



West Hants

Public Hearing Agenda

1. Intro by Mayor
2. Presentation by Planner (Alex Dunphy)
3. Presentation by Applicant (Marty Anthony)
4. Comments or Questions from Public
5. Conclusion of Public Hearing



Pemberton Avenue, Garlands Crossing Rezoning

Public Hearing
September 26, 2023

something inspiring awaits



Application

- A completed application was received from Gene and Annetta Anthony on March 14, 2023.
- The application was to permit two duplex dwellings through rezoning to Two Unit Residential (R-2) and subdivision of the subject lot.





West Hants

Pemberton Avenue, Garlands Crossing
PID 45003563

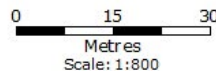






Orthophoto

- Located at the end of Pemberton Avenue and has frontage on Highway 1
- Adjacent properties on Pemberton Avenue are single unit residences, while a commercial area including restaurants, a gas station, convenience store, and personal service shops are located southwest of the subject lot

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Orthophoto



-  PID 45003563
-  Parcels
-  Roads
-  Water

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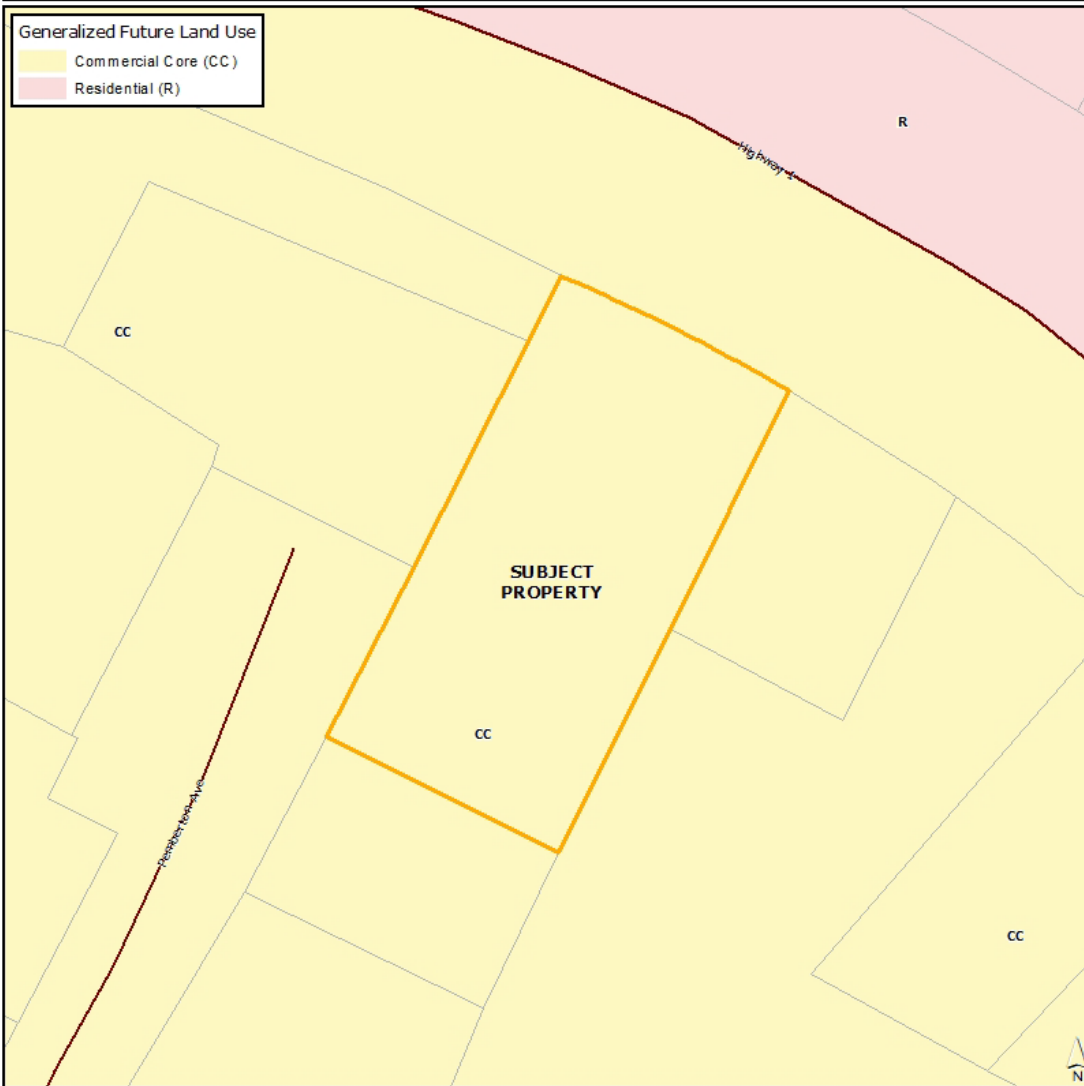


