storage land along Brighton Road was designated and subsequently zoned in the Land Use By-law for industrial use. This land is no longer used by ESSO and evidently it is for sale. Therefore, it is Council's intention to designate and zone this property for general commercial use; however, Council will consider requests for industrial development on this property by amendment to the Land Use By-law subject to Implementation Policy 11.

A new type of commercial use not dealt with in the 1977 MPS is the video arcade. Council does not object to one or two amusement machines in a store. but, when it becomes the main use or one of the main uses, its hours of operation and nuisance feature have a detrimental impact on the surrounding uses. Therefore, it is Council's intention in the future to only allow amusement arcades (3 or more amusement machines and/or pool tables) in the areas of the Town designated commercial general by Development Agreements. In considering such agreements, Council should consider such things as the hours of operation, the maintenance of the premises and the proximity to local schools and churches.

With respect to the development of shopping centres in the area designated Commercial General such development will be considered by development agreement in accordance with the Planning Act. This will enable Council to consider each development on its own merits as it relates to the policies contained in this Strategy. In this instance, a shopping centre constitutes new development of one building on one lot involving one owner or group of owners and more than three commercial retail or office tenants.

As previously discussed in the Residential Designation Section, development proposals for commercial and offices uses in the areas designated Residential shall be considered by development agreements. (See Residential Policy 13, page 16.)

For properties in the Commercial General designated areas but not zoned commercial, Council will consider requests to re-zone these properties commercial (C-1) by amendment to the Land Use By-law subject to Implementation Policy 11. Requests for commercial zoning on lands immediately adjacent the commercial general designated areas will be handled by amendment to the Land Use By-law. (See Implementation Policy 8, page 46.)

Special provisions will also be set up in the Land Use By-law with respect of service stations. This is to ensure that there is safe access to and from the property.

Commercial General - Policy 1 - It shall be the intention of Council to designate the Town Centre area on Locke Island as Commercial General on the Generalized Future Land Use Map. (However, with respect to Memorial Park, this shall only include the portion that fronts along Hall Street.)

Commercial General - Policy 2 - It shall be the intention of Council to zone existing commercial uses, vacant commercial premises and vacant lots in the Town Centre area and the portion of Memorial Park that fronts Hall Street Commercial General (C-1). This zone shall permit as-of-right a wide variety of business, commercial and retail uses and residential dwellings units above and/or at the rear of Commercial buildings.

Commercial General - Policy 3 - It shall be the intention of Council to zone existing institutional uses in the Town Centre area (except for the church and the cenotaph property) Commercial General (C-1).

Commercial General - Policy 4 - Notwithstanding General - Policy 10 it shall be the intention of Council to zone the existing residential dwellings, the church and the cenotaph property in the Town Centre area Residential General (R-1).

Commercial General - Policy 5 - It shall be the intention of Council to designate on the mainland the existing commercial uses including the ESSO Bulk Storage land, Commercial General on the Generalized Future Land Use Map.

Commercial General - Policy 6 - It shall be the intention of Council to zone the existing commercial uses (including the ESSO Bulk Storage land) on the mainland Commercial General (C-1).

Commercial General - Policy 7 - It shall be the intention of Council to set up in the Land Use By-law special provisions with respect to automobile service stations.

Commercial General - Policy 8 - It shall be the intention of Council to establish special provisions such as reduced lot sizes and other lot standards, and INCLUDED the elimination of parking requirements in the Land Use By-law for Commercial our book AND LOIDING CPACE ACRUMENTS.

Commercial General - Policy 9 - It shall be the intention of Council to investigate and adopt if deemed appropriate sections of the National Building Code pertaining to fire walls. If these are adopted, the Land Use By-law shall be amended to remove the side and rear yard requirements for commercial uses in the Town Centre.

Commercial General - Policy 10 - It shall be the intention of Council to maintain and encourage measures to enhance the Town Centre area.

Commercial General - Policy 11 - It shall be the intention of Council in pursuing Commercial - Policy 10 to address but not be restricted to the following:

- encourage new commercial uses to locate in the existing Town Centre Area;
- investigate ways to create more off-street parking in the Town Centre Area:
- the maintenance of public spaces,
- encourage the maintenance of the Town Centre Area through:
 - the redevelopment of deteriorating or vacant properties,
 - the provisions of new public spaces, and
 - the establishment of sign controls and the prohibition of outdoor storage.

Commercial General - Policy 12 - It shall be the intention of Council to permit amusement arcades in the areas designated commercial general on the Generalized Future Land Use Map by development agreement pursuant to Section 55 of the Planning Act.

Commercial General - Policy 13 - It shall be the intention of Council to consider development proposals for shopping centres in the area designated Commercial General on the Generalized Future Land Use Map by agreement pursuant to Section 55 of the Planning Act.

Commercial General - Policy 14 - It shall be the intention of Council when evaluating a proposal under Commercial Policy 12 and 13 to consider the following matters where applicable:

- 1. The proximity of the proposed development to local schools and churches.
- The impact of the proposed development on:
 - (i) the existing residential uses in the area with particular regard to the use and size of the structure or structures that are proposed, buffering and landscaping, hours of operation for the proposed use (where applicable) and other similar features of the use and structure.
 - (ii) municipal services with particular regard to demands on the sewer system, fire protection, refuse collection and police protection.
 - (iii) pedestrian and motor traffic circulation with particular regard to ingress and egress from the site, traffic flows and parking areas.
 - (iv) proximity to schools and churches.
- 3. The submission of a site plan showing the location of the use and/or the structure or structures on the lot, parking areas and building plans showing the nature and design of the proposed use and/or structure.
- 4. The lot shall be large enough to ensure that adequate screening and land-scaping can be done.

<u>Commercial General - Policy 15</u> - It shall be the intention of Council that the development agreement under Commercial Policy 12 and 13 shall contain such terms and conditions that it feels necessary to ensure that the development is consistent with the policies of this MPS, to this end, the agreement shall include some or all of the following where applicable:

- The specific use of the land and/or use and size of the structure or structures if a new or an expansion of an existing structure or structures are proposed;
- Provisions for adequate buffering to screen the development from adjacent conflicting land uses;
- Any matter which may be addressed in a Land Use By-law, i.e. parking requirements, yard requirements;
- Time limits for the initiation of construction;
- 5. Establish the hours of operation and the maintenance requirements of the proposed use;

6. All other matters enabled by the Planning Act in Section 66 and 67.

Commercial General - Policy 16 - It shall be the intention of Council to consider requests to zone properties Commercial (C-1) in the area designated commercial General by amendment to the Land Use By-law subject to Implementation Policy 11.

Commercial General - Policy 17 - It shall be the intention of Council to consider requests to zone the ESSO Bulk Storage land Industrial (M-1) by amendment to the Land Use By-law subject to Implementation Policy 11.

3.4.1 Commercial Tourist Designation

On the mainland, the former tourist cabin property fronting the East Green Harbour Approach Road and the property with the motel foundation along Brighton Road will be designated Commercial Tourist on the Generalized Future Land Use Map. The properties will then be zoned Tourist Commercial (C-2). Permitted uses in this zone will include residential uses, motels, tourist trailer parks, campgrounds, tourist establishments and tourists cabins.

