



Public Hearings

Tuesday, June 25, 2024

6:00 p.m.

Council Chambers, Town Hall

359 Main Street

Agenda

Public Hearings

Highland Ave and Gaspereau Ave Rezoning Applications

1. Meeting Opening (Mayor)
2. Public Hearing #1 Highland Ave
 - a. Staff Presentation – overview and process
 - i. Council questions of clarification
 - b. Developer/Applicant – overview of project / application for rezoning
 - i. Council questions of clarification
 - c. Public Comment
 - i. Public comment period concluded after last speaker.
 - d. Response/Clarification from Staff or Developer/Applicant (if required).
3. Public Hearing #2 Gaspereau Ave
 - a. Staff Presentation – overview and process



- i. Council questions of clarification
 - b. Developer/Applicant – overview of project / application for rezoning
 - i. Council questions of clarification
 - c. Public Comment
 - i. Public comment period concluded after last speaker.
 - d. Response/Clarification from Staff or Developer/Applicant (if required).
- 4. Meeting Adjourned**



SUMMARY

Supplemental Report - Highland and Gaspereau Rezoning Applications

(supplement #2 to RFDs 027 and 028-2024)

A supplemental Report was prepared for First Reading on these files to provide clarification on points raised at Committee of the Whole. This Supplemental report #2 simply provides the Public Benefit agreements, as negotiated as per PAC and Council discussions, and reviewed by the Town's Solicitor.

A Staff presentation will accompany these files being considered at the Public Hearing and 2nd Reading/approval by Council on June 25th.

Background:

RFDs 027 and 028 consider rezoning properties adjacent Highway 101 on Highland Avenue and Gaspereau Avenue. The nature of the rezoning requests are similar – changing the zoning from R-3 to R-MDU. Going from a medium density zone to a high density zone to accommodate additional housing units and provide more options to meet our housing needs. Both of these applications are being brought forward to help us meet our Housing Accelerator Fund commitments.

The Planning Advisory Committee has provided a positive recommendation on these applications. The Committee of the Whole (Council) has also motioned to move their consideration to First Reading and on to a Public Hearing. This report is meant to provide a final package of information coming out of the Committee of the Whole discussion and First Reading and sets up both files for a Public Hearing and decision (2nd Reading) by Council.

Note: Additional information on these applications can be found in RFD 027-2024 and 028-2024, the Supplemental Report #1 for First Reading along with their associated Planning Advisory Committee reports.

DRAFT MOTIONS:

Highland Ave

1. That Council give Second Reading to a land use by-law amendment to change the zoning of properties on Highland Avenue (PIDs 55271738 and 55350045), from R-3 Medium Density Residential to High Density Residential– Multi Dwelling Unit (R-MDU) as outlined in the Resolution - Attachment 1, and that the rezoning be conditional upon the owners of the properties entering into the attached Public Benefit agreement.

SUPPLEMENTAL REPORT #2 FOR PUBLIC HEARING (RFD 027 and 028-2024)

Title: Highland and Gaspereau Rezoning Applications

Date: 2024-05-25

Department: Planning & Economic Development



2. That Council approve the attached Public Benefit agreement associated with the rezoning of PIDs 55271738 and 55350045 and direct the CAO to sign the agreement.

Gaspereau Avenue

1. That Council give Second Reading to a land use by-law amendment to change the zoning of a property on Gaspereau Avenue (PID 55274575), from R-3 Medium Density Residential to High Density Residential– Multi Dwelling Unit (R-MDU) as outlined in the Resolution - Attachment 1, and that the rezoning be conditional upon the owner of the property entering into the attached Public Benefit agreement.
2. That Council approve the attached Public Benefit agreement associated with the rezoning of PID 55274575 and direct the CAO to sign the agreement.

SUPPLEMENTAL INFORMATION FOR PUBLIC HEARING AND DECISION:

- **Public Benefit Details** – the attached agreements outline the improvements to the public realm associated with these projects and formalizes a process and expectations for Staff to work with the Developers moving forward.



SUPPLEMENTAL REPORT #2 FOR PUBLIC HEARING (RFD 027 and 028-2024)

Title: Highland and Gaspereau Rezoning Applications

Date: 2024-05-25

Department: Planning & Economic Development



SUMMARY:

Highland Avenue Public Benefit Inclusions

- AT connection + Streetscape
- Signage (Welcome to Wolfville)
- Contribution to Evangeline Park
 - Natural Playground structure
 - Park signage / wayfinding
 - Community Gardens
 - Trail connectivity
 - Fence modification for connections
 - Landscaping



Gaspereau Avenue Public Benefit Inclusions

- AT connection + Streetscape
- Linear Park
 - Seating
 - Parking Stalls. Park and Ride. Future Commercial.
 - Landscape / tree planting / screening
 - Raised crossing
 - AT path to Pleasant
 - Public Art
- Trail connections along Highway 101
 - To Evangeline Park
 - To Reservoir Park



Existing Wolfville Brand / Main Street signage



Fence for highway trail



AT Network: East-West Concept of ICIP funded connectivity along Pleasant

Gapereau former Road Reserve Linear Park

- AT connection
- Parking Stalls – park and ride or future commercial
- Seating
- Raised Crossing to development
- Signage/Gateway
- Public Art
- Landscape and Buffers
- Access to properties that exist



Further explanation will be provided by Staff on the public benefit inclusions through a presentation.

See other details on these files outlined in RFDs 027 and 028-2024 and the supplemental report #1 presented at first reading.

DRAFT MOTIONS:

Highland Ave

1. That Council give Second Reading to a land use by-law amendment to change the zoning of properties on Highland Avenue (PIDs 55271738 and 55350045), from R-3 Medium Density Residential to High Density Residential– Multi Dwelling Unit (R-MDU) as outlined in the Resolution - Attachment 1, and that the rezoning be conditional upon the owners of the properties entering into the attached Public Benefit agreement.

SUPPLEMENTAL REPORT #2 FOR PUBLIC HEARING (RFD 027 and 028-2024)

Title: Highland and Gaspereau Rezoning Applications

Date: 2024-05-25

Department: Planning & Economic Development



2. That Council approve the attached Public Benefit agreement associated with the rezoning of PIDs 55271738 and 55350045 and direct the CAO to sign the agreement.

Gaspereau Avenue

1. That Council give Second Reading to a land use by-law amendment to change the zoning of a property on Gaspereau Avenue (PID 55274575), from R-3 Medium Density Residential to High Density Residential– Multi Dwelling Unit (R-MDU) as outlined in the Resolution - Attachment 1, and that the rezoning be conditional upon the owner of the property entering into the attached Public Benefit agreement.
2. That Council approve the attached Public Benefit agreement associated with the rezoning of PID 55274575 and direct the CAO to sign the agreement.

