



STAFF REPORT

Planning and Development

Subject: *Proposed Amendments to the LUB for Housekeeping Changes*
To: Municipality of Argyle CAO and Council
Date Prepared: June 5, 2025
Related Motions: None
Prepared by: Diana Tse, Project Planner, WSP Canada Inc.
Reviewed by: Courtney Laurence, RPP, MCIP, Atlantic Planning Manager, WSP Canada Inc.

Summary

The Planning and Development Department has initiated a change to the Land Use By-law (LUB) regulations. Following adoption of new planning documents, adjustments are often needed to fix minor errors, omissions, or inconsistencies that are discovered once the documents are put into practice. In total, six (6) housekeeping amendments are proposed for the Land Use By-law.

Financial Impact Statement

There is no immediate financial impact aside from the typical public engagement process and staffing requirements resulting from the proposed LUB amendments.

Recommendation

That Council give first reading to the proposed amendments to the Land Use By-law as contained in the planner's report dated June 5, 2025.

Recommended Motion

That Council:

- give first reading to consider approval of the proposed amendments to the Land Use By-law as contained in the planner's report dated June 5, 2025;
- proceed to a public hearing without a second meeting of Planning Advisory Committee unless substantial comments are received from the public; and
- authorize staff to schedule a public hearing.

Background

On June 23, 2020 Argyle Council approved the 2020 Municipal Planning Strategy (MPS) and Land Use By-law (LUB). These planning documents contain the Municipality's land use policies and regulations. The two documents work together alongside the provincial subdivision regulations to guide growth and development within the municipality.

Council, staff, developers, and the public have been working with the new policies and regulations for about five years. In using these documents, errors, omissions, and new issues have been identified and we can see what is working well and what needs to be adjusted. Since the initial approval of these documents, additional housekeeping changes have been identified. These proposed changes are identified and discussed within this report.



STAFF REPORT

Planning and Development

Discussion & Proposed Amendments

Proposed LUB Amendments: Add "Schedule M" to Zoning Maps

Staff propose to add "Schedule M - West Pubnico Rural Centre Abbots Harbour Marine Industrial" to the list of schedules in Section 3.2 of the Land Use By-law as it was previously omitted in error.

Staff propose the following amendment to Section 3.2:

- Inserting 'Schedule M West Pubnico Rural Centre Abbots Harbour Marine Industrial' after 'Schedule L Coastal Community Industrial'.

Proposed LUB Amendments: Variances (Grammatical Correction)

Staff noted a small grammatical error in Section 2.13 of the Land Use By-law where a semi-colon is applied instead of a period. Therefore, Staff propose the following amendment:

2.13 VARIANCES

The Development Officer may grant a variance in one or more of the following matters of this By-law, or following terms in a development agreement where the development agreement indicates that a variance may be granted:

- i. Percentage of land that may be built upon.;

Proposed LUB Amendments: Interpretation of Zoning Boundaries (Grammatical Correction)

Staff noted a small grammatical error in Section 3.4 of the Land Use By-law where the conjunction "and" is not included on two sub-bullets. Therefore, Staff propose the following amendment:

3.4 INTERPRETATION OF ZONING BOUNDARIES

- v. where a zone boundary is shown following the coastal shoreline the boundary shall follow the actual high-water mark level; and
- vi. where a zone boundary is indicated as following the limits of the Municipality, the limits shall be the municipal boundary; and

Proposed LUB Amendments: Reduction in Lot Area and Frontage (Grammatical Correction)

Staff noted a small grammatical error to Section 4.18 of the Land Use By-law where there is an additional "and" at the beginning of sub-bullet "ii". Therefore, Staff propose the following amendment:

4.18 REDUCTION IN LOT AREA AND FRONTAGE

- ii. ~~and~~ The lot area and frontage or both are not less than 90% of the minimum required by this By-law where the lots are served by on-site sewage disposal systems provided that an authorized person of the Department of the Environment has assessed the lots as shown on a final plan or instrument of subdivision approved the lots for the installation of on-site sewage disposal systems; and

Proposed LUB Amendments: Village (V) Zone Standards (Requirement Correction)

Staff noted an error in Section 20.1 of the Land Use By-law where the minimum lot frontage requirement for Semi-Detached Dwellings & Multiple Unit Dwellings was incorrect. Therefore, Staff propose the following amendment:



STAFF REPORT

Planning and Development

20.1 VILLAGE (V) ZONE STANDARDS

Min. Lot Frontage (Semi-Detached Dwellings & Multiple Unit Dwellings): 7.6~~42~~ m (25~~0~~ ft.), Except that each Semi-Detached Dwellings may be subdivided to have a frontage of 6m.

Minimum Side Yard (Institutional Uses & All Other Uses): 4.5 m (15~~0~~ ft.) on both sides

Proposed LUB Amendments: Rural Development (RD) Zone Standards (Conversion Correction)

Staff noted a conversion error to Section 22.1 of the Land Use By-law where the conversion of imperial measurement to metric regarding minimum lot frontage requirement for Semi-Detached Dwellings, Townhouse Multiple Unit Dwellings & Institutional Uses was incorrect. Therefore, Staff propose the following amendment:

22.1 RURAL DEVELOPMENT (RD) ZONE STANDARDS

Min. Lot Frontage (Semi-Detached Dwellings, Townhouse Multiple Unit Dwellings & Institutional Uses): 7.6~~42~~ m (25~~0~~ ft.), Except that each Semi-Detached Dwellings may be subdivided to have a frontage of 6m.

Proposed LUB Amendments: Including "Schedule L" Zoning Maps and Renaming of Maps within

Staff propose to include the "Schedule L - Coastal Community Industrial" Zoning Maps to the Land Use By-Law. These maps were listed in Section 3.2; however, the corresponding maps were not included. Staff also propose to amend the name of the individual maps within "Schedule L - Coastal Community Industrial" to remove reference to electoral districts and add the name of the community that the maps cover.



STAFF REPORT

Planning and Development

Public Participation

Staff will comply with Public Participation Policies of the Municipal Planning Strategy (MPS) when processing these amendments.

Since the proposed amendments are general and housekeeping in nature, a Public Participation Meeting is not required. Provided the Planning Advisory Committee recommends the proposed housekeeping amendments to Council for first reading and, upon first reading, Council elects to schedule a public hearing, said public hearing will be advertised and held in accordance with Section 206 of the *Municipal Government Act* to hear input from the community. Two weeks prior to the public hearing, an advertisement outlining the proposed amendments and providing the location and time of the public hearing will be placed on the Municipality's website.

The public is encouraged to request additional information or clarification from Staff leading up to the public hearing if they have any questions.

No mailout to surrounding property owners or posted sign is required as the amendments under consideration are not site-specific. However, the hearing will be advertised on the website of the Municipality.

Conclusion

This report outlines several amendments to the Land Use By-law. The proposed amendments are required to address housekeeping edits.

Options

In response to the proposed amendments, the Council may:

- 1) Give First Reading and authorize staff to schedule a public hearing to consider proposed amendments to the Land Use By-law as presented or as specifically revised by direction of the Planning Advisory Committee;
- 2) Request further information on a specific topic prior to proceeding with First Reading; or
- 3) Refuse the proposed Land Use By-law Amendments.

Appendices

Appendix A – Draft Resolution for Proposed Amendments to the LUB



STAFF REPORT

Planning and Development

Appendix A: Draft Proposed Amendments to the Land Use By-law

BE IT ENACTED by Council of the Municipality of the District of Argyle that the Land Use By-law is hereby further amended as follows which includes all amendments thereto which have been adopted and are in effect as of the [insert date of 'appeal date'] is hereby further amended by:

1. Amending the Revised Land Use By-law table as shown below to add the text shown in green.

West Pubnico Rural Centre Zoning Map Schedule B and Schedule M	January 11, 2024	Rezoning the property at PID 90093113 from Marine Industrial (MI) Zone to Mixed Use Zone (MU).
West Pubnico Rural Centre Abbots Harbour Marine Industrial Schedule M	June X, 2025	Housekeeping edits to add Schedule M – West Pubnico Rural Centre Abbots Harbour Marine Industrial to Section 3.2 Zoning Maps.

