
MUNICIPAL PLANNING STRATEGY

TOWN OF MIDDLETON

May 1998, with amendments to June 2007, December 2010, May 29, 2014

Prepared for TOWN OF MIDDLETON
by the Annapolis District Planning Commission

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The Band Leaders, Parents and Members of the Middleton Regional H.S. Band

The following is the text of the Municipal Planning Strategy of the Town of Middleton as approved by the Minister of Housing and Municipal Affairs on June 29, 1998

PART 1 - INTRODUCTION

1.1 Purpose of the Municipal Planning Strategy

1.1.1 General Statement of Purpose

The Town of Middleton Municipal Planning Strategy is an important product of the wishes and participation of the community and has been adopted by the Middleton Town Council to guide land use and development for the next 5 to 10 years. It is Council=s purpose within this plan to achieve orderly and economical growth within an environmentally sensitive context.

1.1.2 Statutory Statement of Purpose

The Municipal Government Act, Section 213 states the enabling legal purpose of the Middleton Plan:

It shall be the purpose of a municipal planning strategy to provide statements of policy for the management of the municipality and to further this purpose to

- (a) establish policies which address problems and opportunities concerning the development of land and the environmental, social and fiscal effects of that development; and
- (b) establish and specify programs and actions necessary for the implementation of the planning strategy.®

1.2 Legislative Mandate for Municipal Planning

The Town of Middleton is empowered by statute to carry out land use planning and development control. This authority is delegated through the Municipal Government Act.

The Municipal Government Act gives municipalities in Nova Scotia the following planning powers:

- (a) to establish a Planning Advisory Committee (Section 200);
- (b) to prepare and adopt a Municipal Planning Strategy (Sections 208, 212 and 214); and

-
- (c) to implement a Municipal Planning Strategy through a Land Use By-law (Section 219 and 220).

After adopting the Plan, Council must follow and require others to follow the intent of the policies contained in the Plan.

The adoption of the Municipal Planning Strategy does not commit Council to undertake any of the projects suggested in the Plan, but Council cannot undertake or permit any development which is inconsistent with the Plan.

This Municipal Planning Strategy may be amended. It is Council=s policy that it shall be reviewed from time-to-time as deemed advisable, generally within ten years from the date of it=s last adoption. (Section 214).

1.3 Planning Context

1.3.1 Location

Middleton is located between the Annapolis River and the North Mountain in the eastern portion of Annapolis County. The Town is proximate to two interchanges with the 101 Highway and is approximately one hundred sixty kilometres from Halifax and one hundred seventy-six kilometres from Yarmouth. The area of the Town is approximately 6.5 km² and is generally flat with a gentle grade from north to south.

Several streams, including Slocum Brook, Eel Brook and Lily Lake Brook, meander through the Town providing a natural drainage system. While the stream valleys are predominately shallow; the Annapolis River is deeply incised, with a high and steep north bank.

Town of
Middleton

LOCATION MAP



1.3.2 History and Development

The Township of Wilmot was laid out in 1764. Its founding population of fifty expanded sharply in 1793 with the arrival of the Loyalists. By 1824, the population had grown to just over two thousand.

The Town grew, within the Township, around the junction of the Nictaux (Hwy #10) and Post Roads (Main Street). The tavern and post office were located at this junction, along with a small general store.

On December 18, 1854 at a public meeting, the Town was named "Middleton". The Town grew rapidly from two small founding settlements, "The Corners" and "Pine Grove". Middleton also had been known as "Gates Ferry", its early transshipment point and commercial hub. Fowler's Corner and Wilmot Corner are names variously used as early references and are found in the resolutions adopting Middleton's name and boundaries. The name Middleton was chosen to give recognition to the location of the Town, being equidistant between Yarmouth and Halifax, and of no lesser importance - at the heart of the Annapolis Valley.

The main transportation route through Town was established from the very outset; there was naturally an east-west focus. In 1869, this pattern was strongly reinforced with the development of the Windsor-Annapolis Rail Line which operated as a subsidiary of the CPR until its abandonment in 1990.

By 1891, the Town had grown to the point where a public meeting was held and it was decided to construct a central water system. The basis of the present-day water system was constructed over the next few years.

The religious and social life of the Town grew with the population; churches were constructed; clubs were formed; telephone service began; a newspaper was published; sports and athletic associations were formed.

Middleton grew steadily and well into the twentieth century. The current community focuses around a redeveloped downtown retail and business streetscape. Middleton has major new developments in schools, parks and industrial areas. Although the present community has formed around new physical infrastructure to meet modern demands, the design of the Town and its development pattern still demonstrates persistent evidence of a valuable heritage in its road patterns, stately trees and older homes.

1.3.3 Population and Employment

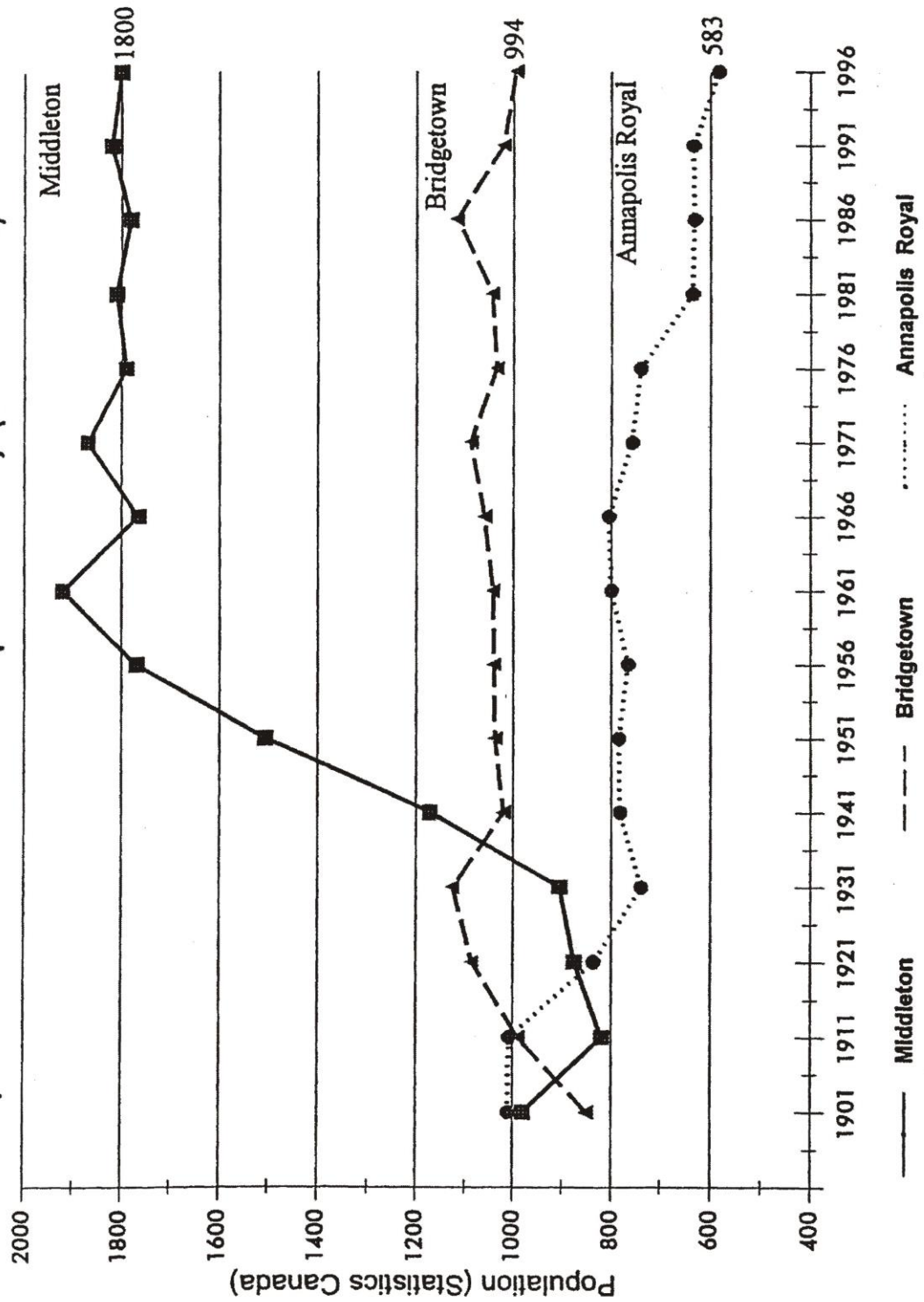
The population of the Town has grown substantially from its modest beginnings. Since 1901, the population has nearly doubled, while other centres of population in the geographic area have declined or maintained relatively stable populations. Middleton has, in this century, grown to become the largest community in Annapolis County. The Town's present population is 1800 and the causes of its growth and development are substantially distinct from its sister towns.

