



TOWN OF KENTVILLE SPECIAL COUNCIL ADVISORY COMMITTEE September 6, 2024 AGENDA

4:00 p.m.

- 1. CALL MEETING TO ORDER AND ROLL CALL**
- 2. APPROVAL OF THE AGENDA**
- 3. APPROVAL OF THE MINUTES**
 - (a) Public Participation Meeting, August 29, 2024
 - (b) Public Participation Meeting, September 3, 2024
- 4. CORRESPONDENCE**
 - (a) None.
- 5. NEW BUSINESS**
 - (a) Brison Proposal
 - i. Review of Brison Application, Rezoning
 - ii. Review of Brison Application, Policy Amendment
 - iii. Review of Public Engagement, Brison Application
 - iv. Recommendation of Brison Rezoning and Policy Amendment
 - (b) Cogs Proposal
 - i. Review of Cogs Application
 - ii. Review of Public Engagement, Cogs Application
 - iii. Recommendation of Cogs Rezoning
- 6. PUBLIC COMMENTS**
- 7. IN-CAMERA**
 - (a) None.
- 8. ADJOURNMENT**

DRAFT



TOWN OF KENTVILLE
Public Participation Meeting
August 29, 2024
Meeting Minutes

Kentville Fire Hall, 463 Main Street, Kentville Nova Scotia

The Kentville Fire Hall was open to the public and the meeting was recorded for YouTube.

Staff in attendance included Chief Administrative Officer Jeff Lawrence, Director of Planning Darren Shupe, Director of Engineering and Public Works David Bell, Planner Caroline Robertson and Recording Secretary Jennifer West.

WELCOME AND INTRODUCTON

Director of Planning Darren Shupe called the Public Participation Meeting to order at 6:00 p.m. and reviewed the agenda for the participation meeting.

Presentation Available

PRESENTATION BY PLANNER

Town Planner Caroline Robertson from C+D Consulting described the suggested amendments to the Municipal Planning Strategy including a change from Industrial zoning to Residential zoning. She gave general information about the rezoning application and the proposed change of policy. She confirmed that the design shown in the developer's application and presentation is a concept and that the final plan will be market driven.

Presentation Available

PRESENTATION BY DEVELOPER

The applicant's consultant, Chrystal Fuller from Brighter Communities, then gave a presentation including a background of other Brison developments, land use zoning, wellfield zoning, future housing needs and the vision for the whole community.

Presentation Available

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CORRESPONDENCE

No written submissions were received.

Audience questions:

Mike McLean had a question about the ability for the developer to appeal if Council voted to decline this application. The planner indicated that in this instance there is no option for the developer to appeal.

Dennis Kehoe asked whether the town or the developer pays for traffic lights. The planner confirmed that the developer covers this cost.

Another resident asked how the traffic studies are completed, and the planner gave a general description of the process and who usually completes these assessments.

Sharon Kehoe had concerns about stormwater management at this and other downstream sites.

Another resident asked about available industrial land in the town and the need to balance this with residential lands.

Another resident asked whether the ecological value of the land would be studied to determine the impacts of developing this on natural systems and natural stormwater management. The planner explained that there are requirements by the province for stormwater, ecology and archaeology, and that there is still over 100 acres of industrial land in the town.

Greg Webster had concerns about stormwater management not being sufficient for the new climate.

Andrew Zebian asked about the difference between site plan approvals and development agreements and this was outlined by the planner.

Mark Hughes had concerns about the capacity of the sewer system and the town's engineer explained that the system has capacity to handle this extra load.

Sharon Kehoe believed that the developer would be able to construct sufficient stormwater management systems to control water.

David Ritcey reviewed the original vision of the town and the industrial area, and the planner explained that much has changed over the past 40 years.

Cate Savage asked about the current market for industrial land.

Sandra Snow asked for clarification about light industry and heavy industry in the business park, and the lower tax rate.

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Another resident had a question about the current or new council completing this development process.

Another resident explained the importance of having job opportunities in the town, to keep the younger generation living here.

Another resident asked about just approving the lower area of the development. The developer explained that they are being transparent about the vision of the whole community.

Cathy Maxwell asked for clarification around “designation” and “zoning”.

David Ritcey had concerns about the speed of the process and moving this to approval so quickly.

Krista Laing expressed concerns about future land use and industrial land.

ADJOURNMENT

There being no further business to discuss, the public participation meeting adjourned at 8:05pm.

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TOWN OF KENTVILLE
Public Participation Meeting
September 3, 2024
Meeting Minutes

Kentville Fire Hall, 463 Main Street, Kentville Nova Scotia

The Kentville Fire Hall was open to the public and the meeting was livestreamed to YouTube.

Staff in attendance included Chief Administrative Officer Jeff Lawrence, Director of Planning Darren Shupe, Director of Engineering and Public Works David Bell, Planner Caroline Robertson and Recording Secretary Jennifer West.

WELCOME AND INTRODUCTON

Director of Planning Darren Shupe called the Public Participation Meeting to order at 6:00 p.m. and reviewed the agenda for the participation meeting.

Presentation Available

PRESENTATION BY PLANNER

Town Planner Caroline Robertson from C+D Consulting reviewed the location, community and existing zoning for the property. She also described the suggested amendments to change the land use zoning from R3 to R4 to allow greater density.

Presentation Available

CORRESPONDENCE

No written submissions were received.

Audience questions:

A resident asked about the design plan for the property. The developers plan to build a multi-unit building or small units with higher density.

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Loretta Maxwell had concerns about the vision of the property compared to when her family owned the site.

Richard Maxwell expressed concerns about a tiny home community and asked for more information. The developer described the tiny homes as fully attached, small apartment units in a long row.

Another resident stated that their property is R1 and is surrounded by R3 and the proposed R4 site. There are no policies for the building spacing criteria, but the site design would meet the town's conditions for housing.

Karen Conrad asked about other R4 sites in the town. Staff gave examples of Miners Landing and explained the allowable uses in the R4 zone and the process for amending it.

A resident questions the proposed green spaces and trails. With a dense design, it lowers the cost of housing and increases space for nature and community. The most units they would build would be 60 units.

Cate Savage asked about road frontage, spacing and density. Current zoning does not provide the developer with sufficient density for their vision.

A resident had concerns about construction, traffic, noise and loss of habitat,

Cathy Maxwell had questions about neighbours receiving notification about this process. It was explained by staff that neighbours do not receive notification during a rezoning request, but they will receive notification during the design phase (site plan approval).

A resident has concerns about water management on the existing development and the need for more ditching. There was a discussion about slopes, grade and flooding.

Another resident had concerns about an inadequate fence near a steep rock wall, and soil and rock piles. There was also concern that the gate is sometimes open and cars would speed through.

Another resident expressed the importance of the gate.

Dennis Kehoe had concerns about the lack of information presented to the community at this meeting.

Sharon Kehoe had other concerns about water and flooding.

A resident asked about the definition of 'diversity' of different housing types. Diverse housing for different ages, ethnicities, family size, and life stages.

A resident had a question about future rezoning if the property sells.

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Jeff Lawrence, Chief Administrative Officer for the town, gave an explanation of rezoning compared to site plan design.

Several residents had concerns about the lack of a site plan or proposed site plan.

A resident had concerns about density, water management and lack of notification.

The Town Planner, Ms. Roberston, reviewed the priorities of housing by Council, and the purpose of the public participation meeting.

Mayor Sandra Snow confirmed that NSCC has plans to construct student housing at the Kingstec campus in the future.

Travis Mills gave a clarification of their vision of housing and affordability.

ADJOURNMENT

There being no further business to discuss, the public participation meeting adjourned at 7:35pm.



Application to Amend MPS & Rezone

Application in West Kentville (PID 55551774)

Submitted to: Council, Town of Kentville

Prepared by: Caroline Robertson, CIP, LPP & Reviewed by Elora Wilkinson CIP, LPP
March 22, 2024

Applicant: Brighter Community Planning & Consulting
on behalf of Brison Developments



C+D community design

REPORT OVERVIEW

Request	<p>The Town has received a request from Brison Developments to alter the Future Generalized Land Use Designation and rezone PID 55551774. This is a large industrial property located off Park Drive. The purpose of the request is to accommodate a proposed high-density residential development, specifically designed for seniors. The development plan will include amenities, open spaces, and a comprehensively planned residential community.</p>
Description	<p>Given the significant housing challenges affecting Nova Scotia, particularly in the Annapolis Valley region encompassing Kentville, this report aims to explore the effects of converting industrial zones to residential use. With a current housing shortage of 25,000 to 30,000 units, adjusting zoning regulations could open doors for sustainable residential growth, aligning with the Provincial Government's long-term housing strategies. In this unprecedented period, it's challenging to find direct comparisons between industrial and residential zoning benefits. <i>Through thorough research and analysis of similar municipalities, staff recommend prioritizing, well planned, housing opportunities wherever feasible.</i></p> <p>The Applicant has presented three appeals to Council:</p> <ol style="list-style-type: none"> 1. Request to change the Future Designation from Industrial to Residential for the entire PID, with Phase 1 to be rezoned to a mixture of Residential (R3 & R4) as indicated on the map. 2. Seek adjustments to rezoning requirements to allow for initial submission flexibility, with full compliance required during the permit process upon rezoning approval 3. Propose rezoning the remaining Phase 2 to Residential (R5) as depicted on the map. <p>This report is centered on future housing developments in Kentville and providing Council the opportunity to consider good developments, as they arise. <i>Staff considered the developer's proposal while recognizing the pressing need for housing within the town.</i> Existing policies pose challenges for Council and staff in evaluating new proposals. <i>The suggested adjustments aim to facilitate future housing projects for Council's consideration and offer the applicant various options for phased development if the request is granted.</i></p> <p>A significant portion of land within the town is currently designated for residential development, while a smaller portion (12.3%) has been designated for industrial use in a segregated cluster to prevent conflicts. Much of the existing land that is designated as residential is serviced and offers development opportunities. The existing industrial land designation provides the potential for large-scale industrial development, which could bring jobs and inject new funds into the economy. While prioritizing housing development may meet the immediate needs of residents, unless changes are considered carefully and well-planned, fewer employment options and services may be available for the new residents due to an unbalanced land use map.</p>

<p>Recommendation</p>	<p>Given the significant housing shortage and the need for sustainable community growth, it is advised that the Council review the following proposals:</p> <ol style="list-style-type: none"> 1. Change the designation of PID 55551774 from Industrial to Residential to encourage diverse housing developments. 2. Rezone the area marked as Phase 1, on the map, to a mixture of R3 & R4. 3. Add more specific language to Policy IM-2 in order to provide Council with the ability to request any necessary studies to make an informed decision for a Municipal Planning Strategy Amendment. <i>This is intended to replace the less enforceable language in IM-7 & IM-8 for Land Use By-Law Amendments</i> 4. Streamline Policies IM-7 & IM-8 to facilitate rezoning applications and rely on alignment of developments with the Municipal Planning Strategy vision. 5. Strengthen existing policies GD-30 and GD-5 to allow for the approval of large-scale housing developments on a single lot through either site plan approval or development agreement at the developer's discretion, or across multiple lots through a Development Agreement. 6. Introduce a policy that permits local commercial uses in the R4 Zone to service high density residential areas 7. Rezone the remaining portion of PID 55551774 to High-Density Residential R5. 8. Implement a policy allowing the consideration of extensive development in the R5 Zone through a Development Agreement.
<p>Relevant Policies and Legislation</p>	<p>Municipal Planning Strategy Land Use By-Law Subdivision By-Law Public Participation Program Policy (G62) Municipal Government Act</p>
<p>Follow Up Action</p>	<ol style="list-style-type: none"> 1. Present to CAC (July 8th, 2024) 2. Advertise (Advertise 14 days) & Host Public Participation Meeting at CAC 3. 1st Reading of Council 4. Public Hearing 5. 2nd Reading of Council

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Background

The applicant bought a large piece of industrial land on Park Drive, designated as an industrial area by the Municipal Planning Strategy and zoned as such by the Land Use By-Law. They wish to develop the site with a mix of residential uses. However, before proceeding, Council must approve a change to the Municipal Planning Strategy and Land Use By-Law. This change would remove the Industrial Designation and allow for residential development in the front portion of the lot while zoning the back portion as High-Density Residential (R5), intended as a holding zone for future residential development. The applicant's goal is to develop the entire lot for residential use in the future.

The Municipal Planning Strategy allows Council to consider changes to the plan if there are changing circumstances (See IM-1 a)). The applicant has requested that Council process their application using Policy IM-4. This policy eliminates the need to provide reasoning for changing the zoning from industrial to residential based on the zoning of the adjacent property. However, the proposed application considers significant changes, such as the lot size, change of use, and service capacity. Therefore, staff believe Policies IM 1-3 should be included in the application analysis. This will give Council a more thorough analysis to help inform their decision-making process. In particular, Policy IM-2 provides Council with the authority to require the applicant to submit sufficient information and argument in support of a proposed Municipal Planning Strategy Amendment. This policy is essential and may even benefit from additional and more specific language.

There isn't a universally accepted standard mix ratio of industrial, residential, and commercial land use designations for towns. The appropriate mix can vary greatly depending on various factors, including the town's size, population, economic base, geographic location, and growth objectives.

However, urban planners often use certain principles to guide their decisions. For example, the Urban Land Institute recommends a balanced approach that considers the needs of the community, the local economy, and the environment¹. This could mean ensuring sufficient residential space to house the local workforce, enough commercial space to support local businesses and meet consumer demand, and ample industrial space to accommodate existing and anticipated industries.

In addition, it's common for towns to use zoning regulations to separate different types of land use and minimize conflicts. For instance, industrial areas might be placed away from residential areas to reduce noise,

¹": <https://uli.org/>

MPS Policy References

Policy IM-1 It shall be the intention of Council to consider amendments to the Municipal Planning Strategy when;

- a) An adjustment is necessitated due to changing circumstances;*
- b) Additional information is identified or studies have been undertaken which identify the need for change that should be incorporated into the strategy or which recommend an amendment to the strategy; or*
- c) A Provincial Policy change requires a change in policy by the Town*

Policy IM-2 It shall be the intention of Council to require the applicant to submit sufficient information and argument in support of any proposed Municipal Planning Strategy Amendment

Policy IM-3 It shall be the intention of Council to, subject to Policies IM-1 and IM-2, consider amending the Future Land Use Map by changing a parcel's future land use designation in order to permit a proposed rezoning. The proposed map amendment and rezoning may be considered concurrently.

Policy IM-4 It shall be the intention of Council to consider an application to amend the Land Use By-Law Zoning Map and Rezone lands abutting a given designation on the Future Generalized 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.

traffic, and pollution. Buffer zones, such as parks or commercial areas, might be used to separate these uses further².

It's also worth noting that many towns are moving towards mixed-use development, which combines residential, commercial, and sometimes industrial uses in the same area. This approach can promote walkability, reduce transportation costs, and create more vibrant, diverse communities³.

Although having a diverse land use map that includes various types of land use is a good practice in today's planning, there may be situations where one type of land use needs to be prioritized over others. This decision will depend on the economic and environmental conditions of the community and the surrounding region. *The Government of Nova Scotia has declared a housing crisis and is working with Federal and Municipal entities to speed up and streamline shelter options.* This shift in focus requires Municipal Councils to assess which types of land use are essential and when housing should be given priority over other uses while still keeping in mind the potential for future uses that can create job opportunities and resources for the community. How can we maintain a positive balance of land use that is unique and effective for the current and future needs of our specific community?

SITE SUITABILITY

The site's suitability hinges on various factors. Initially, the specified land is part of an Industrial land cluster, the only designated industrial area for the Town. Nonetheless, this zone has primarily remained undeveloped, likely due to insufficient services or lack of market demand. Typically, maintaining a comprehensive plan for diverse land utilization with a well-thought-out segregation of functions to prevent disruptions is a standard practice in land use planning, as evident in the current Future Generalized Land Use Map for the Town of Kentville. Despite this, the Town hasn't experienced development pressure for new industrial purposes but rather a surge in requests for additional residential developments. Is permitting a blend of residential and industrial progress in the area slated for future industry feasible? Is the designated land suitable for industrial purposes? How does the presence of a well-field impact the site's appropriateness? What land uses would be less disruptive to the environment and meet the needs of today's community?

MPS Policy References

Policy M-4 It shall be the intention of Council to include in the Land Use By-Law and Industrial (M1) Zone. This zone will permit a range of industrial uses appropriate to a fully serviced, modern industrial/business park area. Specifically, no heavy, polluting industry will be permitted within the Industrial/Business Park Zone.

The Town's Planning documents consider the existing well-field sites by limiting the types of industrial uses permitted in the industrial designation. This has been addressed using MPS policy M-4.

TRAFFIC STUDY

The Town's Policy T8, of the Municipal Planning Strategy requires a traffic impact study as part of rezoning or subdivision approval if the development is projected to generate 100 or more two-way trips at the site entrance during peak hours.

² "Zoning and Land Use Planning." [Online] Available:

<https://www.planning.org/divisions/planningandlaw/propertytopics.htm#zoning>

³ "Mixed-Use Development." [Online] Available:

<https://www.planning.org/knowledgebase/mixedusedevelopment/>

The applicant submitted a traffic scoping plan, [found in the additional materials](#), based on details of a proposed residential development by Brison Developments Ltd on Park Street in Kentville. The development includes 675 residential units of various housing types. Access to the site will be via new streets, with future connections planned. Full build-out is expected within five to ten years as part of Phase 2. GAALCO Traffic Engineering will conduct a traffic impact analysis.

The study will focus on the intersection of Road A and Park Street in the new development. Traffic conditions from 2024 to 2039 will be analyzed, covering full build-out phases. Additional years may be considered based on intersection service levels and highway needs.

Analyses for each horizon year will involve obtaining morning, afternoon, and noon hour counts to meet TAC traffic signal warrants. Turning movement counts will ensure accurate traffic volumes at the Park Street intersection on select weekdays in good weather. Counts will be adjusted to DHVs using weekly factors based on Nova Scotia's Permanent Counters.

Establishing traffic growth rates for highways in the study area will be based on historical traffic counts provided by DPW.

Trip generation rates from the Institute of Transportation Engineers (ITE) will guide traffic analysis for residential units. It is anticipated that senior adults will occupy a significant portion of the land, which will influence the use of specific land use codes.

Trips from the new development will be assigned to Park Street based on turning movements at the Acadia Drive intersection in October 2022. A manual site traffic assignment will allocate trips east and west on Park Street.

An analysis of service level (LOS) using Synchro-SimTraffic software will ensure a minimum LOS of 'D' with a v/c ratio of 0.90. Traffic control devices and lane warrants will be specified for the intersection design review.

A more detailed traffic study that is cohesive with the applicant's fully developed plans for the area will be required as part of the development permit process. Currently, the Developer has not fine-tuned his development intentions. Requiring a more detailed traffic study would increase the developer's cost and provide little information for Council and Staff at this stage.

RECREATION STUDY

The proposed development's scale and intended use will result in a significant influx of new residents to an area that is currently not serviced. The developer has indicated his intent for the new residents to be primarily seniors. Having appropriate recreation facilities within a short and accessible walking distance will be an important element to include within the planning process for both Phase 1 and Phase 2. A standard walking distance would be between 0 to 1 km from the center of the development, allowing residents from the center out to access the facilities they need. Some examples of recreational infrastructure beneficial to seniors include walking tracks, wide-paved shoulders for active transportation, increased seating areas along important routes, and amenity spaces that allow for social interaction. It is important to note that the community should cater to all age ranges, not just seniors, and that amenities and recreation should reflect this.

From: Craig Langille <clangille@kentville.ca>

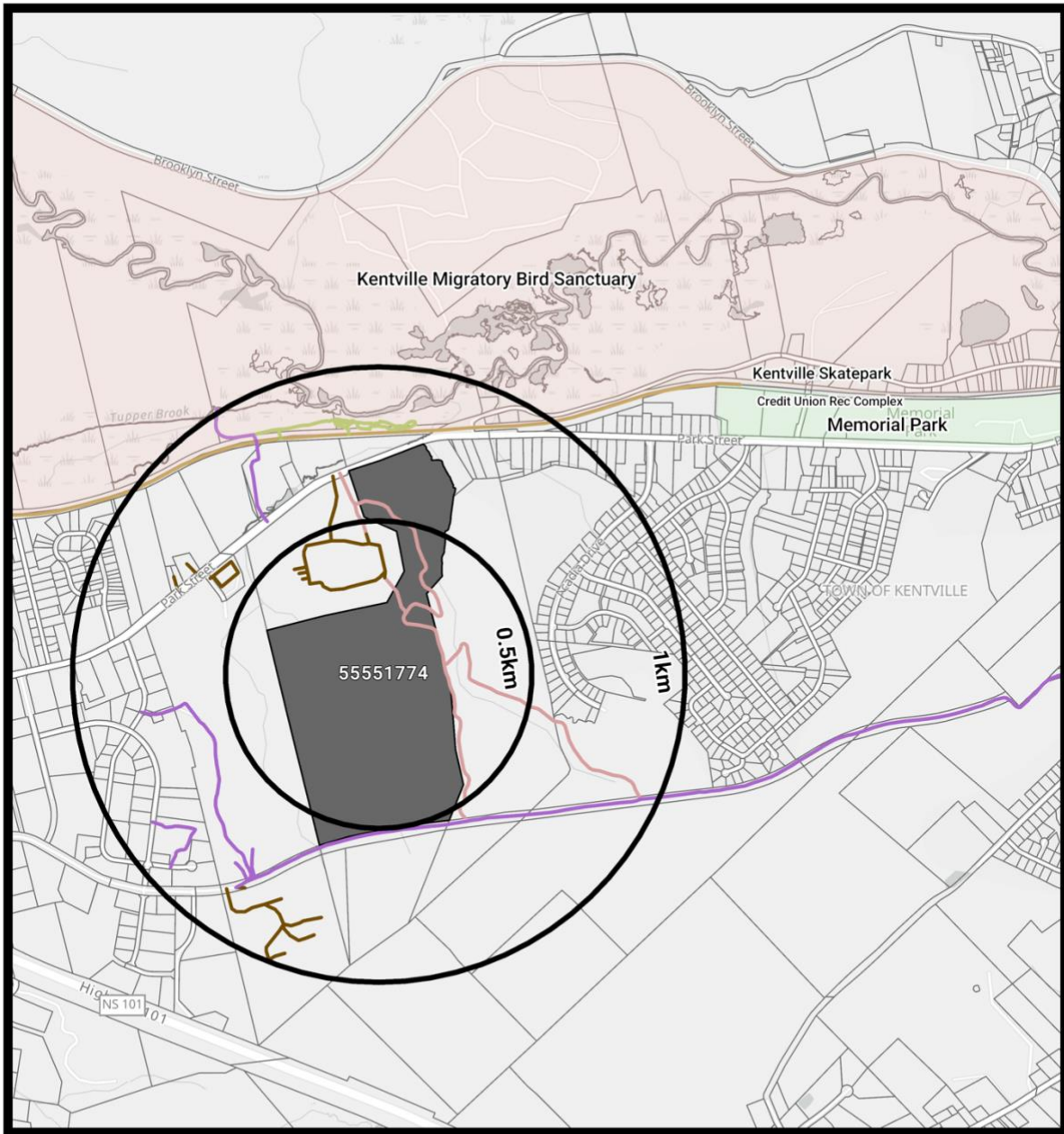
Sent: Friday, March 8, 2024 8:43 AM

To: Lindsay Young <lyoung@kentville.ca>

Subject: RE: Brison Development Report for CAC

The parkland space being proposed in Phase 1 would be unlikely to be developed by the Parks and Recreation Department, and it would be considered conservation if this development went forward. Due to the severe slopes in the area and the department/s experience with developing park spaces behind residential properties, it would be best to keep the parkland space natural. Staff suggest that Road A be used as an active transportation route and be accompanied into the Active Transportation plan if this project goes forward and this would connect the Donald E. Hiltz Connector Road to Park Street and potentially the Harvest Moon Trail.

For phase 2 (remainder), the preference is to have the two small parkland spaces that connect into one larger parkland space.



Proposed Area for Rezoning - PID: 55551774

- | | | |
|--------------------------------|------------------------------------|--------------------------|
| From Industrial to Residential | cycleway | Credit Union Rec Complex |
| footway | Kentville Migratory Bird Sanctuary | Kentville Skatepark |
| path | Memorial Park | |
| service | | |
| track | | |

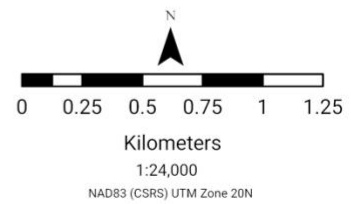


Figure 1 Analysis of Walking Distance to Existing Recreation for Proposed Development

STORMWATER MANAGEMENT

The proposed site, with Property Identification Number (PID) 55551774, is situated within the Wellfield protection zone of the Town of Kentville. An essential aspect to consider in this area is not only the amount of stormwater produced but also the infrastructure in place to handle runoff and prevent pollution. The nature of the development on the site can significantly impact the volume of stormwater runoff. Nevertheless, it is crucial to recognize that the site layout, landscaping decisions, and paving choices can also wield significant influence on stormwater management. Well-designed communities with features such as bioswales are essential to protect residents and their assets from increasing extreme weather and flooding trends.

The Municipal Planning Strategy for the Town of Kentville outlines a comprehensive approach to sustainable, fiscally responsible development. Recognizing the high upfront costs and ongoing maintenance associated with expanding infrastructure, the Council has prioritized development in areas where existing infrastructure already has capacity. This approach not only minimizes costs but also allows for quicker housing unit construction by reducing the need for extensive preliminary infrastructure work.

A key facet of the Strategy is the logical and efficient extension of municipal services into currently un-serviced areas. This includes upgrades to the regional sewage collection system and treatment plant, enforcement of water protection regulations to ensure safe, clean water for residents, and measures for stormwater management to prevent flooding.

The Strategy's residential goal emphasizes the importance of future residential development occurring in suitable locations with adequate water, sanitary sewer, storm sewer, transportation, and recreational services. *It discourages development further away from existing services and mandates that any new development must be located on incremental extensions of existing services that can handle the additional capacity.*

Most importantly, *the Strategy stipulates that developers or landowners should bear the costs of municipal service extensions.* This ensures that public funds are used efficiently and promotes responsible, sustainable growth. Kentville is taking a proactive, strategic approach to urban planning and infrastructure development by focusing on developing existing areas before expanding outwards.

MPS Policy References

Policy MS-18 It shall be the intention of Council to ensure that new development be located on incremental extensions of existing services, and that such existing services can handle the additional capacity generated by the new development.

Policy MS-19 It shall be the intention of Council to require that new municipal water, sanitary sewer, and storm sewer services be built to a capacity capable of providing service to undeveloped lands beyond the immediate development area when the development of such an area is dependent upon the use of said services.

Policy MS-20 It shall be the intention of Council to require that the developer/landowner pay the costs of municipal service extensions.

ENVIRONMENTAL CONSTRAINTS OVERLAYS

In Part 10 of the Land Use By-Law, there are Environmental Constraint Overlays. This section aims to limit land uses and development in areas with a higher risk of flooding, erosion, slope failure, or other unique features that make them sensitive to development pressures. In the proposed Phase 1 development, there is an area covered by policy 10.2 which has a Steep Slopes 25% overlay. This means that only conservation and related projects, passive recreation, walkways and trails, and public works and utilities are permitted in this area reducing the overall area that may be developed as R4 and R3.

Land Use By-Law Policy References

Part 10 Environmental Constraints Overlays

10.1 Overlay Purpose

The purpose of the Environmental Constraint Overlays is to restrict land uses and development which have an increased risk of flooding, erosion, slope failure or other unique features which cause them to be environmentally sensitive to development pressures. The Environmental Constraint Overlay Map 3 of the Municipal Planning Strategy, identify lands at risk of flooding and/or erosion due to steep slopes based on the best information available to the Town. The Town does not make any representations about the accuracy of this information or provide any assurances that flooding or erosion risks will not exceed these predictions or occur in other areas. Property owners are responsible for all risks associated with development, the effectiveness of flood resistant measures and the impacts of the development on neighbouring properties.

10.2 Steep Slopes > 25% (SS) Overlay

10.2.1 Permitted Uses

- a) Conservation and Related Projects*
- b) Passive Recreation*
- c) Walkways and Trails*
- d) Public Work and Utilities*

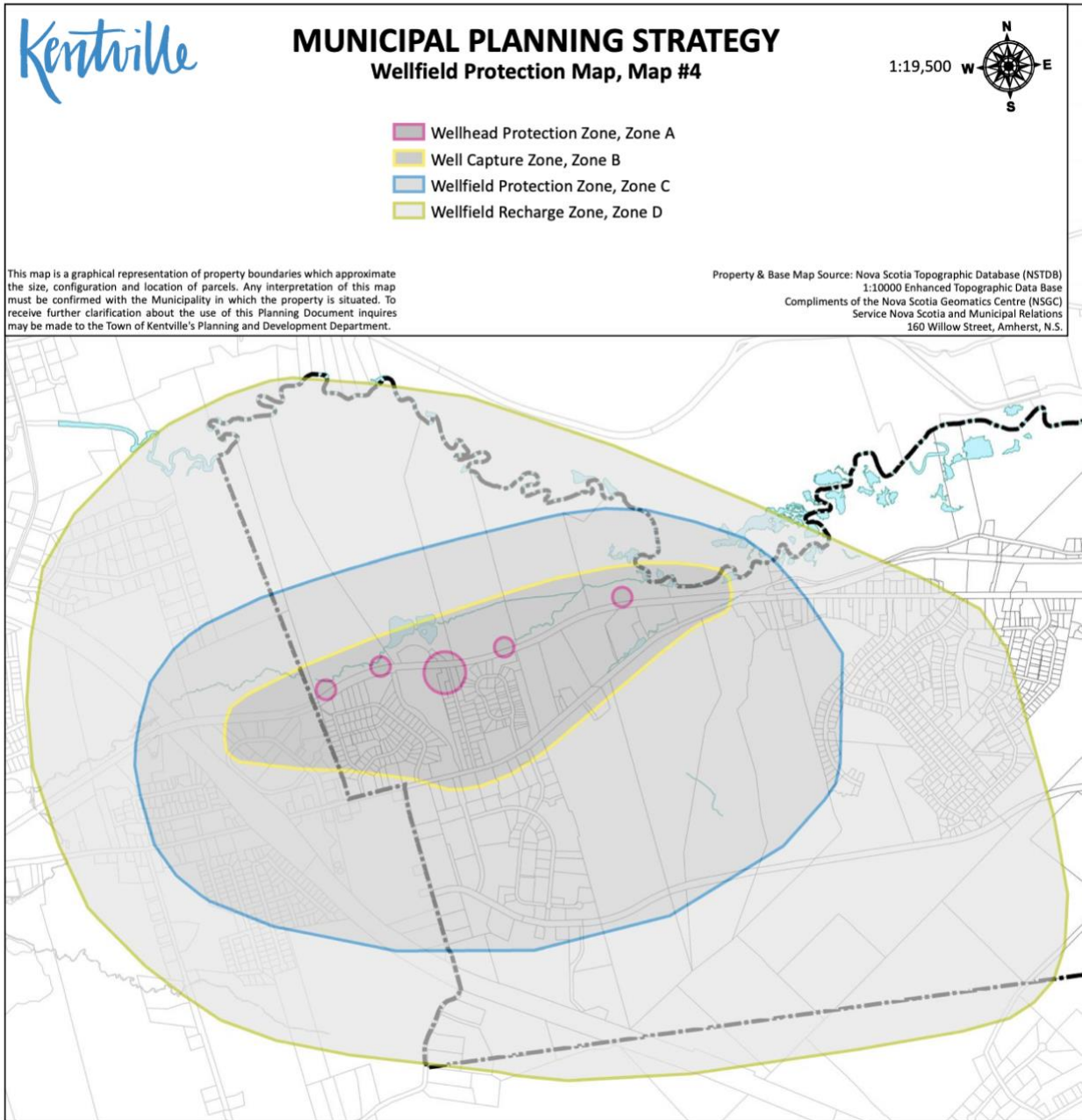


Figure 2 Wellfield Protection Map

Request to change the Future Designation from Industrial to Residential for the entire PID, with Phase 1 to be rezoned to Residential (R4) as indicated on the map.

CHANGING CIRCUMSTANCES

Housing need

The province of Nova Scotia is currently facing significant housing challenges within the Annapolis Valley region, including Kentville, being particularly affected⁴. The demand for affordable housing has increased due to various factors such as economic growth, demographic changes, and urban migration. The housing shortage is most prominent in Halifax Regional Municipality but also impacts all other regions of the province.

According to a housing needs assessment report, there is a shortage of 25,000 to 30,000 housing units in the province, including a shortage in Kentville⁵. In response, the provincial government is planning to reduce the shortage by funding 222 public housing units across five communities.

Various initiatives are being implemented to tackle this issue, focusing on sustainable development that meets the community's diverse needs without compromising the ability of future generations to meet their own housing requirements⁶. However, experts warn that there are no easy solutions to Nova Scotia's housing shortage and long-term comprehensive strategies are needed to address the crisis adequately.

The housing crisis in Kentville has escalated due to a combination of factors. The demand for affordable housing has increased due to rising costs, new development demographic changes, and residents choosing to live outside of Halifax to reduce their housing costs. Additionally, an influx of new residents, an aging population, and an increase in single-person households have further complicated the situation⁷.

The provincial government has committed to investing \$3 million in establishing shelter communities in Lower Sackville, **Kentville**, and Whitney Pier to address the crisis. However, these initiatives have received mixed reactions from residents. While some support the efforts, others have expressed concerns about potential adverse effects on property values and community dynamics⁸. This is also only one type of housing intended to address the most vulnerable; diverse housing options are required to address the crisis.

To address these concerns, the government has also announced plans to work closely with municipalities to create zoning bylaws that encourage affordable housing developments. This will involve identifying suitable lands and incentivizing developers to build affordable units. Additionally, partnerships with non-profit organizations and private developers are being encouraged to increase the supply of affordable housing throughout the province, including Kentville⁴.

⁴ <https://www.cbc.ca/news/canada/nova-scotia/municipalities-react-first-local-housing-needs-assessments-1.7046742>

⁵ <https://novascotia.ca/action-for-housing/>

⁶ <https://www.saltwire.com/atlantic-canada/news/perfect-storm-of-factors-contributed-to-current-housing-crisis-in-nova-scotia-100916472/>

⁷ <https://globalnews.ca/news/10042994/nova-scotia-housing-plan-to-reduce-shortage/>

⁸ <https://www.cbc.ca/news/canada/nova-scotia/shelter-community-nova-scotia-1.7101760>

Furthermore, initiatives have been launched to support vulnerable populations, such as seniors and individuals experiencing homelessness. This includes funding for programs that provide rental subsidies, home repairs, and supportive housing services⁴.

Despite these efforts, experts stress the need for a more comprehensive approach to tackle the housing crisis in Kentville. This includes addressing systemic issues such as income inequality, lack of affordable rental units, and gentrification. Additionally, a long-term plan for sustainable and inclusive development is necessary to ensure that the housing needs of all residents are met⁴.

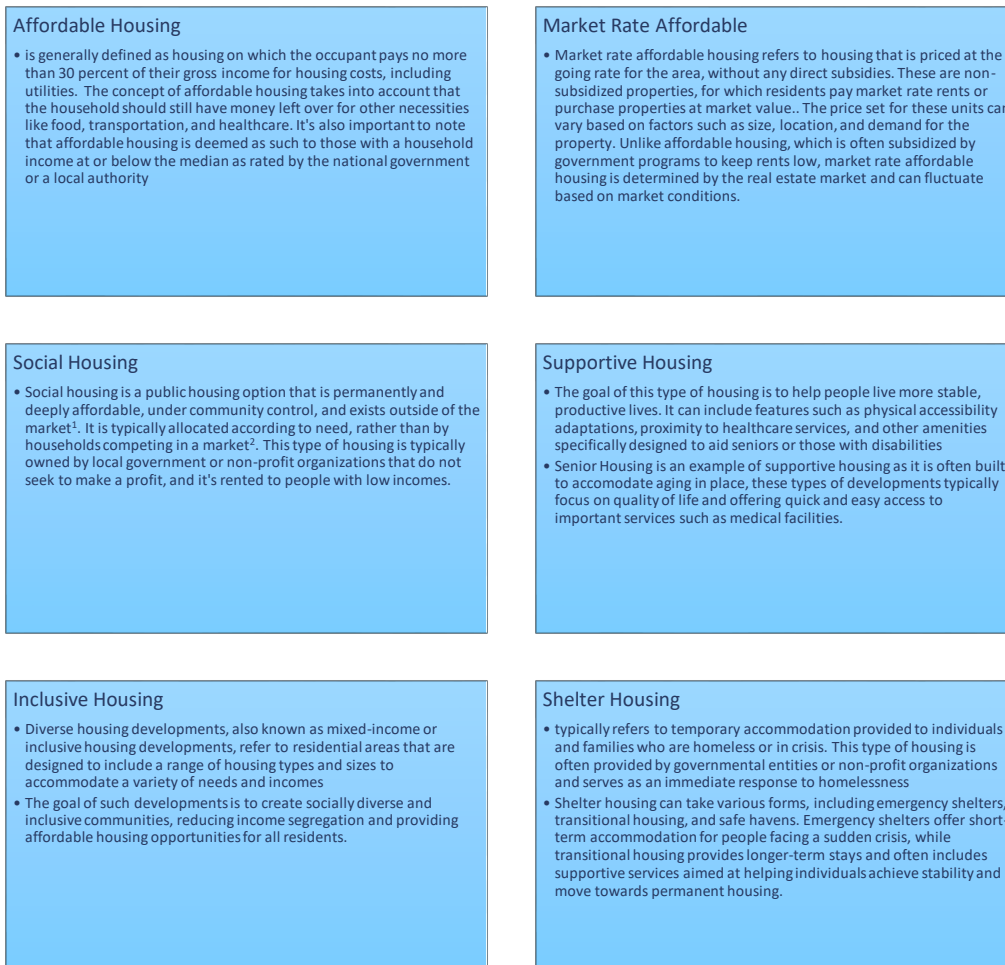


Figure 3 Common Housing Language with Definitions

The Generalized Future Land Use Map and Zoning Map, as shown in the following pages, can provide valuable information about what types of development are planned for different areas of the town. To prevent conflicts, the town has designated a smaller portion of the land for industrial use (12.3%), while most land is set aside for residential development. This means that developers have opportunities to build new homes in serviced areas while also leaving space for potential large-scale industrial development that could create job opportunities and boost the local economy.

