



# Municipal Planning Strategy

**Cape Breton Regional Municipality**

*July 2023*



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The background of the page is a photograph of a town, likely in Cape Breton, featuring a prominent church steeple and various residential and commercial buildings. A large, bright yellow geometric shape, resembling a stylized 'C' or a large triangle, is overlaid on the left side of the image, extending from the top to the bottom.

# Chapter 1.

## The CBRM Context

This chapter introduces the Municipal Planning Strategy and the context for its application within the Cape Breton Regional Municipality. It outlines the historical context of the area, population trends, and emerging trends that influence planning matters across the municipality today.

## 1.1. INTRODUCTION

The Cape Breton Regional Municipality (CBRM) is at an important crossroads. After several decades of population decline and economic downturn, the community has begun to shift its focus to redefining who they are and how they see their community evolving. The residents of the CBRM are passionate about their history and their communities and understand the importance of the legacy they are building for future generations. Turning this passion into progressive and innovative solutions to re-establish the CBRM as one of the best places to live, work, and grow in the Maritimes is an undertaking the community has been well prepared for. The resilience of the CBRM has been tested for decades. The community has proven that they believe in their home and the opportunities it holds. By coming together to work towards a common vision, the CBRM will reach a success beyond what history tells us is possible.

*CBRM Forward* was created to support the residents of the CBRM in achieving their dreams for the future. It includes an Economic Development Strategy, Municipal Planning Strategy, and Land Use and Subdivision By-laws. The suite of documents represents the CBRM's biggest step forward into the future since regional amalgamation. *CBRM Forward* is a cohesive and targeted approach to sustainable growth and community development for the region. It was built over two years of meaningful collaboration between the community and Council and encompasses the community's biggest ideas for growth and change, prioritizing the CBRM as a regional community while maintaining the integrity of the communities that form the area's unique identity.

The following document contains the Municipal Planning Strategy (MPS). The MPS is a guiding policy document created in collaboration with the community and provides direction on the major components that support the operation and function of a municipality. It is used to guide decisions and set expectations for public and private investment, the management of lands and assets, and sets the tone for advocacy with the intention of providing an increasingly exceptional quality of life for residents. The MPS is organized into chapters:



- **Chapter 1: The CBRM Context:** This chapter sets the stage for the MPS. It provides an overview of the CBRM's geography, history, population characteristics, and overall opportunities and trends. It introduces the CBRM context at the time of the MPS adoption and provides a baseline for measuring future successes.
- **Chapter 2: Community Vision and Guiding Principles:** The Community Vision is the aspirational description of what the community intends to achieve within the next 25 years. The Guiding Principles direct the tone of the MPS with the intention of achieving the Community Vision.
- **Chapters 3 – 11:** The overall approach to planning within the CBRM is contained in Chapters 3 to 11. This includes approaches to land use, environment and climate change, municipal infrastructure, housing and affordability, economic development, social equity, integrated mobility, and Indigenous relations. Each chapter contains a set of objectives supported by a series of clear policies that describe an overall approach and direction and define actionable strategies and outcomes.
- **Chapter 12 Implementation:** The final chapter of the MPS provides an actionable strategy for implementation. Roles are defined and expectations are set in an effort to ensure long term accountability and a framework for evaluation.

## 1.2. COMMUNITY PROFILE

The CBRM is Nova Scotia's second largest municipality, and is home to its second largest urban population. Approximately 75% of the population of Cape Breton Island reside in CBRM. The municipality is described as a "community of communities," and is comprised of eight former municipalities located in Cape Breton County that were amalgamated in 1995: the City of Sydney, the Towns of Glace Bay, Sydney Mines, New Waterford, North Sydney, Dominion and Louisbourg, and the Municipality



of the County of Cape Breton. The amalgamation addressed inefficiencies brought on by the widely dispersed settlement patterns, which were historically located near coal pitheads.

### 1.2.1. Geography

CBRM is situated on the North-Eastern edge of Nova Scotia, surrounded by an Atlantic coastline as well as the Bras d'Or Lakes to the southwest. By land, the municipality borders and the Mi'kmaq communities of Membertou and Eskasoni, both of which are outside of the municipality's jurisdiction but are bordered by it. The Regional Centre and Downtown Sydney fall along the Southern Shore of the banks of the Sydney River, flowing towards the Atlantic Ocean. North Sydney and Sydney Mines are positioned on the Northern Side of the Sydney River, accessible by two bridges at the community of Sydney River: Keltic Drive and Peacekeeper's Way. North of North Sydney and Sydney Mines is the more suburban community of Florence.

Rural development patterns line the Bras d'Or Lakes and the Atlantic Coast Line, and follow the municipality's highway network. Aside from the Mira River, the interior parts of the municipality are sparsely populated. The Southern Coast has a collection of settlements that follow local roadways, with Louisbourg and the areas surrounding the Louisbourg National Historic Site as the area's largest village.

The municipality is roughly 400 kilometers from the provincial capital of Halifax, and like the rest of Cape Breton Island, it is connected to mainland Nova Scotia by Highway 104. Sydney is the most populated community in the CBRM, with a collection of former municipalities that each border the coast, connected by the province's highway system. The former municipalities of North Sydney, Sydney Mines, New Waterford, and Glace Bay served the region's coal industry, with ongoing development taking place along the Sydney River and the Mira River.

## 1.2.2. History

### EARLY SETTLEMENT

The earliest evidence of settlement in the region follows immediately after deglaciation about 11,000 years ago. Evidence of settlement found in the Debert Palaeo-Indian Site dates back 10,600 years, however settlement likely occurred earlier. Cape Breton Island's first residents were likely Archaic maritime natives, ancestors of the Mi'kmaq. These people inhabited the island for several thousand years and continue to inhabit the land today. The Mi'kmaq people's traditional lifestyle was centered around hunting and fishing given the unfavorable agricultural conditions in the area. The Mi'kmaq made first contact with Europeans in the early 1520s when Portuguese fishers landed in the Bras D'or Lakes and established fishing stations. Throughout the 1500s, relationships were established between the Mi'kmaq and French and English settlers.



(Mi'kmaq camp in Sydney, Cape Breton Island photographed by Paul-Emile Miot in 1857)

### ESKASONI AND MEMBERTOU FIRST NATIONS

Mi'kmaq were the earliest inhabitants of Unama'ki, and the lands known as CBRM. The Indigenous communities of Membertou and Eskasoni today remain an important piece of Cape Breton identity, both located within the current municipal boundaries of CBRM though outside of its jurisdiction. Located southwest of the community of North Sydney on the peninsula bounded by St. Andrews Channel and East Bay of the Bras d'Or Lake,

Eskasoni has a registered population of over 4000 members. Membertou, located between Kings Road and the community of Ashby, has a population of 1695, including on and off-reserve community members. Today, both Eskasoni and Membertou are growing and vibrant communities that inform and enrich the cultural, social, and economic fabric of the CBRM.

Throughout the 1800s, there were many Mi'kmaw communities throughout Cape Breton. At that time, Eskasoni was a small community that ranged between 125 to 80 people. Population growth in Eskasoni was driven by the centralization policy by the Department of Indian Affairs in 1942 to centralize all Mi'kmaq people in Nova Scotia to two locations: Shubenacadie in mainland Nova Scotia, and Eskasoni on Cape Breton Island. This policy led to the extraordinary growth of Eskasoni in the 1940's. Today, Eskasoni is the largest Aboriginal community in Atlantic Canada with a registered population of over 4000. Eskasoni is also the largest Mi'kmaq speaking community in the world.

The Mi'kmaq community of Membertou is the former Kings Road Reserve (Kun'tewiktuk), once situated along the banks of the Sydney Harbour. From 1847 to 1914, many homes were built along Kings Road making it an urban-based Indigenous community. By the early 1900s, Kun'tewiktuk hosted 22 homes and a school. In 1915, city council passed a resolution requesting the federal government to immediately take the necessary steps to remove the Mi'kmaq from their original location, Kun'tewiktuk. In 1916, the Exchequer Court of Canada ordered the relocation of the 125 Mi'kmaq people who lived in Kun'tewiktuk. In 1925 the Department of Indian affairs purchased 65 acres of land in Sydney. Housing construction began in 1926 and the families began to move to what is now known as Membertou. The last family moved in 1928.

## EARLY GROWTH

A rapid population expansion occurred just after the turn of the 20<sup>th</sup> century, when Sydney became home to one of the world's largest steel plants, fed by numerous coal mines in the area. During both the First and Second World Wars, it was a main staging area for convoys. With the consolidation of the coal mining industries and the development of the

steel industry during the last years of the 19th century and the first years of the 20th, the Cape Breton County economy was transformed into an expanding industrial center with a rapidly growing population. During this initial period of economic prosperity in the early 20th Century, Cape Breton County's population increased by over 75%. In-migration, coupled with a high birth rate fuelled population growth in the vibrant economic centre.

### **THE POST-WAR CITY**

CBRM's development patterns underwent considerable changes with the end of the 2<sup>nd</sup> World War. Before WWII, business development was concentrated in the downtowns or central business districts of the City of Sydney and each of the towns. In the 1950's, a residential construction boom occurred, with much of this new development occurring outside of the urban landscape. A shortage of land supply in the central areas paired with an improving road network and lower land prices made rural Cape Breton areas more accessible than the urban hubs. These factors led to growth in rural communities, which would now be described as suburban communities due to the expansion of development, services, and infrastructure.

A more efficient regional road network was constructed throughout the early 1960's, linking the communities of Cape Breton County. Soon after, the Trans-Canada Highway 105 branch was extended to North Sydney, connecting Cape Breton to the rest of Canada. Residential and business development was greatly motivated by the new regional road network. Siting of sales/service business development has been influenced by proximity to the road network and major corridors. Today's landscape reflects the low concentration of residents, as the downtowns or central business districts are no longer the only significant concentration areas for sales/service business development.

Significant population and economic declines took place between 1961 and 2001. The CBRM has lost approximately 17% of its population since the 1961 peak of 131,507. The demographic decline coincides with the decline in the coal and steel industries. The post-war period and the later decades of the 20<sup>th</sup> century witnessed a major decline in the number of

employed laborers at the Dominion Steel and Coal Corporation steel mill, which closed its doors in 2001.

Between 1961 and 2001, both the number of young adults and children declined most sharply, influencing other growth indicators such as birth rates, family sizes, and senior populations. By 2001, the population of the 20-44 age group, the age-group primarily responsible for child rearing, declined approximately 25% since 1986. The 2001 population of the 0-19 age group was only 55% of its peak 1961 population. Most alarming, the 2001 pre-school segment was less than 1/3rd of the 1961 population. The average family size in the CBRM has dropped by a little more than 1/3rd (4.4 persons to 2.9) between 1961 and 2001. During this same time period, the senior population increased by over 210%. Urban CBRM has been most adversely affected by the decline. Between 1961 and 2001 the population of the communities that once were the 6 towns and one city prior to amalgamation declined by almost 30%, losing over 26,000 people.

### 1.2.3. Population Characteristics

The Cape Breton Regional Municipality's (CBRM) population has historically been intertwined with the once dominant coal industry. Throughout the later decades of the 20<sup>th</sup> century and the early 21<sup>st</sup>, the population has been trending downward following the mine closures throughout the CBRM. Figure 1 illustrates a peak population of 131,507 in 1961. Since then, the CBRM has lost approximately 27% of its population.

The statistical trends of the late 20<sup>th</sup> century represent significant demographic and workforce setbacks. The rate of decline between 1961 and 2001 demonstrated a major demographic phenomenon. The demographic shifts had impacts that were felt across all service sectors and resulted in declining school enrollment, shifting healthcare needs to serve an aging population, and a stagnant tax-base with higher infrastructure costs. There has been an exodus from the CBRM, urban core, whether the Municipality has invested heavily in infrastructure, and with a lower-tax base serving this population is more costly on a per capita level.

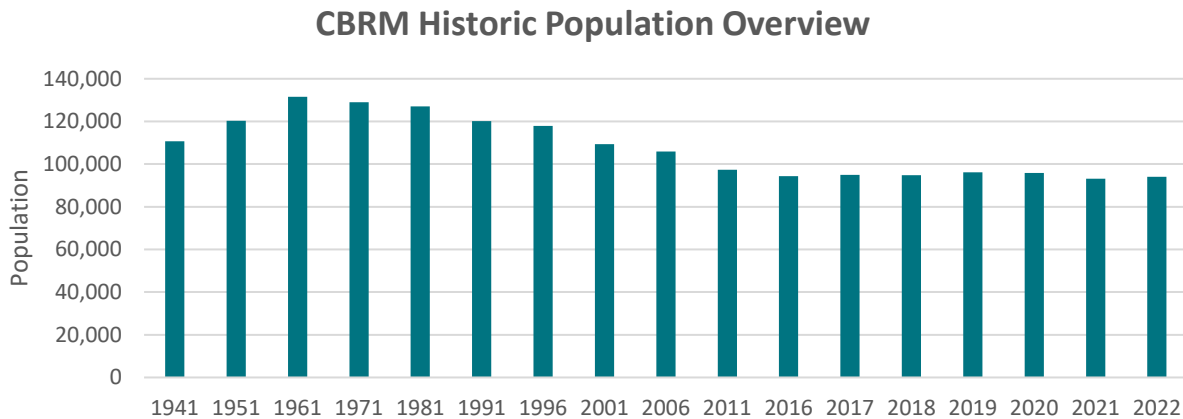


Figure 1. Historic population growth in CBRM. Source: Statistics Canada, July 1 Population Estimates, 2022

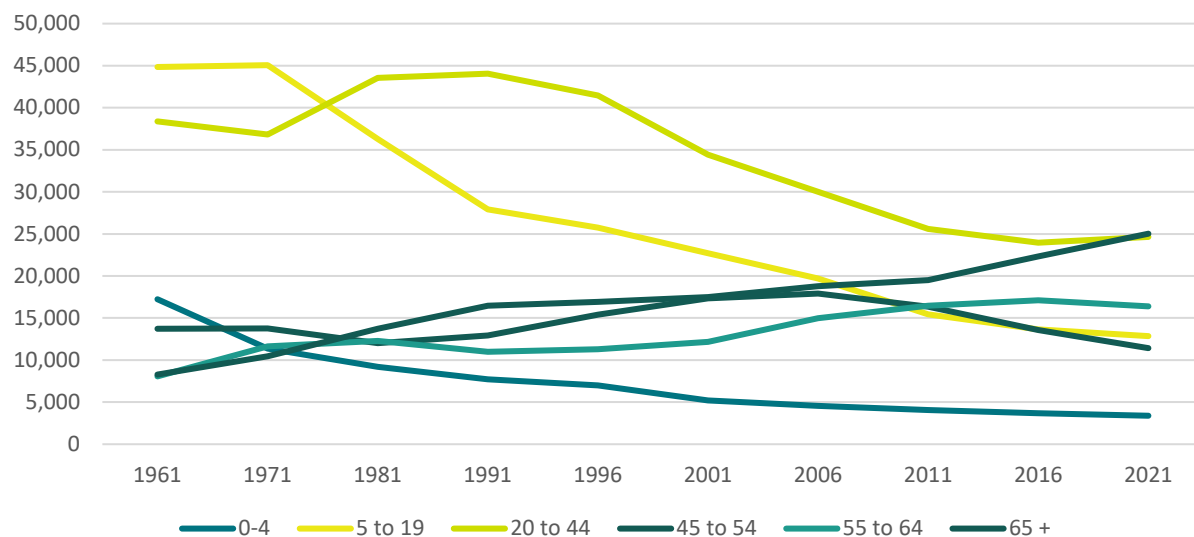
CBRM's Municipal Planning Strategy, adopted in 2004, projected the population to decline to 76,000 by 2021. However, this was not the case as population decline has plateaued in recent years, and saw growth in 2017 and 2019 for the first time since the 1950's. The projected population was exceeded by nearly 20,000 people because out-migration has slowed. Figure 1 shows that the estimated 2022 population of the CBRM was 94,000. This positive shift has catalyzed an effort to plan for and support future population growth. The most recent statistical period between 2016 and 2021 saw another population decline of .05, demonstrating a continual ebb and flow of population growth.

Table 1. Actual versus projected population by age group (2016)

Age	Actual 2016	Projected 2016
0-14	12,350	10,445
15 - 64	59,620	52,568
65+	22,310	20,888
Total	94,285	83,901

The 2004 Municipal Planning Strategy projected 2016 population counts for three age groups, based on the 2004 population trends. If nothing changed, the population in 2016 would have been at 83,901. However, table 1 shows that the actual population was 94,285, nearly a 10,000-person difference. The age group with the largest gap is the 15 to 64-year olds.

The 2021 census showed the CBRM had a total population of 93,965 persons with a median age of 50.4 years old and the largest demographic being that of 15 to 64-years old at 60.8% of the population. The total number of private dwellings was 42,315 with single-unit dwellings making up 74% of all private dwellings.



**Figure 2. Population Change in CBRM by Age Group (1961-2021)**

Figure 2 highlights how the age of the population in the CBRM has evolved over time. Locally, nationally, and globally, the share of younger populations is trending downward. The United Nations estimates that the global number of people over the age of 60 will double by 2050 (United Nations, 2019). An aging population, combined with increasing life expectancies and declining fertility rates, is leading to a higher proportion of people in older age groups. This pronounced shift in population ages impacts numerous aspects of the CBRM including community services, built-form, housing, and economic activity generally.



### Age Composition of the CBRM Population (2021)

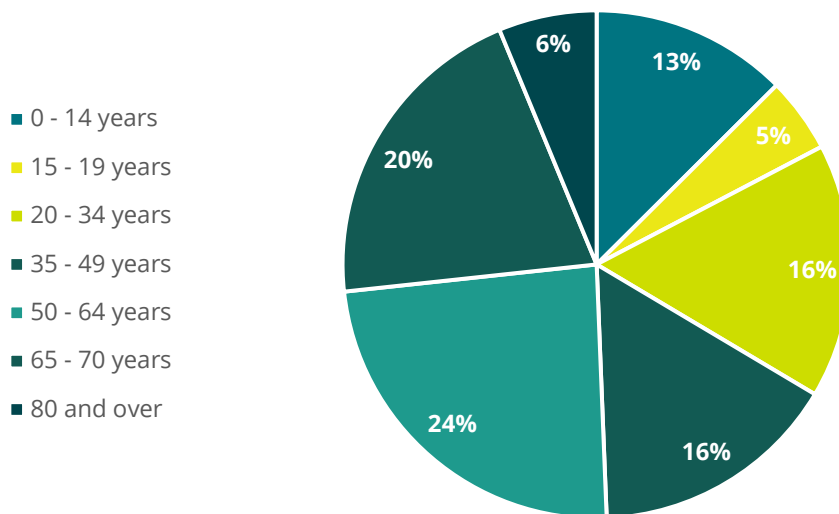


Figure 3. Age composition of CBRM. Source : Statistics Canada, 2021

Census demographic projections predict the population of the CBRM will decline by approximately 30% over the next generation to about 75,000 people. Out-migration is (and will continue to be) occurring in almost every age group, but is most pronounced in the young adult 20-29 age group. One of the most influential projections for the long term is the influence the baby boom generation (those born between 1946 and 1964) on the demographic profile. The baby boom bubble has increased the population of each successive generation it graduates into during each census period. The baby boomers generation are now between 58 and 76 years old. This means more than half the baby boom generation has already entered the seniors age group. The 2021 Statistics Canada Census showed seniors make up about 1/3<sup>rd</sup> of the total CBRM population.

Looking at the age composition in the CBRM, Figure 3 shows that 50% of the total population in 2016 was over the age of 50. The age group with the highest percentage of population is the 50 to 64 age group, with 26% of

the total population. In contrast, the age group with the lowest percentage of population was the 15 to 19 age group, with only 5% of the total population.

The CBRM population pyramid (Figure 4), shows that the population is concentrated between the age of 50 and 75. Typically, growing economies and populations have their populations heaviest at the lowest component of the population pyramid. This visualization is a further indication of the demographic challenges facing CBRM. The following figure captures the change in percentage in pyramid form during the 2016 to 2021 census period.

