

# Public Information Meeting

May 18<sup>th</sup>, 2023

Land Use Bylaw Amendment Proposal



## Proposal

The Applicant, Travis Mills, is seeking to rezone a property on Gaspereau Avenue (PIDs 55274575 and 55274583) as shown in figure 1 below from Medium Density Residential (R-3) to High Density Residential (R-4).

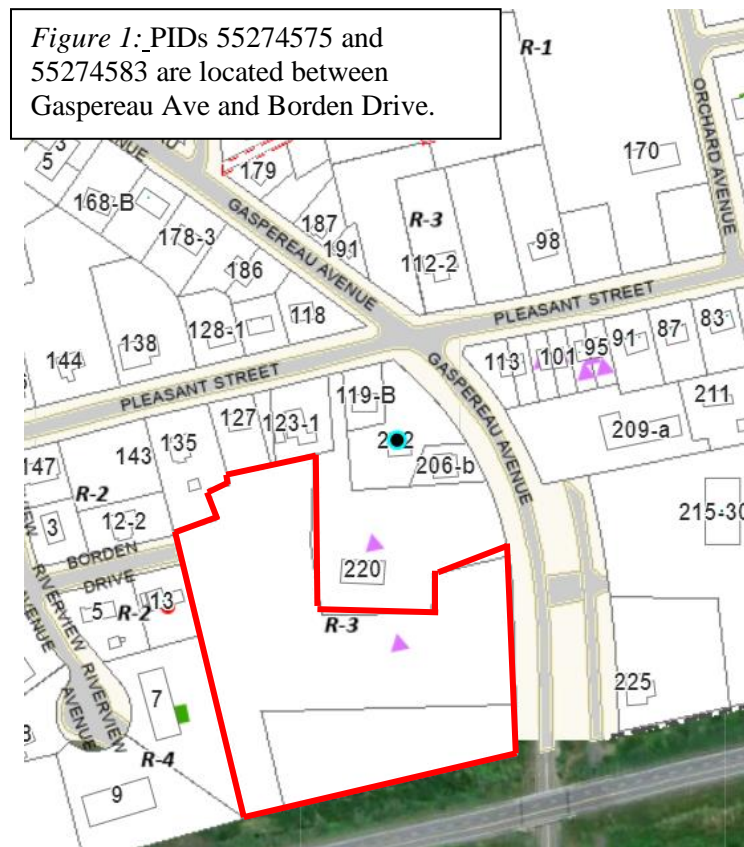


Figure 1. Context Map.

The traffic engineering drawing below shows a preliminary site plan with four 3 storey multi-unit residential buildings; two with 32 units and 2 with 24 units, to a total of 112 residential units.