Pemberton Avenue, Garlands Crossing
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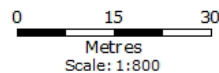
Generalized Future Land Use

- Commercial Core (CC)
- Residential (R)



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Generalized Future Land Use



- PID 45003563
- Parcels
- Roads

GFLUM

- Commercial Core Designation




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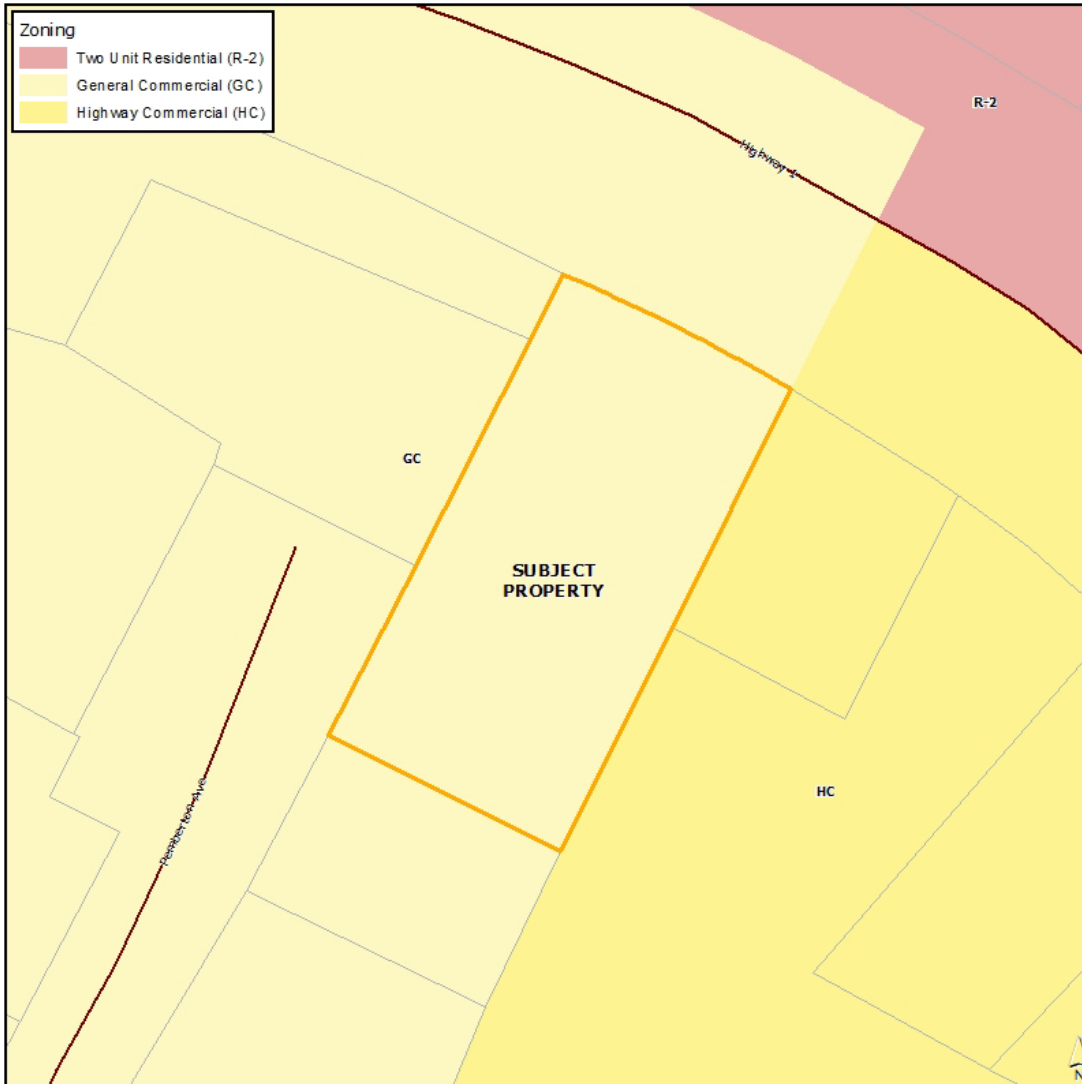




