



## **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 21<sup>st</sup>, 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](mailto:board@novascotia.ca)) in accordance with the provision of the municipal government act.



**CUMBERLAND 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 to rezone 2019 Highway 307, Middleboro, NS.**

**ORIGIN:** Planning staff received an application to rezone 2019 Highway 307 (PID 25184144), Middleboro (“the Subject Property”) from Agriculture (AG) Zone to Country Residential (RCou) Zone to permit the conversion of a single-family home into a duplex.

PID	Current Zone	Current Use	Proposed Zone	Proposed Use
25184144	Agricultural (AG)	Single Family Home	Country Residential (RCou)	Duplex

**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 proposed Bylaw to Amend the Land Use Bylaw 24-04 and to Schedule A to rezone PID 25184144 from Agriculture (AG) Zone to Country Residential (RCou) Zone**



## CUMBERLAND COUNCIL

RFD#

Date: August 21, 2024

**BACKGROUND:** The subject property is in Middleboro, on Highway 307. Currently, there is an existing seven-bedroom home, rented by a multi-generational family. The family consists of two grandparents, their three children, and seven grandchildren. The property owners would like to convert the single unit dwelling into a duplex, to provide more privacy and clear living spaces for the grandparents.

The work required to complete this renovation is minimal, the home allows for a simple division of spaces by removing an adjoining door. The current plumbing allows for the easy installation of a second kitchen, and there already exists a bathroom in each of the proposed units.

**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 duplexes. Rezoning the subject property to Country Residential (RCou) Zone would allow for the development of a duplex.

**FINANCIAL IMPLICATIONS:** None specific to this matter.

**ENVIRONMENTAL IMPLICATIONS:** None specific to this matter.

**COMMUNITY ENGAGEMENT:** A public hearing for the proposed amendment was held on July 24, 2024, at a special council meeting. No public comments were received by staff on the matter above prior to or during the public hearing. Notification for the public hearing was provided, on July 10, 2024, through the Cumberland County Website, in conformance with section 204 of the MGA. Further notification was provided through an advertisement placed in the Casket, a locally circulating newspaper, for July 17, 2024.

