



Subject: *Craig Langille - MPS and LUB Amendments*
To: CAO for Planning Advisory Committee, May 9, 2023
Date Prepared: April 25, 2023
Related Motions: None
Prepared by: Rachel Gilbert, Manager of Planning
Approved by: John Woodford, Director of Planning and Development

Summary

The Municipality has received an application from Craig Langille to amend both the Municipal Planning Strategy and the Land Use Bylaw. The application involves an amendment to the designation and zone to enable the property to be subdivided and a new two-unit residential building be constructed and also an amendment to the Growth Management Area Boundary.

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 authorize staff to schedule a Public Information Meeting.

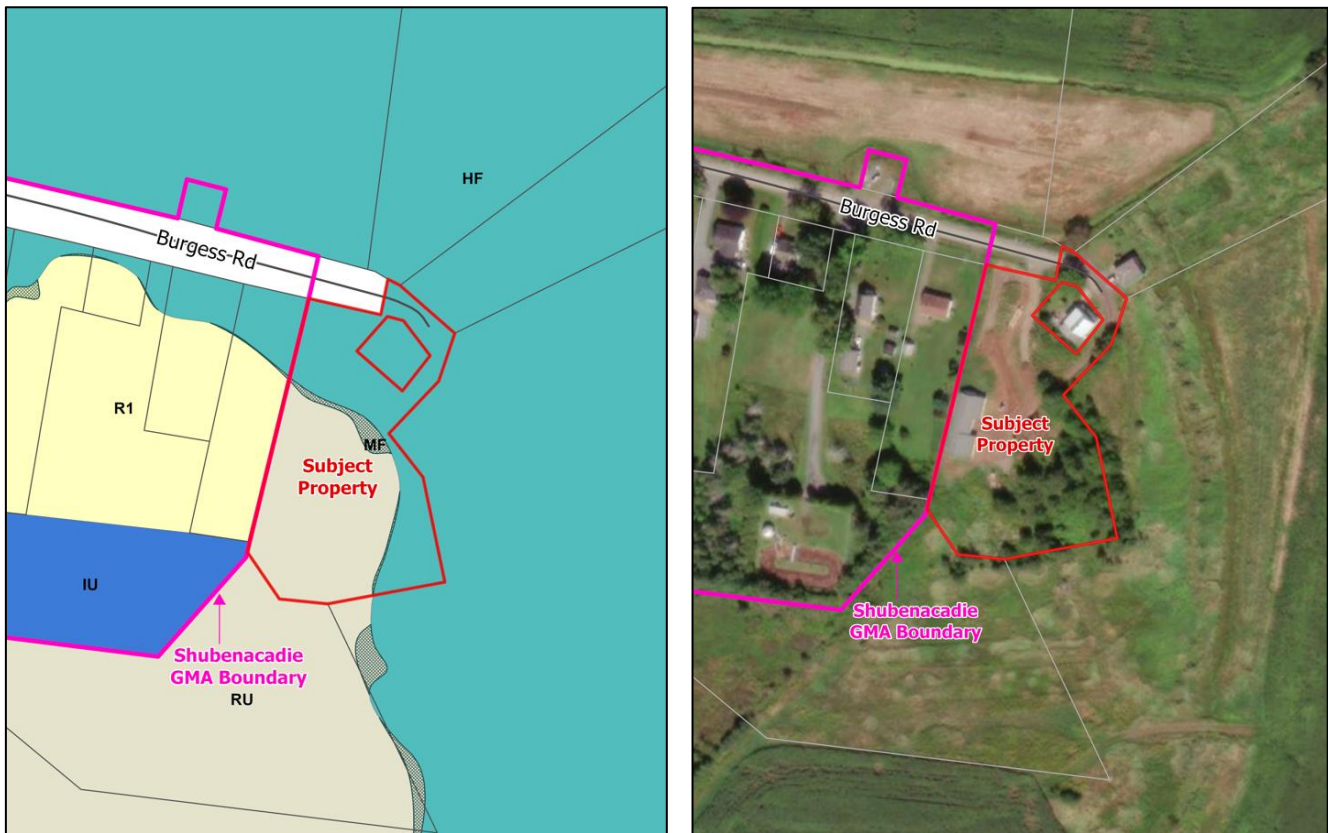
Recommended Motion

Planning Advisory Committee recommends that Council:

- *authorize staff to schedule a Public Information Meeting to consider a proposal from Craig Langille to amend the designation and zone of the subject property and to extend the Shubenacadie GMA.*

Subject Property

An excerpt of the zoning map and aerial photography map below show the location of the subject property identified as 25 Burgess Road, Shubenacadie (PID 45213162). Around half of the property is zoned High risk Floodplain (HF) Zone. The other half is zoned Rural Use (RU) and a small portion of this RU Zoned area is also zoned Moderate Risk Floodplain (MF) Overlay. The land is located outside the Shubenacadie Growth Management Area Boundary, the location of which is identified on the zoning and aerial photography maps below.



