

Public Information Meeting

August 4th, 2022

Land Use Bylaw Amendment Proposal



Proposal

The Ummah Society is seeking a Land Use Bylaw Amendment to rezone PID 55271563 (120 Highland Avenue) (Figure 1) from Medium Residential R-3 zone to Institutional General (I-1) zone to permit the following uses: a Mosque, community gathering space, a residential dwelling unit, a daycare, and to amend the LUB to include daycare as a permitted use in the I-1 Zone.



Figure 1. Context Map

Background

The Ummah Society has been serving the Muslim community for 44 years in Nova Scotia and is now seeking to better support Muslims in the Annapolis Valley by providing a community gathering space, a place of worship, and a daycare in Wolfville for their more than 50 local members. An attached letter from the Ummah Society (Attachment A) further describes the society and vision for this space.

The property is currently zoned Medium Density Residential (R-3). The use of the property at the time of purchase by the applicant was a residential rental dwelling unit. The existing dwelling unit is currently unoccupied by tenants and is being used for prayers. The existing area of the main floor is 1000 square feet, the second storey is 900 square feet and the attic is approximately 600 square feet.

The applicant is currently fundraising to rebuild the basement on the south boundary of the property and add additional square footage to bring the basement area to 2000 square feet and use the basement as a daycare. The applicant is also seeking to add 1200 square feet to the first storey, to bring the area to 2200 square feet. The applicant is seeking to use the first storey as a community gathering and prayer space, with a residential rental property throughout the second storey and attic. No plans are prepared at this time, however there is a draft site plan shown below (figure 2).

The applicant is seeking to rezone this property to Institutional General I-1 zone to permit this use (place of worship) as well as community gathering space, and add daycares as a permitted use under Land Use Bylaw table 19.2.

The surrounding properties include one University Institutional I-2 zoned property, and several Medium Density R-3 and High-Density Residential R-4 zone properties, as shown in figure 3 below.



