

# Public Information Meeting

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

*Amending Development Agreement Proposal*

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## **Proposal**

Travis Mills is seeking an amending development agreement (DA) to alter the existing DA 2018-008 to include an additional .25 acres of land and to build up to 16 units per acre as per the R3 zoning adopted in September 2020 under the new Planning Documents.

## **Background**

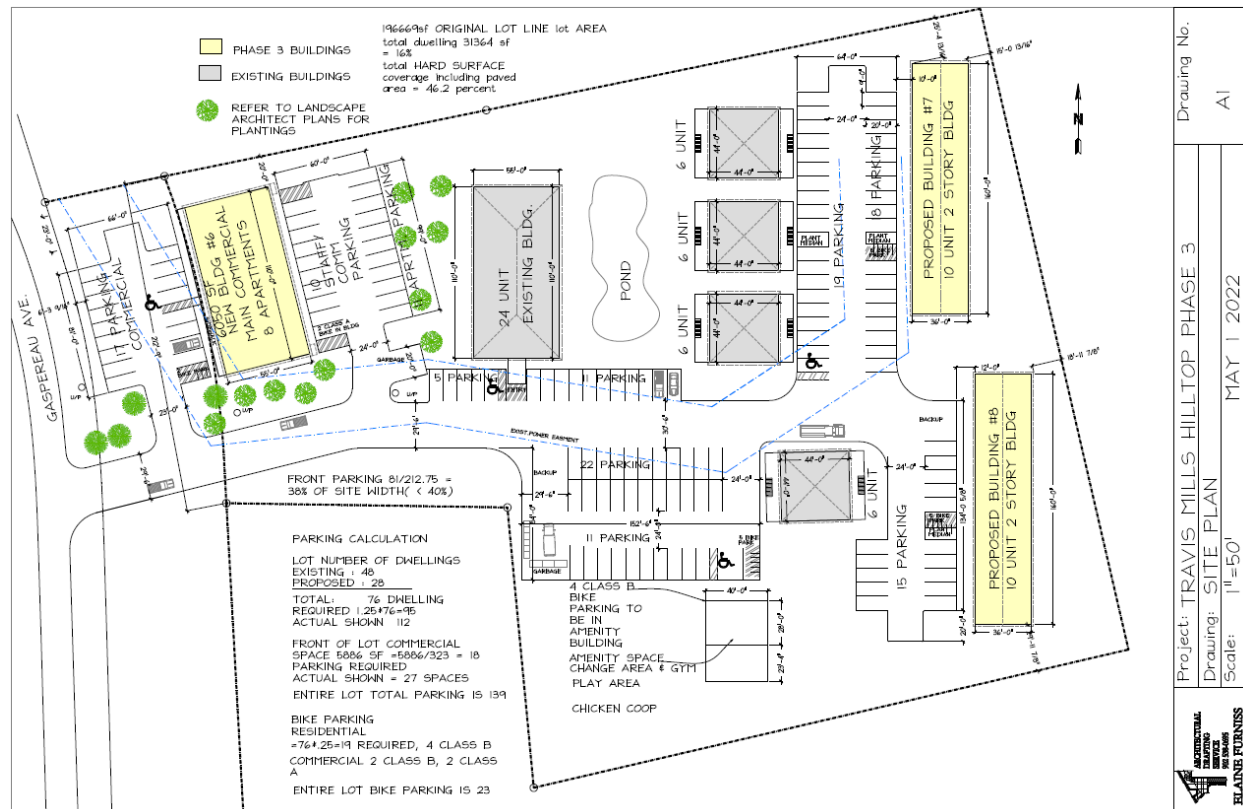
DA 2018-008 was originally created in 2018 and enabled the building of 48 units on PID 55274591, Gaspereau Avenue. The initial application proposed the development of five multi-unit residential buildings containing no more than 48 dwelling units total, local commercial uses within ground-floor spaces that have direct exterior access, rearing and keeping of twenty laying hens, contained on the property, no less than 24 metres from property edges, and any accessory buildings or uses permitted by the Land Use Bylaw.



