



Subject: *Maple Tree Holdings - MPS and LUB Mapping Amendments*
To: CAO for Planning Advisory Committee, May 21, 2024
Date Prepared: May 6, 2024
Related Motions: PAC24(9) February and C24(56)
Prepared by: Rachel Gilbert, Manager of Planning
Approved by: John Woodford, Director of Planning and Development

Summary

The Municipality has received an application from Maple Tree Holdings to redesignate and rezone a portion of their property in Mount Uniacke. The rezoning will enable buildings with a floor area greater than permitted in the Regional Commercial Zone. This report recommends that first reading be given and authorization be given for a public hearing to be scheduled.

Financial Impact Statement

There are no immediate financial impacts associated with the recommendations of this report. Information on the financial impact of the amendments will be provided in the final report.

Recommendation

That first reading be given to the MPS and LUB amendments and that authorization be given to schedule a public hearing.

Recommended Motion

Planning Advisory Committee recommends that Council:

- *Give first reading and authorize staff to schedule a public hearing to consider a proposal from Maple Tree Holdings to change the designation and zone of a portion of property identified PID 45426301 from Regional Commercial (RC) to Business Park (BP).*

Background

In January 2024, the Municipality received an application from Maple Tree Holdings Ltd. requesting to redesignate and rezone a portion of their property in Mount Uniacke from Regional Commercial (RC) Designation and Zone to Business Park (BP) Designation and Zone.

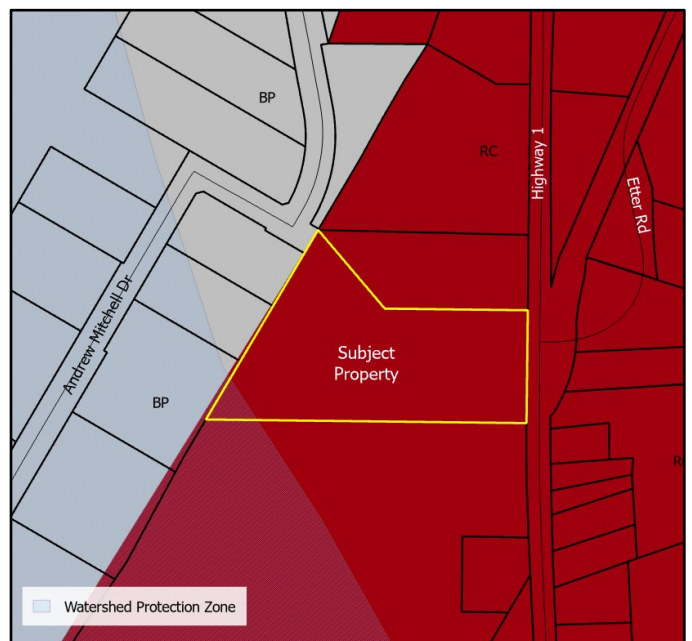
Site Plan Approval is required for many of the permitted uses in the Regional Commercial Zone. The property owner has already applied for site plan approval for the commercial building fronting onto Highway 1 (as shown on the submitted site plan). Approval has not yet been given for the application as the Development Officer is awaiting information from the property owner.

A public Information Meeting was held in Mount Uniacke on April 2, 2024.

Subject Property

An excerpt of the zoning map and aerial photography map below show the location of the subject property identified as PID 45426301 and is located along Highway 1 in Mount Uniacke. The property totals approximately 2.41 Ha in size and has approximately 91 metres of frontage along Highway 1.

