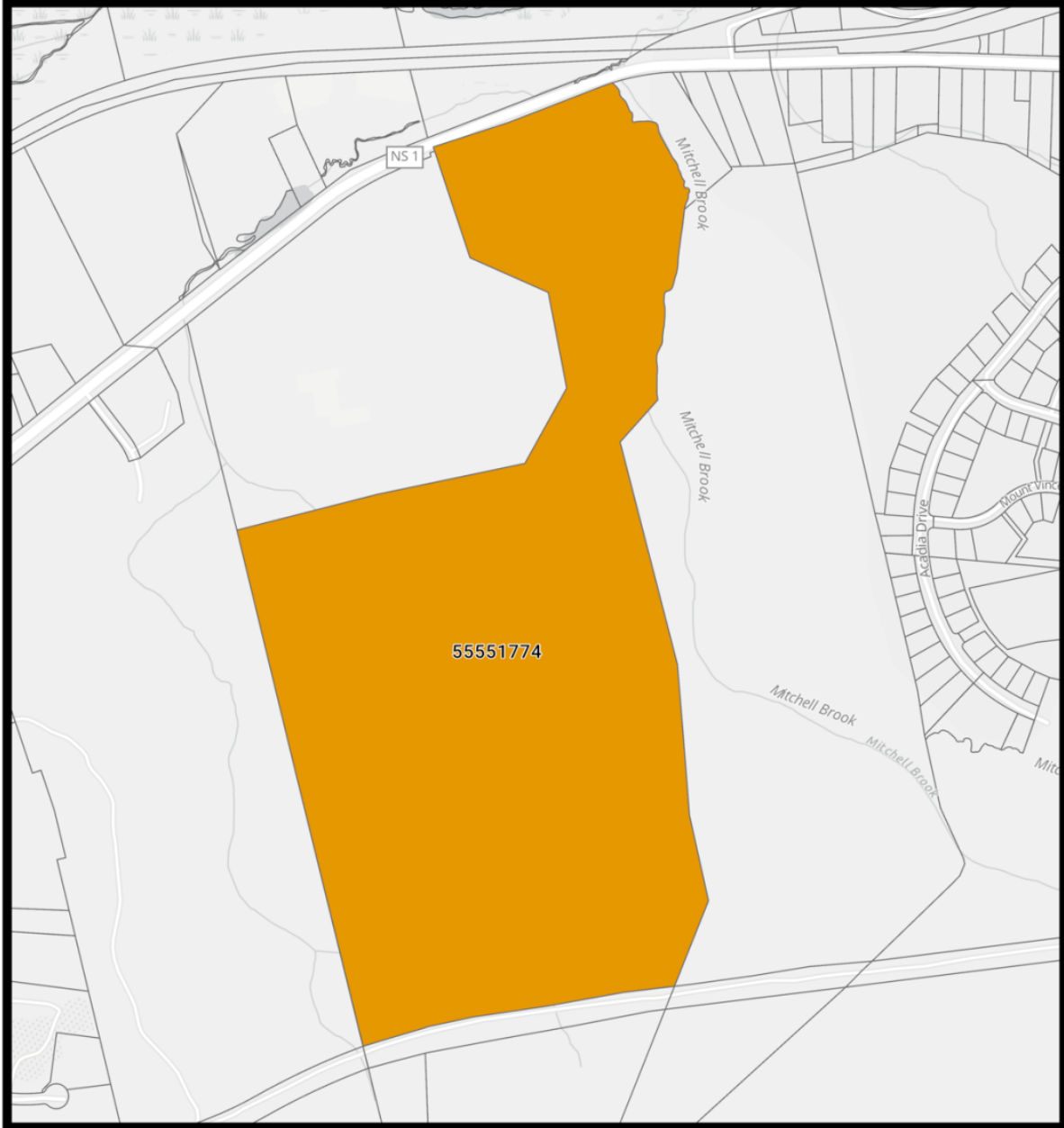

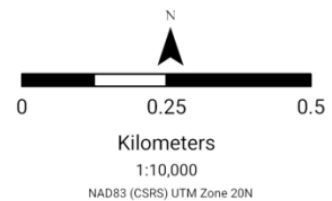


# PROPOSED RESIDENTIAL DEVELOPMENT



**Proposed Area for Rezoning - PID: 55551774**

 From Industrial to Residential



## **THE LAND**

Brison Developments owns PID 55551774, a large tract of land off Park Street within the Town of Kentville. The property is part of a group of land designated and set aside by Council for Industrial purposes. This cluster of industrial land, of which the proposed development is a part, represents 12.3% of the total land within the Town. The piece owned by the Developer is at the East edge of the industrial cluster adjacent to a property intended for residential development.

## **THE PROPOSAL**

The Developer proposes a two-phase development that will provide a mixture of housing styles, depending on market demand at the time of construction, and enhance the property with amenities and parkland, creating a new community.

## **THE REQUEST**

Given Council's intention to develop this land for industrial purposes in the future, the developer is requesting a significant change to residential designation. This decision will profoundly impact the town's housing and economic development landscape.

In addition, Council has a policy requiring Developers to provide significant detail about a development when applying for a change in the type of use permitted on the property. However, this policy is not enforceable and is an additional expense to the Developer.