To achieve the maximum units permitted per acre, the applicant is seeking to build three additional buildings: two 2 storey buildings with ten dwelling units each and one three storey building fronting Gaspereau Avenue with commercial space on the main level and four apartments on both the second and third levels.

The total area of the land is 4.75 acres and is zoned R-3, with 16 units per acre permitted, the maximum number of dwelling units is 76. The proposed application is for 76 dwelling units.

### **Proposed Site Plan (DA amendment application):**



**Figure 2:** Phase three site plan illustrating the three proposed buildings.



Figure 3: Phase three landscape concept plan.

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

The Purpose of the Public Information Meeting is for the applicant to present on the application and have concerns or support heard early in the process.

## **Policy Framework**

The proposal requests:

1. The addition of three new buildings to the existing five. The proposed new buildings include two 2-storey buildings with ten dwelling units each and one three-storey building with commercial space on the main level and four apartments on both the second and third levels.

A property zoned R-3 (Medium Density Residential) with this type of proposal is considered through a Development Agreement process, in accordance with Land Use By-law Policy 8.1 and MPS Part 8.3. MPS policy 11.4.2 and 11.4.3 outline considerations to be reviewed in a Development Agreement Process.

### **Land Use By-law**

#### **Part 8. General Requirements for Neighbourhood Zones and Part 11 R-3 Medium Density Residential**

Table 8.1 Neighbourhood Land Use Table

Residential Uses	R-1	R-2	R-3	R-4	CDD	C-2
Additions	P	PC	PC	PC	P	PC
Accessory Dwelling Unit – Detached		PC	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

Land Use By-law Part 1 – R-3 Zone:

## **PART 11 Medium Density Residential (R-3) Zone**

### 11.1 INTENT

The R-3 zone is intended to permit a range of low and medium density residential development to a maximum of 8 dwelling units by Site Plan Approval. Home based businesses and other uses such as short-term rentals are permitted subject to conditions. Council may consider unique and site-specific developments by development agreement.

## **Municipal Planning Strategy**

### **Part 8.3 Medium Density Residential**

#### **IT SHALL BE A POLICY OF COUNCIL:**

1. To establish Medium Density Residential (R-3) zoning in the Land Use Bylaw that permits (as-of-right) a range of medium density residential uses as outlined in the Land Use Bylaw.
2. To use Site Plan Approval in the Medium Density Residential (R-3) zone of the Neighbourhood Designation as outlined in the Land Use Bylaw for the consideration of certain uses that require additional regulatory considerations.
3. To use Development Agreements in the Medium Density Residential (R-3) zone of the Neighbourhood Designation, as outlined in the Land Use Bylaw, for the consideration of certain uses that require unique and site-specific considerations.
4. To enable the rezoning of properties within the Neighbourhood Designation, to Medium Density Residential (R-3), where the criteria of Section 11 – Implementation and the provisions of the Land Use Bylaw can be met.

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## **Part 11.4 Land Use Bylaw and Development Agreement 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.

**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**

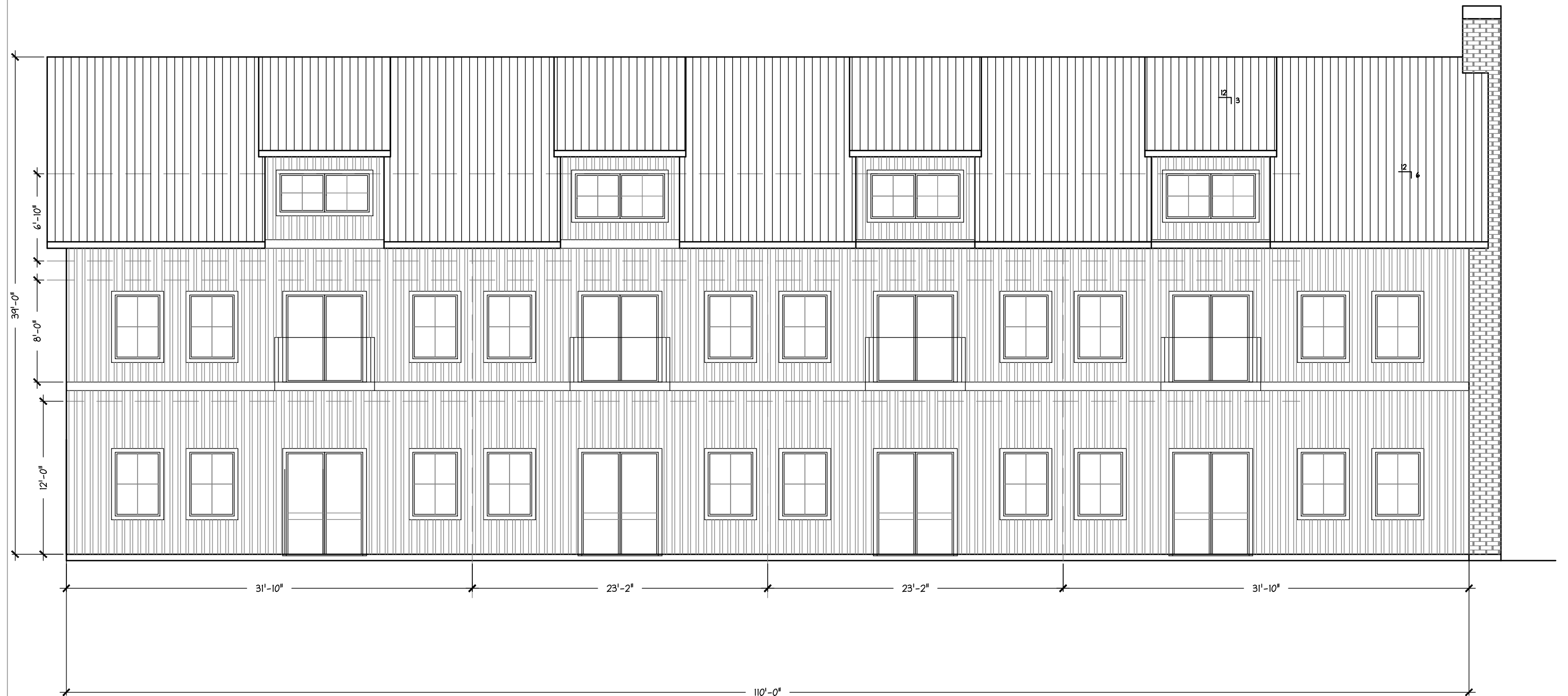
DA Amendment Drawings (Site/Landscape Plans and Elevations)





