



Subject: *Craig Langille - MPS and LUB Amendments*
To: CAO for Planning Advisory Committee, June 20, 2023
Date Prepared: June 12, 2023
Related Motions: PAC23(25) May and C23(155)
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 first reading be given to the MPS and LUB amendments and that authorization be given to schedule a public hearing.

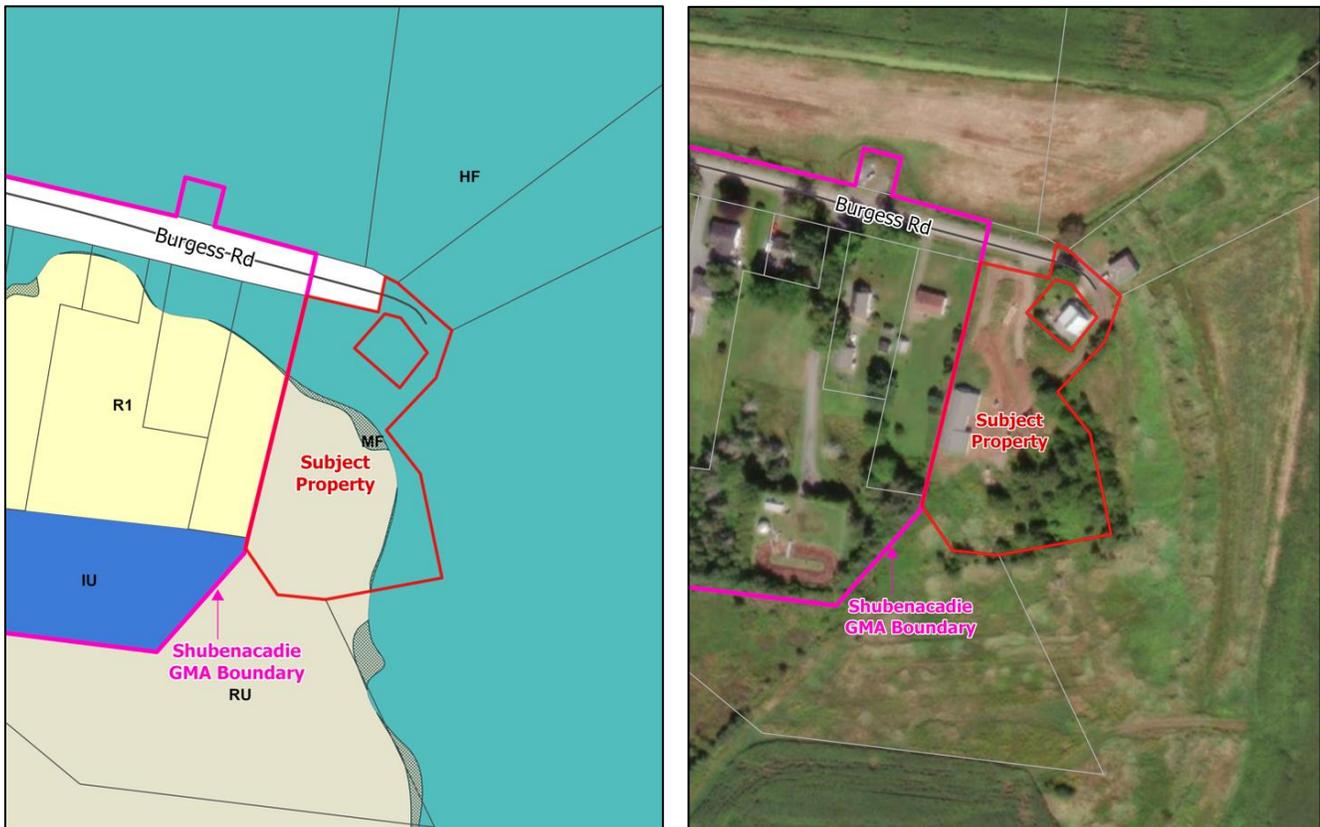
Recommended Motion

Planning Advisory Committee recommends that Council:

- Give first reading and authorize staff to schedule a public hearing 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 at 27 Burgess Road also has municipal piped services.