There is an existing two-unit residential building located on the property which was constructed in 2019. Despite being outside the GMA this building has municipal piped services which is due to the historical servicing of a dwelling on the property prior to the existing two-unit residential building.

The property has approximately 47 metres of frontage on Burgess Road and is approximately 0.78 hectares (7800 sq.m) in size.

Along the northern part of the property an easement is provided for access to PID 45214376 and 45095213. The property located within the application property has frontage on the easement.

The wastewater treatment facility property is located to the rear of the application property.

Development Proposal

The applicant wants to construct an additional two-unit residential building. Since submission of the proposal the details of application has been amended to remove the single unit building indicated on the site plan (following page). The applicant plans to subdivide his property to create an additional lot which would enable a

new two-unit residential building. The Rural Use Zone permits two-unit residential buildings however the frontage for a RU lot is 30m minimum. The frontage requirement for a serviced R2 lot is 18m minimum. To enable the smaller lot frontage requirements for the R2 zoned lot the property needs to be serviced by municipal water and wastewater. This would mean an amendment to the boundary of the Shubenacadie Growth Management Area to include the application property.

Policy Analysis

This application proposes amendments to the Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB). Amendments include:

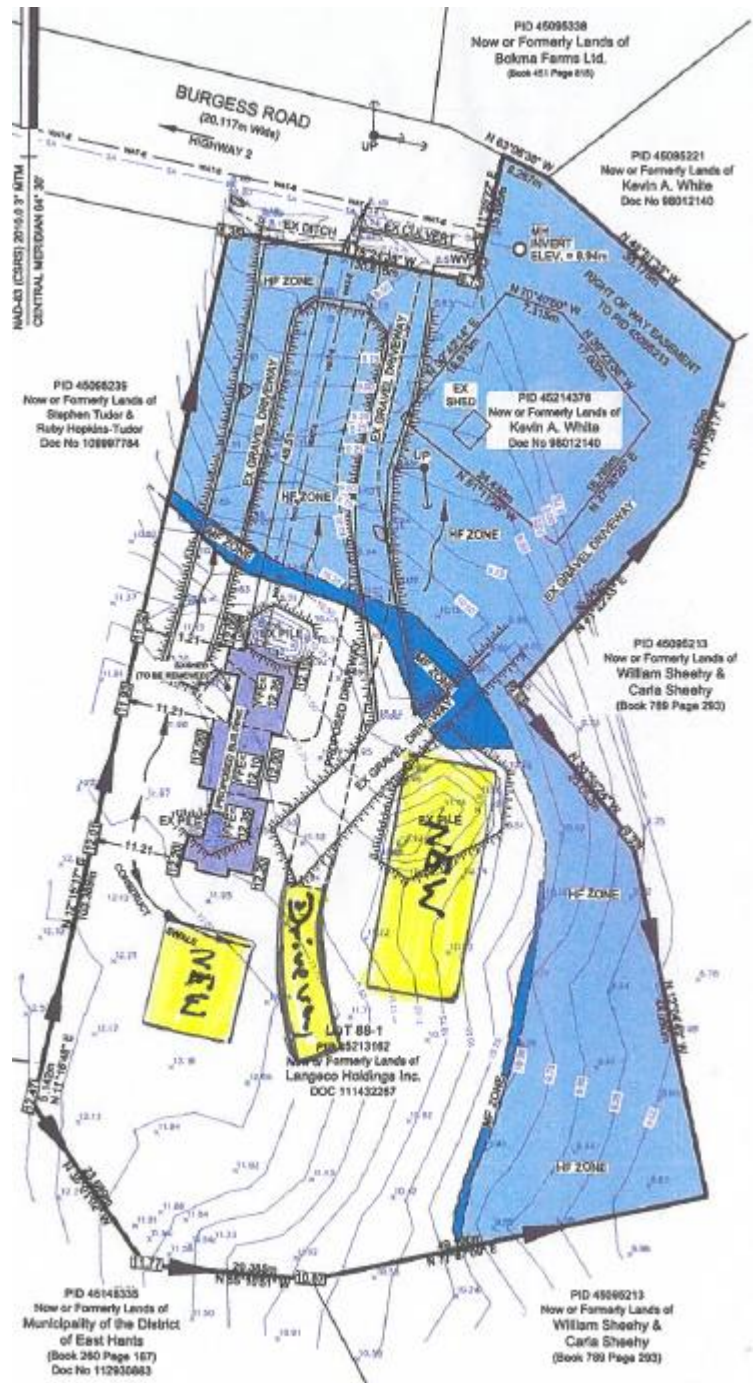
- Redesignate the property from Rural Use (RU) to Established Residential Neighbourhood Designation (ER)
- Rezone from Rural Use (RU) to Two Dwelling Unit Residential (R2).
- Amendments to the boundary of the Growth Management Area to include the application property - this will extend the serviceable boundary to include the application property.