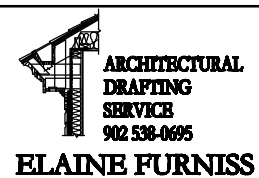






MAIN LEVEL COMMERCIAL  
UPPER LEVEL 8 APARTMENTS

FRONT FACES WEST GASPEREAU



Project: HILLTOP PHASE 3

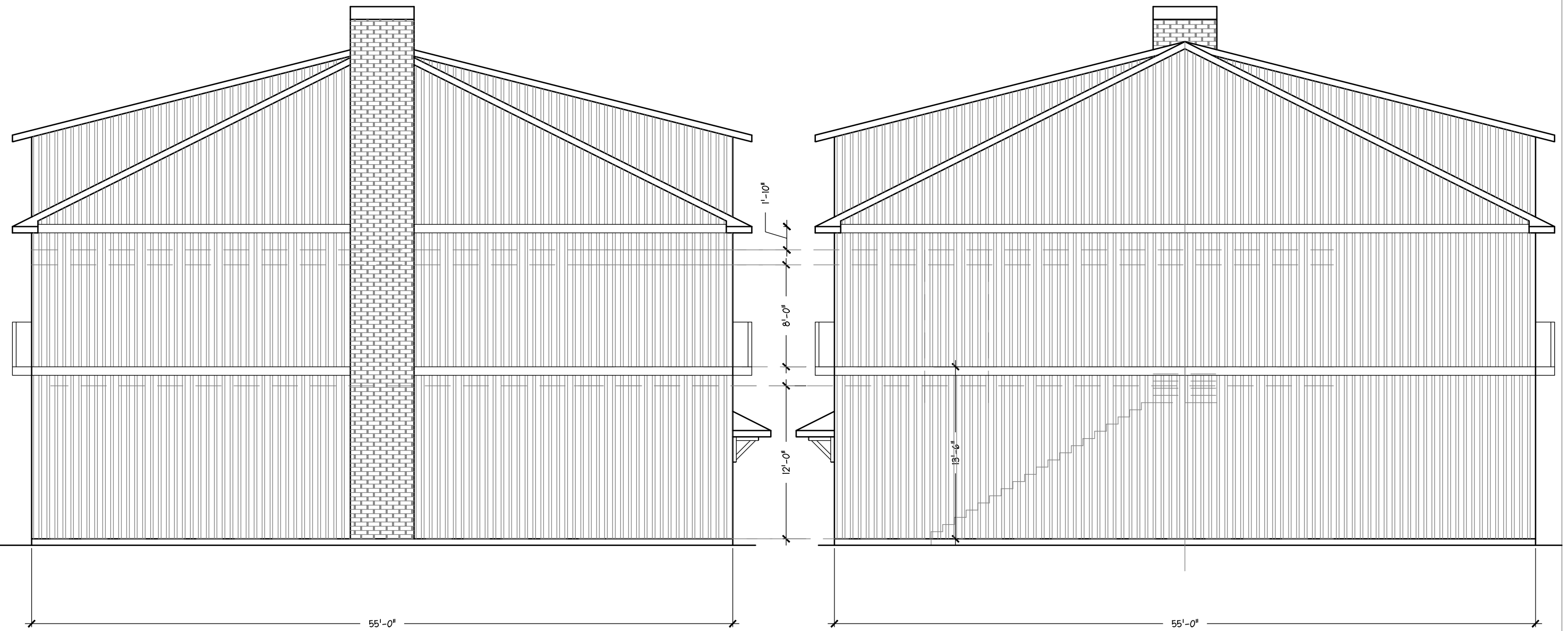
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Scale: 1/8"=1'-0"

DEC. 5 2021

Drawing No.

C2



SOUTH SIDE

NORTH SIDE



Project: HILLTOP PHASE 3
Drawing: Building 6 Commercial/Apartment
Scale: 1/8"=1'-0" DEC. 5 2021