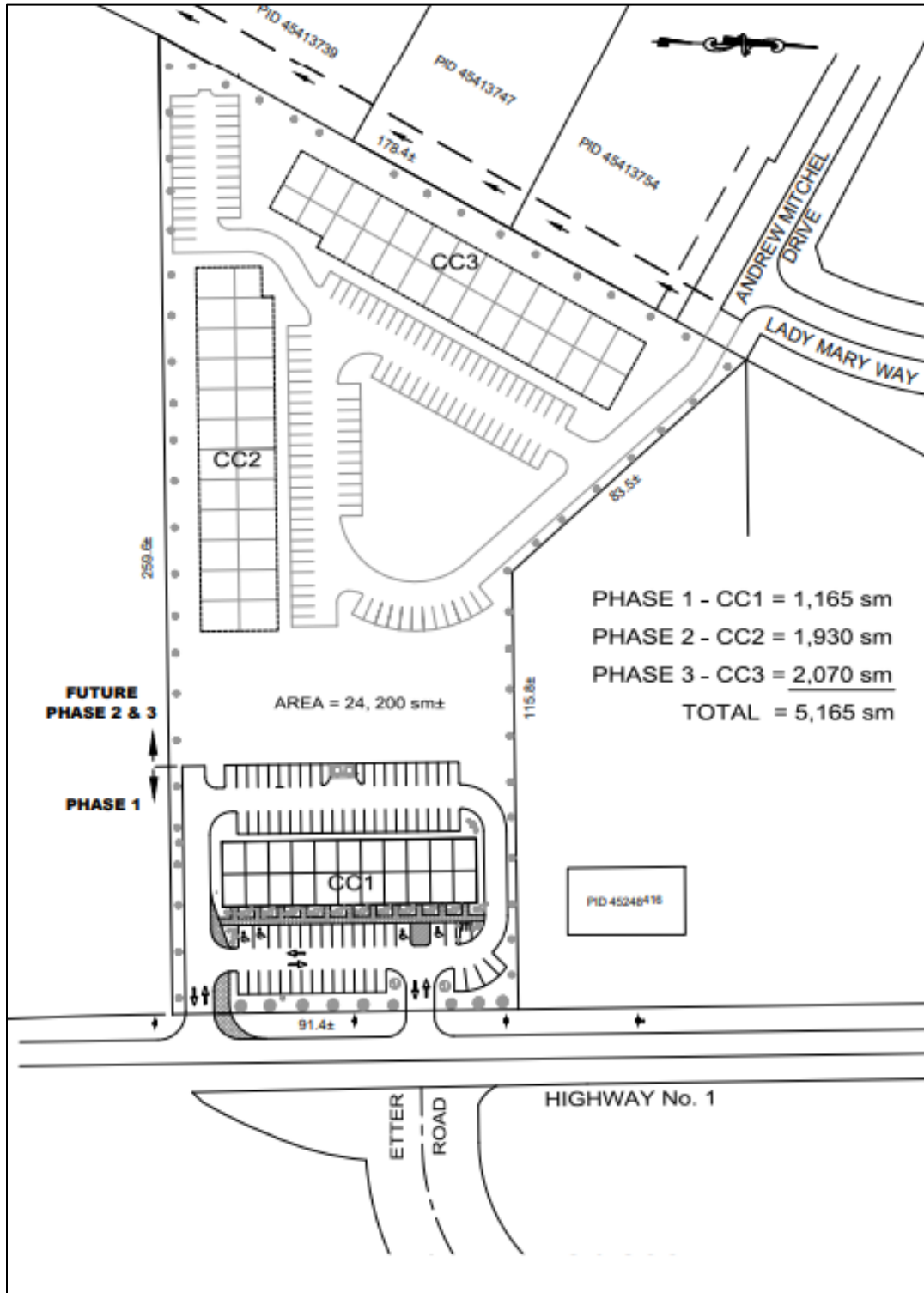
The property is designated and zoned Regional Commercial (RC). A small area of the Pockwock Watershed Protection Overlay (WP) Zone is located along the south western edge of the property. The Mount Uniacke Business Park is located immediately to the rear of the property and this area is zoned Business Park (BP). Andrew Mitchel Drive extends to the edge of the property. The land opposite the property on Highway 1 and also on both sides are zoned Regional Commercial (RC).



