



NOTICE OF ADOPTION

Second Reading and adoption of the By-law to Amend the Municipal Planning Strategy 24-08 and the By-law to Amend the Land Use By-law 24-09 took place on Wednesday, August 28th, 2024. The purpose of the adopted by-laws are:

By-law to Amend the Municipal Planning Strategy 24-08

- Re-designate a portion of PID 25044124, North of Fenton Rd., West Amherst from Commercial to Resource.

By-law to Amend the Land Use By-law 24-09

- Rezone a portion of PID 25044124, North of Fenton Rd., West Amherst from Urban Industrial (IND) Zone to Commercial Recreation (CRec) Zone.

Copies of amendment documents can be viewed online at plancumberland.ca/hearings or by contacting our office at 902-667-2313.

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.

Amanda Kinnear
Acting Clerk



SPECIAL COUNCIL

RFD

Date: August 28, 2024

TO: Mayor and Council

FROM: Glen Boone, Director of Development and Planning

DATE: August 22, 2024

SUBJECT: **Second Reading - By-law to Amend the Municipal Planning Strategy 24-08 and By-law to Amend the Land Use By-law 24-09 to re-designate then rezone North of 23 Fenton Rd., Nappan - PID 25044124**

ORIGIN: On June 10, 2024 Planning staff received an application to rezone a portion of 1405 Southampton Rd, Nappan - PID 25044124 (the “subject property”), North of 23 Fenton Road. The requested amendment would change the zoning from the Urban Industrial (IND) Zone to the Commercial Recreation (CRec) Zone, which requires the subject property to first be re-designated to the Resource designation.

PID	Current Use	Current Designation	Current Zone	Proposed Use	Proposed Designation	Proposed zone
25044124	Animal Boarding	Commercial	Urban Industrial (IND) Zone	Animal Boarding / Single Unit Dwelling	Resource	Commercial Recreation (CRec) Zone

LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

MPS Policy 5-10 Council shall, on Schedule A, the Future Land Use Map, designate as Commercial lands intended to give priority to a wide range of commercial uses.

MPS Policy 5-23 Council shall, on Schedule A of the Future Land Use Map, designate as Resource lands intended to give priority to resource uses over residential or commercial development.

LUB 10.1.1 The Urban Industrial Zone is intended to permit industrial uses and to control their impacts on neighbouring uses.



SPECIAL COUNCIL

RFD

Date: August 28, 2024

RECOMMENDATION: THAT Council approve Second Reading of the By-law to Amend the Municipal Planning Strategy 24-08, to re-designate and rezone a portion of PID 25044124 from Urban Industrial Zone (IND) to Commercial Recreation Zone (CRec).

BACKGROUND: The subject property is located along Southampton Road, in Nappan. The property is approximately 44 acres, zoned as Urban Industrial, under the Commercial Designation. The property was previously used as the head office location for a construction company, for construction equipment storage, and for boarding and training of horses. The current designation and zoning were assigned to the subject property during an initial zoning assignment in 2018. The construction company has since been sold and moved, and the subject property is now used for storage and for the boarding of horses. There is an existing large barn which acts a training area and an arena for horse competitions.

The property owner is looking to subdivide a piece of land off their parcel and sell it. The owners already have an interested buyer who would be looking to develop a single unit dwelling on the newly created lot. The newly created lot would be located North of 23 Fenton Rd and will have access off Fenton Rd, which is a provincially owned and maintained road.

DISCUSSION: The current zoning of the subject property does not permit the proposed development of a single unit dwelling, nor does it accurately reflect the current use of the lands. The Commercial Recreation (CRec) Zone would allow for the development of a single unit dwelling, while providing the future owner a variety of further development options. Since neither the Urban Industrial Zone nor the Commercial Recreation (CRec) Zone are under the Commercial Designation. Before the rezoning can occur an MPS amendment will be required to re-designate the subject property from the Commercial designation to the Resource designation.

This amendment is not to re-designate the entirety of PID 25044124, the zoning and designation of remaining land of PID 25044124 shall be addressed in a housekeeping amendment review, at a later date.

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).



SPECIAL COUNCIL

RFD

Date: August 28, 2024

COMMUNITY ENGAGEMENT: In accordance with section 204 of the MGA, a Public Participation meeting was held on July 18th, 2024, at the Upper Nappan Service Center from 4:00 pm to 5:30 pm. The Public Participation meeting was advertised on the Municipal website, two weeks prior to the scheduled date, and an ad was placed in the Casket, a locally circulated newspaper, one week prior to the scheduled date. The public hearing for this proposal was also duly advertised through the Municipal website on August 7, 2024, and through an ad placed in the Casket on August 14. Further notification of this application was provided via placing a physical “Planning Notice” in front of the subject property. Public Hearing was held on August 21st, 2024. No comments from the public were received by staff prior to the public hearing. No public representatives spoke on the matter at the public hearing.