The old plan and by-law contained provisions for additional uses - namely retail uses wholly enclosed in a building. The specific uses were the selling of antiques, arts and craft objects, souvenirs, gifts and fish and seafood. These provisions will be kept. Also, small businesses, professional offices and home occupations will be allowed in the cabins presently used for residential purposes.

Commercial Tourist - Policy 1 - It shall be the intention of Council to designate the former tourist cabin property on the mainland along the East Green Harbour Approach Road and the property along the Brighton Road with the motel foundation Commercial Tourist on the Generalized Future Land Use Map.

Commercial Tourist - Policy 2 - It shall be the intention of Council to zone the lands designated Commercial Tourist on the Generalized Future Land Use Map Tourist Commercial (C-2). This zone shall permit uses such as residential uses, tourist cabins, motels, tourist trailer parks, campgrounds and tourist establishments. In addition it shall allow retail sales activities within wholly enclosed buildings for the following: antiques, arts and craft objects, fish and seafood, gifts and souvenirs.

3.5 <u>Industrial Activity</u>

Lockeport's primary economic function is that of a fishing port. Council recognizes that the future of this industry is subject to a host of external conditions which can not be dealt with by a MPS. Nonetheless, Council will deal with the matters it can address to establish a positive climate in which the industry can operate.

The dominance and the importance of the fishing industry and the benefits the Town derives from it are recognized. Still Council acknowledges the need to diversify its economic base to provide new jobs to keep its young people in

the Town. The activity with the most potential is tourism and Council intends to pursue tourist development whenever economically feasible and whenever such development does not conflict with existing land uses.

Fishing and related activities are centred on Locke's Island along the harbour in the area along Water Street (eg. National Sea and Pierce Brothers), and on the government wharves. These areas shall be designated Industrial on the Generalized Future Land Use Map. This will also include vacant lands owned by Pierce Brothers along Water Street. These lands will subsequently be zoned Industrial General (M-1). In addition, as was the case in the old plan and Zoning By-law, the existing industrial uses on John Street and South Street shall be zoned Industrial General (M-1) but designated residential. This will allow these uses to continue but prevent the expansion of industrial activity The M-1 Zone will allow fish and marine into adjacent residential lands. related industrial uses and general industrial uses. Provisions concerning loading spaces, yard requirements, outdoor storage, buffering, parking, and lot size requirements will be included in the Land Use By-law to apply to the expansion or development of new industrial uses. Also lot requirements for development on the Government Wharves will be waived.

Council recognizes that with two exceptions existing industrial activities have been designated and subsequently zoned for industrial use. To accommodate future industrial development Council intends to permit industrial development by amendment to the Land Use By-law in the areas designated Residential Large Lot and in lands immediately adjacent the areas designated Industrial on the Generalized Future Land Use Map. These amendments will be subject to a number of criteria concerning the compatibility with adjacent uses, the impact of the proposed development on the natural environment, and to the general criteria Council looks at when amending the Land Use By-law (Implementation Policy 11, Page 47.) In addition, on Locke Island proposed industrial development should be connected to the centralized sewer system for sanitary wastes only.

The 1977 MPS recognized that the open storage of fishing gear, barrels and lobster traps in the residential sector is unique and an acceptable feature of a fishing community. This generally can be accommodated in side and rear yards of residential dwellings without severely disrupting the character of residential areas. But, in other cases it is recognized that there may be a need for storage buildings on separate lots. These were allowed in the 1977 MPS as long as such buildings were not out of scale with adjacent areas. Council does not intend to change this approach. (This is covered by the Private Garage General Provisions of this MPS.)

Scrapyards, salvage yards and auto body repair shops (other than at a service station) will be permitted uses in the Industrial General (M-1) zone. These uses will be permitted only by amendment to the by-law in areas designated Residential Large Lot and special provisions will be established in the Land Use By-law with respect to these uses.

<u>Industrial - Policy 1</u> - It shall be the intention of Council to encourage the expansion and diversification of industry in Lockeport while ensuring that such expansion does not conflict with other land uses.

<u>Industrial - Policy 2</u> - It shall be the intention of Council to designate on Locke Island the industrial land along Water Street and at the wharves Industrial on the Generalized Future Land Use Map.

<u>Industrial - Policy 3</u> - It shall be the intention of Council to zone the lands designated Industrial on the Generalized Future Land Use Map Industrial General (M-1). This zone shall allow as-of-right fishing and marine related industrial uses and general industrial uses excluding fish reduction plants.

Industrial - Policy 4 - It shall be the intention of Council to designate the industrial lands along John and South Streets Residential General but to zone them Industrial General (M-1).

Industrial - Policy 5 - It shall be the intention of Council to permit new industrial uses in lands adjacent the areas designated Industrial and in areas designated Residential Large Lot on the Generalized Future Land Use Map by amendment to the Land Use By-law provided:

- a) that all the applicable criteria of Implementation Policy 11 have been taken into consideration.
- b) that the proposed development does not infringe on adjacent residential, institutional or recreational areas or are incompatible by reason of noise, appearance, traffic generated, odour or outdoor storage.
- c) that waste products do not have a detrimental impact on the natural environment.
- d) that the proposed developments on Locke Island are connected to the centralized sewer system for sanitary wastes only.

<u>Industrial - Policy 6</u> - It shall be the intention of Council to include provisions in the Land Use By-law concerning buffering, parking, outdoor storage, yard requirements, lot size and loading space requirements for industrial activities.

<u>Industrial - Policy 7</u> - It shall be the intention of Council to allow scrap yards, salvage yards and auto body repair shops in the area designated Residential Large Lot by amendment to the Land Use By-law and subject to the provisions of Industrial Police 5.

<u>Industrial - Policy 8</u> - It shall be the intention of Council to set up provisions in the Land Use By-law concerning abutting yard requirements and buffering particularly along public road frontages for scrapyards, salvage yards and auto body repair shops.

3.6 Open Space and Recreational Activity

Despite the fact that institutional uses will be permitted in all land use zones to be established in the Land Use By-law Council will designate the beaches, the sports field, Rood's Head Park and Memorial Park (except the portion that abuts Hall Street), the provincial salt water pumping station and the sewage treatment plant Open Space on the Generalized Future Land Use Map. These lands are either owned by the Town or another level of government. These lands in turn will be zoned Open Space and Recreation (OS-1). The intent is to allow a limited range of development. This designation and subsequent zone will also include tourist camping and tourist trailer parks in order to facilitate the development of a campground on public land which would be of benefit to the Town.

Crescent Beach is a listed provincial Beach which means that no development can occur on the beach without the approval of the Provincial Department of Lands and Forests. A picture of the beach once appeared on the back of the fifty dollar bill. The stabilization of the dunes on the beach is a continual concern of Council. Stabilization efforts have included fencing and the planting of grass. Council will continue to work with the appropriate officials to do whatever it can to maintain the dune structure.

Rood's Head Park, located at the south end of Locke's Island, was donated to the Town by two private citizens so long as the lands remained a public park. The park has picnic facilities. The other park on Locke's Island is Memorial Park. By legal injunction residents are not allowed to play ball on this park; however, it does have several pieces of playground equipment, a horse shoe pitch, a speaker's platform and several picnic tables.