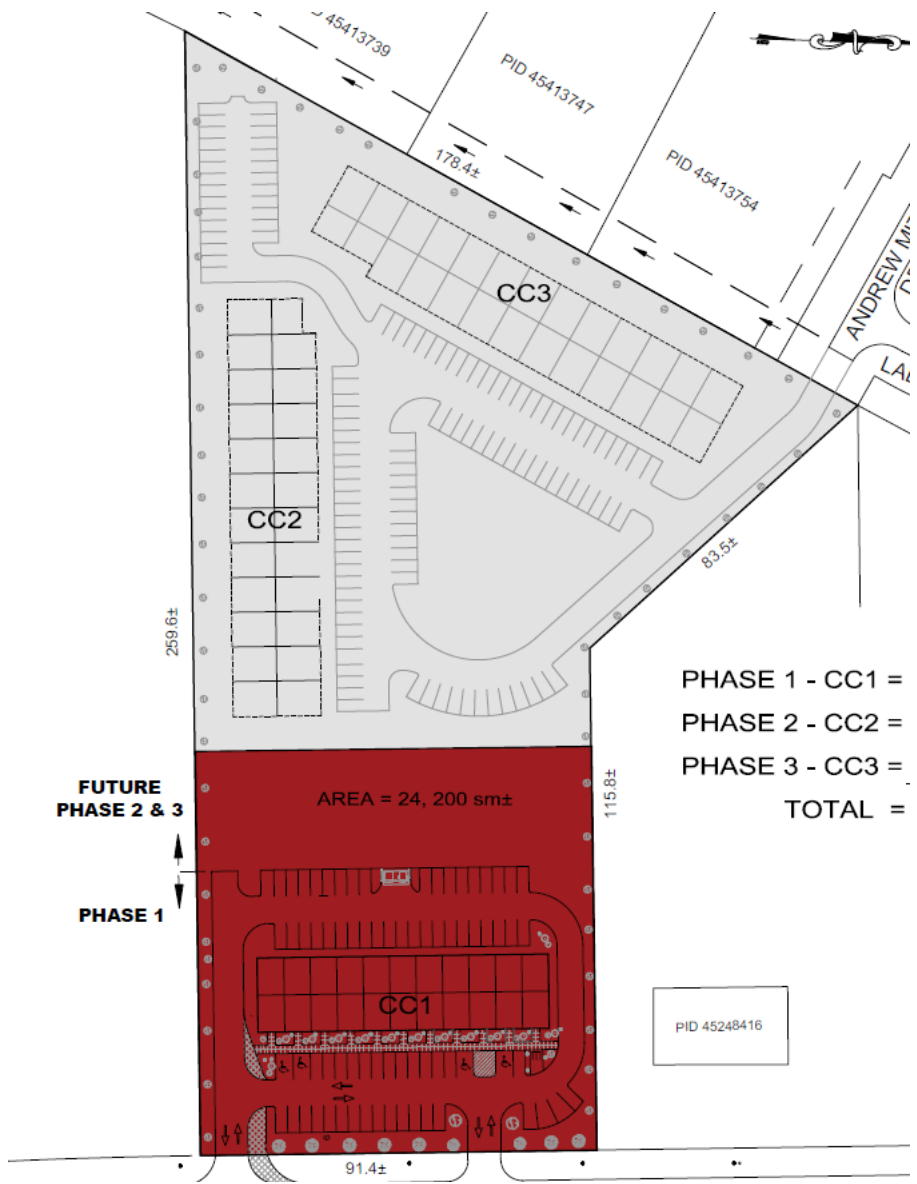
Development Proposal

The purpose of this proposal is to amend the Generalized Future Land Use Map (GFLUM) and the Land Use Bylaw Map to change the designation and zone of the rear of the property from Regional Commercial (RC) to Business Park (BP).

The site plan includes a driveway from Andrew Mitchell Drive for the rear two buildings and separate driveways off Highway 1 for the building fronting this road.



The current application is for the rear portion of the lot which will be accessed with a driveway off Andrew Mitchell Drive. This will create a split zoned property. The front portion of the lot is proposed to be maintained as Regional Commercial (RC) designation and zone. This will mean that the area of the lot fronting onto Highway 1 is maintained with a zoning which is consistent with the surrounding lots and therefore the scale of development and the types of uses permitted will be in keeping with the surrounding properties. The back portion of the lot will be in keeping with land uses in the Business Park. The zoning map below identifies the location of the proposed Business Park (BP) designation and zoning.



Comments were made at the February meeting of Planning Advisory Committee regarding access off Andrew Mitchell Drive being via a driveway and not as an extension of a municipal street, particularly with the concept plan showing smaller individual commercial units. The land can currently be developed now in the RC Zone with this access arrangement and layout of buildings but staff acknowledge that the size of permitted buildings in the Business Park (BP) Zone could be larger than would be for the Regional Commercial (RC) Zone and therefore the amount of traffic using the driveway would potentially be greater than would be permitted in the Regional Commercial (RC) Zone.

The following is a summary table of the requirements for both the Regional Commercial (RC) and Business Park (BP) Zones. The information below has been summarized for properties with on-site services. The zone requirements for properties which are serviced with municipal central sewer and water services have different requirements.

	Regional Commercial (RC)	Business Park (BP)
Minimum Lot Area	8,100 m ²	4,000 m ²
Minimum Lot Frontage	60 m	52 m
Minimum Front Yard	20 m	9 m
Minimum Rear Yard	12 m	12 m
Minimum Exterior Side Yard	6 m	6 m
Minimum Flankage Yard	6 m	6 m
Maximum Building Height	16 m	n/a
Maximum Commercial Floor Area	4,650 m ²	n/a

The redesignation and rezoning will enable the property owner to construct buildings with a larger footprint than permitted in the Regional Commercial Zone as the Business Park does not limit the footprint of buildings. Site Plan Approval is not required in the Business Park (BP) Zone.

The site plan submitted with this application suggests 3 buildings with a footprint of 5,165 sqm. They are proposing multi-tenant small scale units. The plan for the two rear buildings should be viewed as a concept only as the developer is not required to construct in accordance with the site plan submitted. If approval is given to the redesignation and rezoning the developer can construct any layout for the site and any size of building which is permitted by the Land Use Bylaw.