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:

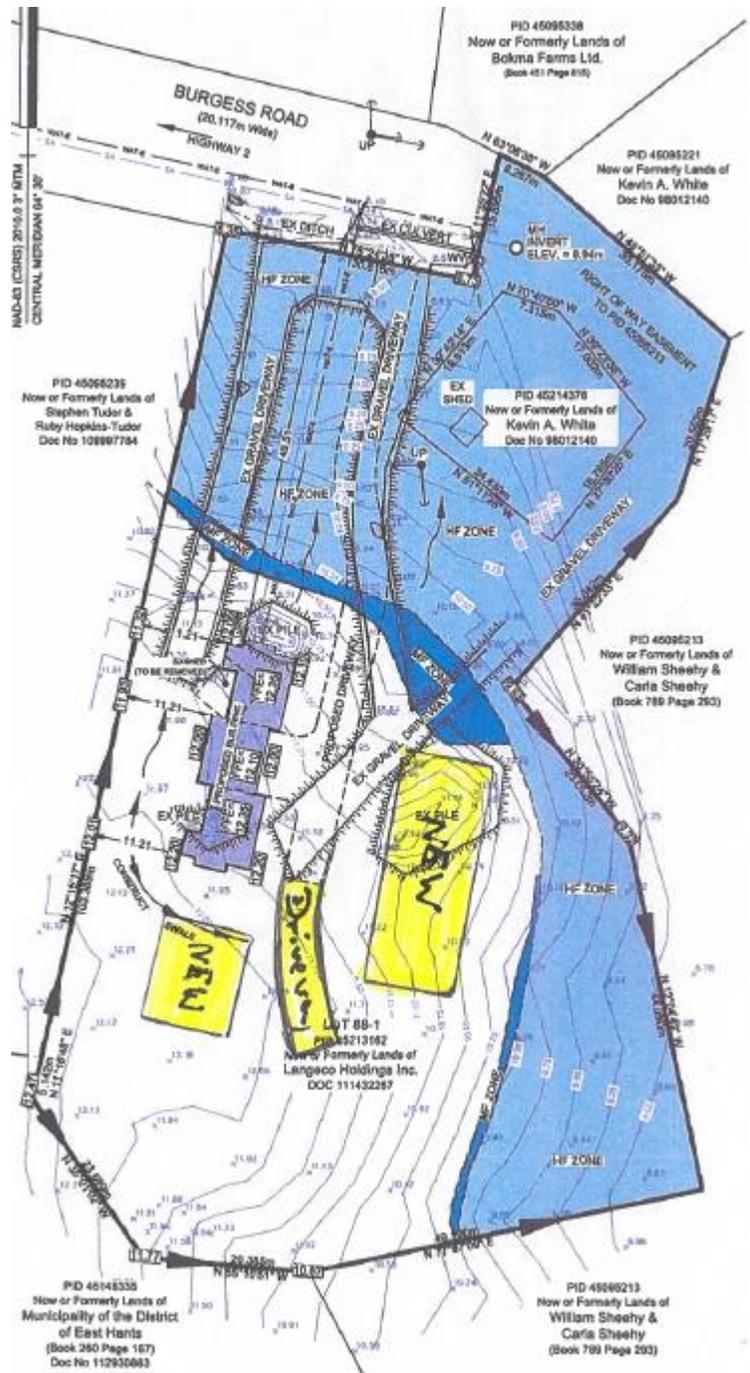
- Redesignate the property from Rural Use (RU) to Established Residential Neighbourhood Designation (ER)
- Rezone from Rural Use (RU) to Two Dwelling Unit Residential (R2).
- Amendments to the boundary of the Growth Management Area to include the application property - this will extend the serviceable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

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 has been placed in 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. Approval to schedule a PIM was given at the May 2023 Council meeting. A letter was 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 was also be placed in the Chronicle Herald and on the municipal website.