In conclusion, while there have been efforts to address the affordable housing crisis in Nova Scotia and Kentville, more work needs to be done. It will require collaboration between various levels of government⁴ and rethinking land-use regulations. Overall, the housing crisis in Nova Scotia and the future demand for housing within the Town of Kentville underscores the need for various housing types, including affordable and senior housing projects, to accommodate the community's diverse needs. Sustainable and inclusive solutions must be prioritized to ensure all residents can access suitable accommodations.

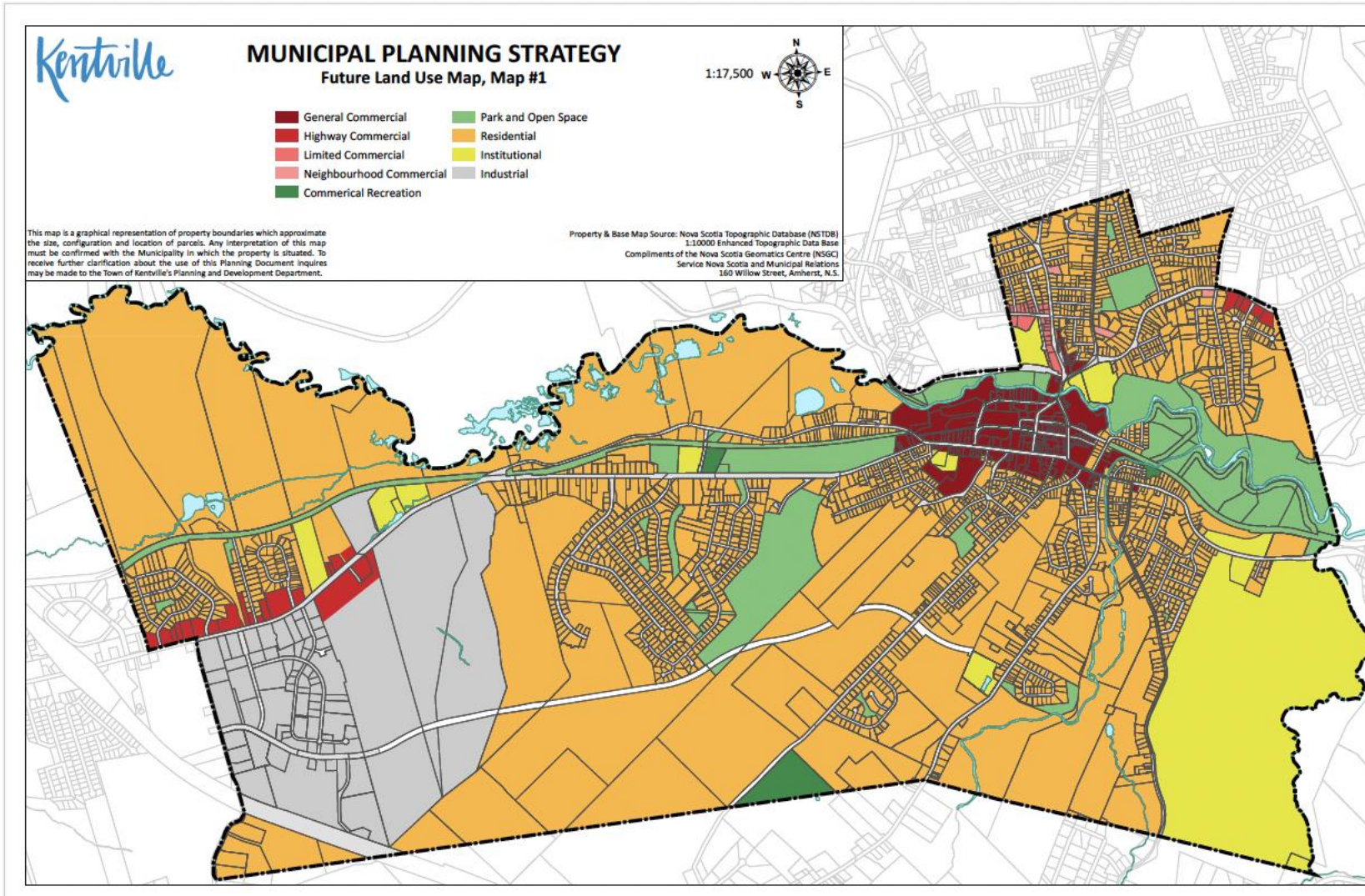


Figure 4 Future Generalized Land Use Map Town of Kentville -Orange is Existing Residential Designation

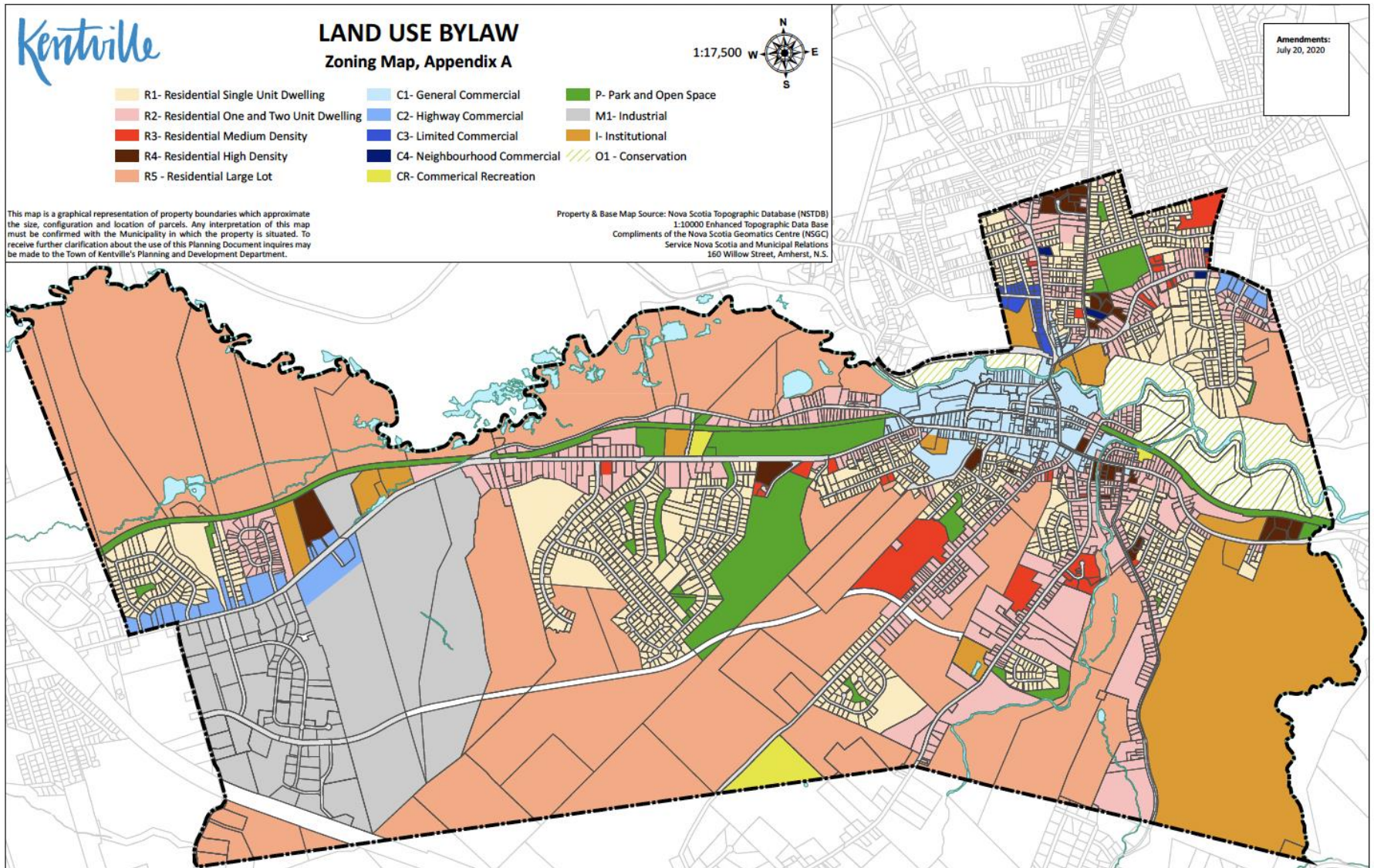


Figure 5 Existing Land Use Map for Town of Kentville, Residential Uses are Yellow (R1), Pink (R2), Red (R3) and Maroon (R4), Unserviced Residential is Marked as Peach (R5)

Industrial Need

For various reasons, Nova Scotia's municipalities, such as the Town of Kentville, often necessitate industrial land. Planning industrial land is essential as it supports economic development, job creation, and local economic growth. By designating specific zones for industrial purposes, towns can attract businesses, stimulate investment, and boost their local economies⁹. Many industrial uses export to larger communities, bringing new money into the local community's economy and supporting residents.

The average percentage of land dedicated to industrial use in Nova Scotia towns' Generalized Future Land Use Map (GFLUM) can vary. Each municipality evaluates its unique economic landscape, industrial needs, and land availability to determine the suitable proportion of land to allocate for industrial development¹⁰. As an illustration, the Town of Truro has opted to allocate a considerable portion of its land for industrial purposes, reflecting its strategic emphasis on strengthening the local economy and generating job opportunities¹¹. Conversely, the Town of Amherst may allot a different proportion of its land for industrial use, depending on its distinct economic landscape and industrial requirements¹².

These disparities in the allocation of industrial land underscore the importance of a customized approach to land use planning. *It is vital to consider each municipality's specific needs and goals when deciding the proportion of land to dedicate for industrial use.* By doing so, towns can effectively support economic growth, attract industries, and create employment opportunities for their residents¹³.

Planning for industrial land is not just about supporting economic development; it also involves ensuring a balanced land-use approach. Striking a balance between industrial, residential, commercial, and natural areas is crucial to developing sustainable and vibrant communities¹⁴. By incorporating diverse land uses into the planning process, towns can foster a healthy and well-rounded environment that caters to the community's evolving needs¹⁵.

The Valley region has potential industrial uses for agriculture and the food industry. Many Municipal units in the area are interested in protecting land that can be used for growing food. Although the land is capable of agriculture in the Town of Kentville, including some class 2 and class 3 soils, most of it has been cleared and urbanized. As a result, Council has decided that there is limited agricultural potential within the Town. However, Council does support small-scale food production through community gardens, greenhouses, farmers' markets, and through industrial uses that permit the processing of raw materials or goods.

In conclusion, Nova Scotia towns require industrial land to promote economic development, create job opportunities, and bolster local economies. The average percentage of land dedicated to industrial use

⁹ "2020 Industrial Employment Lands Strategy." [Online] Available:

<https://www.shapeyourcityhalifax.ca/12651/widgets/91889/documents/74297>

¹⁰ " <https://www.bridgewater.ca/images/stories/planning/planningreview/cir/cirpart2.pdf>

¹¹ " https://novascotia.ca/nse/ea/melford.international.terminal/MIT_Section-05.0.Description.ExistingEnvironment.Section-5.11.pdf

¹² <https://nsfa-fane.ca/wp-content/uploads/2017/07/Statistical-Profile-of-Halifax-County.pdf>

¹³ <https://www.shapeyourcityhalifax.ca/37947/widgets/158173/documents/109456>

¹⁴ <https://novascotia.ca/nse/12percent/docs/12.percent.our.wild.spaces.pdf>

¹⁵ https://en.wikipedia.org/wiki/Halifax,_Nova_Scotia

in the GFLUM of Nova Scotia towns may vary based on their specific economic landscapes and industrial requirements¹⁶. Industrial land plays a pivotal role in supporting economic growth and job creation in Nova Scotia's towns. While the exact percentage of land dedicated to industrial use can vary, a thoughtful and balanced approach to land use planning can contribute to the Town of Kentville's long-term success and sustainability¹⁷. Notably, the Town of Kentville has allocated large tracts of land to the southwest of the town that are currently unserviced and back onto the Donald E. Hiltz Connector Road and the highway. This land is grouped together in a collection and represents 12.3% of land within the Town and the only available industrial land.

Nova Scotia Policy Examples

Town of Berwick

The Town of Berwick's Generalized Future Land Use Map (GFLUM) indeed designates certain areas within the town boundaries as Commercial Industrial Expansion (CIE)¹⁸. This zoning category is typically utilized to accommodate future growth and expansion of commercial and industrial activities.

The CIE designation suggests that Berwick is preparing for economic growth and development, allowing room for businesses to establish, expand, and thrive. The aim is likely to foster a robust local economy, create job opportunities, and enhance the town's fiscal health.

This strategy also indicates that Berwick is taking a proactive approach to planning, anticipating future needs, and ensuring that sufficient land is available to meet these needs. It's an important part of creating a sustainable, resilient community that can adapt to changing circumstances and seize new opportunities.

However, it's worth noting that while this kind of land use designation can bring significant benefits, it also comes with challenges. These may include managing potential impacts on surrounding land uses, ensuring adequate infrastructure and services, and balancing economic development goals with environmental sustainability and quality of life considerations^{19,20}.

¹⁶ " <https://www.buylandns.ca/category/statistics/>

¹⁷ https://www.halifax.ca/sites/default/files/documents/business/planning-development/applications/HalifaxMainland_LUB.pdf

¹⁸ <https://www.berwick.ca/planning/maps/659-2023-05-09-map-3-general-future-land-use-map-arche-1/file.html>

¹⁹ https://www.un.org/esa/sustdev/publications/industrial_development/3_1.pdf

²⁰ <https://www.ocaf-faco.ca/news-post/economic-social-environmental-benefits-of-smart-growth/>

The Town of Truro

The Town of Truro has crafted an Economic Development Vision and Strategy to promote sustainable economic activity and support local business growth²¹. Their strategy reveals that two-thirds of housing units are second-homeowner units, with the median average housing price experiencing a surge of 12.5% from 2021 to 2022²².

Over the past decade, Truro's industry mix has remained relatively unchanged. Residential properties account for 30% of the land, while commercial properties make up 2%. Notably, a significant 71% of the Town's revenues are sourced from local property taxes, predominantly residential²³.

The Truro Economic Development Committee has produced a report focusing on industry trends and potential solutions aimed at maintaining a diverse and thriving local economy²⁴. The resulting policies aim to encourage a variety of housing types through land use planning and also advocate for policies that foster a sustainable business environment in Truro. These policies support well-established business sectors in Truro that provide jobs and a living wage²⁵.

The Municipal Planning Strategy for the Town of Truro serves as a guiding policy document for decisions on land use and development matters in the town²⁶. The strategy is designed to foster sustainable economic activity and support local businesses.

Regarding industrial designation, the strategy reflects the town's commitment to industrial growth and improved employment opportunities. This is evident in the significant amount of land designated for industrial use in the town's Generalized Future Land Use Map (GFLUM), particularly in the Millbrook area west of the town²⁷.

The strategy appears to balance industrial growth with other considerations such as housing, economic development, and community sustainability. It emphasizes the creation of an innovative, sustainable community with socio-economic and cultural diversity²⁸.

²¹ <https://www.truro-ma.gov/economic-development-committee/files/truro-economic-development-vision-strategy>

²² <https://www.zolo.ca/truro-real-estate/trends>

²³ <https://www.truro.ca/budget-highlights.html>

²⁴ https://www.truro-ma.gov/sites/g/files/vyhlf9766/f/uploads/edc_report_2017.pdf

²⁵ https://www.truro-ma.gov/sites/g/files/vyhlf9766/f/uploads/final_draft_local_comprehensive_plan_9-18-2023.pdf

²⁶ <https://www.truro.ca/documents/pln/815-municipal-planning-strategy-jun-18>

²⁷ <https://www.truro.ca/planning-documents.html>

²⁸ <https://www.truro-ma.gov/economic-development-committee/agenda/economic-development-committee-agenda-and-packet-10>

Town of Amherst

The Town of Amherst's Generalized Future Land Use Map (GFLUM) strategically separates the Industrial Designation, situating it to the West²⁹. Future commercial land will be used as a buffer zone between industrial and residential uses to ensure compatibility and maintain the quality of residential areas³⁰. The Town has chosen to designate 20.6% of its available land for Industrial Designation³¹.

The industrial objectives of this plan aim to facilitate the continued development of the Amherst Industrial Park in a manner that harmonizes with the surrounding area³². As part of their economic development strategy, land for future industrial development will be set aside and serviced when appropriate. This proactive planning approach reflects the town's anticipation of successful economic growth³³.

Given the town's compact size and the proximity of available industrial land to the built-up residential areas, noxious, polluting industries will not be permitted within the town boundaries³⁴. This policy reflects Amherst's commitment to maintaining a healthy, safe, and pleasant environment for its residents while supporting sustainable industrial growth³⁵.

Town of Wolfville

The Municipal Planning Strategy for the Town of Wolfville seems to prioritize agricultural use over industrial use in its land-use planning. This is reflected in the Generalized Future Land Use Map (GFLUM), which designates a large portion of land to the North on the Cornwallis River as Agriculture³⁶. The Town of Wolfville has chosen to designate 28% of available land for future Agricultural purposes³⁷.

The vision for the Agriculture designation in the Municipal Planning Strategy likely focuses on sustaining and enhancing the agricultural sector as a vital component of the town's economy, landscape, and identity³⁸. The strategy might aim to protect and promote agricultural lands and activities, ensuring they continue contributing to the local economy and providing local food sources³⁹.

The Agricultural designation may also be intended to protect these lands from development pressures that could lead to their conversion to non-agricultural uses⁴⁰. This can ensure the long-term viability of agriculture within the town boundaries and maintain the rural character of the area⁴¹.

²⁹ <https://www.amherst.ca/planning-documents.html>

³⁰ <https://www.amherst.ca/documents/pln/815-municipal-planning-strategy-jun-18>

³¹ Toben Laux, Land Use Planner Town of Amherst

³² <https://www.amherst.ca/industrial-park.html>

³³ <https://www.amherst.ca/economic-development.html>

³⁴ <https://www.amherst.ca/documents/pln/816-land-use-by-law-jun-18>

³⁵ <https://www.amherst.ca/sustainability-plan.html>

³⁶ " <https://www.wolfville.ca/planning-documents.html>

³⁷ Trevor Robar, GIS Coordinator, Town of Wolfville

³⁸ <https://www.wolfville.ca/documents/pln/815-municipal-planning-strategy-jun-18>

³⁹ <https://novascotia.ca/agri/programs-and-services/land/agricultural-land-use/>

⁴⁰ " <https://novascotia.ca/agri/programs-and-services/land/agricultural-land-use/>

⁴¹ <https://nsfa-fane.ca/issues/agricultural-land-protection/>

PHASED DEVELOPMENT

Brison Developments is applying for amendments to both the Municipal Planning Strategy and Land Use By-Law to permit a multi-unit development along the front of PID 55551774. Currently, the land is designated and zoned for industrial purposes. The development of this property is proposed in two phases. Phase 1 includes the potential for four high-density buildings at the front of the lot, accommodating approximately 300 units. However, the developer has expressed an interest in following market trends, therefore this intention may change. The Developer has provided a plan for Phase 1 and has requested a mixture of residential R3 & R4 Zoning. Should Council rezone this portion, any uses permitted in these zones will be allowed. The aim is for this development to mirror The Crossing in Windsor, with target residents being empty nesters and seniors. The current renderings for Phase 1 depict three high-density buildings instead of the proposed four (4). Additionally, the site plan doesn't show any public amenities or pedestrian spaces. As there is no site plan approval requirement for this development, there will be limited control over the design of Phase 1.

Ultimately, the goal is to develop the entire property, linking Park Street to the Donald Hiltz Connector to ensure vehicle and pedestrian connectivity. The comprehensive development will encompass amenities, open spaces, and a well-planned residential community, which will feature a variety of housing types, parks, trails, and new streets and sidewalks. There is also potential for a community centre. This lot has numerous sensitive areas that will necessitate environmental consideration. It will be important that these features be considered and incorporated into Phase 1 as well as Phase 2 of the development.

Policy Analysis

Policy IM-2 provides Council the ability to require the applicant to submit sufficient information and argument in support of any proposed Municipal Planning Strategy.

Policies GD-1 and GD-2 empower the Council to create a Future Generalized Land Use Map as part of the Municipal Planning Strategy. The map will outline future plans for each piece of land within the Town. Through Chapter 6, the Council aims to foster opportunities in the commercial, industrial, and institutional sectors, intending to diversify the economy for the benefit of municipal residents.

Section 8.2 of the Municipal Planning Strategy addresses Industrial Land Use Policies. It stipulates that the Industrial Zone should accommodate a range of industrial uses suitable for a fully serviced modern

LUB Policy References

5.5 High Density Residential (R4) Zone

5.5.1 Permitted Uses

The following Uses shall be permitted as-of-right in the High Density Residential R4 Zone subject to the following requirements:

- *Single Unit Detached Dwelling*
- *Two Unit Dwelling*
- *Day Care Centres and Nursery Schools*
- *Residential Care Facilities, Home for Special Care or Group Homes*
- *Multi-Unit Dwellings*

5.5.2 Permitted Uses with Conditions

The following uses shall be permitted in the R4 Zone subject to the requirements of this By-Law:

- a) Home based businesses.*
- b) Bed and Breakfast*
- c) Inns*
- d) Accessory Neighbourhood Commercial Uses in accordance with Section 5.1.8 of this by-law*

See Table 5.4 R4 Zone Requirements for Lot Area and Yard requirements.

5.5.4 On-Site Amenity Space

Useable Amenity Space shall be required for the Development of multiple unit apartment buildings containing four or more dwelling units in accordance with Section 4.1.3 of this by-law.

5.5.6 Landscaping Requirements

a) Where a parking area abuts a lower density residential zone, a landscaped buffer that is at least 8 ft (2.44m) wide shall be provided.

b) Notwithstanding Section 5.5.7(a) , the landscaped strip may be reduced by 50% where i. a minimum 6ft (1.83m) opaque wooden fence is provided; or, an earth berm of a minimum of 6 ft above grade

industrial/business park area. Notably, heavy or pollutant industries are prohibited within the business park. Additionally, Site Plan Approval is mandatory for new developments within the Industrial Zone if they border residential use.

The Municipal Planning Strategy, via Policy RS-11, mandates that Council establish a High-Density Residential (R4) Zone within the Residential Designation of the Municipal Planning Strategy. *The Municipal Planning Strategy also includes Policy RS-11, which requires the Council to establish a High-Density Residential (R4) Zone within the Residential Designation. Policy RS- 12 allows the Council to set zone standards for the R4 Zone and RS-13 expresses the Council's intention to ensure sufficient recreational amenity space for High-Density Residential developments.*

In reviewing planning best practices and strategies adopted by other towns within Nova Scotia, it's challenging to decide whether the Town of Kentville should retain its industrial land or adapt to changing circumstances.

Several sources underscore the importance of maintaining industrial land, such as "Smart growth's blind side: Sustainable cities need productive urban industrial land"⁴² and "The application of industrial ecology principles and planning guidelines for the development of eco-industrial parks: an Australian case study."⁴³ These studies stress the value of preserving industrial land while promoting innovation.

However, the current housing situation is unique, with no modern examples of successful strategies, as many of the changes being made are novel and future oriented. For instance, "Building maintenance strategies: planning under uncertainty"⁴⁴ suggests a potential need to revise traditional planning approaches and maintenance strategies.

In summary, changing the designation of PID #55551774 from industrial to residential requires a thorough evaluation of community needs, economic conditions, and environmental factors. This is particularly important because the lot is part of a preserved future Industrial land cluster but borders a Residential property to the East.

MPS Policy References

Policy GD-1 *It shall be the intention of Council to provide for the overall development of the Town in accordance with the Generalized Future Land Use Map which constitutes Map 1 of this document.*

Policy GD-2 *It shall be the intention of Council to designate on the Generalized Future Land Use Map areas to be predominantly used for residential, commercial, industrial and other purposes.*

Policy M-3 *It shall be the intention of Council to establish within the Industrial (M) Designation, an Industrial (M1) Zone as shown on the Zoning Map of the Land Use By-law.*

Policy M-4 *It shall be the intention of Council to include in the Land Use By-law an Industrial (M1) Zone. This zone will permit a range of industrial uses appropriate to a fully serviced, modern industrial/business park area. Specifically, no heavy, polluting industry will be permitted within the Industrial/Business Park Zone.*

Policy M-5 *It shall be the intention of Council to include in the Land Use By-law provisions to regulate signage, setbacks, building height and bulk, parking and landscaping within the Industrial (M1) Zone.*

Policy RS-11 *It shall be the intention of Council in the Residential Designation to establish a High Density Residential (R4) Zone as shown in Appendix A, the Zoning Map, of the Land Use By-law.*

Policy RS-12 *It shall be the intention of Council to establish zone standards and permitted uses for the High Density Residential (R4) Zone in accordance with the Land Use By-law.*

Policy RS-13 *It shall be the intention of Council to require adequate recreational amenity space for High Density Residential developments.*

⁴² <https://www.tandfonline.com/doi/abs/10.1080/01944363.2011.645274>

⁴³ <https://www.sciencedirect.com/science/article/abs/pii/S095965260400085X>

⁴⁴ <https://www.emerald.com/insight/content/doi/10.1108/02637471211198152/full/html>

Council must also consider that a designation change and re-zoning to R4 would introduce multiple development opportunities, not just those proposed in the developer's application found in [supplementary materials](#).

RECOMMENDATION

1. Change the zoning and future designation from industrial to residential, focusing on mixed-housing developments.
2. Re-zone the area marked as Phase 1 on the map to a mixture of R3 & R4.

A zoning change from industrial to residential use in Kentville could significantly help alleviate the housing crisis in the province. However, this transition must be executed with care, keeping in mind sustainability, economic balance, and social welfare. It is important to ensure that the solutions implemented today do not create new problems in the future. The leadership of Council is crucial in making this decision in order to create a future where all members of the community can find a safe and comfortable home.

After an in-depth review of the current and evolving circumstances and the consideration of additional information and studies presented, it is recommended that Council change the designation of the subject property to residential in light of the Government of Nova Scotia's current housing goals. Furthermore, it is advised that the area identified as Phase 1 on the application received from the Applicant be rezoned as a mixture of Medium Density (R3) & High-Density Residential (R4).

However, Council should be aware that by rezoning this portion of the property to the R3 & R4 Zones, the Developer may proceed with any use permitted within the R3 & R4 Zones on the property as zoned, provided the development complies with the development requirements of the assigned zone.

Staff have expressed concerns about potential issues such as stormwater run-off management, recreation and amenity needs, screening between industrial and residential uses, parking, landscaping, driveway access, etc. These concerns may be addressed with greater control later through the subdivision application process or via Land Use By-Law requirements for **Site Plan Approval** or **Development Agreements**.

Community Impact

Positive: Rezoning industrial land to residential use provides an immediate opportunity to increase the available land for housing development. This shift aligns with the government's funding initiatives and can potentially accelerate the provision of affordable housing options.

Negative: Potential displacement of industrial activities could affect local employment and economic output. However, careful planning and a phased approach could mitigate these risks.

Environmental Impact

Positive: Residential areas generally encompass lower pollution levels than industrial zones, leading to potential improvements in air quality and overall environmental health.

Negative: The conversion must attempt to preserve the ecological balance, taking into consideration stormwater runoff and green spaces and ensuring that infrastructure development does not overtax natural resources



Figure 6 Phase 1 & Remainder – Request R3, R4 & R5 Zoning



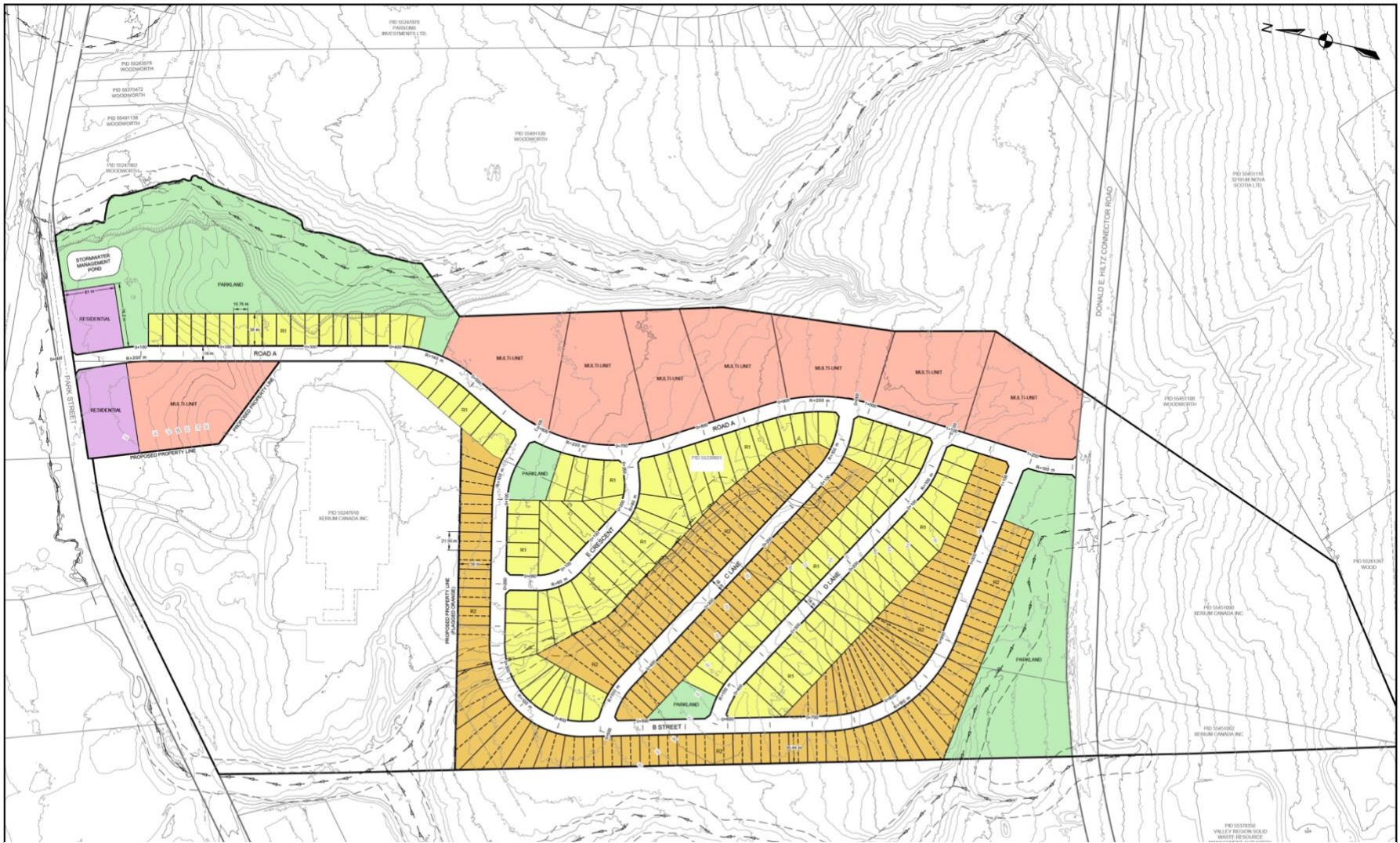
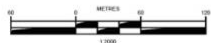


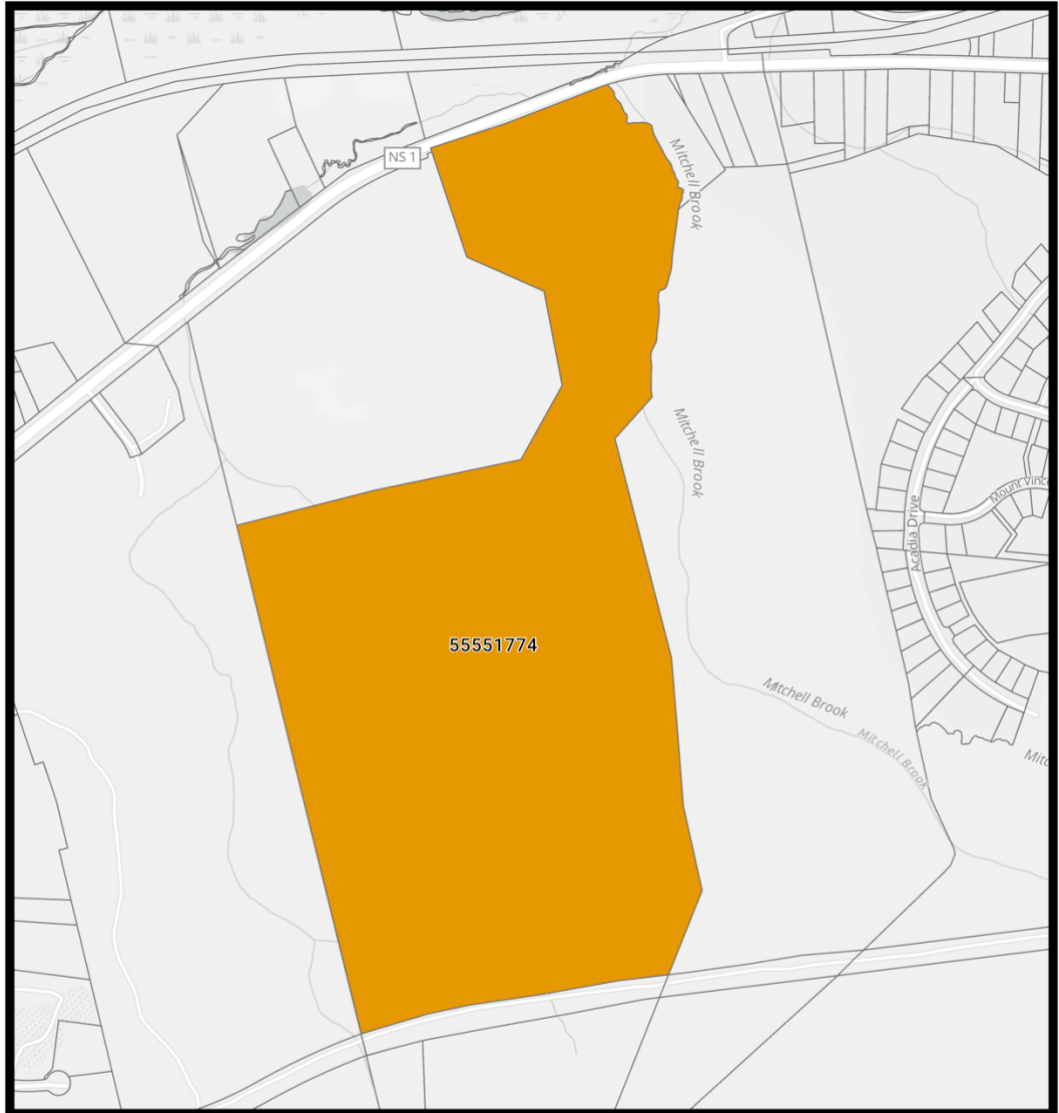
Figure 7 Brison Developments Tentative Site Plan




<p>NOTES:</p> <ol style="list-style-type: none"> 1. CONTOURS (2m INTERVAL) FROM PROVINCIAL LEASUR. 2. PROPERTY LINES FROM PROVINCIAL PROPERTY MAPPING APPROXIMATE ONLY. <p>NOTE: Concept Plan altered on February 1, 2024 by BCP to (a) show the lots along Park Street will not include a driveway (b) show the current property owner as Brison Developments No other aspect of this plan was altered.</p>	<p>PREPARED FOR</p>	<p>PREPARED BY</p>	<p>PROJECT</p> <p>CONCEPT PLAN: KENTVILLE LANDS</p> <p>KENTVILLE, NOVA SCOTIA</p>	<p>Engineer G. WOODFORD</p> <p>Scale 1:2000</p> <p>Project No. 22-302</p> <p>Filename 22-302 CP.dwg</p>	<p>Drawn S. HANNAM</p> <p>Date Jun. 27, 2023</p> <p>Drawing No. CP01</p> <p>1 OF 1</p>

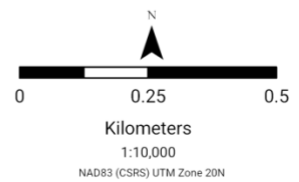
Proposed Amendments

MPS Map Change from Industrial to Residential



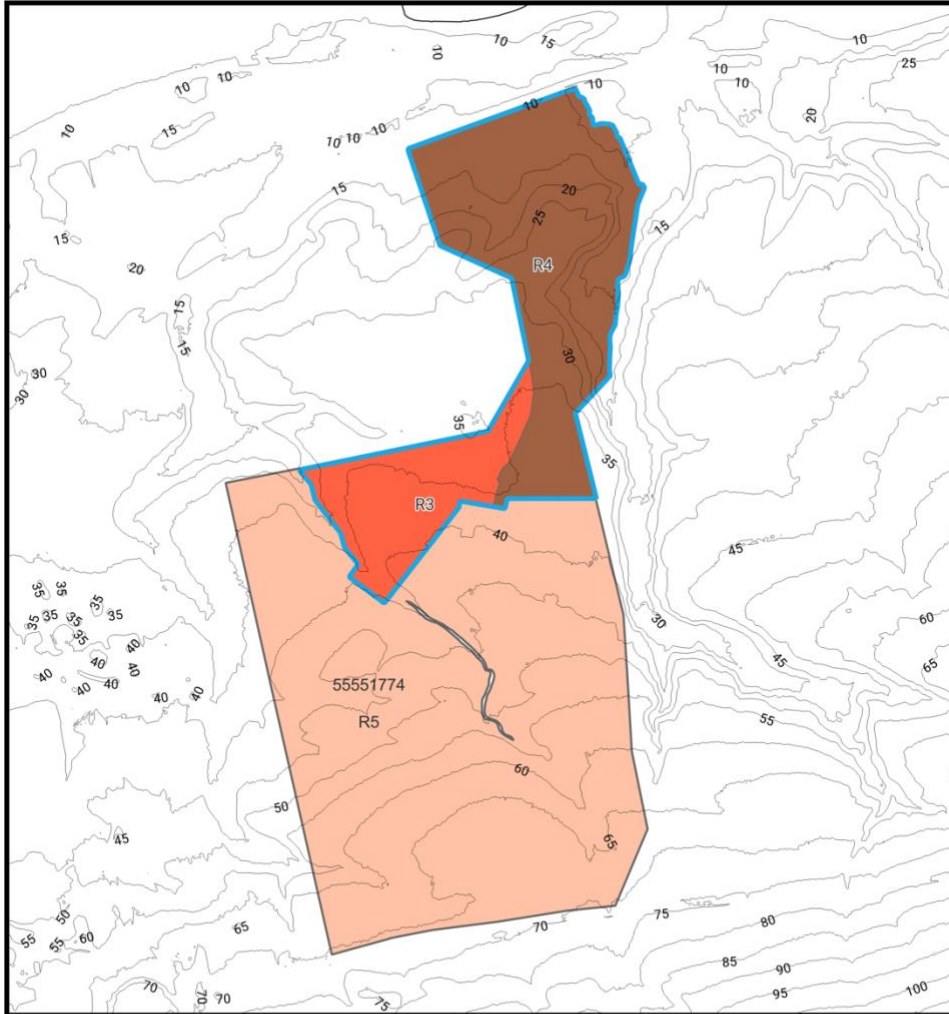
Proposed Area for Rezoning - PID: 55551774

 From Industrial to Residential

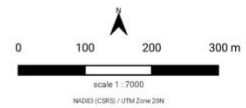




LUB Map Change from Industrial to R3 & R4



PROPOSED ZONING - PID 5551774



Site Plan Approvals

In Nova Scotia, a site plan is a detailed proposal that outlines the layout and use of a specific piece of land. It typically includes details about buildings, landscaping, access routes, parking, and other proposed development features. This tool is pivotal in urban planning as it allows authorities to manage and control how land is developed, ensuring that it aligns with the community's goals and standards¹.

