



**SPECIAL COUNCIL SESSION**

**RFD**

**Date: November 1, 2023**

**TO: Mayor and Council**

**FROM: Glen Boone, Director of Development and Planning, Municipality of Cumberland**

**DATE: November 01, 2023**

**SUBJECT: Rezoning PID 25228214 – Municipality of the County of Cumberland – Springhill**

**ORIGIN:** The Municipality of the County of Cumberland is seeking to proactively rezone a property (the “subject property”) adjacent to Robertson Avenue (PID 25228214) in the community of Springhill, to facilitate its availability for future residential development as per the table below:

<b>PID</b>	<b>Owner</b>	<b>Current Zone</b>	<b>Designation</b>	<b>Current Use</b>	<b>Proposed Zone</b>
25228214	Municipality of the County of Cumberland	Parks and Open Space (P)	Residential	Vacant lot	Multi-unit Residential (RMul)

**LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT**

MGA Section 205: Requirements for Adoption of Planning Documents

Municipality of the County of Cumberland – Municipal Planning Strategy

Section 5.2.4 Rezoning

Policy 5-9: Council shall consider proposals to rezone lands in the Residential Designation to any other zone permitted in that designation. Council shall not approve such a rezoning unless Council is satisfied:

- (a) the proposed change is not prohibited by any other policy in this Plan;
- (b) the purpose of the proposed zone, as described in the respective policy creating that zone, is consistent with the location and characteristics of the lands and with the proposed use of the lands; and
- (c) the proposal meets the general criteria for amending the Land Use By-law, set out in Policy 6-19.

**RECOMMENDATION: THAT Council approve first reading of an amendment to Schedule A of the Land Use Bylaw, AND to schedule a Public Hearing for the proposed amendment at a future Council Meeting for the following rezoning:**

- **PID 25228214 from Parks and Open Space (P) to Multi-unit Residential (RMul)**

**BACKGROUND:** The subject property is located adjacent to Robertson Avaneue, central within the block bounded by Mechanic, Elm, Purdy, and Crossin Streets. The site contains 9,936 m<sup>2</sup> (2.46 ac) and while zoned Park and Open Space (P), it is currently an unmaintained property and not part of the Municipality’s parks programming or future plans (Figure 1). Properties in the immediate area are primarily zoned Lower Density Residential (RLow) with one property zoned Multi-Unit Residential adjacent to the north.



Figure 1: View of Subject Property from North

**DISCUSSION:**

With the current demand for housing in Springhill and throughout the Municipality this proactive approach to rezoning at this stage is deemed an appropriate action to get this site ready for residential development. Having these lands available for residential development via the private sector is important and thus the reason for Staff support and recommendation for rezoning. The property is being recommended to be deemed surplus through the appropriate Council Policy and that separate report is being presented to Council.

The subject property is designated as *Residential* on Schedule A of the Municipal Planning Strategy (MPS). Rezoning the subject property to Multi-unit Residential (RMul) would allow for the widest possible range of development, including the following uses as per Section 8.2 of the Land Use Bylaw (LUB):

*Uses Permitted As-of-Right*

*8.2.2 The following uses shall be permitted in the Multi-unit Residential Zone, subject to all applicable requirements of this By-law:*

- (a) Academic School*



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- (b) Accessory Dwelling
- (c) Community Hall
- (d) Duplex Dwelling
- (e) Grouped Dwellings – 4 or Fewer Dwelling Units on a Lot
- (f) Home-based Business – Level 1
- (g) Home-based Business – Level 2
- (h) Mobile Home Parks – Existing
- (i) Multi-unit Dwelling – 4 or Fewer Dwelling Units on a Lot
- (j) Place of Worship
- (k) Semi-detached Dwelling
- (l) Short-term Rental
- (m) Single-unit Dwelling
- (n) Townhouse Dwelling – 4 or Fewer Dwelling Units on a Lot

### *Uses Permitted by Site Plan Agreement*

8.2.3 The following uses shall be permitted in the Multi-unit Residential Zone, subject to Part 13 and all applicable requirements of this By-law:

- (a) Expansion of a non-conforming use
- (b) Grouped Dwellings – 5 to 16 Dwelling Units on a Lot
- (c) Multi-unit Dwelling – 5 to 16 Dwelling Units on a Lot
- (d) Townhouse Dwelling – 5 to 16 Dwelling Units on a Lot

### *Uses Permitted by Development Agreement*

8.2.4 The following uses shall be permitted in the Multi-unit Residential Zone, subject to the applicable policy of the Municipal Planning Strategy:

- (a) (a.1) Commercial Uses – MPS Policy 5-9A [CHG-801]
- (b) More than 16 Dwelling Units on a Lot – MPS Policy 5-8.

**FINANCIAL IMPLICATIONS:** None have been identified at this time.

**ENVIRONMENTAL IMPLICATIONS:** There are no sensitive environments or core wilderness areas indicated in Schedule B in the subject area. Provincial Karst Risk Map indicates this area as low risk.

**COMMUNITY ENGAGEMENT:** If Council approves, a public hearing could be held on the above matter at a date of Council's choosing. In accordance with MGA Section 206, notices will be placed in a locally circulated newspaper.

**ALTERNATIVES:** Council can defer the issue to a later date, request further information or reject the proposed amendment based on conflict with a policy in the Municipal Planning Strategy.

**ATTACHMENTS:** Maps (below)





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Report prepared by: Darren Shupe, Senior Planner, BCP  
Report and Financial approved by: