

***3230225 Nova Scotia Limited (Cottage Country):
Rural Comprehensive Development District Proposal***

Planning Advisory Committee

Planning and Development Department

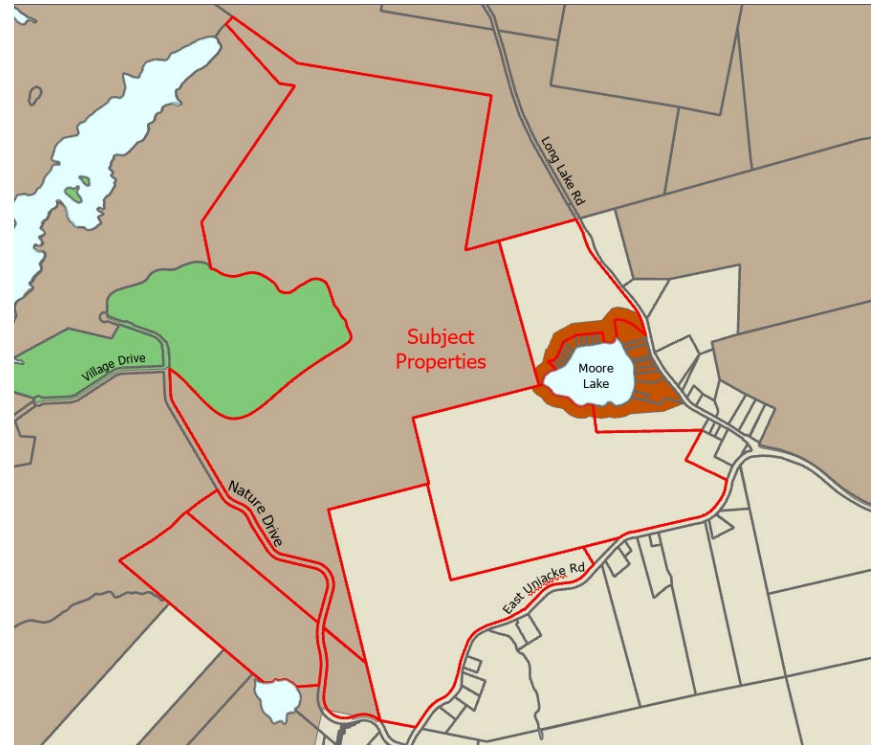
February 20, 2024



EAST HANTS

Subject Property

- **Applicant:** 3230225 Nova Scotia Limited (Cottage Country)
- **Location:** Land located between East Uniacke Road, Nature Drive, and Long Lake Road, East Uniacke, adjacent to the existing Cottage Country development
- **Subject Property Size:** 418 ha (1088 acres)
- **Proposal:** To amend the Municipal Planning Strategy and Land Use Bylaw and to enter into a development agreement to permit a 550 dwelling unit bare-land condominium development with 24.6 hectares of multi-use development (commercial & residential)



Background

- In 2010, East Hants Council approved an application to permit the development of 401 bare-land condominium units on Long Lake.
- In the staff reports for the initial application, Cottage Country was described as a condominium resort community, where only 10% to 30% of residents would be living in the community full-time.
- To date 135 of the 401 permitted number of dwelling units have been constructed, with nearly all of the dwellings being occupied by full-time residents.
- Hants County Condominium Corporation Number 12 is run by a condo board.
- Hants County Condominium Corporation Number 6 is still majority-owned by Cottage Country and does not yet have a condo board.
- The existing Cottage Country development agreement enables development of over 340 hectares of land.



Subject
Properties

Village Drive

Nature Drive

East Uniacke Rd

Long Lake Rd

Moore
Lake

Development Proposal

- The purpose of this application is to amend the Municipal Planning Strategy and Land Use Bylaw, so that all properties that are a part of the application are designated and zoned Rural Comprehensive Development District (RCDD) and to enter into a development agreement to permit a 550 dwelling unit bare-land condominium development with 24.6 hectares of multi-use development (commercial & residential).
- The development includes two new public roads that run through the new development and that connect Nature Drive to East Uniacke Road. The concept plan also shows multiple private driveways running through the development.
- Together with the existing Cottage Country development, there are proposed to be 951 bare-land condominium units as part of the development.

