

**PLANNING ADVISORY COMMITTEE MEETING
AGENDA**

**Thursday, February 27, 2020
7:00 P.M.**

Page

1. CALL TO ORDER
2. ELECTION OF CHAIR AND VICE CHAIR
 - 2.1 Nomination of Chair
 - 2.2 Election of Chair
 - 2.3 Nomination of Vice Chair
 - 2.4 Election of Vice Chair
3. REVIEW OF PROCEDURE FOR PUBLIC TO ADDRESS THE COMMITTEE – CHAIRPERSON (below)
4. APPROVAL OF AGENDA (any other items to be added)
5. APPROVAL OF MINUTES OF JULY 25, 2019 MEETING AS CIRCULATED
6. BUSINESS ARISING FROM MINUTES
7. PLANNING ADVISORY COMMITTEE MATTERS:
 - 7.1 Stonemont Retirement Living Complex Osprey Village SPS & LUB Amendment 1-20
 - 7.2 Mandatory Minimum Planning..... 21-43
 - 7.3 Alternative PAC Meeting Date - April 23, 2020 verbal
8. HERITAGE ADVISORY COMMITTEE MATTERS
9. ADDED ITEMS
10. IN CAMERA
11. NEXT MEETING DATE: Thursday, March 26, 2020
12. ADJOURNMENT

PROCEDURE FOR ADDRESSING THE COMMITTEE

An opportunity will be provided to all citizens to address the Committee on each agenda item shown on this Agenda or added to the Agenda by the Committee. Individuals who wish to address the Committee are asked to note the following:

- *On each matter on the Committee's Agenda, the Chair will seek public comment upon the completion of staff's presentation.*
- *Each person shall state their name.*
- *All statements and questions shall be directed to the Chairperson.*
- *Presentations shall be limited to 10 minutes. Persons wishing to address the Committee a second time will be given opportunity to do so once all others in attendance have had the opportunity to address the Committee. Persons addressing the Committee for a second time shall limit their presentations to 5 minutes.*

Anyone wishing to address the Committee on a matter not included on this Agenda can have the matter added to the next meeting's Agenda by contacting Jeff Merrill, Director of Planning, at 902-541-1340 or by email at planning@modl.ca



Municipality of the District of Lunenburg

REQUEST FOR DECISION

REPORT TO: Planning Advisory Committee
SUBMITTED BY: Byung Jun Kang, Planner
DATE: February 27, 2020
SUBJECT: PL200002 – Stonemont Retirement Living Complex
Osprey Village Secondary Planning Strategy
& Land Use By-law Amendment

ORIGIN

Application by the Municipality to amend the Osprey Village Secondary Planning Strategy and Land Use By-law to allow the construction of a 150-unit retirement home.

LEGISLATIVE AUTHORITY

Municipal Government Act, Subsection 210(1):

Where a council adopts a municipal planning strategy or a municipal planning strategy amendment that contains policies about regulating land use and development, the council shall, at the same time, adopt a land-use by-law or land-use by-law amendment that shall enable the policies to be carried out.

RECOMMENDATION

That the Planning Advisory Committee recommend the Municipal Council to give notice of its intention to approve a by-law amending the Osprey Village Secondary Planning Strategy and its Land Use By-law, and conduct First Reading of the same.

EXECUTIVE SUMMARY

A 150-unit retirement home is proposed next to the new Municipal Building in Osprey Village, facing Highway 10. This development requires a planning amendment to allow residential uses without a ground floor commercial use, lower number of parking spaces and reduced building height requirements, among other minor adjustments. Staff determines that the proposed development fits with all the amendment considerations, and recommends amending both the Secondary Planning Strategy and the Land Use By-law to permit the construction of the proposed building.

BACKGROUND

A 4-storey, 150-unit retirement home is proposed on the portion of PID 60631009, located next to the new Municipal Building in the Osprey Village Plan Area. The site is bounded by the Nova Scotia Power powerline easement, Highway 10, Nathan Cirillo Road and PID 60630985 at the corner of Pinegrove Road and Highway 10, as shown in Appendix B.

The retirement home, as shown in Figure 1, is intended for those who are retired and wish to have services and amenities in proximity to their residence. To accommodate the tenants' needs, the proposed development may include a dining hall, a games room, an assembly hall with periodic cultural events, a screen golf course, as well as a shuttle service to the Exit 12 shopping mall, the South Shore Regional Hospital, and the Lunenburg County Life Centre.

Tenants, staff and visitors will be encouraged to access the building from Nathan Cirillo Road rather than from Highway 10 for the least disruption of traffic. Signs will be installed to guide the public as to how to access the property, and grading may be required to accommodate for the access point.

While the current General Commercial (GC) Zone allows for residential uses, it is with the condition of reserving the ground level for commercial uses. By amending the Secondary Planning Strategy and the Land Use By-law, residential uses may be permitted on all levels of building.



Figure 1. A rendering of the building that the applicant recently constructed. The applicant stated that the rendered development is very similar in size, aesthetics and nature to what the applicant would propose for the Municipality.

DISCUSSION

The development proposal requires amendments to the Osprey Village Secondary Planning Strategy (SPS) and the Land Use By-law. The By-law should be amended

1. to allow a sole residential use and a retirement home use in the GC Zone;
2. to reduce the minimum number of parking spaces;
3. to allow parking lots and multi-use trails in the Open Space (OS) Zone;
4. to relax the maximum height of structures;
5. to relax the signage requirements;
6. to define the term “Retirement Homes”; and
7. to provide for the phasing-in of an increase in the taxable assessed value of the municipal property in the Plan Area with a Commercial Development District.

Permitting of Full Residential Uses

The current site is zoned as the GC Zone under the Enterprise Designation. The purpose of the GC Zone is to allow a broad range of commercial uses; specifically, the zone allows for automobile-oriented, big-box commercial uses that cannot be accommodated in the Village Centre (VC) Zone.

The GC Zone also allows the permitted uses in the VC Zone, including residential uses. The condition for residential uses, however, is for commercial activity to take place on the first floor of building. This can be accommodated either by permitting residential uses on the ground level in the GC Zone, or by rezoning the site to the MU Zone, which is intended for high-density residential uses.

Option 1: Amending the Permitted Uses of the GC Zone. To allow a certain land use in a zone, the land use must meet the intention of the zone stated in the SPS. While the intention of GC Zone is to permit a broad range of commercial uses under Policy 3.1.6, Policy 3.1.1 allows the Enterprise Designation – which the GC Zone is a part of – to permit a mix of commercial and medium to high density residential uses. Therefore, permitting residential uses on the ground floor would conform to the intention of the Enterprise Designation. Despite the conformity, Policy 3.1.6 requires clarification by adding the phrase “and medium to high density residential uses”. This option is recommended as the amendment to the SPS is required regardless of the choice.

