

# McDougall Heights Rezoning PID 55247761

Planning & Development Department

Kirsten Duncan, Planning Technician & Acting Development Officer



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# Rules of Conduct

- All comments/presentations shall be made from the Speakers Desk and will be recorded
- No applause or other expressions of emotion
- No inappropriate language, outbursts or criticisms will be condoned
- No signs are to be displayed
- Debates between Council, speakers, staff or applicants are not permitted

Please be respectful

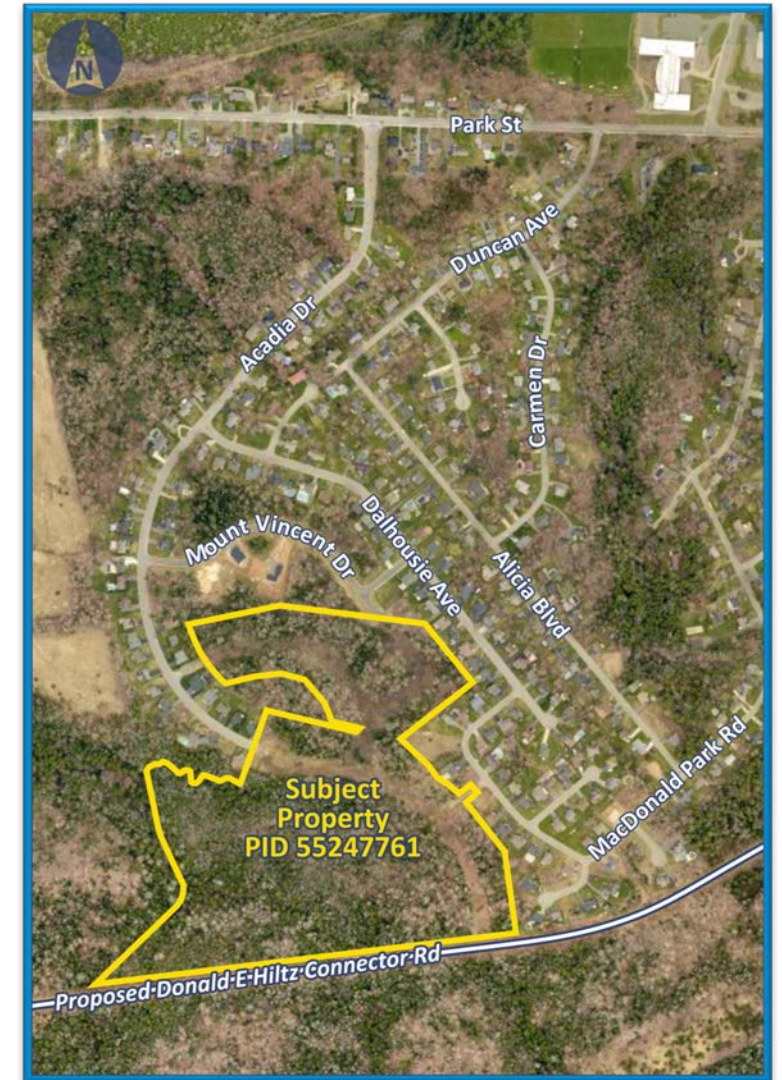
# Agenda

- Meeting opening (Mayor Snow)
- Public Hearing
  - Presentation by Kirsten Duncan
    - Council questions of clarification only
  - Presentation by Brighter Community Planning & Consulting
    - Council questions of clarification only
  - Public Comments
    - Registered Comments
    - Summary of Written Comments
    - Open comments from the floor
  - Applicant to briefly respond to points raised
- Meeting Adjourned

*Council may decide to take a recess every hour, if needed*

# Process

- Application to Rezone PID 55247761 from Large Lot Residential (R5) to a mix of:
  - Single Unit Dwelling (R1),
  - One and Two Unit Dwelling (R2), and
  - High Density Residential (R4) Zones
- Should the application be approved, the developer will need to provide the following documents to the Planning and Engineering Departments for approval prior to any start of development:
  - Engineering Plans (road layout, servicing plans, etc.)
  - Subdivision Plans (tentative/final)
  - Stormwater Management Plans
  - 5% Parkland Dedication
- Site Plan Approval will be required for R4 lots as per Policy GD-30 of the Municipal Planning Strategy



# Timeline of Events

## September 2022

- Initial documents were submitted to the Town
- Public Information Meeting was held

