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## **Planning Advisory Committee Meeting Agenda**

**Thursday, February 20, 2025 – 7:00 p.m.**

**MODL Council Chambers, 10 Allee Champlain Drive, Cookville NS**

**In Person and Via Audio and Video Conference**

- 1. Call To Order**
  - 1.1 Mi'kma'ki Territorial Acknowledgement
- 2. Nomination and Election of the Chair and Vice Chair**
- 3. Review of Procedure for Public to Address the Committee – Chair (below)**
- 4. Approval of Agenda** (any other items to be added)
- 5. Approval of Minutes of Thursday, September 26, 2024**
- 6. Business Arising from Minutes**
- 7. Planning Advisory Committee Matters**
  - 7.1. Osprey Village Secondary Planning Strategy and Land Use By-law Amendments ..... 1-10
- 8. Heritage Advisory Committee Matters**
  - 8.1. Nil
- 9. Added Items**
- 10. In Camera**
- 11. Next Meeting Date: Thursday, March 27, 2025**
- 12. Adjournment**

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### **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](mailto:planning@modl.ca)



## Municipality of the District of Lunenburg

### Request for Decision

**REPORT TO:** Municipal Council  
**SUBMITTED BY:** Carin Mahon, Planner I  
**DATE:** February 20, 2025  
**RE:** Osprey Village Plan Amendments

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#### RECOMMENDATION

That the Planning Advisory Committee respectfully recommend to Municipal Council that:

1. Council approve the proposed amendments to the Osprey Village Secondary Planning Strategy and Land Use Bylaw to allow lower density residential development in unserviced areas within the Osprey Village Plan area.
2. Council approve the proposed amendments to the Osprey Village Secondary Planning Strategy and Land Use Bylaw to rezone and redesignate MODL owned properties currently in the Institutional (IN) Zone to the General Commercial (GC) Zone under the Enterprise Designation.
3. Council approve the proposed amendments to the Osprey Village Secondary Planning Strategy and Land Use Bylaw to rezone and redesignate the property of PID 60727641 from the High Density Residential (R-3) zone to the Open Space (OS) Zone under the Community Designation.

#### SUMMARY

Osprey Village is becoming a key growth hub within the Municipality, but its planning policies and regulations have shown inconsistencies in light of recent development interest. Many of these policies stem from the merging of outdated secondary planning strategies or were designed for types of development that are no longer suitable for certain lots. As a result, several lots in the Osprey Village Planning Area have designations or zoning that no longer align with the area's current needs, hindering appropriate development. This report aims to inform Council of potential amendments to Osprey Village's Secondary Planning Strategy (SPS) and Land Use Bylaw (LUB) and the necessary steps to proceed with amendments. These changes

would allow suitable development to proceed as of right, avoiding the delays of outdated policies that currently require case-by-case approvals, which can extend project timelines by 4 to 6 months.

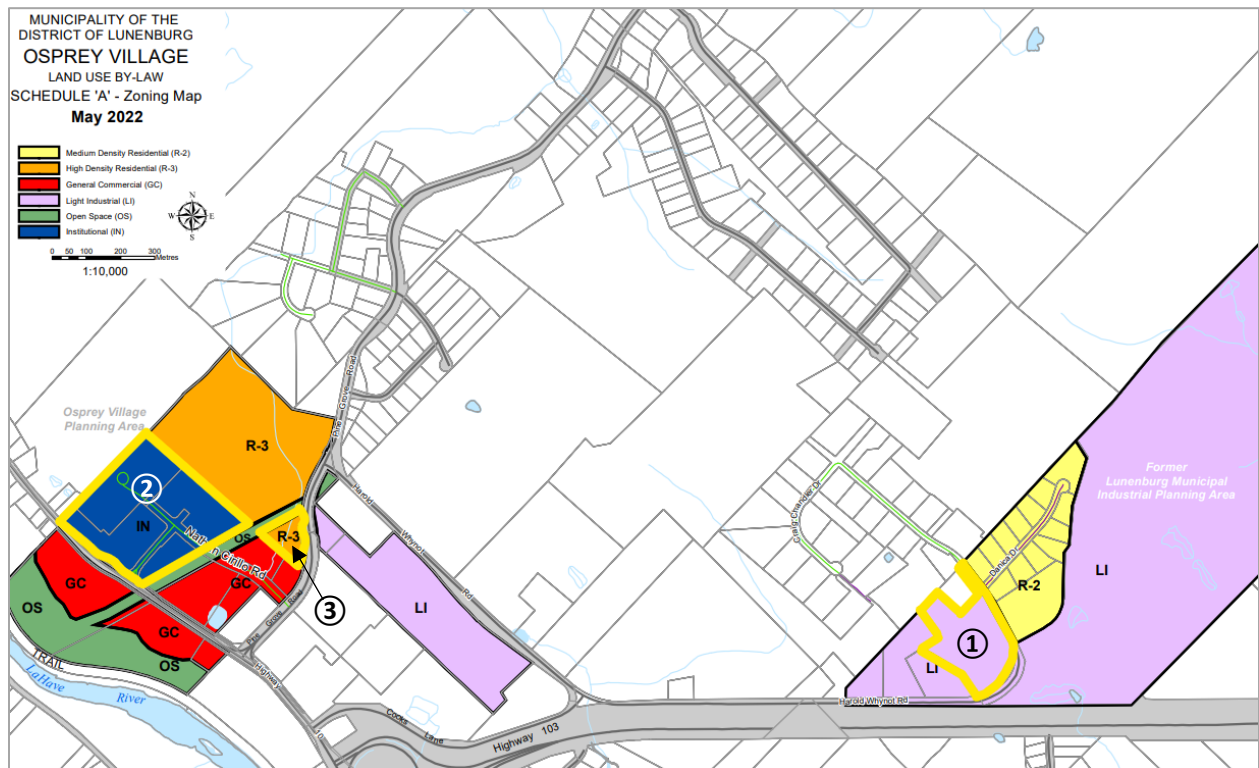
The Background and Analysis section considers how the Osprey Village Secondary Planning Strategy and Land Use By-law can be altered to permit a wider variety of land uses better tailored to the constraints and potential of specific properties.

