



Special Committee of the Whole

November 26, 2019

1:30 p.m.

Council Chambers, Town Hall

359 Main Street

Agenda

1. Approval of Agenda

2. Public Input / Question Period

PLEASE NOTE:

- Public Participation is limited to 30 minutes
- Each Person is limited to 3 minutes and may return to speak once, for 1 minute, if time permits within the total 30-minute period
- Questions or comments are to be directed to the Chair
- Comments and questions that relate to personnel, current or potential litigation issues, or planning issues for which a public hearing has already occurred, but no decision has been made by Council, will not be answered.

3. New Business

- a. RFD 081-2019 Planning Documents (Draft 3) Direction

4. Regular Meeting Adjourned

REQUEST FOR DECISION 081-2019

Title: Planning Documents (Draft 3) Direction

Date: 2019-11-26

Department: Planning & Development



SUMMARY

Draft 3 Planning Documents

This report summarizes feedback received on the Draft 3 Planning Documents – Municipal Planning Strategy, Land Use By-law, Subdivision By-law and Design Guidelines. The Draft 3 planning documents have been on the Town’s website since early September (<https://www.wolfville.ca/draft-documents.html>) and various individuals, groups, and committees have provided feedback for Council’s consideration.

There are issues where direction is required before Staff finalize the documents for First Reading and a Public Hearing. A potential timeline and communications are also included in this report for discussion.

A tremendous amount of time, effort and resources has gone into this process – our review has been ongoing since 2015. It is anticipated that this will be the final push before the documents are adopted.

Important to note: **Recommended Actions** are provided throughout this report. These are included in most sections to provide guidance for Council on decision points and clarification required by Staff to move forward.

DRAFT MOTION:

That Council direct staff to proceed with finalizing the Town’s planning documents for First Reading (Municipal Planning Strategy, Land Use By-law, Subdivision By-law, Design Guidelines, Public Participation Program Policy) with changes outlined in this report and proceed with the preparation of the outlined communications materials to accompany the documents prepared for First Reading.

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1) CAO COMMENTS

The CAO supports the recommendation of Staff.

2) LEGISLATIVE AUTHORITY

The *Municipal Government Act* (MGA) provides legislative authority for the Town to develop and adopt a Municipal Planning Strategy, Land Use By-law, Subdivision By-law and Design Guidelines. This review has been ongoing since 2015. The current documents were adopted in 2008.

3) STAFF RECOMMENDATION

Staff are recommending that Council consider/discuss the Draft 3 feedback outlined in this report and provide clear direction for Staff to finish the documents for First Reading and a Public Hearing.

4) REFERENCES AND ATTACHMENTS

- Attachment 1: Letter from Acadia University re: Building Height
- Attachment 2: Development Processes Overview (from Open House event)
- Attachment 3: Land Use Zoning Statistics (based on Attachment 4)
- Attachment 4: Revised Land Use Zoning Map with Changes outlined in this report
- Reference: Draft 3 documents and presentations to Committees and Groups as part of the Draft 3 review are included on the Town's website <https://www.wolfville.ca/draft-documents.html>
- Reference: Various background information and previous drafts have been compiled (since 2015) as part of our planning document review: <https://www.wolfville.ca/growing-together.html>

5) TIMELINE AND COMMUNICATIONS

Proposed Timeline and Workplan

Review of the Town's Planning Documents has been ongoing since 2015 (see [here](#) for background, previous drafts, previous consultation, etc). Staff have gathered feedback on the Draft 3 documents since September and is the purpose of this report. A potential timeline from November 26th, 2019 to adoption (late February) is included below for Council's consideration.

POTENTIAL TIMELINE TO COMPLETE PLANNING DOCUMENTS (2019-2020)	
Date	Action
Nov. 26 th , 2019	<u>Special Committee of the Whole Meeting:</u> Council considers Staff Report outlining feedback on the Draft 3 Planning Documents and provides direction to Staff on completing the documents for First Reading.

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Dec. 3 rd , 2019	<u>Regular Committee of the Whole Meeting</u> : IF REQUIRED – Council to continue discussion of Draft 3 Feedback and provide direction to Staff.
Throughout December and into January	Director of Planning available to meet with individuals or groups on specific issues. <u>Note</u> : Given the time involved, formal/advertised public meetings are not proposed until the First Reading documents are completed (January 14 th). At this time Council may wish to direct Staff to have consultation with specific groups, zones, etc. before they give First Reading.
Throughout December and into January	Director of Planning working with consultant on completing documents for First Reading and preparing communications materials.
January 14 th , 2020	<u>First Reading documents completed</u> (Municipal Planning Strategy, Land Use By-law, Subdivision By-law, Design Guidelines, Public Participation Program, Stormwater Guidelines) and posted to the website and included in the Council package. Communications materials begin to be rolled out.
January 21 st , 2020	<u>Regularly scheduled Council Meeting</u> : Council considers First Reading of final documents, including a Staff Report with explanations on certain topics. It is important to note that Council will have the option of delaying First Reading if additional conversations (eg topic specific meetings or other engagement such as R1A owners or C2 owners) or clarifications (eg issue specific reports) are required. If First Reading is given, the intent would be that Council is comfortable with the documents and we would advertise for a Public Hearing.
After January 21 st , 2020	<u>Once First Reading is given</u> , Staff would send communications to all assessed property owners in the Town and fully roll out the communications materials outlined below (Ads, Postering, Social Media, Letters, etc). There would also be a moratorium placed on new applications under our existing planning documents at this time.
Mid-End February (3-4 weeks from First Reading)	Public Hearing scheduled, advertised and held
End of February	Documents Adopted (existing documents repealed) and new documents sent for Provincial Review and completion

If Council would like to proceed with additional work outside of this timeline, an amended timeline and dates can be brought back for consideration.

Communications - Public education and information

Public dialogue and discourse are important in Wolfville. Staff have gone to great lengths to be transparent throughout this process and have had many conversations on an exhaustive list of issues.

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The mix of demographics and contemporary issues faced by municipalities creates a need for probing and questioning that should be welcomed – it creates better policy and regulations. This can sometimes seem frustrating but it is this dialogue (and genuine passion people have for the community) that creates the dynamic place that is Wolfville. Good urban design and town planning is about trying to foster this dialogue. It is not about bringing in experts to create a singular vision for the Town, instead it is about raising the level of understanding that can widen the perspective of residents, businesses, Town Council and Staff.

Change is hard. There is an inherent magnetism in small, beloved Towns such as Wolfville to maintain the status quo. Change – whether with new development, policies, recreation programs, or otherwise – will always invite a variety of opinions for Council to consider. As we approach the end to what has been a substantial process (beginning in 2015) the message sent out should be clear and focused on the community benefits while trying to address the issues that may scare individual property owners (like change).