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:

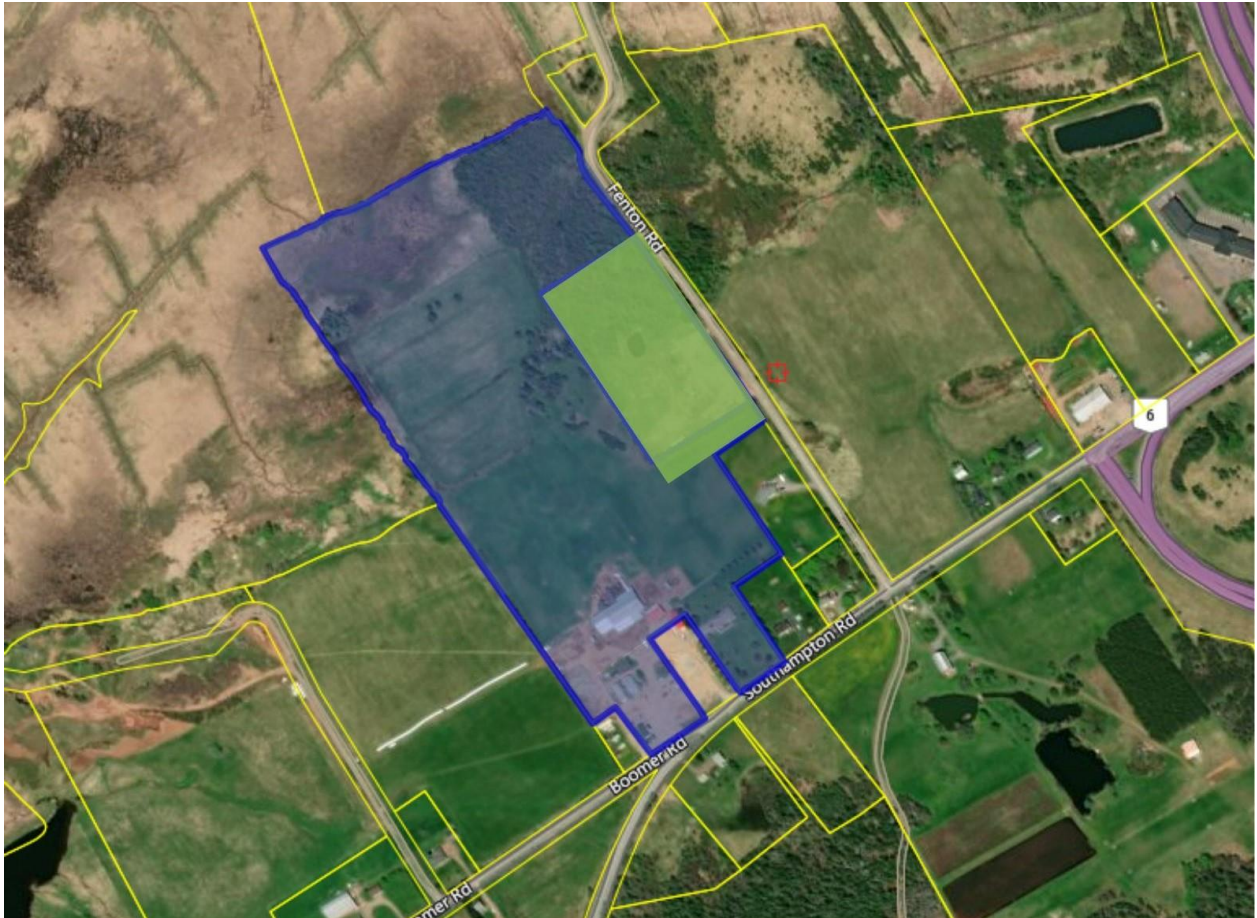
Attachment A: Aerial and Street Image

Attachment B: Zoning Map

Attachment C: Policy Review

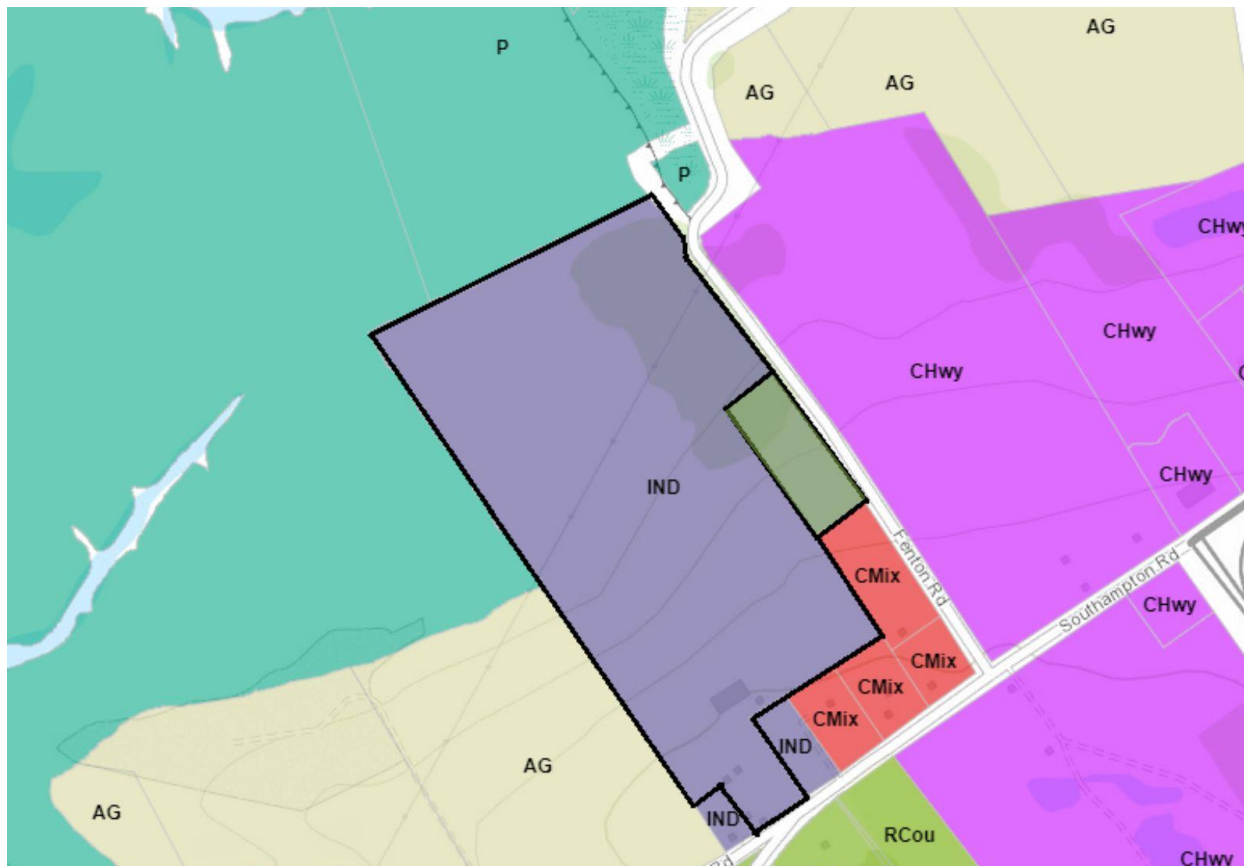
Attachment D: Proposed Amendment to MPS Schedule A