Option 2: Rezoning from the GC Zone to MU Zone. The proposed site may be rezoned from the GC Zone to the MU Zone, as shown in Appendix C, which is already intended for medium to high density residential uses. Because both the GC Zone and the MU Zone are under the same land use designation, the amendment to the SPS is not required.

To proceed with amendments, Policy 4.0.7 (By-law Amendment Criteria) is evaluated in Table 1, along with the staff comment for the Council's consideration.

Table 1 <i>By-law Amendment Considerations</i>		
Policy 4.0.7 a)	The impact of the proposed use and uses permitted in the zone on traffic with respects to traffic hazards, congestion, and pedestrian hazards	<p>Satisfied with conditions. Considering the proposed development (1) can be adequately serviced with 50 parking spaces due to a lower ownership rate of vehicles by prospect tenants, (2) will lower car demands with a shuttle service, (3) has access to amenities and services within a 5-min walking distance, and (4) will not affect the capacity of Nathan Cirillo Road and Highway 10 by much due to the configuration of driveways, the increased vehicular traffic is negligible.</p> <p>Staff at the NS Transportation & Infrastructure Renewal requested for a Work Within Highway Right-of-Way Permit prior to any groundwork. Further, plans illustrating geometric design of the intersection and management of stormwater must be included with the permit application.</p> <p>As stated in Appendix D, Trunk 10 access was approved as a variance in the Access Management Plan of Osprey Village. The condition is no driveway connectivity from Trunk 10 to the rear of the property, ensuring shortcutting opportunities cannot occur.</p> <p>Also, the access for future developments in this area is intended to be from Nathan Cirillo Road, not from Trunk 10. Additional access and additional traffic volume to Trunk 10 will not be permitted, so a perimeter driveway will result in revoking permission.</p> <p>Staff at the MODL Engineering & Public Works Department commented that 75 parking spaces would not be enough for this proposed site, contrary to the proposal.</p> <p>Engineering Department also sees the need to explore the securing of the pond, due to its proximity to the concentration of seniors and school children. Recreation Department disagrees with this claim.</p>
Policy 4.0.7 b)	The impact on the natural environment	<p>Satisfied. The proposed building is 100 metres away from the nearest significant watercourse. There is a pond within the proposed site, but it is not designated as significant.</p>

Policy 4.0.7 c)	The ability of the Municipality to absorb costs related to the development	Satisfied. The Municipality already invested in municipal services and infrastructure.
Policy 4.0.7 d)	The adequacy and proximity of community facilities for education, recreation and emergency services as well as other amenities	<p>Satisfied. The nearest school (Centre Scolaire de la Rive Sud) is 300 metres away; the proposed site has a direct access to walking trails; a shuttle service will be offered by the applicant to the LCLC.</p> <p>RCMP Lunenburg District Commander has no safety concerns about the site, as the additional residences should not significantly impact the ability of the RCMP to respond to calls for service, as stated in Appendix E. The District prefers the site to have a sole access from Nathan Cirillo only.</p> <p>Northfield District Fire Department Chief confirmed its adequate capacity to provide emergency services to the site, as stated in Appendix F. The Fire Department would respond in 7 minutes, and the Automatic Mutual-Aid Response system is in place, so Bridgewater, Dayspring, Hebbville and Oakhill Fire Departments will respond as well.</p> <p>Fire Services Coordinator highly recommend developing a Fire Evacuation Plan for the residents, as well as the Pre-Incident Plan – the drafting may be assisted by The Regional Emergency Management Organization Coordinator.</p> <p>It is also recommended to arrange a rear parking lot, so that fire services have an access point to the pond as a backup water supply.</p> <p>A full 360-degree driveway access around the building is preferred.</p> <p>Emergency Health Services and the Regional Hospital is also in proximity to the site.</p>
Policy 4.0.7 e)	The adequacy of the street networks	Satisfied. Nathan Cirillo Road was built in 2019 with the consideration of extension to new streets. MODL Engineering & Public Works Department does not see issues with the capacity of municipal roads, as stated in Appendix G.

Policy 4.0.7 f)	The suitability of the site regarding grades, soils, geological conditions, location of watercourse, flooding, marshes, bogs, swamps, and proximity to natural or man-made hazards or land uses that could present a health risk or result in a poor-quality living environment.	Satisfied. As long as the draft Osprey Village Grading Plan is observed, then the proposed site should be suitable for development regarding grade.
Policy 4.0.7 g)	the adequacy of municipal services	Satisfied with condition. Central water and sewer lines, as well as public roads are already in place. Staff at the MODL Engineering & Public Works Department confirmed the adequacy of central sewer system capacity. The adequacy of central water system may be determined upon the completion of Water Service Plan by the Town of Bridgewater Public Service Commission, but there are concerns for a potential need for a water reservoir for adequate water capacity and pressure.

Defining the Proposed Development

The proposed development may be generalized as a multi-unit dwelling, or be specified as a retirement home. Since different rules apply for each permitted use, and considering the need for parking is significantly lower for a retirement home than for a multi-unit dwelling, defining the proposed use as a retirement home is deemed more suitable. Staff recommends adding a Retirement Home use in the list of permitted developments in Subsection 6.3.1 of the Land Use By-law, along with its definition.

Reduction of Minimum Parking Spaces

The applicant proposed to construct 50 parking spaces for their 150 units. Under Subsection 4.22.3 (Number of Parking Spaces Required), a senior citizen housing is required to have 1 space per 2 units, requiring at least 75 parking spaces for the proposed development. Staff recommends amending Clause G to “Retirement Homes – One (1) space for every three (3) dwelling units”.

Although the actual number of parking spaces would be decided at the site planning stage, the applicant determined that 50 to 65 spaces should be ample amount of parking for tenants, visitors and staff, based on similar developments in other provinces, such as the City View Retirement Community in Ottawa, ON.

Allowing Parking Lots and Multi-Use Trails in the OS Zone

A portion of the proposed site includes the Nova Scotia Power easement, which is under the Open Space (OS) Zone. Other than parks and walking trails, no development is permitted. The applicant would like to acquire the portion of property under easement for the site grading and the placement of a parking lot. An amendment is required to add parking lots to the list of permitted use in the OS Zone.

Municipality also has planned to construct a multi-use trail in the easement; however, the Zone restricts the trail use to walking only. A concurrent amendment would be necessary in order to proceed with the trail design.