REFERENCES AND ATTACHMENTS

- Public Benefit Agreements
 1. Highland Avenue
 2. Gaspereau Avenue
- Background: See RFDs 027 and 028-2024 + Supplemental Report #1 (First Reading) + Planning Advisory Committee reports

ALTERNATIVES

1. That Council do not give Second Reading and provide clear direction to Staff.

Agreement to Establish Public Benefit Framework and Commitment

Complimentary to the Highland Avenue Rezoning Application

Between:

Town of Wolfville (“the Town”)

- and -

123 Highland Avenue Apartments Inc. and 3195433 Nova Scotia Limited (collectively, “the Developer”)
Or Assignee

Whereas the Council of the Town of Wolfville approved a rezoning of PIDs 55271738 and 55350045 (“the Lands”) on Highland Avenue on XXX, 2024 from R-3 to R-MDU, as defined in the Town’s Land Use By-law;

And whereas the Developer intends to develop the Lands– (including any future subdivision of the Lands and new PIDs) in accordance with the Town’s Municipal Planning Strategy and Land Use By-law (“the Development”);

And whereas this Agreement is complementary to the rezoning approval and establishes a framework and commitment around the public benefits that will be carried out by the Developer and have been defined through the rezoning process, including public information meetings, reviews by the Planning Advisory Committee and Town Council;

And whereas Schedule A to this Agreement provides the conceptual framework for the public benefits in the Development;

And whereas the rezoning of these lands was carried out as part of the Town’s Housing Accelerator Fund Action Plan; and

And whereas the Council for the Town of Wolfville acknowledges that clear expectations about how private investment can contribute to the public realm is important and must be coordinated and agreed to by both parties.

The parties agree as follows:

General requirements

1. The Developer shall develop the Lands in accordance with the Town’s Planning documents.
2. The Developer must provide engineered plans (or other plans prepared by qualified persons) for all improvements outlined in this Agreement, and before work proceeds to a finished state such plans must be approved by the Town’s Director of Engineering and Director of Planning & Development.

3. All planted and landscaped areas outlined in this Agreement must have a landscape plan prepared by a qualified professional (e.g. landscape architect or other qualified professional) as approved by the Town. Before work proceeds, final layouts shall be approved by the Town's Director of Engineering and Director of Planning & Development.
4. The Town may file this Agreement at the Land Registration Office and this Agreement shall form a charge or encumbrance on the Lands.
5. This Agreement shall be binding upon the Developer's assigns, mortgagees, lessees, and successors of the Lands, and the Developer agrees to assign this Agreement to any transferee of the Lands or any portion of the Lands.

Town's obligations

6. The Town shall consider this Agreement to cover the requirements of Subdivision By-law section 6.1.1(c) for open space contribution requirements should the Lands be further subdivided in the future.
7. The Town shall maintain ownership and work collaboratively with the Developer to ensure improvements are enabled on Town owned land (as shown on Schedule A). Once improvements are completed, where on Town land, the Town will take on maintenance and ownership of the improvements.
8. Some variation to the design and/or location of trails, parks and open space from the concept shown on Schedule A may be granted by the Town's Director of Engineering and Director of Planning & Development, at the Town's discretion, subject to the intent of the overall framework.

Developer's obligations

9. The Developer shall, subject to paragraphs 3 and 4:
 - a. Complete an Active Transportation Connection and Streetscape improvements along Highland Avenue that includes:
 - i. A landscaping plan prepared with the Town – showing the improvements, submitted as part of the site plan approval process;
 - ii. Tree planting every 10-15 m of species and caliber approved by the Town
 - iii. Active Transportation connection (asphalt sidewalk minimum width of 2.4m) as approved by the Town's Director of Engineering. A total length of approximately 220m along Highland is required, as shown on Schedule A.
 - b. Purchase and install Signage ('Welcome to Wolfville' at Town boundary) as per the Town's brand standards, with accompanying landscape treatment around the signage, as per paragraphs 2 and 3.

- i. All details of signage installation must be coordinated with Town Staff.
 - ii. The Town may execute the purchase of the signage, as part of a broader signage program, and invoice the cost of this particular sign to the Developer.
- c. Consult with local residents (led by the Town in partnership with the Developer) and make contributions to Evangeline Park, in the form of, at minimum:
 - i. A landscape plan – prepared with the Town – showing the improvements, submitted as part of the site plan approval process;
 - ii. A Natural Playground feature(s) or structure installed by a qualified person, as approved by the Town;
 - iii. Public Art, as approved by the Town’s Director of Planning;
 - iv. Community Gardens – partially located on the Developer’s land (if required) and integrated into Evangeline Park for public use.
 - v. Connections to the Park – from Highway 101 trail and into the Development or elsewhere.
 - vi. Fence modifications and improvements for connectivity.
 - vii. Park signage, buffering, and planting.
- d. Work with the Town and Acadia University collaboratively on implementing a public car share program in the Town. The timing of the car share program, given the partnerships involved, is not tied to the landscape, park and other improvement timing outlined in Part 11. of this agreement.

Timing

- 10. The improvements, save and except the car share program, outlined in this Agreement shall be completed before an occupancy permit is issued for the first building constructed on the Lands.
 - a. Town Staff will work with the Developer on bonding or other instruments to deal with seasonal constraints.

Acceptance of Improvements

- 11. The Town’s acceptance of the improvements set out in this Agreement and shown on Schedule A shall be subject to approval of the Director of Planning and Director of Engineering.

Enforcement

- 12. If the Developer does not complete the improvements as required by this Agreement, the Town may, after 30 days’ notice to the Developer, undertake the improvements at the Developer’s expense.
- 13. The obligations of 123 Highland Avenue Apartments Inc. and 3195433 Nova Scotia Limited under this Agreement are joint and several.

Warranty

14. The Developer's warranty of the trails, parks, plantings, and open space set out in this Agreement and shown on Schedule A shall be 3 years.

Notices

15. Any notices required or permitted to be provided under this Agreement shall be in writing and shall be hand delivered or emailed as follows:

To the Town at: 359 Main Street, Wolfville, NS – Attention: Director of Planning & Development. dlake@wolfville.ca.

To the Developer at: 123 Highland Avenue Apartments Inc. Attention: Francisco Wulff – Director of Project Development. Fwulff@s2etech.com

[The remainder of this page is deliberately left blank]

In witness whereof, the parties have caused their duly authorized representatives to execute and deliver this Agreement.

TOWN OF WOLFVILLE

Per: _____
_____ CAO

Per: _____
Mayor Wendy Donovan

123 Highland Avenue Apartments Inc.

Per: _____

(print name and title)

3195433 Nova Scotia Limited

Per: _____

(print name and title)

SCHEDULE A



Agreement to Establish Public Benefit Framework and Commitment

Complimentary to the Gaspereau Avenue Rezoning Application

Between:

Town of Wolfville (“the Town”)

- and -

Polycorp Properties Inc. (“the Developer”)
Or Assignee

Whereas the Council of the Town of Wolfville approved a rezoning of PID 55274575 (“the Lands”) on Gaspereau Avenue on XXX, 2024 from R-3 to R-MDU, as defined in the Town’s Land Use By-law;

And whereas the Developer intends to develop the Lands (including any future subdivision of the Lands and new PIDs) in accordance with the Town’s Municipal Planning Strategy and Land Use By-law (“the Development”);

And whereas this Agreement is complementary to the rezoning approval and establishes a framework and commitment around the public benefits that will be carried out by the Developer and have been defined through the rezoning process, including public information meetings, reviews by the Planning Advisory Committee and Town Council;

And whereas Schedules A to C to this Agreement provides the conceptual framework for the public benefits in the Development;

And whereas the rezoning of these lands was carried out as part of the Town’s Housing Accelerator Fund Action Plan; and

And whereas the Council for the Town of Wolfville acknowledges that clear expectations about how private investment can contribute to the public realm is important and must be coordinated and agreed to by both parties.