Attachment A: Aerial and Street Image





Attachment B: Zoning Map





SPECIAL COUNCIL

RFD

Date: August 28, 2024

Attachment C: Policy Review

Currently, the MPS prohibits rezoning from Urban Industrial to Country Commercial. For this reason, staff is recommending a re-designation of the parcel from the Commercial Designation to the Resource Designation, under which the Country Commercial Zone is permitted.

MPS 5-20: Council shall, on the zoning map of the Land Use Bylaw, permit the following zones within the Commercial Designation

- (a) Downtown Commercial
- (b) Flood Hazard Zone
- (c) General Commercial Zone
- (d) Highway Commercial Zone
- (e) Institutional Zone
- (f) Mixed-Use Zone
- (g) Parks and Open Space Zone

Comment

Not only does the current zoning not allow for residential development but the current zone is not permitted within the current designation. A rezoning and re-designation is required to accurately classify the land use of the subject property.

Re-designating the property to the Resource Designation, will allow the subject property to be rezoned to an appropriate zone and corrects the discrepancy in designations and zoning for this parcel.

MPS 5-20: Council shall, on the zoning map of the Land Use Bylaw, permit the following zones within the Resource Designation;

- (a) Agriculture Zone
- (b) Commercial Recreation Zone
- (c) Country Commercial Zone
- (d) Country Residential Zone
- (e) Flood Hazard Zone [CHG-403]
- (f) Highway Commercial Zone
- (g) Institutional Zone
- (h) Parks and Open Space Zone



SPECIAL COUNCIL

RFD

Date: August 28, 2024

(h.1) Recreational Residential Zone [CHG-502]
(i) Rural Industrial Zone
(j) Rural Resource Zone
Comment
By applying the Resource Designation to the subject property, the property can then be zoned as Commercial Recreation, which best aligns with the intended use of the land.

Once the parcel is re-designated to the Resource Designation, the parcel will be assigned the Commercial Recreation Zoning, enabled by the clauses below.

<i>MPS 5-22 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>	
Requirement	Comment
(a) The proposed change is not prohibited by any other policy in this plan.	No
(b) 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
(c) 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.

<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:
(a) is consistent with the intent of this Municipal Planning Strategy;	Yes
(b) does not conflict with any Municipal or Provincial programs, by-laws, or regulations in effect in the municipality;	No conflicts
(c) 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 costs associated with this proposal