Figure 2. Draft site plan

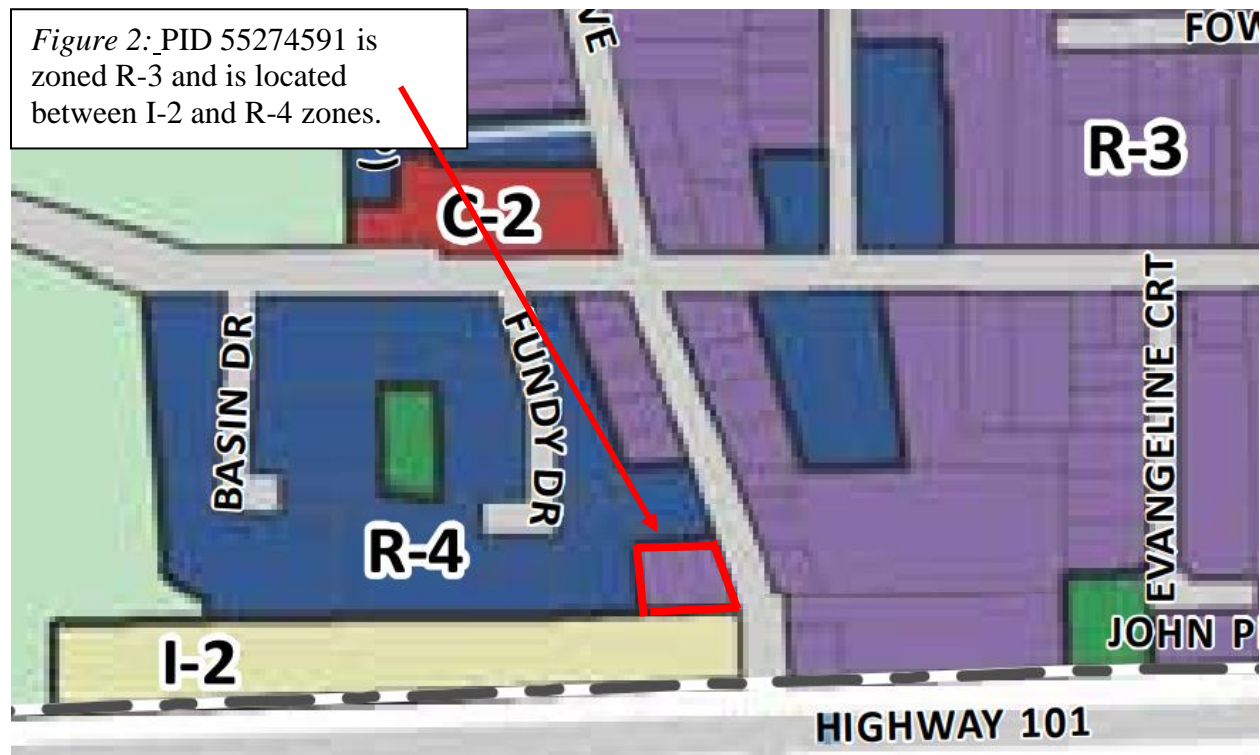


Figure 3. Zoning Context

Preliminary Policy Overview

Land Use Bylaw:

Rezoning of R-3 properties is enabled through LUB 20.3:

Part 20. Institutional General (I-1) Zone

20.3 Re-zoning. Rezoning to any other zone shall 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 19.2 below illustrates uses permitted in the I-1 zone. Uses permitted as of right include places of worship, community centres and residential uses accessory to places of worship. Daycares are currently not permitted in the I-1 zone, however, Staff feel this is an acceptable use to improve child care access and seek to have childcare included as a use permitted as of right in the I-1 zone.

Institutional	I-1	I-2	P-1	P-2	A	AT
Community Centres	P					
Cultural Facilities	P					
Educational Facilities (Public)	P					
Emergency Services	P					
Existing Uses	P	P	P	P	P	P
Health Centres	P					
Homeless Shelters	P					
Hospitals	P					
Libraries	P					
Museums	P					
Parking Lots and Structures	DA	DA				
Places of Assembly	P	P				
Places of Worship	P					
Residential Uses Accessory to Places of Worship	P					

Table 19.2 LUB

Process

The first stage of the application review process will be a hybrid Public Information Meeting (PIM) held on August 4th, 2022 in the Council Chambers at Wolfville Town Hall and on Microsoft Teams 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 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

Attachments

A: Letter from Ummah Society

Attachment A: Letter from Ummah Society

Dear Town of Wolfville,

The Ummah Society is a non-profit organization based in Nova Scotia that has a Islamic Community Center and School on Chebucto Road in Halifax. The Ummah Society has been a leader in providing guidance to newcomers. It has also provided community support in areas like mental health, social and family support.

Our local Muslim community has done a lot of work in welcoming new comers to Wolfville as well as befriending the different students that come to Wolfville and Acadia for the past 44 years. We have rented many different venues at no cost to the students, providing them with a meal, friendship and guidance when needed.

We are not a organization and we have being asked by the different families that live here to help provide a place for them and their families to gather for there different religious and cultural events that will enrich our greater community!

As a result, we have partnered with the Ummah Society to provide a well needed place that hopefully will be a torch of hope for Wolfville. We have chosen Wolfville for our endeavour

because the town is full cultural and multicultural coexistence! We hope to add much more to our great town.

The Ummah Society recently purchased the property at 120 Highland Ave to help meet the growing demands of our local Muslim Community. Over the past 5 years we have seen a big influx of Muslims specifically through the Syrian Refugees that have moved to the area together with families moving from other provinces for work. There are many Muslim students attending Acadia University that will use this place for worship, community events and holidays.

With this growth in the Muslim Community comes a need for space for community members to meet, congregate and pray. The intended future use of the property at 120 Highland Ave is to have a community center with a hall for events, prayers as well as development of a daycare for children. The upper levels would be used to house students attending Acadia or a family. This is in addition of using the outdoor spaces for gatherings and a playground.

If there is any further questions please do not hesitate to ask.

Ahmed Nassrat
Ummah Society