The parties agree as follows:

General requirements

1. The Developer shall develop the Lands in accordance with the Town’s Planning documents (Land Use By-law, Subdivision By-law, and Municipal Planning Strategy Planning).
2. The Developer must provide engineered plans (or other plans prepared by qualified persons) for all improvements outlined in this Agreement, and before work proceeds to a finished state such plans must be approved by the Town’s Director of Engineering and/or Director of Planning & Development.

3. All planted and landscaped areas outlined in this Agreement must have a landscape plan prepared by a qualified professional (e.g. landscape architect or other qualified professional) as approved by the Town. Before work proceeds, final layouts shall be approved by the Town's Director of Engineering and Director of Planning & Development.
4. The Town may file this Agreement at the Land Registration Office and this Agreement shall form a charge or encumbrance on the Lands.
5. This Agreement shall be binding upon the Developer's assigns, mortgagees, lessees, and successors of the Lands, and the Developer agrees to assign this Agreement to any transferee of the Lands or any portion of the Lands.

Town's obligations

6. The Town shall consider this Agreement to cover the requirements of Subdivision By-law section 6.1.1(c) for open space contribution requirements should the Lands be further subdivided in the future.
7. The Town shall maintain ownership and work collaboratively with the Developer to ensure improvements are enabled on Town owned land (as shown on Schedule A). Once improvements are completed, where on Town land, the Town will take on maintenance and ownership of the improvements.
8. Some variation to the design and/or location of trails, parks and open space from the concept shown on Schedules A to C may be granted by the Town's Director of Engineering and Director of Planning & Development, at the Town's discretion, subject to the intent of the overall framework.
9. The Town will work on ensuring the AT pathway and Streetscaping treatment can extend along the frontage of PID 55274617 and PID 55520696 to have continuity to from Highway 101 to Pleasant Street.
10. The Town shall partner with the Developer to gain final approvals for the Highway 101 adjacent trail connections (located on Provincial land) with the design/build led by the Developer, subject to approval by the Town's Director of Engineering and/or Director of Planning.

Developer's obligations

11. The Developer shall, subject to paragraphs 3 and 4:
 - a. Complete an Active Transportation Connection and Streetscape improvements along Gaspereau Avenue that includes, at minimum, those items outlined in Schedule B and:
 - i. A landscape plan— prepared with the Town – showing the improvements, submitted as part of the site plan approval process;
 - ii. Consultation with adjacent properties;

- iii. Public Art that is approved by the Director of Planning;
 - iv. Tree planting every 10-15 m of species and caliber approved by the Town
 - v. Active Transportation connection (asphalt sidewalk minimum width of 2.4m) as approved by the Town's Director of Engineering. A total length of approximately 230m along Gaspereau is required, as shown on Schedules A and B.
- b. Purchase and install Signage ('Welcome to Wolfville' at Town boundary) as per the Town's brand standards, with accompanying landscape treatment around the signage, as per paragraphs 2 and 3.
- i. All details of signage installation must be coordinated with Town Staff.
 - ii. The Town may execute the purchase of the signage, as part of a broader signage program, and invoice the cost of this particular sign to the Developer.
- c. Trail connectivity, along Highway 101, from Reservoir Park and/or Maple Avenue to Highland Avenue, as shown in Schedule C, including fencing or other Provincial requirements. Minimum built requirement is a crusher dust trail 1.5-2.5m minimum width, with details approved by the Town before construction.

Timing

12. The improvements outlined in this Agreement shall be completed before an occupancy permit is issued for the first building constructed on the Lands.
- a. Town Staff will work with the Developer on bonding or other instruments to deal with seasonal constraints.

Acceptance of Improvements

13. The Town's acceptance of the improvements set out in this Agreement and shown on Schedules A to C shall be subject to approval of the Director of Planning and Director of Engineering.

Enforcement

14. If the Developer does not complete the improvements as required by this Agreement, the Town may, after 30 days' notice to the Developer, undertake the improvements at the Developer's expense.

Warranty

15. The Developer's warranty of the trails, parks, plantings, and open space set out in this Agreement and shown on Schedules A to C shall be 3 years.

Notices

16. Any notices required or permitted to be provided under this Agreement shall be in writing and shall be hand delivered or emailed as follows:

To the Town at: 359 Main Street, Wolfville, NS – Attention: Director of Planning & Development. dlake@wolfville.ca.

To the Developer at: Polycorp Properties Inc. Attention: Peter Polley
(peter@polycorp.com)

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In witness whereof, the parties have caused their duly authorized representatives to execute and deliver this Agreement.

TOWN OF WOLFVILLE

Per: _____
_____ CAO

Per: _____
Mayor Wendy Donovan

Polycorp Properties Inc.

Per: _____

(print name and title)

SCHEDULE A



SCHEDULE B

Gapereau former Road Reserve Linear Park

- AT connection
- Parking Stalls – park and ride or future commercial
- Seating
- Raised Crossing to development
- Signage/Gateway
- Public Art
- Landscape and Buffers
- Access to properties that exist



SCHEDULE C



← Highway 101 Trail (Approx. 1,400m) →



SUMMARY

Supplemental Report - Highland and Gaspereau Rezoning Applications

(supplement to RFDs 027 and 028-2024)

RFDs 027 and 028 considering rezoning properties adjacent Highway 101 on Highland Avenue and Gaspereau Avenue. The nature of the rezoning requests are similar – changing the zoning from R-3 to R-MDU. Going from a medium density zone to a high density zone to accommodate additional housing units and provide more options to meet our housing needs. Both of these applications are being brought forward to help us meet our Housing Accelerator Fund commitments.

The Planning Advisory Committee has provided a positive recommendation on these applications. The Committee of the Whole (Council) has also motioned to move their consideration to First Reading. This report is meant to provide additional information coming out of the Committee of the Whole discussion, before First Reading is given and Staff move to schedule a Public Hearing and finalize packages for Council's consideration (a decision) once the Public Hearings are held.

Additional information on these applications can be found in RFD 027-2024 and 028-2024 along with their associated Planning Advisory Committee reports.

SUPPLEMENTAL INFORMATION FOR FIRST READINGS:

Points raised at the Committee of the Whole include:

- **Uncertainty around the level of detail in the applications and the site plan approval process.**

Staff heard confusion over the process and the role of Staff and Council as we move forward. The applications from the Developers are to change the zoning of these properties. This is not a Development Agreement application.

If Council approves the rezonings, the Developers can proceed within the parameters outlined in the Land Use By-law pursuant to these new zoning categories – the R-MDU zone (see Land Use By-law). All zoning categories have different thresholds of requirements that both define the process and scale of projects. In this case – the Developers can proceed by site plan approval through the prescriptive requirements in the land use by-law for this zone. If they cannot meet these requirements, a Development Agreement would be required and further consideration by Council.

SUPPLEMENTAL REPORT FOR 1st READING (RFD 027 and 028-2024)

Title: Highland and Gaspereau Rezoning Applications

Date: 2024-05-21

Department: Planning & Economic Development



The Developers have the ability on these sites, with the proposed zoning, to build up-to 6 stories and up to 120 units per site/building project. Both sites present unique challenges and various professionals will be engaged and Staff reviews will be involved as we move forward. The site plan approval checklist is included below. There is a significant amount of diligence required by the Developer.

