



NOTICE OF ADOPTION

AMENDMENTS TO THE LAND USE BYLAW – REZONING

Second reading and adoption of amendments to Schedule A of the Land Use Bylaw for the Municipality of Cumberland took place on Wednesday, May 29th, 2024. The purpose of these amendment is to change the zonings of:

Personal Service Shops permitted operation within the Institutional (I) Zone.

PID 25369026, 189 Main St., Springhill from Lower Density Residential (RLow) to Multi-Unit Residential (RMul).

PID 25273434, 121 Main St., Parrsboro from Commercial Downtown (CDwn) to Commercial Mixed Use (CMix).

These amendments to the Land Use By-Law is in effect as of the date of this publication. Appeals may be submitted within 14 days to the Nova Scotia Utility and Review Board. Copies of amendment documents can be viewed online at plancumberland.ca/hearings or by contacting our office at 902-667-2313.



CUMBERLAND COUNCIL

RFD#

Date: May 22, 2024

TO: Mayor and Council
FROM: Glen Boone, Director of Development and Planning
DATE: April 24th, 2024
SUBJECT: **Second Reading for amendment to Land Use Bylaw to rezone PID 25369026, 189 Main St, Springhill**

ORIGIN: On March 8, 2024, Planning staff received an application to rezone the property at 189 Main St Springhill - PID 25369026 (the “subject property”) From Lower Density Residential to Multi-Unit Residential.

PID	Current Zone	Current Use	Proposed Zone	Proposed Use
25369026	Lower Density Residential (RLow)	Single unit dwelling	Multi-Unit Residential (RMul)	Multi-unit residential

LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

Municipal Planning Strategy Policy 5-9:

Council shall consider proposals to rezone lands in the Residential Designation to any other zone permitted in that designation. Council shall not approve such a rezoning unless Council is satisfied;

- (a) The proposed change is not prohibited by any other policy in this plan
- (b) The purpose of the proposed zone, as described in respective policy creating that zone, is consistent with the location and characteristics of the lands and with the proposed use of the lands;
- (c) The proposal meets the general criteria for amending the Land Use By-Law, set out in Policy 6-19

***Full policy review included in attachments*

Report prepared by: Kira Norgren, Municipal Planner

Report and Financial approved by:



CUMBERLAND COUNCIL

RFD#

Date: May 22, 2024

BACKGROUND: The subject property is located on Main St, Springhill. The application is to rezone PID 25369026 to permit the development of two multi-unit dwellings and the future development of a multi-unit dwelling located on the remaining 34,650sqft of the land. The subject property is approximately 2.01 acres. The neighboring properties are zoned as Lower Density Residential (RLow).

Recommendation: That council approve the second reading of an amendment to the Land Use Bylaw, rezoning of PID 25369026 from Lower Density Residential to Multi-Unit Residential.

DISCUSSION: The subject property is currently designated as Lower Density Residential on Schedule A of the Municipal Planning Strategy (MPS). Rezoning the subject property to Multi-Unit Residential would allow the development of two multi-unit dwellings and a third potential multi-unit dwelling to be added to the property in the future.

FINANCIAL IMPLICATIONS: None specific to this matter.