Council has directed staff to review the proposed amendments with the Planning Advisory Committee (PAC). Notice of the amendment was sent on February 4<sup>th</sup>, 2025, public postings were also made on MODL’s website, Facebook page, and engage website. A public information session was held on February 5<sup>th</sup> and 10 members of the public attended.

### BACKGROUND AND ANALYSIS

There are three areas identified within Osprey Village where the current designation and zoning hinder the potential for suitable development, that are the catalyst for the recommendation to amend the planning documents.

**Map 1: Three areas identified requiring amendments to the Osprey Village Plan**



**Area 1 on Harold Whynot Road**

Area 1 is a property designated under Industrial in the Future Land Use Map of Osprey Village, and zoned Light Industrial (LI) under its Secondary Planning Strategy (SPS) and Land Use Bylaw (LUB). The property is approximately 48,562 square meters (522,720 square feet) and located at the corner of Harold Whynot Road where it turns to intersect with Danica Drive as shown in Map 1. There has been recent interest from developers to develop the property for residential use. The Property was originally part of the Lunenburg Municipal Industrial Planned Area – where much of the land is unserviced – before it was consolidated with the Osprey Village SPS and LUB in 2022. When it comes to residential use, the Osprey Village SPS encourages high-density residential development throughout their policies to best use the existing central water and sewer infrastructure. The SPS cites the Statements of Provincial Interest for this approach:

- ***Policy 3.4:*** *To be consistent with the Statements of Provincial Interest Regulations, to encourage the most efficient use of existing infrastructure, and to accommodate the high demand of high-density residential use, the Municipality establishes a residential designation to create a vibrant community where residents will have access to affordable, attainable, and rental housing.*

The LUB regulations support this objective by setting a minimum residential density of 25 units per hectare, effectively preventing single-detached dwellings. However, this high-density standard did not change when the Osprey Village and Lunenburg Municipal Industrial Planning Areas merged. Because of this, this standard is also applied to unserviced properties within the Planned Area, such as the property along Harold Whynot Road.

### **Area 1 Analysis**

While promoting high-density development in serviced areas makes efficient use of existing infrastructure, applying the same standard to unserviced areas can hinder housing development where lower-density residential development may currently be the only viable option. Amending the Osprey Village SPS and LUB to remove the 25 units per hectare minimum density requirements for unserviced areas within the Osprey Village Planned Area will help to permit the scale of residential development that is feasible for properties without future access to central water and sewage infrastructure, such as the case with area 1 which at the time of this report have no future plans for servicing.