Site Plan & Development Agreement Checklist

- ☒ Application Form
- ☒ Application Fee
- ☒ Topographic Survey
- ☒ Site/Grading Plan
- ☒ Stormwater Management Plan
- ☒ Architectural Plans
- ☒ Civil Servicing Schematic
- ☒ Traffic Statement (if required)
- ☒ Any additional material Development

Officer may require

Traffic: a Traffic Impact Statement and recommendations would be required for both of these sites. This includes an analysis of local impacts (access, egress from the site, pedestrian safety, etc) and also impacts to our road and pedestrian network. All new housing units in the town will create some level of traffic impact – it is the role of the Town to manage these impacts and create alternatives. Our Municipal Planning Strategy has a strong policy focus on the use of Active Transportation and moving people in the Town differently (not just vehicles) as we move forward. No significant issues are anticipated.

Stormwater Management: These sites are at the highest elevation in the Town. An engineered stormwater management plan will be required for both sites and no additional run-off is a requirement (no net impact). We have recently developed Stormwater Management guidelines that are used by the Town's Engineering department to review applications. No significant issues are anticipated.



Servicing: A civil servicing schematic/plan and analysis is required by a professional engineer as part of the site plan approval process. This ensures appropriate servicing is being provided and our water and sewer infrastructure both locally to the site and transmission are adequate. No significant issues are anticipated.

Architectural Design: These sites are not in a Design Guidelines area; however, the R-MDU zone has significant prescriptive built form requirements (like building step backs, articulation, etc) to ensure positive outcomes.

It is important to keep in mind the significant cost of a Developer taking on all of this work. Without any certainty on the rezoning applications, a level of trust in the process has to be there for the projects to move forward. The 'trust' for Council should be in the requirements of the land use by-law and in the Staff to administer the policies and by-laws approved by Council.

- **Development rights and Subdivision of land**

Both of these sites are over 4 acres in size. These are some of the largest sites remaining in the town. These sites are also both bordered by Highway 101.

The zone requirements in the land use by-law provide for a minimum lot area that can be achieved IF all the other requirements can be met. Certain design elements (like underground parking) can completely change the size of a site required, as an example.

In the context of these 2 sites – the Highland Avenue property is already 2 properties. Each of these could see up to 120 units. This would be phased over time. The initial project, as this stage, is projected to be on the northern parcel with a second phase on the southern parcel (where the existing unit are). There is still significant effort required to provide a detailed design of the sites. Total units, long-term, on this area would be in the 200-240 range it is anticipated. These sites are limited by the amount of road frontage available – a key element to facilitate subdivision.

The Gaspereau Avenue site has much more road frontage (on Gaspereau) and also has access onto Borden Ave. This site is likely suited for 3 lots – up to 120 units each. It is anticipated this site would see 300-350 units at full build out. Again, much more design work is required.

- **Scale of projects (building height) and the use of the R-MDU zone in these areas**

The R-MDU zone enables up to 6-stories by site plan approval. The reality of our current development ecosystem is that costs have significantly increased and our housing crisis has become much more acute. The Developer of the Woodman's Grove apartments – the

SUPPLEMENTAL REPORT FOR 1st READING (RFD 027 and 028-2024)

Title: Highland and Gaspereau Rezoning Applications

Date: 2024-05-21

Department: Planning & Economic Development



applicant for the Gaspereau rezoning – stated that they would not be able to build what they did there under current conditions. If we want housing built in the Town, we must be moving forward with the realities of the builders in mind. Staff believe these development rights are appropriate for these sites, along Highway 101 and on arterial streets that go in and out of town into the Gaspereau Valley.

At this stage, the Highland Avenue project is looking at up to 4 stories and the Gaspereau project up to 5 or 6 stories.

- **Public Benefit Details**

At Committee of the Whole, Staff were seeking direction from Council on public benefit contributions from the applicants. Staff had already began these conversations with the applicants and have furthered this work/discussion since Committee of the Whole to ensure high quality outcomes in the public realm on both sites. Given these sites may be phased over time, public benefit agreements can help improve the areas around the projects to benefit existing and future residents. A framework for both sites is provided below. Council can have additional discussion at First Reading and a more functional design / more detailed concept of both areas would be presented at the Public Hearing presentations once we give First Reading.



Highland Avenue Public Benefit Inclusions

- AT connection + Streetscape
- Signage (Welcome to Wolfville)
- Contribution to Evangeline Park
 - Natural Playground structure
 - Park signage / wayfinding
 - Community Gardens
 - Trail connectivity
 - Fence modification for connections
 - Landscaping



Gaspereau Avenue Public Benefit Inclusions

- AT connection + Streetscape
- Linear Park
 - Seating
 - Parking Stalls. Park and Ride. Future Commercial.
 - Landscape / tree planting / screening
 - Raised crossing
 - AT path to Pleasant
 - Public Art
- Trail connections along Highway 101
 - To Evangeline Park
 - To Reservoir Park



Existing Wolfville Brand / Main Street signage



Fence for highway trail



AT Network: East-West Concept of ICIP funded connectivity along Pleasant

Gapereau former Road Reserve Linear Park

- AT connection
- Parking Stalls – park and ride or future commercial
- Seating
- Raised Crossing to development
- Signage/Gateway
- Public Art
- Landscape and Buffers
- Access to properties that exist



Further explanation will be provided by Staff on the public benefit inclusions at First Reading through a presentation.

The above information is just on points raised at the Committee of the Whole meeting. See other details outlined in RFDs 027 and 028-2024.

DRAFT MOTIONS:

Highland Ave

1. That Council give First Reading to a land use by-law amendment to change the zoning of properties on Highland Avenue (PIDs 55271738 and 55350045), from R-3 Medium Density Residential to High Density Residential– Multi Dwelling Unit (R-MDU) as outlined in the Resolution - Attachment 1.

SUPPLEMENTAL REPORT FOR 1st READING (RFD 027 and 028-2024)

Title: Highland and Gaspereau Rezoning Applications

Date: 2024-05-21

Department: Planning & Economic Development



2. That Council provide direction to Staff to ensure public benefits are negotiated, that include at inclusions outlined in the supplemental report to RFD 027-2024.

Gaspereau Avenue

1. That Council give First Reading to a land use by-law amendment to change the zoning of a property on Gaspereau Avenue (PID 55274575), from R-3 Medium Density Residential to High Density Residential– Multi Dwelling Unit (R-MDU) as outlined in the Resolution - Attachment 1.
3. That Council provide direction to Staff to ensure public benefits are negotiated, with inclusions outlined in the supplemental report to RFD 028-2024.

REFERENCES AND ATTACHMENTS

See RFDs 027 and 028-2024 + Planning Advisory Committee reports

ALTERNATIVES

1. That Council do not give First Reading and provide further direction to Staff before proceeding with a Public Hearing and decision (2nd Reading).



SUMMARY

1-123, 123 Highland Avenue Rezoning Application

For Committee of the Whole to consider the PAC recommendation regarding the draft land use bylaw amendment for 123 and 123-1 Highland Avenue (PIDs 55271738 and 55350045) to rezone the property from Medium Density Residential (R-3) to High Density Residential– Multi Dwelling Unit (R-MDU) to enable the development of net-zero residential dwelling units, consistent with the R-MDU zone in the land use by-law. Their design team is working on proposals to meet the intent of our zoning metrics – final outcome TBD.