The authority to approve site plans comes from the Municipal Government Act (MGA) of Nova Scotia. This act grants municipalities the power to oversee and regulate land development within their jurisdiction, including approving site plans.

Site plans are crucial for large housing developments because they ensure that these projects meet community standards and accommodate necessary infrastructure, such as roads, utilities, and recreational spaces¹. They also allow councils to negotiate certain site-specific items with developers as a condition of approval, which can help address community needs and concerns.

Moreover, site plans help balance various factors, including economic conditions and environmental considerations. For instance, a site plan might dictate the preservation of certain natural features or the inclusion of amenities that enhance residents' quality of life.

Site plans are an essential tool for councils to manage land development in a way that aligns with community values, fulfills local requirements, and safeguards the environment. However, the site plan approval process is currently underutilized in the Town of Kentville's planning documents. Policy GD-30 specifies the permitted uses for site plan approval, which includes new constructions in the R3, R4, C1, C2, C3, M1, and CR zones that abut low-density housing areas. Additionally, it permits Daycare Centers in the R1, R2, and R3 zones and Multi-Unit Residential Dwellings up to 50 units per acre in the C1 zone.

Development Agreements

A Development Agreement is a legally binding contract between a property owner or developer and a local government. It often includes terms not usually addressed in standard zoning or subdivision regulations¹. This agreement is voluntary, and it's typically used for large-scale projects or complex developments that need special considerations¹.

In Nova Scotia, the authority for a municipal unit to use Development Agreements comes from the Municipal Government Act (MGA). The MGA provides the legislative framework for municipalities to enter into such agreements with developers.

Development Agreements offer several benefits, making them particularly suitable for large tracts of land. They allow for more flexibility than traditional zoning, as they can cater to the unique characteristics of the land and the specifics of the proposed development¹. They also provide certainty for both the developer and the community about what will be built and how the site will function¹.

In the town of Kentville, Development Agreements are not frequently used. Policy GD-5 allows Council to consider applications for Development Agreements that comply with Policies IM-10 and IM-11. These policies apply to Mini Home Parks, the change of use of a non-conforming use to another non-conforming use, and the expansion or alteration of a non-conforming structure. If Council wishes, there is the opportunity to use this tool more in the town's planning documents. This would allow Council to consider housing developments as they arise, taking into account the specific features of the lot.

Request for adjustments to rezoning requirements to allow for initial submission flexibility

ACCOUNTABILITY

Brison Developments has requested changes to the policy to allow for greater flexibility in the submission requirements of re-zoning applications. The applicant is not yet prepared to provide detailed engineering information on matters such as stormwater, infrastructure, road design, or parkland. Developing these plans can be expensive and is already mandated as part of the subdivision and site plan approval process.

POLICY ANALYSIS

Currently, Council has Policies IM-7 & IM-8, which require detailed applications for Land Use By-Law amendments, but Council is unable to hold the developer accountable. Land Use By-Law amendments must align with the vision of the Municipal Planning Strategy. Therefore, importantly the Municipal Government Act gives Council the authority to request studies and details related to Municipal Planning Strategy Amendments.

Policy IM-2 gives Council the authority to require the applicant to submit sufficient information and argument in support of a proposed Municipal Planning Strategy Amendment.

As Council is aware and has experienced recently, the Town's Planning Documents require, through Policy IM-7 & IM-8, applications for rezonings to provide detailed proposals, including both a written and a professionally prepared site plan. These plans can be extremely costly to the developer. *Policy IM-9 states that Council is mindful that other development scenarios may be possible*

MPS Policy Reference

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 representation that are drawn to scale. Such graphic proposal must clearly indicate the following;

- a) The location, area, and dimension 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.*

under rezoning proposals, and all eventualities outside of the detailed proposal must be considered as part of rezoning applications.

Municipalities can require detailed development plans for rezoning, although the extent of the requirements can vary based on the municipality's zoning regulations and the nature of the proposed project⁴⁵. For instance, a Council may request to know the proposed use for a re-zoning application, but it is not typical to require detailed design criteria as this will likely change in the future.

There are several reasons why a council might require a detailed development plan for a rezoning, even if the plan is not legally binding and all uses permitted in the new zone may be possible should a rezoning application be approved⁴⁶:

1. **Guide Development:** A detailed development plan provides a roadmap for how the land will be used and developed. It can help guide the developer's actions and ensure that the development aligns with the municipality's overall goals and vision.
2. **Assess Impact:** The plan allows Council to assess the potential impact of the proposed development on the community and the environment⁴⁷. This can include impacts on traffic, noise, air quality, natural resources, public services, and more.
3. **Engage Stakeholders:** The process of creating and reviewing the plan can

⁴⁵ <https://marsh-partners.com/blog/the-property-rezoning-need-to-know>

⁴⁶ <https://txplanningguide-ojs-utexas.tdl.org/txplanningguide/>

⁴⁷ <https://canons.sog.unc.edu/2021/08/comprehensive-guide-to-zoning/>

MPS Policy Reference

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 the 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, outdoors storage, traffic, vehicle headlights, and noise through appropriate site design and 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 and proximity 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.*

provide opportunities for stakeholder engagement. This can include public hearings or meetings where community members can voice their opinions and concerns.

4. **Ensure Consistency:** The plan can help ensure that the development is consistent with the municipality's general plan or comprehensive plan⁴⁸. This is important for maintaining a cohesive and well-planned community.

Although a detailed development plan is not legally binding, it is crucial to comprehend the applicant's development intentions when considering rezoning. Therefore, implementing a less restrictive policy may aid in promoting responsible and beneficial development while continuing to guide the community and encourage stakeholder engagement, as per the Council's objectives. Other elements, such as assessing the impact and ensuring consistency, can be addressed by the zone's Land Use By-Law requirements.

Existing Requirements of Subdivision & Site Plan Approval

The developer has expressed their opinion that the current rezoning requirements are too strict. They believe this because the detailed plans are not legally binding and can be expensive to create. If the Council does not approve the rezoning, it could potentially become a risky investment for the developer. Moreover, even after the property has been rezoned, in most cases, there are still Site Plan and Subdivision Requirements that require detailed engineered plans. These requirements typically come up during the Subdivision and Development Permit application phase, when there is much to consider.

If you are planning to construct a new building in the R3 and R4 zones that are adjacent to an R1 zone, you must submit a site plan. Additionally, our proposal includes multi-unit dwellings with six (6) or more units on a lot as part of this requirement. The Town adheres to the guidelines for Site Plan Approval, which are similar to the ones described in Policy IM-7 & IM-8. It is essential to note that Site

⁴⁸ https://opr.ca.gov/docs/OPR_C9_final.pdf

Plans are a crucial and legally binding component of the Development Permit process. Therefore, site plan approval is binding, whereas the existing rezoning requirements are not.

As per policy P-10, Section 10.2.6, any new subdivision must offer the Town with either public open space or cash in-lieu for a park, playground, or similar public use. During this stage, both Staff and Council have the opportunity to request public park and amenity space to be incorporated. It's important to note that this process is a legally binding component of the Subdivision process.

MPS Policy Reference

An application for Site Plan Approval shall be as prescribed by the Development Officer and shall incorporate the following matters into a site:

- a) The location of structures on a lot;*
- b) The location of off street loading and parking spaces;*
- c) The location, number, and width of driveway access to streets;*
- d) The type, location and height of walls, fences, hedges, trees, shrubs ground cover or other landscaping elements necessary to protect and minimize the land use impacts on adjoining lands;*
- e) The retention of existing vegetation;*
- f) The location of walkways, including the type of surface material and all other pedestrian access*
- g) The type and location of outdoor lighting*
- h) The location of facilities for the storage of solid waste*
- i) The location of easements*
- j) The grading or alteration in elevation contour of the land and provisions for the management of storm and surface water*
- k) The type, location, number and size of sign structures*
- l) The provision for the maintenance of any of the items referred too in this section*

RECOMMENDATION

3. Add more specific language to Policy IM-2 to allow the council to request any necessary studies to make an informed decision about a Municipal Planning Strategy Amendment. This is intended to replace the less enforceable language in IM-7 and IM-8 for Land Use By-Law Amendments.
4. Streamline Policies IM-7 & IM-8 to facilitate rezoning applications and rely on alignment of developments with the Municipal Planning Strategy vision.
5. Strengthen existing policies GD-30 and GD-5 to allow for the approval of large-scale housing developments on a single lot through either site plan approval or development agreement at the developer's discretion, or across multiple lots through a Development Agreement.
6. Introduce a policy that permits a balance of local commercial uses based on market demand in high-density residential developments.

It is recommended that Council consider enhancing Policy IM-2 to give Council the opportunity and authority to request the necessary studies when considering a change to the Municipal Planning Strategy in the future rather than relying on the existing implementation policies (IM-7 & IM-8).

This will provide Council and staff with the option to require additional studies such as traffic studies, environmental site assessments, and water/waste infrastructure needs as part of the decision-making process. This change will also provide Council with greater authority than the existing implementation policies and may even replace IM-7 and IM-8, which require significant investment from the developer but have little authority from Council at the development stage.

Understanding why a developer applies for rezoning and determining whether the proposed development aligns with the Municipal Planning Strategy's vision and the requirements of the new zone within the land use by-law is crucial. Usually, the compatibility and suitability requirements for development are included as part of the Land Use By-Law for a specific zone. These requirements must then be included in the Development Permit application as they are legally required. Therefore, it is recommended that Council Consider amending Policy IM-7 & Policy IM-8 to facilitate development and reduce costs for developers.

It is recommended that the Council approve the updated Policies GD-30 and GD-5. These updates would allow for the approval of large-scale housing developments on a single lot through either site plan approval or development agreement at the developer's discretion, or across multiple lots through a Development Agreement.

Additionally, these policies should consider incorporating some commercial uses within the development to service residents and support the local economy, particularly where industrial land is being repurposed. This approach would ensure

that the Town's Planning Documents continue to support our community's growth and vitality,

Proposed Amendments

Municipal Planning Strategy Amendments

Policy IM-2 states Council may require the applicant to submit sufficient information and argument in support of any Municipal Planning Strategy Amendment. As staff feel this policy is of high importance for Council's decision-making process, staff feel that an amendment to add more specific language is necessary.

Policy IM-2 It shall be the intention of Council to require the applicant to submit sufficient information and argument, *including a traffic impact study, environmental site assessment, storm water management and any other relevant study,* in support of any proposed Municipal Planning Strategy amendment.

4.2.4 Development Agreements

Kentville has used Development Agreements in a limited fashion since the adoption of the 1994 Municipal Planning Strategy and will continue to do so for specific uses. A Development Agreement is a contract between the Town and a property owner within Town. The purpose of the Agreement is to specify the standards and conditions that will govern the development of the property, where conventional zoning may not be advantageous.

Policy GD-5 It shall be the intention of Council that the following uses be permitted only by the Development Agreement in accordance with the

MPS Policy References

Policy IM-10 It shall be the intention of Council to require the submission of a detailed proposal as part of any Development Agreement application. The proposal shall include any information or materials required by Council in order to effectively evaluate the submission. The submission shall be accompanied by professionally prepared plans that effectively illustrate the proposal and include details such as, but not necessarily limited to, the following:

- a) the location, area, and dimensions of the subject property based on a survey or location certificate prepared by a licensed surveyor.;*
- b) elevation drawings of the proposed structure or structures;*
- c) the proposed location, dimensions, height, and proposed use of all buildings;*
- d) the means by which the site is to be serviced by sanitary and storm sewers, water, electrical service and other utilities;*
- e) the proposed location and nature of any outdoor storage or display;*
- f) the proposed location, design, and content of any signage;*
- g) the proposed location and dimensions of any parking stalls, driveways, and walkways;*
- h) the proposed location of any fencing, refuse containers, and snow storage;*
- i) the proposed location and type of any exterior lighting,*
- j) the proposed location of any outdoor amenity space;*
- k) landscaping elements including the type and location of any existing and proposed trees or other vegetation;*
- l) architectural features including type of materials,*
- m) the location of any watercourses on or near the site;*
- n) existing and proposed drainage patterns including any stormwater management measures;*
- o) the delineation of any 1:20 and 1:100 flood elevations and a description of any proposed flood proofing measures; and*
- p) any proposed phasing of the development.*

Municipal Government Act and Policies IM-10 and IM-11:

- a) Mini Home Parks/Land Leased Communities in the Large Lot Residential (R5) Zone;
- b) The change in use of a non-conforming use of land or a non-conforming use in a structure, to another non-conforming use;
- c) The expansion, enlargement or alteration of a non-conforming structure; and

d) Multi-unit dwelling community constructed on multiple adjoining lots or single lots within the High Density (R4) Zone at the developer's discretion.

Policy GD-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)."

MPS Policy Reference

An application for Site Plan Approval shall be as prescribed by the Development Officer and shall incorporate the following matters into a site:

- a) The location of structures on a lot;*
- b) The location of off street loading and parking spaces;*
- c) The location, number, and width of driveway access to streets;*
- d) The type, location and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements necessary to protect and minimize the land use impacts on adjoining lands;*
- e) The retention of existing vegetation;*
- f) The location of walkways, including the type of surfacing material, and all other means of pedestrian access;*
- g) The type and location of outdoor lighting;*
- h) The location of facilities for the storage of solid waste;*
- i) The location of easements;*
- j) The grading or alteration in elevation or contour of the land and provision for the management of storm and surface water;*
- k) The type, location, number and size of signs or sign structures;*
- l) The provision for the maintenance of any of the items referred to in this section.*

Policy IM-7 It shall be the intention of Council to consider amendments to the map of the Land Use By-law when the proposed zoning change is not specifically prohibited within this Plan and at least one of the following three conditions is true:

a) the proposed zone is enabled by this Plan for use within the same designation.

b) a non-conforming use appears to have been created by an inadvertent administrative oversight in the Municipal Planning Strategy and Land Use By-law preparation process, resulting in a property being zoned inconsistent with stated policies in this Plan; or

c) The land to be rezoned is adjacent to a designation that permits the proposed use.

~~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.~~

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;~~

~~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

c) all existing buildings are in compliance with the proposed zone requirements

~~p) the financial ability of the Town to absorb any costs relating to the amendment.~~

~~While a rezoning application must be accompanied by a clear development proposal, there is no legal agreement which requires a landowner to conform to the proposal as presented.~~

Land Use By-Law Amendments

5.5.1 Permitted Uses

The following uses shall be permitted as-of-right in the High-Density Residential (R4) Zone subject to the requirements of the Bylaw:

- Single Unit Detached Dwelling
- Two Unit Dwelling
- Day Care Centres and Nursery Schools
- Residential Care Facilities, Home for Special Care or Group Homes
- Multi-Unit Dwellings (under six (6) units)

5.5.2 Permitted Uses with Conditions

a) The following uses shall be permitted in the High Density Residential (R4) Zone subject to the requirements of this By-law:

- I. Home Based Businesses, in accordance with Section 5.1.2 and 5.1.3 of this By-law
- II. Bed and Breakfast, in accordance Section 5.1.4 of this By-law
- III. Inns, in accordance with Section 5.1.5 of this By-law
- IV. Accessory Neighbourhood Commercial Uses in accordance with Section 5.1.8 of this Bylaw.

b) The following uses shall be permitted by Site Plan Approval in compliance with the Municipal Government Act and Policy GD-30 :

- I. Multi-Unit Residential Dwellings of six (6) or more units on a single lot within the Multi-Unit Residential (R4) Zone. If the developer prefers, the development may proceed through a development agreement in place of site plan approval, per 5.5.2 c).
- c) Council shall consider entering into a Development Agreement for the following uses, in compliance with the Municipal Government Act and Policies IM-10 and IM-11:
 - a. Multi-unit dwelling community constructed on multiple adjoining lots or single lots within the High Density (R4) Zone at the developer's discretion.

LUB Amendment for Local Commercial Use

Determining the best practice percentage of residential units to commercial units in large-scale housing developments can be quite complex, and it varies greatly by location, project, and local market conditions. However, some general guidelines are often used in the planning and development fields.

One common approach is the 80/20 rule, where 80% of the development is residential and 20% is commercial. This ratio is often used in mixed-use developments to ensure a healthy balance of living and commercial spaces⁴⁹

However, it's important to note that these percentages are not fixed rules, but rather starting points for discussion. The actual ratio can be adjusted based on a variety of factors, including the size and location of the development, the needs of the community, the local market conditions, and the specific goals of the project.

In addition, it's also essential to consider other factors beyond the simple ratio of residential to commercial units. For example, the design and layout of the development, the types of commercial uses included, and the integration of public spaces can all significantly impact the success of a mixed-use development.

Allowing local commercial uses to be permitted, based on market demand, within the areas where high-density residential uses are permitted is the simplest approach to ensure new residents are serviced by their commercial needs. For this reason, it is recommended that Council add a list of commercial uses to be permitted as of right within the High Density (R4) Zone.

4.1.3 Amenity Space

- a) All new Multi-Unit Developments containing four or more dwelling units shall provide On-Site Indoor or Outdoor Amenity Space in accordance with the following requirements:

Bachelor and One Bedroom	200 ft ² per unit	18.58 m ² per unit
Two bedroom	225 ft ² per unit	20.90 m ² per unit
Three or more bedrooms	255 ft ² per unit	23.69 m ² per unit

- b) Amenity space may include decks, balconies, gardens, landscaped open space, gyms, pools and other.
- c) Useable outdoor recreation amenity space shall be located in the side or rear yards and the recreation space must be usable space, meaning it shall be cleared, levelled, and grassed or otherwise landscaped to create an

⁴⁹ <https://www.planning.org/pas/reports/report68.htm>

attractive outdoor recreation space for the amenity of the residents on the lot.

- d) Amenity space shall be waived for all residential conversions.

~~5.1.8 Accessory Neighbourhood Commercial Uses~~

~~In the High Density Residential (R4) Zone, cafes, neighbourhood grocery and convenience stores permitted subject to the following requirements:~~

- ~~a) The maximum commercial floor area within the residential structure used for display and sales does not exceed 1000ft² (92.9m²)~~
~~b) The primary service area for the use is the immediate residential area in which the neighbourhood commercial use is located;~~
~~c) Parking shall be required in accordance with table 4.2 herein; and~~
~~d) One ground sign not to exceed 4 ft (1.219m) in height and not to exceed 10 ft² (0.93m²).~~

5.5.1 Permitted Uses

The following uses shall be permitted as-of-right in the High Density Residential (R4) Zone subject to the requirements of the By-Law:

- Single Unit Detached Dwelling
- Two Unit Dwelling
- Day Care Centres and Nursery Schools
- Residential Care Facilities, Home Special Care or Group Homes
- Multi-Unit Dwellings

5.5.2 Permitted Uses with Conditions

The following uses shall be permitted in the High Density Residential (R4) Zone Subject to the following requirements of this By-Law:

- a) Home Based Businesses, in accordance with Section 5.1.2 and 5.1.3 of this By-Law
- b) Bed and Breakfast, in accordance with Section 5.1.4 of this By-Law
- c) Inns, in accordance with Section 5.1.5 of this By-Law
- ~~d) Accessory Neighbourhood Commercial Uses with Section 5.1.8 of this By-Law~~
- e) Local commercial uses shall include the following and be approved as part of the site plan approval process, in accordance with 5.1.12.
- Animal Hospital
 - Automobile Service Station
 - Bakery
 - Catering Establishment

- Club (Commercial or Private)
- Convenience Store
- Commercial schools & recreation
- Craft Products
- Day-Care & Nursery Schools
- Dog Grooming
- Dry Cleaning
- Garden Centres
- Golf Courses and Driving Ranges
- Small Scale Grocery Stores (Under 3,000 square feet)
- Medical Clinics
- Restaurant
- Small Scale Retail Space (Under 3,000 square feet)

5.5.4 On-Site Amenity Space

a) Useable Amenity Space shall be required for the development of Multiple Unit Apartment Buildings containing four or more dwelling units in accordance with Section 4.1.3 of this By-law;

Amenity Space means a designated area or facility within a large-scale residential development that is intended to enhance the quality of life for residents and visitors. This includes both indoor and outdoor spaces that are accessible and benefit the community.

Indoor Amenity Space is a common area within residential buildings that is exclusively for residents' use. These spaces may include but are not limited to, lounges, fitness centres, meeting rooms, or other communal facilities.

Outdoor Amenity Space is an area designed for recreational and leisure activities. These include parks, landscaped open spaces, playgrounds, sports facilities, or other recreational areas that contribute to the green space and outdoor enjoyment of the community.

~~any space intended to support the yard space capable of being used for recreational purposes, and may include landscaped areas, patios, verandas, balconies, communal lounges, swimming pools, play areas and similar uses.~~

Request re-zone the remainder of the PID is to be intended for future residential R5

PHASED DEVELOPMENT

Brison Developments is applying for amendments to both the Municipal Planning Strategy and Land Use By-Law to permit multi-unit developments along the front of PID 55551774. Currently, the land is designated and zoned for industrial purposes. The development of this property is proposed in two phases.

The Second Phase of the Development will include developing the remainder of the property as residential. However, the details for Phase 2 have not yet been decided. The developer's goal is to link Park Street to the Donald Hiltz Connector to ensure vehicle and pedestrian connectivity.

The Developer has requested that the remainder of the PID be designated and zoned Large Lot R-5, showing the intention to develop this land for residential purposes in the future but leaving time to complete a more detailed plan for this area.

POLICY ANALYSIS

Holding large tracts of land for future residential development until services are available is a strategic approach often undertaken by councils like that of the Town of Kentville. This practice is based on several key considerations:

1. **Value Appreciation:** raw or undeveloped land often appreciates in value over time due to limited supply and growing demand⁵⁰. By holding land until services are available, Council can potentially increase the value of its investment⁵¹.
2. **Strategic Planning:** Preparing land-use plans and establishing land banks are important strategies for managing growth and meeting community needs⁵². Holding land allows Council to plan for the future and ensure that development aligns with the community's long-term goals⁵³.

⁵⁰ <https://leaddeveloper.com/raw-land-development-what-you-need-to-know/>

⁵¹ https://rocketmortgage.ca/?utm_source=rmus_redirect

⁵² <https://www.oas.org/pgdm/document/BITC/papers/dthomas.htm>

⁵³ <https://localhousingsolutions.org/housing-policy-library/land-banks/>

Control Over Development: By either owning or creating a zone that holds the land, Council can control when and how development occurs⁵⁴. This can help to ensure that development is sustainable and beneficial for the community⁵⁵.

The Town's Municipal Planning Strategy acknowledges the existence of several large tracts of land in Kentville that are not yet serviced and have no immediate plans for development. Council realizes that housing needs and preferences are constantly evolving and that much of this land won't be developed for some time. To avoid costly extensions to municipal infrastructure, the Large Lot Residential (R5) Zone has been created to acknowledge the possibility of future residential development. Limited development will be allowed in the R5 zone until services become available.

MPS Policy Reference

Policy RS-14 It shall be the intention of Council in the Residential Designation to establish a Large lot Residential (R5) Zone as shown in Appendix A, the Zoning Map, of the Land Use By-Law

Policy RS-15 It shall be the intention of Council to establish zone standards and permitted uses for serviced and unserviced lots in the Large Lot Residential (R5) Zone in accordance with the Land Use By-Law.

⁵⁴ <https://www.fortunebuilders.com/raw-land-investing/>

⁵⁵ <https://marsh-partners.com/blog/the-guide-to-a-real-estate-development-feasibility-study>

RECOMMENDATION

7. Rezone the remaining portion of PID 55551774 to High-Density Residential R5.
8. Add a policy allowing the consideration of extensive development in the R5 Zone through a Development Agreement.

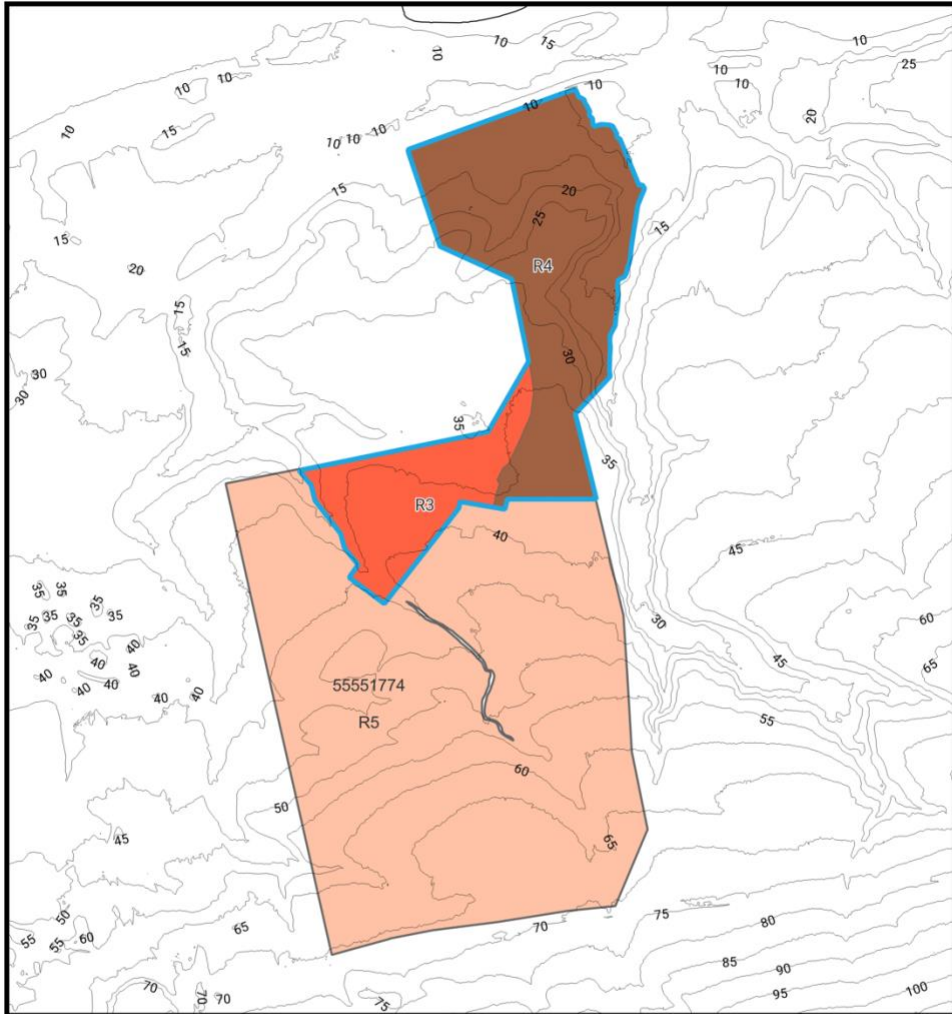
It is recommended that Council consider rezoning the remaining portion of the lot to Large Lot Residential (R5) to demonstrate their support for the proposed future development of the PID 55551774 while allowing time for the development of a Secondary Housing Strategy as planned by Council.

Depending on the circumstances, a reasonable approach to considering development on these lands may be to consider a Development Agreement. Development agreements can provide a flexible framework for negotiating the terms of development, including the timing, scale, and nature of the development and the provision of public benefits. They can also inform the developer and community about what will be built and when.

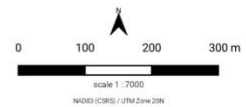
It is recommended that Council consider allowing for the consideration of a Development Agreement in the R5 Zone, provided the Developer is willing to pay for the required Municipal Services; this is in keeping with the zone's intent as outlined within the Municipal Planning Strategy and would enable more housing development opportunities.

Proposed Amendments

Proposed Land Use By-Law Map Change



PROPOSED ZONING - PID 55551774



Proposed Land Use By-Law Amendments

Council established the Large Lot Residential Zone to show support for residential development while keeping in mind the inadequate municipal services available for these large lots. *It would be reasonable for Council to have the power to consider the development of these lots through the Development Agreement process, as long as they comply with the requirements specified in Policies IM-10 and IM-11 and there is the ability to place the costs of the additional services on the Developer.*

Should a developer wish to develop an R5 piece of land without a development agreement or undertake the cost of running municipal services, they may always apply to Council to rezone the property to alternative residential zoning and subdivide. The proposed amendment provides more options to consider housing development within the Town of Kentville.

5.6.3 Permitted Uses by Development Agreement

The following developments shall be considered only by development agreements in accordance with Policies IM-10 and IM-11 of the Municipal Planning Strategy.

- a) Manufactured Home Parks/Land Lease Communities.
- b) A large-scale housing and community development

Summary of Recommendation

In light of the considerable housing shortage, teamed with the necessity for sustainable community development, it is recommended that Council consider the following:

1. Change the designation of PID 55551774 from Industrial to Residential to encourage diverse housing developments.
2. Re-zone the area marked as Phase 1 on the map to a mixture of R3 & R4.
3. Add more specific language to Policy IM-2 in order to provide Council with the ability to request any necessary studies to make an informed decision for a Municipal Planning Strategy Amendment. *This is intended to replace the less enforceable language in IM-7 & IM-8 for Land Use By-Law Amendments.*
4. Streamline Policies IM-7 & IM-8 to facilitate rezoning applications and rely on alignment of developments with the Municipal Planning Strategy vision.
5. Strengthen existing policies GD-30 and GD-5 to allow for the approval of large-scale housing developments on a single lot through either site plan approval or development agreement at the developer's discretion, or across multiple lots through a Development Agreement.
6. Introduce a policy that permits a balance of local commercial uses based on market demand in high-density residential developments.
7. Rezone the remaining portion of PID 55551774 to High-Density Residential R5.
8. Add a policy allowing the consideration of extensive development in the R5 Zone through a Development Agreement.

These proposed changes are focused on future housing developments in the Town of Kentville and aim to give Council the opportunity to consider good housing developments as they arise. While evaluating the developer's proposal, staff recognized the urgent need for housing within the Town. However, existing policies pose challenges for Council and staff in assessing new proposals. The suggested amendments mentioned above aim to facilitate future housing projects for Council's consideration and offer the applicant various options for phased development if the request is granted.

Parcel Description

ALL that certain piece or parcel of land situate, lying and being on the South side of Park Street in Kentville in the County of Kings and Province of Nova Scotia, and shown as Lot 101 on a Plan of Subdivision certified by Derik R. De Wolfe, NSLS, Plan Number 2022-348P, dated August 24, 2023 and bounded and described as follows:

BEGINNING at a survey marker on the southern side of Park Street, at the Northeast corner of Lot 100 as shown on aforementioned plan, said survey marker being the POINT OF BEGINNING;

THENCE North 14 degrees 17 minutes 42 seconds West, a distance of 5.221 metres to a survey marker;

THENCE North 68 degrees 58 minutes 29 seconds East, a distance of 245.673 metres along a southern boundary of Park Street to a survey marker;

THENCE following a curve to the right an arc distance of 19.30 metres more or less along the southern boundary of Park Street to a calculated point on the western side of Mitchell Brook, said calculated point being North 70 degrees 41 minutes 54 seconds East, a chord distance of 19.30 metres more or less, from the aforesaid survey marker;

THENCE southerly following the western side of Mitchell Brook, a distance of 506.4 metres more or less to a calculated point;

THENCE South 07 degrees 59 minutes 05 seconds East, a distance of 13.59 metres more or less along the western boundary of lands now or formerly of Parsons Investments Limited to a survey marker;

THENCE South 42 degrees 00 minutes 44 seconds West, a distance of 76.702 metres along the western boundary of lands now or formerly of Parsons Investments Limited to a survey marker;

THENCE South 14 degrees 30 minutes 34 seconds East, a distance of 310.620 along the western boundary of lands now or formerly of Parsons Investments Limited to a survey marker;

THENCE South 04 degrees 44 minutes 37 seconds East, a distance of 87.416 metres

along the western boundary of lands now or formerly of Parsons Investments Limited to a survey marker;

THENCE South 04 degrees 27 minutes 49 seconds East, a distance of 117.516 metres along the western boundary of lands now or formerly of Parsons Investments Limited to a survey marker;

THENCE South 12 degrees 35 minutes 24 seconds East, a distance of 118.684 metres along the western boundary of lands now or formerly of Parsons Investments Limited to a survey marker;

THENCE South 21 degrees 48 minutes 13 seconds West, a distance of 126.381 metres to the northern side of Parcel "W.X.-1", lands now or formerly of The Town of Kentville, to a survey marker;

THENCE South 82 degrees 49 minutes 33 seconds West, a distance of 200.582 metres along the northern boundary of Parcel "W.X.-1", lands now or formerly of The Town of Kentville to a survey marker;

THENCE following a curve to the left an arc distance of 231.094 metres, a radius of 1015.130 metres along the northern boundary of Parcel "W.X.-1" to a survey marker on the eastern boundary of lands now or formerly of Parsons Investments Ltd., said survey marker being South 76 degrees 18 minutes 14 seconds West, a chord distance of 230.595 metres from the aforesaid survey marker;

THENCE North 13 degrees 50 minutes 53 seconds West, a distance of 395.298 metres along the eastern boundary of lands now or formerly of Parsons Investments Ltd. to an iron pipe;

THENCE North 13 degrees 40 minutes 25 seconds West, a distance of 329.173 metres along the eastern boundary of lands now or formerly of Parsons Investments Ltd. to a survey marker;

THENCE North 77 degrees 48 minutes 26 seconds East, a distance of 400.873 metres to a survey marker;

THENCE North 28 degrees 59 minutes 57 seconds East, a distance of 122.049 metres



to a survey marker;

THENCE North 12 degrees 41 minutes 46 seconds West, a distance of 126.327 metres to a survey marker;

THENCE North 66 degrees 40 minutes 08 seconds West, a distance of 118.015 metres to a survey marker;

THENCE North 19 degrees 36 minutes 52 seconds West, a distance of 147.729 metres to a survey marker, said survey marker being the POINT OF BEGINNING.