Relaxation of the Maximum Height Restriction

The applicant proposed a 4-storey building. The current height restriction of the MU Zone is 14 metres, which is about 4 storeys. Since the building height depends on the height of each floor, staff recommends increasing the maximum heights of all structures to be 20 metres, which is approximately 6 storeys.

Relaxation of the Signage Requirement

The applicant proposed to install signs at the main entrance facing Highway 10 as well as the entrance at Nathan Cirillo Road. Currently, only one ground sign is permitted, unless it is a corner lot. The proposed site, once subdivided, will be considered as a through lot – a lot having frontage on two parallel streets or a lot that is not a corner lot that has frontage on two streets. Staff recommends amending Clause 10.1.4 c) to be applied to both corner lots and through lots.

Defining Retirement Homes

As previously stated, the term Retirement Home is not defined in the Land Use By-law. For a new definition, staff recommends using the following definition: “A retirement home is a residential complex containing multifamily dwelling designed for and principally occupied by senior citizens, in which such facilities may include a congregate meals program in a common dining area, but exclude institutional care, such as supervisory and personal cares, and are distinguished from homes for special cares defined by the Province of Nova Scotia.”

Commercial Taxation

A suggestion was made to provide for a tax incentive for the proposed development, as well as for the other future commercial developments in the Osprey Village Plan Area. Municipality may provide a deduction on the commercial property taxes in a certain area by establishing a Commercial Development District (CDD).

The CDD provides an opportunity for businesses within the District to generate revenue before the full property tax is imposed. This reduces the financial burden of newly-established businesses, which may contribute to the economic growth of the local community.

The legislative authority for the establishment comes from Section 71C of the *Municipal Government Act* and Section 8 of the *Minimum Planning Regulations*. Some of the requirements are the following:

- Clause 71C(1)(a): a separate by-law must be made for each district;
- Clause 71C(1)(b): a residential property is not eligible for incentive;
- Clause 71C(2)(a): the by-law may contain the phasing-in period not exceeding 10 years and the amount of incentive by percentage of assessed values;
- Subsection 71C(3): the by-law must be consistent with the SPS;
- Subsection 71C(4): the entire district must be serviced by water and sewer; and
- Regulation Clause 8(b): the SPS may include the eligibility criteria for establishing a commercial development district including all of the following:
 - the percentage increase in the taxable assessed value of the eligible properties, as defined in subsection 71C(1) of the *Act*, within the proposed Commercial Development District, and
 - the period over which the increase in the taxable assessed value of the properties occurs.

The percentage increase per year and the period of years may be defined in either the SPS or the new by-law. Staff recommends inserting the enabling clause of the establishment of Commercial Development District in the SPS, and allow the specific Commercial Development District by-law to state the eligibility criteria in detail.

WORK PLAN IMPLICATIONS

Once the Planning Advisory Committee recommends Council to give notice of its first reading to amend the Osprey Village Land Use By-law, the Council may choose to initiate the public participation process. Detailed schedule is listed in Table 2.

Table 2

Work Plan for the Planning By-law Amendment

Legislative Authority	Work Performed	Planned Date	Actual Date
<i>MDL-66, Subsection 2.1.1.</i>	Notice of PAC meeting published on a newspaper at least 5 days before the meeting	February 20, 2020	February 20, 2020
<i>Municipal Government Act, Subsection 200(4)</i>	Planning Advisory Committee presentation	February 27, 2020	February 27, 2020
<i>Municipal Government Act, Subsection 205(2)</i>	First reading of the Council	March 10, 2020	
<i>Osprey Village Land Use By-law, Section 2.19</i>	Notice to the landowners	March 11, 2020	
<i>Municipal Government Act, Subsection 206(5)</i>	Notice to the Town of Bridgewater of intention	March 16, 2020	
<i>Municipal Government Act, Subsection 206(2)</i>	First notice of public hearing published on a newspaper at least 14 days before the hearing	March 30, 2020	
<i>Municipal Government Act, Subsection 206(1)</i>	Second notice of public hearing published on a newspaper 7 days after the first notice of public hearing	April 6, 2020	
<i>Municipal Government Act, Subsection 205(3)</i>	Public Hearing	April 14, 2020	
<i>Municipal Government Act, Subsections 205(2), (6) and (8)</i>	Second Reading of the Council and the consideration of submissions	April 14, 2020	
<i>Municipal Government Act, Subsection 208(2) and 210(4)</i>	Notice of adoption from Municipal Clerk to the Minister of Municipal Affairs and Housing	April 17, 2020	
<i>Municipal Government Act, Subsection 208(4)</i>	Review of the Provincial Planning Director or Notice of Subjectivity to the Ministerial Approval	May 18, 2020	
<i>Municipal Government Act, Subsections 208(7), (8), 210(3)</i>	Notice of adoption published on a newspaper. No appeal.	May 25, 2020	
<i>Municipal Government Act, Subsection 187(1)</i>	Deposit of a certified copy of the by-law by Municipal Clerk	May 25, 2020	

COMMUNICATION CONSIDERATIONS

Pursuant to Section 2.19 of the Osprey Village Land Use By-law, a notice must be given to all property owners within 30 metres of the proposed site. The mailed notice must include a description of the proposed development and a description of the public hearing. As well, a sign must be posted on site to announce the project proposal. Although the Best Western Plus Hotel in Cookville, directly across from the proposed site, is not within the 30-metre notice boundary, staff intends to exceed the minimum requirement for better public engagement.

CONCLUSION

Staff recommends the Planning Advisory Committee and the Municipal Council to proceed with the By-law amendments, considering its positive impact on the economic development of the Municipality.

ATTACHMENT

Appendix A: A By-Law Amending the Osprey Village Land Use By-Law

Appendix B: Proposed Site Plan Map

Appendix C: Alternative Option of Rezoning of the Proposed Site

Appendix D: 200205 NS TIR Area Manager

Appendix E: 200207 RCMP Lunenburg District Commander

Appendix F: 200204 MODL Fire Service Coordinator

Appendix G: 200205 MODL Engineering Director

Department: Planning & Development Services

Directory: 66550-30

Prepared by: Byung Jun Kang, Planner

Date: 2020.02.11

Approved by: Jeff Merrill, Director of Planning & Development

Date: 2020.02.19

MUNICIPALITY OF THE DISTRICT OF LUNENBURG
A BY-LAW AMENDING THE OSPREY VILLAGE
SECONDARY PLANNING STRATEGY AND LAND USE BY-LAW

Be it enacted by the Council of the Municipality of the District of Lunenburg, under the authority vested in it by Section 210 of the *Municipal Government Act*, that the Osprey Village Land Use By-law be amended as follows:

Residential uses further permitted

- 1** Section 3.1 of the Osprey Village Secondary Planning Strategy is amended by adding “and medium to high density residential uses.” at the end of Policy 3.1.6.