**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 & Aerial Image

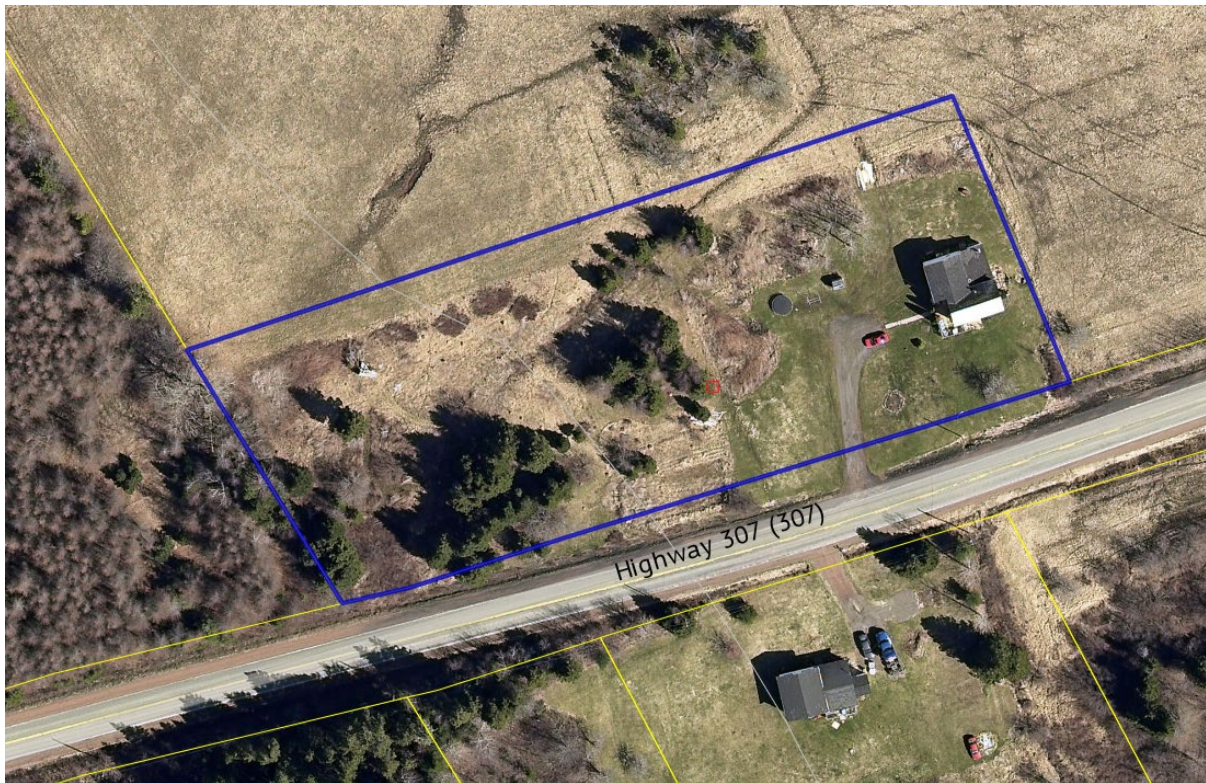
Attachment B: Street Image

Attachment C: Proposed Unit Floor Plan

Attachment D: Full Policy Review

Attachment E: Full Policy Review

Attachment A: Zoning Map and Aerial Image





**CUMBERLAND COUNCIL**

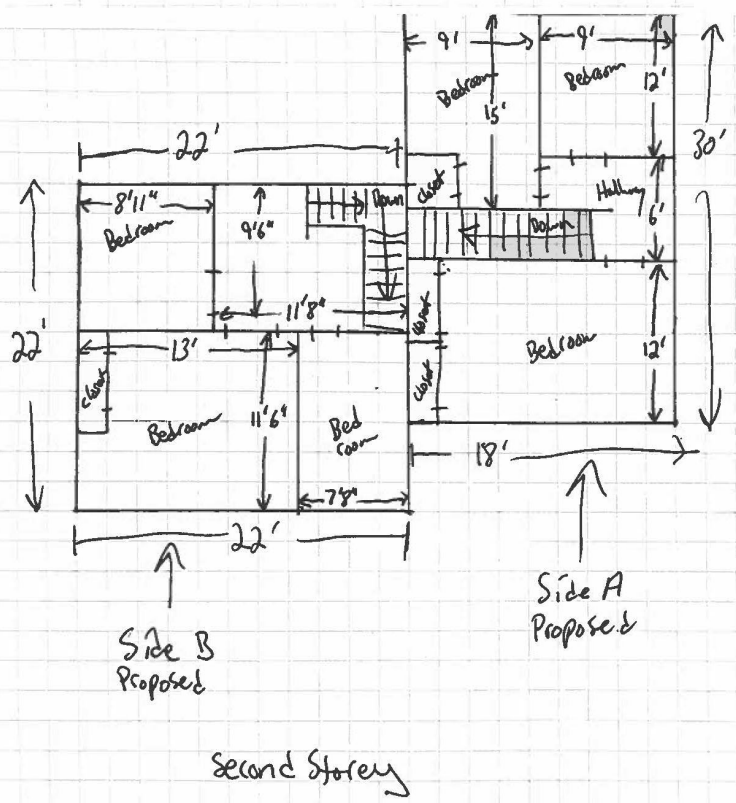
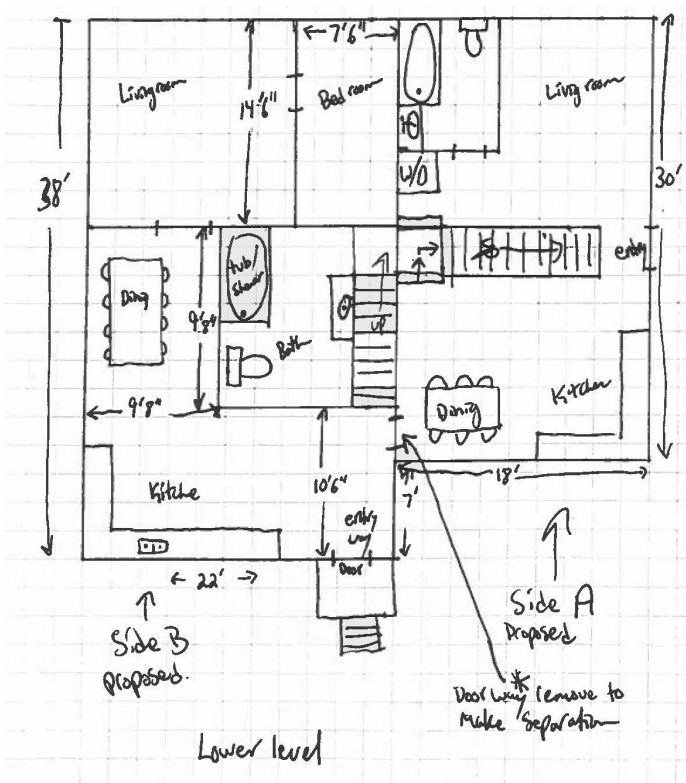
**RFD#**