## December 2022

- Staff requested further information

## March 2023

- First Report to CAC

## May 2023

- Third Report to CAC
- First reading was held

## November 2022

- Staff from various departments met to review application

## February 2023

- The applicant submitted a revised concept plan and supplementary information

## April 2023

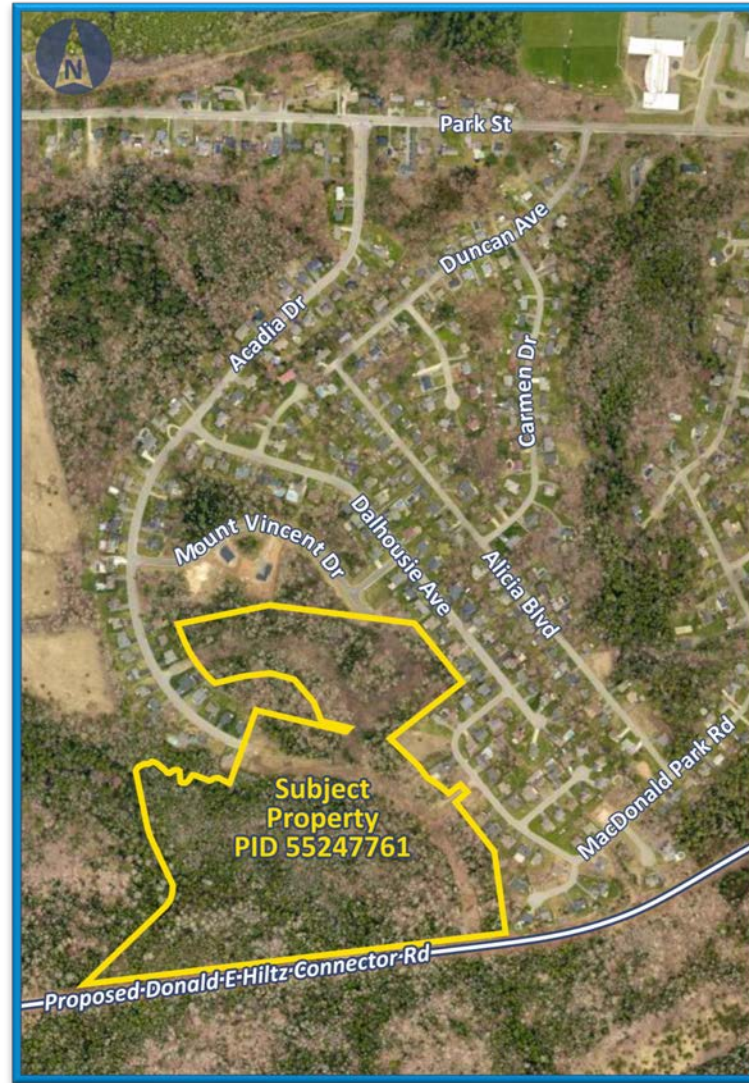
- Second Report to CAC

## June 2023

- Public Hearing

# Application

- **Applicant:** Brighter Community Planning & Consulting
- **Owner:** Brison Developments Ltd.
- **Lot Area:** 43.2 acres