PAC Motion (April 11, 2024):

MOTION:

THAT THE PLANNING ADVISORY COMMITTEE PROVIDE A POSITIVE RECOMMENDATION TO COUNCIL REGARDING THE LAND USE BYLAW AMENDMENT (REZONING) FOR 123 AND 123-1 HIGHLAND AVENUE (PID 55271738 AND 55350045).

CARRIED

DRAFT MOTION:

1. That Committee of the Whole forward to Council for First Reading a land use by-law amendment to change the zoning of properties on Highland Avenue (PIDs 55271738 and 55350045), from R-3 Medium Density Residential to High Density Residential– Multi Dwelling Unit (R-MDU) as outlined in the Resolution - Attachment 1.

and

2. That Committee of the Whole forward to Council direction to Staff to ensure public benefits are negotiated, that include at minimum a sidewalk along Highland Avenue to Pleasant Street, with additional details and inclusions to be refined prior to the final package being prepared and public hearing advertised.

REQUEST FOR DECISION 027-2024 (PA 2024-001)

123 and 123-1 Highland Avenue, s2e technologies

Date: 2024-04-22

Department: Planning & Economic Development



1) CAO COMMENTS

Not required. Recommendation from PAC.

2) LEGISLATIVE AUTHORITY

The *Municipal Government Act* and Municipal Planning Strategy establishes the ability and process to amend the land use by-law and rezone properties from one zone to another.

3) STAFF RECOMMENDATION

Staff considers the application consistent with the relevant policies of the Municipal Planning Strategy (MPS) and recommends that it be forwarded to a First Reading (see PAC report).

4) REFERENCES AND ATTACHMENTS

- Attachment 1: Resolution
- Attachment 2: [April 11, 2024 PAC report](#)
- [Climate Action Plan](#)
- [Housing Needs Assessment](#)

5) DISCUSSION

The Applicant is seeking to rezone 123 and 123-1 Highland Avenue from the Medium Density Residential (R3) zone to the High Density Residential–Multi Dwelling Unit (R-MDU) zone to enable the development of net-zero multi-unit residential buildings (see attached PAC Staff report for additional details). The Developer has now procured design services and is working on a proposal, consistent with the R-MDU zoning for the site.

While PAC reviewed the application and provided a positive recommendation to Council, there was some discussion at the meeting around what is proposed in this rezoning application and what is permitted in the R-MDU zone. For clarification, when a rezoning application is approved, the Town is essentially providing the developer with an envelope to work within. The purpose of a rezoning is to enable the development rights as stated in the land use bylaw for a particular zone.

Rezoning applications require fewer details than development agreements, and therefore it is difficult to speculate what exactly the developer may construct within that envelope. The certainty is that the development will conform with the municipal planning strategy and land use bylaw; this is ensured through the plan review (PAC report) and is refined further through the site plan and permitting process.

At this time, the exact number of dwelling units the developer will build is unknown, however the developer has stated that they intend to build 3 to 4 multi-unit residential buildings that are up to 4 storeys. Further design development is ongoing. A preliminary site plan is included in the PAC report.

REQUEST FOR DECISION 027-2024 (PA 2024-001)

123 and 123-1 Highland Avenue, s2e technologies

Date: 2024-04-22

Department: Planning & Economic Development



The R-MDU zone permits up to 120 dwelling units per lot, and buildings up to 6 storeys in height. A developer may or may not decide to max out the number of storeys or units permitted in a zone. See Land Use Bylaw Part 15: High Density Residential – Multi Dwelling Unit (R-MDU) Zone below for details on what is permitted in this zone:

PART 15 High Density Residential - Multi Dwelling Unit (R-MDU) Zone

15.1 INTENT

The R-MDU zone is intended to permit a range of high density residential development to a maximum of 120 units. 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.

15.2 PERMITTED USES

As-of-right, Site Plan and Development Agreement uses are shown in Table 8.1

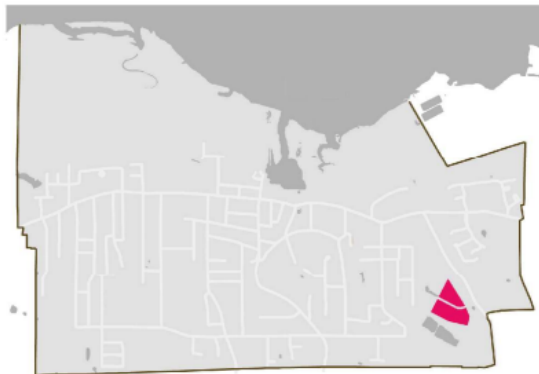
15.3 RE-ZONING

Rezoning to any other zone in the Neighbourhood Designation, except R-1, will be considered subject to Policy 11.4.3 of the MPS.

15.4 DWELLING UNIT MIX

New buildings with a minimum of 20 dwelling units shall provide a dwelling unit mix as follows:

- No less than 20% of all dwelling units shall contain a minimum of two bedrooms, and
- No less than 5% of all dwelling units shall contain a minimum of three bedrooms.



Other Provisions Apply

Part 4:
General Requirements for All Zones
Part 5:
Development Constraints
Part 6:
Parking & Loading Requirements
Part 7:
General Requirements for Signs
Part 8:
General Requirements for Neighbourhood Zones



<120 unit
Multi-unit



Mixed use



Additions



Accessory
Buildings



Home based
business



Ground-floor
Commercial

REQUEST FOR DECISION 027-2024 (PA 2024-001)