A copy of the table in the Land Use Bylaw which lists land uses that are permitted in each zone has been added as Appendix A to this staff report.

Discussion

LEGISLATIVE AUTHORITY

The Municipal Government Act, Part VIII gives legislative authority for this application. No right of appeal to the NS Utility and Review Board is set out in the MGA.

FINANCIAL CONSIDERATIONS

A financial impact analysis will be provided in the final staff report.

MUNICIPAL PLANNING STRATEGY POLICY ANALYSIS

Staff are currently reviewing the proposed amendments based on the applicable policies contained in the Municipal Planning Strategy (MPS).

A detailed table of the evaluative criteria from the enabling policies and corresponding comments from Staff and reviewing agencies will be attached to the final report. Staff have requested comments from internal departments and external agencies which includes staff from Economic & Business Development and from Roads and Engineering.

At the Public Information Meeting comments were made regarding the impact on the road networks in Mount Uniacke. The roads in the Business Park are owned and maintained by the municipality and these roads feed onto Highway 1 which is a provincial road. The NS Department of Public Works were requested to comment regarding the application and have responded with no concerns raised.

In evaluating this application, Staff will refer to MPS polices associated with the Business Park (BP) designation, as well as general policies related to amending the MPS and the Land Use Bylaw (LUB).

Council’s decision on this application is not appealable to the NSUARB as it involves an amendment to the MPS.

Citizen Engagement

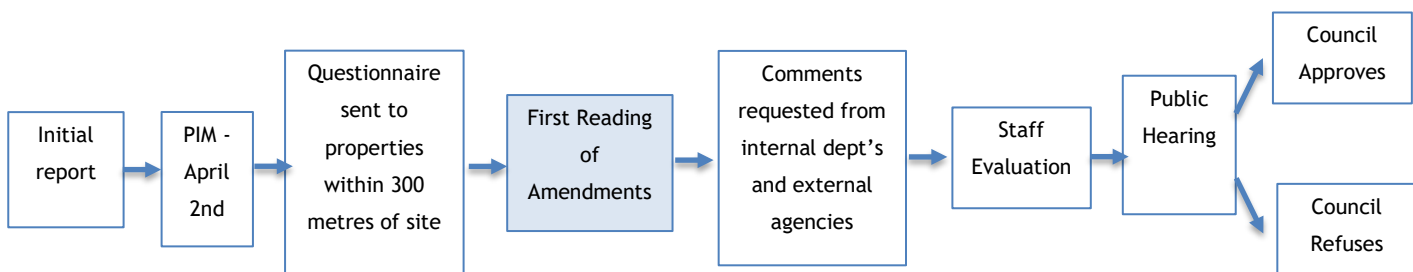
The Citizen Engagement Policies of the Municipal Planning Strategy provide direction on how to seek comments form the public regarding planning applications. An advertisement outlining the proposal and indicating that it is under review by staff was placed in the *Chronicle Herald*.

As part of the review process for MPS amendments, a Public Information Meeting (PIM) is required to hear input from the community. A letter was mailed to all property owners within 300 metres of the subject property with details of the date, time and location of the PIM. The PIM was held on April 2, 2024 at the Mount Uniacke & District Fire Hall. The meeting was to discuss two applications and residents had an opportunity to ask questions regarding the application. The PIM was very well attended. A copy of the notes taken at the PIM are appended to this staff report.

Following the PIM, a letter and questionnaire has been mailed to all residents and property owners within 300m of the subject property. A total of 65 questionnaires were mailed out in mid-April. To date four questionnaires have been returned. Copies of those questionnaires have been scanned and made available for PAC. Copies of the returned questionnaires will be scanned and provided to PAC with the final staff report and a summary of the comments will be provided in that report.

Conclusion

Staff will continue to review the proposal to change the designation and zone of a portion the property from Regional Commercial (RC) to Business Park (BP). The proposed amendments will be evaluated using all applicable policies in the Municipal Planning Strategy. Staff will make a recommendation to PAC in the final staff report.



Recommendation

That Planning Advisory Committee recommend that Council authorize staff to schedule a Public Information Meeting.

Alternatives

If the PAC does not support this application, they can choose to recommend that Council not move forward with the application. Planning staff do not support this approach and recommend that the file be taken to a Public Hearing to allow staff to complete their full review and analysis of the policies to be provided to PAC and Council in the final staff report.

Attachments

Appendix A - notes taken at the Public Information Meeting

Appendix B - copy of land use bylaw pages showing list of land uses permitted in the Regional Commercial (RC) Zone and the Business Park (BP) Zone