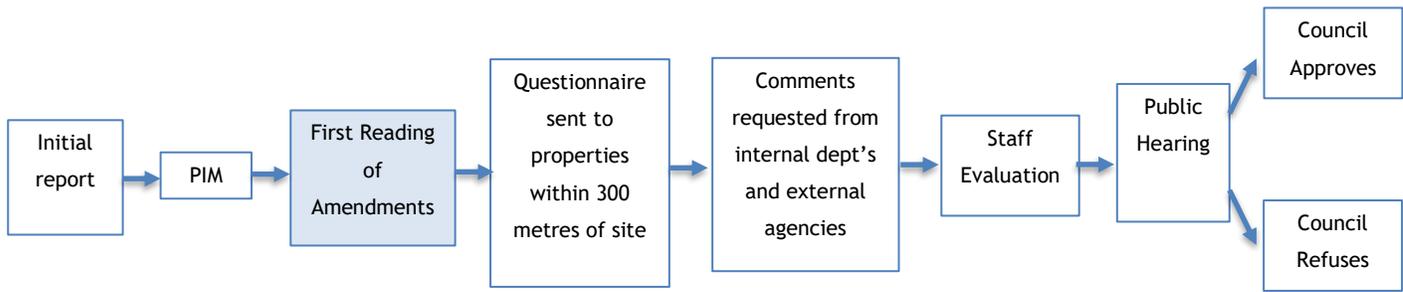
The PIM was held on the evening of June 6th. Notes taken at the meeting are included as Appendix B to this staff report. There were no comments or questions regarding the application from the public.

Following first reading a questionnaire will be mailed to owners of property within 300 metres of the application site, seeking any comments on the application. Copies of the returned questionnaires will be made available to PAC and Council with the final staff report.

To notify the public with details of the public hearing a notice will be placed in the Chronicle Herald and letter will be mailed to property owners within 300 metres of the application property.

Conclusion

Staff will continue to review the proposal to amend the designation and zoning of the property and also extend the Growth Management Area. The following diagram identifies that the application is at the first reading stage.



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

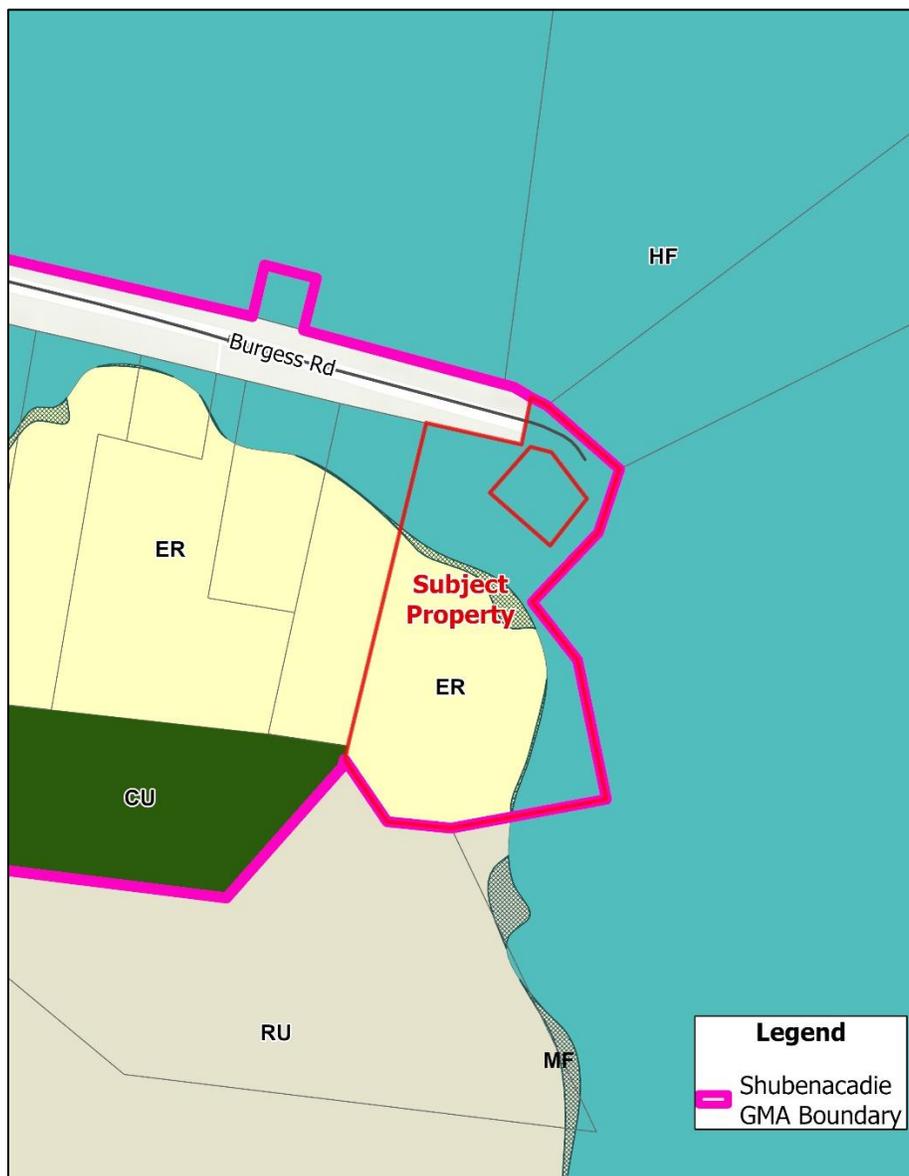
Appendix A - Draft Amendment Sheets

Amendment Sheet

The Municipality of East Hants
Official Community Plan
Municipal Planning Strategy