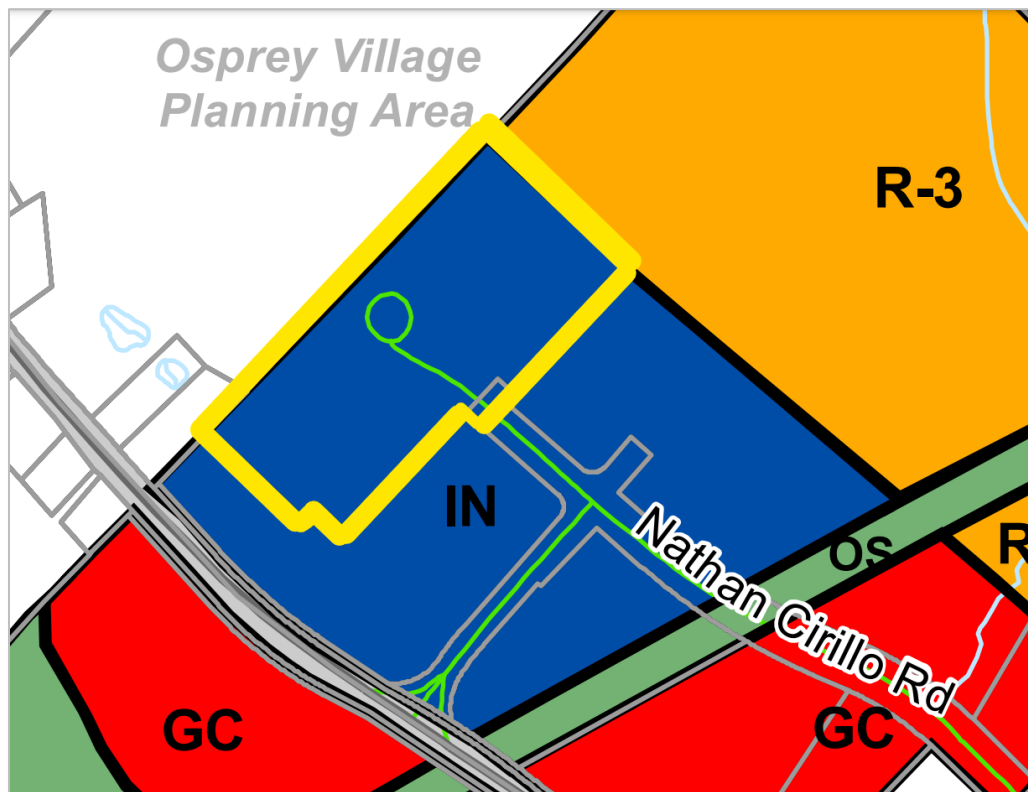
### **Area 2 on Allée Champlain Drive**

Area 2 is currently designated under Community Use in the Future Land Use Map, and zoned Institutional (IN) under the SPS and LUB. This designation and zone encompass approximately 243,503 square meters (2,621,044 square feet) of land along Nathan Cirillo Road and Allée Champlain Drive as shown in Map 1. This area was originally designated and zoned in anticipation of a large recreation facility, however the site for this development was moved elsewhere. Because the designation and zoning of this area was chosen specifically for a

development that ultimately will not exist at this location, in addition to the permitted uses being very restrictive, it has become a hinderance for the growth of other potential developments such as residential or commercial uses. The Municipality, and the Province own the properties in area 2 which include the Centre Scolaire de la Rive Sud and vacant lands.

**Map 2: Ownership of properties within area 2.**

*In area 2, the property highlighted in yellow the French Language School, Centre Scolaire de la Rive Sud I. Properties surrounding it are zoned Institutional (IN) and are owned by the Municipality. (along Highway 10 and the Municipal Services Building property at 10 Allée Champlain Drive); the province (along Allée Champlain Drive and along Chemin Petite Evangeline Court; and a numbered company and Nathan Cirillo Road and Allée Champlain Drive (site of the Lumia Health Centre).*



**Area 2 Analysis**

To accommodate the flexibility to allow residential and commercial in area 2, two options are available:

- Option 1: Rezone MODL owned properties from Institutional (IN) to General Commercial (GC) which permit commercial and residential uses as of right. This option would require

amendments to both the SPS and LUB in order to change both the designation and zone of the properties.

- Option 2: Amend the Osprey Village Land Use By-Law to permit commercial and residential uses in the Institutional (IN) Zone.

Option 1 provides the most direct way of permitting commercial and residential uses in the area without affecting future uses or expansion specifically to the French language school, however requires amendments to both the SPS and LUB of Osprey Village.

Option 2 would only require amendments to the LUB, as it would only involve adding commercial and residential to the permitted uses list in the document, however properties like the French language school that may not wish for more flexibility would also be affected, as well as changing the intention of the Institution (IN) Zone itself.

### **Area 3 on Pine Grove Road**

Area 3 is a triangular property of approximately 18,286 square meters (196,829 square feet) near the corner of Nathan Cirillo Road and Pine Grove Road as shown in Map 1 that is currently designated under Residential in the Future Land Use Map, and zoned High Density Residential (R-3) under the SPS and LUB. While there have been discussions to develop this property under the R-3 Zone regulations, several constraints on the lot such as its size and soil make high-density residential development difficult.