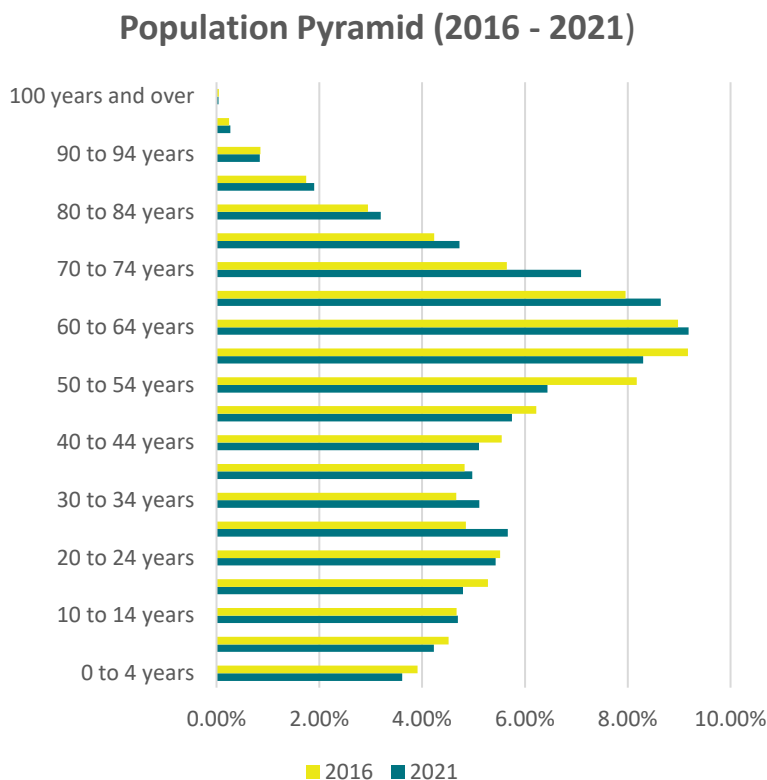


Figure 4. Population by age groups, 2016 – 2021, Source : Statistics Canada, 2022

Table 2. Population Change in CBRM communities 2016-2021. Source: Statistics Canada, 2022

Geography	2011 Population	2016 Population	2021 Population	Population Change Rate (%)
<b>CBRM</b>	97,398	94,285	93,965	-3.5
<b>Sydney</b>	31,597	30,170	30,960	-2.0
<b>Glace Bay</b>	18,475	17,604	16,915	-8.4
<b>New Waterford</b>	7,322	7,416	6,723	-8.2
<b>North Sydney &amp; Sydney Mines</b>	12,964	12,823	12,353	-4.7
<b>Louisbourg</b>	946	877	825	-12.8

Between 2016 and 2021, CBRM as a whole decreased in population by -.06 percent. Sydney was the only community in the municipality to grow in population over the census period. The largest rate of decline was in New Waterford, followed by Louisbourg, at -5.9%. However, the rate of decline for the municipality as a whole did slow, as the population decline between 2011 and 2016 was -3.2%.

During the COVID-19 pandemic, many of Canada's larger urban centres experienced out migration into smaller communities. While Nova Scotia's population has seen growth as a result of this out migration, CBRM has not experienced the same rates of population growth that other communities in Atlantic Canada. Although, the population continues to decline, positive signs of growth are evident, including growth in Sydney, and growth fueled by immigration and students.

## 1.2.4. Opportunities & Trends

## **REVERSING ECONOMIC DOWNTURN**

Despite the decline of legacy industries in the CBRM, there are emerging economic development opportunities across a number of sectors. Forced to diversify the economy, the private and public sector has invested in new growth opportunities in tourism, cultural, light manufacturing, information technology, biotechnology, and green energy sectors. The region will also continue to see a demand for workers in these sectors and also in healthcare and education as the population demographics evolve and the education sector grows. The CBRM is ripe with opportunities for long term, sustainable growth.

## **FROM A SHRINKING POPULATION TO GROWTH**

Being Nova Scotia's second largest urban centre, the CBRM has an opportunity to support the province in reaching its population growth targets. CBRM's population has been declining for multiple generations, influenced primarily by a high out-migration rate coupled with a low birth rate. To keep growing its workforce, Nova Scotia requires more than one growth centre. With a focus on attracting international students and retaining newcomers, the CBRM has the capacity to contribute significantly to the growth of Nova Scotia's tax base by facilitating appropriate housing development and employment opportunities.

## **MUNICIPAL FINANCE & INFRASTRUCTURE**

As an amalgamation of former industrial municipalities, the CBRM has a lengthy road network, combined with substantive water, sewer, and stormwater systems spanning Sydney, Glace Bay, New Waterford, Sydney Mines, Louisbourg, and the communities in between. Maintaining each of these systems represents a financial burden for the Municipality. Population growth, combined with strategic land use planning that aligns development with existing services, can increase the tax base while ensuring efficient use of existing infrastructure.

## **HOUSING**

As governments at all levels grapple with a national housing crisis, each

community deals with similar yet complex housing challenges. The CBRM is no exception. The CBRM is experiencing an aging housing stock, a limited supply of rental units, a fluctuating rental vacancy rate, and an increasing number of residents experiencing housing poverty. By advocating for affordable housing and the use of planning tools to diversify the housing stock, the CBRM can be a partner in facilitating the development of an appropriate and affordable housing stock.

## 1.3. MUNICIPAL PLANNING STRATEGY PROCESS

The CBRM's last Municipal Planning Strategy was adopted in 2004, just as the municipality had completed its transition away from the coal and steel industry and was in the midst of a multi-generational period of rapid and continued population decline. The 2004 Municipal Planning Strategy was the first to encompass the CBRM as a single jurisdiction after the 1995 amalgamation that created a new local government entity. The intention of the 2004 Municipal Planning Strategy was to replace the 15 municipal planning strategies and 16 Land Use By-laws left over from the former municipalities with one unified document that applied a regional perspective.

This Municipal Planning Strategy and associated Land Use By-law were developed over two years, beginning in March of 2021. The process included the creation of a comprehensive Economic Development Strategy and Growth Management Strategy that augment the CBRM Planning Strategy and By-laws.

## 1.4. COMMUNITY ENGAGEMENT

*CBRM Forward* was developed collaboratively with the community through comprehensive and consistent engagement. The community engagement process involved 4 rounds of engagement that took place between April 2021 and May 2023. Engagement was thoughtfully constructed to build

capacity in the community while identifying big ideas and consistent challenges that impact day to day life in the CBRM. Creating stewards of the Municipal Planning Strategy within the community ensured a meaningful legacy of the planning process. Due to the COVID-19 pandemic and public health restrictions, first round round of engagement took place in March 2021 was completely online and focused on building education and awareness on the planning process, including the importance and intention for these important community regulations. The engagement was supplemented by a robust branding strategy, which saw the creation of the CBRM Forward project brand and associated communications materials.



## WHAT WE HEARD ROUND 1

Round 1 of engagement took place completely virtually given public health restrictions in March and April 2021. This included:

- Council meeting and project kick-off;
- Online Town Hall;
- Virtual Focus Groups; and
- Launch of CBRM Forward engagement platform

- Idea wall
- Discussion Forum
- Interactive community map.

This initial round of engagement focused on building public awareness of the planning process, including the importance of the Municipal Planning Strategy and Land Use By-law. This round challenged residents and stakeholders to consider opportunities for the Future of CBRM, including seeking options for a refreshed community vision. This round of engagement was highly successful and results in hundreds of inputs, which ultimately were refined into an issues and opportunities report and the community vision presented in Chapter 2.

## **WHAT WE HEARD ROUND 2**

Round 2 of engagement took place in August 2021 and used a hybrid format for engagement. This included :

- In-person council workshop;
- Workshop with senior staff;
- Focus groups with community interest groups;
- Pop up engagements at the Sydney Waterfront, Mayflower Mall, Wentworth Park, Sydney Farmer's Market, New Waterford, Florence, North Sydney and Louisbourg;
- Three public open houses (Sydney, Glace Bay and North Sydney)
- CBRM Forward engagement platform
  - Idea wall
  - Discussion Forum
  - Community Survey
  - Interactive community map.

This round of engagement began to drill down on particular issues facing the community and sought to gather input on a variety of issues, including :

- Housing choice and affordability;
- Urban development;
- Population growth;
- Suburban and rural development;
- Cost and implications of development typologies;
- Integrated Mobility;



- Climate Resiliency;
- Community Infrastructure;
- Municipal services and operations; and
- Indigenous Reconciliation

Through this round, the project team and staff planners were able to receive hundreds of in-person and online comments and inputs into CBRM Forward, allowing for refined approaches toward a renewed Municipal Planning Strategy and its associated chapters.

### **WHAT WE HEARD ROUND 3**

The third round of engagement took place in Spring 2022 (April) and once again took a hybrid format. This round presented the draft approach to Future Land Use and policy directions for the Municipal Planning Strategy, confirming what we heard we subsequent rounds. This engagement included :

- Council workshop;
- Three public open houses (Sydney, Glace Bay, and North Sydney);
- Focus groups and meetings with senior staff, operators and community interest groups; and
- CBRM Forward engagement platform
  - Discussion Forum
  - Community Survey
  - Interactive community map.

Through this round we were able to confirm the following community priorities :

- More housing choice and increased housing affordability;
- Better access to amenities and services;
- More dense and intensified commercial and residential developments in CBRM's urban areas;
- Increased employment opportunities;
- Commitment to grow the population through retaining newcomers and youth; and
- Becoming a more resilient community in the face of a changing climate.

## WHAT WE HEARD ROUND 4

The fourth and final round of engagement took place in Spring 2023 (May) and once again took a hybrid format. This round of engagement was originally slated for October 2022; however, was delayed because of the devastating impacts from Hurricane Fiona. This round presented the final draft approach to both the Municipal Planning Strategy and zoning through the Land Use By-law. This included :

- Council zoning workshop;
- Three public open houses (Sydney, Glace Bay, and North Sydney);
- Focus groups and meetings with senior staff, operators and community interest groups; and
- CBRM Forward engagement platform
  - Discussion Forum
  - Email submissions from reviews of the draft mapping and documents.

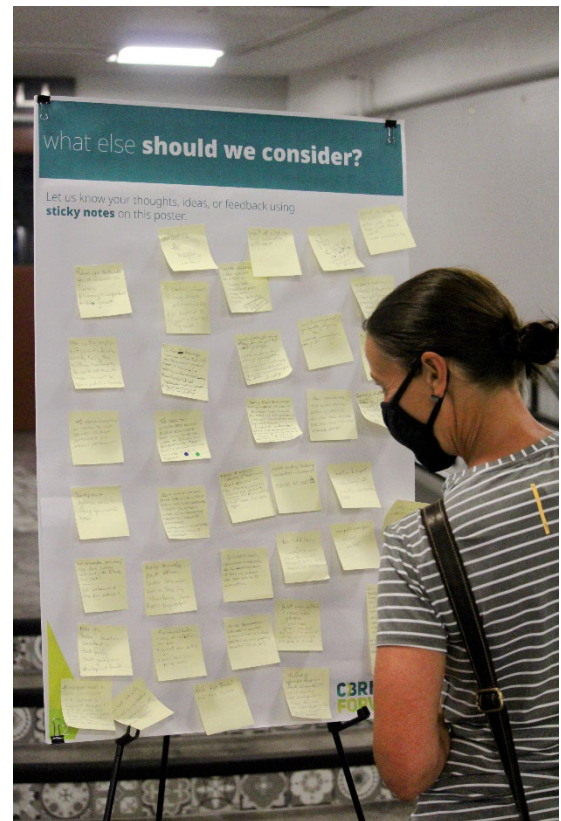
Through this round we were able to confirm the final general approach to zoning and development :

- Increase density in serviced, urban areas;
- Broadly permit more development in Rural Areas by easing development restrictions (such as expanding areas where private roads are permitted), while limiting density in unserviced area;
- Facilitate development through de-regulation (less zones, streamlined regulations, no minimum parking requirements); and
- Increase housing choice by permitting more as-of-right housing developments and introducing site plan approval processes for more dense developments.

## SUMMARY

The final round of engagement and opportunity for public involvement occurred during the legislative approvals process through Council readings and public hearing completed in summer 2023. Overall, CBRM Forward employed a comprehensive and robust communications and engagement strategy that was successful in obtaining community input and broad public support of the new approach to responsively facilitate development within the CBRM. This included radio ads, media releases, interviews in local media, and paid advertising on social media.

Overall, CBRM forward engaged thousands of residents through dozens of opportunities for in-person and online engagement. The CBRM Forward engagement platform experienced over 30,000 website views from 8,000 unique visitors. CBRM is pleased with the outcome of this engagement strategy and is confident that the approach presenting in this Municipal Planning Strategy was informed by fulsome input from residents, business owners, and other stakeholders, creating a generational document that meets the needs of CBRM for years to come.



### 1.4.1. Legislative Basis & Statements of Provincial Interest

The Municipal Planning Strategy and Land Use By-law were developed in line with the *Municipal Government Act* (the Act). Part VIII and IX of the Act prescribe the required content of municipal planning strategies as well as land use and subdivision by-laws. The Act also prescribes five Statements of Provincial Interest that are intended to ensure the priorities of all Nova Scotians are considered across jurisdictions and are expected to be

considered in all planning documents adopted and administered throughout Nova Scotia. Each Statement of Provincial Interest and how and where the Municipal Planning Strategy addresses each statement is summarized below.

### **STATEMENT 1: DRINKING WATER**

Residents of CBRM rely on ground and surface water resources for their drinking water, either through municipal water services or private wells. CBRM is committed to protecting drinking water sources within this Municipal Planning Strategy. The MPS outlines policies and enables regulations, such as restrictive zoning through the Land Use By-law that limits and manages land uses to protect drinking water quality.

**MPS Policies: RS-2, RS-3, LU-2, LU-6, LU-81, LU-82, LU-85, LU-87, MI-1, MI-2, and MI-6**

### **STATEMENT 2: FLOOD RISK AREAS**

Due its geography and the increase in significant weather events, CBRM encompasses many areas that are susceptible to flood risk. CBRM is committed to complying with this Statement of Provincial Interest by identifying Flood Risk Areas and managing development which could contribute to upstream or downstream flooding, or otherwise cause increased harm to human safety and property.

**MPS Policies: LU-83, LU-84, E-3, E-4, E-5, E-6, E-7**

### **STATEMENT 3: AGRICULTURAL LANDS**

CBRM is committed to promoting food security and creating a more sustainable agriculture and food industry for residents of the municipality and the province as a whole. CBRM aims to protect agricultural lands from non-agricultural development, to promote the availability of locally grown food, and to support the economic prosperity of those who grow it. CBRM is committed to giving priority to agricultural land and reducing land conflicts between agricultural and non-agricultural uses.

**MPS Policies: LU-64, LU-66, LU-70, LU-72, LU-72a, LU-76, ED-15**

#### **STATEMENT 4: INFRASTRUCTURE**

To ensure the efficient use of existing water supplies and wastewater disposal infrastructure, CBRM intends to encourage development where this infrastructure already exists, or can be extended to with minimal service costs. By discouraging development in areas far away from existing infrastructure, CBRM aims to avoid the environmental and health risks associated with inadequate infrastructure, while also reducing the cost of building new infrastructure, which would otherwise be taken on by the municipality and taxpayers.

**MPS Policies: RS-1, RS-2, LU-2, MI-1 – MI-12.**

#### **STATEMENT 5: HOUSING**

CBRM recognizes that adequate shelter is a right for all Nova Scotians, and is therefore committed to encouraging the development of a wide range of housing types to meet the needs of the current and future CBRM population. Through planning documents, policy, and development decisions, CBRM aims to maintain and expand the municipality's housing stock in a way which promotes higher densities, affordable housing, and housing which is appropriate for a population of all ages and abilities. In doing this, CBRM will be prepared for future growth by ensuring that future residents have adequate places to live.

**MPS Policies: H-1 – H-16, LU-12, LU-13, LU-19, LU-22, LU-26, LU-32, LU-35, LU-40 – 52, LU-75, LU-104- LU 105.**





# Chapter 2.

## Community Vision & Guiding Principles

The vision statement is an aspirational statement that describes what CBRM will be in 10 years. This vision is what the CBRM community wants for itself. To enable this vision, a list of guiding principles help frame the policies and guide municipal plans, policies, operations, and Council decision-making over the life of the MPS.

## 2.1. VISION STATEMENT

The Vision Statement captures an aspirational vision for the future of the CBRM. It is built from those big ideas the community has for itself and sets an ambitious target for the CBRM to become the best version of itself. The residents of the CBRM are passionately focused on their communities and their vision for the future speaks to capturing their potential while upholding the history and culture that has shaped who they are.

*Located in beautiful U'nama'kik, CBRM is reminded and grateful of our Indigenous peoples' care of these lands for thousands of years. Today, CBRM is a community united with a shared vision – to forge a unique and progressive path into the future. With an approach to growth that prioritizes quality of life and community well-being, CBRM will continue to be shaped by its passionate people and partners, as an exciting and dynamic place for those lucky to call this place home. Through ongoing and meaningful collaboration between residents and Council, the CBRM, in proud partnership with Eskasoni and Membertou, will be a place where residents feel supported, newcomers feel welcomed, and where a sense of pride in the community is evident. Businesses flourish under the support of a welcoming community creating investor confidence and an environment that fosters innovation and creativity.*





## 2.2. GUIDING PRINCIPLES

1. *Prioritize the effective and efficient use of municipal infrastructure and resources.*
2. *Mitigate the risks of natural hazards and climate change to ensure the CBRM is a resilient and beautiful coastal community.*
3. *Maintain economic growth throughout the whole region through community planning and strong partners.*
4. *Recognize the Peace and Friendship Treaties and enable strong partnerships with Eskasoni and Membertou through the lens of reconciliation.*
5. *Protect and strengthen the culturally distinctive places and strong identities of all communities throughout CBRM.*
6. *Provide broad housing choice by allowing housing diversity and prioritizing affordability throughout the region.*
7. *Foster an inclusive and welcoming environment for all residents, newcomers, business owners, and visitors to CBRM.*
8. *Provide for the equitable and efficient movement of people and goods through an integrated mobility network.*
9. *Provide recreational opportunities and community uses through accessible and equitable facilities, amenities and programming.*
10. *Be an accountable and transparent civil service that values democratic principles through accessible and equitable participation from the community.*



# Chapter 3.

## Regional Structure & Land Use

The Regional Structure and Land Use provides the basis for how land will be used, managed and developed throughout the Municipal Planning Area over the life of the MPS. These policies enable zoning regulations in the Land Use By-law.

## 3.1. REGIONAL STRUCTURE

Regional Structure refers to the way the physical geography of the CBRM is organized. Informed by the historical land use pattern as well as the extent of municipal infrastructure and services, the Regional Structure sets the tone for increasingly efficient land use throughout the CBRM. The Regional Structure Map forms Schedule A of the MPS and provides a snapshot of areas of intensification, employment areas, and rural areas. The Regional Structure Map is intended to be used as a tool to visualize the Municipality as being organized into areas of change or stability and to inform the General Future Land Use Designations that form the overall approach to land use found in section 3.7.

The CBRM Regional Structure uses a Service Area Boundary to define the extent of the areas positioned for the greatest intensities of growth. The Service Area Boundary includes the areas of the CBRM that have municipally owned and maintained services including water and sanitary and storm sewer in good working order with a reasonable capacity to support growth. Within the Service Area Boundary there are several areas targeted for a range of land use intensification: Regional Centre, Local Centre, Mixed Use Centre, Urban Intensification, and Suburban Intensification. The Rural Development Area is found outside the Service Area Boundary and is generally intended to continue the established rural development pattern that defines the picturesque identity of the CBRM. Parks, natural areas, important transportation corridors, lands reserved for future development, and federal lands may be found both inside and outside the Service Area Boundary.

Effective implementation of the Regional Structure will prioritize the efficient use of municipally owned infrastructure. The intention of a framework for intensification is to limit infrastructure sprawl beyond the limits of what the CBRM can administer and maintain effectively at the time of the MPS adoption. As the Service Area Boundary intensifies and reaches capacity, the extent of the infrastructure boundary will be regularly re-evaluated to ensure the effective and efficient accommodation of economic and population growth.