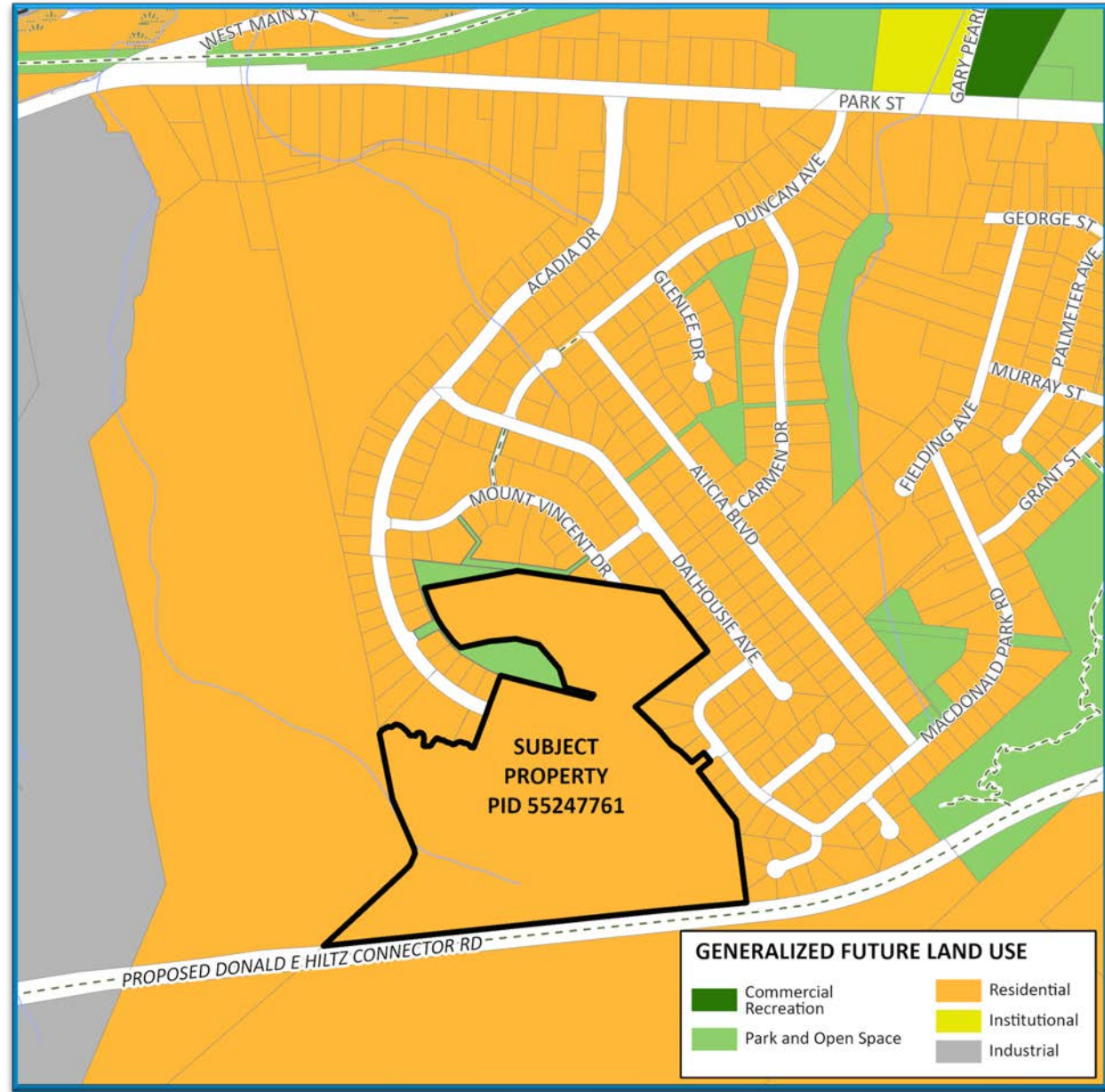
# Application

- Single Unit Dwelling (R1) lots
- One and Two Unit Dwellings (R2) lots, and
- High Density Residential (R4)



# Application

- Currently vacant & zoned R5
- Surrounding land uses:
  - Existing single unit dwellings
  - Parkland
  - Bulk vacant land designated for residential development
  - Proposed arterial road
- FLU Designation: Residential