A tract of land containing an area of 47.4352 hectares more or less.

All distances are horizontal grid distances, combined scale factor 0.99989205 applied.

All bearings are Grid, based on a 3 degree Modified Transverse Mercator Projection, Zone 5, Central Meridian 64 degrees 30 minutes West Longitude, NAD 83 (CSRS) 2010.0 V7, and are referred to Nova Scotia Active Control Station Number 250001.

Additional materials

APPLICATION



2024-01-31

Jeff Lawrence, Chief Administrative Officer
Town of Kentville

Re: Application in West Kentville (PID 55551774)

Dear Jeff:

On January 22, 2024 Town Council authorized a Plan Amendment application for a portion of PID 55551774. This letter provides additional information for the Town to proceed with its review and analysis.

Description

Brison Developments is applying to make changes to both the MPS and LUB to allow for multi-unit development along the frontage of PID 55551774. This land is currently designated and zoned industrial and requires a change to both the Municipal Planning Strategy and Land Use Bylaw. Brison Developments is seeking planning policy changes that permit approximately four multi-residential buildings in Phase 1 of the subject PID or approximately 300 units.

This is the first phase of a large development that is tentatively called Kentville Crossing. Similar to the Crossing in Windsor, this development is geared towards empty nesters and seniors and will include amenities and open space to create a master-planned residential community. It will include housing at differing densities and price points, parks, trails, new streets and sidewalks and potentially a community centre. It eventually will connect up to the Donald Hitz Connector to provide connectivity for both non-motorized and motorized movement. The developer recognizes the area has areas of steep slope, watercourses and other environmentally sensitive features that will require detailed engineering and planning and will continue to work with the Town to ensure that the Kentville Crossing will be asset to the area.

The initial phase will include four apartment buildings with approximately 300 units, though the number of units will be finalized at a later date. Attached to this email are sample renderings of the apartment building. The remainder of the property is still under design but will include a variety of low and mid-density housing forms. The concept plan has been previously provided to the Town.

The Request

This is a Plan Amendment, which gives Council latitude in how it wishes to deal with this type of development. Brison is seeking amendments for the following:

1. Designation and zone change to Residential (R-4) as generally shown on the map in the

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- previous submission. (shown as Phase 1 on the attached map)
2. The remainder of the PID to be designated Residential and zoned R-5 to demonstrate Council's intention that the future land use of the area is residential. This will allow time to complete more detailed planning on the lands. (shown as the remainder)
 3. Changes to policy to allow for maximum flexibility in submission requires. At this point, Brison is not prepared to provide detailed engineering information on issues such as storm water, infrastructure, road design or parkland. These issues will be dealt with through subdivision if that is the chosen route for the approval.



Discussion

The housing need in Kentville is significant, as outlined in the housing needs assessment completed by the province (provided to the applicant by the Town). For over a year, Brison has been encouraging the Town to put the necessary policies in place to allow for the lands in the west end to be comprehensively planned and developed for residential development. We understand that the Town is seeking external funding to support the secondary planning process. However, the need and market opportunities necessitate that Brison make this application in advance of the more detailed planning process/SPS process.

The subject PID is designated and zoned industrial. The property is within the wellfield protection zones, which is an overlay zone intended to protect the drawdown areas of the wells that provide drinking water to the Town of Kentville. The overlay zones, which are a component

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of the source water protection plan for the drinking water supply, are intended to restrict certain land uses that pose a higher risk to the groundwater. It is generally recognized that residential uses pose a lower risk to the water supply than light or heavy industrial uses. The conversion of this area to residential would not pose any additional risk to the wellfield and may actually be more compatible. We further understand that the Town may be installing a new well, which may impact the specific wellfield zone that applies to this land.

The CWWA emphasizes the importance of safeguarding drinking water sources to ensure the health and wellbeing of communities. Industrial areas often involve various activities that may have the potential to generate harmful substances or pollutants. These can include manufacturing processes, storage of chemicals, or disposal of hazardous materials.

Residential land use is generally considered lower risk to drinking water sources compared to industrial land use. Converting industrial lands to residential use can help minimize potential contaminants that may pose risks to water quality. By converting to residential zoning, the potential risk of contaminants to the water supply can be reduced.

Policy IM-1 states Councils intention to consider MPS amendment. This request responds to the three situations identified in these policies

- a) An adjustment is necessitated due to changing circumstances - The housing crisis requires more units in Kentville and the Town is looking for options to address this situation. In addition, the Town was successful in its application for the Donald Hiltz Collector and is planning to begin construction in the near to medium term.
- b) Additional Information or studies - The Housing Needs Assessment completed by the province has shown a shortfall in required housing over the next few years if the current rate of development and construction continues.
- c) Provincial Policy - The province and the federal government have been clear through its Housing Accelerator Funding announcement and associated strategies that communities will need to establish conditions to support accelerated housing. The province, through the [Our Climate, Our Future: Nova Scotia's Climate Change Plan for Clean Growth](#) and the [Our Homes, Action for Housing](#) both are clear that new strategies must be employed to deal with housing. The [CMHC Housing Supply](#) report also clearly identifies the growing gap of housing and supply in Nova Scotia more generally.

Policy IM-4 may also apply in this situation. IM-4 allows for a change in the future land use designation to that which is adjacent without an amendment to the strategy. In this case, the adjacent designation is Residential. With this policy, there is no requirement to undertake an industrial study for the rezoning. The adjacency policy in IM-4 would simply necessitate the evaluation of the policies in the implementation section.

If staff believe this is a Plan Amendment process, we do not believe the requirements for detailed plans should be applied in this case. If zoning is changed to R-4, then the site plan approval process will require most of that detail. Alternatively, a minor policy change to remove this requirement could also be considered."

The potential economic benefits that the Kentville Crossing can bring to the town are significant.

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It can stimulate local job opportunities, attract investment, and generate revenue for local businesses. The increased population will create a demand for services, leading to the growth of local businesses, restaurants, shops, and other supporting industries. The increase in tax revenue is also something that is relevant for consideration. This additional revenue can be used to fund essential services, infrastructure improvements, and community programs that directly benefit all residents of the town.

Other information

Traffic Study - We will provide a draft scope for the Town engineer review and complete traffic study. This will be provided over in February. The Traffic Engineer has begun to gather traffic count information and the turn around time for the traffic study will be fairly quick, once the Town has approved the scope.

Servicing: I understand through the Town engineer that the town has sufficient share of the regional sewer capacity to service the proposed development. According to the Atlantic Canada Wastewater Specifications, industrial uses are more of a load on the sewer system than residential. The main line is a County of Kings asset as is the pumping station and that there is capacity in the trunk lines. Is the Town able to provide any information on the capacity of the pumping station and if upgrades are planned? Detailed plans for servicing and storm water are not appropriate during the Plan amendment stage, however, we recognize the Town engineer may require additional information to comment. We request the level of information that the engineer will require in order to provide comment on the Plan Amendment

Site Plan: My client is finalizing the site plan but it will generally conform to what is submitted. There is no planned commercial space in the buildings but the attached concept will be revised to reflect this change. Stormwater management, landscaping and other related issues are not required at this time and will be determined at time of site plan approval.



Summary

We will work to provide the additional information as quickly as possible so that the expedited timeline can be met. I understand that the MPS requires a great deal of detail for a zoning change but this information is not possible or required to assess if, from a planning perspective, that this area can be redesignated or rezoned.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads 'Chr Fuller'.

Chrystal Fuller, LPP, MCIP
Brighter Community Planning & Consulting

TRAFFIC SCOPING PACKAGE

Traffic Impact Analysis : Kentville : Park Street Development

Brisson Developments Ltd plans a residential development on the south side of Park Street west of Acadia Drive as shown on **Figure 1 : Location Proposed Kentville Lands Development**. It is planned that the property will be developed in accordance with the attached **DESIGNPOINT Concept Plan: Kentville Lands** plan CP01 dated Jun 27 2023. The development will consist of 675 residential units:

- 127 R-1 single family units;
- 99 R-2 duplex lots (198 units); and
- 350 apartment units in four buildings (the apartments are in lieu of the commercial facilities shown on plan CP01).
- Immediate access to the site will be via a new street ('Road A' on the plan CP01) which intersects Park Street (Trunk1) to the north of the development. The completion of the Donald E Hiltz connector will provide a second access to the south of the development which will allow traffic to split between the two arterial streets.
- Full build-out is expected:
 - within five years for the apartment units; and
 - within ten years for the single family and duplex units.

The traffic study will be carried out by *GAALCO Traffic Engineering* in accordance with the following:

1. The study area is the intersection of the new street ('Road A') of the development with Park Street.
2. In addition to the expected initial (2024) traffic conditions three horizon years will be analyzed:
 - 2029 - at the expected full build-out of the apartment units;
 - 2034 - at the expected full build-out of the single family and duplex units; and
 - 2039 - five years after the expected full build-out of the entire development.

Intermediate horizon year(s) may be analyzed depending upon the level of service of the intersection and / or the highway infrastructure required.

3. The analyses of each horizon year will be for two Daily Design Hourly volumes (DHVs):
 - morning (AM);
 - afternoon (PM); and
 - noon hour counts will be obtained to fulfill the Transportation Association of Canada (TAC) traffic control signal warrants.

Turning movement counts will be obtained to ensure representative traffic volumes. The intersection location on Park Street will be counted on a Tuesday, Wednesday, or Thursday during good weather, and the counts expanded to DHVs using weekly adjustment factors based on roadway class derived from the Provincial network of permanent counters provided by Nova Scotia Department of Public Works (DPW).

4. Traffic growth rates will be established for the highways in the study area based on historical traffic counts made available by DPW.
5. Trip generation rates will be obtained from the Institute of Transportation Engineers (ITE) *Trip Generation*. It is expected that 75 percent of the non-apartment residential units will be occupied by senior adults, which would require ITE Land Use Codes:

• Apartments	code 220	100 percent of the units
• R-1 single family detached	code 210	25 percent of the units
• Senior adult detached housing	code 251	75 percent of the units
• R-2 duplex	code 230	25 percent of the units
• Senior adult attached housing	code 252	75 percent of the units

- 5A. However, to ensure that the impact analysis considers the maximum possible generated traffic and the intersections capacity to service it, the Land Use Codes that will be used in the analysis are:
- Apartments code 220 100 percent of the units
 - R-1 single family detached code 210 100 percent of the units
 - R-2 duplex code 230 100 percent of the units
6. Trips generated by the proposed development will be assigned to the intersection of the new street ('Road A') of the development with Park Street and distributed east and west on Park Street in the same proportion as the turning movements at the intersection of Acadia Drive with Park Street which were counted in October 2022.
7. Site traffic assignment will be performed manually with generated trips assigned east and west on Park Street as described in item 6.
8. Analysis of level of service (LOS) will use *Synchro-SimTraffic* computer software.
9. The minimum acceptable level of service (LOS) for each movement at an intersection will be LOS 'D' with a maximum volume to capacity ratio (v/c) of 0.90. Queue lengths will be calculated and included in the report.
10. Transportation demand management techniques are not appropriate for this area.
11. The warrants used for various traffic control devices and auxiliary lanes will be:
- traffic control devices, other than traffic control signals - *TAC Manual of Uniform Traffic Control Devices*;
 - traffic control signals - *TAC Canadian Traffic Signal Warrant Matrix Procedure*;
 - left turn lane analysis- Ontario Department of Highways *Volume Warrants for Left Turn Lanes*; and
 - right turn lane analysis - Ohio Department of Transportation *Right Turn Lane Warrant*.
12. The site design will be reviewed to ensure that there are adequate intersection geometrics, including roadway alignment, proximity of private and public entrances, sight distance, and turning sight distance at any new or reconstructed intersections.

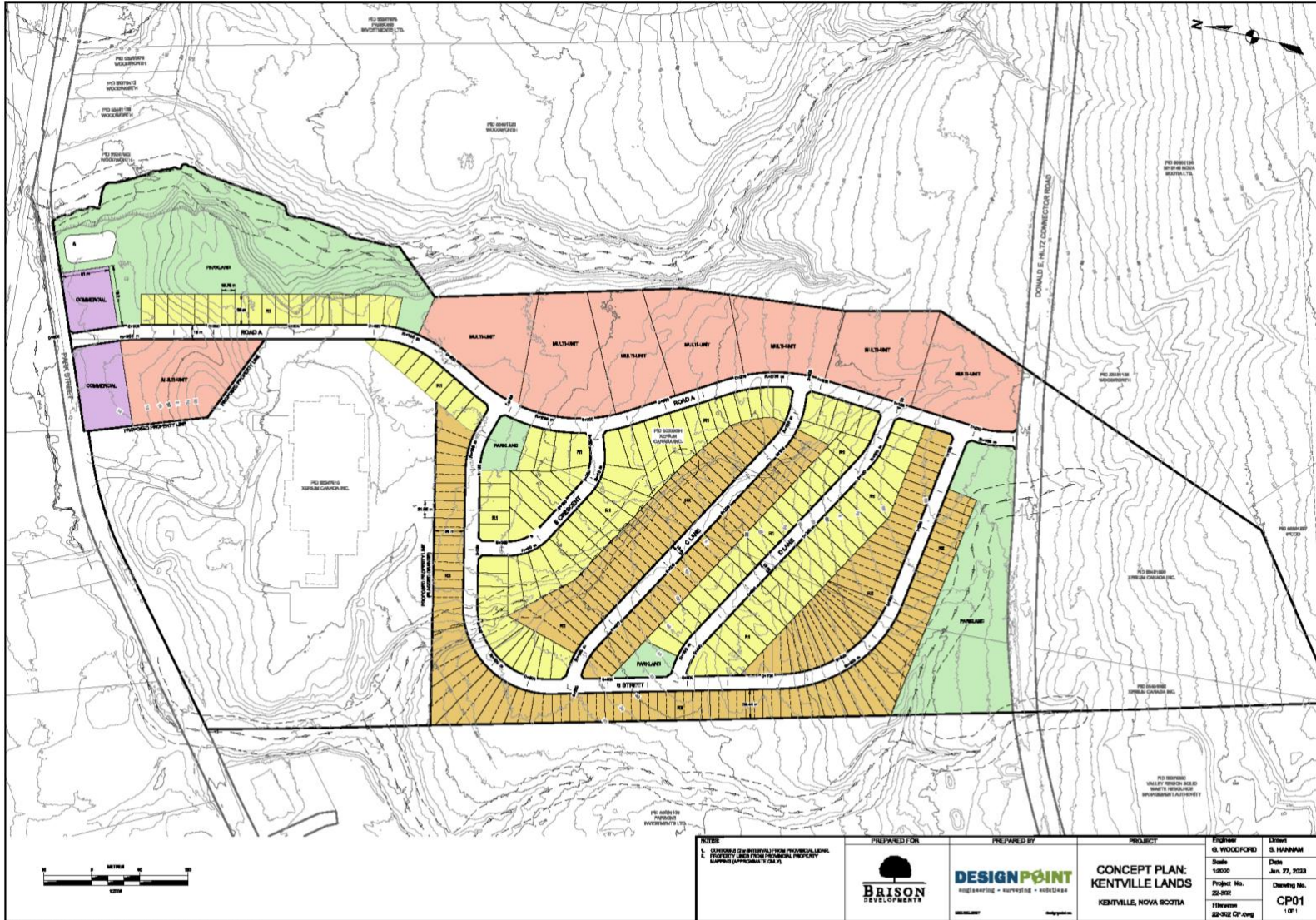


Allan Golding, P.Eng.
GAALCO Traffic Engineering
902 499 4003

February 02 2024



Figure 1 : Location Proposed Kentville Lands Development



NOTES 1. OUTSIDE OF & WITHIN FROM PROPOSED LOTS & PROPERTY LINES FROM PREVIOUS PROPERTY MAPPING APPROXIMATE (MAY VARY)	PREPARED FOR 	PREPARED BY 	PROJECT CONCEPT PLAN: KENTVILLE LANDS KENTVILLE, NOVA SCOTIA	Engineer G. WOODFORD	Drawn S. HANNAM
	Scale 1:5000	Date Jun. 27, 2023			
	Project No. 22-002	Drawing No. CP01			
	Filename 22-002 CP-01.dwg	1/1"			
	10'				

ADDITIONAL MPS POLICY REFERENCES

15.10.2 Evaluative Criteria for Development Agreements

Council will evaluate Development Agreement applications using specific evaluation criteria. The full use of the criteria set out below will ensure that the resulting development is in conformity with all policies of this Strategy and will help to ensure that the proposal has a positive impact on the community. These criteria are to be considered in addition to any applicable criteria found elsewhere in this document and included in the enabling policy for a specific development application.

Policy IM-11 It shall be the intention of Council when considering a development agreement application 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) compatibility of the development with adjacent properties in terms of lighting, signage, outdoor display, outdoor storage, traffic, vehicle headlights, and noise;
- d) the adequacy of sewer services, water services, waste management services and stormwater management services;
- e) that the proposal contributes to an orderly and compact development pattern that makes efficient use of existing and new municipal infrastructure and services;
- 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, and adjacent to, or leading to the development;
- i) the potential for the contamination or sedimentation of watercourses or for erosion;
- 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) the financial ability of the Town to absorb any cost related to the development;
- o) that the proposed development would not have a negative impact or effect on natural watercourses, drinking water quality and supply, the Kentville Water Commission System Source Water Protection Area or other natural land features by way of contamination, erosion and sedimentation;
- p) that the proposal is in conformance with the intent of this strategy and with the requirements of Town By-laws and regulations other than the Land Use By-law; and
- q) the financial ability of the Town to absorb any costs relating to the amendment.

ADDITIONAL RECCOMENDATION

Request	Staff have requested that the Council Advisory Committee consider an additional amendment to the Medium Density R3 Zone as part of the Brison Application for PID 55551774. This amendment would require site plan approval for any proposed use on a lot above six units, in response to public feedback.
Description	<p>During the public participation meeting for this application, there was significant discussion about the need to manage storm and surface water and the requirement that the associated plans be approved by the Town Engineer. The current proposal suggests that site plan approval should be mandatory within the R4 zone for the construction of six or more units on a lot.</p> <p>To address the public’s concerns, staff believe it would be appropriate to include the R3 zoning in the proponent’s application. This would require site plan approval for the construction of six or more units on a lot in the Medium-Density R3 zone. This additional amendment would ensure consistency between the Medium-Density and High-Density Zones.</p>
Recommendation	It is recommended that the Council Advisory Committee consider recommending the application to Council for 1st reading, as stated in the planner’s report, along with the additional amendments included with this recommendation.
Relevant Policies and Legislation	Public Participation Program Policy G62 Municipal Planning Strategy Land Use By Law
Follow Up Action	<p>The Council Advisory Committee, acting as an advisory committee to Council, is permitted to make any recommendations it deems fit to Council regarding the planning application, based on the planner’s report and information received during the public participation program.</p> <p>This Application Requires the Following Steps:</p> <ol style="list-style-type: none"> 1. Additional Amendments to Align the Recommendation (Council Advisory Committee) 2. 1st Reading (Council) 3. Public Hearing (Council) 4. 2nd Reading (Council)

Municipal Planning Strategy Proposed Amendment

Policy GD-5 *It shall be the intention of Council* that the following uses be permitted only by the Development Agreement in accordance with the Municipal Government Act and Policies IM-10 and IM-11:

- a) Mini Home Parks/Land Leased Communities in the Large Lot Residential (R5) Zone;
- b) The change in use of a non-conforming use of land or a non-conforming use in a structure, to another non-conforming use;
- c) The expansion, enlargement or alteration of a non-conforming structure; and
- d) Multi-unit dwelling community constructed on multiple adjoining lots or single lots within the High Density (R4) Zone at the Developers Discretion.

Policy GD-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 Medium Density (R3) and High Density (R4) Zones. Developments must comply with amenity requirements for multi-unit residential buildings and subdivision parkland requirements, where applicable. If the Developer prefers, R4 developments may proceed through a development agreement in place of site plan approval, per policy GD-5 d).

Land Use By-Law Amendment

5.4 Medium Density Residential (R3) Zone

5.4.1 Permitted Uses

The following uses shall be permitted as-of-right in the Medium Density Residential (R3) Zone subject to

the requirements of the Bylaw:

- Single Unit Detached Dwelling
- Two Unit Dwelling
- Converted Dwellings up to a maximum of 6 units
- Residential Care Facility, Home for Special Care or Group Homes to a maximum of 6 bedrooms devoted to residential care use
- Multi-unit dwellings up to a maximum of ~~8~~ 6 units, including Townhouses

5.4.2 Permitted Uses with Conditions

The following uses shall be permitted in the Medium Density Residential (R3) Zone 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
- c) Bed and Breakfast, in accordance with Section 5.1.4 of this By-law
- d) Inns, in accordance with Section 5.1.5 of this By-law

5.4.3 Permitted Uses by Site Plan Approval

The following uses shall be permitted by Site Plan Approval subject to the requirements of this Bylaw:

- a) Day Care Centres to a maximum of 14 persons.
- b) Multi-unit dwellings up to 8 units, including Town Houses

5.5 High Density Residential (R4) Zone

5.5.1 Permitted Uses

The following uses shall be permitted as-of-right in the High-Density Residential (R4) Zone subject to the requirements of the Bylaw:

- Single Unit Detached Dwelling
- Two Unit Dwelling
- Day Care Centres and Nursery Schools
- Residential Care Facilities, Home for Special Care or Group Homes
- Multi-Unit Dwellings (under six (6) units)

5.5.2 Permitted Uses with Conditions

a) The following uses shall be permitted in the High Density Residential (R4) Zone subject to the requirements of this By-law:

- I. Home Based Businesses, in accordance with Section 5.1.2 and 5.1.3 of this By-law
- II. Bed and Breakfast, in accordance Section 5.1.4 of this By-law
- III. Inns, in accordance with Section 5.1.5 of this By-law
- IV. Accessory Neighbourhood Commercial Uses in accordance with Section 5.1.8 of this Bylaw.

b) The following uses shall be permitted by Site Plan Approval in compliance with the Municipal Government Act and Policy GD-30 :

- I. Multi-Unit Residential Dwellings of six (6) or more units on a single lot within the Multi-Unit Residential (R4) Zone. If the developer prefers, the development may proceed through a development agreement in place of site plan approval, per 5.5.2 c).

c) Council shall consider entering into a Development Agreement for the following uses, in compliance with the Municipal Government Act and Policies IM-10 and IM-11:

- a. Multi-unit dwelling community constructed on multiple adjoining lots or single lots within the High Density (R4) Zone at the developer's discretion.



PUBLIC PARTICIPATION PROGRAM REPORT

This report summarizes the public participation program hosted by Council Advisory Committee for the application for PID 55551774 from Brighter Communities on behalf of Brison Developments. The program was discussed at a special meeting of Council Advisory Committee on July 25, 2024, at 4:00 pm in Council Chambers.

APPLICATION

The applicant has applied for the following amendments:

1. Request to change the Future Designation from Industrial to Residential for the entire PID, with Phase 1 to be rezoned to a mixture of Residential (R3& R4) as indicated on the map in the planner's report.
2. Seek adjustments to rezoning requirements for initial submission flexibility, with full compliance required during the permit process upon rezoning approval.
3. Propose rezoning the remaining Phase 2 to Residential (R5) as depicted on the map in the planner's report.

THE BASICS

1. The Advisory Committee is currently considering a recommendation to Council about whether the town should preserve this piece of land for industrial purposes or prioritize residential uses, especially during a provincial housing crisis.
2. The Committee is also assessing if the requested housing density would be suitable for the proposed lot if they decide to support a change to residential zoning.

ENGAGEMENT

The Planning and Development Staff of the Town of Kentville have established a Public Participation Program, as requested by Council Advisory Committee. This initiative aimed to provide Council with adequate time to review the proposed application before the upcoming municipal election. The application was submitted on January 1, 2024, and the developer has requested an expedited timeline for its consideration.



NEWSPAPER AD

The following Newspaper ad was circulated in the Chronicle Herald for 14 days before the public meeting.



**Public Participation Meeting
Brison Development, Park Street**

A public participation meeting will be held at the Kentville Fire Hall, 463 Main Street, Kentville, Nova Scotia, at 6:00 PM on Thursday August 29th, 2024 to provide an opportunity for the public to comment on or make suggestions to the proposed amendments.

Planning Application: Brison Development has submitted a development application for housing south of Park Street, in the area of Evergreen Home and Xarlum paper products. The proposal outlines two phases- the first near Park Street and the second extending up to the future Donald E. Hiltz Connector Road. This proposal involves the following changes to the Municipal Planning Strategy and Land Use Bylaw:

- Redesignating the entire property from Industrial to Residential.
- Rezoning Phase 1 lands to a mixture of Medium Density Residential (R3) and High Density Residential (R4), with the Phase 2 lands to be rezoned to Large Lot Residential (R5).
- Revisions to zoning requirements to allow for greater development flexibility.

Date/Time: Thursday August 29th, 2024 at 6:00 PM

Location: Kentville Volunteer Fire Hall

For further information, copies of the proposal, and questions about making a submission please contact Carolina Robertson, Planner, at (902) 742-5300 or caroline@kolcommunitydesign.ca

August 13, 2024

Jeff Lawrence
Town Clerk
TOWN OF KENTVILLE



NEIGHBOUR NOTIFICATION

Unfortunately, there was a miscommunication among staff, and despite advising Council that neighbours would be notified of the public meeting, a notice was not sent out. Notifying neighbouring properties is considered a best practice. Town staff did not send a notification as no policy stated this as a requirement.

SIGN ON THE PROPERTY

The proposed development has not yet been communicated through a sign on the property. The staff at the town of Kentville have been working on finding a supplier, developing a consistent design, and ordering a sign for the property. If the application moves forward, a sign will be posted before any public hearing.



SOCIAL MEDIA POSTING

A post about the proposed planning application and the upcoming public meeting was shared on the Town's Facebook page on August 14th. The post was shared 14 times. The recording of the public meeting was posted on August 30th and, as of now, has not received any likes or shares.



Town of Kentville

Aug 14 · 🌐



Two development applications have been submitted to the Town of Kentville for review and consideration. These will follow a tentative schedule for presentations and meetings, prescribed by Town policy and provincial legislation. For more information please visit the Town's website.

<https://kentville.ca/news/14-08-2024/planning-and-development-public-meetings>

Town of Kentville's posts



Town of Kentville

23h · 🌐



If you missed the public participation meeting last night regarding the proposed rezoning application from Bris... See more



youtube.com

August 29 2024 Planning Participation Meeting, Brison Developments



Like



Send



Share

Date	Event	Matter	Place/Time
29 Aug 2024	Public Participation Meeting (PPM)	Brison – MPS/LUB amendment – land designation and rezoning	Kentville Fire Hall 6:00 – 8:00 pm
3 Sep 2024	PPM	COGS – LUB amendment – rezoning R3 to R4	Kentville Fire Hall 6:00 – 8:00 pm
6 Sep 2024	Special CAC Meeting	First Reading Recommendation Brison COGS	Town Hall Council Chambers 4:00-5:00 pm
9 Sep 2024	Special Meeting of Council	First Reading Recommendation from CAC Brison COGS	Town Hall Council Chambers 5:00 – 6:00 pm
9 Sep 2024	CAC Meeting	Regular scheduled CAC Meeting	Town Hall Council Chambers 6:00 pm
25 Sep 24	Public Hearing	Brison	Kentville Fire Hall 6:00 – 8:00 pm
26 Sep 2024	Public Hearing	COGS	Kentville Fire Hall 6:00 – 8:00 pm
1 Oct 2024	Special Meeting of Council	Second Reading Recommendation from Public Hearing Brison COGS	Town Hall Council Chambers 6:00 – 7:00 pm



TOWN WEBSITE

Following Council’s Public Participation Program Policy, the planner’s report on this application was posted on the town’s website, along with information on the tentative schedule, including the date, time, and location of the public meeting.

Planning and Development Public Meetings

Two development applications have been submitted to the Town of Kentville for review and consideration. These will follow this schedule for presentations and meetings, prescribed by Town policy and provincial legislation:

Date	Event	Matter	Place/Time
29 Aug 2024	Public Participation Meeting (PPM)	Brison – MPS/LUB amendment – land designation and rezoning	Kentville Fire Hall 6:00 – 8:00 pm
3 Sep 2024	PPM	COGS – LUB amendment – rezoning R3 to R4	Kentville Fire Hall 6:00 – 8:00 pm
6 Sep 2024	Special CAC Meeting	First Reading Recommendation Brison COGS	Town Hall Council Chambers 4:00-5:00 pm
9 Sep 2024	Special Meeting of Council	First Reading Recommendation from CAC Brison COGS	Town Hall Council Chambers 5:00 – 6:00 pm
9 Sep 2024	CAC Meeting	Regular scheduled CAC Meeting	Town Hall Council Chambers 6:00 pm
25 Sep 24	Public Hearing	Brison	Kentville Fire Hall 6:00 – 8:00 pm
26 Sep 2024	Public Hearing	COGS	Kentville Fire Hall 6:00 – 8:00 pm
1 Oct 2024	Special Meeting of Council	Second Reading Recommendation from Public Hearing Brison COGS	Town Hall Council Chambers 6:00 – 7:00 pm

[To see the planning application documents, please follow this link](#)

Public Participation Meetings (PPM) will be held in accordance with TOK Policy G62. There will be presentations from the developer and TOK Planning. The public is invited to the PPM to learn more about the projects and ask questions. Council is also invited but has no specific role. These meetings are focused on information gathering for Council.

After the PPMs, Council will meet in committee (CAC) to make recommendations to Council for First Reading.

If motion for First Reading is passed, then Public Hearings (PH) will be held on September 25 and 26. Members of council must attend the PH to vote on Second Reading on October 1.

Spotlight

1 Min Read

Planning and Development Public Meetings



PUBLIC MEETING

On August 29th, a public meeting took place at the Town Fire Hall at 6:00 PM. The meeting was well attended, and Brighter Communities presented on behalf of the developer. Many members of Council and crucial town development staff were also present. Thoughtful questions were asked by the public and Council, leading to a respectful debate and providing extensive feedback and thoughts for Council to consider. C + D Community Design took notes to summarize the questions and responses during the meeting, which was also recorded and posted on the Town's website.

An updated presentation and brief on the application were created for the event, providing a less dense version of the information available in the planner's report. These documents have been included in the appendix of this report.

1. If Council refuses this application, can it be appealed to the NSUARB?

No, this is an application to amend the Municipal Planning Strategy, provided Council complies with the processes outlined in the Municipal Government Act. There is no opportunity for appeal.

2. Who pays for the services needed for the proposed development?

Policy MS-20 states that the Developer is responsible for the costs of all services.

11.2.6.3 Financing Responsibilities

Policy MS-20 It shall be the intention of Council to require that the developer/land owner pay the costs of municipal service extensions.

3. Was a traffic study performed? If so, who performed the study? What time of day was the study completed?

A traffic scoping study was completed by a licensed impartial firm hired by the developer, but it is not required at this point in the process.

4. Has construction of the roads already begun? A lot of clearing has been done on the proposed property.

No, construction of the road is not permitted at this stage. There is no policy prohibiting the clearing and preparation of land.,



5. What are the requirements for stormwater management? A recent storm caused areas in the community to wash out. Could the clearing on the subject property have caused this? Can Council require a stormwater management plan and circulate it to the community before approving the application?

If Council approves the application, any part of the development that requires site plan approval or goes through a Development Agreement will need to meet the requirements of the stormwater management plan. Stormwater management plans have advanced and now include both natural and engineered solutions. They may encompass features such as swales, retention ponds, rain gardens, green roofs, and permeable pavement. Many of these natural elements can be mandated through a Development Agreement.

The Town Engineer expressed the opinion that the majority of the stormwater runoff causing damage during the recent storm likely came from the Industrial Park, rather than from the clearing of the subject property.

Through policy IM-2, Council may require a stormwater management plan as part of an application to amend the Municipal Planning Strategy. However, without knowing the final design, this requirement may not serve any purpose.

Policy IM-2 It shall be the intention of Council to require the applicant to submit sufficient information and argument in support of any proposed Municipal Planning Strategy amendment.

6. How much industrial land do we have? What percentage of the total industrial designation does the proposed land represent?

The Industrial designation represents 12.3% of the land within the Town, the subject property represents a significant portion of this.



7. This is a large tract of land. Has an environmental assessment been done on the property?

As this property contains a water channel and wetland areas, it would need to go through the Department of Environment. Their department would decide if and what remediation efforts may be necessary.

The requirement of a stormwater management plan for the final design will be crucial to its approval by the Town's development team.

The property falls within the Town's wellfield protection area. For this reason, Town staff have found it only suitable for light industrial purposes.

8. How will Council decide on Industrial vs. Residential designation?

This is a complicated question and part of the process. Ultimately, this is unprecedented territory. Council has been provided with a review of similar towns and the amount of industrial land they have designated, as well as an explanation of the benefits of Industrial land to a community. They have also received provincial data on the housing crisis and the province's clear desire to support municipalities in creating planning policies that support diverse housing.

The final decision will be made by Council, using the data received from their staff and the concerns heard from constituents.

9. What is the difference between a Site Plan and a Development Agreement? What are the proposed policies related to the proposed development that would use these tools?

Site Plan Approval is a process carried out by the Town's Development Officer, who uses criteria set by Council to approve a site plan. Once a site plan is approved, the neighbours are notified and given the opportunity to appeal. If a plan is appealed, Council may make any decision within the power of the Development Officer.

A Development Agreement is a contract between the Town and the Developer registered on the property. It acts as a mini land use by-law that only applies to the specific property. A Development Agreement must undergo a public hearing and be approved by the Council. It can include various options and controls.



10. Does the Town's sewer system have capacity for a development of this scale?

The town engineer has stated that the system is currently being upgraded. Residential usage involves relatively low flow and tight systems. Presently, the town is only utilizing half of its capacity.

Please get in touch with the town engineer with any further questions.

11. A public member stated that run-off load requirements for light industrial uses to limit the flow into Town services are always possible. The option of partnering with adjacent municipalities to consider shared industrial parks and lands is also available.

This citizen's statements are correct. Industrial parks do not need to have a higher flow than a residential development. Council can adopt its own stormwater management policies, site plan criteria, and development agreement requirements. Here's an example of a good planning policy that manages stormwater. This policy is enabled through site plan criteria and applies to industrial development. Natural and engineered stormwater requirements may also be included as part of a development agreement.

Stormwater Management

Where stormwater management plans are required, they shall be subject to the following requirements:

(a) stormwater management plans shall be prepared and stamped by a qualified Professional Engineer or a qualified professional Landscape Architect, licensed to practice in Nova Scotia;

(b) stormwater management plans shall include a site plan; and

(c) stormwater management plans shall include design calculations that confirm the design, at a minimum, meets the following criteria:

retains on-site stormwater runoff generated from the first 10 mm depth of a rainfall event; and

balances stormwater runoff generated after the first 10 mm of a rainfall event to ensure matching of the pre- and post-development stormwater runoff conditions.



12. How much industrial development has the Town seen in previous years?

The town staff is currently collecting permit data to track the number and types of industrial uses that have been permitted in recent years. They also want to gather accounting data on the tax revenue generated from industrial-designated PID numbers. However, comparing the tax revenue potential from large-scale housing developments with the potential from light industrial developments is challenging without knowing the scale and size of a development that has not yet been proposed.

13. A member of the public suggested a literature review of past planning documents to understand why the area was designated industrial and why previous decisions had been made.

Staff have had trouble accessing historical data due to turnover. However, the rationale for the industrial cluster designation is clearly outlined in the MPS. Furthermore, planning is forward-looking and typically considers recent census data, new context, and the current Council's goals and visions.

Council's Industrial Objectives:

- 1. To promote the Annapolis Valley Regional Industrial Park, as the regions prime location for new industrial uses by developing collaboration networks between municipal units, non-governmental organizations, businesses and citizen groups;*
- 2. To encourage development of industrial areas by ensuring that adequate infrastructure exists for potential industrial development. The Town may enter into agreements with developers in order to provide such infrastructure;*
- 3. To facilitate industrial development within the town to diversify our economy and ensure that the employment requirements of Town residents are satisfied within the Town; and*
- 4. To set aside future industrial lands to satisfy the anticipated industrial requirements for the future.*



14. A public member commented that the proposed housing is not "affordable". She shared information about the planning committee's support for the Industrial Designation in this area of the Town. She mentioned that she works with seniors, the target demographic for the development, and expressed concerns that the proposed housing would only be affordable for some. She emphasized that addressing the housing crisis is not the sole responsibility of the Town and Council. Additionally, she was worried about the potential loss of industrial land, which was chosen for its location and separation from residential areas. Once the land is re-designated, it would be very challenging to reclaim.

15. Which Council will be making the final decision on this application?

If the application proceeds as scheduled, a decision will be made on it by October 1st under the new Council.

16. A member of the public stated her opinion that industrial land was very important because it offered jobs and opportunities for the community's younger generation. The person believed that housing for seniors would not contribute as much to the local economy.

17. A member of the public asked if Council had the ability to rezone only phase 1 to residential and maintain the remainder as Industrial.

