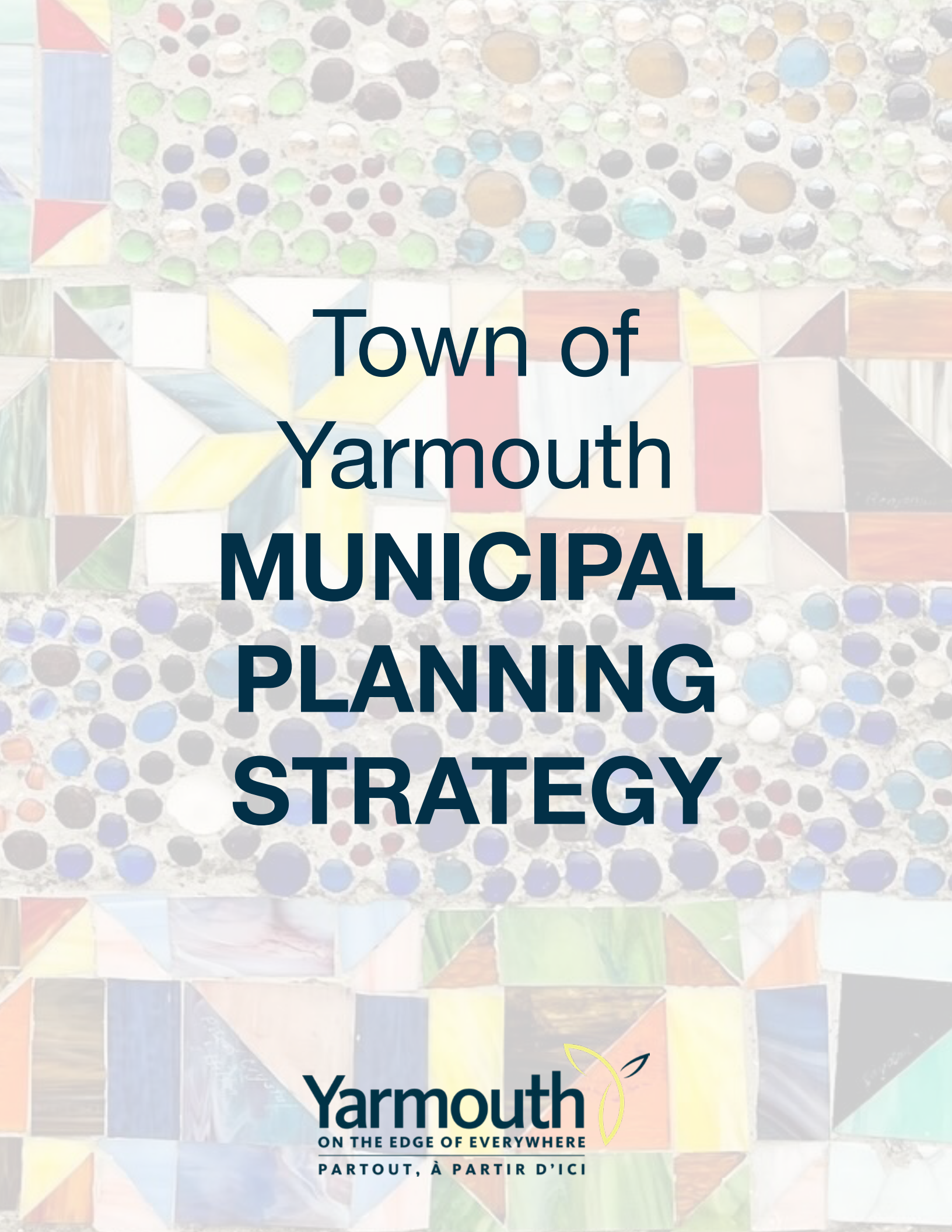




Town of Yarmouth **MUNICIPAL PLANNING STRATEGY**



Town of Yarmouth Municipal Planning Strategy 2026
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This document was originally prepared by UPLAND
Planning + Design Studio for the Town of Yarmouth.

Adopted: 2026.06.18

Approved: 2026.07.09

Effective Date: 2026.10.21

With amendment consolidations to: N/A

Amendments

The Town will use the following practices when amending this Municipal Planning Strategy:

- The date, general nature of the change, and reference file or project will be noted in the changelog below.
- Deleted text will be replaced with the text, "DELETED" and the reference for the appropriate file number. Subsequent text will not be renumbered.
- Additions or substitutions will be bolded with the reference to the appropriate file number.
- If additions would normally require the renumbering of following text, the "highway interchange" system will instead be used. A capital letter will be added to the numbering to differentiate the new text from the previous numbering. For example, Subsection 1.1.2A would be used between Subsections 1.1.2 and 1.1.3.

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1 Introduction & Context



1.1 Municipal Planning Strategy Purpose

Land use planning is a key tool used by the Town of Yarmouth to prepare for and manage growth and development, and to ensure the long-term sustainability of the community. It is a collaborative process designed to support residents, businesses, service providers, and civic leaders in creating and implementing a shared vision for the future. Practically, land use planning provides a framework to direct land use by establishing policy that guides how land is used, where growth and development happen, and where buildings should be built.

This Municipal Planning Strategy (“Plan”) establishes the long-term vision, goals, and policies for growth and development in the Town of Yarmouth. It provides statements of policy that reflect Council’s intentions for the management of land use in the town. The vision and policies are based on public engagement and respond to the issues and challenges, ideas, and perspectives identified in the town.

The major tools for implementing policies of the Municipal Planning Strategy are the Land Use Bylaw and Subdivision Bylaw. The Land Use Bylaw establishes the specific standards and rules for development. The Subdivision Bylaw lays out the steps and requirements for creating smaller areas of land out of larger areas of land, as well as the procedures and standards for infrastructure development. Together these three documents largely govern how land use, growth, and development happen.

These documents are established under the authority of the *Municipal Government Act*, which establishes the powers of municipalities to conduct land use planning (among other things) and the requirements that these documents must meet.

1.2 Town of Yarmouth Context

The Town of Yarmouth is located in southwestern Nova Scotia with a land area of approximately 10.57 square kilometres. The town shares land boundaries with the Municipality of the District of Yarmouth as well as Wasoqopa'q First Nation. Yarmouth, also known as “Keespongwik”, has been inhabited by the Mi’kmaq for over 4,000 years.

The Yarmouth area has a long history of Black migration, starting in the late 1700s with a major wave of Loyalists arriving in the early 1800s. Most of these individuals settled just outside the town, creating the community of Greenville. The Yarmouth and the Acadian Shores region is also home to the largest Acadian population in Nova Scotia, with approximately 50% of the residents being Acadian.

According to Statistics Canada, the population of the town peaked in 1961, with 8,636 residents. As of 2021, that number has dropped to 6,829. However, for the first time since 1991 the population of the Town has increased between census years (2016 and 2021). This reversal in population trends has sparked renewed interest in housing and business development in the town and has put greater focus on having a planning framework that can guide development in a manner that meets community needs.

It is also important to acknowledge that census data is based on place of primary residence. This means that seasonal residents, temporary workers, or post-secondary students who are from elsewhere are not included. As an area that has been historically attractive for recreational and seasonal residences and also features a post-secondary campus, the Town of Yarmouth will have needs in terms of housing, economic development, and more that are not perfectly aligned with census data alone.

1.3 Governance in the Town of Yarmouth

Town Council is the elected body that undertakes the duties and responsibilities given to the Town. Council consists of seven elected representatives—five Councillors, one Deputy Mayor, and one Mayor—each holding four-year terms. These representatives are responsible for decision making in Town, including approving budgets and making decisions on land use planning matters.

The Town provides numerous important services to residents and businesses. These include critical infrastructure items like roads, sewer, and water; fire protection services; recreation; building inspection; and bylaw enforcement and land use planning services.

1.4 Plan Development

The creation of the Town of Yarmouth's Municipal Planning Strategy and Land Use Bylaw, called "Town of Yarmouth Planning Review", began in early 2024. This thorough process was built on a foundation of extensive analysis and community engagement, including:

- "Visioning" engagement to explore resident's perspectives on land use and their vision for the future of Yarmouth. This phase helped identify key issues to be explored in more depth.
- A review of policy best practices from jurisdictions across Atlantic Canada, specifically, and Canada generally, on contemporary planning topics.
- A series of "issues and options" reports summarizing the town's current policy context, land use, demographics, development statistics, economic profile, housing context, parks and open space, recreation, servicing, and more.

- Six community workshops to explore the issues and options and establish an early direction for the planning documents.
- Draft engagement consisting of three community meetings, an online interactive zoning map, and community hotline.
- Final engagement consisting of an online interactive zoning map, fact sheets, and community hotline.

1.5 Plan Organization

1.5.1 Chapter Overview

This Municipal Planning Strategy is divided into six chapters.

Introduction

The introduction provides a brief overview of the Municipal Planning Strategy's purpose and the town context. It also provides an overview of how to read and interpret the Municipal Planning Strategy.

Statements of Provincial Interest

This chapter outlines how the Municipal Planning Strategy meets the Statements of Provincial Interest contained within the *Municipal Government Act*.

Plan Vision

The Plan Vision chapter provides the overarching vision that guides all policies within this Plan, as well as guiding values that underly the approach to community development taken by this Plan.

Land Use Structure

This chapter sets out the amount, nature, and direction of anticipated growth by describing the types of uses and forms of development appropriate within specific areas. This will help guide future zoning and support development application decisions.

Subject Area Policy

This chapter includes the context and policies for topic areas that apply across the whole town, such as housing and culture.

Implementation

A plan is only as good as its implementation. This chapter includes the policies for ensuring this Municipal Planning Strategy effectively shapes the future of Yarmouth.

1.5.2 Document Structure

This document is carefully organized using the following naming conventions to make precise references easier:

- 1. Chapter
- 1.1 Section
- 1.1.1 Subsection
- (a) Policy
- i. Policy Clause

1.5.3 Policies

The policies within this Municipal Planning Strategy establish Council's intention with respect to the management of land use and development in the town. Statements of policy are preceded by the text "it is the policy of Council" and denoted by an alphabetical list as illustrated above.

In addition to the statements of policy, this Municipal Planning Strategy contains preamble, or descriptive text, before each set of policies. This preamble is used to help interpreted the intent of statements of policy, but it does not form part of the policy.

1.5.4 Town References

The following outlines how references to the Town should be interpreted and implemented.

- "Town" (with a capital-T) refers to the municipal corporation that is the Town of Yarmouth, the local government.

- "Yarmouth" or "the town" refers to the geographic region of the town.

1.6 Interpretation

This Plan is a statutory document. The language within it is intended to be precise and specific to outline the expectations of the Town and the public for growth and development. In this Plan:

- "may" or "should" is to be construed as permissive and empowering; and
- "shall" or "must" is to be construed as a compulsory obligation and will typically be implemented through the Land Use Bylaw or Subdivision Bylaw.

This Plan uses illustrations, images, and maps to provide context to support the policies within. For clarity:

- figures and tables form part of this Plan and its legal foundation, and they should be read in concert with the policies of this Plan;
- schedules, which are provided at the end of this Plan, form part of this Plan and its legal foundation, and they should be read in concert with the policies of this Plan; and
- diagrams, sketches, or photos in this Plan are provided for illustrative purposes only and do not form the legal basis of this Plan.



2 Statements of Provincial Interest



2.1 Introduction

The Province of Nova Scotia has established five Statements of Provincial Interest, which are intended to support sustainable development across the province. While land use planning is an activity that is largely undertaken by municipalities, the Province, through legislation, can help to ensure all municipalities operate under the same planning framework and to protect interests and values held across the province. This Municipal Planning Strategy, and accompanying Land Use Bylaw, address the Statements of Provincial Interest as outlined below.

2.2 Statement of Provincial Interest Regarding Drinking Water

Goal: To protect the quality of drinking water within municipal water supply watersheds.

The Town of Yarmouth does not contain any public drinking water sources within its boundaries. Rather, the Town's water source is found at Lake George within the Municipality of the District of Yarmouth. This Municipal Planning Strategy includes policies for working with the Municipality and other bodies to ensure the long-term viability of this water source and the sustainability of any expansions of the water system.

Applicable policies: 5.6.8 (a), (f), and (h)

2.3 Statement of Provincial Interest Regarding Flood Risk Areas

Goal: To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in flood plains.

The Town of Yarmouth does not contain any floodplains designated under the Canada-Nova Scotia Flood Damage Reduction Program. However, portions of Broad Brook were subject to study in the 1970s and have had restrictions consistent with a 1:20 year flood plain placed upon them. Additionally, some areas surrounding Broad Brook where flooding is likely to occur have been treated as a "locally known" flood plain and have requirements for floodproofing and some restrictions on permitted uses. Furthermore, the Town of Yarmouth is bordered by the Atlantic Ocean which makes the area susceptible coastal flooding. This Plan includes minimum elevations for many types of coastal development.

Applicable policies: 5.4.4 (e); 5.7.7 (a), (b), (c), (d), (e), and (f)

2.4 Statement of Provincial Interest Regarding Agricultural Land

Goal: To protect agricultural land for the development of a viable and sustainable agriculture and food industry.

Many areas of the Town of Yarmouth are located on Class 3 soils, as identified in the Canada Land Inventory, and the less developed areas of town do have some existing low-intensity agricultural uses. However, the potential for agriculture is low due to land fragmentation and land use conflict, and the Town of Yarmouth has the investments in infrastructure that must be considered under the Statement of Interest Regarding Infrastructure. These lands are also well-posed to contribute strongly to the Statement of Interest Regarding Housing. As such, this Plan recognizes existing agricultural activities and enables agriculture as an interim use of land but does not contain specific protections for agricultural lands.

Applicable policies: 5.7.5 (l)

2.5 Statement of Provincial Interest Regarding Infrastructure

Goal: To make efficient use of municipal water supply and municipal wastewater.

The Town of Yarmouth has an extensive network of sewers, water pipes, roads, sidewalks, and active transportation trails. A key direction in this Plan is to utilize this infrastructure to its fullest and ensure long-term financial stability for the Town and its residents. To do this, this Plan enables reduced lot sizes and lot frontages, encourages higher development densities, and includes a comprehensive development process to ensure infrastructure development in currently undeveloped areas of town is rational and efficient.

