

Site Plan Approval Appeal Hearing

Monday, May 12, 2025

5:00 p.m. – 6:00 p.m.

Council Chambers



Agenda

A site plan approval application was received on February 6, 2025 for the development of six 8-unit residential buildings at PID 55266134 (Phase 3 of the Hibou Court development). The Development Officer approved the application on April 3, 2025, and notification letters describing the appeal process were sent to property owners within a 30m radius on April 4, 2025. One appeal was received within the 14-day appeal period which led to the scheduling of this appeal hearing.

1. Meeting Opening (Mayor)

2. Appeal Hearing

- a. **Staff Presentation** – Development Officer provides an overview of application and review process
 - i. Council may ask questions pertaining to site plan criteria for development in residential zones (LUB Section 5.1.12)
- b. **Appellant Presentation** – Appellant presents argument of how the decision of the Development Officer does not comply with the Land Use Bylaw
 - i. Council may ask questions pertaining to site plan criteria for development in residential zones (LUB Section 5.1.12)
- c. **Council Deliberation** – Council discusses whether the Development Officer properly applied Section 5.1.12, or whether there was an error in interpretation or an unreasonable decision. Council may ask questions of both the Development Officer and Appellant.
- d. **Council Decision** – Council renders a decision to uphold or overturn the decision of the Development Officer.

3. Meeting Adjourned (Mayor)

Public Hearings – Guide

Role of Council:

- **Act as the Appeal Body:** Council serves as the appeal authority, as per Municipal Government Act Section 232(3) and 237, for Site Plan Approval decisions made by the Development Officer under the Land Use Bylaw.
- **Apply the Same Criteria as Staff:** Council must evaluate the appeal using the same criteria that guided the original decision—specifically, the *Site Plan Criteria for Residential Zones outlined in Section 5.1.12* of the Land Use Bylaw.
- **Review Grounds of Appeal Only:** Council's focus is limited to determining whether the Development Officer properly applied Section 5.1.12, or whether there was an error in interpretation or an unreasonable decision.
- **Avoid Introducing New Criteria:** Council may not consider issues outside the scope of Section 5.1.12 or impose new or alternative conditions not enabled by the Land Use Bylaw.
- **Render a Jurisdictional Decision:** Council can uphold or overturn the Development Officer's decision, but only within the limits of the enabling bylaw and planning framework.

Staff

- Present matter being considered (summary of report and analysis)
- Council may ask Staff questions

Appellant (or Designate)

- Appeal rationale presented
- Council may ask questions of the Appellant

Public

- There is no speaking role for the Public. An opportunity to appeal was provided to all property owners within 30m of the subject lands.

Site Plan Approval Appeal Form

TAKE NOTICE that, I, Haitlin Mackay
STATE NAME(S) OF PERSON(S) APPEALING

submit this appeal of a decision made by the Development Officer on April 22nd 2019
DATE

respecting the property located at PID 55266134 Hibou Court Phase 3, Kentville, Nova Scotia.
ADDRESS
**Address not on letter or map*

Written notice of the decision was received on _____
DATE

Section 232(2) of the Municipal Government Act provides that a property owner within 30 (thirty) metres may appeal the approval of a Site Plan on the grounds that the decision of the Development Officer does not comply with the Land Use By-law.

Describe how the decision of the Development Officer fails to comply with the Land Use By-law:

I literally live on Mountainview + this development would
5.1.12 a) The location of the new structures are located make
the minimum distance from the abutting properties which max- the
imizes the adverse impacts on the surrounding street
neighborhood rather than minimizing. b) OFFstreet parking + name
loading facilities should be underground to minimize the high-
adverse impacts + allow for more amenity space. Putting so able!
many units (the max #) is so inappropriate + adverse to

DATED at 10 Mountain View Dr. Kentville NS, Nova Scotia,

this 22nd day of April, 2019.

Signature Haitlin Mackay M.L.S. P.A. A.D.A.

Contact Information

Mailing Address: Street 10 Mountain View Dr

City Kentville Prov NS Postal Code B4N 1A6

Phone Numbers: Home 902-598-8861 Work _____ Fax _____

Email Address haitlin.mackay@outlook.com

and totally out of character and maximizes the disruption to the affected properties. There are so many other more appropriate locations for development nearby, for this to be able to be suggested means the land use bylaws should be reviewed + ammended to protect property function, values, + enjoyment.

To:	Town of Kentville Council
From:	Ben Croll (Development Officer)
Date:	May 12, 2025
Re:	Site Plan Approval Appeal Hearing – Hibou Court Phase 3
Subject Property:	Hibou Court, Kentville (PID 55266314)
Lands of:	Hibous Knoll Community Living Inc.
Zone:	Medium Density Residential (R3)
Approved Plan:	A1 dated April 2, 2025, drawn by E.K.D Match Design (Appendix A)

Background

The Town of Kentville received a Site Plan Approval (SPA) application to amend the existing SPA for Hibou Court. The existing SPA permitted the construction of Phase 1 and Phase 2 developments of Hibou Court. The Site Plan dated April 2, 2025 seeks approval for the construction of Phase 3 on the Subject Property, which will consist of six 8-unit buildings, resulting in a total of 48 residential units. The units will comprise a mix of 2-bedroom and bachelor units.

Policy Analysis

The Subject Property is zoned Medium Density Residential (R3) and is adjacent to Single Unit Dwelling (R1) and One and Two Unit Dwelling (R2) zones (Appendix B). Consequently, the proposed development must undergo the SPA process in accordance with Policy GD-30 of the Town of Kentville’s Municipal Planning Strategy (MPS):

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 abut a Single Unit Dwelling (R1) Zone or a One and Two Unit Dwelling (R2) Zone;

More specifically, Section 5.4.3 of the Town of Kentville’s Land Use Bylaw (LUB) states:

“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”*

In accordance with the aforementioned regulations, the development must proceed through the SPA process where each building is limited to a maximum of 8 units.

Furthermore, Section 4.1.27 of the LUB states:

“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 outlined 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 and costly, resulting in a legal contract between the developer and the Town. The Town has opted to allow certain developments by Site Plan approval as provided for within this Bylaw.”

Process Analysis

Sections 231-233 of the Municipal Government Act (MGA) govern the Site Plan Approval process and describes all the required timelines that need to be met by the Development Officer. As stated above in Section 4.1.27 of the LUB, a public hearing is not required for this process. Instead, it is the responsibility of the Development Officer to review the proposed development against predetermined criteria in the LUB. If the proposed development meets the criteria and requirements established by Council, the Development Officer will approve the proposed Site Plan.

