



Subject: *E.L.T Property Holdings Ltd. Application: MPS and LUB Mapping Amendments*
To: CAO for Planning Advisory Committee, October 17, 2023
Date Prepared: October 11, 2023
Related Motions: PAC23(32) and C23(209)
Prepared by: Debbie Uloth, Project Planner
Approved by: John Woodford, Director of Planning and Development

Summary

The Municipality has received an application from E.L.T. Property Holdings Ltd. to change the land use designation of PID 45118221 and PID 45078748 from Village Core (VC) to Medium Density Residential Neighbourhood (MR) and rezone the same PIDs from Village Core (VC) to Multiple Unit Residential (R3) Zone. The purpose of the application is to allow for the construction of three, 24-unit apartment buildings. The application site is located at the corner of Old Enfield Road and Bakery Lane.

A public information meeting for the application was held on September 5, 2023. Notes from the meeting have been attached as Appendix B.

Financial Impact Statement

There is no immediate financial impact from the recommendations in this report. A fiscal impact analysis will be completed for the final staff report.

Recommendation

That Planning Advisory Committee recommends that Council give first reading to the mapping amendments and authorize staff to schedule a public hearing.

Recommended Motion

Planning Advisory Committee recommends that Council:

- *give first reading to the application from E.L.T. Property Holdings Ltd. to amend the MPS and LUB by changing the land use designation of PID 45118221 and PID 45078748 to Medium Density Residential Neighbourhood (MR) and rezoning the same lands to Multiple Unit Residential (R3) Zone; and*
- *authorize staff to schedule a public hearing.*

Background

Planning staff received an initial application from E.L.T. Property Holdings Ltd. in May 2023. The application proposes to change the Generalized Future Land Use Designation of lands identified as PID 45118221 and PID 45078748 from Village Core (VC) to Medium Density Residential Neighbourhood (MR) and to rezone the same from Village Core (VC) to Multiple Unit Residential (R3) Zone. Changing the land use designation and zone would then allow the applicant to apply for site plan approval for three, 24-unit apartment buildings.

E.L.T. Property Holdings Ltd. currently has site plan approval on the subject lands that permit the development of six, 12-unit apartment buildings, with each building on its own lot, with a zero lot line between every two buildings. Both the approved and the proposed application have a total of 72 dwelling units.

Discussion

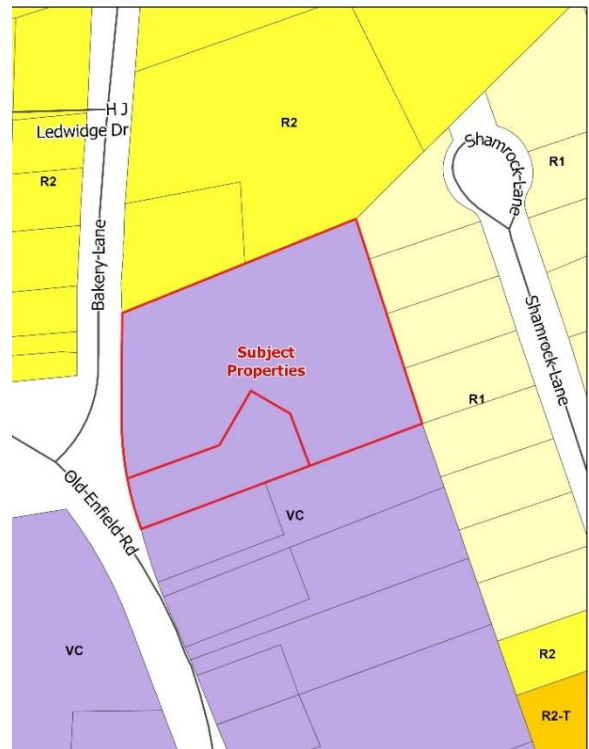
SUBJECT PROPERTY

The subject properties are shown on the map to the right and are identified as PID 45118221 (civic 51) and PID 45078748 Old Enfield Road, Enfield. The total area of the subject lands is approximately 1.13 ha (2.8 acres).