Along the shoreline on Locke's Island between South Street (which extends to the beach) and the salt water pumping station there is a property whose owner is unknown. This property was once put up for sale in a tax sale but was not sold. This land could assist the Town in the possible long term shoreline link up of Crescent Beach and Rood's Head Park. Therefore, the Town should investigate the possible purchase of this property. Should the property be acquired, it should then be re-zoned OS-1.

Council recognizes that Memorial Park is one of the few relatively large undeveloped parcels of land on Locke Island that is centrally located, serviced and has public road frontage. In this context it has the potential to be developed to a higher use. Council does not want to allow intensive development to occur as-of-right on the land; hence it is being zoned open space. But, Council is prepared to consider development proposals for commercial and office uses for the land by development agreement. Council recognizes again that such development may be in the best interests of the Town by upgrading and ensuring the long term vitality and well being of the Town. Such proposals would have to take due care toward the immediately adjacent residential uses in terms of its compatibility with respect to such things as scale, bulk, height, proposed use, traffic generated, screening and/or buffering and out-Before considering a development agreement the Planning Act door storage. stipulates that a public hearing must beheld. This allows local residents to comment on the proposed development. In essence, the feeling is that if the park were to be developed Council would like to see a quality development that is cognisant of its location and the surrounding uses.

Recreational leisure and cultural activities are a key ingredient to the enhancement of the quality of life within the Town. To this end Council recognizes the need for continual support of the Lockeport Recreation Commission. The latter is responsible for providing recreation facilities and programs within the Town and employs a full time recreation director. The Commission offers a variety of active and passive recreational activities for people of all ages. The Town is also fortunate to have a library, a museum, a high school gymnasium (once it is repaired), a senior citizen's club and a community centre. The latter has had new kitchen facilities installed which will increase its use. The building also serves as the Town Hall and an office has recently been renovated for a dentist.

In terms of outdoor sports activity since 1977 a sports field has been built adjacent the elementary school. This includes bleachers and an canteen. It serves the Town and the surrounding community and is the focal point of athletic activity. In the winter outdoor skating is available at the south end of Hall Street. Minor hockey teams use the in-door rink in Shelburne.

Open Space - Policy 1 - It shall be the intention of Council to designate existing parks (except the portion that abuts Hall Street), the causeway linking Locke Island to the mainland, the sports field, the Provincial Salt Water Pumping Station and the Sewage Treatment Plant as Open Space on the Generalized Future Land Use Maps.

Open Space - Policy 2 - It shall be the intention of Council to zone the lands designated Open Space as open space and recreation, (OS-1). This zone shall allow a range of active and passive recreational and sports activities and it shall allow tourist camping and tourist trailer parks.

Open Space - Policy 3 - It shall be the intention of Council to investigate the possible acquisition of a shoreline property north of Rood's Head Park that was not previously sold in a tax sale. If the property is acquired by the Town it should be re-zoned OS-1.

Open Space - Policy 4 - It shall be the intention of Council to continue to support the Lockeport Recreational Commission.

 $\frac{\text{Open Space - Policy 5}}{\text{development of tot lot}}$ - It shall be the intention of Council to pursue the

Open Space - Policy 6 - It shall be the intention of Council to support and promote recreational, leisure and cultural activities for all residents of the Town.

Open Space - Policy 7 - It shall be the intention of Council to maintain a dialogue with the Provincial Department of Lands and Forests concerning the stabilization of the dunes on Crescent Beach.

Open Space - Policy 8 - It shall be the intention of Council to consider development proposals for commercial and office uses for Memorial Park that are in the best interest and well being of the Town by development agreement pursuant to Section 55 of the Planning Act.

Open Space - Policy 9 - It shall be the intention of Council when evaluating a proposal under Open Space Policy 8 to consider the following matters:

- The impact of the proposed development on:
 - (i) the existing residential uses in the area with particular regard to the use and size of the structure or structures that are proposed, buffering and landscaping, hours of operation for the proposed use (where applicable) and other similar features of the use and structure.
 - (ii) municipal services with particular regard to demands on the sewer system, fire protection, refuse collection and police protection.
 - (iii) pedestrian and motor traffic circulation with particular regard to ingress and egress from the site, traffic flows and parking areas.

- 2. The suitability of other sites in the Town zoned for the proposed use.
- The submission of a site plan showing the location of the structure or structures on the lot, parking areas and building plans showing the nature and design of the proposed structure.
- 4. The lot shall be large enough to ensure that adequate screening and land-scaping can be done.
- 5. The compatibility of the structure in terms of exterior materials used, scale and appearance with adjacent residential uses.

Open Space - Policy 10 - It shall be the intention of Council that the development agreement under Open Space Policy 8 shall contain such terms and conditions that it feels necessary to ensure that the development is consistent with the policies of this MPS, to this end, the agreement shall include some or all of the following where applicable:

- The specific use of the land and/or use and size of the structure or structures if a new or an expansion of an existing structure(s) is proposed;
- 2. Provisions for adequate buffering to screen the development from adjacent conflicting land uses;
- 3. Any matter which may be addressed in a Land Use By-law, i.e. parking requirements, yard requirements;
- 4. Time limits for the initiation of construction;
- 5. Establish the hours of operation (where applicable) and the maintenance requirements of the proposed use;
- 6. All other matters enabled by the Planning Act in Section 66 and 67;

Open Space - Policy 11 - It shall be the intention of Council to consider requests to zone land Open Space and Recreation (OS-1) in the areas designated Residential General by amendment to the Land Use By-law subject to Implementation - Policy 11.

3.7 <u>Municipal Services</u>

3.7.1 Sewer and Water

Prior to 1980 there had been a number of problems related to sewer and water servicing for the Town. All domestic and industrial sewage had been handled through on-site systems which, because of the density of the population, caused ground water contamination and sewage pollution in the harbour. Since water services were also on-site, this created a potentially serious health hazard.

The solution to may of these problems came in 1980. During that year, the Town had installed a complete sanitary sewer system including a sewage treatment plant located at Sams Point. The system was installed on both the island and mainland portions of the Town. It has enough reserve capacity to handle any anticipated future demand. This work has relieved many of the more pressing issues related to the sewer servicing, particularly those associated with health and safety.

The Town has adopted a Sewer By-law to regulate the sanitary sewer system. An important element of this by-law is the provision that all buildings within 100 feet of a sanitary sewer line be connected to it. If a building is more than 100 feet from a line it is not mandatory to be connected. As a consequence of this provision there are several dwellings on Locke's Island that are not connected. These units and any new buildings constructed on Locke's Island more than 100 feet from a line should be encouraged to connect to the sanitary sewer to minimize any threats to public health and safety and to reduce per unit servicing costs of the sewerage system.

On the mainland due to topography and/or the costs of servicing, a number of dwellings in areas designated Residential on the Generalized Future Land Use Map were not connected to the sewer system. In the areas designated residential large lot all development shall occur on septic sewer disposal systems.

When septic systems are used the minimum required lot size shall be larger than that for development connected to the centralized sewer. In addition, the systems shall be subject to the approval of the Board of Health pursuant to the Department of Health's Regulations.