2. Amending Section 2.13 of the Land Use By-law, as shown below to replace the text shown in red with the shown in green:
 - i. Percentage of land that may be built upon.†
3. Amending Section 3.2 Zoning Maps of the Land Use By-law, as shown below to add the text shown in green.

Schedules A through L attached hereto are the Zoning Maps which form part of this By-law.

Schedule A	Municipality of the District of Argyle
Schedule B	West Pubnico Rural Centre
Schedule C	Wedgeport Rural Centre
Schedule D	Tusket Rural Centre
Schedule E	Coastal Community
Schedule F	East Kemptonville Village
Schedule G	Springhaven - Quinan Village
Schedule H	Marine Industrial
Schedule I	Marine Industrial
Schedule J	Floodplain
Schedule K	Wellhead Protection
Schedule L	Coastal Community Industrial
Schedule M	West Pubnico Rural Centre Abbots Harbour Marine Industrial

4. Amending Section 3.4 by adding text shown in green:
 - v. where a zone boundary is shown following the coastal shoreline the boundary shall follow the actual high-water mark level; and
 - vi. where a zone boundary is indicated as following the limits of the Municipality, the limits shall be the municipal boundary; and



STAFF REPORT

Planning and Development

5. Revising Section 4.18 of the Land Use By-law by removing the text shown in **red** below:
- ii. **and** The lot area and frontage or both are not less than 90% of the minimum required by this By-law where the lots are served by on-site sewage disposal systems provided that an authorized person of the Department of the Environment has assessed the lots as shown on a final plan or instrument of subdivision approved the lots for the installation of on-site sewage disposal systems; and
6. Amending the Village (V) Zone Standards tables in Section 20.1 of the Land Use By-law, as shown below to replace the text shown in **red** with the shown in **green**:

	Single Unit Dwelling	Semi-Detached Dwellings & Multiple Unit Dwellings
Minimum Lot Frontage	6 m (20 ft.)	7.612 m (250 ft.), Except that each Semi-Detached Dwellings may be subdivided to have a frontage of 6m.

	All Commercial and Industrial Uses	Institutional Uses & All Other Uses
Minimum Side Yard	4.5 m (15 ft.) on both sides; except 0 m where subdivided along a common wall	4.5 m (150 ft.) on both sides

7. Amending the Rural Development (RD) Zone Standards table in Section 22.1 of the Land Use By-law, as shown below to replace the text shown in **red** with the shown in **green**:

	Single Unit Dwellings	Semi-Detached Dwellings, Townhouse Multiple Unit Dwellings & Institutional Uses
Minimum Lot Frontage	6 m (20 ft.)	7.612 m (250 ft.), Except that each Semi- Detached Dwellings may be subdivided to have a frontage of 6m.

HEREBY CERTIFY that the amendments to the Municipality of Argyle Land Use By-law, as set out above, were duly passed by a majority vote of the Council of the Municipality of Argyle at a meeting held on the ____ day of _____, 20____.

GIVEN under the hand of the Clerk and the Corporate Seal of the Municipality of Argyle this