The properties are zoned Village Core (VC) Zone. Property to the south is zoned Village Core (VC) Zone, property to the north is zoned Two Dwelling Unit Residential (R2) Zone, property to the east is zoned Established Residential Neighbourhood (R1) Zone, and across the Old Enfield Road is the Royal Canadian Legion, which is zoned Village Core (VC). The subject lands have frontage on the corner of Old Enfield Road and Bakery Lane.

DEVELOPMENT PROPOSAL

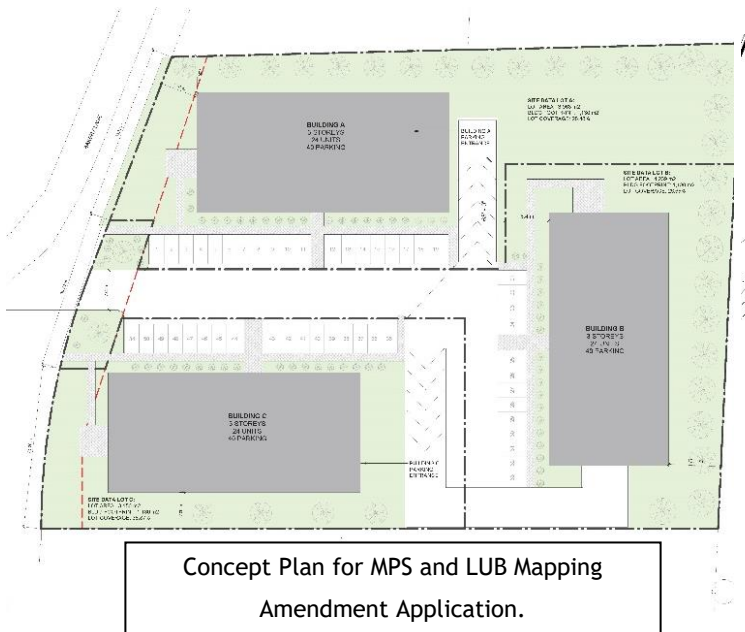
The purpose of this application is to amend the Municipal Planning Strategy and Land Use Bylaw to allow for the development of three, 24-unit multiplexes. A concept plan of the proposed development is shown on the following page and is attached as Appendix A.



Under the approved site plan, the Developer has the ability to construct 72 dwelling units. The current lands would have to be subdivided to create six lots, with one multiplex containing 12-dwelling units on each lot. The difference between the two plans is in the scale of the buildings and the lot coverage of the parking areas. Under the proposed site plan, most of the parking is located in underground parking garages instead of surface parking areas. Both applications are proposed to have the same number of dwelling units.

If the MPS and LUB mapping application is approved, the applicant does not have to develop the site as shown on the site plan. However, the applicant would be restricted by the size and frontage of the land and by requirements of the Land Use Bylaw. A maximum of three lots could be created with a maximum of 24-dwelling units on each lot, for a total of 72 dwelling units. The applicant would also have to be compliant with other LUB regulations such as amenity space requirements, buffering, design requirements, and parking requirements. If the property designation and zoned is changed the applicant also has the option of applying

for a development agreement on the subject lands to allow for increased density but this would be subject to consideration by Council.



Concept Plan for MPS and LUB Mapping Amendment Application.



Approved Site Plan

POLICY ANALYSIS

Staff are currently reviewing the proposed amendments based on the applicable policies contained in the Municipal Planning Strategy (MPS). Comments on the application will be requested 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 IM10 of the MPS is the policy that permits Council to consider the proposed mapping amendments. East Hants Council has to determine if the proposed application is in the best interest of the Municipality. **Policy IM10 - Permits Council to consider private applications to amend the MPS where the proposed amendments are in the best interest of the Municipality.**

CITIZEN ENGAGEMENT

Planning staff will comply with the Citizen Engagement Policies of the Municipal Planning Strategy when processing this application. An advertisement outlining the application and indicating that it had been received and was under review by staff was placed in the *Chronicle Herald* in May 2023. A Public Information Meeting (PIM) for the application was held on September 5, 2023. Notes from the PIM have been attached as Appendix B. There was a wide range of viewpoints from public members who attended the PIM.