### **Area 3 Analysis**

As the property has been largely undisturbed and contains natural features, its use could be better reflected by rezoning to Open Space (OS). Much like option 1 for area2, changing this third property would require a re-designation from the Residential Designation to the Community Use Designation which the OS Zone falls under in addition to the rezoning process, requiring amendments to both the SPS and LUB.

## **PUBLIC ENGAGEMENT**

A public information session was held on February 5<sup>th</sup>, 2025, at 6:30 p.m. in person and through a You Tube Livestream. The planning staff discussed the proposed amendments and the areas to be affected, ending with a question period for attendees.

One comment was received during the question period, inquiring how the rezoning and redesignation of the areas highlighted in Map 1 would affect the retention of open space. In relation to the proposed amendments specific to this report, the rezoning of PID 60727641 would be an example of identifying land that would be most valuable as open space. Outside of the proposed amendments affecting this specific property however, open space dedication is done through the MODL Subdivision Bylaw which will not be affected by the amendments.

Nevertheless, the question did highlight the concern towards ensuring adequate open space is protected for the growing community of Osprey Village as a whole.

## **STAKEHOLDER ENGAGEMENT**

On January 31<sup>st</sup>, 2025, staff inquired professional opinions on this plan review by contacting the following stakeholders:

1. NS Environment & Climate Change;
2. NS Public Works;
3. NS Health;
4. Royal Canadian Mounted Police;
5. Emergency Health Services;
6. Bridgewater Public Services Commission;
7. Northfield District Fire Department;
8. Oakhill District Fire Department;
9. South Shore Regional Centre for Education
10. CSAP (Conseil Scolaire Acadien Provincial)
11. MODL Department of Recreation
12. MODL Department of Engineering
13. MODL Fire Services

## **IMPLICATIONS**

After stakeholder consultation, staff addressed several implications of the proposed amendments, such as adequacy of municipal services, community facilities for education, recreation and emergency services as well as other amenities.

### **Environmental Implications**

A key consideration when developing in Osprey Village is sulphide bearing materials, also known as acid rock drainage. This general area of the municipality is known for having naturally occurring sulphide bearing materials present. Construction may disturb sulfide minerals in rocks which are harmful to aquatic habitats, which must be carefully considered due to the proximity to LaHave River. Staff has been advised to require future developers to hire a consultant to conduct an Environmental Site Assessment to obtain this information as it relates to specific properties when being developed, so as to not disturb the local environment.

There are other general recommendations received from the Department of Environment & Climate Change, such as identifying all wetlands and watercourses early in a planning stage and confirming approvals for sewer line extension on serviced land or on-site sewage disposal systems for unserviced land respectively.

## **Health Implications**

The changes to land use planning in Osprey Village can lead to several health outcomes related to mental health, physical activity, social connectedness and inclusion, improved access to housing and amenities, among others. NS Health staff reviewed the proposed amendments with these outcomes in mind. In terms of housing accessibility, new housing developments that could come from the amendments would increase the local housing supply but may not be suitable for affordable housing, especially in areas lacking public transit and walkability which Osprey Village is still lacking. NS Health suggested that a comprehensive Housing Strategy could help assess and plan for adequate housing options. While permitting low-density residential in unserved areas may have a lower environmental impact than other uses, NS Health still recommended conducting environmental assessment for future development that would happen on currently vacant land. In addition, any level of development will increase traffic, requiring plans for road maintenance, safety, and noise mitigation. As well, potential conflicts with neighboring industrial uses in the Industrial (LI) zone should be considered, ensuring protections for residents, such as traffic safety measures.

In response to the proposed amendments of area 2, NS Health recommended maintaining the 500m restriction on licensed drinking establishments near institutional uses that exists in the Osprey Village LUB and prohibiting the sale and advertising of tobacco, vaping products, and cannabis to reduce youth exposure in the area. Future development in area 2 should involve consultation with the school community, prioritizing health-promoting spaces while restricting harmful influences. Pedestrian safety should be a priority with crosswalks, sidewalks, and lighting.

In response to the proposed amendments of area 3, NS Health noted that parking lots are permitted within the Open Space (OS) zone in the Osprey Village LUB. If parking lots are developed in area 3, the Municipality should assess environmental impacts and implement protections to preserve green space, ensuring accessibility meets or exceeds provincial standards. Additionally, as Osprey Village develops, including nearby high-density housing, active transportation networks should be enhanced to promote safe and convenient access to green spaces through connected sidewalks and trails.