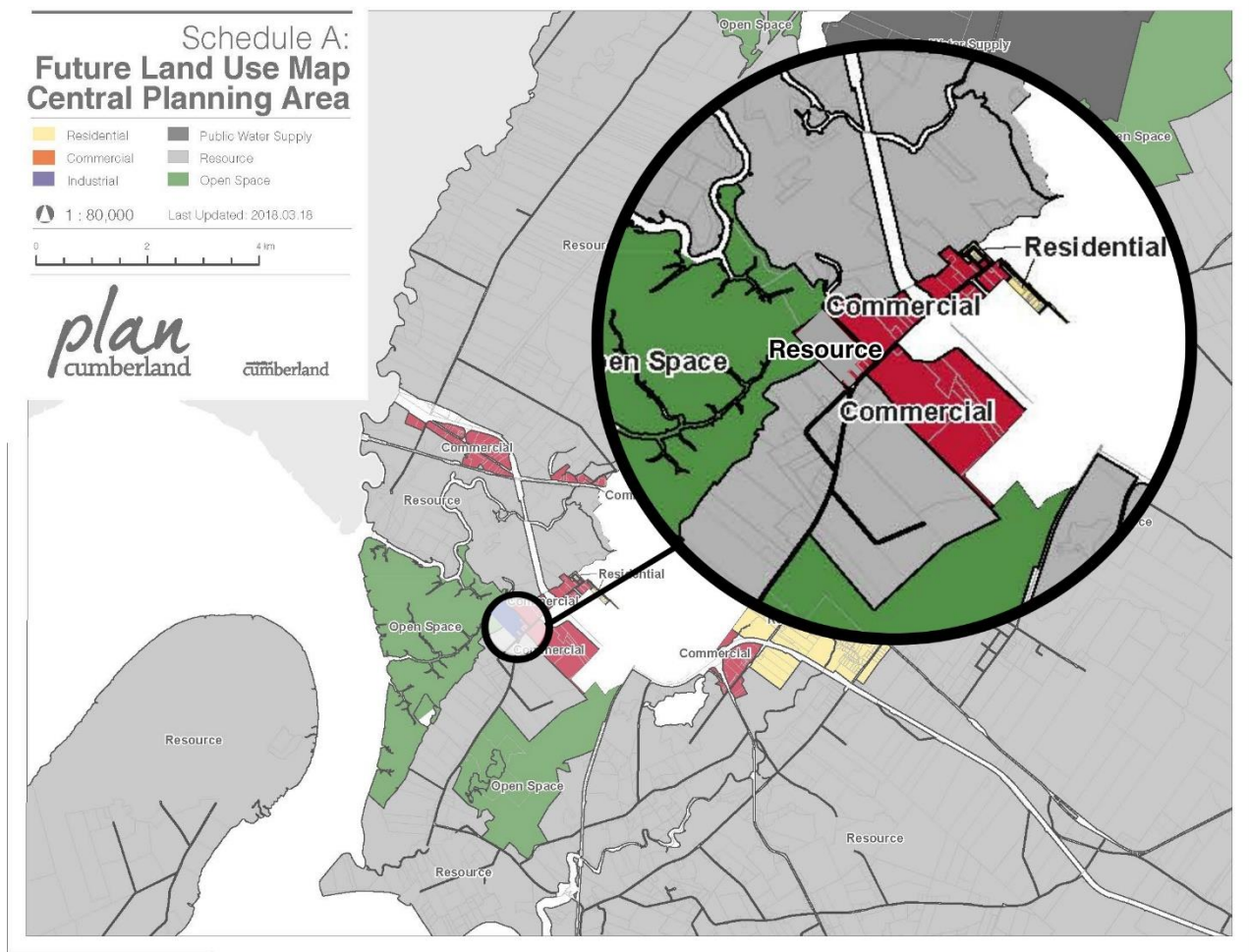
SPECIAL COUNCIL

RFD

Date: August 28, 2024


<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>	Site has been deemed suitable for installation of On-Site Septic
<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>	No 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

Attachment D: MPS Amended Schedule A



NOTICE OF PUBLIC HEARINGS

Details

 Published: 06 August 2024

A Public Hearing regarding the By-law to Amend the Municipal Planning Strategy 24-08, By-law to Amend the Land Use By-law 24-09, and By-law to Amend the Municipal Planning Strategy 24-10 for the Municipality of Cumberland will be held at

3:30 pm, Wednesday, August 21st, 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 24-08

- Redesignate a portion of PID 25044124 from Industrial to Resource.

By-law to Amend the Land Use By-law 24-09

- Rezone a portion of PID 25044124 from Urban Industrial (IND) Zone to Commercial Recreation (CRec) Zone.

By-law to Amend the Municipal Planning Strategy 24-10

- **Amend section 4.5 to add subsection 4.5.8 Commercial Development Districts.**
- **Amend section 8 to add Schedule C: Commercial Development Districts**

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.



SPECIAL COUNCIL
Public Hearing
Date: August 21, 2024

TO: Mayor and Council
FROM: Glen Boone, Director of Development and Planning
DATE: August 13, 2024
SUBJECT: **Public Hearing - By-law to Amend the Municipal Planning Strategy 24-08 and By-law to Amend the Land Use By-law 24-09 to re-designate then rezone North of 23 Fenton Rd., West Amherst - PID 25044124**

ORIGIN: On June 10, 2024 Planning staff received an application to rezone a portion of 1405 Southampton Rd, West Amherst - PID 25044124 (the “subject property”), North of 23 Fenton Road. The requested amendment would change the zoning from the Urban Industrial (IND) Zone to the Commercial Recreation (CRec) Zone, which requires the subject property to first be re-designated to the Resource designation.

PID	Current Use	Current Designation	Current Zone	Proposed Use	Proposed Designation	Proposed zone
25044124	Animal Boarding	Commercial	Urban Industrial (IND) Zone	Animal Boarding / Single Unit Dwelling	Resource	Commercial Recreation (CRec) Zone

LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

MPS Policy 5-10 Council shall, on Schedule A, the Future Land Use Map, designate as Commercial lands intended to give priority to a wide range of commercial uses.

MPS Policy 5-23 Council shall, on Schedule A of the Future Land Use Map, designate as Resource lands intended to give priority to resource uses over residential or commercial development.

LUB 10.1.1 The Urban Industrial Zone is intended to permit industrial uses and to control their impacts on neighbouring uses.



SPECIAL COUNCIL

Public Hearing

Date: August 21, 2024

RECOMMENDATION: No motions to consider.