The Development Officer approved the Site Plan Approval application on April 3, 2025, and notified the applicant the same day (Appendix C). On April 4, 2025, the Town sent out an appeal notification to all property owners within 30m of the Subject Property notifying the approval of the development. Notified property owners were given until April 22, 2025 (to meet the minimum 14-day appeal period) to announce their intent to appeal the decision to Council (Appendix D). An appellant must demonstrate that the proposed development does not meet the criteria laid out within the Town’s Planning Documents.

Once all appeals have been heard, Council shall uphold or overturn the decision of the Development Officer.

Review Analysis

The criteria for SPA in residential zones are found in Section 5.1.12 of the LUB, however, other regulations such as parking, amenity space, and additional provisions must also be satisfied. To meet these requirements, several iterations and revised Site Plans have been developed throughout the process. Below are the criteria and regulations for an SPA in a residential zone along with the Development Officer’s review comments.

Site Plan Criteria

“5.4.3 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:”

LUB REQUIREMENT	DEVELOPMENT OFFICER COMMENT
<i>a) the location of new structures (or an addition to an existing structure) is situated on the lot to minimize any adverse impacts on the surrounding neighbourhood, including, but not limited to noise, dust, or lighting;</i>	Due to the irregular shape of the lot and the proposed density, the land is being utilized efficiently. Despite the buildings directly facing the neighbours, the minimum setbacks are met, and dense buffering will be required. The Site Plan mentions a dense green buffer that is to be a minimum of 5' tall. The buffering will also be addressed to ensure it is maintained in the Letter of Undertaking. Furthermore, by satisfying all other criteria and requirements set out in the LUB, the structures are positioned to minimize adverse impacts on surrounding neighbours.
<i>b) the location of off-street parking and loading facilities is designed to minimize any adverse impact on the surrounding neighbourhood;</i>	Reviewed and approved by Engineering. (Appendix E)
<i>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;</i>	Reviewed and approved by Engineering. (Appendix E)
<i>d) the type, location, and height of walls, hedges, fences, trees, shrubs, ground cover, or other landscaping elements are designed and constructed to</i>	A dense green buffer is indicated along the southern property line. The height is now addressed as it is labelled to be a minimum of 5' tall. This will also be addressed in the

<i>protect and minimize any adverse impact on neighbouring properties;</i>	Letter of Undertaking to ensure it is maintained. The revised Site Plan added buffering between the amenity space area and lot 51 (35 Hillcrest Ave).
<i>e) the existing vegetation, where possible and deemed practical, shall be retained to lessen or reduce any adverse impact on abutting properties or the surrounding neighbourhood;</i>	Existing vegetation surrounding the property will be enhanced and maintained.
<i>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;</i>	Overall, there is good connectivity within the development. Connectivity has been added to the site plan to connect to the existing phases. Connectivity to the proposed parkland is now provided.
<i>g) the type and location of outdoor lighting is designed to illuminate the structure, driveways, and any pedestrian walkways, but shall not be directed onto neighbouring properties;</i>	Lighting plan provided and appears appropriate (Appendix F).
<i>h) the location of facilities for the storage of solid waste provides for maximum separation from residential development, public areas, and adjacent properties;</i>	Site Plan addresses refuse storage and meets regulations of section 4.1.24.
<i>i) the location of existing easements shall be identified;</i>	No easements on the Subject Property. The two easements registered are from NSP and surround the cul-de-sac affecting Phase 1 and Phase 2.
<i>j) the management of storm and surface water is addressed, and associated plans are approved by the Town Engineer;</i>	Stormwater Management Plan reviewed and approved by Engineering (Appendix E).
<i>k) the type, location, number, and size of signs or sign structures do not</i>	No development sign is being proposed. Only a private lane sign.

<i>negatively alter the appearance of the neighbourhood; and</i>	
<i>l) the above-listed items are maintained in a manner suitable and complementary to the surrounding neighbourhood."</i>	All criteria are met with no further concerns.

R3 Zone Requirements

The R3 zone requirements which outline the minimum lot size and frontage, as well as building setback requirements for the zone are found in Section 5.4.4 of the LUB in Table 5.3:

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
	Multi-Unit Dwelling (five to eight 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

All zone requirements are met and demonstrated on the Site Plan.

Amenity Space

Section 4.1.3 of the LUB outlines the requirements for amenity spaces for developments consisting of more than four units:

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 attractive outdoor recreation space for the amenity of the residents on the lot.
- d) Amenity space shall be waived for all residential conversions.

The proposed development consists of 24 bachelor units and 24 two-bedroom units:

24 bachelor units x 200 ft²/unit = 4,800 ft²

24 two-bedroom units x 225ft²/unit = 5,400 ft²

Total minimum requirement of amenity space = 10,200 ft²

The proposed development provides 21,000 ft² of amenity space, exceeding the minimum requirement.

Parking Requirements

Table 4.2 of the LUB provides the minimum parking requirement:

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.

Based on this table, this development requires 1.25 parking spaces per unit. With 48 units, 60 parking spaces are required. The Site Plan proposes 60 parking spaces, meeting the requirement. However, as there are four or more parking spaces, Section 4.2.3 of the LUB also applies. Below are the regulations with the comments from the Development Officer:

4.2.3 Standard for Parking Areas

Where parking facilities for more than four vehicles are required or permitted:

LUB REQUIREMENT	DEVELOPMENT OFFICER COMMENT
<p>a) <i>Surfacing:</i></p> <p>i. <i>The parking shall be maintained with a stable surface that is treated to prevent the raising of dust or loose particles, except in the General Commercial (C1) Zone where a parking area shall have a permanent hard surface</i></p>	Stable surface provided through asphalt.
<p>ii. <i>Where a permanent hard surface is provided:</i></p> <p>a. <i>Individual parking spaces and circulation routes for vehicles, bicycles, and pedestrians shall be clearly marked and maintained; and</i></p>	All markings are clearly labelled. No known concerns.
<p>b. <i>A stormwater management plan shall be required and approved by the Town Engineer</i></p>	Stormwater Management Plan reviewed and approved by Engineering (Appendix E).
<p>b) <i>Site Layout</i></p> <p>i. <i>Where a driveway provides access to a parking area, the approaches and driveways shall be defined by a curb of concrete or rolled asphalt;</i></p>	Proposed driveway is defined by a curb of rolled asphalt.
<p>ii. <i>The lights used for the illumination of the parking lot or parking station shall be arranged to divert the light away from the streets, adjacent lots, and buildings;</i></p>	Lighting plan provided demonstrates that the light illuminates the parking areas while diverting from the streets, adjacent lots, and buildings. (Appendix F)