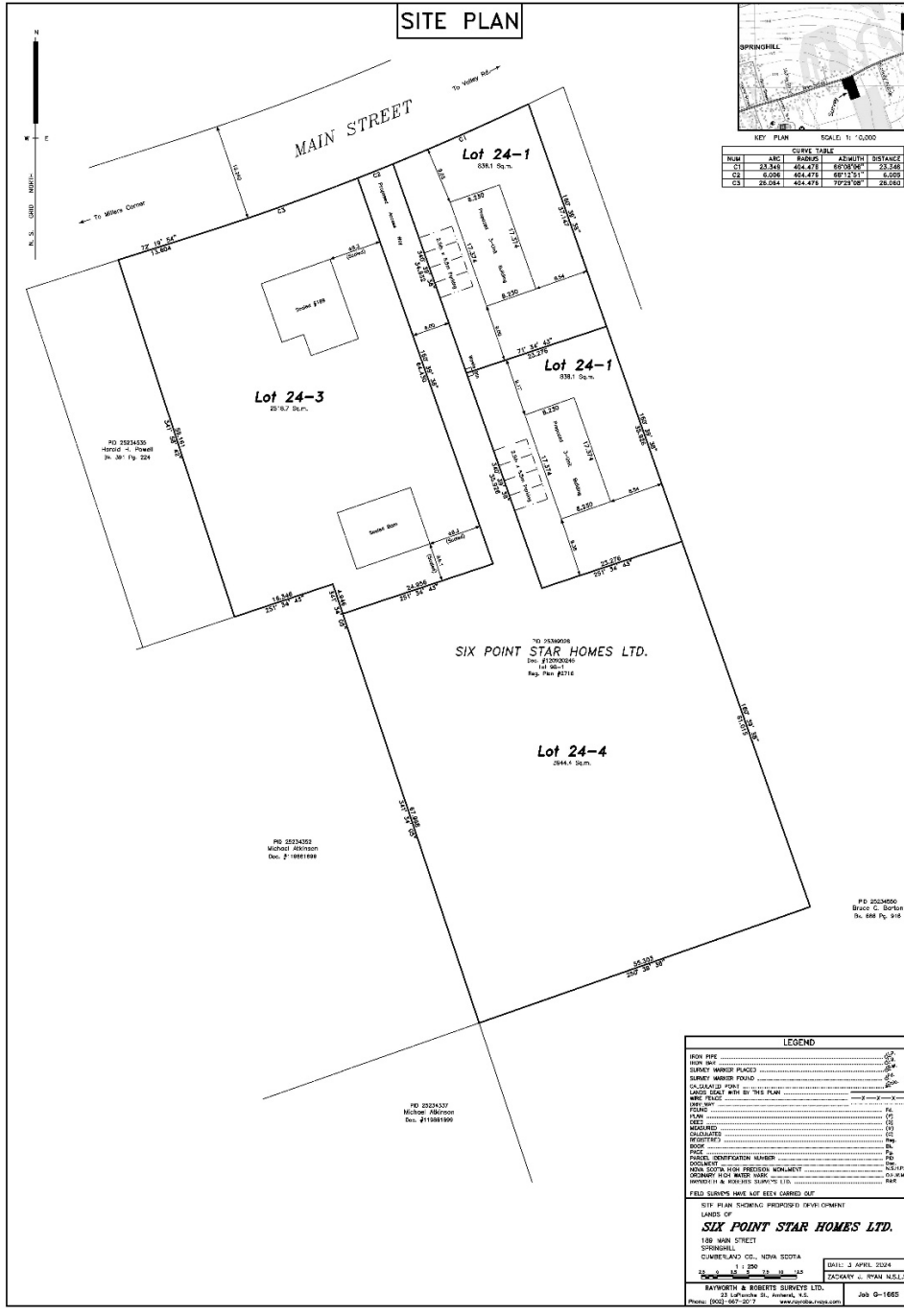
ENVIRONMENTAL IMPLICATIONS: None specific to this matter.

COMMUNITY ENGAGEMENT: A public hearing was held on the matter above on April 24, 2024. One resident spoke at this meeting to bring forward concerns regarding the increase in density and traffic implications of this proposal.