Applicable policies: 5.2.9 (d); 5.6.8 (a), (b), (c), (d), (e), and (f)

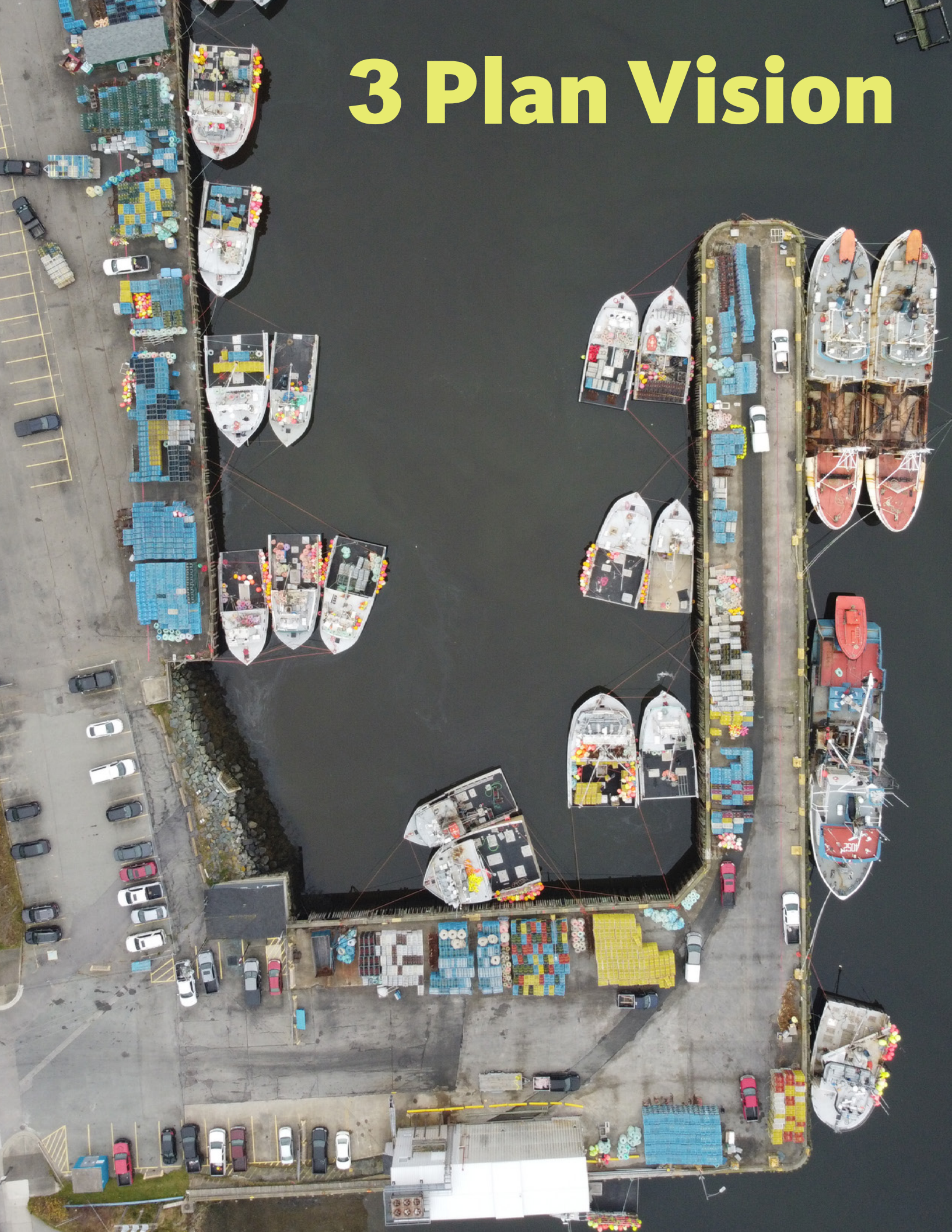
2.6 Statement of Provincial Interest Housing

Goal: To provide housing opportunities to meet the needs of all Nova Scotians.

The Town of Yarmouth has not escaped the province-wide housing crisis, and residents are in need of housing that is affordable, suitable to their life situation, and well-maintained. This Plan is strongly supportive of a broad spectrum of housing types and densities suited to each area of town. This Plan also enables manufactured housing and treats supportive housing the same as other dwellings of a similar scale.

Applicable policies: 5.2.9

3 Plan Vision



3.1 A Vision for the Town of Yarmouth

A Vision Statement establishes the long-term desired outcomes of the Town. The Vision reflects the ambitions and aspirations of the community and helps to answer the question, “what do we want to be and why?” It provides a benchmark for Council’s decisions on growth and development, irrespective of changes in the Town’s leadership or management. The Vision also provides a foundation for future planning reviews.

The Vision for the future of the Town of Yarmouth is:

Known by the Mi’kmaq as Keespongwitk, meaning ‘Land’s End’, Yarmouth emerged in the late 19th century as a hub of Atlantic commerce and entrepreneurship. Forged by wind and water and grown through successive waves of immigrant settlement, the community is resilient, resourceful, and open to all who call this place home.

We envision a future where all residents have access to housing, meaningful work, and opportunities that meet their diverse needs, and where generations of families can grow and thrive together. As the region’s service centre, we will strengthen our local and global connections, celebrate our growing diversity, and foster a strong sense of community and belonging.

We honour our heritage and learn from our past, carrying those lessons into our future to build our shared purpose and embody our Town motto: Progress.

3.2 Guiding Principles

Yarmouth is a diverse community with many development opportunities and pressures. Throughout the development of this Plan, residents and other stakeholders discussed a range of suggestions and topics that are important for the future of the town. These discussions formed the basis of the following Guiding Principles upon which this Plan is built.

3.2.1 Character – A Place that We Call Home

- Preserve and enhance a sense of community and small-town atmosphere.
- Celebrate the town’s history while embracing modern development and improved housing options.
- Encourage architectural excellence and high-quality development.
- Embody the town’s longstanding spirit of resilience.

3.2.2 Housing – Safe and Inclusive Spaces for All

- Support progressive housing approaches such as adaptive reuse and co-operative housing projects.
- Expand the spectrum of housing available within the town, including housing for newcomers, supportive and transitional housing, as well as emergency housing for vulnerable community members.
- Remove barriers to housing development such as parking requirements, infrastructure costs, and restrictive limitations on density.

3.2.3 Economic Development and Tourism – Working for All Our Residents

- Strengthen and grow the economic vitality of Yarmouth.
- Diversify the mix of businesses in the town, including arts venues, restaurants, and public spaces.
- Encourage infill development and other methods for utilizing vacant commercial areas.
- Creating vibrant public spaces to draw people into the downtown.
- Support and protect the fishery and the “working waterfront”.
- Give visitors from the ferry more reasons to spend their time in Yarmouth and the surrounding areas.

3.2.4 Environment – Greener as We Grow

- Plan for sea level rise while still encouraging responsible waterfront development.
- Take a proactive approach to climate preparedness and adaptation.
- Improve stormwater management and wetland protection.
- Encourage efficient development patterns.

3.2.5 Transportation – Efficient and Accessible

- Provide enhanced pedestrian and transit connections.
- Link housing development to transit and other transportation opportunities.
- Grow the bicycle network and related amenities.
- Support increased transportation connectivity to the wider region.

3.2.6 Recreation – A Healthy and Active Community

- Provide opportunities to connect with nature and build community.
- Expand opportunities for recreation, both passive and active.

3.2.7 Infrastructure – Growing and Sustainable

- Manage infrastructure in a manner that maintains the financial sustainability of the town.
- Invest in infrastructure upgrades that enable sustainable growth.

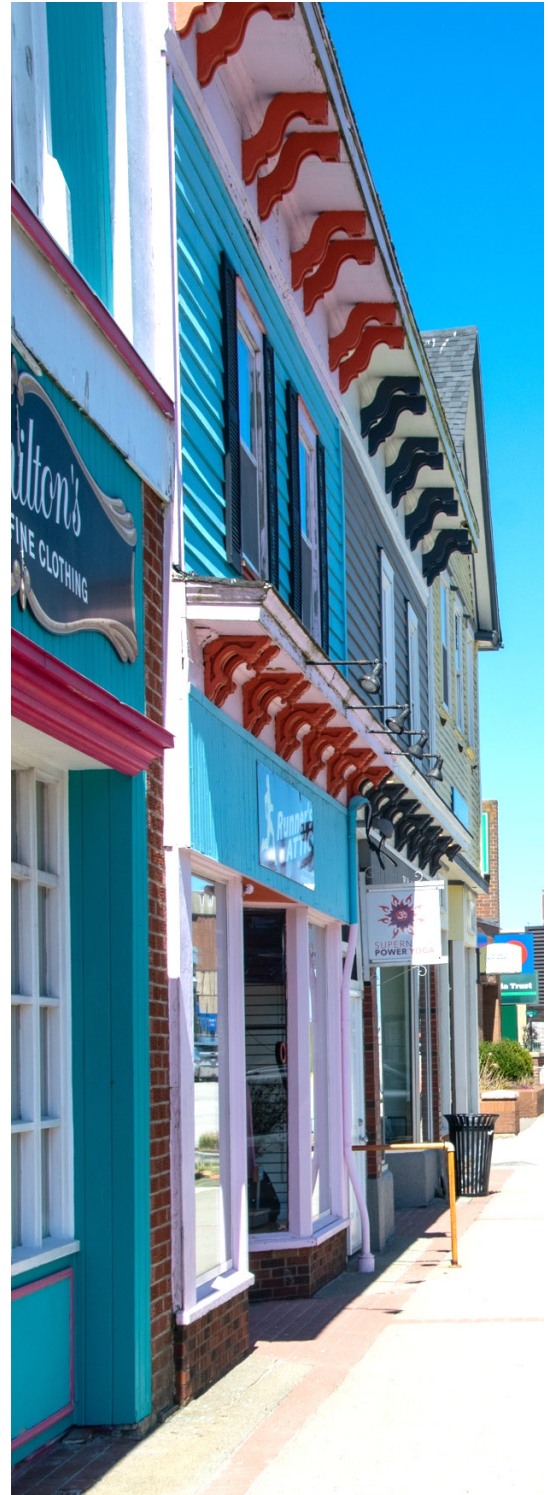
3.2.8 Culture and Heritage – Honouring our Past, Welcoming our Future

- Improve access to dedicated arts and cultural spaces.
- Celebrate the many identities of the town, from Indigenous, Black, and European history to the diverse backgrounds of various waves of newcomers.
- Support “living” heritage and creative preservation of heritage assets.

3.3 “Big Moves”

The Town of Yarmouth has a long history of land use planning. This Plan builds on previous planning documents, and many of the policy directions are a continuation or evolution of the approaches taken in previous plans. However, achieving the above Vision and Guiding Values will, in some circumstances, require bold action supported by a new perspective in policy. As a result, this Plan includes policies to facilitate three “big moves” designed to shift the Town’s approach to certain aspects of growth, development, and land use planning. These are:

- **Enable additional housing options** through means such as more flexible lot requirements, clear rules for accessory dwelling units, higher permitted housing densities, and streamlined approvals processes.
- **Rethink commercial areas** by encouraging more residential development on the upper floors of downtown, enabling and encouraging mixed-use development along Starrs Road, widening the types of commercial uses permitted, and widely permitting community and cultural uses in commercial areas.
- **Support community character and amenity** with measures such as widening the types of uses that are permitted in various areas of town; policies to support the adaptive reuse of heritage properties and former institutional buildings; and greater support for active transportation (pedestrian, cycling) infrastructure.



4 Land Use Structure



4.1 Introduction

This chapter of the Municipal Planning Strategy provides high-level strategic guidance for land use throughout Yarmouth.

These land use strategy objectives and policies are intended to provide:

- Residents with information about what the future of their neighbourhood could look like.
- Landowners and developers with an understanding of what can be done to their land and how to achieve it.
- Council and Town staff with regulations around growth that will aid in planning for new infrastructure and services.

4.2 Built Form

Yarmouth's current built form and physical identity primarily evolved from a foundation of colonial town planning and development practices. These include a strong grid pattern of streets aligned with the harbour, a traditional main street district with buildings close to each other and the street, strong civic anchors such as Frost Park and major institutional nodes, and attractive homes that reflect the prosperity of the town's mercantile history.

This has manifested a "small town charm" that is valued by residents and visitors alike. While achieving this Plan's Vision and Guiding Principles will involve a change to some aspects of development, such as higher densities, this foundation will remain at the core of the town's built form.

4.2.1 Built Form Policies

It is the policy of Council to:

- (a) Maintain the grid-like network of streets.
- (b) Encourage a high standard of architectural character and attention to detail, both in private development and in the town's civic spaces.
- (c) Continue to enable small- and moderately-scale buildings throughout town.

4.3 Land Use Designations & Zones

The town's long history of human settlement has led to a wide variety of landscapes and neighbourhoods. These range from well-established residential neighbourhoods, to a waterfront featuring a mix of industry and public amenities, to a thriving downtown, to large-format commercial and industrial properties.

This Plan recognizes existing land development patterns and guides their future evolution through "land use designations" described below and illustrated on Schedule 'A', the Future Land Use Map. These designations communicate the intended future for each piece of land in the town over the life of this Plan. The specifics of permitted development are then laid out the zones of the Land Use Bylaw.

In most cases, land within the town is envisioned to maintain its current purpose. For example, most of the landmass in town is designated "Residential". While the residential neighbourhoods may evolve over time in terms of the types and density of housing that is developed, they will still be fundamentally residential in nature. However, in some cases there may be a specific desire to see an area of land change its fundamental character over the life of this Plan. In those cases, the future land use designation is different than the current use and zoning.

This Municipal Planning Strategy divides the town into eight land use designations:

- Commercial Industrial
- Conservation
- Core Area
- Health and Institutions
- Industrial
- Mixed Use
- Residential
- Waterfront

4.4 Residential Designation

By landmass, the largest areas of the town are dedicated to residential activity. While other supporting uses such as small institutions and home occupations may occur in these areas, the character is predominantly residential and is recognized as such by the Residential Designation. There are also areas on the east side of town that are currently undeveloped but provide opportunity for residential expansion as long as infrastructure and services are carefully planned. These areas are also designated Residential.

4.4.1 Residential Designation Policies

It is the policy of Council to:

- (a) Apply the Residential Designation on the Future Land Use Map to lands where residential activity is expected or encouraged to be the dominant—but not necessarily the only—form of development.
- (b) Establish the following zones in the Land Use Bylaw to carry out the objectives of the Residential Designation:
 - i. the Housing 1 (H-1) Zone, where lower density residential uses and supportive community amenities such as parks and open spaces will be permitted;

- ii. the Housing 2 (H-2) Zone, where moderate levels of residential density will be encouraged and community amenities will be permitted;
 - iii. the Housing 3 (H-3) Zone, where higher densities of residential development will be permitted, as well as community amenities and some small-scale neighbourhood commercial uses;
 - iv. the Comprehensive Development (CD) Zone, to provide a mechanism for wholistically planning infrastructure in new neighbourhoods; and
 - v. the Parks and Open Space (O-1) Zone to provide for parkland and similar outdoor recreation opportunities.
- (c) Enable, across the Residential Designation, a range of housing types and densities.
 - (d) Encourage Residential Designation neighbourhoods that are at a scale and density that supports a walkable environment, promotes safety, and reduces the demand for motor vehicle travel.

4.5 Town Centre Designation

Yarmouth's town centre consists of the central blocks of Main Street, the surrounding commercial areas down to Water Street and up to Willow Street, and a transitional area in the vicinity of Willow Street where commercial uses slowly give way to a more residential character. The latter area includes a portion of the Collins Heritage Conservation District. The Town Centre Designation was created to recognize and strengthen the traditional "heart" of Yarmouth.

4.5.1 Town Centre Designation Policies

It is the policy of Council to:

- (a) Apply the Town Centre Designation on the Future Land Use Map to the traditional downtown of Yarmouth.

- (b) Establish the following zones in the Land Use Bylaw to carry out the objectives of the Town Centre Designation:
 - i. Downtown (DT) Zone, where a range of commercial and institutional uses will be permitted, along with upper-floor residential uses.
- (c) Encourage fine-grained, “main street” development within the Town Centre Designation.
- (d) Encourage high-quality architecture that complements, and adds to, the attractive streetscapes found within downtown.
- (e) Invest in a high-quality public realm.

4.6 Waterfront Designation

The Waterfront Designation—as the name suggests—encompasses the waterfront on the east side of Yarmouth Harbour. These lands have a long history of activity tied to shipbuilding and provisioning, and the fishery. They also serve as the welcoming point for visitors arriving on the ferry, and as recreational and park space. In recent years there have been requests to establish residential uses on portions of the waterfront. This designation recognizes the continued importance of Yarmouth’s working waterfront, while enabling uses and activities that expand the use of the waterfront.