Centralized water services, however, are still largely non-existent. As mentioned before, all domestic water in the town is supplied through individual wells. Problems with adequate supply are ever present with this type of system, particularly during long periods of dry weather. The fresh water needs of the Town's two fish processing plants were accommodated in 1981 by the Provincial Department of Environment. They installed a fresh water transmission line and treatment facilities from a source at Hayden Lake (outside the Town boundary). Although the system was originally designed to accommodate

future expansion throughout the Town, to date National Sea Products has been connected to the line and they are using the total capacity of the system. The Community Centre has been connected to the system and it is possible that in the future the Post Office and the 2 schools will also be connected.

The remaining fish plants should be encouraged to connect to this fresh water system. Though, it is recognized that additional users may necessitate a major expansion of the system by the Department of Environment. (In addition, the two large fish plants are served by a piped system that brings fresh salt water from the Rood's Head Park area to the plants. Again, this was provided by the provincial government.)

The installation of the fresh water system for industrial users is another sign of confidence in the long term economic future of the community as a fish processing centre.

Domestic water supply is still an issue for the Town. Using Hayden Lake as a potential source, a feasibility study should be conducted investigating all aspects of fresh water servicing for the entire community. Things to be looked at would include water quality and quantity, the capacity of the existing transmission line, costs of development (including upgrading the treatment facilities and reservoir and installation of a distribution network), potential sources of financial assistance, and required revenue from water rates to support the operating and financing costs.

With such a study at hand, the Town could make an informed decision as to the direction it would like to take with regards to domestic water servicing.

Lockeport has not experienced a great deal of subdivision activity and because of this the Town does not feel it is necessary to adopt a subdivision by-law. It is recognized, however, that if subdivision activity increases, then Council should give serious consideration to adopting a subdivision by-law. Such a by-law can clearly establish who pays for the extension of the sanitary sewer lines and/or the construction of subdivision roads.

At this time the Town does not have a policy concerning the extension of the sanitary sewer. The issue has never arisen and until demand warrants otherwise Council shall deal with requests on an individual basis.

It is also recognized that as residential in-filling opportunities diminish the Town may wish to investigate the possibilities of opening up more serviced land by bearing the costs of sewer extensions to encourage new development.

<u>Municipal Services - Policy 1 - It shall</u> be the intention of Council to encourage those residents on Locke's Island who are not connected to the centralized sanitary sewer to do so.

Municipal Services - Policy 2 - It shall be the intention of Council to encourage all new development more than 100 feet from a sewer line in the areas designated Residential General on the Generalized Future Land Use map to be connected to the Centralized Sewer System.

<u>Municipal Services - Policy 3</u> - It shall be the intention of Council to seriously investigate adopting a subdivision by-law if subdivision activity experiences a noticeable increase.

Municipal Services - Policy 4 - It shall be the intention of Council when infilling opportunities diminish to investigate the possibility of funding the extension of the sanitary sewer line in order to open up new land for development within the Town.

<u>Municipal Services - Policy 5 - It shall</u> be the intention of Council to encourage all the fish processing plants in the Town to connect to the existing fresh water supply system.

<u>Municipal Services - Policy 6</u> - It shall be the intention of Council as industrial, institutional or major commercial development warrant it to approach the Provincial government concerning the expansion of the fresh water system's capacity.

Municipal Services - Policy 7 - It shall be the intention of Council to continually pursue with the appropriate senior government departments the expansion of the existing fresh water system to include domestic coverage of the Town provided the costs do not place undue hardships on neither the Town nor its residents. More specifically it shall be the intention of Council to urge that a feasibility study be undertaken to investigate all aspects of fresh water servicing for the entire community.

3.7.2 Police and Fire Protection

Police protection for the Town is provided by the RCMP from their detachment in Shelburne. A total of 40 man hours per week are devoted to the Town based on a contractural agreement made between the RCMP, the Attorney General of Nova Scotia and the Town of Lockeport. Ideally, the Town might benefit from having its own detachment but high costs and a low crime rate make this option impractical. Nevertheless, Council feels it should pursue the idea of having a member of the RCMP detachment live in the Town. Furthermore, the Town owns a residential dwelling on Howe Street which might be made available for a member of the RCMP. Also, the Police should be encouraged to conduct more frequent foot patrols in the Town.

Fire protection is a particularly important service for the Town. Fire has been the cause of a great deal of economic and emotional hardship in the past. The Town has a 30 man force and two pumper trucks at the present time. The main issues here centre around the need for a new fire hall and the number and location of fire hydrants. A new fire hall has been a pressing need for some time. The present facility is inadequate both in terms of available space and building condition. The construction of a new fire hall is a high priority of Council. When a new building is built, the existing fire hall will become redundant; therefore, Council should give serious consideration to the possible future use of the property. Fire hydrants are essential for effective fire fighting. At present there are 12 fresh water and 2 salt water hydrants in the Town. These hydrants cover about one half of the Brighton and Locke Island areas. This issue is closely tied to the central water issue and cannot be totally resolved until central water services are installed.

Municipal Services - Policy 8 - It shall be the intention of Council to support the continued maintenance of police protection by the RCMP under the terms of the existing agreement.

<u>Municipal Services - Policy 9</u> - It shall be the intention of Council to lobby the appropriate officials to have a member of the RCMP detachment reside in the Town.

<u>Municipal Services - Policy 10</u> - It shall be the intention of Council to monitor, from time to time, the adequacy of police protection in Lockeport and when deemed necessary take action to amend the existing agreement.

<u>Municipal Services - Policy 11 - It shall be the intention of Council to encourage the RCMP to include more foot patrols in their services to the Town.</u>

Municipal Services - Policy 12 - It shall be the intention of Council to endeavour to ensure an adequate water supply for fire fighting purposes including improving means for access to sea water and ensuring that all fire water pumps have an independent power supply. When a new water supply is made available to the Town, Council shall ensure that sufficient water for fire fighting purposes is made available from that supply.

<u>Municipal Services - Policy 13 -</u> It shall be the intention of Council to encourage and support the continued upgrading of the volunteer fire force through training programs.

<u>Municipal Services - Policy 14 - It shall</u> be the intention of Council to establish building standards in the Town which will improve fire safety. This can be accomplished by adopting The National Building Code.

3.7.3 Garbage Collection

Garbage collection for Lockeport is handled on a contract basis. All garbage collected is taken to the incinerator located in the Municipality of Shelburne. This method of operation appears to be satisfactory and therefore should be continued.

<u>Municipal Services - Policy 15</u> - It shall be the intention of Council, from time to time, to monitor garbage collection in the Town to ensure that the Town's needs are being met.

3.7.4 Education

There are two schools in Lockeport, the Lockeport Elementary and the Lockeport Regional High School. Both schools are administered through the new Shelburne County District School Board with offices in Barrington and the Town of Shelburne. Education was formerly the sole responsibility of the Town. 1984 enrollment figures show the elementary school to have 164 pupils and the high school to have 235 pupils. Apart from minor fluctuations from year to year, these enrollment figures are remarkably stable.

The most important issue related to education in Lockeport is the condition of the buildings themselves and the use that can be made of them. The high school facility has gradually been allowed to run down to its present state of alarming disrepair. The Provincial Department of Education has committed itself to bringing the building back to an acceptable standard. The Provincial government has allocated \$2.2 million for the upgrading.