Parking lots and multi-use trails permitted

- 2 (1)** Section 3.3 of the Osprey Village Secondary Planning Strategy is amended by
- (a) striking out immediately after the phrase “Municipal Council does not wish to enable development beyond the natural terrain capacity and so Municipal Council will” in Subsection 3.3.2 the following phrase “retain ownership of these lands, and”;
 - (b) striking out “passive parks, and trails” at the end of Subsection 3.3.2 and substituting “parks, parking lots and multi-use trails”; and
 - (c) striking out “to permit passive park and walking trails within the Open Space (OS) Zone” at the end of Policy 3.3.2 and substituting “to permit parks, parking lots and multi-use trails within the Open Space (OS) Zone”.
- (2)** Section 3.3 of the Osprey Village Secondary Planning Strategy is further amended by
- (a) striking out “passive park uses and trail development” at the end of Section 3.3.3 and substituting “park use, parking lot and multi-use trail development.”; and
 - (b) striking out “passive park uses and trail development will be permitted” at the end of Policy 3.3.3 and substituting “park use, parking lot and multi-use trail development will be permitted”.

Establishment of Commercial Development District

- 3** Part 3 of the Osprey Village Secondary Planning Strategy is amended by adding immediately after Section 3.10 the following section:

3.11 COMMERCIAL TAXATION

Council wishes to foster economic growth by encouraging commercial developments in the Plan Area. Municipality may establish a Commercial Development District to phase in property taxes for the eligible commercial properties within the district. This tool supports new businesses by softening tax increases from the increases of assessed value of properties. This will provide commercial businesses with greater predictability on their taxes, leading to a more stable and competitive investment environment.

Policy 3.11.1

Council may establish, by by-law, one or more Commercial Development Districts in the Plan Area, provided that the district is serviced by wastewater and water infrastructure.

Minimum parking space requirement relaxed

- 4** Subsection 4.22.3 of the Osprey Village Land Use By-law is amended by
- (a) striking out “Senior Citizen Housing” at the beginning of Clause g) and substituting “Retirement Homes”; and
 - (b) striking out “two (2) dwelling units” at the end of Clause g) and substituting “three (3) dwelling units”.

Multi-unit dwellings and retirement homes permitted

- 5** Subsection 6.3.1 of the Osprey Village Land Use By-law is amended by
- (a) adding immediately after Clause f) the following clause:
 - fa) multi-unit dwellings; and
 - (b) adding immediately after Clause g) the following clause:
 - ga) retirement homes.

Height restriction relaxed

- 6** Subsection 6.3.2.2 of the Osprey Village Land Use By-law is amended by striking out “14metres (46 feet)” in the Maximum Height of Buildings and substituting “20 metres (66 feet)”.

Parking lots and multi-use trails permitted

- 7** Subsection 7.1.1 of the Osprey Village Land Use By-law is amended by
- (a) striking out “walking” at the beginning of Clause a) and substituting “multi-use”;
 - (b) striking out “and” at the end of Clause a);
 - (c) striking out the period at the end of Clause b) and substituting “, and”; and
 - (d) adding immediately after Clause b) the following clause:
 - c) parking lots.

Parking lot and multi-use trail structures permitted

- 8** Subsection 7.1.2 of the Osprey Village Land Use By-law is amended by
- (a) striking out “walking” in Clause a) and substituting “multi-use”;
 - (b) striking out “and” at the end of Clause b);
 - (c) striking out the period at the end of Clause c) and substituting “, and”; and
 - (d) adding immediately after Clause c) the following clause:
 - d) development of parking lots.

Signage requirement relaxed

- 9** Subsection 10.1.4 of the Osprey Village Land Use By-law is amended by adding immediately after the phrase “corner lots” in Clause c) the following phrase “and through lots”.

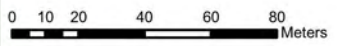
Retirement homes defined

- 10** Part 11 of the Osprey Village Land Use By-law is amended by adding immediately after the definition of RETAIL STORES the following clause:
- RETIREMENT HOMES mean any or part of a building or place containing multi-family dwellings designed for and principally occupied by senior citizens, in which such facilities may include a congregate meals program in a common dining area, but exclude institutional care, such as supervisory and personal cares, and are distinguished from homes for special cares defined by the Province of Nova Scotia.

PROPOSED SITE



- Proposed Building
- Proposed Boundary(Jan9)
- Powerline Easement
- Parking Lot
- Footprints (GPS'd)
- Civic Points
- Provincial Road
- Municipal Road
- Private Road
- Tracks, Trails
- Properties (Sept 2019)



Option - 5.28 acres (2.14ha)
(Jan 9)
 * Areas Approximate

MUNICIPALITY OF THE DISTRICT OF LUNENBURG

Sources: Digital Base Map Data from the Nova Scotia Geomatics Centre, Amherst, NS

Disclaimer: Information compiled from numerous sources and may not be complete or accurate. Graphical representation only.






Date: January 2020

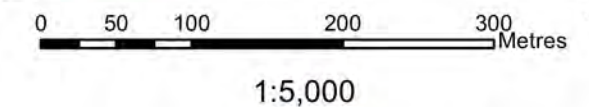
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Prepared By: Planning & Development Services
 Municipality of the District of Lunenburg

MUNICIPALITY OF THE
DISTRICT OF LUNENBURG
OSPREY VILLAGE
LAND USE BY-LAW

PROPOSED AMENDMENT - January 2020

-  Provincial Road
-  Municipal Road
-  Private Road
-  Village Centre (VC)
-  Environmentally Sensitive (ES)
-  General Commercial (GC)
-  Two-unit Residential (TR)
-  Light Industrial (LI)
-  Mixed Use (MU)
-  Open Space (OS)
-  Institutional (IN)



Byung Jun Kang

From: Strang, Glen [REDACTED]
Sent: February 5, 2020 10:47 AM
To: Byung Jun Kang
Cc: [REDACTED]
Subject: RE: Access off Highway 10 (Osprey Village) for Emergency Services

CAUTION: This email originated from an external sender.

Good morning Byung Jun,

Thank you for requesting TIR input.

Trunk 10 access for this site was approved based on discussions around this specific development and only applies to this development. This is a variance in the Access Management Plan when Osprey Village was originally approved.

Contingent on the current approval is the majority of traffic generated will access the site from the newly constructed Municipal road with minimal trip generations from Trunk 10. Also, as you mention below, no connectivity between the rear and front parking areas will be permitted.

If access is required around the perimeter of the structure, we would have to revisit the Trunk 10 access, possibly revoking permission.

