
To: **Chéticamp Area Advisory Committee
Inverness Planning Advisory Committee
Inverness County Council**

From: **Planning Staff (EDPC)**

Date: **October 27, 2020**

Reference: **Proposed and Potential Amendments to the Chéticamp *Municipal Planning Strategy and Land Use By-law* relative to the permitted use of campgrounds within Residential Rural (RR-1) Zone:**

Summary:

Staff received a request to amend the Municipal Planning Strategy and Land Use By-law regarding campgrounds within the Residential Rural (RR-1) Zone. Concerns raised have resulted in discussions within the community and in the media regarding a recent campground application. The zone currently permits campgrounds as of right, provided they have the appropriate documentation from local and provincial stakeholders. There are various options available for local committee and Council, from implementing increased setbacks, to applying the Site Plan, or Development Agreement Process, or adding a new zone entirely. Also, after reviewing the options available another option is to not change the by-law, however planning staff are recommending that action be taken in some form to increase regulation of campgrounds within the Chéticamp Planned Area.

Analysis:

As per *Chapter 4 of the Municipal Planning Strategy, Criteria for amendment to the Land Use By-law, Policy A-4*, this report is being created as a request for a text amendment to the Land Use By-law has been submitted by an individual within the Community.

1) History of Campgrounds in Chéticamp

Chéticamp, often described as the “Gateway” to the highlands, is host to numerous tourist destinations for all types of travelers within its Residential Rural (RR-1) Zone. The intention to provide tourists an authentic opportunity to witness and partake in the scenic beauty that Chéticamp offers to residents and tourists alike. In terms of land use, tourist related uses within the Residential Rural (RR-1) zone include:

- Cottages and other seasonal dwellings;
- Tourist and guest homes; and
- Campgrounds & RV Parks.

Currently within the Planned Area of Chéticamp there are two (2) campgrounds and RV parks. The first of which is Plage St-Pierre, and the second being Point Cross Beach RV Park.

The Plage St-Pierre Site, has been operating since 2004, and sits on a fifty-seven (57) acre property, with one hundred and forty-four (144) sites. This camp site, offers around twenty thousand (20,000) square feet per site, and is located somewhat remotely on Chéticamp Island. The sites offered integrate landscaping and natural features between the campsites and between the RV sites.

Point Cross Campground, is a new development just operating this year and sits on 8.3 acres, and has thirty-nine (39) sites to offer guests. That calculates out to an estimated eleven thousand (11,170) square feet per site. The Site Plan for the site took into consideration the natural landscape and included considerations for the wetland on the property. The site provides natural features in the center of the site, whilst offering un-serviced sites along the waterfront.

2) Current Regulations & Requirements

In September this year (2020), another campground & RV park was approved within the Chéticamp Planned Area, known as Waves End. This new site, is located on approximately 9.0 acres and will offer 134 sites, and is just to the South of the Point Cross campground. The recent development permit application for Waves End Campground has attracted local media and council attention as it has revealed the possibilities for densification within the Residential Rural (RR-1) zone.

Within the Planning Strategy, there are three policies that directly relate to the establishment, and designation of land to the Residential Rural (RR-1) Zone.

Policy 5-1 It shall be the policy of Council to designate the vast majority of the Rural Community "Rural Residential" on the Generalized Future land Use Map (Map 4)

Policy 5-2 It shall be the policy of Council to establish in the Land Use By-law a Residential Rural (RR-1) Zone which shall be used to implement the "Rural Residential" designation.

*Policy 5-3 It shall be the policy of Council to permit within the Residential Rural (RR-1) zone the following and similar types of uses: Single detached dwellings... , duplex and semidetached dwellings, converted dwellings up to two units, tourist and guest homes, cottage and other seasonal dwellings, post offices, community centres, schools, churches, cemeteries and other similar institutional uses, agricultural uses including barns and stables, forestry uses, recreational uses such as parks and playgrounds, golf courses and associated buildings and uses, beaches and associated uses, **campgrounds and associated uses**, and mobile homes with specific restriction.*

The zone requirements that are currently in place are the same for all uses within the RR-1 zone. There are two special requirements within the Residential Rural (RR-1) zone. These special requirements focus on mobile homes, and minimum setbacks from lakes, streams, or other waterbodies, such as the Lac a Dominique, Redman Basin, and the mouth of the Chéticamp River. Aside from the additional setbacks from the outlined waterbodies, and for mobile homes, the land use requirements for all uses are the following:

General Lot Requirements

In any Rural Residential (RR-1) Zone, no development permit shall be issued except in conformity with the following requirements:

	Municipal Sewer Services	On-Site Services
Minimum Lot Area	7,500 ft ²	29,000 ft ² *
Minimum Lot Frontage	20 ft	20 ft
Minimum Front Yard	25 ft	25 ft
Minimum Side Yard	10 ft	10 ft
Minimum Rear Yard	25 ft	25 ft
Maximum Height of Main Building	35 ft	35 ft

For all uses, and in this case explicitly campground uses, there is no limit on the number of sites within a campground that can be established within the zone. Alternatively, as tent sites, and RV's are not considered as buildings, *Policy 16.0 of the Land Use By-law, One Dwelling on a Lot*, which outlines which areas cannot have more than one building, is not applicable to this use, or zone. This combination results in there being no current limit on RV's permitted on a property, or regulation from land use perspective on these uses, with reference to campgrounds within the RR-1 zone explicitly.