Both the elementary school and, once repaired, the high school offer the Town of Lockeport excellent facilities for adult education, recreation and craft training opportunities. The Town should take advantage of their opportunities and encourage its citizens by continuing to offer a wide variety of recreational and educational programs.

Municipal Services - Policy 16 - It shall be the intention of Council to monitor educational requirements and to liaise with the Shelburne County District School Board to encourage the provision of education facilities and programs for residents as the need arise.

Municipal Services - Policy 17 - It shall be the intention of Council to specifically pursue through the District School Board the continual maintenance and upkeep of the schools in the Town.

3.8 Transportation

3.8.1 Road Network

Development of Locke Island has a 'pedestrian scale' in that the area appears to be built for pedestrian movement. Everything is within walking distance. This is a historical legacy. It gives Locke's Island and the Town a distinct quality. The narrow streets cannot be and should not be turned into 66 foot rights-of-way; hence, the Town must operate within the physical constraints and attempt to provide the road network and parking wherever physically and economically possible.

The key issues are parking and truck traffic on Locke Island.

For parking in general Council recognizes the need to establish requirements for off-street parking spaces for various different land use activities. Appropriate provisions will be included in the Land Use By-law.

As for parking in the Town Centre there is no quick solution to the problems there. The 1977 MPS mentioned the possibilities of restricting parking on certain streets and/or implementing a one-way street system. Restricting on-street parking along a number of streets has been investigated but it requires two things to be successful-strict enforcement of parking violations and alternate off-street parking areas. On the other hand a one-way street system does not appear to be feasible given the size of the Town, the volume of traffic involved and the disruption it would create. In this instance, the cure appears to be worst than the illness.

Shoppers in Lockeport like to park right in front of the shop they plan to visit. It has been said people park in front of the Post Office to go to the Post Office and then park in front of the bank to go to the bank. This seems reasonable except that the two buildings are literally 'kiddy corner' from each other. This social habit may be difficult to change though it is a major component of the 'parking problem' in the Town Centre.

There are a number of 'partial solutions' that would improve the parking situation. These require both the co-operation and the willingness and desire of merchants in the area and the Town to do something. First, the vacant land at the corner of Beach and North Streets opposite the bank might be leased and developed as a public parking lot. Secondly, Beach Street in front of the Post Office might be widened to create a 'lay by' that would allow several cars to park parallel to the street but not in the actual street right-of-way. The latter would involve moving the steps at the Post Office entrance and constructing a new walkway besides moving the electrical pole at the corner. A third option might be to lease the vacant land behind the Senior Citizen Club on Beach Street and develop the land into a parking lot with vehicular access from Hall Street and pedestrian walkways onto Beach Street. Council should pursue these options with the appropriate officials. Funding for these projects might be available through the provincial government's Mainstreet Program.

Another less costly approach is for the area merchants and their employees to refrain from parking on the street in front of businesses. They could utilize parking facilities on Hall Street (opposite the service station). The latter is slightly less than 125 feet away but this distance may be perceived as being too far away.

In the long term, the Town ideally should consider purchasing or leasing land near the Town Centre for parking purposes. However, it is recognized that the Hall Street parking area is seldom used so it may be very optimistic to assume that other parking areas a similar distance away might be used.

Turning to truck traffic the issue of whether or not a truck route should be designated within the Town has been reviewed. Unfortunately, there is no main truck route. For example, when the National Sea fish plant was rebuilt a part of Water Street was closed and the plant was built over part of the old street. As a consequence the plant is laid out in such a fashion that there are three separate truck loading areas. Each one involves a different route through Town. Therefore, it is difficult to designate a truck route on Locke Island without designating most of the streets in the Town Centre and this realistically will accomplish very little. Truck traffic and the traffic difficulties it creates might best be minimized by a combination of off-street parking facilities and restricted parking along some streets in the Town Centre. This would remove parked vehicles along some streets and facilitate the movement of trucks on the narrow streets. A less drastic option in the meantime is to clearly mark the existing routes to the fish plants. Council should work together with the fish companies to achieve this.

There are also a number of things that could be done to improve the general safety of the road network. For example, there are a number of intersections on Locke Island where it would be sensible to move the power poles back from the corner. This would improve vehicular turning and improve sight lines for drivers. It is also recognized that as a result of the narrow streets in the Town, vehicular driver sight lines at intersections should be maintained and/or improved.

Vehicular movement and safety in particular could also be improved at the intersection of Hall and Beach Streets if a new fire hall is built on a new site. The existing fire hall property could be used to improve the intersection by providing a right turning lane from Hall Street onto Beach Street.

Another minor road improvement that might be contemplated concerns Water Street. Traffic on this street is much improved since the railway tracks were removed; though the odd truck does block traffic and at times the street is treated like a private road. Street markings indicating no parking areas, loading areas and the street right-of-way could visually establish the fact that Water Street is a public street. Efforts should also be made to see that the street is not blocked because of the need for alternate fire routes through the Town.

If the pace of development substantially increases Council recognizes that it must then give serious consideration to adopting a subdivision by-law. Such a by-law can establish road construction standards for subdivisions roads and it can establish who is responsible for assuming the costs of construction.

<u>Transportation - Policy 1 - It shall</u> be the intention of Council to establish requirements in the Land Use By-law for off-street parking spaces for various different types of land use activities.

Transportation - Policy 2 - It shall be the intention of Council to monitor the need for parking in the Town Centre and where economically feasible lease or purchase land for parking purposes; and more specifically -

- it shall be the intention of council to investigate and pursue with the area merchants the possible development of a public parking lot at the corner of North and Beach Street opposite the bank building;
- it shall be the intention of Council to approach the appropriate Post Offices officials concerning the possibility of improving parking at the entrance to the Post Office; and
- it shall be the intention of Council to encourage merchants and their employees in the Town Centre not to use parking spaces in front of stores.

Transportation - Policy 3 - It shall be the intention of Council if a new fire hall is built to investigate the possibility of using the existing property to improve the intersection of Hall and Beach Streets by providing a right turning lane from Hall Street onto Beach Street.

Transportation - Policy 4 - It shall be the intention of Council to monitor truck traffic and to investigate safe and practical means of minimizing traffic disruption (including the clear marking of existing routes to the fish plants).

<u>Transportation - Policy 5 - It shall</u> be the intention of Council to improve the safety of a number of intersections on Locke's Island by encouraging the appropriate officials to move power poles back from the corners on which they impinge.

<u>Transportation - Policy 6 - It shall be the intention of Council to establish provisions in the Land Use By-law with respect to lines of vision at street intersections to improve both vehicular and pedestrian safety.</u>

<u>Transportation - Policy 7 - It shall be the intention of Council to investigate the need for more sidewalks in Lockeport.</u>

Transportation - Policy 8 - It shall be the intention of Council to maintain and upgrade existing streets giving regard to minimum standards of construction and safety including such matters as property drainage and sufficient width for two cars to pass on most sections of a street, particularly on crests of hills or curves.

Transportation - Policy 9 - It shall be the intention of Council when the level of development warrants it to investigate the possible adoption of a subdivision by-law which would establish road construction standards for proposed roads and would establish who pays for the construction of any proposed roads.

<u>Transportation - Policy 10 - It shall</u> be the intention of Council to monitor road safety on lown roads and on Provincial Highways within the Town and when necessary make the improvements or request the Provincial Department of Transportation to make the improvements.

