



Subject: *Abdul Habboush - LUB Mapping Amendments*
To: CAO for Planning Advisory Committee, March 21, 2023
Date Prepared: March 8, 2023
Related Motions: None
Prepared by: Lee-Ann Martin, Planner & Development Officer
Approved by: John Woodford, Director of Planning and Development

Summary

The Municipality has received an application from Abdul Habboush to rezone property on Pinehill Drive from Established Residential Neighbourhood (R1) Zone to the Two Dwelling Unit Residential (R2) Zone. This initial report outlines the application and recommends that First Reading be given.

Financial Impact Statement

There are no immediate financial impacts associated with the recommendations of this report. Information on the financial impact of the amendments will be provided in the final report.

Recommendation

That Planning Advisory Committee recommend that Council give First Reading and authorize staff to schedule a Public Hearing.

Recommended Motion

Planning Advisory Committee recommends that Council:

- ***Give First Reading to rezone properties identified as PIDs 45416989, 45421435, 45421427, 45421419, 45421401, and 45421393 located on Pinehill Drive from the Established Residential Neighbourhood (R1) Zone to the Two Dwelling Unit Residential (R2) Zone; and authorize staff to schedule a Public Hearing.***

Background

In February 2023, the Municipality received an application from Abdul Habboush to rezone property on Pinehill Drive Established Residential Neighbourhood (R1) Zone to the Two Dwelling Unit Residential (R2) Zone. This initial report outlines the application and recommends that First Reading be given.

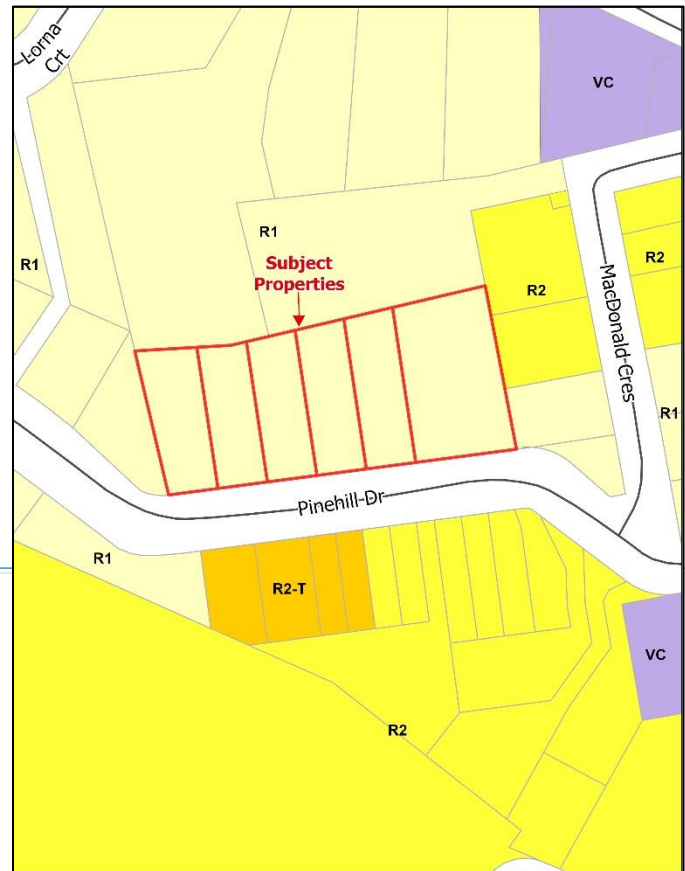
Subject Property

An excerpt of the zoning map and aerial photography map below show the location of the subject properties identified as PIDs 45416989, 45421435, 45421427, 45421419, 45421401, and 45421393 which are all accessed via Pinehill Drive.

The vacant properties total approximately 6022m². The property is currently zoned as Established Residential Neighbourhood (R1) and is located within the South Corridor & Commercial Growth Management Area. The properties are also designated as Established Residential Neighbourhood (ER) designation as per the Generalized Future Land Use Map.

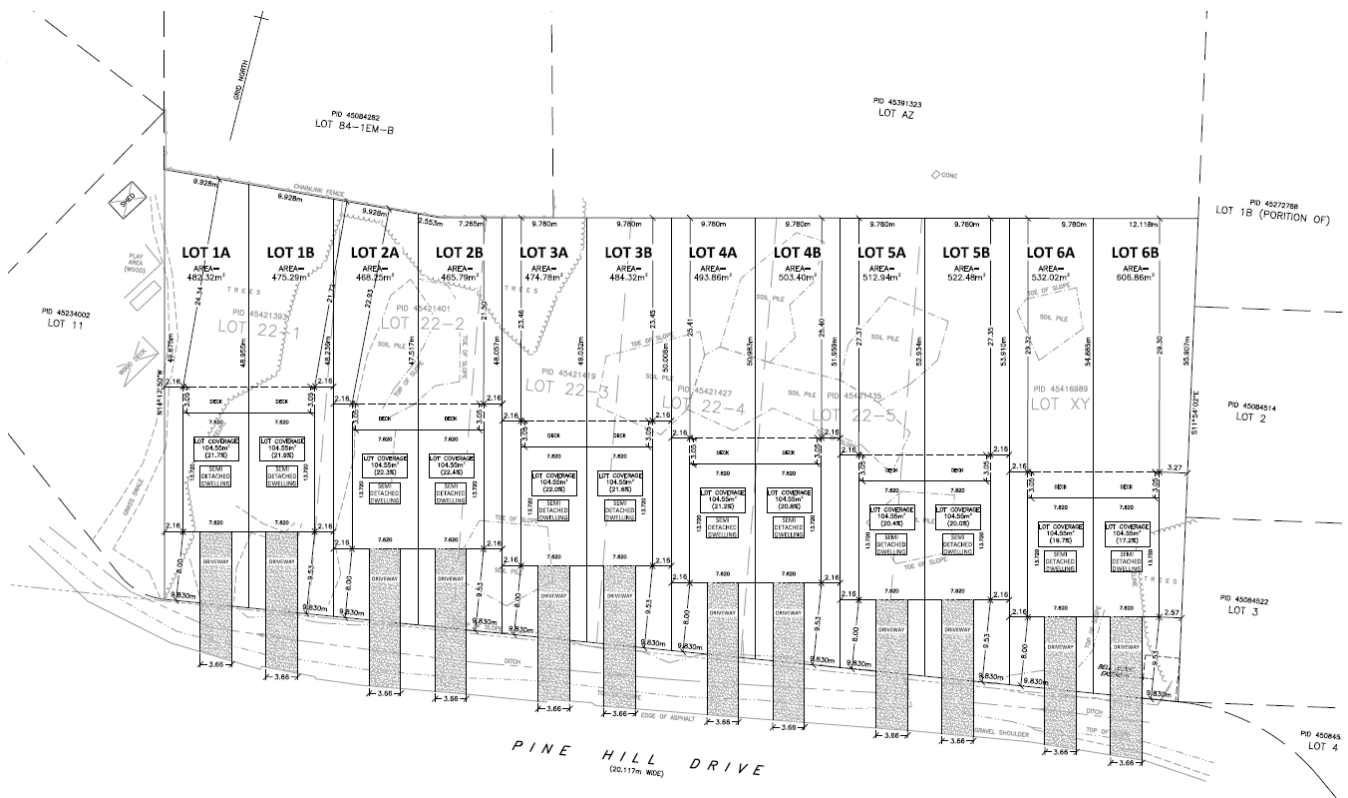
Development Proposal

The purpose of this proposal is to amend the Land Use Bylaw Map to change the zone from the Established Residential Neighbourhood (R1) Zone to the Two Dwelling Unit Residential (R2) zone to enable the development of a semi-detached dwelling units. The site plan shown below contains six (6) lots for semi-detached dwellings for 12 total new dwelling units.



The applicant will be required to undertake property boundary adjustments through the subdivision process in order to meet the R2 zone requirements as outlined in the Land Use Bylaw. The minimum frontage requirement for an R2 lot is 18 metres, and as the site plan indicates after the adjustments have been completed, each lot will meet the minimum 18 metres lot frontage requirement. Staff will be requesting the applicant submit an application for subdivision once First Reading has been given. This process will need to be completed prior to any approval being given to the rezoning. The amendments to the property boundaries do not presume any decision of Council on this application.