Generalized Future Land Use Map 3: Shubenacadie Growth Management Area

The GFLUM Designation of 25 Burgess Road, Shubenacadie (PID 45213162), has been redesignated from Rural Use (RU) Designation to Established Residential Neighbourhood (ER) Designation. The Shubenacadie Growth Management Area has been expanded to include the property.

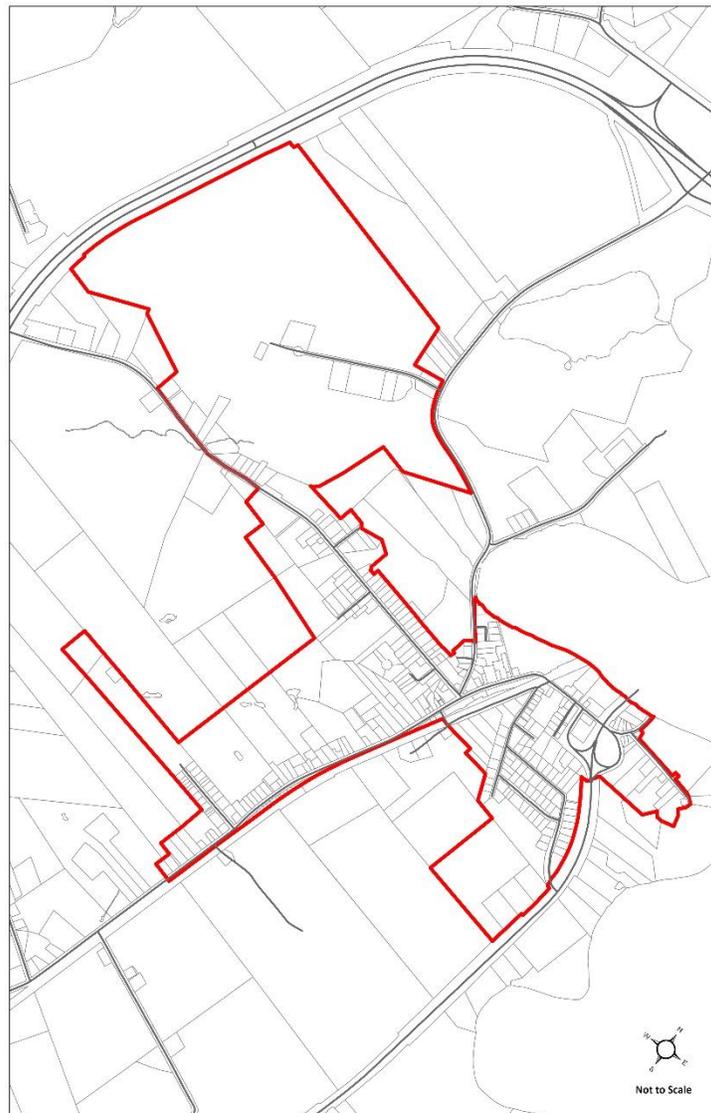


Amendment Sheet

The Municipality of East Hants
Official Community Plan
Municipal Planning Strategy

Section C1 - Growth Management and Infrastructure

The map identified as Figure 3.3, found in Section C1- page 4, of the Municipal Planning Strategy shall be replaced with the following map. The amended map includes the addition of 25 Burgess Road, Shubenacadie into the Shubenacadie Growth Management Area