Drawing No.
C3



MAIN LEVEL COMMERCIAL EAST  
UPPER LEVEL 8 APARTMENTS



Project: HILLTOP PHASE 3

Drawing: Building 6 Commercial/Apartment

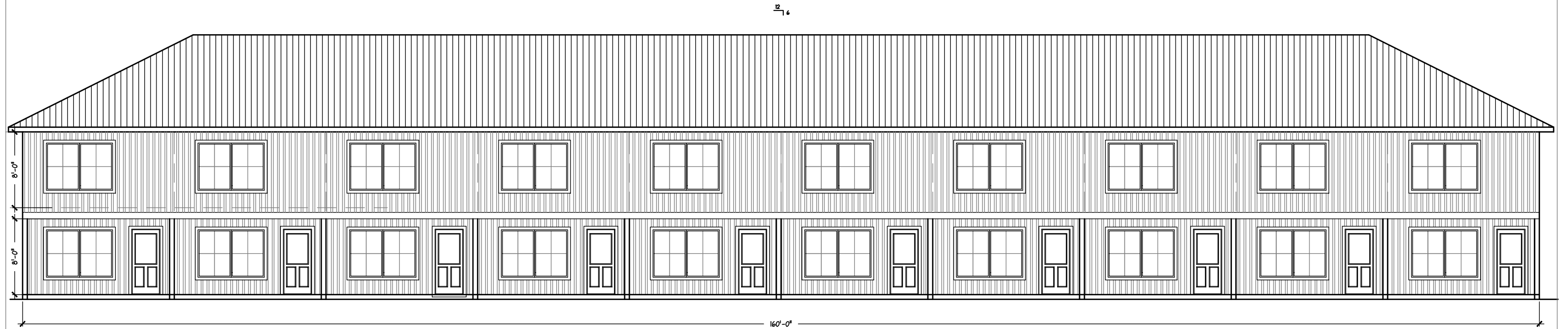
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DEC. 5 2021

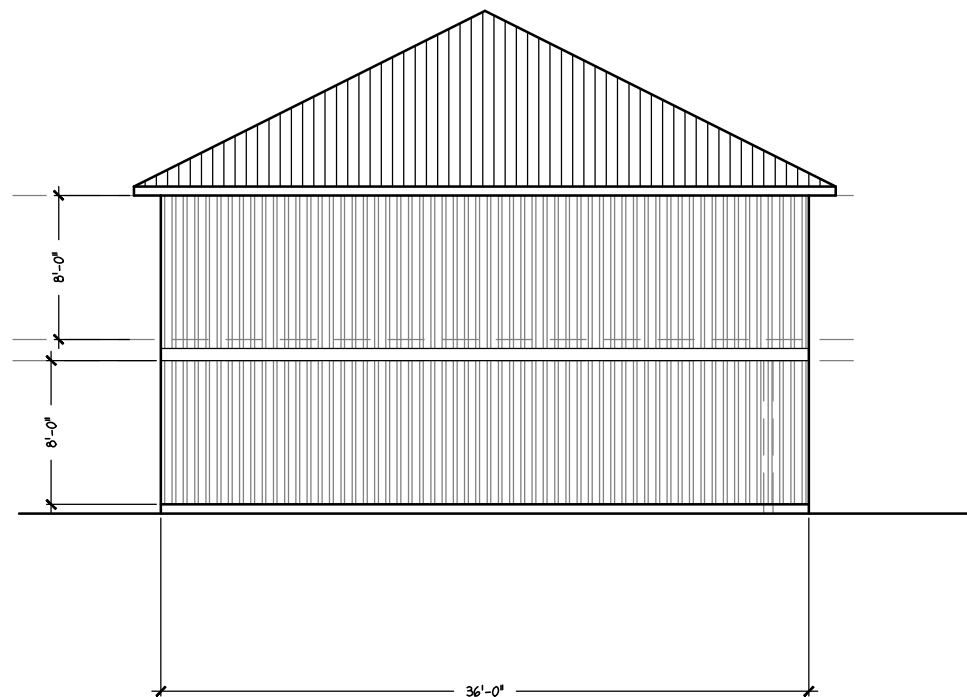
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C4