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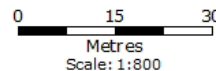
West Hants

Zoning	
	Two Unit Residential (R-2)
	General Commercial (GC)
	Highway Commercial (HC)



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Zoning



	PID 45003563
	Parcels
	Roads

Current Zoning




- General Commercial (GC) zone
- Permitted uses include:
- Arts and crafts studios including photography
 - Banks and financial institutions
 - Clubs and community organizations
 - Commercial schools
 - Country inns
 - Day care centres, licensed or non-licensed
 - Entertainment, recreation and assembly uses within a wholly enclosed building

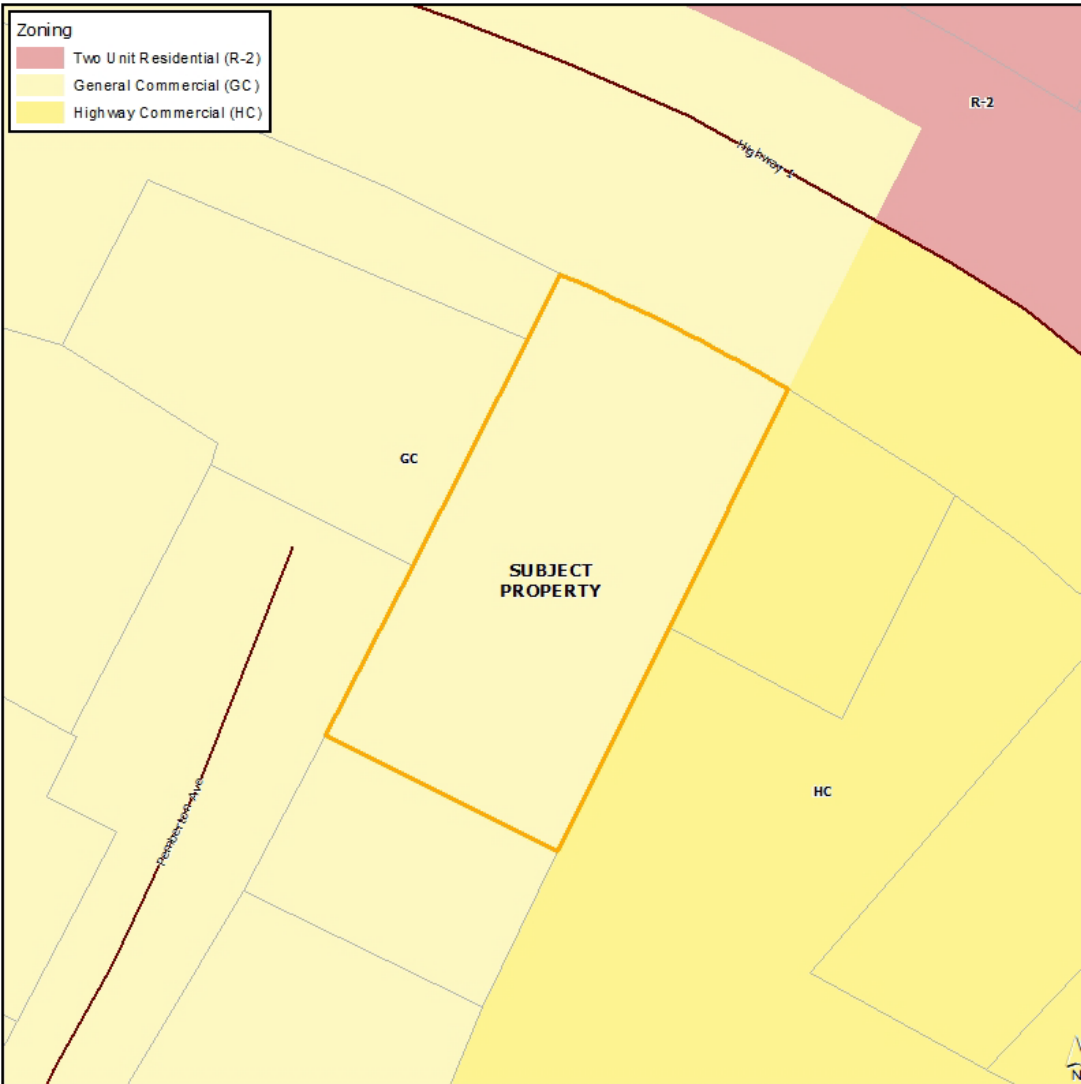




