



Notice of Approval:

Second reading and adoption of the By-law to Amend the Land Use By-law 24-04, 24-05, 24-06, 24-07, and Bylaw to Amend the Municipal Planning Strategy 24-03 took place on Wednesday, August 21st, 2024. The purpose of the adopted bylaws are;

Bylaw to Amend the Land Use Bylaw 24-04

Rezone PID 25184144, 2019 HWY 307, Middleboro from Agriculture (AG) Zone to Country Residential (RCou)

Bylaw to Amend the Land Use Bylaw 24-05

Rezone PID 25510272 and 25331612, 496 Fox Point Road from Agriculture (AG) Zone to Country Commercial (CCou) Zone

Bylaw to Amend the Land Use Bylaw 24-06

Rezone PID 25115965, 2852 Hwy 366, Linden from Agriculture (AG) Zone to Country Residential (RCou)

Bylaw to Amend the Municipal Planning Strategy 24-03

Add clause 6-24 to Section 6, requiring new planning applications and MPS amendments to follow the Public Participation Process.

Any aggrieved person, the Provincial Director of Planning, or the Council of any adjoining municipality may, within fourteen days of the publishing of this notice, appeal to the Nova Scotia Utility and Review Board (1-855-442-4448 / board@novascotia.ca) in accordance with the provision of the municipal government act.



COUNCIL

RFD

Date: August 21, 2024

TO: Mayor and Council
FROM: Glen Boone, Director of Development and Planning
DATE: August 13, 2024
SUBJECT: **Second Reading of Bylaw to Amend the Land Use Bylaw and to Schedule A to rezone PIDs 25510272 & 25331612, 496 Fox Point Rd., Parrsboro**

ORIGIN: Planning staff received an application to rezone at 496 Fox Point Rd (PID 25510272) Parrsboro (“the Subject Property”) from Agriculture (AG) Zone to Country Commercial (CCou) Zone to permit the expansion of Fox Point Inn, adding up to eight grouped dwellings/tiny homes.

PID	Current Zone	Current Use	Proposed Zone	Proposed Use
25510272 & 25331612	Agricultural (AG)	Inn	Country Commercial (CCou)	Inn expansion

LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

Municipal Planning Strategy Policy 5-35

Council Shall Consider proposals to rezone lands in the Resource Designation to any other zone permitted in that designation. Council shall not approve such a rezoning unless Council is satisfied:

- (a) if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104;
- (b) the proposed change is not prohibited by any other policy in this Plan;
- (c) the purpose of the proposed zone, as described in the respective policy creating that zone, is consistent with the location and characteristics of the lands and with the proposed use of the lands; and
 - a. the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards; and
- (d) the proposal meets the general criteria for amending the Land Use By-law, set out in Policy 6-19.

*** See attachment D for full policy review.

RECOMMENDATION: THAT Council approve second reading of the Bylaw to Amend the Land Use Bylaw 24-05 and to Schedule A to rezone PID 25510272 and PID 25331612 from Agriculture (AG) Zone to Country Commercial (CCou) Zone.



COUNCIL

RFD

Date: August 21, 2024

BACKGROUND: The subject property is on Fox Point Road, in Parrsboro. The subject property is approximately 6.5 acres. Currently, there is an existing inn called Fox Point Inn, a barn, and a single unit dwelling on the property.

The applicant owns Fox Point Inn and proposes to expand the inn to create eight cottage style mini homes. The applicant intends to use the tiny homes as short-term rental properties, designated for aging populations. The proposal consists of the 8 single dwelling units, pedestrian footpaths, 2 car parking areas for each unit, and a new park area.

DISCUSSION: The subject property is zoned as Agriculture (AG) Zone on Schedule A of the Land Use Bylaw. Currently, the Agriculture (AG) Zone does not permit the development of grouped dwellings. Rezoning the subject property to Country Commercial (CCou) Zone would allow for the development of grouped dwellings.

FINANCIAL IMPLICATIONS: None specific to this matter.

ENVIRONMENTAL IMPLICATIONS: Prior to issuing permits for this development, review and approval from the Nova Scotia Department of Environment is required for the intended on-site septic system, designed by a Qualified Person (Level 2).

COMMUNITY ENGAGEMENT: A public hearing was held for the proposed amendment on July 24, 2024 through a posting on the Cumberland County Municipal website, two weeks prior to the scheduled date. Further notification to the public was provided through an advertisement placed in the Casket, a locally circulating newspaper, for July 17, 2024. Staff received one comment from the public, a neighbour reached out to staff expressing her interest in speaking at the Public Hearing, however due to time constraints, she was not able to submit a written statement to Council. During her conversation, she expressed her concern regarding the scale of development and her ability to maintain her right of way. The Right of Way is registered on title and therefore protected. The site plan indicates a buffer from adjacent properties to the satisfaction of staff in review of policy.

ALTERNATIVES: Council may 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:

Attachment A: Zoning Map

Attachment B: Site Plan

Attachment C: Street and Aerial Images

Attachment D: Proposed Unit Floor Plans

Attachment E: Full Policy Review



CUMBERLAND COUNCIL

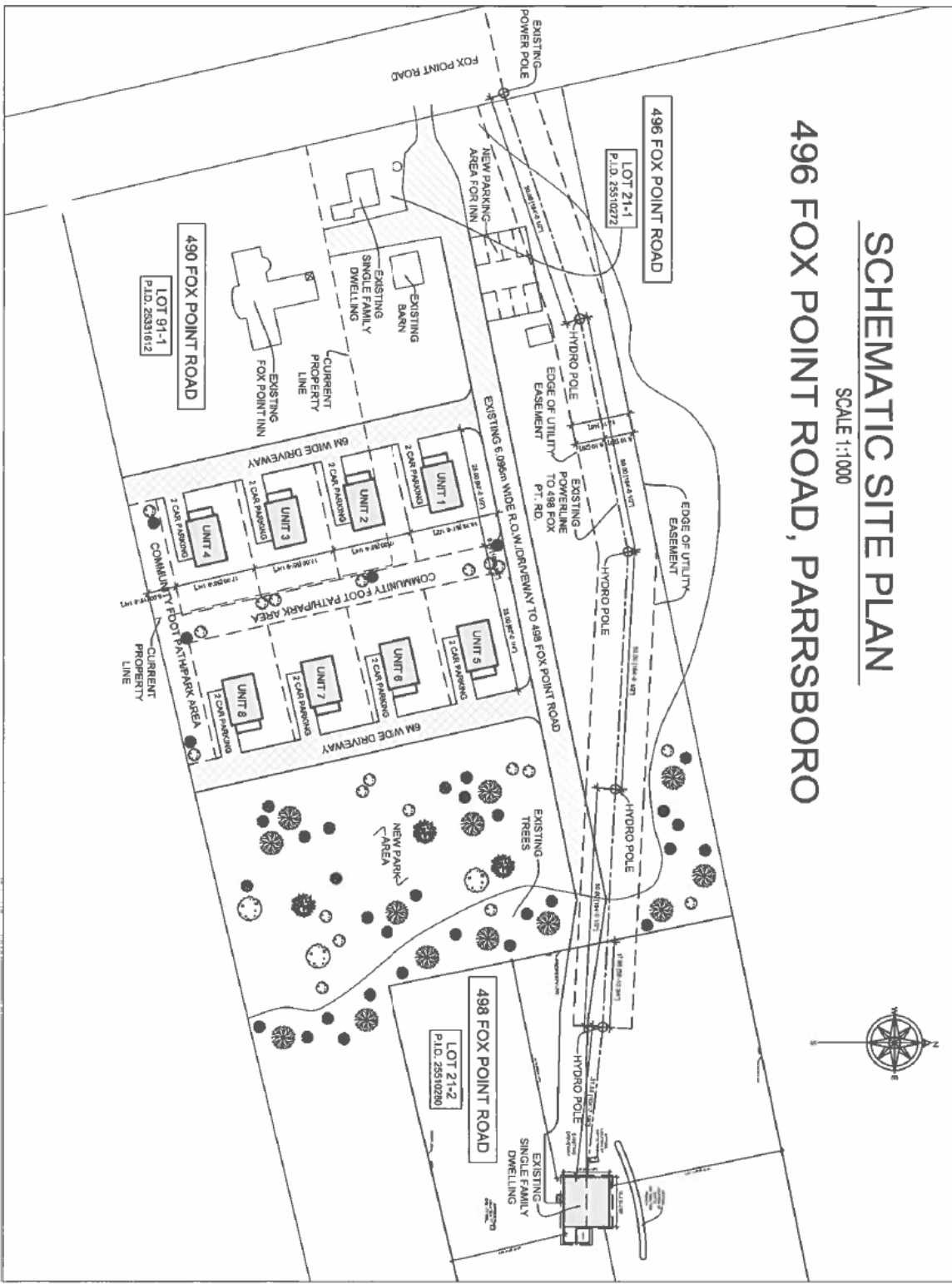
RFD#

Date: August 21, 2024

Attachment A: Zoning Map



Attachment B: Site Plan



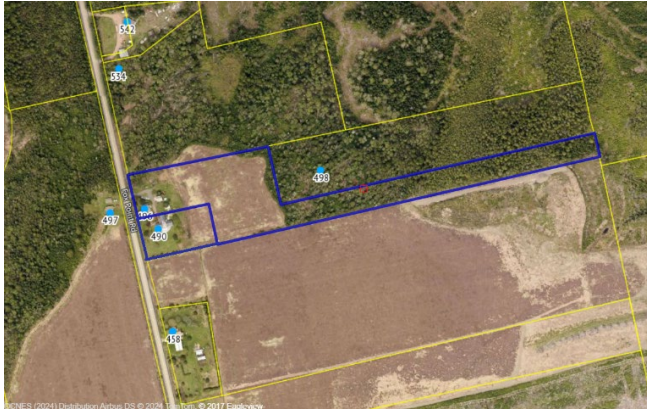


CUMBERLAND COUNCIL

RFD#

Date: August 21, 2024

Attachment C: Street and Aerial Images





CUMBERLAND COUNCIL

RFD#

Date: June 26, 2024

Attachment E: Full Policy Review

MPS 5-25: Council shall, in the Land Use By-law, establish the Agriculture Zone, intended to prioritize agricultural activities and to reduce the non-agricultural development and fragmentation of productive agricultural lands. Permitted uses shall include those associated with resource extraction and processing, commercial livestock operations and abattoirs, community facilities, and limited residential uses. Zone standards shall accommodate the needs of agricultural uses and discourage the creation of residential and commercial subdivisions and shall prohibit dwellings on flag lots.

Comment

The land is not currently be used for agricultural purposes. Not only does the current land use not align with the intent of the agricultural zone, but the proposed use does not align with the intended use for Agriculturally Zoned lands.

*MPS 5-24: Council shall, on the zoning map of the Land Use By-law, permit the following zones within the Resource Designation:
 (a) Agriculture Zone
 (c) Country Commercial Zone*

Comment:

Both the current zone, Agricultural (AG) Zone, and the proposed zone, Country Commercial (CCou) Zone, are both under the Resource Designation, permitting the rezoning, notwithstanding policy 5-35 and policy 6-19,

MPS 5-35 Council shall consider proposals to rezone lands in the Resource Designation to any other zone permitted in that designation. Council shall not approve such a rezoning unless Council is satisfied:

Requirement	Comment
(a) If the proposed zone is Highway Commercial Zone, the lands are located at an interchange of Highway 104	N/A
(b) The proposed change is not prohibited by any other policy in this plan.	No
(c) The purpose of the proposed zone, as described in the respective policy creating that zone, is consistent with the characteristics of the lands and with the proposed use of the lands.	See the policy analysis above
(cA) The proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards	No identified impacts on the wildlife corridor, or karst concerns.
(d) The proposal meets the general criteria for amending the Land Use Bylaw, set out in Policy 6-19.	See analysis for policy 6-19 below.