Glen Strang CET
Area Manager
Lunenburg/Queens
Department of Transportation and Infrastructure Renewal

From: Byung Jun Kang <ByungJun.Kang@modl.ca>
Sent: February 4, 2020 10:38 AM
To: Strang, Glen [REDACTED]
Subject: Access off Highway 10 (Osprey Village) for Emergency Services

Byung Jun Kang

From: Paul Coughlin [REDACTED]
Sent: February 7, 2020 10:16 AM
To: Byung Jun Kang
Subject: Re: Request for Comment - Placement of Stonemont Retirement Living Complex

[REDACTED]

Good morning Byung Jun,

Sorry for the delay in responding.

I had a look at the plans and have no safety concerns about this location. I think it would be wise to not have the building driveway enter/exit Hwy 10 but rather Nathan Cirillo Road only.

These additional residences should not significantly impact the ability of the RCMP to respond to calls for service - this is not a concern.

Please call me if you have any questions.

Paul



Staff Sergeant Paul Coughlin
Lunenburg District Commander



Municipality of the District of Lunenburg Fire & Emergency Services

MEMORANDUM

Date: February 4, 2020

To: Byung Jun Kang, MODL Planner, Planning and Development
Chief Darren Mulock, Northfield & District Fire Department

From: Chris Kennedy, Fire Services Coordinator

Subject: **Protection of Proposed Osprey Village Retirement Home**

As per our discussions on February 03/04, 2020, around fire services response to fire or other emergency situations at the proposed facility off Hwy#10 almost directly across from the Best Western Plus Hotel. Although I am not of an operational nature in my role with the municipality I have 25 plus years in the fire service within our municipality, 12.5 years as a local fire chief. I have a good understanding of the fire services in our area and have a great deal of respect for the fire chiefs and members serving under them.

I spoke with Chief Mulock with the Northfield and District Fire Department regarding this facility and any concerns or thoughts he may have. Below are his comments from an email he sent you February 03, 2020, to you along with a couple of my own.

- Is this a residential apartment building or a care facility where residents are receiving care or treatment?
- The access to the build is off Trunk 10 or Nathan Cirillo Road but is there going to be a fire lane °360 around the building-wide enough for large trucks?
- Is the building going to be supplied with standpipes and sprinkler system or just sprinklers?
- What type of construction is proposed combustible or non-combustible construction?
- Are there plans to add a fire hydrant on the lot connected to the Cookeville hydrant system?
- placement of the parking lot, adjacent the building or underground parking?
- Will there be a Fire Fighter elevator installed?
- Will there be a backup generator?

The Northfield District Fire Department would have a 7-8 min response from the station. We have a competent fleet of apparatus and trained personnel to have an emergency call at that site. Plus the Northfield District Fire Department also has an automatic mutual-aid response from neighbouring departments. The auto aid agreement is done from all of the Cookeville development area. The aid agreement that's in place will capture all equipment and personal needed for a larger fire or emergency.

In my opinion Chief Mulock covered some important points and questions, if the project moves ahead there could possibly be other questions and concerns as with any project of this size. The fire departments he mentioned in his automatic mutual-aid agreements have up to date, certified apparatus, equipment and trained personnel to mitigate fire or emergencies that could take place in such a facility. The mutual aid system in our county is sound and proven to be effective to amass personnel and equipment when required in aiding the mitigation of emergencies when they occur. I discussed these with Chief Mulock before forwarding them to you.

- There is a pond adjacent to the proposed facility and is a backup water supply for fire services in the event the fire flow in the hydrant system would become damaged.
 - This pond could be given an access point from the proposed building parking lot
 - This would allow quick and easy access to fire departments for either tanker or pumper relay operations.
- I mentioned to chief Mulock that our Regional Emergency Measure Coordinator could possibly assist with an evacuation plan for a facility of this size.
-
- The location is a good one as it will have access from the front and rear to allow for staging and operations if needed.
 - Close proximity to RCMP, EHS, a Regional hospital in the event of an evacuation
 - Municipal building close at hand for residents
 - Close proximity to many amenities in the area
- I understand that Transportation Infrastructure and Renewal will grant access directly across from the Best Western Plus Hotel with a restriction requiring the front and rear access to the facility being separate. This raised a concern with both chief Mulock and myself as fire dept apparatus would need a full three-hundred and sixty-degree access around the building. If this is a requirement possibly gates can be installed to allow the fire department the required access in the case of a response.

Chris Kennedy
Fire Service Coordinator
Municipality of the District of Lunenburg
210 Aberdeen Road
Bridgewater, NS B4V 4G8
Phone – (902) 541-5309
Cell – (902) 212-1165



Service Coordinator



Fire

Byung Jun Kang

From: Stephen Pace
Sent: February 5, 2020 12:56 PM
To: Byung Jun Kang
Subject: RE: Osprey Village Retirement Home

[REDACTED]

[REDACTED]

Byung:

Following up on your letter of February 5, 2020 and further to our discussion yesterday, I would like to provide some feedback.

Regarding sewer capacity, there are no issues with respect to the collection system and treatment capacity at the Cookville WWTP. This system has capacity for anticipated future development. This is a service owned and managed by MODL.

Central water services are provided by Bridgewater's Public Service Commission. Englobe is currently working on an update of their overall water system regarding hydraulic water modelling, etc. MODL has also retained Englobe to update an old 2009 Exit 12 Water Systems Extension Study Upgrade Report. This Report was due before Christmas 2019, but we have yet to receive the document. It is anticipated shortly. There are concerns for adequate water capacity / pressures in the area. The need for a water reservoir to support future growth has been indicated in past reports. We are awaiting the Report's recommendations for future development.

Regarding traffic, we see no issues with any development in the area on municipally owned roads, eg: Allee Champlain Drive and Nathan Cirillo Road, where we have jurisdiction. Highway Route 10, however, is owned by NSTIR. NSTIR is aware of potential future developments requesting direct access off Highway Route 10. While reluctant, I understand they are offering a compromise with limited access for visitor parking only with the bulk of traffic to be directed off of Nathan Cirillo Road. NSTIR will outline any requirements for access off of this road, including a Traffic Impact Study, driveway design, etc.

Exp Services Inc. has prepared a first draft of a Grading Plan for the MODL lands surrounding the Nathan Cirillo Road...please see attached. This grading plan will provide direction for grading required by future land developers of these land parcels. Site geotechnical conditions are the responsibility of the developer to determine, depending upon the intended use. MODL bears no responsibility to provide this information. A geotechnical investigation may need to be conducted in order for design work to proceed, again, depending on the intended use.

The location of the pond does pose potential risks. Should Council decide to maintain the presence of the pond as MODL property, I see the need to explore the securing of this pond area. Given the potential for seniors and school children in the area, this would be due diligence in my opinion.