iii. <i>The location of approaches or driveways shall not be closer than 50 ft (15.24 m) from the limits of a right-of-way of a street intersection unless approved by the Town's Traffic Authority;</i>	Over 150 ft from the proposed driveway to Mountain View St. Mee Road falls within Nova Scotia Public Works jurisdiction and applicant has received driveway approval from that authority.
iv. <i>The width of a driveway leading to a parking area or aisle in a parking area shall be a minimum of 10 ft (3.05 m) for one-way traffic, and a minimum of 18 ft (5.49 m) for two-way traffic, with a maximum width of 25 ft (7.62 m);</i>	Proposed driveway ranges between 18' and 24'.
v. <i>Accessible parking spaces are provided in a convenient location, as close to the building's primary entrance as possible and in accordance with the National Building Code;</i>	According to the National Building Code, 3 Barrier-Free parking spaces must be provided. Site Plan proposes 6.
vi. <i>Accessible parking spaces shall be a minimum width of 13 ft (3.96 m) by a length of 18 ft (5.49 m); however, a parallel accessible parking space shall be 23 ft (7.01 m) in length;</i>	Barrier-Free parking spaces indicate the minimum length of 18 ft and the minimum width of 13 ft.
vii. <i>All parking areas must provide access to permit ingress and egress of motor vehicles to the street or highway by means of driveways, aisles, or maneuvering areas;</i>	Parking areas are accessed by a driveway.
viii. <i>Where a commercial or industrial parking area abuts an existing residential use, such commercial or industrial parking areas shall be screened</i>	Not applicable.

<p><i>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;</i></p>	
<p><i>ix. The Traffic Authority may require a traffic impact study for large developments to determine location and design elements of parking areas</i></p>	<p>Traffic Authority concluded that a traffic impact study is not required (Appendix E).</p>
<p><i>c) Landscaping</i></p> <p><i>i. A landscaped strip at least 5 ft (1.52 m) wide shall be provided and maintained between the parking area and any abutting public right-of-way, excepting any driveways or pedestrian walkways;</i></p>	<p>Not applicable as the parking area does not abut a public right-of-way.</p>
<p><i>d) Abutting Zones</i></p> <p><i>i. A parking area in a Residential Zone shall be situated in a side or rear yard;</i></p>	<p>Parking area is not in the front yard.</p>
<p><i>ii. A parking area on a property within or abutting a Residential or Park Zone shall be:</i></p> <p><i>a) separated from an abutting property by a landscaped buffer that is at least 10 ft (3.05 m) wide; or</i></p> <p><i>b) separated from an abutting property by a landscaped buffer that is at least 6 ft (1.83 m) wide, provided the parking area is also screened by an opaque fence that is at least 5 ft (1.52 m) high or an evergreen hedge that will form a solid visual barrier at</i></p>	<p>Site Plan indicates a 6 ft buffer to the west that will form a solid visual barrier from an evergreen hedge that is a minimum of 5 ft tall following one growing season. The language around maintenance will be implemented in the Letter of Undertaking.</p>

<i>least 5 ft (1.52 m) high following one growing season.</i>	
<i>e) Miscellaneous</i> i. <i>Snow storage is not permitted to occupy any area required for parking or loading;</i>	Snow storage locations provided and meet regulations.
ii. <i>A structure, not more than 15 ft (4.57m) in height and not more than 50 ft² (4.65 m²) in area, may be erected in a parking area for the use of parking lot attendants.</i>	No structure is being proposed.

Refuse Storage

Section 4.1.24 provides the requirements for refuse storage for any development except for single unit or two-unit dwellings:

“4.1.24 Refuse Storage

All development except for Single Unit Detached Dwelling and Two Unit Dwelling must provide space for the storage of recycling, compost, and garbage receptacles that shall:

- a) not be situated within the required front yard unless it is situated within a wholly enclosed structure; and*
- b) not occupy any space that is required for parking or amenity space in relation to a development.”*

The Site Plan provides several dedicated areas that are not in the front yard and therefore do not require a wholly enclosed structure. The dedicated areas also not occupy any parking or amenity space.

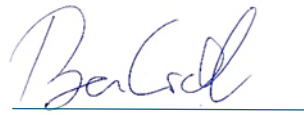
Multiple Buildings on a Lot

Section 4.1.19 of the LUB provides the requirements to allow more than one main building on a lot in the R3 zone. The distance between each building must be a minimum of 20 feet or half the height of the highest abutting wall.

For this proposed development, the minimum distance is 20 feet, which is demonstrated on the Site Plan.

Conclusion

With the aforementioned list of requirements being satisfied, the Development Officer has approved the Site Plan Approval for the Hibou Court – Phase 3 development.



Ben Croll
Development Officer

Appendices

- Appendix A – Site Plan
- Appendix B – Context Map
- Appendix C – Approval Letter to Applicant
- Appendix D – Notification Letter to Property Owners
- Appendix E – Approved Engineering and Traffic Memo
- Appendix F – Lighting Plan

Appendix A

(Site Plan)

GENERAL NOTES

- ALL ENCLOSED FLOORS ARE ENGINEERED FLOOR SYSTEMS
- ALL ROOF STRUCTURE ARE ENGINEERED TRUSSES
- ALL INTERIOR WALL FINISHES ARE PAINTED DRYWALL
- PAINT COLOR TO BE DETERMINED BY OWNER
- ALL FLOOR FINISHES TO BE DETERMINED BY OWNER
- GRADE LINE COULD CHANGE ACCORDING TO SOIL NATURE
- ALL DIMENSIONS MUST BE VERIFIED ON SITE, DO NOT SCALE OFF DRAWINGS. PLANS TAKE PRECEDENT OVER ELEVATIONS. IN ABSENCE OF DIMENSIONS, OR IF DISCREPANCIES EXIST, CONSULT WITH INSIGHT DESIGN CO. ALL MINIMUM DIMENSIONS ARE TO COMPLY WITH THE NBCC 2015
- SMOKE AND CO DETECTORS ARE TO BE INSTALLED WITHIN ALL BEDROOMS AND WITHIN 5m OF DOORS TO ALL BEDROOMS, ELSEWHERE AND AS PER THE NBCC 2015
- HRV VENTILATION SYSTEM TO BE INSTALLED PER NBCC 2015, NBCC 2010, NSBC 2015
- DOOR BETWEEN HOUSE AND GARAGE TO HAVE A SELF-CLOSING DEVICE, BE WEATHER STRIPPED AND A DEADBOLT
- ALL EXTERIOR WALLS TO BE INSULATED TO A MINIMUM R24. WALLS AT HOUSE AND GARAGE TO BE CONSIDERED EXTERIOR
- ALL NEW SLABS AND PROST WALLS TO BE INSULATED WITH MINIMUM R12 TYPE 2 RIGID FOAM INSULATION TO CONFORM TO 9.56 NBCC 2015
- ALL WINDOWS AND DOORS ARE TO BE FLASHED AS REQUIRED BY NBCC 2015
- ALL CONSTRUCTION TO BE IN CONFORMANCE WITH THE NBCC 2015, NBCC 2010, NSBC 2015