### 3.1.1. Growth Targets

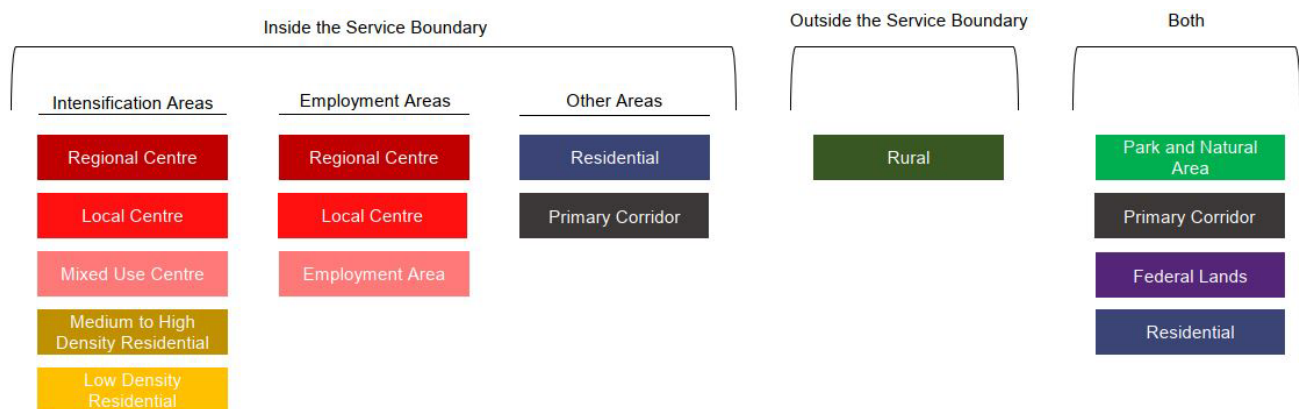
The land use framework, outlined in this chapter, will serve as a statutory guide for development. The Municipal Planning Strategy provides clarity and predictability for where residential, employment and mixed-uses will grow and ensures the appropriate supply of land to grow the municipality's population and economy. To retain the traditional function of the urban centres of CBRM and promote fiscal sustainability and reduce the infrastructure deficit, this plan anticipates that the majority of growth will take place within the Service Area Boundary.

Over the planning period, 75% of development will be directed to within the Service Area Boundary, with a large proportion of this growth directed to areas within the Regional Centre through targeted measures, such as Intensification Areas, those areas where more dense, mixed development can be accommodated. Growth and reinvestment is also targeted to the Local Centres and Mixed Use Centres. The remaining 25% of growth is anticipated to occur in the rural areas. The majority of growth in these areas will be designated to areas with existing infrastructure, such as road frontage, in order to limit municipal expenditures and ensure that rural and resource areas remain protected from sprawl and continue to be important, productive lands.

***By directing growth and investment to areas that have services CBRM is making strides toward becoming a financially, environmentally, and socially sustainable community, positioned for economic growth.***

### 3.1.2. Regional Structure Objectives

- Encourage the efficient use of land and municipal infrastructure and services.
- Identify Service Boundaries as areas to direct residential and sales and service development as a way to increase the effective use of municipal infrastructure and services.
- Identify areas of urban and suburban intensification where infrastructure and services are appropriately matched with the prevailing development pattern and primed for increased investment.
- Position the CBRM's rural areas to preserve traditional rural character.
- Identify areas where increases in residential density are welcomed and feasible to encourage compact urban development.
- Identify key corridors that provide connections into the CBRM's priority areas.



**Figure 5. Regional Structure Classification**



## 3.2. THE CBRM SERVICE AREA BOUNDARY

The Service Area Boundary generally encompasses areas within the CBRM with existing municipal water and sanitary and storm sewer infrastructure. The majority of the CBRM's residents and businesses live and operate within the Service Area Boundary. These areas are prioritized as the primary development area and targeted for the majority of the Municipality's future growth. The Service Area Boundary contains four Regional Structure categories; Intensification Areas, Employment Areas, and Primary Corridors. Each of these categories contains a series of sub-categories that describe the intention for land use within a certain geography.

It is assumed the infrastructure within the Service Area Boundary is in reasonable condition and is given a high priority for maintenance. In general, it includes serviced areas from Sydney River to Sydney, from Sydney to Glace Bay including Grand Lake Road / Highway 4, Glace Bay, North Sydney, and Sydney Mines. The Service Area Boundary will contain the intensification areas, and other lands like employment areas, stable residential areas, and primary corridors. The Service Area Boundary will be used extensively over the lifespan of the plan to direct growth and development, services, and programming.

## 3.3. INTENSIFICATION AREAS

Intensification Areas are areas within the Service Boundary targeted for the most growth over the lifespan of the MPS. Although development will continue to occur throughout the CBRM, the Intensification Areas allow for the efficient and effective use of existing municipal infrastructure while protecting the traditional character of rural areas. Ensuring the most intense development pressure aligns with areas primed for increased density allows the CBRM to grow sustainably while maintaining the

community's most treasured natural spaces and places. There are five intensification area categories within the CBRM; Regional Centre, Local Centre, Mixed Use Centre, Urban Intensification Area, and Suburban Intensification Area.

### **REGIONAL CENTRE**

The Regional Centre is the hub of the CBRM as it provides the greatest variety of services to residents and visitors of the region. The Regional Centre is intended to contain the most diverse and dense concentration of land uses in the Municipality. A focus on the intensification of residential and sales and service uses is expected in this area through the provision of progressive land use and infill development policy and regulation that encourages increased density and efficient use of land.

The Regional Centre includes Downtown Sydney, the North End of Sydney, Ashby, a portion of the South End of Sydney, Whitney Pier, and Grand Lake Road. The Mayflower Mall and surrounding area is also considered part of the Regional Centre as it is the central area of sales and service activity in the CBRM.

### **LOCAL CENTRE**

A Local Centre is an area of concentrated services that serves the needs of the surrounding community. These areas provide a similar range of land uses as the Regional Centre but at a scale that is less dense and within a smaller geographic footprint. Outside of the Regional Centre, the Local Centres have the greatest capacity to handle growth due to existing high quality services, availability of land, and community amenities. The Local Centres include North Sydney and Glace Bay; communities within the CBRM that have a defined and intact downtown area that centralizes services in a historic development pattern. Cape Breton University is also considered a Local Centre in an effort to incentivize development around an important regional asset.

### **MIXED USE CENTRE**

A Mixed Use Centre is an area of concentrated services and activities that



serves the needs of the immediate neighbourhood. These service nodes are the traditional core of the community and present opportunities for reurbanization through the introduction of a greater mixture of land uses and densities. Mixed Use Centres include the communities of Sydney River, Reserve Mines, Sydney Mines, New Waterford, Dominion, and Louisbourg.

### **MEDIUM TO HIGH DENSITY RESIDENTIAL**

The Medium and High Density Residential designation is applied to those urban neighbourhoods within the Service Boundary that fall outside the Regional or Local Centre but have a development pattern or servicing capacity that supports increased density of land use. These areas may include more compact development patterns with a mixture of land uses that support greater densities.

### **LOW DENSITY RESIDENTIAL**

Low Density Residential is applied to residential neighbourhoods that are growing or have the potential to grow over the lifespan of the MPS. These areas are typically of a lower density development pattern and uniformly residential. Suburban areas within the CBRM are dominated by the single unit dwelling. It is anticipated that Suburban Intensification Areas will maintain an overall lower density than urban areas but will evolve to include an increased variety of housing types. Suburban intensification areas are designated at Sydney River, Keltic Drive, Coxheath and Westmount.

## **3.3.1. Employment Areas**

An Employment Area houses a concentration of economic activity including a range of sales, services, and industrial land uses. Employment Areas include the Regional Centre and Local Centres and areas outside of the centres that include a concentration of employment such as business or industrial parks. Employment Areas outside of the Regional Centre and Local Centres do not include residential uses as these are targeted for more intensive land use that may conflict with a residential development

pattern.

### **3.4. RURAL DEVELOPMENT AREA**

The Rural Development Area encompasses the mostly unserviced lands that fall outside the Intensification and Employment Areas. The areas are predominantly undeveloped but also include instances of residential, resource, recreation, and agricultural uses. These areas are intended to support limited growth and are, instead, focused on preserving the rural character that forms the foundation of the Cape Breton identity.

### **3.5. LANDS COMMON TO THE SERVICE AREA BOUNDARY AND RURAL DEVELOPMENT AREAS**

There are lands within the CBRM that may fall within the Service Area Boundary or the Rural Development Area. Parks, Natural Areas, and Environmentally Significant Lands are found throughout the CBRM. Primary Corridors move residents and visitors through and between serviced and unserviced lands. Future Development Lands are those held in anticipation of future development pressure. Federal Lands are those owned, managed, or controlled by the Federal Government.

#### **3.5.1. Parks, Natural Areas, & Environmentally Significant Lands**

Parks, Natural Areas, and Environmentally Significant Lands include coastlines, urban and rural forests, natural areas that have not been subjected to disturbance, waterways, wetlands, and areas used for passive recreation. These areas such as the Gabarus Wilderness Area are not recommended for development.

### 3.5.2. Primary Corridors

Primary Corridors are the links between the Regional Centre, Local and Mixed Use Centres, and Urban Intensification Areas. They define the experience of drivers, pedestrians, cyclists, and public transit users as they move through the core places of the CBRM. Primary Corridors are located along major thoroughfares throughout the Municipality and accommodate a range of land uses and densities. The Primary Corridors include Sydney Glace Bay Highway from Sydney to Glace Bay; Kings Road from Downtown Sydney to Sydney River; Highway 28 from Glace Bay to Dominion; and Keltic Drive from Kings Road to the Sydport Access Road.

## 3.6. REGIONAL STRUCTURE POLICIES

The following policies support the implementation of the Regional Structure Map in Schedule A and provide direction on integrating the framework into the CBRM's decision making process.

- RS-1** Council shall adopt the Regional Structure Map in Schedule A.
- RS-2** Council shall establish the Service Area Boundary on the Generalized Future Land Use Map (Schedule B). The Service Area Boundary are the lands currently serviced with municipal water, sanitary sewer, and storm sewer, or any combination thereof, with the capacity to accommodate additional development over the planning period.
- RS-3** Council shall prohibit development serviced by municipal water, sanitary sewer, and storm sewer, or any combination thereof, outside of the Service Area Boundary. An amendment to extend the Service Area Boundary in the Regional Structure Map (Schedule A) and the Generalized Future Land Use Map (Schedule B) must be undertaken prior to the approval of any serviced development outside of the Service Area Boundary to

ensure such expanded areas are desirable for the community. Such amendment must be done in compliance with Policy LU-7.

- RS-4** Council shall ensure the Regional Structure Map (Schedule A) is consistent with the Generalized Future Land Use Map (Schedule B).
- RS-5** Council shall consider changes to the Regional Structure Map (Schedule A) only when changes are undertaken to the Generalized Future Land Use Map (Schedule B).
- RS-6** Should there be a conflict between the Regional Structure Map (Schedule A) and the Generalized Future Land Use Map (Schedule B), Council shall ensure the Generalized Future Land Use Map (Schedule B) prevails.
- RS-7** Council shall target the Intensification Areas, including the Regional Centre, Local Centres, Mixed Use Centres, and Low, Medium and High Residential for increased investment including an improved level of municipal infrastructure and services and guide private investment to be in conformity with a higher quality service standard.
- RS-8** Council shall recognize the Employment Areas as critical economic drivers in the CBRM and encourage development that is supportive of employment uses and discourage development that may cause unnecessary conflict or detract from Employment Areas.
- RS-9** Council shall recognise the Rural Development Area as an important connection to the CBRM history and identity as an area of substantial rural character synonymous with the historic development pattern recognised as uniquely Cape Breton. Council shall encourage development in the Rural Development Area to be respectful of the historic, low density development

pattern by limiting the expansion of intensification into these areas.

### 3.7. LAND USE

The section that follows presents the framework for land use within the CBRM. The approach to land use is clear, predictable, and focused on the efficient and sustainable use of lands within the CBRM. It is a growth focused approach that incentivizes and prioritizes infill development around areas of concentrated services with the intention of building stronger, more resilient neighbourhoods. The approach to growth balances the needs of existing residents while considering the needs of the next generations that will call the CBRM home. As an ageing municipality seeking to attract newcomers, the CBRM will face new demands and challenges not previously seen. Creating a land use framework that is nimble and adaptive to the changing needs of the community is critical to the CBRM's longevity.



## 3.8. LAND USE OBJECTIVES

These objectives provide guidance for what types of development should be permitted and where. By working toward these objectives, CBRM will use development decisions and community design to prioritize quality of life and community well-being, and to ensure that local businesses flourish to promote creativity and innovation. CBRM's Land Use Objectives include:

- **Provide guidance for development decisions that are framed by the community's priorities, are in the best interest of the community, and position the CBRM for long-term sustainability.**
- **Encourage new development and investment to occur within the Service Area Boundary when appropriate.**



- › Limit development in the Rural Development Area to ensure the preservation of the traditional rural character that shapes the identity of the community.
- › Incentivize new and innovative forms of increasingly dense development in the Regional Centre and Local Centres.
- › Ensure the efficient use of existing municipal infrastructure and services and limit the extension of these services beyond the Service Area Boundary.
- › Manage land in a way that considers an improved quality of life for all residents.
- › Encourage reinvestment in Downtown Sydney, positioning the area as the Region's cultural, economic, and entertainment hub.
- › Direct increased investment to Local and Mixed-Use Centres to maximize the use of existing infrastructure while supporting the redevelopment of these core areas.
- › Support Membertou First Nation and Eskasoni First Nation in their land use management and development projects.
- › Ensure a broad variety of land use designations are available to foster a positive and welcoming approach to development that meets the needs of the community.
- › Work with the Province to designate areas for resource extraction, forestry, agriculture and/or intensive industrial uses that resolve the impact on the rural character of the CBRM, and improves the positive impact of the rural character where possible or appropriate.
- › Protect CBRM's natural areas and environmentally

**significant and sensitive areas by limiting or prohibiting development in these areas.**

- **Foster complete communities in the CBRM's Regional, Local, and Mixed-Use Centres to provide residents with increased opportunities to live, work, and recreate in their neighbourhoods.**

### 3.8.1. Land Use Designations & Regional Structure

The Regional Structure is implemented through Land Use Designations, which ensure that different types of development occurs in designated areas, and is steered away from the treasured or environmentally sensitive areas that the municipality wants to protect. Land Use Designations further refine the information presented in the Regional Structure and provide a description of the CBRM's lands and how they are currently utilized and how they intended to be utilized throughout the planning period. Land Use Designations are presented on the Generalized Future Land Use Map in Schedule B. This map is a comprehensive visualization of the CBRM's land use pattern and provides a picture of where residential, sales, service, industrial, institutional, and other key land uses are located and where they are intended to be located in the future.

To ensure consistency between the framework proposed by the Regional Structure, the Service Area Boundary will be applied as an overlay on the Generalized Future Land Use Map in Schedule B. The Regional Structure framework and how it dictates the structure of the land use designations is described in the diagram below.



### 3.8.2. Regional Structure and Land Use Policies

- LU-1** Council shall establish the Generalized Future Land Use Map in Schedule B.
- LU-2** Council shall provide the Service Area Boundary, described as the areas within the CBRM that are serviced by municipal water, sanitary sewer, and storm sewer, as an overlay on the Generalized Future Land Use Map in Schedule B.
- LU-3** Council shall utilize the Service Area Boundary as a growth boundary to manage development outside the Service Area Boundary with a goal of maintaining the rural character that forms the traditional development pattern of rural Cape Breton.
- LU-4** Council shall be prohibited apartment building development in all areas of the CBRM not serviced with a Municipal piped sanitary sewer main, except to facilitate the re-use of abandoned, community, educational, or municipal service buildings.
- LU-5** Unless pursuant to policies within the MPS, Council shall prohibit zone amendments for any sales and service development proposal in Residential Land Designations.
- LU-6** Council shall strongly discourage municipal infrastructure investment and new municipal water, sanitary and storm sewer infrastructure outside of the Service Area Boundary.
- LU-7** Council shall strongly discourage extending or changing the boundaries of the Service Area Boundary except through a comprehensive review of the following criteria:
  - Municipal Infrastructure capacity; and
  - Reasonable availability of suitable lands within the Service Area Boundary; Capital cost of maintaining infrastructure

proposed as part of an application outside of the Service Area Boundary estimated yearly over a 25-year period.

### 3.8.3. Commercial Land Use Designations

The CBRM offers a variety of sales and service areas that provide a diverse offering of business and personal services. These areas range from large format retail stores on busy urban corridors to retail shops and services clustered around a rural road intersection. These areas drive the economic development of the CBRM while also providing critical services to residents and the travelling public. The approach to sales and service development in the CBRM recognizes that sales and service development occurs in a variety of areas at different intensities and attempts to define these areas in line with how the community currently uses them while accounting for their potential to accommodate increased development. By identifying and creating policy to further promote sales and service development opportunities in these areas, the CBRM aims to enhance the experiences of residents and visitors who live, work, and play in these areas, while also continuing to promote sustainable and innovative economic development in the municipality.

#### **DOWNTOWN REGIONAL CENTRE**

Downtown Regional Centre (Sydney) is the CBRM's most intensive development area. Its mix of sales, service, residential, and mixed use is the CBRM's most dense and complex. Downtown Sydney is the Region's urban hub for economic development, entertainment, and culture. It has the largest concentration of office uses, public sector buildings, retail services, financial institutions, restaurants, public buildings, cruise ship facilities, and event spaces in the Region. The Downtown Regional Centre Land Use Designation positions the area to continue the concentration of mixed uses and captures opportunities to intensify land uses with allowances for greater residential and non-residential densities.

### 3.8.4. Downtown Regional Centre Policies

- LU-8** Council shall identify the Downtown Regional Centre Land Use Designation on the Generalized Future Land Use Map in Schedule B.
- LU-9** Council shall recognize the Downtown Regional Centre as the CBRM's primary business, tourism, institutional, and service centre through directing a mix of land uses that support a dynamic and vibrant core.
- LU-10** Council shall prioritize reinvestment and revitalization efforts to support the continued and sustainable growth of the Downtown Regional Centre with the aim of developing the area as the Regional Centre of the CBRM.
- LU-11** Council shall explore introducing development initiatives to incentivize development in the Downtown Regional Centre.
- LU-12** Council shall permit high density residential developments, including apartment buildings, without the need for a zone amendment, under provisions within the Land Use By-law.
- LU-13** Council shall permit mixed-use developments with the intention of increasing pedestrian and business activity on the streets of Downtown Sydney.
- LU-14** Council shall permit the redevelopment of lands currently used as parking lots into residential uses, sales and service uses, or mixed-use developments, provided that these developments are consistent with the provisions of the Land Use By-law.
- LU-15** Council shall collaborate with the Sydney Downtown Development Association to encourage the development of programming, events, placemaking, and beautification activities that reflect Downtown Sydney as the Region's centre for urban



activity.

- LU-16** Council shall, through the Land Use By-law, prohibit the development of automobile oriented land uses such as drive-thru restaurants on Charlotte Street in Downtown Sydney.
- LU-17** Council may collaborate with Sydney Downtown Development Association, the Cape Breton Partnership, Destination Cape Breton, and the Cape Breton Local Immigration Partnership to advertise Downtown Sydney as the cultural and entertainment hub of the Region and an ideal place to live, work, and play.
- LU-18** Council shall work with the Cape Breton Regional Chamber of Commerce to develop marketing collateral for business investment in Downtown Sydney describing the variety of opportunities available to invest in the Region's core.
- LU-19** Council may explore opportunities to target municipally owned lands in the Downtown Sydney Land Use Designation for higher density, affordable and mixed market housing development.

### **REGIONAL COMMERCIAL CENTRE LAND USE DESIGNATION**

The Regional Commercial Centre encompasses the area around Mayflower Mall and the portion of Grand Lake Road that connects Mayflower Mall to Downtown Sydney. This area is anchored by big-box retail tenants as well as strip malls and other large format retail and service uses. This area is the most intensive retail and service area in the region and serves all residents of the CBRM as well as the broader population base of Cape Breton Island. The area is envisioned to continue its primarily sales and service development pattern throughout the planning period. Opportunities to integrate high density residential uses will be considered and prioritized to ensure increased housing options near areas where employment is concentrated.

