



Subject: *Magnolia Continuing Care Holdings - Development Agreement Amendment*
To: CAO for Planning Advisory Committee, October 21, 2025
Date Prepared: October 8, 2025
Related Motions: PAC25(65) May and C25(184) May
Prepared by: Rachel Gilbert, Manager of Planning
Approved by: John Woodford, Director of Planning and Development

Summary

The Municipality has received an application from B.D. Stevens on behalf of Magnolia Continuing Care Holdings Limited. The application is for amendments to an existing development agreement (DA) to enable an increase in units from seventy (70) to seventy six (76) units. To accommodate this increase in units, other amendments include an increase in floor area of the building and changes to the parking. The applicant is also requesting a change to the elevation to add a canopy over the front door.

Financial Impact Statement

In the final staff report for the approved 2023 development agreement, a rough calculation of the financial impact was undertaken. At that time, an estimated potential tax benefit (based on an assumed assessed value of \$8,100,000) was \$87,480 per year. The current application proposes a building with more assisted living facility units has the potential to have a higher assessed value.

Recommendations

- 1) That final approval be given to amendments to the existing Magnolia Continuing Care Holdings agreement for an assisted living facility
- 2) That approval be given to use the Chronicle Herald, the municipal website and social media to notify nearby property owners and residents of the public hearing, should Canada Post move to a complete work stoppage.

Recommended Motions

- 1) *Planning Advisory Committee recommends to Council that Council give final consideration and approved amendments to the existing Magnolia Continuing Care Holdings development agreement for an assisted living facility on 410 Highway 2, Enfield.*
- 2) *Planning Advisory Committee recommends to Council that Council direct staff to use the Chronicle Herald, the municipal website and social media as a way to notify the public of the public hearing, should Canada Post move to a complete work stoppage.*

Background

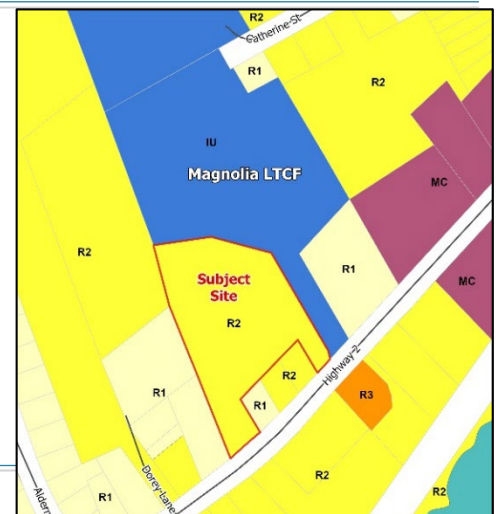
In September 2008 Council approved a development agreement for the existing magnolia facility which permitted the magnolia nursing home. Also included in the approved development agreement was a 5 storey assisted living facility containing fifty (50) units.

A new development agreement for a four storey, 70 unit assisted living facility was approved by Council in March 2023. This development agreement included the Magnolia Long Term Care Facility as this was included in the original agreement. The amended agreement was signed and entered into in March 2024. An application has been submitted by B.D. Stevens, on behalf of Magnolia Continuing Care Holdings Limited, to amend the existing development agreement to change the number of units from 70 to 76.

Subject Property

The property is located at 410 Highway 2, Enfield. The land is currently zoned Two Dwelling Unit Residential (R2). To the north of the site is the Magnolia nursing home. The nursing home property is zoned Institutional Use (IU).

To the west are existing residential zoned properties with existing buildings located on them. To the east of the site is the driveway for the Magnolia and then a residential zoned property.



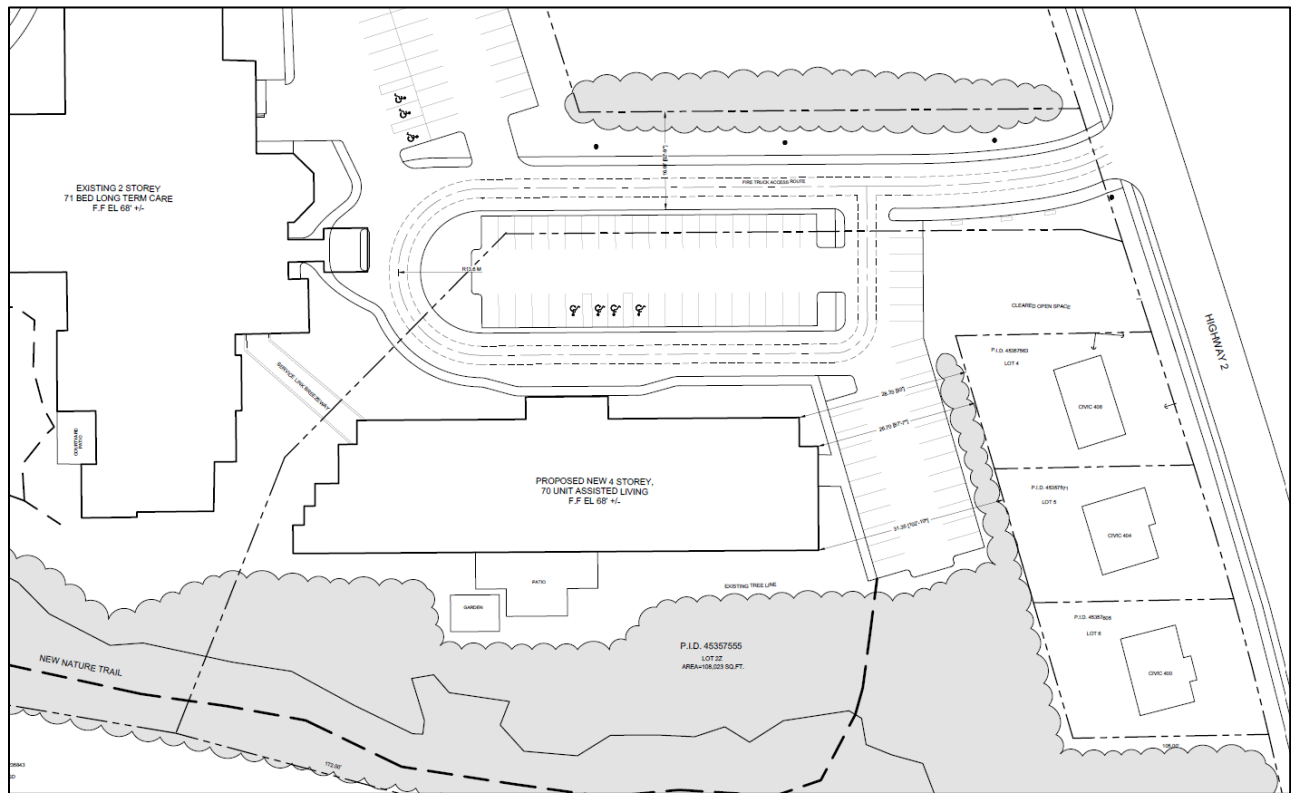
Development Proposal

The amendments to the development agreement are requested to enable an increase from 70 units to 76 units. In addition to the increase in unit number, additional amendments include:

- Expand the ground floor area of the building by 5.4% which will include common uses (garbage room, kitchen facilities, etc.);
- Change to the parking lot layout and increase in parking area; and
- Change to the external elevation design, i.e addition of canopy at front door.

The above 3 bulleted items can be dealt with as unsubstantial amendments but as the application includes an increase in the number of units, a substantial amendment to the development agreement is required.

Approved Site Plan (below)



The approved development agreement included 71 parking spaces for the assisted living facility of which four will be accessible.

Proposed Site Plan (below)



Changes to the site plan include:

- The amended site plan includes 92 new parking spaces of which 4 are accessible spaces.
- Internal movement of vehicles through the site has been amended.
- To accommodate more parking, the proposed assisted living facility is closer to the property line to the rear of the building by approximately 11 metres. The proposed distance to the property boundary is 25 metres from the north west corner of the building and 41 metres to the south west corner.



Rendering of Approved Building



Rendering of Proposed Building



Discussion

The Planning and Development Department have completed the review of the proposal based on the applicable policies contained in the Municipal Planning Strategy.

The property is zoned Two Dwelling Unit Residential (R2). This zone allows for development agreements to be considered for Institutional Use (IU) Zone uses. There is an existing development agreement which permits a 70 unit assisted living facility. Should the applicant decide to continue with the permitted building they still have 4.5 months to apply for a permit and an additional 2 years to construct the building.

To address potential compatibility issues with neighbouring residences, and to comply with criteria applied to consideration of this application, Staff requested comments from internal departments and external agencies, including Nova Scotia department of Public Works (NSPW), the internal East Hants Department of Infrastructure and Operations, and the local Volunteer Fire Department.

The Nova Scotia Department of Public Works have confirmed that the existing commercial access is acceptable for the proposed use and a negative impact to the Provincial road network is not anticipated.

The municipal department of Infrastructure and Operations have confirmed they have no additional comments relating to the proposed amendments to the development agreement.

The Enfield Volunteer Fire Department have provided comments regarding the application. Based on the comments the applicant has confirmed that their sprinkler designer/fire protection contractor will ascertain the requirement for a booster pump in their design; and that there is a fire hydrant on the site at the top of the driveway which appears to be within 45m of the nearest face of the proposed building. The applicant has also agreed to invite the fire department to visit the property, following paving of the parking area but before the painting of parking spaces. This will enable the identification of any proposed parking spaces that could be removed to provide easier access for the fire truck.

Impact to neighbouring properties

The proposed building is similar in size and scale to the approved building but to accommodate more parking the building has been moved closer to the western property boundary by around 11 metres. The south west corner of the building for example is proposed to be approximately 41 metres from the property boundary to the rear. The area between the building and the rear property boundary will be retained with existing trees.

The building looks to be approximately 2-3 metres closer to the southern boundary but there is proposed to be 27 metres in one corner and 29 metres in the south western boundary between the side of the building and the property boundary.

Staff suggest that the addition of the six additional units and the alteration in the location of the building will have a limited additional impact on neighbouring properties.

STRATEGIC ALIGNEMENT

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 when they more support.

LEGISLATIVE AUTHORITY

The legislative authority and process for entering into a development agreement is set out in the Municipal Government Act, Part VIII.

FINANCIAL CONSIDERATIONS

In the final staff report for the approved 2023 development agreement, a rough calculation of the financial impact was undertaken. At that time, an estimated potential tax benefit (based on an assumed assessed value of \$8,100,000) was \$87,480 per year. The current application proposes a building with more assisted living facility units has the potential to have a higher assessed value.

Citizen Engagement

Planning staff have complied with the Citizen Engagement Policies of the Municipal Planning Strategy when processing this application. An advertisement outlining the proposal and indicating that it is under review by staff has been placed in the *Chronicle Herald*. A letter and questionnaire was mailed to around 140 properties which included property owners and residents within 300 metres of the application properties. Of those 140 questionnaires that were mailed out, 13 responses were received. The responses have been scanned and

provided to Planning Advisory Committee with this final report. The majority of the responses received suggested they support the development or that they have no concerns with the project.

- There are less than 100 nursing bedrooms in East Hants.
- Need more multi-unit buildings in the area.
- Concern with Council decision to refuse an apartment building in the MU Zone.
- Suggest one zone for the whole area.
- Fully support the changes and happy to have more seniors in the area.
- People are waiting for a place to live.
- Great news that a continuing care facility is being built here.
- Comments about traffic issues in nearby area.
- Concern with the parking area which will lower property values and potential light pollution,
- How is the safety of the project going to affect their nearby dwelling.
- Area is used by school children getting to school.
- Good that continuing care is being built.
- Several responses expressed support for the proposal.
- Sees value in keeping residents in the community they have called home for years.

A public information meeting (PIM) was not required for this application as it does not involve an amendment to the Municipal Planning Strategy.

Canada Post Strike

The rolling Canada Post strike means that it is highly likely that letters regarding the public hearing will be delayed in reaching the property owner/resident. For this reason, the public hearing has not been scheduled for October. Staff will work towards scheduling a public hearing for the November meeting of Council and mail the letters earlier than normal to account for any delays.

There is no requirement in the Municipal Government Act to mail letters to the public regarding a public hearing. There is however a policy in the MPS (CE17.b) that requires a letter be mailed to property owners and residents within 300 metres of a proposed rezoning and development agreement application site. During this time of uncertainty regarding Canada Post mail delivery service there is still potential that further work stoppages may impact mail delivery. Should a complete work stoppage occur again there are two options for the public notification of the public hearing:

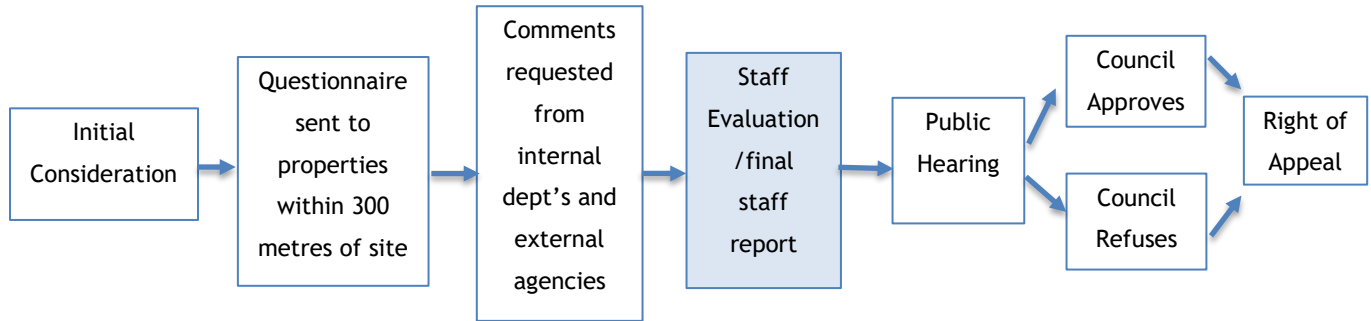
- Use the Chronicle Herald, municipal website and social media only to notify the public of the public hearing. This will mean delays in processing the planning application are limited.; or
- The public hearing meeting not be held until the Canada Post complete work stoppage is over.

Staff recommend that the Chronicle Herald, the municipal website and social media be used to notify property owners and residents regarding future public hearings if Canada Post should move back to a complete work stoppage.

Conclusion

Staff have completed the review of the requested amendments to the existing development agreement and recommend approval. There is limited impact to the surrounding area from the increase in units from 70 units to 76 units and the increase will provide much needed residential options in the community.

Any decisions to approve or not the development agreement application is appealable to the Nova Scotia Regulatory and Appeals Board.



Alternatives

Planning Advisory Committee may determine that the public hearing should wait until a complete Canada Post work stoppage has ended before organizing a public hearing, in which case the following motion has been drafted.

Planning Advisory Committee recommends to Council that Council direct staff to wait for the Canada Post complete work stoppage to have ended before scheduling a public hearing for the planning application for the assisted living facility.

Attachments

- Appendix A - Policy Analysis
- Appendix B - Existing approved Development Agreement
- Appendix C - Floorplans and renderings of proposed building
- Appendix D - Draft Amending Development Agreement

Appendix A - Policy Analysis

Policy	Comments
Community Priority 8 - Allow for a range of housing options appropriate to each neighbourhoods' form and intensity	The proposal provides for a type of housing which isn't readily available in East Hants. Staff consider that the form and intensity is appropriate for the community and is compatible form to the adjacent nursing home and nearby multi-unit residential.
RD3. Council shall encourage new residential development in the Municipality that supports a variety of lifestyles and includes a range of housing choices and household types.	The proposed development provides for a housing type which isn't readily available in East Hants.
OS28. Council shall consider institutional uses in all zones, by development agreement, to ensure that the Institutional Use is in the community's best interest.	This policy enables the development agreement application to be considered for the Assisted Living Facility in the R2 Zone.
IM28. Council shall consider the following evaluation criteria for any development agreement application:	
a) The impact of the proposed development on existing uses in the area with particular regard to the use and size and of proposed structure(s), buffering and landscaping, hours of operation for the proposed use, and other similar features of the proposed use and structures.	Staff consider that the proposed building has sufficient setbacks from neighbouring properties to minimize any impacts. There are existing established deciduous and coniferous trees between the proposed building and adjacent property boundaries which buffers the impact of the building.
b) The impact of the proposed development on existing infrastructure with particular regard to Municipal piped water and wastewater systems, fire protection, refuse collection, school capacities, and recreation amenities. Council shall consider comments from the Municipal Engineer and other agencies as applicable.	<p>The existing development agreement indicates that water and wastewater capacity will be confirmed before a permit is issued.</p> <p>Amenity space is being provided on the property for the residents.</p>
c) The impact of the proposed development on pedestrian and motor traffic circulation with particular regard to ingress and egress from the site, traffic flows and parking, adequacy of existing and proposed road networks to service the proposed development, adequacy of pedestrian infrastructure including walkways and sidewalks where required. Council shall consider comments from Municipal Engineer(s) and/or the Provincial Transportation Departments as applicable.	NS Public Works have confirmed that they have no traffic impact concerns with the proposed development. The site plan submitted identifies that the existing driveway for the nursing home will provide access for the assisted living facility.

d)	Council shall consider, where appropriate, the impact of the development on the comfort and design of proposed streets and existing street users. This shall include whether the proposed development is human-scaled, is easily accessible to active transportation users, and if it promotes visual variety and interest for active transportation users.	No new streets are proposed. The proposed building will connect to the sidewalk on Highway 2 with a walkway that runs from the proposed building to the nursing home and then down alongside the driveway. This will provide a safe pedestrian access to the existing sidewalk network.
e)	The suitability and availability of other appropriately zoned sites for the proposed use.	The zoning on the property enables a development agreement to be considered for this institutional use. The use has already been established by the 2023 development agreement. The use will be located adjacent to an existing compatible nursing home use.
f)	The submission of a professionally drawn site plan showing the location of all new and existing structures on the lot, parking areas, proposed and existing walkways, areas of tree retention, watercourses or environmentally sensitive areas, buffering, and landscaping and building plans, including signage plans, if applicable, showing the nature and design of the proposed structure.	A professionally drawn site plan has been submitted showing the location of the proposed building, walkways, areas of tree retention and landscaping.
g)	Adequacy of the size of the lot to ensure required buffering and screening can be carried out.	The property is adequately sized for the proposed development. Buffering will be provided in the form of existing mature deciduous and coniferous trees. An opaque fence or wall is required between the parking area and the adjacent properties on Highway 2.
h)	Potential for significantly reducing the continuation of agricultural land uses.	Not applicable.
i)	The proposed density and urban form, including height, massing, bulk, stepbacks and setbacks, are compatible with (not necessarily the same as) existing development forms.	<p>The approximate height of the proposed building is 15.6 metres which is 1.7 metres taller than the approved building which the applicant suggested was to be 13.9 metres.</p> <p>Although the amended building design is taller than the the setback distances from existing residential buildings limits the impact of the increased height.</p>
j)	If the proposal is inappropriate by reason of the financial capability of the Municipality to absorb any costs relating to the development.	The fiscal impact of the proposed development will have a positive impact to the Municipality. No new roads are required to be installed.
k)	The adequacy of municipally approved water and wastewater services or if services are not provided, the adequacy of the lot to provide an adequate and safe water supply as determined by a hydrogeological assessment prepared by a hydrogeologist. The requirement for a hydrogeological assessment shall be determined by the Municipality.	The existing development agreement indicates that water and wastewater capacity will be confirmed before a permit is issued.

IM29.	Terms and conditions of the agreement to ensure consistency with Strategy policies and the employment of sustainable development practices shall include, but are not limited to the following where applicable:	
a)	The use and size of any new structures or any expansions of existing structures.	The proposed building is a four storey, 76 unit, assisted living facility.
b)	The compatibility of the structure in terms of design elements including, but not limited to roof type, exterior cladding material, and overall architectural form and elements that are reasonably consistent with the style and character of the community.	The design of the proposed building is very similar to the approved assisted living facility. Staff consider that the design of the building is appropriate for this location.
c)	Provisions for adequate buffering and screening to minimize the impacts of the development on adjacent uses, such buffering and screening to be designed with consideration given to the types of impacts that may be felt by adjacent properties (ie. noise, headlights, dust, etc.).	Existing mature coniferous and deciduous trees are to be retained. In addition to this the existing development agreement includes a requirement for an opaque fence or wall between the parking area to the side of the building and the property boundary with existing buildings on Highway 2.
d)	Any matter that may be addressed in the Land Use Bylaw, such as yard requirements, outdoor storage, height, bulk and lot coverage, etc.	All items not identified in the development agreement shall be applicable to the LUB.
e)	Time limits for the application for a development permit and the initiation and completion of construction.	One year to enter into the amending agreement. The amending agreement includes an increase in the time to apply for a permit, from the date of the original agreement, from two years to three year. Following the issuing of a development permit the developer will have two years to make the property consistent with the terms of the development agreement.
f)	The establishment of hours of operation and maintenance of the proposed use.	Not applicable to this institutional residential use.
g)	The provision of adequate parking and parking lot design to include maximum ease and safety of traffic flow and dust control.	The applicant is proposing 92 parking spaces which an increase of 21 spaces over the original approved building.
h)	Provisions regarding signage that may be sensitive to the overall visual amenity of the immediate area and safety issues.	The approved development agreement includes details on the permitted signage. No changes are proposed with this amending agreement.
i)	Methods of protection of the land and watercourses and mitigation practices during and after construction of the proposed development.	As per NSE regulations.
j)	Methods of stormwater management on-site during and after construction and methods used to control erosion and sedimentation.	A stormwater management plan is a requirement of the development agreement. This is required prior to a permit being issued.

k) Provisions regarding tree removal, devegetation, and tree planting on the site and overall adequacy of landscaping.	There will be an existing mature landscaping buffer around the rear and side of the proposed building.