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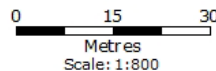
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Zoning	
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Zoning



	PID 45003563
	Parcels
	Roads

Current Zoning

- General Commercial (GC) zone
- Permitted uses include:
- Farm markets
 - Garden and nursery sales and supplies
 - Licensed liquor establishments
 - Local shopping centres containing uses permitted in the GC zone
 - Offices
 - Parking structures
 - Post offices and postal outlets
 - Repair and rental establishments

(2 of 4)




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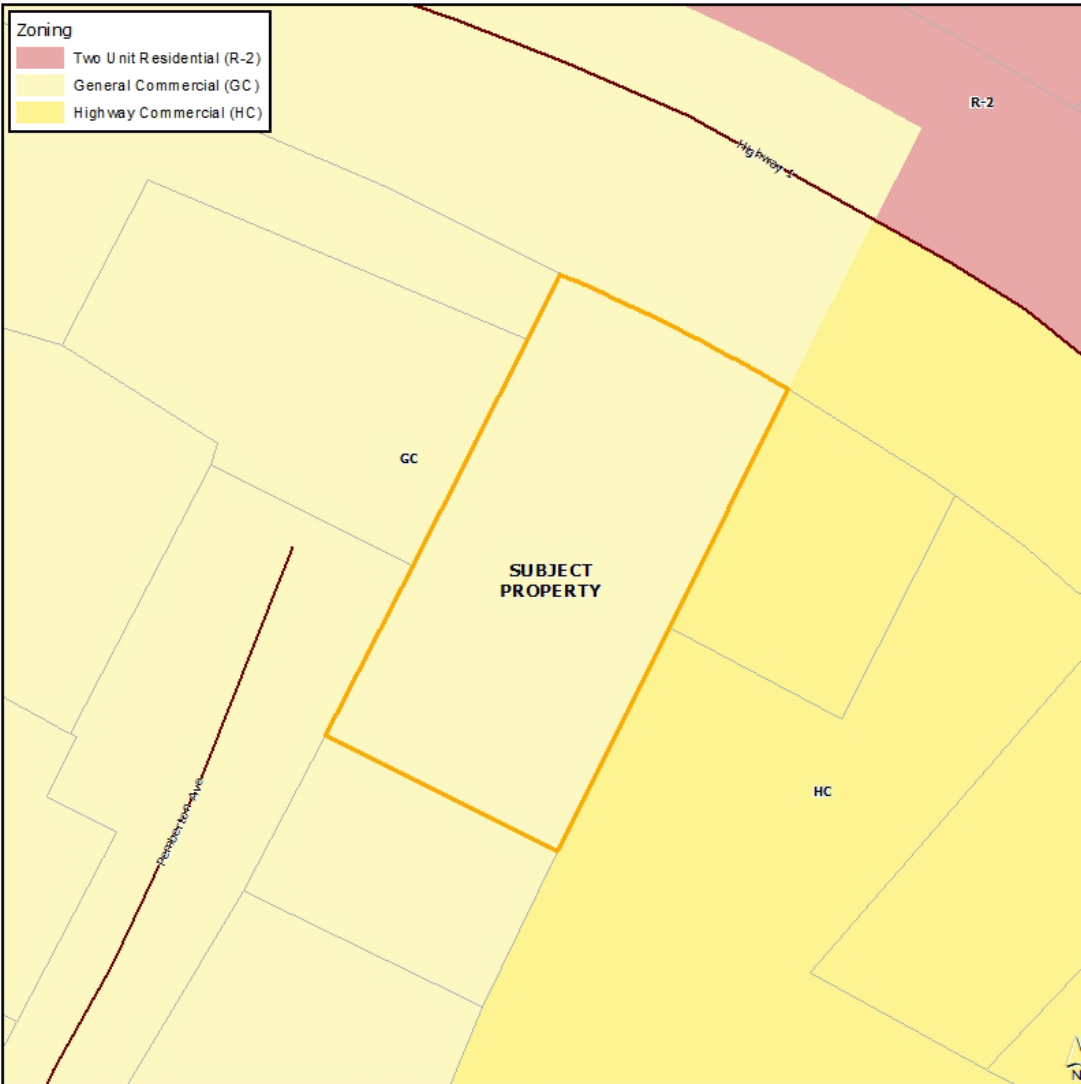




