

# Public Information Meeting

June 23<sup>rd</sup>, 2022

*Development Agreement Proposal*

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## **Proposal**

Devour Studios (Slow Motion Food Film Fest Society) is seeking a Development Agreement (DA) to erect and operate a theatre marquee-like digital sign to promote events, activities and organizations and groups that use the Devour Studios building at 360 Main Street. A conceptual rendering of the proposal is shown below.



## **Background**

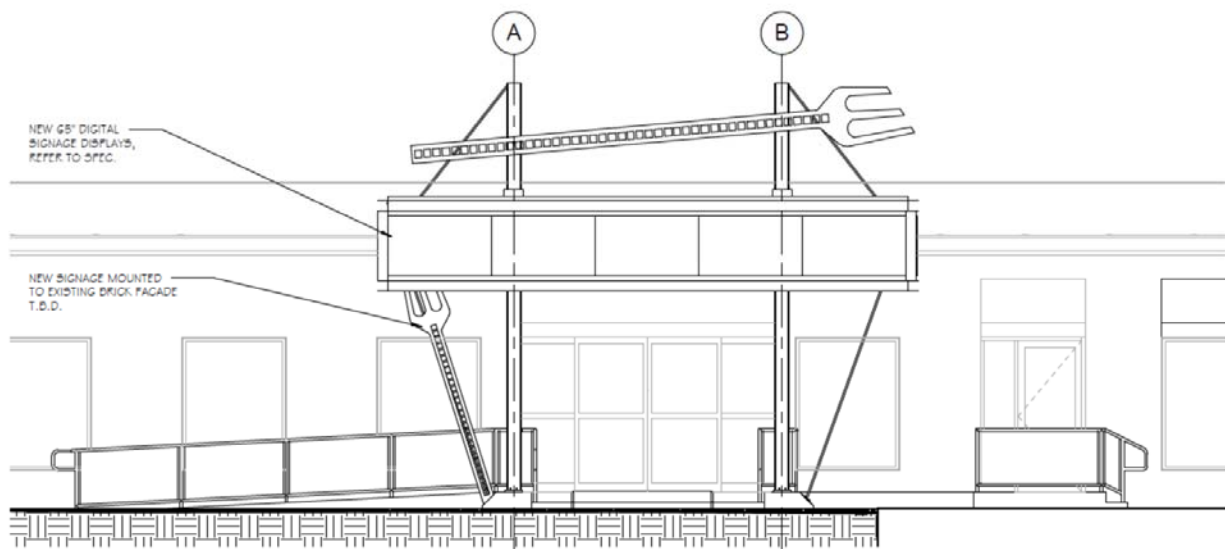
Wolfville's Land Use Bylaw does not permit digital signage unless through a Development Agreement process. With our new Planning documents, this type of proposal can be considered by Development Agreement as a unique and site-specific application. In 2014 digital signage in Wolfville was approved for a 'digital reader board' at 550 Main Street (Acadia University Athletics Centre and Festival Theatre).

360 Main Street is located in the C-1 Zone. The Devour project has a number of components which will see the 360 Main Street building upgraded and re-purposed as a multi-use space. This application is only for the digital signage component of the project.

## Request and Proposed Elevation:

The Devour Studios (Slow Motion Food Film Fest Society) project is requesting a development agreement with The Town to erect and operate a Theatre marquee- like digital sign to promote events, activities and organizations and groups that will utilize the Devour Studios. It can be used as a community bulletin board for all events and activities in town.

The sign will be erected over the entrance to 1-360 Main street, facing south and set back from Main Street by 50 meters with no direct visual impact affecting drivers on Main Street. The marquee is envisioned as three separate digital panels that can be programmed to showcase events and tenants at the studios, in Waterfront Park and throughout town. In keeping with cultural buildings like the Confederation Centre in Charlottetown and the National Arts Centre in Ottawa (both of which have digital marquees) signage elevates these buildings to international stature with the use of new technology.



## Preliminary Policy Overview

The property is zoned C-1 in the Land Use By-law and designated as such in the Municipal Planning Strategy.

# PART 15 Core Commercial (C-1) Zone

## 15.1 INTENT

The C-1 zone is intended to permit a wide range of commercial and service uses of a certain size as well as residential mixed-use development. Council may consider unique and site-specific developments by development agreement.

This proposal can be considered by Council by Development Agreement.

This type of signage is permitted on the University Property (see section 7.7 of the Land Use By-law) since 2014.