CUMBERLAND COUNCIL

RFD#

Date: June 26, 2024

<i>Policy 6-19: Council shall not amend the Land Use By-law or approve a development agreement unless Council is satisfied the proposal:</i>	
Requirement:	Comment:
<i>(a) is consistent with the intent of this Municipal Planning Strategy;</i>	Yes
<i>(b) does not conflict with any Municipal or Provincial programs, by-laws, or regulations in effect in the municipality;</i>	No conflicts
<i>(c) is not premature or inappropriate due to:</i>	
<i>(i) the ability of the Municipality and/or Village (where applicable) to absorb public costs related to the proposal;</i>	No public costs associated with this proposal
<i>(ii) impacts on existing drinking water supplies, both private and public;</i>	No impacts
<i>(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;</i>	N/A
<i>(iv) the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;</i>	Not impacts on transportation and traffic
<i>(v) the adequacy of fire protection services and equipment;</i>	N/A
<i>(vi) the adequacy and proximity of schools and other community facilities;</i>	N/A
<i>(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;</i>	No known pollution problems created
<i>(viii) the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;</i>	No identified drainage issues
<i>(ix) impacts on sensitive environments, as identified on Schedule B;</i>	No impacts
<i>(ixA) impacts on wildlife corridors; [CHG-601]</i>	No impacts
<i>(x) impacts on known habitat for species at risk;</i>	No impacts
<i>(xA) risks presented by geohazards; [CHG-601]</i>	No identified risks
<i>(xi) 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; and</i>	Site is suitable for proposed development.
<i>(xii) negative impacts on the viability of existing businesses in the surrounding community, including, but not limited to, the risk of land use conflicts that could place limits on existing operational procedures.</i>	No negative impacts identified

NOTICE OF PUBLIC HEARING

Details

📅 Published: 10 July 2024

A Public Hearing regarding the By-law to Amend the Municipal Planning Strategy 24-03 and By-law to Amend the Land Use By-law 24-04, 24-05, 24-06 and to Schedule A of the LUB for the Municipality of Cumberland will be held at

4:00 pm, Wednesday, July 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.

By-law to Amend the Municipal Planning Strategy 24-03

- Add clause 6-24 to Section 6, requiring new planning applications and MPS amendments to follow the Public Participation Policy.

By-law to Amend the Land Use By-law 24-04

- Rezone PID 25184144, 2019 Hwy -307, Middleboro from Agriculture (AG) Zone to Country Residential (RCou) Zone.

By-law to Amend the Land Use By-law 24-05

- **Rezone PID 25510272 and 25331612, 496 Fox Point Road from Agriculture (AG) Zone to Country Commercial (CCou) Zone.**

By-law to Amend the Land Use By-law 24-06

- **Rezone PID 25115965, 2852 Hwy 366, Linden from Agriculture (AG) Zone to the Country Residential (RCou) Zone.**

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.



COUNCIL

RFD

Date: August 21, 2024

TO: Mayor and Council
FROM: Glen Boone, Director of Development and Planning
DATE: August 21, 2024
SUBJECT: **Second Reading of Bylaw to Amend the Land Use Bylaw and to Schedule A to rezone PIDs 25510272 & 25331612, 496 Fox Point Rd., Parrsboro**

ORIGIN: Planning staff received an application to rezone at 496 Fox Point Rd (PID 25510272) Parrsboro (“the Subject Property”) from Agriculture (AG) Zone to Country Commercial (CCou) Zone to permit the expansion of Fox Point Inn, adding up to eight grouped dwellings/tiny homes.

PID	Current Zone	Current Use	Proposed Zone	Proposed Use
25510272 & 25331612	Agricultural (AG)	Inn	Country Commercial (CCou)	Inn expansion

LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

Municipal Planning Strategy Policy 5-35

Council Shall Consider proposals to rezone lands in the Resource Designation to any other zone permitted in that designation. Council shall not approve such a rezoning unless Council is satisfied:

- (a) if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104;
- (b) the proposed change is not prohibited by any other policy in this Plan;
- (c) the purpose of the proposed zone, as described in the respective policy creating that zone, is consistent with the location and characteristics of the lands and with the proposed use of the lands; and
 - a. the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards; and
- (d) the proposal meets the general criteria for amending the Land Use By-law, set out in Policy 6-19.

*** See attachment D for full policy review.

RECOMMENDATION: That the Council approve first reading of the proposed amendment to rezone PID 25510272 and PID 25331612 from Agriculture (AG) Zone to Country Commercial (CCou) Zone.



COUNCIL

RFD

Date: August 21, 2024

BACKGROUND: The subject property is on Fox Point Road, in Parrsboro. The subject property is approximately 6.5 acres. Currently, there is an existing inn called Fox Point Inn, a barn, and a single unit dwelling on the property.

The applicant owns Fox Point Inn and proposes to expand the inn to create eight cottage style mini homes. The applicant intends to use the tiny homes as short-term rental properties, designated for aging populations. The proposal consists of the 8 single dwelling units, pedestrian footpaths, 2 car parking areas for each unit, and a new park area.

DISCUSSION: The subject property is zoned as Agriculture (AG) Zone on Schedule A of the Land Use Bylaw. Currently, the Agriculture (AG) Zone does not permit the development of grouped dwellings. Rezoning the subject property to Country Commercial (CCou) Zone would allow for the development of grouped dwellings.

FINANCIAL IMPLICATIONS: None specific to this matter.

ENVIRONMENTAL IMPLICATIONS: None specific to this matter.