With this in mind, Staff are recommending a focused launch of the final documents with accompanying communications materials as follows:

1. EXECUTIVE SUMMARY – Master plain language explanation document.

This would go live with the launch of the final documents (printed copies could be provided). A helpful guide for Council and those not able to pour over the volume of material that has been prepared. It is envisioned this would include:

- What are the planning documents and why are they important?
- What trends are we responding to?
- What's the vision and what priorities are we focused on?
- What are the big moves?
 - We'll try to make the important stuff accessible (infographics)
 - Some PAC 'Discussion Topics' (see below) explained

2. DIRECT MAIL – after First Reading to be sent to all assessed owners

- Abridged Executive Summary and direction to planning office or website for more information
- Information on Public Hearing
- Information on how their individual property is being impacted + other complementary FAQ info such as:
 - Why do we need to accommodate growth?
 - Property Values?

3. POSTERS / ADS – Develop campaign for Postering/Social Media – downtown businesses, telephone poles, University sites, website and social media, etc. Newspaper advertising (as per MGA) and other outreach would also take place.

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4. CONVERSATIONS – As outlined above Staff will be available for individual and small group meetings through December and into January. After the documents are to Council for consideration of First Reading, topic specific meetings can be discussed and arranged before we move to a Public Hearing and Adoption.

Recommended Action: Review and discuss the timeline and communications outlined above. Provide additional direction as required.

6) PLANNING ADVISORY COMMITTEE AND DISCUSSION TOPICS

Planning Advisory Committee Recommendation and Discussion Topics

The Planning Advisory Committee took part in a joint workshop with Council on September 10, 2019 and identified key issues that were discussed on September 10th, September 19th and October 24th. A Public Participation meeting in front of the Planning Advisory Committee was also held on October 24th, 2019 (see summary below) and an Open House held on October 10, 2019 (see summary below).

At the October 24, 2019 meeting of the PAC the following motion was passed in support of the Planning documents being referred to Council:

PLANNING ADVISORY COMMITTEE RECOMMEND THAT THE DRAFT 3 PLANNING DOCUMENTS BE REFERRED TO COUNCIL AND ADDITIONAL CONSIDERATION BE GIVEN TO THE DISCUSSION TOPICS COVERED AS PART OF THE DRAFT 3 REVIEW.

Each discussion topic is provided here for Council's consideration with 'recommended action' provided for each.

Regional Coordination

Various regional issues within the Draft 3 documents (or related to the Kings 2050 process) were presented to the Planning Advisory Committee on September 10, 2019 (see [here](#) for presentation) including:

- Policy excerpts from the Draft 3 documents pertaining to the "Statements of Regional Interest"
- An overview of the Kings 2050 process and growth projections from their plans
- Proposed zoning in the County surrounding the Town
- Source Water protection information
 - See Source Water Committee Review outcomes below
 - The County will amend their documents with our Source Water regulations once we have them finalized and adopted
- Information on servicing beyond our borders in the County

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- Currently provide limited services in the County
- Formal Policy is on Staff's workplan but until then requests will be handled by Council on a case-by-case basis similar to Lightfoot and Wolfville Winery.

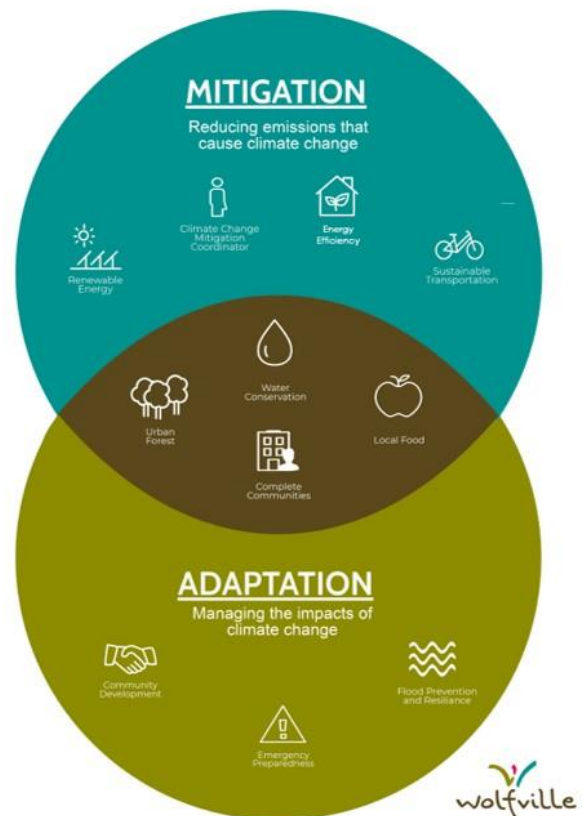
Staff also gave a presentation and provided a report to Council at the November 5, 2019 Committee of the Whole meeting (see [here](#) RFD 072-2019) pertaining to the Public hearing being held by the County on the adoption of their planning documents (Kings 2050). A formal submission was provided as part of the public hearing on behalf of the Town.

Recommended Action: In terms of the Draft 3 documents, no action recommended on the Regional Coordination content. Consistent with the letter sent to the County as part of their Public Hearing, Council recognizes that “our region can be a leader in regional cooperation. We must move beyond the general ‘statements of interest’ into more concrete actions that can move us toward better outcomes for future generations.”

Climate Change and Flood Risk

Draft 3 Climate Change and Flood Risk policy and regulations were presented to the Planning Advisory Committee on September 10, 2019 (see [here](#) for presentation). The presentation primarily focused on Flood Risk and Development Constraints mapping. It is important for Council to keep in mind the following:

- The Planning documents set up the work being carried out by the Town's Climate Change mitigation coordinator.
- Staff are close to issuing an RFP for more detailed Climate Adaptation/Flood Risk information around our Harbour that is not part of the Agricultural Dyke system. This work will provide additional data and information.
- The Province (Department of Environment) is working on their Coastal Protection Act regulations and Staff have been engaged with Department of Environment Staff to understand where they are going with both vertical and horizontal setbacks and how this will impact low lying areas such as the Town of Wolfville. It is important to understand this work and how it may impact the approach proposed in our planning documents. Both a 1/100 (1% chance)



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and a 1/20 year flood line (5% chance) may be presented in the documents presented for First Reading.

- We must acknowledge our reliance on the dykes for flood protection and focus on ensuring they meet our needs over time.
- Staff will work on finalizing the guidelines and definitions for flood resistant or “flood proofing” that is proposed in the Land Use By-law. After feedback from local design professionals additional clarity is required.

Recommended Action: Staff to provide additional clarity on proposed regulation, meet with Department of Environment on Coastal Protection Act and implement into final documents to be presented for First Reading.

Site Plan Approval

Draft 3 Site Plan approval information was presented to the Planning Advisory Committee on September 10, 2019 (see [here](#) for presentation – Site Plan information starts on page 40). The Open House event also focused on this process with generalized development process information provided as Attachment 2. Moving away from the Development Agreement process has been a key component of this plan review and substantial time has been put into making this transition understandable. There has been support from the PAC on moving to Site Plan approval; however, the communication aspect of the applications has been a concern. Council should consider:

- Currently our Development Agreement process is onerous on all parties and sets unrealistic expectations. Often a very basic application becomes unnecessarily politicized and Staff are spending a tremendous amount of time on these files.
- A major focus of our plan review has been to decide now what it is we feel is appropriate to be built and make our requirements clear and concise. If someone can clearly meet the established requirements – their application can proceed either “as-of-right” (minor applications like decks, sheds, etc) or by “site plan” approval.
- For Site Plan approval, Draft 3 proposes substantial submission requirements (eg must have an architect involved); can involve the Design Review Committee and the use of the design guidelines; has notification to surrounding property owners; and there is an appeal mechanism to Council (Council is not involved in this process otherwise).
- Development Agreements are still proposed to be used for large scale or complex projects.