BACKGROUND: The subject property is located along Southampton Road, in Nappan. The property is approximately 44 acres, zoned as Urban Industrial, under the Commercial Designation. The property was previously used as the head office location for a construction company, for construction equipment storage, and for boarding and training of horses. The current designation and zoning were assigned to the subject property during an initial zoning assignment in 2018. The construction company has since been sold and moved, and the subject property is now used for storage and for the boarding of horses. There is an existing large barn which acts a training area and an arena for horse competitions.

The property owner is looking to subdivide a piece of land off their parcel and sell it. The owners already have an interested buyer who would be looking to develop a single unit dwelling on the newly created lot. The newly created lot would be located North of 23 Fenton Rd and will have access off Fenton Rd, which is a provincially owned and maintained road.

DISCUSSION: The current zoning of the subject property does not permit the proposed development of a single unit dwelling, nor does it accurately reflect the current use of the lands. The Commercial Recreation (CRec) Zone would allow for the development of a single unit dwelling, while providing the future owner a variety of further development options. Since neither the Urban Industrial Zone nor the Commercial Recreation (CRec) Zone are under the Commercial Designation. Before the rezoning can occur an MPS amendment will be required to re-designate the subject property from the Commercial designation to the Resource designation.

This amendment is not to re-designate the entirety of PID 25044124, the zoning and designation of remaining land of PID 25044124 shall be addressed in a housekeeping amendment review, at a later date.

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).



SPECIAL COUNCIL

Public Hearing

Date: August 21, 2024

COMMUNITY ENGAGEMENT: In accordance with section 204 of the MGA, a Public Participation meeting was held on July 18th, 2024, at the Upper Nappan Service Center from 4:00 pm to 5:30 pm. The Public Participation meeting was advertised on the Municipal website, two weeks prior to the scheduled date, and an ad was placed in the Casket, a locally circulated Newspaper, one week prior to the scheduled date. The public hearing for this proposal was also duly advertised through the Municipal website on August 7, 2024 and through an ad placed in the Casket on August 14. Further notification of this application was provided via placing a physical "Planning Notice" in front of the subject property. No comments from the public have been received by staff up to this point.

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:

Attachment A: Aerial and Street Images

Attachment B: Zoning Map

Attachment C: Policy Review

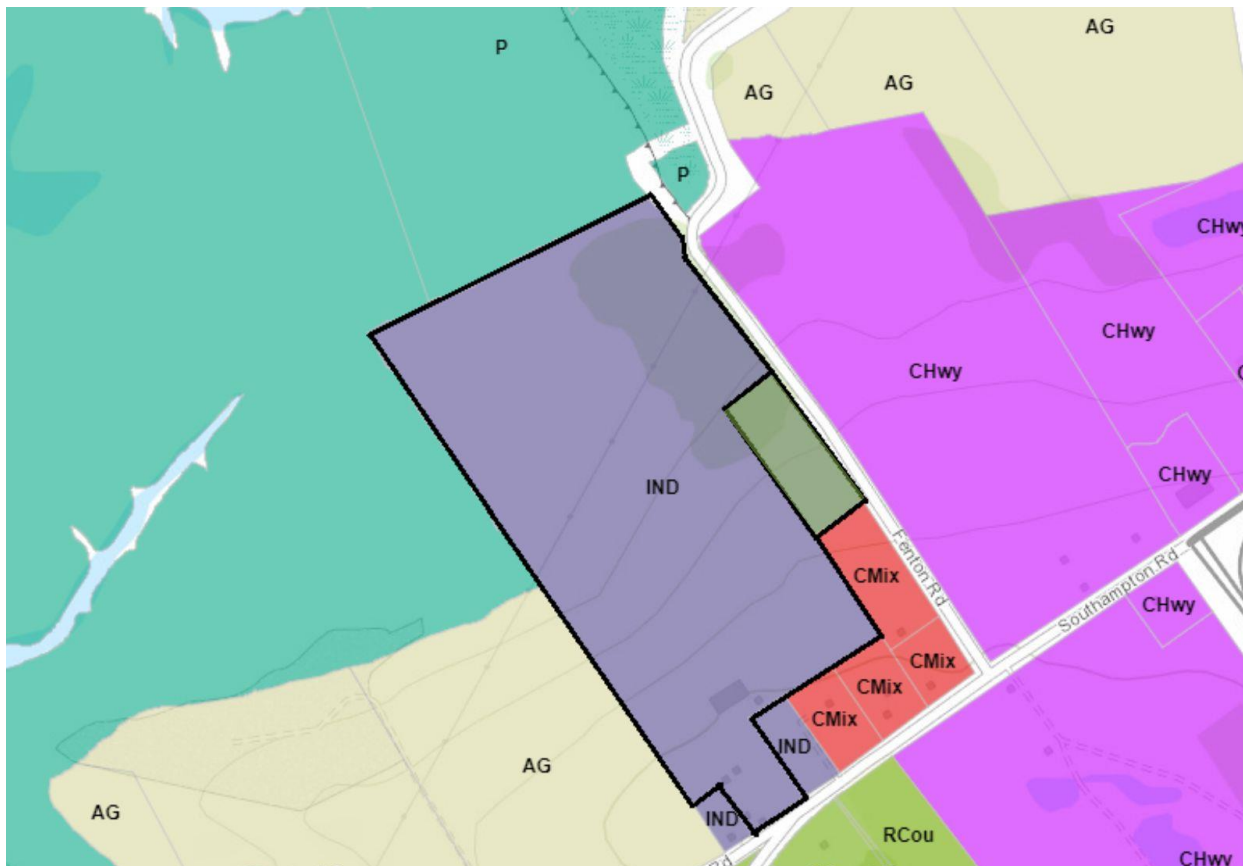
Attachment D: Proposed Amendment to MPS Schedule A

