

Fox Harbour road. The neighboring properties are similarly developed with some seasonal cottages and Fox Har'br Resort nearby. These are zoned as Agricultural (Ag), Recreational Residential (RRec), or Commercial Recreation (CRec).

DISCUSSION: The subject property is designated as Resource on Schedule A of the Municipal Planning Strategy (MPS). Rezoning portions of the subject property to *Recreational Residential* and *Country Commercial* would allow a variety of residential and commercial developments as part of a large, phased, primarily residential development.

FINANCIAL IMPLICATIONS: None specific to this matter.

ENVIRONMENTAL IMPLICATIONS: Conversion of forest to residential and commercial.

COMMUNITY ENGAGEMENT: If Council approves, a public hearing could be held on the above matter in January. In accordance with MGA Section 206, notices will be placed in a locally circulated newspaper. A sign will also be posted on the property providing additional notice.

ALTERNATIVES: Council may 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: Map (below)



Report prepared by: Nelson Bezanson, Municipal Planner
 Report and Financial approved by:



COMMITTEE OF THE WHOLE

CDR#

Date: December 14, 2022

TO: Mayor and Council
FROM: Nelson Bezanson, Municipal Planner
DATE: December 2, 2022
SUBJECT: First reading of amendment to Land Use Bylaw to rezone PIDs 25171505, 25363169, & 25171489, Fox Harbour Rd.

ORIGIN: On November 30, 2022, Planning staff received an application regarding three properties on Fox Harbour Rd, - PIDs 25171505, 25363169, & 25171489 (the "subject property").

LEGISLATIVE AUTHORITY: MGA PART VIII PLANNING AND DEVELOPMENT

MGA Section 205: Requirements for Adoption of Planning Documents

Municipal Planning Strategy Policy 5-29 (b):

Council shall establish the following zones in the Land Use By-law:

- b) The Country Commercial Zone, intended to permit lower density residential development and a limited range of local commercial service uses on unserviced lots in rural communities. Zone standards shall reflect the denser nature of these communities compared to surrounding areas, but also the need for onsite water and wastewater services.*

Municipal Planning Strategy Policy 5-33:

Council shall, in the Land Use By-law, create the Recreational Residential Zone, intended to permit lower density residential uses on existing public roads and on existing or new private roads, and to address environmental constraints and concerns in areas that are often attractive to recreational development. Permitted uses shall include lower density residential development and agricultural uses. Zone standards shall include large lot sizes and setbacks as a means to reduce the intensity of development and its impact on the natural environment.

RECOMMENDATION: THAT the Committee forward the application to Council for first reading of an amendment to the land use bylaw rezoning various portions of PIDs 25171505, 25363169, & 25171489 as shown in the attached site plan from *Agricultural* to *Country Commercial* or *Recreational Residential*, AND to schedule a Public Hearing for the proposed amendment.

BACKGROUND: The subject property is approximately 180 Ha (450 acres) and located near the end of the Fox Harbour Peninsula. The application is to rezone the majority of the property from *Agricultural* to *Recreational Residential*, enabling residential development with two areas approximately 1ha each to be zoned *Country Commercial* enabling local commercial uses. Two additional lots are part of the development but don't require rezoning. The property is mostly undeveloped forest with approximately 13 Ha (30 acres) of improved agricultural land near the