

Development Agreement Application - VIDA Living

Staff Report TOK202518

Meeting Date: February 10, 2025
Department: Planning and Development
Strategic Priority: Housing and Planning

RECOMMENDATION

THAT the Council Advisory Committee recommends that the development agreement application be given First Reading.

SUMMARY

The purpose of this report is to provide an update on the Public Participation Meeting held on February 4, 2025 and a review of the draft development agreement for the proposed 56-unit residential development (~25 units in Town) located at Hartlen Court/Oakdene Avenue (PIDs 55034300 and 55341473).

BACKGROUND

An application was received on December 12, 2024 from Elizabeth Barry of Locale Real Estate Inc. on behalf of the owners, VIDA Living 2.0 Inc. for a development agreement to facilitate the Kentville portion of a 56-unit low/medium density residential development. The proposed development straddles the municipal boundary with the Municipality of the County of Kings. To facilitate access to the units, a private driveway will connect Hartlen Court and Oakdene Avenue.


Based on information provided by the applicant at the Public Participation Meeting, the intent of the developer is to create a condominium-style development where the individual dwelling units and the footprints of land they are situated on are owned individually, while the remainder of the lands are owned and managed collectively.

ENGAGEMENT

The Planning and Development Staff of the Town of Kentville have established and initiated a public participation program as reviewed at the January 13, 2025, Council Advisory Committee meeting.

Newspaper Ad

The following ad was placed in the Chronicle Herald on January 21 and 28, 2025.



Public Participation Meeting VIDA Living, Hartlen Court

A public participation meeting will be held at the Kentville Fire Hall, 463 Main Street, Kentville, Nova Scotia, at 6:00 PM on Tuesday February 4th, [2025](#) to provide an opportunity for the public to comment on or make suggestions to the proposed development.

Planning Application: VIDA Living has submitted a development agreement application for a housing on Hartlen Court, immediately north of the Salvation Army Church. The proposal seeks to develop a multi-unit dwelling community, 25 of 56 of these units to be located within the Town boundary, the remainder within the Municipality of the County of Kings. This proposal involves the negotiation of a development agreement to establish the terms and conditions of the project which will include:

- The development of approximately 25 single-unit detached dwellings
- The creation of an internal driveway, accessed from Hartlen Court and Oakdene Avenue, and parking facilities
- The development of on-site community amenities

Date/Time: Tuesday February 4th, [2025](#) at 6:00 PM

Location: Kentville Volunteer Fire Hall

For further information, copies of the proposal, and questions about submitting comments please contact Darren Shupe, Director of Planning & Development at:

(902) 679-2529 or dshupe@kentville.ca

January 15, 2025

Jeff Lawrence
Town Clerk
TOWN OF KENTVILLE

Neighbourhood Notification

A total of thirteen letters were mailed to properties within 30 metres of the proposed development:



Darren Shupe
354 Main Street
Kentville, NS
B4N 1K6

902-679-2529
dshupe@kentville.ca

20/01/2025

RE: Notice of a Public Participation Meeting

To whom it may concern,

A public participation meeting will be held at the Kentville Fire Hall, 463 Main Street, Kentville, Nova Scotia, at 6:00 PM on Tuesday February 4th, 2025 to provide an opportunity for the public to comment on or make suggestions to the proposed development.

Planning Application: VIDA Living has submitted a development agreement application for a housing on Hartlen Court, immediately north of the Salvation Army Church. The proposal seeks to develop a multi-unit dwelling community, 25 of 56 of these units to be located within the Town boundary, the remainder within the Municipality of the County of Kings.

This proposal involves the negotiation of a development agreement to establish the terms and conditions of the project which will include:

- The development of approximately 25 single-unit detached dwellings
- The creation of an internal driveway, accessed from Hartlen Court and Oakdene Avenue, and parking facilities
- The development of on-site community amenities


More information can be found on the Town's website at:
<https://kentville.ca/planning-applications>

Warm Regards,


Darren Shupe
Director of Planning and Development
Town of Kentville








Correspondence with the Municipality of the County of Kings

As per our Public Participation Policy G62, where this proposal is site specific (PIDs 550343000 and 55341473) and is within 150m of the shared municipal boundary, Kentville Town Council also requests feedback from the Municipality of the County of Kings Council. Email correspondence was sent to the County's Planning Director on January 23, 2025.



