



Subject: *Plan Update – First Reading*
To: CAO for Planning Advisory Committee, May 9, 2023
Date Prepared: May 2, 2023
Related Motions: PAC21(14), PAC21(5), PAC21(6), C21(23), C21(24), PAC21(26)
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Summary

Staff presented draft planning documents to Planning Advisory Committee (PAC) in September 2022. Public consultation was held in November and subsequent direction was given by Council in December 2022 regarding the Agricultural (AR) Designation and Zone, and in April 2023 for the Fundy Erosion Designation and Zone. Based on this consultation and Council direction, Planning staff are now requesting first reading of the East Hants Official Community Plan and authorization to schedule a public hearing.

Draft East Hants Official Community Plan Documents have been attached as Appendix A.

Financial Impact Statement

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

Recommendation

That first reading is given to the amendments and that staff is authorized to schedule a public hearing.

Recommended Motion

Planning Advisory Committee recommends that Council:

- *give first reading to amendments to the East Hants Official Community Plan (Municipal Planning Strategy, Land Use Bylaw, and Subdivision Bylaw) as part of the ongoing Plan Update; and*
- *enable a public hearing and authorize staff to schedule a public hearing on a Council Extension Meeting date.*

Background

Planning staff presented a draft of the East Hants Official Community Plan to East Hants residents as part of the November 2022, community engagement sessions. Since November, Planning staff have removed the Agricultural Reserve (AR) Zone from the future planned area in response to Council Motion C23(22). In addition, staff have made minor changes to the Rural Use North (RU-2) Zone in response to a discussion with residents who attended the engagement sessions, staff have refined definitions and fixed numbering or grammatical issues, we have added provisions to allow for a marine industry use, and staff have responded to a request from Parks, Recreation, and Culture to amend the Subdivision Bylaw Law (SUB). Also, in accordance with Council Motion C23(119), staff have amended the proposed regulations for the Fundy Erosion areas.

A copy of the East Hants Official Community Plan, showing new information added in green text, information to be deleted in red text with a strikethrough, and the black, bold, italicized script showing previous amendments, has been attached as Appendix A.

Discussion

Planning Advisory Committee has reviewed a range of topics throughout the Plan Update process. Below is a recap of some of the topics that have been discussed.

- Rural Use North (RU-2) proposed zone uses including residential and commercial activities.
- Campgrounds - New regulations which require campgrounds to be considered by site plan approval.
- Fundy Vulnerability Study and proposed zoning - Council amended draft regulations regarding the Fundy Erosion Designation Zone at their April 2023 meeting.
- Amenity space changes for the R3, MC, and R2-T zones.
- Updates to the VC Zone.
- Parking updates for Shubenacadie.
- Milford Ground Water Study and new zoning.
- Minor amendments to the Municipal Planning Strategy, Land Use Bylaw, and Subdivision Bylaw.
- Minor zoning changes in the comprehensive planned portion of East Hants.

Previous reports where Council has decided not to proceed with recommendations:

- Removing the ability to construct gravel roads.
- Reducing the ability to create flag lots.
- Rural Settlement Zoning in the future planned area.
- Agricultural Zoning in the future planned area.

During the April PAC meeting, committee members directed staff to amend the proposed policies and regulations for the Fundy Erosion Designation and Zone. As per the discussion in April, the draft East Hants Official Community Plan has been updated to create the Fundy Erosion Overlay (FE-2050) Zone and the Fundy Erosion Overlay (FE-2100) Zone. No structures are proposed to be constructed in the FE-2050 Zone, as land in this zone may erode in the next 27 years. In the FE-2100 Zone, new structures are permitted by site plan

approval, only if they are constructed on skids or helical piles, which would allow for the structures to be moved away from the shoreline if necessary.

COMMUNITY ENGAGEMENT

If Council gives first reading to the draft Planning documents and authorizes staff to schedule a public hearing, the next step in the process will be to initiate a mail out to all property owners in the future planned area, and those in the comprehensively zoned area with a zoning change letter. Letters will include information about the proposed zoning, and they will include information on the time, date, and location of the public hearing.

Staff are recommending that the public hearing for the Plan Update be scheduled for the Thursday extension of Council evening. It is anticipated that many residents may wish to attend and speak at the public hearing. Scheduling the public hearing for a Thursday evening would also ensure that the public hearing schedule is not overwhelmed, as there may be two other public hearings tentatively scheduled for July.

STRATEGIC ALIGNMENT

Amendments to the East Hants Official Community Plan aligns with Council Strategic goal to build strong communities by "Ensure[ing] the East Hants official community plan is effective in managing changes in the community, reducing land use conflict and protecting both natural resources and community character."

LEGISLATIVE AUTHORITY

The Municipality has Legislative Authority to create land use policies and regulations under Part 8 of the Municipal Government Act.

FINANCIAL CONSIDERATIONS

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

Attachments

Appendix A – Draft East Hants Official Community Plan

Conclusion

Planning staff have completed a second draft of the East Hants community plan based on Council direction, public consultation, and internal staff review. Staff are now recommending that first reading be considered.