



Recommendation to Council

Land Use Bylaw Amendment

At the April 28, 2025 meeting of Council, First Reading was given for proposed amendments to the Town of Kentville's Land Use Bylaw, permitting residential conversions of up to four units in the Limited Commercial (C3) Zone. A Public Hearing was held on June 30, 2025.

Recommendation

Should Council wish to approve the amendments following Public Hearing, the following motion would be in order:

...that Council gives Second Reading to and approves amendments to the Kentville Land Use By-law to permit residential conversions in the Limited Commercial (C3) zone, in a manner substantively the same as indicated on page 2 staff report presented to Council dated April 28, 2025.

June 30, 2025

This recommendation is based on discussion and or reports which are attached.

Recommendation for the Amendment of the Land Use Bylaw Regarding the Permission of Residential Conversions in the Limited Commercial (C3) Zone

Staff Report TOK202525 - Update

Meeting Date: April 14, 2025
Department: Planning and Development
Strategic Priority: Housing and Planning

FOR RECOMMENDATION

RECOMMENDATION

THAT Council Advisory Committee:

Recommends that Council give First Reading to the proposed amendments to the Land Use Bylaw to permit residential conversions of up to four units in the Limited Commercial (C3) Zone and directs the Chief Administrative Officer to schedule a Public Hearing.

Public Participation Review

A public participation meeting was held on April 9, 2025 at 6PM in Council Chambers and broadcast on YouTube. The members of Council who were in attendance asked questions regarding existing permitted uses in the Limited Commercial (C3) zone, the extent of the zone, on acceptable density levels, and the merits of permitting additional residential development in this zone. No other comments or questions were received by the public as of this update.

Notification of the meeting was advertised in the March 25th and April 1st editions of the Chronicle Herald as well as on the Town [website](#) on March 18th.

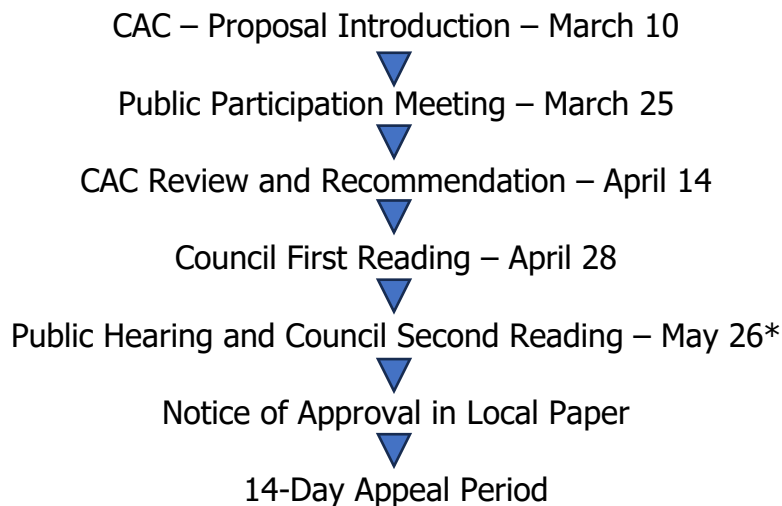
Proposed Land Use Bylaw Amendments

5.1.11 Residential Conversions

Residential Conversions shall be permitted within the One and Two Unit Dwelling (R2), **Limited Commercial (C3)**, Highway Commercial (C2), and General Commercial (C1) zones in accordance with the following requirements:

- a) the dwelling in question was constructed prior to December 5th 1980;
- b) the dwelling must have frontage on a major or minor collector road as shown on Map #2, Transportation Map of the Municipal Planning Strategy;
- c) a maximum of 4 units; and
- d) one on-site parking space shall be required for each dwelling unit.

Next Steps



*anticipated dates; final dates set by Council

Respectfully submitted,

Darren Shupe, Director of Planning and Development
Town of Kentville

MARCH 10, 2025 INTRODUCTORY REPORT TO CAC

Legislative Authority

Municipal Government Act Section 210

BACKGROUND

A complete application for an amendment to the Land Use Bylaw was received from Logan Morse regarding 254 Bridge Street (PID 552563674) on February 7, 2025. The request was for the Town to consider an amendment to the Land Use Bylaw to permit the residential conversion of up to 3 units in the Limited Commercial (C3) Zone. While the application originates in a site-specific concern, Staff believes that there are potential greater implications for other property owners in the Limited Commercial (C3) Zone. There are ~25 properties in the Limited Commercial (C3) Zone.