WOOD FRAMING NOTES (UNLESS OTHERWISE SPECIFIED BY APPROVED STRUCTURAL ENGINEER)

- ROOF SHEATHING SHALL BE MIN 1/2" EXTERIOR GRADE PLYWOOD OR OSB
- ALL LUMBER FOR STUD BEARING WALLS, LINTELS AND POSTS SHALL BE No.1 / 2 GRADE SPF UNLESS NOTED OTHERWISE
- ALL EXTERIOR STUD BEARING WALLS SHALL BE 2"x6" AT 16" O.C. WITH 2"x6" SHOE AND DOUBLE TOP PLATE UNLESS NOTED
- ALL EXTERIOR SHEATHING SHALL BE MIN. 1/2" EXTERIOR GRADE PLYWOOD OR OSB
- ALL DIM. LUMBER SHALL COMPLY WITH CSA O41
- CUTTING OF HOLES OR REMOVAL OF STRUCTURAL FRAMING FOR INSTALLATION OF PIPING, DUCTWORK, ELECTRICAL, ETC. SHALL NOT BE PERMITTED WITHOUT WRITTEN APPROVAL BY ENGINEER
- ALL ROOF TRUSSES SHALL BE SPACED NOT MORE THAN 2'-0" O.C. UNLESS NOTED OTHERWISE
- DESIGN WOOD ROOF TRUSSES FOR THE FOLLOWING SNOW LOAD IN ACCORDANCE WITH PART 3 OF THE NBCC 2015 (A) 39.5 PSF (GROUND SNOW LOAD) AND 12.4 PSF (RAIN LOAD)
- INCREASE LIVE LOAD DUE TO SNOW DRIFTS IN VALLEYS, AROUND PROJECTIONS
- DESIGN WOOD TRUSSES FOR THE FOLLOWING DEAD LOADS:
 - MIN. TOTAL DL = 15 PSF
 - ROOF CHORD = 8 PSF
 - ROOF CHORD = 9 PSF
 - INCREASE TOP CHORD DEAD LOAD TO 12 PSF IN LOCATIONS WHERE JACK TRUSSES ETC. ARE REQUIRED
- DESIGN WOOD JOISTS OR FLOOR TRUSSES FOR THE FOLLOWING LOADS:
 - DL = 12 PSF
 - LL = 40 PSF
- TRUSSES AND WOOD JOIST SHOP DRAWINGS SHALL SHOW ALL STRUCTURAL INFORMATION INCLUDING MEMBER SIZES, MEMBER SIZES, CONNECTION DETAILS, BRACING, PLACEMENT AROUND OPENINGS, ETC. AND MUST BE STAMPED AND SIGNED BY AN ENGINEER REGISTERED TO PRACTICE IN NOVA SCOTIA AND SUBMITTED TO THE CONSULTANT FOR REVIEW PRIOR TO FABRICATION
- SUBMIT DETAILS AND CAPACITIES OF ALL TRUSS CONNECTIONS (HANGERS ETC.) FOR APPROVAL BEFORE TRUSS FABRICATION
- ROOF TRUSS SUPPLIER SHALL PROVIDE TRUSS BEARING SHOES WHERE REQUIRED IF ALLOWABLE STRESS

PERPENDICULAR TO GRAIN IS EXCEEDED. SUBMIT DETAILS FOR REVIEW

- INSTALL PLYWOOD TO STUD WALLS AND ROOF FRAMING WITH JOINTS STAGGERED AND ENDS BUTTED OVER FRAMING. WALL PLYWOOD WITH 2" COMMON WALLS AT 16" O.C. ALONG EDGES AND 2" O.C. ON INTERMEDIATE SUPPORTS
- TRUSSES SHALL BE FASTENED TO PLATES WITH 10 ga. ZINC COATED TECO RPP-L GRP FRAMING ANCHORS AND TYPE AL OR AR OR APPROVED EQUAL
- AFTER PREFABRICATED WOOD TRUSSES ARE SET IN PLACE, INSTALL 2" THICK CONTINUOUS BLOCKING BETWEEN TRUSSES AT BEARING WALLS
- ENGINEERED WOOD TO HAVE THE FOLLOWING MINIMUM PROPERTIES
 - BENDING STRESS = 4,800 PSI
 - SHEAR STRESS = 550 PSI
 - MODULUS OF ELASTICITY = 1,900,000 PSI
- MAXIMUM LIVE LOAD DEFLECTION FOR TRUSSES AND ENGINEERED WOOD TO BE L/360. FOR FLOORS WITH CONCRETE TOPPING, MAX. TOTAL DEFLECTION TO BE L/560
- CONCRETE BLOCKING IN WALL ASSEMBLIES THAT ENCLOSE BATHROOMS IN DWELLING UNITS TO ACCOMMODATE FUTURE INSTALL OF GRAB BARS FOR WATER CLOSET, BATHUB AND SHOWER AS PER CURRENT / ADAPTABLE HOUSING NOVA SCOTIA BUILDING CODE REQUIREMENTS.

REINFORCED CONCRETE NOTES (UNLESS OTHERWISE SPECIFIED BY APPROVED ENGINEER)