Attachment A: Aerial and Street Images





Attachment B: Zoning Map





SPECIAL COUNCIL
Public Hearing
Date: August 21, 2024

Attachment C: Policy Review

Currently, the MPS prohibits rezoning from Urban Industrial to Country Commercial. For this reason, staff is recommending a re-designation of the parcel from the Commercial Designation to the Resource Designation, under which the Country Commercial Zone is permitted.

MPS 5-20: Council shall, on the zoning map of the Land Use Bylaw, permit the following zones within the Commercial Designation

- (a) Downtown Commercial
- (b) Flood Hazard Zone
- (c) General Commercial Zone
- (d) Highway Commercial Zone
- (e) Institutional Zone
- (f) Mixed-Use Zone
- (g) Parks and Open Space Zone

Comment

Not only does the current zoning not allow for residential development but the current zone is not permitted within the current designation. A rezoning and re-designation is required to accurately classify the land use of the subject property.

Re-designating the property to the Resource Designation, will allow the subject property to be rezoned to an appropriate zone and corrects the discrepancy in designations and zoning for this parcel.

MPS 5-20: Council shall, on the zoning map of the Land Use Bylaw, permit the following zones within the Resource Designation;

- (a) Agriculture Zone
- (b) Commercial Recreation Zone
- (c) Country Commercial Zone
- (d) Country Residential Zone
- (e) Flood Hazard Zone [CHG-403]
- (f) Highway Commercial Zone
- (g) Institutional Zone



SPECIAL COUNCIL
Public Hearing
Date: August 21, 2024

(h) Parks and Open Space Zone (h.1) Recreational Residential Zone [CHG-502] (i) Rural Industrial Zone (j) Rural Resource Zone
Comment By applying the Resource Designation to the subject property, the property can then be zoned as Commercial Recreation, which best aligns with the intended use of the land.

Once the parcel is re-designated to the Resource Designation, the parcel will be assigned the Commercial Recreation Zoning, enabled by the clauses below.

<i>MPS 5-22 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>	
Requirement	Comment
(a) The proposed change is not prohibited by any other policy in this plan.	No
(b) 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
(c) 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.