Another thing to consider is the proposed construction of an Osprey Trail Connector in the area. The routing of this active transportation trail has yet to be determined, but is likely to run down the right-of-way of the NSPC line.

This provides you feedback on the various questions posed in your letter. Some are within MODL control while others are controlled by other parties.

Please feel free to contact me if you wish to discuss any of these issues further.



MEETING: PAC
DATE: February 27, 2020
ITEM NO.: 7.2
APPROVED BY: J. Merrill

**Municipal Affairs and Housing
Office of the Minister**

PO Box 216, Halifax, Nova Scotia, Canada B3J 2M4 • Telephone 902-424-5550 Fax 902-424-0581 • novascotia.ca

JAN 24 2020

Dear Mayors & Wardens, CAOs & Clerks:

I am pleased to inform you that Bill 58 regarding minimum planning requirements was proclaimed on Tuesday, December 2, 2019. As such, the changes to the *Municipal Government Act* and the *Halifax Regional Municipality Charter*, along with the supporting regulations, are now enacted.

The legislative and regulatory changes establish a framework for mandatory planning, minimum planning requirements, and engagement with abutting municipalities. The Bill can be found at https://nslegislature.ca/legc/bills/63rd_2nd/1st_read/b058.htm, and the regulations published in the Royal Gazette can be found at <https://www.novascotia.ca/just/regulations/rq2/2019/RG2-2019-10-11.pdf>.

As noted in earlier correspondence from Gordon Smith, Provincial Director of Planning, sent to you on April 26, 2019, it is expected that your municipality will come into compliance with the new requirements by the end of 2022.

The Department will assist you and your staff as your municipality considers options to develop or update your planning documents as necessary. Guidance materials to assist municipalities with this new planning environment are under development and should be released shortly. We have attached *A Guide to Land Use Planning for Economic Development* as a sample of what will be provided.

In the meantime, we suggest that you review your Integrated Community Sustainability Plans and Municipal Climate Change Action Plans, both of which contain relevant information to the planning process and are based on community consultation. We also encourage your municipality to work with your local Regional Enterprise Network and Economic Development Officers to begin to identify economic development opportunities and ways in which your municipality can use its planning documents and regulations to support these opportunities. In addition, we encourage your municipality to work with your regional Emergency Measures Organization to consider how land use planning can support efforts to protect human health and safety.

Notice of this change and its potential to affect municipal budgets was provided in April 2018. Given the timeframe, we recommend that you include a line in your municipality's budgets over the next few years, beginning with your 2020-2021 budget, to cover the costs of creating these planning documents.

.../2

Thank you for your cooperation and involvement as the Department engages with you in the development of this new legislation. We look forward to continuing to work with you and your municipality as, together, we advance planning and other initiatives for the betterment of our residents and municipal governance in Nova Scotia.

Should you have any questions, please feel free to contact Gordon Smith, Provincial Director of Planning, at either Gordon.Smith@novascotia.ca or 902-424-7918.

Sincerely,



Chuck Porter
Minister

c: Janice Wentzell, Executive Director, AMANS
Juanita Spencer, CEO, NSFM
Mark Peck, Executive Director of Municipal Sustainability

A Guide to Land Use Planning for Economic Development 2019




NOVA SCOTIA



The power of planning

You want to do everything it takes to see your community succeed. That includes creating opportunities that lead to local employment and much needed tax revenue.

Land-use planning is an integral part of a community's economic development. In fact, there are many ways in which proper land-use planning can help your local economy develop.

The benefits of good land-use planning:

- Protects important community assets that are needed for economic development.
- Offers a way forward that is clear, predictable and coordinated for everyone involved.
- Improves the physical characteristics of a community as a place to live, work and do business.

Simply put, good planning can optimize the use of a community's land and natural resources, which leads to orderly growth, efficient provision of infrastructure and services - and economic development.

A way forward

This guide is designed to help you build a land-use plan for your community that incorporates economic development objectives. We've organized the guide as a series of zones that transition from a remote or rural area to the business district of a downtown core.

Within each zone we've included a series of specific questions. These are the questions that lead to responsible and successful results. If these resources are not available to you—or you're not getting the answers you need—reach out to us at the Department of Municipal Affairs and Housing. **We can help.**



Rural Resource Zones

Resource-based industries remain the backbone of many rural communities. When planning, it is important that these resources are not compromised, and effort is taken to ensure compatibility with other land uses.

More Resources:

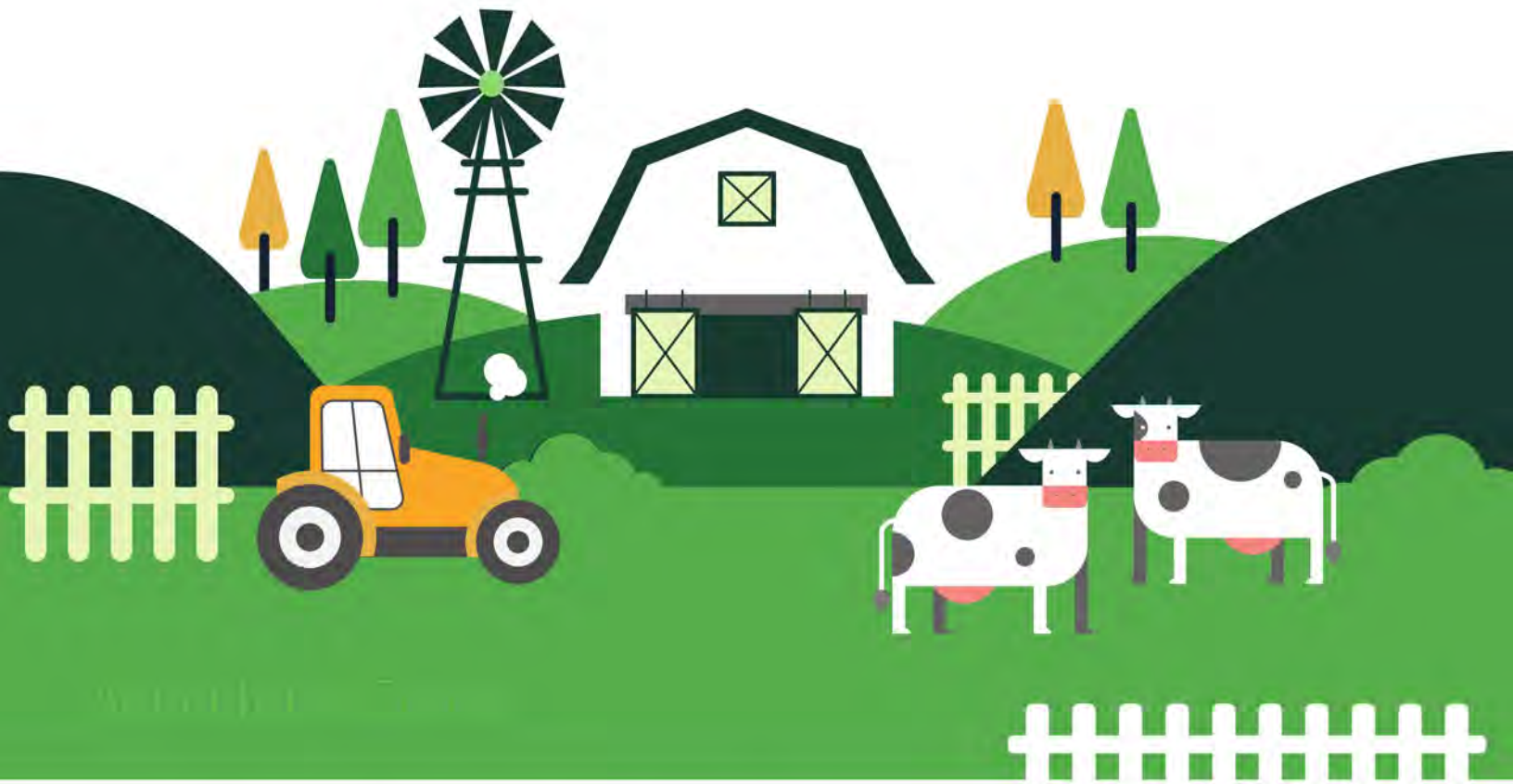
Nova Scotia Department of Lands and Forestry
<https://novascotia.ca/natr/>
Phone: (902) 424-5935