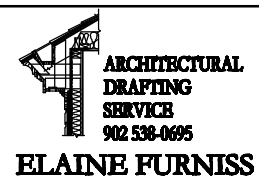




2 LEVEL APARTMENT FRONT FACES WEST



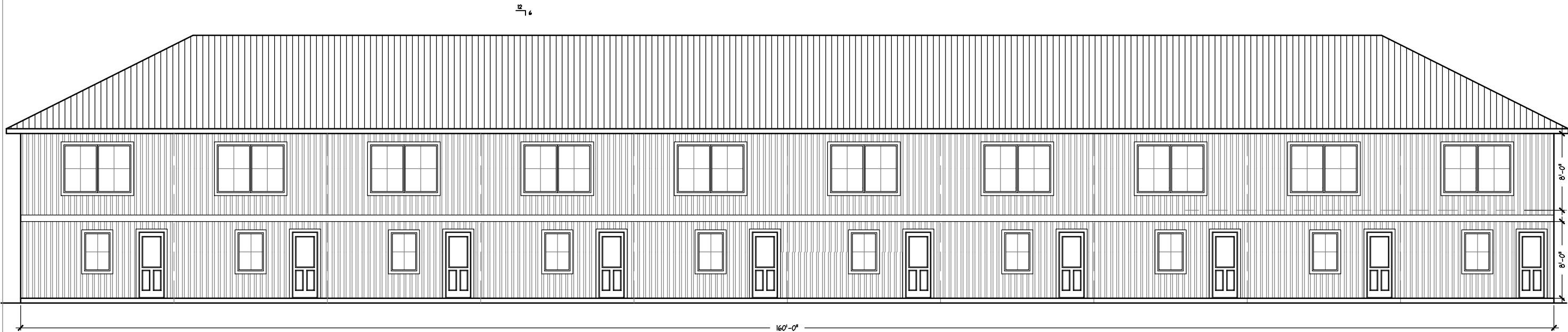
NORTH SIDE



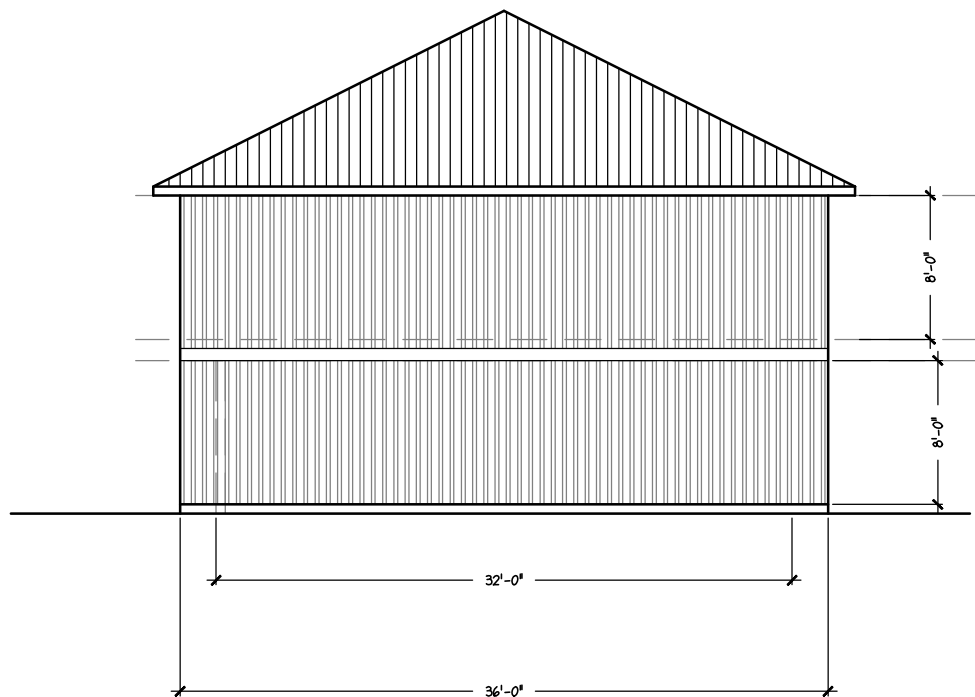
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Drawing: Building 7*8 Apartment/Townhouse	
Scale: 3/32"=1'-0"	DEC. 4 2021

Drawing No.

D2



2 LEVEL APARTMENT BACK FACES EAST



SOUTH SIDE

 <div>ARCHITECTURAL DRAFTING SERVICE 902.538.0695 ELAINE FURNISS</div>	Project: HILLTOP PHASE 3	Drawing No.  D3
	Drawing: Building 7*8 Apartment/Townhouse	
	Scale: 3/32"=1'-0" DEC. 4 2021	