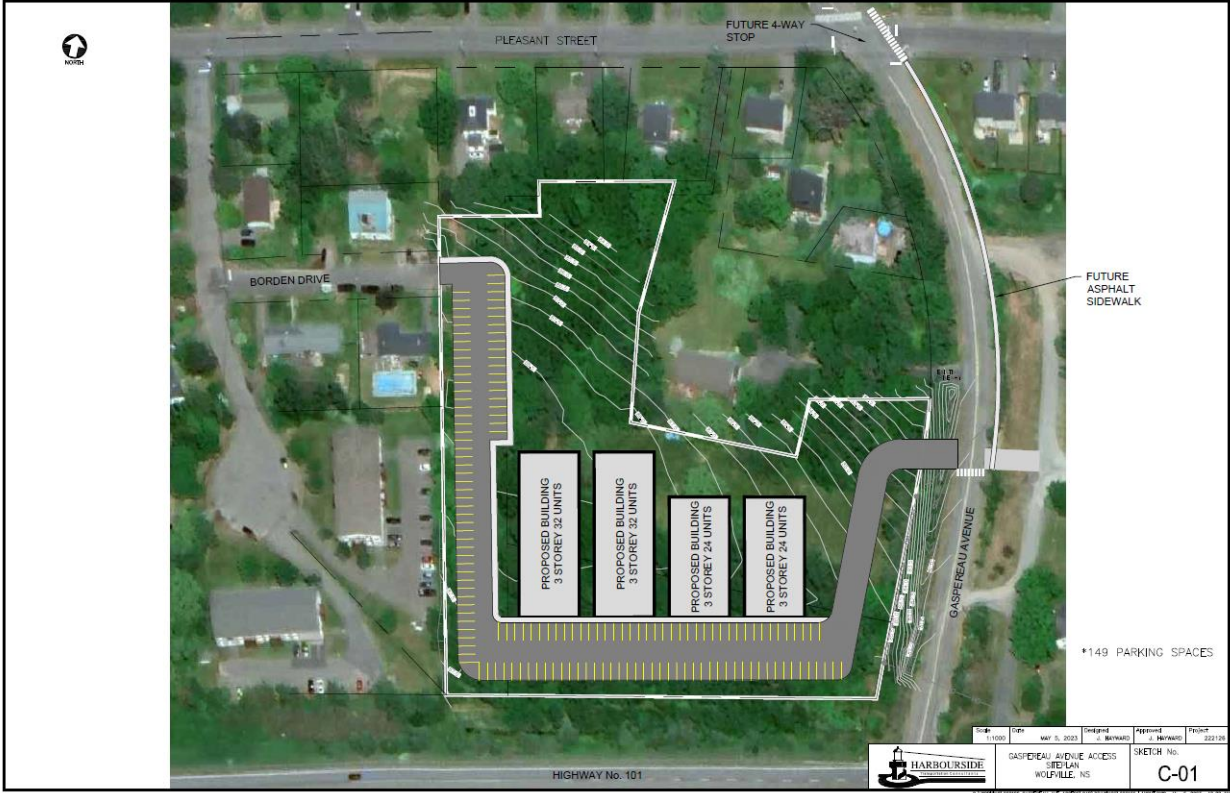


Figure 2. Traffic engineering drawing.



Figure 3. Revised traffic engineering drawing.

**Background**

Travis Mills is seeking to rezone the undeveloped lands (PIDs 55274575 and 55274583) from the Medium Density Residential (R-3) zone to the High Density Residential (R-4) zone. If the rezoning application is approved by Council, the Applicant will then seek a separate planning application to permit up to 24 units per acre through Development Agreement. The lot is 4.66 acres in size, allowing up to 112 units through Development Agreement for High Density (R-4) zoned lands.

The surrounding properties include High Density Residential (R-4), Medium Density Residential (R-3), and Low Density Residential – General (R-2) zones as shown in the zoning map below. On the land to the east of the property is a higher density residential site with up to 16 units per acre and the Highway 101 is to the south of the property.

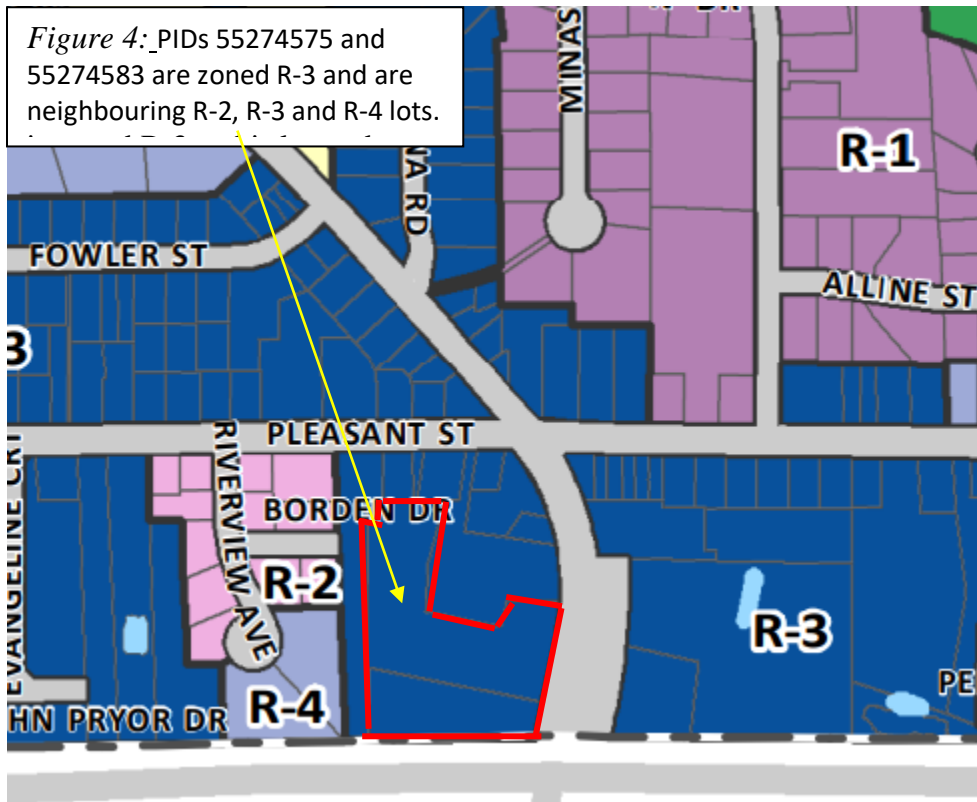


Figure 4. zoning map.

## Preliminary Policy Overview

### **Land Use Bylaw:**

Rezoning of R-3 properties is enabled through LUB 11.3:

11.3 REZONING Rezoning to the R-4 or C-2 zone will be considered subject to Policy 11.4.3 of the MPS.

### **Municipal Planning Strategy (MPS):**

MPS sections 11.4.1 and 11.4.3 outline requirements for LUB amendments:



### 11.4.1 LAND USE BYLAW (LUB) AMENDMENTS

Proposals for rezonings, text amendments to the Land Use Bylaw and/or development agreements may be required to ensure community needs and desires are being met. Specific

policy criteria are outlined in this section to ensure a standard and uniform approach is taken by Council in responding to these requests.