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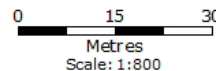
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Zoning



	PID 45003563
	Parcels
	Roads

Current Zoning

- General Commercial (GC) zone
- Permitted uses include:
- Residential uses in the same building as a commercial use
 - Restaurants, excluding drive-through restaurants
 - Retail stores
 - Service and personal service shops

(3 of 4)




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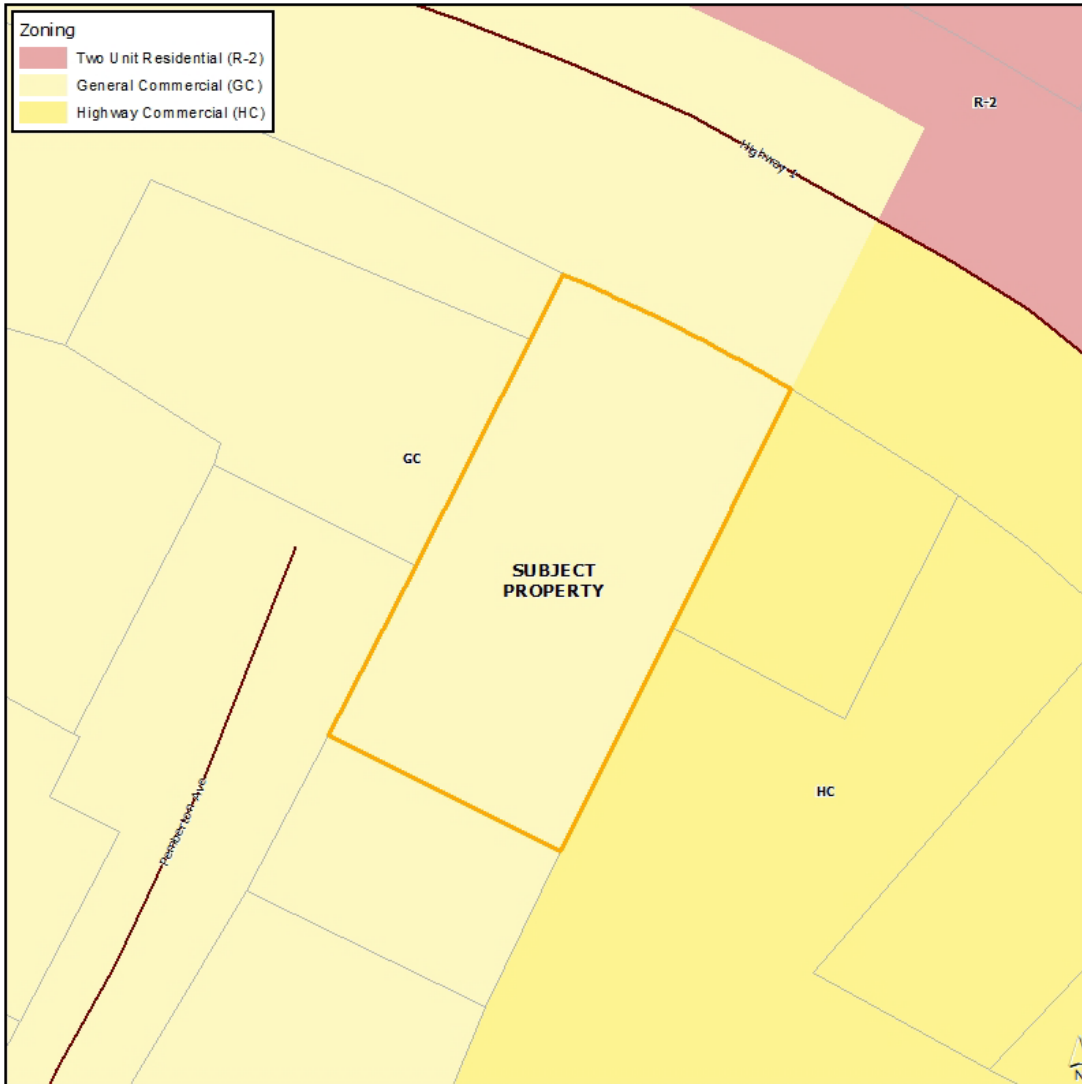