Recommended Action: Staff will clarify the communication/notification aspect of site plan approval and update in the First Reading documents. The intent is that when an application is received, a sign will be placed on a property, information would be posted on the website, and once a decision is made, notification would be sent owners within 30m of the property.

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Building Height and Bonusing

The Draft 3 provisions pertaining to Building Height and Bonusing were presented on September 10, 2019 (see [here](#) for presentation – building height starts on pg 44). Staff took direction during Draft 2 to limit building heights to 3-storeys. This has been detailed in Draft 3 with the ability in certain areas (R-4, CDD, C-1, C-3, I-1, I-2) to apply for a partial 4th storey - consistent with the height of many existing buildings in the Town - by Development Agreement. A 4th storey would be a negotiated process with Council and have to involve a 'bonus' in the form of affordable housing, net zero buildings, increased accessibility, or cash-in-lieu for other public benefit.

The Planning Committee did not have any issues with this approach to building height; however, Staff have received a request from Acadia University (see Attachment 1) to consider allowing up to 5 full stories by Development Agreement in the I-2 University zone.

Recommended Action: Consider the Draft 3 requirements with the Acadia request in mind. Some clarification on grade changes will be done by Staff during the final work of the Land Use By-law.

NOTE: As part of this process Staff have recommended the consideration of 5 storeys by Development Agreement (with bonusing) so are comfortable with the Acadia request. Clear direction from Council is needed on this issue.

Parking

The proposed Draft 3 parking regulations were presented to the Planning Advisory Committee on September 10, 2019 (see [here](#) for presentation – parking starts on pg 47). The Planning Committee were comfortable with the approach outlined in the Draft 3 documents. Clear requirements have been established with more flexibility on meeting the requirements in the Core Area, C-2 and Institutional zones. Existing buildings would be exempt from the requirements and cash-in-lieu, as they are now. Some concern was raised regarding the amount of cash-in-lieu (\$4,000/parking spot) with some feeling this is too low. Any cash-in-lieu collected would go toward public parking lot improvements. Staff are comfortable with the cash-in-lieu number and the approach to parking presented in Draft 3.

Recommended Action: Staff to fine tune areas of the parking section as identified by the Design Review Committee around small car provisions and underground parking. Staff will do a detailed review of the requirement tables 6.2-6.4. Staff will clarify how existing buildings in the C-1 zone would not be subject to the requirement.

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Live-Work (Neighbourhood Commercial C-2 Zone)

The expanded C-2 zone was presented to the Planning Advisory Committee on September 10, 2019 (see [here](#) for presentation). The C-2 zoning expansion was presented with a broader discussion on infill development and Bill 177.

The Draft 3 [Zoning Map](#) establishes the C-2 Neighbourhood Commercial zone for any existing commercial use within the neighbourhood designation (Inns, Commercial Schools, Convenience store, etc) and has also expanded C-2 Zoning within the Core area south of Main Street between Gaspereau and Highland where sidewalks currently exist. The C-2 zone was also extended to 12 properties going east from the Core along Main street (north and south side of street). The 7 properties to the north of Raitown have also been zoned to this category.

Given the very low percentage of land where commercial opportunities are permitted (see Attachment 3), a priority of this plan review has been to look for additional opportunities for small scale business opportunities, particularly live-work opportunities. Within the core area, the C-2 expansion has also been a conscious move to curb the homogenous nature of certain areas that face student housing conversion pressures. The intended outcome is a more diverse set of uses and demographics in these areas. Combined with the ability to create smaller units, this direction has been seen as a positive step forward in creating opportunities for housing and entrepreneurship.

The expansion of C-2 has brought with it various concerns – proposed uses in proximity to the Wolfville School, parking, certain uses (eg nano breweries in certain areas or cafes not being included), deliveries, loading, traffic.

Recommended Action: Staff to develop specific restrictions to differentiate uses and restrictions between lower order streets (Summer, Acadia) and Main Street and consideration to uses in proximity to the school for things like alcohol production or sales, uses that require large vehicle deliveries, and hours of operation. The Wolfville Business Development Corporation have also been sent the C-2 uses that are proposed in Draft 3 and may have some suggestions that can be considered in the documents prepared for First Reading.

BILL 177

Bill 177 was presented to the Planning Advisory Committee on September 10, 2019 with the above C-2 expansion and infill discussion (see [here](#) for presentation). Bill 177 is new NS Legislation (May 2016) that enables Nova Scotia Towns to phase-in commercial assessment increases over a period not exceeding 10 years in an area designated as a commercial development district. In essence this would provide a incentive for properties to convert (and hopefully remain) as commercial uses.

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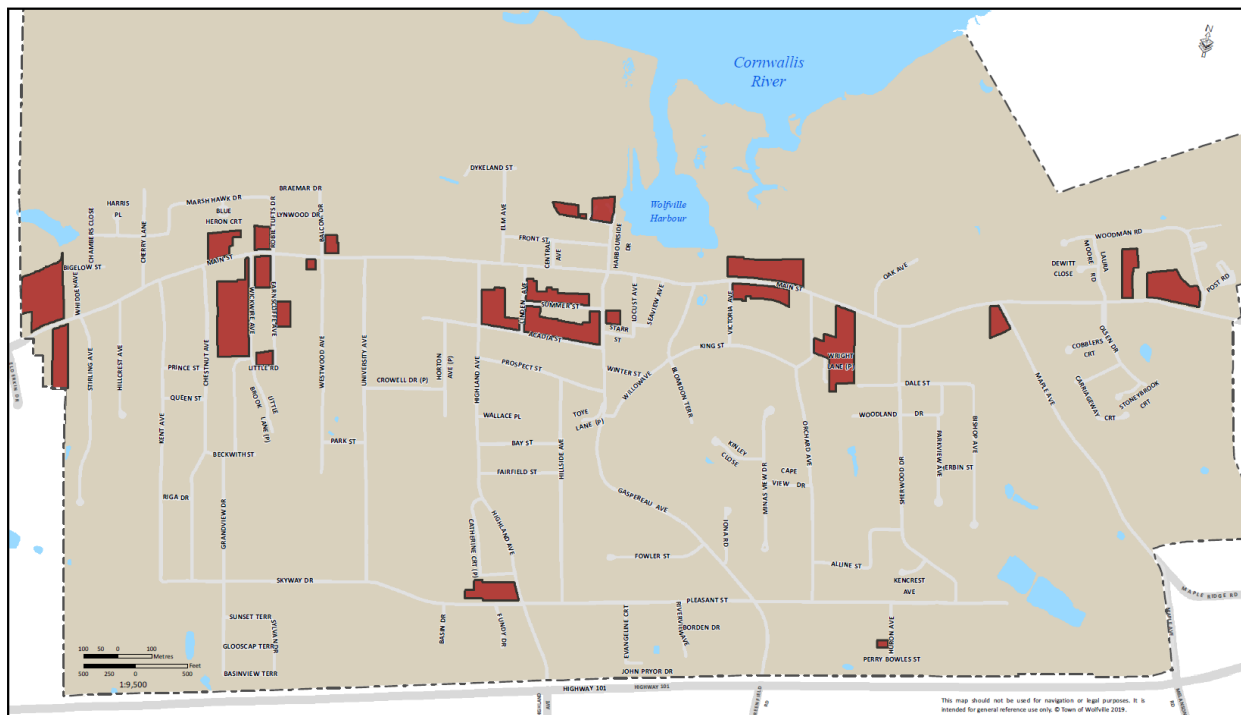
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Part of enabling the use of Bill 177 is to establish a Commercial Development District in the Municipal Planning Strategy. A separate By-law would be required to establish the process mechanics and other details for property owners who may want to take advantage of this incentive – this would come after the adoption of our planning documents. The Town of Windsor has adopted such a by-law – found [here](#) as an example of a “Commercial Development District Improvement Plan” by-law. The Planning Advisory Committee supported the recommendation to focus on C-2 zoned properties for the Bill 177 incentive program. The map below shows the properties where this incentive would be applicable after a by-law was developed.