4.6.1 Waterfront Designation Policies

It is the policy of Council to:

- (a) Apply the Waterfront Designation on the Future Land Use Map to lands along the east side of Yarmouth Harbour.
- (b) Establish the following zones in the Land Use Bylaw to carry out the objectives of the Waterfront Designation:
 - i. Waterfront Industrial (M-2) Zone, uses will be limited to those that serve the fishery and marine industry.
 - ii. Waterfront Commercial Industrial (CI-2) Zone, where uses will include marine industry, as well as a limited range of commercial uses to serve visitors to Yarmouth.
 - iii. Waterfront Comprehensive Development (WCD) Zone, where residential uses and a wider range of commercial uses will be considered along with marine uses.

4.7 Mixed Use Designation

The town has lands along Starrs Road that have traditionally only permitted commercially oriented uses, but where the community is now prepared to consider residential investment. Conversely, areas such as along Main Street (outside of downtown) started as residential but have seen some commercial expansion over the years. The Mixed Use Designation is intended to recognize areas such as these where a mixing of commercial and residential uses is appropriate and even encouraged.

4.7.1 Mixed Use Designation Policies

It is the policy of Council to:

- (a) Apply the Mixed Use Designation on the Future Land Use Map to areas outside of the Town Centre Designation where commercial activity has traditionally occurred.
- (b) Establish the following zones in the Land Use Bylaw to carry out the objectives of the Mixed Use Designation:
 - i. Mixed Use 1 (MU-1) Zone, where a wide range of commercial activities will be permitted, along with multi-unit residential development above or behind commercial activities.
 - ii. Mixed Use 2 (MU-2) Zone, where a mix of residential and commercial activity, including automobile-oriented uses, will be permitted.

- iii. Mixed Use 3 (MU-3) Zone, where a mix of residential and smaller scale commercial activity, but not automobile-oriented uses will be permitted.

4.8 Commercial Industrial Designation

The Commercial Industrial Designation was created to address the needs of businesses that require the integration of retail/wholesale and manufacturing uses, as well as industrial uses that are of a low enough impact that they can be located in a wider area of town instead of occupying the limited land within the industrial park. The Commercial Industrial Designation will be applied to lands on the east end of Starrs Road and at the former Forest Street Industrial Park.

4.8.1 Commercial Industrial Designation Policies

It is the policy of Council to:

- (a) Apply the Commercial Industrial Designation on the Future Land Use Map to lands at the east end of Starrs Road and to the former Forest Street Industrial Park.
- (b) Establish the following zones in the Land Use Bylaw to carry out the objectives of the Commercial Industrial Designation:
 - i. Commercial Industrial (CI-1) Zone, where a mix of light industrial and heavy commercial uses will be permitted.

4.9 Industrial Designation

The town's limited land base means that lands suited for pure industrial uses are limited due to the risk of land use conflict. However, there is an industrial park on Haley Road, which has been very successful and is nearly full. As those lands reach capacity, there is some opportunity to open new industrial activity along the west side of Hardscratch Road, adjacent to industrial zoning in the Municipality of the District of Yarmouth. The

Industrial Designation is intended to recognize these industrial areas.

4.9.1 Industrial Designation Policies

It is the policy of Council to:

- (a) Apply the Industrial Designation on the Future Land Use Map to lands intended for future industrial growth.
- (b) Establish the following zones in the Land Use Bylaw to carry out the objectives of the Industrial Designation:
 - i. General Industrial (M-1) Zone, where a wide mix of industrial and heavy commercial uses will be permitted.

4.10 Health and Institutions Designation

As the service centre for the southern end of Nova Scotia, the Town of Yarmouth has a high proportion of institutional land. Some of these institutions, such as churches, are smaller and the use of the structures may evolve over time. In those cases, other land use designations may be appropriate to guide the future use of those lands. However, Yarmouth also has many large institutions where a change in use would be a substantial shift to the fundamental character of the town. These include sites such as the Yarmouth Regional Hospital, the Southwest Nova Scotia Correctional Facility, and the Nova Scotia Community College Campus. The Health and Institutions Designation is intended to recognize such long-standing institutions and surrounding lands.

4.10.1 Health and Institutions Designation Policies

It is the policy of Council to:

- (a) Apply the Health and Institutions Designation to lands on the Future Land Use Map that host major institutions.

- (b) Establish the following zones to carry out the intent of the Health and Institutions Designation:
 - i. The Institutional (I-1) Zone, where a wide range of institutional uses will be permitted.
 - ii. The Health Campus (HC) Zone, where health care uses and supportive uses, such as small commercial services, will be permitted.

4.11 Conservation Designation

Despite being a primarily “urban” setting, the town features landscapes that are prone to flooding or that are especially sensitive to development, such as large wetlands. The Conservation Designation is intended to identify these lands and limit development on them.

4.11.1 Conservation Designation Policies

It is the policy of Council to:

- (a) Apply the Conservation Designation to lands on the Future Land Use Map that are:
 - i. subject to flooding or subsidence;
 - ii. low-lying, marshy, or unstable; or
 - iii. are otherwise hazardous to development.
- (b) Establish the following zones to carry out the intent of the Conservation Designation:
 - i. The Flood and Environment (O-2) Zone, where development of buildings will not be permitted and land uses will be limited to passive recreation and conservation endeavours.
- (c) Except for minor adjustments to align with onsite delineation of natural boundaries, not amend Zoning Map of the Land Use Bylaw to change zoning within the Conservation Designation without an amendment to this Plan.

4.12 General Development Provisions

There are some aspects of land use regulation that the Land Use Bylaw can only regulate if the Municipal Planning Strategy provides for such regulation. These include signage, outdoor storage, fences, outdoor lighting, and landscaping. Council intends for these matters to be regulated through the Land Use Bylaw as necessary to carry out the intent of each zone.

4.12.1 General Development Policies

It is the policy of Council to:

- (a) Utilize the Land Use Bylaw to regulate signage, outdoor storage, fences, outdoor lighting, and landscaping to improve the overall functioning and amenity of the town.

5 Subject Area Policy



5.1 Introduction

Beyond the land use structure, this Plan outlines how the Town will work toward its broader goals of making Yarmouth an even better place to live for all residents, current and future. This chapter will focus on subject areas that touch on all aspects of daily life in the town. The policies for each subject area help to chart the course for the future of Yarmouth, helping to realize the Vision and Guiding Principles set out in Chapter 3.

5.2 Housing

Adequate housing not only provides shelter from the elements, but also offers a sense of security, a place for personal growth, and a place that helps support our social needs. All Yarmouth residents should have a home that is suitable to their household needs (e.g. has enough bedrooms), is in good repair, and is affordable in relation to their income. In 2023, the Province of Nova Scotia commissioned housing needs assessments for every municipality in the province. The *Town of Yarmouth Municipal Housing Needs Report* (Turner Drake and Partners, 2023) found that approximately 9% of residents in the town lived in core housing need, with their needs for housing affordability, suitability, and/or state of repair going unmet. In particular, affordability has fallen. For example, between 2019 and 2022 the median home sale price in the town increased from \$140,000 to \$245,000 while household incomes remained relatively stagnant.

One of the key housing challenges in the Yarmouth is that development of new housing stock has not kept pace with growth in demand. According to the Housing Needs Report, there was a shortage of about 145 dwelling units in the town as of the end of 2022. If population growth and housing development trends continue in the same way, there could be a shortage of 355 units by 2027, and 485 units by 2032.

5.2.1 The Housing Continuum

The type of housing that each person or household desires or requires can vary widely. Some people need large homes to accommodate a big family, while others might prefer something small and easy to maintain. Some people gain a feeling of security in home ownership, while others see it as an unwanted responsibility and prefer to rent. Some people require support in their daily lives, such as on-site medical care. This “continuum” of needs requires that Yarmouth have a “continuum” of housing options that are inclusive to different household compositions, income levels, lifestyles, and support needs. The policies of this Section are intended to enable and encourage the ongoing development of this continuum.



The housing continuum

5.2.2 Housing Affordability

The Canadian Mortgage and Housing Corporation considers housing to be “affordable” if it costs less than 30% of a household’s before-tax income. Challenges with housing affordability can have ripple effects throughout the community. For some individuals, the inability to afford housing can lead to homelessness. But even for those who manage to maintain a roof over their head, unaffordable housing can have serious impacts, such as reluctance to leave harmful relationships, cost-cutting on other aspects of life (food, medication, entertainment, etc.), or the need to share housing. On a societal level impacts of unaffordable housing include higher healthcare and emergency services costs, reduced discretionary spending, and delays in the age at which people get married and have children.

Council takes concerns about housing affordability and housing suitability very seriously and intends to do what is possible within the powers given to

municipalities to tackle these issues. This includes several specific initiatives to directly encourage affordable housing through the Town's Housing Action Plan, as well as efforts to increase the overall supply and diversity of housing through the policies of this Plan and the regulations of the Land Use Bylaw.

5.2.3 Gentle Intensification

Yarmouth is a town that has ample infrastructure that can help support higher densities of housing, such as sewer, water, and sidewalks. It is also a relatively compact town, with housing located close to commercial services and community amenities. There are many opportunities in town to take advantage of these strengths and create new housing through "infill" development – new development in existing areas of town. This can take the form of new buildings on vacant lots, the expansion or conversion of existing buildings to increase the number of housing units, or the subdivision of large lots to create more opportunities for new builds.

Yarmouth also has large areas of undeveloped land at its fringes. While these areas can support new housing development, there is first a need for infrastructure such as new roads, sewer, and water. These services are expensive to construct and often require a minimum level of density to justify their construction.

The Land Use Bylaw contains standards that new development must meet, including minimum lot area and frontage (the width of the lot along the street), and the number of dwelling units that are permitted on a lot. These factors affect housing affordability, how efficiently land can be used, the per-unit costs of developing new infrastructure, and community character. A key direction of this Plan regarding housing is to provide for "gentle intensification" by setting lot standards and permitted densities at a level that is efficient and provides for housing diversity but still maintains the small-town feel of Yarmouth.

5.2.4 Streamlined Housing Approvals Processes

Another big factor in housing supply and affordability is the process by which it is approved. Permitting processes are a balance of predictability and speed versus flexibility and control. Simple "as-of-right" permitting is predictable and fast, but very inflexible. Its control over the design of the housing and the property is also limited to the specific regulations of the Land Use Bylaw. Conversely, a development agreement enables flexibility to consider unique proposals and provides a mechanism for the Town to implement controls based on the specifics of the site and the surrounding context. However, this process is slower and is less predictable for applicants, which can add to the cost of housing. Site plan approval is a third process that falls somewhat in the middle.

Housing is a fairly standardized form of development with known impacts on the surrounding area. With appropriate Land Use Bylaw regulations there is also rarely a need for flexibility. Therefore, this Plan takes the approach that approval processes for housing should generally skew towards streamlining. It is only on larger housing projects—where potential impacts on the surrounding area warrant some more rigorous oversight—that more intensive approvals will be used.

5.2.5 Mixed Use and Downtown Housing

A key direction that came up during development of this Plan was to encourage housing in traditionally commercial areas of town, such as downtown, Starrs Road, and portions of the waterfront. This approach is envisioned to first and foremost expand housing availability, but it also has the added benefit of putting people in areas where they can access services and help businesses and community amenities. For example, many engagement participants noted that additional people living downtown would help make downtown feel more “alive” after regular business hours, while others noted that the Starrs Road commercial area could benefit from private reinvestment brought on by new residential development.

5.2.6 Manufactured Housing and Land Leased Communities

Manufactured housing are homes that are constructed off-site and then transported to the residential lot, possibly with some minor on-site assembly. Traditionally, this was in the form of a “mobile home”. However, codes have since changed and it is no longer possible to construct new mobile homes, though many mobile homes still exist. The modern equivalent is typically termed a “mini home”. Because of their movable nature, manufactured housing is often located in a “land lease community” where residents own their home but rent the unit of land underneath the home. Land lease communities very often provide a range of services such as water and sewer, and sometimes recreational spaces or other amenities like laundry facilities. The town currently has one land lease community, bounded by Argyle Street and Ellis Road. New land lease communities will require a development agreement to manage the provision of services.

5.2.7 Supportive Housing

Some residents of the town require day-to-day support for their physical, cognitive, or social needs. This could range from full-time physical or mental care on one end of the scale, to a group of roommates with shared cognitive barriers who have a support worker drop in occasionally to assist with managing household tasks on the other. Various non-profit, for-profit, and government organizations have established housing options that are combined with these important supports. From a land use and planning perspective, such activities are no different from other residential uses of a similar scale and they will be treated as such through the Land Use Bylaw. The one exception is community-based transitional housing facilities, which are operated or licensed by Correctional Service Canada or Corrections Nova Scotia, which will have more stringent oversight of their location.

5.2.8 Accessory Dwelling Units

Accessory dwellings units (“ADUs”) are dwelling units that are secondary or subsidiary to the main dwelling on a lot. They can be located in the same building as the main dwelling (sometimes referred to as “basement suites” or “secondary suites”) or as a standalone building (“carriage house”, “backyard suite”, or “laneway house”). ADUs provide additional, smaller-scale housing options in existing developed areas of town. These could be used as housing for family members, or to provide expanded rental housing options. In the latter case they can also help support affordability for the homeowner by providing an income stream.

5.2.9 Housing Policies

It is the policy of Council to:

- (a) Contribute to increasing the supply of affordable housing through the implementation of the Town's Housing Action Plan.
- (b) Collaborate with community partners and senior levels of government to enable and encourage the development of affordable, community, and supportive housing in the town.
- (c) Enable, within the Land Use Bylaw, a range of dwelling types and densities throughout appropriate areas of town.
- (d) Encourage the efficient use of land and services and promote infill development by establishing lot standards (minimum area and frontage) that are suitable for denser neighbourhood environments.
- (e) Prioritize higher densities of housing development in areas close to transit stops, major institutional uses, and community amenities.
- (f) Permit dwelling uses in the Downtown (DT) Zone and Mixed Use 1 (MU-1) Zone with no limit on the number of dwelling units on a lot, provided non-residential uses are maintained in those zones on the ground floor facing Main Street and Water Street.
- (g) Consider new land lease communities and expansions of land lease communities by development agreement in the Housing 3 (H-3) Zone subject to the development agreement policies of Chapter 6. The replacement of a manufactured home or the construction of accessory buildings shall not be considered an expansion of a land lease community and shall be permitted without the need for a development agreement.
- (h) Permit supportive housing in all zones where dwelling uses are permitted, at an equivalent density of development to what is permitted for dwellings in each applicable zone.
- (i) Require site plan approval for medium density dwellings and supportive housing in the Housing 1 (H-1) and Mixed Use 3 (MU-3) Zone; for medium and high density dwellings in the Housing 2 (H-2) and Housing 3 (H-3) Zones; and all dwellings in the Mixed Use 1 (MU-1) and Mixed Use 2 (MU-2) Zones, with the threshold for densities proportionate to the intended purpose of each zone. The site plan approval process shall be used to manage compatibility with the surrounding context by controlling site design, circulation through the site, lighting, and stormwater management.
- (j) Consider by development agreement, subject to the development agreement policies of Chapter 6:
 - i. higher densities of boarding houses in the Residential Zones, Downtown (DT) Zone, Mixed Use 2 (MU-2) Zone, and Mixed Use 3 (MU-3) Zone;
 - ii. higher densities of dwellings or supportive housing in the Mixed Use 3 (MU-3) Zone; and
 - iii. higher densities of supportive housing in the Housing 2 (H-2) Zone, Housing 3 (H-3) Zone, and Downtown (DT) Zone.
- (k) Consider community-based transitional housing only by development agreement, in Residential Zones, Mixed Use Zones, and Health and Institutional Zones, subject to the development agreement policies of Chapter 6.
- (l) Permit accessory dwelling units ("ADUs") anywhere dwellings are permitted.
- (m) Encourage the co-location of housing and community amenities, such as recreation facilities, parks, and schools.
- (n) Identify the limits of infrastructure to support future housing development and plan accordingly.

