

**Craig Langille.**  
**MPS & LUB Mapping Amendments**

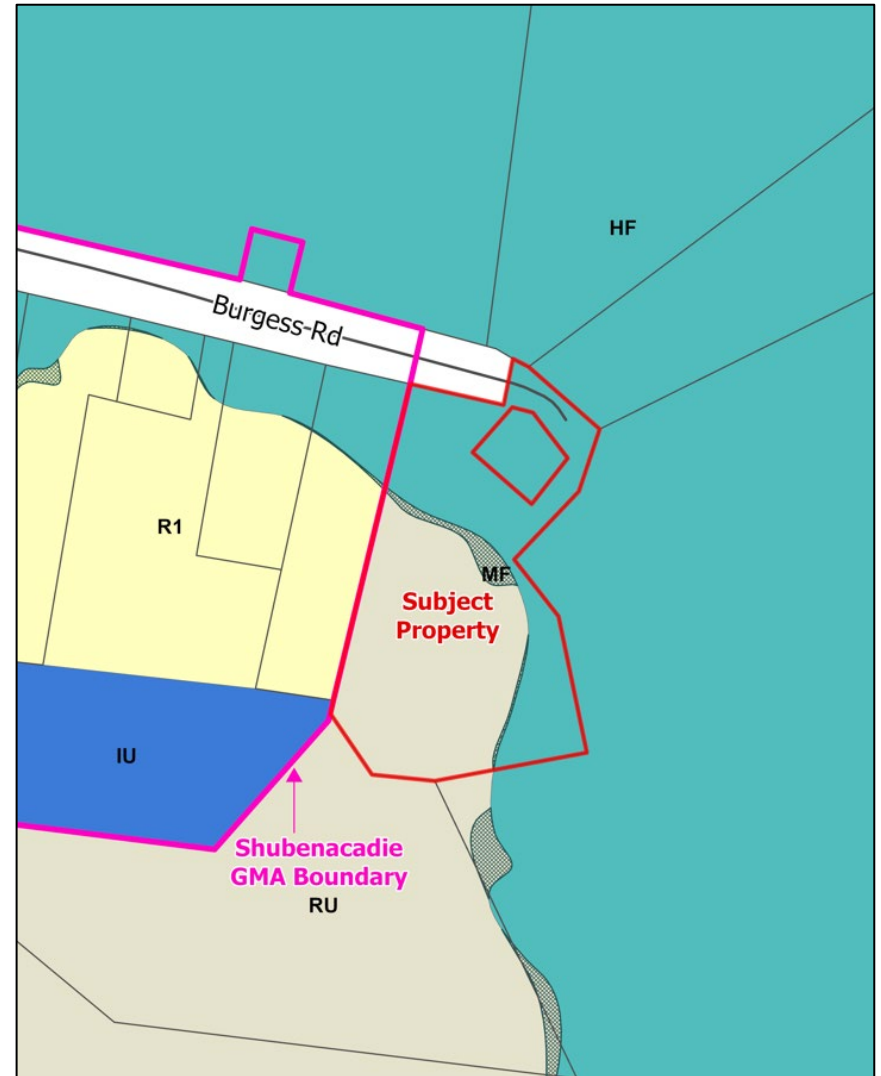
Public Hearing  
September 27, 2023



**EAST HANTS**

## Subject Property

- Subject property is located at 25 Burgess Road, Shubenacadie.
- Zoning on the property is Rural Use (RU) and High Risk Floodplain (HF). There is a small area of Moderate Risk Floodplain Overlay Zone.
- Designated High Risk Floodplain(HF) and Rural Use (RU) in the Generalized Future Land Use Map (GFLUM).
- Property is located outside the Shubenacadie Growth Management Area.



