



MUNICIPALITY OF THE DISTRICT OF LUNENBURG

Osprey Village Secondary Planning Strategy & Land Use By-law Amendment **PUBLIC HEARING**

Facebook Page – Municipality of the District of Lunenburg (MODL)
Tuesday, April 14, 2020 at 8:30 a.m.

PUBLIC HEARING AGENDA

1. **CALL TO ORDER at 8:30 a.m.**
2. **OPENING REMARKS by MAYOR BOLIVAR-GETSON**
 - (a) Introductions
 - (b) Review of Agenda and Rules of Conduct
3. **REPORT AND PRESENTATION from Planning Staff**
4. **WRITTEN AND VERBAL PRESENTATIONS from the Public**
 - (a) Review of Written Submissions (if any)
 - (b) Verbal Presentations by the Public (if any)

5. **REVIEW OF APPROVAL PROCESS**

Municipal Council may make a decision at the Council meeting after the close of this Public Hearing. If Council deems it advisable to adopt the By-law amending the existing Planning Strategy and Land Use By-law, Council will conduct Second Reading. Once Council has approved the documents, they are forwarded to the Department of Municipal Affairs and Housing for review.

Upon confirmation from Municipal Affairs and Housing that the documents do not conflict with any provincial interest, a Notice of Approval is inserted into the local newspaper advising of the adoption of these documents. The date that the Public Notice appears in the paper is the date the documents become effective.

6. **CLOSING OF THE PUBLIC HEARING**

RULES OF CONDUCT

Persons who wish to speak at the Public Hearing are asked to note the following:

- [a] State your name and address;
- [b] Direct all statements to the Chairperson;
- [c] Try to limit presentations to 10 minutes;
- [d] Speakers may address Council twice, but before addressing Municipal Council for a second time, speakers will be requested to wait until all others have had the opportunity to speak, before they can then address Council for a second time.



Municipality of the District of Lunenburg

MEMORANDUM

REPORT TO: Municipal Council

SUBMITTED BY: Byung Jun Kang, Planner

DATE: March 10, 2020

SUBJECT: PL200002 – Stonemont Retirement Living Complex
Planning Advisory Committee's Feedback & Information

ORIGIN

The Planning Advisory Committee (PAC), on its meeting of February 27, 2020, passed the following two motions:

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.

That PAC recommends to Council that a concept plan to incorporate the 360 Access for fire protection and a layout showing an adequate number of parking spaces from the developer be submitted to Council, prior to first reading.

BACKGROUND

The PAC identified the following areas of concern of the proposed development:

1. Minimum parking space requirement; and
2. Perimetral access of emergency services.

DISCUSSION – PARKING

Predicting the demand for parking is a challenging task. Land uses are not the only factor in determining parking demands, but they involve the lifestyle of tenants and human psychology. Parking demands vary heavily on a site by site situation.

Parking requirement increases the supply and reduce the price – but not the cost – of parking. The added cost is included into the cost of the development. By reducing the minimum number of parking spaces, developers can decide on the appropriate amount of supply, as demanded by prospective tenants.

A parking requirement defines a minimum, not a maximum or a recommendation. If the demand for parking exceeds the original expectation of developers, it is possible to increase the number of parking spaces at that time. If the mandatory parking supply exceeds the actual demand for parking, it is imposing additional costs to the developers, and effectively the tenants, affecting housing affordability.

DISCUSSION – PERIMETRAL ACCESS

Fire protection service is in favour of full access around the proposed building, while the provincial Department of Transportation and Infrastructure and the Royal Canadian Mounted Police are concerned about traffic hazard on Highway 10 from shortcutting between Highway 10 and Nathan Cirillo Road.

There may be a change in elevation from the front (Highway 10) to the back of the building (facing Nathan Cirillo Road) that would prevent any vehicles from driving a full 360 degrees around the building. However, access to the sides of the building would be provided as part of the design, as is done on many developments where access to all building facades is required.

CONCLUSION

In this case the developer has more than enough room for expansion, as shown in Appendix A, should more parking spaces be required in the future. Both the number of parking spaces and the placement of perimetral access can be enforced at the site-plan approval stage, prior to the issue of development permit.