COMMUNITY ENGAGEMENT: Notification regarding this public hearing was provided to the public on July 10, 2024, through the Cumberland County Municipal Website, in conformance with section 204 of the MGA. Notification was also provided through PlanCumberland.ca and Municipally operated social media accounts. Further notification to the public was provided through an advertisement placed in the Casket, a locally circulating newspaper, for July 17, 2024 and the posting of a physical "Planning Notice" sign on the property. Staff received one comment from the public, a neighbour reached out to staff expressing her interest in speaking at the Public Hearing, however due to time constraints, she was not able to submit a written statement to Council. During her conversation, she expressed her concern regarding the scale of development and her ability to maintain her right of way.

ALTERNATIVES: Council may 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:

Attachment A: Zoning Map

Attachment B: Site Plan

Attachment C: Street and Aerial Images

Attachment D: Proposed Unit Floor Plans

Attachment E: Full Policy Review

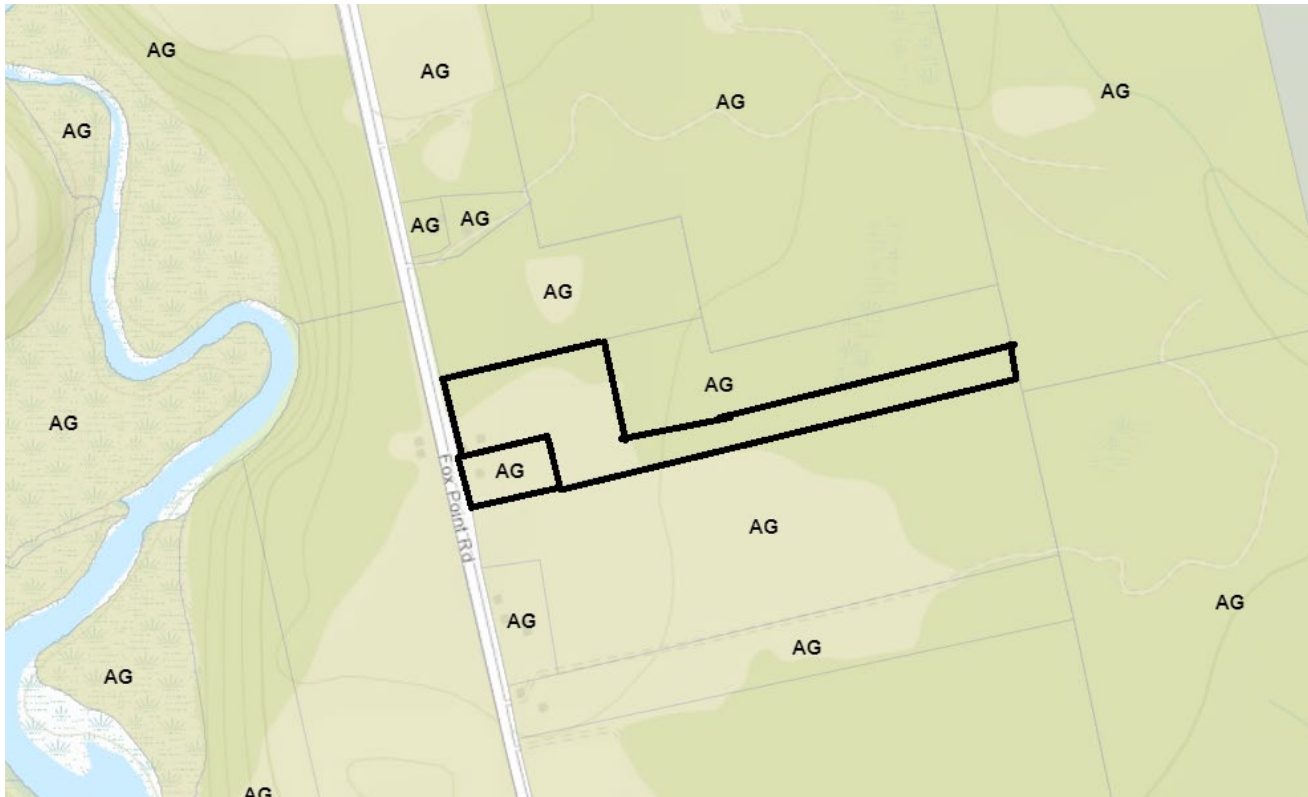


CUMBERLAND COUNCIL

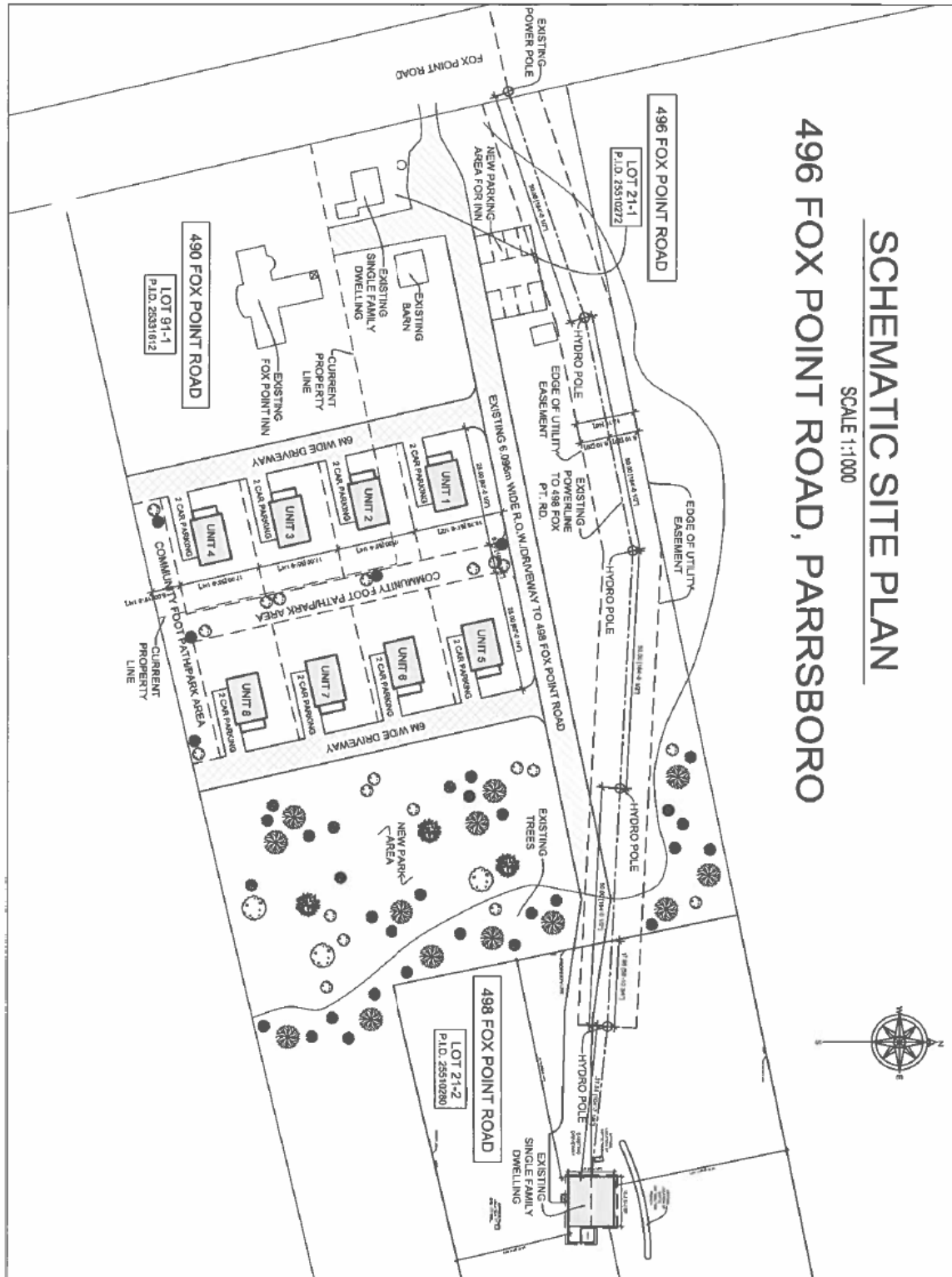
RFD#

Date: June 26, 2024

Attachment A: Zoning Map



Attachment B: Site Plan



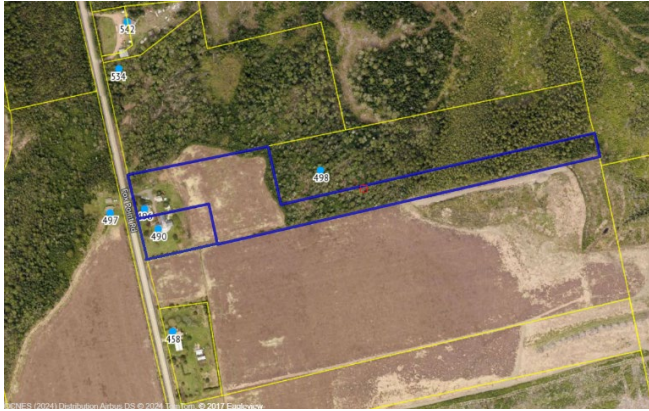


CUMBERLAND COUNCIL

RFD#

Date: June 26, 2024

Attachment C: Street and Aerial Images





CUMBERLAND COUNCIL

RFD#

Date: June 26, 2024

Attachment E: Full Policy Review

MPS 5-25: Council shall, in the Land Use By-law, establish the Agriculture Zone, intended to prioritize agricultural activities and to reduce the non-agricultural development and fragmentation of productive agricultural lands. Permitted uses shall include those associated with resource extraction and