____ day of _____, 20____.

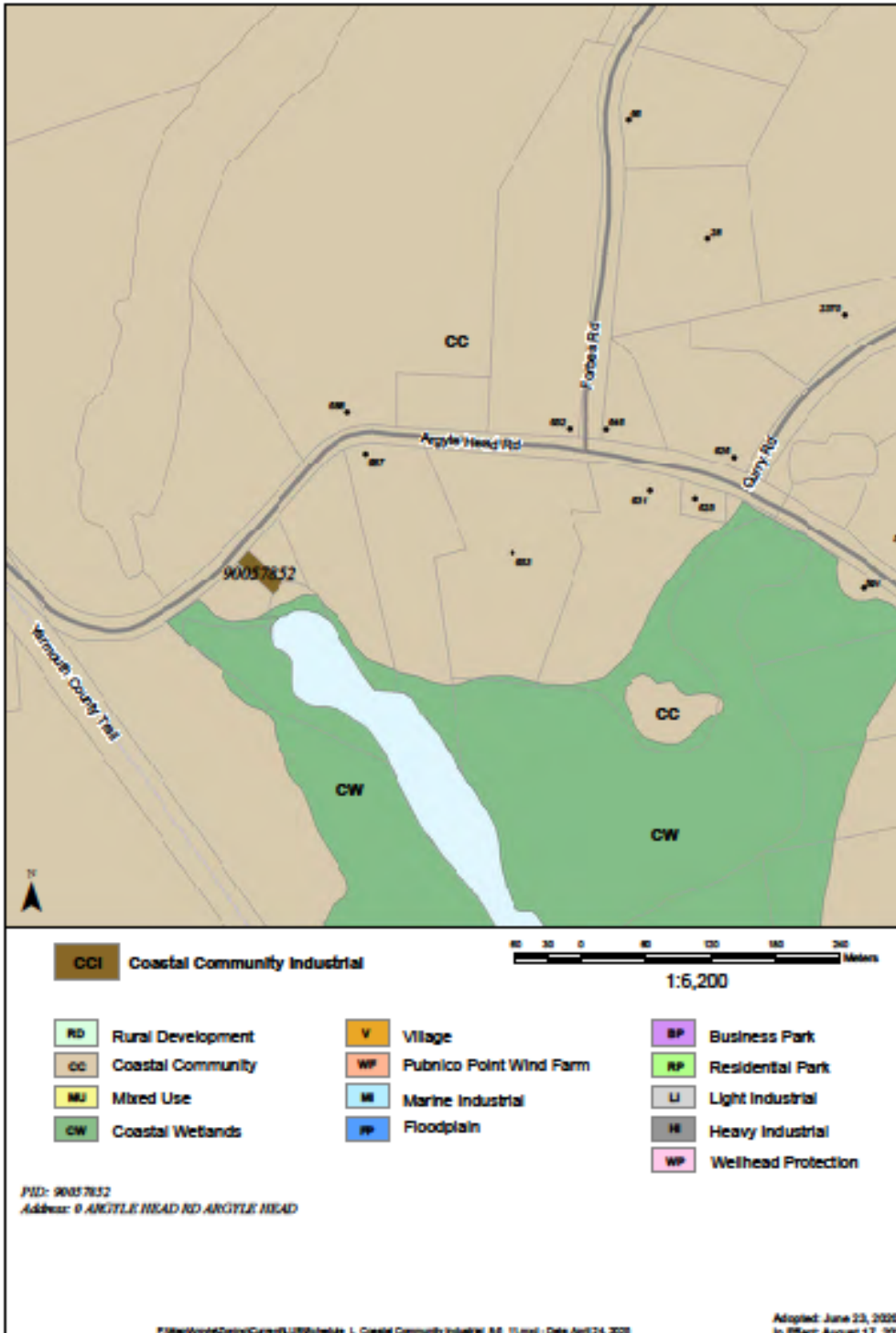
Municipal Clerk



STAFF REPORT

Planning and Development

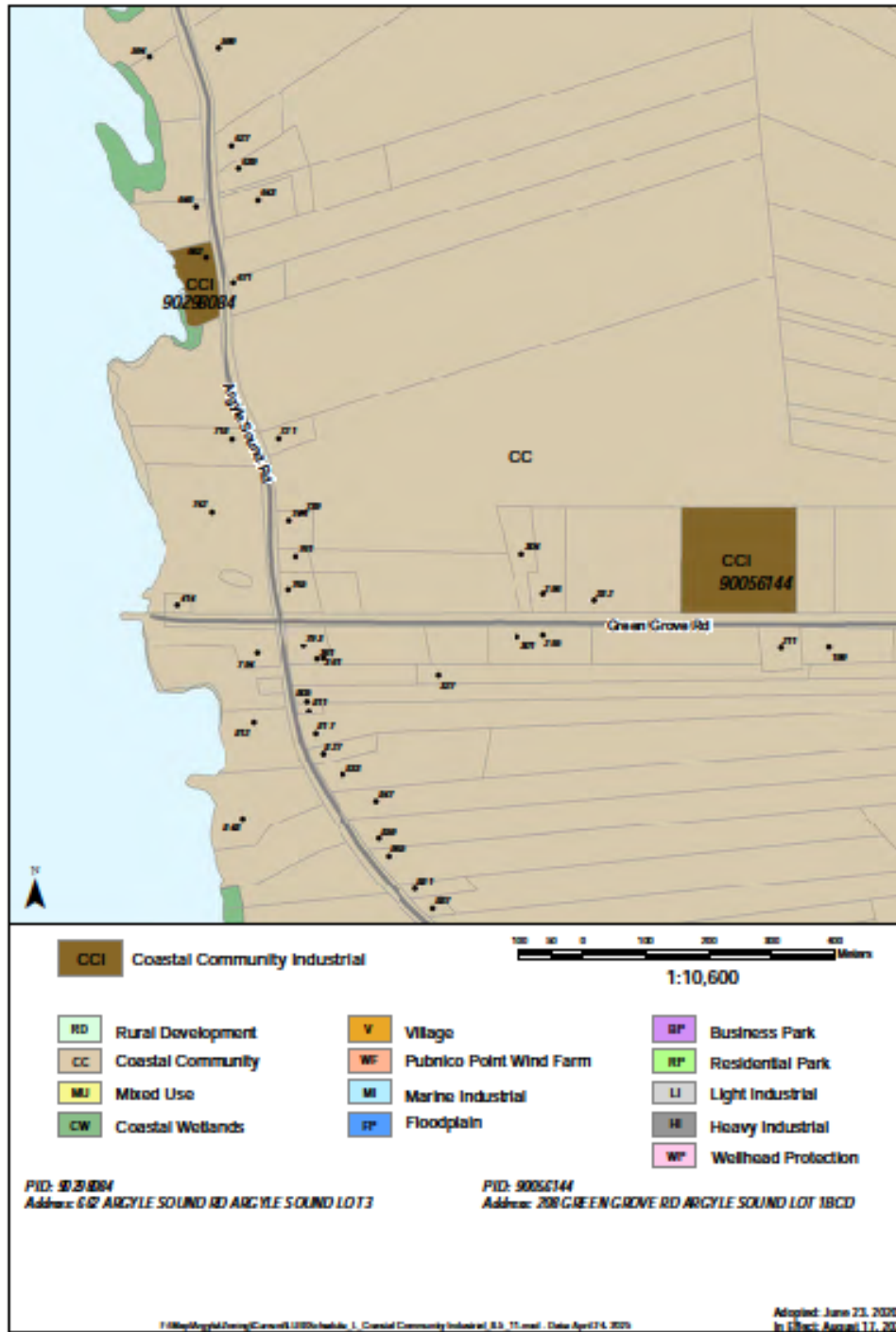
Zoning Map Schedule L Argyle Head 1



STAFF REPORT

Planning and Development

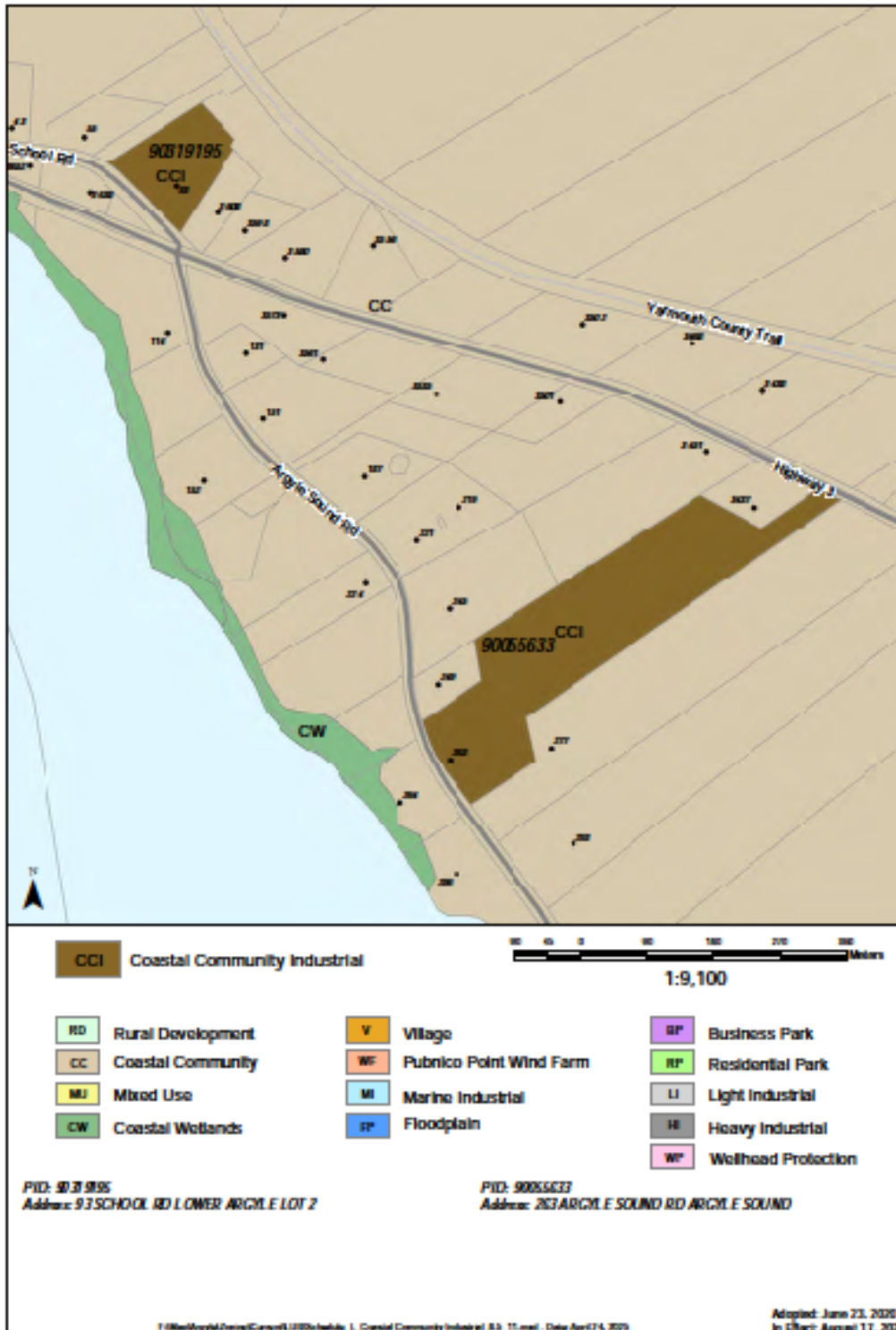