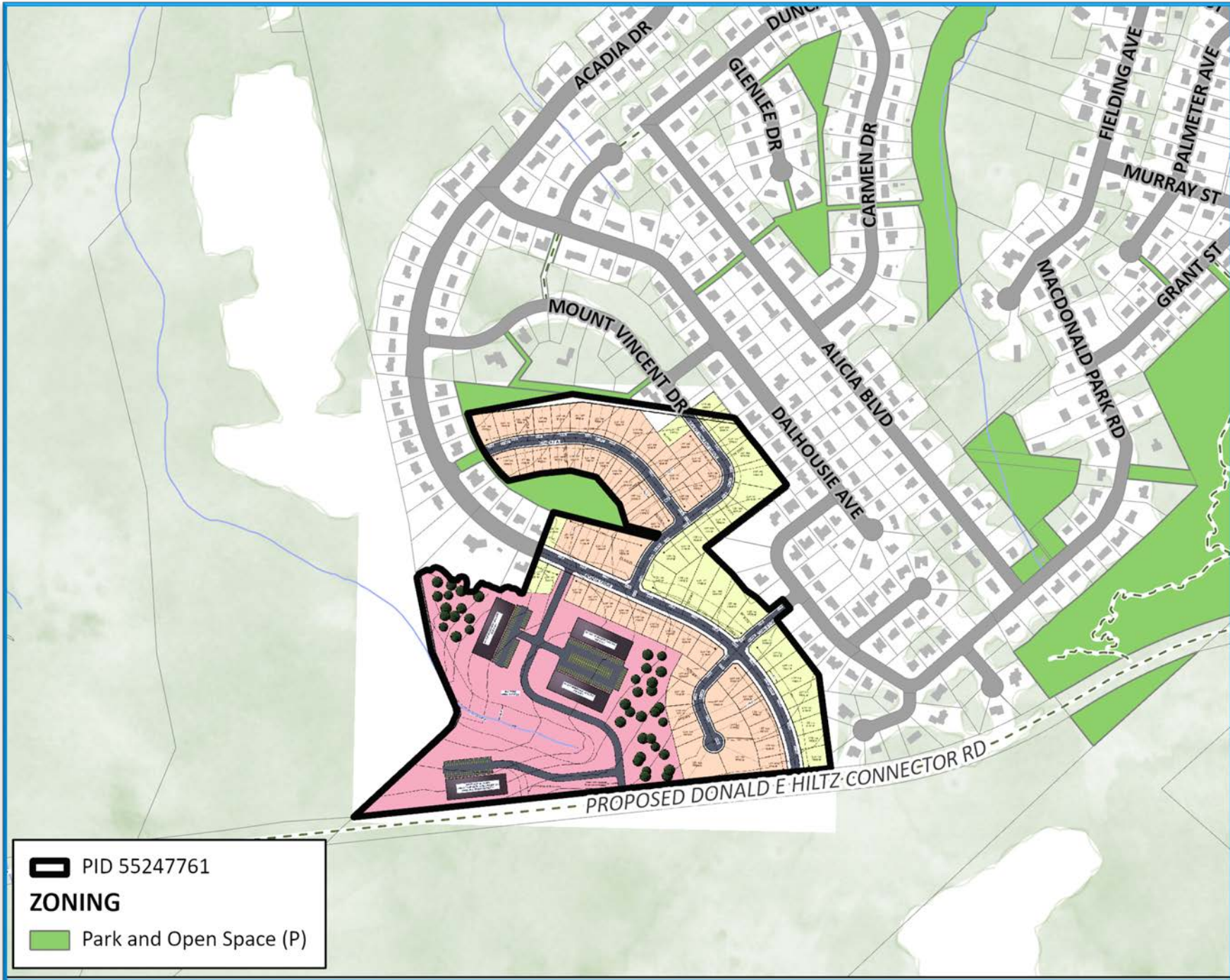


# Application

- Single Unit Dwelling (R1) lots
- One and Two Unit Dwellings (R2) lots, and
- High Density Residential (R4)



# Conceptual Development Plan



# Municipal Planning Strategy Review

This rezoning request and eventual development supports several objectives of Council:

- To provide a variety of housing types to accommodate the various needs and desires of Town residents.
- To ensure that future residential development occurs in suitable locations with adequate water, sanitary sewer, storm sewer, transportation and recreational services available.
- To actively promote and facilitate the development of housing within the town in order to attract a greater proportion of the regional housing market.
- To facilitate the efficient growth and development of the town.

# Municipal Planning Strategy Review

## 15.6 Municipal Planning Strategy Amendment Not Required

The Generalized Future Land Use Map designates the overall general land uses that are permitted in various areas throughout Town. Residential rezoning's, for example, will only be considered by Council if the property in question is within the area designated residential on the GFLUM. In order for Council to approve a rezoning that does not fall within the appropriate designation, the property owner would have to propose a concurrent amendment to both the MPS and LUB.

However, where a property borders on two or more land use designations, Council may consider a rezoning of the property as if it were wholly contained within one or the other designations. This will not require an amendment to the MPS.

**Policy IM-4** *It shall be the intention of Council* to consider applications to amend the Land Use By-law Zoning Map and rezone lands abutting a given designation on the Future Land Use Map to a zone supported by that designation, without requiring a Municipal Planning Strategy amendment, provided such an application is consistent with other policies in this Strategy.

### 15.9.2 Rezoning's

A rezoning or map amendment involves the rezoning of a particular property to another zone; usually in order to allow the property to develop to a more intensive use. This type of amendment may substantially alter the type of development and uses which may be permitted on that site. Because this type of amendment may involve a specific property and include a detailed development proposal, there is an opportunity for Council to assess the land use impacts of the proposed development as part of the rezoning application. Council will, therefore, undertake a detailed evaluation of the proposed development prior to making a decision concerning a rezoning application. This detailed assessment will require that the applicant submit a conceptual development plan and details with respect to servicing, stormwater drainage, traffic management, landscaping, and other design elements. To ensure that all potential land use impacts are considered, Council will adopt evaluative criteria that is specifically designed to assess rezoning applications.