In reviewing the demographic history of Middleton, it is apparent that the agricultural crossroads of the late 1800's began to gain greater importance by the 1930's, particularly as opportunities emerged in the processing of apples and other fruits and vegetables. As transportation improved to Halifax and Yarmouth, businesses developed in Middleton involving warehousing, transport and interprovincial/international shipping. Lumber and building supply business became prominent and greatly supported a large economic surge that occurred with the construction and establishment of CFB Greenwood in 1941 at nearby Kingston. The population grew by 112% in the 30 year period from 1931-1961 and has stabilized over the last 30 years.

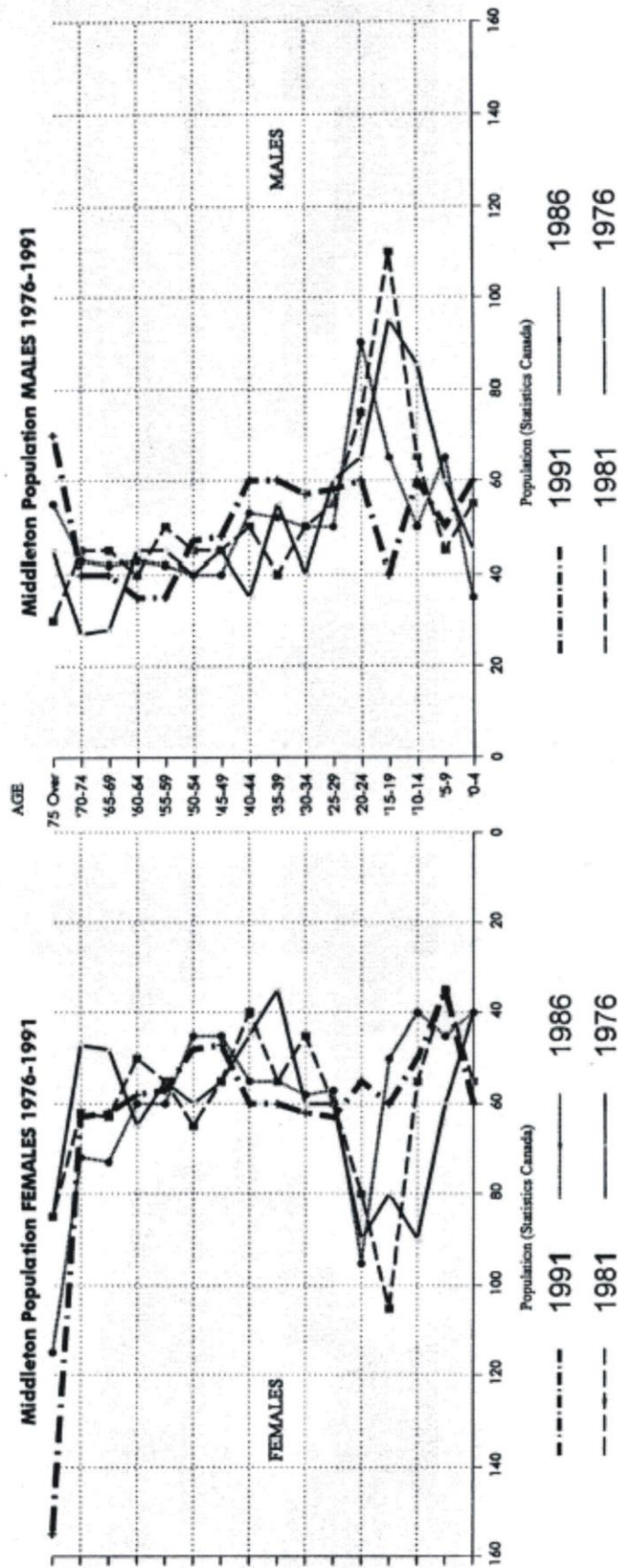
The present population resides in 844 households and as of 1996 the average household size was approximately 2.2 persons/household. The population is 54% female and 46% male. The Town has 80 single parent families. Since the 1991 Census, the age cohorts for Middleton indicate a strengthening of the numbers of middle-age adults and young seniors. Although like most North American communities, the echo boom child rearing is falling off, Middleton's population is exhibiting characteristics toward a more balanced community through all age cohorts.

Employment opportunities in Middleton are stable and surprisingly diverse given the phenomena of big box retailers in Halifax, more rapid recent growth in neighbouring Kings County, and historical trends toward metropolitan urbanization. Middleton continues to exhibit strength in food and grocery, transport, general service, local retailing, lumber and building supplies, and car sales and service. Approximately 80 listed businesses exist within the Town and many small home occupations are not counted in this number. The average Middleton business employs 5-6 persons, while the largest employers have more than 40 full time employees each.

Population of Towns in Annapolis County (1901-1996)



Population Profile: Town of Middleton



1.4 Planning Process

1.4.1 A Continuance

The Middleton planning process is an extension of the community planning which created the first plan in 1981. Since that early effort, the Planning Advisory Committee has addressed a wide variety of planning issues through amendment evaluation, public information meetings and regular Committee meetings. The Planning Advisory Committee has actively worked on the review of the Middleton Municipal Planning Strategy since October 1995.