ATTACHMENT

Appendix A: Preliminary Concept Plan of Stonemont Retirement Living Complex

Department: Planning & Development Services
Directory: 66550-30

Prepared by: Byung Jun Kang, Planner
Approved by: Jeff Merrill, Director of Planning & Development

Date: 2020.03.02
Date: 2020.03.03

PROPOSED SITE



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



0 10 20 40 60 80 Meters

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

File: \plan2020\dave\WIOspreySite\Jan9

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



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>		
<p>Policy 4.0.7 a)</p>	<p>The impact of the proposed use and uses permitted in the zone on traffic with respects to traffic hazards, congestion, and pedestrian hazards</p>	<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>
<p>Policy 4.0.7 b)</p>	<p>The impact on the natural environment</p>	<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>

<p>Policy 4.0.7 c)</p>	<p>The ability of the Municipality to absorb costs related to the development</p>	<p>Satisfied. The Municipality already invested in municipal services and infrastructure.</p>
<p>Policy 4.0.7 d)</p>	<p>The adequacy and proximity of community facilities for education, recreation and emergency services as well as other amenities</p>	<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>
<p>Policy 4.0.7 e)</p>	<p>The adequacy of the street networks</p>	<p>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.</p>

<p>Policy 4.0.7 f)</p>	<p>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.</p>	<p>Satisfied. As long as the draft Osprey Village Grading Plan is observed, then the proposed site should be suitable for development regarding grade.</p>
<p>Policy 4.0.7 g)</p>	<p>the adequacy of municipal services</p>	<p>Satisfied with condition. Central water and sewer lines, as well as public roads are already in place.</p> <p>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.</p>