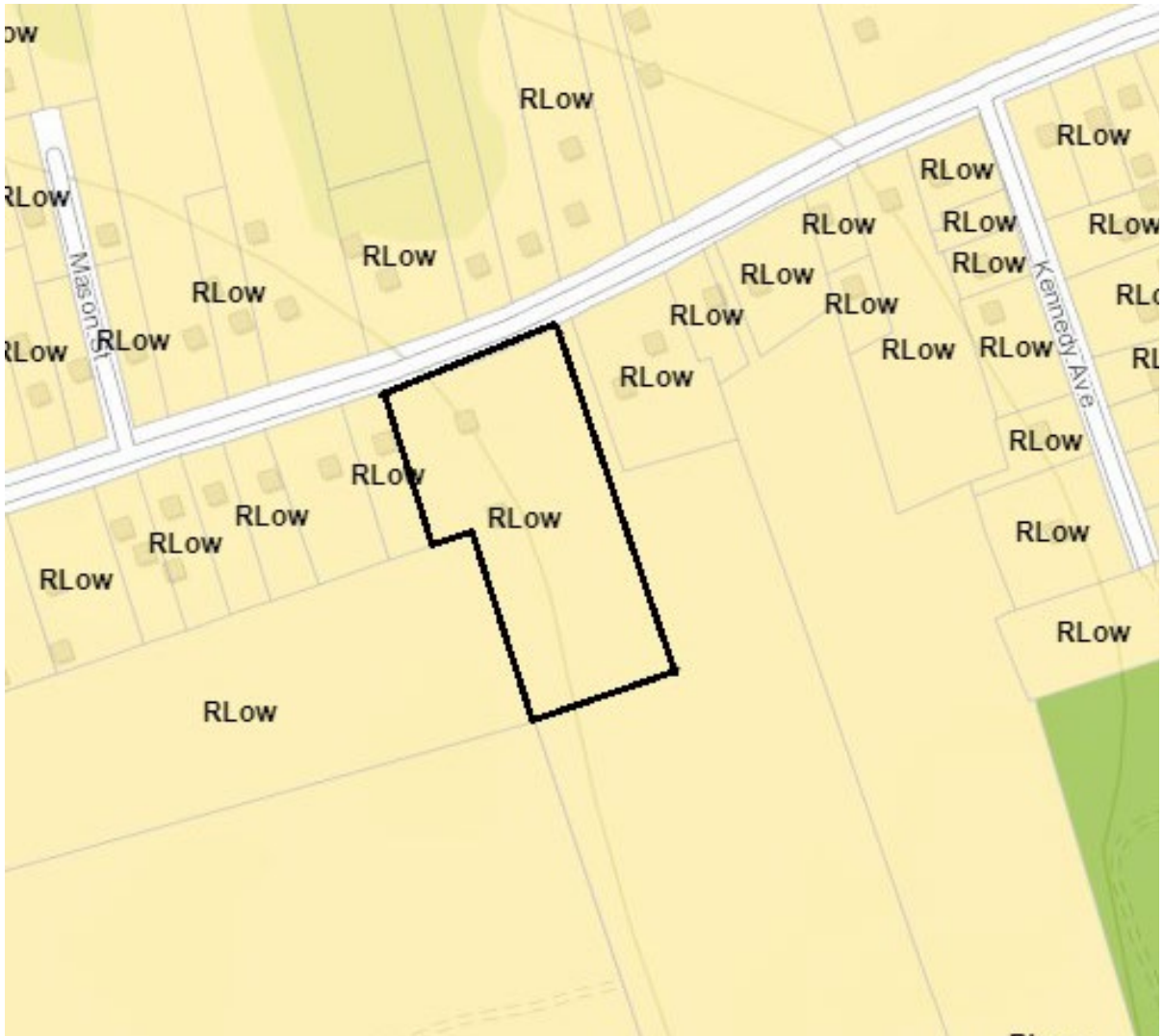
ALTERNATIVES: Council can defer the issue to a later date, request further information or reject the proposed amendment based on conflict with a policy in the Municipal Planning Strategy.

ATTACHMENTS: Site Plan and Zoning Map
Street View Images
Concept Plan and Elevations
Full Policy Review