1.4.2 Community Household Surveys

In 1988, under the direction of the Annapolis District Planning Commission, a planning attitudes survey was done by students of the College of Geographic Sciences. The results were geo-coded for neighborhood reference and land use sensitivity analysis. This community research has been particularly useful as amendments have been proposed to the plan and land use by-law. In January - March 1996, another comprehensive planning survey was completed by the ADPC. A community survey was distributed to all 844 households within Town limits. Fifty four (54%) percent of all households completed questionnaires which were then tabulated and used in the policy development of this Plan. In survey research terms, the survey represented 95% accuracy with 4% variance. Many of the earlier survey questions were retained allowing for longitudinal comparison. Geo-coding was again used to measure sensitivities to land use issues on a neighborhood sector basis.

1.4.3 Business Survey

Following the community household survey, a business survey was distributed to all Town businesses identified by the Middleton and District Development Corporation (MDDC). Over 70% of Middleton businesses responded to this special purpose survey. Given the specific issues of concern to business, this survey provided a consensus around key planning policies, especially those effecting planning and design for the downtown, industrial park, home occupations, parking and sign regulations.

1.4.4 Public Information

In addition to public meetings and direct surveys of residents and businesses, the public process of planning has included information flyers, a service club presentation, radio announcements and interviews, as well as cable television coverage of Council sessions dealing with the plan review and survey results. The media coverage provided an important opportunity for >iterative participation=, ie: the general public, PAC and Council have been able to receive the results of surveys

and other participation methods and respond to them within the ongoing process. This cyclical approach and an extended three year timeline further permitted a much richer appreciation and reflection of the issues and proposed solutions.

1.4.5 Community Storefront Workshop

During the week of March 3-7, 1997, a Community Storefront Workshop was operated from a temporarily vacant retail space on Main Street. Information displays depicted zoning and future land use proposals, transportation concerns, development pattern and infrastructure mapping, household and business survey results, draft policies and many other plan review materials. Reactions to proposals, new ideas on flip charts, discussions on planning issues and media coverage all were part of this information exchange. Although 80-100 people participated directly by dropping into the storefront, many others walked by and viewed materials on the display windows. Perhaps as important as direct participation, the well-advertised opportunity to participate was extended to all.

1.5 Plan Format and Interpretation

1.5.1 Plan Format

The Plan is made up of two legal sections:

- (a) Text
- (b) Maps
 - Map A - Future Land Use
 - Map B - Generalized Existing Land Use
 - Map C - Transportation
 - Map D - Environmental Constraints
 - Map E - Existing Services

Goals, objectives and policies governing future development in Middleton are outlined in the text.

The spatial pattern of future development and future roads is set out in Maps A and C.

Supplementary information such as a civic address map, and similar supporting information, are not official portions of the municipal planning strategy, but may be included with the map set for further reference.

1.5.2 Plan Interpretation

(a) Text

The Plan is a policy statement by Middleton Council. In implementing the Plan, Council shall have regard to the goals and policies set out in the text.

No development can be permitted which is contrary to the policies of this Plan.

It is intended that all figures, symbols, proposed roads and the location of development areas within the Plan shall be considered as approximate only.

(b) Map A - Future Land Use Map

The Town is divided into eight designated districts as shown on Map A - Future Land Use

<u>District</u>	<u>Symbol</u>
Protected Lands	PL
Residential	R
Residential Restricted	RR
Business District	BD
Highway Commercial	HC
Manufacturing & Industry	M
Recreation	REC
Institution	I

This map indicates generalized future land use patterns. Council shall have regard to this map when considering any amendment to the Municipal Planning Strategy or Land Use By-law.

(c) Map B - Generalized Existing Land Use Map

This map shows the generalized existing land use for Middleton as of March 1998. For more accurate and detailed information, reference should be made to the "Town of Middleton - Existing Land Use Survey, 1998".

1.6 Plan Application, Comprehensive Growth Management and Boundary Adjustment

The Municipal Planning Strategy for the Town of Middleton is legally applicable only within the Middleton boundaries. The boundaries of the Town must change over time to allow for and support an efficient development pattern. The Town, to maintain a healthy future, must plan and make room for its inevitable growth and development. Recognizing this responsibility, Middleton will require the ability to manage the development for the population it serves. Quite rationally, this should occur within the environment from which it draws its sustenance and into which it will grow. It is anticipated that the Town boundaries will soon extend a short distance north to the physical barrier of the 101 Highway and to the east and west sufficiently to supply, protect and maintain its urban infrastructure. Of prime importance in boundary expansion is the elimination of detrimental fringe development and other forms of inefficient sprawl. The Town is positively committed to emergent policies of comprehensive growth management within its developing urban area and surrounding natural environment.

PART 2 - PLANNING STRATEGY GOALS AND POLICIES

2.1 Introduction to Goals and Policies

The goals for Middleton are very broad statements of policy. Middleton=s more specific policies in conjunction with it=s goals set a context which establishes intents for town planning and the interpretation of other sections of the Municipal Planning Strategy and Land Use By-law. The Municipal Planning Strategy is a policy plan which will have effects on the growth, development, revenue and income streams, and quality of life within the Town.

2.2 Goals for Middleton

The following are the adopted goals for the Town of Middleton.

2.2.1 Environment

To protect the existing natural environment from unnecessary disruption and to make environmental improvements, where possible, in order to enhance Middleton as a place to live.

2.2.2 Population

To encourage moderate growth and a diverse population.

2.2.3 Municipal Responsibility for Planning and Management

To gain planning, management and municipal control over the Town=s present and future land base.

2.2.4 Growth Management

To take and exercise responsibility for the design and management of compact and efficient urban area growth.

2.2.5 Economic Base

To broaden and strengthen the economic base of the Town in order to increase Middleton's tax base.

2.2.6 Development, Transportation and Services

To plan and manage development so that services can be improved, developed and maintained at reasonable costs.

2.2.7 Recreation

To improve, diversify and co-ordinate recreational activities.

2.2.8 Participation

To encourage resident and business participation in all aspects of community development.

2.2.9 Accessibility

To encourage, develop, and maintain development that is accessible to all people regardless of physical ability.

2.3 Environment Policy

The Town of Middleton takes pride in its recognition and understanding of its environment. Both the natural and built environments must be sustained and be mutually reinforcing. Change to either will create impacts. Through sensitive planning, impacts associated with change, can be beneficial to the Town and its environs.

A fundamental background study was commissioned in 1978. Still relevant today, the Town of Middleton - Environmental Survey is a document of biophysical maps and evaluative text which should be referred to when implementing environmental policy within this Plan.

E1. Council supports Provincial Environmental Legislation and the general protection of our environment.

E2. The areas indicated on Map A, the Future Land Use Map, shall be designated as the Protected Lands area.

The lines shown as the boundaries of the Protected Lands are intended to follow a line;

(a) along the 45' contour as shown on the L.R.I.S. topographic series, Middleton, 1981, adjacent to the Annapolis River and tributary boundary; and

(b) 8 m from the edge of all other streams and watercourses.