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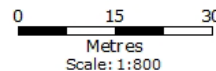


Current Zoning

- General Commercial (GC) zone
- Permitted uses include:
- Single unit dwellings or mini homes on existing vacant lots under 10,000 ft² in area
 - Veterinary clinics and animal hospitals
 - Existing residential uses

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Zoning



	PID 45003563
	Parcels
	Roads

(4 of 4)




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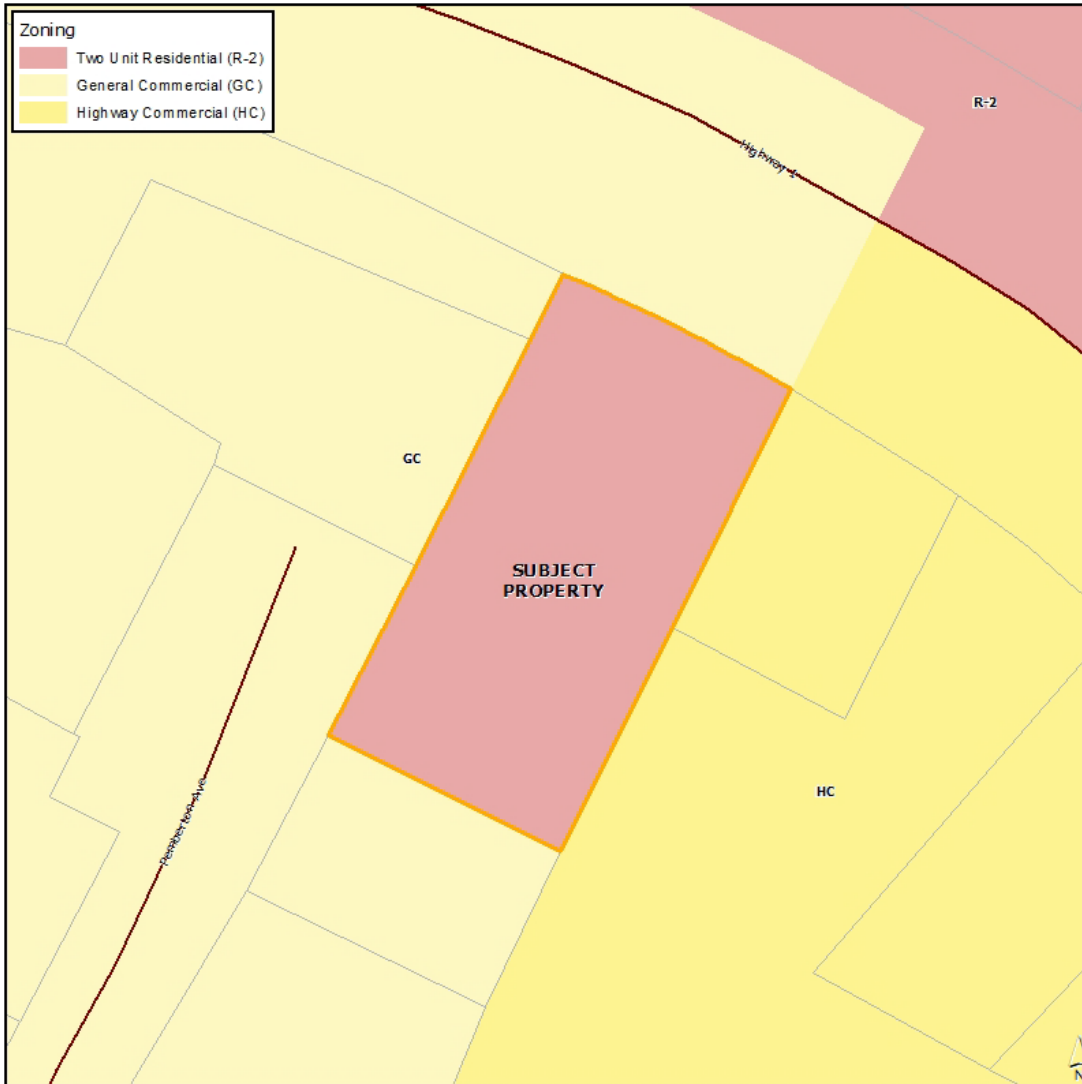