Part 7 of the Land Use By-law outlines general signage requirements (mostly for as-of-right applications).

### Part 11.4 Land Use Bylaw and Development Agreements policy

#### 11.4.2 Development Agreements

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

1. To indicate uses considered by development agreement in the Land Use Bylaw.
2. To enter into a development agreement pursuant to the Municipal Government Act on the terms and conditions set forth in this Municipal Planning Strategy and a development agreement shall:
  - a. specify the development, expansion, alteration, or change permitted; and
  - b. specify the conditions under which the development may occur; and
  - c. set forth the terms by which Town Council may terminate the agreement.
3. To have the provisions of the Land Use Bylaw prevail after discharge of any development agreement.
4. To enable the ability to bring certain as-of-right and site plan applications forward to Council for consideration by Development Agreement where the application meets the intent of this planning strategy but is unable to meet specific, prescriptive requirement(s) of the Land Use Bylaw.

#### 11.4.4 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.

## **Process**

The first stage of the application review process will be a Public Information Meeting (PIM) held on June 23rd, 2022 in the Council Chambers at Wolfville Town Hall at 6pm. 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 development agreement 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 development agreement 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 development agreement; 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)

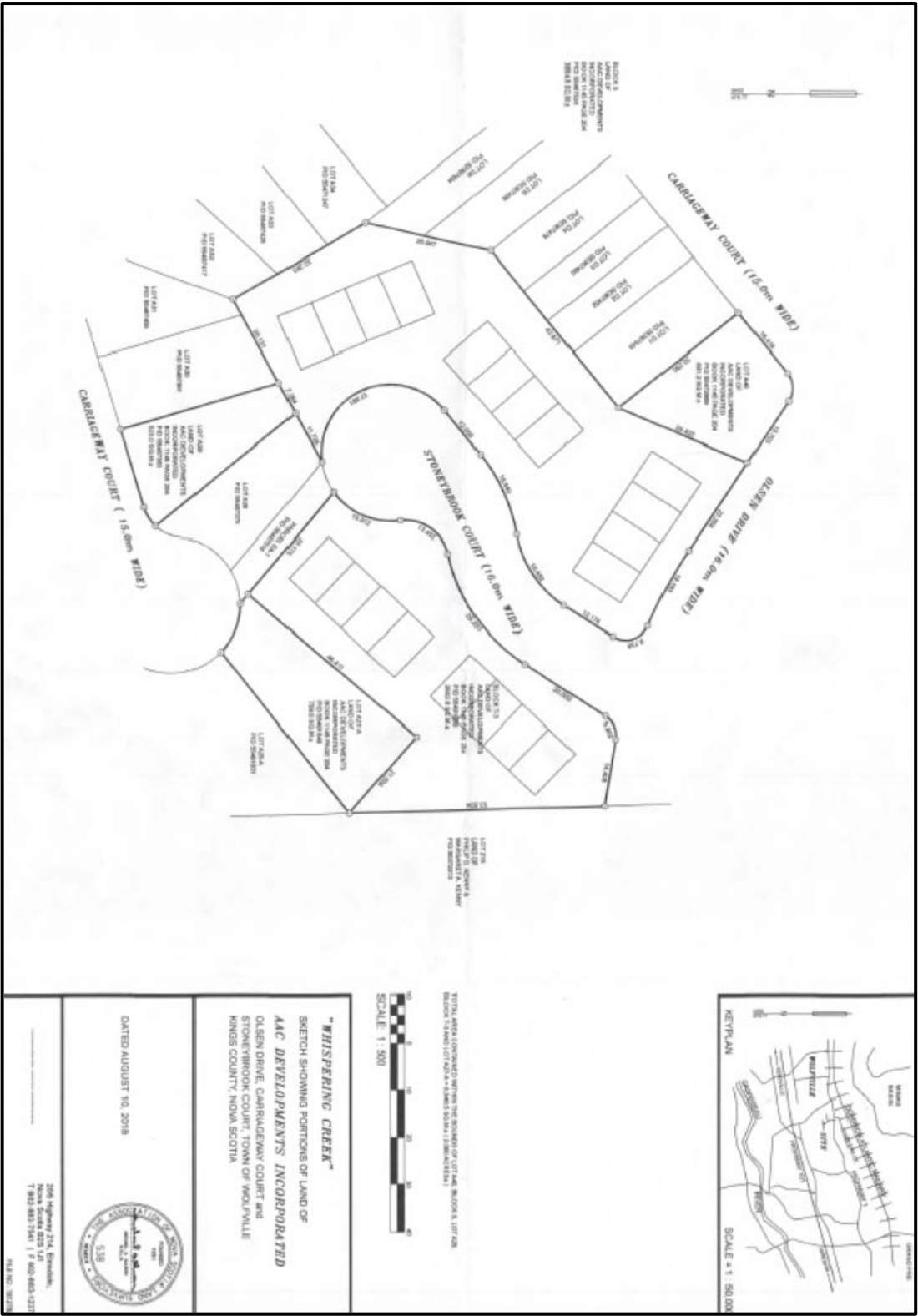
## **Attachments**

- A. Site Plan
- B. Elevations and Concept





Attachment A – Site Plan