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- E3. Council shall prohibit all new developments requiring permanent structures within the Protected Lands area, with the exception of: a) conditionally permitted residential and institutional structures and uses fulfilling special requirements for development; b) agricultural, water-related and recreational structures, all of which may be permitted by amending the Land Use By-law Map to the Restricted Development Zone.**
 - E4. Council shall ensure that those areas shown on Map D, Environmental Constraints, are developed with due regard to the particular environmental problem encountered in each particular area.**
 - E5. Council shall encourage owners to:**
 - (a) retain existing trees and vegetative cover where possible and desirable; and**
 - (b) plant trees and vegetative cover.**
 - E6. Council shall continue the program of tree planting and maintenance for public streets and lands and tree planting for new developments.**
 - E7. Council shall encourage private landowners to maintain watercourses and the banks of watercourses in a natural state wherever possible.**

2.4 Housing Policy

The Town of Middleton has a diversity of residential neighbourhoods. The Town has fine old Victorian homes on tree-lined streets, modern new subdivisions, senior citizen housing, apartments, converted residences, grouped dwellings, duplexes, manses and condominiums. Many types of housing are permitted and are regulated in the Land Use By-law.

Middleton has a housing need for restricted residential neighbourhoods which allow for a high degree of similarity in building type and standard. This neighbourhood value does not necessarily extend to requirements for thematic architectural controls, but it does limit the type of structure and uses in the designation to single detached dwellings with provision for very limited home offices and no provision for home occupations.

The more general residential area designation provides for a wide variety of housing type and a diversity of options for home occupations. The general residential area tends to be concentrated in distinct areas, although with the commercialization of Main Street, in particular, the Residential designation now reflects transitional mixed uses.

While mobile homes and mini homes are permitted in Middleton, they must be developed by rezoning to the Residential Mobile Home Zone. Mobile home and mini home neighbourhoods must also be designed to be easily convertible to single detached dwelling subdivisions without the need for replacement servicing or upgrading.

The Town encourages development to be serviced municipally in a compact and efficient manner. Unserved developments are allowed, although provision for higher density infilling is required.

- H1. The area indicated on Map A, the Future Land Use By-law Map, shall be designated as the Residential area. It is intended to provide an area in which a wide range of housing types may be located, along with limited home occupations which are secondary to a residential use and located on a residential lot.**
- H2. The area indicated on Map A, the Future Land Use Map, shall be designated as the Residential Restricted area. It is intended that only single detached dwellings be located in this area, with very restricted home offices being permitted, in order to provide an area which is substantially residential.**
- H3. Areas indicated as Residential on Map A, the Future Land Use Map, may be rezoned to Residential Restricted by an amendment to the Land Use By-law Map.**
- H4. Council shall encourage Residential infilling on existing serviced vacant lots in the established residential areas of Town.**
- H5. In areas designated Residential on Map A, the Future Land Use Map, residential development may occur before municipal services are available provided that:**
 - (a) later provision of full municipal services will not be jeopardized by the layout and construction of the development;**
 - (b) the requirements for unserved lots set out in the residential zone of the Land Use By-law are met; and**
 - (c) lots shall be developed with sufficient sideyards to enable resubdivision of lots at such time as central services become available.**

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- H6. Council shall ensure, in new residential subdivisions:**
- (a) that where water, sanitary sewer and storm drainage are to be provided, it shall be in accordance with the requirements of the Town Subdivision and Sewer By-laws; and**
 - (b) that new roads and right-of-ways are constructed in accordance with the standards set out in the Town Subdivision and Sewer By-laws.**
- H7. Existing single detached dwellings may be converted to a maximum of four dwelling units within the Residential zone, provided they are located in areas where the following criteria are met:**
- (a) Municipal services are available in the area; and**
 - (b) adequate parking, as set out in the Land Use By-law, is available and all other criteria for converted dwellings are met.**
- H8. Rooming/boarding houses shall be permitted within the Residential Zone only by Development Agreement in accordance with the evaluative criteria set out in the policies in Part 3.6., provided that the following additional criteria are met:**
- (a) adequate parking, set out in the Land Use By-law, shall be provided; and**
 - (b) the owner, owners or manager of the rooming or boarding house shall live on the premises.**
- H9. Rowhousing shall not contain more than six attached units.**
- H10. Multiple unit dwellings and rowhousing containing more than three (3) units shall be permitted within the Residential Zone only by Development Agreement in accordance with the evaluative criteria set out in the policies in Part 3.6., provided that the following additional criteria are met:**
- (a) the development shall be serviced by municipal water and sewer and an approved storm drainage system;**
 - (b) parking space shall be provided at the side or rear of the structure or in the front if adequate landscaping is provided; and**
 - (c) the development containing six (6) units or greater and clustered rowhousing shall be located on an arterial or collector street.**

Middleton does not have mobile homes or mobile home parks within the Town. Council recognizes that such uses provide a valid form of housing, but considers that they are not readily compatible with other forms of development within the Town, given their

narrow dimensions, low profile, prefabricated construction and non-traditional appearance.

- H11. Mobile homes and mini homes shall be permitted within the Town only by rezoning land to the Residential Mobile Home Zone provided the area being rezoned has a minimum area of 150,000 sq. ft. The Residential Mobile Home (MH) Zone shall have development standards which shall enable conversion of the mobile home subdivision to a single detached dwelling subdivision without the need to redevelop water and sewer servicing and other infrastructure.**
- H12. Home occupations shall be conditionally permitted in dwellings in any zone except the Restricted Residential Zone and the conditions established in the Land Use By-law may be waived or varied by Development Agreement for dwellings located on parcels abutting Main Street, Commercial Street or Bridge Street.**
- H13. It is the intention of Council to consider applications to develop grouped dwellings in the Residential(R) Zone only by development agreement in accordance with the evaluative criteria set out in the policies in Part 3.6. In considering such agreements, Council shall also have regard to the criteria and policies of Part 3.7. In the Residential (R) Zone, grouped dwellings are intended to be developed only on unusual or hard to develop sites in excess of 0.8 ha (2 acres). In considering grouped dwellings, additional emphasis should be paid to the impact the proposed development will have on surrounding neighborhood uses, particularly the adjacent residential uses, and the existing development pattern of the area in terms of architectural compatibility, parking, traffic circulation, road capacity, site access, landscaping, setbacks and the provision of municipal services.**

2.5 Commercial Policy

The Town of Middleton encourages the development of a convenient and compact downtown. The downtown should continue with its revitalization toward a vibrant, pedestrian-oriented, retail and business area. While limited curbside parking is available, the Town encourages vehicular parking in public lots and in some cases requires parking on-site. Some commercial developments may be large or may induce congestion to the point where they should be located in the Middleton Industrial Park. Residential uses are permitted in the downtown commercial and in limited areas of the highway commercial designation, but are regulated so they will not compete for limited commercial space. Highway commercial uses are designated in areas conducive to their particular requirements. The Town regulates signs and outdoor display in order to keep commercial appearances orderly and effective.

