

To: **Richmond County Planning Advisory Committee
Richmond County Council**

From: **Planning Staff (EDPC)**

Date: **October 6, 2015**

Reference: **Rezoning in Louisdale, Richmond County (PIDs 75202523, 75202531, 75202556, 75202549, 75114660) from Watershed Protection (WSP) to Wellhead Protection (WHP) to update the zoning map of the Shannon Lake Plan Area.**

Recommendation:

That Council **approve** the rezoning of five (5) properties in Louisdale, Richmond County from Watershed Protection (WSP) to Wellhead Protection (WHP) to carry out the intent of the *Shannon Lake Wellhead Protection Area Municipal Planning Strategy (MPS)*.

Summary of Proposal:

Designation: Drinking Water Protection

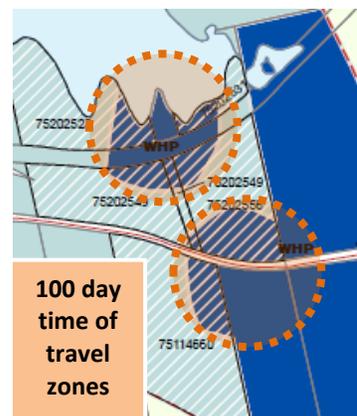
Zoning: Watershed Protection (WSP)

Est. Area: 16.4 hectares (40.5 acres)

Information:

Policy 1.4 of the MPS states, “It shall be the policy of Council to have a policy to acquire all lands which are either partially or completely located within 100 day time of travel zone [indicated in bottom right image] based on calculations completed by Dillon Consultants.” This is followed by Policy 1.5, which states, “It shall be the policy of Council to rezone any parcels acquired in accordance with Policy 1.4 to the Wellhead Protection (WHP) zone.” It has come to the attention of planning staff that while Policy 1.4 has been carried out by the acquisition of the properties referenced above, Policy 1.5 has not. As shown in the attached rezoning map (Appendix A), the properties proposed to be rezoned are partially located within the 100 day time of travel zones. These properties have been acquired by the Municipality but have not been rezoned. This staff report addresses the situation by initiating the rezoning process in accordance with Policy 1.5.

Planning staff consider this to be a minor housekeeping rezoning. Since the properties are owned by the Municipality, there is little possibility the land would be developed in a way that water quality would be negatively impacted. The rezoning will simply



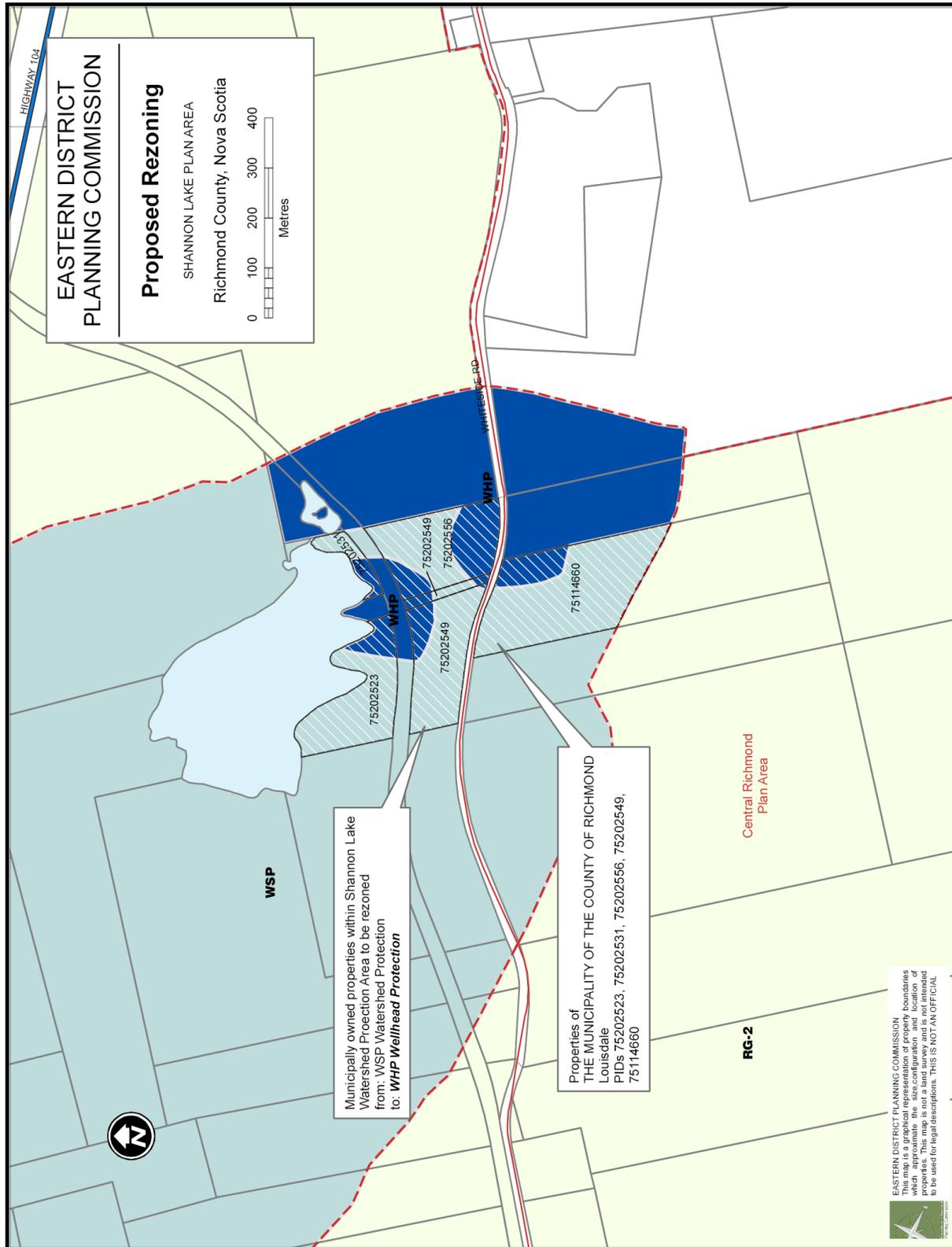
update the zoning map to carry out the intent of Policies 1.4 and 1.5 of the MPS. Many of the concerns typically associated with rezonings (compatibility with neighbouring uses, strain on infrastructure, etc.) are not applicable, as the proposed Wellhead Protection (WHP) zone is more restrictive than the existing Watershed Protection (WSP) zone and specifically designed to restrict development to preserve groundwater quality. The proposed Wellhead Protection (WHP) zone only permits “developments related to water supply and waterworks and implementation by the Municipality of any component of the groundwater management plan and protection strategy, including facilities for display and interpretation of the waterworks and its groundwater management plan and protection strategy.”