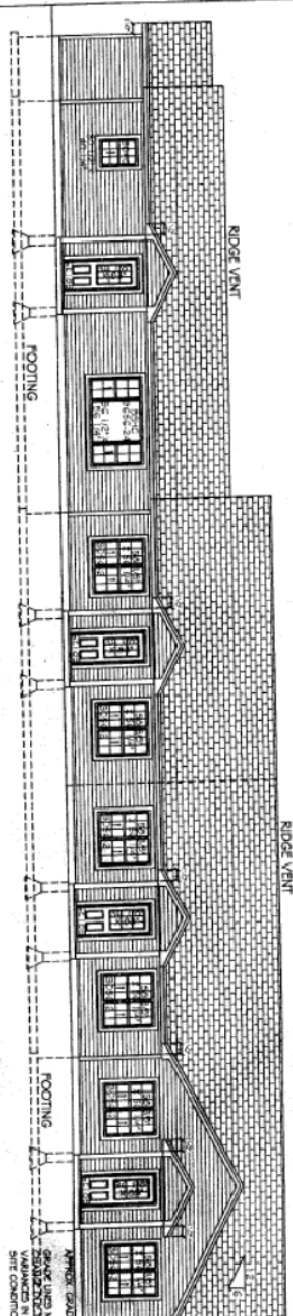


# Attachment B – Elevations – Four

NOTE: FOR EASE OF INSTALLATION, ALL WINDOW R.S.O.'S NOTED ON THE PLANS HAVE HAD AN ADDITIONAL 1/2" ADDED TO THE WIDTH.

MASTER  
PLAN

PREMIER



INSTALL BLOCKING FOR PHONE & CABLE  
HOOKUP LINES 1" BELOW & 1" TO THE  
ROADSIDE OF THE WEATHERHEAD  
AT ROUGH-IN FRAMING STAGE.

FRONT OF HOUSE FACES

THIS DRAWING IS THE SOLE PROPERTY OF THE DESIGNER AND SHALL NOT BE REPRODUCED OR USED IN ANY FORM UNLESS AUTHORIZED BY THE DESIGNER.

PLEASE REVIEW THESE PLANS CAREFULLY BEFORE SETTING FOR APPROVAL. A FEE OF \$100.00 IS CHARGED FOR EACH SET OF REVISIONS. THIS PLAN REPRESENTS THE EXACT SCOTTISH STANDARD SPECIFICATIONS AS WELL AS CHANGES TO THOSE DETAILS BY OWNER. HAVE ANY OTHER INITIALS APPROVING THIS PLAN FOR CONSTRUCTION. AGREEING TO THE ABOVE. DATE: \_\_\_\_\_ SCOTTISH



|                 |  |              |            |       |              |
|-----------------|--|--------------|------------|-------|--------------|
| FRONT ELEVATION |  | DATE         | NOV. 15/07 | SCALE | 1/4" = 1'-0" |
| TANYA COOKE     |  | DO NOT SCALE | DRAWINGS   |       | RENTAL UNIT  |







## Attachment C – Policy 18.6.1 & 18.6.2 of the MPS

### 18.6 CRITERIA FOR DEVELOPMENT AGREEMENTS AND CRITERIA FOR LAND USE BY-LAW AMENDMENTS

*It shall be the policy of Council:*

**18.6.1** *to consider the following in addition to all other criteria set out in the various policies of this Municipal Planning Strategy, when considering proposals for development agreements and Land Use By-law amendments:*

*(a) to ensure that the proposal conforms to the intent of the Municipal Planning Strategy and to all other applicable Town By-laws and regulations, except where the application for a development agreement modifies the requirements of the Land Use By-law or the Subdivision By-law.*

