

PART 3 - IMPLEMENTATION

The objectives of this Plan will be implemented in a variety of ways. However, in relation to public action, the following are considered to be the most significant.

3.1 GENERAL

- 1. The Municipal Planning Strategy for New Minas is a Sector Plan for the Municipality of the County of Kings, and is the prime policy document providing the framework by which the future growth and development of New Minas shall be encouraged, controlled, and coordinated. The policies of the Plan will be implemented generally through the powers of Council as provided by the Municipal Government Act, the Municipal Act and other statutes as may apply.*
- 2. In order that decisions may be based on expert advice beyond that which the Municipality is able to supply, it shall be the policy of Council to circulate applications for amendments to the Land Use Bylaw and applications for approval of subdivisions to appropriate provincial government agencies such as Departments of Health, Transportation and Public Works, and Environment and Labour for their information and comment, or their approval, as may be required.*

3.2 LAND USE BYLAW

- 3. The Kings County Land Use Bylaw is the principal mechanism by which the land use policies of this Plan are to be implemented. The Land Use Bylaw will set out zones, permitted uses and development standards and, in doing so, shall reflect the policies of the Municipal Planning Strategy, per Section 219 (3) of the Municipal Government Act.*
- 4. It is not intended that all land shall be rezoned at the outset as indicated by the policies of this Plan, or as indicated on the Land Use Plan Map. In order that Council may maintain a comparative high degree of control, a number of areas will be zoned to reflect the existing land use and development will be permitted by an amendment to the Land Use Bylaw or by contract zoning, in accordance with the policies of this Plan.*

Categories of uses not to be rezoned include:

*Multiple Family Residential
Institutional Uses in the Designated Business District
Shopping Centre Commercial
Heavy Industrial
Institutional*

3.3 AMENDMENT TO LAND USE BYLAW

5. *In considering amendments to the Land Use Bylaw, in addition to all other criteria as set out in various policies of this Plan, Council shall have regard to the following matters:*
- a. *That the proposal is in conformance with the intent of this Plan and with the requirements of all other Municipal Bylaws and regulations.*
 - b. *That the proposal is not premature or inappropriate by reason of:*
 - i. *the financial capability of the municipality to absorb any costs relating to the development;*
 - ii. *the adequacy of sewer and water services and utilities;*
 - iii. *precipitating or contributing to a pollution problem in the area;*
 - iv. *the adequacy of storm drainage and the effect of it on adjacent uses;*
 - v. *the adequacy and proximity of school, recreation and any other community facilities;*
 - vi. *the adequacy of road networks in, adjacent to, or leading to the development;*
 - vii. *the potential for the contamination of watercourses or the creation of erosion or sedimentation;*
 - viii. *creating a scattered or ribbon development pattern as opposed to compact development;*
 - ix. *the potential for contamination of, or interference with, a designated groundwater supply protection area.*
 - c. *That where provided for in the Plan, controls be placed on the proposed development to reduce conflict with any other adjacent or nearby land use by reason of:*
 - i. *type of use;*
 - ii. *emissions including air and water pollutants and noise;*
 - iii. *height, bulk, and lot coverage of the proposed building;*
 - iv. *traffic generation, access to an egress from the site, and parking;*
 - v. *buffering, landscaping, screening, and access control;*

- vi. *open storage;*
 - vii. *signs;*
 - viii. *similar matters of planning concern.*
- d. *Suitability of the proposed site in terms of steepness of grades, soil and geological conditions, location of watercourses, marshes, swamps, or bogs and proximity of highway ramps, railway rights-of-way and other nuisance factors.*

3.4 SUBDIVISION CONTROL

6. *It shall be the policy of Council to administer the regulations as set out in the Municipal Subdivision Bylaw (Bylaw 60) in accordance with the Municipal Government Act.*
7. *In accordance with Section 243 of the Municipal Government Act, the Development Officer, appointed by Council, shall administer the Land Use Bylaw and all subdivision controls and shall grant development permits and approvals of plans of subdivision.*

3.5 MOBILE HOME PARKS

8. *It shall be the policy of Council to administer the regulations as set out in the Municipal Mobile Home Parks Bylaw (Bylaw 36).*

3.6 BUILDING BYLAW

9. *It shall be the policy of Council to administer the regulations as set out in the National Building Code and adopted as the Municipal Building Bylaw (Bylaw 72).*

3.7 UNSIGHTLY PREMISES BYLAW

10. *It shall be the policy of Council to administer the regulations pursuant to the Municipal Government Act, S.N.S., 1998, Chapter 18.*

3.8 PLAN AMENDMENTS

11. *This document and all associated maps constitute the official Municipal Planning Strategy of the Village of New Minas. An amendment to this Plan shall be required:*
- (a) Where any major policy intent is to be changed.

- (b) *Where upon application for a zoning amendment, Council decides that it is in the best interest of the Municipality to revise its policy for that land use type.*
- (c) *Where detailed area or sector plans are desired to be incorporated into this Plan.*
- (d) *At Minister's request.*

12. *Plan amendments shall require the approval of the Minister of Service Nova Scotia and Municipal Relations and shall be carried out in accordance with the provisions of Section 208 of the Municipal Government Act.*

3.9 ACTIONS NOT REQUIRING A PLAN AMENDMENT

13. *The Land Use Map is a graphic representation of the Land Use Districts that are to be developed in accordance with the policies of this Plan. Areas contiguous to a given district may be considered for a zoning amendment to a use permitted within that district without an amendment to this Plan, and provided that all other policies of this Plan are met.*

3.10 PLAN REVIEW

14. *In accordance with the Municipal Government Act, this Plan may be revised when either the Minister of Service Nova Scotia and Municipal Relations or Council deems it necessary, but in any case shall be reviewed not later than five years from its coming into force or from the last review.*

3.11 CAPITAL PROGRAM

In addition to controlling private development, Council may undertake programs of its own to encourage development in certain areas, to enhance, improve, or protect the environment of the Municipality, or to provide a greater range of social, recreational, or cultural facilities and activities. It is one purpose of this Plan to aid in establishing such programs. Therefore, it shall be the intention of Council to incorporate policies and provisions of this Plan into the Capital Budget and the five year Capital Program of the Municipality to the greatest extent possible, with the goal of eventual integration of planning, capital programming and budgeting.

PART 3	AMENDED DATE	SECTION
	November 30, 1982	3.3 – 5 b ii
	April 26, 2005	3.3 – 5 b ix
	May 10, 2005	3.1 – 1, 2 / 3.2 – 3 / 3.4 – 6, 7 / 3.7 – 10 / 3.8 – 12 / 3.10 – 14

