



Subject: *RYC Property Ltd. Application: MPS and LUB Mapping Amendments*
To: CAO for Planning Advisory Committee, June 18, 2024
Date Prepared: June 11, 2024
Related Motions: PAC24(15) and C24(86)
Prepared by: Debbie Uloth, Project Planner
Approved by: John Woodford, Director of Planning and Development

Summary

The Municipality has received an application from RYC Property Ltd. to change the land use designation of PID 45097227, located on Havenwood Drive, Shubenacadie, from Rural Use (RU) to Established Residential Neighbourhood (ER) and rezone the same property from Rural Use (RU) to the Two Dwelling Unit Residential (R2) Zone. The purpose of the application is to allow for the extension of Havenwood Drive and for the development of 47 semi-detached dwellings for a total of 94 dwelling units.

A public information meeting for the application was held on May 7, 2024. Notes from the meeting have been attached as Appendix C.

Financial Impact Statement

There is no immediate financial impact from the recommendations in this report. A fiscal impact analysis will be completed for the final staff report.

Recommendation

That Planning Advisory Committee recommends that Council give first reading to the mapping amendments and authorize staff to schedule a public hearing.

Recommended Motion

Planning Advisory Committee recommends that Council:

- *give first reading to the application from RYC Property Ltd. to amend the MPS and LUB by changing the land use designation of PID 445097227 to Established Residential Neighbourhood (ER) Designation and rezone the same lands to Two Dwelling Unit Residential (R2) Zone; and*
- *authorize staff to schedule a public hearing.*

Background

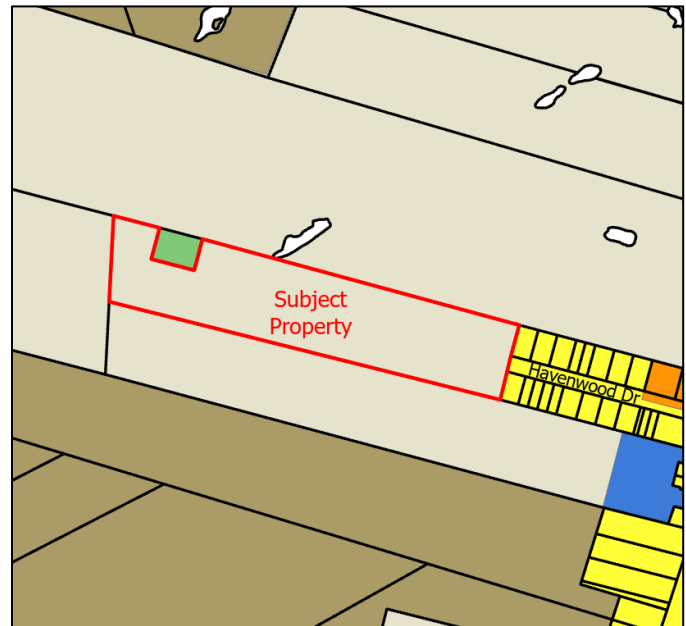
Planning staff received an initial application from RYC Property Ltd. in February 2024. The application proposes to change the Generalized Future Land Use Designation of lands identified as PID 45097227 from Rural Use (RU) to Established Residential Neighbourhood (ER) and to rezone the same from Rural Use (RU) to the Two Dwelling Unit Residential (R2) Zone. Changing the land use designation and zone would then allow the applicant to extend Havenwood Drive to allow for the construction of 47 semi-detached dwellings for a total of 94 dwelling units. The subject property is located in the Shubenacadie Growth Management Area. The new wastewater treatment facility for Shubenacadie is expected to be commissioned in June/July.

Discussion

SUBJECT PROPERTY

The subject property is shown on the map to the right and is identified as PID 45097227, Havenwood Drive, Shubenacadie. The total area of the subject land is approximately 5.9 ha.