### 3.8.5. Regional Commercial Centre Land Use Policies

- LU-20** Council shall identify the Regional Commercial Centre Land Use Designation on the Generalized Future Land Use Map in Schedule B.
- LU-21** Council shall recognize the Regional Commercial Centre as the major retail area within the Region that supports a range of sales and services to serve residents of the CBRM and Cape Breton Island and encourage a variety of land uses in the Regional Commercial Centre through appropriate provisions in the Land Use By-law.
- LU-22** Council shall encourage high density residential developments that would place employees within walking distance of their employers and enhance the efficient use of lands on the periphery of larger format retail uses.
- LU-23** Council shall encourage large format retail developments that serve a regional population to be located within the Regional Commercial Centre through appropriate standards in the Land Use By-law.
- LU-24** Council shall undertake the evaluation of public parking lots by taking inventory of parking stalls in the Regional Commercial Centre to determine surplus lands that may be appropriate for infill development.

## LOCAL CENTRE LAND USE DESIGNATION

Local Centres are the central service areas in communities outside of the Regional Centre. Each of these communities has its own history, context, and nuance which will influence development decisions. These areas are identified by their concentration of services and activities in a defined central area which are surrounded by medium to low density or stable residential neighbourhoods. Each Local Centre serves a different population at a different scale and has a unique capacity to accommodate growth. Local Centres should be human scaled and function as complete communities where residents can accommodate their daily needs on foot, by bicycle, or short vehicle trip.

The Local Centre Land Use Designation is applied to North Sydney and Glace Bay's downtown areas. North Sydney and Glace Bay have defined and intact downtown areas that are primed for reinvestment and revitalization.

### NORTH SYDNEY

North Sydney's downtown is a vibrant mix of restaurants, retail spaces, historic residential buildings, and much more. It serves as the centre for the northside communities of the CBRM and provides these communities with day-to-day needs and services. The North Sydney Marine Atlantic ferry terminal frames the northern edge of the downtown waterfront area and carries thousands of passengers to and from the Province of Newfoundland and Labrador; many of which pass through North Sydney's downtown before boarding the ferry. North Sydney's downtown is full of potential and primed for reinvestment. Several prominent buildings are underutilized or vacant and hold substantial development opportunity. Positioning North Sydney as a Local Centre will incentivize the redevelopment of the downtown and allow for appropriate, incremental increases in density closer to the core of the community.

### GLACE BAY

Glace Bay is a historic community with a defined downtown area and well appointed residential neighbourhoods. Glace Bay's downtown is anchored by the popular Savoy Theatre, a Victorian style performing arts venue that hosts artists from around the world. As the second largest population centre in the CBRM, the community boasts a variety of housing options in compact, walkable neighbourhoods with easy access to family friendly amenities. With Cape Breton University a short drive away, Glace Bay is also central to student life. Glace Bay is envisioned to capture its potential as a comfortable, low to medium density residential area with access to exceptional recreation and cultural amenities.

## 3.8.6. Local Centre Policies

- LU-25** Council shall identify the Local Centre Land Use Designation on the Generalized Future Land Use Map in Schedule B.
- LU-26** Council shall encourage Local Centres to play a prominent role in providing housing, goods, services, employment opportunities, recreation, and cultural activities for residents through encouraging and prioritizing reinvestment that increases a mixture of uses and incremental increases in density.
- LU-27** Council shall encourage new developments in the Local Centre Land Use Designation that front onto corridors to be human-scaled and accommodate a mixture of uses that have active ground floor uses that animate the street and create a welcoming and vibrant pedestrian environment.
- LU-28** Council shall support the North Sydney Business Improvement and Development Association (BIDA) and encourage the establishment of a Business Improvement District for Glace Bay.

- LU-29** Council shall, through the Land Use By-law, encourage pedestrian-friendly downtowns through building design standards within the Land Use By-law.

### **MIXED USE CENTRE**

Mixed Use Centres are areas with a concentration of residential and sales and service uses and are generally applied to the centres of the smaller communities within the CBRM. The Mixed Use Centres serve the everyday needs of residents living in the immediate vicinity through a variety of sales and service uses. Mixed Use Centres include Sydney River, Reserve Mines, Sydney Mines, New Waterford, Dominion, and Louisbourg. These areas will be positioned for incremental growth over the planning period. As the Mixed Use Centres fill in with development of a similar scale to what exists now, they begin to evolve to accommodate higher density housing and more intensive sales and service uses.

#### **3.8.7. Mixed Use Centre Policies**

- LU-30** Council shall identify the Mixed Use Centre Designation on the Generalized Future Land Use Map in Schedule B.
- LU-31** Council shall ensure an appropriate range of residential, sales and service uses are permitted in the Mixed Use Centres to support their incremental growth over the planning period through appropriate provisions in the Land Use By-law.
- LU-32** Council shall encourage more dense housing types be located closer to concentrations of sales and service land uses to preserve the character of the stable neighbourhoods that surround the Mixed Use Centres.

### **LOCAL COMMERCIAL AREA**

Local Commercial Areas are defined areas of sales and service activity such

as malls, shopping plazas, or commercial strips that serve a local population. These areas include Uptown Sydney, and smaller-scale sales and service nodes in North Sydney, Glace Bay, and New Waterford. These areas generally service the residents living in the immediate vicinity.

### 3.8.8. Local Commercial Area Policies

- LU-33** Council shall identify the Local Commercial Area Land Use Designation on the Generalized Future Land Use Map in Schedule B.
- LU-34** Council shall encourage a range of sales and service and residential uses within the Local Commercial Areas through the appropriate provisions in the Land Use By-law that support a range of density and mixture of uses that encourages these areas to evolve into complete neighbourhoods.
- LU-35** Council shall encourage more dense housing types be located closer to concentrations of sales and service uses to preserve the character of the stable neighbourhoods that surround the Local Commercial Area.

### **BUSINESS PARK**

Business Parks consist of low impact industrial and manufacturing uses, large format office spaces, services, and may include additional retail businesses that service the more intensive business uses. With the region's history in manufacturing and a skilled and experienced workforce, business parks are expected to play a significant role in the economic development efforts within the CBRM.

### 3.8.9. Business Park Policies

- LU-36** Council shall identify Business Park Land Use Designation on the



Generalized Future Land Use Map in Schedule B.

- LU-37** Council shall allow for a variety of light industrial and high intensity sales and service uses in Business Parks through appropriate provisions in the Land Use By-law for uses such as veterinarian clinics, kennels and other animal-related services, light industrial uses, minor and major manufacturing, research facilities, self-storage facilities, as well as warehouse, distribution and fulfillment centres.
- LU-38** Council shall encourage large format office space to be located within the Business Park
- LU-39** Council shall permit light industrial and sales and service uses within business parks, through provisions in the Land Use By-law.

## 3.9. RESIDENTIAL LAND USE

### 3.9.1. Medium to High Density Residential

The MPS contains Medium to High Density Residential policies to encourage high density levels within designated areas of the serviced areas of the CBRM. These areas exist inside of the Service Boundary Area and are informed by the Urban Intensification Areas within the Regional Structure. The Medium to High Density Residential designation is envisioned to include a compact development form with a variety of multi-unit buildings such as apartment buildings and townhouses.

### 3.9.2. Medium to High Density Residential Policies

- LU-40** Council shall identify the Medium to High Density Residential Land Use Designation on the Generalized Future Land Use

Map in Schedule B.

- LU-41** Council shall ensure the Medium to High Density Residential Land Use Designation is applied within the Service Area Boundary and prohibit the application of the Medium to High Density Residential Land Use Designation in areas not serviced by municipal water, sanitary sewer, and storm sewer.
- LU-42** Council shall encourage a range of increasingly dense, residential housing typologies in the Medium to High Density Residential Land Use Designation and the Regional Centre through appropriate provisions in the Land Use By-law.
- LU-43** Council shall consider the surrounding development pattern when evaluating a residential development that proposes to increase the density of the immediate neighbourhood to consider the possible traffic impacts, public amenity space, active transportation connections, and neighbourhood character and context. Such amendment must be done in compliance with Policy A-16.
- LU-44** Council shall provide for limited compatible sales and service in the Medium to High Density Residential Land Use Designation such as convenience stores, cafes or food service, medical clinics, and day care facilities, through appropriate provisions in the Land Use By-law.
- LU-45** Council shall evaluate connections between proposed medium and high density residential development and the surrounding transportation network to ensure high quality connections to active and public transportation options.
- LU-46** Within the medium to high density residential areas, Council shall consider, through site plan approval conditions within the Land Use By-laws the following uses within the low and

medium density urban residential zones:

1. Apartments over six units;
2. Small scale sales and restaurant uses

**LU-47** Council shall consider increased building height in areas where density already exists therefore limiting impact on neighbouring residential areas. Minimum and maximum building heights will be applied through appropriate provisions in the Land Use By-law with the intention of providing incremental increases in height between low density and higher density developments.

## **3.10. LOW DENSITY RESIDENTIAL**

The Low Residential Density Land Use Designation encourages appropriate levels of density outside of the urban areas targeted for high density growth but still within the Service Area Boundary. These areas are generally suburban in form and are envisioned to evolve over time to include incremental increases in density. These more dense housing forms are ideally sited near connections to established transportation networks, limiting the impact on the lower density housing while making effective use of existing infrastructure capacity.

### **3.10.1. Low to Medium Density Residential Policies**

**LU-48** Council shall identify the Low Density Residential Land Use Designation on the Generalized Future Land Use Map in Schedule B.

**LU-49** Council shall ensure the Low Density Residential Land Use Designation is applied within the Service Area Boundary and prohibit the application of the Low to Medium Density

Residential Land Use Designation in areas not serviced by municipal water, sanitary sewer, and storm sewer.

**LU-50** Council shall encourage a range of moderately dense residential housing typologies in the Low Density Residential Land Use Designation such as one unit and two unit dwellings, townhouses, and low-rise apartment buildings through appropriate provisions in the Land Use By-law.

**LU-51** Council shall assess the surrounding development pattern when evaluating a residential development that proposes to increase the density of the immediate neighbourhood to consider the possible traffic impacts, public amenity space, active transportation connections, and neighbourhood character and context. Such amendment must be done in compliance with Policy A-16.

**LU-52** Within the low density residential areas, Council may shall consider, through site plan approval conditions within the Land Use By-laws the following uses within the low and medium density urban residential zones:

1. Apartments over six units;
2. Small scale sales and restaurant uses

Sales and service uses shall include conditions that limit their size and location to encourage siting these uses near intersections.

### 3.10.2. Historic Residential Policies

**LU-55** Council shall recognize the North End of Sydney for its historical and architectural legacy of the streetscape, and the age of old residential buildings, with the intention of revitalizing building conditions while maintaining heritage character through a

Heritage Conservation District Plan.

**LU-56** Council shall administer existing heritage policies and programs, such as :

- Heritage District Conservation Plan;
- Municipal Heritage Registry; and
- Heritage Incentive Program.

**LU-57** Council may consider regulating building form and design in additional areas of the municipality to maintain the overall heritage value by adopting new Heritage Conservation Districts.

### 3.10.3. Industrial Land Use Designations

The CBRM has a long history of industry. Industry and manufacturing hold significant importance in the economic vitality and longevity of the CBRM. Growth in these sectors will continue to be important and should be matched with a reasonable approach to industrial land use that encourages their responsible and sustainable development. The Industrial Land Use Designation is applied to areas with existing medium to heavy industrial uses and the surrounding areas that may be primed for industrial expansion. A focused approach to industrial land use will look at limiting potential land use conflicts by allowing for expansion of industrial uses where they currently exist.

### 3.10.4. Industrial Land Policies

**LU-58** Council shall identify the Industrial Land Use Designation on the Generalized Future Land Use Map in Schedule B.

**LU-59** Council shall encourage new industrial development to be located in existing Industrial Parks or in the vicinity of other existing industrial uses implemented through the Land Use By-law.

- LU-60** Council shall prohibit residential development in the Industrial Land Use Designation with the exception of dwelling units that are incidental to the Industrial Use such as caretaker or security accommodations.
- LU-61** Council shall encourage sales and service uses in the Industrial Land Use Designation to be of a smaller scale and intensity so as to not detract from commercially designated lands.
- LU-62** Council shall, through the Land Use By-law, provide for heavy, medium and light intensity industrial land uses with appropriate provisions.

### 3.10.5. Rural Land Use Designation

#### **RURAL DEVELOPMENT AREA**

The Rural Development Area Land Use Designation includes those areas outside the Service Area Boundary that have a low-density development pattern typical of rural areas and help form the identity of rural Cape Breton. These areas include unserviced residential development typically on larger lots fronting directly onto Provincial Highways or rural lanes. There are pockets of sales and service development throughout these rural areas that are aimed at convenience or specialty services. New development proposed in the Rural Development Area is intended to continue the low density pattern that is typical of the rural lifestyle. Encouraging the established rural development pattern to continue will protect the rural character that many residents hold dear.

### 3.10.6. Rural Development Area Policies

- LU-63** Council shall identify the Rural Development Area Land Use Designation on the Generalized Future Land Use Map in



#### Schedule B.

- LU-64** Council shall encourage development in the Rural Development Area Land Use Designation to be consistent with the rural character and development pattern of the existing rural areas of the CBRM, such as through larger lot sizes and a mix of uses.
- LU-65** Council shall require all new development within the Rural Development Area to be serviced through on-site water and sewage disposal systems.
- LU-66** Council shall ensure the rural development pattern is maintained through provisions in the Land Use By-law that encourage larger lots and limited lot occupancy.
- LU-67** Council shall recognize areas of existing concentrations of sales and service development and encourage these sales and service nodes to continue through appropriate provisions in the Land Use By-law.
- LU-68** Council shall provide standards for private streets within the Subdivision By-law to facilitate rural development. In general, private streets will be allowed in the Rural Development Area such that they provide necessary connection between existing developments or are determined by Council to be necessary to facilitate a proposed development.

### **RURAL RESOURCE**

The Rural Resource Land Use Designation includes existing or previously developed lands that have been used in the mining, quarrying, aggregate industries, or are being used for utility purposes. They include both active, decommissioned, and reclaimed industrial sites. Rural Resource lands may also include woodlots, agricultural uses including livestock operations and farm gate sales

### 3.10.7. Rural Resource Policies

- LU-69** Council shall identify the Rural Resource Land Use Designation on the Generalized Future Land Use Map in Schedule B.
- LU-70** Council shall encourage development in the Rural Resource Use Designation to be consistent with the rural character and development pattern of the existing rural areas of the CBRM through appropriate standards in the Land Use By-law, such as increased lot sizes.
- LU-71** Council shall recognize areas of existing concentrations of non-residential development and encourage these sales and service nodes to continue through appropriate provisions in the Land Use By-law.
- LU-72** Council shall identify areas of existing operational Agricultural uses and designate these areas Rural Development Area or Rural Resource.
- LU-72a** Council shall consider measures to reduce topsoil removal on lands with the highest agricultural value.

### 3.10.1. Small Community

The Small Community designation is applied to the communities of Birch Grove, Port Morien, and Donkin. These communities exist inside the Service Area Boundary within the Regional Structure are they are serviced by both municipal water and sewer. While these communities have access to municipal services, they are still rural in nature and experience agricultural and fishery uses. The Small Community Designation will include a range of residential uses along with agricultural, fishery and limited sales and service uses.

- LU-73** Council shall identify the Small Community Designation on the Generalized Future Land Use Map in Schedule B.
- LU-74** Council shall apply the Small Community Land Use designation within the Service Area Boundary in the communities of Birch Grove, Port Morien and Donkin.
- LU-75** Council shall encourage a range of moderately dense residential housing typologies in the Small Community Designation, such as one and two unit dwellings, townhouses, and low rise apartment buildings through appropriate provisions in the Land Use By-law.
- LU-76** Council shall encourage fishery and agricultural uses in the Small Community Designation along with compatible sales and service uses.

### 3.10.2. Parks and Natural Areas

#### **PARKS AND NATURAL AREAS DESIGNATION**

The Parks Designation is applied to lands that are generally used for low impact or passive recreation. Park lands may include a higher tolerance for development as they are assumed to include both indoor and outdoor recreation infrastructure and amenities. Natural areas are aimed at conservation and rehabilitation of natural ecosystems while allowing the areas to be accessed and appreciated by the public.

### 3.10.3. Parks and Natural Areas Policies

- LU-77** Council shall adopt a Parks and Recreation Master Plan to guide the planning, management, and investments in CBRM parks, open spaces, and recreational services and assets. Council shall review this Master Plan every 10 years.

- LU-78** Council shall identify existing recreation amenity and infrastructure as Parks and Natural Areas.
- LU-79** Council shall provide for a range of recreation and park uses through appropriate provisions in the Land Use By-law.
- LU-80** Council shall consider through the Subdivision By-law, the dedication of lands for public purposes, or cash-in-lieu, as part of the subdivision process so long as the lands:
- a. Provide access to a watercourse or shoreline; or
  - b. Are strategically identified for recreation purposes within the Recreation Master Plan; or

### **ENVIRONMENTALLY SENSITIVE AREA DESIGNATION**

The CBRM is home to a diverse natural environment characterized by three different ecodistrict classifications under the Nova Scotia Department of Natural Resources; the Cape Breton Highlands, Bras d'or Lowlands, and Cape Breton Coastal. These classifications recognize areas of unique geology, soils, topography, and climate. These unique areas combine with urban and rural forests, watercourses, and wetlands to create the CBRM's natural systems that provide residents with clean air, water, and soil and contribute to the betterment of the community's quality of life.

The Environmentally Sensitive Area Land Use Designation is applied to areas where development or disturbance would disrupt or destroy the natural function of an environmental feature. These areas may be considered for passive recreation to allow residents and visitors to experience and appreciate nature but permanent disturbance of these areas will be prohibited.

### **3.10.4. Environmentally Sensitive Areas Policies**

- LU-81** Council shall identify Environmentally Sensitive Areas on the

Generalized Future Land Use Map in Schedule B.

- LU-82** Council shall discourage development on Environmentally Sensitive Areas through appropriate provisions in the Land Use By-law.
- LU-83** Council shall establish a Floodway Area using the best available floodplain data depicting the 1 in 20-year flood events through provisions in the Land Use By-Law aimed at limiting development in this highest risk area to passive recreational uses.
- LU-84** Council shall establish a Floodway Fringe Area using the best available floodplain data through provisions in the Land Use By-Law and provide direction on development being subject to restrictions aimed at limiting risk to public safety and property.
- LU-85** Council shall explore acquiring lands within environmentally sensitive areas to limit risk to public safety and property.
- LU-86** Council shall manage coastal development in a manner consistent with the Province of Nova Scotia.
- LU-87** Council shall explore opportunities to acquire lands in watersheds and well-field areas to support the long term provision of clean drinking water.

### 3.10.5. Federal Lands Designation

Federally owned areas can be found inside and outside of the Service Area Boundary. CBRM's boundary also surrounds Eskasoni and Membertou Lands. CBRM has no authority to designate these lands, however, they are provided on the Future Land Use Map for ease of use.

- LU-88** Council shall identify the Federal Land Use Designation on the

Generalized Future Land Use Map in Schedule B.

**LU-89** Council shall label Eskasoni and Membertou lands on the Future Land Use Map in Schedule B.

**LU-90** Council shall, in partnership with Eskasoni and Membertou, identify fee-simple lands within CBRM and discuss opportunities to designate them and zone them according to their proposed use at no cost to Eskasoni and Membertou.

### 3.10.6. Primary Corridors Designation

The Primary Corridors are main transportation links that connect the Regional Centre and Local Centres, and Local Centres and Mixed Use Centres to one another. These are critical transportation routes used by residents and visitors to commute to work and school, to see new places and try new things, and to access the greatest of what the CBRM has to offer. Primary Corridors currently support a mixture of uses and have been identified as appropriate locations for increased intensity of land use. Focusing on the development of Primary Corridors including incremental increases in land use intensity allows them to evolve to meet the needs of the neighbourhoods they serve while also protecting the integrity of those primarily residential areas.