Site Plan



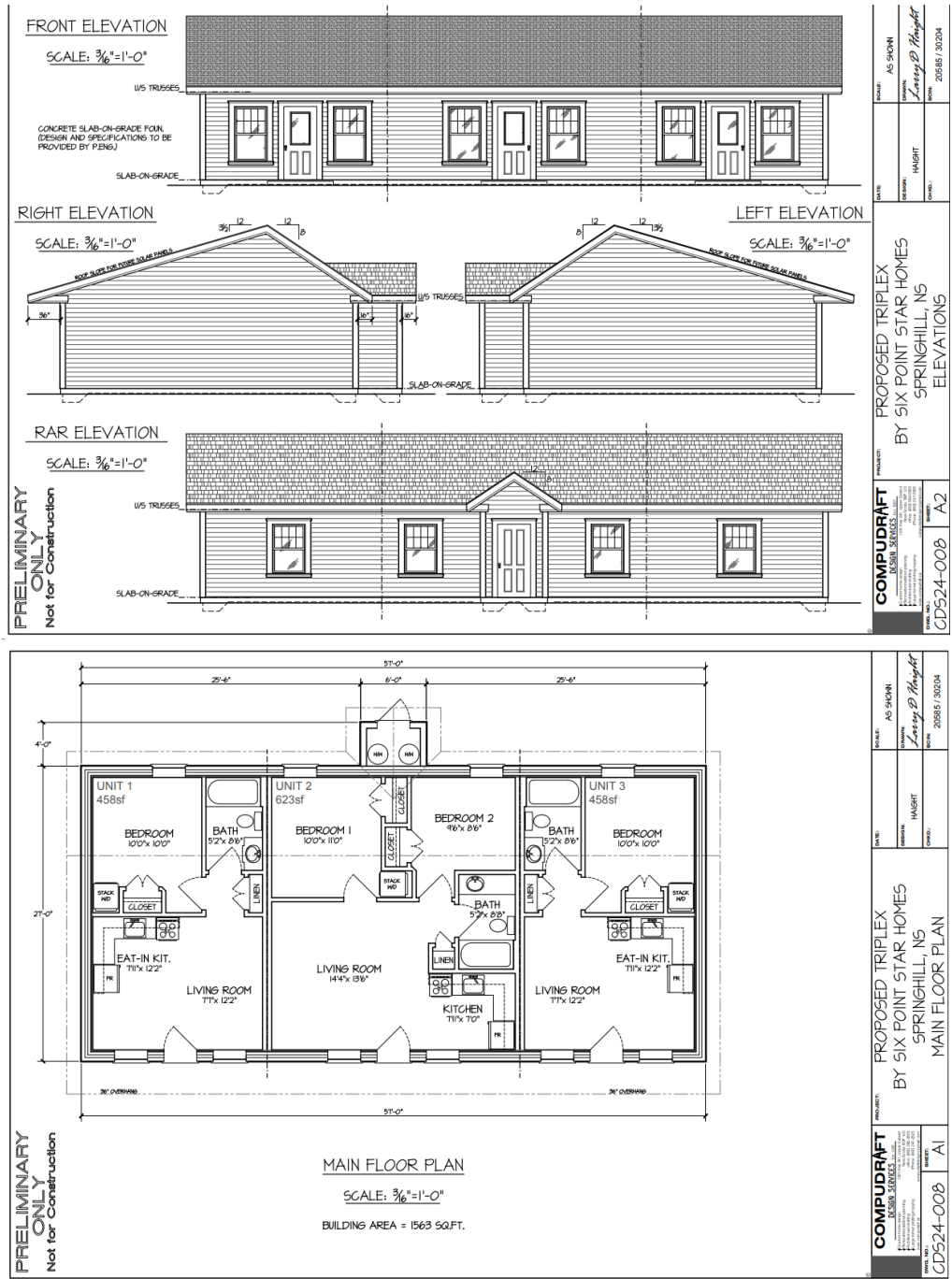
Report prepared by: Kira Norgren, Municipal Planner
Report and Financial approved by:



Street View Images:



Elevation and Concept Plans



DATE	AS SHOWN
DESIGNER	LARRY D. HIGHT
HAIGHT	2024.05.22
PROJECT	PROPOSED TRIPLEX BY SIX POINT STAR HOMES, SPRINGHILL, TN
PROJECT NO.	CD524-008
SCALE	A2

DATE	AS SHOWN
DESIGNER	LARRY D. HIGHT
HAIGHT	2024.05.22
PROJECT	PROPOSED TRIPLEX BY SIX POINT STAR HOMES, SPRINGHILL, TN
PROJECT NO.	CD524-008
SCALE	A1



Full Policy Review

The first three policies demonstrates the proposal is not suitable for the RLow zone (8.1.1) but is suitable for the RMul zone(8.2.1 and 8.2.2) in terms of intent and permitted uses.