If Council gives first reading to the mapping amendments, the next step in the process will be to mail questionnaires to property owners and residents within 300 m of the subject property. Questionnaire results will be included in the final staff report.

STRATEGIC ALIGNMENT

The 2021-2024 East Hants Strategic Plan identifies ‘Strong Community’ as one of the four areas of strategic focus. The proposed development provides for a mix of housing types, open space areas, and an active transportation network, which helps to support a strong community. The mix of housing types also encourages ‘Economic Prosperity’ which is also one of the four areas of strategic focus.

LEGISLATIVE AUTHORITY

The legislative authority is set out in the Municipal Government Act, Part VIII. This part of the MGA sets out the process for MPS and LUB amendments to be considered and for consideration of a development agreement.

FINANCIAL CONSIDERATIONS

A fiscal impact analysis will be completed for the final staff report.

Alternatives

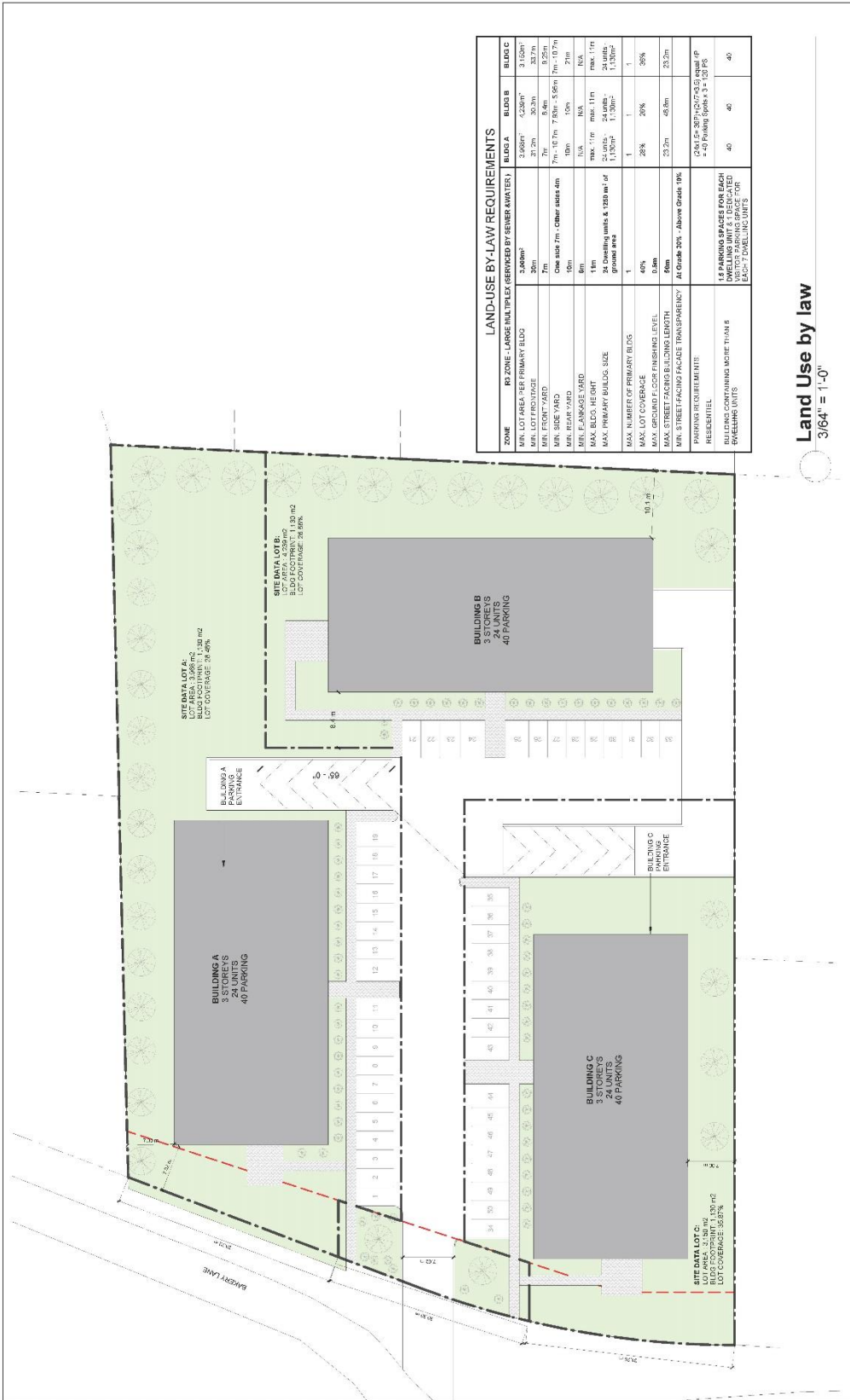
Planning Advisory Committee could refuse the application.