The MPS identifies four Primary Corridors: Kings Road Corridor; serviced portions of the Sydney Glace Bay Highway; Main Street Sydney Mines, and Highway 28 corridor from Glace Bay to Dominion.

#### **KINGS ROAD CORRIDOR**

Kings Road connects Downtown Sydney to the Sydney River Mixed-Use Centre. It is home to a mixture of uses including hotels, apartment buildings, restaurants, and other sales and service uses. Kings Road is the primary corridor into Downtown Sydney and carries residents and visitors into the culture and entertainment hub of the Region and therefore provides the first impression of the community's urban landscape. It also



brings people through the centre of Sydney River, where there is a concentration of amenities and services that serve the surrounding well established residential neighbourhoods. Kings Road also contains an entrance and connection to the community of Membertou. The intended direction for this corridor looks at using its mixed use foundation to set the stage for infill development that is increasingly dense as it approaches Downtown Sydney and the centre of Sydney River. High quality, active transportation connections between Downtown Sydney and Sydney River are intended to evolve over time to support each of these areas becoming increasingly walkable neighbourhoods with development that is right-sized for each area.

### **SYDNEY GLACE BAY HIGHWAY**

The Sydney Glace Bay Highway Corridor is the key transportation link between the two largest population centres in the CBRM; the Regional Centre, and Glace Bay. This Primary Corridor is home to the Grand Lake Regional Commercial Centre, Cape Breton University, the J.A. Douglas McCurdy Sydney Regional Airport, and mixture of residential, sales, service, and industrial uses. Although access off this corridor is controlled by the Province, it holds substantial infill development opportunity and will be positioned for more intensive development aimed at growing the area around Cape Breton University and providing additional amenity to the residents of Glace Bay.

### **HIGHWAY 28 CORRIDOR**

The Highway 28 Corridor connects the Local Centre of Glace Bay to the Mixed-Use Centre of Dominion. This Primary Corridor is a key connection to and through areas that are primed for increased investment and development. Glace Bay is a significant population centre with a historic downtown and stable residential area. It has the framework in place to become a complete community. Dominion is a community with deep roots as well and home to the popular Dominion Beach Provincial Park. The connection between Glace Bay and Dominion is envisioned to evolve over the planning period with increased sales and service offerings developing on the Corridor and increasing dense residential housing on the periphery.

### **MAIN STREET SYDNEY MINES**

Main Street in Sydney Mines connects the Trans Canada Highway to the Mixed Use Centre designation in central Sydney Mines. The primary corridor is a key gateway into Sydney Mines and exhibits a mix of commercial and residential uses. As an important connection to Sydney Mines, the area is poised to continue to exhibit a mix of commercial and residential uses over the lifespan of the Planning Strategy.

#### **3.10.7. Corridor Policies**

- LU-91** Identify the Kings Road, Highway 4, and Highway 28 Primary Corridors on the Generalized Future Land Use Map in Schedule B.
- LU-92** Council shall encourage a mixture of sales and service, high density residential, institutional, and industrial uses on Primary Corridors through appropriate provisions in the Land Use By-law.
- LU-93** Council shall identify opportunities for increased access to public and active transportation along Primary Corridors through the evaluation of public transit stops and routes, pedestrian and bicycle connections, and access to crossing points.
- LU-94** Council shall identify opportunities for wayfinding improvements along Primary Corridors to showcase the importance of the places travellers are going to and coming from through the creation of a wayfinding plan

### **3.11. GENERAL LAND USE POLICIES**

The following section of the Municipal Planning Strategy provides general policies which apply broadly in various situations pertaining to land use across the municipality. General policies related to housing, including home occupations, are provided in the Housing Choice and Affordability chapter.

### 3.11.1. Accessory Development

- LU-95** Council shall regulate accessory uses, through the Land Use By-law, by applying thresholds and criteria for uses which may be considered ancillary to the main use.

### 3.11.2. Other Development

- LU-96** Council shall regulate medical clinics and long term care facilities by correlating the sale of these health care services with the importance of the public street/road used to access them, these uses shall be permitted through a combination of as-of-right, site plan approval, and zone amendments done in compliance with Policy A-16.

### 3.11.3. Non Conforming Uses and Existing Development

Generally, development that is inconsistent with the land use policies establishing in a Municipal Planning Strategy are not permitted. CBRM has a storied past, including a proud industrial past. As such, many land uses exist in locations that may be considered inappropriate by today's modern standards. The *Municipal Government Act* allows certain protections for these non-conforming uses that were legally developed at the time to ensure they can continue to operate. The *Act* stipulates that these uses lose their non-conforming status when the use ceases operations for a continuous period exceeding six months. Additionally, the *Act* provides tools for municipalities to extend non-conforming status, adding flexibility to these unique uses. In addition to the provisions of the *Municipal Government Act*, additional flexibilities will be given to existing business developments that are not in compliance with zone provisions.

- LU-97** Council shall, through the Land Use By-law, extend the period before a non-conforming use is considered discontinued to twelve months.
- LU-98** Council shall, through Land Use By-law, permit the expansion of a non-conforming structure provided the expansion does not increase the overall non-conformity of the structure.
- LU-99** Council shall, through the Land Use By-law, permit the expansion of a non-conforming use to a similar non-conforming use through site plan approval.
- LU-100** Council shall acknowledge the legitimacy of developments that existed legally prior to the adoption of the Land Use By-law if the tax assessment category remains consistent with the development type. Council shall permit as a right a change in a use to a similar, or relatively innocuous use. Any expansion of an existing business development shall be done by Site Plan Approval.

### 3.11.4. Recreational Vehicles

Recreational Vehicles can sometimes be used throughout CBRM as an alternative to a seasonal residential structure. In this case, although technically a vehicle, the land use impacts are similar to a building and have land use impacts. CBRM wishes to regulate Recreational Vehicles, while providing flexibility for people to use these vehicles for recreational dwellings but create a threshold for how many recreational vehicles can exist on a lot before it triggers the definition of a campground.

**LU-101** Council shall, through the Land Use By-law, include a definition for campground that includes a threshold more than two Recreational Vehicles.

**LU-102** Council shall, through the Land Use By-law, permit campgrounds in excess of six sites in the Rural Areas through Site Plan Approval that assess that application against nuisance impacts, access, and on-site amenities and services.

### 3.11.5. Community Services and Facilities

CBRM has many communities, settlement areas and hamlets that feature community spaces, such as places of worship, halls, schools, and other community facilities along with municipal buildings. These facilities are often integral to a strong sense of identity and place within communities. Council appreciates the important role these facilities have in communities and intends to continue allowing these uses broadly across zones. Additionally, educational, health care (including medical clinics), recreational facilities, and protective services provide important services to communities across CBRM. Council wishes to allow these services to locate in most locations across the municipality.

In recent years, many of these communities have witnessed these facilities closing for a variety of reasons. These structures are broadly recognized for their prominence in community and have tremendous value as community landmarks. These structures have opportunities for permissive and broad adaptive re-use, as such, Council would like to

promote redevelopment of these structures through a Site Plan Approval process.

- LU-103** Council shall, through the Land Use By-law, permit Community Uses and Facilities in many zones across CBRM.
- LU-104** Council shall, through the Land Use By-law provide provisions to allow medical, educational, and supportive housing uses across many residential and commercial zones in the municipality with the intention of siting these services near amenities, services, and residential areas.
- LU-105** Council shall, through Site Plan Approval and provisions established in the Land Use By-law, permit the adaptive re-use of former community, educational, and municipal facilities, provided they do not negatively impact the surrounding neighbourhood and provide a community benefit, such as new housing or service.
- LU-106** Council shall, through the Land Use By-law, permit shared dwellings at appropriate scales, within most residential zones.

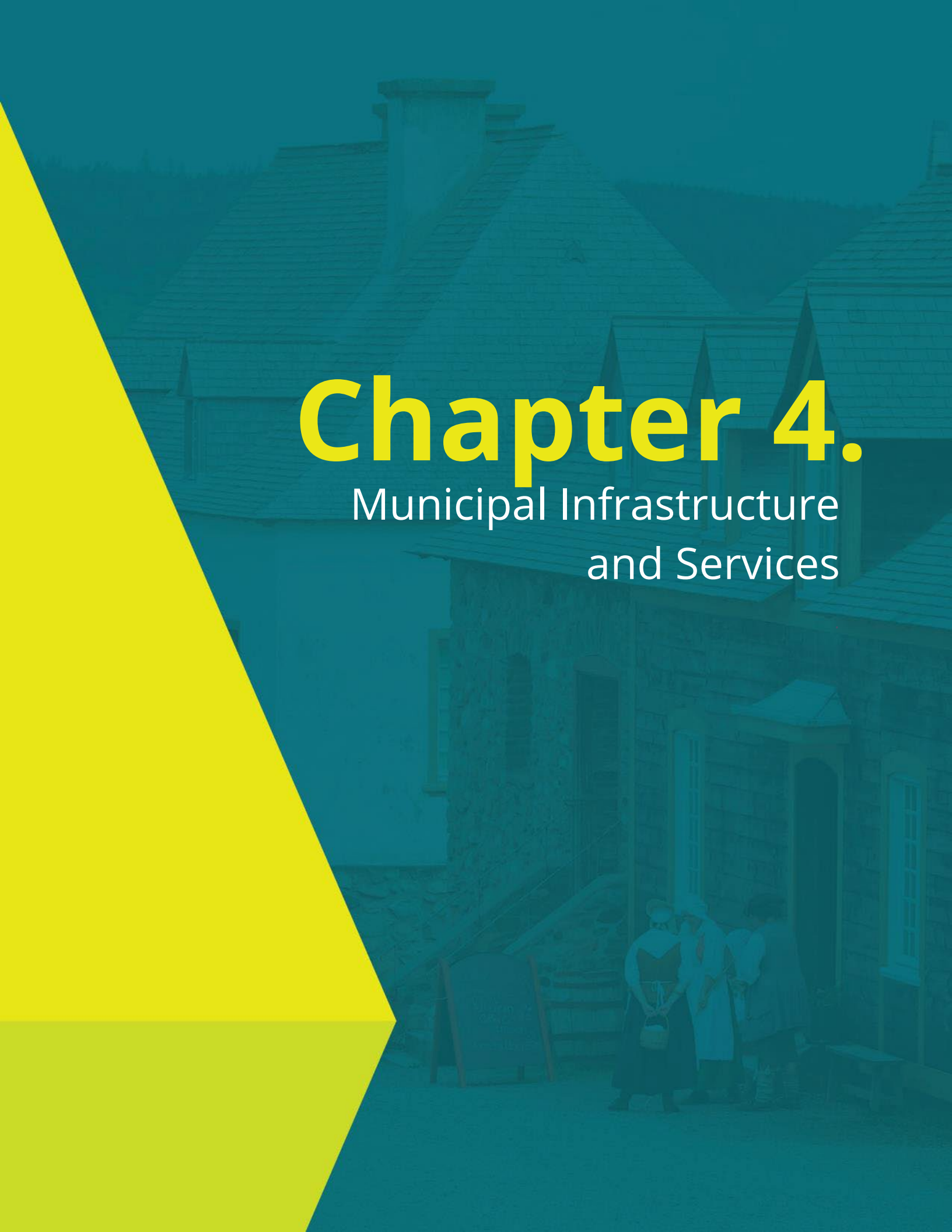
### 3.11.6. Home Occupations

Home occupations provide for more services in areas where traditional commercial areas may be limited. Council supports home occupations and recognizes their benefit; however, the policies below attempts to manage these uses and their impacts throughout CBRM.

- LU-107** Council shall, through provisions in the Land Use By-law, permit home occupations within the Service Area Boundary through Site Plan Approval, provided that :
  - a. The home occupation is clearly secondary to the main residential use;
  - b. The home occupation is not visible from the street and



- does not require exterior alterations that would affect the primary residential character of the property;
- c. The home occupation is limited to uses that not involve excessive traffic, including truck traffic for the purpose of moving goods.



# Chapter 4.

## Municipal Infrastructure and Services

## 4.1. PURPOSE

CBRM is an amalgamation of former industrious municipalities, which has led to an expansive road network, as well as water, sewer, and stormwater systems which span Sydney, Glace Bay, New Waterford, Sydney Mines, Louisbourg, and the communities in between. Due to the size of infrastructure systems, and the distance between communities which CBRM must provide services to, maintenance and delivery of these services has caused financial strain on the municipality. It is vital the CBRM creates a long-term plan to ensure the efficient use and development of services and infrastructure, while also ensuring that necessary services are maintained throughout all of CBRM.

The Municipal Infrastructure chapter outlines Council's priorities for infrastructure maintenance and investment. A policy framework for proactive infrastructure decisions will be set in place to support an approach which considers the CBRM's structure and intended growth areas. The intention of this chapter is to set a standard for investment that is aligned with the Regional Structure, ensuring an increased level of investment in intensification areas.



## 4.2. OBJECTIVES

- Maintain an accurate and up to date inventory of municipally owned infrastructure and assets.
- Encourage the effective and efficient use of existing municipal infrastructure through the use of a defined Service Area Boundary and targeted intensification areas.
- Maintain a high quality standard for piped infrastructure to ensure the long term protection of the natural environment.
- Maintain a sustainable and effective level of emergency services that ensures the safety of all residents.
- Advocate for equitable access to high-speed internet infrastructure installation throughout the CBRM.
- Create a policy for infrastructure investment that will facilitate the inclusion of Regional Structure and intensification areas as key components.
- Critically assess opportunities to manage infrastructure needs in new and innovative ways that support the sustainable growth of the CBRM.

## 4.3. WATER AND WASTEWATER

Central services, such as water and sanitary services exist throughout the CBRM. These services provide for a more efficient and safe use of land, but come at a significant public cost. Throughout the region, there are areas serviced by water, sanitary or both. These areas are mostly concentrated within urban-type settlement areas. These services represent a significant cost to the public, both in initial development, lifecycle replacement, and on-going maintenance. These serviced areas mostly have capacity to facilitate more development, making for an efficient and sustainable use of the infrastructure and municipal assets dedicated to each system. These areas are delineated on Schedule B. Future Land Use Map as the Service Area Boundary. Increased residential density and greater intensity of development, including a greater mix of land uses is directed to areas within the Service Area Boundary to assist the municipality in becoming more financially resilient and promote the efficient use of services.

The provision of safe drinking water is a significant public health responsibility for the CBRM. The municipality provides water to residents and properties throughout the region through the Cape Breton Regional Municipality Water Utility. The Utility supplies water to approximately 72,000 people. The network is comprised of five water treatment plants, six pumping stations, eleven water storage tanks, eight water sources, 770 kilometres of pipe, 2,900 hydrants and thousands of metres and valves. Table 1 below outlines the water services by community, area and populations served.

**Table 1. Water Systems throughout CBRM.**

Treatment and Pumping	Source of Supply	Gallons Pumped Per Day	Area Served	Population
<b>Sydney</b>	Middle Lake Well Field	2,800,000	Sydney, Grand Lake Road, Mira Road, Prime Brook, Sydney River, Coxheath, Westmount, Edwardsville, Membertou, South Bar, Lingan Road, Pine Tree Park	27,936
<b>Glace Bay</b>	MacAskill's Brook Dam	1,800,000	Glace Bay, Dominion, Reserve Mines, Tower Road, Donkin, Port Caledonia, Birch Grove, Port Morien	19,550
<b>Northside</b>	Pottle Lake	2,000,000	North Sydney, Sydney Mines, Upper North Sydney, Alder Point, Balls Creek, Bras d'Or, Florence, Georges River, Leitches Creek, Little Bras d'Or, Little Pond, Mill Creek, Point Aconi	16,465
<b>New Waterford</b>	Waterford and Kilkenny Lake	1,100,000	New Waterford, Scotchtown, River Ryan, New Victoria, Lingan	8,268
<b>Louisbourg</b>	Kelly Lake	170,000	Louisbourg, Fortress of Louisbourg	856
<b>Floral Heights</b>	Well	5,000	Floral Heights	166
<b>Gardiner Mines</b>	Well	2,000	Strang Road area	34
<b>Total</b>		7,877,000		72,419



The CBRM provides sanitary system services to urban settlement areas with some minor collection systems provided outside of the Service Area Boundary. CBRM's aging infrastructure and population decline has put considerable strain on the municipality's ability to provide necessary upgrades to its treatment and collection network. Currently, the municipality operates two wastewater treatment plants (Battery Point, Dominion-Bridgeport, Villa), with a third coming online in 2023 (Sydney Harbour West). The Municipality has recently made significant upgrades to its wastewater treatment systems to reduce the amount of raw outflow into the ocean. With the Sydney Harbour West Treatment Centre coming online in 2023, the areas of Coxheath, Westmount, Sydney River and Edwardsville Industrial Park will be well-positioned for future growth and development, while reducing demand on North End Sydney's Battery Point Wastewater Treatment Plant. The Municipality is working with the Province of Nova Scotia and the Government of Canada to ensure treatment upgrades are made to appropriate systems, in accordance with federal regulations. In addition to these three facilities, CBRM operates the Villa Drive Recirculating Sand Filter in Bras d'Or, five treatment lagoons, 41 outfalls, 14 combined sewer overflows, 55 lift stations and five community septic tanks. The goals of the MPS, to direct growth and development to the Service Area Boundary, is to allow for a more efficient growth and use of available funds from the CBRM's tax base, promoting a more fiscally responsible delivery of Municipality's wastewater systems.

### 4.3.1. Water and Wastewater Policies

- MI-1** Council shall, through the Land Use By-law, promote the sustainable provision of water and wastewater services by permitting smaller lot sizes, frontages, and increased density and intensity of land use in areas within the Service Area Boundary where water, sanitary, or both exist.
- MI-2** Council shall, through the Land Use By-law, require new development within the Service Area Boundary to connect to water, sanitary or both, where service connections exist. Council

shall also require the extension of piped municipal infrastructure to service new developments in compliance with its Service Delivery Policy.

- MI-3** Council shall discourage the expansion of water and sanitary services outside the Service Area Boundary unless such services are required for the protection of life and/or the environment.
- MI-4** Council shall, as an exception to Policy MI-3, permit transmission mains outside of the Service Area Boundary if these lines are necessary to connect to a water source or treatment facility.
- MI-5** Council shall, through the Land Use By-law, promote safe, clean drinking water by limiting land uses within areas designated as a Public Water Supply Watershed or Public Wellfield Recharge Area on Schedule B. Generalized Future Land Use Map.
- MI-6** Council shall ensure the protection and integrity of its drinking water sources by implementing, monitoring and updating the following plans:
- Pottle Lake Source Water Protection Plan;
  - Waterford Lake Source Water Protection Plan;
  - Kilkenny Lake Source Water Protection Plan;
  - MacAskill Brook Dam Source Water Protection Plan;
  - Middle Lake Road Well Groundwater Protection Plan; and
  - Kelly Lake Source Water Protection Plan.
- MI-7** Council shall ensure that adequate upgrades are made to the water, stormwater, and sanitary systems to accommodate the strategic development of lands within the Service Area Boundary with a focus on Intensification Areas provided on Schedule B Generalized Future Land Use Map.
- MI-8** Council shall seek partnership with the Province of Nova Scotia and Government of Canada to develop wastewater treatment systems for at-risk sewage outflows, including Glace Bay, Port

Morien, Louisbourg, Donkin, New Waterford and New Victoria, in accordance with federal regulations.

- MI-9** Council shall ensure the approval of new developments are contingent on the capacity of the water, stormwater, and sanitary network, including treatment facilities, by assessing capacity at the application stage.
- MI-10** Council shall require developers to contribute toward the cost of necessary upgrades to water, stormwater, and sanitary infrastructure to accommodate proposed developments.
- MI-11** Council shall, where possible, encourage the use of gravity flow systems over more costly lift stations, when making improvements and upgrades to sanitary systems.
- MI-12** Council shall require a Water Source Assessment Study prepared by a licensed hydrogeologist or engineer for uses that have a high demand on water consumption and discharge, such as large subdivisions or apartment complexes.