Zoning Map Schedule L Argyle Sound 1



STAFF REPORT

Planning and Development

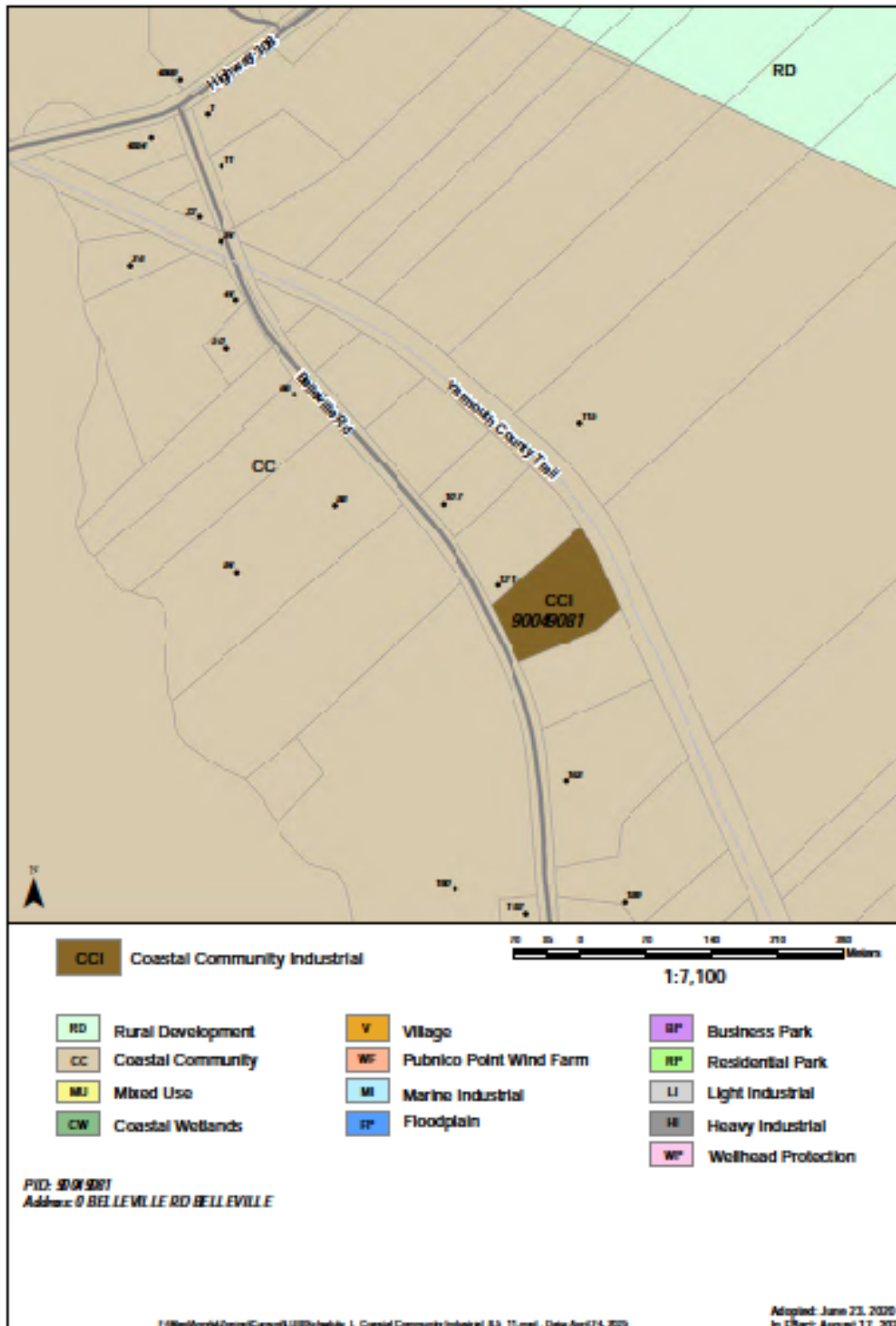
Zoning Map Schedule L Argyle Sound 2



STAFF REPORT

Planning and Development

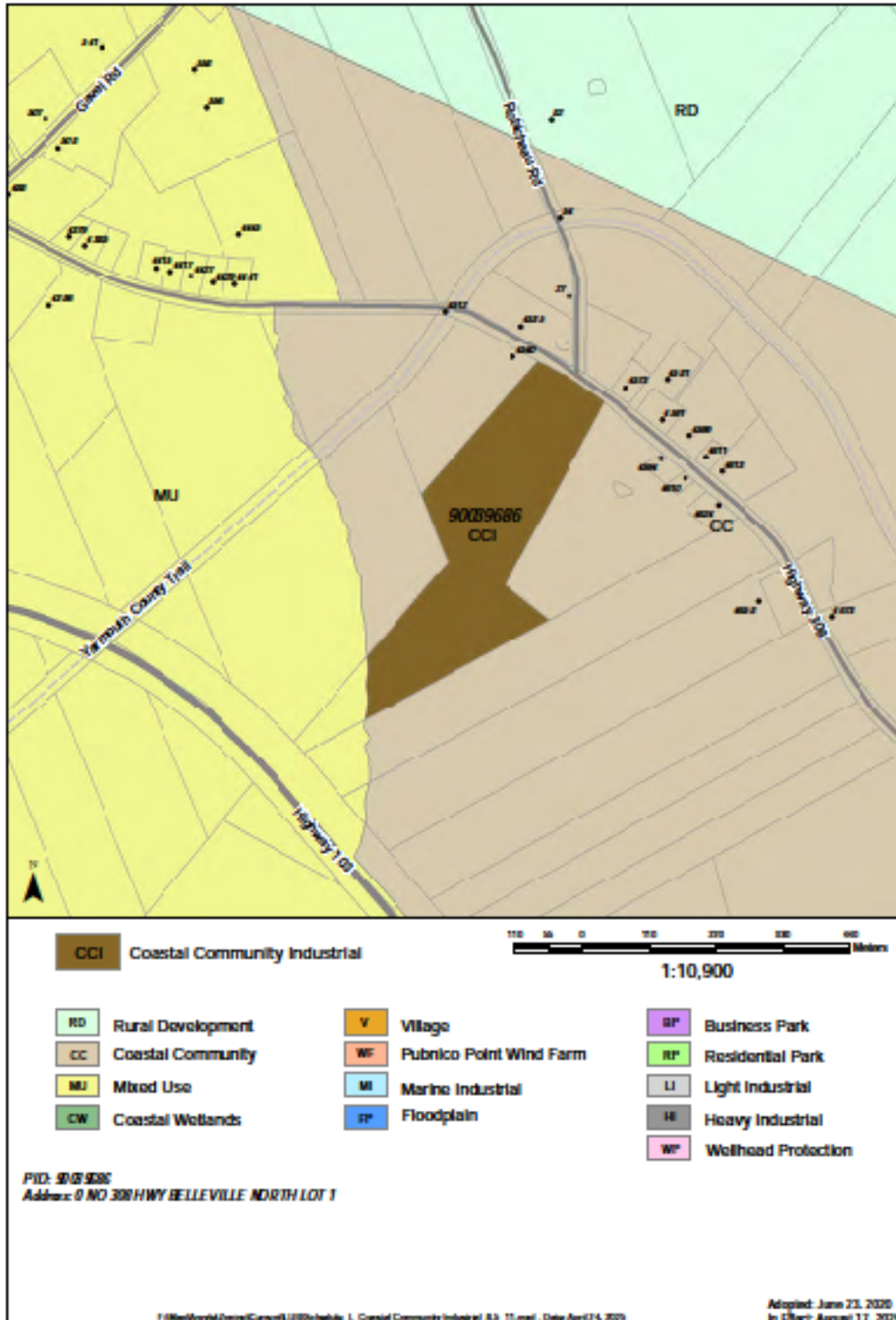
Zoning Map Schedule L Belleville 1



STAFF REPORT

Planning and Development