Attachments

Appendix A - Concept Plan

Appendix B - Public Information Meeting Notes

Appendix C - Photos of the Subject Property



LAND-USE BY-LAW REQUIREMENTS					
ZONE	RZ ZONE - LARGE MULTIFLEX (SERVICED BY SEWER WATER)	BUILD A	BUILD B	BUILD C	
MIN. LOT AREA PER PRIMARY BLDG	3,000m ²	3,069m ²	4,326m ²	3,152m ²	
MIN. LOT FRONTAGE	30m	31.2m	36.2m	33.7m	
MIN. SIDE YARD	1.5m	1.5m	1.5m	1.5m	
MIN. REAR YARD	Other: 4.6m-6.0m 10m	7m-10.7m	7.8m-10.7m	7m-10.7m	
MIN. E-ANKAGE YARD	8m	N/A	N/A	N/A	
MAX. BLDG. HEIGHT	11m	max. 11m	max. 11m	max. 11m	
MAX. PRIMARY BLDG. SIZE	24 Dwelling Units & 1250 mt. of ground area	24 UNITS - 1,150m ²	24 UNITS - 1,350m ²	24 UNITS - 1,150m ²	
MAX. LOT COVERAGE	40%	28%	20%	30%	
MIN. OPEN SPACE PER 1000 SQ. FT. OF GROUND COVER	1.0m	1.0m	1.0m	1.0m	
MIN. STREET FACING FACADE TRANSPARENCY	At Grade 30% Above Grade 19%	33.2m	48.9m	23.2m	
PARKING REQUIREMENTS	RESIDENTIAL	1.6 PARKING SPACES PER EACH DWELLING UNIT & 1 DEDICATED GREENING UNIT	1.6 PARKING SPACES PER EACH DWELLING UNIT & 1 DEDICATED GREENING UNIT	1.6 PARKING SPACES PER EACH DWELLING UNIT & 1 DEDICATED GREENING UNIT	
ISSUE DATE		40	40	40	40

Land Use by law
3/64" = 1'-0"

		BAKERY LANE		Site Plan	
	Owner	51 OLD ENFIELD ROAD + LOT W BAKERY LANE, EAST HAMMILLS	As Indicated	Issue Date	D1
No.	Description	Date	1. DRAWINGS ARE NOT TO BE SEALED. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND MAKE SURE AS SHOWN TO BE ACCURATE AND CORRECT. ANY DISCREPANCIES IN THE DRAWINGS TO THE EXISTING SITE SHOULD BE IDENTIFIED AND CORRECTED BEFORE PROCEEDING WITH THE WORK.		
2.	THE ARCHITECTURE SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING.				
3.	ALL PRICES AND SPECIFICATIONS ARE TO BE BASED ON THE CURRENT MARKET CONDITIONS AND SHALL BE SUBJECT TO CHANGE WITHOUT NOTICE. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING.				
4.	THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING.				
5.	THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING.				
6.	THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING.				
7.	THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING.				
8.	THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING.				
9.	THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING.				
10.	THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING.				

Public Information Meeting - E.L.T. Property Holdings Limited

(September 5, 2023)

- 24 residents in attendance
- 6 councilors in attendance
- Staff: Debbie Uloth, Community Planner II
John Woodford, Director of Planning and Development
Marlee Langille, Development Control Assistant

7pm - Chair called meeting to order.