<i>LUB 8.1.1 The Lower Density Residential Zone is intended to permit lower density residential development on serviced and unserviced lots in an urban setting.</i>	
Requirement	Comment
Low density residential development	The scale of this development is no suitable for the RLow zone.

<i>LUB 8.2.1 The Multi-Unit Residential Zone is intended to permit a higher density development on serviced and unserviced lots.</i>	
Requirement	Comment
Higher Density Development	The scale and nature of the development are suitable for the RMul zone

<i>LUB 8.2.2 The following uses shall be permitted in the Multi-Unit Residential Zone, subject to all applicable requirements of this bylaw</i>	
Requirement	Comment
(i) Multi-unit dwellings- 4 or fewer units on a lot	The proposed development is permitted as of right in the RMul zone as it is the proponent’s intent to subdivision the land after the rezoning is complete.

The next and final policy demonstrates that the proposal and rezoning application need the requirements for amending the Land Use Bylaw.

<i>MPS Policy 6-19 Council shall not amend the Land-Use Bylaw or approve a development agreement unless council is satisfied the proposal;</i>	
Requirements	Comment
Is consistent with the intent of the municipal planning strategy	Yes, the proposed rezoning and development both align with the policies in the MPS
Does not conflict with any municipal or provincial bylaws, programs, or regulations in effect in the municipality	No conflicts
Is not premature or inappropriate due to;	



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(i) the ability of the Municipality and/or Village (where applicable) to absorb public costs related to the proposal;	No public cost related to this proposal
(ii) impacts on existing drinking water supplies, both private and public;	No impacts on the drinking water supply created from this proposal
(iii) the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;	Water and sewage services are adequate for the scale of the proposal
(iv) the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;	No substantial changes to traffic or hazards for this proposal
(v) the adequacy of fire protection services and equipment;	No issues apparent
(vi) the adequacy and proximity of schools and other community facilities;	No issues apparent
(vii) the creation of a new, or worsening of a known, pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses.	No issues apparent
(viii) the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;	No issues apparent
(ix) impacts on sensitive environments, as identified on Schedule B;	No issues apparent
(x) impacts on wildlife corridors; [CHG-601]	No issues apparent
(xi) impacts on known habitat for species at risk;	No issues apparent
(xii) risks presented by geohazards; [CHG-601]	No issues apparent
(xiii) 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;	No issues apparent
(xiv) negative impacts on the viability of existing businesses in	No issues apparent

Report prepared by: Kira Norgren, Municipal Planner

Report and Financial approved by:



NOTICE OF PUBLIC HEARING

AMENDMENTS TO THE LAND USE BYLAW – REZONING

A Public Hearing regarding amendments to Schedule A of the Land Use By-Law for the Municipality of Cumberland will be held at 4:00 pm, April 24th, 2024, in the Council Chambers of the Upper Nappan Service Centre. Note that this meeting may be rescheduled or conducted online, visit cumberlandcounty.ns.ca to verify meeting schedule. The purpose of these amendments is to change the zoning of:

PID 25369026, 189 Main Street, Springhill from Lower Density Residential (RLow) to Mutli-Unit Residential (RMul).

PID 25273434, 121 Main Street, Parrsboro from Downtown Commercial (CDwn) to Mixed Use Commercial (CMix).

Hearing documents can be viewed at plancumberland.ca/hearings or by contacting our office at 902-667-2313. Public Hearings are open to the public. You may participate by submitting comments by email to: Planning@cumberlandcounty.ns.ca or by mail to: Planning Dept, Upper Nappan Service Centre, 1395 Blair Lake Rd, Upper Nappan, NS B4H 3Y4. Written submissions to the Hearing must be received eight days before the Hearing.