Site plan:



Discussion

LEGISLATIVE AUTHORITY

The Municipal Government Act, Part III gives legislative authority for this application. This section outlines the process for these amendments to be considered, including the advertisements for a Public Hearing.

FINANCIAL CONSIDERATIONS

A financial impact analysis will be provided in the final staff report.

MUNICIPAL PLANNING STRATEGY POLICY ANALYSIS

Staff are currently reviewing the proposed amendments based on the applicable policies contained in the Municipal Planning Strategy. Staff will be requesting comments from internal departments and external agencies including Nova Scotia Public Works. A detailed table of the evaluative criteria from the enabling policies and corresponding comments from Staff and reviewing agencies will be attached to the final report.

Policy RD24 of the Municipal Planning Strategy enables Council to consider a rezoning from the R1 to the R2 zone. The policy details the criteria and terms for the rezoning.

In evaluating this application, Staff will refer to the Municipal Planning Strategy policies associated with the South Corridor & Commercial Growth Management Area, the Established Residential Neighbourhood (ER) designation as well as the general policies related to amending the Land Use Bylaw including policies IM17 through IM25.

Council’s decision on this application is appealable to the Nova Scotia Utility and Review Board as it does not involve an amendment to the Municipal Planning Strategy.

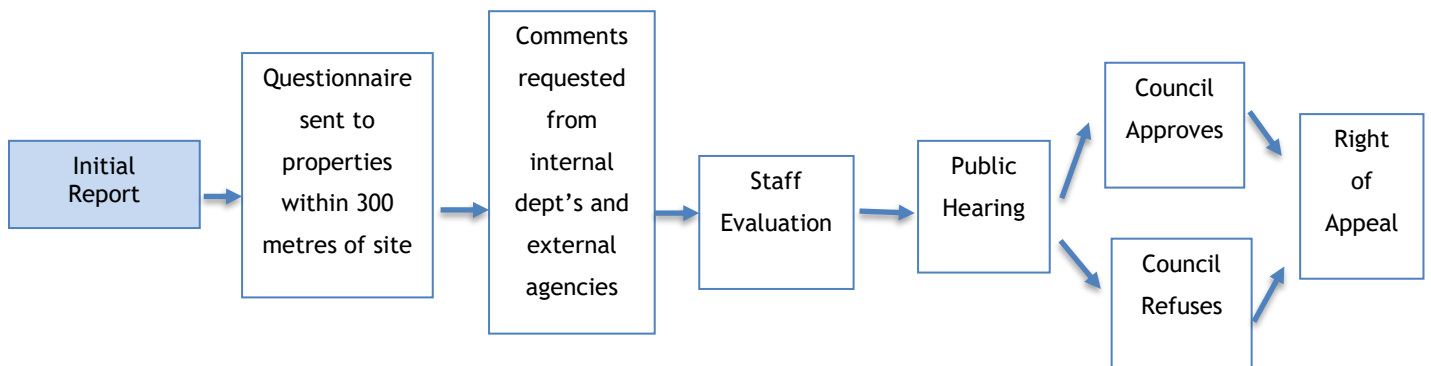
Citizen Engagement

Planning staff will comply with the Citizen Engagement Policies of the Municipal Planning Strategy when processing the amendments. An advertisement outlining the proposal and indicating that it is under review by staff will be placed in an upcoming edition of the *Chronicle Herald*. Following First Reading, a letter and questionnaire will be mailed to all property owners within 300 metres of the subject properties providing an opportunity for residents to comment on the application. Questionnaire responses will be provided for Council to review.

A Public Information Meeting is not required as the rezoning does not require an amendment to the Municipal Planning Strategy mapping. The Established Residential Neighbourhood (ER) designation will remain on the property.

Conclusion

Staff will continue to review the proposal to change the subject property to the Two Dwelling Unit Residential (R2) Zone. The proposed amendments will be evaluated using all applicable policies in the Municipal Planning Strategy. Staff will make a recommendation to PAC in their final staff report.



Recommendation

That Planning Advisory Committee recommend that Council give First Reading and authorize staff to schedule a Public Hearing.

Alternatives

If the PAC does not support this application, they can choose to recommend that Council not move forward with the application. Planning staff do not support this approach and recommend that the file be taken to a Public Hearing to allow staff to complete their full review and analysis of the policies to be provided to PAC and Council in the final staff report.

Attachments
None