Recommendation: That Staff integrate the proposed C-2 properties (shown above) into the MPS and LUB as an area where Bill 177 could apply, once a Commercial Development Incentive by-law is developed.

Public Participation Program Policy

Public Participation was presented to the Planning Advisory Committee on September 19, 2019 (see [here](#) for presentation – public participation starts on pg 31). The MPS outlines Council’s intent for Public Participation in Section 11.7 (included below).

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IT SHALL BE THE POLICY OF COUNCIL:

1. To adopt an updated Public Participation Program policy with the Adoption of this Municipal Planning Strategy, consistent with the Municipal Government Act to outline notification requirements for Development Agreements, MPS and Land Use By-law Amendments, and for Site Plan approval.
2. To work on an improved Public Engagement framework for the Town and make amendments to this plan, if warranted, once this Public Engagement Framework has been adopted by Council.
3. To adhere to all public engagement (e.g. development notification and other planning requirements) as outlined in the Municipal Government Act and establish clear processes that enable additional public input, where appropriate.
4. To consider a Public Information Meeting as an initial step in Development Agreement and Amendment applications to provide an early opportunity to identify issues and outline policy and process for all stakeholders.
5. To strive for plain language in documents to ensure process is understood by all stakeholders.

The Public Participation Program Policy (Draft 3 version found [here](#)) relates to how we meet legislative requirements and manage public expectations as we move through development processes and amendments. Additional work is to come on a broader engagement framework for the Town along with monitoring and reporting of key performance indicators.

At the Planning Advisory Committee, it was noted that the Public Participation policy should include a section on site plan approval and Staff support this change.

Recommended Action: Staff to create a site plan section in the Public Participation Policy and have ready with First Reading documents.

Zoning Issues

Various comments and concerns have been raised about the Draft 3 Land Use zoning map (found [here](#)). The table below summarizes requests received or issues identified by Staff with a proposed action included for each. The table goes from West to East and corresponds to Attachment 4, an updated zoning map that highlights the changes to the Draft 3 zoning map recommended by Staff.

Zoning Issue	Proposed Action
WEST SIDE OF TOWN	
63 Wickwire Ave – existing R-1 property	This property is at the bottom of Wickwire, surrounded by multi-unit housing or commercial and on a bus route. It is isolated from the R-1 zone that starts going up the hill. It is recommended this property be changed to R-2. This may allow for a future live-work opportunity if rezoned (R-1 would not be permitted to be rezoned). Alternatively this property could be zoned C-2. Recommended Action: Zone to R-2 in final documents.
Lower Westwood Ave (see Attached map for extents) – Draft 3 was proposed to be R-2	The lower part of Westwood has seen single unit housing converted into “Single Room Occupancy”

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	<p>housing being rented by the room. Given the issues with large houses and large common areas, Staff feel a move to R-3 may facilitate the creation of some smaller units on these properties and provide additional opportunity for a large parcel that exists behind properties fronting Westwood. The conversion of these homes to rental properties is largely based on the proximity to the University.</p> <p>Recommended Action: Zone to R-3 in final documents.</p>
Parcel behind (to the west) of Stirling Avenue properties – proposed C-2 in Draft 3	<p>This is an odd parcel that is connected to 705 Main Street (Wolfville Nursing Home).</p> <p>Recommended Action: Zone parcel to R-2 and a rezoning could be considered in the future if expansion from the nursing home into this area was desirable.</p>
Chambers Close, Bigelow, Whidden Ave, Harris Place Development Agreement area – proposed R-3 in Draft 3	<p>The area shown on the map was proposed R-3 in the Draft 3 documents. The Development Agreement is R-2 where semi detached and single unit dwellings have been built. Given the new construction of R-2 uses, this zone seems more appropriate upon further review.</p> <p>Recommended Action: Zone parcels to R-2 in final drafts and bring forward a full or partial discharge of the development agreement.</p>
14 Cherry Lane – proposed R-3 in Draft 3 documents	<p>This is a public housing parcel (NS Housing) that is being proposed as R-4 (high density) to accommodate potential growth of units in the future.</p> <p>Recommended Action: Zone parcel R-4 in final drafts.</p>
CENTRAL AND CORE AREA	
17 Gaspereau Avenue – proposed R-2 in Draft 3	<p>The new owner of 17 Gaspereau Avenue has requested a change to C-2 zoning given it is adjacent to the Town Hall and C-1 and C-2 properties. The owner feels a commercial use will be a better fit for the large property than turning the home into a student rental or 2 unit.</p> <p>Recommended Action: Zone to C-2 in final documents</p>
Acadia University Parcel adjacent to Highway 101 – proposed P-2 in Draft 3	<p>This is a parcel owned by the University that is not part of their trail system or green space network and their desire is to leave the parcel zoned Institutional University (I-2).</p>

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	Recommended Action: Zone to I-2 in final documents
Library Parcel – proposed C-1 in Draft 3	The Wolfville Memorial Library is shown to be zoned Institutional (I-1) given its public nature, consistent with the Town Hall parcel. Recommended Action: Zone to I-1 in final documents
EAST SIDE OF TOWN	
Woodman’s Grove Development Agreement Area – proposed R-2 and R-4 in Draft 3	Low density area dealt with through a motion of Council in early November. Entire area can be looked at in terms of zoning and development agreement discharge once completed. Recommended Action – Zone all of Woodman’s land as CDD in final drafts
Carriageway Court (Whispering Creek) – Proposed R-2 in Draft 3	This area is still being built out. The Development Agreement is consistent with R-2 and R-3 uses (semi detached and townhomes) but can be looked at once completed. The larger undeveloped parcels are proposed to remain as R-3, as indicated in Draft 3, to facilitate townhouse development. Recommended Action – zone majority of parcels as CDD in final drafts.
Inn Wolfville (56 Main Street) – proposed R-2 in Draft 3	This is an established Inn. The C-2 zoning has been applied to all other similar uses and should be for this property as well. Recommended Action – zone C-2 in final drafts.
Perry Bowles Development Agreement area (adjacent to Reservoir Park off of Pleasant) – proposed R-3 in Draft 3	This area is an existing R1-A area that should have been R-2 (mapping error). Recommended Action – zone R-2 in final drafts.