## 4.4. ON-SITE SERVICES IN RURAL AREAS

CBRM has many thriving and beautiful rural communities. Development in these areas, outside of the Service Area Boundary, feature, for the most part, on-site services through private well and sewage disposal systems. Notwithstanding exceptions, it is a policy of Council to prohibit the expansion or introduction of municipal water or sanitary services in these areas. This means that density and the intensity of development needs to be closely monitored and appropriately managed to mitigate environmental risks associated with too much draw on groundwater resources or on-site sewage disposal system pollution. While the Province of Nova Scotia approves the design and placement of on-site sewage

disposal systems, the placement of wells and the sustainability of groundwater sources are not regularly monitored.

#### 4.4.1. On-Site Services in Rural Areas Policies

- MI-13** Council shall, through the Land Use By-law, limit land uses in areas outside of the Service Area Boundary.
- MI-14** Council shall, through the Land Use By-law and Subdivision By-law, control density outside of the Service Area Boundary through increased lot size requirements, increased lot frontage requirements, and managing the creation of private roads.

### 4.5. UTILITIES

CBRM works with private and public operators of utilities, including NS Power, Emera, Bell, Rogers and Eastlink to site infrastructure that is critical to how residents of CBRM function in their day-to-day lives. This infrastructure can take many forms, including telecommunication lines, telephone poles, power lines and substations, water towers and lift stations. It is important that CBRM allows for the necessary provisions to allow these structures and uses to locate across the municipality to ensure the efficient and effective utilities are provided to residents and businesses throughout the region.

#### 4.5.1. Utilities Policies

- MI-15** Council shall permit the development of utility-related uses and structures in all zones, subject to appropriate general provisions.
- MI-16** Council shall, through the subdivision by-law, allocate the necessary space within the public right-of-way of new streets for

utilities to promote future utility corridors that are adaptive to new technologies.

- MI-17** Council shall support the growth and access of high speed and reliable internet access, especially to rural areas of the CBRM.

## 4.6. SOLID WASTE MANAGEMENT

CBRM's manages solid waste throughout the municipality through the Solid Waste department. The department operates a waste management facility (C&D landfill) in Sydney and administers curbside pick-up of garbage, recycling, and compost material for residential eligible premises in the municipality.

In addition to municipally provided services, there may be the need for salvage yards or construction and demolition debris facilities to be located throughout the municipality. These uses should be strictly managed to minimize environmental risks. As well as adhering to any municipal landuse restrictions these facilities are required to obtain permits from the regulating provincial departments.

### 4.6.1. Solid Waste Management Policies

- MI-18** Council shall, through the Land Use By-law, consider any new solid waste facilities to be located outside of the Service Area Boundary.
- MI-19** Council shall, through the Solid Waste By-law and policies, promote reduction, reuse & recycling, as a means to increase waste diversion which in turn will increase the lifespan on the solid waste facility.
- MI-20** Council shall work with the Province of Nova Scotia to discourage and prevent illegal dumping throughout the municipality.

## 4.7. ENERGY

Communities across Atlantic Canada are modernizing land use regulations in support of energy transition, transitioning from a dependence on fossil fuels, to more renewable sources of energy. CBRM is a large municipality, with many forested lands well positioned for energy generating uses. Council is supportive of alternative forms of energy generation and the policies below aim to manage these uses, including wind and solar energy.

### 4.7.1. Solar Collector Policies

- MI-21** Council shall, through the Land Use By-law, permit solar collectors as an accessory use in all zones, provided they meet the required yard setbacks and lot occupancy requirements. Rooftop solar collectors are exempted from the height requirements of buildings.
- MI-22** Council shall, through the Land Use By-law, permit solar collectors as a main use in all zones, provided they meet the required yard setbacks and lot occupancy requirements.

### 4.7.2. Wind Turbine Policies

- MI-23** Council shall, permit large scale wind turbine, which shall be considered to those with a nameplate capacity of 100 kilowatts or greater uses, as main uses in all zones in all zones of the Land Use By-law, subject to lot occupancy and setback requirements.
- MI-24** Council shall permit small scale wind turbines, which shall be considered to be those with a nameplate capacity of under 100 kilowatts, as accessory uses in all zones in all zones of the Land Use By-law, subject to lot occupancy and setback requirements

The background of the slide is a photograph of a coastal town, likely in Ireland, featuring a long stone building with multiple windows and a smaller structure in the foreground. The image is overlaid with a semi-transparent teal color. A large, solid yellow triangle is positioned on the left side of the slide, pointing towards the center.

# Chapter 5.

## Environment and Climate Change



## 5.1. PURPOSE

The Environment and Climate Change chapter sets the CBRM's framework for environmental protection and Climate Change adaptation. Policy direction is aimed at protection of current and potential water supply, adaptation measures in public and private infrastructure, thresholds for preservation and conservation of natural areas including urban and rural reserve lands, setting the tone for ecological stewardship over the horizon of the MPS, and taking a regional and collaborative approach to climate change.

## 5.2. OBJECTIVES



- › **Protect the public water supply, ensuring clean, safe and reliable sources of potable water for all residents of the CBRM.**

- › Adopt sophisticated storm water requirements, including the preservation of the CBRM's wetlands as features of stormwater management.
- › Establish policies to direct the CBRM's approach to Climate Change adaptation and mitigation.
- › Integrate sustainable land management practices into the development process to ensure long term care and stewardship of the CBRM's natural environment.
- › Align with the Province's approach for coastal and riparian development, with special attention to preserving public access to coastal areas while protecting the coastline from uses that may exacerbate coastal erosion.
- › Establish a framework for incorporating local and traditional knowledge into development decisions.
- › Collaborate with neighbouring municipalities on climate adaptation and mitigation measures and programs.

## 5.3. COASTAL MANAGEMENT

The CBRM is a coastal community with hundreds of kilometres of coastal shoreline, islands, many lakes and rivers. Waterfront properties are a significant draw for the Municipality; however, development should be managed to mitigate environmental risks in these sensitive areas.

In inland areas, shores along lakes and rivers provide an important ecological habitat and can provide necessary filtering from surface water run off, protecting water quality. With this in mind, it is necessary for the municipality to regulate development along shorelines.

Additionally, in 2019, the Province of Nova Scotia adopted the *Coastal Protection Act*; however, as of the adoption of this Plan, there are no

regulations to implement this legislation. Understanding that the Province will be developing forthcoming tools to manage coastal development, CBRM will follow provincial regulations in its approach to standards, including, what's expected to be a minimum vertical elevation, or building elevation height along the coast and shores for Bras d'Or Lakes. Council will however, apply a minimum horizontal setback from the ordinary high watermark from inland lakes, wetlands and watercourses.

- E-1** Council shall follow the regulations and standards enabled by the *Coastal Protection Act*.

## 5.4. STORMWATER MANAGEMENT

CBRM manages stormwater runoff throughout the region through various systems, from piped systems in the urban settlement areas to ditch and culverts and overland site drainage in the rural areas. The system collects and carries stormwater from developed areas and is discharged at various watercourses. In recent years, the municipality has experienced several severe storm events, which have led to negative impacts, including significant flooding, such as the 2016 Thanksgiving Flooding in Sydney. Responsible stormwater management practices will allow CBRM to adapt its infrastructure and use its natural systems to become more resilient to adverse weather events.

### 5.4.1. Stormwater Management Policies

- E-3** Council shall prepare a Stormwater Management Policy to inform design criteria and manage development through appropriate by-laws.
- E-4** Council shall, through the Land Use By-law, create a Flood Risk Overlay to manage development and require Low Impact Design in future public infrastructure investments and private development to reduce flood risk in this area.

- E-5** Council shall implement the findings and recommendations of the Wash Brook Floodwater Intensity Mitigation Project.
- E-6** Council shall, require drainage plans to be submitted as a part of all Building Development Applications for construction of all new main buildings in compliance with CBRM's Building By-law and Stormwater Management Policy.
- E-7** Council shall require drainage plans to be submitted in compliance with the Subdivision By-law.

## 5.5. CLIMATE CHANGE

CBRM's location on an island on the Atlantic Ocean, with many inshore lakes, rivers and streams, makes the community particularly susceptible to the risks of climate change and rising sea levels. Council will consider climate change impacts and mitigation measures in future decision-making, to ensure residents, future generations of residents, infrastructure, and built assets are adaptive to climate change.

- E-8** Work with the Province of Nova Scotia and Federal Government and local partners to implement and review the Climate Change Action Plan. A review may consider:
  - c. Integrates climate change considerations into municipal planning strategies, policies, by-laws, projects, programming and budgets;
  - d. Identifies emission reduction targets and includes a greenhouse gas inventory that evaluates progress;
  - e. Identifies targets, policies, and actions around renewable energy targets and energy conservation;
  - f. Form policies and infrastructure renewal that promotes resiliency to climate change impacts.
- E-9** Council shall, work with energy proponents and Nova Scotia

Power in the future siting of renewable energy projects within the municipality.

- E-10** Council shall encourage the development of Electrical Vehicle Charging Stations as accessory uses, in all zones, through provisions in the Land Use By-law.
- E-11** Council shall work to convert its fleet of municipal vehicles, including transit buses to Electric Vehicles.
- E-12** Council shall promote excellence in energy efficiency in the construction of new civil buildings or in the renovation and retrofitting of municipal assets.

The background of the page is a teal-colored photograph of a person riding a bicycle on a paved path. The path curves to the right, and there are trees and foliage in the background. On the left side of the page, there is a large, solid yellow triangle that points towards the bottom right corner.

# Chapter 6.

## Housing Choice and Affordability



## 6.1. PURPOSE

The CBRM is made up of communities with distinct residential neighbourhoods shaped by a unique history. Residential neighbourhoods built by mining companies to house workers and their families, compact urban neighbourhoods on the periphery of downtowns, and modern suburban neighbourhoods on the outskirts of the Regional Centre all serve as reminders that housing is often built from circumstance and will evolve to meet the needs of the community. The CBRM's approach to housing is one which intends to respect the established development pattern of these historic and valued neighbourhoods while recognizing opportunities to evolve to meet the community's current need and general changes in demand. This will be achieved through a balanced approach to density, targeting areas with existing high intensity land use and a high level of municipal infrastructure investment for more compact and higher density residential housing types. This balance will also be achieved through role definition and establishing positions of advocacy.

The Housing & Affordability chapter responds to the community concerns for the future of housing in the CBRM. Policy directives for affordable housing programs, the approach to residential density, and relationship building with the development and property management communities are provided. This chapter will introduce policy for Council to use when encouraging and supporting increasingly dense housing types within the Service Area Boundary and also provide criteria for evaluating housing projects outside of areas of intensification.

## 6.2. OBJECTIVES

- **Prioritize the equitable provision of safe, adequate housing for all residents of the CBRM.**
- **Encourage new residential developments to include a variety of unit types at a range of price points.**



- › Encourage an increased supply of rental units throughout the CBRM.
- › Encourage a wide variety of housing types that are responsive to the evolving demographics of the CBRM.
- › Ensure affordable housing projects are located in areas with sufficient and appropriate municipal services and consider the efficient use of land and amenity.
- › Build strong relationships with the development community to ensure effective two-way communication of market demand and pressure.
- › Encourage infill development that is in keeping with neighbourhood character while encouraging gentle increases in density to support the efficient use of existing infrastructure.

## 6.3. INCREASING THE HOUSING SUPPLY

CBRM is comprised of former villages, towns and cities within the former Cape Breton County. Since the second half of the last century, the population, exacerbated by industries closing, has seen a steady decline. A consequence of this reality is a housing supply that is older, in need of renewal and skewed toward home ownership. Recent census data suggests that the population has stabilized and recent growth and changing demographics has demonstrated the need for a more diverse housing stock, with a mix of typologies, including smaller units and an increase in the rental market. In addition, CBRM is aligning with the Province of Nova Scotia to attract new residents and accelerate population growth beyond standard projections.

### 6.3.1. Housing Diversity Policies

- H-1** Council shall, through the Land Use By-law, enable a variety of housing typologies including one unit dwellings, two unit dwellings, townhouses, apartment buildings, converted dwellings, and manufactured homes.
- H-2** Council shall establish standards within the Land Use By-law to enable more residential density within the Service Area Boundary, such as through increased lot occupancy and reduced frontage requirements, to encourage a broader spectrum of housing forms within existing built-up areas.
- H-3** Council shall monitor land supply and zone amendment applications throughout CBRM to ensure that the housing needs of the community are being managed.
- H-4** Council shall encourage student housing to be developed near Cape Breton University and the Nova Scotia Community College.
- H-5** Council shall monitor housing tenures within the Regional Centre, Local Centre and Mixed Use Centre designations to promote a balance of rental and homeownership opportunities are available to residents.
- H-6** Council shall explore financial incentives for housing development and redevelopment, through geographically targeted areas, focused on the Regional Centre and Local Centre designations. These incentives shall be geared toward new housing, affordable housing, and rental housing opportunities.
- H-7** Council shall seek opportunities to promote efficiencies within the development process
- H-8** Council shall seek opportunities to promote collaboration across departments to create a seamless process for proponents and

those interested in developing residential or mixed-use properties

- H-9** Council shall explore opportunities to identify internal or external (agencies) project champions to service larger scale development projects.

### 6.3.2. Supportive Housing Policies

Although not a direct responsibility of the municipality, the provision of supportive housing for vulnerable persons should be encouraged within CBRM. These policies provide guidance for siting and future partnerships.

- H-10** Council shall encourage supportive housing for people experiencing barriers to safe, secure and affordable housing, including but not limited to, seniors, persons fleeing violence or abuse, and persons with disabilities.
- H-11** Council shall establish standards within the Land Use By-law to facilitate the integration of supportive housing into residential areas that:
- a. Maintain compatibility and character with the host neighbourhood;
  - b. Supportive Housing over 9 beds be permitted through Site Plan Approval in all zones, subject to regulations regarding parking, landscaping, building location on a lot, stormwater management, and access management.
- H-12** Council shall permit, through the Land Use By-law, shared dwellings within all areas of CBRM, but manage the number of rooms outside the Service Area Boundary.

### 6.3.3. Secondary Suites and Accessory Dwelling Policies

Secondary suites within existing dwellings and accessory dwelling, located in the rear yard of existing dwellings, provide an option for gentle increase in density in existing built up areas. It also provides an option for revenue generation amongst homeowners, while increasing the diversity of housing tenure within the municipality.

- H-13** Council shall, through provisions in the Land Use By-law, permit secondary suites and accessory dwelling units throughout the jurisdiction of the CBRM.

## 6.4. HOUSING AFFORDABILITY

The provision of affordable housing is a core responsibility of the Government of Nova Scotia and the Government of Canada; however, CBRM commits to partnerships to support and incentivize increasing the supply of affordable housing across the municipality.

- H-14** Council shall explore opportunities to partner with other levels of Government and agencies to increase the supply of affordable housing across CBRM.
- H-15** Council shall pursue funding and partnership opportunities to develop housing strategies for CBRM that aims to ensure an adequate supply of affordable housing and that core housing needs are identified and appropriate actions are prioritized.
- H-16** Council shall encourage the location of affordable housing within the Service Area Boundary, in close proximity to services, community facilities, and transit with provisions in the Land Use By-law by permitting a range of housing types and densities.



# Chapter 7.

## Integrated Mobility

## 7.1. PURPOSE

In recent years, there has been growing momentum to build a transportation network which offers travelers options that are sustainable, enjoyable and healthy. Enabling more people to walk, bicycle, take transit or use other sustainable modes requires rethinking the design of our transportation system and the design of our communities.

The policy direction identified in this chapter ties back to this shift in how people want to live and travel to and within CBRM today, building on recent work and existing initiatives to rethink and transform the transportation network over the life of this plan.

The Integrated Mobility chapter is the policy framework for implementing the upcoming Active Transportation Master Plan and sets the overall direction for transportation-related topics. This chapter will set expectations for transportation related services like municipal streets, trails, and pathways, as well as public transportation and accessibility, for both inside and outside the Service Area Boundary. Criteria for transportation network expansion will be introduced to support mindful infrastructure decisions to limit planned expansion of the road network to the extent possible to reduce infrastructure costs and encourage a shift to non-private vehicle modes that will support a more sustainable and resilient transportation network. This represents a significant shift in CBRM's approach to transportation approach, and it's very important to consider its implications.

Policy statements supporting the importance of the working coastline, including the encouragement of public and private investment in port facilities, will be included to bolster the Municipality's efforts in maintaining its existing facilities and attracting new investment to support the community's vision for new facilities.

## 7.2. OBJECTIVES

- › Develop and maintain an integrated mobility system for all ages and abilities, where community members have numerous transportation opportunities such as cycling, walking, high quality public transit for urban, suburban, and rural communities.
- › Enhance the priority of public transit, and integrate transit expansions with land use planning and development, particularly within the Service Area Boundary.
- › Collaborate with rail providers, the Port of Sydney, the Sydney Airport Authority, to facilitate the flow of goods and services within and beyond the municipality, and to promote economic development.
- › Recognize the importance of the Port to the regional economy and to work with the Port of Sydney to ensure continued marine traffic and marine-related uses at the Port
- › Limit further expansion of the road network and undertake future road infrastructure investments strategically, to support a system that enables sustainable, equitable and multi-modal transportation options
- › Acknowledge and appreciate that transportation needs vary across CBRM's urban and rural communities, and that there is no one sized fit all solution to mobility.

## 7.3. PUBLIC ROADS

CBRM has an expansive regional road network that comprises more than 465km of roads which are owned and maintained by the municipality. These roads range from local streets to major arterials. The province of



Nova Scotia also owns and maintains another approximate 1,370 km of roads with the CBRM governance area which range from local roads to major freeways. These road networks accommodate many types of users, but is dominated primarily by motor vehicles that range from private autos to transit buses to heavy trucks. The road network is also the backbone of the active transportation network, with complimentary facilities such as sidewalks and bicycle lanes serving as the primary means of transportation for pedestrians and bicyclists.

CBRM owned assets such as roads, sidewalks, and bicycle lanes are maintained by the CBRM's Public Works. The department provides maintenance and snow clearing services along important corridors. It is anticipated that this role will continue for the duration of this plan. It is important that in the interests of focusing limited resources, that CBRM endeavor to limit the expansion of the road network and instead, focus additional investment in road infrastructure on strategic upgrades that support the municipality's mandate of building strong and resilient communities. To these ends, it is recommended that Regional Council prohibit the development of new public roads outside the Service Area Boundary, considering only limited and strategic expansion within the boundary for the duration of this plan.

### 7.3.1. Public Road Policies

- M-1** Council shall encourage a road network that is connected to a street grid in the Regional Centre and Local Centres through the Subdivision By-law.
- M-2** Council shall aim to connect dead-end streets to improve the porosity of the road network. When a road extension is not an option, Council shall consider introducing a pedestrian connection through the subdivision by-law.
- M-3** Council shall, through standards within the Subdivision By-law, limit the construction of new cul-de-sacs and dead end streets within the Service Area Boundary.

### 7.3.2. Road Infrastructure Policies

- M-4** Council shall maintain the current street hierarchy in the Municipality, as identified by the Transportation Schedule (Schedule D) to meet the municipality's transportation needs:
- M-5** Council shall leverage funding from the Government of Nova Scotia and the Government of Canada to maintain roadways that are under provincial or federal jurisdiction.
- M-6** Council shall establish short, medium and long-term priorities for roadway improvements, and assess all priority candidate projects through a multimodal lens.
- M-7** Council may create standards for landscaping along Arterial and Collector Streets through the use of street trees, curb cuts, burying overhead utilities, street lighting, as well as sidewalks, bike lanes, and medians.
- M-8** Council will develop evaluation criteria for identifying locations and interventions for traffic calming and pedestrian control.
- M-9** Council will develop a policy to manage the roadway assets so that upgrades to the road network correspond with the overall infrastructure investment plans and support multimodal improvements.
- M-10** Council will develop an Access Management Policy to provide a framework for the control of access to CBRM Public Roads. The Access Management Policy will allow for reasonable access to adjacent properties while ensuring safe and efficient functioning of the roadways.
- M-11** Council will consider at a minimum the following when evaluating development proposals:
  - 1. Ability of the street hierarchy to accommodate changes in transportation behaviour
  - 2. Capacity of adjacent streets to support increased traffic
  - 3. Appropriate numbers of vehicle access points, with a

point to increase the number of shared access driveways

4. Proximity to efficient transit operations, including transit routes and stops, where infrastructure such as benches or shelters should be present
5. Presence and role of sidewalks in connecting people, developments and neighbourhoods

**M-12** Council will ensure that developers compensate for costs of off-site transportation improvements that become necessary in order to satisfy the infrastructure needs created by a development proposal.