- ALL CONCRETE, CONCRETE MATERIAL, FORMS, PRACTICE ETC., SHALL CONFORM TO CSA-A23.1-10 UNLESS NOTED OTHERWISE
- MINIMUM COMPRESSIVE STRENGTH OF CONCRETE AT 28 DAYS SHALL BE 3500 PSI UNLESS NOTED OTHERWISE
- CONCRETE FOR ANY GARAGE SLABS TO BE MINIMUM COMPRESSIVE STRENGTH OF 4600 PSI
- 10# IS TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURERS SPECIFICATION AND BY CERTIFIED INSTALLER
- USE 3/4" MAX. AGGREGATE SIZE THROUGHOUT. ALL CONCRETE EXPOSED TO WEATHER SHALL BE AIR ENTRAINED TO 6% MAXIMUM SLUMP TO BE 3"
- CONCRETE PROTECTIVE COVER FOR REINFORCED STEEL SHALL BE AS FOLLOWS: (UNLESS NOTED OTHERWISE ON DWGS.)
 - (A) CAST AGAINST FILL - NO FORMWORKS - 3"
 - (B) EXPOSED TO EARTH OR WEATHER, 20M AND SMALLER - 1 1/2"
 - (C) WALLS AND SLAB, PROTECTED - 3/4"
- THE CONTRACTOR SHALL PROVIDE CONTINUOUS SUPERVISION DURING THE PLACEMENT OF CONCRETE TO ENSURE STEEL IS MAINTAINED IN IT'S CORRECT POSITION
- CONSTRUCTION JOINTS SHALL BE LOCATED SO AS TO LEAST IMPAIR THE STRENGTH OF THE CONSTRUCTION AND TO THE ENGINEER'S APPROVAL. CONSTRUCTION JOINTS SHALL BE KEVED AND ISM POWELS x 3'-0" LONG AT 24" O.C. SHALL BE ADDED, REINFORCING SHALL NOT BE INTERRUPTED
- FORMWORK MUST NOT BE REMOVED UNTIL CONCRETE HAS ATTAINED SUFFICIENT STRENGTH TO SUSTAIN ALL LOADING
- ALL REINFORCED STEEL SHALL HAVE A MINIMUM YIELD STRENGTH OF 400MPa AND SHALL CONFORM TO CSA G40.21-02
- ALL REINFORCING STEEL SHALL BE DETAILED, FABRICATED, PLACED AND SUPPORTED IN ACCORDANCE WITH "REINFORCING STEEL MANUAL OF STANDARD PRACTICE" BY THE REINFORCING STEEL INSTITUTE OF CANADA, FIRST EDITION 1992
- ALL WELDED WIRE FABRIC (W.W.F.) SHALL CONFORM TO CSA G40.3-M1983 AND CSA G40.3-M1983
- ALL REINFORCED STEEL SHALL BE LAPPED A MINIMUM OF 50 BAR DIAMETERS, UNLESS NOTED OTHERWISE
- TO REDUCE RANDOM SLAB CRACKING, CONTROL JOINTS ARE RECOMMENDED AT A SPACING OF 10'-0" O.C. FOR 4" SLABS. CONTROL JOINTS TO BE CUT TO A DEPTH OF 1"









ROOF TYPE SCHEDULE	
TYPE	MATERIALS
RT 1	ROOF ASSEMBLY - 25 YR ASPHALT SHINGLES AS SELECTED BY OWNER - UNDERLAYMENT - ICE AND WATER SHIELD TO A MIN. OF 2'-6" BEYOND FACE OF EXTERIOR WALL - GALVANIZED STARTER STRIP - 15/32 SUPERROOF OSB C/W H-CLIPS - PRE ENGINEERED WOOD ROOF SYSTEM - R 50 BATT INSULATION - 36" AIR BATTLE IN TRUSS BAYS - 6 MIL POLY VAPOUR BARRIER - 1"x4" STRAPPING AT 16" O.C. - 1 LAYER 1/2" GYPSUM BOARD, TAPED, SANDED, PRIMED AND PAINTED
RT 2	ROOF ASSEMBLY - 25 YR ASPHALT SHINGLES AS SELECTED BY OWNER - UNDERLAYMENT - ICE AND WATER SHIELD TO A MIN. OF 2'-6" BEYOND FACE OF EXTERIOR WALL - GALVANIZED STARTER STRIP - 15/32 SUPERROOF OSB C/W H-CLIPS - PRE ENGINEERED WOOD ROOF SYSTEM - 1"x4" STRAPPING AT 16" O.C. - PERFORATED VINYL SOFFIT

WALL TYPE SCHEDULE	
TYPE	MATERIALS
WT 1	TYP. FOUNDATION WALL - 1/2" CEMENT BOARD TO 12" BELOW GRADE - WATERPROOFING AND DRAINAGE LAYER (BELOW GRADE, FLASHING ABOVE AS PER DETAILS) - 10" FORMER CONCRETE WALL - 1" OFFSET GREY FOAM VOID AND BAYS TO R24 MIN.) - 2"x4" WOOD STUDS AT 16" O.C. - 6 MIL POLY VAPOUR BARRIER (APPROVED) - 5/8" TYPE X GYPSUM BOARD, TAPED, SANDED, PRIMED AND PAINTED
WT 2	TYP. TRUSS WALL - 1/2" CEMENT BOARD TO 12" BELOW GRADE - WATERPROOFING AND DRAINAGE LAYER - 4 1/2" 2" 5M RIGID INSULATION (R22)
WT 3	TYP. EXTERIOR LOAD BEARING WALL - R50 (EW6) 1 HR. F.R.R. - FINISH AS SELECTED (RANGREEN TPO) - MOISTURE BARRIER - 1" RIGID INSULATION (R6) - 1/2" EXTERIOR GRADE SHEATHING - 2"x6" WOOD STUD AT 16" O.C. - (R24) BATT INSULATION - 6 MIL POLY VAPOUR BARRIER (APPROVED) - 1 LAYER 5/8" TYPE X GYPSUM BOARD, TAPED, SANDED, PRIMED AND PAINTED
WT 4	TYP. EXTERIOR NON LOAD BEARING WALL - R50 - FINISH AS SELECTED (RANGREEN TPO) - MOISTURE BARRIER - 1" RIGID INSULATION (R6) - 1/2" EXTERIOR GRADE SHEATHING - 2"x6" WOOD STUD AT 16" O.C. - (R24) BATT INSULATION - 6 MIL POLY VAPOUR BARRIER (APPROVED) - 1 LAYER 5/8" TYPE X GYPSUM BOARD, TAPED, SANDED, PRIMED AND PAINTED
WT 5	TYP. UNIT TO UNIT BENCHMARK WALL (UW5) 1 HOUR F.R.R. SEC 57 - 1 LAYERS 5/8" TYPE X GYPSUM BOARD, TAPED, SANDED, PRIMED AND PAINTED - 2 ROWS 2"x4" WOOD STUDS AT 16" O.C. ON SEPARATE PLATES SET 1" APART - ABSORPTIVE MATERIAL BOTH SIDES - 1 LAYER 5/8" TYPE X GYPSUM BOARD, TAPED, SANDED, PRIMED AND PAINTED