DISCUSSION

The Limited Commercial (C3) Zone was developed to provide direction on the development of a limited number of properties in the near vicinity of the Valley Regional Hospital and the Provincial Court House. The purpose of the zone was to facilitate the conversion of residential properties into small office and professional services. Residential conversions are not currently permitted in the Limited Commercial (C3) Zone. This report considers whether adding the provision for permitting residential conversions is in-keeping with Council's policies within the Municipal Planning Strategy.

The Land Use Bylaw defines '*residential conversion*' to mean the alteration of, but not the demolition of, a residential building to increase the number of principle dwelling units.

Planning Policy

A text amendment to the Land Use By-law (LUB) does not involve the rezoning of a property and is typically limited to changes to a particular zone's requirements in order to modify either the site requirements or permitted uses. This type of amendment would affect all properties in that zone. It may be done as an administrative change or be done at the request of an applicant who wishes to change the zone to accommodate a use or site configuration not originally contemplated. No amendment to the Town's Municipal Planning Strategy (MPS) is required as long as the proposed changes are in keeping with MPS policies.

Policy IM-6 *It shall be the intention of Council* to evaluate text amendments to the Land Use By-law that are not site specific and that do not include a specific development proposal by considering the land use planning implications and conformance with other Municipal Planning Strategy policies. Public participation for these amendments shall be limited to the requirements set out in the Municipal Government Act for Land Use By-law Amendments.

For residential uses within the commercial designation, Policy GD-10 on mixed-use compatible communities (Attachment 2) speaks to the relevance of permitting residential and commercial development within a local area or neighbourhood. The conversion of residential units supports the direction provided in the Statement of Provincial Interest of providing housing opportunities that support a wide variety of housing types and levels of affordability.

Policy R-22 speaks to the promotion of affordable housing within residential areas, and while the properties within the Limited Commercial (C3) Zone have traditionally comprised a

residential area, the purpose of the C3 Zone seems to be aimed at transitioning the area away from this to a more commercial future. The central question is whether the remaining residential units should be provided with opportunity to convert a single unit dwelling into multiple units is as found in General Commercial (C1) and Highway Commercial (C2) Zones. The MPS is mostly silent on how conversions were to be considered on the whole.

The conversion of a residential property into multiple units would not prevent a future conversion to a permitted commercial use. There are other properties in the C3 Zone which contain a single unit dwelling and may benefit from the ability to convert it to multiple units.

7.2.2.3 Limited Commercial (C3) Zone

Exhibition Street has evolved into a small but distinctive commercial area supporting the needs of the Valley Regional Hospital and Court House. The area is characterized by several small office and professional service related uses, most of which are located within former residential dwellings that have been converted for commercial purposes. Pressure to convert additional dwellings is eminent as the health care industry grows. To ensure the future conversion of residential dwellings and new

development are compatible with the exiting neighborhood and built form, Council shall limit the scale, type and intensity of the development through the Land Use By-law.

Policy C-10 *It shall be the intention of Council* to include in the land use by-law a Limited Commercial (C3) Zone as shown on the Zoning Map. This zone shall be applied when a transition from commercial to residential uses is desired; and in the vicinity of Exhibition and Cornwallis Streets which has evolved into a small but distinctive commercial area, characterized by several small office and professional services supporting the needs of the Valley Regional Hospital and Court House. This zone shall permit a limited range of commercial uses, with greater aesthetic and buffering requirements.

Policy C-11 *It shall be the intention of Council* to establish zone standards and permitted uses for the Limited Commercial (C3) Zone in accordance with the Land Use By-law.

Land Use Bylaw

Section 5.1.11 provides a set of four criteria to consider residential conversions. If this same set of criteria were to be extended to the Limited Commercial (C3) Zone, 5.1.11(b) would limit the application to ~50% of existing lots as only lots with frontage on Bridge Street would be compliant.

5.1.11 Residential Conversions

Residential Conversions shall be permitted within the One and Two Unit Dwelling (R2) Zone, Highway Commercial (C2) and General Commercial (C1) in accordance with the following requirements:

- a) the dwelling in question was constructed prior to December 5th 1980;
- b) the dwelling must have frontage on a major or minor collector road as shown on Map #2, Transportation Map of the Municipal Planning Strategy;
- c) a maximum of 4 units; and
- d) one on-site parking space shall be required for each dwelling unit.

Zone requirements for the Limited Commercial Zone are provided in Attachment 1.