#### IT SHALL BE THE POLICY OF COUNCIL:

1. To consider amendments to the Land Use Bylaw provided the amendment is consistent with the intent of the Municipal Planning Strategy.
2. To consider zone-specific considerations for rezonings, including locational criteria or street hierarchy requirements, in the Land Use Bylaw.
3. To use the general criteria, outlined in Section 11.4.3, as a guide in the evaluation of Land Use Bylaw amendments.
4. To consider an application for amendment to the Land Use Bylaw (rezoning) only if the application has identified

a proposed use for the property. Council shall give consideration to both the proposed use and to the impact of other uses permitted in the requested zone.

5. To consider an application for amendment to the Land Use Bylaw only if the site meets all of the lot size and zone standards for the zone sought.

#### COMPATIBILITY OF THE DEVELOPMENT

- d. Compatibility of the proposed land use with adjacent land uses; and
- e. Compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, bulk, and architectural style; and
- f. Compatibility of the development with adjacent properties in terms of lighting, signage, outdoor display, outdoor storage, traffic impacts, and noise; and
- g. Integration of the development into the surrounding area by means of appropriate landscaping, with screening provided by existing and new vegetation and fencing as required; and
- h. The proposal protects and preserves matters of public interest such as, but not limited to:
  - i. historically significant buildings;
  - j. public access to shorelines, parks, and public and community facilities; and
  - k. important and significant cultural features, natural land features and vegetation.

### 11.4.3 CRITERIA FOR LUB AMENDMENTS AND CONSIDERATION OF DEVELOPMENT AGREEMENTS

#### IT SHALL BE THE POLICY OF COUNCIL:

1. That, where warranted, the developer shall be responsible for providing further study of specific issues identified in the development review process, and/or implementing mitigation measures to address anticipated issues such as flooding and erosion threats.
2. That designation and/or zone specific development agreement and rezoning requirements shall be included in the Land Use Bylaw.
3. That when considering any proposed development agreement or amendment to the Land Use Bylaw, it shall

be a policy of Council to have regard for the following matters:

#### GENERAL CONSIDERATIONS

- a. The financial ability of the Town to absorb any costs relating to the proposal; and
- b. The proposal's conformance with the intent of the Municipal Planning Strategy and to all other applicable Town Bylaws and regulations.

- c. The proposal's conformance with relevant portions of the Town's 'Sustainability Checklist', where applicable.

#### **COMPATIBILITY OF THE DEVELOPMENT**

- d. Compatibility of the proposed land use with adjacent land uses; and
- e. Compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, bulk, and architectural style; and
- f. Compatibility of the development with adjacent properties in terms of lighting, signage, outdoor display, outdoor storage, traffic impacts, and noise; and
- g. Integration of the development into the surrounding area by means of appropriate landscaping, with screening provided by existing and new vegetation and fencing as required; and
- h. The proposal protects and preserves matters of public interest such as, but not limited to:
  - i. historically significant buildings;
  - j. public access to shorelines, parks, and public and community facilities; and
  - k. important and significant cultural features, natural land features and vegetation.

#### **SERVICING CONSIDERATIONS**

- l. The adequacy of sanitary services, water services, and storm water management services; and
- m. Contribution of the proposal towards an orderly and compact development pattern that makes efficient use of existing and new municipal infrastructure and services.

#### **MOBILITY CONSIDERATIONS**

- n. The adequacy of the road network in, and adjacent to, or leading to the development, regarding connectivity, congestion and traffic hazards; and
- o. The adequacy of site access as determined by the Traffic Authority; and

- p. The ability of emergency services to respond to an emergency at the location of the proposed development; and
- q. The adequacy of active transportation infrastructure to support walking and cycling to and from the proposed development; and
- r. The provision of off-street vehicle and bicycle parking to prevent significant congestion, nuisance and inconvenience in the area.

#### **ENVIRONMENTAL CONSIDERATIONS**

- s. Consideration of any previous uses of the site which may have caused soil or groundwater contamination; and
- t. Suitability of the site in terms of slope and flood and erosion risk in accordance with Schedule E of the Land Use Bylaw; and
- u. Consideration of any anticipated environmental impacts resulting from the development, such as air and water pollution, soil contamination, and potential for the contamination or sedimentation of watercourses. Where Council determines, on the advice of a qualified person, that there is a significant risk of environmental damage from any proposed development, an environmental impact assessment shall be carried out by the developer for the purpose of determining the nature and extent of any impact and no agreement shall be approved until Council is satisfied that the proposed development will not create or result in undue environmental damage; and
- v. The application of sustainable design principles and energy efficient technology, including but not limited to renewable energy infrastructure; and
- w. Environmentally friendly paving alternatives, provision of alternative transportation parking, integration of landscaping into the design of parking lots, green roofs, etc.