The developer did not include this in the original application, but it could be a possibility. While having a residential front on Park Street and land-locked industrial land may not be an ideal solution, it would preserve the land for industrial purposes.



18. If the application is approved and the designation goes to Residential is it possible to change the designation back to industrial to allow for industrial or commercial uses if proposed?

Ultimately, yes. An applicant could apply for a Municipal Planning Strategy amendment to change the land back. However, typically because Municipal Planning Strategies are intended to be future plans of the Council, if a decision was recently made, it is unprecedented for the same Council to change it back.

The proposed amendment includes a list of local commercial uses that would be permitted within the High-Density R4 zone.

5.5.2 Permitted Uses with Conditions

The following uses shall be permitted in the High Density Residential (R4) Zone Subject to the following requirements of this By-Law:

Home Based Businesses, in accordance with Section 5.1.2 and 5.1.3 of this By-Law

Bed and Breakfast, in accordance with Section 5.1.4 of this By-Law

Inns, in accordance with Section 5.1.5 of this By-Law

Accessory Neighbourhood Commercial Uses with Section 5.1.8 of this By-Law

Local commercial uses shall include the following and be approved as part of the site plan approval process, in accordance with 5.1.12.

Animal Hospital

Automobile Service Station

Bakery

Catering Establishment

Club (Commercial or Private)

Convenience Store

Commercial schools & recreation

Craft Products

Day-Care & Nursery Schools

Dog Grooming

Dry Cleaning

Garden Centres

Golf Courses and Driving Ranges

Small Scale Grocery Stores (Under 3,000 square feet)

Medical Clinics

Restaurant

Small Scale Retail Space (Under 3,000 square feet)



19. A member of the public stated that this was a quick timeline for a decision and recommended slowing down and considering the full implications of the application.

The application was received back in January. The town staff has been working with the developer for nine months. The final report includes extensive data to support the council's decision-making process, which was prepared and ready for the advisory committee well in advance of their June 2024 meeting. As this has been a lengthy process, it is hoped that the decision can be made by the existing council, which has taken part in the information collection and public engagement.

20. A community member suggested that Council originally designated the land as industrial to create employment opportunities. Is it possible to amend and expand the industrial designation boundaries?

A change to the Industrial Designation boundaries would require an amendment to the Municipal Planning Strategy. This process may be lengthy but is possible. Any adjustment to the boundaries of the Industrial Designated Area would depend on land availability and the willingness of property owners.



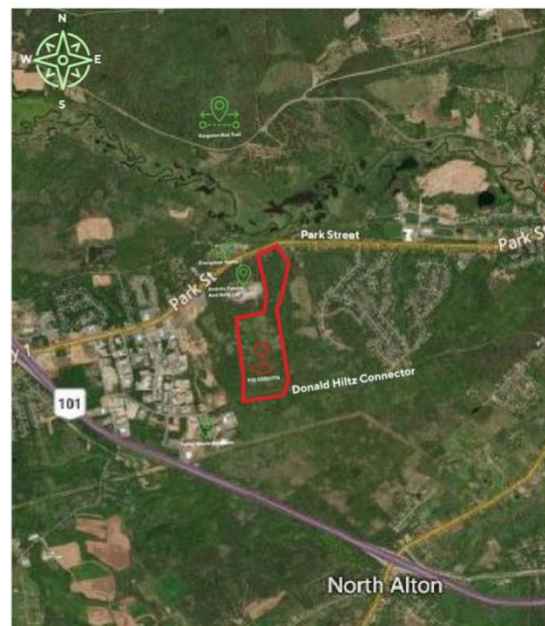
APPENDIX

PRESENTATION



PID 55551774

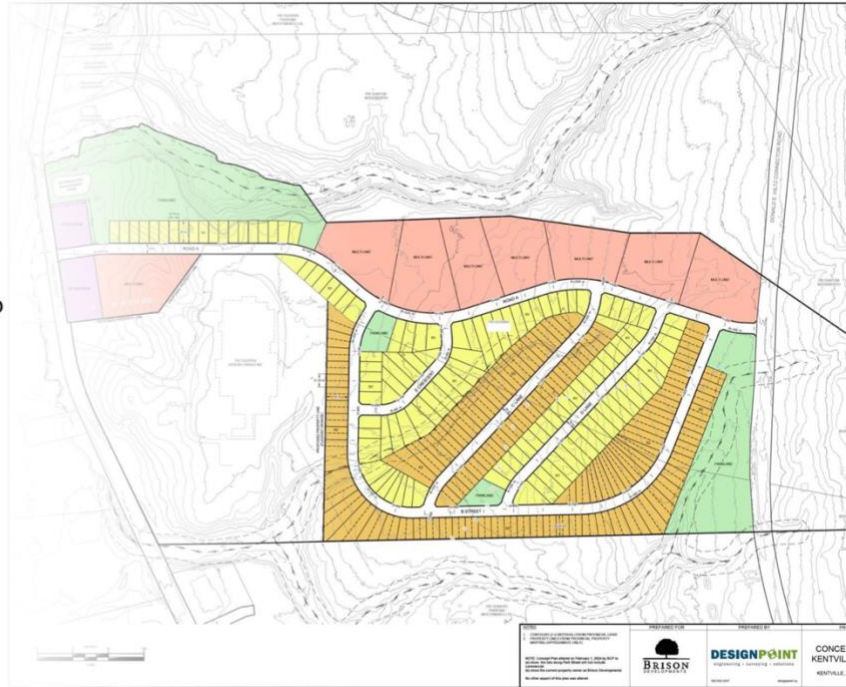
- Large Industrial property off Park Street
- Currently designated and zoned Industrial
- Residential property to the East side
- Part of a cluster of land reserved by Council for Industrial representing 12.3% of land in Town





PROPOSAL

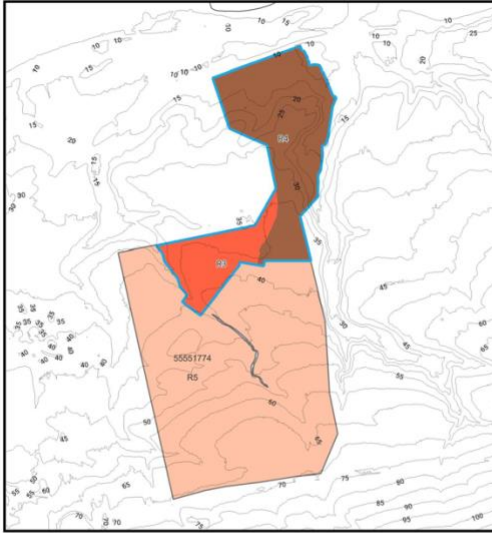
- Two-phase development
- High-density residential
- Designed and targeted to seniors
- The final design will be market-driven
- The plan includes amenities, open spaces, and well-planned community



Request

1. Change the Future Designation from Industrial to Residential
 - Phase 1 to be R3 & R4 Zoning
2. Allow for initial submission flexibility, with full compliance during the permit phase
3. Two Phased Development





PROPOSED ZONING - PID 55551774

— Contours Land Use Zone
 □ Phase 1

R3
R4
R5



Community Impact

If approved:

- An extensive new housing development would be permitted to be considered for construction
- Must go through Site Plan or Development Agreement
- Final Design must include amenity space, retention of existing vegetation and appropriate signage and parking
- Will be evaluated for compatibility with existing residential neighbourhood

5.1.12 Site Plan Criteria for Residential

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;

the location of off-street parking and loading facilities are located and designed as to minimize any adverse impact on the surrounding neighbourhood;

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;

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;

the existing vegetation, where possible and deemed practical, be retained so as to lesson or reduce any adverse impact on abutting properties or the surrounding neighbourhood;

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;

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;

the location of facilities for the storage of solid waste provides for a maximum separation for residential development, public areas, and adjacent properties;

the location of existing easements shall be identified;

the management of storm and surface water is addressed, and associated plans are approved by the Town Engineer;

the type, location, number and size of signs or sign structures do not negatively alter the appearance of the neighbourhood; and

the above listed items are maintained in a manner suitable and complementary to the surrounding neighbourhood.

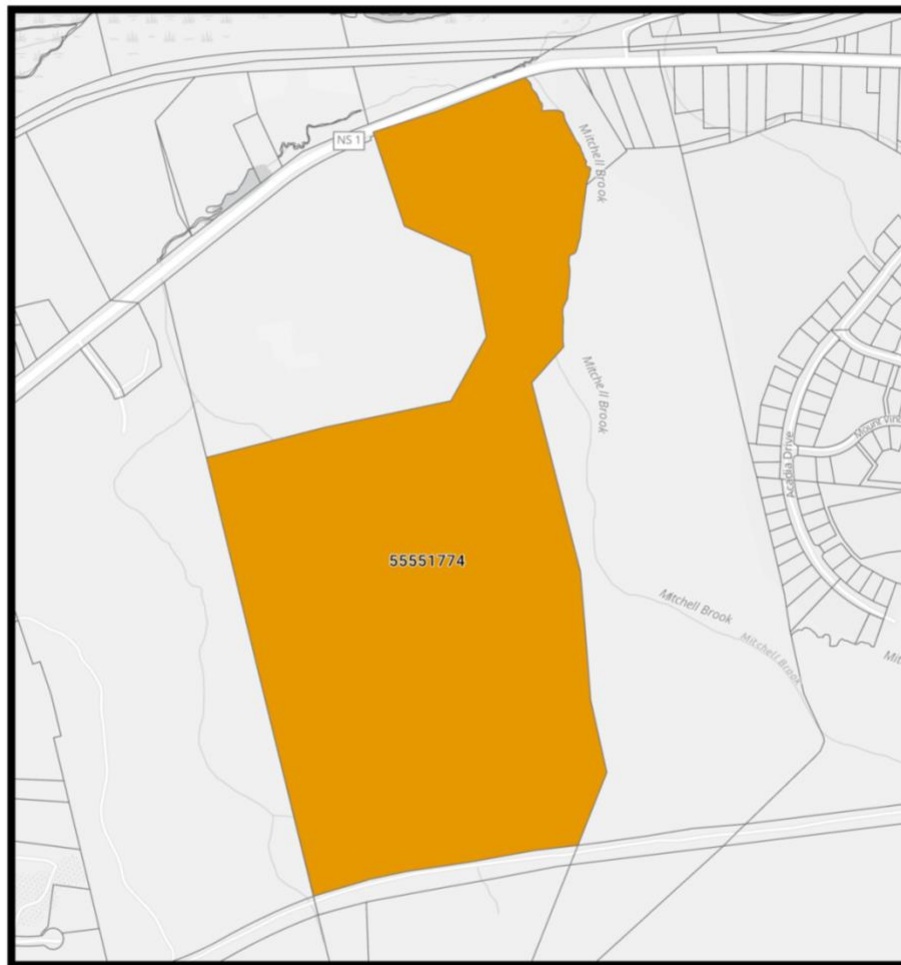





PUBLIC BRIEF

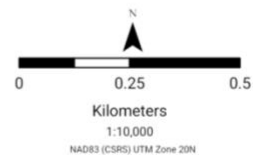


PROPOSED RESIDENTIAL DEVELOPMENT



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 lesson 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.)"

Kentville Crossing -Town of Kentville

PID 55551774

Brison Developments

Kentville, NS

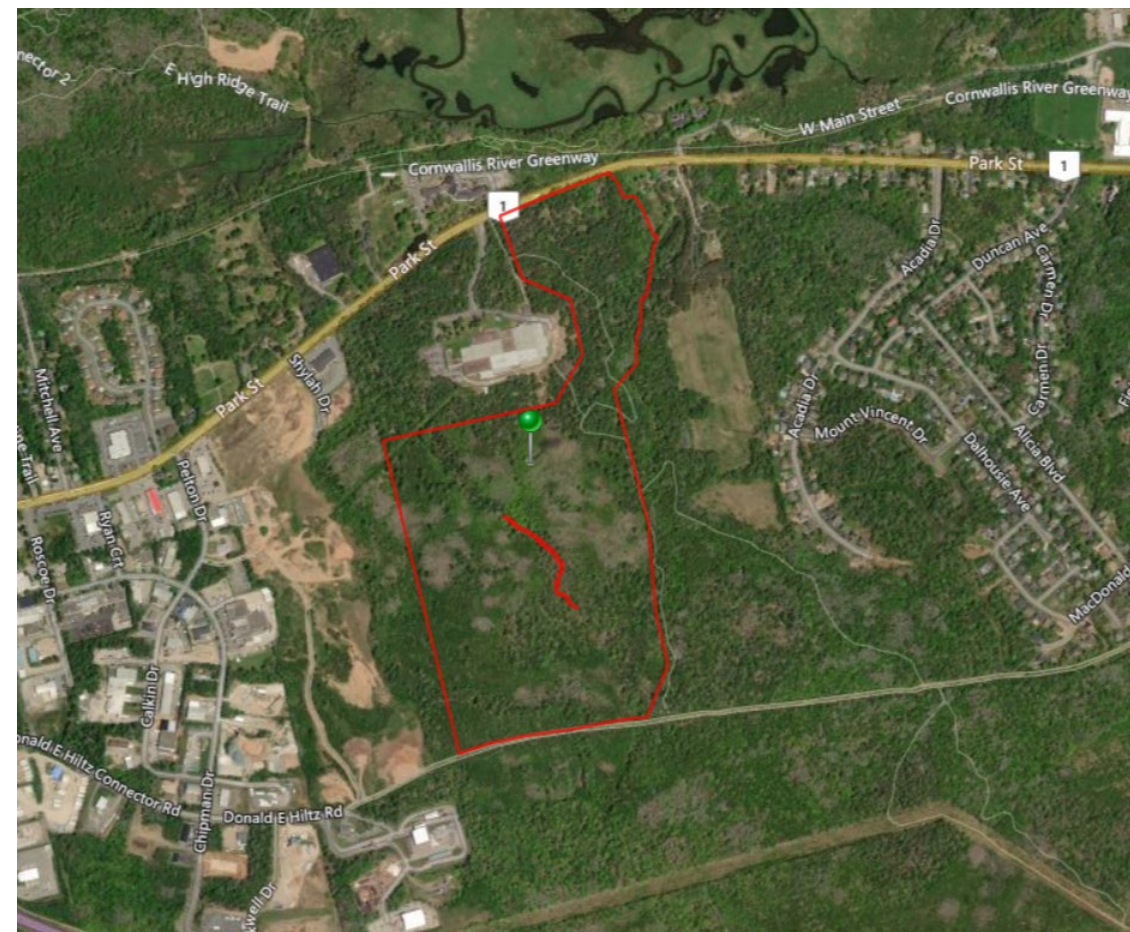
Public Participation Meeting

August 29th, 2024



Project Overview

- **Kentville Crossing:** a senior community on 47 hectares of land.
- **Target Market:** empty nester and seniors.
- **Goal:** Provide home options to seniors and meet their diverse housing needs





Site Description

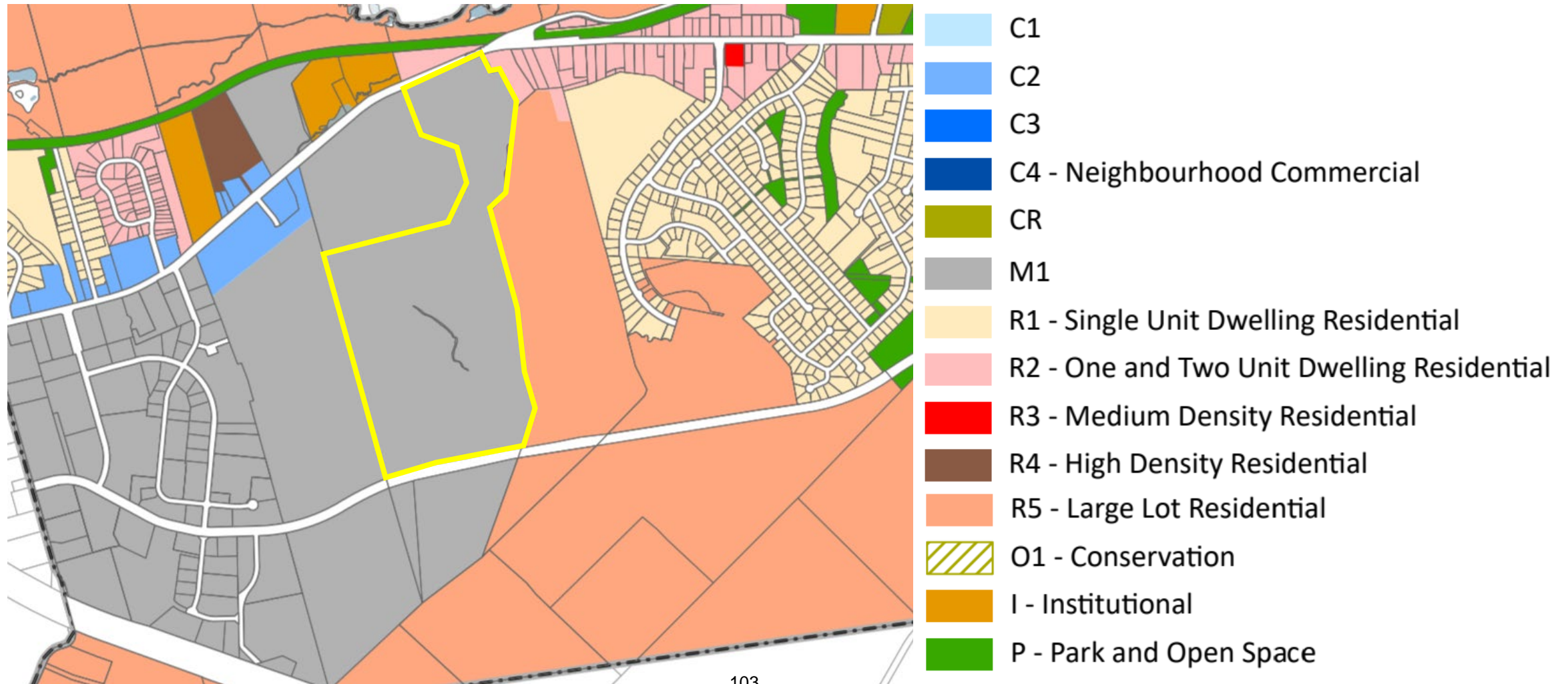
PID	55551774
Lot Area	47 hectares / 116 acres
Owner	BRISON DEVELOPMENTS LIMITED
Designation	Industrial
Zone	M1 - Industrial
Sewer & Water	Can be connected to municipal services.
Surrounding	Residential buildings & subdivisions, business park, and a manufacturing plant



Kentville Crossing



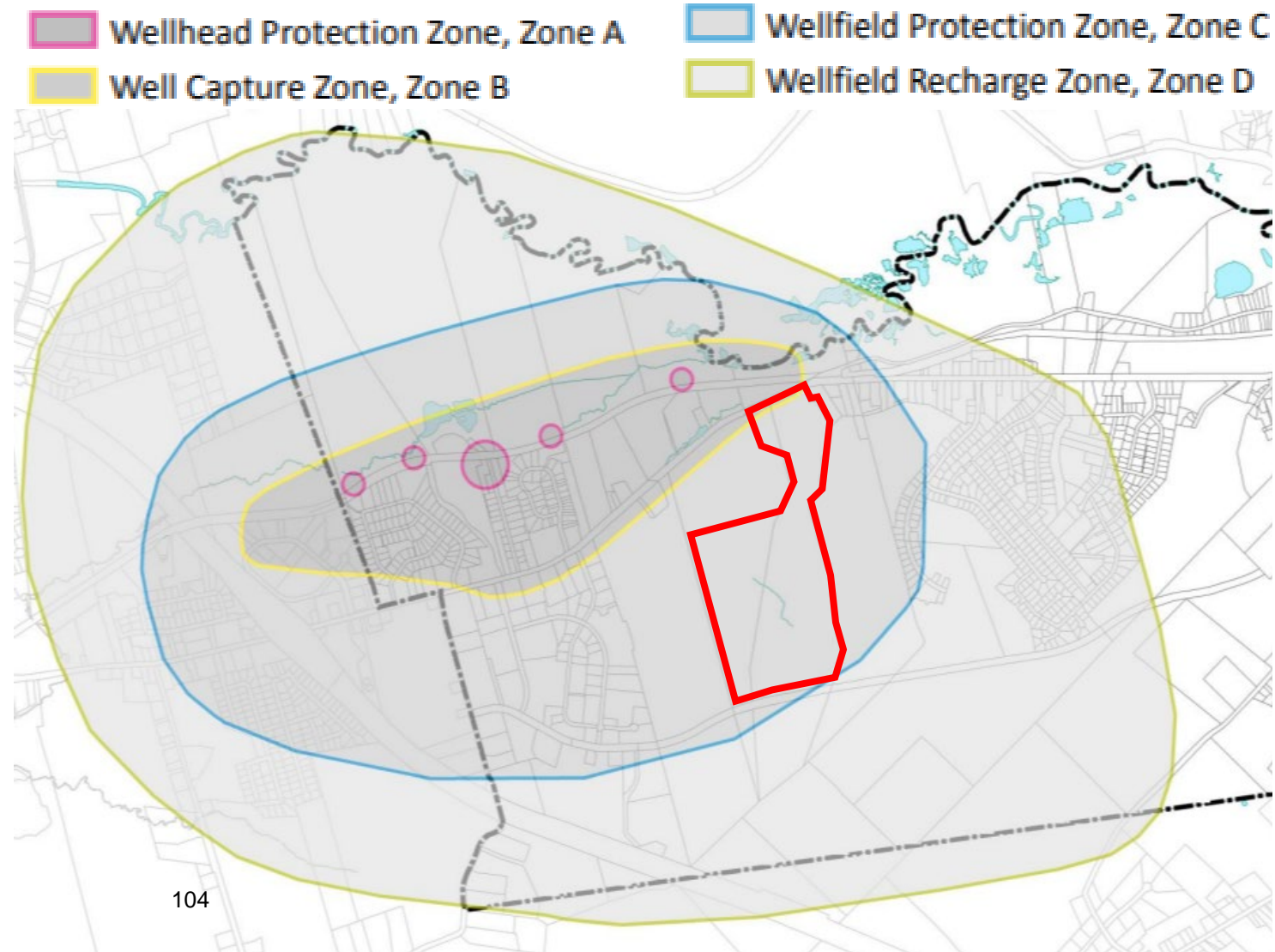
Site Description



Site Description

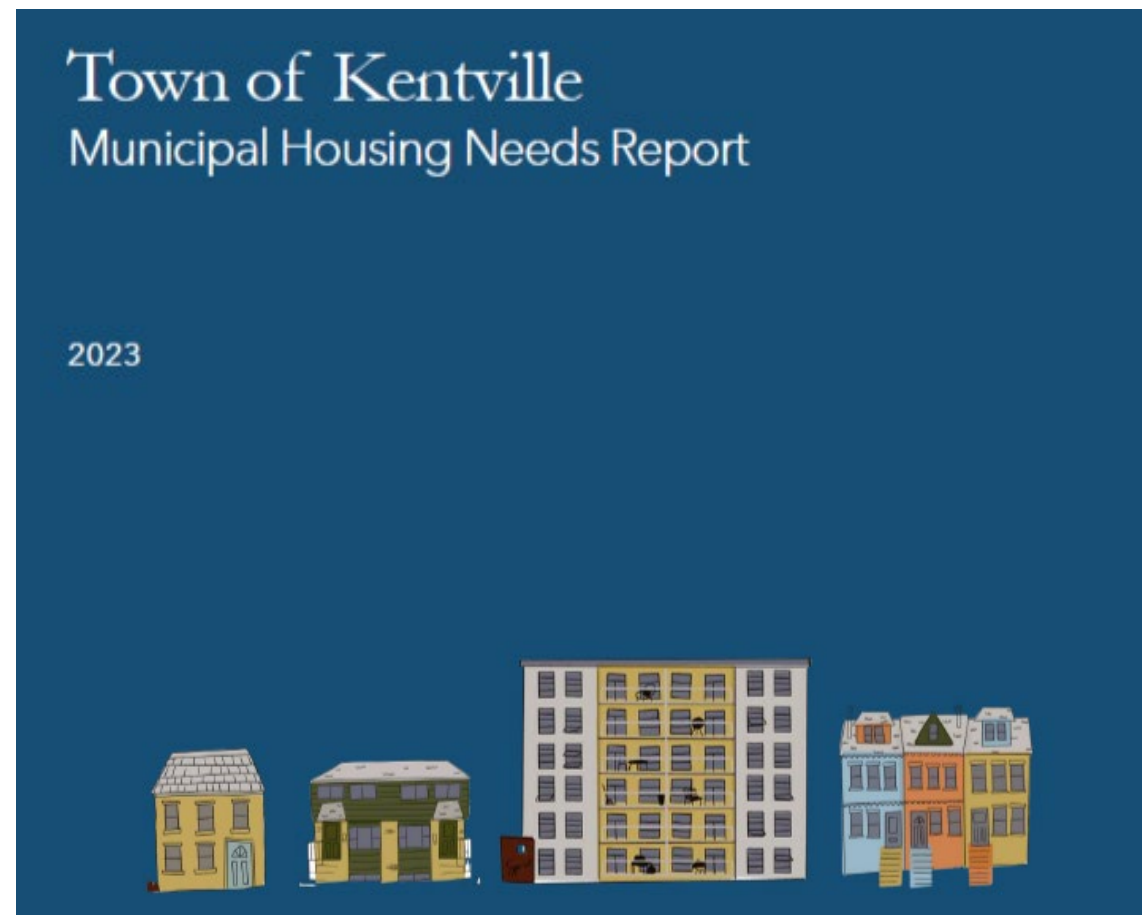
• Industrial Land:

- All industrial lands are within the Wellfield Protection Zones.
- Permitted industrial uses here are limited.
- Non-industrial uses, less risk to the water sources.



Kentville's Housing Need

- By 2027, the municipality will need 385 new units.
- Census 2021 indicates high growth of retiree population.
 - By 2027, nearly half of the anticipated population growth would be seniors above 65.
- High demand for home options suitable for senior population.



Development Vision

- Create a retirement community:
 - Quiet and rich of natural sceneries.
 - Diverse housing options and community amenities.
 - Convenient access to town centre of services.
- Comparable development: The Crossing in Windsor, NS





Development Vision

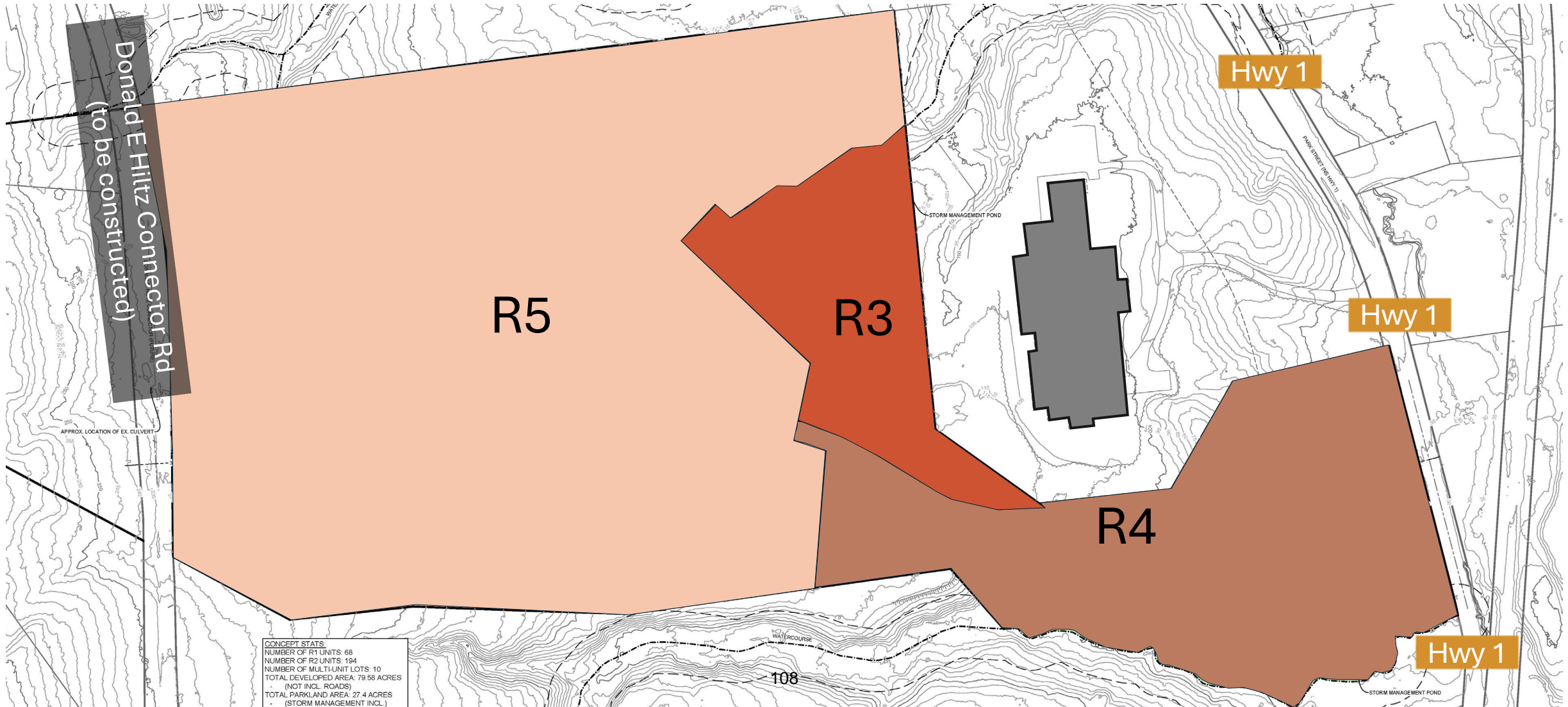
- Diverse Housing Options
 - Detached & Semi-detached Homes
 - Mini Homes
 - Multi-storey Apartment Suites
- Different Unit Sizes
 - 1-, 2- & 3-Bedroom Units
 - For Sale and Rental



Kentville Crossing



brighter
community
PLANNING & CONSULTING



The Crossing - Community Vision

Garlands Crossing, Nova Scotia

Legend

- Crossing Community Border
- WH-Windsor Border

Trails

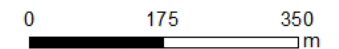
- Existing
- Proposed

Parks

- Existing
- Proposed

Land

- Approved Apartments
- Proposed Apartments
- Existing Low-Density Lots
- Proposed Low-Density Lots
- Proposed Community Centre



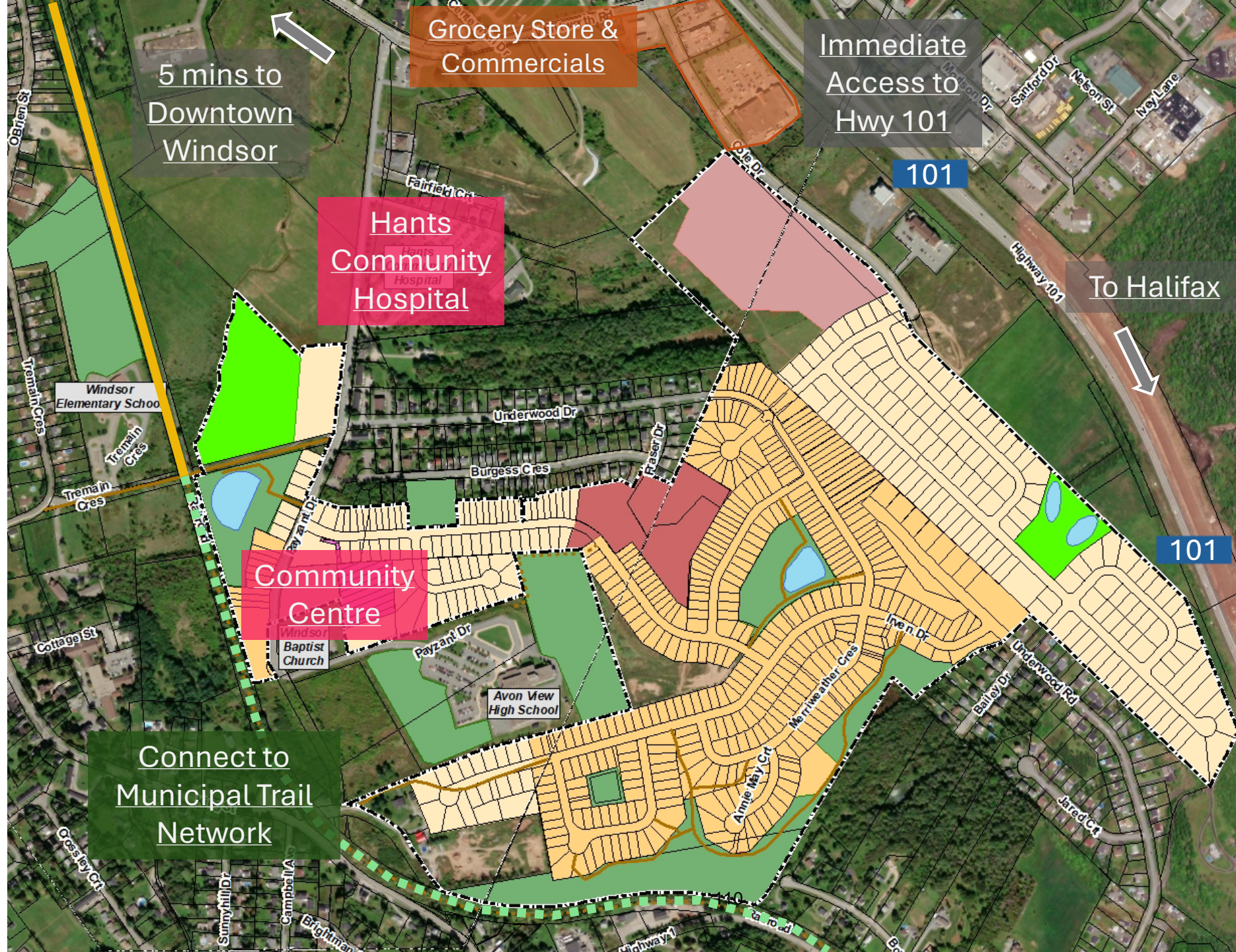
1 cm = 65 meters

Date: 2023-05-17

Drawn By: B. Croll

Version 2.1 Final

Sources: West Hants Open Data, GeoNOVA Open Data



5 mins to Downtown Windsor

Grocery Store & Commercials

Immediate Access to Hwy 101

Hants Community Hospital

To Halifax

Windsor Elementary School

Community Centre

Windsor Baptist Church

Avon View High School

Connect to Municipal Trail Network

101

101

Highway 1

The Crossing



The Crossing





For any questions, please contact:

Chrystal Fuller, LPP, RPP, MCIP

Brighter Community Planning & Consulting

chrystal@brighterplanning.ca

902-790-0664 (Text or phone)





PID 55266134 Rezoning Application

Application to Rezone from R3 to R4

PID #55266134

Applicant: Travis Mills, Cogs Development

Date: June 22, 2024

Prepared by: Elora Wilkinson

Presented to the Council Advisory Committee



C+D community design

REPORT OVERVIEW

Request	The applicant has requested to rezone PID 55266134 from its current zoning of Medium Density Residential (R3) to High Density Residential (R4) to permit the development of anywhere between 30 to 60 units on the property.
Description	<p>In early April 2024 the applicant approached the Municipality with a rezoning inquiry. Initially the vision for the rezoning was not articulated, but with further work the applicant has refined their vision to one of two development options.</p> <p>Option 1 is to build a large, three-story walk-up building with 50-60 smaller units of 1 and 2 bedrooms, targeting the nearby student population.</p> <p>Option 2 is to build 30-40 tiny homes for the same lot. These would be individual separate homes, but all be placed on the same lot for rental purposes, also known as cluster development.</p> <p>Both proposed developments are suitable based on Council's vision for Residential Development in the Town of Kentville. The lot is large enough to allow for a re-zoning of R4.</p>
Recommendation	To support housing options in the area, it is recommended that the Council Advisory Committee recommend to Council the approval of the application to rezone the subject property at PID 55266134 from Medium Density Residential(R3) to High Density Residential (R4) zoning.
Relevant Policies and Legislation	Public Participation Program Policy - Statement G62 Municipal Planning Strategy Land Use By-Law
Follow Up Action	<p>An amendment to a Planning Document, in this case the Land Use By-Law, <u>does require</u> the Council Advisory Committee to perform a Public Participation Program.</p> <p>This Application Requires the Following Steps:</p> <ol style="list-style-type: none"> 1. Review of Report (CAC) <i>to consider rezoning</i> 2. <i>Public Participation Meeting (CAC)</i> 3. 1st Reading (Council) 4. Public Hearing (Council) 5. 2nd Reading (Council)

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Figure 4 Subject Property Context Map 15

Figure 5 Subject Property Proximity to Community Services..... 17

Figure 6 Subject Property Road Network 18

Figure 7 Subject Property Watercourses, Elevation and Geology 19

Figure 8 Subject Property Proximity to Commercial 21

Figure 9 Current Zoning 36

Figure 10 Proposed Zoning 37

Figure 11 Proposed Site Plan 38

Application

The applicant has applied to rezone PID 55266134 from its current Medium Density Residential (R3) zoning to the High Density Residential (R4) zoning. The applicant has worked with the Town's planning team to consider two development scenarios of more than the maximum of eight dwelling units permitted under the R3 zone.