BUSINESS DISTRICT

- C1. The area indicated on Map A, the Future Land Use Map, shall be designated as the Business District. It is intended to provide a primarily pedestrian-oriented area in which retail stores, offices and financial institutions may locate.**

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- C2. The areas indicated on Map A, the Future Land Use Map, shall be designated as the Highway Commercial area. It is intended to provide locations in which car-oriented businesses and facilities may locate.**
- C3. Business District uses having a floor area of greater than 465 sq. metres (5,005 sq. ft.) shall be permitted in the Manufacturing and Industry Zone subject to a Development Agreement.**
- C4. Permanent outdoor storage or outdoor display shall be permitted and regulated within the Business District. Temporary outdoor display shall be permitted provided it does not interfere with vehicular or pedestrian traffic.**
- C5. No dwelling units shall be permitted within the Business District unless the dwelling units are located above the commercial ground floor level are existing uses, or are located in areas specified in the Land Use By-law.**
- C6. Existing single family dwellings within the Business District shall be permitted to remain as conforming uses and may expand or be converted to any other residential use provided that they meet the requirements set out in the Residential Zone of the Land Use By-law.**
- C7. Tourist homes and boarding houses shall be permitted in the Business District provided adequate on-site parking is provided at the side or rear of the structure.**
- C8. Motels shall not be permitted in the Business District.**
- C9. Service utility and service industry offices shall be permitted in the Business District.**
- C10. Front yard, side yard and rear yard setbacks shall not be required for commercial uses.**
- C11. Development located:**
- (i) between Main Street and George Street fronting on Commercial Street; and**
 - (ii) between Main Street and Church Street fronting on School Street.**

Shall be exempted from parking and loading/unloading requirements. Notwithstanding this exemption, where space is available, new

developments shall be encouraged to provide off-street parking and loading/unloading areas.

(iii) all other development within the Business District shall be required to provide adequate parking as set out in the Land Use By-law.

C12. No structure erected in the Business District shall be over seven stories in height.

C13. Signs and commercial advertising shall be regulated.

HIGHWAY COMMERCIAL

C14. Highway Commercial uses shall be required to provide:

(i) adequate on-site loading/unloading facilities; and

(ii) adequate on-site customer parking as set out in the Land Use By-law.

C15. Highway Commercial uses shall not be permitted to have continuous street access along the street line(s) of the property, but shall be restricted to the type of access and egress set out in the Land Use By-law.

C16. Outdoor storage areas shall be fenced and screened from the view of the public. This requirement shall not apply to outdoor display areas.

C17. Existing dwellings within the Highway Commercial Zone shall be permitted to remain as conforming uses and may be converted to any other residential use.

C18. Highway Commercial uses shall be allowed to locate in the Manufacturing and Industrial areas but only on lots fronting on the south side of West Street and the east side of Brooklyn Road.

C19. High density residential developments (greater than 10 dwelling units/gross acre) shall be permitted by development agreement in the Highway Commercial designation on properties abutting the west side of Brooklyn Street.

C20. Notwithstanding anything in this Part, the development of professional offices, accessory residential dwelling units within existing buildings or the development of new multiple unit residential structures may be considered on lands located at 474 Main Street (PID 05267836). In considering an application for Development Agreement Council shall

have regard for criteria contained in Policy I16 and any Development Agreement shall contain such provisions as enabled through Policy I15 as may be deemed appropriate.

2.6 Manufacturing & Industry Policy

The Town has been consolidating its designated manufacturing and industrial lands. Areas adjacent to the former railway which were designated for this general use have been changed to encourage uses that better reflect new locational opportunities. A concentration of manufacturing and industrial use, with some provision for large scale auto-oriented commercial uses, has been occurring in the Middleton Industrial Park.

The Middleton Industrial Park is serviced and is developing in a managed and rational land use pattern.

- M1. The areas indicated on Map A, the Future Land Use Map, shall be designated as the Manufacturing & Industry areas. These areas reflect both the existing Manufacturing & Industry and proposed Industrial Park Lands.**
- M2. Business District uses having a minimum floor area of 465 m² (5,005 sq. ft.) shall be permitted in the Manufacturing and Industrial Zone subject to a Development Agreement.**
- M3. All new Manufacturing & Industry uses shall be required to provide:**
 - (a) off-street parking for employees, customers and visitors; and**
 - (b) off-street loading and unloading facilities.**

2.7 Recreation Policy

The Town of Middleton strives to offer very good quality recreation facilities, parks, open space and programs to the residents of the urban area. The areas designated for recreation are primarily town-owned properties that are suited to active park and facility use. The protected lands of the Town are designated for both environmental and open space purposes.

Given the recognition that new subdivisions create developments with associated recreation demands, a parks levy is associated with new parcel development. The Town has policy that concentrates this levy to support recreation to its greatest advantage.

- Rec1. The areas indicated on Map A, the Future Land Use Map, shall be designated as the Recreation area. This is primarily Town owned lands and existing facilities.**

Rec2. As permitted under Section 273 of the Municipal Government Act, Council shall, through the Subdivision By-law, require for all subdivisions resulting in a net increase in lots that a cash payment be made to the Town comprising of 5% of the value of the area shown on the final plan of subdivision.

2.8 Institutional Policy

Middleton=s institutional uses have grown up with the Town. There is no strong concentration of institutional uses within any area of the Town. This dispersed pattern of development has caused few problems with the exception of off-site parking demands during peak use periods. Council feels that the provisions in the Land Use By-law are sufficient to regulate the traditional and new institutional uses.

- I1. The areas indicated on Map A, the Future Land Use Map, shall be designated as the Institutional area. This includes only existing institutional uses.**
- I2. New institutional uses shall require an amendment to this Municipal Planning Strategy and the Land Use By-law.**

2.9 Transportation Policy

The Town of Middleton has a clear hierarchy of highways, streets and roads. The Town is interested in traffic flows that efficiently serve land uses throughout the community without excessively burdening any particular area with non-local vehicular movements.

The classification of existing streets and the provision for continuity and good distribution of new streets is important. Future road patterns are of planning concern to Council recognizing that short-term new development should not interfere with long term development needs.

Parking is required on-site for most new developments to allow for convenience, efficiency, and effective traffic flow. The parking of cars and the encouragement of pedestrian traffic is of prime concern, especially in the downtown. Bicycle traffic is being encouraged through new policy on bicycle paths and racks.

STREETS

- T1. Existing streets shall be classified as shown on Map C.**
- T2. When land is being subdivided within the Town, the rights-of-way as shown on Map C shall be generally considered for collector and arterial**

roads. The precise location and width of roads shall be determined at the time of subdivision.

T3. All new local streets and extensions of existing streets shall be laid out in a manner which improves the general traffic flow of the area.