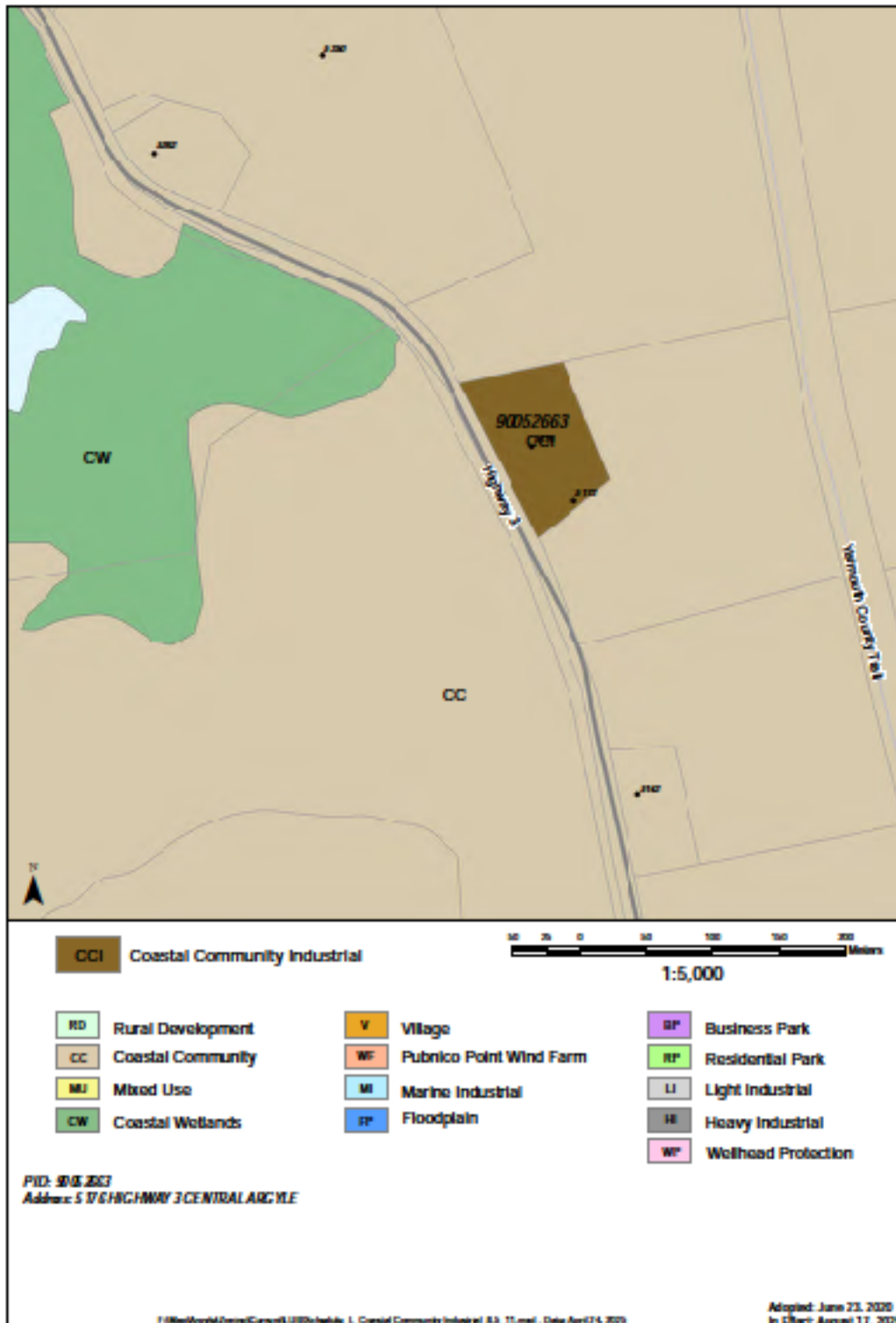
Zoning Map Schedule L Belleville North 1



STAFF REPORT

Planning and Development

Zoning Map Schedule L Central Argyle 1



STAFF REPORT

Planning and Development

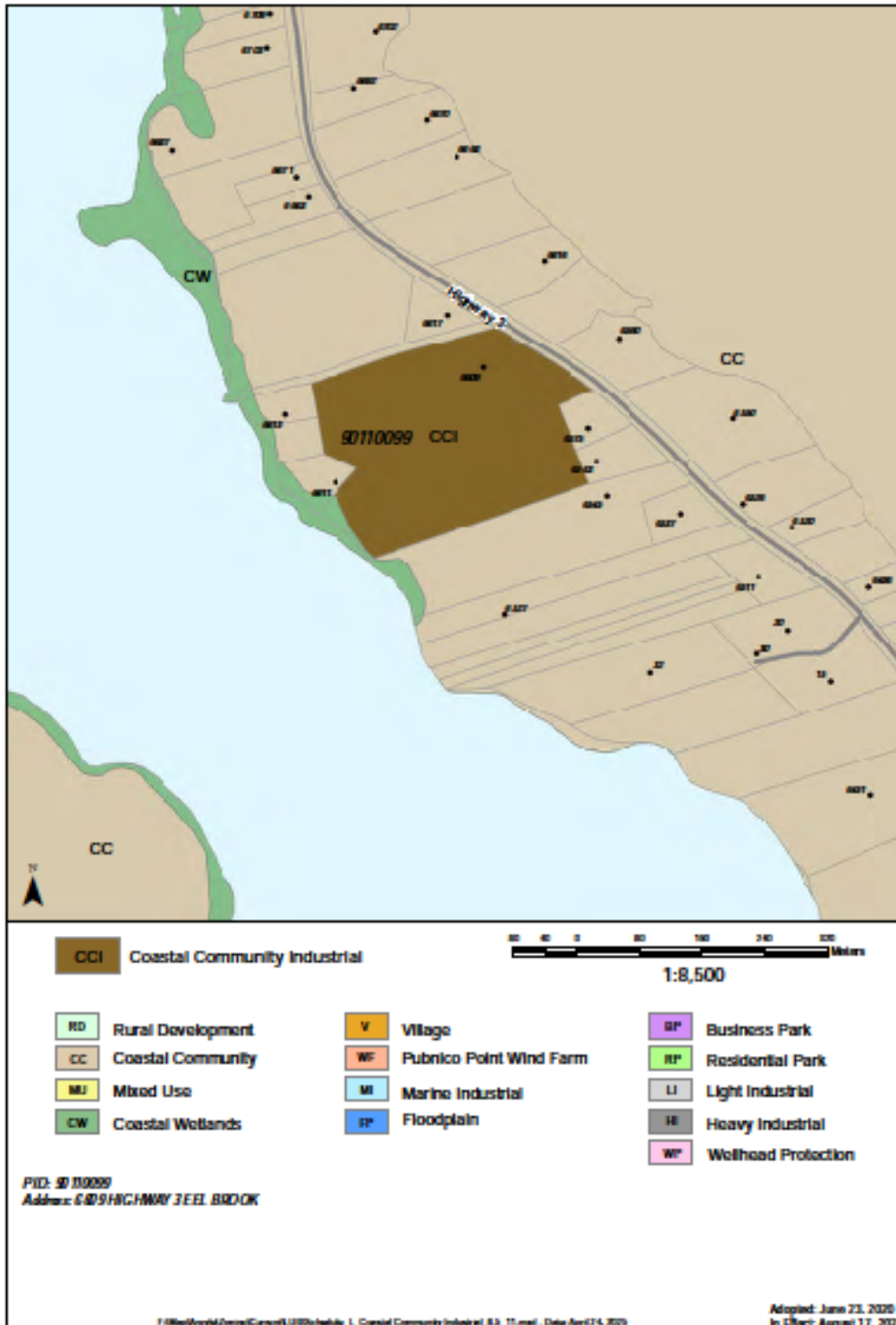
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STAFF REPORT