PARTITION TYPE SCHEDULE	
TYPE	MATERIALS
PT 1	TYP. INTERIOR PARTITION - 1/2" GYPSUM WALL BOARD FINISH AS SELECTED - 2"x4" WOOD STUD AT 16" O.C. - 1/2" GYPSUM WALL BOARD FINISH AS SELECTED
PT 2	TYP. PLUMBING PARTITION - 1/2" GYPSUM WALL BOARD FINISH AS SELECTED - 2"x4" STUDS AT 16" O.C. - 1/2" GYPSUM WALL BOARD FINISH AS SELECTED

NOTE:
- ALL INTERIOR PARTITIONS NOT TAGGED ARE TO BE PT 1
- MOISTURE RESISTANT DRYWALL IN ALL WASHROOMS
- ALL DIMENSIONS ARE TO THE FACE OF EXTERIOR FRAMING / STRUCTURE OR TO THE CENTER OF INTERIOR PARTITION FRAMING UNLESS OTHERWISE NOTED

FLOOR TYPE SCHEDULE	
TYPE	MATERIALS
FT 1	SLAB ASSEMBLY - FINISH FLOOR AS SELECTED BY OWNER - 4" CONCRETE SLAB, MACHINE TROWELLED C/W 6x6 10-10 W/M - 6 mil ULTRA POLY VAPOUR BARRIER - 4 1/2" 2" 5M RIGID INSULATION (R22) AT 48" PERIMETER - MIN. 4" RADON STONE
FT 2	FLOOR ASSEMBLY FT2 (F14) 1 HOUR F.R.R. SEC 60 - FINISH FLOOR AS SELECTED BY OWNER - 1 1/2" GYPSUM-CONCRETE TOPPING - 15.5mm OSB SHEATHING VALUED, GLEED AND SCREWED OR 17mm TONGUE AND GROOVE LUMBER - PRE ENGINEERED WOOD FLOOR JOIST SYSTEM (INDICATING 11/7 8" T.J. GC TO COORDINATED) - RESISTANT CHANNEL AT 16" O.C. - 1 LAYER 5/8" GYPSUM BOARD, TAPED, SANDED, PRIMED AND PAINTED

LEGEND	
	DOOR TAG
	WINDOW TAG
	WALL TAG
	FLOOR DRAIN
	RADON VENT
	ELEVATION TAG
	SMOKE DETECTOR
	CARBON MONOXIDE DETECTOR

MULTI UNIT RESIDENTIAL DEVELOPMENT

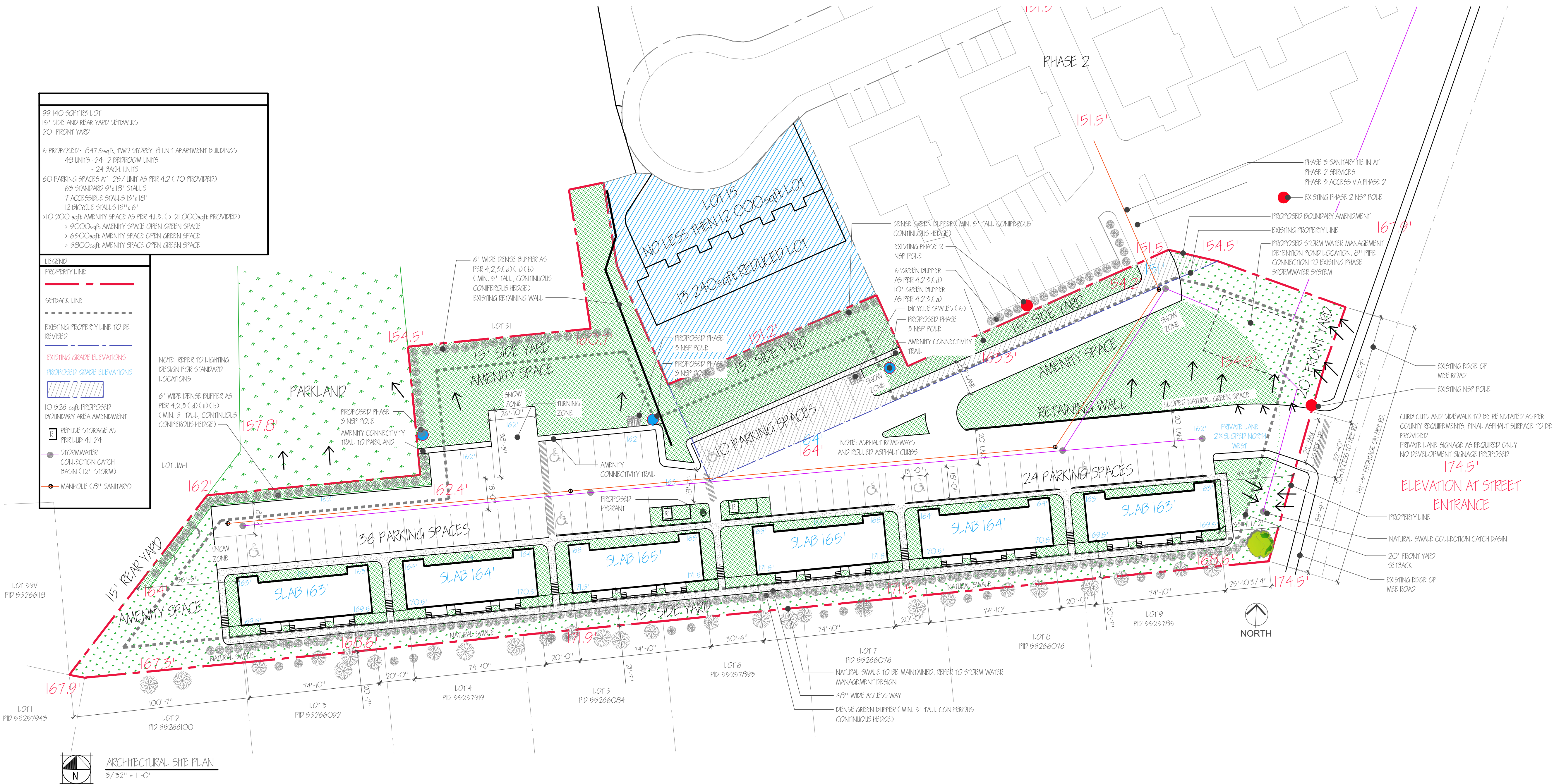
PHASE 3 PID-----
Hibou Court, Kentville
Nova Scotia

EKD Match Design
462 Marston Rd. Sackville Corner Nova Scotia B0P 1C0
Tel: 902-444-1111 Fax: 902-444-1112

PROJECT NAME:
ISSUED FOR SPA APPLICATION

NOTES:

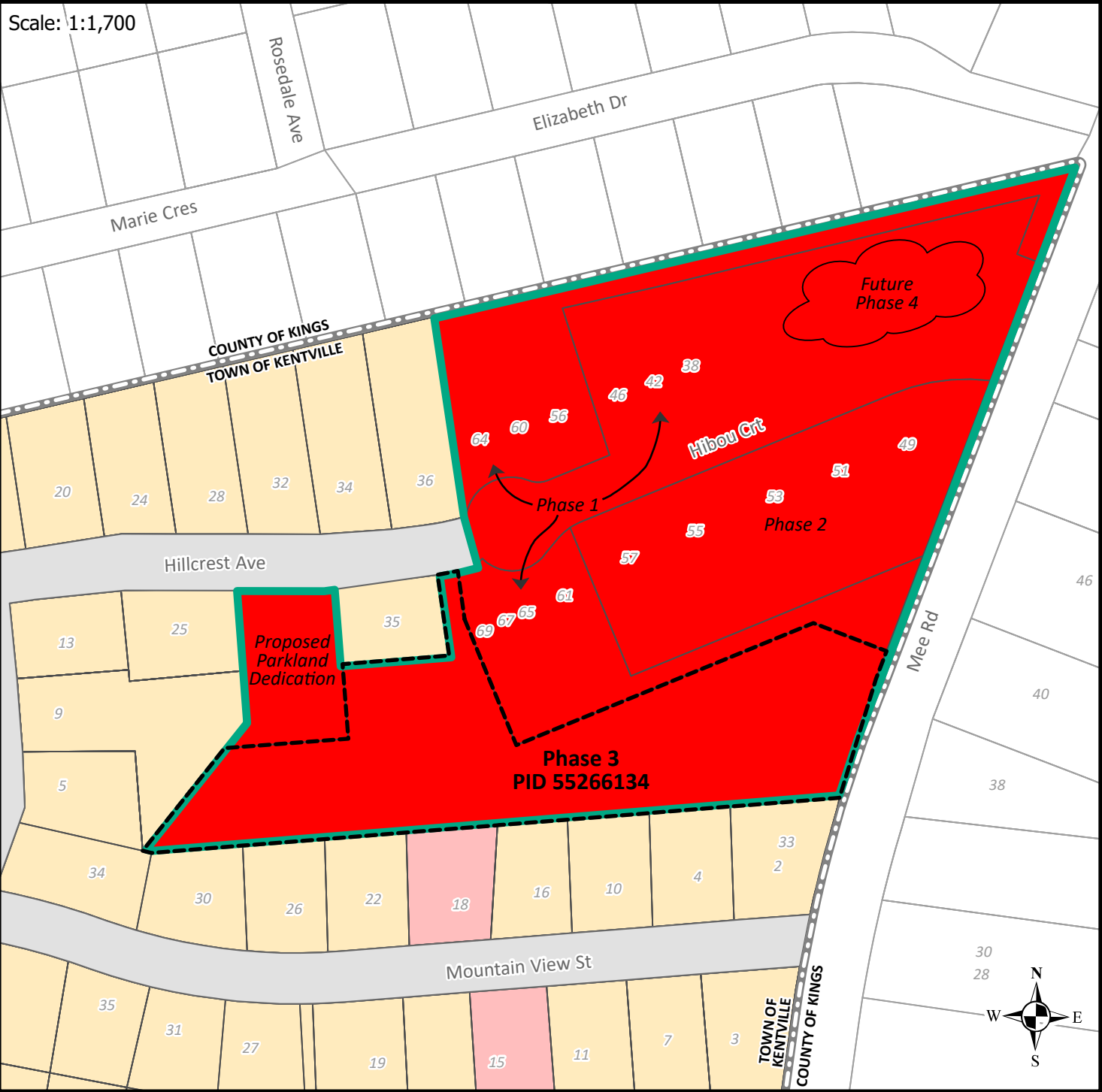
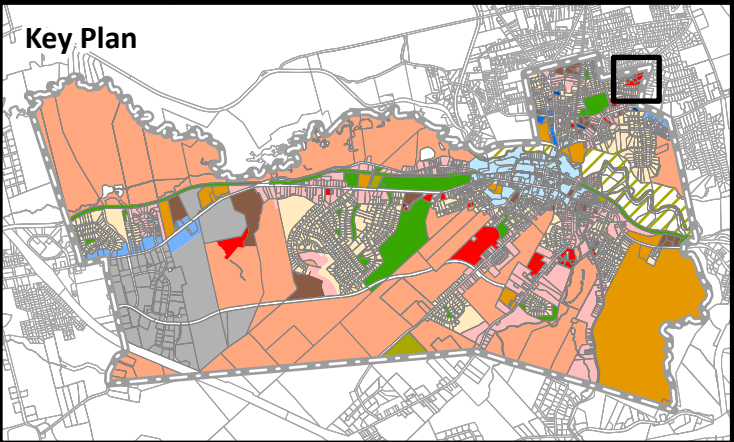
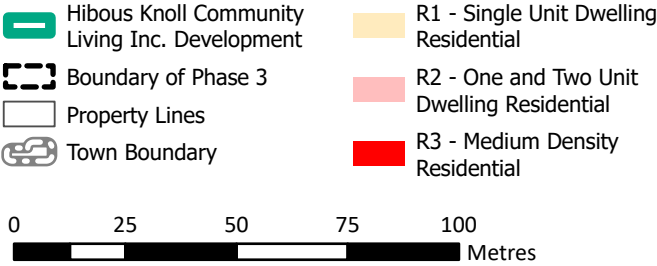
- CONSULTANT RELEASED TO THE USE OF THIS DRAWING
- THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY APPROVALS
- DESIGNER'S REQUIREMENTS AND APPROVALS:
 - It is the Designer's responsibility to verify that all Match Design and to seek prior written approval for materials and workmanship which deviates from instructions provided by the Designer
- ENGINEER'S REQUIREMENTS AND APPROVALS:
 - It is the Engineer's responsibility to verify that all Match Design and to seek prior written approval for materials and workmanship which deviates from instructions provided by the Engineer
- AUTHORITIES REQUIREMENTS AND APPROVALS:
 - All materials and workmanship must comply with the requirements of all applicable laws and regulations and the National Building Code of Canada.
- SHOP DRAWINGS:
 - Submit shop drawings to the Designer, Designer and Authorities as required for approval prior to manufacture of prefabricated elements of the building



Appendix B

(Context Map)

Appeal Hearing Context Map



This map is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Any interpretation of this map must be confirmed with the Municipality in which the property is situated. To receive further clarification about the use of this Planning Document inquiries may be made to the Town of Kentville's Planning and Development Department.
 Property Source: Nova Scotia Property Records Database (NSPRD), Compliments of the Nova Scotia Geomatics Centre (NSGC), Service Nova Scotia and Municipal Relations, 160 Willow Street, Amherst, Nova Scotia, Canada

Appendix C

(Approval Letter to Applicant)



To:	Brian Jones (COG Construction)
From:	Ben Croll (Development Officer)
Date:	April 3, 2025
Re:	Hibou Court – Phase 3
Lands of:	Hibous Knoll Community Living Inc.
Subject Property:	Hibou Court, Kentville (PID 55266134)
Plans:	A1 dated April 2, 2025 drawn by EKD.