processing, commercial livestock operations and abattoirs, community facilities, and limited residential uses. Zone standards shall accommodate the needs of agricultural uses and discourage the creation of residential and commercial subdivisions and shall prohibit dwellings on flag lots.

Comment
 The land is not currently be used for agricultural purposes. Not only does the current land use not align with the intent of the agricultural zone, but the proposed use does not align with the intended use for Agriculturally Zoned lands.

*MPS 5-24: Council shall, on the zoning map of the Land Use By-law, permit the following zones within the Resource Designation:
 (a) Agriculture Zone
 (c) Country Commercial Zone*

Comment:
 Both the current zone, Agricultural (AG) Zone, and the proposed zone, Country Commercial (CCou) Zone, are both under the Resource Designation, permitting the rezoning, notwithstanding policy 5-35 and policy 6-19,

MPS 5-35 Council shall consider proposals to rezone lands in the Resource Designation to any other zone permitted in that designation. Council shall not approve such a rezoning unless Council is satisfied:

Requirement	Comment
(a) If the proposed zone is Highway Commercial Zone, the lands are located at an interchange of Highway 104	N/A
(b) The proposed change is not prohibited by any other policy in this plan.	No
(c) The purpose of the proposed zone, as described in the respective policy creating that zone, is consistent with the characteristics of the lands and with the proposed use of the lands.	See the policy analysis above
(cA) The proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards	No identified impacts on the wildlife corridor, or karst concerns.
(d) The proposal meets the general criteria for amending the Land Use Bylaw, set out in Policy 6-19.	See analysis for policy 6-19 below.