Darren Shupe

To:  tjavorek@countyofkings.ca



Thu 1/23/2025 4:02 PM

Hi Trish,

You are being notified of this Public Participation Meeting as required by our planning policies, which mandate notification of any abutting municipalities for applications seeking to amend the planning documents. You are welcome to attend this meeting; however, your attendance is not mandatory.

As per our Public Participation Policy G62, where this proposal is site specific (PIDs 550343000 and 55341473) and is within 150m of the shared municipal boundary, Kentville Town Council also requests feedback from the County of the Municipality of Kings Council.

A public participation meeting will be held at the Kentville Fire Hall, 463 Main Street, Kentville, Nova Scotia, at 6:00 PM on Tuesday February 4th, 2025 to provide an opportunity for the public to comment on or make suggestions to the proposed development.

Planning Application: VIDA Living has submitted a development agreement application for a housing on Hartlen Court, immediately north of the Salvation Army Church. The proposal seeks to develop a multi-unit dwelling community, 25 of 56 of these units to be located within the Town boundary, the remainder within the Municipality of the County of Kings.

This proposal involves the negotiation of a development agreement to establish the terms and conditions of the project which will include:

- The development of approximately 25 single-unit detached dwellings
- The creation of an internal driveway, accessed from Hartlen Court and Oakdene Avenue, and parking facilities
- The development of on-site community amenities

More information can be found on the Town's website at: <https://kentville.ca/planning-applications>

[Planning Applications | The Town of Kentville](#)

[Applications and Amendments Under Consideration 2025 2025-04 Vida Living Application - Staff Report 2024 2024-07 MPS Amendment - Brison Development, Presentation](#)

kentville.ca

Let me know if you have any questions.

Thanks,
Darren

Public Participation Meeting

A Public Participation Meeting was held on February 4, 2025 from 6:00pm to approximately 7:30pm at the Kentville Volunteer Fire Hall. Approximately 8-10 members of the public were on hand in addition to staff and members of Council. The Town presented the policy and regulation requirements germane to the application and the applicant presented on the site concept and design. Questions and comments were heard and discussed for approximately 1 hour. The main questions appear below in italics with response to each in red.

- *Is there a definition for multi-unit dwelling community in the Land Use Bylaw?*
 - This is the first application of Policy GD-5(d), the definition will be captured in the development agreement and potentially used as a precedent for inclusion in the Land Use Bylaw.
- *Are the County's processes for reviewing this proposal the same as the Town's?*
 - Our understanding is that the County portion of this development is being received as an as-of-right development vs. the Town's development agreement process.
- *Comment was received on the high density of the development.*
 - The overall development density is below the High-Density (R4) zoning threshold. Minimum lot area requirements will be included in the development agreement.
- *What are the construction materials for the units?*
 - Final design has yet to be determined, and material-type will be arrived at later.
- *Will all units be on slab?*
 - Yes.
- *A resident from Nichols Avenue asked about the backyard interface.*
 - Buffering will be required in the development agreement. The exact form of buffering is still under consideration.
- *How many feet are between buildings?*
 - Based on the initial site plan, there is 12' between gable ends, 20.5' between eave ends.
- *How is solid waste storage being handled?*
 - Final design is being considered, communal storage and private collection will be part of the condo format.
- *Comment regarding the noise created by pickleball courts.*

- Noted, will be considered in the final amenity design.
- What is the market for this kind of housing?
 - Market analysis was conducted and included young professionals and those looking to down-size.
- Comment on walkability and connectivity of this development.
 - Internal sidewalks to be considered, Town responsible for sidewalks outside of the development.
- What is the price point?
 - Unknown at this time, will be determined by the final design.
- Do the amendments to regulations in the development agreement affect sound ratings?
 - Building Code and Fire Code review will happen at the building permit stage.
- Can fire protection elements such as hydrants be required in the development agreement?
 - Hydrants can be made a requirement within the development agreement. Will be addressed through further negotiations between parties.
- Do the units encroach into the required rear-yard setbacks?
 - The rear-yard setback in the R4 zone is 15'. Based on the initial site plan, it appears that 2 dwelling units fall within the R4 setback. A revised site plan will indicate the degree of encroachment which will be then captured in the development agreement requirements.