The current process and requirements for a Development Permit for a campground within the RR-1 zone would involve the following:

- Submitting an application for a Development Permit
 - Applicant details,
 - Project details
 - Contractor details
 - Property details
 - Proposed use details
 - A detailed Site Plan of the property
 - Size and location of structures
 - Distances between structures and lot lines
 - Size of parking spaces, driveways widths and RV lots
 - Wastewater systems (where necessary)
 - Landscaping
- Submitting approvals from Provincial and Municipal Stakeholders (When necessary)
 - Public Works – Water and Wastewater
 - Department of Transportation
 - Department of Environment
 - Department of Natural Resources

3) Research

A staff report was recently completed for neighbouring Victoria County regarding the regulation of recreational vehicles within Nova Scotia and Canada. This staff report summarized that many other regions utilize a licensing method on the local level, and that:

Licensing could be developed which would establish a review schedule as desired by Council, and could work to ensure expansion was managed and reviewed by staff in an effort to ensure minimal levels of disturbance to neighbours.

The same report also concluded that minimum standards were applied when regulating campgrounds and RV Parks specifically. The section regarding minimum standards can be summarized to the following:

The minimum standards section could at minimum include, any combination of the following:

- *Designating areas on the Generalized Future Land Use Map that Council and the community views as being the areas they would like to see recreational vehicle parks;*
- *Requirements involving water and sewage connections, and septic requirements when outside of a serviced area;*
- *Creating policy for studies to be completed when these recreational vehicle parks are abutting residential properties, to ensure the mitigation or negation of hazards or nuisances such as dust, noise, light, etc.;*
- *Setbacks, minimum lot area requirements, and consideration of hours of operation.*

Options:

The following are the immediate options that are apparent with regards to amending the Land Use By-law in Chéticamp

- I. The Residential Rural (RR-1) zone is altered, with greater setbacks for either all uses, or specifically campground uses. The committee decides to recommend increased requirements for the zone as a whole, or is in favour of implementing a Special Requirement with greater setbacks from highways, abutting properties, and waterbodies. An alternative form of this option is to require campgrounds be approved through the Site Plan Process. The Site Plan process would provide the ability to regulate items such as the type and location of landscaping, lighting, retention of vegetation, the location of structures on the lot, the location of loading and parking facilities, location of walkways, and signs. This process would involve the applicant submitting all applicable documentation, negotiations would then take place between planning staff and the applicant. Once approved notice is given to neighbouring properties within at least 30m that the Site Plan is approved and that they have 14 days to appeal to Council. Once those 14 days pass, the Site Plan is formally approved.
- II. Campgrounds are permitted within the zones that they are currently permitted in, but are to be permitted through the Development Agreement process. If this process was implemented it would permit the regulation of items such as hours of operation, maintenance, wastewater and

water systems, landscaping, percentage of land that may be built on, and much more. This process would require applicants to submit the appropriate documents, the file would then go to various committees for feedback, and consideration before having its first reading at Council. Council would then give its intention of if the document is to proceed or not. If the document is to proceed, a public hearing notice is released via newspaper and social media ads, before the public hearing and Council decision. Once Council approves or refuses, the decision has 14 days before it is formally approved.

- III. A Campground zone is established with the intention of permitting campgrounds within Chéticamp exclusively within this new zone, and would require that new campgrounds undergo the re-zoning process, via an amendment to the Land Use By-law. The committee decides that to properly regulate campgrounds within the Planned Area, an exclusive zone needs to be established for regulation of these uses, this zone would then have its own set of setbacks and special requirements as necessary. The process for re-zoning is similar to that of a Development Agreement.
- IV. The Land Use By-law remains un-changed. The committee is comfortable with the current regulatory standards with regards to campgrounds within Chéticamp's Residential Rural (RR-1) Zone. The committee decides that no changes are required to be made, and the Land Use By-law should remain as it currently is.

Recommendation:

Given the media attention and the level of concern expressed by residents with regard to the requirements for campgrounds, planning staff are recommending that action be taken in some form, to increase the regulation of campgrounds within the Chéticamp Planned Area. Staff are recommending that discussions be had on the committee and council level regarding what option the community feels would be most applicable in the area.

Conclusion:

With a concerned resident requesting an amendment to the Land Use By-law regarding campgrounds within the Residential Rural (RR-1) Zone, there has been an expressed desire within the community for change. This is supported by the discussions that have been had within the community and in the media regarding a recent campground application. The zone currently permits campgrounds as of right, provided they have the appropriate documentation from local and provincial stakeholders. There are various options available for local committee and Council, ranging from remaining the same, or implementing increased setbacks, to applying the Site Plan, or Development Agreement Process, or adding a new zone entirely. Planning staff are recommending that action be taken in some form to increase regulation of campgrounds within the Chéticamp Planned Area.

Appendix A - Images

Image 1.0: The latest campground to be approved within Inverness; Waves End. Image from EDPC Staff (2020)



Image 2.0: Plage St-Pierre Beach and Campground. Image from NS, Canada Website (2020)