CUMBERLAND COUNCIL

RFD#

Date: June 26, 2024

<i>Policy 6-19: Council shall not amend the Land Use By-law or approve a development agreement unless Council is satisfied the proposal:</i>	
Requirement:	Comment:
<i>(a) is consistent with the intent of this Municipal Planning Strategy;</i>	Yes
<i>(b) does not conflict with any Municipal or Provincial programs, by-laws, or regulations in effect in the municipality;</i>	No conflicts
<i>(c) is not premature or inappropriate due to:</i>	
<i>(i) the ability of the Municipality and/or Village (where applicable) to absorb public costs related to the proposal;</i>	No public costs associated with this proposal
<i>(ii) impacts on existing drinking water supplies, both private and public;</i>	No impacts
<i>(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;</i>	N/A
<i>(iv) the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;</i>	Not impacts on transportation and traffic
<i>(v) the adequacy of fire protection services and equipment;</i>	N/A
<i>(vi) the adequacy and proximity of schools and other community facilities;</i>	N/A
<i>(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;</i>	No known pollution problems created
<i>(viii) the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;</i>	No identified drainage issues
<i>(ix) impacts on sensitive environments, as identified on Schedule B;</i>	No impacts
<i>(ixA) impacts on wildlife corridors; [CHG-601]</i>	No impacts
<i>(x) impacts on known habitat for species at risk;</i>	No impacts
<i>(xA) risks presented by geohazards; [CHG-601]</i>	No identified risks
<i>(xi) 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; and</i>	Site is suitable for proposed development.
<i>(xii) negative impacts on the viability of existing businesses in the surrounding community, including, but not limited to, the risk of land use conflicts that could place limits on existing operational procedures.</i>	No negative impacts identified



CUMBERLAND COUNCIL

RFD#

Date: June 26, 2024

TO: Mayor and Council
FROM: Glen Boone, Director of Development and Planning
DATE: June 26, 2024
SUBJECT: **First Reading of proposed amendment to Schedule A of The Land Use Bylaw to rezone 496 Fox Point Rd., (PID 25510272) Parrsboro.**

ORIGIN: Planning staff received an application to rezone at 496 Fox Point Rd (PID 25510272) Parrsboro (“the Subject Property”) from Agriculture (AG) Zone to Country Commercial (CCou) Zone to permit the expansion of Fox Point Inn, adding up to eight grouped dwellings/tiny homes.

PID	Current Zone	Current Use	Proposed Zone	Proposed Use
25510272 & 25331612	Agricultural (AG)	Hotel	Country Commercial (CCou)	Expanded Hotel

LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

Municipal Planning Strategy Policy 5-35

Council Shall Consider proposals to rezone lands in the Resource Designation to any other zone permitted in that designation. Council shall not approve such a rezoning unless Council is satisfied:

- (a) if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104;
- (b) the proposed change is not prohibited by any other policy in this Plan;
- (c) the purpose of the proposed zone, as described in the respective policy creating that zone, is consistent with the location and characteristics of the lands and with the proposed use of the lands; and
 - a. the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards; and
- (d) the proposal meets the general criteria for amending the Land Use By-law, set out in Policy 6-19.

*** See attachment D for full policy review.

RECOMMENDATION: That the Council approve first reading of the proposed amendment to rezone PID 25510272 and PID 25331612 from Agriculture (AG) Zone to Country Commercial (CCou) Zone, AND schedule a Public Hearing for the proposed amendments.



CUMBERLAND COUNCIL

RFD#

Date: June 26, 2024

BACKGROUND: The subject property is on Fox Point Road, in Parrsboro. The subject property is approximately 6.5 acres. Currently, there is an existing hotel called Fox Point Inn, a barn, and a single unit dwelling on the property.

The applicant owns Fox Point Inn and proposes to expand the hotel to create eight cottage style mini homes. The applicant intends to use the tiny homes as short-term rental properties, designed for aging populations. The proposal consists of the 8 single dwelling units, pedestrian footpaths, 2 car parking areas for each unit, and a new park area.

DISCUSSION: The subject property is zoned as Agriculture (AG) Zone on Schedule A of the Land Use Bylaw. Currently, the Agriculture (AG) Zone does not permit the development of grouped dwellings. Rezoning the subject property to Country Commercial (CCou) Zone would allow for the development of grouped dwellings.

FINANCIAL IMPLICATIONS: None specific to this matter.

ENVIRONMENTAL IMPLICATIONS: None specific to this matter.

COMMUNITY ENGAGEMENT: Upon approval of first reading, a public hearing for the proposed amendment can be held at a later date. Notification of the scheduled public hearing will be provided, two weeks prior to the hearing, on the Municipality of Cumberland County website.

ALTERNATIVES: Council may 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:

Attachment A: Zoning Map

Attachment B: Site Plan

Attachment C: Street and Aerial Images

Attachment D: Proposed Unit Floor Plans

Attachment E: Full Policy Review

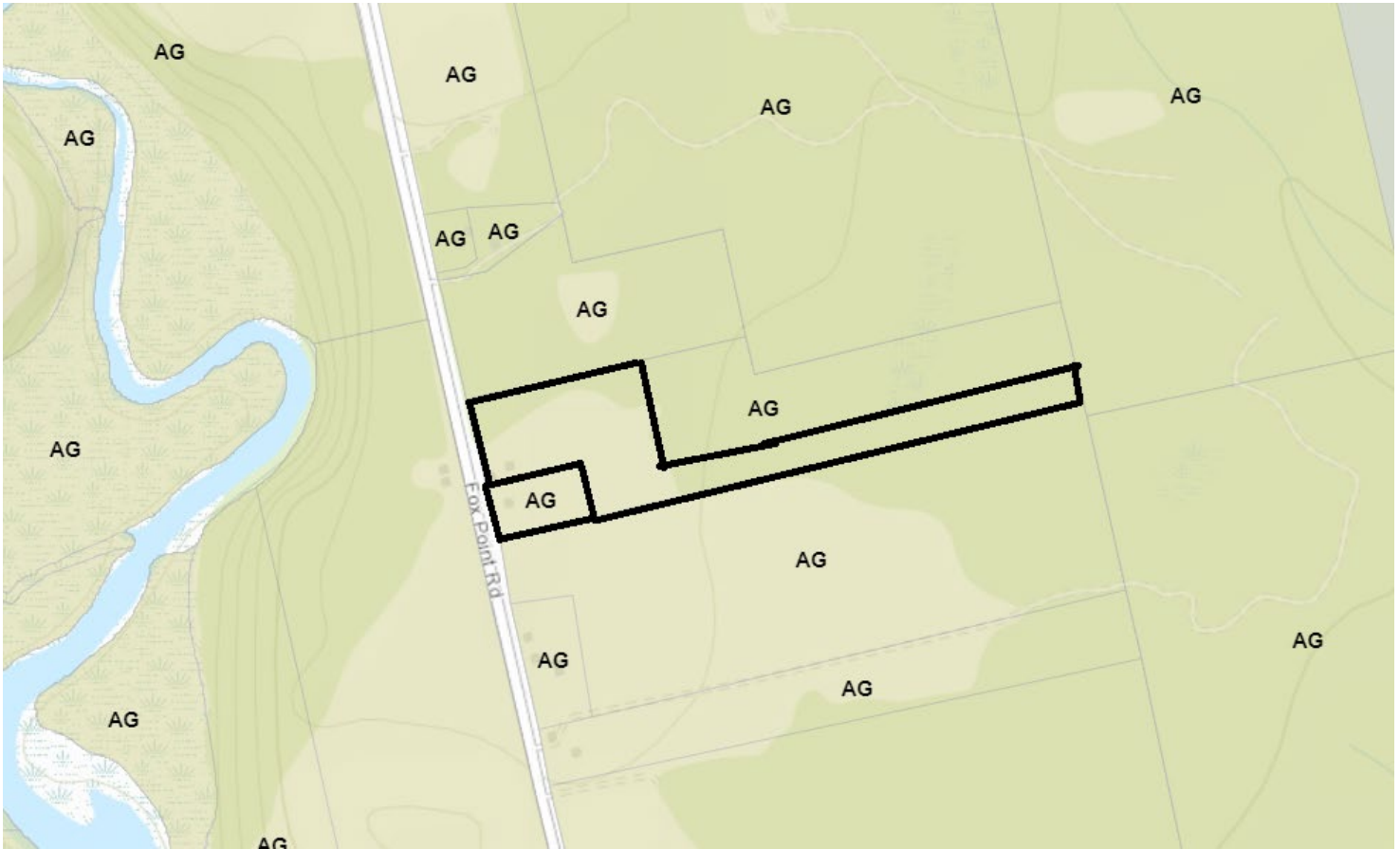


CUMBERLAND COUNCIL

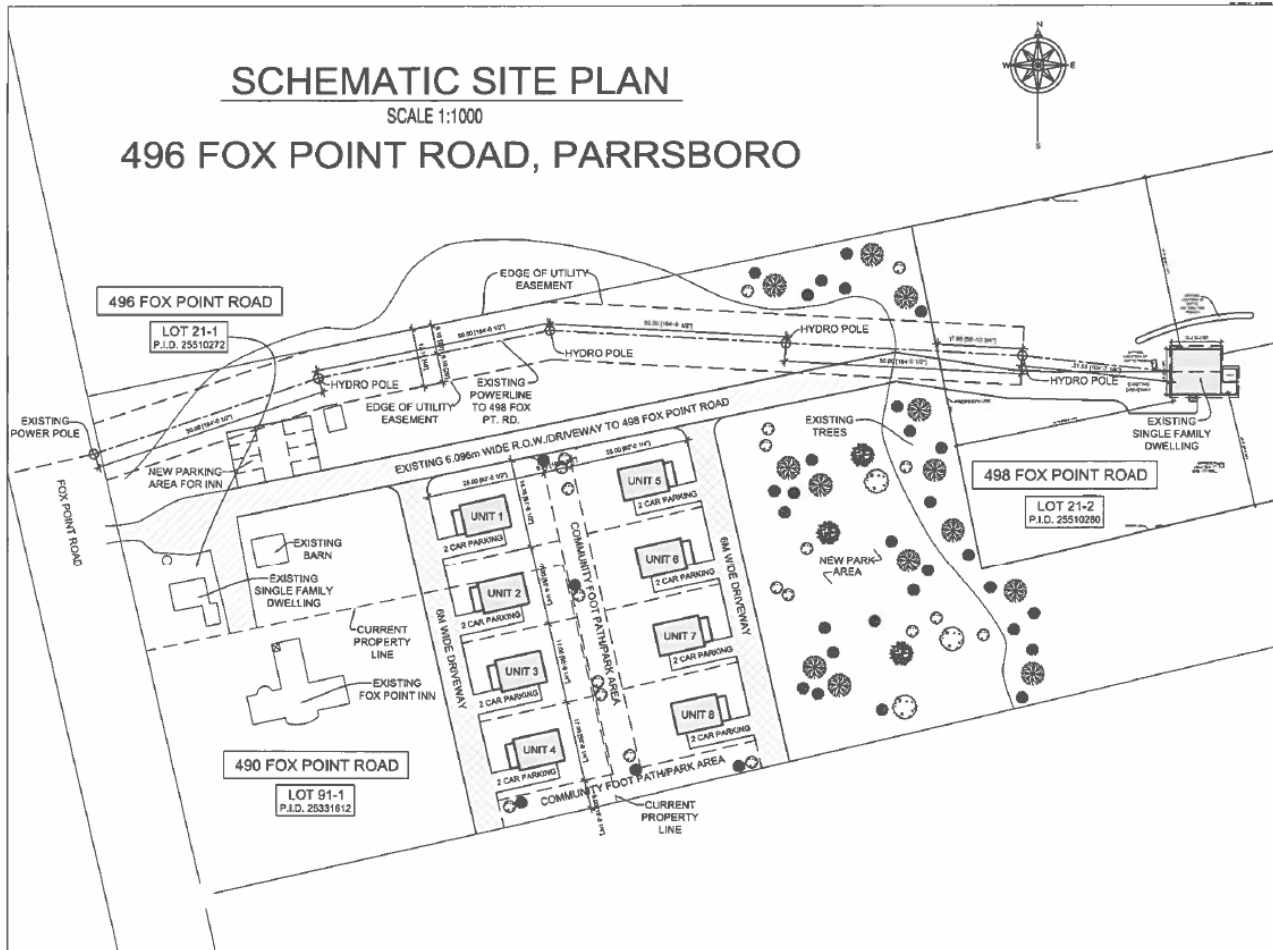
RFD#

Date: June 26, 2024

Attachment A: Zoning Map



Attachment B: Site Plan



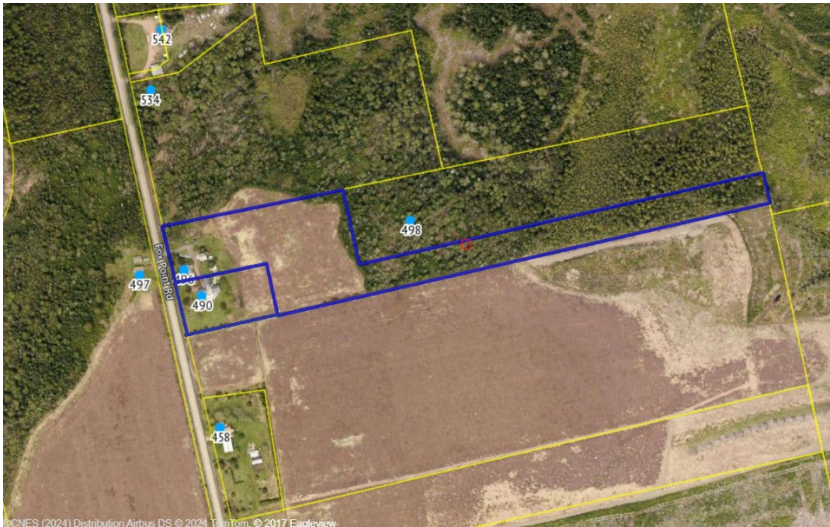


CUMBERLAND COUNCIL

RFD#

Date: June 26, 2024

Attachment C: Street and Aerial Images





CUMBERLAND COUNCIL

RFD#

Date: May 22, 2024

Attachment E: Full Policy Review

MPS 5-25: Council shall, in the Land Use By-law, establish the Agriculture Zone, intended to prioritize agricultural activities and to reduce the non-agricultural development and fragmentation of productive agricultural lands. Permitted uses shall include those associated with resource extraction and processing, commercial livestock operations and abattoirs, community facilities, and limited residential uses. Zone standards shall accommodate the needs of agricultural uses and discourage the creation of residential and commercial subdivisions and shall prohibit dwellings on flag lots.

Comment

The land is not currently be used for agricultural purposes. Not only does the current land use not align with the intent of the agricultural zone, but the proposed use does not align with the intended use for Agriculturally Zoned lands.

*MPS 5-24: Council shall, on the zoning map of the Land Use By-law, permit the following zones within the Resource Designation:
 (a) Agriculture Zone
 (c) Country Commercial Zone*

Comment:

Both the current zone, Agricultural (AG) Zone, and the proposed zone, Country Commercial (CCou) Zone, are both under the Resource Designation, permitting the rezoning, notwithstanding policy 5-35 and policy 6-19,

MPS 5-35 Council shall consider proposals to rezone lands in the Resource Designation to any other zone permitted in that designation. Council shall not approve such a rezoning unless Council is satisfied:

Requirement	Comment
(a) If the proposed zone is Highway Commercial Zone, the lands are located at an interchange of Highway 104	N/A
(b) The proposed change is not prohibited by any other policy in this plan.	No
