



Subject: *Chris Marchand - MPS and LUB Mapping Amendments*
To: CAO for Planning Advisory Committee, July 19, 2022
Date Prepared: July 4, 2022
Related Motions: None
Prepared by: Lee-Ann Martin, Planner
Approved by: John Woodford, Director of Planning and Development

Summary

The Municipality has received an application from Chris Marchand to redesignate and rezone a portion of property in East Uniacke from Rural Use (RU) Zone to Established Residential Neighbourhood (R1) Zone. This initial report outlines the application and recommends that a Public Information Meeting be held.

Financial Impact Statement

There are no immediate financial impacts associated with the recommendations of this report. Information on the financial impact of the amendments will be provided in the final report.

Recommendation

That Planning Advisory Committee recommend that Council authorize staff to schedule a Public Information Meeting.

Recommended Motion

Planning Advisory Committee recommends that Council:

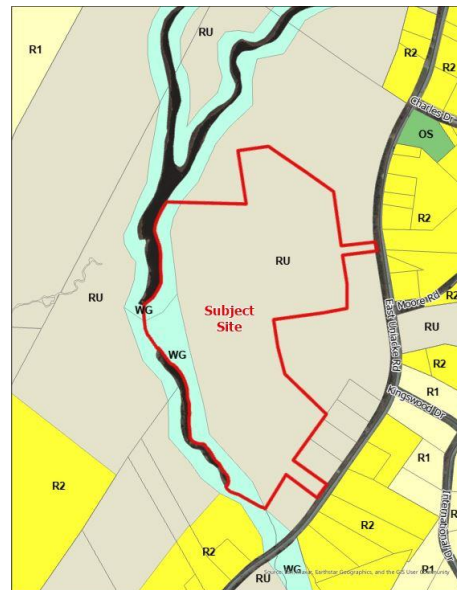
- *authorize staff to schedule a Public Information Meeting to consider a proposal for a portion of PID 45143237 to change the designation from Rural Use (RU) to Established Residential Neighbourhood (ER) and the zone from Rural Use (RU) to Established Residential Neighbourhood (R1).*

Background

In April 2022, the Municipality received an application from Chris Marchand on behalf of Aubrey and Cheryl Powell to redesignate and rezone a portion of property in East Uniacke from Rural Use (RU) Zone to Established Residential Neighbourhood (R1) Zone. This application would also require a change in the land use designation. This initial report outlines the application and recommends that a Public Information Meeting be held.

