

Appeal of Site Plan Approval

10 Maplewood Lane, Elmsdale

September 25, 2024

Planning & Development



EAST HANTS

Background

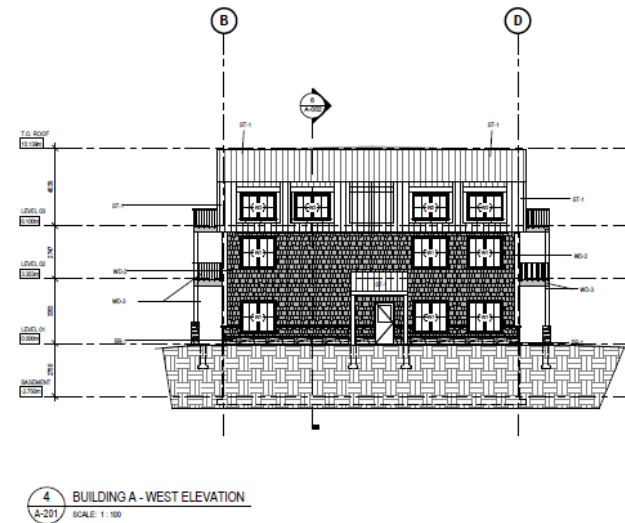
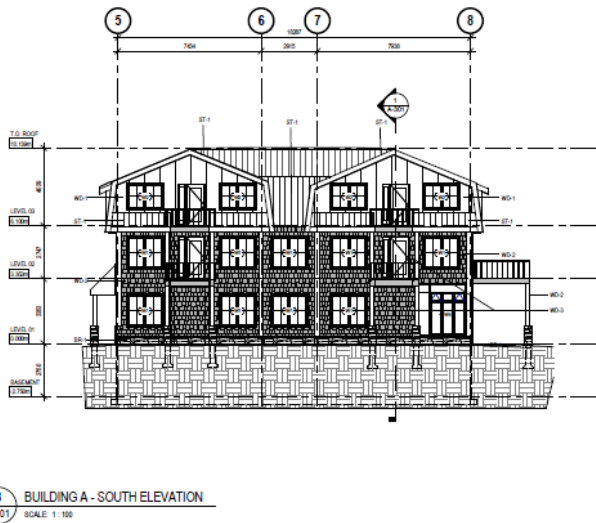
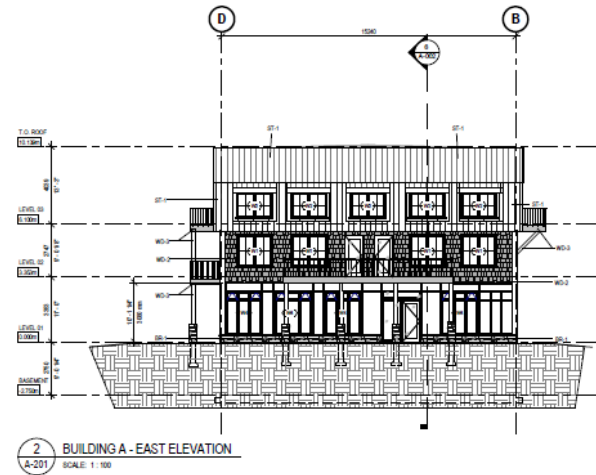
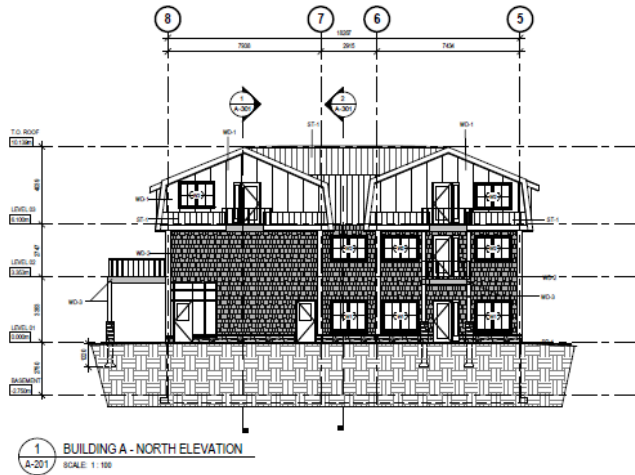
- Site plan approval is a development control tool that is enabled by the Municipal Government Act (MGA) to provide a more streamlined approach to development using the Land Use Bylaw (LUB).
- The LUB identifies the use that is subject to site plan approval, the area where site plan approval applies, the criteria the Development Officer shall consider prior to granting site plan approval, and the notification area.
- There are several zones in the Land Use Bylaw that permit development by site plan approval, including the Village Core (VC) Zone. This zone also includes architectural design and landscaping requirements through the Form-Based Zone Requirements.
- The Development Officer is obligated to grant site plan approval to any proposal that meets the requirements of the Land Use Bylaw.

