

To: **Antigonish Planning Advisory Committee
Antigonish County Council**

From: **Planning Staff (EDPC)**

Date: **December 20, 2011**

Reference: **Rezoning Request for lands located on Highway 4, Antigonish County, from
Mobile Park (MH-1) to Rural Development (RD-1) Zone.**

Recommendation:

That Council **approve** the amendment to the Antigonish County Planning Area Land Use By-law to rezone PID# 01313303 from Mobile Park (MH-1) Zone to Rural Development (RD-1) Zone.

Summary of Proposal:

Designation: Residential
Zoning: Mobile Home (MH-1)
Area: 19 ha; 47 acres (Property)
Site Visit: July 27, 2011
Identification: Highway 4, PID# 01313303



Information:

The applicant, Mr. Bryden MacDougall, has requested the rezoning of a property on Highway 4 west of Antigonish (PID# 01313303), owned by Mr. Donald Beaton. The property was rezoned from Rural Development Zone to Mobile Home Park Zone in 2006, after which it was subdivided to create PID# 10105070. This adjacent property is where the proposed mobile home park will be located, and as such, the applicant is requesting on behalf of the owner to rezone the subject property back to the Rural Development (RD-1) zone.

Analysis:

Policy Review

The Municipal Planning Strategy identifies the subject property as being designated Rural Development. Policy 1(b) of the strategy says the following with respect to rural residential development:

Policy 1(a) It is the intention of Council to establish a Residential (R-1) Zone in the Land Use By-law which will permit single detached dwellings, mobile homes on individual lots, two unit dwellings including converted dwellings with no exterior alteration, and senior citizens' housing. Bed & breakfasts, boarding houses, guest homes, day nurseries, institutional uses, nursing homes, recreational uses and agricultural uses excluding intensive livestock operations also shall be permitted.

The proposed zoning category is permitted within this designation, and as such, no amendment to the Municipal Planning Strategy is required. Criteria for amending the Land Use Bylaw are found in Policy 31(a) of the Municipal Planning Strategy. An analysis by staff of this application's compliance with those criteria can be found in Appendix "A" of this report.

Conclusions:

The opinion of Planning Staff is that the proposal conforms to the intent of the *Antigonish County Area Municipal Planning Strategy*, the *Antigonish County Area Land Use By-law* and the requirements of all other Municipal By-laws and regulations. Staff feels that the proposed rezoning does meet the criteria and requirements of the Municipal Planning Strategy, as summarized in Appendix "A" to this report.

Staff therefore recommends that Council **approve** the application made by Mr. Bryden MacDougall for the rezoning of a property on Highway 4 west of Antigonish (PID# 01313303), owned by Mr. Donald Beaton, from Mobile Home (MH-1) Zone to Rural Development (RD-1) Zone.

Appendix 'A': Summary of Evaluation Criteria

POLICY 31(a) In considering amendments to the Land Use By-law, in addition to all other criteria as set out in various policies of this Strategy, Council shall have regard to the following matters:	
a) That the proposal is in conformity with the intent of this Strategy and with the requirements of all other Municipal By-laws and Regulations;	Complies (See Staff Report)
b) That the proposal is not premature or inappropriate by reason of the following:	
i) the financial capability of the municipality to absorb any costs relating to the development;	None identified
ii) the adequacy of sewer and/or water services to support the proposal;	Meets Criteria
iii) the adequacy and proximity of school, recreation, and any other community facilities;	Meets Criteria
iv) the adequacy of road networks in, adjacent to, or leading to the development and the adequacy of access and proposed parking facilities;	Meets Criteria
v) the potential for the contamination of abutting watercourse or the creation of erosion or sedimentation as a result of the development as determined by a qualified person from the appropriate government department; and,	Meet Criteria
vi) the suitability of the proposed site in terms of steepness of grades, soil and geological conditions, marshes, swamps or bogs as determined by a qualified person from the appropriate government department and proximity of highway ramps and railway rights-of-way	Meets Criteria