

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

From: **Planning Staff (EDPC)**

Date: **January 20, 2025**

Reference: **Application by Tallgrazz Adventures Ltd to amend the Eastern Antigonish Land Use By-law by rezoning a portion of PID 01252956, located at 385 East Tracadie Road, East Tracadie, Antigonish County, Nova Scotia.**

**Staff Recommendation:**

Planning Staff’s recommendation is to approve the proposed rezoning of a portion of property PID 01252956 from R-1 to R-2 to allow for an increase in the potential housing stock on the property by allowing a “grouped dwelling” development consisting of four semi-detached buildings.

**Background Information:**

Staff received a request to rezone a portion of 385 East Tracadie Road, PID 01252956, East Tracadie, Antigonish County, Nova Scotia. The subject property currently has an existing single-unit dwelling constructed on it and is currently zoned as Rural (R-1). The applicant would like to get the property rezoned to Residential Multi-Unit (R-2), to construct a “grouped dwelling” development consisting of four semi-detached buildings on two onsite sewage disposal systems in the section of the property closest to the road without subdividing the property for each individual unit (See Appendix B: Site Plan).

	Description
<b>Designation:</b>	Rural
<b>Current Zoning:</b>	Rural (R-1)
<b>Request:</b>	Rezone to R-2, Residential Multi-Unit See Figure 1, Page 2
<b>Identification #:</b>	PID 01252956,
<b>Total Lot Area:</b>	31.33 Acres
<b>Site Visit:</b>	June 27, 2024

**Analysis:**

The property is currently designated Rural and zoned Rural (R-1). The current policy in the *Eastern Antigonish Secondary Planning Strategy* describes that a rezoning to the Residential Multi-Unit (R-2) Zone may occur in the Rural Designation. Policy 2(c) of the *Eastern Antigonish Municipal Planning Strategy* allows for a rezoning to the Residential Multi-Unit (R-2) Zone. The policy reads as follows: *The Residential Multi-Unit (R-2) Zone shall permit residential buildings of more than two (2) units including grouped dwellings... New multi-unit buildings shall be considered by a rezoning in any part of the Planning Area designated “Rural”, “Rural Settlement” and “Commercial”.*