## **Fire protection implications**

Fire protection services to Osprey Village are shared by the Oakhill Fire Department and Northfield Fire Department. The chiefs of the fire departments stated that the level of development that could come from the amendments will not affect the service level, as long as new development provides road access for fire trucks. The municipal fire services coordinator also supported the feedback from the fire chiefs.

### **Transportation, Traffic Implications**

Comments received from the Depart of Public Works stated that the current road network in Osprey Village should have the capacity to support future development brought on by the amendments, and details can be confirmed through a Work Within Highway Right-of-Way Permit approved by Public Works and a transportation impact study process at the time of the development application. Additionally, staff received comments that area 2 should be accessed from Allée Champlain Drive and not Trunk 10.

While the municipal engineering department agreed with these comments for area 1 and 3, they did note that increased vehicle and pedestrian traffic is expected in area 2 with further higher density development such as the recent Stonemont development. While the roads themselves are adequate, increased traffic may result in the need for traffic lights at Pine Grove/Nathan Cirillo Road as well as at Champlain Drive and Highway 10, pursuant to traffic studies. They also noted that sidewalks around the perimeter of area 2 are also planned and will improve pedestrian safety in response to the increased residential density.

### **Recreational Implications**

As residential development is expected to continue to grow in Osprey Village, the retention of adequate open space to provide community character and recreational opportunities for residents is a key consideration moving forward. While the municipal recreation department agreed with the proposed amendment to rezone area 3 as Open Space (OS), they also noted that areas encouraging multi-unit housing developments and commercial businesses should require a percentage of green space in the design plans of the development – if not for public use, at least for the residents occupying the multi-unit dwellings to support their recreational needs and good neighbourhood design.

### **Outstanding feedback**

At the time of submitting this report to the PAC, staff are still awaiting feedback from several stakeholders, most notably from the Bridgewater Public Services Commission, South Shore Regional Centre for Education, and CSAP (Conseil Scolaire Acadien Provincial), who have indicated that the proposed amendments are being reviewed by their respective teams and will be able to provide specific comments soon. The PAC may choose to proceed with their recommendations to Council with these outstanding comments, in which case these comments will be reviewed by Council during the First Reading Stage of the amendment process as shown in Table 1. Alternatively, the PAC may also choose to wait to receive these outstanding comments before proceeding with their recommendations to Council.

## CONCLUSION

**Osprey Village SPS and LUB Amendments.** Staff’s recommendation to the PAC is to remove the 25 units per hectare requirement for residential developments on unserviced properties, rezone MODL owned properties and the Lumia Health Centre site from Institution (IN) to General Commercial (GC), and rezone PID 60727641 from High Density Residential (R-3) to Open Space (OS). Both the SPS policies and the LUB regulations of Osprey Village will require amendments to rectify the aforementioned three cases. This will permit appropriate residential development on unserviced land, expand areas that permit residential and commercial uses, and protect open space that is otherwise undevelopable.

## WORK PLAN

Table 1 shows a tentative work schedule for the proposed amendments process.

**Table 1: Tentative\* work schedule for Osprey Village Plan Amendments**

| Legislative authority      | Provision   | Scheduled Date                   |
|----------------------------|---|----------------------------------|
| MGA s. 205(1)              | Council initiates a by-law amendment                    | January 14 <sup>th</sup> , 2025  |
| MGA s. 205(4)<br>Policy 66 | Staff holds a public information session.               | February 5 <sup>th</sup> , 2025  |
| MGA s. 205(4)              | Staff holds a Planning Advisory Committee (PAC) meeting | February 20 <sup>th</sup> , 2025 |
| Policy 90                  | PAC recommends Council                                  | TBA                              |
| MGA s. 205(2)              | Council passes a first reading                          | TBA                              |
| MGA s. 206                 | Clerk publishes a notice of public hearing              | TBA                              |
| MGA s. 205(2)              | Council holds a public hearing                          | TBA                              |
| MGA s. 205(8)              | Council passes a second reading                         | TBA                              |
| MGA s. 208(10)             | Clerk publishes a notice of approval                    | TBA                              |

## ALTERNATIVES

Instead of passing the recommended motion, the Planning Advisory Committee may recommend the Municipal Council to

1. decline this plan review and keep the existing plan;
2. defer this plan review and request additional information from staff; or
3. approve the proposed review with conditions.

| <b>Report Preparation</b> |  |
|---------------------------|--|
| <b>Department</b>         | Planning & Development   |
| <b>Report Prepared by</b> | Carin Mahon, Planner I   |
| <b>Report Approved by</b> | Jeff Merrill, MCIP, LPP, Director of Planning & Development Services |