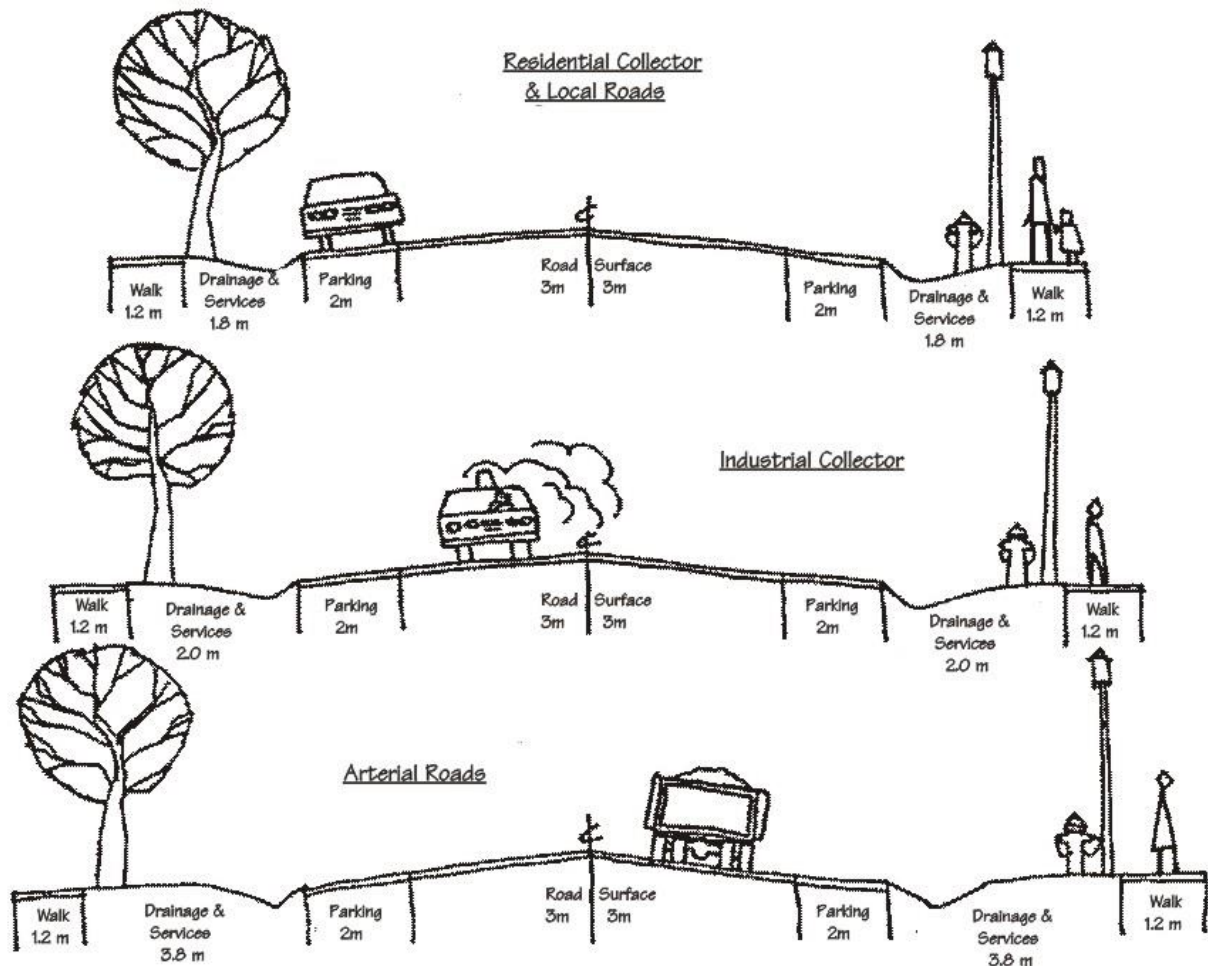
T4. All new streets shall have the following minimum width rights-of-way:

Arterial Road - 20 m

Collector Road - Industrial Zone 18 m

- Residential Zone 16 m

Local Road - 16 m



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- T5. The right-of-way width of an extension to an existing street shall be based on the classification of the existing street and consideration of the width of the existing right-of-way. Council shall make the final determination of the width of a proposed extension, but such width shall not be less than 16 m.**
 - T6. All new streets or extensions to existing streets shall be constructed in accordance with the standards set out in the Town's Subdivision By-law.**
 - T7. All designated public streets within the Town, with the exception of designated Provincial highways, are recognized as being the responsibility of the Town for maintenance and upkeep.**
 - T8. Council shall annually direct the Transportation Services Committee to inspect designated access rights-of-way. All obstructions or obstacles within the rights-of-way shall be removed by the Town.**
 - T9. Distances between intersections shall be as set out in the Town Subdivision By-law.**
 - T10. Council shall eliminate visibility hazards which exist on public and privately owned land at street intersections and street right-of-ways throughout the Town.**
 - T11. Council shall require second accesses to municipal roads in accordance with its Subdivision By-law.**

PARKING

- P1. All new developments in the Town shall be required to provide suitable parking with the exception of those new uses establishing in the Business District between Main Street and George Street and facing on Commercial Street and between Main Street and Church Street and fronting on School Street. The amount, type and location of on-site parking shall be in accordance with the Land Use By-law. (see Policy C11)**
- P2. Council shall encourage existing business firms to provide off-street parking incentives for employees.**
- P3. Council shall investigate the possibility of purchasing and/or leasing any lands for use as public parking lots.**
- P4. Council shall require new businesses and industries within the Town to provide off-street loading and unloading facilities where physically possible.**
- P5. Council shall encourage existing business firms to provide barrier free parking places in excess of the minimum required by the National Building Code.**

PEDESTRIAN

- Ped1. Council shall continue the sidewalk construction and repair program.**
- Ped2. Council shall encourage developers to provide pedestrian pathways or walkways through new residential areas. Such walkways shall be incorporated into the subdivision and shall be deeded to the Town. Maintenance shall be the responsibility of the Town.**

BICYCLE PATHS

- B1. Council shall encourage the design and development of bicycle paths within the Town and the provision of bicycle racks in convenient locations.**

2.10 Servicing & Utility Uses Policy

The Town of Middleton has committed itself to policies that encourage or require compact, cost-effective growth and development for the community. Generally, new subdivisions will be permitted where municipal services are available. Services will typically be extended in an incremental pattern, that avoids leapfrog sprawl. Piped services and other >hard= infrastructure will not be extended beyond Town boundaries.

- S1. Service and Utility rights-of-way and accessory structures shall be permitted throughout the Town without regard to the Land Use By-law.**
- S2. Outdoor storage of materials required for Service and Utility uses shall be permitted only in accordance with the Land Use By-law.**
- S3. Service and Utility offices shall be regarded and treated under the Land Use By-law as any other business office.**
- S4. Plans for new Service and Utility rights-of-way which are intended to be built through lands designed as "Protected Lands" on Map A shall be submitted to the Department of the Environment for comments on methods of alleviating/eliminating the detrimental impacts of construction on these areas.**

2.11 Sanitary Sewer Policy

- SS1. Council shall maintain a program to separate, as far as possible, the storm water drainage from the sanitary sewer system.**
- SS2. Council shall require all subdividers to install and bear the costs of sanitary sewer mains and laterals within any new subdivision in an area requiring these services. Subdividers shall also bear all costs of installation of mains required to connect to the existing Town mains. Subdivision requiring servicing shall typically abut an existing serviced area.**
- SS3. All additional sanitary sewer lines shall be constructed to meet the standards set out in the Subdivision By-law.**
- SS4. The Town shall not allow the extension of municipal sanitary sewer beyond its municipal boundaries.**