CUMBERLAND COUNCIL

RFD#

Date: March 27th, 2024

TO: Mayor and Council

FROM: Glen Boone, Director of Planning and Development, Municipality of Cumberland

DATE: March 27th, 2024

SUBJECT: First Reading of amendment to Land Use Bylaw to rezone PID 225369026, 189 Main St, Springhill

ORIGIN: On March 8, 2024 Planning staff received an application to rezone the property at 189 Main St Springhill - PID 25369026 (the “subject property”) From Lower Density Residential to Multi-Unit Residential.

PID	Current Zone	Current Use	Proposed Zone	Proposed Use
225369026	Lower Density Residential (RLow)	Single unit dwelling	Multi-Unit Residential (RMul)	Multi-unit residential

LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

Municipal Planning Strategy Policy 5-4

Council shall, on Schedule A, the Future Land Use Map, designate as Residential Lands in serviced communities intended to give priority to residential development.

Municipal Planning Strategy Policy 5-7:

Council shall, in the Land Use Bylaw, establish the Multi-Unit Residential Zone, intended to permit higher density residential development on serviced and unserved lots in an urban setting. Zone standards shall provide flexibility for the location of dwellings and promote infill development, particularly.

Municipal Planning Strategy Policy 5-9:

Council shall consider proposals to rezone lands in the Residential Designation to any other zone permitted in that designation. Council shall not approve such a rezoning unless Council is satisfied;

Report prepared by: Kira Norgren, Municipal Planner

Report and Financial approved by:



CUMBERLAND COUNCIL

RFD#

Date: March 27th, 2024

- (a) The proposed change is not prohibited by any other policy in this plan*
- (b) The purpose of the proposed zone, as described in respective policy creating that zone, is consistent with the location and characteristics of the lands and with the proposed use of the lands;*
- (c) The proposal meets the general criteria for amending the Land Use By-Law, set out in Policy 6-19*

***Full policy review included in attachments*

RECOMMENDATION: That Council approve first reading of an amendment to the land use bylaw; rezoning PID 25369026 from Lower Density Residential (RLow) to Multi-Unit Residential (RMul) AND to schedule a Public Hearing for the proposed amendment.

BACKGROUND: The subject property is located on Main St, Springhill. The application is to rezone PID 25369026 to permit the development of two multi-unit dwellings and the future development of a multi-unit dwelling located on the remaining 34,650sqft of the land. The subject property is approximately 2.01 acres. The neighboring properties are zoned as Lower Density Residential (RLow).

DISCUSSION: The subject property is currently designated as Lower Density Residential on Schedule A of the Municipal Planning Strategy (MPS). Rezoning the subject property to Multi-Unit Residential would allow the development of two multi-unit dwellings and a third potential multi-unit dwelling to be added to the property in the future.

FINANCIAL IMPLICATIONS: None specific to this matter.

ENVIRONMENTAL IMPLICATIONS: None specific to this matter.

COMMUNITY ENGAGEMENT: If Council approves, a public hearing could be held on the above matter on April 17th, 2024. In accordance with MGA Section 206, notices will be placed in the Cumberland Wire, a locally circulated newspaper, for April 3rd and April 10th, 2024.

ALTERNATIVES: Council can defer the issue to a later date, request further information or reject the proposed amendment based on conflict with a policy in the Municipal Planning Strategy.

Report prepared by: Kira Norgren, Municipal Planner

Report and Financial approved by:

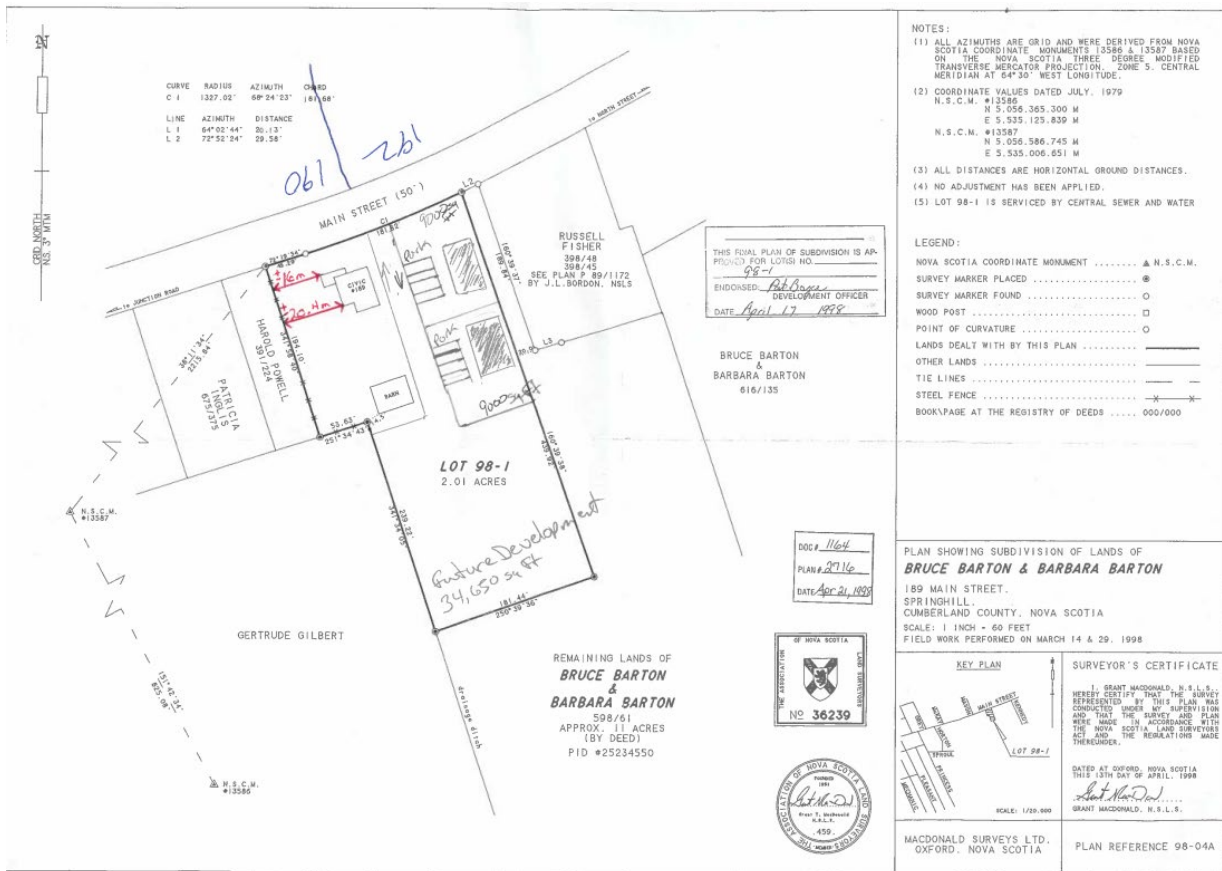


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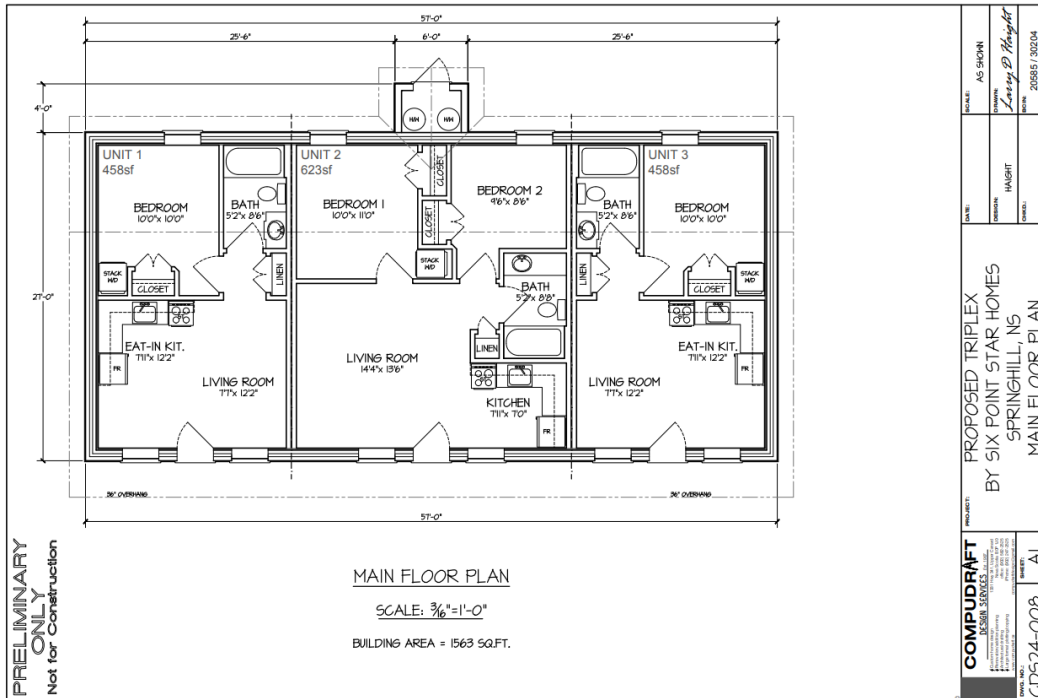
Date: March 27th, 2024

- ATTACHMENTS:** Site Plan
 Zoning Map
 Concept Plan and Elevations
 Full Policy Review



Report prepared by: Kira Norgren, Municipal Planner
 Report and Financial approved by:





The first three policies demonstrates the proposal is not suitable for the RLow zone (8.1.1) but is suitable for the RMul zone(8.2.1 and 8.2.2) in terms of intent and permitted uses.

<i>LUB 8.1.1 The Lower Density Residential Zone is intended to permit lower density residential development on serviced and unserviced lots in an urban setting.</i>	
Requirement	Comment
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Requirement	Comment
Higher Density Development	The scale and nature of the development are suitable for the RMul zone

<i>LUB 8.2.2 The following uses shall be permitted in the Multi-Unit Residential Zone, subject to all applicable requirements of this bylaw</i>	
Requirement	Comment
(i) Multi-unit dwellings- 4 or fewer units on a lot	The proposed development is permitted as of right in the RMul zone as it is the proponent's intent to subdivision the land after the rezoning is complete.

The next and final policy demonstrates that the proposal and rezoning application need the requirements for amending the Land Use Bylaw.

<i>MPS Policy 6-19 Council shall not amend the Land-Use Bylaw or approve a development agreement unless council is satisfied the proposal;</i>	
Requirements	Comment
Is consistent with the intent of the municipal planning strategy	Yes, the proposed rezoning and development both align with the policies in the MPS
Does not conflict with any municipal or provincial bylaws, programs, or regulations in effect in the municipality	No conflicts
Is not premature or inappropriate due to;	
(i) the ability of the Municipality and/or Village (where applicable) to absorb public costs related to the proposal;	No public cost related to this proposal
(ii) impacts on existing drinking water supplies, both private and public;	No impacts on the drinking water supply created from this proposal
(iii) the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;	Water and sewage services are adequate for the scale of the proposal

(iv)	the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;	No substantial changes to traffic or hazards for this proposal
(v)	the adequacy of fire protection services and equipment;	No issues apparent
(vi)	the adequacy and proximity of schools and other community facilities;	No issues apparent
(vii)	the creation of a new, or worsening of a known, pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses.	No issues apparent
(viii)	the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;	No issues apparent
(ix)	impacts on sensitive environments, as identified on Schedule B;	No issues apparent
(x)	impacts on wildlife corridors; [CHG-601]	No issues apparent
(xi)	impacts on known habitat for species at risk;	No issues apparent
(xii)	risks presented by geohazards; [CHG-601]	No issues apparent
(xiii)	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;	No issues apparent
(xiv)	negative impacts on the viability of existing businesses in	No issues apparent