**Date: June 26, 2024**

Attachment B: Street Image



Attachment C: Proposed Unit Floor Plans





Attachment D: Full Policy Review

*Policy 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.

*Policy 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  
 (d) Country Residential Zone*

**Comment:**

Both the current zone, Agricultural (AG) Zone, and the proposed zone, Country Residential (RCou) Zone, are both under the Resource Designation, notwithstanding policy 5-35 and policy 6-19, enables the change in zoning.

*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:*

Requirements	Comment
(a) if the proposed zone is the 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 location and characteristics of the lands and with the proposed use of the lands; and	The purposed of the proposed zone aligns with the proposed use of the lands.
(cA) the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards; and [CHG-506]	No
(d) the proposal meets the general criteria for amending the Land Use By-law, set out in Policy 6-19.	See Policy Analysis 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>	
<b>Requirement:</b>	<b>Comment:</b>
<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 24<sup>th</sup>, 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](http://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](http://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](mailto:Planning@cumberlandcounty.ns.ca) or by mail to: Planning Dept, Upper Nappan Service Centre, 1395 Blair Lake Rd, Upper Nappan, NS B4H 3Y4.



**CUMBERLAND 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 to rezone 2019 Highway 307, Middleboro, NS.**

**ORIGIN:** Planning staff received an application to rezone 2019 Highway 307 (PID 25184144), Middleboro (“the Subject Property”) from Agriculture (AG) Zone to Country Residential (RCou) Zone to permit the conversion of a single-family home into a duplex.

PID	Current Zone	Current Use	Proposed Zone	Proposed Use
25184144	Agricultural (AG)	Single Family Home	Country Residential (RCou)	Duplex

**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 second reading of the proposed Bylaw to Amend Schedule A of the Land Use Bylaw to rezone PID 25184144 from Agriculture (AG) Zone to Country Residential (RCou) Zone.**



## CUMBERLAND COUNCIL

RFD#

Date: August 21, 2024

**BACKGROUND:** The subject property is in Middleboro, on Highway 307. Currently, there is an existing seven-bedroom home, rented by a multi-generational family. The family consists of two grandparents, their three children, and seven grandchildren. The property owners would like to convert the single unit dwelling into a duplex, to provide more privacy and clear living spaces for the grandparents.

The work required to complete this renovation is minimal, the home allows for a simple division of spaces by removing an adjoining door. The current plumbing allows for the easy installation of a second kitchen, and there already exists a bathroom in each of the proposed units.

**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 duplexes. Rezoning the subject property to Country Residential (RCou) Zone would allow for the development of a duplex.