It should be noted that other full or partial discharges of Development Agreements (some very dated) are being looked at as part of the final document package that will be adopted by Council.

Other requests received but not recommended:

Zoning Request	Proposed Action
Bay and Fairfield Area – proposed R-2 in Draft 3	Staff were approached about this area moving to R-3 but felt given the proximity of the R-1 zone (Wallace Place) and direction not to make changes to this zoning category that this area should remain as R-2 to facilitate a buffer. Recommended Action – leave as R-2 in final documents
13, 15, 17 Highland Avenue – proposed as C-2 in	The owners presented a letter at the Open House

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Draft 3	<p>that outlines the desire to pursue a streetscape heritage designation for this area. Also included was a desire to be zoned R-2. Staff are of the opinion that the C-2 zoning proposed provides more opportunities for these properties and nothing stops them from remaining single unit or 2- unit dwellings.</p> <p>The heritage streetscape would not be something pursued through this plan review – it is a process we would go through under the Heritage Property Act. Staff have discussed this with Heritage Staff at the Province. Examples of Heritage streetscapes can be found here and here. Staff will reach out to these residents to bring a formal request to Council and open a dialogue on that process.</p> <p>Recommended Action: Leave as C-2 in final documents, bring information to Council on the heritage streetscape request, separate from this review.</p>
628 and 630 Main Street – proposed as R-3 in Draft 3	<p>These properties are owned by a rental company requesting a high density (R-4) zone change. Given the nature of the existing buildings (non-registered heritage assets) and the development rights of the R-3 zone, Staff are not recommending a change to these properties and have met with the owner to communicate this. The owner seemed fine with the R-3 zoning after a conversation.</p> <p>Recommended Action: Leave as R-3 in final documents</p>

At the September 19, 2019 PAC meeting where the zoning issues were highlighted, some of the above issues were highlighted without a strong recommendation from the Committee on any of the changes. It should be noted that time was also spent with the Planning Committee discussing the status quo for the R-1 zone and changes that came out of the removal of the existing R-2/4 zone and R-1A zone to create R-2 and R-3 zoning.

Single Room Occupancies and Short-term Rentals

The proposed approach for Single Room Occupancies (Section 4.32 of the Land Use By-law) and Short-Term Rentals (Section 4.30 of the Land Use By-law) were discussed with the Planning Advisory

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Committee on September 19, 2019 (presentation found [here](#)). The Planning Advisory Committee did not have any issues with the proposed approach with some questions being raised around taxation.

Recommendation: Staff have identified some minor issues with the wording in the Single Room Occupancy section that should be clarified around bedroom counts and areas where the use is permitted. Similar clarification is needed in the Short Term Rentals section where some clarification is required between full house rentals perhaps having a maximum days/year clause to differentiate between someone just renting a single room or two. These pieces would be presented in the final draft at First Reading.

Subdivision and Lot Requirements

Subdivision and lot requirements were presented to the Planning Advisory Committee On October 24, 2019 (presentation found [here](#)). The discussion focused on the mechanics of subdivision and we went into looking at the existing and proposed lot requirements in detail. Also discussed were flag lots and analysis of lot size, by zone, that was provided for the Committee to better understand the bigger picture (see [presentation slides](#) for maps of lot size by zoning category). It was pointed out during the Draft 3 review that some lot requirement information was not clear or missing in the Draft 3 documents. The following lot requirements are proposed for the final documents:

Zone	Lot Size (min)	Frontage (min)	Setbacks (min)	Coverage/Hard Surface
R-1	Singles: 560 sqm (6027sqft)	18m (60')	2m, 2m sides, 4.5m front, 4m rear, 4m flankage	40% and 50%
R-2	Single: 372sqm (4,000 sqft) Semi: Semis: 280 sqm (3,014 sq ft) Duplex: 372 sqm (4000 sq ft)	Single: 12m (40') Semis: 9m (29.5') Duplex: 12m (40')	2m, 2m sides, 4.5m front, 4m rear, 4m flankage Front yards may be varied based on conforming with existing street setbacks	40%* and 50%* for all (additional 10% anywhere else)
R-3, R-4, C-2	Single: 300sqm (3,229 sqft) Semi: 280 sqm (3,014 sq ft) Duplex: 372 sqm (4000 sq ft) Townhouse: 137 sqm (1,474 sqft) Multi-Unit: 100sqm (1,076sq ft)	Single: 11m (36') Semis: 9m (29.5') Duplex: 12m (40') Townhouse: 6m (20') Multi-unit: 12m (40')	2m, 2m sides, 4.5m front, 4m rear, 4m flankage Front yards may be varied based on conforming with existing street setbacks	40%* and 50%* for all (additional 10% possible)
C-1	185 sqm (1,991sq ft)	8m (26')	4m maximum front	100% lot coverage
C-3	1000 sqm (10,763 sq ft)	25m (82')	2m sides, 5m front, 4m rear, 3m flankage	50% lot coverage
I-1	560 sqm (6027sq ft) * Use dependant	18m (60')	2m, 2m sides, 4.5m front, 4m rear, 4m flankage	40%* and 50%* for all (additional 10% possible)
I-2	560 sqm (6027sq ft)	18m (60')	2m, 2m sides, 4.5m front, 4m rear, 4m flankage	

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Recommended Action: Edit the zoning diagrams to reflect the table above, make minor revision to flag lot provisions consistent with Design Review suggestion on shared access (see below).

Lounges

“Lounges” were discussed at the October 24, 2019 Planning Advisory Committee meeting (presentation found [here](#)). “Lounge” as a specific land use does not exist in Wolfville – it is a liquor license held by Restaurants. We went through recent amendments to our existing documents and followed with DA amendments to all the restaurants to remove seating restrictions. The other prohibitions from previous documents have been maintained (must close at 1am, no adult entertainment, buffering provisions - see 14.3 of LUB Draft 3). “New” lounges are still proposed to require a Development Agreement while existing restaurants seeking just a lounge liquor license will be as-of-right. Beverage Room (beer and wine only) and Tasting Rooms have also been introduced in the Draft 3 documents (see Land Use Table 4.1 in Draft 3 Land Use By-law). ‘Cabarets’ have not included but seem to be the worry of the original Lounge prohibitions – this is a license for large drinking establishments, live music type venues (not restaurants).

Recommended Action: Maintain the Draft 3 direction for these uses in the final documents.