Site Plan Approval – Approval Letter

Dear Brian Jones,

Please be advised that this letter is a notification that the Town of Kentville has approved the site plan approval application for the development of six 8-unit residential buildings at the above noted location.

Upon approving the Site Plan, the Town of Kentville is required to notify adjacent property owners within a 30m radius of the Subject Property as per the provisions of Sections 232(2) and 236(1) of the *Municipal Government Act* (MGA) of Nova Scotia. These sections of the MGA also lay out the rights to appeal for these property owners, which require such an appeal to be relayed in writing to the Town Council within fourteen (14) days of receipt of this notification, via written contact with the Town Clerk at Town Hall (354 Main Street, Kentville). This written appeal must clearly outline where the site plan has violated the Town of Kentville's Land Use Bylaw. The Town will notify you once the appeal period has expired.

Upon the lapse of this appeal period, if no appeal is lodged, a Letter of Undertaking will be signed by both the property owner and the Town, and be forwarded to the Land Registry Office to be registered against title. Only at this time will the property owner be eligible for a development permit for the undertaking.

Please contact me at (902) 679-2328 or by email at Bcroll@Kentville.ca should you have any questions regarding this process.

Take care,

Ben Croll
Development Officer

Appendix D

(Notification Letter to Property Owners)



April 4, 2025

RE: Site Plan Approval – Hibou Court, Kentville (PID 55266134)

Dear Property Owner,

This letter is to notify you that the Development Officer for the Town of Kentville has accepted a site plan approval application under the provisions of Sections 231-232 of the *Municipal Government Act of Nova Scotia*, and Section 4.1.27(a) of the Kentville Land Use Bylaw which requires site plan approval for:

"New Structures or additions in the Medium Density Residential (R3) Zone when such developments abut a Single Unit Dwelling (R1) Zone or a One and Two Unit Dwelling (R2) Zone."

Section 5.1.12 of the Kentville Land Use Bylaw outlines the criteria for which this development is required to meet. Any appeal must demonstrate how the decision of the Development Officer fails to comply with the Kentville Land Use Bylaw.

Hibous Knoll Community Living Inc. (owner of the Subject Property) has submitted a site plan application for:

Six 8-unit residential buildings within the town limits of Kentville.

The site plan enclosed pertains to the development proposal and the lot in question.

Your property has been identified as one which falls within thirty (30) metres of the subject property. As the assessed owner of this property and under the provision of Section 232 (2) of the MGA, any person served with this notice may appeal the decision of the Development Officer to the Council of the Town of Kentville by giving written notice, by way of the attached appeal form, to the Clerk no later than April 22, 2025 at 4:30 PM.

Yours truly,

A handwritten signature in black ink that reads "Ben Croll".

Ben Croll
Development Officer



Office (902) 679-2530
Planning@kentville.ca

Appendix E

(Approved Engineering and Traffic Memo)



Tel: 902-679-3998
akadri@kentville.ca

INTEROFFICE MEMORANDUM

To:	Ben Croll Development Officer	From:	Ahmad Kadri, P.Eng. Project Engineer
CC:	Darren Shupe, Director of Planning & Development Kirsten Duncan, Development Officer & Planning Technician Dave Bell, P.Eng. Director of Engineering & Public Works		
Subject:	Site Plan Approval – Hibou Court Ph3, Lands of Hibous Knoll Community Living Inc. Kentville, (55266134)	Date:	April 2, 2025

The purpose of this memo is to provide comments on the site plan and drainage report submitted in support of SD Hibou Court Ph3:

1. Site Plan A, Drawn by E.K.D Match Design; January 31st, 2025.
2. Drainage Report for Hibou Court SD Ph2, Kentville, Nova Scotia; Prepared by 3332892 Nova Scotia Limited, A.W. Dewar, Engineers Nova Scotia #2937, February 11, 2025.
3. Revised Site Plan Drawn By EKD Match Design; April 2, 2025.
4. Interoffice Memo to resolve deficiencies by Department of Engineering & Public Works TOK; March 28, 2025

After reviewing the record drawing and drainage report, I can confirm the following;

- 4.2.3 (a) (i) Developer confirmed type of surface on the Site plan, which is asphalt, it is the responsibility of the developer to maintain the pavement. Engineering has no comment.
- 4.2.3 (a)(ii) a. The Town will not be assuming responsibility for the street. It is the developer's responsibility to maintain it and mark designated areas.
- 4.2.3 (a)(ii) b. We have reviewed the above referenced Drainage Report for this phase and accept the designer's recommendations on page 12 of the report, in particular that a detention pond will be designed and constructed for this development. While this collection and storm water management will remain the operation and maintenance responsibility of the developer / property owner, the Town approves the balanced / attenuated discharge of this detention pond into the Municipal system on Hibou Court that the Town anticipates

Phone: 902-679-2500
Monday - Friday 8:30 a.m. - 4:30 p.m.
354 Main Street
Kentville, NS B4N 1k6
www.Kentville.ca


taking over once all aspects of the *Street & Services / Subdivision Agreement* have been satisfied.

- 4.2.3 (b)(i) Developer stated on site plan that the curb is rolled asphalt the developer is responsible for maintaining the curb. Engineering has no comment.
- 4.2.3 (b)(ix) Traffic impact study not required for the size of this development.
- 5.1.12(b) No comments from Engineering.
- 5.1.12(c) No comments from Engineering.

At this time, Engineering has no concerns regarding this application.

Recommended Action

Initial in Appropriate Box and Sign where indicated

Municipal Engineer's Determination	
AEK	Recommend Final Approval
Signed:	 <i>Apr 12, 2025</i> Ahmad Kadri, P.Eng.

Appendix F

(Lighting Plan)

PROPERTY LINE

SETBACK LINE

EXISTING PROPERTY LINE TO BE REVISED

EXISTING GRADE ELEVATIONS

PROPOSED GRADE ELEVATIONS



10' WIDE PROPOSED BOUNDARY AREA AMENDMENT