5.3 Employment Lands and Economic Development

The town has a diverse economy that has gone through many changes over its history. In its early days, the town served as an important port, specializing in shipbuilding, fishing, and ocean commerce. Today, those characteristics are still significant to the town's economy and identity. Alongside these marine-related industries, most of Yarmouth's labour force today can be found in the health care/social assistance, manufacturing, accommodation/food services, retail trade, and the educational services sectors.

The town has a number of areas specifically identified for economic activity and recognized as such through the application of zoning, including:

- Downtown, described in detail below.
- Starrs Road area, described in detail below.
- The waterfront, described in detail in Section 5.4.
- Chestnut Street commercial node, which is in the north end of town and features restaurants, a gas station, small retail, and medical and personal services.
- Argyle Street commercial node, which is in the south end and is anchored by a grocery store, restaurant, and a service garage.
- Main Street at the foot of Starrs Road, where the large-scale format of the Starrs Road commercial area transitions to the smaller scale of commercial development found in the downtown.
- The former Forest Street Industrial Park, which still maintains a mix of manufacturing and light industrial uses.
- The Haley Road Industrial Park, which includes a concrete plant and a mix of warehousing, manufacturing, logistics, and other light industrial uses.

5.3.1 Downtown

Main Street from approximately Grand Street to Forest Street is the heart of Yarmouth. This area features a traditional and cohesive "downtown streetscape" with high walkability and mid-rise buildings set close to the street. The built form is remarkably intact, though there are a few key opportunity sites where new development would fill gaps in the streetscape. The *Yarmouth Downtown Blueprint* (2010) provides a vision for how the Town intends to develop the area. Building on the *Downtown Blueprint*, the Town has made significant investments in Main Street over the course of two phases of streetscape redevelopment. These projects included upgrades to underground infrastructure (sewers, etc.), improved accessibility features, traffic calming measures, and substantial investments in beautification. In 2022, the project won a National Urban Design Award.

While Main Street is the core of downtown, it also extends west to Water Street with a mix of smaller-scale commercial and institutional buildings, as well as surface parking. To the east, downtown slowly transitions to residential development in the vicinity of Willow Street.

As mentioned above, one of the key strengths of the town's downtown is the high number of attractive and intact buildings along Main Street and in the vicinity. New development should continue to strengthen this character and the walkability of downtown. As a result, developments along Main Street, Water Street, and leading up along Forest Street from the ferry terminal will be subject to basic massing and architectural requirements. Furthermore, the development of large-footprint buildings will require a development agreement process to ensure they are sensitive to the streetscape and contribute positively to the fine-grained nature of downtown.

5.3.2 Starrs Road Area

Starrs Road is the retail hub for the region. It is readily accessible, has extensive available parking, and the retail outlets are all well known. It generates numerous jobs in the region and tax revenue for the Town. The Starrs Road Corridor is both the Town's primary commercial district and one of its main arterial connections. To ensure its long-term vitality, Starrs Road must evolve from a primarily auto-oriented retail strip into a more complete, people-friendly environment, while continuing to function as a key transportation route.

This Plan envisions Starrs Road as a dynamic mixed-use district where housing, commerce, and community amenities coexist, supported by green infrastructure, improved pedestrian connections, and reinvestment in underutilized lands. By broadening land use opportunities, encouraging redevelopment, and enhancing the public realm, Starrs Road may continue to serve as a thriving economic hub and vital corridor, becoming a more livable and attractive place for residents and visitors alike.

5.3.3 Offices

Yarmouth's vibrant downtown is supported in part by a high concentration of office uses. This critical mass of business activity has long ensured a steady base of customers for cafés, restaurants, and other services during daytime hours. While this Plan takes steps to encourage more downtown vibrancy at all hours of the day—such as increased allowance for residential uses—directing office uses to the downtown will remain a core strategy for supporting a healthy and active downtown.

5.3.4 Medical Clinics

Yarmouth has traditionally limited the permitted locations for medical clinics to encourage downtown vitality. However, with a growing and aging population there is renewed investment in medical infrastructure in the town, and the accessibility requirements and space needs of

modern collaborative medical practices are not always compatible with the existing building stock in downtown. As a result, this Plan relaxes permissions for medical clinics to allow them in a wider area of town, including Mixed Use Zones.

5.3.5 Tourism and Accommodations

Tourism is a significant component of the local and regional economy. Yarmouth is the Canadian terminus for the Nova Scotia-Maine ferry and is the core hub within the Yarmouth and Acadian Shores tourism region, known for its connection to the Atlantic Ocean, beautiful landscapes, lighthouses, culinary experiences, culture, and dark skies.

A key objective over the life of this Plan is to encourage more people to stay and experience the town rather than simply passing through to other destinations. This could include positioning the town as an arts and culture destination (discussed further in Section 5.7), improving the aesthetics and vibrancy of the waterfront (Section 5.4), continuing to enhance downtown, and advocating for better transportation connections to the rest of the province, such as the return of regular bus and air travel.

Another factor in the tourism industry is accommodations. The town is fairly provisioned in terms of traditional hotel accommodations, including a brand-new hotel on the lands of Wasoqopa'q First Nation, just outside the town. However, the Town regularly receives requests from property owners looking to establish small-scale accommodations, such as "short-term rentals". The Land Use Bylaw will allow such accommodations as a home occupation, enabling people to rent out a bedroom or accessory building at their primary residence for accommodations purposes. However, the standalone rental of buildings for accommodations purposes in residential areas comes with the risk of land use conflict, as well as the loss of much-needed housing stock, and therefore must be carefully considered. Such accommodations will only be permitted via development agreement.

5.3.6 Home Occupations

Home occupations are small commercial operations run out of the proprietor's home or from an accessory building (such as a garage) on the same lot. They can act as an incubator for small businesses, allowing the owner to start small with minimal overhead. These businesses benefit from the owner already having the space, and from relaxations of the provincial Building Code. Home occupations can also provide economic activities for those who have barriers to traditional employment, such as stay-at-home parents or those with mobility challenges.

While Council is supportive of home occupations, care must also be taken to ensure the scale and nature of a home occupation does not negatively impact the surrounding neighbourhood or undercut investment in commercial areas such as the downtown.

5.3.7 Industrial Growth

Yarmouth has a long and ongoing history of industrial activity in various areas of town, including the waterfront, former Forest Street industrial park, the Haley Road industrial park, and the commercial-industrial lands at the terminus of Hardscratch Road. However, the potential for land use conflict has meant the Forest Street area has been transitioning to lighter uses over the years, and the land area on the waterfront and in the Haley Road industrial park are limited.

The Municipality of the District of Yarmouth has recently zoned lands for additional industrial purposes along the Hardscratch Road, adjacent to the town and with easy access to Highway 103. With investments in internal road networks and wetland delineation, there is an opportunity in this area to create a critical mass of industrial activity on both sides of the town boundary and support continued industrial growth for the town and wider region.

5.3.8 Higher-impact Commercial and Industrial Uses

There are several commercial and industrial uses that provide important services but come with the potential for land use conflict due to noise, heavy truck traffic, dust, or other reasons. While such uses can possibly be accommodated within the town, they require careful oversight to ensure any potential conflicts are addressed by siting or performance controls. As such, these uses will be considered through the development agreement process.

5.3.9 Employment Lands and Economic Development Policies

It is the policy of Council to:

- (a) Establish massing and architectural design requirements for new buildings and substantive renovations of buildings fronting on Main Street, Water Street, and the length of Forest Street that connects the two.
- (b) Continue to support building owners who seek to improve their downtown building facades.
- (c) Only consider new buildings or additions in the Downtown (DT) Zone with a footprint exceeding 2,000 square metres by development agreement to ensure the building maintains a fine-grained, human-scaled appearance suitable to the downtown. In particular, the development shall:
 - i. not be exempted from the non-residential ground floor requirements and minimum coastal elevation provisions of the Land Use Bylaw;
 - ii. generally comply with the building height and architectural requirements of the Land Use Bylaw, with some flexibility as necessary to achieve the goal of this policy;

- iii. provide pedestrian entrances no more than 18.0 metres apart along each street frontage;
 - iv. be designed such that the facades of the building facing streets give the appearance of individual buildings of no wider than 20.0 metres; and
 - v. conform to the development agreement policies of Chapter 6.
- (d) Consider refreshing the Downtown Blueprint to guide the next fifteen years of investments in downtown.
- (e) Support the evolution of the Starrs Road Corridor into an attractive, mixed-use gateway to town, by:
- i. permitting multi-unit residential uses to diversify land use, create year-round activity, and support the long-term success of this commercial hub;
 - ii. encouraging mixed-use developments that include housing, retail, services, and employment opportunities within the same site or buildings;
 - iii. promoting the redevelopment of vacant or underutilized sites along the corridor by applying flexible standards for land use, site design, and access requirements in order to unlock reinvestment opportunities and support more efficient use of land and existing infrastructure;
 - iv. encouraging gradual redevelopment of large surface parking areas through infill development, shared parking, and improved pedestrian and landscape design;
 - v. requiring pedestrian-oriented improvements on development sites designed to complement traffic flow and ensure safe, accessible movement for all users;
 - vi. requiring site plan approval to manage site layouts for automobile-related uses, such as gas stations and drive-thru restaurants, in the Mixed Use 1 (MU-1) Zone;
 - vii. continuing to improve walkability and pedestrian circulation along Starrs Road by supporting safe crossings, continuous sidewalks, and additional links to the existing pathway system; and
 - viii. promoting the introduction of street trees and development and landscaped areas to enhance the visual character, environmental performance, and livability of the corridor.
- (f) Permit offices as a main use only within the Downtown (DT) Zone.
- (g) Permit guest homes (*e.g.* traditional bed and breakfasts) and small-scale accommodations uses at the proprietor's primary residence (*a.k.a.* "short-term rentals") as home occupations.
- (h) Consider proposals for tourist accommodations that do not occur in the proprietor's primary residence and for tourist accommodations that exceed the home occupation size limits by development agreement in the Residential Zones. In considering such proposals, Council shall ensure that:
- i. in the opinion of Council, the proposed accommodations use will not significantly impact the supply of long-term rental housing in the neighbourhood;
 - ii. the accommodations use is consistent with residential use and character, and that noise, visual impacts, and traffic impacts will be mitigated;

- iii. adequate parking has been provided for the proposed accommodations use and that parking areas do not dominate the streetscape;
 - iv. the proposed accommodations use can be safely accommodated within the dwelling unit or accessory building and that safety concerns are adequately addressed;
 - v. there are no restaurant, meeting, or entertainment facilities open to the general public;
 - vi. the proposal conforms to the development agreement policies Chapter 6.
- (i) Permit home occupations as an accessory use to the proprietor's primary dwelling but maintain compatibility with a residential environment.
 - (j) Encourage industrial growth in the vicinity of Hardscratch Road and the terminus of Highway 103.
 - (k) Consider the following higher-impact commercial, industrial, and institutional uses in the noted zone by development agreement, subject to the development agreement policies of Chapter 6:
 - i. drinking establishments in the Mixed Use 3 (MU-3) Zone;
 - ii. new fish processing uses in the Waterfront Industrial (M-2) Zone;
 - iii. new heavy industrial uses in the General Industrial (M-1) Zone and Waterfront Industrial (M-2) Zone;
 - iv. mineral-related industries in the General Industrial (M-1) Zone;
 - v. scrap yards in the General Industrial (M-1) Zone; and
 - vi. correctional facilities in the Institutional (I-1) Zone.

5.4 Waterfront Development

Yarmouth's past and current history is intimately tied to the water and the fishery. The eastern side of Yarmouth Harbour—stretching over three kilometres as the crow flies—has a long history of development in support of shipbuilding, the fishery, and marine industry. Today the waterfront is a mix of these uses, along with public park space, the Yarmouth International Ferry Terminal, and small-scale commercial activities such as restaurants.

In 2018, the Town commissioned a *Waterfront Development Action Plan* to shape the future of this important asset. The vision for the waterfront, as outlined in the Action Plan, is:

It is the place to be ...

- *The Waterfront is host to a collection of industries which offer many benefits to the region. It is an economic engine that propels the success of the Town and its people.*
- *The Waterfront is beautiful, with a successful blend of leisure and work. Visitors as well as those who call it home may walk its length and enjoy the rich history and culture.*
- *The Waterfront is a centre for innovative and evolving technology with leading figures in ocean research, renewable energy and manufacturing.*
- *Yarmouth has set a standard to which many towns aspire and has earned its place as the prime economic centre of south-western Nova Scotia. Its success bolsters a thriving downtown economy.*

Today, the Town has a Waterfront Advisory Committee that is responsible for advising Council on matters related to infrastructure projects for the waterfront and Water Street, advising on services and programs to enhance the connections between the waterfront and residents and visitors, ATVs on Water Street, and more.

5.4.1 Working Waterfront

The Yarmouth waterfront has undergone many changes over its centuries of existence. While it once hosted a crowd of wharves, piers, and associated buildings, the changing nature of marine industry has led to the demolition of many waterfront buildings and a consolidation of wharves. Nevertheless, the majority of Yarmouth's waterfront remains a "working" waterfront with a mix of marine industrial activities, including boat building and repair, ship chandling, staging for the fishery, storage, wharves, fueling infrastructure, and processing facilities.

The continued existence and strength of the working waterfront is important to the town and region's economy and culture. While efforts to diversify the waterfront and provide expanded public access are important, core waterfront industries need protection and support to continue their operations without being impacted by land use conflicts. These areas of working waterfront will be recognized as such by Waterfront Industrial zoning.

5.4.2 Gateway to Nova Scotia

Yarmouth International Ferry Terminal is an important asset to the town, the wider region, and the province as a whole. As of 2026, the terminal provides daily sailings between Yarmouth and Bar Harbour, Maine from May to October, bringing visitors to the area.

Over the years the Town and the former Yarmouth Waterfront Development Corporation have made significant investments in improving the waterfront as a gateway and as an amenity for visitors and residents alike. This includes initiatives such as the development of the Milton Clock Tower Park, the Lost at Sea monument, and the waterfront trail.

However, the area immediately surrounding the ferry terminal is not as attractive as it could be and would benefit from both public and private investment to improve visitors' first impression of the town. This area will be zoned Waterfront

Commercial Industrial to allow for commercial uses that are compatible with the surrounding “working waterfront” but serve the needs of the public. This area is also adjacent to, and affected by, the western side of the Downtown Zone. Changes made to the Downtown Zone through this Municipal Planning Strategy, such as extending architectural controls to Water Street, allowing for tourism commercial uses like car rentals, and relaxing permissions for residential development should also help improve the experience of visitors arriving on the ferry.

5.4.3 Waterfront Comprehensive Development

The tradition of intense economic activity and development on the Yarmouth Waterfront, mainly related to fisheries and transportation, has continued to thrive for nearly two centuries. It has been and remains a major contributor to the town’s economy. Principally because of access to deep water, the area adjacent to downtown south to the town boundary contains virtually all the town’s water-tied industries and activities. In contrast, areas on both sides of Water Street north of Tower Park to Vancouver Street lack deep water access but they contain, instead, unique features that present interesting and creative development opportunities. For example, this area offers attractive views of the entire harbour, it is easily accessible from the hospital and residential areas at the head of the harbour and has low truck volumes when contrasted with parts of the street farther south.