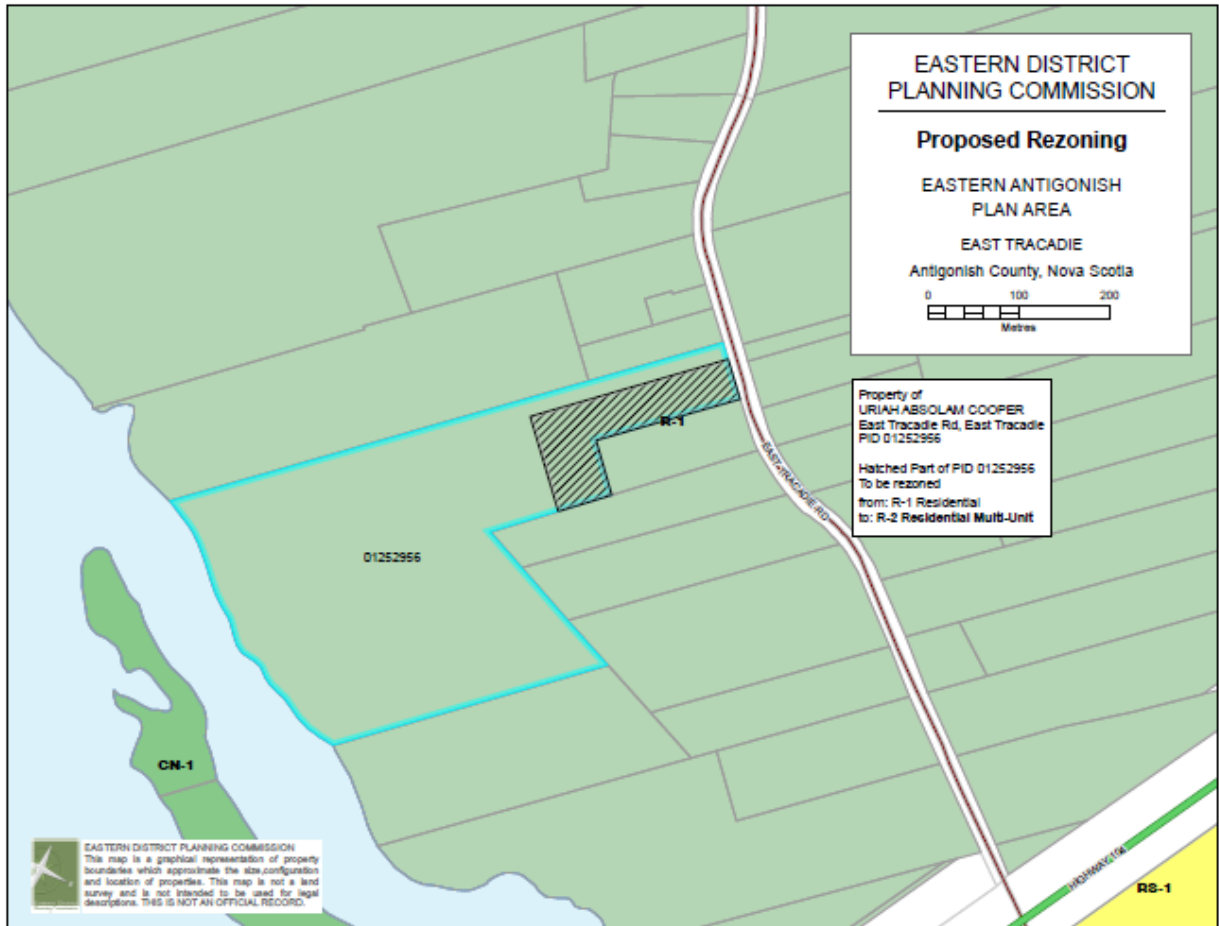


Figure 1: Rezoning Map of 385 East Tracadie Road, PID 01252956.

Policy 6 of the *Eastern Antigonish Municipal Planning Strategy* is the specific policy for rezoning to the Multi-unit Residential (R-2) Zone within the plan area and includes criteria for new residential multi-unit buildings in areas designated “Rural”, “Rural Settlement” or “Commercial” as shown on the Generalized Future Land Use Map applying for a rezoning to the Residential Multi-Unit (R-2) Zone must meet. Policy 6 is as follows:

*It is the intention of Council to permit new residential multi-unit buildings in areas designated “Rural”, “Rural Settlement” or “Commercial” as shown on the Generalized Future Land Use Map by a rezoning to the R-2 Zone subject to the following criteria to direct these uses to suitable locations and those criteria listed in Policy 39:*

- (a) *the proposed development is compatible with adjacent residential uses with respect to scale, mass and use;*
- (b) *the location of the proposed development does not create any major traffic problems;*

(c) the lot on which the proposed development is sited is adequately served by a centralized sewer system and/or central water system or if on-site services are to be used, these services are adequate for R-2 Zone uses.

Policy 39 of the *Eastern Antigonish Secondary Planning Strategy* lists the general rezoning criteria Council shall consider when considering any rezoning. The rezoning criteria is laid out in full in Appendix “A” of this report. Policy 39 considers such factors as traffic, sewer and water services, contamination of watercourses and parking requirements.

**Financial:**

According to Policy 39 in the *Eastern Antigonish Secondary Planning Strategy*, the proposed development cannot be premature or inappropriate by reason of the financial capacity of the Municipality to absorb the costs relating to the proposal. Staff circulated letters and received responses from several municipal departments and one provincial department. According to the Finance Department there is no issue with the ability to absorb any of the costs associated with the proposed development. The developer will be absorbing all the costs of the proposed development.

**Recreation Facilities and Schools:**

Staff also received comments from the Strait Area School Board Director, who said that the Eastern Antigonish Education Centre has the capacity to accommodate a number of new students should the need arise from more residential development in the area.

**Scale and Mass:**

The majority of buildings in the vicinity are either single detached dwellings or agricultural buildings, as this was predominantly a farming area historically. The proposal is to construct four semi-detached buildings on this portion of the lot (See Appendix B: Site Plan). Semi-detached buildings are not very different in building mass from a single-detached dwelling unit, so this is not an unreasonable proposal. What Council should consider is whether having that many new units is of reasonable scale of new units in comparison to the surrounding area. From a staff point of view this would be considered a low-density development.



**Figure 2: Existing dwelling at 385 East Tracadie Road.**

## Staff Report

### Transportation network:

Staff received correspondence indicating that the Nova Scotia Department of Public Works is satisfied with the road leading to the properties and they currently have no concerns with the surrounding road networks nor public street access. The Department also added that a completed 'Work Within a Highway Right-of-Way Permit' will be required prior to any construction activities; at which time they may ask to review detailed engineering drawings for access as well as on-site drainage.