Written comments were received via email on February 4, 2025 and read on behalf of Carol Stephens of 23 Nichols Avenue (original correspondence in italics, responses provided in red):

Good afternoon Darren,

Firstly, I want to express my appreciation for the work that VIDA Living does to provide much needed affordable housing.

Below are my questions to be read this evening:

- *These homes back up almost to the property line, at least two and up to three homes deep. Will each unit have outdoor storage? My concern is buildup of materials due to lack of storage. Where will residents store large items such as winter tires, garbage and green carts?*

The proposed development would be managed as a condominium-style organization with only the dwelling units and the land below each (footprint) owned by individuals. The remainder of the area will be commonly owned and subject to restrictive covenants which would control how the common spaces are used. The development agreement could contain provisions which would be adopted in the restrictive covenants regarding outdoor storage. Common storage areas could be considered in the community site design, otherwise offsite storage for individuals may be required.

- *Many people currently cut across the church and other private properties from the apartment buildings on Hartlen Court and Oakdene Avenue to get to Nichols Avenue. With the significant increase in population, will there be a fence along the property line to deter this?*

The developer appreciates this kind of local knowledge which will assist in how they consider the design of the site. A fence may be part of the buffering requirements, but how people move through the site will be reviewed as the applicant finalizes their site plan and will be considered by the Town in looking how the proposed development becomes integrated into the existing neighbourhood.

Carol Stephens

Draft Development Agreement

Attached as Appendix A

The initial drafting of the proposed development agreement was prepared by Staff, based on the general criteria found in Policy IM-11 of the Town's Municipal Planning Strategy, and reviewed by the applicant. Further revision on the terms and conditions of the development agreement will be made and reviewed by both parties prior to finalisation for public review and comment at the Public Hearing and Second Reading.

A subdivision application is being reviewed concurrently with the development agreement application. The final legal description of the subject lands will be revised to reflect the lot consolidation.

Staff Presentation Slides

Attached as Appendix B

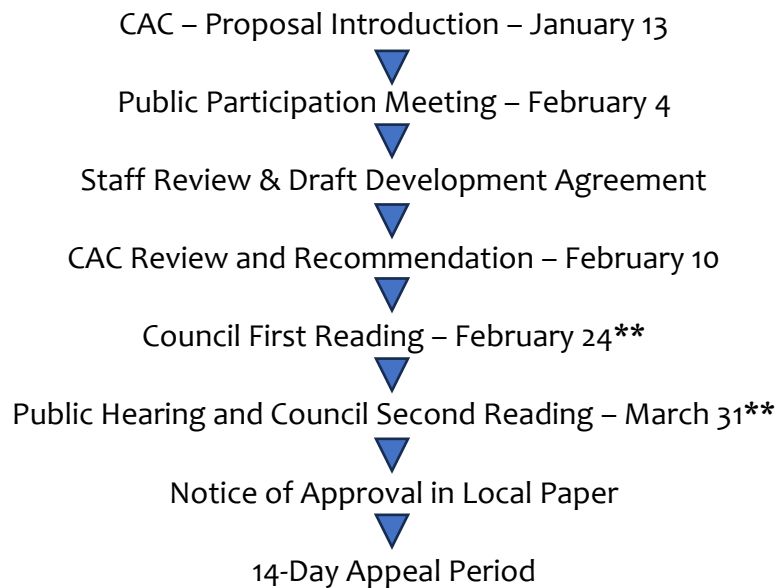
Applicant Slides

Attached as Appendix C

Next Steps

The following schedule (in-keeping with the requirements of the MGA) is being used to guide the review of the application:

Process



**anticipated dates; final dates set by Council

Financial Implications

There are no financial implications for the Town or residents regarding the filing of this report.

Recommendations

Staff recommends that the Council Advisory Committee recommends that the development agreement application be given First Reading.

Respectfully submitted,

Darren Shupe, Director of Planning and Development

Attachments:

Appendix A: Draft Development Agreement

Appendix B: Staff Public Participation Meeting Presentation

Appendix C: Applicant Public Participation Meeting Presentation