Signage

The proposed signage approach from the Draft 3 documents was presented to the Planning Advisory Committee on October 24, 2019 (presentation found [here](#)). The signage section is mostly the same as our existing planning documents but we have tried to clarify certain aspects. Sandwich Board or “Portable” signs are an issue that has to be dealt with. Staff met with the WBDC on this issue and they are very interested in working together to address this issue. It was agreed that a complementary wayfinding program needs to come with any type of prohibition on these signs.

Recommended Action: Staff will work with WBDC on refining the approach and a complementary wayfinding program and bring this information with the First Reading documents.

Design and Heritage

Design and Heritage was the last topic discussed at the October 24, 2019 meeting (presentation [here](#)). This included an explanation of the design guidelines, use of the Heritage Property Act with registered properties and the move away from prescriptive requirements and the use of the Design Review Committee.

Recommendation: maintain approach outlined in Draft 3 in final documents.

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7) OTHER FEEDBACK AND DISCUSSION

Draft 3 Public Open House (October 10, 2019)

This was a well-attended event (40+ in attendance) where people were asked to circulate through presentation boards and Staff were on hand to discuss specific aspects. Some written comments received at this event have been reflected in other parts of this report (eg zoning issues). Other feedback received on comment sheets and sticky notes are included (verbatim) below:

- *3.2 Policy 5 – Yes to being able to use heritage houses in many ways – great way to preserve them.*
- *Love the “mortgage helper” idea – but seems only limited areas can do this. If mortgage helpers are not allowed in R1, which is most of our single homes, how many non apartment homes are really affordable? CDD new builds are often expensive as developers want/need profit.*
- *3.2 Policy 6 – Great! Assuming is allows serious refitting.*
- *Mixed Use – both in terms of income and residential/commercial is great!*
- *I like the idea of:*
 - o *Diversifying what people are allowed to do in homes (including Home Based Business!) This helps more people afford to live here.*
 - o *Utilizing Acadia space more for the overall community*
 - o *Developing entrepreneurial opporuntiiies – but let’s make sure it is in line with protecting farm land and the environment!*
- *Love it all! Thank you for the hard work. Should have a policy on ensuring corner lots are given more attention.*

The presentation boards from the Open House event can be found [here](#).

Draft 3 Public Participation meeting (October 24, 2019)

When considering new or amended planning documents, our existing Public Participation program requires a public meeting in front of the Planning Advisory Committee. This was done on October 24, 2019 in advance of the Committee’s regular meeting. This meeting was largely focused on the Woodman’s Grove proposed R-2 zoning issue, which has since been resolved. Other issues raised included:

- *Someone stated that Multi-unit development is positive for the Town and they supported the direction of Draft 3*
- *How can we do more to protect trees in the Town?*
- *How can we better enforce illegal parking (eg on front lawns)*
- *Concerns over R-3 zoning altering the character of neighbourhoods*
- *Parking supply concerns*

The presentation from this meeting can be found [here](#).

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Source Water Protection Committee

The Source Water Protection Committee reviewed the Draft 3 documents on October 16th, 2019. The presentation to the Committee can be found [here](#). Outcomes of the meeting were the following:

- Work with Provincial representative on the Committee to make minor revisions to definitions and risk mitigation plan requirements.
- Identify any issues with the County adopting our requirements once our documents have been approved.
- Work with Acadia University to better understand and define their existing uses within the Source Water protection zones.
- Account for impacts of private wells (for water) and geothermal projects within our Source Water protection zones.

Recommended Action: Staff to work with partners and make minor updates to be integrated into final documents presented for First Reading.

Design Review Committee

The Design Review Committee was presented the updated [Core Area + Neighbourhood Design Guidelines](#) on October 3, 2019. The Committee also discussed the new application processes (sit eplan) and the Land Use By-law. The Committee is supportive of the principals and guidance contained within the guidelines and also that this document is not meant to be prescriptive but to be used as a guidance tool as part of the application process. The Committee will play a key role in reviewing applications in our Architectural Control areas both through Site Plan and with Development Agreements. The Committee supports the Heritage Architecture Style Guide, included in the guidelines, that provides information on the historic architectural styles contained in the Town. Other comments, primarily on the Land Use By-law provisions, included:

- Avoid triggering Development Agreements for minor site plan issues that can be resolved at the Staff level and through Design Review Committee involvement (Land Use By-law Section 2.9).
- Provide a maximum square footage distinction between Home Occupations (Restricted) and Home Based Businesses (Land Use By-law Sections 4.18 and 4.19).
- Take advantage of our Main Street by encouraging certain types of commercial, not just in the core.
- Allow 2 adjacent Flag Lot driveways if a maximum opening to the street is regulated and a shared easement is provided between the 2 properties (Land Use By-law Section 4.14)
- Consider more detailed provisions or flexibility when dealing with sloping site conditions for both building height requirements and underground or at-grade parking conditions (Land Use By-law Sections (Land Use By-law Sections 4.17 and 6.6).

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- Reconsider the 'Corner Building Triangle' provisions for lots in the downtown (Land Use By-law Section 4.5)
- Should create provision for small car parking spaces (Land Use By-law 6.5 (8))

Recommended Action: Staff to work on finalizing the Core Area + Neighbourhood Design Guidelines and integrate the above suggestions while finalizing the Land Use By-law for First Reading.

Environmental Sustainability Committee

The Environmental Sustainability Committee has been involved in the review of our planning documents through both Draft 2 and Draft 3. Multiple presentations have been given to the Committee on key issues from Draft 2 and continued with Draft 3 (presentation given September 19, 2019 to this Committee on Draft 3). Some Committee members also provided more detailed document review (eg copy editing) and comments and these have been or will be considered as we move from Draft 3 to final documents.

The Draft 3 documents have been shaped by this Committee's input in various sections but primarily Parts 4 and 5 (The Environment and Mobility) of the MPS and Part 4 (Development Constraints) of the Land Use By-law.

The Environmental Sustainability Committee is supportive of the Draft 3 documents but also recognize that there is much more work to be done. As we move forward with the milestones of the Partners for Climate Protection Program or as new science and data emerge, Council may seek to make future amendments to our planning documents to ensure we are positioned as a leader in climate action at a local level.

Recommended Action: None required - Committee guidance has been integrated or will be in final documents for First Reading (eg copy editing and wording suggestions).

Wolfville Business Development Corporation

Staff met with the Board of the Wolfville Business Development Corporation on the morning of October 24, 2019 (presentation can be found [here](#)). An overview of the documents was provided and discussion focused on:

1. Signage: This was a positive discussion around portable signs (sandwich boards) and working together on the regulations and a complementary wayfinding program for businesses off of Main Street.
2. C-2 Expansion: This idea was supported by the group depending on the types of uses with concerns around hours, parking, garbage. Staff are sending the proposed uses to the group for additional ideas and feedback.

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3. Parking: It was noted that individual members may have issues with the approach (eg the amount of cash-in-lieu) but support was there for existing businesses and changes of use in these buildings not being subject to the requirement or cash-in-lieu. Discussion also turned to future parking supply and the end of the Dykeland cul-de-sac as a quick win for the Town and WBDC to work together on an all day parking lot to support the Draft 3 approach.