Table 8.1 below illustrates uses permitted in the R-4 zone. Multi unit residential dwellings up to 24 units per acre are permitted through Development Agreement in the R-4 zone.

**TABLE 8.1** Neighbourhood Land Use Table

**APPROVAL PROCESS:**

P = Permitted as-of-right,

PC = Permitted with Conditions (refer to general conditions)

SP = Site Plan Approval

DA = Development Agreement

Residential Uses	R-1	R-2	R-3	R-4	CDD	C-2
Additions	P	PC	PC	PC	P	PC
Accessory Dwelling Unit – Detached		SP	PC	PC		PC
Dwelling, Single	P	P	P			P
Dwelling, Two Unit		P	P	P		P
Dwelling, Townhouse (max 3 units)			P	P		P
Dwelling, Multi-unit- Small (3- 8 units)			SP	SP		SP
Dwelling, Multi-unit - Large (max of 16 units per acre)			DA	SP		DA
Dwelling, Multi-unit (max of 18 units per acre)				SP		
Dwelling, Multi-unit (19 to 24 units per acre)				DA		
Cluster Housing		DA	SP	SP		SP
Existing Uses	P	P	P	P	P	P
Home Based Business (Arts and Crafts Workshop, Catering Establishments, Daycares up to four children/persons, Online/Digital Sales, Offices, Studios, Short Term Rentals max of 3 rental rooms) < 80 sqm		PC	PC	PC		PC
Home Occupation – Restricted (<50 sqm)	P	P	P	P		P
Innovative Housing		DA	DA	DA		DA
Parks and Playgrounds, Public Washrooms, Community Gardens, & Historic Sites	P	P	P	P	P	P

Neighbourhood Commercial Uses	R-1	R-2	R-3	R-4	CDD	C-2
Art Galleries & Studios						P
Bakeries						SP
Catering Establishment > 80sqm						PC
Commercial Schools (new or expansion of existing)						SP
Craft Workshops > 80sqm						SP
Daycare Facilities (more than 4 children/persons)						SP
Farm Markets						SP
Hostels						SP
Hotels						DA
Inns (12 or less rental rooms)		SP	SP	SP		SP
Institutional Uses						SP
Laundromats						SP
Medical Clinics						SP
Nano-Brewery (See special provision in the C-2 zone)						SP
Neighbourhood Cafe < 100 sqm						SP
Neighbourhood Commercial Use > 200 sqm						DA
Neighbourhood Commercial up to 40% of Groundfloor of a multi unit building				SP		
Neighbourhood Commercial up to 100% of Groundfloor of a multi unit building				DA		
Neighbourhood Retail < 100 sqm						SP
Nursing Homes						SP
Offices & Professional Services > 80 sqm						SP
Parking Lots and Structures (Stand Alone)						DA
Residential Care Facility		PC	PC	PC		PC
Short Term Rentals		PC	PC	PC	PC	PC
Single Room Occupancy (4 or more rental rooms)		PC	PC	PC		PC
Tasting Rooms (See Special Provisions in the C-2 zone)						SP

Table 8.1 LUB



## **Process**

The first stage of the application review process will be a Public Information Meeting (PIM) held on May 18<sup>th</sup>, 2023 in the Council Chambers at Wolfville Town Hall at 5:00PM. The purpose of the PIM is to receive preliminary feedback from the public on the proposal.

Staff have not completed a review of the proposal and no recommendation is provided at this time.

The process for a Land Use Bylaw Amendment after the PIM is as follows:

- Staff prepare a report with recommendation for the Planning Advisory Committee
- Initial Consideration by Council
- Public Hearing
- Decision by Council
- Appeal period

## **How can the public get involved in this application?**

The public can, and **are encouraged to**, provide comment on the application at any time during the process, but the earlier in the process the better so that any concerns can be addressed. Not all concerns or issues can be dealt with through the Land Use Bylaw Amendment process, but if the issue is relevant to the planning process, we will address it in the staff report. Ways that the public can be involved are:

- Direct contact with Staff. The ideal time to do this is before Staff have prepared the staff report and potentially the draft Land Use Bylaw Amendment; however, you can contact Staff at any time.
- Letters or emails to Council.
- Submissions to Council at the public hearing.
- Requests to make a presentation to the Planning Advisory Committee.
- Email updates regarding this application – provide your email to Planning Staff and we will put you on the list.
- If you have questions regarding the application or the process for making a decision regarding this application, please contact Lindsay Slade at 902-599-0124 / email at [lslade@wolfville.ca](mailto:lslade@wolfville.ca)