The property is zoned Rural Use (RU) Zone. Property to the east is zoned Two Dwelling Unit Residential (R2) Zone, and property to the north, south, and west is zoned Rural Use (RU) Zone. The Municipality owns a 0.21 hectare parcel of land that is zoned Open Space (OS), which is currently landlocked but it will eventually have frontage on the Havenwood Drive extension. The subject property has frontage on Havenwood Drive and the lands are located in the Shubenacadie Growth Management Area.

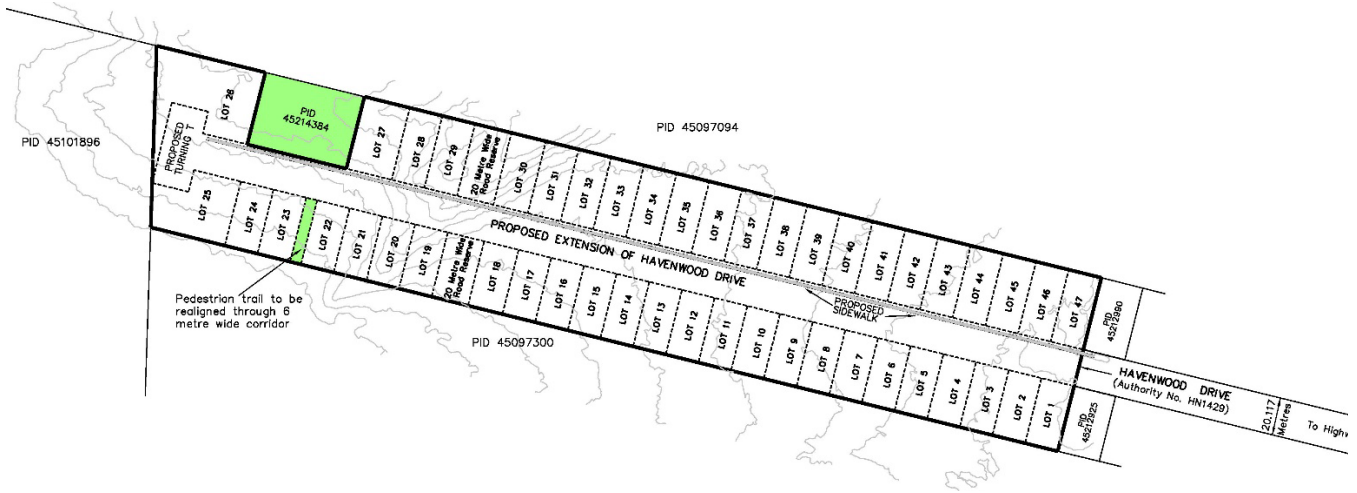


DEVELOPMENT PROPOSAL

The purpose of this application is to amend the Municipal Planning Strategy and Land Use Bylaw to allow for the extension of Havenwood Drive, Shubenacadie, and the development of 47 semi-detached structures, for a total of 94 dwelling units. A concept plan of the proposed development is shown on the following page and is attached as Appendix A.

Havenwood Drive had intended to be extended to allow for the continued development of the road; however, limitations with the Shubenacadie sewage treatment facility prevented the land from being further developed. Now that the new wastewater treatment facility is almost complete, development in the Shubenacadie GMA is expected to increase.

Since the initial development of Havenwood Drive in the late 1980s, Subdivision Bylaw regulations have changed. The developed portion of Havenwood is a public gravel road owned by the Province. Under the Subdivision Bylaw regulations, the proposed road extension will be a Municipally owned paved road with a sidewalk. Therefore, in order to prevent the creation of another road gap issue, staff recommend that if the application is approved Bylaw F100, Local Improvement Charges Bylaw be used to pave the gravel road portion of Havenwood Drive. Specifics of how the road improvements will be paid for will be determined at a later date.



POLICY ANALYSIS

Policy IM11 of the MPS is the policy that permits Council to consider the proposed mapping amendments. East Hants Council has to determine if the proposed application is in the best interest of the Municipality.