123 and 123-1 Highland Avenue, s2e technologies

Date: 2024-04-22

Department: Planning & Economic Development



15.5 15.4 BUILT FORM STANDARDS

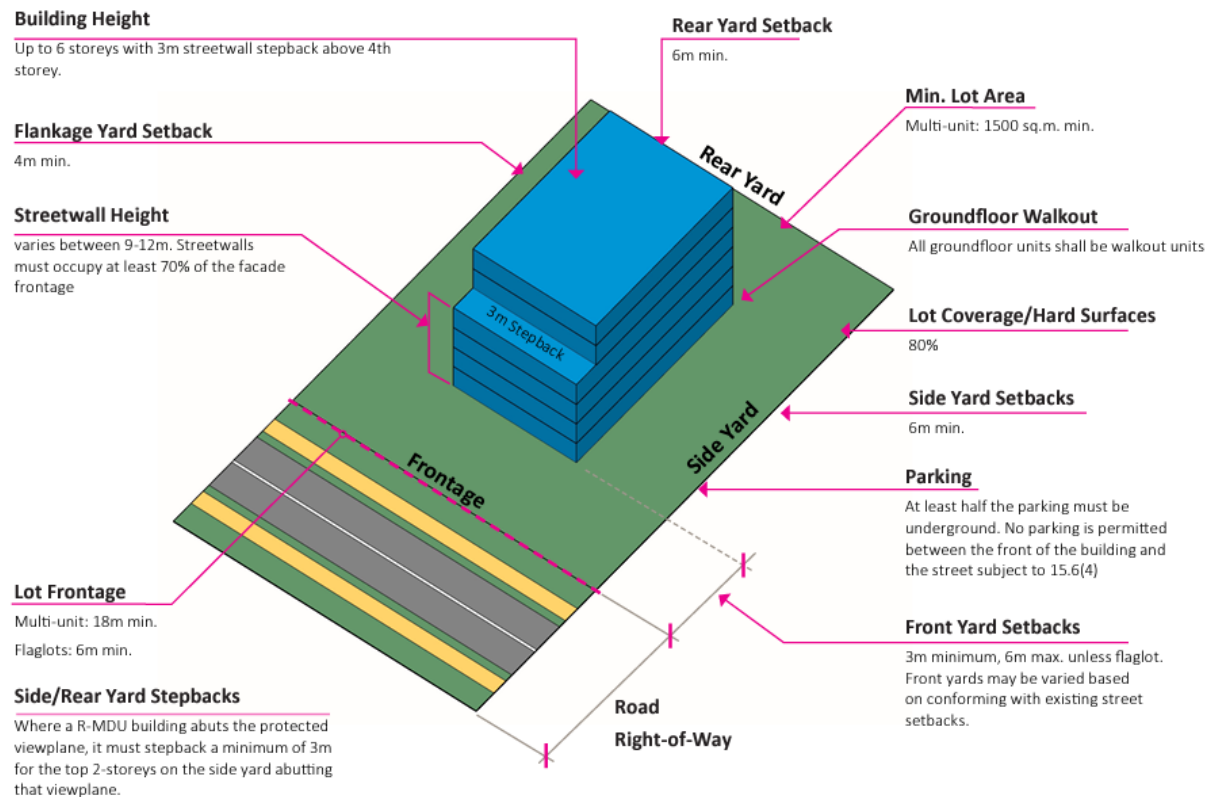


FIGURE 15.1 R-MDU ZONE Built Form Standards

The applicant will be required to construct a sidewalk as stated in the policy review section of the PAC report. The sidewalk will extend from the entrance to the property to the intersection of Highland Avenue and Pleasant Street. A sidewalk does not currently exist along this stretch of Highland Avenue and will help connect the recently constructed bi-directional pathway along Highland Avenue to improve access to active transportation infrastructure throughout Town. Staff are also exploring opportunities for contributions for Evangeline Park, which this site backs onto.

This rezoning application is being accelerated to help the Town reach the commitments of the Housing Accelerator Fund Agreement. The federal government has issued \$4.4 billion to qualifying local governments across the country to increase housing supply in an effort to address the housing crisis.

As a participating municipality, one of the ways we have committed to encourage more housing supply is by appropriately zoning properties to enable the development of needed housing units. The housing supply gap for the Town of Wolfville is projected to exceed 1,700 units by 2032 ([Wolfville Housing Needs Assessment](#)). The rezoning of these lands enables the development of needed units.

REQUEST FOR DECISION 027-2024 (PA 2024-001)

123 and 123-1 Highland Avenue, s2e technologies

Date: 2024-04-22

Department: Planning & Economic Development



This rezoning and proposed development also support the implementation of the Town's [Climate Action Plan](#) through constructing net-zero residential units, making efficient use of existing municipal sewer and water services, and enhancing active transportation opportunities.

6) FINANCIAL IMPLICATIONS

None

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Full policy review provided in the attached PAC Staff Report.

8) COMMUNICATION REQUIREMENTS

For past communications regarding the application, see referenced PAC report.

The next step in the 123 and 123-1 Highland rezoning application process is for the application to go forward for First Reading (May 7 Special Council). Following first reading and recommendation from Council, a final report will be formulated and the application will move to a Public Hearing (date TBD). The public hearing provides the opportunity for Council to hear directly from the public regarding the proposal. Notification of the public hearing will be mailed to neighbouring property owners, ads will be placed in the newspaper, and information posted to the Town's website and social media. A sign will remain placed on the property indicating the property is subject to a planning application. Following the public hearing, Council will make a decision on the application – whether at that meeting or a subsequent meeting.

9) ALTERNATIVES

1. Committee of the Whole forwards the application to Council to refer the application back to the Planning Advisory Committee with specific direction or questions for consideration.
2. Committee of the Whole forwards the application to Council with a recommendation to reject the application or to take other action.



ATTACHMENT 1: Draft Resolution

File No. PA 2024-001

CERTIFIED COPY OF LAND USE BY-LAW AMENDMENT

I, Laura Morrison, Town Clerk of the Town of Wolfville in the County of Kings, Province of Nova Scotia, do hereby certify this is a true copy of the amendments to the Land Use By-law adopted by Council of the Town of Wolfville at a meeting duly called and held on the XX day of XXXXXXX, 2024.

Laura Morrison, Town Clerk

This signature is sealed with the Town of Wolfville Corporate Seal.

AMENDMENTS TO THE TOWN OF WOLFVILLE LAND USE BY-LAW

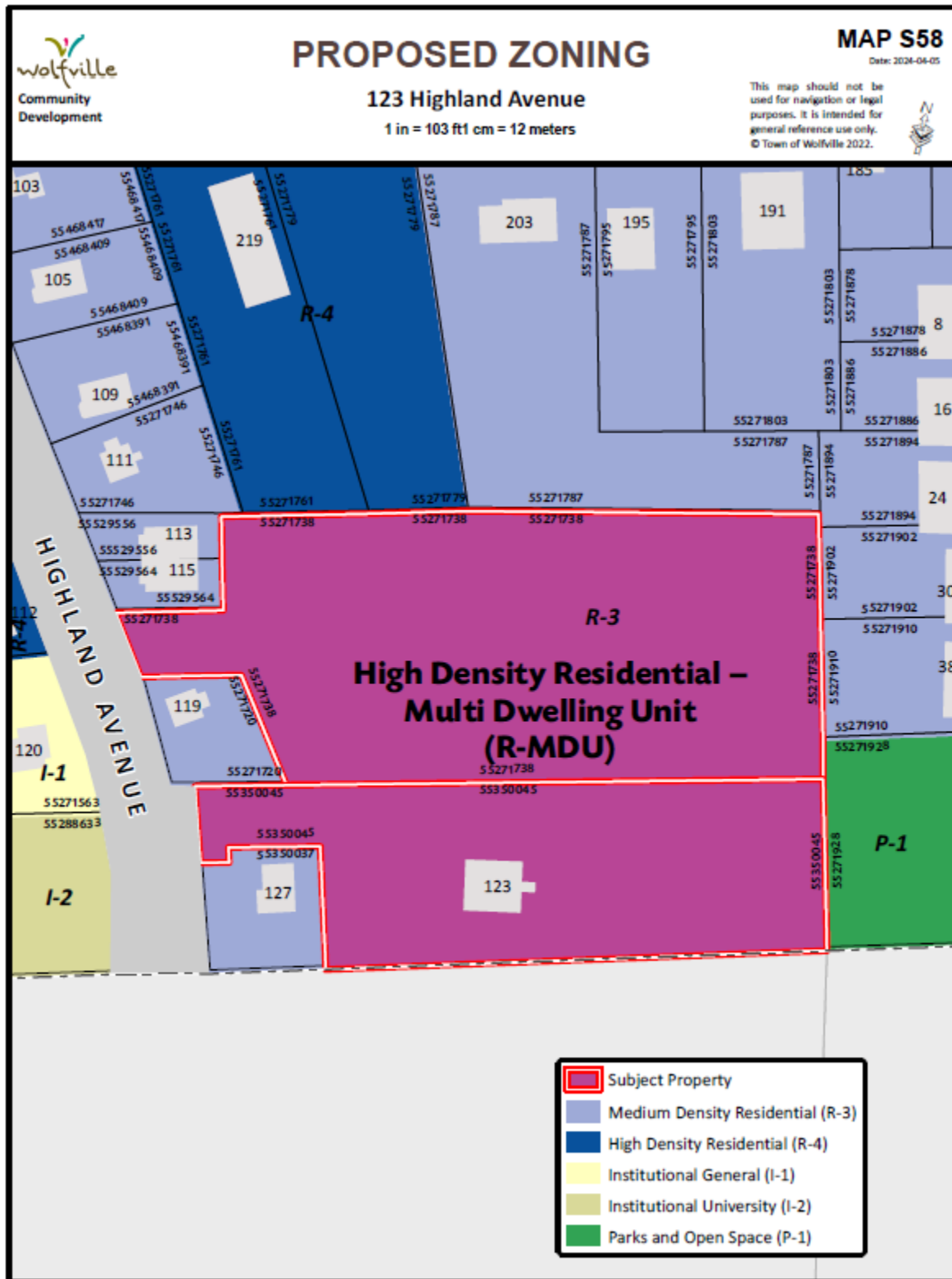
3. Amend the Zoning Map – *LUB Schedule “A”* – to rezone 123 and 123-1 Highland (PIDs 55271738, 55350045) from Medium Density Residential (R-3), to High Density Residential– Multi Dwelling Unit (R-MDU) as shown below:

REQUEST FOR DECISION 027-2024 (PA 2024-001)

123 and 123-1 Highland Avenue, s2e technologies

Date: 2024-04-22

Department: Planning & Economic Development





SUMMARY

Gaspereau Avenue Rezoning Application

For Committee of the Whole to consider the PAC recommendation regarding the draft land use bylaw amendment for Gaspereau Avenue (PID 55274575) to rezone the property from Medium Density Residential (R-3) to High Density Residential– Multi Dwelling Unit (R-MDU) to enable the development of multi-unit residential buildings, up to 6-stories, as per the R-MDU zone in the Land Use By-law.

PAC Motion (April 11, 2024):

MOTION:

THAT THE PLANNING ADVISORY COMMITTEE PROVIDE A POSITIVE RECOMMENDATION TO COUNCIL REGARDING THE LAND USE BYLAW AMENDMENT (REZONING) FOR GASPEREAU AVENUE (PID 55274575).

CARRIED

DRAFT MOTION:

1. That Committee of the Whole forward to Council for First Reading a land use by-law amendment to change the zoning of a property on Gaspereau Avenue (PID 55274575), from R-3 Medium Density Residential to High Density Residential– Multi Dwelling Unit (R-MDU) as outlined in the Resolution - Attachment 1.

and
2. That Committee of the Whole forward to Council direction to Staff to ensure public benefits are negotiated, that include at minimum a sidewalk along Gaspereau Avenue to Pleasant Street, with additional details and inclusions to be refined prior to the final package being prepared and public hearing advertised.

REQUEST FOR DECISION 028-2024 (PA 2024-002)

Gaspereau Avenue, Polycorp

Date: 2024-05-07

Department: Planning & Economic Development



1) CAO COMMENTS

Not required. Recommendation from PAC.

2) LEGISLATIVE AUTHORITY

The *Municipal Government Act* and Municipal Planning Strategy establishes the ability and process to amend the land use by-law and rezone properties from one zone to another.

3) STAFF RECOMMENDATION

Staff considers the application consistent with the relevant policies of the Municipal Planning Strategy (MPS) and recommends that it be forwarded to First Reading (see PAC report).

4) REFERENCES AND ATTACHMENTS

- Attachment 1: Resolution
- Attachment 2: [April 11, 2024 PAC report](#)
- [Climate Action Plan](#)
- [Housing Needs Assessment](#)

5) DISCUSSION

The Applicant is seeking to rezone Gaspereau Avenue (PID 55274575) from the Medium Density Residential (R3) zone to the High Density Residential–Multi Dwelling Unit (R-MDU) zone to permit the development of multi-unit residential buildings (see attached PAC Staff report for additional details).

While PAC reviewed the application and provided a positive recommendation to Council, there was some discussion around what is proposed in this application and what is permitted in the R-MDU zone. For clarification, when a rezoning application is approved, the Town is essentially providing the developer with an envelope to work within. The purpose of a rezoning is to enable the development rights as stated in the land use bylaw for a particular zone.

Rezoning applications require fewer details than development agreements, and therefore it is difficult to speculate what exactly the developer may construct within that envelope before it is fully designed. The certainty is that the development will conform with the municipal planning strategy and land use bylaw; this is ensured through the plan review (PAC report) and is refined further through the site plan and permitting process.

At this time, the exact number of dwelling units the developer will build is unknown, however the developer has stated their intention is to build 3 multi-unit residential buildings that are up to 6-storeys each.

The R-MDU zone permits up to 120 dwelling units per lot, and buildings up to 6 storeys in height. See Land

REQUEST FOR DECISION 028-2024 (PA 2024-002)

Gaspereau Avenue, Polycorp

Date: 2024-05-07

Department: Planning & Economic Development



Use Bylaw Part 15: High Density Residential – Multi Dwelling Unit (R-MDU) Zone below for details on what is permitted in this zone:

PART 15 High Density Residential - Multi Dwelling Unit (R-MDU) Zone

15.1 INTENT

The R-MDU zone is intended to permit a range of high density residential development to a maximum of 120 units. 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.

15.2 PERMITTED USES

As-of-right, Site Plan and Development Agreement uses are shown in Table 8.1

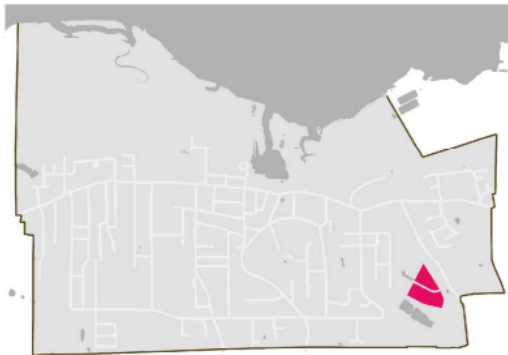
15.3 RE-ZONING

Rezoning to any other zone in the Neighbourhood Designation, except R-1, will be considered subject to Policy 11.4.3 of the MPS.

15.4 DWELLING UNIT MIX

New buildings with a minimum of 20 dwelling units shall provide a dwelling unit mix as follows:

- No less than 20% of all dwelling units shall contain a minimum of two bedrooms, and
- No less than 5% of all dwelling units shall contain a minimum of three bedrooms.