(c) The purpose of the proposed zone, as described in the respective policy creating that zone, is consistent with the characteristics of the lands and with the proposed use of the lands.	See the policy analysis above
(cA) The proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards	No identified impacts on the wildlife corridor, or karst concerns.
(d) The proposal meets the general criteria for amending the Land Use Bylaw, set out in Policy 6-19.	See analysis for policy 6-19 below.



CUMBERLAND COUNCIL

RFD#

Date: May 22, 2024

<i>Policy 6-19: Council shall not amend the Land Use By-law or approve a development agreement unless Council is satisfied the proposal:</i>	
Requirement:	Comment:
<i>(a) is consistent with the intent of this Municipal Planning Strategy;</i>	Yes
<i>(b) does not conflict with any Municipal or Provincial programs, by-laws, or regulations in effect in the municipality;</i>	No conflicts
<i>(c) is not premature or inappropriate due to:</i>	
<i>(i) the ability of the Municipality and/or Village (where applicable) to absorb public costs related to the proposal;</i>	No public costs associated with this proposal
<i>(ii) impacts on existing drinking water supplies, both private and public;</i>	No impacts
<i>(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;</i>	N/A
<i>(iv) the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;</i>	Not impacts on transportation and traffic
<i>(v) the adequacy of fire protection services and equipment;</i>	N/A
<i>(vi) the adequacy and proximity of schools and other community facilities;</i>	N/A
<i>(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;</i>	No known pollution problems created
<i>(viii) the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;</i>	No identified drainage issues
<i>(ix) impacts on sensitive environments, as identified on Schedule B;</i>	No impacts
<i>(ixA) impacts on wildlife corridors; [CHG-601]</i>	No impacts
<i>(x) impacts on known habitat for species at risk;</i>	No impacts
<i>(xA) risks presented by geohazards; [CHG-601]</i>	No identified risks
<i>(xi) 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; and</i>	Site is suitable for proposed development.
<i>(xii) negative impacts on the viability of existing businesses in the surrounding community, including, but not limited to, the risk of land use conflicts that could place limits on existing operational procedures.</i>	No negative impacts identified