Policy IM11 - Permits Council to consider private applications to amend the MPS where the proposed amendments are in the best interest of the Municipality.

As part of the application, staff are consulting with our reviewing agencies, including the Municipal Department of Infrastructure and Operations who have indicated that the lift station that services the current residents on Havenwood Drive will most likely have to be upgraded.

The Chignecto Central Regional Centre for Education projects that there could be a total student yield of 47 new students from the proposed development. These projections do not exceed the capacity of the local schools.

Under the current Subdivision Bylaw regulations, a maximum of 100 lots may be created on one road access to a collector or arterial road. The current regulations do not limit the number of dwelling units that may be constructed. Therefore, if approved the applicant may construct all of the proposed dwelling units but may not subdivide all of the individual semidetached buildings into their individual lots.

CITIZEN ENGAGEMENT

Planning staff will comply with the Citizen Engagement Policies of the Municipal Planning Strategy when processing this application. An advertisement outlining the application and indicating that it had been received and was under review by staff was placed in the *Chronicle Herald* in March 2024. A Public Information Meeting (PIM) for the application was held on May 7, 2024, notes from the meeting have been attached as Appendix C.

The majority of residents who attended the PIM had concerns with flooding on Havenwood Drive. Residents along the street have already experienced flooding and are worried that future development could make the existing issues worse. As mentioned at the meeting, if the application is approved the applicant will have to prepare a stormwater management plan in accordance with our Municipal standards. Although the developer is not required to fix the existing issues they are not supposed to make the current situation worse. Instead, pre and post stormwater flows should be balanced.

A questionnaire for the application has been mailed to residents within 300 m of the application site. The results of the questionnaire will be included in the final staff report.

STRATEGIC ALIGNMENT

The 2021-2024 East Hants Strategic Plan identifies ‘Strong Community’ as one of the four areas of strategic focus. The proposed development provides for new housing, which helps to support a strong community.

LEGISLATIVE AUTHORITY

The legislative authority is set out in the Municipal Government Act, Part VIII. This part of the MGA sets out the process for MPS and LUB amendments to be considered and for consideration of a development agreement.

FINANCIAL CONSIDERATIONS

A fiscal impact analysis will be completed for the final staff report.