Planner began meeting by going over the PowerPoint presentation. She explained that this is a concept plan and is not exactly what the applicant can or will do with the property. It may vary from the initial concept.

7:12pm - Applicant explained why he has drafted up this concept plan, with parking and multiple stories to sell to a developer. He wanted to include more green area than what was approved by site plan approval.

Questions from the public:

- Collectively think it is hard to make a decision, when these plans could change from the presented concept plan.
- The neighboring property is concerned about second story windows and patio doors facing directly onto his property, and no required fence, creating a lack of privacy for him. Also concerned that it is not family/kid friendly.

Planner explained LUB requirements, that they would be required to install an opaque fence/buffer as part of the proposed R3 Zone. The Planner also indicated that the current site plan approval included a fence.

A common amenity area is required as part of large multiplex development.

- Want to know if existing infrastructure can handle this new development?

The Planner explained that the applicant has to complete storm water management plan if the application is approved. Staff also discussed the water and wastewater capacity and regulations in the Subdivision Bylaw.

- If it was previously (15 years ago) deemed not feasible to develop here, why is it okay to do so now? Residents would prefer that nothing is built that high, so close to their property line. Residents want to know if the third story is built into the roofline? Will they lose sunlight in their backyards during the day from the shadow effect of this building?

The Director explained that they have a height requirement from grade and the Planner told them what the maximum height allowed for that building is.

- When zoning in that area changes, can they then change the building plans drastically from the concept plan, without consultation from the public? Will the public then be consulted with the exact building plans?

The Planner explained the different uses that the developer is permitted to do and discussed the site plan approval process.

- Will there be traffic and rodent mitigation implemented? Traffic is already very busy in that area.

The Planner explained that NS Public Works has approved 72 dwelling units for the site, but they will have an opportunity to review the current proposal if the application receives first reading.

- Schools in the area are currently over-crowded, is this being considered?

The Director explained that there is a meeting scheduled with the school board soon, to talk about the big picture for this.

- Currently when there are events at the Legion, cars are parking along Bakery Lane. They are not a fan of the concept plan, and think it's not attractive. They do not like the idea of apartment buildings mixed in with single family dwellings in their area.
- Will local fire departments be contacted about this new development?

Answered that fire departments will be notified during the process.

- Will their electrical wires be required to be put underground?
- They do not want to live next to towers/ apartment buildings. They would prefer single family dwellings instead.

8:16pm John Woodford adjourned the meeting.

Appendix C - Photos of the Subject Properties



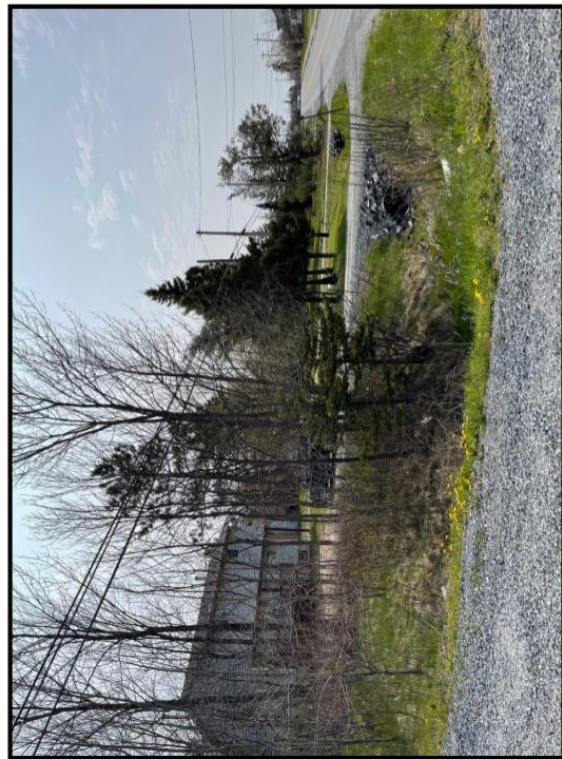
Looking north from subject property along Old Enfield Road



Enfield Legion—Across the street from subject property



Subject Property—51 Old Enfield Rd.



Looking south from subject property along Old Enfield Road