Recommended Action: Staff to continue dialogue with WBDC while completing documents and integrate sandwich board/portable sign work and suggestions on C-2 zone uses. Staff will include a WBDC section in the report that will come with the completed documents at First Reading.

Acadia University

Staff have consulted with Senior Administration at Acadia on the Draft 3 documents. Discussion topics have included the inclusion of their green space in our zoning (P-2 zone), source water protection, and permitted uses on the campus. These conversations are reflected in the Draft 3 documents or are outlined for changes above in the 'zoning issues' or 'source water' committee sections.

The University does have an issue with the Draft 3 Building Height requirements (maximum 3 storey + partial 4th storey bonus height by Development Agreement only). The University have provided a letter – included as Attachment 1 – outlining this concern and requesting that a full 5 stories be enabled for consideration on campus by Development Agreement, consistent with their other existing buildings and future plans.

Recommended Action: Council consider the 5th storey request and provide direction to Staff. Staff are comfortable with the request given previous recommendations provided on building height and 5 storeys.

Individual Requests and Feedback

Copy editing and minor comments/feedback on wording have been provided by some generous residents (and Councillors) and these will be integrated into the final draft. Individual zoning requests or requests related to issues outlined previously have been included above.

Other Draft 3 Recommended Changes (copy editing, formatting, definitions, diagrams)

All of the documents (Municipal Planning Strategy, Land Use By-law, Subdivision By-law, Design Guidelines) will require copy editing and formatting updates. Staff will also be reviewing very closely items such as the land use table contained in the Land Use By-law, diagrams and definitions. Any substantial change coming from this work would be outlined in the report that will accompany the final documents prepared for First Reading.

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Recommended Action: Staff to carry out final document edits, formatting, etc.

8) SUMMARY

A tremendous amount of work has gone into these documents by both Town Planning Staff and a number of professional consultants (FoTenn, Ekistics). Direction has been provided by Council and then thinking/deep dive into issues has been typical.

Overall, Planning Staff believe these documents are a good fit with where the community is at and address a number of key issues proactively. There is, and will continue to be, tension on certain issues. Examples include Parking vs Walkability; Commercial “Creep” vs Expansion; and Social inclusion and ecological footprints vs Exclusionary zoning practices.

This is just the start on many issues and monitoring and future work will be required. Council has acknowledged that this should be a living document and ongoing dialogue.

9) FINANCIAL IMPLICATIONS

All work outlined will be carried out using existing departmental operating budgets.

10) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Almost all of the existing Town Reports and all of Council’s Strategic Plan is impacted by finalizing the plan review. This has been a substantial process that should be completed in early 2020 after the final push outlined in this report.

11) ALTERNATIVES

- Council may wish to defer making a recommendation on November 26th and continue discussions at the December 3rd, 2019 Committee of the Whole - if additional discussion required;
- Council may request additional information on a specific topic or specific actions to be taken before providing direction;
- Council may want to direct Staff to move forward with finalizing the documents with specific recommendations not included in this report;
- Other alternatives are also plausible given the scope of topics covered by this plan review.

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ATTACHMENT 1 – LETTER FROM ACADIA UNIVERSITY RE: BUILDING HEIGHT



grow exponentially



November 20, 2019

Devin Lake LPP, MCIP
Director of Planning + Development
Town of Wolfville
200 Dykeland Street
Wolfville, NS B4P 1A1

Dear Mr. Lake,

I am writing on behalf of Acadia University to provide feedback on applicable elements of the Town of Wolfville Draft Municipal Planning Strategy (MPS) and Land Use By-law (LUB) as they pertain to the University and its strategic plans moving forward. As such these comments are confined to Part 10 of the Draft MPS and Parts 21 & 23 of the Draft LUB.

The proposed “as of right” uses and provision for developments by the site plan approval process are a welcome addition and should help to simplify process for the scale of projects outlined with the development agreement process reserved for larger scale initiatives.

It is recognized that one of the goals of the MPS is establishing appropriate setbacks for new buildings and limiting the heights to ensure greater architectural compatibility with the current core of the campus as well as town and neighbors. However, the building height constraints outlined in the LUB do not align with the current composition of facilities in the campus core with many of the Universities most heavily utilized facilities.

Most of the University’s existing facilities would not meet the proposed guideline of a maximum three stories with a reduced footprint fourth story. This includes not only the University’s primary academic and administrative buildings (University Hall, Vaughan Memorial Library, Patterson Hall, Biology Building, Huggins Science Hall and the K.C. Irving Environmental Science Centre as examples) but also the vast majority of the University’s Student Housing residential infrastructure. These buildings include Chase Court, Dennis House, Chipman House, Roy Jodrey Hall, Eaton House and the oldest institutional facility on campus, Seminary House. It is understood that the LUB constraints would apply to new developments and not existing however I highlight the fact that this restriction contradicts the MPS stated policy of:

“9) To limit, in the Land Use By-law, building heights in the Institutional University (I-2) zone in deference to the type of use and scale of present buildings located in the core of the University campus.”

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The current campus master plan which is slated for updating and revision (also noted in the MPS) includes new developments beyond existing infrastructure that would predominantly be in the four to five story range for new residences and academic buildings.

In light of the above I would ask that it be considered in the finalized LUB for the Town of Wolfville that in the Institutional I-2 zone up to five full story developments be permitted by development agreement in keeping with the existing predominant architecture of the campus and anticipated future needs.

Yours truly,

A handwritten signature in blue ink, appearing to read "M. Falkenham".

Marcel Falkenham, P. Eng.

Executive Director of Facilities & the K.C. Irving Environmental Science Centre
Acadia University, Wolfville NS. B4P 2R6



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ATTACHMENT 2 – DEVELOPMENT PROCESSES OVERVIEW

DEVELOPMENT PROCESSES

Managing growth for all stakeholders



Does your project.... Then you need a: How complicated is it?

Not have a lot of complexity and can clearly meet the use and rules of the Land Use By-law?

Development Permit



Development and Building Permits required. Short approval period.

Meet the rules of the Land Use By-law yet need a small, minor variation?

Variance Approval



If approved, involves notification of neighbours within 30m. Appeal mechanisms to Council for applicant and neighbours.

Have more complexity but still meets intent of Land Use By-law rules? Is larger scale or located in an architectural control area?

Site Plan Approval



Negotiated process with Staff; more stringent submission requirements; requires public notification; can be appeal to Council.

Have unique, site specific considerations? Is very complex? Very large scale? An innovative proposal?

Development Agreement



Negotiated site specific land use contract with Council; substantial process with public hearing and appeals to the UARB.

Meet the intent of the MPS but you desire a zone change or text amendment to make it work?

Bylaw Amendment



Substantial process; public notification and meetings; approval by Council required.

Involve large areas of land zoned Comprehensive Development District?

Secondary Plan



Substantial process involving sustainability checklist; detailed studies; land owner coordination; public engagement; and Council approval.