Alternatives

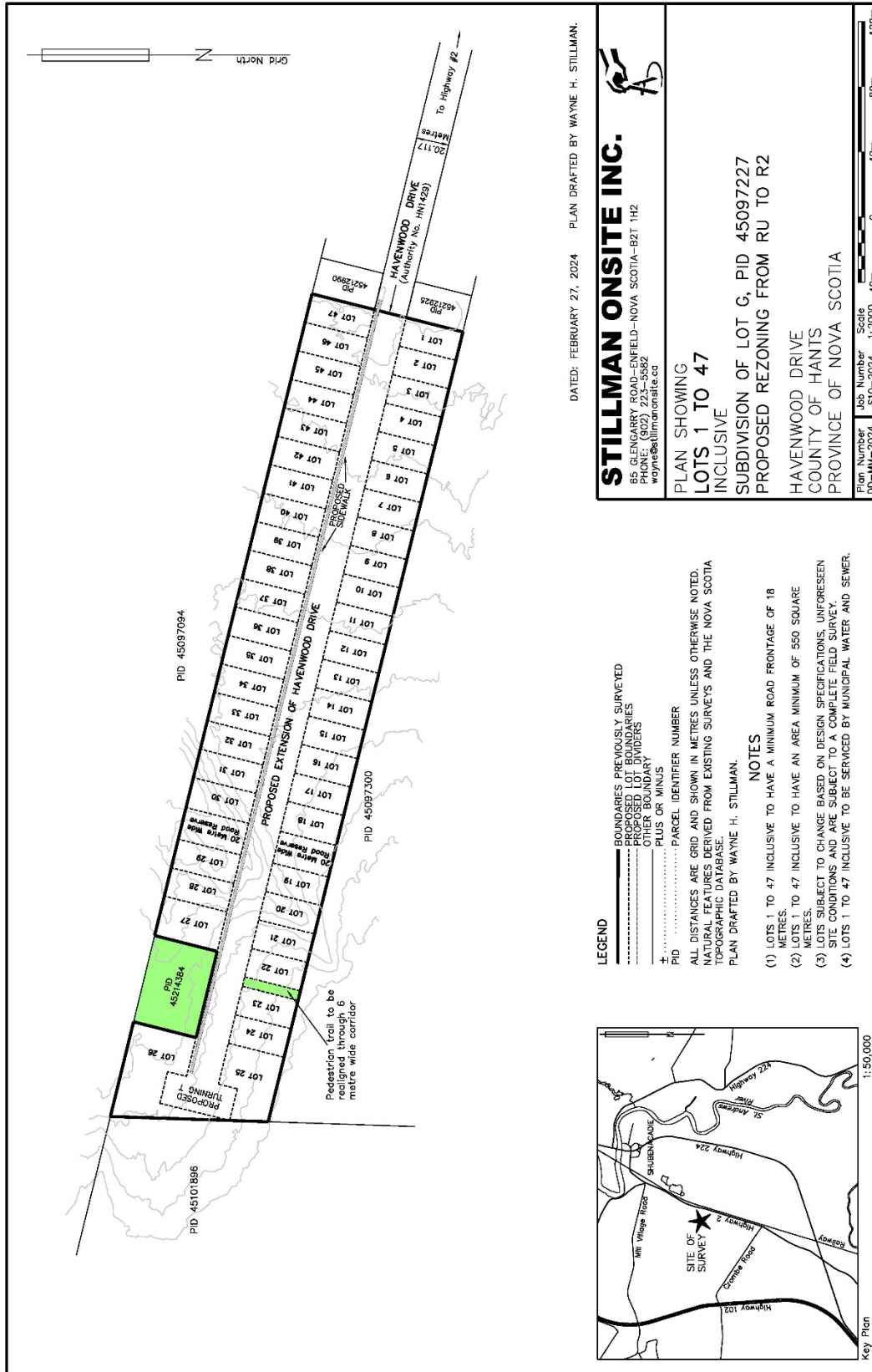
Planning Advisory Committee could recommend not to proceed with the application.

Attachments

Appendix A - Concept Plan

Appendix B - Photos of the subject property

Appendix C - Notes from the public information meeting



DATED: FEBRUARY 27, 2024 PLAN DRAFTED BY WAYNE H. STILLMAN.



STILLMAN ONSITE INC.

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PLAN SHOWING

LOTS 1 TO 47

INCLUSIVE

SUBDIVISION OF LOT G, PID 45097227

PROPOSED REZONING FROM RU TO R2

HAVENWOOD DRIVE

COUNTY OF HANTS

PROVINCE OF NOVA SCOTIA

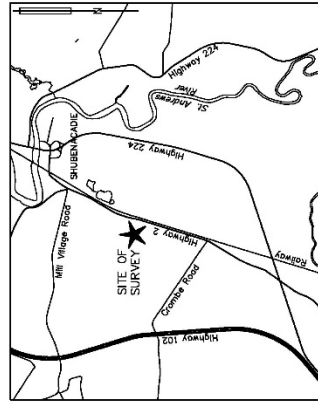
LEGEND

- BOUNDARIES PREVIOUSLY SURVEYED
- - - BOUNDARIES OF THIS SURVEY
- PROPOSED LOT BOUNDARIES
- OTHER BOUNDARY
- ± PLUS OR MINUS
- PARCEL IDENTIFIER NUMBER

ALL DISTANCES ARE GRID AND SHOWN IN METRES UNLESS OTHERWISE NOTED.
 NATURAL FEATURES DERIVED FROM EXISTING SURVEYS AND THE NOVA SCOTIA
 TOPOGRAPHIC DATABASE.
 PLAN DRAFTED BY WAYNE H. STILLMAN.

