



**Subject:** *Chris Marchand - MPS and LUB Mapping Amendments*  
**To:** CAO for Planning Advisory Committee, October 18, 2022  
**Date Prepared:** September 26, 2022  
**Related Motions:** PAC22(63), C22(274)  
**Prepared by:** Lee-Ann Martin, Planner  
**Approved by:** John Woodford, Director of Planning and Development

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### 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 First Reading be given.

### 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 give First Reading and authorize staff to schedule a Public Hearing.

### Recommended Motion

*Planning Advisory Committee recommends that Council:*

- *Give First Reading and authorize staff to schedule a Public Hearing 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).*

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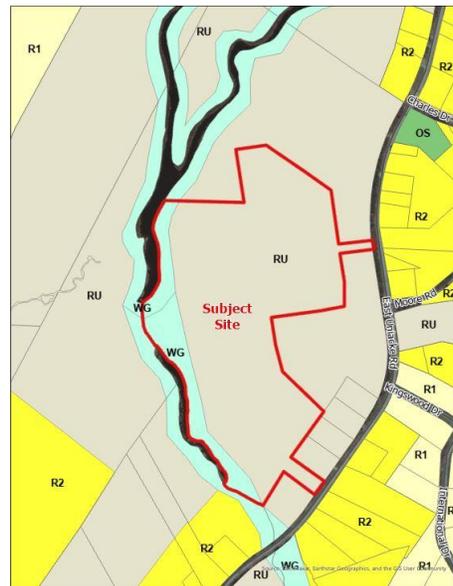
## Background

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 report further outlines the application and provides details on the notes from the Public Information Meeting.

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## Subject Property

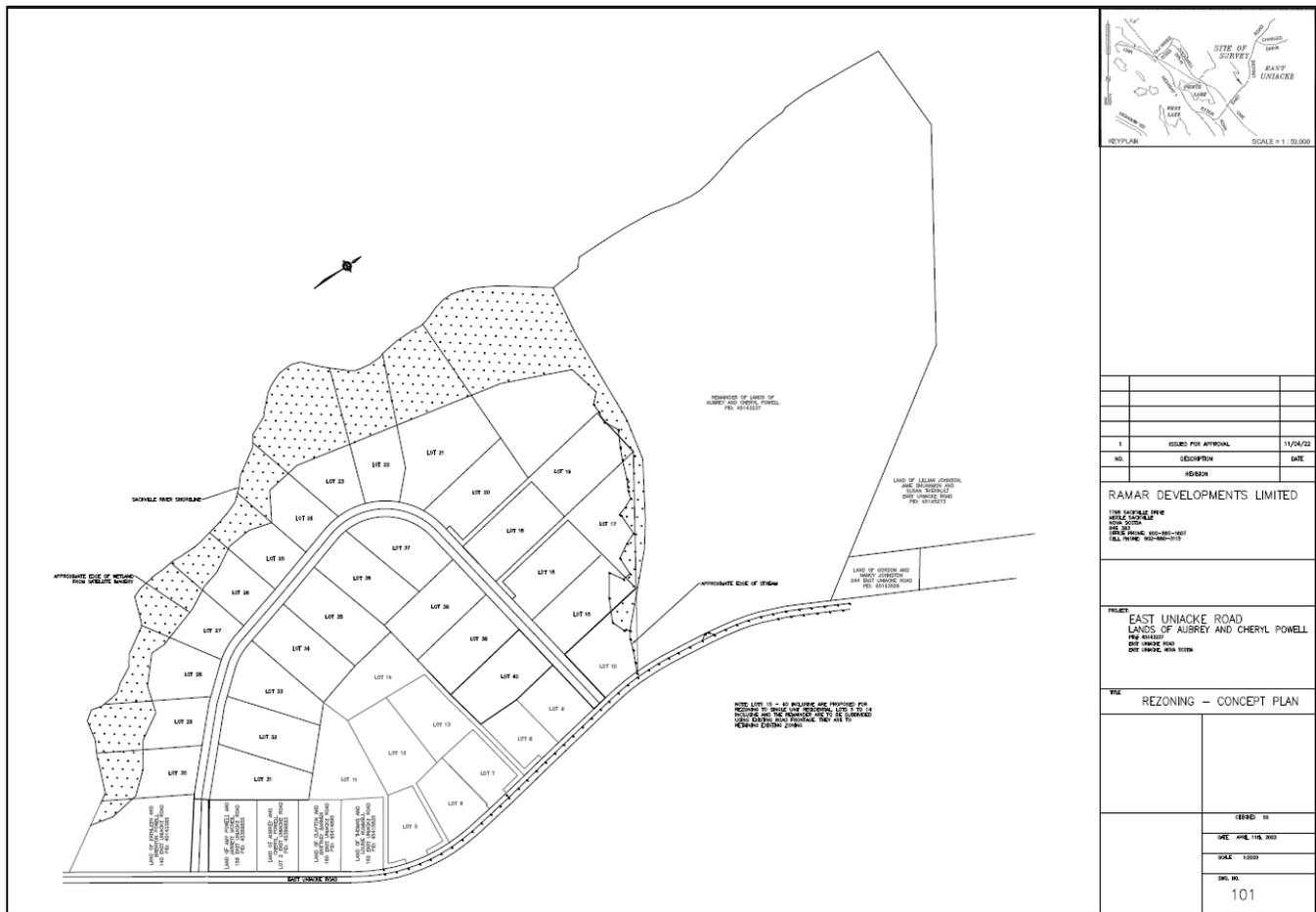
An excerpt of the zoning map and aerial photography map below show the location of the subject property identified as PID 45143237, which is accessed via the East Uniacke Road. The forested property totals 37.4 Ha with the subject portion to be rezoned and redesignated totaling approximately 22.2 Ha. 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.