2.12 Storm Drainage Policy

- SD1. Council shall establish an on-going program of storm sewer installation where required.**
- SD2. Council shall encourage all owners who currently have storm sewer lines hooked into the Town sanitary sewer system and who are located within 100' of a storm sewer of adequate depth to disconnect these lines from the sanitary sewer system and connect them to the storm sewer or use the natural drainage system.**
- SD3. Council shall require that adequate storm drainage is installed within all new subdivisions and that all new developments are connected to the Municipal Storm Drainage System or provided with private storm drainage systems satisfactory to the Town at the time of development. The developer shall bear all costs of installation and connection of storm drainage.**
- SD4. All storm sewer lines shall be constructed to meet the standards set out in the Subdivision By-law.**
- SD5. Council shall prohibit the connection of any sanitary sewer line with the storm drainage system.**
- SD6. The Town shall not allow the extension of municipal storm sewer beyond its municipal boundaries.**

2.13 Water Policy

- W1. Council shall continue to upgrade and maintain the present water supply system of the Town.**
- W2. Council shall investigate various methods of protection of the watershed area. The Town shall co-operate with the County to ensure the most beneficial and expedient method of protection of the watershed area.**
- W3. Council shall require all subdividers to install and pay for water mains and it shall be the policy of the Town only to permit new serviced subdivisions where the subdivision has available servicing or abuts an existing serviced area. The Town may, however, at the discretion of Council, construct water mains under a capital contribution agreement with a developer or subdivider.**

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- W4. All water lines shall be constructed to meet the standards set out in the Subdivision By-law.**

2.14 Solid Waste Policy

- SW1. Council shall supervise the operations, collection and storage of solid waste to ensure that the solid waste disposal is being carried out in a safe and sanitary manner.**

2.15 Fire & Safety Policy

- F1. Council shall continue to support the Middleton Fire Department.**
- F2. Emergency access shall be provided to as much development in Town as possible.**
- F3. Council shall continue to support the Middleton Emergency Measures Organization.**

2.16 Sign Policy

The Town of Middleton is interested in the regulation of signs in order to present an attractive and orderly environment in which messages can be effectively conveyed for safety, direction, public information and commercial purposes. Council will allow commercial messages on-site and limited directional and other messages throughout the community.

- SN1. Sign requirements shall be included in the sign section of the Land Use By-law which, for public safety and visual appearance reasons, shall include provisions dealing with size, location, lumination, type and number of signs. In addition, certain types of signs, as specified, shall be prohibited completely or prohibited from specific zones and other types of signs shall be permitted in all zones.**

PART 3 - IMPLEMENTATION

3.1 General

Middleton's Municipal Planning Strategy is the primary policy document providing the framework by which the future growth and development of the Town shall be encouraged, controlled and coordinated. The value of its policy statements are ultimately, not only dependent on their acceptance by the majority of people for whom they are prepared, but also upon the means and feasibility of implementation. The Town Council has a variety of tools at its disposal, each of which is only applicable in certain situations. The implementation function is, in effect, carried out through a series of adopted by-laws and programs designed to control and shape changes in the Town. The by-laws referred to included for example, the Land Use By-law and the Subdivision By-law while the programs are reflected through public works projects and capital improvement programs.

- I1. This Municipal Planning Strategy shall be implemented by means of the powers conferred upon the council by the Municipal Government Act and other Provincial Statutes as may be applicable.**
- I2. In addition to employing specific implementation measures it shall be the intention of council to maintain an ongoing monitoring and planning process through its Planning Advisory Committee.**

3.2 Municipal Planning Strategy Amendments

- I3. It shall be the intention of council to require amendments to the policies and maps of the Municipal Planning Strategy in the following situations:**
 - (a) where any policy intent is to be changed;**
 - (b) where the Municipal Planning Strategy is in conflict with applicable provincial land-use policies or regulations in accordance with the Municipal Government Act;**
 - (c) where a requested amendment to the Land Use By-law is in conflict with this planning strategy and there are valid reasons for the amendment; or**

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- (d) where a secondary planning strategy is to be incorporated into the Municipal Planning Strategy.

- I4. Planning Strategy amendments shall require the approval of the Provincial Director of Planning acting on behalf of the Minister of Housing and Municipal Affairs and shall be carried out in accordance with the provisions of the Municipal Government Act.

3.3 Actions Not Requiring a Planning Strategy Amendment

Since the future generalized land use map is not intended to be a precise representation of the configuration of future land use pattern in the Town it is wise to provide some flexibility for those land uses on the boundary or fringe areas for which plan amendments might otherwise be required.

- I5. Areas immediately adjacent to a given land use designation on the Generalized Future Land use map may be considered for a zoning amendment to a use permitted in that given designation without requiring an amendment to this strategy provided that the intents of all other policies of the Strategy are satisfied.

3.4 Land Use By-law

The Town of Middleton Land-Use By-law is the main implementation instrument for those policies within this Municipal Planning Strategy which make statements with respect to the control of land use and development. The Land-Use By-law establishes certain zones, identifies their location by way of a Zoning Map, and indicates the uses permitted and the development standards required.

- I6. It shall be the intention of council to initially include the following zones in the Middleton Zoning By-law:

Protected Lands	PL
Residential	R
Residential Restricted	RR
Restricted Development	RD
Business District	BD

Highway Commercial	HC
Manufacturing & Industry	M
Recreation	REC
Institution	I
Residential Mobile Home	MH

- I7. It shall be the intention of Council that the Land-Use By-law may be amended to allow additional uses provided that they are consistent with the policies of this Strategy.**

It is not intended that all land shall be pre-zoned at the outset as indicated by the policies of this strategy or as indicated on the Generalized Future Land Use Map. Rather, in order that Council may maintain a comparatively high degree of control and is able to monitor future development, initial zoning provisions will be comparatively restrictive and development will be permitted by an amendment to the Land Use By-law or by development agreement, in accordance with the policies of this Municipal Planning Strategy.

3.5 Amending the Land Use By-law

It may be necessary from time to time to amend the Land-Use By-law, although the by-law must always be in conformity with the Municipal Planning Strategy. Those situations for which there is provision to initiate the process of amending a Land-Use By-law include:

- (a) a request by an individual to amend the by-law;
- (b) a motion by a member of council to amend the by-law; or
- (c) the amendment of the Municipal Planning Strategy such that the Land-Use By-law is not longer in conformance with the strategy.

- I8. The Council in considering an amendment to the Land-Use By-law shall comply with all requirements as provided for in the Municipal Government Act, and this strategy.**

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- I9. It shall be the intent of Council that the following uses, within the designations specified, shall only be considered by amendment to the land use by-law:**
- (a) mobile homes in the Residential Designation (Policy H11).**
- I10. In considering an amendment to the Land-Use By-law the Council shall have regard for those matters identified in Policy I-16 as well as those criteria set out in other applicable policies of this Strategy.**
- I11. In considering amendments to the Land-Use By-law, it shall be the intention of Council to:**
- (a) request a report from the development officer;**
- (b) refer the matter to the Planning Advisory Committee for their report with respect to any other policies of this strategy which affect the proposed amendment.**
- I12. In considering an amendment to the land-use, Council shall hold a public hearing in accordance with the provisions of the Municipal Government Act.**

3.6 Development Agreements

A development agreement is, like traditional zoning, a tool for implementing a Municipal Planning Strategy, but unlike it, an approach which provides flexibility although not at the expense of adequate controls. A development agreement is a formal written agreement between a council and a developer and as such is binding on both those involved. As provided for under the Municipal Government Act, where a Council intends to regulate development by Development Agreement, a Municipal Planning Strategy is required to have policy with regard to the following three matters: (1) the types of developments and the areas in which those developments shall be considered by development agreement, (2) those matters which the Council shall consider prior to entering into a development, (3) those matters which may form a part of the development agreement.