<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>	



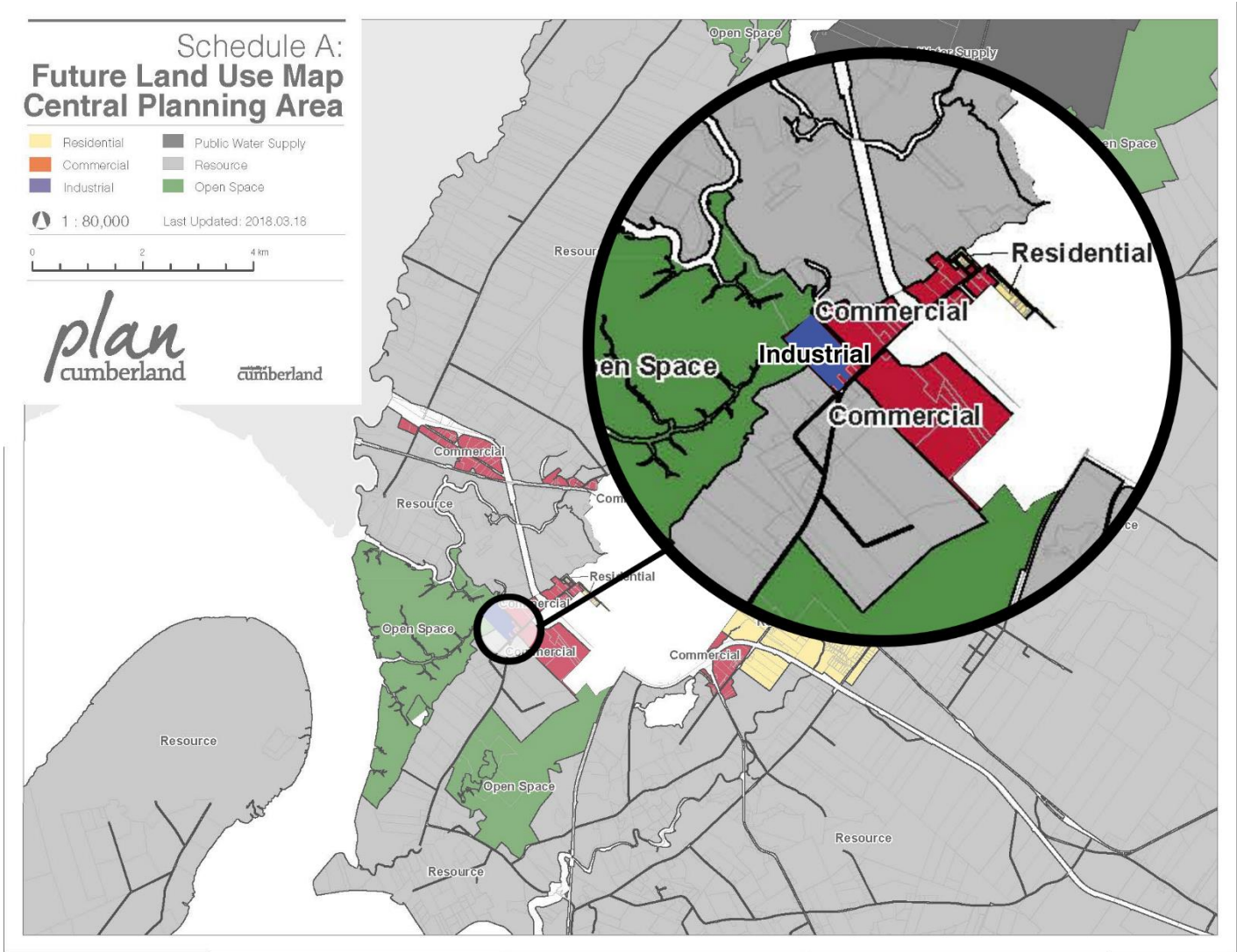
SPECIAL COUNCIL

Public Hearing

Date: August 21, 2024

<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>	Site has been deemed suitable for installation of On-Site Septic
<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>	No 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

Attachment D: MPS Amended Schedule A





SPECIAL COUNCIL

RFD

Date: July 24, 2024

TO: Mayor and Council

FROM: Glen Boone, Director of Development and Planning

DATE: July 24, 2024

SUBJECT: **First Reading - By-law to Amend the Municipal Planning Strategy 24-08 and By-law to Amend the Land Use By-law 24-09 to re-designate then rezone North of 23 Fenton Rd., Nappan, a portion of PID 25044124**

ORIGIN: On June 10, 2024 Planning staff received an application to rezone a portion of 1405 Southampton Rd, Nappan - PID 25044124 (the “subject property”), North of 23 Fenton Road. The requested amendment would change the zoning from the Urban Industrial (IND) Zone to the Commercial Recreation (CRec) Zone, which requires the subject property to first be re-designated to the Resource designation.

PID	Current Use	Current Designation	Current Zone	Proposed Use	Proposed Designation	Proposed zone
25044124	Animal Boarding	Industrial	Urban Industrial (IND) Zone	Animal Boarding / Single Unit Dwelling	Resource	Commercial Recreation (CRec) Zone

LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

MPS Policy 5-19 Council shall, on Schedule A, the Future Land Use Map, designate as Industrial lands intended to give priority to a wide range of industrial uses in urban areas

LUB 10.1.1 The Urban Industrial Zone is intended to permit industrial uses and to control their impacts on neighbouring uses.

RECOMMENDATION: THAT Council approve first reading of the By-law to Amend the Municipal Planning Strategy 24-08, to re-designate a portion of PID 25044124 from Industrial to Resource and then to approve first reading of the By-law to Amend the Land Use By-law 24-09 to rezone a portion of PID 25044124 from Urban Industrial (IND) Zone to Commercial Recreation (CRec) Zone AND to schedule a public hearing for the proposed by-laws.



SPECIAL COUNCIL

RFD

Date: July 24, 2024

BACKGROUND: The subject property is located along Southampton Road, in Nappan. The property is approximately 44 acres, zoned as Urban Industrial, under the Industrial Designation. The property was previously used as the head office location for a construction company, for construction equipment storage, and for boarding and training of horses. The Industrial designation was assigned to the subject property during an initial zoning assignment in 2018. The construction company has since been sold and moved, and the subject property is now used for storage and for the boarding of horses. There is an existing large barn which acts a training area and an arena for horse competitions.

The property owner is looking to subdivide a piece of land off their parcel and sell it. The owners already have an interested buyer who would be looking to develop a single unit dwelling on the newly created lot. The newly created lot would be located North of 23 Fenton Rd and will have access off Fenton Rd, which is a provincially owned and maintained road.

DISCUSSION: The current zoning of the subject property does not permit the proposed development of a single unit dwelling, nor does it accurately reflect the current use of the lands. The Commercial Recreation (CRec) Zone would allow for the development of a single unit dwelling, while providing the future owner a variety of further development options. Since the Urban Industrial Zone and the Commercial Recreation (CRec) Zone are under different designations, before the rezoning can occur, an MPS amendment will be required to re-designate the subject property from the Industrial designation to the Resource designation.

This amendment is not to re-designate the entirety of PID 25044124, the zoning and designation of remaining land of PID 25044124 shall be addressed in a housekeeping amendment review, at a later date.

FINANCIAL IMPLICATIONS: None specific to this matter.

ENVIRONMENTAL IMPLICATIONS: None specific to this matter

COMMUNITY ENGAGEMENT: If Council approves the first reading, a public participation meeting can be held on the above matter at a later date. After the completion of the Public Meeting, a public hearing can be held at address and consider community input on the application.