Nova Scotia Department of Energy and Mines
<https://energy.novascotia.ca/>
Phone: (902) 424-4575

Nova Scotia Department of Fisheries and Aquaculture
<https://novascotia.ca/fish/>
Phone: (902) 424-4560

Questions to ask:

- Are there planning provisions that would protect natural resources and limit potential land use conflicts with existing or potential resource-based development?
- Are there planning provisions that would advance and not hinder the establishment and ongoing operations of value-added resource-based manufacturing.
- Does planning address concerns like access, land use compatibility, setbacks, servicing and accessory uses in relation to resource-based development?
- Is Crown Land identified and highlighted in planning documents and are the compatibility of uses on adjacent lands taken into account?
- Has effort been taken to ensure your planning does not duplicate or conflict with other regulatory requirements related to resource uses?



Our province has a limited amount of farmland, despite farming being one of the economic drivers of many rural communities. Encroachment by residential and other types of development affects land prices, making it more difficult to expand farms or sell land to new farmers. Lack of available land can also impact the competitiveness and financial viability of local producers.

More Resources:

Statement of Provincial Interest on Agricultural Land
<https://novascotia.ca/just/regulations/regs/mgstmt.htm>

Related provincial legislation:
<https://novascotia.ca/agri/laws-and-regulations/>

Contacts:

Nova Scotia Department of Agriculture
<http://novascotia.ca/thinkfarm/>
Phone: (902) 424-4560 or 1-800-279-0825

Questions to ask:

- Does your planning identify and protect agricultural land?
- Do planning provisions limit the conversion of prime agricultural areas for other types of development?
- Have you discouraged the fragmentation of arable agricultural land—or limited the number of new lots (or lot size) where agriculture is given priority?
- Have you considered providing areas for non-agricultural uses—such as forestry or parks—which will allow the land to be used for agriculture in the future?
- Have you provided minimum setback distances between agriculture and non-agricultural development?
- Have you enacted measures to reduce topsoil removal on agricultural land with the highest value?
- Can you direct non-agricultural development to areas with low agricultural potential?
- Have you allowed for a wide range of agricultural uses, ancillary uses and value-added agribusinesses?



Natural Areas and Tourism Destinations

Natural areas, including parks and protected areas, perform many functions, from conserving biodiversity to delivering vital ecosystem services, such as protecting watersheds and soils—and improving air quality. Sometimes overlooked is the broad range of commercial activities that occur in association with nature parks and protected areas. Planning can conserve and develop attractive and inviting areas where visitors are enticed to spend money. Also keep in mind, visitors want authentic experiences—and what makes an area great for local residents will also attract visitors.

More Resources:

Community Tourism Planning Guide

<https://tourismns.ca/development/destination-development>

Tourism Destination Plans

<https://tourismns.ca/development/destination-development/library/plans>

Tourism Business Development Guides

<https://tourismns.ca/development/business-development/business-resources>

Questions to ask:

- Does your planning include measures to support tourism through the protection and preservation of natural landscapes, trails, waterfront land, heritage sites, and scenic vistas?
- Does your planning envision a mix of businesses in tourism destinations to achieve a critical mass of activities, shops, restaurants, and accommodations along with sufficient parking and amenities?
- In areas near natural attractions and tourism destinations, does your planning include provisions to maximize tourism revenues through private sector business and experience development opportunities? (Over 80% of all non-lodging visitor spending consists of shopping, dining and entertainment in a pedestrian-friendly area).
- Does your planning address current and future infrastructure and service requirements associated with accommodating tourism in designated areas?



Suburban

In today's economy, people are a community's most important asset. The characteristics of a place as well as the availability, quality and affordability of housing can influence the availability of labour for businesses. To encourage entrepreneurship, it should be relatively easy to start a home-based business.

Industrial areas that are typically located on the outskirts of a community have traditionally served as a major source of tax revenues for many municipalities. Only a small area of land in a planning area may be suitable for industrial development as most operations must locate in areas that allow for an easy flow of goods, employees, and customers.

More Resources:

Contacts:

BizPaL:

Access Nova Scotia

<https://novascotia.ca/sns/access/business.asp>

Industrial Real Estate:

Nova Scotia Business Inc.

<https://www.novascotiabusiness.com/industrialands>

Questions to ask:

- Does your planning identify and reserve a supply of land to accommodate industrial development and future expansion?
- Have you considered current and future supporting requirements for transportation systems and other infrastructure?
- Is land near major transportation hubs reserved for industrial and other uses that are both complementary and compatible?
- Is the type, location and amount of industrial land based on a detailed analysis of the competitive assets in regional economy as well as emerging economic trends? And does it align with a Regional Economic Development Strategy?
- Do policies in the planning documents enhance the community as a desirable place to live?
- Do planning documents allow for a wide variety of home occupations and home-based businesses—along with reasonable standards of operation?
- Do you have any materials (such as flow charts) for internal or external use that quickly and easily illustrate how development permits and land use planning works—and how long the approval process can take?