**M-13** Council will introduce wayfinding signage for all forms of transportation through the creation of a wayfinding plan.

**M-14** Council will develop a Municipal Design Guidelines to provide uniform standards for the construction of infrastructure. Municipal Design Guidelines will establish minimum design and construction standards for municipal services and shall have standards for such items including but not limited to as public street, piped infrastructure, street trees, utilities, street lighting, and sidewalks.

## 7.4. PRIVATE ROADS

A private road is any access or right-of entry not owned by the Municipality, the Province of Nova Scotia, or the Federal government. This also includes associated infrastructure including beyond travel lanes, such as curbs, sidewalks, gutters, bridges, culverts and retaining walls that are associated with private roads.

### 7.4.1. Private Road Policies

**M-15** Developers of new private roads shall be responsible for their construction and the establishment of a Road Association, which must be registered on title, for on-going maintenance of the private road.

- M-16** Owners of new private roads shall be responsible for clearing snow and ice during the winter months, or during any snowfall or freeze period.
- M-17** Council shall, through the Subdivision By-law, prohibit private streets inside the Service Area Boundary.
- M-18** Solid waste collection shall be the responsibility of the Road Association unless the provisions of the Solid Waste Resource Management By-law can be met.

## 7.5. DATA COLLECTION

An important component of the successful plan implementation is monitoring its progress. A robust approach to data collection is required to facilitate ongoing monitoring. In addition to the use of big data, there is an opportunity to coordinate and use transportation information that is already collected by municipal departments and other organizations to inform a robust monitoring approach.

### 7.5.1. Data Collection Policies

- M-19** Council shall initiate regular traffic count surveys, and prioritize the public streets to be surveyed based on the road hierarchy (Schedule D).
- M-20** Consider pursuing the use of big data to understand the transportation habits and needs of CBRM residents.
- M-21** Council will consider initiating an annual ridership count and transit survey to understand user requirements and impressions.

## 7.6. COMPLETE COMMUNITIES

Complete communities, like those described in the previous sections of

this document, provide a place for residents to live, work, shop, learn and play without always depending on a private vehicle. Where complete communities are oriented around transit routes or terminals, they become transit oriented development. Fewer people need to own vehicles because they are within easy access of high-quality transit that can get them safely and comfortably to their destinations. When more people use transit, in the long term, CBRM can spend less on parking facilities, road expansions, and other municipal utilities.

Thoughtfully clustering development in strategic locations within the Service Area Boundary will support efficient use of infrastructure, reduce land consumption and foster vibrant, community-oriented neighbourhoods.

### 7.6.1. Transit Oriented Development Policies

- M-22** Council will direct residential growth to Downtown Sydney and to the Regional Centre, enabling the creation of compact communities where residents can access amenities, shops, services, housing and employment with population densities which can continue to support quality transit service.
- M-23** Council will direct the clustering suburban development to foster the creation of complete communities that provide connections to Downtown Sydney, Local Centres, and Mixed-Use Centres and may also support transit connections.
- M-24** Rural development will be clustered in order to conserve natural areas, and create opportunities for walking, cycling, and other forms of active transportation outside of urban areas
- M-25** Council shall strategically locate institutions and sources of employment near Corridors. Direct employment growth to Mixed-Use Centres, Commercial Centres, and Local Centres where land uses are complementary and integrated.

## 7.7. ACTIVE TRANSPORTATION

Making it convenient for more residents to choose walking and bicycling is key to building a fair, equitable, and accessible transportation network. Walking is part of almost all trips, most notably the first and final parts of transit trips. Walking and bicycling can be fast and convenient ways to access destinations and transit within the region as well.

Acknowledging that the unique character of communities in CBRM, in 2008, the Region began the implementation of the CBRM Active Transportation Plan, with the goal of encouraging walking and bicycling by building complete and connected networks that respond to the needs of urban, suburban and rural communities, for all ages and abilities. In 2022, CBRM approved a new Active Transportation Plan.

### 7.7.1. Active Transportation Policies

- M-26** Council will develop a Multimodal Level of Service Guideline to guide and inform the decision making during the planning, design, and operations of streets and intersections.
- M-27** Council shall ensure active transportation infrastructure is designed with universal design principles.
- M-28** Council shall recognize active transportation as a core component of the municipality's transportation infrastructure and consider funding in alignment with recommendations in the CBRM Active Transportation Plan.
- M-29** Council will support the implementation and maintenance of the CBRM Active Transportation network as described in the Active Transportation Plan.
- M-30** Council will develop and maintain both on-street and off-street infrastructure for non-motorized traffic throughout the municipality including: sidewalks, trails, on-street bicycle lanes.
- M-31** Council will consider the incorporation of improvements to active transportation into all transportation infrastructure

projects.

- M-32** Council will provide bicycle parking throughout the Regional Centre, Local Centres, Commercial Centres, and Mixed-Use Centres. Consideration will be given for requiring bike parking at all new developments.
- M-33** Council shall prioritize Active Transportation investment to ensure connections between sales and service areas, residential neighbourhoods, and parks and natural areas. Council will accomplish this by reviewing its Active Transportation Plan every ten years.
- M-34** Council will encourage the inclusion of facilities such as change rooms and showers in municipal buildings support active transportation commuting.
- M-35** Council will identify a priority winter pedestrian and cycling network, and ensure effective winter sidewalk, bike lane, and trail maintenance in all seasons.
- M-36** Council will lobby the province to develop strong policy direction on the introduction of sidewalk and Active Transportation networks on Provincial Roads.
- M-37** Improve pedestrian infrastructure with a focus on:
1. Street furniture
  2. Access for all ages and abilities
  3. Safe pedestrian crossings

## 7.8. PUBLIC TRANSIT

The CBRM is serviced by a publicly owned transit service that operates as a division of the Department of Engineering and Public Works. With an aging population, seniors use the service at a much higher rate than the total population. The CBRM is also home to a growing number of post-secondary students, who will need reliable transit service when accessing the NSCC Marconi Campus, or the CBU Campus, either they live within the



Regional Centre, Glace Bay, or on the north side. The public transit system should strive to offer cost-effective and sustainable alternatives to driving, with routes connecting the Regional Centre to Local Centres and Employment Centres. Community members have called for increased transit service between Downtown Sydney and Glace Bay, as well as between other communities throughout the CBRM. Public transit should play a crucial role in making the CBRM more liveable and affordable.

### 7.8.1. Public Transit Policies

- M-38** Council shall, promote public transit as a central part of the CBRM transit system
- M-39** Council shall ensure that transit funding levels enable the transit system to be safe, efficient, affordable and accessible, while linking residents to areas of employment, residential, recreation, and sales and service areas
- M-40** Council shall encourage residential and employment growth along corridors, in Downtown Sydney, the Regional Centre, Urban Centres, and Corridors
- M-41** Council shall prioritize diverse, accessible, and equitable connections between the Regional Centre with other Local Centres (North Sydney, CBU and Glace Bay)
- M-42** Council shall explore prioritizing bus service between Business Parks, the Regional Centre, and Local Centres
- M-43** Council shall investigate the potential of ridesharing, park and rides, and other Transportation Demand Management Infrastructure
- M-44** Council shall collaborate with the Government of Nova Scotia and the Government of Canada to raise public funding for transit services and operations
- M-45** Council shall require provision of transit shelters along Corridors and transit routes
- M-46** Council shall work in partnership with the Province of Nova

Scotia to manage traffic in Corridors and along transit routes, to ensure that public transit is prioritized over vehicular traffic

- M-47** Council shall adopt a Transit Service Policy which will provide goals and objectives to support service recommendations that maximize transit growth opportunities while maintaining cost effectiveness.

## 7.9. ACCESSIBILITY

An accessible urban, suburban, and rural environment helps create a welcome barrier-free and safe journeys for everyone. Providing a level of accessibility to all users, despite physical/cognitive disabilities or limitations, is an important consideration for mobility in the region, and becomes increasingly important as the population ages, as the amount of people with mobility limitations also continue to increase.

Recognizing the high importance of accessibility in creating a fair and equitable province for all Nova Scotians, the provincial government has recently strengthened accessibility requirements.

The Act Representing Accessibility in Nova Scotia (Bill 59) was given Royal Assent on April 28, 2017. The goal of this Act is to improve accessibility by preventing and removing barriers faced by people with disabilities. As the elements of this important directive are released, they may provide further direction to complement, clarify, and focus the policies below.

### 7.9.1. Accessibility Policies

- M-48** Council will develop and implement an Accessibility Plan for mobility in the region with respect to the built environment, transit, transportation infrastructure and the delivery of goods and services.
- M-48** Council will identify which transportation corridors are prioritized for which users, and ensure that in corridors where vulnerable users, such as pedestrians, and cyclists are

prioritized, significant investment is made to ensure a high level of accessibility is maintained.

- M-50** Council will ensure accessible design in all elements of the transportation system in order to accommodate the needs of persons with disabilities.
- M-51** Council will direct staff to support accessibility objectives by building the connectivity of sidewalk, crosswalks, and transit stops.
- M-52** Mandate that pedestrian, active transportation, and transit infrastructure is designed for users of all ages and abilities, including wheelchair users, strollers
- M-53** Ensure that lighted crosswalks consider varying walking speeds among pedestrians
- M-54** Council will support the expansion of an accessible transit service according to demand, and to consider integration with the conventional Cape Breton Transit network, where possible, to increase the efficiency of the network and mobility for residents.
- M-55** Council will undertake an analysis to better understand the accessibility of the bus stops in the conventional transit network, and prioritize investment to ensure stops are accessible for transit users with varying levels of mobility.
- M-56** Council will ensure that the secondary usage of transportation infrastructure and right of ways (for uses such as street vendors, street furniture, or sidewalk cafes) do not impede the usability of these routes for persons with disabilities
- M-57** Council will ensure that developers meet the applicable Provincial and Municipal accessibility requirements within new development projects through the requirements of Building Code Requirements
- M-58** Council will direct development of new construction mitigation guidelines to require pedestrian management, including considerations for people with visual and mobility

impairments, to provide safe and clear passage around construction sites.

**M-59** Council will direct staff to prioritize the repair and maintenance of sidewalks to keep them clear and safe during inclement weather and in response to regular wear and tear (this is a part of regular municipal practice).

**M-60** Council will direct staff to evaluate the benefits of various wayfinding cues to ensure the transportation network is welcoming, safe and accessible. This may include, but not be limited to, Tactile Walking Surface Indicators, and curb ramps.

## 7.10. MANAGING PARKING

Each community within the CBRM has specific parking needs. The CBRM requires a parking strategy to identify these needs and then adjust parking services accordingly. Downtown Sydney in particular, has over 30% of its land dedicated to parking, which may be land that could be used more effectively in other ways. Parking remains a crucial element of the CBRM's transportation infrastructure, and it can be managed in ways that balance meeting the needs of vehicle users, while also encouraging a diversity of land uses and encouraging the use of public transportation.

### 7.10.1. Parking Policies

**M-61** Encourage Transportation Demand Management (TDM) programs that reduce the demand for parking.

**M-62** Require that parking facilities have accessible parking.

**M-63** Eliminate minimum parking requirements for uses within across the Municipality, but ensure parking standards allow for safety and design features to encourage safe access and barrier free design.

**M-64** Review parking rates annually and the demand for short term parking in Downtown Sydney, as well as the Local Centres, to encourage the use of public transportation, carpooling, while providing a parking environment that

allows business to thrive in these designations

- M-65** Implement controls that limit long term on-street parking so as not to impede regular street maintenance and cleaning

## **7.11. MOVEMENT OF GOODS**

The efficient movement of goods is central to a connected municipality where the transportation sector can continue to grow and provide employment opportunities and contribute to the economic growth of the CBRM. The infrastructure that facilitates the movement of goods interfaces with every aspect of residents lives, from tourism, to impacting greenhouse gas emissions. Retaining railway access, maintaining the Marine Atlantic Terminal, and supporting future transport sites such as Novaport are key to strengthening these systems.

### **7.11.1. Goods Movement Policies**

- M-66** Council shall develop with the Engineering and Public Works Department a system of truck routes aligned with the road classification system, as identified in the Transportation Schedule (Schedule D)
- M-67** Council shall collaborate with the Province of Nova Scotia to develop an efficient and integrated network to facilitate the transportation of goods, including truck, marine, and air travel
- M-68** Council shall encourage employment uses, including industrial and sales and service uses that generate heavy truck traffic, near areas with access to the port and major highways while maintaining smaller scale sales and service uses in appropriate nodes in the Generalized Future Land Use Map and Land Use By-law.
- M-69** Council shall recognize the role of the Marine Atlantic Terminal in North Sydney as one of the primary entrances to Nova Scotia and to the Municipality, and a significant

component of a tourist's experience.

**M-70**

Through provisions in the Land Use By-Law, Designate the Sydport, Novaport, and Logistics Park sites for:

- Marinate, road, and rail related transportation terminus uses;
- Marine industrial uses and any industrial use providing service and fabrical support to offshore businesses;
- General manufacturing
- General industrial activities (e.g. wholesale, warehousing, general transport/contracting, fuel oil bulk storage; and
- Regional utility service facilities.

**M-71**

Advocate to the Province to ensure that CBRM retains a rail access to mainland Nova Scotia

## 7.12. ASSET MANAGEMENT

The CBRM provides a wide range of services to the community that require the ownership and responsible operation, maintenance, and rehabilitation of physical assets including land, buildings, equipment, transportation, drainage, sewer, and water infrastructure. Asset Management is an integrated approach, involving all CBRM departments, to delivery value to the community through the effective management of existing and new infrastructure assets. The intent is to maximize benefits, reduce risk, and provide satisfactory levels of service to the community in a sustainable manner. Good asset management practices are fundamental to achieving sustainable and resilient communities.

**M-72**

Council shall adopt an Asset Management Policy which will focus its infrastructure efforts on managing risk, addressing priorities, and costs in regards to short and long-term infrastructure needs across the CBRM.

An aerial photograph of a port area, showing a large body of water, a long pier with many shipping containers, and several industrial buildings. A large yellow triangle is overlaid on the left side of the image, pointing towards the center. The text 'Chapter 8.' is written in a large, bold, yellow font, and 'Economic Development' is written in a smaller, white font below it.

# Chapter 8.

## Economic Development



## 8.1. PURPOSE

The CBRM is the economic centre of Cape Breton Island, and the second largest urban area in Nova Scotia. Once an industrial and manufacturing powerhouse, the municipality now has one of the lowest concentrations of manufacturing employment among the country's urban centres.

Accompanying this decline in the sector has been a decline in population over the past 20 year period, raising the alarm for the need to rethink and reprioritize economic development efforts. Along with economic and demographic challenges, the CBRM has opportunities on which it can leverage. There is an active economic development sector, with a network of organizations and institutions working to spur innovation in the municipality.

There is further potential in specific industries. Cape Breton is a world-renowned tourism destination, with the CBRM being a key gateway for many national and international tourists. The CBRM can support capacity building in the biotechnology sectors, ocean research, aquaculture, the arts, and the sectors related to the production, distribution, and sale of cannabis. Still, the service sectors of education and healthcare are in need of workers to replace a retiring workforce. The municipality will need to focus its efforts on growing its workforce by attracting and retaining newcomers, post-secondary graduates (particularly international students), and young workers who may otherwise be tempted to move west. This chapter implements key elements of the Economic Development Strategy and provides the policy guidance needed to link development and economic decision making.

## 8.2. OBJECTIVES

- **Ensure the CBRM has the necessary tools, processes and resources to attract and retain investment.**
- **Grow the economic potential of CBRM's strategic advantages.**

- Foster opportunities in tourism, marine development, culture, entrepreneurship, post-secondary education, and as Cape Breton's urban hub.
- Integrate sustainable land management practices into the development process to ensure long term care and stewardship of the CBRM's natural environment.
- Align with the Province's approach for coastal and riparian development, with special attention to preserving public access to coastal areas while protecting the coastline from uses that may exacerbate coastal erosion.
- Address and encourage food security throughout the CBRM through establishing a collaborative network of stakeholder groups and experts.
- Collaborate with neighbouring municipalities on climate adaptation and mitigation measures and programs.

## 8.3. ECONOMIC DEVELOPMENT CAPACITY

Municipal economic development is increasingly competitive, and it is vital that the CBRM continue to bolster its economic development capacity with the goal of attracting and retaining investment. CBRM is home to numerous organizations, groups, and institutions that are working to develop and diversify its local economy. The Municipality should be capitalizing on existing economic development efforts and investing in economic growth. CBRM has the resources to build its own capacity in the research, clean energy, tourism, and technology sectors. The municipality has a sufficient supply of land that can accommodate a range of initiatives that can positively impact economic growth.

### 8.3.1. Economic Development Capacity Policies

- ED-1** Council shall, in partnership with the Cape Breton Partnership, approve the Economic Development Strategic Plan as a five year road map for economic development
- ED-2** Council shall explore appropriate funding and capacity building for execution of the economic development strategy and associated implementation plans.
- ED-3** Council shall evaluate the implementation of Commerical Development District Improvement By-law in accordance with the Municipal Government Act. This By-law allows for the phasing in of commercial tax increases in all eight historic downtown cores (Sydney, Glace Bay, North Sydney, Sydney Mines, New Waterford, Dominion, Whitney Pier and Louisbourg) as well as the three business parks (Sydport, Northside and a portion of Harbourside) as shown on the attached maps.

## 8.4. POPULATION GROWTH

Population growth is vital to the future socio-economic wellbeing of the CBRM. Due to its aging population, outmigration, and a rapid increase in retirees, the municipality needs much more than a net increase in residents. Even to retain the current size of its workforce, the CBRM needs to grow by 12% by 2040. To see a meaningful increase in its workforce, the CBRM must grow by 24,800 new residents over the next 20 years. This population growth is necessary in order to maintain the tax base to fund services, specifically the healthcare and education sectors, and to provide a consumer base for a growing economy. The CBRM must double down on efforts to attract and retain newcomers, international students, as well as retain young workers.

### 8.4.1. Population Growth Policies

- ED-4** Council shall collaborate with the Cape Breton Partnership and Cape Breton Local Immigration Program to develop an Immigration Action Plan to promote the attraction, integration and retention of immigrants to CBRM.
- ED-5** Council shall, in partnership with the Cape Breton Partnership, promote the Atlantic Immigration Program to businesses as a key tool in population and workforce attraction to CBRM.

## 8.5. BUSINESS PARKS

The business parks at Open Hearth and Northside as well as the Airport are opportunities to focus land uses that involve light manufacturing and transportation. These land uses include well paying jobs, and have the potential to attract complementary businesses, and should be easily expanded to satisfy the needs of tenants and employers. The J.A. McCurdy Sydney Airport is the second largest and busiest in Nova Scotia, with direct access to both Downtown Sydney and Glace Bay along Nova Scotia Highway 4 (Sydney Glace Bay Highway), the municipality's primary corridor.

### 8.5.1. Business Parks Policies

- ED-6** Council shall establish a Business Park designation on the Generalized Future Land Use Map and apply it to all existing business/industrial parks throughout the CBRM, including to proposed expansion areas. Development standards will be established through the Land Use By-law to permit an integrated mix of industrial, sales and service land uses.
- ED-7** Council shall work closely with Build Nova Scotia and the owners of private industrial and business parks, including Sydport, to ensure that CBRM's future land use designations and

regulations adequately accommodate future growth and expansion of these areas.

- ED-8** Council shall designate the Regional Centre, Local Centre, and Mixed Use designations on the Generalized Future Land Use Map as employment areas.
- ED-9** Council shall consider designating lands at and adjacent to the J.A McCurdy Sydney Airport to allow a broad range of accessory and service support uses to accommodate further intensification of these lands.