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:

Attachment A: Aerial and Street Images

Attachment B: Zoning Map

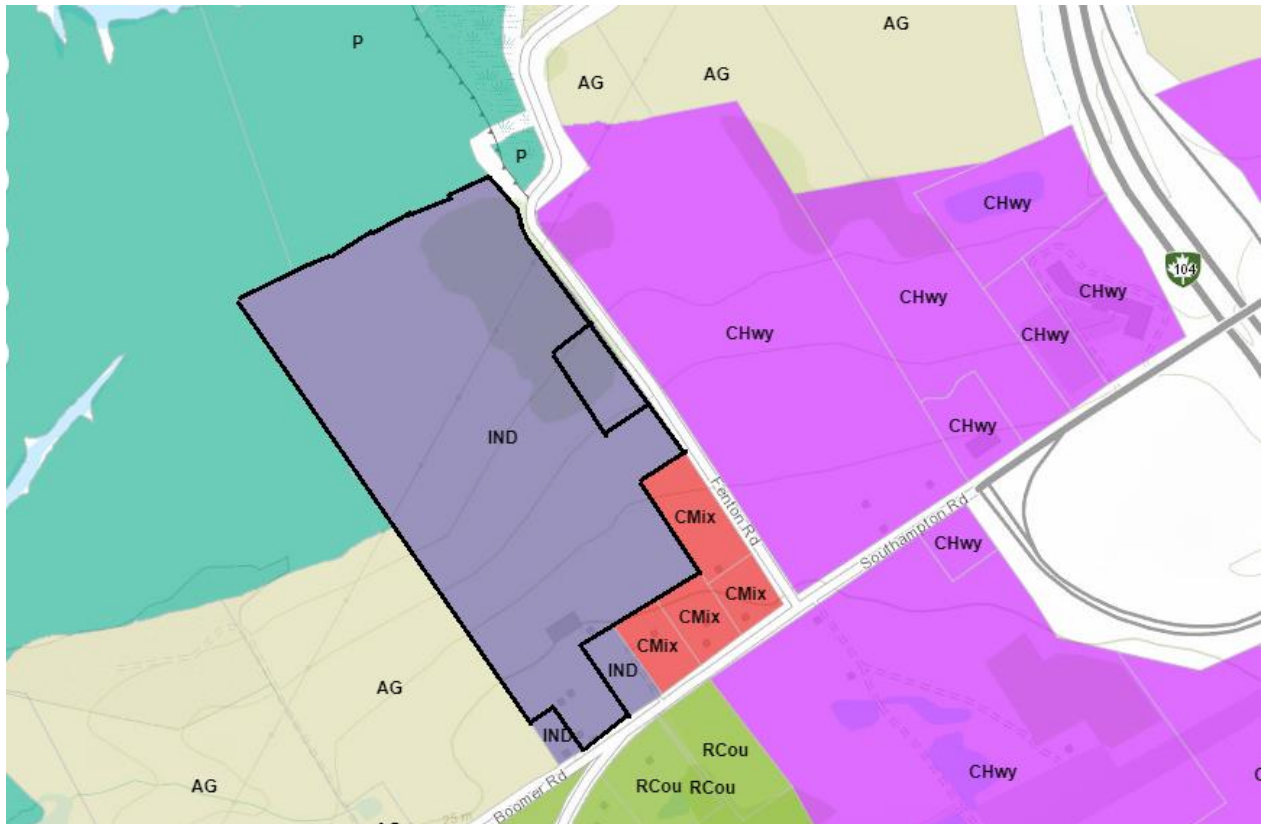
Attachment C: Policy Review

Attachment A: Aerial and Street Image





Attachment B: Zoning Map





SPECIAL COUNCIL

RFD

Date: July 24, 2024

Attachment C: Policy Review

Currently, the MPS prohibits rezoning from Urban Industrial to Country Commercial. For this reason, staff is recommending a re-designation of the parcel from the Industrial Designation to the Resource Designation, under which the Country Commercial Zone is permitted.

<p><i>MPS 5-20: Council shall, on the zoning map of the Land Use Bylaw, permit the following zones within the Industrial Zone:</i></p> <ul style="list-style-type: none"> (a) Flood Hazard Zone (b) Parks and Open Space Zone (c) Urban Industrial Zone 	
<p>Comment</p> <p>The Industrial Designation does not allow for the zoning that would permit residential development.</p>	

Once the parcel is re-designated to resource, the parcel will be assigned the Commercial Recreation Zoning, enabled by the clauses below.

<p><i>MPS 5-22 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>	
Requirement	Comment
(a) The proposed change is not prohibited by any other policy in this plan.	No
(b) 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
(c) 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.



SPECIAL COUNCIL

RFD

Date: July 24, 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>	Site has been deemed suitable for installation of On-Site Septic
<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



SPECIAL COUNCIL

RFD

Date: July 24, 2024

<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



PUBLIC PARTICIPATION / OPEN HOUSE

AMENDMENTS TO THE MUNICIPAL PLANNING STRATEGY

A Public Participation / Open House regarding amendments to the MPS for the Municipality of Cumberland will be held

4:00 pm – 5:30 pm, Thursday, July 18th, 2024

Upper Nappan Service Centre, Downstairs Meeting Room

The purpose of these amendments are to:

Change the land use designation of Schedule A of the MPS from

Urban Industrial to Resource and to rezone,

PID 25044124, North of 23 Fenton Rd., West Amherst

from Industrial to Country Commercial.

Amend the **Municipal Planning Strategy (MPS)** to allow the municipality to designate Commercial Development Districts (CDD).

Public may attend this open house to review the information, engage with Staff or ask questions. Written submissions or inquires can also be sent to Planning@cumberlandcounty.ns.ca or by phoning 902-667-1142.