3.8.2 Rail Transportation

Since 1977 the railway line has been abandoned and the tracks removed. In 1981 the Town acquire the C.N.R. right-of-way along Water Street to the intersection of Upper Water Street. The tracks were removed and the section south of National Sea paved to improve vehicular movement. Additionally, a section of Water Street between Beach and Upper Water Streets was closed to enable National Sea to rebuild its plant.

The Town also acquired the remaining section of the C.N.R. right-of-way on Locke's Island including the bridge and about 600 feet of right-of-way on the mainland. This section has since been developed into a pedestrian walkway linking the north end of Locke Island with the mainland. What will be done with the rest of the right-of-way on the mainland is not known. However, in the very long term Council may wish to consider it's potential for a road to facilitate the development of adjacent vacant lands.

3.8.3 Water Transportation

Water transportation is another important issue for the Town. Jurisdiction, however, falls mainly to the federal government. To that extent, Council should establish a policy of continued dialogue with the federal authorities to ensure proper maintenance of the harbour and port facilities.

Transportation - Policy 9 - It shall be the intention of Council to investigate from time to time the need for harbouring dredging and government wharf regulations and to make appropriate representation to the federal Departments of Transport and Public Works, Environment Canada, and other agencies as necessary to get action.

3.9 Tourism

There is potential to develop tourism within the Town. Lockeport is a compact fishing town located on the Scenic Lighthouse route and has one of the best beaches in the area. The beach, the fishing harbour and its heritage are untapped resources. Last year, about 2,000 tourists visted the Town's tourist information booth.

Tourists today want to experience something different. Lockeport should promote itself as offering the experience of a small fishing community steeped in history. Possible attractions to compliment this concept might be: deep sea fishing tours, tours through National Sea's fish plant, a craft shop, a walk along the wharves when the boats come in and a heritage walk through Locke's Island including the museum.

The possibility of developing a lobster supper or a fish supper should also be investigated. The latter could operate initially once a week or once a month. To attract bus tours, arrangements might be developed for chowder lunches. The lunches and suppers would probably be private endeavour's but church groups might try their hand as they have been very successful in other parts of the Maritimes.

Tourist pamphlets should also be developed to highlight the Town's assets and its history. For example, this might include a pamphlet outlining a walking tour of Locke's Island, a pamphlet outlining the history of the two very old cemeteries within the Town and a pamphlet outlining the strike in the 1930s.

The existing facilities within the Town include: a tourist information booth, a museum, a restaurant, a chip wagon, a pizza station and MacMillan Manor. National Sea runs tours of its plant during the summer and a private home offers bed and breakfast accommodations (The Driftwood). In addition, a resident has a private collection of antique cars which can be viewed by private appointment. Similarly, there are several antique collectors in Town with large personal antique collections and they might be approached with regards to showing these to tourists by private appointment.

There are, however, several obstacles in developing the tourist industry. These include the short tourist season, the Town's distance from major urban centres and its location 'off the beaten track' between Yarmouth and Halifax. One obstacle the Town might be able to address is the lack of a variety of tourist accommodations - namely, a small motel and a campground.

There is provincial funding available for developing tourist accommodations but the Province appears to be looking for large scale projects in the order of 50 units. This scale of development is not really feasible in Lockeport but a 6 to 8 unit motel (or tourist cabins) might be very successful. The latter could serve tourists during the summer and then be used by business people during the winter months.

Developing a small camping facility might also be very beneficial. It might be possible to develop a portion of Rood's Head Park as a campground. Therefore, tourist camping and tourist trailer parks should be permitted uses in the Open Space and Recreation (OS-1) Zone. Also, the picnic area on Crescent Beach might be expanded and upgraded to make it more visually attractive.

Provisions should be included in the Land Use By-law to permit guest homes in the Residential General (R-1) and Residential Large Lot (R-3) zones. In addition, other tourist establishments will be permitted in the R-3 zone subject to this compatibility with adjacent existing land use activities. Further provisions will be included to permit the former tourist cabins at the west end of Crescent Beach to operate as tourist cabins if the owner wishes to do so in the future. In this same context, tourist camping and tourist trailer parks will be permitted uses in the R-3 zone subject to special provisions in the land use by-law concerning buffering. (See Residential Large Lot - Policy 6, page 19.)

To provide a catalyst for such projects the Town might want to investigate the setting up of a development corporation or commission. It should be recognized that large projects would be nice but smaller projects each employing 2 or 3 residents may be more realistic and equally beneficial in the long run.

Council should also encourage the activities of the Historical Society and investigate the possibility of designating some of the Town's oldest buildings as heritage buildings under the Heritage Act. The Historical Society is presently undertaking an inventory of old buildings in the Town.

<u>Tourism</u> - <u>Policy 1</u> - It shall be the intention of Council to encourage and promote tourist facilities and activities to attract tourists to Lockeport.

Tourism - Policy 2 - It shall be the intention of Council to encourage the development of tourist brochures.

Tourism - Policy 3 - It shall be the intention of Council to investigate the possibility of setting up a development corporation or commission to promote tourism in Lockeport.

Tourism - Policy 4 - It shall be the intention of Council to explore the possibility of using a portion of Rood's Head park for a campground.

<u>Tourism - Policy 5</u> - It shall be the intention of Council to investigate the possibility of designating some of the Town's oldest buildings as heritage buildings under the Heritage Property Act.

Tourism - Policy 6 - It shall be the intention of Council to look into upgrading the picnic facilities on Crescent Beach.

Tourism - Policy 7 - It shall be the intention of Council to consider calling at appropriate times during the year a general meeting or meetings of people in the Town involved in Tourism.

<u>Tourism - Policy 8 - It shall be the intention of Council to support the South Shore Tourist Association.</u>

4. Implementation

This section is the most important part of the Municipal Planning Strategy (MPS). Without adequate implementation the policies in this document have little meaning. This section and its policies will describe how the policies in the MPS will be put into effect.

4.1 The MPS and Other Pertinent By-laws

The Municipal Planning Strategy (MPS) is the prime policy document providing the framework by which the future growth and development of Lockeport will be encouraged, controlled and co-ordinated. The majority of the MPS policies deal with land use matters and the principal mechanism for implementing these policies is the Land Use By-law. Other pertinent by-laws are the Sewer By-law, the Unsightly Premises By-law and the Minimum Maintenance By-law. Some MPS policies, however, deal with administrative matters and programs, for example identifying areas for further investigation, study and/or consultation. These administrative policies are left up to Council to pursue.

Implementation - Policy 1 - It shall be the intention of Council that the Municipal Planning Strategy (MPS) for the Town of Lockeport shall be the prime policy document providing the framework by which the future growth and development of the Town and the delivery of public services shall be encouraged, controlled, and co-ordinated. The policies of the MPS shall be implemented through the powers of Council as provided by The Planning Act, The Towns Act and other statutes that may apply.

Implementation - Policy 2 - It shall be the intention of Council that all the sections of this document, all the appendices and all associated maps shall constitute the Municipal Planning Strategy (MPS) of the Town of Lockeport.

Implementation - Policy 3 - It shall be the intention of Council to regulate the appearance and maintenance of properties in the Town by enforcing the Dangerous and Unsightly premises By-law and the Minimum Maintenance By-law.