**FINANCIAL IMPLICATIONS:** None specific to this matter.

**ENVIRONMENTAL IMPLICATIONS:** None specific to this matter.

### **COMMUNITY ENGAGEMENT:**

**A public hearing for the proposed amendment was held on July 17, 2024 at a special council meeting. No public comments were received by staff on the matter above prior to or during the public hearing. Notification for the public hearing was provided, on July 10 2024, through the Cumberland County Website, in conformance with section 204 of the MGA. Further notification was provided through PlanCumberland.ca and Municipally operated social media accounts, and through an advertisement placed in the Casket, a locally circulating newspaper, for July 17, 2024.**

**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 & Aerial Image
- Attachment B: Street Image
- Attachment C: Proposed Unit Floor Plan
- Attachment D: Full Policy Review
- Attachment E: Full Policy Review

Attachment A: Zoning Map and Aerial Image





**CUMBERLAND COUNCIL**

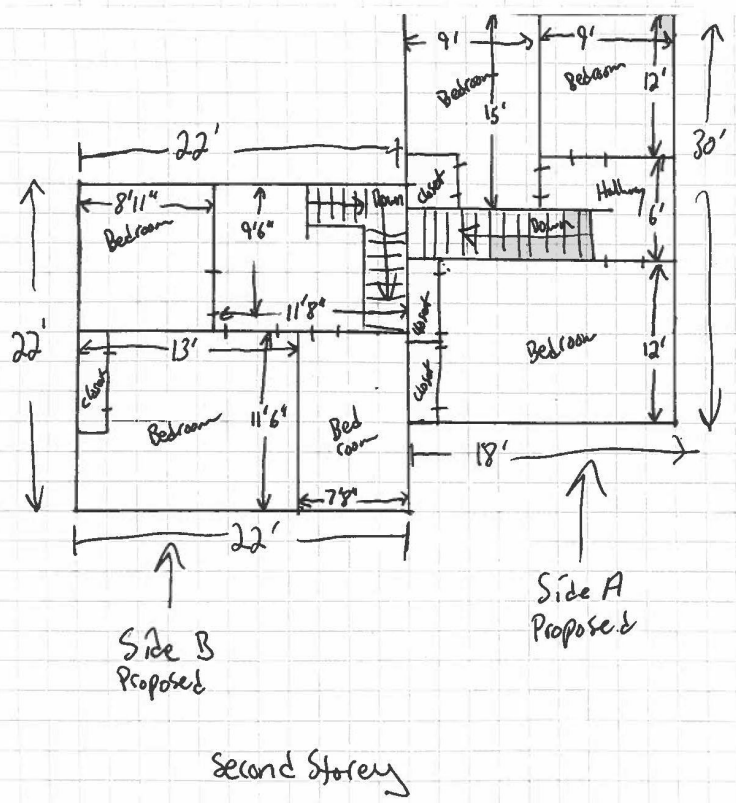
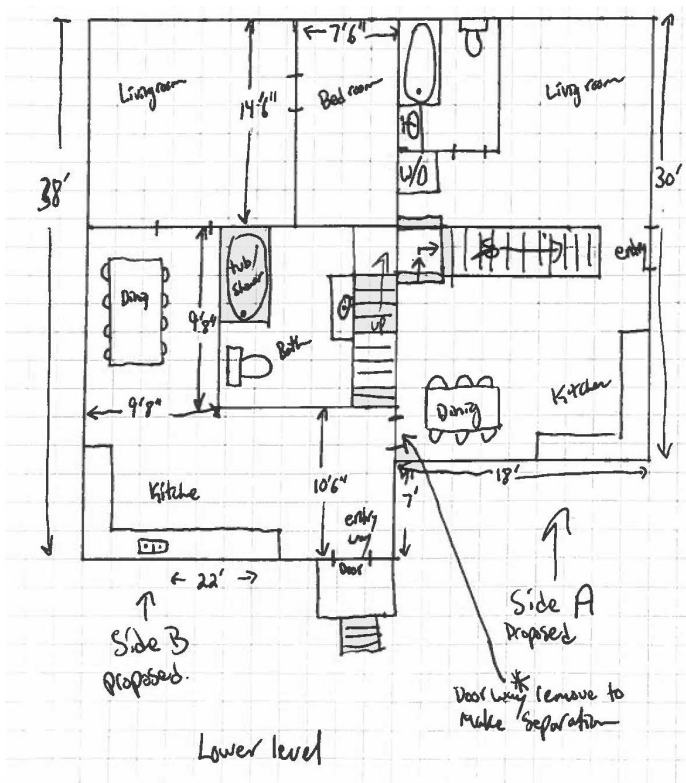
**RFD#**