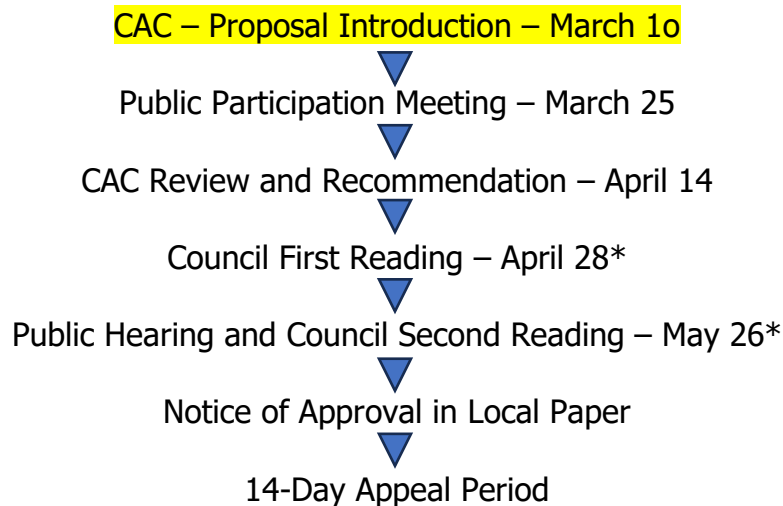
Potential Policy Options:

1. Add the Limited Commercial (C3) Zone to Section 5.1.11 permitting up to a maximum of three residential conversion units as requested;
2. Add the Limited Commercial (C3) Zone to Section 5.1.11 permitting up to a maximum of four residential conversion units, consistent with One and Two Unit Dwelling (R2), General Commercial (C1), and Highway Commercial (C2) Zones;
3. Maintain current direction in prohibiting residential conversions in the Limited Commercial (C3) Zone.

Financial Implications

There are no financial implications to the Town regarding the preparation of this report.

Next Steps



*anticipated dates; final dates set by Council

Respectfully submitted,

Darren Shupe, Director of Planning and Development
Town of Kentville

Attachments:

1. **Zone Requirements for Limited Commercial (C3) Zone**
2. **General Development Policy GD-10**
3. **Limited Commercial (C3) Zone Map**

Attachment 1: Zone Requirements for Limited Commercial (C3) Zone

6.4 Limited Commercial (C3) Zone

6.4.1 Permitted Uses

The following uses shall be permitted as-of-right in the Limited Commercial (C3) Zone subject to the requirements of the Bylaw:

- a) Existing Residential Dwellings
- b) Business and Professional Offices
- c) Clinics
- d) Convenience Stores
- e) Hospitals
- f) Pharmacies
- g) Restaurants

6.4.2 Permitted Uses with Conditions

The following uses shall be permitted within Residential Dwellings, subject to the requirements of this By-law:

- a) Ancillary Dwelling Units subject to Section 5.1.1 of this By-law
- b) Home Based Businesses, in accordance with Section 5.1.2 and 5.1.3 of this By-law

6.4.3 Limited Commercial (C3) Zone Requirements

In a Limited Commercial (C3) Zone, no Development Permit shall be issued except in conformity with the following requirements:

Table 6.4 C3 Zone Requirements

Minimum Lot Area	5 000 ft ²	464.52 m ²
Minimum Lot Frontage	50 ft	15.24 m
Minimum Front Yard	10 ft	3.05 m
Minimum Rear Yard	10 ft	3.05 m
Minimum Side Yard	8 ft	2.44 m

Attachment 2: General Development Policy GD-10

4.2.8 Mixed-Use Compatible Communities

Mixed-use, public transit-friendly neighbourhoods benefit local economies. They save individuals cost on transportation by reducing the length and number of everyday trips and eliminating the need for car ownership. Mixed-use development can also support local businesses by increasing foot traffic. Mixed-use developments also create inclusive, connected communities. In mixed-use areas, you can find housing, restaurants, services, schools, cultural facilities, parks, and more. Not all uses however are compatible, therefore

Policy GD-10 *It shall be the intention of Council* to include provisions in the Land Use By-law to allow a mix of compatible land uses and to minimize their impacts by:

- a) Requiring adequate buffering and setbacks;
- b) Screening development by the use of visual barriers;
- c) Regulating the location of outdoor storage and displays, outdoor lighting, storage buildings, or other accessory facilities;
- d) Regulating accessory uses;
- e) Regulating minimum standards and the location of parking and loading spaces; and
- f) Regulating stacking and queue lanes for all drive-thru facilities.