# Municipal Planning Strategy Review

## 15.9.2.1 Rezoning Application Requirements

Council requires that a request to rezone a property must be submitted in writing to the Town's Planning & Development Services Department. The application must include a written description of any related development proposal along with detailed plans with respect to servicing, stormwater drainage, traffic management, landscaping, and other design elements. All amendment applications must also include payment of an advertising deposit to cover the costs of any required public participation notification including newspaper ads and mail outs. By requiring a detailed development proposal, Council, Staff, the Planning Advisory Committee and the public will be able to examine the application more precisely. Where such a proposal involves dimensional or aesthetic issues, it shall also include a professionally prepared graphic representation. Council is aware that there is no legal agreement binding the developer to a proposal submitted as part of rezoning application, but this exercise will help Council evaluate potential land use impacts related to the rezoning request.

**Policy IM-7** *It shall be the intention of Council* to require the submission of a detailed proposal as part of any rezoning application or amendment application that affects a specific property or properties. Where such a proposal involves dimensional or aesthetic issues, it shall include both a written and a professionally prepared site plan and graphic representations that are drawn to scale. Such graphic proposal must clearly indicate the following;

- a) the location, area, and dimensions of the subject property;
- b) the proposed location, dimensions, height, and proposed use of all buildings;
- c) the means by which the site is to be serviced by sanitary and storm sewers, water, electrical service and other utilities;
- d) the location of any parking stalls, driveways, walkways, lighting, fencing, refuse containers, and snow storage;
- e) landscaping elements including existing and proposed shrubs and trees; and
- f) architectural features where such features are regulated by the planning document.

# Municipal Planning Strategy Review

**Policy IM-8**                      *It shall be the intention of Council* when considering a rezoning application or other Land Use By-law amendment application that includes a specific development proposal to have regard for the following matters:

- a) compatibility of the proposed land use with adjacent land uses;
- b) compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, and bulk;
- c) that the proposed development resolves any potential compatibility issues with nearby land uses resulting from lighting, signage, outdoor display, outdoor storage, traffic, vehicle headlights, and noise through appropriate site design, landscaping, buffering and fencing;
- d) the adequacy of sewer services, water services, waste management services and storm water management services;
- e) that the proposal contributes to an orderly and compact development pattern that makes efficient use of existing and new municipal infrastructure;
- f) the adequacy and proximity of schools;
- g) the adequacy and proximity of recreation and community facilities;
- h) the adequacy of the road network in, adjacent to, or leading to the development;
- i) the potential for erosion or for the contamination or sedimentation of watercourses;

# Municipal Planning Strategy Review

**Policy IM-8**                    *It shall be the intention of Council* when considering a rezoning application or other Land Use By-law amendment application that includes a specific development proposal to have regard for the following matters:

- j) environmental impacts such as air and water pollution and soil contamination;
- k) previous uses of the site which may have caused soil or groundwater contamination;
- l) suitability of the site in terms of grades, soil and bedrock conditions, location of watercourses, marshes, swamps or bogs;
- m) the ability of emergency services to respond to an emergency at the location of the proposed development;
- n) that the proposal is in conformance with the intent of this strategy and with the requirements of all other Town By-laws and regulations;
- o) development can be regulated in such a way as to meet or exceed the guidelines established in the Kentville Water Commission Source Water Protection Plan (SWPP) and
- p) the financial ability of the Town to absorb any costs relating to the amendment.

# Municipal Planning Strategy Review

**Policy IM-9**      *It shall be the intention of Council*, therefore, to take into account the other potential development scenarios that may be permitted as a result of a proposed zone change when evaluating a rezoning application.

- **R4 - Minimum Lot Area:** Multi- Unit Dwelling (five or more units), 7000 ft<sup>2</sup> first five units + 1000 ft<sup>2</sup>/unit
- The developer will also be required to provide on-site amenity space which could take form of a combination of balconies, gardens, landscaped open space, gyms, pools, etc.
- Site Plan Approval



# Statements of Provincial Interest

- **Statement of Provincial Interest Regarding Infrastructure**
  - Goal: To make efficient use of municipal water supply and municipal wastewater disposal systems
- **Statement of Provincial Interest Regarding Housing**
  - Goal: To provide housing opportunities to meet the needs of all Nova Scotians

# Summary

The request to rezone PID 55247761 is consistent with the objectives and policies of the Municipal Planning Strategy:

- The proposal is appropriate for the area and is in keeping with the surrounding development, ensuring compatibility with the existing neighbourhood by placing Single Unit Dwellings adjacent to existing Single Unit Dwellings.
- Provide additional housing stock and choices, impacting the housing supply in Kentville positively.
- By considering alternative build forms such as two unit dwellings and multi-unit buildings, the proposed development will be considered an efficient use of land.
- Makes efficient use of existing infrastructure and road networks.

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