4.2 The Development Officer and the Planning Advisory Committee

The Town's development officer will be responsible for administering the MPS and the LUB working in consultation with the Town's Planning Advisory Committee (PAC), the public and appropriate provincial government agencies as may be required. The PAC may also, with Council's concurrence, undertake planning studies into matters such as tourism and downtown parking. In essence, the planning process does not come to an abrupt end with the adoption of the MPS and its implementing Land Use By-law.

Implementation - Policy 4 - It shall be the intention of Council that the Development Officer appointed by Council be responsible for the administration of the Land Use By-law and Development Agreements and shall issue or deny permits under the terms of the Land Use By-law.

Implementation - Policy 5 - It shall be the intention of Council in addition to employing specific implementation measures to maintain an ongoing monitoring and planning process through its Planning Advisory Committee.

Implementation - Policy 6 - It shall be the intention of Council where outside technical advice or assistance is required to circulate applications for Land Use By-law amendments to appropriate provincial government agencies for their information and comment or their approved as may be required.

4.3 Amending the MPS

The 1977 MPS was amended once and that was in 1984. The amendment allowed Council to consider development proposals for commercial and office uses in areas designated residential by development agreement.

There are 3 circumstances when an amendment to an MPS is required. The first two are when there is a desire to change the intent of any policy; and when a zoning amendment will violate the Generalized Future Land Use Map and the changes shown to be beneficial by appropriate study. In this latter case, the Map is amended. For example, the area designated Commercial on the Map might be expanded. The third circumstance is when further studies such as a water table study might make recommendations that would require changes to existing MPS policies. (A possible 4th instance would occur if the Province adopted a Provincial land use policy that conflicted with the Town's MPS. The Town would then have to amend its plan to conform with the Provincial policy.)

The procedure for amending an MPS is detailed in the Planning Act. But basically, it involves notifying adjacent municipalities and the Minister of the Department of Municipal Affairs that the Town is considering amending its MPS. Then, some form of public participation is required. In Lockeport, this usually means an information meeting to advise residents of the proposed change and to hear their comments on it. Then, there is a public hearing which must be duly advertised in accordance with the requirements of Section 42 of the Planning Act. After the public hearing, Council makes a decision. If Council approves the amendment, it requires the approval of the Minister of Municipal Affairs. The Minister has 60 days to comment on the MPS amendment.

There is one important situation when a MPS amendment is not required. This is often called the flexibility clause. This concerns the area of land immediately adjacent a given land use designation on the Generalized Future Land Use Map. In this instance, that land may be re-zoned to a zone established for that adjacent land use designation provided the intentions of all other pertinent MPS policies are adhered to. For example, Council may consider a request to re-zone from R-1 (Residential General) to C-1 (Commercial General) a parcel of land in the Residential General designation but immediately adjacent the Commercial designation on the Generalized Future Land Use Map provided all other pertinent MPS Policies are adhered to.

Implementation - Policy 7 - It shall be the intention of Council that an amendment to this MPS shall be required where any policy is to be changed; where any amendment to the Land Use By-law would violate the Generalized Future Land Use Map; or where the MPS is in conflict with applicable provincial land-use policies or regulations and all MPS amendments shall require ministerial approval in accordance with the Planning Act.

Implementation - Policy 8 - It shall be the intention of Council notwithstanding Implementation - Policy 7 that areas immediately adjacent to a land use designation on the Generalized Future Land Use Map may be considered by amendment to the Land use By-law for a use permitted in the adjacent land use designation without amending the MPS and provided that all other relevant MPS policies are satisfied.

4.4 MPS Review

Council recognizes that the economic and social environments in which we live in are not static but always changing. Not all these changes can be anticipated; hence, the MPS should be reviewed at least every 5 years. It can also be reviewed and/or amended earlier if deemed appropriate.

Implementation - Policy 9 - It shall be the intention of Council that this MPS shall be reviewed not later than five years from its coming into force or from the date of the last review; in addition, this MPS may be reviewed when either the Minister of Municipal Affairs or Council deems it necessary.

4.5 The Land Use By-law

The Land Use By-law is the principal means through which the vast majority of the policies in this MPS are implemented. It sets out zones, permitted uses for these zones, requirements for development agreements and development standards that reflect the policies of this MPS.

Implementation - Policy 10 - It shall be the intention of Council that the Land Use By-law shall be the principal means for implementing the land use policies of the MPS in accordance with the Planning Act.

4.6 Amending the Land Use By-law

There are two types of Land Use By-law amendments: text amendments (eg. changes to a definition); and, zoning map amendments (eg. re-zoning a property from R-1 to R-3 on the zoning map).

The required procedure for amending a Land Use By-law is detailed in the Planning Act. Essentially, however, adjacent municipalities and the Minister of Municipal Affairs must be notified and there must be a duly advertised public hearing (See Section 42 of the Planning Act). If Council then approves the amendment the Director of the Community Planning Division must be notified of this decision and as well an ad must be placed in a local paper giving notice of Council's decision.

An amendment does not come into effect until an appeal period has elapsed or any appeal has been disposed of.

Decisions of Council on Land Use By-law amendments can be appealed to the Nova Scotia Municipal Board.

What is very important is the general criteria Council may have regard to when considering a request to amend the Land Use By-law. (Criteria other than that set out in the various policies established so far in this MPS.) All the criteria may not be applicable to every proposed amendment - hence only the applicable criteria should be considered.

<u>Implementation - Policy 11 - It shall</u> be the intention of Council when considering amendments of the Land Use By-law, and in considering Development Agreements in addition to all other criteria as set out in various policies of this MPS, to have regard to the following matters:

- (a) That the proposal conforms with the intent of this MPS and with the requirements of other applicable Town By-laws and regulations;
- (b) That the proposal is not premature or inappropriate or likely to conflict with any other adjacent or nearby land use by reason of:
 - (i) the financial ability of the Town to absorb any costs related to the development,
 - (ii) the adequacy of sewer and water services and utilities or the adequacy of physical site conditions for private on-site sewer and water systems,
 - (iii) the adequacy and proximity of school, recreation, and other community facilities,

- (iv) the potential for damage to or destruction of historic buildings and sites, where designated under the Heritage Property Act,
- (v) preventing public access to shorelines, waterfronts, or community facilities,
- (vi) type of use,
 - precipitating or contributing to a pollution problem in the area,
 - the potential for the contamination of water courses or the creation of erosion or sedementation.
- (viii) height, bulk, and lot coverage of any proposed building,
 - (ix) traffic generation and the adequacy of affected roads, access to and egress from the site and parking,
 - (x) open storage,
 - (xi) signs,
- (xii) any other relevant matters of planning concern;
- (c) Suitability of the proposed site in terms of steepness of grades, soil and geological conditions, location of watercourses, marshes, swamps, or bogs.
- 4.7 Development Agreements

A development agreement is a legal agreement between the Town and a developer. The agreement restricts the developer to the use or uses specified in the agreement. It is processed in the same manner as a land use by-law (zoning) amendment. Therefore, there is a public hearing and the decision of Council is appealable to the Nova Scotia Municipal Board. In considering a development agreement, policies in the MPS indicate the criteria (where applicable) that Council shall consider. A written evaluation of the proposal should be prepared for the public hearing.