**Date: June 26, 2024**

Attachment B: Street Image



Attachment C: Proposed Unit Floor Plans





Attachment D: Full Policy Review

<p><i>Policy 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.</i></p>
<p>Comment</p> <p>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.</p>

<p><i>Policy 5-24: Council shall, on the zoning map of the Land Use By-law, permit the following zones within the Resource Designation:</i>  <i>(a) Agriculture Zone</i>  <i>(d) Country Residential Zone</i></p>
<p>Comment:</p> <p>Both the current zone, Agricultural (AG) Zone, and the proposed zone, Country Residential (RCou) Zone, are both under the Resource Designation, notwithstanding policy 5-35 and policy 6-19, enables the change in zoning.</p>

<p><i>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:</i></p>	
Requirements	Comment
(a) if the proposed zone is the 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 location and characteristics of the lands and with the proposed use of the lands; and	The purposed of the proposed zone aligns with the proposed use of the lands.
(cA) the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards; and [CHG-506]	No
(d) the proposal meets the general criteria for amending the Land Use By-law, set out in Policy 6-19.	See Policy Analysis 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>	
<b>Requirement:</b>	<b>Comment:</b>
<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 2019 Highway 307, Middleboro, NS.**

**ORIGIN:** Planning staff received an application to rezone 2019 Highway 307 (PID 25184144), Middleboro (“the Subject Property”) from Agriculture (AG) Zone to Country Residential (RCou) Zone to permit the conversion of a single-family home into a duplex.

PID	Current Zone	Current Use	Proposed Zone	Proposed Use
25184144	Agricultural (AG)	Single Family Home	Country Residential (RCou)	Duplex

**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 Bylaw to Amend Schedule A of the Land Use Bylaw to rezone PID 25184144 from Agriculture (AG) Zone to Country Residential (RCou) Zone AND schedule a public hearing for the proposed amendment.



## CUMBERLAND COUNCIL

RFD#

Date: June 26, 2024

**BACKGROUND:** The subject property is in Middleboro, on Highway 307. Currently, there is an existing seven-bedroom home, being rented by a multi-generational family. The family consists of two grandparents, their three children, and seven grandchildren. The property owners would like to convert the single unit dwelling into a duplex, to provide more privacy and clear living spaces for the grandparents.

The work required to complete this renovation is minimal, the home allows for a simple division of spaces by removing an adjoining door. The current plumbing allows for the easy installation of a second kitchen, and there already exists a bathroom in each of the proposed units.

**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 duplexes. Rezoning the subject property to Country Residential (RCou) Zone would allow for the development of a duplex.

**FINANCIAL IMPLICATIONS:** None specific to this matter.

**ENVIRONMENTAL IMPLICATIONS:** None specific to this matter.

**COMMUNITY ENGAGEMENT:** If the Council approves, a public hearing on the above matter can be scheduled. Recent changes to the Municipal Government Act (MGA) permits public notification through the means of posting a Planning Notice on The Municipality of Cumberland County website, as opposed to posting an advertisement in a locally circulating newspaper. Considering these changes, two weeks prior to any scheduled public meeting, a planning notice will be posted to the Municipality of Cumberland County website, notifying the public of the time, date and location of the public hearing.

