



Subject: *Plan Update - Beamish Road*
To: CAO for Planning Advisory Committee, May 18, 2021
Date Prepared: May 12, 2021
Related Motions: C19(256) and C20(81)
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Approved by: John Woodford, Director of Planning and Development

Summary

As part of the ongoing plan update, Planning staff are preparing background papers to discuss and propose approaches to different land use issues within the Municipality. The current background paper discusses a petition from residents and a motion from Council regarding the land use regulations on Beamish Road.

In the fall of 2019, the Municipality received a request and a petition from residents of Beamish Road, East Uniacke, requesting that the designation and zone on the south portion of Beamish Road be changed from Rural Use (RU) to a designation and zone that only permits single unit dwellings. At their October 2019 meeting, Council passed Motion C19(256) “...that Council direct staff to prepare a report on re-zoning Beamish Road from Rural Use (RU) to an Established Residential Neighbourhood Zone (R1).” Then, at their March 2020 meeting, Council passed Motion C20(81) that “Council table the report titled Beamish Road - MPS and LUB Mapping Amendment, dated March 4, 2020 for the next Municipal Planning Strategy review with Council.”

Financial Impact Statement

The Community Plan Update has been budgeted for in the 2021/2022 Municipal Budget.

Recommendation

That Planning Advisory Committee recommend that Council authorize staff to proceed with one of the options identified in staff’s report.

Recommended Motion

Planning Advisory Committee recommends that Council:

- *Direct staff to proceed with one of the following options:*
 1. *Move forward with changing the designation and zone of the subject lands to Country Residential (CR) as part of the Plan Update.*
 2. *Maintain the current Rural Use (RU) land use designation and zone.*

Background

At their March 2020 meeting Council passed Motion C20(81) that *“Council table the report titled Beamish Road - MPS and LUB Mapping Amendment, dated March 4, 2020 for the next Municipal Planning Strategy review with Council.”* For new members of PAC, staff have prepared a short timeline regarding the history of Beamish Road.

Beamish Road Timeline

2016 - As part of the 2016 Plan Review, Planning staff had recommended that the residential portion of Beamish Road, East Uniacke be designated and zoned Country Residential (CR) because of its large lot subdivision feel. However, Council directed staff to leave the lands designated and zoned Rural Use (RU), which allows for a wider variety of activities to take place on the lands. This direction came from a request from the local Councillor of the day.

May 2019 - East Hants received a planning application to enable a recreational vehicle storage facility for 36 Beamish Road. Residents on Beamish Road were not happy about the application, and the application was refused by Council.

October 2019 - Following Council’s refusal, the majority of residents located on Beamish Road submitted a letter and a petition to Council requesting that the zoning of Beamish Road change to only permit residential uses.

October 2019 - Council passed Motion C19(256) *“...that Council direct staff to prepare a report on re-zoning Beamish Road from Rural Use (RU) to an Established Residential Neighbourhood Zone (R1).”* Although the letter from residents and the motion from Council requests that the property be changed to R1, Planning staff recommended that the designation and zone be changed to Country Residential (CR). The Country Residential MPS policies and LUB regulations better fit with the type of residential land development that has occurred on the south portion of Beamish road to date.

March 2020 - Planning staff presented a report to PAC regarding the Beamish Road petition as per Council’s direction. At their March 2020 meeting, Council passed Motion C20(81) that *“Council table the report titled Beamish Road - MPS and LUB Mapping Amendment, dated March 4, 2020 for the next Municipal Planning Strategy review with Council.”*

August 2020 - A building permit was issued for 36 Beamish Road for a single unit dwelling and a garage.

Subject Properties

The subject properties are located along the south end of Beamish Road and include the PIDS 45144078, 45144086, 45144110, 45144128, 45009552, 45407491, 45347515, 45347507, 45347499, 45338175, 45338167, 45396181, 45039641, 45199684, 45199676 and a portion of PIDS 45291325 and 45245321. An excerpt of the zoning map on the following page shows the location of the subject lands. There are 17 properties included in the proposed change, for a total area of approximately 51 hectares. The subject lands are zoned Rural Use (RU) and adjacent properties are also zoned Rural Use (RU).



Discussion

Below are two options on how Planning Advisory Committee may want to proceed with the Beamish Road topic. The Rural Use (RU) Zone enables a variety of uses including residential uses such as single unit dwellings, two unit dwellings, and mobile homes; commercial uses that are rural in nature such as repair and maintenance, retail and rental stores, animal hospitals and veterinary offices, tradesperson, and much more; agricultural uses such as greenhouses, agritourism uses, horse stables, boarding and training facilities; and much more. The Country Residential (CR) Zone is a restrictive zone and only permits single unit dwellings, while also allowing for accessory dwelling units and homebased businesses.

Both of these options are acceptable to staff, as both the RU and CR zones permit residential development.

1. Move forward with changing the designation and zone of the subject lands to Country Residential (CR) as part of the Plan Update.
2. Maintain the current Rural Use (RU) land use designation and zone.

If PAC proceeds with option 1, impacted residents on Beamish Road will be contacted regarding the land use designation and zone change as part of the normal course of public notification, including letters, as part of the Plan Update.

Conclusion

As per the direction of Council, Planning staff have addressed the subject of whether to change the designation and rezone the residential portion of Beamish Road from Rural Use (RU) to Country Residential as part of the Plan update. Staff have provided a history on the topic and have provided two options on how to proceed with the Beamish Road proposal as part of the community plan update.

Recommendation

That Planning Advisory Committee recommend that Council authorize staff to proceed with one of the options identified in staff's report.