In accordance with Section 55 of the Planning Act, the types of development that will be considered by a development agreement must be clearly identified in an MPS.

Implementation - Policy 12 - It shall be the intention of Council in order to give Council a greater degree of control that the MPS provides that the following land uses shall be considered by development agreements as provided for in the Planning Act:

(i) within the Residential General designations:

- commercial and office uses; (See Residential Policies 13, 14 and 15, page 16 and 17)

- (ii) within the Open Space designations:
 - commercial and office uses proposed for Memorial Park; (See Open Space Policies 8, 9 and 10, pages 30 and 31)
- (iii) within the Commercial General Designations:
 - amusement arcades;
 - shopping centres; (See Commercial Policies 12, 13, 14 and 15, pages 23 and 24)

4.8 Minor Variances

In certain circumstances, the Development Officer has the authority under the Planning Act to grant minor variances from the Land use By-law requirements. These are outlined in Section 79 of the Act. They include in certain circumstances, variances to the percentage of the land that may be built upon, the sizes of yards and other open spaces, lot frontage and lot area.

4.9 Non-conforming Uses

To accommodate some variations in non-conforming uses that is uses existing at the time of the adoption of this MPS that do not fall within the permitted uses in a zone - Council intends to permit changes to these in accordance with the Planning Act. Specifically non-conforming uses can expand throughout a structure. The structure housing the use should be allowed to be enlarged or rebuilt if destroyed subject to the zone requirements in the by-law. Similarly, a non-conforming use should be allowed to expand over the remainder of a lot, and a non-conforming use should be allowed to recommence if discontinued for more than 6 months.

Implementation - Policy 13 - It shall be the intention of Council to allow:

- a. a structure housing a non-conforming use to be enlarged or rebuilt if destroyed;
- b. a non-conforming use to be extended over the remainder of a lot; and
- c. a non-conforming use to recommence if discontinued for not more than 1 year.

4.10 The Coming Into Force of this MPS

The 1977 Municipal Development Plan, now called a municipal planning strategy, will be repealed upon the date of the coming into force and effect of this document.

Implementation - Policy 14 - It shall be the intention of Council that the Municipal Development Plan approved by the Minister of Municipal Affairs on April 25, 1977 and subsequent amendment thereto shall be repealed upon the date of coming into force and effect of this Municipal Planning Strategy.

Population

- * The Town's population is still declining but at a slower rate.
- * Households are getting smaller.
- The population is getting older.

Housing

- * There are four residential zones in the existing land use bylaw. Due to the scale and type of residential development occuring in the Town, are all these zones necessary?
- * Is the Residential Rural Zone five acre minimum lot size still acceptable? Is it acceptable for development on the islands? (Note In this zone, an existing lot smaller than five acres can be developed.)
- * What can be done to encourage residential development within the Town?
- * Under the new Planning Act, The land within the town cannot be zoned O-1 (Open Space) unless the Town is prepared to buy land (eg, 3 islands and several parcels of land are privately owned).

Industry

- * There is a continued need to provide a positive atmosphere for the fishing industry.
- * Clearly zone the government wharves for industrial uses.

Commercial

- * The implications of how and where a shopping centre might be located in Lockeport should be investigated.
- * Is parking a problem in the commercial core area, and if so what can be done to improve the situation.
- * What can be done about all the vacant commercial buildings?
- * The land use bylaw's setback and parking requirements in the commercial core are perceived as barriers to new development or redevelopment of existing commercial buildings. What, if anything, can be done to overcome this?
- * Source Town of Lockeport Municipal Planning Strategy Background Paper, April 1985

- * Does the scale and type of commercial activities necessitate four commercial zones are there other ways to handle different types of commercial development?
- * Should the designated commercial core area on Locke Island be enlarged?
- * The Town should look into businesses that might be suitably located in Lockeport.

Municipal Services

- * Council should continue to pursue the installation of a centralized water system for the whole Town.
- * All fish plants should be encouraged to hook-up to the provincial fresh water supply system.
- * The Police should be encouraged to conduct more foot patrols.
- * There is an urgent need for a new fire hall.
- * A member of the Shelburne RCMP detachment should be encouraged to live in the Town.

Recreation and Tourism

- * Efforts should continue to stabilize the sand dunes along the beach.
- * There is a need to develop the tourism industry and tap the existing assets within the Town.
- * There is a need to develop tourist brochures.
- * There is a need to encourage the development of overnight tourist accommodations and restaurant facilities within the Town.
- * The Tourism Committee should be rejuvenated and meet at least twice a year to promote tourism and tourist related activities.
- * The Tourist Committee should liaise with the South Shore Tourist Association.
- * The Tourist Committee membership should include those who operate tourist related facilities.

Education

- * There is an urgent need to repair the high school building.
- * Council should maintain a continued dialogue with the new District School Board.

Transportation

- * Is there a need for a designated truck route?
- * Is parking a problem in the commercial core area and if so what can be done?
- * There is a need to maintain a dialogue with the federal government to ensure property maintenance of the harbour and pier facilities.
- * How can the old railway right-of-way be used?

Appendix B

Town of Lockeport

Commercial Inventory

January 1985

Bev's Beauty Boutique - Brighton Road Heather Pharmacy - Beech Street MacKenzie's Memorial Stones - Brighton Road M.S. Huskilson Garage Ltd. - Hall Beach Streets Joe's Quick-Way - Brighton Road Lockeport Sweet Shop - Spruce Street Lockeport Medical Centre - Spruce Street Mary's Hairstyling - Brighton Road Mathews Shop (Clothing) - North Street Mr. Hardware - Spruce Street Nova Scotia Liquor Commission Store - Water Street Town Market (Grocery) - North Street N & J Corner Store - Page's Corner Royal Bank - Beach Street Royal Canadian Legion - Branch 80 - Beach Street Sell'R Shop - Brighton Road J. L. Spears Agency Ltd. (Insurance) - Brighton Road White Gull Workware - Water Street H. M. Huskilson's Funeral Home - Spruce Street Doctor's Office - Spruce Street Dentist's Office - Community Centre - North Street Balish's - Pool Hall - Beach Street Senior Citizen Club - Beach Street Bryan Selig - Insurance - Spruce Street Lydgate Services - ESSO Garage - Page's Corner Hemeon's Electric - Water Street Ceramics Shop - (Senior Citizen Complex) - Beach Street Woodworking Shop (Wholesale) - South Street Harbourview Rest Home - Crest Street Surf Lodge Nursing Home Ltd. - Hall St reet Canteen - Recreation Ball Field - Locke Street

Source: 1984 Telephone Directory and reviewed by PAC members

Appendix C

Town of Lockeport

Industrial Businesses Inventory

January 1985

D & L Williams Fisheries Ltd.

National Sea Products (Fish Plant - Number of buildings)

Pierce Fisheries Ltd. (Number of buildings)

R. I. Smith Fisheries Ltd.

Savoury's Fisheries Ltd.

Donna Rae Ltd. (Fisheries)

Fishermen's Co-op Storage Sheds

Tally Shed

Bulk Oil Storage (Locke Island)

Marine Haul-Out

Source: 1984 Telephone Directory and Review by

P.A.C. Members.