NOTES

- (1) LOTS 1 TO 47 INCLUSIVE TO HAVE A MINIMUM ROAD FRONTAGE OF 18 METRES.
- (2) LOTS 1 TO 47 INCLUSIVE TO HAVE AN AREA MINIMUM OF 550 SQUARE METRES.
- (3) LOTS SUBJECT TO CHANGE BASED ON DESIGN SPECIFICATIONS, UNFORSEEN SITE CONDITIONS AND ARE SUBJECT TO A COMPLETE FIELD SURVEY.
- (4) LOTS 1 TO 47 INCLUSIVE TO BE SERVICED BY MUNICIPAL WATER AND SEWER.



Key Plan 1:50,000

Appendix B - Photos of Subject Property



Public Information Meeting

Proposed Municipal Planning Strategy and Land Use Bylaw Mapping Amendments Application from RYC Property Ltd.

Lloyd E. Matheson Centre, Elmsdale

May 7, 2024

Staff in attendance: Rachel Gilbert, Manager of Planning (Chair)
Debbie Uloth, Community Planner II
Lee-Ann Martin, Planner/Development Officer

Applicant: John Paul Cyr, RYC Properties Ltd.

Public in Attendance 12 members of the public
Councillor Mitchell
Councillor MacPhee
Councillor Isenor
Councillor Perry

Questions and Comments:

- Concerns regarding flooding and increase water in the area causing flooding of basements. Questions regarding what is going to be put in place to mitigate increase water flow?
- Concerns regarding correspondence with NSPW and their response for flooding and culverts in the area, the need for the road to be graded, and snow clearing.
 - Debbie explained the subdivision process and requirements of a stormwater management plans for the development and what the purpose of the plans are.
- Comment regarding the need to develop Shubie but concerns regarding the paving and that all paving should be done at once.
 - Debbie commented on the process for a local improvement for paving the rest of Havenwood.
- Comment saying the existing infrastructure is inadequate
- Comment on the problem with water around the wastewater treatment plant and flooding in the area and the ditch and culverts in the area are too small and water cannot drain because of the CN railway

- Traffic along Highway 2 is bad on the road and is continuing to get worse. Increase in units will only make the traffic worse.
- Further comments on how CN Railway needs to do something with their culvert and the applicant will not be able to drain water from the new development unless the culverts are upgraded. There is nowhere for the water from this development to go.
 - Applicant indicated the water problems will all be looked at through the stormwater management plans. Debbie indicated she would check with I&O to see about their discussions with CN Rail.
- Further concerns regarding increase in water from the high rainfalls happening within the area
- Question regarding if the housing will be low-income
 - Applicant indicated that low-income is not the plan for the development. Applicant further addressed the water concerns.
- Question regarding the number of dwelling units proposed and the concerns regarding how the increase in cars from this development will impact the access to Highway 2.
 - The number of dwelling units proposed and number of lots was confirmed. The subdivision regulations regarding 100 lots on a single access was outlined. Further clarification was provided on why there are the future road connections proposed in the development.
- Comment on how people will end up parking on the road.
- Comment regarding how the unpaved portion of the road cannot handle the increase in cars in the condition that it is in.
- Question on the minimum lot frontage requirement for an R2 lot.
- Question regarding the continuation of the trail and where the trail currently runs.
- Comment on the desperate need of quality growth in Shubie as there has been a lot of loss of commercial in the area. The infrastructure work in the area needs to be done regardless of this development.
- Concerns regarding rats in the area.
- The next steps in the application process and subdivision process were outlined by staff.
- Question on what the process is for people in the area who have concerns regarding the roads, water, culverts, who do they contact?
- Further concerns on plowing of the road.
- Concern about if residents' taxes would be used to pave the road if the developer does not pay.