In considering any amendment to the LUB, Council must consider certain evaluation criteria in making a decision. Planning staff are of the opinion the proposed rezoning meets the criteria (which have been included as Appendix B). As a brief summary of the criteria, the proposed rezoning will not result in any costs to the Municipality (apart from advertising the rezoning); there will be no additional load placed on sewer, water, or road infrastructure; and all zone requirements will be met (as no new development is proposed). Site suitability will not be an issue, as the proposed Wellhead Protection (WHP) zone is more restrictive than the existing Watershed Protection (WSP) zone.

Conclusions:

Planning Staff are of the opinion that the proposal conforms with the intents of *Shannon Lake Wellhead Protection Area Municipal Planning Strategy* (MPS) and associated Land Use By-law and the requirements of all other Municipal By-laws and regulations. As such, they are of the opinion that the proposed rezoning meets the criteria and requirements of Policy A-2 of the Strategy (Appendix B). They therefore recommend that Council **approve** the rezoning of five (5) properties in Louisdale, Richmond County (PIDs 75202523, 75202531, 75202556, 75202549, 75114660) from Watershed Protection (WSP) to Wellhead Protection (WHP) to carry out the intent of the MPS.

Appendix A: Rezoning Map



Appendix B: Summary of Evaluation Criteria

<p>POLICY A-2</p> <p>In considering amendments to the Land Use By-law, in addition to all other criteria as set out in various policies of this strategy, Council shall have appropriate regard to the following:</p>	
<p>a) that the proposal is in conformity with the intent of this strategy and with the requirements of all other municipal By-laws and regulations.</p>	<p>Complies (carries out intent of strategy)</p>
<p>b) that the proposal is not premature or inappropriate by reason of:</p> <ul style="list-style-type: none"> i) the financial capability of the Municipality to absorb any costs relating to the development; ii) the adequacy of sewer and water services; iii) the adequacy of road networks leading or adjacent to, or within the development. 	<p>Complies (proposed zone is more restrictive than existing)</p>
<p>c) that the development meets the specific zone requirements related to the following:</p> <ul style="list-style-type: none"> i) type of use; ii) height, bulk and lot coverage of any proposed building; iii) traffic generation, access to and egress from the site, and parking; iv) open storage and outdoor display; v) signs; and vi) any other relevant matter of planning concern. 	<p>Complies (no development anticipated)</p>
<p>d) that the proposed site is suitable in terms of steepness of grade, soil and geological conditions, location of watercourses, potable water supplies, marshes or bogs and susceptibility to flooding.</p>	<p>Complies (proposed zone is more restrictive than existing)</p>
<p>POLICY A-3</p> <p>Further to Policy A-2 it shall be the policy of Municipal Council that where any development shall require amendment to the Land-Use By-law, no amendment shall be adopted by Council unless the application is for a specific development proposal.</p>	<p>Not applicable. Amendment is not prompted by a development proposal.</p>