*(b) to ensure that the development does not cause conflict with adjacent land uses, disturb the quiet enjoyment of adjacent lands, or alter the character and stability of surrounding neighbourhoods through:*

- i. the type and intensity of use; and*
- ii. the height, mass or architectural design of proposed buildings; and*
- iii. hours of operation of the use; and*
- iv. outdoor lighting; and*
- v. noise, vibration or odour; and*
- vi. vehicle and pedestrian traffic; and*
- vii. alteration of land levels and/or drainage patterns; and*
- viii. deprivation of natural light*

*(c) to ensure that the capacity of local services is adequate to accommodate the proposed development and such services will include, but not be limited to the following:*

- i. sanitary and storm sewer systems; and*
- ii. water systems; and*
- iii. schools; and*
- iv. recreation and community facilities; and*
- v. fire and police protection; and*
- vi. street and walkway networks; and*
- vii. solid waste collection and disposal systems*

*(d) to ensure that the proposal is not premature or inappropriate by reason of the financial ability of the Town to absorb capital and/or maintenance costs related to the development.*

*(e) to ensure that the proposal does not cause environmental damage or damage to adjacent properties through:*

- i. pollution of soils, water or air; and*
- ii. erosion or sedimentation; and*
- iii. interference with natural drainage systems and watercourses; and*

*iv. flooding*

*(f) to ensure that the proposal protects and preserves matters of public interest such as, but not limited to:*

- i. historically significant buildings;*
- ii. public access to shorelines, parks and public and community facilities;*
- iii. important and significant cultural features, natural land features and vegetation.*

*(g) to ensure that the proposed site and building design provides the following:*

- i. useable active transportation networks that contribute to existing active transportation links throughout the community; and*
- ii. functional vehicle circulation and parking and loading facilities designed to avoid congestion on or near the property and to allow vehicles to move safely within and while entering and exiting the property; and*
- iii. facilities for the safe movement of pedestrians and cyclists; and*
- iv. adequate landscaping features such as trees, shrubs, hedges, fences, flower beds, and lawns to successfully integrate the new development into the surrounding area; and*
- v. screening of utilitarian elements, such as but not limited to; mechanical and electrical equipment, and garbage storage bins; and*
- vi. safe access for emergency vehicles; and*
- vii. adequate separation from, and consideration of, public and private utility corridors to ensure their continued safe and functional operation; and*
- viii. architectural features, including but not limited to, mass, scale, roof style, trim elements, exterior cladding materials, and the shape, size and relationship of doors and windows; that are visually compatible with surrounding buildings in the case of a new building or with the existing building in the case of an addition; and*
- ix. useable outdoor amenity space for use of residents in a residential development; and*
- x. accessible facilities for the storage and collection of solid waste materials; and*
- xi. appropriate consideration for energy conservation; and*
- xii. appropriate consideration of and response to site conditions, including but not limited to; slopes, soil and geological conditions, vegetation, watercourses, wet lands, and drainage.*

*(a) where Council determines, on the advice of a licensed professional, that there is a significant risk of environmental damage from any proposed development which does not require an assessment under the Environmental Assessment Act, environmental studies shall be carried out at the expense of the developer for the purpose of determining the nature and extent of*

*any environmental impact and no agreement shall be approved until Council is satisfied that the proposed development will not create or result in undue environmental damage.*

**18.6.2** *that a development agreement may contain such terms and conditions that are provided for in Section 227 of the Municipal Government Act which ensures that the proposed development is consistent with policies of this Municipal Planning Strategy. The agreement may include some or all of the following:*

- (a) the specific type of use;*
- (b) the size of the structure(s) within a development;*
- (c) the percentage of land that may be built upon and the size of yards, courts, or other open spaces;*
- (d) the location of structure(s) in relation to watercourses, steep slopes and development constraint areas;*
- (e) storm water drainage plans;*
- (f) the maximum and minimum density of the population within the development; the architectural design or external appearance of structures, in particular its compatibility with adjacent structures, where required by policy;*
- (g) traffic generation, access to and egress from the site and impact on abutting streets and parking;*
- (h) landscape design plan indicating the type, size and location of all landscaping elements that buffer or screen the development. This may also include fencing, walkways and outdoor lighting;*
- (i) open storage and outdoor display;*
- (j) public display or advertising;*
- (k) maintenance of the development;*
- (l) any other matter which may be addressed in the Land Use By-law or Subdivision By-Law, such as parking requirements, yard requirements, etc.;*
- (m) site specific information relating to soils, geology, hydrology and vegetation.*