

To: **Municipal Council
Municipality of the County of Antigonish**

From: **John Bain, Planning Director
Eastern District Planning Commission**

Date: **April 30, 2015**

Reference: **Nova Scotia Power Connections for Parked Recreational Vehicles, Travel Trailers and Utility Buildings in the New Fringe Plan Area.**

Background and Information:

Recently the Antigonish County Eastern, Fringe, Central and Central Interim Plans were amended to address issues raised by constituents who had been refused building permits which they need in order to have *Nova Scotia Power* connect their recreational vehicles or travel trailers to the electrical system. All of these by-laws were amended to allow for storage buildings as a permitted use in the rural general development areas of the plan areas. Unfortunately the amendment was not added to the new fringe document. Staff had requested the Department of Municipal Affairs add the change to their Ministerial amendments however they received legal advice to the contrary.

Section 246(3) of the *Municipal Government Act* states that: “A development permit that is inconsistent with a proposed land-use by-law or a proposed amendment to a land-use by-law may not be issued for one hundred and fifty days from the publication of the first notice advertising the council’s intention to adopt or amend the by-law.” Given that the new Fringe Plan was advertised November 26, 2014 the one hundred and fifty (150) days expired April 25, 2015. Provincial Approval was given April 24, 2015.

Therefore if there are any Storage Buildings which need permits in the Fringe area these permits can be issued now and up until the new Fringe Plan is published next Wednesday. Staff understand there is at least one such permit that will be issued.

Recommendation:

That Council give First Reading approval to the attached amendments and set a public hearing date so that these amendments can be added to the document as soon as possible.

Amending Pages

A BY-LAW TO AMEND THE LAND USE BY-LAW
FOR THE MUNICIPALITY OF THE COUNTY OF ANTIGONISH
ANTIGONISH FRINGE PLANNING AREA

The Land Use By-law for the Municipality of the County of Antigonish, **Antigonish Fringe Planning Area** is hereby amended as follows:

- 1) **Inserting the following immediately following “Single detached dwellings” in Section 1 of Part 8 Rural General (RG-1) Zone:**
 - z. **Storage Buildings**

- 2) **Inserting the following immediately following the end of Section 16 of Part 8:**

Special Requirements Storage Buildings

8.17 A storage building shall not be an “Accessory Building” as defined in sub clause 1.2.1.2(2)(a) of the Nova Scotia Building Code Regulations.

8.18 An Environment Approval or Qualified Persons Report verifying soil conditions adequate to contain an onsite sewer system may be required.

This is to certify that the resolution of which this is a true copy, was duly passed at a duly called meeting of the Municipal Council of the Municipality of the County of Antigonish held on the ____ day of _____ 2015

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this ____ day of _____ 2015.

Mr. Glenn Horne, Municipal Clerk