## 8.6. PORT AND HARBOURS

The CBRM has port facilities located throughout its harbours, serving downtowns and local and mixed-use centres. The North Sydney Harbour is one of the primary travel routes to Newfoundland. As the most eastern centre in Nova Scotia, its Sydney's port lands have the capacity to handle an increase in shipping traffic, as exemplified by the ongoing Novaport project. The municipality should cooperate with the private sector and all levels of government to facilitate these efforts to use the region's port systems to bolster economic growth.

### 8.6.1. Port and Harbours Policies

- ED-10** Council shall establish an appropriate land designation to Port of Sydney and the North Sydney Ferry Terminal.
- ED-11** Council shall designate other privately owned ports as Industrial, including the lands that are planned for the Novaport project
- ED-12** Through the Land Use By-law permit a broad range of marine-related support and service uses to support the on-going

development of CBRM's Ports and Harbours, including the Bras D'Or Channel, Sydney Harbour, Glace Bay Harbour, Port Morien Harbour, Main-a-Dieu Harbour, Louisbourg Harbour and Gabarus Harbour.

- ED-13** In support of the local fishery industry, Council shall permit fishery support uses within the Rural lands designation through the Land Use By-law. Through the Land Use By-law, fishery support uses may be allowed as secondary uses within the Serviced Area Boundary through appropriate site plan approval conditions.

## 8.7. RURAL CBRM

Rural CBRM contains a mixture of uses, though at a lower intensity. The municipality contains a significant portfolio of rural lands to support the tourism, agriculture, and natural resource sectors, while preserving the region's unique ecosystem and character. Lands along the Mira River, the Bras d'Or Lakes, and the coastal areas contain opportunities for tourism. There are also specific rural centres where land uses can be directed that can ensure that these areas have employment opportunities, a high quality of life, and are part of what makes the CBRM an attractive place to live, work and play.

### 8.7.1. Rural CBRM Policies

- ED-14** Allow for rural economic development by permitting a mix of sales and service uses along with residential uses within the Rural Designations on the Generalized Future Land Use Map.
- ED-15** Through the Land Use By-law, permit a mix of sales and service uses, agricultural, industrial land uses that are sensitive to the rural context in areas outside of the Service Area Boundaries.





# Chapter 9.

Indigenous  
Reconciliation



## 9.1. PURPOSE

Eskasoni and Membertou First Nations are an important part of the Cape Breton identity. Council has an opportunity to integrate the First Nations into the decision making framework in a consistent and meaningful way. The Indigenous Relations chapter sets a framework for long term collaboration through policy directives that speak to Council's commitment to the Peace and Friendship Treaties. Policy related to land acknowledgement is intended to be progressive, setting the tone for innovative approaches to collaborative land management including participation in the addition-to-reserve process.



## 9.2. OBJECTIVES

- Commit to developing a friendship agreement with Membertou and Eskasoni First Nations.
- Develop and use a consistent and meaningful land acknowledgement in consultation with Membertou and Eskasoni First Nation, to be integrated into council and administrative meetings, as well as community and cultural events.
- Regularly discuss, engage and consult with Membertou and Eskasoni First Nations on matters of community planning, economic development, and property development.
- Acknowledge the importance of the Peace and Friendship Treaties, carrying long-standing promises and mutual obligations relationship to Mi'kmaw people, in the form of Treaty Day celebrations.
- Acknowledging that the Membertou First Nation is a global leader in Indigenous economic development, and working closely with the Membertou First Nation on infrastructure, housing, healthcare, tourism, and environmental initiatives.
- Recognize and facilitate the community economic development and planning work carried out by Membertou and Eskasoni First Nations.
- Support the prosperity and wellbeing of urban Indigenous, Metis, and Inuit peoples residing within the communities of CBRM.

## 9.3. TRUTH AND RECONCILIATION

CBRM acknowledges the past and present impacts that colonialism has had on Indigenous Peoples, and is committed to making efforts toward creating a better future. To do this, the CBRM will work to implement the Truth and Reconciliation Calls to Action into planning decisions, which will ensure that the municipality's efforts accurately reflect the needs and desires of Indigenous Peoples. This will involve protecting the culture of Eskasoni and Membertou First Nations, as well as the urban Indigenous, Metis, and Inuit peoples residing within the communities of CBRM, while also acknowledging and documenting the CBRM's colonialist history and the effects it continues to have.

### 9.3.1. Truth and Reconciliation Policies

- IR-1** Council shall, provide education to civil servants on the history of indigenous peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Rights, Indigenous Law, and Indigenous-Crown relations.
- IR-2** Council shall, adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as a framework for reconciliation.
- IR-3** Council shall explore opportunities to partner with Membertou and Eskasoni to include indigenous art and culture within public spaces across CBRM.

## 9.4. AGREEMENTS AND LAND ACKNOWLEDGEMENTS

CBRM is committed to honouring the agreements that have been made between settlers and the Mi'kmaq people, and to continue to negotiate agreements and partnerships with the Eskasoni and Membertou First Nations. In doing this, the municipality aims to defend the rights of the First Nations, while also supporting new opportunities for the prosperity of Indigenous Peoples within CBRM.

### 9.4.1. Agreements and Land Acknowledgements Policies

- IR-4** Council shall explore developing Friendship Agreements with Membertou First Nation and Eskasoni First Nation to establish a framework for inclusion and partnership.
- IR-5** Council acknowledges and accepts the 1779 Peace of Friendship Treaties and supports Eskasoni and Membertou in their future pursuit of modern treaties or land claims.
- IR-6** Council shall develop a land acknowledgement policy and process for Council meetings in consultation with representatives from Eskasoni and Membertou.

## 9.5. ADDITION TO RESERVE LANDS

CBRM recognizes the indigenous right to self-determination and self-government, which often involves land exchanges, either through market sale or land claims between a Band and the Crown. This exchange of land

is a vital step toward decolonization. Because of this, this Municipal Planning Strategy includes policy which encourages the development of urban reserves in CBRM, and which makes efforts to enhance the Addition-to-Reserve process. By supporting and encouraging the growth and prosperity Eskasoni and Membertou First Nations through land acquisition, CBRM is committed to creating a better future for Indigenous Peoples in the municipality. CBRM continues to be a strong partner in support of regional economic development and will continue to work with Eskasoni and Membertou on partnerships and service agreements.

### 9.5.1. Addition to Reserve Lands Policies

- IR-7** Council shall collaborate and support Eskasoni and Membertou in their pursuit of expanding their reserve lands for lands within CBRM jurisdiction.
- IR-8** Council shall continue to provide essential services to Eskasoni and Membertou, including water, sanitary, storm, police, transit, and other municipal services via service agreements. The service agreements shall recover lost revenue from property tax in lieu of service provisions and seek future land use compability for the immediate area.
- IR-9** Council shall support and identify opportunities to prioritize municipal involvement within the Additions-to-Reserve process.
- IR-10** Council shall provide training opportunities to civil servants on the additions-to-reserve process.
- IR-11** Council shall add reserve lands, post the addition-to-reserve process from both the Generalized Future Land Use Map and Land Use By-law.



# Chapter 10.

Arts, Culture, and  
Equity

## 10.1. PURPOSE

The Municipality acknowledges the centrality of arts, culture and heritage to the economic development, quality of life, and to the community's vibrancy. The CBRM is home to a dynamic and world-renowned arts community that will continue to play a vital role in the municipality's vibrancy and prosperity. Cape Breton is known as an incubator for arts and talent, and world class performers and artists originate from CBRM. The creative sector directly and indirectly influences industries in tourism, 1% of CBRM residents were employed in Information and cultural industries in 2021, with another 2% employed in Arts, entertainment and recreation. The heritage and character of neighbourhoods throughout the CBRM's communities were informed by the region's industrial history. The Municipality also acknowledges that heritage goes beyond the built environment, and encompasses Mi'kmaq knowledge and practices. Additionally, Council recognizes the important role Local Government has in creating belonging and a sense of place. Council would like to enshrine principles of social equity in policy to ensure CBRM is a more equitable and just municipality.

## 10.2. OBJECTIVES

- **Continue to support the municipality as a world-renowned creative centre for arts and culture, where creativity and diversity thrive, in accessible formats and venues**
- **Increase the frequency, amount, and accessibility to and participation in arts and cultural events and activities**
- **Continue to work with the Cape Breton Partnership, the Provincial and Federal levels of government, and stakeholders such as the Cape Breton Centre for Draft and Design, the Cape Breton Music Industry Cooperative, and Celtic Colours to ensure that the creative sector is sustainable and resilient**



- › **Work with the arts community to maintain appropriate arts and culture facilities and organizations in the municipality.**
- › **Integrate art into public spaces, events, festivals, and everyday activities.**
- › **Ensure civic policies, regulations, spaces, and programming are reflective of all communities.**

## **10.3. GENERAL POLICIES**

- AC-1** Council recognizes the contribution and importances of arts and culture in contributing to the vibrancy and success of CBRM.
- AC-2** Council shall consider creating a municipal committee dedicated to Community Arts and Culture to support the delivery of arts and culture, funding, inclusion, and programming.
- AC-3** Council shall encourage the concentration of arts and cultural programming, facilities, and organizations within the Regional Centre, Local Centre and Mixed Use Centre designations.
- AC-4** Council shall encourage access to arts and cultural facilities through active transportation and barrier-free access through the implementation of the Active Transportation and Accessibility Plans.
- AC-5** Council shall encourage the inclusion of public art in prominent community spaces across CBRM.

## **10.4. SOCIAL EQUITY**

Council wishes to improve relationship building within the community including the many community and stakeholder groups dedicated to social

diversity and inclusion. Policy below seeks for a better quality of life for all residents of CBRM. It is the intention of Council to make decisions that benefit the greatest number of residents and support an improved quality of life for marginalized groups. Policies to address and frame Council's role in critical social equity issues like health and wellness services, poverty eradication, social inclusion, corporate diversity, and accessibility.

- AC-6** Council shall support Council and staff of CBRM undertaking diversity and inclusion training.
- AC-7** Council shall support the work related to enhancing diversity and inclusion throughout the municipality.
- AC-8** Council shall ensure universal access to municipal services, ensuring that there is no discrimination on the basis of race, ethnicity, immigration status, social class, ability, age, gender, and sexual orientation.
- AC-9** Council shall explore opportunities to use a Gender-based Analysis (GBA+) toolkit to assess the gendered impacts of municipal policy and infrastructure design.

# Chapter 11.

## Administration and Implementation

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## 11.1. PURPOSE

The CBRM Forward Directions and Vision set a clear course for the Municipality over the next 25 years. The Municipal Planning Strategy is the policy document that will guide decision making for growth, development, and investment into the various urban, suburban, and rural communities that make up CBRM. To carry this direction forward, partnerships are required with Indigenous governments, neighbourhoods, the private sector, the nonprofit sector, and other communities and levels of government.

The Implementation Chapter establishes the regulatory basis for the Municipal Planning Strategy, sets the stage for a neighbourhood based planning program to implement a regional vision to define the various aspects of the monitoring program. The Municipal Planning Strategy will be a living document that is updated and reviewed on a regular basis, with measures to track success. Through the CBRM Forward process, the community and Council have voiced the desire that a strong commitment be made to revive land use planning through a well-defined implementation and monitoring program that upholds the CBRM Forward vision, yet responds to the changing needs of the community. Ongoing community involvement is central to the success of this monitoring program.

## 11.2. OBJECTIVES

- **Ensure planning, regulation, and decision-making is aligned with the Municipal Planning Strategy policies.**
- **Provide guidance on future investment strategies for the Municipality.**
- **Ensure that Council and Municipal Staff understand the financial implications of development proposals that impact the implementation of the Municipal Planning Strategy.**

- › Provide a framework for Secondary Planning, provide guidance for growth, change and continued public engagement
- › Set out a monitoring program to measure the success of the Municipal Planning Strategy on a regular basis, ensuring the Municipal Planning Strategy remains relevant to changing demographic, economic and social trends.

## 11.3. IMPLEMENTATION

The CBRM takes a regional approach to land use planning, through its responsibility as Regional Municipality, covering many former communities. Land use planning in CBRM is wholly administered by CBRM Council, which regulates land use through a Land Use By-law, Subdivision By-law and building inspection.

Through this document, Council has established goals, objectives and policies for managing land use and development. This Strategy and subsequent regulations are both enabled and compliant with standards enabled through the *Municipal Government Act*.

### 11.3.1. Policies

The policies within this strategy represent Councils intention for the use and management of land and development across CBRM. The policies are denoted in each plan through bolded and numbered text, such as: **M-X** the letter corresponds to the chapter title and policy number is presented in sequential order in each chapter. The policies are introduced by a preamble narrative which provides context (**note: not policy**), which has used to frame the policies and may help direct the interpretation of policies.

### 11.3.2. Effective Date and Repeal

- A-1** This Municipal Planning Strategy shall come into effect on the date that a notice is published by the municipality, informing the public that the planning documents are in effect.
- A-1a** Amendments to the Municipal Planning Strategy and Subdivision By-law will follow CBRM's Public Participation and Engagement Programs Policy. In accordance with S210 of the MGA, for amendments to the Land Use By-law, the public participation program is at the discretion of Council. Public participation programs for Land Use By-law amendments will be determined by Council based on the complexity of the amendment.
- A-2** During a meeting held on Tuesday, July 20<sup>th</sup>, 2023, the Council of the CBRM repealed:
- Cape Breton Regional Municipality Municipal Planning Strategy (originally adopted 2004)
  - Cape Breton Regional Municipality Land Use By-law (originally adopted 2004)
  - North End Sydney Secondary Municipal Planning Strategy (originally adopted 2006)
  - North End Sydney Secondary Land Use By-law (originally adopted 2006)
  - Cape Breton Regional Regional Subdivision By-law (originally adopted 1998)

### 11.3.3. Regional Cooperation

The creation of this planning document was done in collaboration with all municipalities on Cape Breton Island, who were partners through the process. The CBRM project team collaborated with the Eastern District Planning Commission to discuss areas of alignment between planning documents, to find consistency where feasible.

As such, as CBRM administers and implements these planning documents,

the spirit of collaboration shall continue and are enabled through the policies below.

- A-3** Council shall solicit comments from abutting municipalities when adopting or replacing a Municipal Planning Strategy and when considering amendments to the Municipal Planning Strategy that would affect lands that share a common boundary with CBRM in accordance with CBRM's Public Participation and Engagement Programs Policy.
- A-4** Council shall solicit comments from Membertou and Eskasoni when adopting or replacing a Municipal Planning Strategy and when considering amendments to the Municipal Planning Strategy that would affect lands that share a common boundary with CBRM in accordance with CBRM's Public Participation and Engagement Programs Policy.



### 11.3.4. Regulations

This Municipal Planning Strategy is implemented via regulations, primarily through the Land Use By-law and Subdivision By-law. The Land Use By-law establishes zones and standards to regulate land use and development. It also establishes conditions for development to be regulated through a Development Agreement or Site Plan Approval. The Subdivision By-law provides the requirements and processes for subdividing land, creating streets and setting aside lands for public purposes.

- A-5** Council shall adopt a Land Use By-law and Subdivision By-law which are consistent with and implement the policies of the Municipal Planning Strategy.
- A-6** Council shall appoint Development Officer(s) to administer the Land Use By-law and Subdivision By-law, including issuing or denying permits.

### 11.3.5. Variances

In some instances, contextual situations may make it difficult for developments to wholly comply with the regulations and standards provided in the Land Use By-law. The *Municipal Government Act* delegated authority to Development Officers to grant reasonable variances from the requirements of the by-law to assist with alleviating potential hardships. In granting a variance, the Development Officer shall ensure the proposal meets the intention of the policies established in the Municipal Planning Strategy.

- A-7** Council shall permit the Development Officer(s) to vary, through criteria established in the Land Use By-law :
- a. Lot occupancy;
  - b. Required setbacks;
  - c. Lot frontage;
  - d. Lot area; and
  - e. Building height.

### 11.3.6. Secondary Planning

There may be instances where CBRM may explore area specific plans, known as Secondary Plans. These Plans may be considered in areas where there are unique conditions that may warrant additional planning considerations, such as watersheds, heritage areas, and downtowns.

- A-8** Council may initiate secondary planning processes in areas which may warrant detailed planning, including form-based planning. These Secondary Plans shall should be incorporated into the Land Use By-law.

### 11.3.7. Site Plan Approval

Site plan approval is a planning tool enabled by the *Municipal Government Act* subject to identified criteria and require public consultations. Under this planning strategy, site plan approval requirements are established for requests to provide for greater flexibility for balancing the certain developments with potential conflicts within regulations of the Land Use By-law.

- A-9** Council shall enable Site Plan Approval as an additional tool for development approvals within the Land By-law, for uses in which Council believes there to be public interest in providing additional standards and flexibility in the permitting process.
- A-10** Council shall establish a notification area of 30m within the Service Area Boundary and 100m outside of the Service Area Boundary for a Site Plan Approval application.
- A-11** The Land Use By-law shall identify requirements for site plan approval to provide flexibility that may be required to accommodate certain land uses, such as:
- a) The maximum allowable density of an apartment building;

- b) The location and floor plate of certain non-residential uses within established residential neighbourhoods;
- c) The form and design of buildings and properties to maintain public access to the Sydney Waterfront.

**A-12** Council shall, through the Land Use By-law, establish site plan approval application requirements.

### 11.3.8. Development Agreements

Development Agreements are another tool that provide municipalities a greater level of control over approving and managing development proposals. These are legal agreements between Council and the property owner and are registered against the title of property.

**A-13** Council shall continue to retain a select list of development agreements adopted prior to the coming into effect of this Municipal Planning Strategy. They are to be listed in the Land Use By-law. Any expansion of the permitted use shall be permitted by amendment to the development agreement.

### 11.3.9. Amending the Land Use By-law

**A-14** Council may make text or map amendments to the Land Use By-law, granted the amendment is in keeping with the intention of policies set forth in this Municipal Planning Strategy and meets the general criteria set in A-18.

**A-15** Council shall may be considered for a zone amendment to an immediately adjacent zone classification on the Land Use Zone Map without requiring an amendment to this Strategy, provided that the intent of all other policies of the Strategy are satisfied.

**A-16** Council shall not amend the Land Use By-law unless Council is satisfied the proposal:

- (a) is consistent with the intent of this Municipal Planning Strategy;
- (b) has regard for:
  - a. the ability of the Municipality to absorb public costs related to the proposal
  - b. variety of land uses within the area
  - c. the capacity of municipal infrastructure (water, sewer, stormwater)
  - d. the creation of excessive traffic hazard or congestion on the street in as determined by the Traffic Authority
  - e. scale of the proposed development in relation to the surrounding development pattern
  - f. access to public transit
  - g. connection to active transportation network

## 11.4. PLAN AMENDMENTS, REVIEW AND MONITORING

Amendments to the Municipal Planning Strategy may be brought to Council to address matters which remain consistent with the vision established in Chapter 2 and the overall objectives of this Plan. To keep the Plan relevant to the changing social, demographic and economic situation of CBRM, this Plan shall be reviewed every five years.

**A-18** Council shall initiate a housekeeping amendment process within two years of the MPS being in effect to address any issues unforeseen at the time of implementation.

**A-19** This Municipal Planning Strategy shall undergo a comprehensive review every ten years, from the date of adoption.

- A-20** Council may consider topic, neighbourhood, or site-specific amendments to this Municipal Planning Strategy, as needed, to respond to applications, priorities and changing circumstances, these reviews may consider:
- a) New policies and directions brought on by Statements of Provincial Interest, provincial or federal regulations, or changing priorities that have been brought by Council.
  - b) New provincial or federal programs that may benefit CBRM.
  - c) Emerging economic, cultural, environmental, technological, health or social needs.
  - d) Land Use By-law amendments which necessitate an amendment to the designations on the Generalized Future Land Use Map.
  - e) Opportunities to support affordable housing developments.
  - f) The re-uses and development of public or institutional lands.
  - g) Any other matter that may be directed by Council.

## 11.5. EVALUATION

Performance indicators can measure the success of the Municipal Planning Strategy in achieving its vision and goals. Council should regularly monitor this Plan against established indicators to ensure it is effective in its scope.

- A-21** Council shall develop performance indicators presented as a means to evaluate certain metrics in an annual score card, presented to Council.