### Soil Erosion and Sedimentation:

During construction the developer will need to comply with the Provincial regulations for erosion of soil and water drainage systems on the properties. The applicant (Uriah Cooper on behalf of Tallgrazz Adventures Ltd.) received a letter from Nova Scotia Environment and Climate Change after requesting their comments on the proposed rezoning. The letter stated that NSECC has no objections to the proposed rezoning if all NSECC regulations and requirements are met, including a requirement that on-site systems are designed and installed in accordance with the On-site Sewage Disposal Standard (2022) and *On-site Sewage Disposal Systems Regulations (2018)*. NSECC made it clear in the correspondence that they are aware that the intent is to construct up to four semi-detached buildings on this portion of the property. The response also stated that if any wetland or watercourse alterations are required, a notification or application of approval as per Section 5A/5B under Division I of the *Activities Designation Regulations (2022)* must be made to NSECC.



**Figure 3: Front of lot where proposed semi-detached buildings are proposed to be located.**

### Statements of Provincial Interest:

The purpose of the Statements of Provincial Interest (SPI) is to protect the common public interest and encourage sustainable development in municipalities. The SPI are policy statements adopted by the provincial government under the powers of the Municipal Government Act (MGA s.193). They are set out in Schedule "B" of the MGA and legislation requires that municipal planning documents are "reasonably consistent" with the SPI. As such, the following comments are offered with respect to consistency of the proposal with the SPI:

1. Drinking Water: The proposed development does not impact the provision of drinking water.

The property is not located within a well field or an area covered by a Source Water Protection Plan.

2. Flood Risk Areas: Not in an identified flood risk area.
3. Agricultural Land: This proposed housing will not be impacting agricultural lands.
4. Infrastructure: Will not be using municipal water or sewer.
5. Housing: The proposed development will provide eight (8) new housing units, which will increase the availability of new housing stock in the area.

The proposed development is reasonably consistent with the Statements of Provincial Interest.

**Conclusion:**

The rezoning application for 385 East Tracadie Road (PID 01252956), East Tracadie, meets the intent of the relevant policies of the *Eastern Antigonish Municipal Planning Strategy* and is reasonably consistent with the Statements of Provincial Interest. Staff recommend the approval of rezoning a portion of PID 01252956 from the Rural (R-1) Zone to the Residential Multi-Unit (R-2) Zone, to allow the construction of up to four semi-detached buildings as shown on the proposed site plan.

**Proposed Motions:**

If supported by the Planning Advisory Committee, the motion could be as follows:

*Planning Advisory Committee recommends that Municipal Council approve the amendment to the Eastern Antigonish Land Use By-law to rezone a portion of 385 East Tracadie Road, PID 01252956, East Tracadie from Rural (R-1) to Residential Multi Unit (R-2) as per the Rezoning Map attached in Appendix "C".*

The motion for Council could be the following:

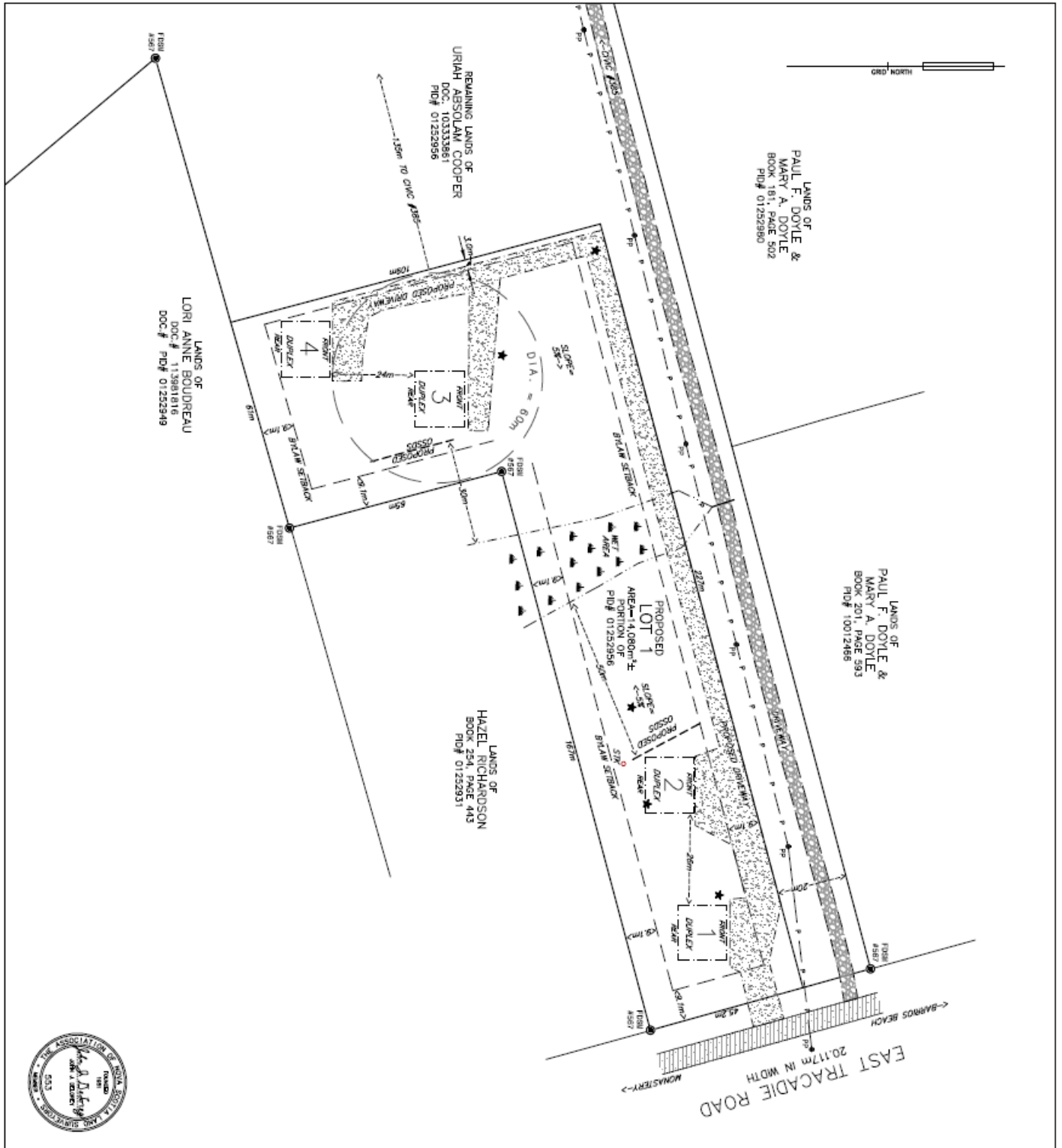
*Council approves the amendment to the Eastern Antigonish Land Use By-law to rezone a portion of 385 East Tracadie Road, PID 01252956, East Tracadie from Rural (R-1) to Residential Multi Unit (R-2) as per the Rezoning Map attached in Appendix "C".*

**Appendix ‘A’: Summary of Applicable Policies**

<p><b>Policy 6</b></p> <p>It is the intention of Council to permit new residential multi-unit buildings in areas designated “Rural”, “Rural Settlement” or “Commercial” as shown on the Generalized Future Land Use Map by a rezoning to the R-2 Zone subject to the following criteria to direct these uses to suitable locations and those criteria listed in Policy 39:</p>	
<p><b>a.</b> the proposed development is compatible with adjacent residential uses with respect to scale, mass and use;</p>	Complies
<p><b>b.</b> the location of the proposed development does not create any major traffic problems;</p>	Complies
<p><b>c.</b> the lot on which the proposed development is sited is adequately served by a centralized sewer system and/or central water system or if on-site services are to be used, these services are adequate for R-2 Zone uses.</p>	Complies

<p><b>Policy 39</b></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 planning strategy, Council shall have regard for the following matters:</p>	
<p><b>a.</b> Whether the proposal conforms with the intent of this Strategy and with the requirements of all other Municipal by- laws and regulations;</p>	Complies
<p><b>b.</b> Whether the proposal is premature or inappropriate by reason of:</p>	
<p><b>(i)</b> the financial capability of the Municipality to absorb any costs relating to the proposal;</p>	Complies
<p><b>(ii)</b> the adequacy of sewer and/or water services to support the proposal;</p>	On-site Water and Sewer
<p><b>(iii)</b> the adequacy and proximity of school, recreation and other community facilities;</p>	Complies
<p><b>(iv)</b> the adequacy of road networks, in, adjacent to, or leading to the development and the adequacy of proposed accesses and parking facilities;</p>	Complies
<p><b>(v)</b> the potential for the contamination of abutting watercourses or the creation of erosion or sedimentation as a result of the development as determined by a qualified person from the appropriate government department;</p>	Complies
<p><b>(vi)</b> suitability of the proposed site in terms of steepness of grades, soil and geological conditions, marshes, swamps, or bogs as determined by a qualified person from the appropriate government department and proximity of highway ramps and railway rights-of-way.</p>	Complies