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

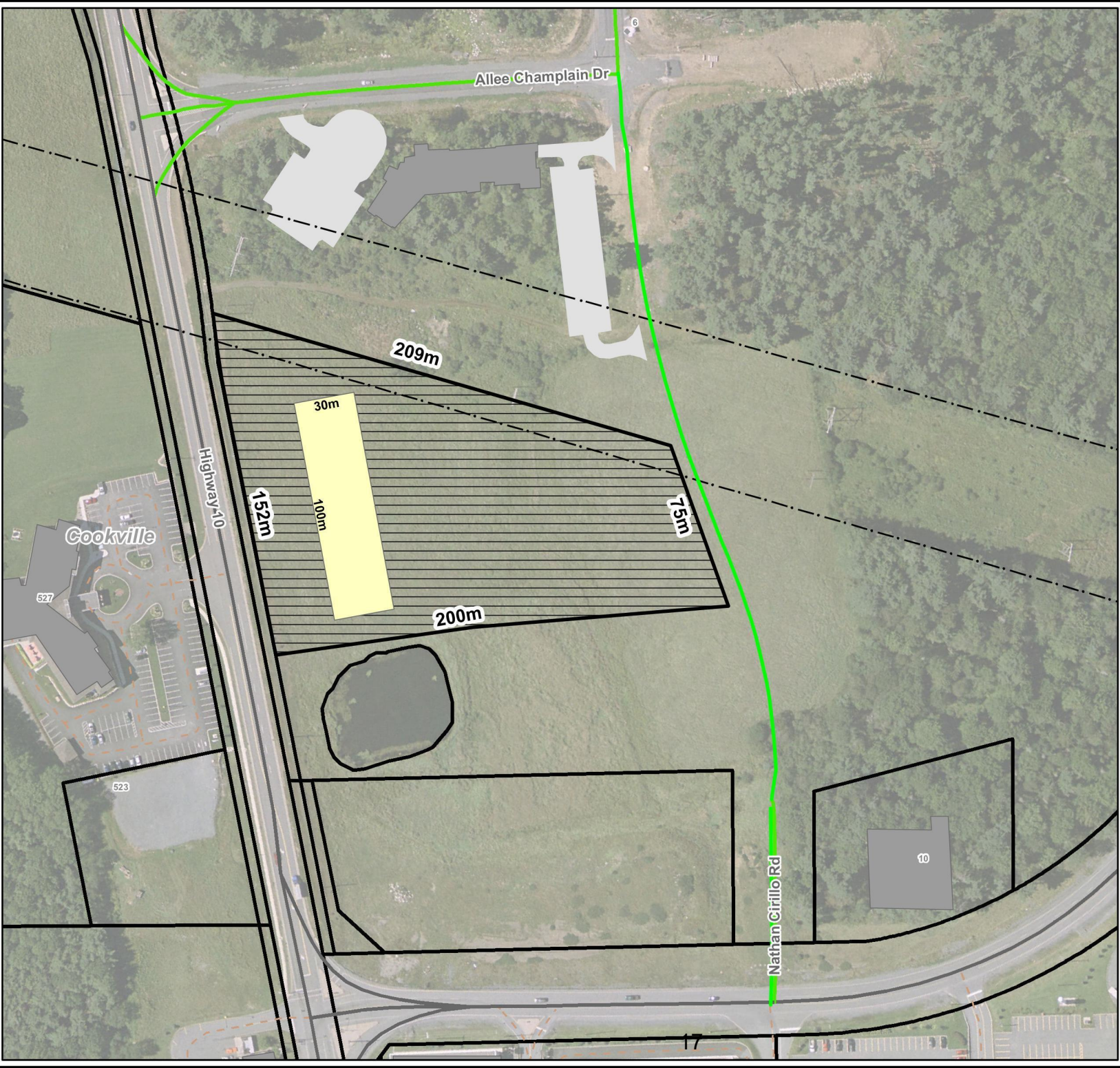
Signage requirement relaxed

- 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)



0 10 20 40 60 80 Meters

**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

File: \plan2020\dave\WIOspreySite\Jan9

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)



0 50 100 200 300 Metres

1:5,000



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

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.



District of Lunenburg Public Hearing

PL200002

Stonemont Retirement Living Complex

Osprey Village Secondary Planning Strategy
& Land Use By-law Amendment

April 14, 2020



Review of Agenda & Rules of Conduct

Public Hearing Agenda

- A staff presentation on the proposed amendments;
- Written and verbal presentations from the Public;
- Review of next steps in the process, and then declare the Public Hearing closed.

Rules of Conduct

When any verbal presentations are being made to Council, I would like to ask all the persons who wish to speak at this Public Hearing to note the following:

- State your name and address;
- Direct all statements to the Chair; and
- Limit presentations to 10 minutes.
- Speakers may address Council twice, but before they speak for a second time, speakers will be requested to wait until all other citizens have had the opportunity to speak.



Council Meeting (First Reading)

Date: March 10, 2020

Motion Passed:

- that Municipal Council accept the recommendation of the Planning Advisory Committee that a concept plan to incorporate the 360 Access for fire protection and a layout showing an adequate number of parking spaces from the developer be submitted to Council, prior to First Reading.
- that Municipal Council accept the recommendation of the Planning Advisory Committee and give notice of its intention to approve a By-law amending the Osprey Village Secondary Planning Strategy and Land Use By-law and conduct First Reading of the same;

Motion Passed (cont.)

- and further, that Council gives notice of its intention to approve the proposed amendments and hold a Public Hearing on Tuesday, April 14, 2020 at 8:30 a.m. in the Municipality's Council Chambers.

Progress:

No written objection or support received.



Proposed Motion

that Municipal Council conducts Second Reading of a By-law amending the Osprey Village Secondary Planning Strategy and Land Use By-law, as presented at the Public Hearing, and hereby adopts the amendments.





Thank You

Byung Jun Kang
byungjun.kang@modl.ca
(902) 530-3480

Municipality of District of Lunenburg
210 Aberdeen Road
Bridgewater, NS
B4V 4G8



REVIEW OF APPROVAL PROCESS

Municipal Council may make a decision at the Council meeting after the close of this Public Hearing. If Council deems it advisable to adopt the By-law amending the existing Planning Strategy and Land Use By-law, Council will conduct Second Reading. Once Council has approved the documents, they are forwarded to the Department of Municipal Affairs and Housing for review.

Upon confirmation from Municipal Affairs and Housing that the documents do not conflict with any provincial interest, a Notice of Approval is inserted into the local newspaper advising of the adoption of these documents. The date that the Public Notice appears in the paper is the date the documents become effective.