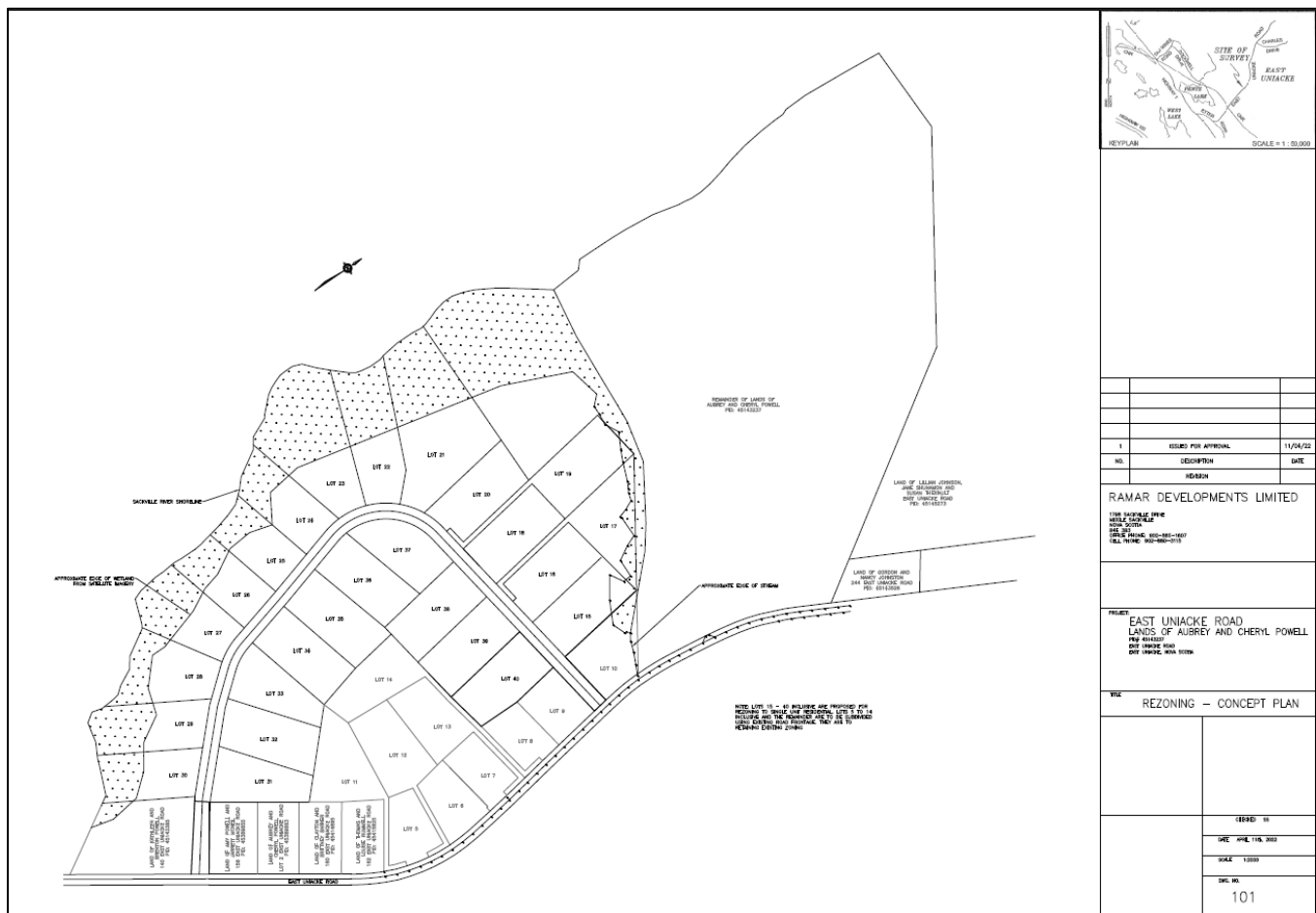
Subject Property

An excerpt of the zoning map and aerial photography map below show the location of the subject property identified as PID 45143237, which is accessed via the East Uniacke Road. The forested property totals 37.4 Ha with the subject portion to be rezoned and redesignated totaling approximately 22.2 Ha. The property is currently zoned as Rural Use (RU) Zone with portions of the property with the Watershed Greenbelt (WG) Zoning along the Sackville River. The property is also located within the Mount Uniacke Growth Management Area.



Development Proposal

The purpose of this proposal is to amend the Generalized Future Land Use Map (GFLUM) and the Land Use Bylaw Map to change the designation from Rural Use (RU) to Established Residential Neighbourhood (ER) and the zone from Rural Use (RU) to Established Residential Neighbourhood (R1) Zone to enable the development of a low-density subdivision. The concept plan shown below contains 35 potential new lots for residential development. Lots 5 through 14 on the concept plan are shown to be using the existing road frontage on the East Uniacke Road, therefore are not included in the rezoning and redesignation. This plan is a concept only and the detailed layout, including open space will be submitted with a subdivision application.



Discussion

LEGISLATIVE AUTHORITY

The Municipal Government Act, Part III gives legislative authority for this application. This section outlines the process for these amendments to be considered, including the advertisements for a Public Hearing.

FINANCIAL CONSIDERATIONS

A financial impact analysis will be provided in the final staff report.