Appendix 'B': Site Plan

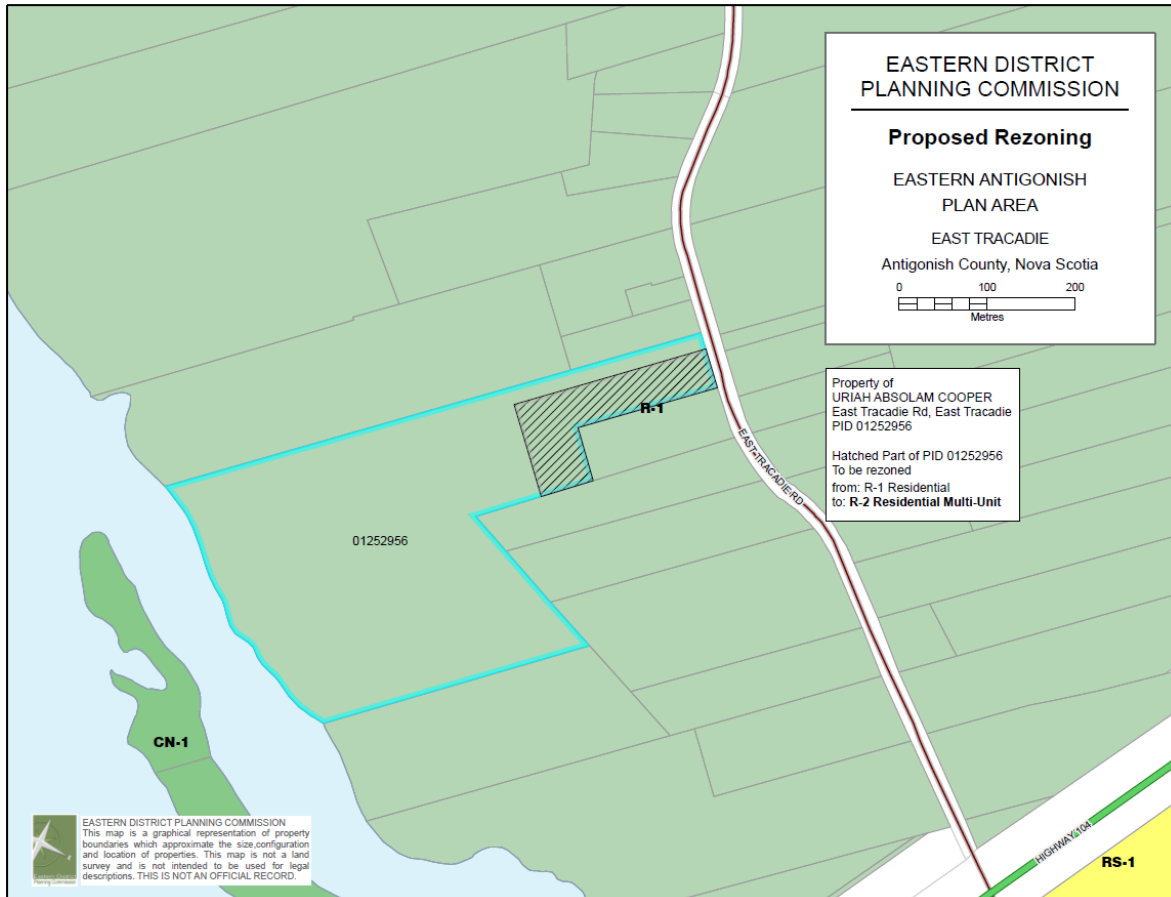




**Staff Report**

**Appendix 'C': Rezoning Map**

The Eastern Antigonish Land Use By-law shall be amended by changing the Zoning Map for the properties shown in the map below.



This is to certify that the By-law, of which this is a true copy, was passed at a duly called meeting of the Council for the Municipality of the County of Antigonish on \_\_\_\_\_, 2025. Given under the hand of the Chief Administrative Officer and under the corporate seal of the said Municipality this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Shirlyn Donovan  
CAO