Planning and Development

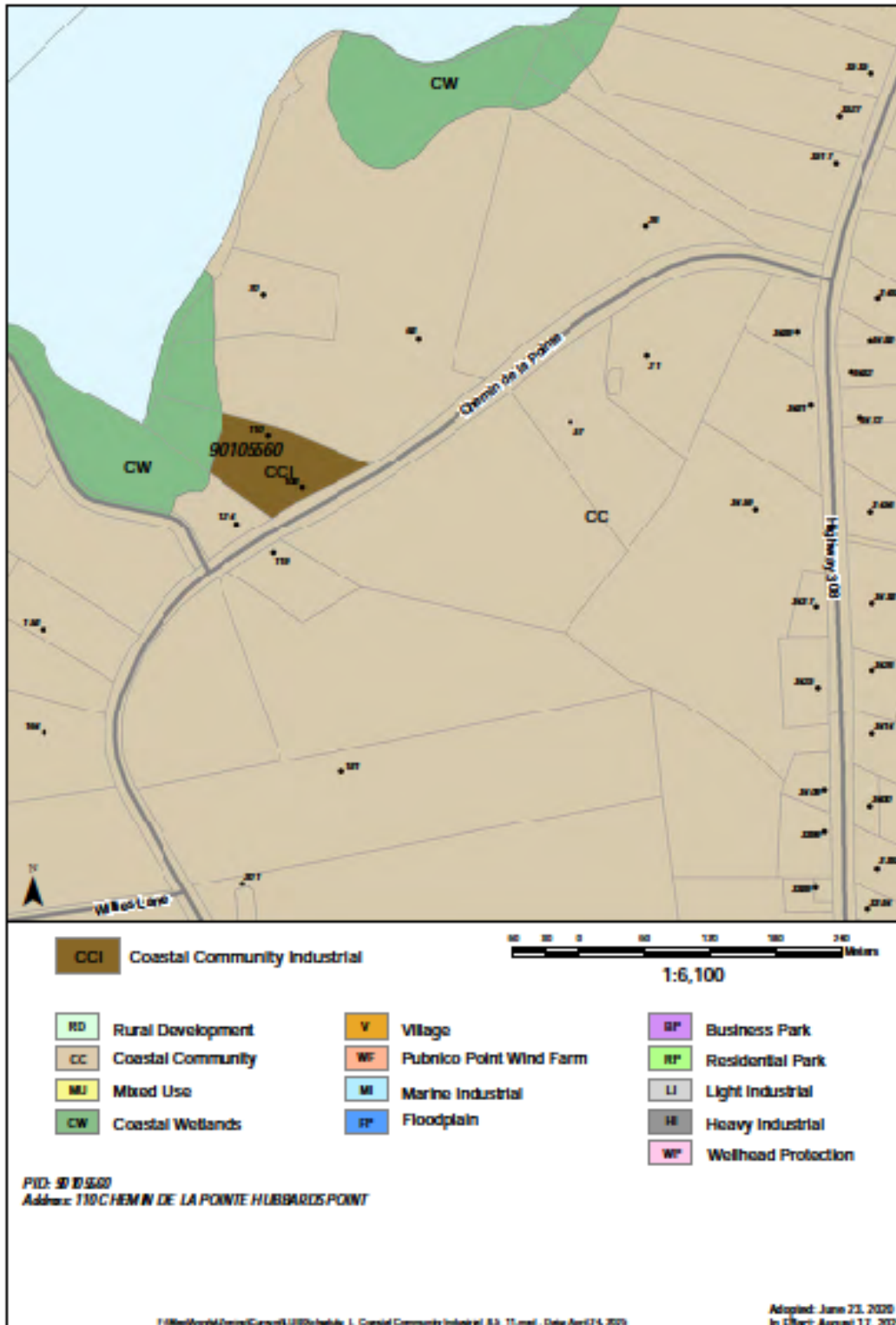
Zoning Map Schedule L Eel Brook 1



STAFF REPORT

Planning and Development

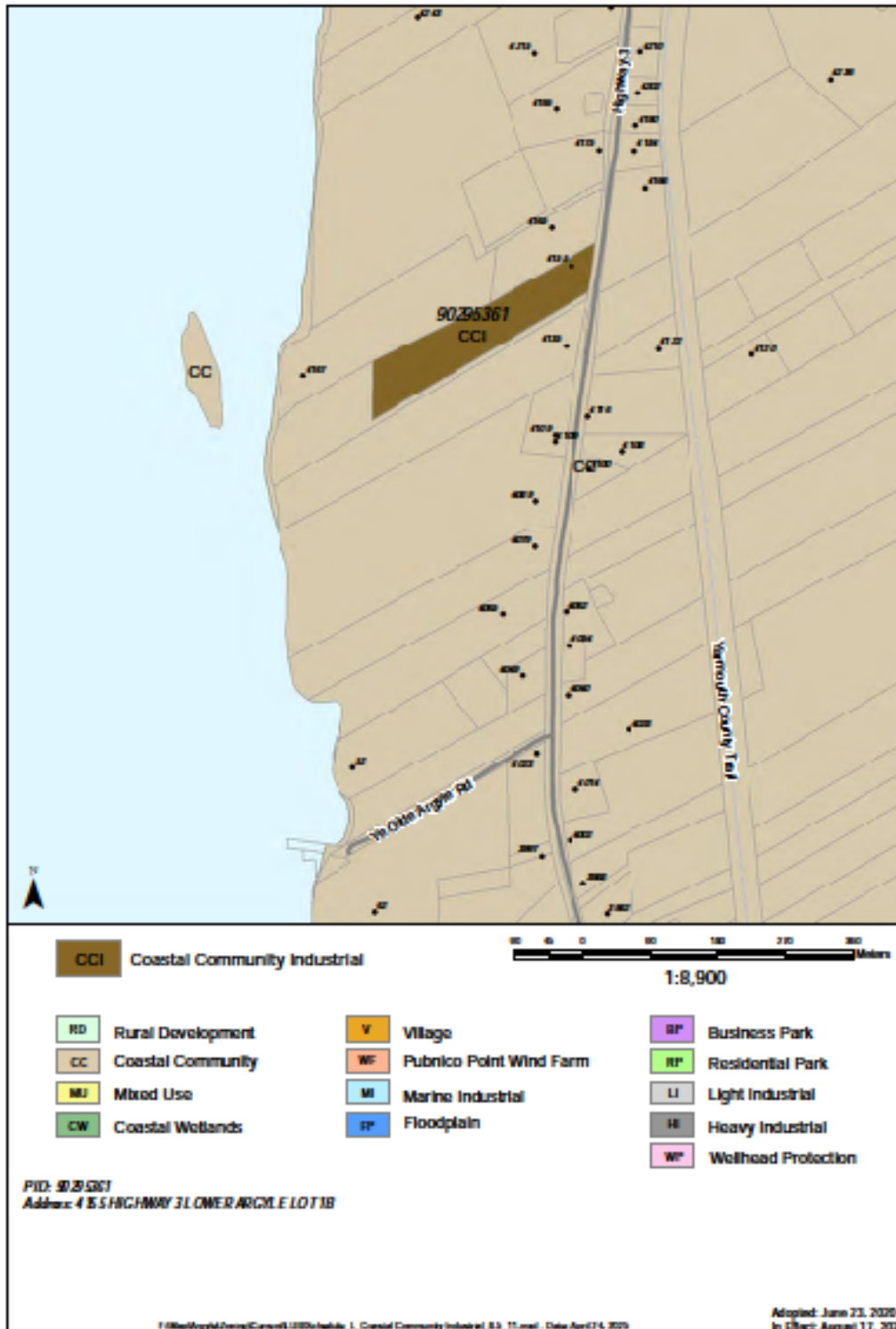
Zoning Map Schedule L Hubbards Point 1



STAFF REPORT

Planning and Development