the Villages of Long Lake

Villages 3 to 10

General Notes/Specifications

1. Wetlands and water courses illustrated on the concept plan are approximate and based on desk top analysis supplemented with random field observations. Prior to detailed design of road and lot fabrics the owner shall engage the services of a qualified delineator to confirm location and extent of wetlands and watercourses.
2. Public roads shall be designed and constructed to the Municipality of East Hants standards.
3. Two public roads are proposed. All other roads are to be private with a minimum 15m Right-of-way width.
4. Final design of the public roads may impact adjacent lot depths and possibly feasibility.
5. Intersections for public road "a" at Nature Drive and East Uniacke road were selected by Griffin Transportation.
6. Maximum intersection spacing is 800 meter.
7. Due to obstructions created by wetlands, lakes, and water courses only one road reserve has been provided to adjacent lands.
8. Refer to desktop wetland and watercourse assessments by EnviroSphere.
9. Water course "WC" locations as per Alderney Surveys.
10. Environmental protection measures to be in accordance with requirements of NSDOE for construction sites.
11. Walking trails to be 2.4 meter wide with graveled surface.
12. Boundary subject to final survey.

Legend

- PUBLIC ROAD
- MEDIUM VOLUME DRIVE
- COMMON DRIVEWAY & EMERGENCY ACCESS
- WALKING TRAIL

1. LAKE ACCESS AND DRY HYDRANT
2. FUTURE FIRE DEPARTMENT DEPOT
3. ROAD RESERVE TO ADJACENT LANDS

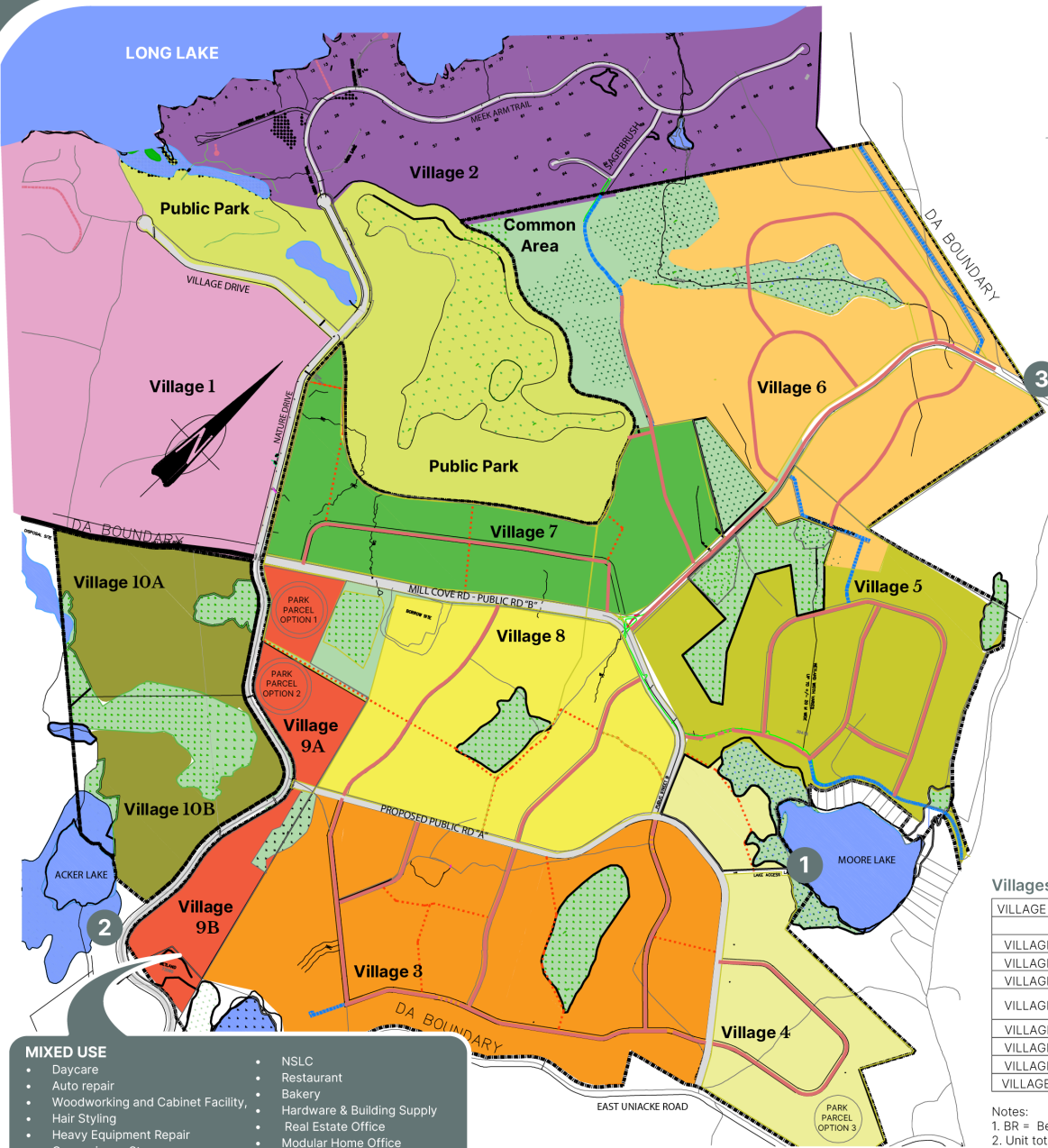
Villages 3 to 10 Fabric Data

| VILLAGE NO. | LOCATION | PROPOSED LAND USE | GROSS AREA | | UNITS | DENSITY |
|-------------|------------------|---------------------------------|------------|-------|-------|---------|
| | | | HECTARES | ACRES | | |
| VILLAGE 3 | EAST UNIACKE RD | 1-3 BR RESIDENTIAL | 80.14 | 198 | 95 | 2.1 |
| VILLAGE 4 | MOORE LAKE SOUTH | 3-5 BR RESIDENTIAL | 38.56 | 95 | 45 | 2.1 |
| VILLAGE 5 | MOORE LAKE NORTH | 1-3 BR RESIDENTIAL | 76.99 | 190 | 95 | 2.0 |
| VILLAGE 6 | NORTH SECTOR | 1-3 BR RESIDENTIAL & MINI HOMES | 70.00 | 173 | 90 | 1.9 |
| VILLAGE 7 | MILL COVE ROAD | 1-3 BR RESIDENTIAL | 44.09 | 109 | 68 | 1.6 |
| VILLAGE 8 | CENTRAL | 1-3 BR RESIDENTIAL | 60.91 | 151 | 75 | 2.0 |
| VILLAGE 9 | NATURE DRIVE | MULTI USE | 24.60 | 61 | 20 | 3.0 |
| VILLAGE 10 | ACKER LAKE | 2 BR RESIDENTIAL | 49.00 | 121 | 60 | 2.0 |
| TOTALS | | | 444 | 1098 | 548 | 2.0 |

Notes:

1. BR = Bedroom
2. Unit totals are approximate and dependent on topographic constraints and subject to design.

February 2024



- MIXED USE**
- Daycare
 - Auto repair
 - Woodworking and Cabinet Facility,
 - Hair Styling
 - Heavy Equipment Repair
 - Convenience Store
 - Gas Bar/ Charging Station
 - NSLC
 - Restaurant
 - Bakery
 - Hardware & Building Supply
 - Real Estate Office
 - Modular Home Office
 - Banking and Financial Services
 - Health Care Professionals.

Policy Analysis

- Staff will be requesting comments from internal departments and external agencies.
- The planning application has two parts, the mapping amendments and the development agreement both parts of the application will be processed simultaneously; however, the development agreement will be contingent on the MPS and LUB mapping amendments being approved.
- Policy IM11 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.
- In addition to the implementing policies, Policy RR13 of the MPS allows Council to consider entering into a development agreement for a residential bare-land condo development.
- In considering Policy RR13, Council has to consider whether the proposed development overwhelms the potential rural residential development focus of the RCDD designation or if the proposed development contributes to an exurban development pattern.

Bare-Land Condominium Development Considerations

- The provincial Condominium Regulations define, a bare-land condo property as a property that contains units that consist of land on which dwellings may be located or constructed after acceptance for registration.
- An article by Cambridge University Press states that the use of bare-land condominium development “*endows groups of single-house lot owners with fiscal capacity and governing authority to assume important aspects of local government*” (Condominium to the Country: The Sprawl of Ownership within Private Local Government in British Columbia), which may create issues between rules of the local government and the condominium corporation.
- Staff have identified some issues between our land use planning process and condominium developments.

Bare-Land Condominium Development Considerations

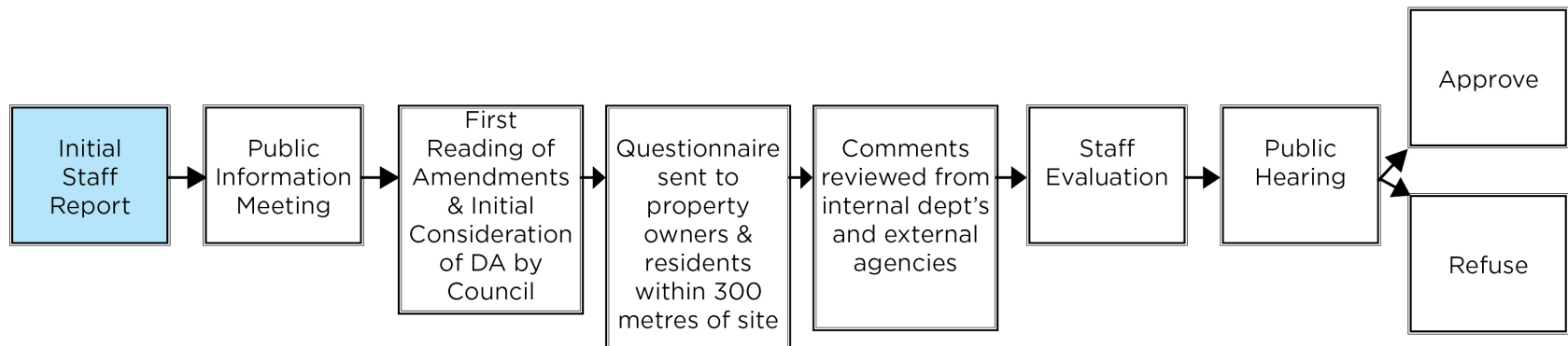
- The existing development agreement was approved in 2010 before Council created policies and regulations that permit most single-unit dwelling owners to have an accessory dwelling unit.
- The accessory dwelling unit regulations came into effect in 2016.
- The existing development agreement does not allow for secondary dwelling units.
- Instead of being able to directly apply for an amendment to the 2010 Development Agreement to permit an accessory dwelling unit. The resident who owns a single unit dwelling has to ask the condo board to apply to have the development agreement amended.
- The condo board then gets to decide on whether to grant the resident's request and it is the condo board who has to apply for the DA amendment.
- Further to this, any changes to the 2010 Development Agreement may impact all of the condo unit owners.
- The costs of registering a development agreement on each condo unit could also end up costing the board tens of thousands of dollars in legal and registration fees depending on the number of condo units in each condominium corporation.

Bare-Land Condominium Development Considerations

- Another issue to consider is that land in a condominium is in common ownership, thereby possibly making it difficult in the future to create land use regulations that would regulate individual units in a condominium corporation.
- For example, if Council extended the Bylaw P-1200, Lot Grading and Drainage to rural areas, the current Bylaw would not be in effect for land in Cottage Country because a condo unit is not a subdivided lot.
- The Condo Corporation owns the land the residents just have exclusive use on a portion of the land.

Citizen Engagement

- An advertisement outlining the application and indicating that it had been received and was under review by staff was placed in the *Chronicle Herald*.
- A Public Information Meeting (PIM) is required for all amendments to the Municipal Planning Strategy unless they are housekeeping in nature.
- A letter indicating the time and date of the open house and PIM will be mailed to all residents and property owners within 300 m of the subject property indicating the time and date of the meeting, unless otherwise directed.
- Additional advertising will be placed on the East Hants website and on our social media feeds.



Recommendation

- That Planning Advisory Committee recommends that Council authorize staff to schedule a public information meeting in the community of Mount Uniacke.

Recommended Motion

Planning Advisory Committee recommends that Council:

- *authorize staff to schedule a public information meeting to consider an application from 3230225 Nova Scotia Limited (Cottage Country) to amend the MPS and LUB by changing the land use designation and zone of PID 45147154, PID 45147253, and PID 45187242 to Rural Comprehensive Development District (RCDD) and to consider entering into a development agreement, with the addition of PID 45155314, PID 45403144, PID 45392602, and PID 45155306, to permit a 550 dwelling unit bare-land condominium development on 418 hectares of land with 24.6 hectares of multi-use development (commercial & residential).*