The development presented to Council while considering a change is only a concept; the developer cannot be required to follow through on the specified design. For this reason, the Developer has asked that Council reconsider this policy, allowing for the flexibility to develop a design that meets market demand at the time of construction rather than at the early stages when considering if the property should be used for industrial or residential.

Finally, the Developer has asked that Council consider the development in two phases. The entire property will be designated for residential development in the future, but the back portion adjacent to the Donald Hiltz Connector will be held until Council can consider and adopt new policies for the future of housing development within the Town of Kentville.

## **HOW WILL THIS IMPACT THE COMMUNITY?**

If Council were to approve all the requests submitted by the Developer, an extensive new housing development would be permitted to be considered for construction on the proposed lot. The final design of this development is not yet known. However, the Developer must go through Site Plan Approval or a Development Agreement as the design is finalized. As part of these applications, the design must be final and meet the requirements of Council, which include indoor and outdoor amenity space, retention of existing vegetation, and appropriate parking and signage. Depending on the tool, the Development Officer or Council will evaluate if the development is compatible with the existing residential neighbourhood following existing policy 5.1.12 Site Plan Criteria for Development in Residential Zones.

**5.1.12 SITE PLAN CRITERIA FOR DEVELOPMENT IN RESIDENTIAL ZONES**

The following site plan criteria shall apply to all new development that is permitted through the site plan approval process. No development permit shall be issued for development that is inconsistent with these criteria, in addition to all applicable zone standards and other requirements of this Bylaw:

- a) the location of new structures (or an addition to an existing structure) is located on the lot so as to minimize any adverse impacts on the surrounding neighbourhood, including, but not limited to noise, dust, or lighting;
- b) the location of off-street parking and loading facilities are located and designed as to minimize any adverse impact on the surrounding neighbourhood;
- c) the location, number and width of ingress and egress points are designed to prevent traffic congestion, nuisance and inconvenience in the area and minimize any adverse impact on the surrounding neighbourhood;
- d) the type, location and height of walls, hedges, fences, trees, shrubs, groundcover or other landscaping elements are designed and built so as to protect and minimize any adverse impact on neighbouring properties;
- e) the existing vegetation, where possible and deemed practical, be retained so as to lessen or reduce any adverse impact on abutting properties or the surrounding neighbourhood;
- f) the location of pedestrian walkways, and/or related infrastructure, shall be provided to link public walkways and parking areas to the entrance of the primary building;
- g) the type and location of outdoor lighting is designed to light the structure, driveways and any pedestrian walkways, but shall not directed onto neighbouring properties;
- h) the location of facilities for the storage of solid waste provides for a maximum separation for residential development, public areas, and adjacent properties;
- i) the location of existing easements shall be identified;
- j) the management of storm and surface water is addressed, and associated plans are approved by the Town Engineer;
- k) the type, location, number and size of signs or sign structures do not negatively alter the appearance of the neighbourhood; and
- l) the above listed items are maintained in a manner suitable and complementary to the surrounding neighbourhood.

## RECENTLY ASKED QUESTIONS FROM THE PUBLIC

*Q1. I have a question regarding 4.2.4 of the 2019 MPS and am wondering if you could clarify it for me. 4.2.4 (b) states that Kentville can use a Development Agreement when a non-conforming use of land is changed to another non-conforming use.*

*Is that why there is a public presentation on Thursday evening regarding the Brison Development's request for a re-zoning?*

*If the re-zoning application is permitted by Council, the PID will be changed and re-zoned to residential, and no Development Agreement will be needed.*

*If the public presentation of the re-zoning application is not permitted, does a developer such as Brison ask Council for a development agreement, and the development continues to be permitted but with restrictions put in place by a Development agreement?*

A1. Policy 4.2.4 was created for non-conforming uses located in a zone where they are not permitted. An example would be a kennel or dog daycare operating within a residential area. This is not a typical residential use and would be considered existing before adopting Council's residential policies. For this reason, the use is permitted to continue. If the kennel decides to start a new business that is also not for residential use and, therefore, not permitted, the owner would be required to apply to Council for a Development Agreement to be considered before receiving approval.

This policy does not apply to the Brison Application because there is no existing non-conforming building on the property. The property itself is undeveloped and intended for industrial purposes.

However, a site plan or development agreement would be required because of the scale of the development and the intention to develop a variety of densities on the proposed property. This requirement would come from a new policy which is being proposed.

*30 It shall be the intention of Council to empower the Development Officer to negotiate a Site Plan Approval, as per Section 231 of the MGA, for the development or re-development of a lot for the following uses:*

- a) New structures or additions in a (R3), (R4), (C1), (C2), (C3), (M1), and (CR) Zone, when such developments abuts a Single Unit Dwelling (R1) Zone or a One and Two Unit Dwelling (R2) Zone;*
- b) Day Care Centres to a maximum of 14 persons in the (R1), (R2) and (R3) Zones;*
- c) Multi-Unit Residential Dwellings up to 50 units per acre in the (C1) Zone;*

*"D) Multi-unit residential dwellings with six or more units on a single lot located within the Multi-unit Residential (R4) Zone. Developments must comply with amenity requirements for multi-unit residential buildings, as well as subdivision parkland requirements, where applicable. If the developer prefers, the development may proceed through a development agreement in place of site plan approval, per Policy GD-5 d.)"*