The northern portion of Water Street has powerful development potential for mixed use development, ranging from housing through to compatible light industrial and some community uses. Towards this end, Council wishes to stimulate investment in the area. Development processes in this area must be flexible and enabling, while they protect existing manufacturing and light industrial development in the surrounding area. Reflective of the surrounding context, small-scale commercial

and waterfront industrial activities will be permitted in this area. However, residential proposals and larger commercial and industrial activities will require a development agreement process to both provide flexibility and ensure that the development is carefully designed to integrate uses in a manner that supports waterfront activity and vitality rather than leading to land use conflict.

5.4.4 Waterfront Development Policies

It is the policy of Council to:

- (a) Encourage private and public investments in wharf upgrades.
- (b) Work with landowners to coordinate shared access to waterfront lots.
- (c) Support public and private investments in improving the area around the Yarmouth International Ferry Terminal as a gateway to the town and to Nova Scotia.
- (d) Encourage high quality redevelopment of underutilized lots in the vicinity of Yarmouth International Ferry Terminal.
- (e) Consider proposals for residential uses and for commercial or industrial uses that involve outdoor storage or exceed a footprint of 750 square metres (8,072 square feet) by development agreement in the Waterfront Comprehensive Development Zone. In considering such proposals, Council shall ensure that:
 - i. the development agreement does not exempt the proposal from the coastal planning area provisions of the Land Use Bylaw;
 - ii. the proposal provides for public access to the shore;

- iii. the proposal contributes to the development of a comprehensive pedestrian network in this area, including, but not limited to, a connection from Milton Clock Tower Park to the intersection of Water Street and Vancouver Street;
- iv. building heights do not exceed six storeys;
- v. in Council's opinion the proposed land uses are at a low risk for land use conflict with adjacent uses, whether by their nature or due to conditions placed upon them in the development agreement;
- vi. any proposed residential uses are designed or managed in a manner that respects the operational needs of the working waterfront; and
- vii. the proposal meets the development agreement policies Chapter 6.



5.5 Environment, Sustainability, and Climate Change

The natural environment fundamentally shapes our community. Geology, topography, hydrology, and the ecosystems that arise out of these factors affect our economic opportunities, our recreational amenities, the ease or difficulty of building infrastructure, and the hazard risks that our community faces. We depend on our environment, and our environment depends on us to be a good caretaker and steward of its future.

5.5.1 Climate Change

Perhaps the most important environmental issue at the time of this Plan is climate change. Climate change has already begun to affect residents, properties, and safety in Yarmouth. These impacts in the region are expected to worsen during the 21st century. Increased duration and intensity of heat waves; increased ocean surface water temperature; expanded invasive species habitats (e.g. ticks); increased risk of wildfire; increased intensity, frequency, and duration of rainfall events; and decreased annual snowfall are all examples of the ways climate change is impacting life here in the town.

This Plan considers the climate science and known risks that are available as of its writing, but the climate context is ever changing and there are many unknowns. The Town has already taken steps to address climate change through initiatives such as the *Climate Change Action Plan* in 2013, *Climate Change Mitigation Action Plan (CCMAP)* in 2021, and several changes to the previous Municipal Planning Strategy and Land Use Bylaw. The CCMAP includes initiatives that the Town is taking and will take over ten years to reduce the Town's corporate greenhouse gas emissions. The Town remains committed to making decisions that are in the best interest of the community and aligned with climate change resilience practices.

Climate change is an underlying theme throughout this document, as it impacts all facets of town operations and everyday life in our communities.

Growth, investments in infrastructure, and changes to land use must occur in a manner that reduces our contribution to the causes of climate change while also reducing exposure to climate hazards and risks to people, property, and critical infrastructure. Climate resilient planning and decision making can save millions of dollars in avoided costs and damages and create communities that are more livable and biodiverse. Topics that are particularly relevant to climate change mitigation and adaptation include parks and open space, energy, transportation, flood risk areas, environmental management, and coastal development.

5.5.2 Sea Level Rise and Coastal Flooding

Yarmouth is a coastal community. Since its early beginnings, the marine environment has played a central role in the town's culture and economy. This fundamental connection to the coast continues today with the importance of the harbour to the Yarmouth fishery, to marine industry, as a place of beauty and recreation, and as an international ferry link that brings visitors to Yarmouth and the province beyond.

At the same time, Council and residents are aware of the value of coastal areas as natural environments, and of the risks that the sea presents to infrastructure and development. Residents who participated in municipal discussions about coastal issues highlighted concerns about coastal flooding.

The impacts of coastal flooding are only expected to get worse in the coming years. The effects of climate change include warming global temperatures, which will continue to increase average sea levels for two main reasons:

1. when water warms up it expands and takes up more space; and

2. the warming temperatures are melting glaciers and polar ice caps, and this melted water ends up in the ocean.

In addition to a rise in sea water levels caused by climate change, Nova Scotia's landmass is also sinking at a rate of approximately 1 to 3 millimetres per year due to a process known as "post-glacial rebound".

High-precision satellite data shows that the global average sea level has increased by 9.95 centimetres (+/- 0.4 cm) since 1993, and historical tidal gauge data suggests that levels have risen over 20 centimetres since 1900. Depending on humanity's response to the threat of climate change, sea levels in Yarmouth are expected to increase by a metre or more by the year 2100.

It is wise to be thoughtful about the types of development that are permitted in coastal areas that are at risk of flooding today and in the future. To that end, this Plan establishes a minimum vertical elevation for many forms of development. This vertical elevation is based on the following components:

- a Higher High Water Large Tide of 2.17 metres relative to the Canadian Geodetic Vertical Datum of 2013 (CGVD2013) measured at the Government of Canada's Yarmouth tidal gauge;
- a storm surge of 0.81 metres, which corresponds to a 1-in-100 year storm event; and
- a projected relative sea level rise of 1.25 metres. This is based on the Shared Socioeconomic Pathway 8.5 (83rd percentile) of the Intergovernmental Panel on Climate Changes' *Sixth Assessment Report*, projected out the year 2100.

This choice of minimum vertical elevation is relatively conservative. The projected sea level rise is based on the most up-to-date data and on the

upper estimate (83rd percentile) of the "high" emissions scenario. However, the choice of storm surge value does not account for the most extreme storm events, such as the Groundhog Day gale of 1976. While it is theoretically possible for storms such as that to reach a surge of 1.4 metres or more, the full effect of such a surge would only be felt if it also coincided with high tide – a combination that has an acceptably low chance of occurring over the expected lifespan of building built on the waterfront today.

In considering coastal flooding risks, Council and residents are also aware that any regulation must be balanced against other goals or objectives outlined in this Municipal Planning Strategy. In particular, there is a strong desire to support the fishery and to see investment in creating a vibrant waterfront as an extension of downtown and as a prominent gateway for ferry visitors. As a result, certain types of development will be permitted within the minimum vertical elevation.

5.5.3 Broad Brook and Inland Flooding

Broad Brook and its associated wetlands are the most prominent inland watercourse features within the town. The southern extent of Broad Brook within the town was subject to a floodplain study in 1977 (*Broad Brook Floodplain Study*, Maritime Resource and Management Services). The 1977 study also identified "upper" and "middle" marshes which were not included in the floodplain but which are permanently wet and form a portion of the Brook itself. Due to the high risk of flooding and the sensitive nature of the watercourse, Council intends to protect the length of Broad Brook itself and its "middle" and "lower" marshes through the application of the Flood and Environment (O2) Zone, consistent with powers granted under s.220(5)(p) of the *Municipal Government Act*.

Another area of concern is the area in the immediate vicinity of the "lower" marsh floodplain. Given that the *Broad Brook Floodplain Study* was

completed in 1977, there is a risk that the floodplain has expanded over the last 50 years due to climate change. The Province is currently working with municipalities to create detailed flood mapping through the Municipal Flood Line Mapping Program. Once these data are available it will be possible to determine exactly how climate change has affected the Broad Brook floodplain. In the meantime, it is prudent to treat the area below the 18-metre contour as “at risk” and apply certain restrictions consistent with the “floodway fringe” requirements of the Statement of Provincial Interest Regarding Flood Risk Areas found within the *Municipal Government Act*.

In contrast, due to its prominent location and lesser impact on the overall drainage network of Broad Brook, Council intends to allow for the development of the “upper” marsh provided that minimum lot elevations and engineering solutions are established which protect the development from potential flooding problems. This will require that the properties involved in such development be filled to a minimum elevation established in the Land Use Bylaw (subject to Provincial wetland alteration procedures) or that the developer has carried out drainage improvement provided they are documented and engineered to achieve the same results as filling.

5.5.4 Other Watercourses

While Broad Brook and its marshes are by far the most prominent inland watercourse features in the town, there are also many smaller brooks, streams, and ponds that serve as important drainage channels and natural habitat.

The interface between land and water (the “riparian zone”) is especially important as the sole habitat for many types of plants, as a spawning ground and relatively safe area for young fish and reptiles, as a nesting area for waterbirds, and as a natural filter that helps keep silt and pollutants from ending up in watercourses. It is, therefore, important that any development minimize the

disturbance of the riparian zone so the Land Use Bylaw will include minimum buffers between development and watercourses. However, this will not apply on the developed waterfront, where a long history of human activity has already “hardened” the shoreline.

5.5.5 Rainwater Management

Changes to the landscape because of development can result in reduction of how much rainwater gets absorbed and/or change how rainwater flows across the land, resulting in localized flooding and damage to infrastructure. With expectations that climate change will lead to more intense storms the challenge of managing rainwater will only get worse. Rainwater management is a suite of approaches to capture and move rainwater and encourage its absorption into the land. Thoughtful pre-development analysis of rainwater volumes and flows and a plan for proper infrastructure to manage changes in runoff patterns helps ensure new development will not damage existing development, infrastructure, or environments.

5.5.6 Renewable Energy

Renewable energy generation is growing across Nova Scotia as communities and residents seek to reduce their greenhouse gas emissions and insulate themselves from rising fuel prices. Indeed, the Province’s *Renewable Electricity Regulations* made under the *Environment Act* require that electricity providers provide at least 80% of their electricity from renewable sources by 2030.

Solar energy, in particular, is suited to the town’s context. Solar panels can be placed on the roof of buildings or over parkades to generate electricity equivalent to the needs of onsite uses, while community “solar gardens” can be built on unserviced land to feed electricity into the grid.

Some property owners may also be interested in installing wind turbines. Very small “accessory” wind turbines can provide on-site electricity with little impact to surrounding uses. However, larger

wind turbines create noise and risks of things like ice throw that are typically mitigated by moving them away from dwellings and other sensitive land uses.

The world of renewable energy is always evolving and new technologies are constantly being researched. In order to “future proof” this Plan, Council will utilize development agreements to consider new renewable energy technologies as they arise.

5.5.7 Environment, Sustainability, & Climate Change Policies

It is the policy of Council to:

- (a) Establish a coastal planning area in which coastal development regulations apply.
- (b) Prohibit development in the coastal planning area below a vertical elevation of 4.23 metres relative to the Canadian Geodetic Vertical Datum of 2013 (CGVD2013), except:
 - i. development that functionally depends on access to the water, such as, but not limited to, marinas and marine industry;
 - ii. low-cost infrastructure that provides for waterfront amenity, such as, but not limited to, boardwalks and small-scale kiosks;
 - iii. parking structures accessory to a permitted use, provide they are floodproofed; and
 - iv. infrastructure developed by a government body.
- (c) Despite any other policy of this Plan and the uses permitted in any zone of the Land Use Bylaw, prohibit the following developments within the coastal planning area regardless of elevation:
 - i. hospitals, senior citizen homes, homes for special care, and similar facilities where flooding could pose a significant threat to the safety of residents if evacuation became necessary; and
 - ii. any use associated with the storage or the production of bulk petroleum fuels or hazardous materials.
- (d) Apply the Flood and Environment (O-2) Zone to Broad Brook and to its “middle” and “lower” marshes as identified in the 1977 *Broad Brook Floodplain Study*. The boundaries of this zone shall not be altered except in alignment with updated study of the floodplain extent and delineation of the wetlands.
- (e) Establish a Floodway Fringe Overlay and utilize it to apply the “floodway fringe” requirements of the *Municipal Government Act* to the lands below the 18-metre contour surrounding the lower Broad Brook marsh.
- (f) Update the Floodway Fringe Overlay to align with any changes in the flood areas for Broad Brook and any other applicable watercourse within town identified at the completion of the Municipal Flood Line Mapping Program.
- (g) Establish a minimum horizontal buffer of 7.5 metres between development and the ordinary high water mark of watercourses. This buffer shall not apply to:
 - i. uses that depend on access to the shore, such as boathouses and pumphouses;
 - ii. conservation and scientific activities;
 - iii. low-impact recreational infrastructure;
 - iv. shoreline stabilization;
 - v. infrastructure developed by a public body; and
 - vi. development along Water Street.

- (h) Require proponents for larger-scale developments to provide a rainwater management plan prepared by an appropriate professional that is designed to retain smaller amounts of rainwater on site and to detain larger amounts of rainwater to ensure post-development rainwater runoff does not exceed pre-development conditions.
- (i) Include tree planting as a component of municipal infrastructure projects, to help manage rainwater, reduce local temperatures, and provide public amenity.
- (j) Permit solar collector systems as an accessory use in all zones, and as a main use (e.g. to provide electricity to the grid on a commercial basis) in the Mixed Use 1 (MU-1), Commercial Industrial (CI-1), and General Industrial (M-1) Zones.
- (k) Permit small wind turbines as an accessory use in all zones, subject to conditions to limit their impact on surrounding uses.
- (l) Consider proposals to develop renewable energy technologies other than solar collectors or wind turbines by development agreement. In considering entering into such a development agreement, Council shall be satisfied the nature of the proposed technology in terms of noise, odour, dust, traffic generation, visual impact, and level of potential hazard is appropriate to the zone in which the development is proposed.



5.6 Infrastructure and Transportation

Sewer, water, telecommunications, energy distribution, and transportation infrastructure quietly underly the functioning of our town. When it works well, people rarely give infrastructure a second thought. But in times where infrastructure fails or is inadequate its fundamental importance becomes very clear.

Infrastructure is also one of the largest components in the Town's annual budget. Maintaining, replacing, and upgrading sewer, water, and roads is an unending task that requires significant resources. It is, therefore, essential to utilize this infrastructure to its fullest and spread the costs among as many users as possible. This Municipal Planning Strategy does so through encouragements for "infill" development in existing serviced areas of town, as well as policies for comprehensive development in areas that are currently undeveloped.

As is common in Nova Scotia, Council will also require developers to pay the upfront costs of new infrastructure that enables their development.

5.6.1 Sewer

The Yarmouth Wastewater Treatment Plant is located on the south end of the town's waterfront and serves not only the Town of Yarmouth, but also communities such as Arcadia, Dayton, and Hebron. This system utilizes gravity sewers, pumping stations, force mains, and manholes to transport wastewater across the region. Within the town boundaries most streets are served by central sewer. However, this system was traditionally a "combined" system that transported both sanitary waste and rainwater. Mixing rainwater with sewage reduces the capacity of the pipes to transport sewage, increases operating costs at the treatment plant, and can lead to sewage overflows during large storms. As a result, newer areas of town feature separated sewer systems, and the Town has been working to separate the rainwater out from sewage in the older areas of town.