However, based on current market demand and the development's target tenants, it was agreed that a single three-story walk-up building with 50-60 units placed at the front of the lot would be most appropriate. That being said, with a rezoning to R4, the applicant will have the option to carry out either of the considered developments.

The Proposal

The property in question is currently Medium Density Residential (R3) zoned and abuts additional R3 properties to the north of the lot. In contrast, low-density development abuts the lot to the West and South in the form of single-unit dwelling (R1) and One- & Two-Unit Dwelling (R2) zoning. The property fronts a Minor Collector Road, Mee Road, and is near schools and recreational services. Moreover, it enjoys a higher elevation than Oakdene Park and is significant in its size: The property is approximately 88,609 sqft with a frontage of 125 ft.

The applicant requests rezoning their property from Medium-Density Residential (R3) to high-density Residential (R4) to allow for a large L-shaped building with approximately 30000 sq ft of space. This building would consist of 50-60 smaller units with 1 and 2 bedrooms, specifically targeting the student population in the area. The building would be a three-story walk-up style with a lift and surface parking behind it.

The applicant has also considered building 30-40 tiny homes on the same lot as an alternative development option. These would be individual separate homes, but all be placed on the same lot for rental purposes, also known as cluster development.

It's important to note that the high-density (R4) zoning would allow either of these options to proceed. However, the applicant favours the larger single building due to market demand and the intended tenancy: students.

Both options would likely require accessory buildings to service the development; these include storage and service buildings. Currently, only two accessory buildings are permitted per lot, and they must comply with the zone's set height and size requirements, which can be found in [policy 4.1.1 Accessory Buildings and Structures](#) in the Land Use By-Law.

In addition, [policy 4.1.3 Amenity Space](#) in the Land Use By-Law requires that multi-unit developments containing four or more dwelling units shall provide on-site amenity space for residents amenity space currently is considered communal outdoor space that is useable "cleared, levelled and grassed" although useable amenity space may also take the forms of trails, meditation gardens, basketball courts, pools, playgrounds, natural play spaces, gardens, balconies, decks, shared cooking spaces, etc. It is recommended that if the developer has a

creative idea for shared resident space it be considered part of the amenity requirements as there are so many options besides “cleared grass space” that could benefit the community. Currently, amenity space is required to be in the rear or backyard.

Both potential development scenarios involve far more dwelling units than the maximum of eight permitted under the current Medium Density R3 zoning.

Policy Analysis

Municipal Planning Strategy

As the property falls under the Residential designation today, it can be considered for rezoning from R3 to R4. While the Municipal Planning Strategy does not provide detailed guidance on when to consider this rezoning, there is sufficient language in the policy document providing guidance on future multi-residential development, including the following preamble, recognizing the need for more multi-unit residential development: *For many years, residential development within the Town has primarily consisted of traditional Single-Family Dwellings. However, over the last few years, there has been a significant shift away from this demand for traditional single-family homes to semi-detached dwellings, townhouses, and apartments.*

Additionally, the MPS reiterates the desire to use existing infrastructure efficiently and provide diverse housing types to increase overall affordability and meet the needs of all Nova Scotians ([see 1.3 Statements of Provincial Interest #4 and #5](#)).

The current zoning on this lot follows the logic of the *Medium Density Residential (R3) Zone, which is intended to provide a transition between lower and higher residential density development. It will be applied to existing medium-density residential units, up to a maximum of eight dwelling units, as well as to vacant serviced lands where the Council wished to encourage residential infill, up to a maximum of eight dwelling units as of right.*

As this lot abuts single-family development to the west and south of the property (shown in Figure 1, Subject Property & Surrounding Zoning), the intention to transition from low to medium development is clear. However, considering Nova Scotia’s significant population growth, a case can be made for higher-density development in this location.

Given the significant size of this parcel, there is sufficient space to design appropriate transitions and buffers into the building design and the placement of the building on the lot. The significant lot size also ensures [Policy RS-21](#) can be met:

Policy RS-21 Council intends to require that any new multiple-unit residential development include provisions for recreation and amenity space. The Land Use By-law shall allow for the provision of such space either externally or internally to the building, and such space may consist of common or individual unit space.

Additionally, due to its size, this lot meets all the Land Use By-law requirements for an High Density (R4) property.

As outlined in [Policy IM-8](#) there are several considerations when reviewing a rezoning application for appropriateness. Key to these considerations is the compatibility of the proposed land uses and built form (height, scale, density) to the abutting uses. As this request is considering residential-to-residential land use, there are no concerns in that regard, but built-form transitions must be carefully considered.

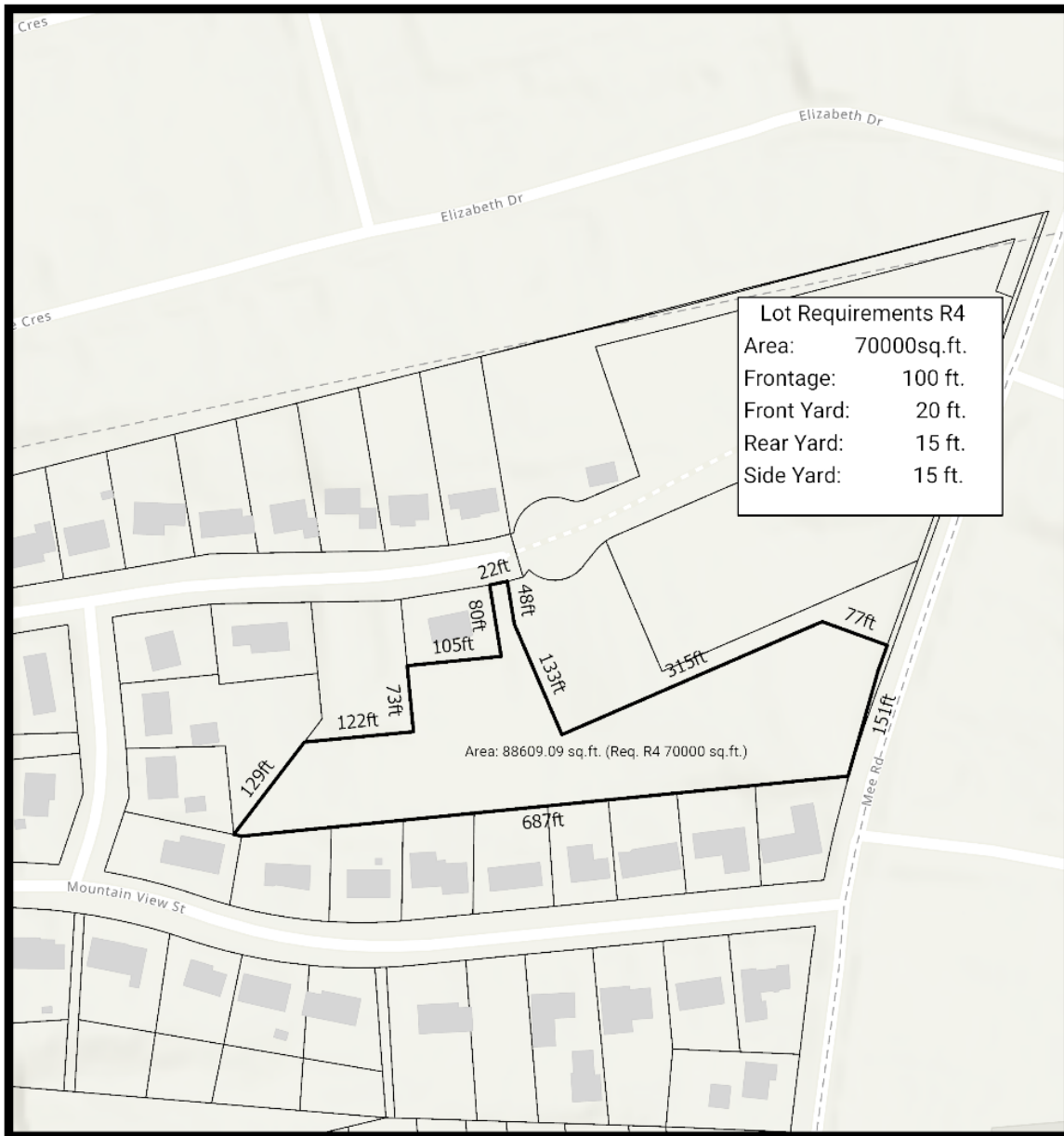
Regarding built form and density, the two options proposed offer differing levels of compatibility. Option 1, as a three-story walk-up, will be one to two storeys taller than the abutting low-rise development to the south and west and will take a differing form as an apartment building. However, this transition may be appropriate considering the medium-density residential to the north.

Option 2, with approximately 30 individual tiny homes, would match the existing low-rise development to the south and west while still offering an increased overall density. However, this built form will not offer significant built-form transitions to the medium-density to the north.

Additional relevant policies from the Municipal Planning Strategy for this application are listed in [additional materials](#).

Land Use By-Law

The parcel in consideration can meet all the requirements of the R4 zoning, as outlined in the proposed zoning map R4 below.



Proposed Zoning Map R4 (High Density Residential)
PID: 55266134

Structures
 PID55266134

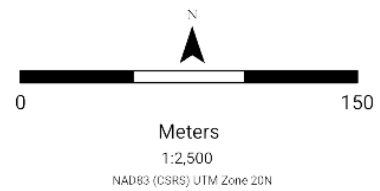


Figure 2 Subject Property Proposed R4 Lot Requirements

In addition, the Land Use By-Law under the High-Density Residential R4) Zone has [policy 5.5.4 On-Site Amenity Space](#) for developing multiple unit buildings containing four or more dwelling units following [section 4.1.3](#).

There are also [5.5.6 Landscaping Requirements](#) where parking abuts a lower-density Residential Zone, in which a landscape buffer of at least 8 feet wide shall be provided. This requirement may be reduced by 50% should the developer decide to use a 6ft opaque wooden fence or an earth berm with a minimum of 6ft about the grade at its crest to create a buffer instead.

Finally, [policy 5.5.7 Refuse Storage](#) requires that all outdoor refuse storage and bins be screened by a 6 ft high opaque fence or otherwise be closed by a structure so as not to be visible from the street or adjacent property.

Additional relevant policies from the Land Use By-Law for this application are listed in [additional materials](#).

Recommendation

In alignment with [policies IM-7 and IM-8](#), it is recommended that the Council Advisory Committee recommend to Council that they consider approving the rezoning of PID 55266134 from Medium Density Residential (R-3) to High-Density Residential (R-4) following the necessary public participation requirements.

Public Participation Program

The Town of Kentville requires that the Council Advisory Committee oversee a public participation program whenever the town considers amending any of its planning documents.

For this proposal, it is recommended that the Council Advisory perform the requirements of the public participation program.

The following are recommended for the public engagement program:

1. Sign on Property Advertising Proposed Changes
2. Newspaper Advertisement
3. Post on the Municipality's Facebook Page
4. A public meeting held at the Council Advisory Committee
5. Notification of Adjacent Property Owners

Additional Materials

Municipal Planning Strategy Policies

4.2.7 One Main Building on a Lot

The general intent of the Municipal Planning Strategy is to limit one main building on a lot with accessory buildings and structures. In certain instances, however, more than one main building may be necessary to accommodate certain types of development. For example, industrial uses may require several main buildings; or multiple residential buildings within a high density residential development.

Policy GD-9 It shall be the intention of Council to allow more than one main building on a lot for the following zones: a) General Commercial (C1); b) Highway Commercial (C2); c) Industrial (M1); d) Medium Density Residential Dwelling (R3); and e) High Density Residential Dwelling (R4)

5.2.2.3 Medium Density Residential (R3) Zone

The Medium Density Residential (R3) Zone is intended to provide a transition between lower and higher residential density development. It will be applied to existing medium density residential units up to a maximum of six dwelling units as well as to vacant serviced lands where Council wished to encourage residential infill, up to a maximum of six dwelling unit's as-of-right. Most of the medium density dwelling units are found adjacent to the downtown, including West Main Street and Main Street, where single family units have been converted over the years. Many of these buildings are considered a legacy of our past and one we must endeavor to preserve. Converted dwellings will be subject to special requirements designed to preserve the appearance of the single unit detached dwelling and minimize the impact on the surrounding properties.

5.2.2.4 High Density Residential (R4) Zone

For new residential developments, mixed density and form is encouraged in the High Density Residential (R4) Zone to provide a range of housing choice, maximize infrastructure and land and support the provision of public transport. Mixed density residential development supports Nova Scotia's Housing Strategy which believes mixed residential densities foster healthy, vibrant and diverse communities by supporting a mix of income levels, housing types and tenure. Higher density land use can help solve many environmental, social and aesthetic problems of sprawl, and promote walkability, connectivity, mixed uses, and mixed housing that promote energy-efficient land use.

Policy RS-21 It shall be the intention of Council to require that any new multiple unit residential development include provisions for recreation and amenity space. The Land Use By-

law shall allow for the provision of such space either externally or internally to the building, and that such space may consist of common or individual unit space.

Policy P-9 It shall be the intention of Council to require that any new multi-unit residential development include provisions for recreation and amenity space. The Land Use By-law shall allow for the provision of such space either externally or internally to the building, and that such space may consist of common or individual unit space.

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.

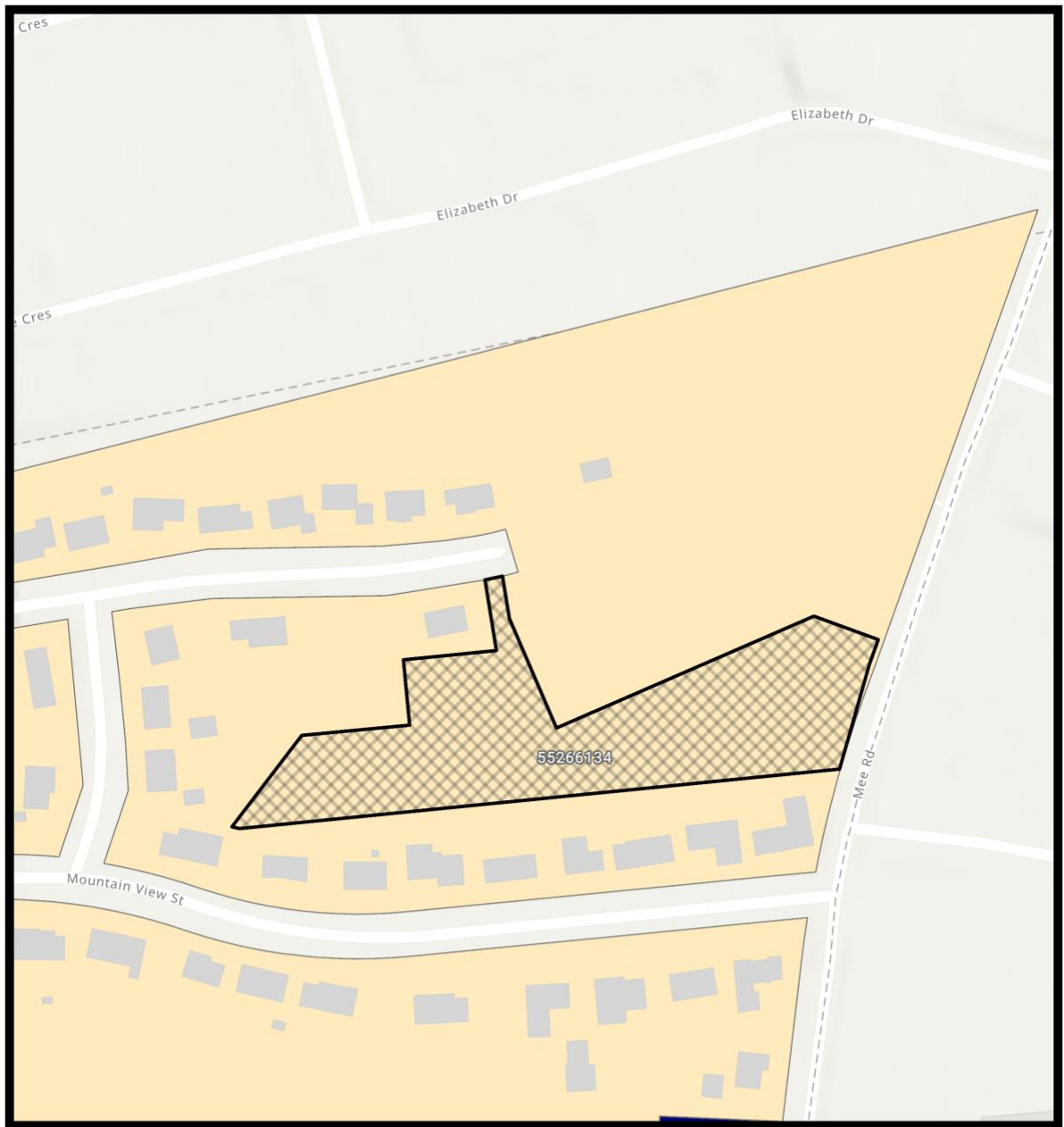
Policy IM-7 It shall be the intention of Council to require the submission of a detailed proposal as part of any rezoning application or amendment application that affects a specific property or properties. Where such a proposal involves dimensional or aesthetic issues, it shall include both a written 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.

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;

Yes, the property is designated for residential use and as such is eligible for all residential zoning options. In accordance with the Municipal Planning Strategy, higher-density zoning has been concentrated, transitioning from single-family homes to high-density development. The Council aims to consider more diverse housing types and prioritize infill development that uses existing municipal services.



GFLU - PID: 55266134
R3 (Medium Density Residential) to CR (Commercial Recreation)

-  PID 55266134
-  GFLU
-  FLU_Zone
-  Commercial Recreation

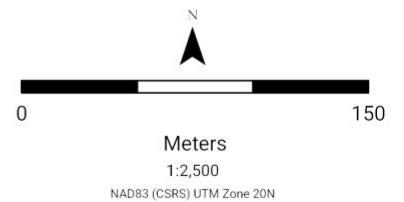


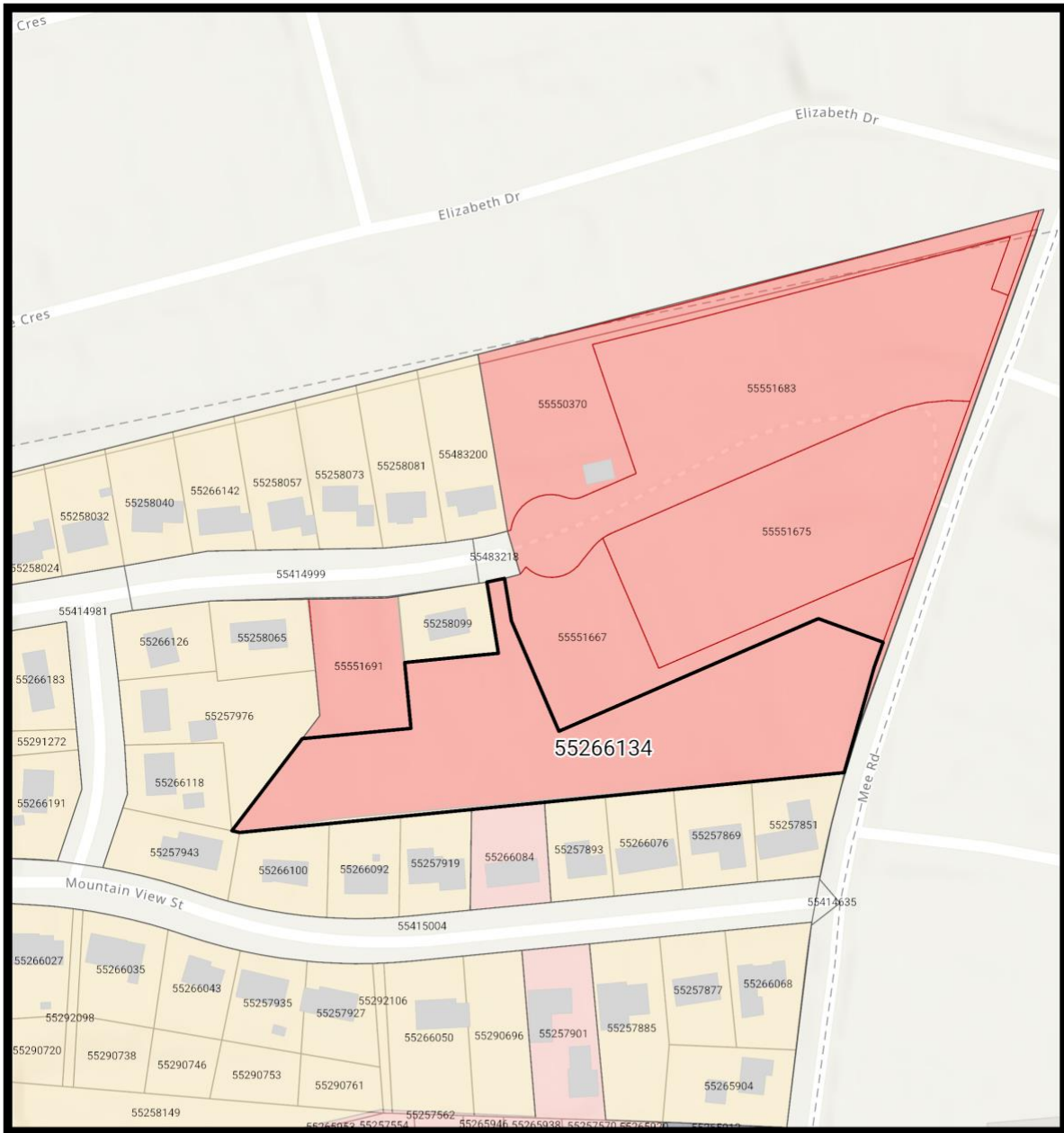
Figure 3 Subject Property Generalized Future Land Use Map

- b) compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, and bulk;

The property is part of a cluster of Medium-Density R3 Zoning, with lower-density residential zoning to the South and West.

Option 1, as a three-story walk-up, will be one to two storeys taller than the abutting low-rise development to the south and west and will take a differing form as an apartment building. However, this transition may be appropriate considering the medium-density residential to the north.

Option 2, with approximately 30 individual tiny homes, would match the existing low-rise development to the south and west while still offering an increased overall density. However, this built form will not offer significant built-form transitions to the medium-density to the north.



PID: 55266134 & Surrounding Properties

Zoning

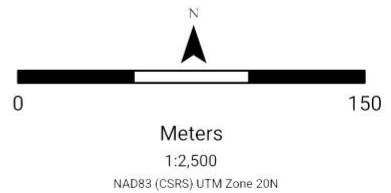


Figure 4 Subject Property Context Map

- 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;

See requirements of [4.1 General Provisions for all zones and 5.5 High Density Residential \(R4\) Zone](#).

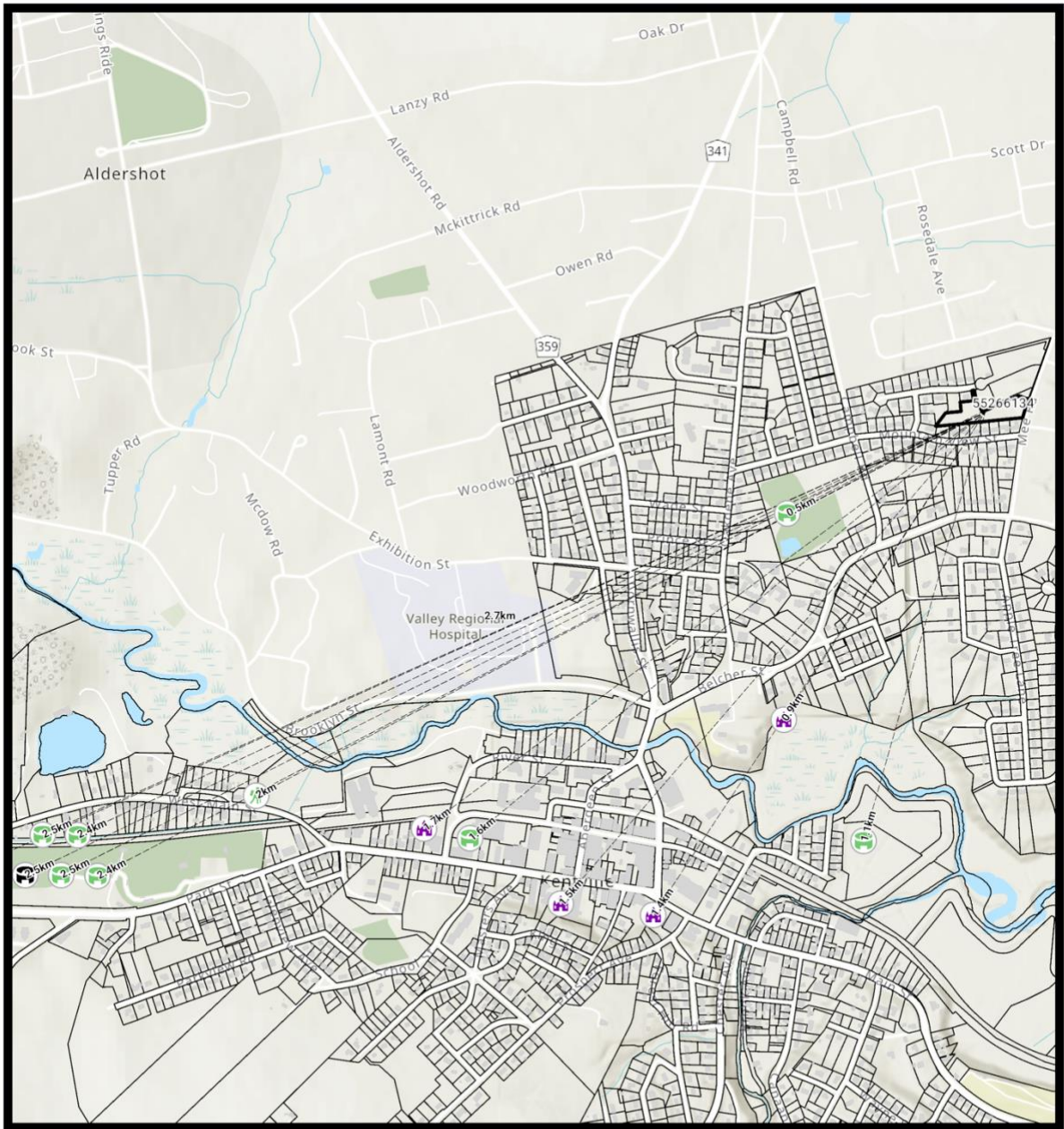
- d) the adequacy of sewer services, water services, waste management services and storm water management services;

See requirements of 4.1.4 Alteration of Land in which the preparation of land for a development for which a development permit is required a stormwater drainage system must be planned to the approval of the Town Engineer. A site drainage plan may be required by the Development Officer and approved by the Town Engineer prior to granting a Development Permit.

- e) that the proposal contributes to an orderly and compact development pattern that makes efficient use of existing and new municipal infrastructure;

The vacant lot is situated in a densely populated residential area with existing municipal services available for future development to connect to. This development aligns with the Council's aim to support infill development.

- f) the adequacy and proximity of schools;
- g) the adequacy and proximity of recreation and community facilities;



Rezoning Requirements - PID: 55266134

Proximity to Schools , Recreation, and Community Centers

- Arena
- Church
- Golf
- School
- Sport & Recreation
- Trail
- PID55266134
- Structures

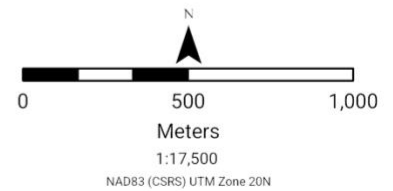


Figure 5 Subject Property Proximity to Community Services

h) the adequacy of the road network in, adjacent to, or leading to the development;

The property is located on Minor Collector Road, near Mee Road and in close proximity to schools and recreational services. This road is expected to be able to accommodate the additional traffic. However, the Development Officer reserves the right to require a traffic study to be approved by an engineer.



i)
j)
k)
l)
m)

Rezoning Requirements - PID: 55266134

- Road Network**
- Roads
 - ▭ Structures
 - ▭ PID55266134

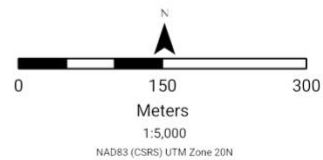






Figure 6 Subject Property Road Network

- i) the potential for erosion or for the contamination or sedimentation of watercourses;



Rezoning Requirements - PID: 55266134

Watercourses, Elevation & Geology

-  Watercourse
-  PID55266134
-  Structures
-  255
0 Elevation

Bedrock
 Wolfville Formation (M-L Tk F w): fluvial sandstone and conglomerate, aeolian sandstone, minor deltaic-lacustrine deposits, > 300m (Anisian-? Carnian spores and fossils)

Surface Geology
 Silty Till Plain and Drumlins: Till; silty, compact, material derived from both local and distant sources; drumlin facies: siltier till, higher percentage of distant source material including red clay.

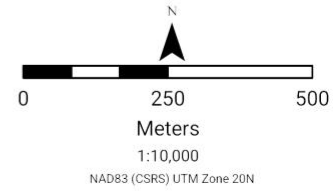


Figure 7 Subject Property Watercourses, Elevation and Geology

- j) environmental impacts such as air and water pollution and soil contamination;

The planned construction will involve paving, grading, and roofing, all of which could lead to stormwater runoff and pollution. However, these potential effects are relatively minor compared to those of other activities. The storm water management plans must be approved by the Town Engineer.

- k) previous uses of the site which may have caused soil or groundwater contamination;

Non-applicable.

- l) suitability of the site in terms of grades, soil and bedrock conditions, location of watercourses, marshes, swamps or bogs;

The subject property has a higher elevation than Oakdene Park and is significant in its size: The property is approximately 88,609 sqft with a frontage of 125 ft.

- m) the ability of emergency services to respond to an emergency at the location of the proposed development;

Yes, there is enough space. This will be a requirement of the fire and building codes as part of the permit application process.

- 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;

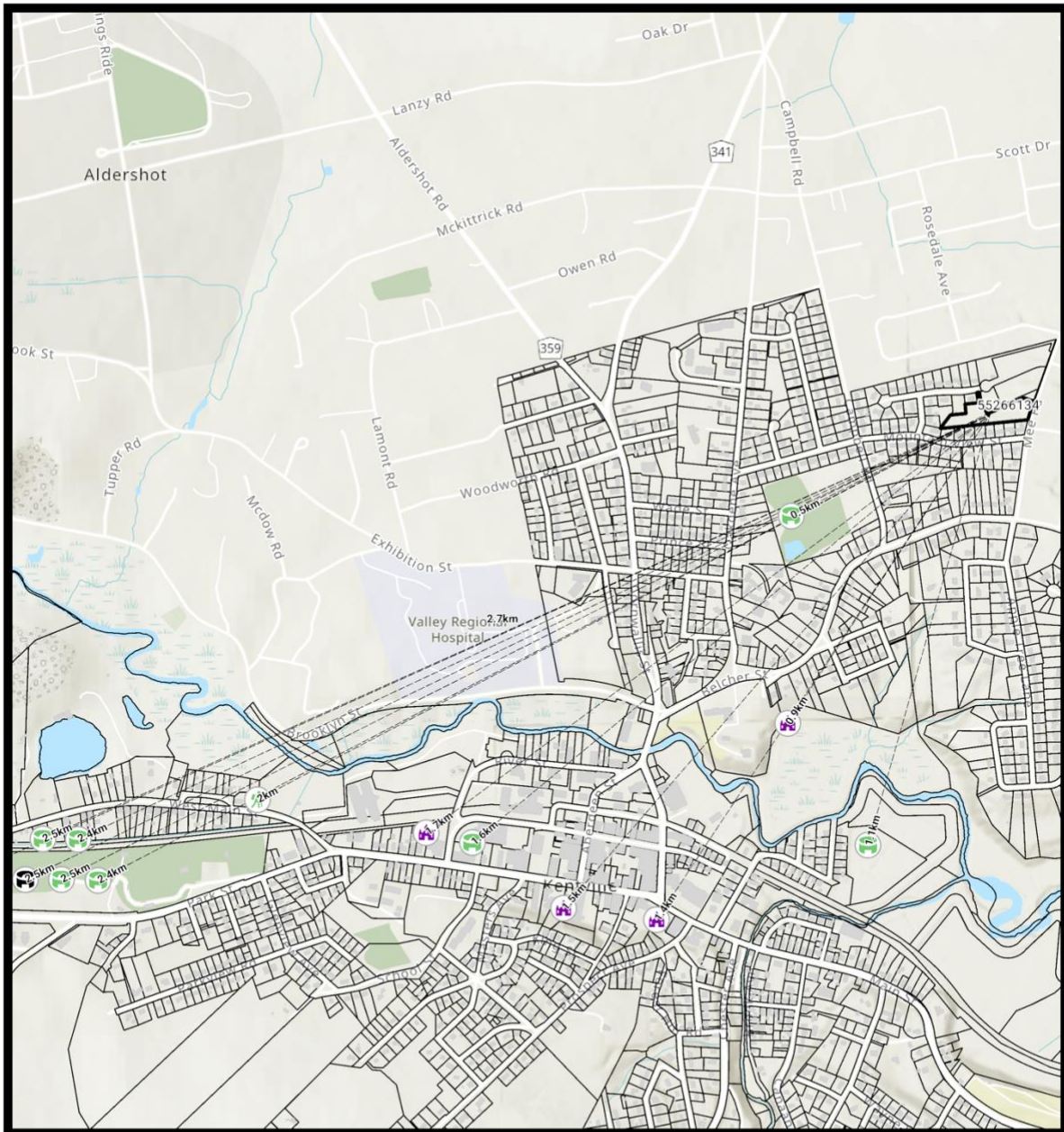
Yes, see full details of the report and relevant policies.

- 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

Yes, this will be a requirement of the development.

- p) the financial ability of the Town to absorb any costs relating to the amendment.

According to Policy MS-20, developers or landowners are responsible for the expenses related to extending municipal services for their development



Rezoning Requirements - PID: 55266134

Proximity to Schools , Recreation, and Community Centers

-  Arena
-  Church
-  Golf
-  School
-  Sport & Recreation
-  Trail
-  PID55266134
-  Structures

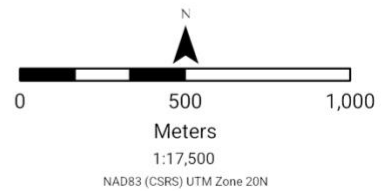


Figure 8 Subject Property Proximity to Commercial

Land Use By-Law Policies

Definitions

Cluster Development, residential means a land development project in which the site plan technique of clustering dwelling units is employed.

Land Leased Community means an establishment comprising of land or premises under single ownership, design and intended for residential use, where residences are primarily in manufactures homes, but does not include public campgrounds. A land leased community may contain mobile homes, mini homes, two unit mini homes, manufactured homes and administrative offices necessary for the operation of a land leased community.

Multi-Unit Residential Development means a development consisting of one or more multiunit dwellings.

4.1 General Provisions for All Zones

4.1.1 Accessory Buildings and Structures

- a) Accessory buildings and structures shall only support a use which is subordinate or incidental to the main use or building that is located on the same lot;
- b) Accessory buildings shall not be used for human habitation, except in accordance with Section 5.1.1 (g);
- c) Accessory buildings shall not be located within the required front yard or flankage yard of the lot;
- d) Accessory buildings shall not be built closer to the side lot line or rear lot line than 4 ft (1.22 m) except that: i. Common semi-detached garages may be erected on the mutual side lot line
- e) Accessory buildings shall not be built within 6 ft (1.82 m) of the main building or any other accessory building;
- f) Accessory buildings shall not exceed 21 ft (6.40 m) in height;
- g) No more than 2 accessory buildings shall be permitted on any one lot in any residential zone;
- h) Accessory buildings shall not exceed 15% of the total lot area, up to a maximum gross floor area of 1000 ft² in any residential zone; and
- i) Accessory buildings shall not be an automobile, trailer, shipping container or similar type of vehicle or structure or portion thereof whether or not same is mounted on wheels or a foundation.

4.1.3 Amenity Space

- a) All new Multi-Unit Developments containing four or more dwelling units shall provide On-Site Amenity Space in accordance with the following requirements:

Bachelor and One Bedroom	200 ft ² per unit	18.58 m ² per unit
Two bedroom	225 ft ² per unit	20.90 m ² per unit
Three or more bedrooms	255 ft ² per unit	23.69 m ² per unit

- b) Amenity space may include decks, balconies, gardens, landscaped open space, gyms, pools and other
- j) Useable outdoor recreation amenity space shall be located in the side or rear yards and the recreation space must be usable space, meaning it shall be cleared, levelled, and grassed or otherwise landscaped to create an attractive outdoor recreation space for the amenity of the residents on the lot.
- c) Amenity space shall be waived for all residential conversions.

4.1.13 Fencing

- a) Fences shall be limited to a maximum height of 12 ft (3.66 m) except in a Residential Zone where the maximum height shall be 8 ft (2.43 m)
- b) All fences shall conform to the following general requirements:
- i. where there is no required front yard, fences in the first 20 feet of the front yard shall not be more than 4 ft (1.21 m) in height except within the Industrial Zone;
 - ii. on corner lots, day lighting triangle height restrictions shall apply;
 - iii. fences cannot be electrified;
 - iv. fences with supporting structures shall be constructed so that the structural members face inward, away from all abutting properties and public streets; and
 - v. fences shall not contain barbed wire unless erected in conjunction with a permitted industrial or commercial use.