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## 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. The applicant has provided a hydrogeological study to enable Council to consider the adequacy to provide a drinking water supply. The full report has been provided.

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

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## 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 was placed in the July 27, 2022 edition of the *Chronicle Herald*. As part of the review process for MPS amendments, a Public Information Meeting (PIM) was required to hear input from the community. A letter was mailed to all property owners within 300 metres of the subject property indicating the date and time of the PIM. A notice of the PIM was also placed in the *Chronicle Herald* on August 29, 2022.

The PIM was held on September 6, 2022 at the Mount Uniacke Legion. There were 26 people in attendance including three Councillors. The following comments were noted:

- Concerns regarding the state of the East Uniacke Road and who will be responsible for repairs to the road
- Concerns regarding the speed of traffic on the East Uniacke Road
- Questions asked about the Watercourse Greenbelt (WG) Zone and whether that zone would be retained
- Residents would like to see a Traffic Impact Study conducted
- Asked if the Fire Department would be consulted
- Discussion around the difference between the planning application and subdivision application
- Representative from the Sackville Rivers Association in attendance provided a list of items they would like addressed. Those include:
  - Watercourse greenbelt be retained on the Sackville River
  - 30-metre buffer on the un-named stream
  - Sedimentation and erosion control during construction to limit silt disposition in the stream and river
  - No direct stormwater drainage into the river or feeder stream
  - Septic fields as far as possible from the river and stream
  - Allowance for public access to the river (possible trail along the river)
  - Retain as many trees as possible
- Discussion regarding the development pressures and taking a holistic approach to growth in Mount Uniacke
- More parks and open spaces in Mount Uniacke