There are areas in the eastern end of town that are largely undeveloped and do not currently have sewer access. While Council's ultimate vision is to see these lands developed to meet the town's housing needs (see Chapter 5.8), there is also a recognition that a basic level of development needs to be permitted in the interim. Limited development will therefore be permitted on the basis of on-site septic systems in the Comprehensive Development (CD) Zone, but only when sewer is not available. Minimum lot sizes will be very large in order to avoid prejudicing the future development of these lands for their envisioned purpose.

5.6.2 Water

The town's source of water supply is from the Lake George Watershed located about 15 kilometres northeast of the town, in the Municipality of the District of Yarmouth. The water supply is designated as a "Protected Watershed Area" and is regulated through the *Lake George Watershed Protected Water Area Regulations* made under Section 106 of the *Environment Act*, as well as zoning regulations within the Municipality of the District of Yarmouth's planning documents. *In 2026 the Town adopted the Lake George Watershed Source Water Protection Plan.*

Water mains are located underneath most existing streets within town; however, the eastern side of town contains many large areas of undeveloped lands where new water mains will need to be constructed to enable any substantial level of development. There are also existing areas of town where transmission mains are undersized for the demands placed upon them and where the Town will work to upgrade these pipes.

5.6.3 Transit

In 2016, the Town Yarmouth introduced a public bus system – a rarity in smaller communities. The system utilizes both traditional designated stops, as well as flag stop where users can flag the bus to board along the route. By adding a flag stop system, this makes the bus more accommodating

for users in the event they are unable to make it to a designated stop. As of 2026, the bus operates six days a week, taking Sundays and several holidays off. Frequency is hourly. In late 2024, the Town took the major step of making the bus system free for riders. This is intended to both improve equitable access to transportation and encourage people to leave their car at home.

Transit is most convenient, and people are more likely to use it, when stops are a short distance away. Clustering more housing and more commercial services close to transit stops minimizes the distance people must walk and creates a larger pool of potential users for the transit system.

5.6.4 Streets

Streets are another component of municipal infrastructure. The Strategy classifies streets in terms of their function by classifying them as either “local”, “collector” or “arterial”

A majority of streets are classified as “local” and support existing residential development. Collector streets serve through traffic providing access to local streets for various types of development. While these streets are generally appropriate for both large- and small-scale development, consideration must be given to their role in terms of through traffic circulation. Development fronting on a street should generally be consistent with the role the street plays.

“Arterial” streets generally have the widest right-of-way and are constructed to maximum standards to accommodate high traffic volumes and weight loadings. Both Main Street and Starrs Road are classified as arterial streets as they are extensions of provincial highways serving as primary conduits for both local and through traffic.

The Town intends to develop Clements Avenue between Starrs Road and Parade Street as a collector street as funds and market needs warrant. Pleasant Street will also be classified as a collector

street with Starrs Road serving as an arterial access to these streets.

One of the key considerations with streets is ownership and maintenance responsibilities. Within town most streets are owned and maintained by the Town, though the Province is responsible for major highways. However, it is also possible for streets to be privately owned. While such an approach can be useful in rural areas where it is challenging for a municipality to maintain far-flung roads, it also comes with downsides such as disputes over access and maintenance expectations. Council therefore does not intend to permit development on private roads within the town.

5.6.5 Active Transportation

Active transportation includes any type of human-powered transportation, including walking, cycling, skateboarding, or using a mobility aid. E-scooters and e-bikes can also be included in this category and in some cases may use the same trails and pathways. While active transportation can occur without specialized infrastructure, experiences in communities around the world suggest that widespread use of active transportation depends on investments in infrastructure to make users feel safe and comfortable.

In 2010, the Town of Yarmouth finalized its *Active Transportation Master Plan*. The master plan provides a framework to maintain and expand a sustainable transportation network. Guided by the five design principles of being safe, accessible, desirable, efficient, and fiscally responsible, the document put forth several objectives, and how to reach them. The Town has since then been working to implement the plan and develop a cohesive network of active transportation infrastructure. As of 2025, the Town—having completed much of the 2010 plan’s initiatives—was in the early stages of creating a new plan to guide future investments in infrastructure.

5.6.6 Automobile Parking

Consideration for automobile parking is an important part of the fabric of the town. Many trips in Yarmouth are completed by automobile, which necessitates sufficient parking near to the places people go. On the other hand, parking spaces take up a substantial area of land. If there is too much focus on parking it can push buildings far apart and make the environment unattractive and uncomfortable for pedestrians.

In 2025, the Town commissioned a *Parking Management Strategy* to evaluate the current parking supply and development recommended improvements as necessary to strike the right balance between too little and too much parking. This includes a number of physical initiatives, such as investments in public parking lots and signage directing people to the lots, as well as policy approaches. From a policy perspective, a key recommendation was to maintain residential parking requirements outside of downtown but provide mechanisms to allow the number of required parking spaces to be reduced where appropriate.

5.6.7 Regional Transportation

The town is located at the terminus of two 100-series highways and also hosts an international ferry terminal and international airport, which would suggest excellent connections to surrounding areas and beyond. However, an erosion of international, regional, and local transportation options over the years has resulted in Yarmouth being isolated and disconnected. The loss of train, intercity bus, and scheduled passenger flight connections has meant that travel outside of the town depends primarily on private automobiles.

While regional transportation is outside the scope of municipal responsibility, ongoing advocacy to higher levels of government for investments in maintenance of current connections and

reinvestments in expanding regional transportation options is critical for the future of the town.

While the presence of an International Airport is recognized as an economic development, tourism, and infrastructure asset, it does present some development constraints. The *Aeronautics Act of Canada* established the *Yarmouth Airport Zoning Regulations*. These regulations control the location and height of buildings and structures erected within specified areas adjacent to runways. Transport Canada is responsible for the administration of the regulations and as such any potential land use control requirements are beyond the jurisdiction of the Town. The Town can assist by referring any persons interested in development adjacent to the airport to Transport Canada for further information.

5.6.8 Infrastructure and Transportation Policies

It is the policy of Council to:

- (a) Explore the creation of an infrastructure master plan to guide Town priorities for infrastructure investments and act as a foundation for infrastructure funding requests to higher levels of government.
- (b) Require private landowners and developers to be responsible for the installation of the sewage collector line, the water distribution line and the laterals for sewer and water services where subdivisions involving new roads are being developed.
- (c) Require the construction of any proposed public streets, including the roadbed, sanitary sewer system, storm sewer system, water system, curb and gutter, sidewalks and walkways be done by the developer to no less than the minimum standards set forth in the Subdivision Bylaw. These improvements shall be deeded to the Town upon their completion provided minimum construction standards have been met.

- (d) Continue to separate combined sanitary and storm sewers where economically feasible to prolong the life of the Town's wastewater treatment facility.
- (e) Prohibit development on the basis of on-site services except for interim development on large lots where sewer services are not available in the Comprehensive Development (CD) Zone.
- (f) The Town's municipal water and wastewater systems are intended primarily to support existing and future growth within the Town. Extensions beyond the Town boundary may be considered where Council is satisfied that the proposal:
 - i. advances the Town's and regional strategic, economic development, housing, environmental, or infrastructure objectives;
 - ii. represents an efficient and sustainable use of municipal infrastructure;
 - iii. will not compromise the Town's ability to accommodate existing and anticipated growth within municipal boundaries; and
 - iv. provides a demonstrable long-term benefit to the Town and its residents.
- (g) Pursuant to s.220(5)(n) of the *Municipal Government Act*, establish a "Development Holding Areas Overlay" in the Land Use Bylaw to identify and limit development in areas where the provision of water and wastewater systems would be premature.
- (h) Collaborate with the Yarmouth Water Utility, the Municipality of the District of Yarmouth, and the Lake George Watershed Management Committee to ensure the long-term protection of Lake George as a potable water source through approaches such as enforcement of the *Lake George Watershed Protected Water Area Regulations*, implementation of the *Lake George Source Water Protection Plan*, land use planning regulations, public education, and the purchase of land within the watershed.
 - (i) Require development to front on a public street, except on Baker's Island where development shall be permitted on lots that have adequate water frontage.
 - (j) Regulate the number, location, and size of accesses permitted from a lot to a street.
 - (k) Enhance the town's street grid by pursuing the development of road infrastructure in road rights-of-way that were established but never built, with a priority on completing:
 - i. Clements Avenue between Parade Street and Starrs Road;
 - ii. James Street between Marsha Avenue and Pleasant Street;
 - iii. Beacon Street between Marsha Avenue and the Clements Avenue extension; and
 - iv. Charles Crosby Drive between Starrs Road and Pleasant Street.
 - (l) Enhance the town's active transportation network through projects such as the completion of pathway connections and investments in the Sawdust Trail.
 - (m) Require developments of larger residential developments and a range of commercial and community uses to provide secure bicycle parking.

- (n) Advocate for improvements to, and expansions of, the regional transportation network including, but not limited to, ferry service, passenger air service, bus service, highways, and regional active transportation networks.
- (o) Refer any person who approaches the Town expressing interest in development adjacent to the Yarmouth International Airport to Transport Canada for information concerning federal airport height and noise regulations.
- (p) Encourage higher densities of development to locate along the Town of Yarmouth transit route.
- (q) Work to implement the recommendations of the *Parking Management Strategy*.
- (r) Allow for the provision of off-site automobile parking lots through site plan approval.

5.7 Culture and Public Amenity

From Indigenous people to Black Nova Scotians, Acadians, the British, and newcomers from all over the world, Yarmouth has a long and diverse history and extensive culture. Today, the town is widely regarded for its architecture, colourful streetscapes, and its connection to the ocean. While the town has undergone many changes, a significant number of buildings from 1800s remain in the community. These structures represent Yarmouth's storied past, while hosting the residents of today.

Due to its geographical location, the town began as a focal point for the global shipping industry. This has evolved into regional hub for the fishery. Still growing and transforming, the Yarmouth Waterfront and Marina provide a reminder of the town's everlasting marine identity.

The ongoing growth and strengthening of the town's culture is supported and nurtured by public spaces, such as community centres and parks, that

allow residents to participate in civic life, build community connections, and express who they are.

Cultural strength and growth in the Town of Yarmouth will also depend on a strong commitment to recognizing and celebrating communities that have traditionally been marginalized and whose stories may have gone untold.

5.7.1 Built Heritage

The history of marine industry in Yarmouth has resulted in diverse built heritage, showcased in the commercial buildings built to serve warehouses, boat building workshops, and shops.

Despite changes, the physical form of the settlement has remained intact, and the culture of heritage preservation and restoration has ensured that the community is a living heritage site rather than a collection of museums. In the town there is a high degree of awareness of the nature of heritage buildings, the importance of preservation and revitalization, and the intangible value these buildings offer a community despite what is often perceived as costly maintenance, repairs, and restoration.

As the community has shifted away from being solely a port town, maintaining its roots has become more important than ever. The community has also taken creative approaches within the built form of their town. For example, there are several buildings along Main Street that were constructed in the 1800s as dwellings and have been repurposed to serve commercial and institutional uses, while maintaining their original design.

A significant number of buildings have been maintained since Yarmouth's Age of Sail in the 1800s. These houses, shops, and more are reminders of the town's early beginnings. Perhaps the most prominent area of the Town of Yarmouth when it comes to built heritage is the Collins Heritage District. The Collins Heritage District acts as a conservation area, supplemented by its own heritage plan and by-law. Its purpose is to protect

and enhance the built environment of the District, highlighted by its historical dwellings throughout. The heritage plan states that any significant alterations to any buildings in the District require a Certificate of Appropriateness. The heritage by-law follows up on this with a comprehensive list of materials that are encouraged and prohibited within the area. These two documents help maintain the character of the District.

Outside of this district, the number of heritage resources in the town remains astounding, with over 50 heritage properties registered. Many of these can be found on Forest Street, Main Street, and William Street. With architectural designs that are characterized by their Georgian, Victorian, and Gothic features, the Town's British ties remain ever present.

While many people see owning and maintaining a historic building as a privilege, there is also an increased cost to meet heritage standards and additional complexity when trying to fit modern activities into old buildings. Council, therefore, intends to address heritage preservations from two sides – regulatory requirements such as the Collins Heritage District Plan and Bylaw, but also incentives through relaxations and flexibilities from other regulations that can help provide new opportunities for old buildings.



5.7.2 Arts and Culture

The town has several cultural spaces that make it unique. Notably, there are two heritage designated areas containing fountains in the downtown. The first fountain, at Milton Corner, was gifted to Yarmouth in 1893 by Clara Killam. The second fountain, made of bronze, found at the intersection of Main and Argyle Street, was gifted to the Town in 1895. Both fountains further emphasize the Town's history of shipbuilding and merchants. Murals can also be seen around Yarmouth, with the artwork often portraying common themes of the ocean and the town.

Yarmouth is home to the largest multi-function performance centre in southwestern Nova Scotia, the Yarmouth Arts Regional Centre. Containing a theatre, art gallery, and multiple studios, this facility provides residents and visitors with a space to enjoy local art. Another prominent cultural building in Yarmouth is the Yarmouth County Museum. Beginning in 1958, the Museum focuses mainly on its ship portraits, costume collection, and archives. However, the structure it is in, a Gothic Revival style church over 100 years old, may be its greatest ode to the town's history.

The Town supports the arts and encourages development of Yarmouth as an arts and cultural hub. There is a recognition that more spaces are needed to support arts and cultural activities, such as artist studios and performance venues.

5.7.3 Parks and Open Space

The Town of Yarmouth is well-served by a network of parks and open spaces, including formal park spaces such as Frost Park, playgrounds such as Beacon Park, nature parks like the Broad Brook Wetland Park, and linear facilities such as the Yarmouth County Rail Trail.

The *Municipal Government Act* enables municipalities to require the dedication of land for public purposes (i.e. parkland) when land is subdivided. However, due to the extensive nature of the existing network, the Town is primarily focused on investments in these existing facilities rather than the acquisition of new lands. Through its Subdivision Bylaw, the Town has taken advantage of an opportunity to receive "cash-in-lieu of open space dedication" equal to five (5) percent of the assessed value of new lots created excluding public roads or highways and the remaining lot. The cash received is used for the acquisition and capital improvement of parks, playgrounds, and open-space areas within the town.

The primary exception to this approach is within the Comprehensive Development (CD) Zone lands on the eastern side of town. These areas currently lack public parks and open spaces, so the development agreement policy for these lands includes planning for new public lands.

5.7.4 Agriculture

While Yarmouth County is not a major agricultural region on a provincial scale, the Town of Yarmouth and surrounding areas, such as Chegoggin, do have a long history of smaller-scale agricultural activities that are part of the economy and culture of the area. Within the town's less developed areas a few pastures and hayfields remain, along with a handful of smaller-scale animal barns.

Much of the landmass within the town is on "Class 3" soils as identified by the Canada Land Inventory. Such soils are recognized by the Statement of Provincial Interest Regarding Agricultural Land as being "good" soils worthy of protections within land use planning documents. However, the Statements of Provincial Interest must be considered holistically and balanced against one another. In the Town of Yarmouth's case, planning is being carried out in an "urban" context where significant investments have been made in infrastructure and where housing is in higher demand. When looked at from a regional perspective, development within the town—even at the cost of "good" soils—can help reduce

development demand on good agricultural lands in the surrounding rural communities and can help fulfill the Statements of Provincial Interest Regarding Infrastructure and Regarding Housing.