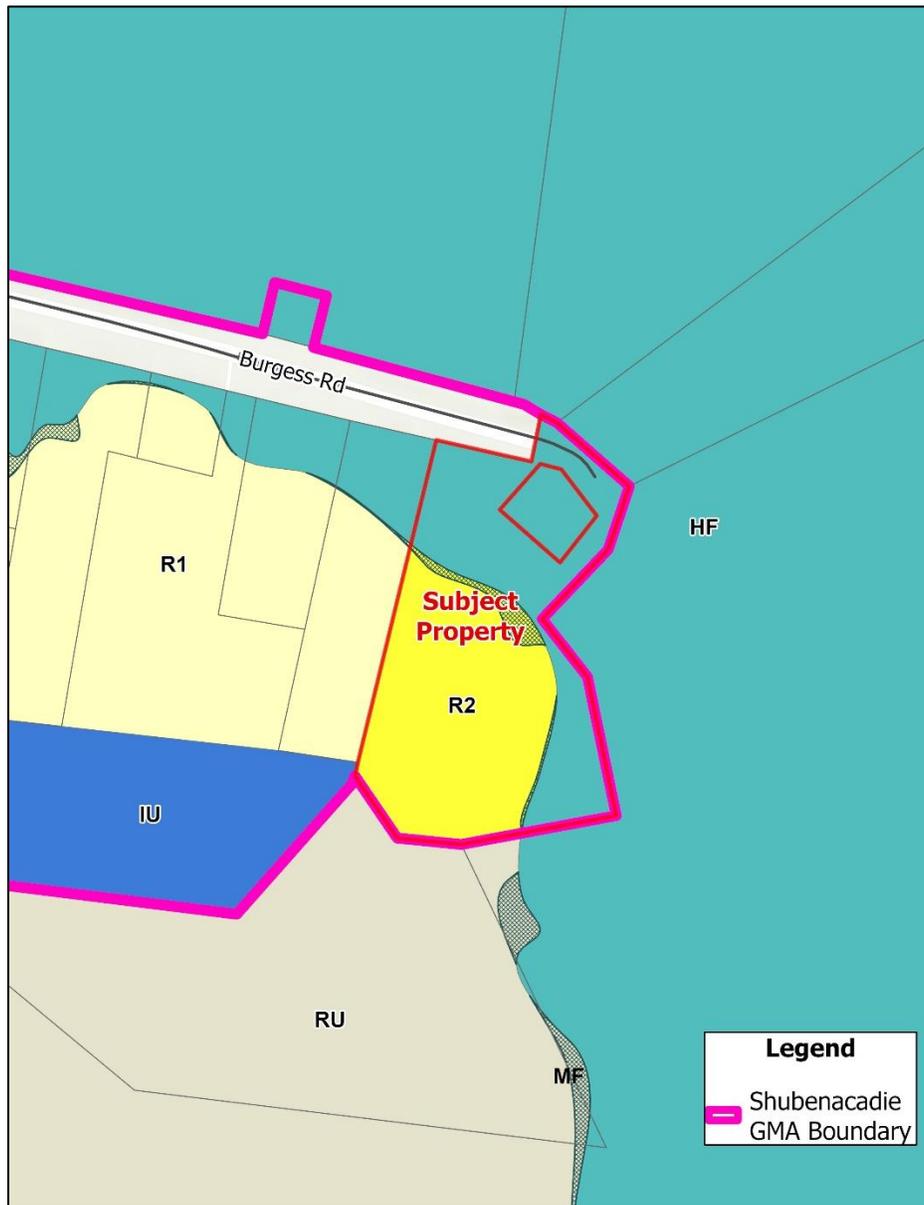


Amendment Sheet

The Municipality of East Hants
Official Community Plan
Land Use Bylaw

Land Use Bylaw Map 3: Shubenacadie Growth Management Area

The Zoning of 25 Burgess Road, Shubenacadie (PID 45213162), has been rezoned from Rural Use (RU) Zone to Two Dwelling Unit Residential (R2) Zone. The Shubenacadie Growth Management Area has been expanded to include the property.



Appendix B - Notes from Public Information Meeting

Public Information Meeting Notes

For PLN23-004 - Craig Langille

Proposed Municipal Planning Strategy and Land Use Bylaw Mapping Amendments - Shubenacadie.

Meeting Held June 6, 2023

Staff in attendance:

John Woodford, Director of Planning & Development (JW) (Chair)

Lee-Ann Martin, Planner and Development Officer (LM)

Rachel Gilbert, Manager of Planning (RG)

Applicant:

Craig Langille (CL)

Public In attendance:

1 member of public and 3 Councillors

Presentation

- Rachel Gilbert gave a presentation.
- Applicant chose not to give a formal presentation but provided some comments.

Questions and Comments:

- No comments or questions from the people in attendance.