

Enabling Policy

MPS 2.5.13

Tourism Policies

The Municipality is fortunate to be a tourism destination, offering the pastoral beauty of the Annapolis Valley, rugged mountain plateaus and the spectacular Bay of Fundy. Kings County is also home to many historical sites and has an open and friendly population that supports cultural diversity and vibrant entertainment and culinary scenes. Proximity to Halifax, the largest population centre in Atlantic Canada with a major cruise-ship port and international airport, is also a tourist asset. Continued growth and prosperity in the sector depends on increasing demand, adapting to changing trends, and a regulatory regime that is supportive and flexible.

Council encourages tourism-related business development. Urban areas will continue to be a commerce centre to serve visitors to the Municipality, while maintaining a balance in rural areas between the resource-based land uses and their value as a tourism asset. To that end, Council will provide flexibility for tourism-oriented businesses in terms of location and expansion and will also impose limits on the type, location and scale of these uses to minimize conflict and protect the rural landscape and natural features that are key to their appeal.



Policy

Council shall:

- 2.5.11 permit a variety of opportunities for visitor-oriented businesses in locations and at a scale consistent with the intent of the zones enabled within the Agricultural, Resource, and Shoreland Designations as well as the Historic Hamlet of Grand Pré (A5) Zone;
- 2.5.12 encourage and promote opportunities for visitor-oriented businesses in the Municipality; and,

Development Agreements

2.5.13 consider only by development agreement within the Agriculture, Resource, and Shoreland Designations, with the exception of in the Agricultural (A1) Zone, proposals for visitor-oriented developments not permitted as-of-right. In evaluating development agreements, Council shall be satisfied that:

- (a) the proposal is oriented to visitors or the travelling public, such as, but not limited to, lodging, restaurants, events venues, or other type of special attractions;
- (b) the subject property has a lot area that can appropriately accommodate the proposed use, any accessory uses and structures, parking areas and required infrastructure;
- (c) the site facilities are adequately buffered and/or separated from surrounding residential dwellings (other than a residential dwelling occupied by the operator) to mitigate negative impacts associated with noise, light, and other visual impacts;
- (d) if the proposal is for a lot located on a lake within the Shoreland Designation, Council shall be satisfied that:
 - (i) that the use is directly related to lakeshore activities;
 - (ii) access to the subject property is directly from a public road either by public road frontage or exclusive access from a public road by easement or other registered access;
 - (iii) the lot is of adequate size to ensure buffering between uses enabled through the development agreement and neighbouring properties;

- (iv) access recorded on the parcel register to the lakefront or coast shall be required for proposals located on back lots;

- (v) the proposal will not negatively impact lake health;
 - (vi) if the proposal is on a lakeshore, that native vegetation, particularly on the lands closest to the water's edge, has been preserved or restored as much as possible;
 - (vii) the proposal has been designed to reduce, slow and filter surface water runoff;
 - (viii) parking areas are designed to include only the parking required for the uses on the subject property; and
- (e) if the use is a listed permitted use, the condition(s) that prevent the proposal from being permitted as-of-right in the designation is addressed by development agreement including, but not limited to, enhanced buffering and the positioning and design of buildings and structures; and
- (f) the proposal meets the general development agreement criteria set out in section 5.3 Development Agreements & Amending the Land Use By-law.

General Criteria

Council expects to receive applications to amend the Land Use By-law or enter into a development agreement for development that is not permitted as-of-right in the Land Use By-law. Council has established criteria to ensure the proposal is appropriate and consistent with the intent of this Strategy.

Policy

Council shall:

- 5.3.7 be satisfied that a proposal to amend the Land Use By-law or to enter into a Development Agreement:
- (a) is consistent with the intent of this Municipal Planning Strategy, including the Vision Statements, relevant goals, objectives and policies, and any applicable goals, objectives and policies contained within a Secondary Plan;
 - (b) is not in conflict with any Municipal or Provincial programs, By-laws, or regulations in effect in the Municipality;
 - (c) is not premature or inappropriate due to:
 - (i) the Municipal or village costs related to the proposal;
 - (ii) land use compatibility with surrounding land uses;
 - (iii) the adequacy and proximity of school, recreation and other community facilities;
 - (iv) the creation of any excessive traffic hazards or congestion due to road or pedestrian network adequacy within, adjacent to, and leading to the proposal;
 - (v) the adequacy of fire protection services and equipment;
 - (vi) the adequacy of sewer and water services;
 - (vii) the potential for creating flooding or serious drainage problems either within the area of development or nearby areas;
 - (viii) negative impacts on identified wellfields or other groundwater supplies for the area;

- (ix) pollution, in the area, including but not limited to, soil erosion and siltation of watercourses; or
- (x) negative impacts on lake water quality or nearby wetlands;
- (xi) negative impacts on neighbouring farm operations;
- (xii) the suitability of the site regarding grades, soils and geological conditions, location of watercourses, marshes, bogs and swamps, and proximity to utility rights-of-way.