Council, therefore, intends to enable the continuance of existing agriculture within the town, but does not intend to specifically prioritize or protect agriculture. Rather, Council will take a regional view and focus the Town of Yarmouth as a place where development can occur instead of in rural areas where land use conflict with agriculture could arise. Council will also help support regional agriculture by continuing the town as a hub of services that support surrounding rural uses, as well as by encouraging farmers' markets and similar agricultural economic activities.

Council also recognizes that local scale agriculture in the form of backyard plots, community gardens, and similar facilities provides important opportunities for residents to socialize, grow their own food to supplement their food security, and connect with the land.

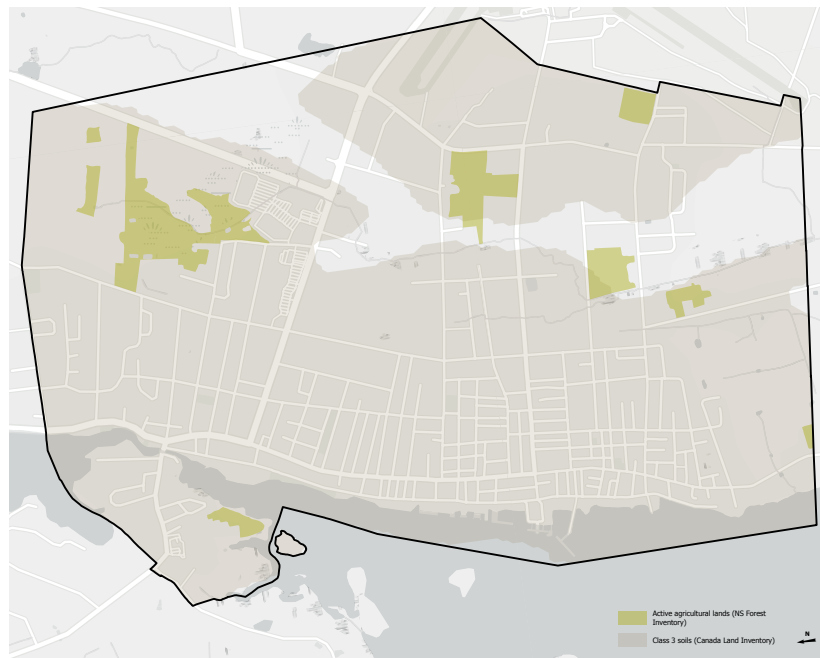


Image 5A: Agricultural Soils in the Town of Yarmouth

5.7.5 Culture and Public Amenity Policies

It is the policy of Council to:

- (a) Work towards Reconciliation with Indigenous communities.
- (b) Celebrate the diverse history of the area, including Indigenous, Black Nova Scotian, and Acadian communities.
- (c) Consider updating the Collins Heritage District Plan and By-law to remain consistent with best practices regarding heritage conservation.
- (d) Establish architectural controls for the Forest Street area to provide basic protections to the heritage fabric of the area until such time specific heritage controls can be considered.
- (e) Following appropriate study and public consultation, establish additional heritage districts.
- (f) Relax regulations for parking, the size of guest homes, and the number of dwelling units permitted on a lot on registered heritage properties to encourage investment in these structures.
- (g) Explore expanding the Town's façade improvement program to cultural and institutional buildings.
- (h) Encourage re-use and revitalization of heritage properties by considering by development agreement proposals to enable a registered heritage property or building to assume a use not permitted by the land use zone in which the property or building is located. In considering entering into such a development agreement, Council shall be satisfied that:
 - i. the building covered by the development agreement is not altered in any way that diminishes its heritage value, as identified in the property's Statement of Significance;
 - ii. any adjacent uses are not unduly impacted as a result of the development agreement by such matters including, but not limited to, traffic generation, noise, hours of operation, and parking requirements; and
 - iii. the proposal meets the development agreement policies Chapter 6.
- (i) Consider by development agreement proposals to repurpose former institutional buildings for uses not otherwise permitted by the land use zone in which building is located. In considering entering into such a development agreement, Council shall be satisfied that:
 - i. the proposal respects and enhances the history of the building;
 - ii. the use and any structural additions are appropriate to the surrounding context and the zone in which they are located, either by their nature or by the conditions placed upon them in the development agreement;
 - iii. any adjacent uses are not unduly impacted as a result of the development agreement by such matters including, but not limited to, traffic generation, noise, hours of operation, and parking requirements; and
 - iv. the proposal meets the development agreement policies Chapter 6.
- (j) Widely permit cultural facilities in appropriate zones.
- (k) Permit public parks and playgrounds in all zones except the General Industrial (M-1) Zone.
- (l) Permit low-impact agricultural activities as an interim use of land within the Comprehensive Development (CD) Zone.

- (m) Permit open air markets, heavy equipment sales and service, and other similar uses that support the regional agricultural industry in zones where the character of such uses is appropriate.
- (n) Permit community gardens as a main use of land wherever public parks are permitted.

5.8 Comprehensive Neighbourhood Development

Yarmouth is fortunate to have a substantial amount of undeveloped land in its east end that can provide for growth and housing opportunities. These currently include large “blocks” of land between Pleasant Street and Highway 101, lands west of Ellis Road, lands west of Haley Road and south of Forest Road, and lands west of Jarvis Road and north of Argyle Street. While these lands do present opportunity, they also lack internal transportation networks and services. If developed in a piecemeal fashion, there is a high risk that new infrastructure will end up disjointed and inefficient and potentially result in a situation where adjacent properties end up landlocked or unserviceable.

Development in these areas must, therefore, be undertaken in a comprehensive manner to enable a holistic review of servicing and access needs. This will be achieved at a primary level using development agreements. However, the intent of using development agreements in this case is to enable coordination of infrastructure – once this has been satisfactorily addressed, development control should devolve to standard zoning controls to ease the long-term administration of development in these areas.

Ideally, the detailed planning of each area would occur with the cooperation and coordination of all landowners within a particular “block” of land. However, Council also recognizes that this is not always possible and will enable individual landowners to move forward with development

plans provided they consider the development needs of the wider “block”.

There are also areas within town where there are larger individual lots that lack immediate access to roads and/or sewer and water services. In these situations, there is not necessarily the need to consider the overall integration with a larger development block, but there is a need for oversight to ensure access and servicing can be adequately provided in a manner that is sustainable for the Town.

Council supports the comprehensive development of the lands adjacent to Marsha Avenue and other undeveloped areas within the Comprehensive Development Zone as mixed-use neighbourhoods and recognizes these lands as an important opportunity to accommodate future residential growth, employment uses, and community development within the Town.

The specific form and character of development within these areas, including the mix of uses, neighbourhood design, transportation and active transportation connections, stormwater management, municipal servicing, environmental considerations, and phasing of development, shall be determined through the development agreement process in combination with subdivision (as applicable) in accordance with Policy 5.8.1.

5.8.1 Comprehensive Neighbourhood Development Policy

It is the policy of Council to:

- (a) Permit low-impact agricultural uses and permit via site plan approval single-unit dwellings as an interim use of land in the Comprehensive Development (CD) Zone. Minimum lot sizes for such uses shall be large to reduce the risk that development could prejudice future access to the lands.

- (b) Permit the development of up to eight (8) dwelling units on an existing sewer-serviced lot by site plan approval in the Comprehensive Development (CD) Zone, with consideration for the effect of such development on the efficient development of abutting lots.
- (c) Consider entering into a development agreement to enable development (other than as enabled by Policy (a) or (b)) through comprehensive planning within the Comprehensive Development (CD) Zone. In considering entering into such a development agreement, Council shall be satisfied that the proposal:
 - i. contains a land use mix that is predominantly residential in nature, but may include institutional uses, parks and recreation uses, solar collectors, conservation uses, and commercial uses on a scale intended to serve a local market;
 - ii. is consistent with the policies for inland flooding and watercourses outlined in Subsection 5.5.3 and Subsection 5.5.4;
 - iii. includes water, sewer, and rainwater management plans that consider the needs of all development within its development block, as identified in Figure 5A, and appropriate sizing for any connections to adjacent lands within the development block;
 - iv. has been reviewed by the Town Engineer regarding water, sewer, and stormwater infrastructure critical to the wider infrastructure network and, if necessary, includes provision for easements or the transfer of land to the Town to accommodate such infrastructure;
 - v. establishes appropriate locations for parkland within the development block;
 - vi. establishes appropriate road networks and transportation reserves that ensure all lands within the development block, as identified in Figure 5A, can feasibly be connected by road to the approximate location of potential access points identified by stars on Figure 5A;
 - vii. generally continues the grid-like pattern of streets within the town and provides for a high level of vehicular and active transportation connectivity throughout the development block. Dead-end streets shall only be permitted where natural features prevent through connections; and
 - viii. meets the development agreement policies of Chapter 6.
- (d) In entering into a development agreement enabled by Policy (c), ensure the development agreement:
 - i. provides for equitable distribution of infrastructure development costs among landowners benefitting from the infrastructure, utilizing any tools permitted under the *Municipal Government Act*; and
 - ii. provides for the application of zoning and the discharge of the development agreement from lands once infrastructure has been developed in accordance with the development agreement. The development agreement should link to existing zone standards (minimum setbacks, etc.) whenever possible so as to minimize non-conformancies when the development agreement is discharged.

- (e) Consider the development of the Marsha Avenue lands in accordance with the development agreement policies of this section, with the added provision that light industrial land larger-scale commercial uses may be considered as part of the permitted land use mix.

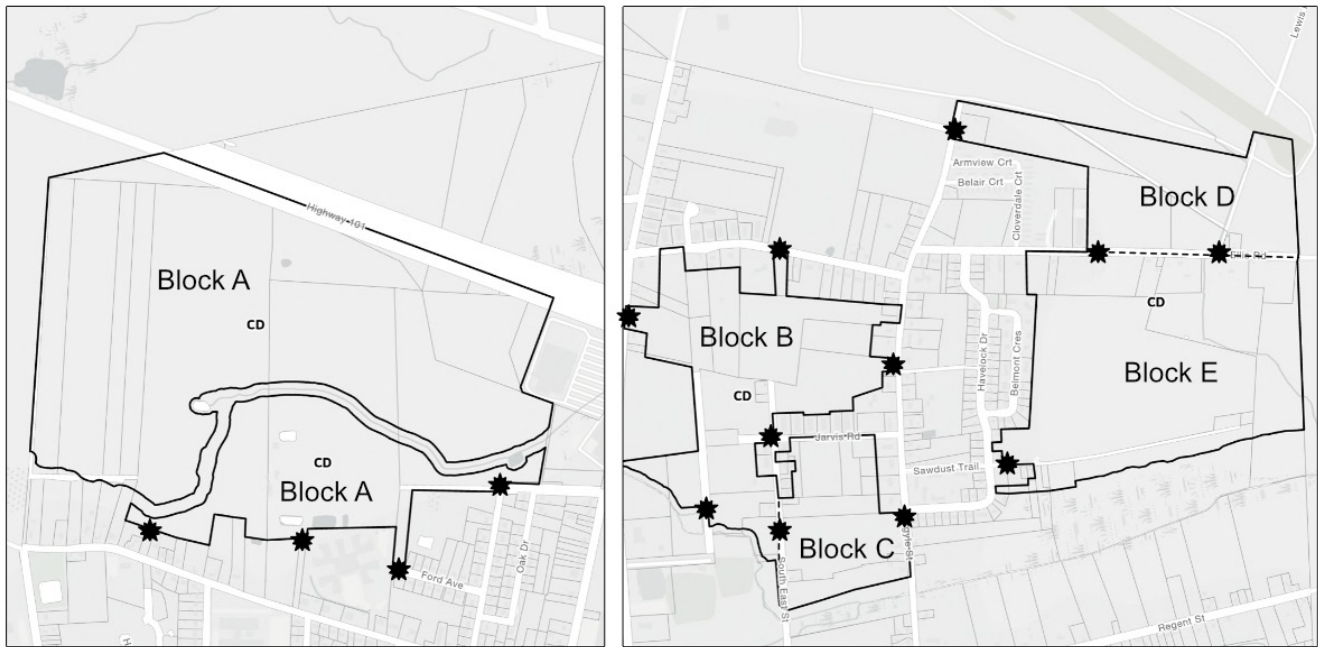


Figure 5A: Comprehensive Development Blocks and Access Points

6 Implementation



6.1 Administration

A plan is only as good as its implementation. Responsibility for implementation falls to a variety of parties, including:

- Council, as the “owner” of this Municipal Planning Strategy, is ultimately responsible for providing direction and resources to other parties who carry out administration, as well as ensuring this Plan is regularly updated to stay relevant.
- Planning Advisory Committee is responsible for reviewing requests to change the Town’s approach to planning and making recommendations to Council about how to respond to such requests.
- Town staff are responsible for the day-to-day interpretation and administration of the Land Use Bylaw and Subdivision Bylaw, as well as programs and initiatives intended to carry out the policy intent of this Plan.
- Community members will carry out much of the development enabled by this Plan and its implementing Bylaws.

6.2 Effective Date and Repeal

6.2.1 Policies

It is the policy of Council that:

- (a) This Municipal Planning Strategy shall come into effect on the date that a notice is published on the Town website or in a newspaper circulating in the town, informing the public that the planning documents are in effect.
- (b) The Town of Yarmouth Municipal Planning Strategy 2016, effective August 23, 2016, as amended, is hereby repealed.

6.3 Regional Cooperation

The policies of this Plan and the regulations of the Land Use Bylaw apply only to the Town of Yarmouth. However, as the service centre for the southern end of Nova Scotia, the land use decisions of the Town have implications reaching beyond its jurisdictional boundaries. Implications may include direct impacts like traffic and noise generation, or indirect such as market and environmental impacts. Conversely, decisions made within other entities can impact the Town as well. The Town and the Municipality of District of Yarmouth also coordinate on many important initiatives, such as recreation programming. The Town provides sewer service to some parts of the Municipality, and the Town’s water supply is located at Lake George in the Municipality. To address the interconnected nature of the Town and Municipality this Municipal Planning Strategy was developed in consultation with the surrounding Municipality of the District of Yarmouth.

While not a municipal entity, another important community the Town must look to collaborate with and notify regarding planning decisions is the Wasoqopa’q First Nation, whose Yarmouth Reserve comprises almost 28 hectares of land right on the border of the town. The Yarmouth Reserve has the largest on-reserve population of Wasoqopa’q First Nation’s eight reserves.

Since future planning decisions made in the town can impact adjacent communities, it is important the Town continue to support a cooperative approach where land use decisions could potentially impact the Municipality of the District of Yarmouth and Wasoqopa’q First Nation.

6.3.1 Policies

It is the policy of Council to:

- (a) Consistent with the Town's *Public Participation Program Policy*, seek input from the Municipality of the District of Yarmouth and from Wasoqopa'q First Nation when:
 - i. adopting a new municipal planning strategy to replace this one; or
 - ii. considering amendments to this Municipal Planning Strategy.
- (b) Engagement undertaken through Policy (a) shall, at a minimum:
 - i. invite comment on matters of municipal interest;
 - ii. invite comment in relation to Statements of Provincial Interest; and
 - iii. be completed prior to Council publishing its first notice for a Public Hearing on the proposed amendment or new Municipal Planning Strategy.
- (c) Consider any comments received from abutting municipalities prior to Council giving first reading of any amendments to this Municipal Planning Strategy or any new municipal planning strategy.