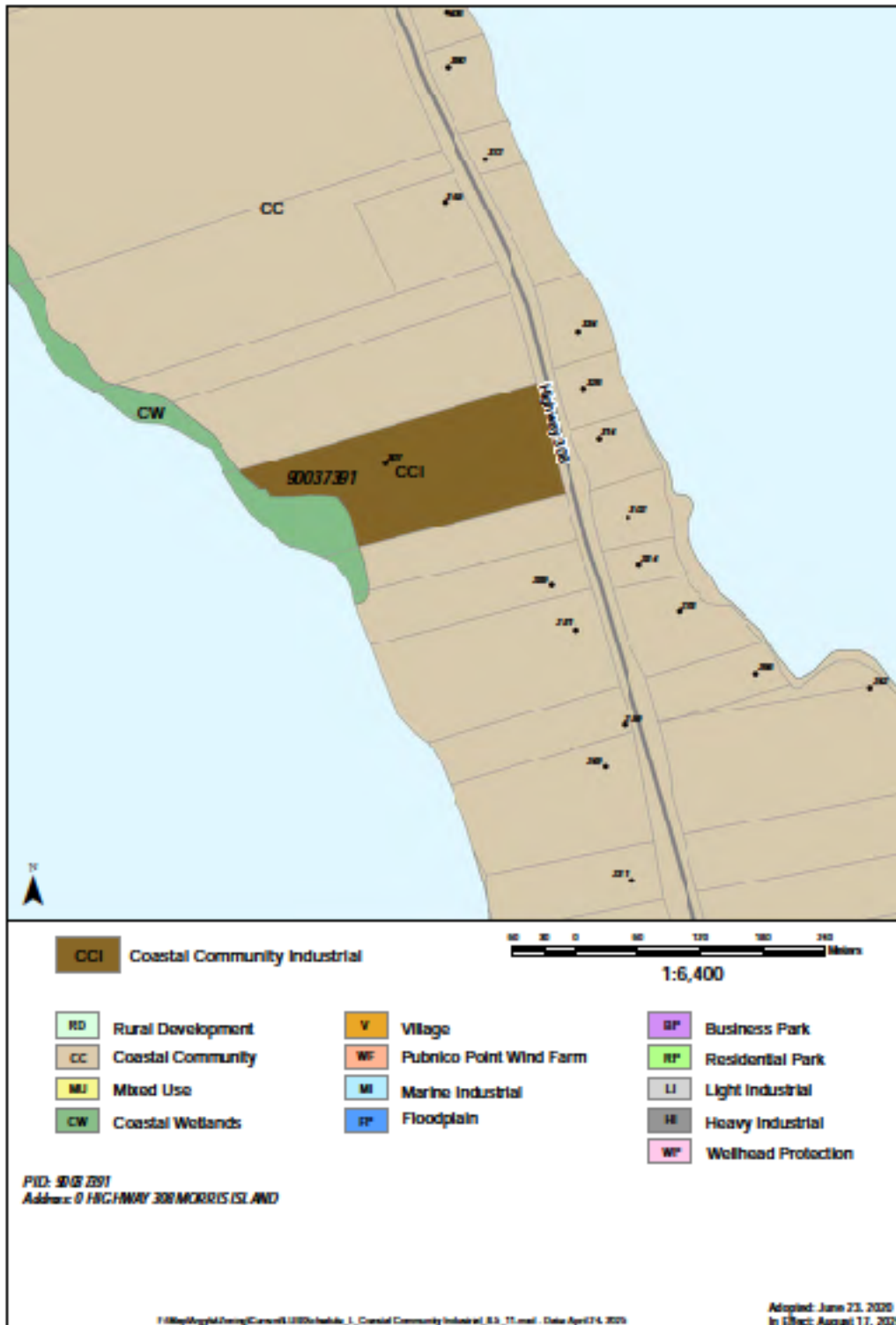
Zoning Map Schedule L Lower Argyle 1



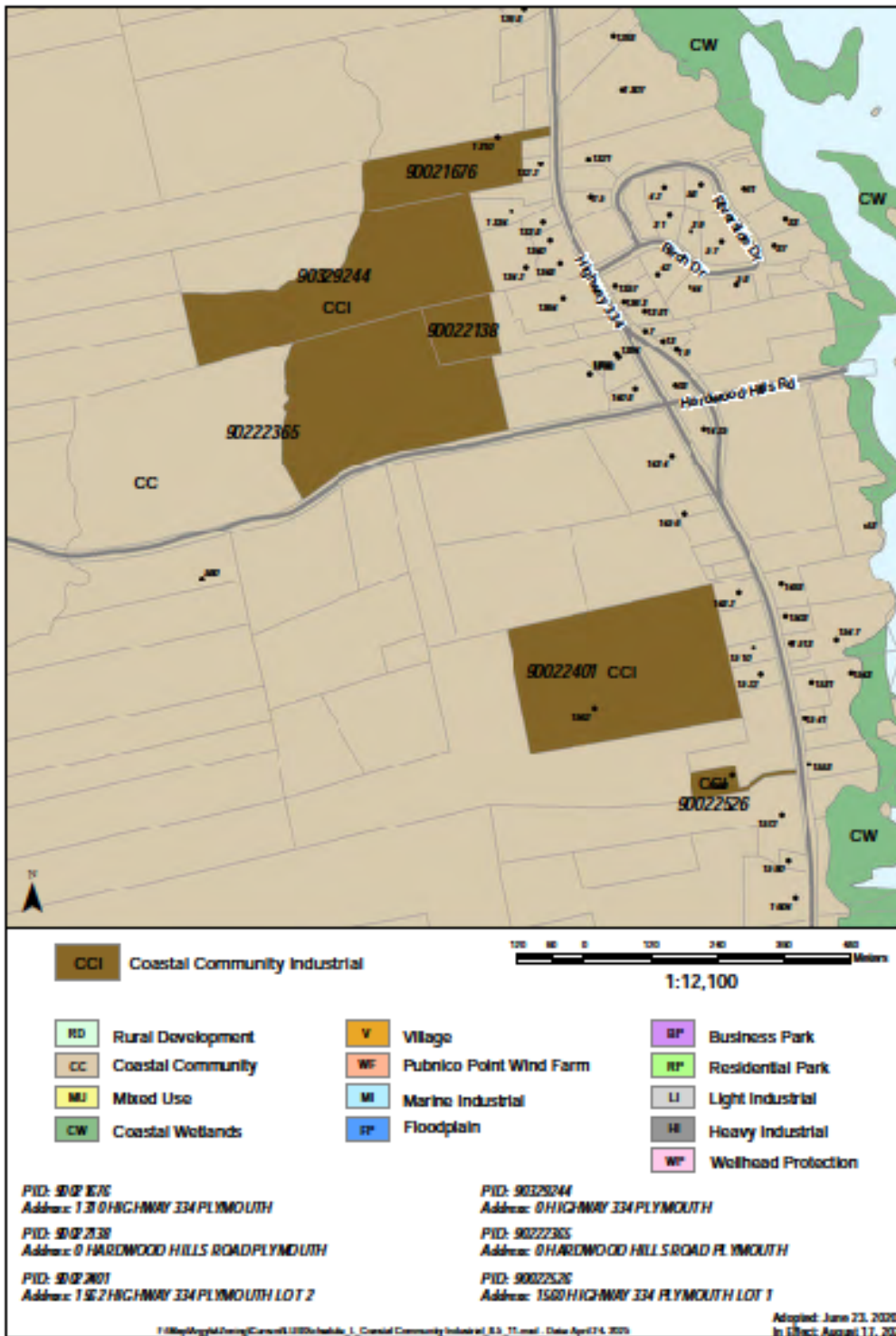
STAFF REPORT

Planning and Development

Zoning Map Schedule L Morris Island 1



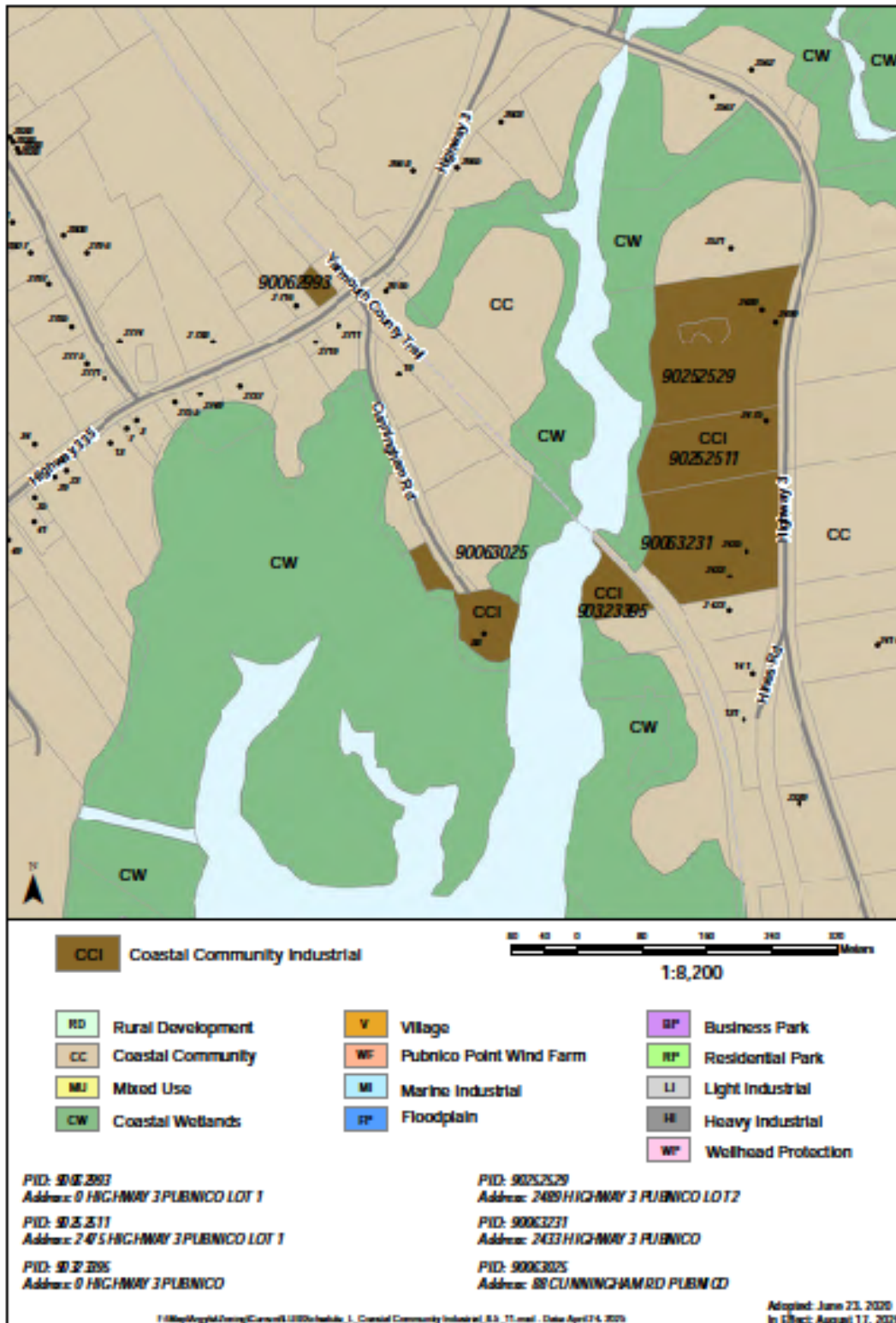
Zoning Map Schedule L Plymouth 1