## Subject Property

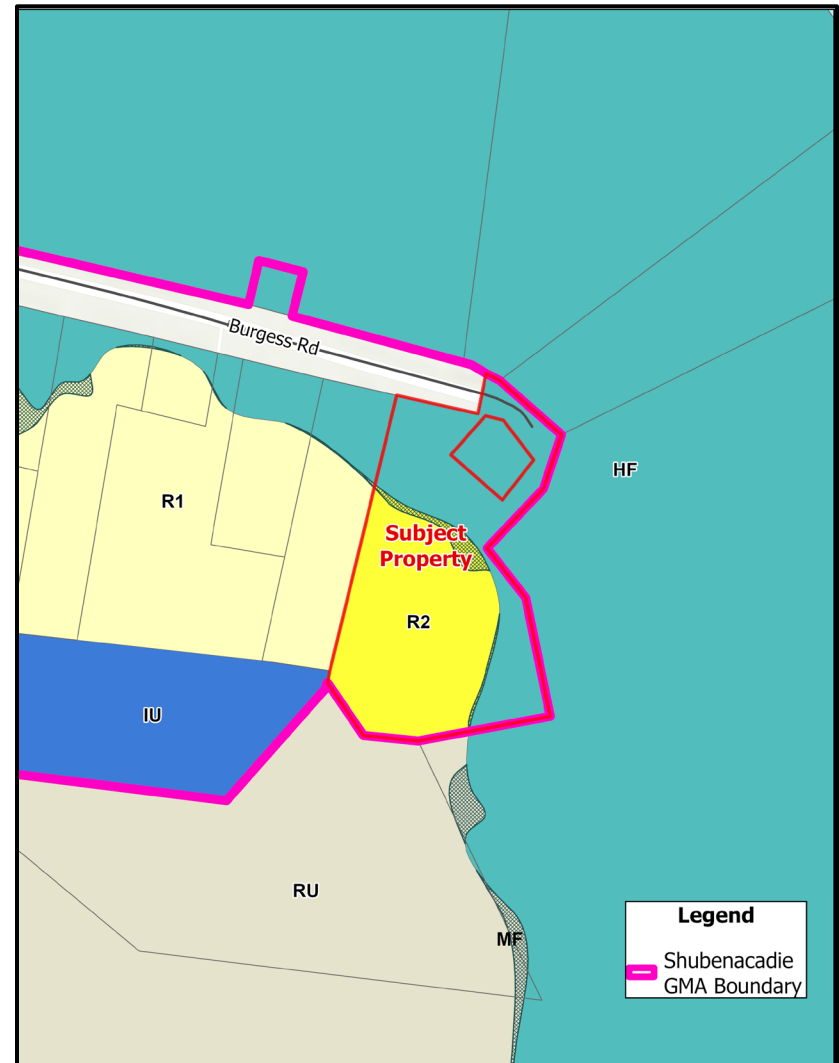
- There is an existing two-unit residential building located on the property which was constructed in 2019. Despite being outside the GMA this building has municipal piped services which is due to the historical servicing of a dwelling on the property.
- The property has approximately 47 metres of frontage 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 subject site has frontage on the easement.