4.1.14 Frontage on a Street

All new lots to be approved on a final plan of subdivision shall abut a public street.

4.1.16 Illumination

- a) No person shall erect any illuminated sign or illuminate an area outside any building unless such illumination is directed away from adjoining properties and any adjacent streets.
- b) Commercial signage within or abutting a Residential Zone or designation shall only be illuminated during regular business hours.

4.1.19 One Main Building on a Lot

More than one main building may be permitted on a lot within the:

- a) General Commercial (C1) Zone;
- b) Highway Commercial (C2) Zone;
- c) Industrial (M) Zone;
- d) Medium Density Residential (R3) Zone; and
- e) High Density Residential (R4) Zone subject to the following requirement:
The minimum distance between the buildings shall be 20 ft (6.10 m), or one-half the height of the highest abutting wall, whichever is greater.

4.1.27 Site Plan Approval

Site Plan Approval is a tool permitted under the Municipal Government Act that relies entirely upon the development officer to evaluate development proposals based on their compliance with a predetermined set of objectives that are written out in the planning documents. The benefit of site plan approval is that it does not require a public hearing or a lengthy approval process compared to the Development Agreement process which can be lengthy an expensive to process, resulting in a legal contract between the developer and the Town. The Town has opted to allow certain development by Site Plan approval as provided for within this Bylaw.

The following developments shall be considered by Site Plan Approval in accordance with Sections 231-233 of the Municipal Government Act, and Section 5.1.12 of this Bylaw.

- 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 Centers to a maximum of 14 persons in the (R1), (R2) and (R3) zones; and
- c) Multi-Unit Residential Development over 50 units per acre in the (C1) zone.

Table 4.2 Parking Requirements

Land Use	Parking Requirement
Residential Land Use	
Dwelling Units (<4 dwelling units)	1 parking space per dwelling unit
Multi-Unit Dwellings (>4 dwelling units)	1.25 parking spaces per dwelling unit
Multi-Unit Dwellings in the (C1) Zone	0.5 per dwelling unit
Home Based Business	1 space in addition to the space required by the dwelling unit
Bed and Breakfast	1 space per rental units in addition to the space required by the dwelling unit.

**** Further parking design standards provided within section 4.2 of the Land Use By-Law

5.1.8 Accessory Neighbourhood Commercial Uses

In the High Density Residential (R4) Zone, cafes, neighborhood grocery and convenience stores are permitted subject to the following requirements:

- a) the maximum commercial floor area within the residential structure used for display and sales does not exceed 1 000 ft2 (92.90 m2)

- b) the primary service area for the use is the immediate residential area in which the neighbourhood commercial use is located;
- c) parking shall be required in accordance with Table 4.2 herein; and
- d) one ground sign not to exceed 4 ft (1.219m) in height and not to exceed 10 ft² (0.93 m²).

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 lesson 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.

5.4 Medium Density Residential (R3) Zone

5.4.1 Permitted Uses

The following uses shall be permitted as-of-right in the Medium Density Residential (R3) Zone subject to the requirements of the Bylaw:

- Single Unit Detached Dwelling

- Two Unit Dwelling
- Converted Dwellings up to a maximum of 6 units
- Residential Care Facility, Home for Special Care or Group Homes to a maximum of 6 bedrooms devoted to residential care use
- Multi-Unit Dwellings up to a maximum of 8 units, including Townhouses

5.4.2 Permitted Uses with Conditions

The following uses shall be permitted in the Medium Density Residential (R3) Zone 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
- c) Bed and Breakfast, in accordance with Section 5.1.4 of this By-law
- d) Inns, in accordance with Section 5.1.5 of this By-law

5.4.3 Permitted Uses by Site Plan Approval

The following uses shall be permitted by Site Plan Approval subject to the requirements of this Bylaw:

- a) Day Care Centres to a maximum of 14 persons.

5.4.4 Medium Density Residential (R3) Zone Requirements

In a Medium Density Residential (R3) Zone, no Development Permit shall be issued except in conformity with the following requirements:

Table 5.3 R3 Zone Requirements

Minimum Lot Area	Single Unit/Two Unit Dwelling	5 000 ft ²	464.52 m ²
	Semi-Detached (on same lot)	5000 ft ²	462.52 m ²
	Two Unit Dwelling (on separate lots)	2 500 ft ² /unit	232.26 m ² /unit
	Two Unit Dwelling (on the same lot)	5 000 ft ²	464.52 m ²
	Townhouse (separate lot)	2 000 ft ²	185.81 m ²
	Townhouse (same lot)	2 000 ft ² /unit	185.81 m ² /unit
	Multi-Unit Dwelling (three to four units)	6 000 ft ²	557.42 m ²
	Multi-Unit Dwelling (five to eight units)	10 000 ft ²	929.03 m ²
Minimum Lot Frontage	Single Unit/Two Unit Dwelling	50 ft	15.24 m
	Semi-Detached (on separate lots)	25 ft/unit	7.62 m/unit
	Townhouse	20 ft/unit	6.10 m/unit
	Multi-Unit Dwelling (three or more units)	60 ft	18.29 m
Minimum Front Yard	Multi-Unit Dwelling (five to eight units)	100 ft	30.48 m
		20 ft	6.10 m

Minimum Rear Yard	Single Unit/Two Unit/Townhouse	15 ft	4.57 m
	Multi-Unit Dwelling	15 ft or ½ the height of the main building, whichever is greater	4.57 m
Minimum Flankage Yard	Single Unit/Two Unit/Townhouse	10 ft	3.05 m
	Multi-Unit Dwelling	20 ft	6.10 m
Minimum Side Yard	Single Unit/Two Unit/Townhouse	4 ft	1.22 m
	Multi-Unit Dwelling	15 ft or ½ the height of the main building, whichever is greater	4.57 m

5.4.5 On-Site Amenity Space

Useable amenity space shall be required for Multiple Unit dwellings containing four or more dwelling units in accordance with Section 4.1.3 of this By-law.

5.4.6 Additional Requirements for Row Housing, Townhouse and Linked Units

- a) Row Housing, Townhouse, and Link Dwelling Units located on a lot serviced by Municipal water and sewer may be subdivided into individual lots provided:
 - i. each lot to be created contains no more than 1 dwelling unit;
 - ii. each dwelling unit has separate service connections;
 - iii. all applicable provisions of the Land Use By-law and Subdivision By-law are satisfied;
- b) Individual Row House, Townhouse, and Link Dwelling Units contained in the same structure shall maintain a front yard setback that is equal to the front yard setback of the adjacent unit(s) or varies no more than 2 ft (0.61 m) from the front yard setback of the adjacent unit(s).

5.5 High Density Residential (R4) Zone

5.5.1 Permitted Uses

The following uses shall be permitted as-of-right in the High Density Residential (R4) Zone subject to the requirements of the Bylaw:

- Single Unit Detached Dwelling
- Two Unit Dwelling
- Day Care Centres and Nursery Schools
- Residential Care Facilities, Home for Special Care or Group Homes
- Multi-Unit Dwellings

5.5.2 Permitted Uses with Conditions

The following uses shall be permitted in the High Density Residential (R4) Zone subject to the requirements of this By-law:

- a) Home Based Businesses, in accordance with Section 5.1.2 and 5.1.3 of this By-law
- b) Bed and Breakfast, in accordance Section 5.1.4 of this By-law
- c) Inns, in accordance with Section 5.1.5 of this By-law
- d) Accessory Neighbourhood Commercial Uses in accordance with Section 5.1.8 of this Bylaw.

5.5.3 High Density Residential (R4) Zone Requirements

In a High Density Residential (R4) Zone, no Development Permit shall be issued except in conformity with the following requirements:

Table 5.4 R4 Zone Requirements

Minimum Lot Area	Single Unit/Two Unit Dwelling	5 000 ft ²	464.52 m ²
	Two Unit Dwelling (on separate lots)	2 500 ft ² /unit	232.26 m ² /unit
	Townhouse	2 000 ft ² /unit	185.81 m ² /unit
	Multi-Unit Dwelling (three to four units)	6 000 ft ²	557.42 m ²
	Multi-Unit Dwelling (five or more units)	7 000 ft ² first five units + 1 000 ft ² /unit	650.32 m ² first five units + 92.90 m ² /unit
Minimum Lot Frontage	Single Unit/Two Unit Dwelling	50 ft	15.24 m
	Two Unit Dwelling	25 ft/unit	7.62 m/unit
	Townhouse	20 ft/unit	6.10 m/unit
	Multi-Unit Dwelling (three to four units)	60 ft	18.29 m
	Multi-unit Dwelling (five or more units)	100 ft	30.48 m
Minimum Front Yard		20 ft	6.10 m
Minimum Rear Yard	Single Unit/Two Unit/Townhouse	15 ft	4.57 m
	Multi-Unit Dwelling	15 ft or ½ the height of the main building, whichever is greater	4.57 m
Minimum Flankage Yard	Single Unit/Two Unit/Townhouse	10 ft	3.05 m
	Multi-Unit Dwelling	20 ft	6.10 m

Minimum Side Yard	Single Unit/Two Unit/Townhouse	4 ft	1.22 m
	Multi-Unit Dwelling	15 ft or ½ the height of the main building, whichever is greater	4.57 m

5.5.4 On-Site Amenity Space

Useable Amenity Space shall be required for the development of Multiple Unit Apartment Buildings containing four or more dwelling units in accordance with Section 4.1.3 of this By-law.

5.5.5 Additional Requirements for Row Housing, Townhouse and Link Units

c) Row Housing, Townhouse, and Link Dwelling Units located on a lot serviced by Municipal water and sewer may be subdivided into individual lots provided:

- iv. each lot to be created contains no more than 1 dwelling unit;
- v. each dwelling unit has separate service connections;
- vi. all applicable provisions of the Land Use By-law and Subdivision By-law are satisfied;

d) Individual Row House, Townhouse, and Link Dwelling Units contained in the same structure shall maintain a front yard setback that is equal to the front yard setback of the adjacent unit(s) or varies no more than 2 ft (0.61 m) from the front yard setback of the adjacent unit(s).

5.5.6 Landscaping Requirements

- a) Where a parking area abuts a lower density Residential Zone, a landscaped buffer that is at least 8 ft (2.44 m) wide shall be provided.
- b) Notwithstanding Section 5.5.7(a), the landscaped strip may be reduced by 50% where;
 - i. a minimum 6 ft (1.83 m) opaque wooden fence is provided; or,
 - ii. an earth berm a minimum of 6 ft (1.83 m) above grade at its crest and trees, a minimum of 5 ft (1.52 m) in height, with an average maximum spacing not to exceed 6 ft (1.83 m), is provided.

5.5.7 Refuse Storage

Outdoor refuse storage and bins shall be screened by a 6 ft (1.83 m) high opaque fence or otherwise be enclosed by a structure so as not to be visible from any street or adjacent property.

Schedule A Property Description

ALL those lots of land situate in the Hillcrest Court Subdivision in the Town of Kentville, County of Kings, Province of Nova Scotia, bounded and described as follows:

BEGINNING at a point marking the southeast corner of lands now or formerly of James G. Vienot;

THENCE South 55 degrees 15 minutes east along the north limit of the Lot number one of the Young Acres Subdivision a distance of 10 feet, more or less;

THENCE South 73 degrees 15 minutes east along other lands of the Young Acres Subdivision a distance of 675.62 feet, more or less, to the West limit of Mee Road being the highway leading from the residence now or formally an occupation of William Smith to the site of the old Presbyterian Meeting house;

THENCE North 37 degrees 59 minutes east along the west limit of me road, a distance of 122 feet, more or less;

THENCE North 41 degrees 52 minutes east along the west limit of Mee Road a distance of 539.6 feet, more or less to a concrete marker set in the southeast corner of lands now or formerly of David Smith;

THENCE North 82 degrees 7 minutes west along the southern boundary of the Smith lands and lands now or formerly of Issac DeAdder a distance of 806.35 feet, more or less, to the northeast corner of Lot number 23 and shown on a plan of Hillcrest Ct. subdivision prepared by W. S Crooker, Jr., P.L.S., and being revised on the second day of October 1967, and file that the Registry of Deeds office at Kentville aforesaid;

THENCE South 12 degrees 36 minutes west along the east limit of Lot number 23 a distance of 156.04 feet, more or less to the southeast corner of Lot number 23;

THENCE North 68 degrees 54 minutes west along the south line of Lot number 23, 53.57 feet;

THENCE North 74 degrees 54 minutes west along the south line of Lots 23 and 22, 95 feet to the southwest corner Lot number 22;

THENCE North 77 degrees 24 minutes west along the south line of Lot number 21 to a point on a line in prolongation of the East limit of Hillcrest Avenue;

THENCE South 16 degrees 45 minutes west 50.13 feet to the northwest corner of Lot number 57;

THENCE South 77 degrees 44 minutes east along the North line of Lot number 57, 22.4 feet;

THENCE South 74 degrees 54 minutes east along the north line of lot number 57, 80 7.7 feet to the northeast corner of lot number 57;

THENCE South 16 degrees 45 minutes west along the east limit of lot number 57, 58, and 59, a distance of 257.04 feet, more or less, to the point or place of beginning.

EXCEPTING THEREFROM any portion of land conveyed to the town of Kentville for use as a public street.

EXCEPTING AND RESERVING THEREFROM all that certain lot, piece or parcel of land known as Lot number 26 of Hillcrest Ct. subdivision, Kentville, in the County of Kings and Province of Nova Scotia, as conveyed to the Town of Kentville, and more particularly to described as follows:

BEGINNING at a point on the North Side of Maxwell Place at the southeast corner of Lot number 25;

THENCE South 75 degrees 54 minutes east along the north side of the Maxwell Place a distance of 70.02 feet to a stake;

THENCE North 12 degrees 36 minutes east a distance of 196 .10 feet to a stake;

THENCE North 82 degrees 07 minutes west a distance of 70.24 feet to the northeast corner of Lot number 20;

THENCE South 12 degrees 36 minutes west along the east side line of Lot 25, a distance of 188.50 feet to the southeast corner of Lot number 25, the place of beginning.

AND FURTHER EXCEPTING THEREFROM all that certain lot, piece or parcel of land situate, lying and being in the Town of Kentville, County of Kings, Province of Nova Scotia, and being Lot #24 of the Hillcrest Court Subdivision, Kentville, Nova Scotia, prepared by W.S. Crooker Engineering Co., dated December 12th, A.D., 1969, and approved by the Town of Kentville on December 17th, A.D., 1969 and being more particularly bounded and described as follows:

BEGINNING at a point on the north side of Maxwell Place at the southeast corner of Lot Number 23;

THENCE North Twelve Degrees Thirty-Six Minutes East along the east side of Lot #23 a distance of One Hundred Fifty-Six Decimal Zero Four Feet to the northeast corner of Lot Number 23;

THENCE South Eighty-Two Degrees Zero Seven Minutes East a distance of Seventy Decimal Twenty-Four Feet to the northwest corner of Lot #25;

THENCE South Twelve Degrees Thirty-Six Minutes West along the west side of Lot #25 a

distance of One Hundred Seventy-Two Decimal Twenty-Seven Feet to the north side of Maxwell Place;

THENCE North Sixty-Eight Degrees Fifty-Four Minutes West along the north side of Maxwell Place a distance of Seventy Decimal Seventy-Eight Feet to the place of beginning.

AND FURTHER EXCEPTING THEREFROM all that certain piece or parcel of land known as Lot number 25 at Hillcrest Court Subdivision, Kentville, in the County of Kings, and Province of Nova Scotia, more particularly described as follows:

BEGINNING at a point on the north side of the Maxwell Place at the southeast corner lot number 24;

THENCE South 68 degrees 54 minutes east along the north side of Maxwell Place the distance of 70.78 feet to the southwest corner of Lot number 26;

THENCE North 12 degrees 36 minutes east along the west side of Lot number 26 a distance of 188 .50 feet to the northwest corner of Lot number 26;

THENCE North 82 degrees 07 minutes east a distance of 70 .24 feet to the northeast corner lot number 24;

THENCE South 12 degrees 36 minutes west along the east side of Lot number 24 a distance of 172.27 feet to the southeast corner of Lot number 24, the place of beginning.

AND FURTHER EXCEPTING THEREFROM all that certain piece or parcel of land known as Lot number 51 at Hillcrest Court Subdivision, Kentville, in the County of Kings, and Province of Nova Scotia, more particularly described as follows:

BEGINNING at a point on the south side of Maxwell Place on the east side of a street reserve;

THENCE South 75 degrees 54 minutes east along the south side of the said Maxwell Place a distance of 100 feet;

THENCE South 13 degrees 04 minutes west a distance of 79.79 feet to a stake;

THENCE North 73 degrees 15 minutes west a distance of 105 feet to the east side of the said Street reserve;

THENCE North 16 degrees 45 minutes east along the east side of the said Street reserve a distance of 75 feet to the south side of Maxwell Place, the place of beginning.

AND FURTHER EXCEPTING THEREFROM all that certain lot, piece or parcel of land situate, lying and being in the Town of Kentville, County of Kings, Province of Nova Scotia, and being lot #56

on Hillcrest Court Subdivision prepared by W. S. Crooker Engineering Co., dated December 12, A.D., 1969, and approved by the Town of Kentville on December 17th, A.D., 1969 and being more particularly bounded and described as follows:

Beginning at a point on the South side of Maxwell Place at the Northeast corner of Lot #57;

Thence South Seventy-Four Degrees Fifty-Four Minutes East along the South side of Maxwell Place a distance of Three Decimal Fifty-Nine Feet (3.59');

Thence South Sixty-Eight Degrees Fifty-Four Minutes East along the South side of Maxwell Place a distance of One Hundred Six Decimal Seventy-Two Feet (106.72');

Thence South Sixteen Degrees Forty-Five Minutes West a distance of Eighty Feet (80');

Thence North Seventy-Three Degrees Fifteen Minutes West a distance of One Hundred Ten Feet (110') to the East side line of lot # 58;

Thence North Sixteen Degrees Forty-Five Minutes East along the East side lines of Lots 58 and 57 to the South side line of Maxwell Place, the place of beginning.

SAVING AND EXCEPTING LOT 55 as shown on registered plan no. 84946806 recorded in the Land Registration Office for Kings County.

SAVING AND EXCEPTING Lot 27 and Parcel A as shown on registered plan number 85776186 recorded in the Land Registration for Kings County.

SAVING AND EXCEPTING Lot 1N as shown on registered plan no. 122143143 recorded in the Land Registration Office for Kings County.

Saving and Excepting Parcel P, Lot 1S, Lot RLA, and Lot RLC as shown on Registered Plan No 123093321 recorded in the Land Registration Office for Kings County.

SUBJECT TO a utility interest in favour of Nova Scotia Power Inc. as described in the Grant of Easement recorded as Document Number 87599016 on April 16, 2007.

SUBJECT TO a utility interest in favour of Nova Scotia Power Inc. as described in the Grant of Easement recorded as Document Number 112036703 on January 18, 2018.

SUBJECT TO a utility interest in favour of Nova Scotia Power Inc. as described in the Grant of Easement recorded as Document Number 120735049 on June 9, 2022.

*** Municipal Government Act, Part IX Compliance ***



Compliance:

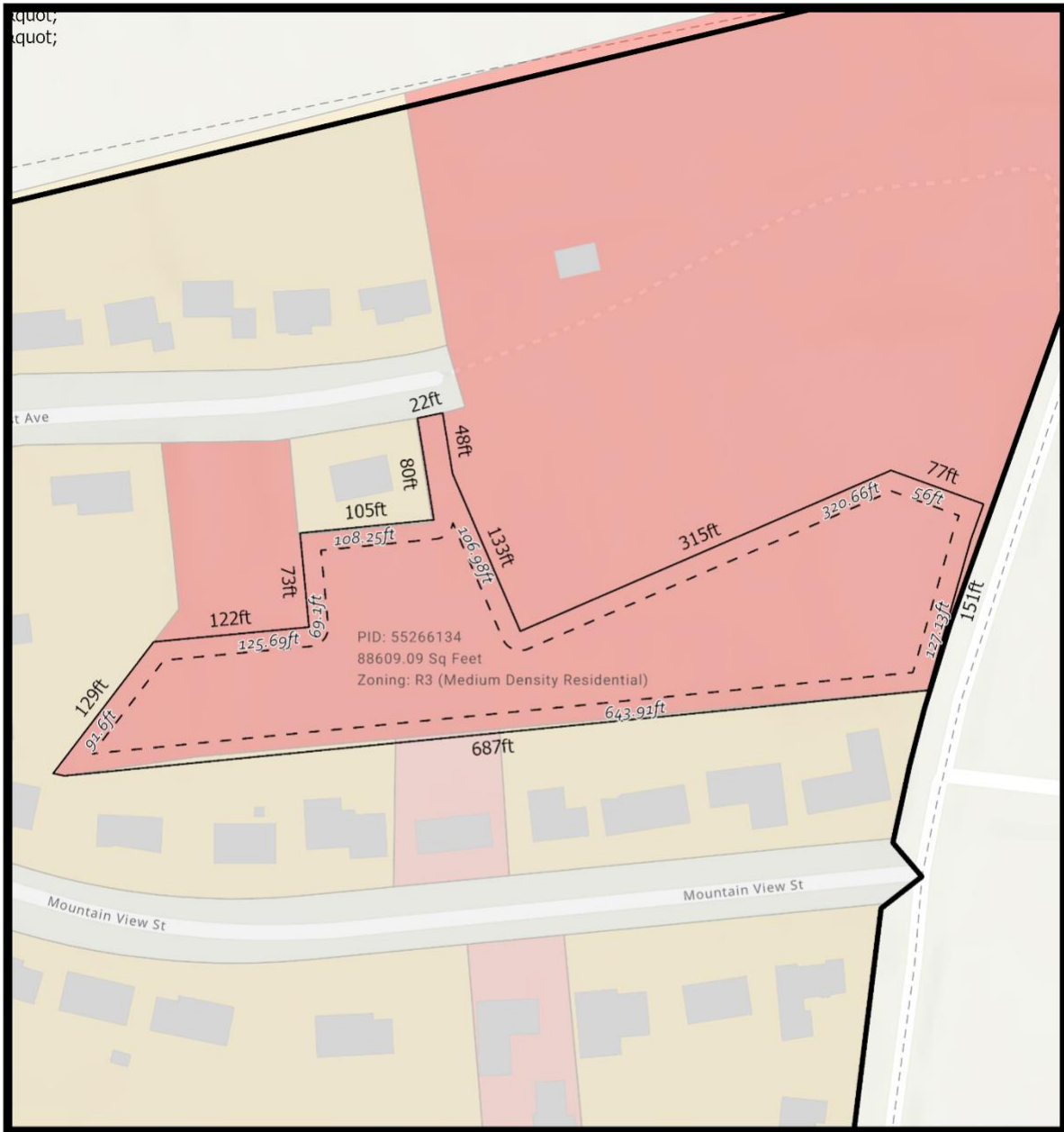
The parcel is created by a subdivision (details below) that has been filed under the Registry Act or registered under the Land Registration Act

Registration District: KINGS COUNTY

Registration Year: 2023

Plan or Document Number: 123093321

Schedule B Zoning Map



Current Zoning & Lot Size - PID: 55266134

- Structures
- 15 ft Inset

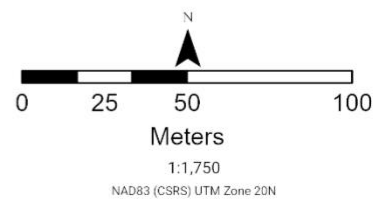
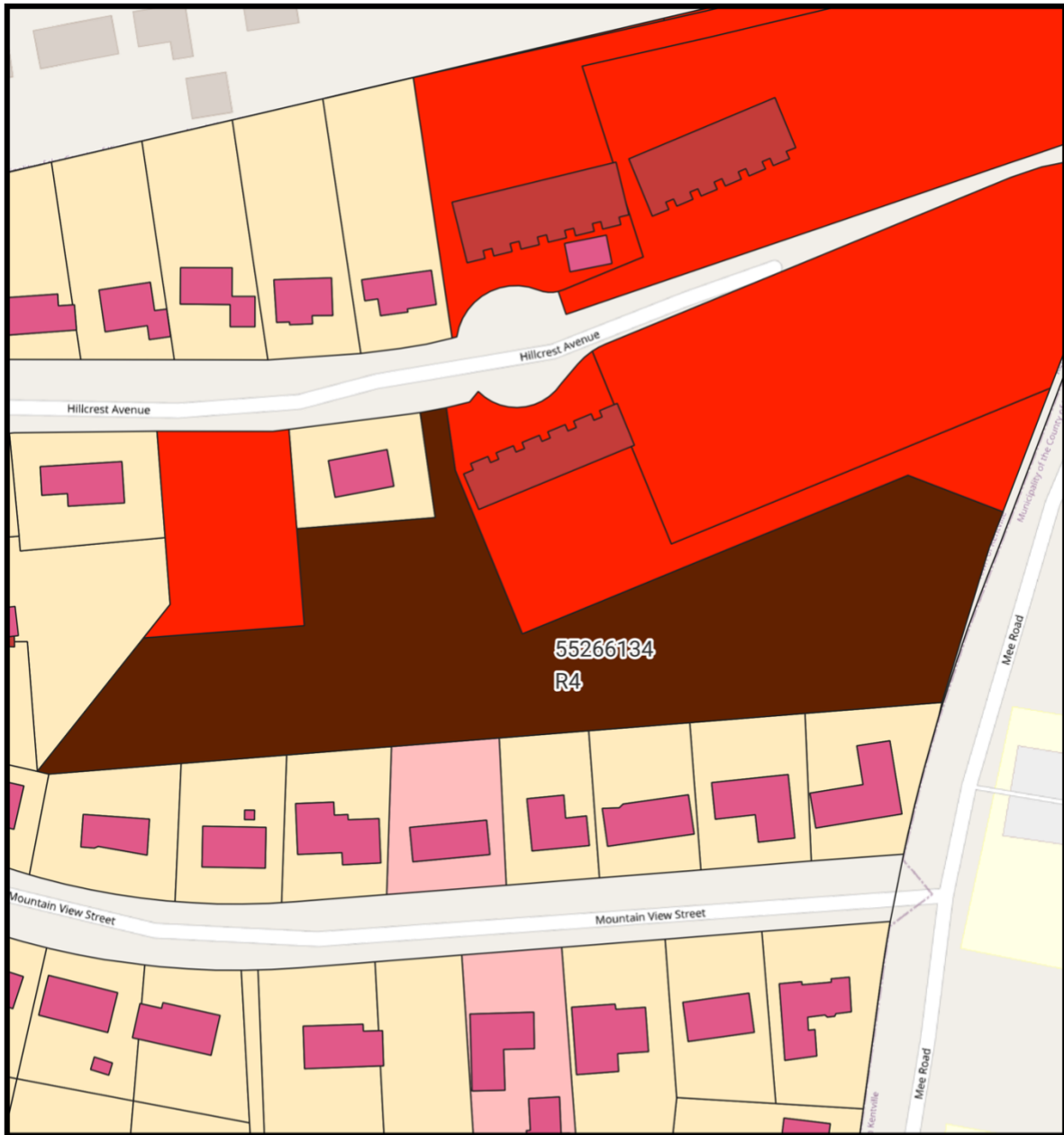


Figure 9 Current Zoning



PROPOSED ZONING - PID 55266134

R4 - High Density Residential

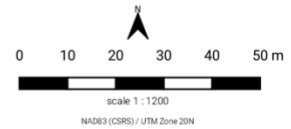
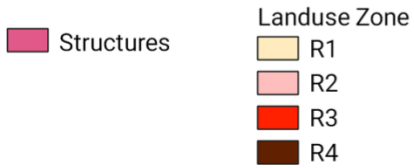


Figure 10 Proposed Zoning

Schedule C Site Plan

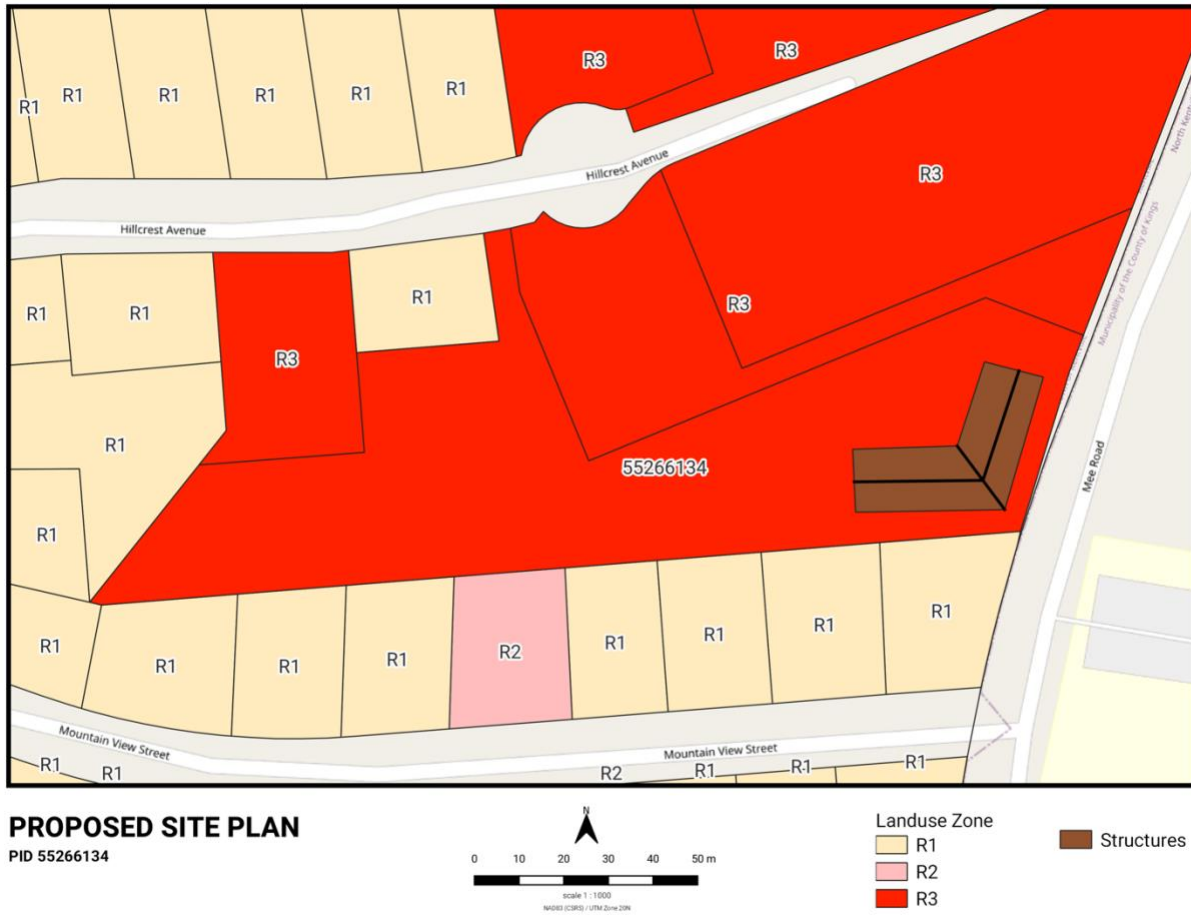


Figure 11 Proposed Site Plan



PUBLIC PARTICIPATION PROGRAM REPORT

This report summarizes the public participation program hosted by Council Advisory Committee for the application for PID 55266124 from COGs Developments. The program was discussed at a special meeting of Council Advisory Committee on July 25, 2024, at 4:00 p.m. in Council Chambers.

APPLICATION

The applicant has applied for the following amendments:

1. Request to rezone PID 55266124 from Medium Density R3 to High Density R4 to allow for the construction of 30-60 units.

THE BASICS

1. The Advisory Committee is currently assessing if the requested increased housing density would be suitable for the proposed lot,


ENGAGEMENT

The Planning and Development Staff of the Town of Kentville have established a Public Participation Program, as requested by Council Advisory Committee. This initiative aimed to provide Council with adequate time to review the proposed application before the upcoming municipal election. The application was submitted in May 2024.



NEWSPAPER AD

The following Newspaper ad was circulated in the Chronicle Herald for 14 days before the public meeting.



**Public Participation Meeting
Cog Development, Mee Road**

A public participation meeting will be held at the Kentville Fire Hall, 463 Main Street, Kentville, Nova Scotia, at 6:00 PM on Tuesday September 3rd, 2024 to provide an opportunity for the public to comment on or make suggestions to the proposed amendments.

Planning Application: Travis Mills and Cogs Development have applied for a Land Use Bylaw (rezoning) amendment with the intent to construct housing in the area between Mee Road, Hibou Court and Mountain View Street in Kentville. The land use zone on that property is Medium Density Residential (R3), and they are requesting to rezone to High Density Residential (R4) to permit a development of between 30 and 60 units. They have not submitted a development application.

Date/Time: Tuesday September 3rd, 2024 at 6:00 PM

Location: Kentville Volunteer Fire Hall

For further information, copies of the proposal, and questions about making a submission please contact Caroline Robertson, Planner, at (902) 742-5300 or caroline@cdcommunitydesign.ca

August 13, 2024

Jeff Lawrence
Town Clerk
TOWN OF KENTVILLE



NEIGHBOUR NOTIFICATION

Unfortunately, there was a miscommunication among staff, and despite advising Council that neighbours would be notified of the public meeting, a notice was not sent out. Notifying neighbouring properties is considered a best practice. Town staff did not send a notification as no policy stated this as a requirement.

SIGN ON THE PROPERTY

The proposed development has not yet been communicated through a sign on the property. The staff at the town of Kentville have been working on finding a supplier, developing a consistent design, and ordering a sign for the property. A sign will be posted before any public hearing if the application moves forward.



August 15, 2024

Scott Conrod

Chief Administrative Officer
Municipality of the County of Kings
181 Coldbrook Village Drive
Coldbrook, NS B4R 1B9

Re: Notification of application for a Land Use By-law amendment - Mee Road (PID: 55266134), Kentville

Dear Scott,

Travis Mills and COGS Developments have submitted an application for a Land Use By-law amendment to rezone a property located at Mee Road (PID: 55199145), Kentville from the Medium Density Residential (R3) Zone to the High Density Residential (R4) Zone to enable a future high density residential development on the subject property.

You are welcome to attend a Public Participation Meeting on Tuesday, September 3, 2024, from 6-8 pm, at the Kentville Volunteer Fire Hall at 463 Main Street, Kentville. The intent of the meeting is to give an early overview of the proposal, review the relevant planning policies, explain the process that will be followed during the municipal review of the application, and receive early questions and feedback from the public on the proposal.

You are being notified of this Public Participation Meeting because the planning application being considered involves a property located within 150 metres of the municipal boundary. If you have any comments or concerns with regard to this application, or if you would like more information, please do not hesitate to contact me at 902-679-2529 or by email at dshupe@kentville.ca.

Sincerely,

Darren Shupe
Director of Planning and Development
Town of Kentville





SOCIAL MEDIA POSTING

A post about the proposed planning application and the upcoming public meeting was shared on the Town's Facebook page on August 14th. The post was shared 14 times.



Town of Kentville



Aug 14 · 🌐

Two development applications have been submitted to the Town of Kentville for review and consideration. These will follow a tentative schedule for presentations and meetings, prescribed by Town policy and provincial legislation. For more information please visit the Town's website.

<https://kentville.ca/news/14-08-2024/planning-and-development-public-meetings>

Date	Event	Matter	Place/Time
29 Aug 2024	Public Participation Meeting (PPM)	Brison – MPS/LUB amendment – land designation and rezoning	Kentville Fire Hall 6:00 – 8:00 pm
3 Sep 2024	PPM	COGS – LUB amendment – rezoning R3 to R4	Kentville Fire Hall 6:00 – 8:00 pm
6 Sep 2024	Special CAC Meeting	First Reading Recommendation Brison COGS	Town Hall Council Chambers 4:00-5:00 pm
9 Sep 2024	Special Meeting of Council	First Reading Recommendation from CAC Brison COGS	Town Hall Council Chambers 5:00 – 6:00 pm
9 Sep 2024	CAC Meeting	Regular scheduled CAC Meeting	Town Hall Council Chambers 6:00 pm
25 Sep 24	Public Hearing	Brison	Kentville Fire Hall 6:00 – 8:00 pm
26 Sep 2024	Public Hearing	COGS	Kentville Fire Hall 6:00 – 8:00 pm
1 Oct 2024	Special Meeting of Council	Second Reading Recommendation from Public Hearing Brison COGS	Town Hall Council Chambers 6:00 – 7:00 pm



TOWN WEBSITE

Following Council’s Public Participation Program Policy, the planner's report on this application was posted on the town’s website, along with information on the tentative schedule, including the date, time, and location of the public meeting.