Background

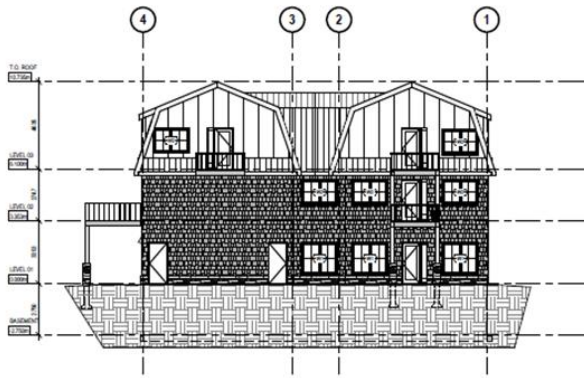
- An application for site plan approval was received in August 2024 for multiple unit dwellings with a minimum of 8 dwelling units to a maximum of 12 dwelling units subject to the Form-Based Zone Requirements for the Village Core (VC) Zone
- The application is for one (1) 8-unit apartment building and one (1) mixed use residential/commercial building
- The development is proposed on Maplewood Lane at PID 45083326. The property is required to be subdivided to accommodate one building per lot

Discussion

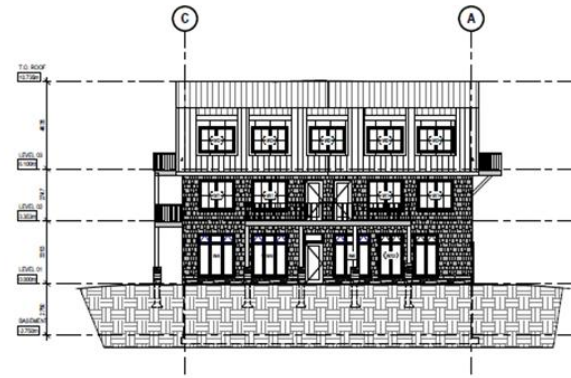
- Over several months, the site plan, building design drawings, and servicing information were reviewed by staff
- The documents were revised multiple times until it was deemed to meet the requirements of the Form-Based Zone Requirements for the Village Core (VC) Zone
- This includes architectural design standards, site design and landscape guidelines
- On August 2, 2024, property owners within 30 metres of the subject property were notified of the site plan approval
- An appeal was received on August 20, 2022 from Harald Schwartz, 20 Maplewood Lane, Elmsdale. A copy of the letter was posted for Council



Building Elevations - Building A



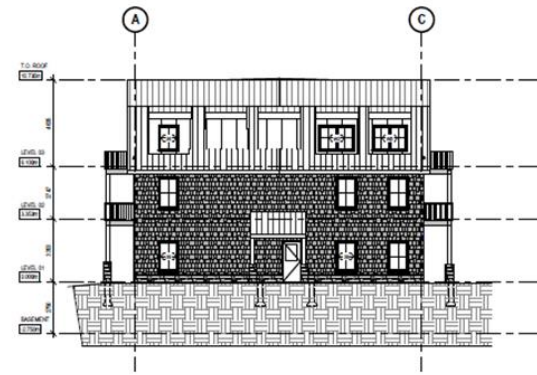
1 BUILDING B - NORTH ELEVATION
A-202 SCALE: 1:100



2 BUILDING B - EAST ELEVATION
A-202 SCALE: 1:100



3 BUILDING B - SOUTH ELEVATION
A-202 SCALE: 1:100



4 BUILDING B - WEST ELEVATION
A-202 SCALE: 1:100

Building Elevations - Building B

Discussion

- Stormwater management detail was provided as part of the package. It was reviewed and approved by Nova Scotia Public Works (NSPW)
- Water and sewer capacity will be reviewed by I&O at the time of a building permit application. However, based on usage of similar size developments, there should be capacity available.
- Maplewood Lane is a private road. Highway 2 is owned by the province. NSPW reviewed the proposed site plan and intersection design and had no objections. The developer will have to apply for a Work Within Highway Right-of-Way permit should the project proceed
- As per Section 232 (3) of the Municipal Government Act (MGA), Council, in hearing an appeal concerning a site plan approval, may make any decision that the Development Officer could have made
- Council may overturn the decision of the Development Officer if the approval was in contravention of the criteria as set out in the Form-Based Zone Requirements for the Village Core zone, which was used to evaluate the site plan.

Recommendation

That following the submission from the appellant, Council consider the suggested motion to uphold the decision of the Development Officer and dismiss the appeal.

Recommended Motion

Council hereby upholds the decision of the Development Officer to grant site plan approval for the proposed development on PID 45083326 and therefore dismisses the appeal of Harald Schwartz