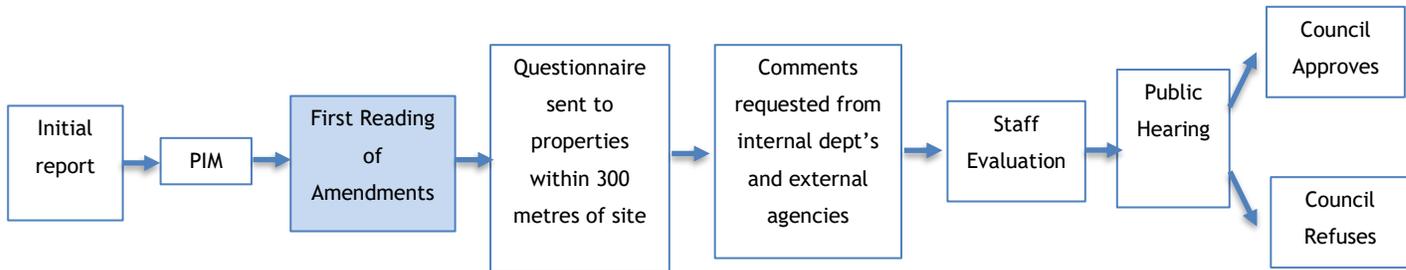
Full meeting notes are attached to this staff report in Appendix A.

If First Reading is given, staff will circulate questionnaires to all property owners within 300m of the subject property to provide residents further engagement opportunity on the proposal. Questionnaire responses will be provided to Council for review.

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## 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.



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## Recommendation

That Planning Advisory Committee recommend that Council give First Reading and authorize staff to schedule a Public Hearing.

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## 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.

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## Attachments

Public Information Meeting Notes- Appendix A



## Appendix A

### Public Information Meeting

Proposed MPS and LUB Mapping Amendments, PLN22-005, East Uniacke and Proposed MPS and LUB Mapping Amendments, PLN22-006, East Uniacke

Royal Canadian Legion, 18 Veterans Lane, Mount Uniacke

September 6, 2022

**Staff in attendance:** Lee-Ann Martin, Development Officer/Planner  
Debbie Uloth, Project Planner

**Applicant:** Chris Marchand

**Public in attendance:** 23 members of the public (including Sackville Rivers Association)  
Councillor Moussa  
Councillor Perry  
Councillor Mitchell

**Questions & Comments PLN22-05:**

- Attendees asked questions regarding the hydrogeological study and the applicant responded with details from the study.
- Questions were asked about the Watercourse Greenbelt (WG) Zone and whether the zone was going to be changed or not.
- Questions were asked about the East Uniacke Road and who was going to be responsible for repairs to the road from construction vehicles.
- Concerns were raised regarding the speed of traffic on East Uniacke Road.
- Attendees thought that a traffic study for the East Uniacke Road should be undertaken.
- Asked if the fire department was going to be consulted.
- Staff discussed the process and discussed the difference between an as-of-right subdivision and a planning application.
- Sackville Rivers Association would like to interact with the Developer and indicated a list of items they would like to see addressed:
  - Would like to see the greenbelt along the river maintained.
  - This area is the headwaters of the Sackville River and should be kept clean.
  - Tributaries should also be buffered.
  - Siltation and sedimentation into a watercourse causes the most damage to a river system.
  - Would like the area of hard surfaces kept at a minimum.
  - Stormwater should not be directed into the river or tributaries.
  - Septic systems should be kept away from the river.
  - Maintain large trees where possible.
  - Allowances for public access to the river.

- Conservation corridor along the river which includes a trail.
- Talked about the open space lands on Charles Drive and how gas tax funding should be used to create a park at the site.
- Discussion around taxes and that Mount Uniacke has no services and that the Corridor gets all of the services.
- Councillor Moussa discussed the CAP program and taxes; also discussed the Recreation Study that is being undertaken for the Mount Uniacke area.
- Concerns about seniors and access to services and their tax burden.
- Discussion by Councillors on how projects get moved forward and how groups of people need to champion a cause.
- Wanted to have Nova Scotia Public Works attend a meeting for the development.
- Discussion was held about development pressures and about taking a holistic approach to growth in Mount Uniacke.