STAFF REPORT

Planning and Development

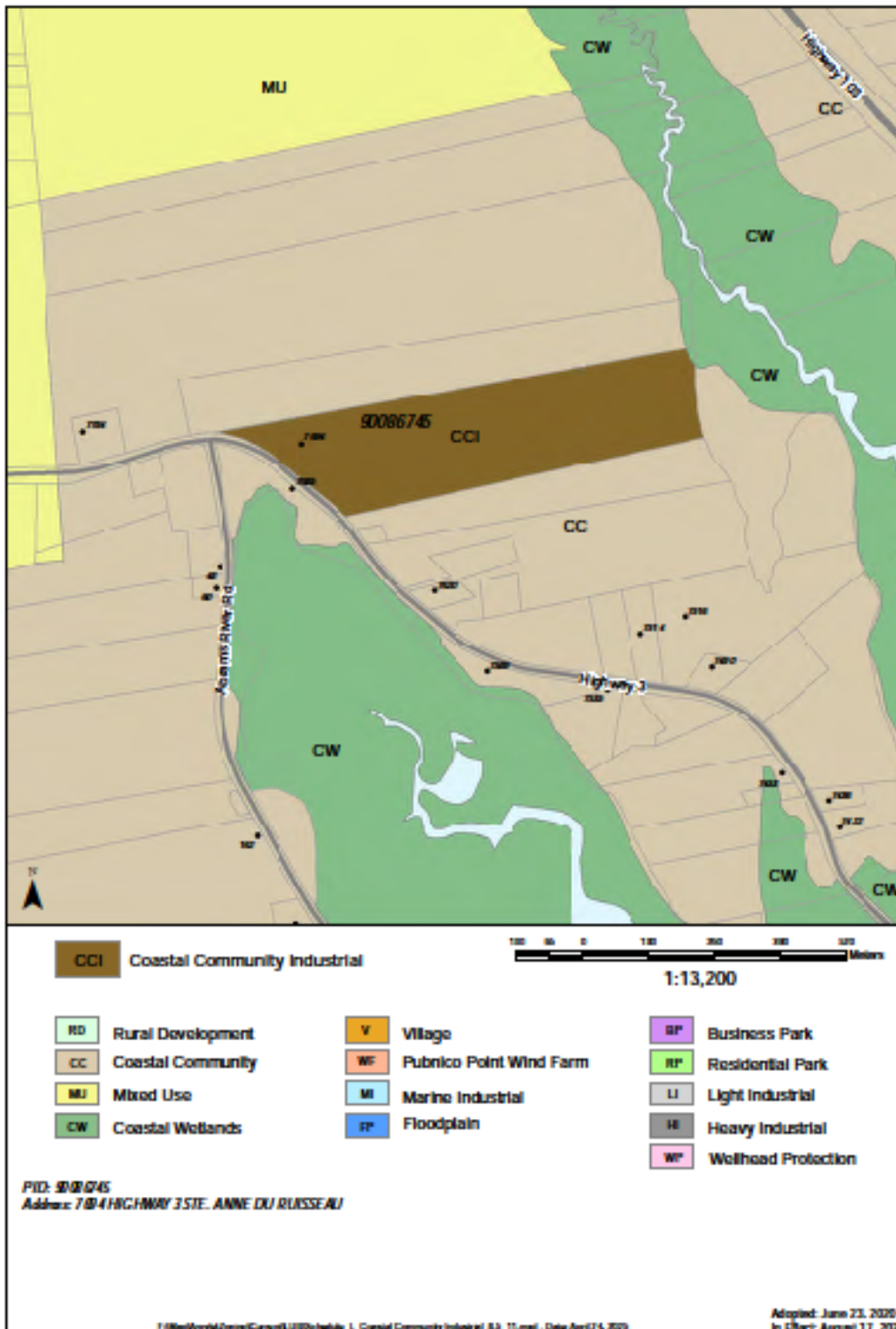
Zoning Map Schedule L Pubnico 1



STAFF REPORT

Planning and Development

Zoning Map Schedule L Ste. Anne du Ruisseau 1



STAFF REPORT

Planning and Development

Zoning Map Schedule L Tusket 1