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ATTACHMENT 3 – LAND USE ZONING STATISTICS (BASED ON ATTACHMENT 4)

ZONING INVENTORY				
Description	Zone	SqM	Acres	%
Agriculture	A	1719272.533	425	28.1%
Active Transportation Corridor	AT	97320.80207	24	1.6%
Core Commercial	C-1	100039.3756	25	1.6%
Neighbourhood Commercial	C-2	173211.22	43	2.8%
Core Commercial - Large Format	C-3	20765.5579	5	0.3%
Comprehensive Development District	CDD	599879.15	148	9.8%
Institutional General	I-1	152186.17	38	2.5%
Institutional University	I-2	348335.5255	86	5.7%
Parks and Open Space	P-1	392997.404	97	6.4%
University Open Space	P-2	363512.8825	90	5.9%
Low Density Residential - Restricted	R-1	638929.2777	158	10.4%
Low Density Residential - General	R-2	599238.3745	148	9.8%
Medium Density Residential	R-3	691572.109	171	11.3%
High Density Residential	R-4	225197.29	56	3.7%
1512 Acres of land				
134 Acres of Street Surface				

RESIDENTIAL ZONING			
Total Residential	Zone	Acreage	Total
		681	45.0%
Low Density Residential - Restricted	R-1	158	23.2%
Low Density Residential - General	R-2	148	21.8%
Medium Density Residential	R-3	171	25.1%
High Density Residential	R-4	56	8.2%
Comprehensive Development District	CDD	91	21.8%

Total Vacant Residential	Zone	Acreage	Total
		179	26.4%
Low Density Residential - Restricted	R-1	16	8.9%
Low Density Residential - General	R-2	17.7	9.9%
Medium Density Residential	R-3	40.56	22.6%
High Density Residential	R-4	13.2	7.4%
Comprehensive Development District	CDD	91	50.7%

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COMMERCIAL ZONING			
Description	Zone	Acres	Total
		73	4.81%
Core Commercial	C-1	25	34.41%
Neighbourhood Commercial	C-2	41	56.43%
Core Commercial - Large Format	C-3	5	6.88%

Vacant	Zone	Acres	Total
		9.8	13.49%
Core Commercial	C-1	4.6	46.94%
Neighbourhood Commercial	C-2	4	40.82%
Core Commercial - Large Format	C-3	1.2	12.24%

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











Date: 2019-11-26

Department: Planning & Development







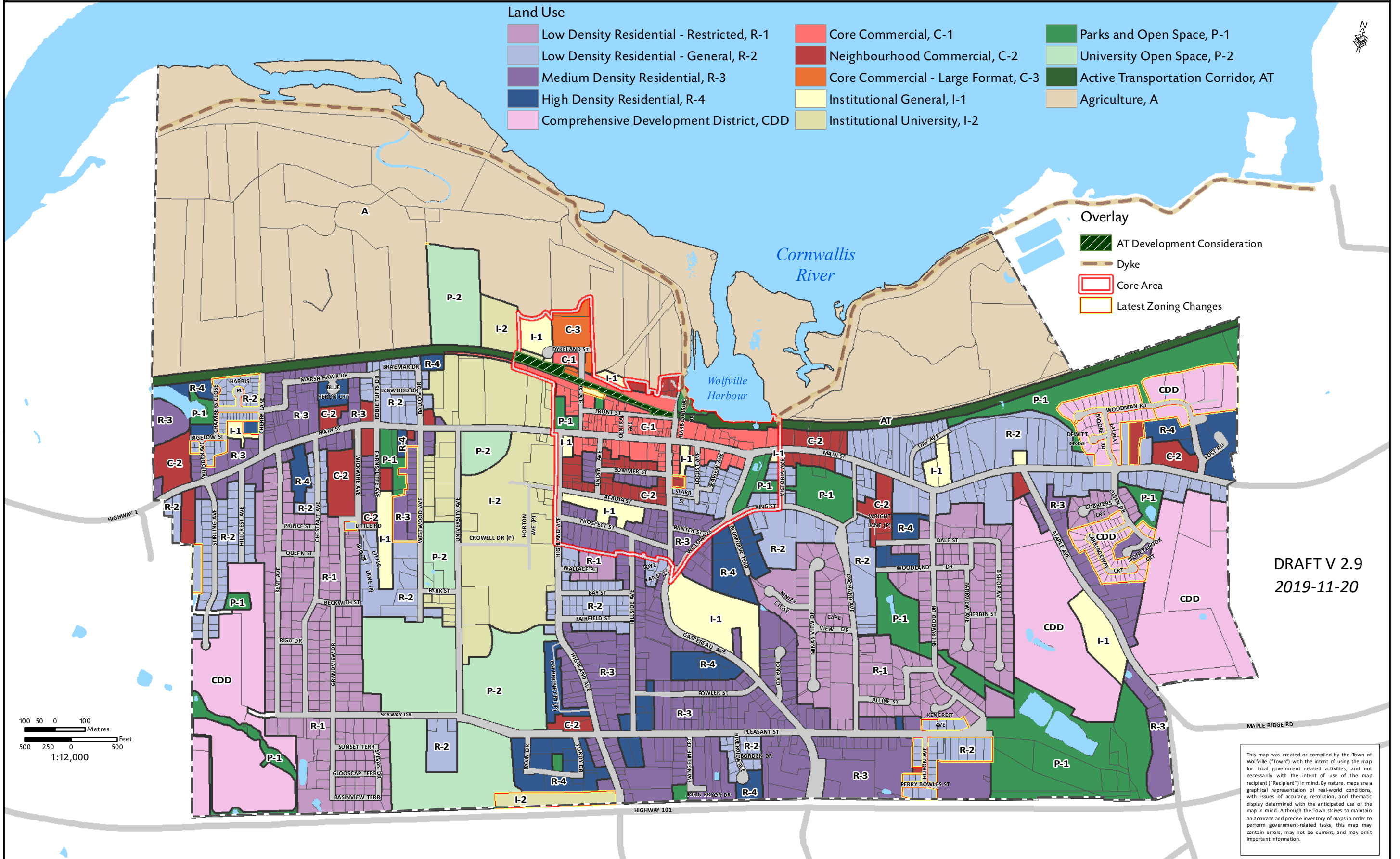
ATTACHMENT 4 – REVISED LAND USE ZONING MAP (WITH CHANGES OUTLINED IN THIS REPORT)

Land Use

- | | | |
|---|---|--|
|  Low Density Residential - Restricted, R-1 |  Core Commercial, C-1 |  Parks and Open Space, P-1 |
|  Low Density Residential - General, R-2 |  Neighbourhood Commercial, C-2 |  University Open Space, P-2 |
|  Medium Density Residential, R-3 |  Core Commercial - Large Format, C-3 |  Active Transportation Corridor, AT |
|  High Density Residential, R-4 |  Institutional General, I-1 |  Agriculture, A |
|  Comprehensive Development District, CDD |  Institutional University, I-2 | |

Overlay

-  AT Development Consideration
-  Dyke
-  Core Area
-  Latest Zoning Changes



DRAFT V 2.9
2019-11-20

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