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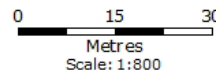


Proposed Zoning

- Two Unit Residential (R-2) zone
- Permitted uses include:
- **Two-unit dwellings**
 - Mini homes
 - Uses permitted in the R-1 zone subject to the R-1 zone requirements
 - Mobile homes in the Three Mile Plains Growth Centre

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Proposed Zoning



-  PID 45003563
-  Parcels
-  Roads

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View of Subject Lot from Pemberton Avenue

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View of Surrounding Uses Southeast of the Subject Lot

West Hants MPS – Enabling Policy

Policy 5.3.4 provides Council with the ability to consider rezoning land within the Three Mile Plains Growth Centre to Two Unit Residential (R-2). In summary, the criteria are met since:

- the subject lot is capable of being serviced by municipal water and sewer; and
- the proposed use will not conflict with adjacent existing uses.



West Hants MPS – General Criteria Policy

Policy 16.3.1 states general criteria for amendments to the Land Use By-law. In summary, the criteria are met since:

- the proposal is not considered premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Area Manager of the Nova Scotia Department of Public Works, and Municipal Engineering Division have no concerns which have not been addressed in this report.



Public Information Meeting Notes

- The Public Information Meeting were held on May 11. The meeting was broadcast live on the Municipal Facebook page.
- 20 members of the public attended the meeting, with 3 individuals and the applicant speaking.
- The deadline for comments was May 25.
- No written correspondence was received during the comment period.



Staff Response to Public Comment

A member of the public asked about access to Highway 1 for the lot.

- Staff reached out the Nova Scotia Department of Public Works and the Area Manager confirmed that the subject lot would be granted a single access to Highway 1.



Public Information Meeting – May 11

Staff Review

PAC/HAC Review and Recommendation –
June 7

Regional Council First Reading – June 27

**Public Hearing & Second Reading –
September 26**

Notice Placed in Paper

14 Day Appeal period

Process

All statutory requirements have now been met.



Applicant Presentation



Comments or Questions from Public



Public Hearing Comment Period

- The Public Hearing was advertised:
 - in the paper September 5 and 12;
 - letters were sent to property owners nearby the subject lot; and
 - a sign was posted on the lot.
- The deadline for comments was Friday, September 22.
- Public Submissions may now be read out.

Public Hearing Submissions and Response

Staff received four (4) submissions from the public. Generally, the comments included the following concerns:

- No visualizations/plans shown for development, building size, increased development pressure, additional building construction, construction noise, single unit preference, Highway 1 connection increasing traffic

Staff can provide the following response to the concerns:

- The applicant has building plans to share with the public;
- The buildings are planned to be single-storey;
- There is a maximum of two 2-unit buildings proposed on the lot, additional buildings would require a separate planning application and process; and
- The applicant prefers to avoid connecting to Highway 1, if required, the Provincial Department of Public Works has commented that there are no concerns with a single access to Highway 1.





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Recommendation

...that Council gives Second Reading and approves amending Schedule A of the West Hants Land Use By-law to rezone PID 45003563 on Pemberton Avenue, Garlands Crossing, from the General Commercial (GC) zone to the Two Unit Residential (R-2) zone in a manner substantively the same as Figure 3 of the staff report to the Planning and Heritage Advisory Committee report #23-03 dated June 7, 2023.





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