

Staff Report – Rezoning Request for a Portion of PID 37503547

SUMMARY

The Municipality has received a request from Wilson Cove Estates requesting amendments to the Land Use By-law to rezone portions of PID 37503547. The application requests that approximately 18 acres be rezoned from Rural Resource (RR) to General Commercial (GC), and approximately 5 acres be rezoned from Rural Resource (RR) to Mixed Use (MU).

The Development Officer has reviewed the application and has confirmed alignment with the Municipal Planning Strategy, and recommended that this request proceed through the rezoning process. The COTW acting as the Planning Advisory Committee's decision at this stage is whether to recommend Council authorize staff to schedule the statutory Public Hearing required under the Municipal Government Act.

BACKGROUND

On July 5, 2026, the Municipality received an application from Wilson Cove Estates requesting amendments to the Land Use By-law affecting portions of PID 37503547. The application proposes:

- rezoning approximately 18 acres from Rural Resource (RR) to General Commercial (GC); and
- rezoning approximately 5 acres from Rural Resource (RR) to Mixed Use (MU).

The application requests to rezone portions of the property rather than the entire parcel. This is permissible under the Municipal Planning Strategy (MPS) and Land Use By-Law (LUB).

The requested uses for the new General Commercial portion of the PID are Retail, Offices and Professional Services, and Construction Supply Yards, etc. The requested use of the Mixed-Use portion of the PID is for multi-unit dwellings.

A review of the Land Use By-Law was carried out, and it was determined that the property is currently zoned Rural Resource, which permits many types of commercial and residential uses as well as light industrial uses, however, the Rural Resource zone does not permit the requested uses. Rezoning the portions of the PID to GC and MU is required in order for the land to be used for the intended purposes.

CONSIDERATIONS

The Municipal Planning Strategy identifies both the General Commercial and Mixed Use zones as permitted within the applicable land use designation, and the *Municipal Government Act* permits amendments to the Land Use By-law at the request of a property owner.

Policy 3-63 of the MPS identifies zones which are permitted within the Core Designation which includes **General Commercial** and **Mixed Use**.

Section 4.3, Subsection 4.1.1 states that the Land Use By-Law may be amended (rezoning) following the procedures outlined in the MGA and can be initiated by a request from the property owner.

Section 4.4 of the Municipal Planning Strategy outlines those things that Council must consider in making amendments to the Land Use Bylaw as follows:

Policy 4-12: In considering amendments to the Land Use Bylaw and processing development agreements, Council shall:

- a) Request a policy report and recommendation from the Planning Department or Development Officer;
- b) Refer the matter, where applicable, to the appropriate Municipal, Provincial, and/or Federal Departments and Boards and agencies where special expert advice and/or recommendations are required;
- c) Comply with all legal requirements concerning amendments to the Land Use Bylaw as set out in the Municipal Government Act;
- d) Ensure the applicable public participation policies have been satisfied; and
- e) Ensure the applicable fees have been paid by the applicant to cover the cost(s) for advertising with respect to public notice as provided for in the Municipal Government Act.

Policy 4-13: In considering amendments to the Land Use Bylaw or when considering entering into a development agreement, Council shall have regard for the follow matters:

1. That the proposal is in conformity with the intent of this strategy and with the requirements of all other municipal bylaws and regulations;
2. That the proposal is not premature or inappropriate by reason of:
 - a) The ability of the Municipality to absorb public costs related to the proposal;
 - b) Impacts on existing drinking water supplies, both private and public;
 - c) The adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;

- d) The creation of excessive traffic hazards or congestion on road, cycling and pedestrian networks within, adjacent to, or leading to the proposal;
- e) The adequacy of fire protection services and equipment;
- f) The adequacy of and proximity of schools and other community facilities;
- g) The creation of a new, or worsening of a known, pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses;
- h) Site-specific climate change risks;
- i) The potential to create flooding or serious drainage issues, including within
- j) Impacts on known habitat for species at risk;
- k) The suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility rights of ways; and
- l) Any other matters pursuant to the Municipal Government Act that may be addressed in a Land Use Bylaw which Council feels is necessary to ensure the general compatibility of the use and structures with adjacent areas.

The Development Officer has reviewed the application and determined that the requested LUB amendment is consistent with the MPS. The Development Officer therefore recommends that the request proceed through the process at Figure 1.D of the Land Use By-Law, which is the LUB Amendment Process (rezoning), including the statutory public consultation process.

Committee has three options when considering this application as follows:

- 1) Approve the application and recommend to Council that Staff proceed with scheduling a Public Hearing.
- 2) Deny the application.
- 3) Delay the decision and request more information.

RECOMMENDATIONS

That COTW acting in the capacity of the Planning Advisory Committee approve the application and recommend that Council authorize staff to schedule a Public Hearing at **5:00 p.m. on July 30, 2026**, respecting the application to amend the Land Use By-law by rezoning an 18-acre portion of **PID 37503547** to General Commercial (GC), and a 5-acre portion of **PID 37503547** to Mixed Use (MU) as shown in the attached site plans.

Attachments:

Appendix A – Portion of PID 37503547 to be rezoned to General Commercial

Appendix B - Portion of PID 37503547 to be rezoned to Mixed Use

Appendix C – Summary of Policy



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Appendix C – Summary of Policy

Policy 3-63 - Zones permitted within the Core Designation	General Commercial	Complies
	Mixed Use	Complies

Policy 4-12

In considering an amendment to the Land Use Bylaw and processing development agreements, Council shall:

Request a report and recommendation from the Planning Department or Development Officer	Completed
Refer the matter, where applicable, to the appropriate Municipal, Provincial, and/or Federal Departments and Boards and agencies where special expert advice and/or recommendations are required.	N/A
Comply with all legal requirements concerning amendments to the Land Use Bylaw as set out in the Municipal Government Act.	Complies
Ensure the applicable public participation policies have been satisfied.	Staff must follow MGA requirements for public consultation
Ensure the applicable fees have been paid by the applicant to cover the cost(s) for advertising with respect to public notice as provided for in the Municipal Government Act.	TBD

Policy 4-13

In considering amendments to the Land Use or when considering entering into a development agreement, Council shall have regard for the following matters:

1. That the proposal is in conformity with the intent of this strategy and with the requirements of all other municipal bylaws and regulations.	Complies
2. That the proposal is not premature or inappropriate by reason of:	
a. The ability of the Municipality to absorb public costs related to the proposal;	Cost recovery of expenses to be determined by MODS

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b. Impacts on existing drinking water supplies, both private and public;	N/A
c. The adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;	NSECC – On-site sewer approval
d. The creation of excessive traffic hazards or congestion on road, cycling and pedestrian networks within, adjacent to, or leading to the proposal;	DOPW
e. The adequacy of fire protection services and equipment;	Building to meet Building/Fire Codes
f. The adequacy of and proximity of schools and other community facilities;	N/A
g. The creation of a new, or worsening of a known, pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses;	None Identified
h. Site-specific climate change risks;	None Identified
i. The potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;	Unknown
j. Impacts on known habitat for species at risk;	N/A
k. The suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility rights of ways; and	Unknown – buildings will meet applicable setbacks to property lines and watercourses where applicable. To be determined through building and development permit process.
l. Any other matters pursuant to the Municipal Government Act that may be addressed in a Land Use Bylaw which Council feels is necessary to ensure the general compatibility of the use and structures with adjacent areas.	TBD