**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

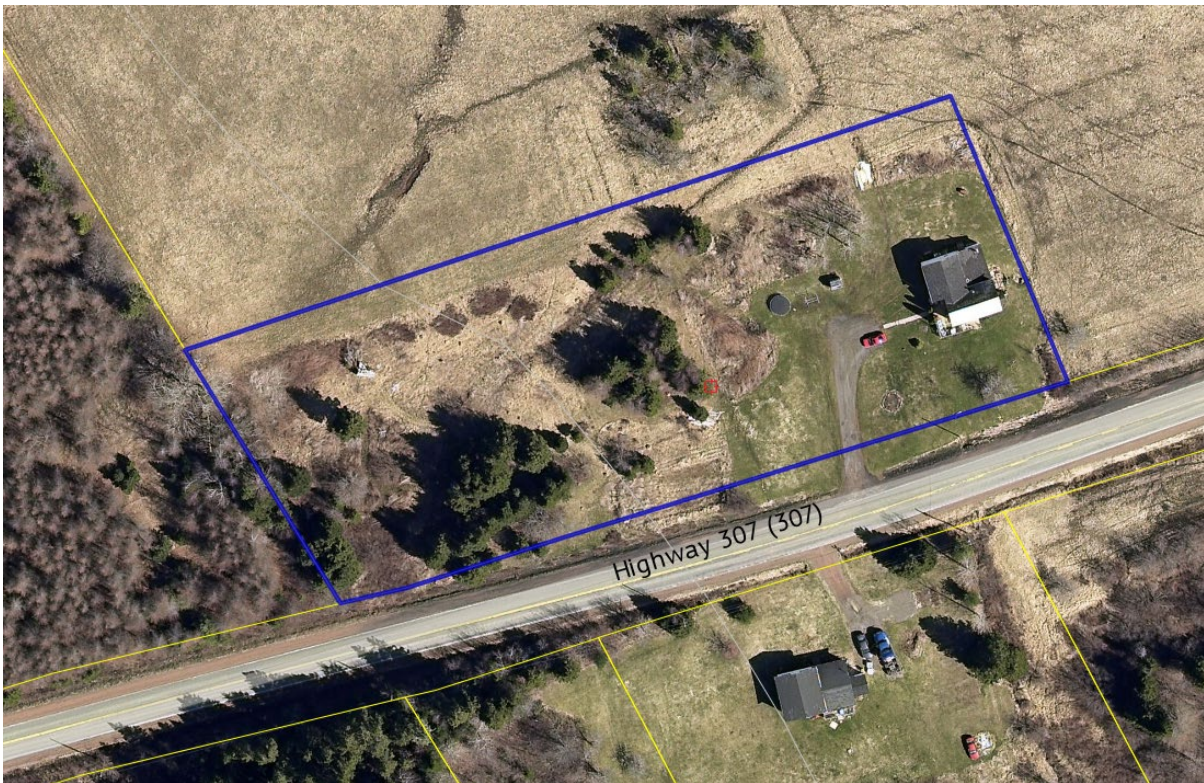
Attachment B: Aerial Image

Attachment C: Street Images

Attachment D: Proposed Plan of Subdivision.

Attachment E: Full Policy Review

Attachment A: Zoning Map and Aerial Image





**CUMBERLAND COUNCIL**

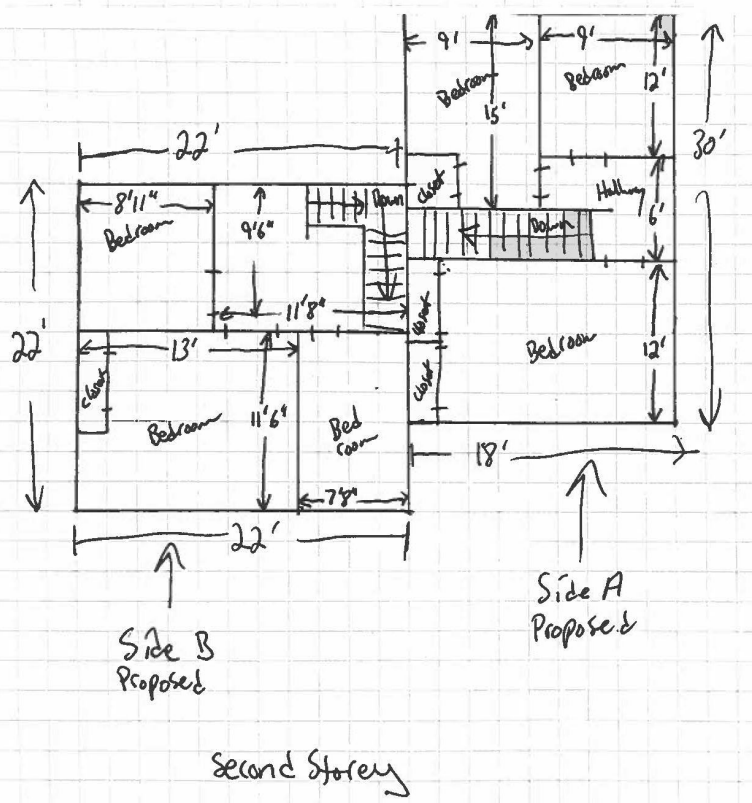
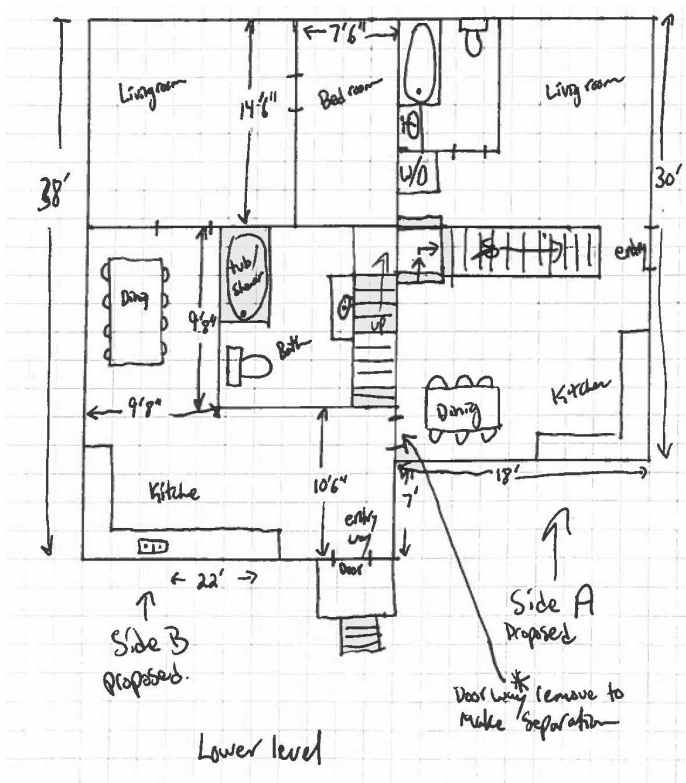
**RFD#**

**Date: May 22, 2024**

Attachment B: Street Image



Attachment C: Proposed Unit Floor Plans





Attachment D: Full Policy Review

*Policy 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.

*Policy 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*
- (d) Country Residential Zone*

**Comment:**

Both the current zone, Agricultural (AG) Zone, and the proposed zone, Country Residential (RCou) Zone, are both under the Resource Designation, notwithstanding policy 5-35 and policy 6-19, enables the change in zoning.

*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:*

Requirements	Comment
(a) if the proposed zone is the 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 location and characteristics of the lands and with the proposed use of the lands; and	The purposed of the proposed zone aligns with the proposed use of the lands.
(cA) the proposal is not premature due to impacts on wildlife corridors or due to the presence of geohazards; and [CHG-506]	No
(d) the proposal meets the general criteria for amending the Land Use By-law, set out in Policy 6-19.	See Policy Analysis 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>	
<b>Requirement:</b>	<b>Comment:</b>
<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: May 22, 2024**