MUNICIPAL PLANNING STRATEGY POLICY ANALYSIS

Staff are currently reviewing the proposed amendments based on the applicable policies contained in the Municipal Planning Strategy (MPS). Staff will be requesting comments from internal departments and external agencies. A detailed table of the evaluative criteria from the enabling policies and corresponding comments from Staff and reviewing agencies will be attached to the final report.

The Mount Uniacke Growth Management Area is unique in that it enables development based on on-site sewage and water service. However, within this area the Rural Use (RU) Zone does not allow new roads. Policy AR2 of the MPS states:

“Council shall establish the Rural Use (RU) Zone, whose purpose and general zoning provisions shall be consistent with the specified intent of the (RU) Designation, and furthermore:

- (i) *Only permitting new residential development to occur on existing roads;”*

As a result, the property will have to be redesignated and rezoned to enable the development.

In evaluating this application, Staff will refer to MPS polices associated with the Mount Uniacke Growth Management Area as well as general policies related to amending the MPS and the Land Use Bylaw (LUB).

Policy IM18 (b) requires that Council consider the adequacy of physical site conditions for private on-site septic and water systems. Staff will be requesting the applicant provide a hydrogeological study to enable Council to consider the adequacy to provide a drinking water supply.

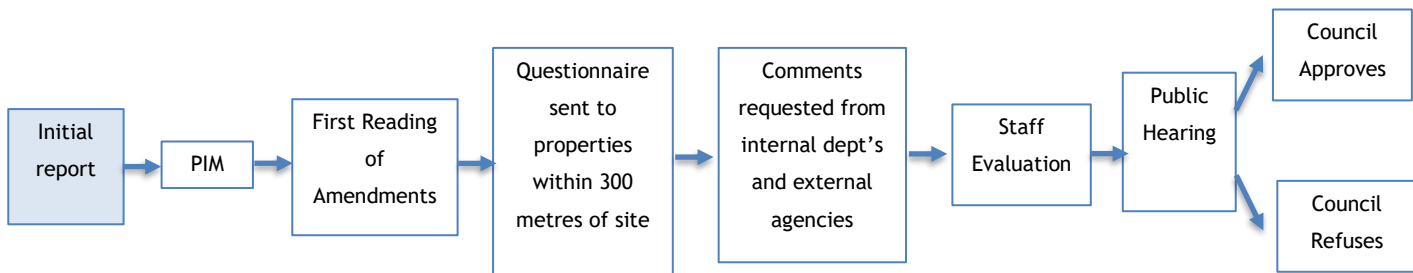
Council’s decision on this application is not appealable to the NSUARB as it involves an amendment to the MPS.

Citizen Engagement

Planning staff will comply with the Citizen Engagement Policies of the Municipal Planning Strategy when processing the amendments. An advertisement outlining the proposal and indicating that it is under review by staff will be placed in an upcoming edition of the *Chronicle Herald*. As part of the review process for MPS amendments, a Public Information Meeting (PIM) is required, to hear input from the community. Additionally, a letter will be mailed to all property owners within 300 metres of the subject property. The Planning Advisory Committee recently directed staff to provide letters to property owners within 800m of a subject site for a different application also located on the East Uniacke Road, therefore, the same may be done for this application if directed by Council. These letters will indicate the time and date of the PIM once it has been scheduled and residents will have an opportunity to ask questions on the application. A notice of the PIM will also be placed in the *Chronicle Herald*.

Conclusion

Staff will continue to review the proposal to change the subject property to the Established Residential (ER) Designation and the Established Residential Neighbourhood (R1) Zone. The proposed amendments will be evaluated using all applicable policies in the Municipal Planning Strategy. Staff will make a recommendation to PAC in their final staff report.



Recommendation

That Planning Advisory Committee recommend that Council authorize staff to schedule a Public Information Meeting.

Alternatives

If the PAC does not support this application, they can choose to recommend that Council not move forward with the application. Planning staff do not support this approach and recommend that the file be taken to a Public Hearing to allow staff to complete their full review and analysis of the policies to be provided to PAC and Council in the final staff report.

Attachments

None