- I13. It shall be the intent of Council that the following uses shall only be considered by development agreement and that this shall only be within the designations indicated:**
- (a) home occupations in any zone or designation in dwellings fronting on Main Street, Commercial Street or Bridge Street (Policy H12);**

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- (b) Business District uses of greater than 465 sq. metres (5,005 sq. ft.) in the Manufacturing and Industry designation (Policy C3 and M2);
 - (c) High density residential developments (greater than 10 dwelling units/gross acre), in the Highway Commercial designation on properties abutting the west side of Brooklyn Street (Policy C19);
 - (d) Multiple unit dwellings and rowhousing containing more than three (3) units, rooming and boarding houses and grouped dwellings in the Residential (R) Zone by Development Agreement (Policy H8, H10, H13).
 - (e) Professional Offices, accessory residential dwelling units within existing buildings and new multiple unit residential structures at 474 Main Street (PID 05267836) pursuant to Policy C20.

I14. In considering entering into a development agreement, the Council shall have regard for those matters identified in Policy I-16 as well as those criteria set out in other applicable policies of the strategy.

I15. It shall be the intention of Council that a development agreement made pursuant to the Municipal Government Act may contain such terms and conditions that it feels necessary to ensure that the development agreement is consistent with the policies of this Strategy, to this end, the agreement may include, but is not limited to, some or all of the following:

- (a) The specific use and size of the structure, either new or an expansion of an existing structure;
- (b) The location of any structure within a development;
- (c) The percentage of land that may be built upon and the size of yards, courts or other open spaces;
- (d) The maximum density of the population within the development;
- (e) The architectural design or external appearance of structure, in particular its compatibility with adjacent structures;
- (f) The provision of services and utilities;
- (g) Traffic generation, ingress to and egress from the site to abutting streets and parking;

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- (h) **The landscaping or buffering of developments which may include fencing, walkways and outdoor lighting;**
 - (i) **Alteration of land levels;**
 - (j) **Open storage;**
 - (k) **Public display of advertising;**
 - (l) **Any other similar matter that may be addressed in a Land-Use By-law which Council feels is necessary to ensure to general compatibility of the use and structure with adjacent areas.**

3.7 Criteria for Amendment to the Land Use By-law and Evaluation of Proposals for Development Agreements

Zoning and Development Agreements are mechanisms for implementing land use aspects of Municipal Planning Strategies (MPS). As such they must be in conformity with the MPS. An Amendment to a Land Use By-law or entering into a Development Agreement can have a significant impact on fiscal, land use and other matters in the Town. With this in mind, the Municipal Government Act provides that a Municipal Planning Strategy contain the criteria to be used by council when considering an amendment to a Land Use By-law or entering into a Development Agreement.

I16. In considering amendments to the zoning in the by-law or, entering into development agreements, in addition to all other criteria as set out in various policies of this planning strategy, Council shall have regard for the following matters:

That the proposal is in conformance with the intents of this Strategy and with the requirements of all other Town By-laws and regulations;

- (a) **That the proposal is not premature or inappropriate by reason of:**
 - (i) **the financial capability of the Town to absorb any costs relating to the development;**

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- (ii) the adequacy of sewer and groundwater to support the proposed density of development;
 - (iii) the adequacy and proximity of school, recreation and other community facilities;
 - (iv) the adequacy of road networks adjacent to, or leading to the development;
 - (v) the potential for the contamination of water courses or the creation of erosion or sedimentation;
 - (vi) stored water capacity for fire protection;
 - (vii) the potential for damage to or destruction of historical buildings and sites.
 - (b) That controls are contained in a Land Use By-Law or a development agreement so as to reduce conflict between the development and any other adjacent or nearby land use by reason of :
 - (i) type of use;
 - (ii) emissions including air and water pollutants and noise;
 - (iii) height, bulk, and lot coverage of the proposed building;
 - (iv) traffic generation, access to and egress from the site, and parking;
 - (v) open storage;
 - (vi) signs;
 - (vii) similar matters of planning concern.

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- (c) **Suitability and development costs of the proposed site in terms of steepness of grades, soil and geological conditions, marshes, swamps, or bogs and proximity of highway ramps, railway rights-of-way and other nuisance factors.**
 - (d) **Provision is made for buffering, landscaping, screening and access control to reduce potential incompatibility with adjacent land uses and traffic.**
 - (e) **Development is located so as not to obstruct any natural drainage channels or watercourses.**

3.8 Subdivision Control

The Town of Middleton presently has Subdivision Regulations which were put in place in June 1966. As well there is a Subdivision By-law which has been in effect since that date and amended to 1987.

Pursuant to the provisions of the Municipal Government Act, the province prescribed Provincial Subdivision Regulations. A new Subdivision By-law for the Town of Middleton should be considered.

I17. It shall be the intent of Council to review the existing Subdivision By-law for the Town of Middleton to bring it into conformity with the provisions of the Municipal Government Act, the Municipal Planning Strategy, the Land Use By-law and the Provincial Subdivision Regulations.

3.9 Development Officer

I18. In accordance with Sections 243 (1) and 243 (2) of the Municipal Government Act it shall be the intention of Council to appoint a development officer who shall administer the Land Use By-law and Subdivision By-law and as such shall be responsible for the granting of development permits and approvals of plans of subdivision.

3.10 Building By-law

- I19 It shall be the intent of Council to administer the Building By-law and update it as warranted in order to effectively regulate the safety and structural sufficiency of buildings in the Town.**

3.11 Sewer By-law

- I20 It shall be the intent of Council to administer the Sewer By-law and update as required in order to clearly define the responsibilities of the user and effectively regulate the type, strength and volume of effluent discharged.**

3.12 Unsightly Premises By-law

- I21 It shall be the intent of Council to maintain properties in the Town by applying the relevant sections of the Municipal Government Act to deal with unsightly premises.**

3.13 Capital Program

In addition to controlling private development Council may undertake programs of its own to encourage development in certain areas, to enhance, improve, or protect the environment of the Town, or to provide a greater range of social, recreation, cultural or educational facilities and activities. It is one purpose of this Strategy to aid in establishing such programs.

- I22 It shall be the intent of Council to incorporate policies and provisions of this Strategy into the Capital Budget and the five year Capital Program of the Town to the greatest extent possible, with the goal of eventual integration of planning, capital programming, and budgeting.**
- I23 To assist in co-ordinating planning and budgeting, it shall be the intent of Council to have the Planning Advisory Committee report to the Finance Committee of Council prior to the approval of the annual Capital Budget. This report shall include a review of the Budget proposal with respect to the policies contained in the Municipal Planning Strategy.**

MAPS