Staff will be requesting comments from internal departments and external agencies including Nova Scotia Public Works.

Planning staff will also be seeking comments from the municipal department of Infrastructure and Operations regarding the expansion of the Growth Management Area. The Growth Management Area for Shubenacadie is the area where municipal water and wastewater services are available. The water and wastewater pipes extend outside the GMA along Burgess Road and across the frontage of the application property.

Policy GM13. of the MPS indicates that Council shall establish the Shubenacadie Growth Management Area as the serviceable boundary for the community of Shubenacadie where Municipal water and wastewater services are available.

Municipal piped services are already provided to the existing two-unit residential building on the property due to the historical servicing of a single unit dwelling located on that same property. The single unit dwelling unit was demolished and as the lot already had services extended to it a decision was made to provide services to the new two-unit dwelling which was constructed in 2019.



Until the wastewater treatment facility is operational there is no capacity to service any additional units on the property. It is anticipated that the wastewater treatment facility will not be operational until early 2024.

Policies relating to the expansion of the Growth Management Area and also general policies relating to MPS amendments ask whether the amendments are in the overall best interest of the Municipality. Staff will provide an analysis relating to these policies and all other relevant policies in the final staff report.

Council’s decision on this application is not appealable to the Nova Scotia Utility and Review Board as it involves amendments to the MPS.

STRATEGIC ALIGNMENT

One of the Key Strategies from the Strategic Plan is Strong Community. Providing for a variety of housing options helps to create a community where people can move to or stay in their community. Sustainable Infrastructure is another Key Strategy relevant to this application.

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 would be provided with a final staff report. There are no immediate financial impacts from refusing this application.

Citizen Engagement

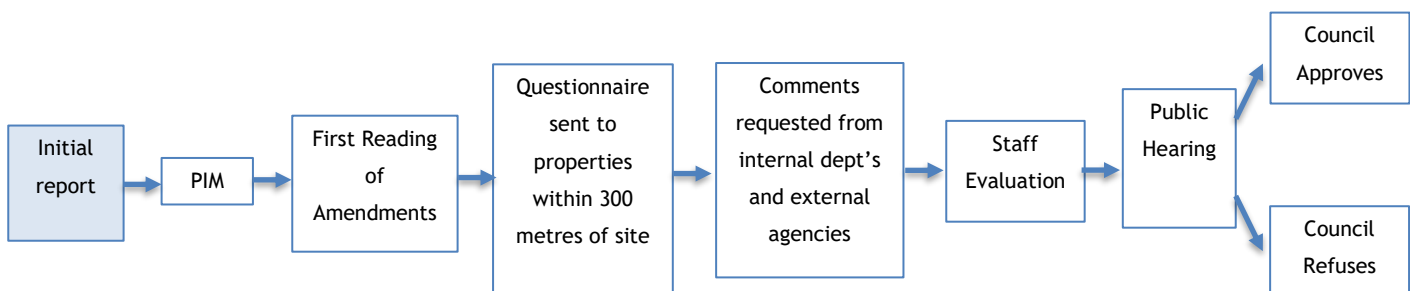
Planning staff will comply with the Citizen Engagement Policies of the Municipal Planning Strategy when processing the amendments. An advertisement outlining the proposal and indicating that it is under review by staff will be placed in an upcoming edition of the *Chronicle Herald*.

As part of the review process for MPS amendments, a Public Information Meeting (PIM) is required, to hear input from the community. A letter will be mailed to all property owners within 300 metres of the subject property indicating the time and date of the PIM. A notice of the PIM will also be placed in the *Chronicle Herald*.

Following first reading a questionnaire will be mailed to owners of property within 300 metres of the application site.

Conclusion

Staff will continue to review the proposal to amend the designation and zoning of the property and also extend the Growth Management Area.



Alternatives

Planning Advisory Committee may recommend that the application not proceed further in which case the application will be deemed refused. Staff do not recommend this approach.

Attachments

None