6.4 Land Use Bylaw and Subdivision Bylaw

6.4.1 Land Use Bylaw

The land use policies in this Municipal Planning Strategy are primarily implemented through the Land Use Bylaw. The Land Use Bylaw serves as the main administrative document translating the higher-level policies into tangible and concrete actions. This Bylaw sets out zones, the permitted uses for each zone, development standards for each zone and/or for certain types of uses, and the uses and circumstances considered via development agreement or site plan approval. In doing this, the Bylaw reflects the policies of the Municipal Planning Strategy. Council approves the Land Use Bylaw at the same time this Plan is approved.

6.4.2 Subdivision Bylaw

The Subdivision Bylaw is another key tool used by Council to implement this Plan. The Subdivision Bylaw sets out the requirements and processes for such things as subdividing land, creating streets, and developing sewer and water services.

6.4.3 Administration of the Land Use and Subdivision Bylaw

The Land Use Bylaw and Subdivision Bylaw are administered by a Development Officer appointed by the Town. The Development Officer is responsible for issuing development permits in accordance with the Bylaws.

6.4.4 Policies

It is the Policy of Council to:

- (a) Adopt a Land Use Bylaw consistent with the intent of this Municipal Planning Strategy.
- (b) Adopt a Subdivision Bylaw consistent with the intent of this Municipal Planning Strategy, and which:
 - i. applies to the whole of the Town;

- ii. ensures that any subdivision, with the exception of lots created using the variance provisions of Part 9 of the *Municipal Government Act*, conforms with the lot requirements contained in the Land Use Bylaw;
 - iii. establishes locations and standards for the development of public roads, central services, and other publicly owned infrastructure;
 - iv. contains provisions intended to ensure that lots are suitable for onsite sewage disposal where there is no central sewer system, as required per provincial regulations under the *Environment Act*; and
 - v. contain any other provisions needed to fulfill the intent of this Plan.
- (c) Appoint one or more Development Officers to administer the Land Use Bylaw and the Subdivision Bylaw and to issue, deny, amend, and revoke permits under the terms of these Bylaws.

6.5 Amending the Land Use Bylaw

While this Plan and its supporting bylaws were designed to be comprehensive, Council recognizes it cannot foresee all possible types of development that might be acceptable in the town in general, or on a specific piece of land. As such, there will be times when the Land Use Bylaw needs to be amended to accommodate a new development trend or specific development proposal.

Council also recognizes that it is possible to inadvertently make mapping errors in preparing the maps that accompany this Plan and the Land Use Bylaw. Such errors do not reflect the policies in this Plan and thus will be corrected via Bylaw amendments.

6.5.1 Policies

It is the policy of Council to:

- (a) Amend the text of the Land Use Bylaw if the proposed amendment meets the general criteria set out in Policy 6.9.1(b).
- (b) Consider amendments to the maps of the Land Use Bylaw when the proposed zoning change is not specifically prohibited within this Plan and at least one of the following three conditions is true:
 - i. the proposed zone is enabled by this Plan for use within the same designation, as identified by the symbol "P" in Table 6A;
 - ii. a non-conforming use appears to have been created by an inadvertent administrative oversight in the Municipal Planning Strategy and Land Use Bylaw preparation process, resulting in a property being zoned inconsistent with stated policies in this Plan; or,
 - iii. notwithstanding the zones permitted within a designation, the land to be rezoned is under 1.0 hectares in area and is adjacent to a designation that permits the proposed zone. For clarity, land that abuts a right-of-way, such as a street, is considered to be adjacent to the designation on the other side of the right-of-way.
- (c) Not amend the maps of the Land Use Bylaw unless Council is satisfied that:
 - i. the proposed placement meets the zone description applicable to the proposed zone, as set out in Chapter 4; and
 - ii. the proposed zone and the uses it permits meet the general criteria set out in Policy 6.9.1(b).

Table 6A: Zones Considered in Each Land Use Designation

	Residential	Mixed Use	Core Area	Commercial Industrial	Industrial	Waterfront	Health and Institutions	Conservation
Housing 1 (H-1)	P	P	-	-	-	-	-	-
Housing 2 (H-2)	P	P	-	-	-	-	-	-
Housing 3 (H-3)	P	P	-	-	-	-	-	-
Downtown (DT)	-	-	P	-	-	-	-	-
Mixed Use 1 (MU-1)	-	P	-	-	-	-	-	-
Mixed Use 2 (MU-2)	-	P	-	P	-	-	-	-
Mixed Use 3 (MU-3)	P	P	P	-	-	-	-	-
Commercial Industrial (CI-1)	-	-	-	P	P	P	-	-
Waterfront Commercial Industrial (CI-2)	-	-	-	P	P	P	-	-
General Industrial (M-1)	-	-	-	-	P	-	-	-
Waterfront Industrial (M-2)	-	-	-	P	P	P	-	-
Institutional (I-1)	P	P	P	P	-	P	P	-
Health Campus (HC)	-	-	-	-	-	-	P	-
Parks and Open Space (O-1)	P	P	P	P	P	P	P	-
Flood and Environment (O-2)	P	P	P	P	P	P	P	P
Waterfront Comprehensive Development (WCD)	-	-	-	-	-	P	-	-
Comprehensive Development (CD)	P	P	P	P	P	P	-	-

6.6 Variances

Section 235 of the *Municipal Government Act* gives the Development Officer the power to grant “variances” from the requirements of the Land Use Bylaw. This is intended to alleviate hardships where an irregular set of circumstances on a lot makes it unreasonable to comply with the requirements of the Bylaw. The Act sets out the circumstances when such variances may be granted, the Land Use Bylaw provisions for which variances may be granted, and the process for granting such variances. For greater clarity, the minimum coastal elevation is not considered building height, and the horizontal watercourse buffer is not considered a yard or setback, and are therefore not intended to be reduced via the variance provisions.

6.6.1 Policies

It is the policy of Council to:

- (a) In accordance with Section 235 of the *Municipal Government Act*, permit the Development Officer to vary:
 - i. the percentage of land that may be built upon;
 - ii. the size or other requirements relating to yards;
 - iii. lot frontage;
 - iv. lot area;
 - v. location and number of parking spaces and loading spaces required;
 - vi. ground area of a structure;
 - vii. height of a structure; and/or
 - viii. floor area occupied by a home occupation.

6.7 Non-conforming Uses and Structures

When land use planning policy and regulations change, uses or structures that were once permitted may no longer be allowed under the new planning documents. This may create a scenario where a use or structure, which was lawfully developed in good faith, may no longer be permitted.

The *Municipal Government Act* guarantees certain protections for non-conforming uses and structures that were lawfully developed to ensure they can continue to operate and function. One of the provisions for non-conforming uses, however, is that once a use has ceased to operate for a period of six months it must then conform to the new planning rules. Similarly, the Act does not permit certain non-conforming structures to expand. The Act also enables municipalities to relax these regulations. Council does not wish to establish undue hardships on property owners who developed in good faith and intends to implement relaxations as provided for by the Act.

6.7.1 Policies

It is the policy of Council to:

- (a) Extend the period before a non-conforming use is considered discontinued to 12 months.
- (b) Permit the expansion of a non-conforming structure or a structure containing a non-conforming use provided the expansion does not increase the non-conformity of the structure and the expansion is not used for the purpose of a non-conforming use.
- (c) Except as limited by Policy (d), permit non-conforming structures and structures containing non-conforming uses to be rebuilt, repaired, or renovated if the structure is damaged or destroyed through no fault of the owner and the structure is substantially the same as it was before the damage.

- (d) Not permit non-residential structures that are non-conforming with the minimum coastal elevation provisions of the Land Use Bylaw to be rebuilt, repaired, or renovated except in compliance the minimum coastal elevation provisions.

6.8 Development Agreements

Development agreements are planning tools, enabled by the *Municipal Government Act*, that give Council a finer level of control or management over a proposed development. Development agreements may be a desirable tool when proposals have a strong level of public interest or there is a specific need for additional levels of engagement or for proposals that are unique in nature and the standard permitting process does not quite satisfy the level of oversight required for the complexity of the proposal. They are written contracts between Council and the property owner and are registered upon the title of the land (the agreement does not cease if the land is sold or if the property owner dies).

Development agreements are intended to enable staff, Council, and the public to give input on aspects of a development that would otherwise not be permitted through the standards in the Land Use Bylaw. This allows the Town to holistically evaluate a proposal and implement measures to mitigate potential impacts that may arise.

6.8.1 Policies

It is the policy of Council to:

- (a) Where enabled by the policies within this Municipal Planning Strategy, consider entering into a development agreement with an applicant to enable a proposed development.
- (b) Ensure that a development agreement that has been approved by Council:

- i. specifies the development, expansion, alteration, or change permitted;
 - ii. specifies the conditions under which the development may, or may not, occur;
 - iii. sets terms and conditions by which Council may amend or terminate and discharge the agreement.
- (c) Specify conditions in the development agreement as necessary to bring the proposal into alignment with the enabling policy and general criteria set out in Policy 6.9.1(b). Such conditions may include, but are not limited to:
- i. servicing;
 - ii. the type, location, and orientation of structures;
 - iii. the architectural design of structures, including, but not limited to, bulk, scale, height, roof shape, building and cladding materials, and the shape and size and placement of doors and windows;
 - iv. the provision of open space and amenities;
 - v. the type, size, and location of signage;
 - vi. the type and orientation of exterior lighting;
 - vii. management of solid waste, compost, and recycling;
 - viii. pedestrian, bicycle, public transit, and vehicular circulation;
 - ix. connections to existing or planned pedestrian, bicycle, and vehicular networks;
 - x. the location and number of bicycle and vehicular parking and loading spaces;
 - xi. access for emergency vehicles;
 - xii. the location and type of landscaping, including fences and other forms of screening;
 - xiii. stormwater management;
 - xiv. grading and erosion control;
 - xv. the emission of noise, odour, light, liquids, gases, and dust;
 - xvi. the type of materials stored and/or sold on site;
 - xvii. hours of operation;
 - xviii. the phasing of development;
 - xix. financial bonding for the construction and maintenance of components of the development, including, but not limited to, roads and landscaping;
 - xx. mitigation measures for construction impacts;
 - xxi. time limits for the initiation and/or completion of development; and
 - xxii. all other matters enabled in Section 227 of the *Municipal Government Act*.

6.9 General Criteria

Amendments to the Land Use Bylaw and the adoption of development agreements are processes that require careful thought. As such, Council has established a set of general criteria to consider when evaluating all Land Use Bylaw amendments and development agreement proposals.

6.9.1 Policies

It is the policy of Council to:

- (a) Not amend the Land Use Bylaw or enter into a development agreement unless Council is satisfied the proposal:
 - i. is consistent with the intent of this Municipal Planning Strategy; and

- ii. does not conflict with any Municipal or Provincial programs, bylaws, or regulations in effect in the municipality.
- (b) Not amend the Land Use Bylaw or enter into a development agreement unless Council is satisfied the proposal is not premature or inappropriate due to:
- i. the ability of the Town to absorb public costs related to the proposal;
 - ii. the adequacy of municipal water and sewage services, stormwater infrastructure, electrical power, and communications infrastructure;
 - iii. the creation of excessive traffic hazards or excessive congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;
 - iv. the adequacy of fire protection services and equipment;
 - v. the adequacy and proximity of schools and other community facilities;
 - vi. the creation of a new, or worsening of a known, environmental impact in the area, including, but not limited to, soil contamination, soil erosion, or impacts on watercourses wetlands;
 - vii. site-specific climate change risks such as threats of flooding;
 - viii. light pollution and impacts on dark sky views; and
 - ix. the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility rights-of-way.
- (c) When necessary to support the evaluation of whether the criteria for amending the Land Use Bylaw or entering into a development agreement have been met, require additional information, prepared by an appropriate qualified professional at the applicant's cost and at a sufficiently detailed level, such as:
- i. a detailed lot plan showing features such as, topography, phasing, site layout, and development densities;
 - ii. elevation drawings of existing and proposed structures including, but not limited to, dimensions and exterior materials;
 - iii. a site grading plan;
 - iv. a landscaping plan;
 - v. a drainage and rainwater management plan;
 - vi. a hydrological assessment to determine groundwater resource volumes, availability, quality, and sustainability pre- and post-development;
 - vii. a traffic impact assessment that evaluates the ability of existing road, bicycle, and pedestrian networks to accommodate traffic generated by the proposed development;
 - viii. a geotechnical study;
 - ix. environmental studies, including, but not limited to, studies addressing Species at Risk, climate change, and environmental contamination;
 - x. a shadow study;
 - xi. a wind study;
 - xii. a vibration study; and
 - xiii. a noise study.



6.10 Secondary Planning

This Plan establishes a broad framework to guide development in Yarmouth. However, there are areas within town that would benefit from detailed planning to establish infrastructure needs, efficient transportation networks, and the appropriate mix of development types and densities. While the Comprehensive Development Zone does provide a mechanism to do this, that process is driven by the landowners. Time- and resource-permitting, there is a benefit to the Town itself undertaking detailed planning to ensure the future development of various neighbourhoods is to the benefit of Yarmouth as a whole.

6.10.1 Policies

It is the policy of Council to:

- (a) As resources permit, undertake secondary planning for undeveloped blocks of land and for existing developed areas that are expected to evolve substantially over time. Such secondary planning may establish:
 - i. servicing requirements;
 - ii. transportation networks;
 - iii. parkland;
 - iv. permitted land uses;
 - v. residential densities; and
 - vi. any other development regulation enabled by the *Municipal Government Act* necessary to carry out the secondary plan for an area.

6.11 Monitoring, Reviewing, and Updating this Plan

Municipal Planning Strategies are not set in stone. They are meant to be flexible, 'living' documents that can adapt and change as circumstances change. To accomplish this the Municipal Planning Strategy will be monitored and periodically reviewed and updated to remain effective.

6.11.1 Policies

It is the policy of Council to:

- (a) Within two years of the adoption of this Municipal Planning Strategy, initiate a 'housekeeping' review to identify errors, omissions, or ways to improve or streamline the Plan.
- (b) Within five years of the adoption of this Municipal Planning Strategy, complete an interim review. The intent of this review is to identify emerging policy issues and gaps in the Municipal Planning Strategy and adopt new or modified policies to address these issues and gaps.
- (c) Within ten years of adopting this Municipal Planning Strategy, complete a comprehensive review to conduct extensive public consultation and review the overall direction of the Plan. The Municipal Planning Strategy shall be updated, and components replaced as necessary, to support the updated direction.
- (d) Seek input from the public, including public consultation and notice, consistent with the Town's *Public Participation Program Policy*.

7 Schedules

7.1 Schedule 'A' – Future Land Use Map

TOWN of YARMOUTH



FUTURE LAND USE

- Legend**
- Residential (R)
 - Core Area (CA)
 - Mixed Use (MU)
 - Commercial Industrial (CI)
 - Industrial (M)
 - Health and Institutions (HI)
 - Conservation (CON)
 - Waterfront (W)

**MUNICIPAL PLANNING STRATEGY
- SCHEDULE "A" -**

TOWN OF YARMOUTH,
PLANNING AND DEVELOPMENT

DATE: October 21, 2026

NOTE: Information contained on this map is subject to change.

0125250500750

Metres

PROPERTY BOUNDARY MAPPING SOURCE:
(1:10 000 NSPRD) NOVA SCOTIA GEOMATICS CENTRE, AMHERST.
CURRENT TO 15 OCTOBER, 2026.

ROAD MAPPING SOURCE:
(NSCAF) NOVA SCOTIA GEOMATICS CENTRE, AMHERST.
CURRENT TO 15 OCTOBER, 2026.

ZONING MAPPING SOURCE:
TOWN OF YARMOUTH, PLANNING DEPARTMENT.
CURRENT LUB ZONING (OCTOBER 21, 2026).

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