Other Provisions Apply

Part 4:

General Requirements for All Zones

Part 5:

Development Constraints

Part 6:

Parking & Loading Requirements

Part 7:

General Requirements for Signs

Part 8:

General Requirements for Neighbourhood Zones



<120 unit
Multi-unit



Mixed use



Additions



Accessory
Buildings



Home based
business



Ground-floor
Commercial

REQUEST FOR DECISION 028-2024 (PA 2024-002)

Gaspereau Avenue, Polycorp

Date: 2024-05-07

Department: Planning & Economic Development



15.5 15.4 BUILT FORM STANDARDS

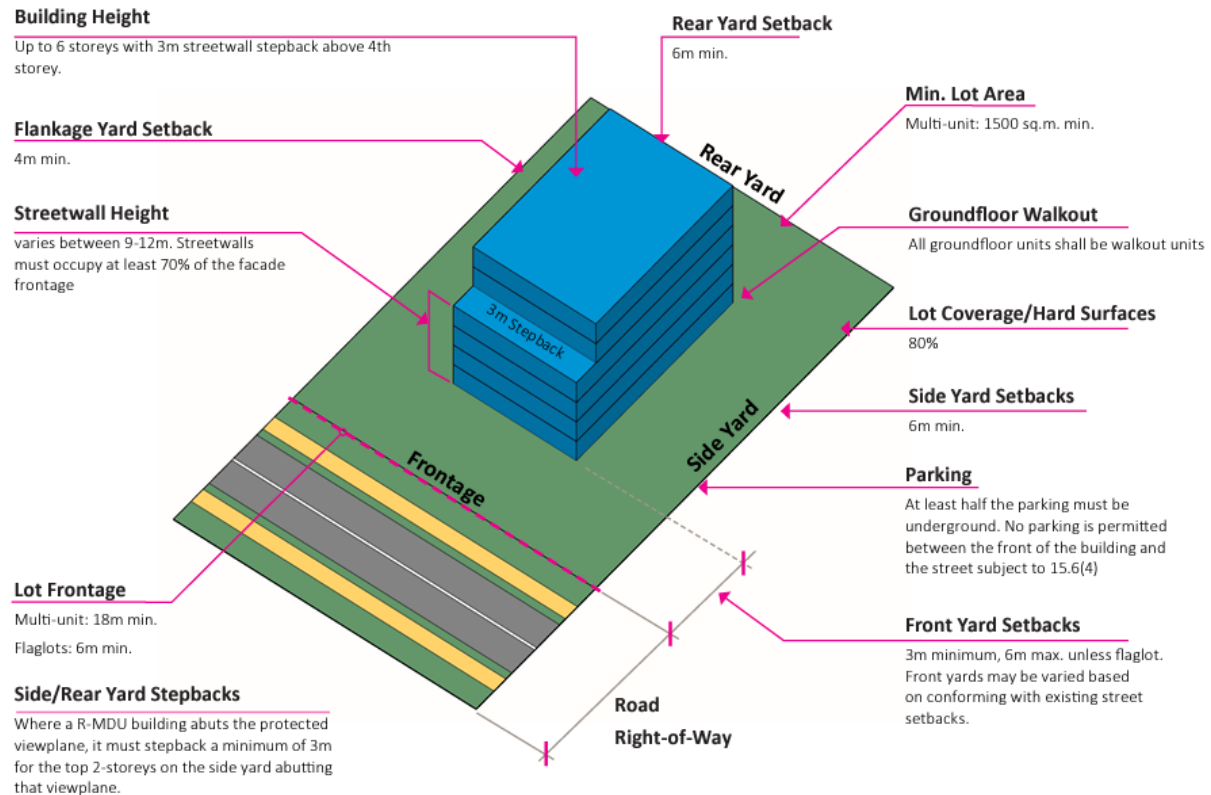


FIGURE 15.1 R-MDU ZONE Built Form Standards

The applicant will be required to construct a sidewalk as a public benefit associated with this development. The sidewalk will be located on the western side of Gaspereau Avenue, extending from the entrance to the property, to the intersection of Gaspereau Avenue and Pleasant Street. The sidewalk will contribute to the expansion of the forthcoming active transportation network.

Additional public benefits will also be provided, including other trail, open space, streetscaping or other details being discussed. Staff are in discussion with the developer regarding these additional public benefits and details on these will be refined and presented in the final package, prior to the Public Hearing being advertised.

This rezoning application is being accelerated to help the Town reach the commitments of our Housing Accelerator Fund Agreement. The federal government has issued \$4.4 billion to qualifying local governments across the country to increase housing supply in an effort to address the housing crisis.

REQUEST FOR DECISION 028-2024 (PA 2024-002)

Gaspereau Avenue, Polycorp

Date: 2024-05-07

Department: Planning & Economic Development



As a participating municipality, some of the ways we have committed to encourage more housing supply are by appropriately zoning properties to enable the development of needed housing units, promoting and allowing more housing types in all residential zones, and sharing our housing needs across the housing continuum.

The supply gap for the Town of Wolfville is projected to exceed 1,700 units by 2032 ([Wolfville Housing Needs Assessment](#)). The rezoning of these lands enables the development of needed units.

If the rezoning is approved, the developer is seeking to construct affordable housing units within this development. This particular developer has demonstrated success obtaining affordable housing financing for 60 dwelling units at the Woodman's Grove Residences.

This rezoning and proposed development also support the implementation of the Town's [Climate Action Plan](#) through constructing energy efficient residential units, making efficient use of existing municipal sewer and water services, preserving a stand of mature trees, enhancing active transportation opportunities and providing electric vehicle charging infrastructure.

6) FINANCIAL IMPLICATIONS

None

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Full policy review provided in the attached PAC Staff Report.

8) COMMUNICATION REQUIREMENTS

For past communications regarding the application, see referenced PAC report.

The next step in the rezoning application process is for the application to go forward for First Reading (May 7, 2024 Special Council). Following First Reading, a final package will be developed and the application will move to a Public Hearing (date TBD). This step provides the opportunity for Council to hear directly from the public regarding the proposal. Notification of the public hearing will be mailed to neighbouring property owners, ads will be placed in the newspaper, and information posted to the Town's website and social media. A sign will remain placed on the property indicating the property is subject to a planning application. Following the public hearing, Council will make a decision on the application – whether at that meeting or a subsequent meeting.

9) ALTERNATIVES

1. Committee of the Whole forwards the application to Council to refer the application back to the Planning Advisory Committee with specific direction or questions for consideration.
2. Committee of the Whole forwards the application to Council with a recommendation to reject the application or to take other action.



ATTACHMENT 1: Draft Resolution

File No. PA 2024-002

CERTIFIED COPY OF LAND USE BY-LAW AMENDMENT

I, Laura Morrison, Town Clerk of the Town of Wolfville in the County of Kings, Province of Nova Scotia, do hereby certify this is a true copy of the amendments to the Land Use By-law adopted by Council of the Town of Wolfville at a meeting duly called and held on the XX day of XXXXXXX, 2024.

Laura Morrison, Town Clerk

This signature is sealed with the Town of Wolfville Corporate Seal.

AMENDMENTS TO THE TOWN OF WOLFVILLE LAND USE BY-LAW

3. Amend the Zoning Map – *LUB Schedule “A”* – to rezone PID 55274575 on Gaspereau Avenue from Medium Density Residential (R-3) to High Density Residential – Multi-Dwelling Unit (R-MDU as shown below:

REQUEST FOR DECISION 028-2024 (PA 2024-002)

Gaspereau Avenue, Polycorp

Date: 2024-05-07

Department: Planning & Economic Development