## Development Proposal

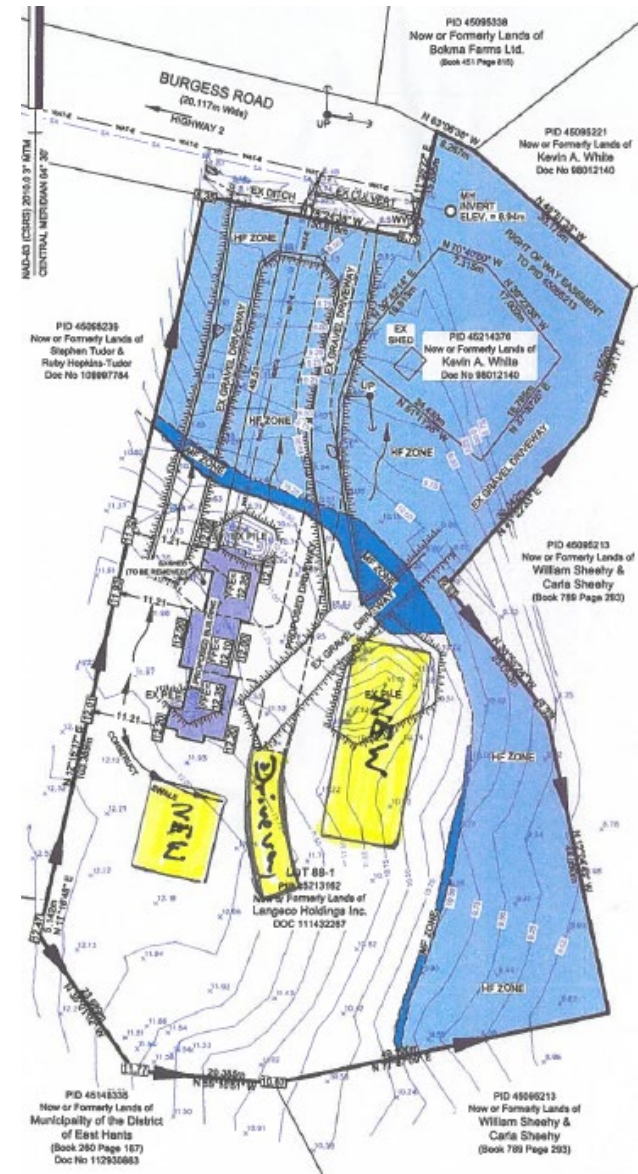
- The applicant wants to construct an additional two-unit residential building. The applicant plans to subdivide his property to create an additional lot which would enable a new two-unit residential building.
- The Rural Use Zone permits two-unit residential buildings however the frontage for a RU lot 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. Services are available for properties within the Growth Management Area. An amendment is needed 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.



## Policy Analysis

- 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 property at 27 Burgess Road is also serviced by municipal water and wastewater.

## Policy Analysis - Expansion of the GMA

- For expansions to the Growth Management Areas, Policy GM27 of the Municipal Planning Strategy requires an evaluation of the financial, social, environmental and agricultural implications and whether this evaluation demonstrates it is in the overall best interest of the Municipality to do so.
- Comments from staff on Policy GM27 are included in the staff report. The conclusion from planning staff is that due to the size, scale and existing provision of services to this area, that the small expansion of the GMA will have minimal impact on the financial, social, environmental and agricultural implications.
- If this application is approved a permit cannot be issued until the new wastewater treatment facility is in operation.



## Policy Analysis - Redesignation and Rezoning

- The amendments proposed by this application are consistent with the Community Priorities identified in the MPS, specifically #5 - develop in a manner which is compact, environmentally and fiscally sustainable; and #8 - allow a range of housing options appropriate to each neighbourhoods' form and intensity.
- There are no specific policies dealing with a redesignation and rezoning from Rural Use to a residential designation and zone. General policies regarding amendments to the MPS and LUB have been reviewed and comments have been provided in Appendix C of the staff report.
- Planning staff consider that the R2 Zone is appropriate in this location due to the existing two-unit dwelling. If a new two-unit dwelling is constructed (after subdividing the property) it will have minimal impact on the surrounding area.
- Council's decision on this application is not appealable to the Nova Scotia Utility and Review Board as it involves amendments to the MPS.

## Citizen Engagement

- A Public Information Meeting (PIM) was held on the evening of June 6th. Notes taken at the meeting are included as Appendix B to the staff report. There were no comments or questions regarding the application from the public.
- Following first reading a questionnaire was mailed to owners of property within 300 metres of the application site, seeking any comments on the application.
- Questionnaires were mailed to 29 property owners and 3 have been returned. All three returned questionnaires confirm they have no objections.
- To notify the public with details of the public hearing a notice was placed in the September 13th and 20th editions of the Chronicle Herald and a letter has been mailed to property owners within 300 metres of the application property.

## Conclusion

- Planning staff consider that due to the size, scale and existing provision of services to the application property, the small expansion of the GMA will have minimal impact on the financial, social, environmental and agricultural implications.
- Planning staff consider that the application will have minimal impact on the surrounding area and are recommending approval.