Downtown Business District

Successful business districts and town centers typically offer a variety of businesses, activities, and amenities, with a wide range of opportunities for professional pursuits and personal interests. Retailers, restaurants, and other businesses serving local customers can benefit from being in mixed-use commercial districts that are centrally located and pedestrian friendly.

Waterfronts are part of many of Nova Scotia's downtown areas and play a key role in the development of municipalities. Downtown areas can also be home to Innovation Districts, where leading-edge anchor institutions and start-up companies cluster together. This type of district offers unique planning challenges, requiring a physical platform necessary for connectivity, proximity, and density.

More Resources:

The 20 Ingredients of an Outstanding Downtown
https://www.rogerbrooksinternational.com/20_Ingredients_Handout.pdf

The Role of Mayors in the Rise of Innovation Districts
<https://www.brookings.edu/research/advancing-a-new-wave-of-urban-competitiveness/>

Contacts:

Develop Nova Scotia
<https://developns.ca/>
 Phone: 902.422.6591

Questions to ask:

- Has your municipality identified a sufficient supply of land to accommodate commercial development and a mix of uses in the downtown core or business district?
- Are you generally able to approve commercial developments in a business district without having to amend the municipal plan and development regulations?
- Do your municipal planning staff coordinate their work with economic development staff?
- Does your municipality have a designated individual to guide the proponent through the approval process?
- For innovation districts, does planning allow for a mix of institutional, corporate offices and affordable spaces for start-ups to locate next to each other?
- Does planning allow for a pedestrian friendly environment that provides the backbone of the innovation district - strengthening connections between people and firms?
- Are public spaces designed to spur interaction, learning and networking? (For instance, planning could ensure ground floors of buildings are reserved for commercial and gathering spaces such as retail, cafes, bars or restaurants, galleries or performing arts spaces.)



Supporting Economic Development in our regions - Municipalities, First Nations, the Province of Nova Scotia, and the business community are all working together through the Regional Enterprise Networks (RENs) model, to lead a collaborative approach to economic development and strengthen regional economies.

<https://nsrens.ca/>

The Locus app is an interactive online map viewer that makes provincial spatial data available to municipalities and RENs for analysis through an online Geographic Information System (GIS). Its purpose is to support the development of Municipal Planning Strategies and more generally, informed and evidence-based decision-making related to economic development and land use planning.

<https://nsgi.novascotia.ca/locus/>

For more information contact the Department of Municipal Affairs and Housing



Planning Advisory Committee

Minimum Mandatory Planning

Feb. 27, 2020



Agenda

- Background
- Provincial Requirements
- Timeline



Background

- **Oct. 1, 2018: Province passes Bill 58**
 - Bill 58 amends the Municipal Government Act (MGA).
- **Dec. 4, 2018: Provincial Planning Director meets with Council to present Bill 58 and to discuss possible regulations.**
- **Apr. 26, 2019: two draft regulations released for review/feedback**



Background

- **Dec. 3, 2019: Bill 58 was proclaimed making planning mandatory in all areas of the municipality;**
 - Two new Regulation: Minimum Planning and Engagement Program
- **Jan. 24, 2020: the Minister of Municipal Affairs and Housing informed municipalities that Bill 58 was proclaimed.**
- **Deadline: Dec. 2022**



Provincial Requirements

- **Minimum Planning Regulations**
- **Engagement Program Regulations**



Provincial Requirements

- **Minimum Planning Regulations**

- Requires all land in the municipality to be subject to a municipal planning strategy (MPS);
- The MPS must fulfill the minimum planning requirements; and
- Requires an MPS to be reasonably consistent with every statement of provincial interest.



Mandatory Minimum Planning Requirements

- **MPS must include:**
 - the objectives of the municipality in respect of its physical, economic and social environment;
 - future use, management and development of lands within the municipality;
 - implementation and administration of the municipal planning strategy;
 - Policies on the periodic review within 10 years of the later of its adoption;
 - Secondary Planning Strategies must also be reviewed within the timelines.
 - public consultation and notice procedures when reviewing the MPS;
 - its implementing land-use by-law;



Mandatory Minimum Planning Requirements

- **MPS must include:**
 - engagement with abutting municipalities;
 - a discussion of the background and contextual information that informed the goals and objectives of the MPS;
 - statements of policy with respect to the lands subject to a municipal planning strategy in relation to:
 - residential uses,
 - commercial and industrial uses,
 - institutional uses,
 - recreational facilities and public open spaces, and
 - resource uses, where resources are present within a municipality;



Failure to meet minimum planning requirements

- Minister may request that council to amend or adopt a new MPS that fulfills, the minimum planning requirements.
- Where a council does not comply with a request the Minister may, by order, establish an interim planning area for an area prescribed by the Minister.



No action inconsistent with planning strategy

- A municipality shall not act in a manner that is inconsistent with a municipal planning strategy;
- The adoption of a municipal planning strategy does not commit the council to undertake any of the projects suggested in it.



Statements of Provincial Interest

	Goal
Drinking Water	To protect the quality of drinking water within municipal water supply watersheds
Flood Risk Areas	To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.
Agricultural Land	To protect agricultural land for the development of a viable and sustainable agriculture and food industry.
Infrastructure	To make efficient use of municipal water supply and municipal wastewater disposal systems.
Housing	To provide housing opportunities to meet the needs of all Nova Scotians.



Engagement Program Regulations

- A policy adopting an engagement program must be recorded in the by-law records of the municipality.
- **Mandatory content of engagement program**
 - a requirement that council solicit comments from abutting municipalities on the proposed adoption or amendment;
 - provisions ensuring that engagement deals with topics associated with the statements of provincial interest;
 - a means for council to consider any comments received from abutting municipalities; and
 - a requirement that engagement with abutting municipalities be completed before the first notice for a public hearing for considering a proposed adoption or amendment.



Timeline

- **Project Start-up (Winter 2020)**
- **Background Review (Spring/Summer 2020)**
- **Engagement/Education: What is Planning? (Spring/Summer 2020)**
- **Engagement: Feedback on issues to consider (Summer/Fall 2020)**
- **Research solutions/identify approaches and strategies (Fall/Winter 2020/21)**
- **What We Heard Report (Jan. 2021)**
- **Draft goals and vision (Feb.- Mar. 2021)**
- **Community Engagement (Mar. – Nov. 2021)**
- **Set Policy Direction/ Draft Plan (Jan. – Mar. 2022)**
- **Engagement on Draft Plan (Spring 2022)**
- **PAC Recommendation (Fall 2022)**
- **Council adoption (Dec. 2022)**