Planning and Development Public Meetings

Two development applications have been submitted to the Town of Kentville for review and consideration. These will follow this schedule for presentations and meetings, prescribed by Town policy and provincial legislation:

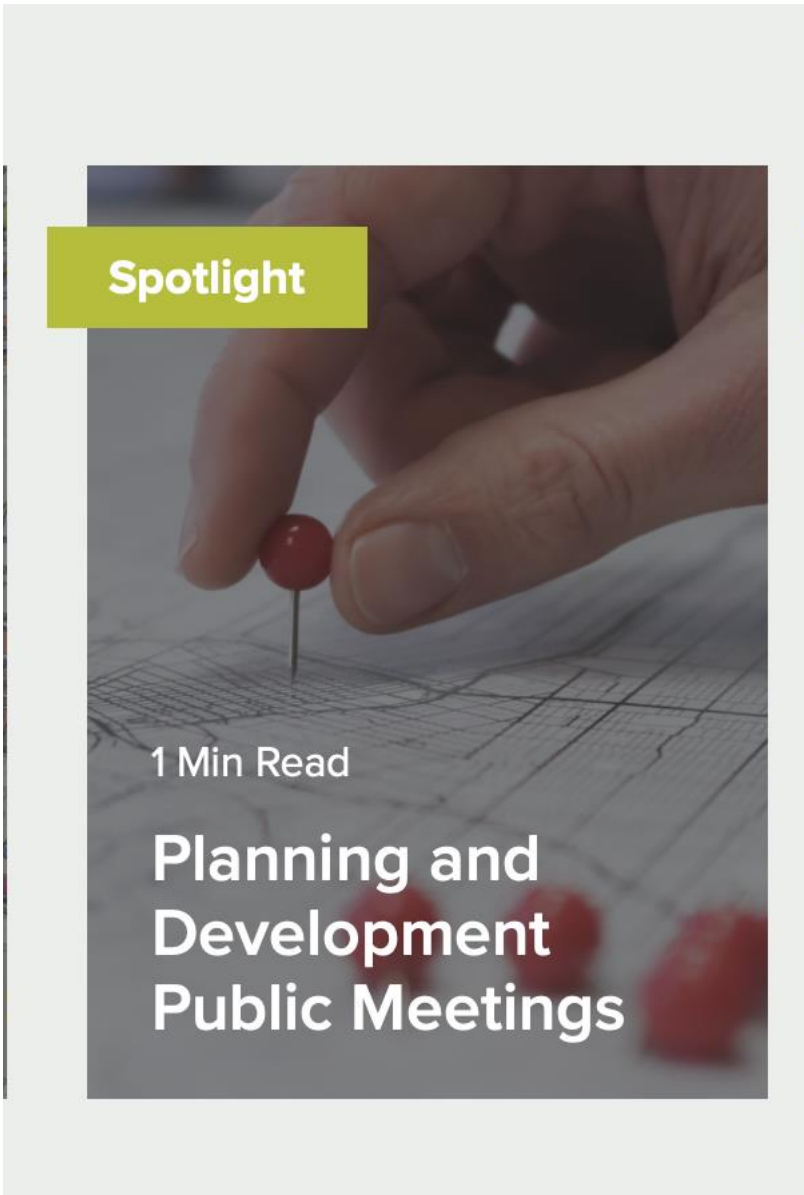
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26 Sep 2024	Public Hearing	COGS	Kentville Fire Hall 6:00 – 8:00 pm
1 Oct 2024	Special Meeting of Council	Second Reading Recommendation from Public Hearing Brison COGS	Town Hall Council Chambers 6:00 – 7:00 pm

To see the planning application documents, please follow [this link](#)

Public Participation Meetings (PPM) will be held in accordance with TOK Policy G62. There will be presentations from the developer and TOK Planning. The public is invited to the PPM to learn more about the projects and ask questions. Council is also invited but has no specific role. These meetings are focused on information gathering for Council.

After the PPMs, Council will meet in committee (CAC) to make recommendations to Council for First Reading.

If motion for First Reading is passed, then Public Hearings (PH) will be held on September 25 and 26. Members of council must attend the PH to vote on Second Reading on October 1.





PUBLIC MEETING

On September 3rd, 2024, a public meeting took place at the Town Fire Hall at 6:00 PM. The meeting was well attended, and COGs owners were present and available for questions. C + D Community Design took notes to summarize the questions and responses during the meeting, which was also recorded and posted on the Town's website.

An updated presentation and brief on the application were created for the event, providing a less dense version of the information in the planner's report. These documents have been included in the appendix of this report.

*** Please note that many of the comments made by the public were related to a different development. Only relevant planning questions were addressed within this report.

1. How is it possible to permit a rezoning without a final design?

It is important to consider the appropriate residential density for the lot as the first step in the process. Rezoning is a standard procedure in many municipalities in Nova Scotia. It is not customary to require a final plan to be submitted in the initial stages before the Council has made a decision on rezoning.

Any designs presented to the community are subject to change. If the application is approved, anything permitted within the R4 zone will also be permitted on this property.

Requiring a developer to provide a plan and detailed design work when they are uncertain about being permitted to construct to the requested density can be costly.

Furthermore, this specific development will need to undergo Site Plan approval, which involves notifying the neighbours and providing them with a copy of the final design after it has been reviewed to ensure it complies with the Town's planning documents. If the neighbours are concerned about the design, they have the option to appeal the plan to the Council.

The Council has the authority to make any decision within the jurisdiction of their development officer. This means they can approve the design, request additional changes, or decline the application.

2. A previous owner of the property mentioned that the developer has altered their plans from the time of purchase. The current request does not align with her understanding of the land use.

This land is zoned for Medium Density R3. Once a property is sold, the ownership rights belong to the owner, who may then construct any development that complies with the Land Use By-Law zoning requirements for their lot.



3. What does the final design look like?

The developer was able to address some questions regarding their vision for the proposed community. However, a final design is not necessary at this stage of the process.

4. Where will the amenity space be situated? What community facilities will be included in the design?

The developer was able to provide some of their vision for the community, including a park space.

Council's Amenity Space Requirement 4.1.3 requires a ratio of communal indoor and outdoor space per unit (per Policy 4.1.3).

4.1.3 Amenity Space

- a) All new Multi-Unit Developments containing four or more dwelling units shall provide On-Site Amenity Space in accordance with the following requirements:

Bachelor and One Bedroom	200 ft ² per unit	18.58 m ² per unit
Two bedroom	225 ft ² per unit	20.90 m ² per unit
Three or more bedrooms	255 ft ² per unit	23.69 m ² per unit

- b) Amenity space may include decks, balconies, gardens, landscaped open space, gyms, pools and other
- c) Useable outdoor recreation amenity space shall be located in the side or rear yards and the recreation space must be usable space, meaning it shall be cleared, levelled, and grassed or otherwise landscaped to create an attractive outdoor recreation space for the amenity of the residents on the lot.
- d) Amenity space shall be waived for all residential conversions.



5. How would it fit on the existing lot with the current zoning of medium-density R3 residential?

The maximum number of units allowed on an R3 lot is 8 (per policy 5.4.1). To have more than 8 units, the lot would need to be further subdivided. However, the lot cannot be subdivided due to the 100-foot road frontage requirement per lot (per policy 5.4.4).

The R3 zone allows for multiple buildings on a single lot, but the total number of units cannot exceed 8. These buildings must meet the lot requirements and building separation requirements.

4.1.19 One Main Building on a Lot

More than one main building may be permitted on a lot within the:

a) General Commercial (C1) Zone;

b) Highway Commercial (C2) Zone;

c) Industrial (M) Zone;

d) Medium Density Residential (R3) Zone; and

e) High Density Residential (R4) Zone subject to the following requirement: The minimum distance between the buildings shall be 20 ft (6.10 m), or one-half the height of the highest abutting wall, whichever is greater.

5.1.9 Affordable Housing Units

In the Medium Density (R3) and High Density (R4) Residential Zones, Multi-Unit Developments may exceed the maximum permitted density by 20% where a minimum of 50% of those additional units are affordable housing units.



6. Are there any other high-density R4 properties in the town? If so, where are they located?

The following areas are zoned High-Density Residential R4:



Figure 1 R4 off Oakdene Ave

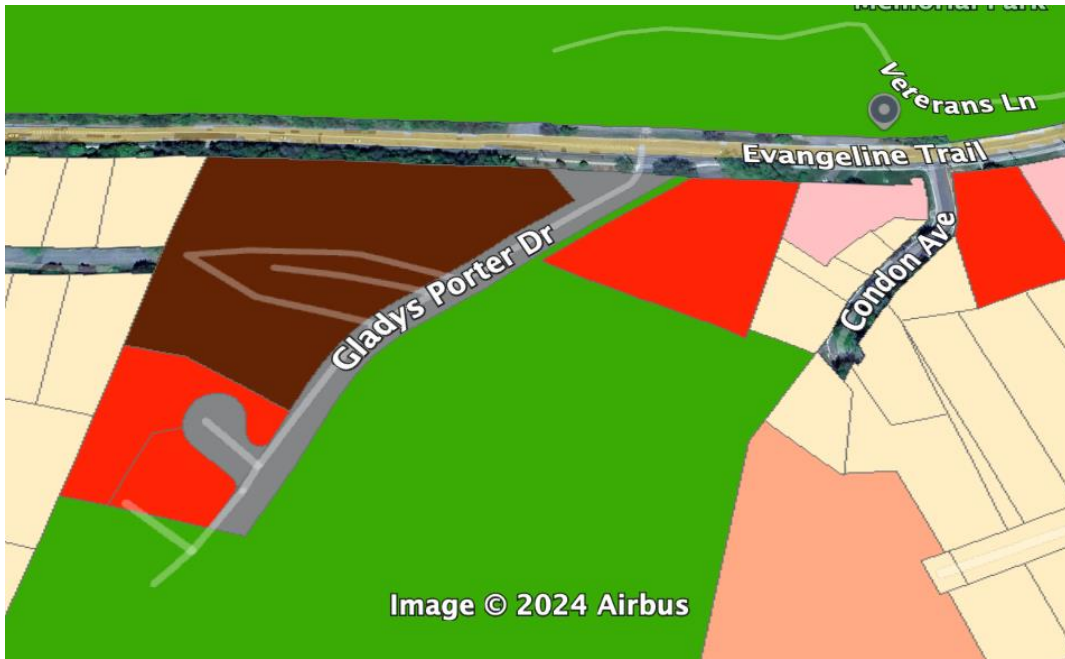


Figure 2 R4 off Gladys Porter Drive



Figure 4 R4 South on Oakdene Ave backing on Belcher Street

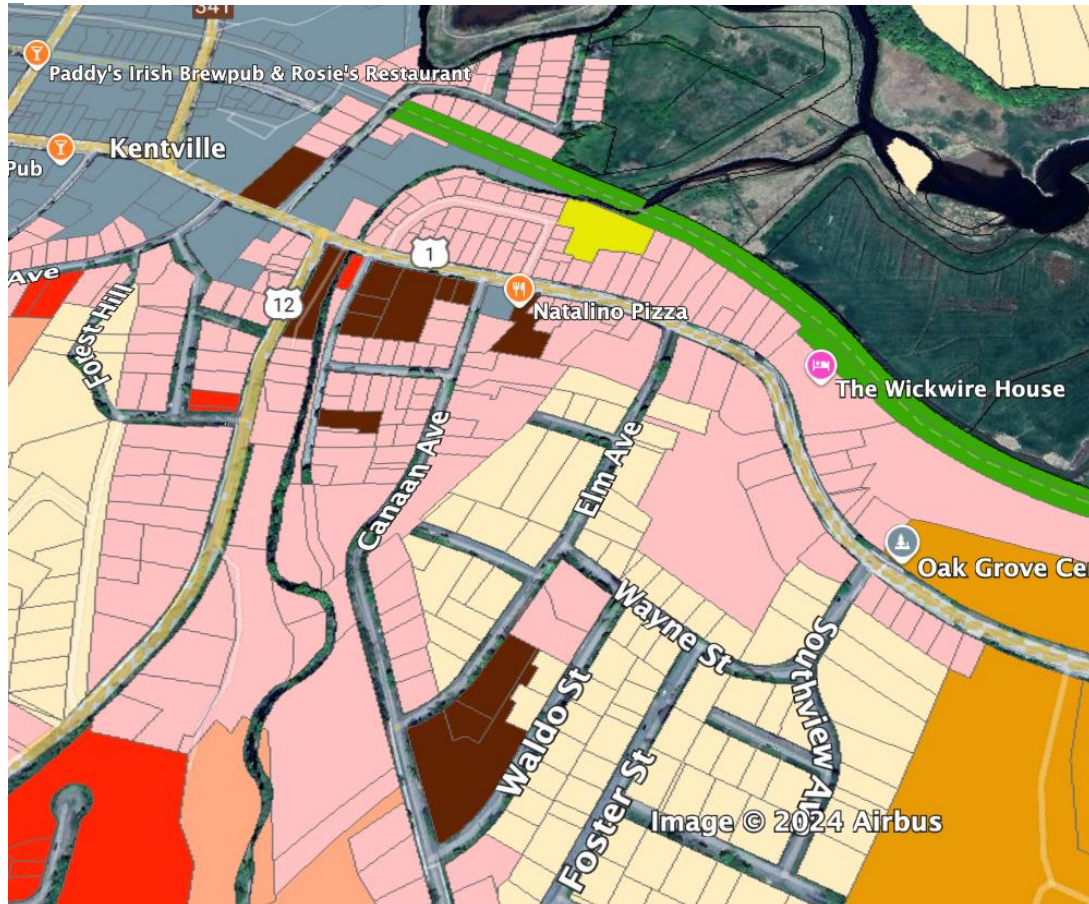


Figure 3 R3 Within Downtown Area Off Walkdo St & Canaan Ave

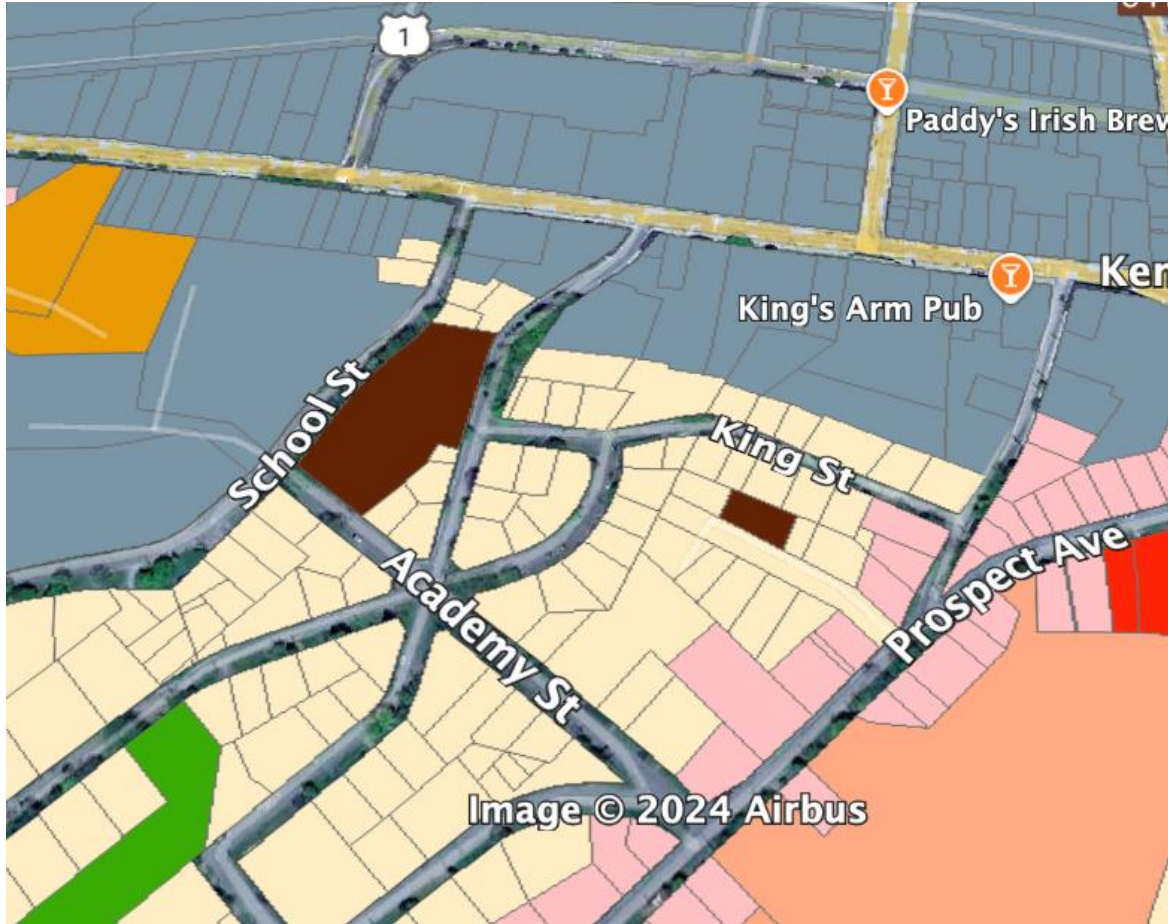


Figure 5 R4 Off School Street



7. A community member expressed concern about the potential disruption of construction to the nearby neighbours.

Council allows for temporary construction uses as part of their land-use by-law (per policy 4.1.30). However, Council also has Chapter 107 Noise By-Law which includes noise associated with construction (2.4.), section 3.3 pertains to construction, no person shall operate construction equipment that is audible to a point of reception from 8:00 pm to 7:00 am the next day. No construction may take place on Sundays, Saturdays or statutory holidays.

3.3. Construction.

- 3.3.1. No person shall emit or cause or permit the emission of sound resulting from any operation of Construction Equipment or any Construction that is audible at a Point of Reception from 8:00 p.m. to 7:00 a.m. the next day, except until 9 a.m. on Saturdays and all day on Sundays and statutory holidays.

4.1.30 Temporary Construction Uses

Nothing in this By-law shall prevent the erection of temporary buildings or scaffolds or other structures incidental to any construction in progress until such construction has been finished or has been discontinued for a period of 60 days.

8. *Concerns were expressed about habitat for animals in the neighbourhood.*

See Provincial Wildlife Habitat and Watercourses Protection Regulations.

9. *Concerns were expressed about this being a “mature” neighbourhood and the possible impact on character.*

See Site Plan Criteria for Development in Residential Zones (5.1.12 (I))

I) the above-listed items are maintained in a manner suitable and complementary to the surrounding neighbourhood.



10. There were concerns raised about the current stormwater management in the developments owned by the applicant.

The mentioned developments were approved under site plan approval, which, according to policy 5.1.12 (j), requires addressing the management of storm and surface water to the satisfaction of the Town Engineer. If there are existing issues, these problems are enforceable as part of the Land Use By-Law under section 266 of the Municipal Government Act for Remedies Where Offence.

11. Concerns were raised about an existing rock wall and fence meant to create a barrier between lower-density and higher-density housing.

In general, when transitioning between housing, commercial, and industrial areas, as well as between higher-density residential areas, opaque fences or hedges of a specific height are required. This requirement would have been taken into consideration during the site plan approval process. While it is not possible to change the fencing requirement on an approved site plan, the Council can express their preference to the development officer that, moving forward, opaque fencing of 8 feet in height or an evergreen hedge forming a solid visual barrier of at least 8 feet should be the standard.

An example is policy 4.2.3 b) vii) Site Layout

4.2.3. b) vii) Where a commercial or industrial parking area abuts an existing residential use, such commercial or industrial parking areas shall be screened by an opaque fence that is at least 8 ft (2.44 m) high or an evergreen hedge that will form a solid visual barrier at least 8 ft (2.44 m) high following one growing season; and

12. *Is there sufficient road frontage for emergency vehicle access?*

The proposed lot has 115 feet of road frontage on Mee Road and 22 feet of frontage on Hillcrest Avenue. Depending on the final site plan design, there should be sufficient space for emergency vehicle access. This will be taken into consideration when driveway access is requested.



13. What does Diversity of Housing mean?

Diverse housing refers to a range of housing types and styles, providing numerous options for community residents. This variety can include different housing structures such as tiny homes, apartments, single-family dwellings, or townhouses. It also encompasses the affordability of housing, ensuring that there are options available for people with varying income levels. Additionally, diverse housing can involve different ownership structures, such as condominiums, land-leased communities, cluster developments with shared services, or individual ownership or rental arrangements.

Chapter 5 Residential within the Municipal Planning Strategies outlines Council's objectives for housing.

- 1. To meet the mandate of the Province relating to housing opportunities for all of Kentville's citizens, particularity for those citizen of low to moderate income;*
- 2. To provide a variety of housing types to accommodate the various needs and desires of Town residents;*
- 3. To protect the character and development form of established residential neighbourhoods;*
- 4. To encourage residential infill development on appropriate under-utilized lands;*
- 5. To ensure that future residential development occurs in suitable locations with adequate water, sanitary sewer, storm sewer, transportation and recreational services available;*
- 6. To actively promote and facilitate the development of housing within the town in order to attract a greater proportion of the regional housing market; and*
- 7. To encourage the conservation, retention and improvement of the existing housing stock.*

14. A Council expressed concern that neighbours were not notified in writing of the public meeting.



18. Many community members expressed concern about stormwater management in the area and how a new development could impact water drainage on their properties.

Section 5.1.12 Site Plan Criteria for Development in Residential Zones requires a stormwater drainage plan that is approved to the standard of the town engineer.

j) the management of storm and surface water is addressed, and associated plans are approved by the Town Engineer;

19. Will this be affordable housing? Are there grants and other options available to the developer to incentivize affordable housing?

The developer responded to this question by stating that they will be applying for CMHC funding, which requires a certain percentage of the units to meet their affordability definition as well as energy efficiency requirements. Additionally, the Town of Kentville has policy 5.1.9, which allows for higher density when a development proves that a percentage of the units will be made affordable.

5.1.9 Affordable Housing Units

In the Medium Density (R3) and High Density (R4) Residential Zones, Multi-Unit Developments may exceed the maximum permitted density by 20% where a minimum of 50% of those additional units are affordable housing units.



APPENDIX

PRESENTATION



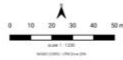
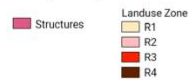
PID 55266134

- The property is significant in size and located within a medium-density area.
- The lot itself is positioned well to be considered for infill development, which is a priority of Council.
- The location is close to many services with commercial properties as close as 160 m





PROPOSED ZONING - PID 55266134
R4 - High Density Residential



Proposal

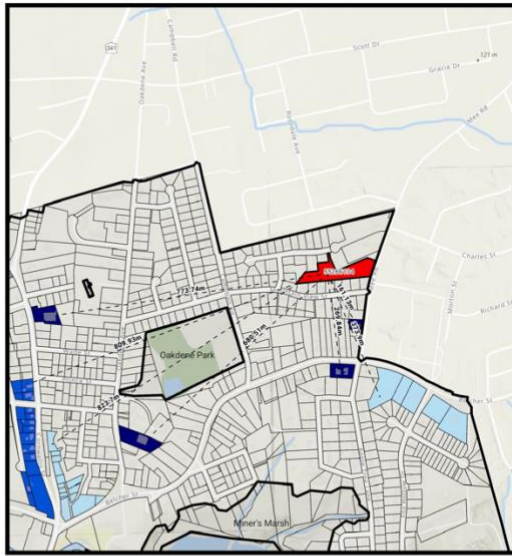
- Create a 30 to 60-unit community based on market demand
- The design will target students due to location and existing market demand
- Discrimination based on age is not allowed. However, marketing efforts can be focused on a specific population
- The proposal is in line with Council's policies, goals, and objectives related to infill housing and creating a diverse housing stock with various designs to service the needs of residents.



Request

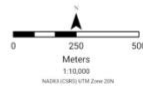
- Cogs Development has requested that Council consider rezoning the proposed lot from Medium Residential (R3) to High-Density Residential (R4)
- The proposed rezoning would allow for multi-unit developments within the lot requirements
- The change in zoning would accommodate Cogs Development's proposal of 30-60 units
- The request aligns with Council's policies related to infill development and diverse housing, as well as the existing provincial housing crises and provincial objectives





PID: 55266134
Nearby Commercial Properties

Zone	Color
C1	Light Blue
C2	Medium Blue
C3	Dark Blue
C4	Light Green
C5	Yellow
C6	Red



Community Impact

- If Council approves the rezoning request from the developer, a new housing development could be built on the proposed lot.
- The specific design of this development is not yet known, but the developer will need to obtain site plan approval once the design is finalized.
- The approval process will assess whether the design meets council requirements, such as providing indoor and outdoor amenity space, preserving existing vegetation, and ensuring adequate parking and signage.
- The design will be evaluated to determine if the development aligns with the existing residential neighborhood, in accordance with policy 5.1.12 Site Plan Criteria for Development in Residential Zones.



5.1.12 Site Plan Criteria for Residential

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;

the location of off-street parking and loading facilities are located and designed as to minimize any adverse impact on the surrounding neighbourhood;

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;

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;

the existing vegetation, where possible and deemed practical, be retained so as to lesson or reduce any adverse impact on abutting properties or the surrounding neighbourhood;

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;

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;

the location of facilities for the storage of solid waste provides for a maximum separation for residential development, public areas, and adjacent properties;

the location of existing easements shall be identified;

the management of storm and surface water is addressed, and associated plans are approved by the Town Engineer;

the type, location, number and size of signs or sign structures do not negatively alter the appearance of the neighbourhood; and

the above listed items are maintained in a manner suitable and complementary to the surrounding neighbourhood.

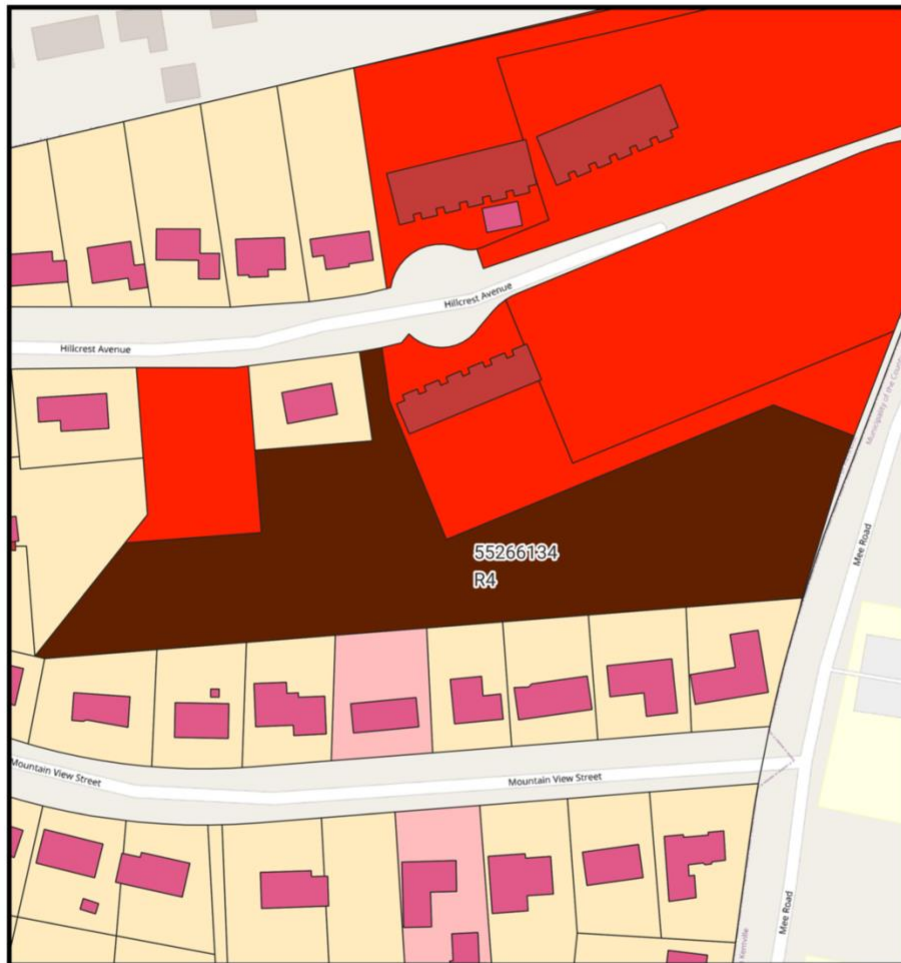




PUBLIC BRIEF

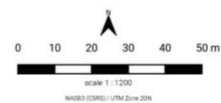
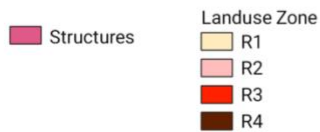


PROPOSED RESIDENTIAL DEVELOPMENT



PROPOSED ZONING - PID 55266134

R4 - High Density Residential





THE LAND

Cogs Development owns PID 55266134, a smaller piece of land located between Mee Road and Hillcrest Avenue. This property is part of a residential development area and is zoned as Medium Residential (R3). The land is situated with other Medium Density (R3) properties, as well as One and Two Unit Dwelling (R2) and Single Unit Dwelling (R1) lots. This grouping of properties is suitable for higher-density residential development due to its proximity to commercial areas within the Town. The nearest commercial property is approximately 160 meters from the proposed property, while the furthest one is about 820 meters away. There is also access to Oakdene Park. Additionally, the proposed property is one of the few within this well-serviced area that has not been developed yet, making it an excellent location for infill development, which is a priority of Council (refer to Part 5 Goal: to provide housing to meet the needs of all Nova Scotians, Policy GD-4 C, Policy GD-6, & Section 5.1 Housing Objective).

THE PROPOSAL

The developer plans to redevelop the current land within its constraints to create a high-density community of 30 to 60 units. The design will be based on market demand, and the target residents will be students due to the location and existing market demand. It's important to note that discrimination based on age is not allowed for housing; however, marketing efforts can target a specific population.

This proposal is in line with Council's policies, goals, and objectives related to infill housing and creating a diverse housing stock of various designs to service the needs of its residents.

Infill Policies from MPS: Part 5 Goal: to provide housing to meet the needs of all Nova Scotian's, Policy GD-4 C, Policy GD-6, Section 5.1 Housing Objective & 5.2.2.3)

Diverse Housing Policies from MPS: 3.2.2 Housing/Residential, 5.1 Residential Objectives and Goals, 5.2.2.4 High-Density Residential (R4) Zone, 5.3 Affordable Housing, & Complete Pg 16)

THE REQUEST

Given Council's policies related to infill development and diverse housing, as well as the existing provincial housing crises and provincial objectives, Cogs Development has requested that Council consider rezoning the proposed lot from Medium Residential (R3), which allows up to eight units, to High-Density Residential (R4). This would allow for multi-unit developments within the lot requirements and change the number of units permitted on the lot to accommodate their proposal of 30-60 units.

HOW WILL THIS IMPACT THE COMMUNITY?

If Council approves the rezoning request from the developer, a new housing development could be built on the proposed lot. The specific design of this development is not yet known, but the developer will need to obtain site plan approval once the design is finalized. The approval process will assess whether the design meets council requirements, such as providing indoor and outdoor amenity space, preserving existing vegetation, and ensuring adequate parking and signage. The design will be evaluated to determine if the development aligns with the existing residential neighborhood, in accordance with 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.



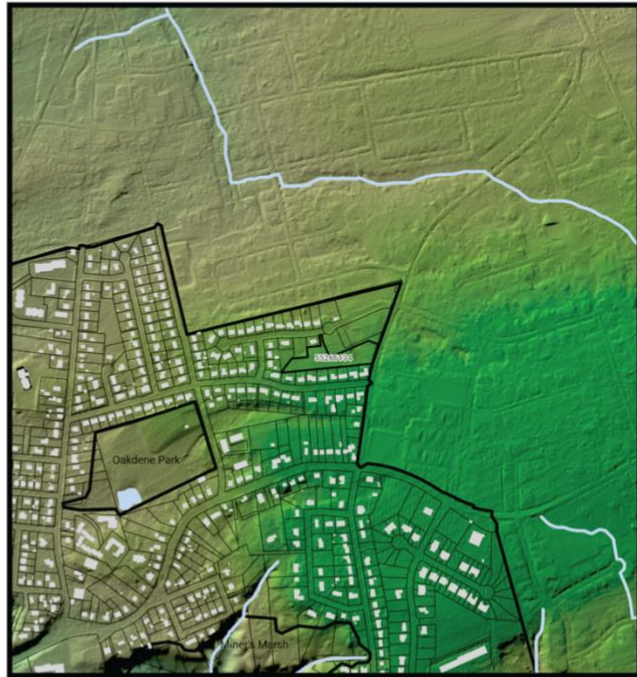
RECENTLY ASKED QUESTIONS FROM THE PUBLIC

Q1. What about the single-family homes that border the proposed property? Are there any protections in place to ensure their privacy and property value?

The site plan criteria 5.1.12 requires that the development's design be compatible with the existing neighbourhood. Additionally, the policy mandates that the location of the buildings, fencing, screening, and vegetation be carefully considered to minimize adverse impacts on neighbouring properties. Finally, the policy also calls for lighting, signs, and pathways to be positioned and directed away from adjacent lower-density properties. A well-designed housing investment in this area will not only bring in additional tax revenue but also attract new residents and likely increase property values.

Q2. What about the potential for stormwater runoff to adjacent properties?

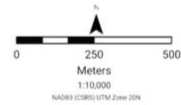
A2. The proposed property is situated at a high elevation among surrounding residential properties. The water from the entire housing development in this section of the town flows through a natural swale towards Oakdene Park. Since the development is in its early stages and Council is still considering if the density is appropriate for the area, the design has not been finalized. If Council approves the rezoning, the developer must then submit a complete design for the new community, which will need to go through site plan approval. A requirement (5.1.12 (j)) is that stormwater management is addressed, and the plans associated with it are approved by the town engineer. There are many progressive engineering and natural solutions for managing stormwater runoff that can help create an aesthetically pleasing development while filtering and slowing stormwater.



Rezoning Requirements - PID: 55266134

Watercourses, Elevation & Geology

-  Watercourse
 -  PID55266134
 -  Structures
 -  255 Elevation
 -  0 Elevation
- Bedrock**
Woolville Formation (M, L, Ts, F, w): fluvial sandstone and conglomerate, arenaceous sandstone, minor detritic lacustrine deposits, > 300m (Anisian ? Carnian spores and fossils)
- Surface Geology**
Silty Till Plain and Drumlins (Til): silty, compact, material derived from both local and distant sources; drumlin facies: siltier till, higher percentage of distant source material including red clay.





Q3. In the C&D rezoning for PID #55266134 – it is noted on Page 7 of 38 – Option 1 – with approximately 30-50 tiny homes – it would match the existing low-rise development to the south and west while still offering increased density. In the C&D rezoning for PID #55266134, on Page 7 of 38, Option 1 proposes approximately 30-50 tiny homes. This plan aims to match the existing low-rise development to the south and west while still offering increased density. However, the last sentence in that paragraph seems unclear. It states that this built form will not offer significant built form transitions to the medium density to the north. From my perspective, it seems like it would also complement the North. It appears to me that it would complement the north also.

A3. The proposed development concept in Option 1 is simply a concept and is not a Council decision. The current consideration is whether a higher density would be appropriate for the proposed property. The developer has provided ideas for the community to provide council and the public with an idea of the potential. Because these concepts were provided, they have been included in the report, and the planner has commented on how each option may fit within the existing community. The report has already made a case for the higher density based on the surrounding Medium Density (R3) Zoning. The sentence referred to within the question was intended to show that allowing the higher density zoning could still complement the adjacent Residential Single Unit (R1) area. This is important to note because this option would go further into the lot, impacting more R1-zoned lots.



Q4. The property is zoned R3 and currently allows for up to 8 units on a 10,000-square-foot lot. Given that the total area is 70,000 square feet, it means that technically they could have as many as 56 tiny homes on this property. The proposal is for 30-40 tiny homes, each to be used as a rental unit. These homes would be detached.

My question is whether we can proceed with Option 1, which involves building 30-40 tiny homes on the same lot. Can we move forward with this proposal under the current R3 zoning, or do we need to change the zoning to R4 under our current Land Use Bylaw (LUB) to permit Option 1?

Additionally, can we proceed with this project under site plan approval, possibly with a Development Agreement (DA) in place? I understand that the surrounding area is primarily zoned as R1, and I wonder if we need to amend the Municipal Planning Strategy (MPS) to allow a more expansive definition and regulation of what falls under a Development Agreement.

A4. The proposed development concept of option 1 is just a concept and not a Council decision. The current decision is whether a higher density would be suitable for the proposed property. The developer's ideas for the community simply aim to illustrate how the lot could be developed. The developer provided options for Council and the public to help visualize their aspirations, and the planner provided comments on the options in the report.

While the lot size is significant, the Medium Density (R3) zoning allows for up to eight units for every 10,000-square-foot lot. The Land Use By-Law permits multiple main buildings on one lot within the Medium Density (R3) and High Density (R4) zoning through policy GD-9 of the MPS. However, the R3 zoning only allows up to eight units and would then require the lot to be subdivided. Due to lot constraints and the lot requirements for the zone, including required road frontage, it would not be possible to achieve the density of option 1 with the R3 zoning. Additionally, the developer would like to retain ownership of the entire lot and develop it in order to rent any units constructed.

Finally, Policy GD-30(a) requires that new structures or additions in an (R3) or (R4) zone, when such developments border a Single-Unit Dwelling (R1) Zone or a One-and-Two-Unit Dwelling (R2) Zone, must go through the site plan approval process. Therefore, if Council approves the density request, the final design must comply with Policy 5.1.12 Site Plan Criteria and go through the site plan approval process.

Additionally, Council is currently considering further amendments to the R4 zone, which may allow for a development agreement option for this application in the future. However, this is not being requested for this application.