



West Hants

Public Hearing Agenda

1. Intro by Mayor
2. Presentation by Planner (Mark Fredericks)
3. Presentation by Applicant (Darren Shupe)
4. Comments or Questions from Public
5. Conclusion of Public Hearing



**PIDs 45006947 and 45415668
MacLeod Court, Three Mile Plains
Development Agreement**

Public Hearing and Second Reading
November 28, 2023



Application

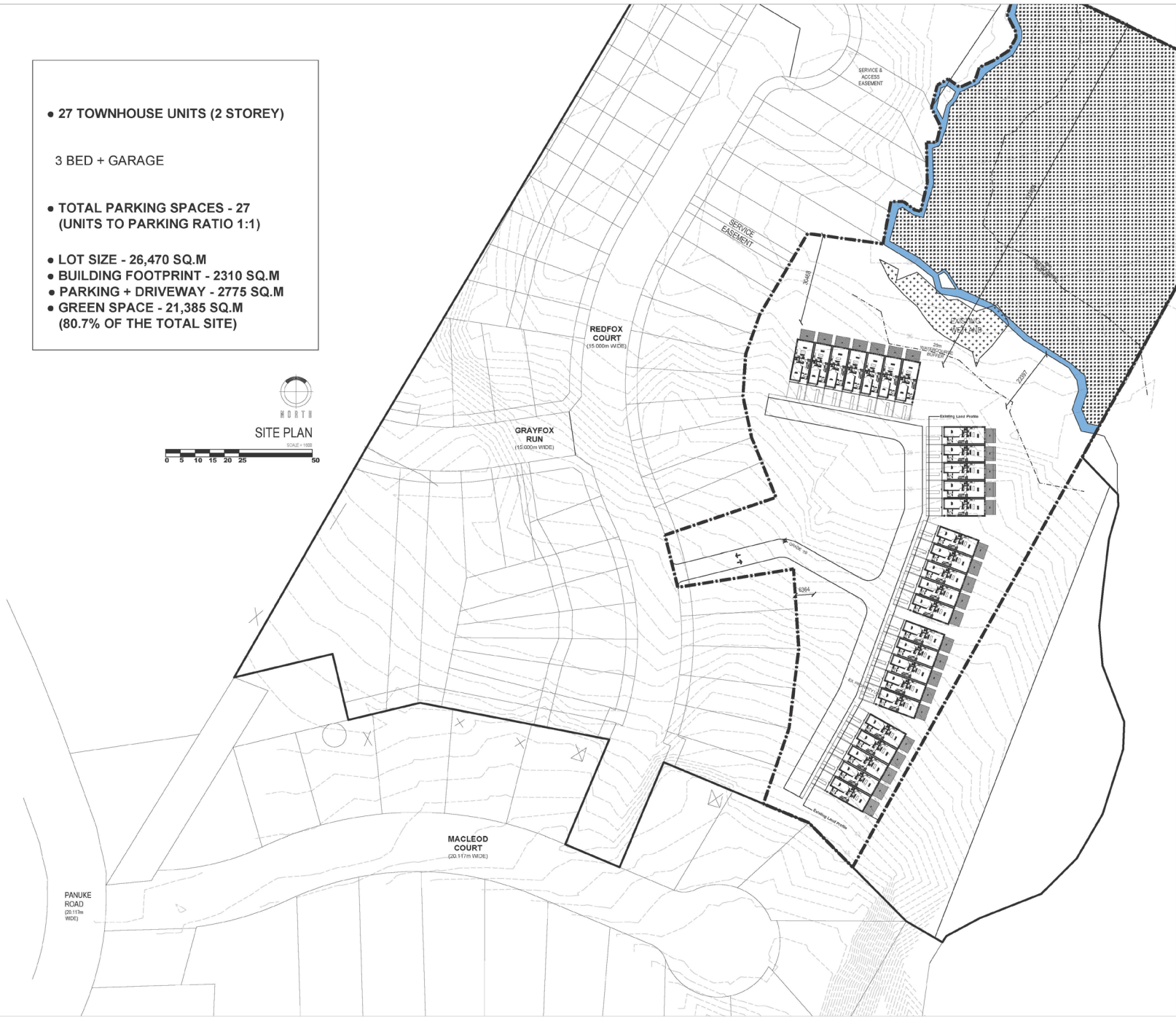
- A revised application was received on June 19, 2023 from Darren Shupe of Brighter Community Planning & Consulting on behalf of the property owner Faisal Al-Hammadi of FH Development Group Inc.
- Request: **27 townhouse units** grouped on the same lot
- The current lots are proposed to be subdivided and include a mixture of one- and two-unit dwellings (as-of-right) on a new public street (Redfox Court)
- A development agreement is required for the proposed townhouse units

- 27 TOWNHOUSE UNITS (2 STOREY)

3 BED + GARAGE

- TOTAL PARKING SPACES - 27
(UNITS TO PARKING RATIO 1:1)

- LOT SIZE - 26,470 SQ.M
- BUILDING FOOTPRINT - 2310 SQ.M
- PARKING + DRIVEWAY - 2775 SQ.M
- GREEN SPACE - 21,385 SQ.M
(80.7% OF THE TOTAL SITE)



PANUKE TOWNHOUSES

LOT GCH-1.3 PANUKE ROAD, THREE MILE PLAINS WINDSOR, NS



OFFICE LOCATION
2555 DUFFY STREET
(ALBERT STREET ENTRANCE)
R9B 2J6 G5Z
R92 452 9128

MAILING ADDRESS
8235 CHEBUCTO ROAD
HALIFAX, NS
B3L 1K7

A	Schematic Design	AUG 31, 2023
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Revisions / Issues:

NOTES:

COPYRIGHT RELATED TO THE USE OF THIS DRAWING:
The use of this drawing shall be governed by standard copyright law as generally accepted in architectural practice.

ARCHITECT'S REQUIREMENTS AND APPROVALS:
It is the Designer's responsibility to verify NUVO Architecture and Interiors Ltd. and to seek prior written approval for materials and workmanship which deviates from inspections provided by the Architect.

ENGINEER'S REQUIREMENTS AND APPROVALS:
It is the Designer's responsibility to verify engineer and to seek prior written approval for materials and workmanship which deviates from instructions provided by the Engineer.

AUTHORITY'S REQUIREMENTS AND APPROVALS:
All materials and workmanship must comply with the requirements of all authorities having jurisdiction over the work. It is the Designer's responsibility to gain necessary approval from all relevant Authorities.

DIMENSIONS:
All dimensions must be verified on site. Do not scale off drawings. Plans take precedence over elevations. In the absence of dimensions or if discrepancies exist, consult Architect. All minimum dimensions are to comply with the National Building Code of Canada.

SHOP DRAWINGS:
Submit shop drawings to the Architect and Engineer for approval prior to manufacture of prefabricated elements of the building.

FH DEVELOPMENT GROUP

SCHEMATIC DESIGN

SITE PLAN

A 100

spring awaits



Orthophoto



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View of existing road reserve (future road connection) from MacLeod Court

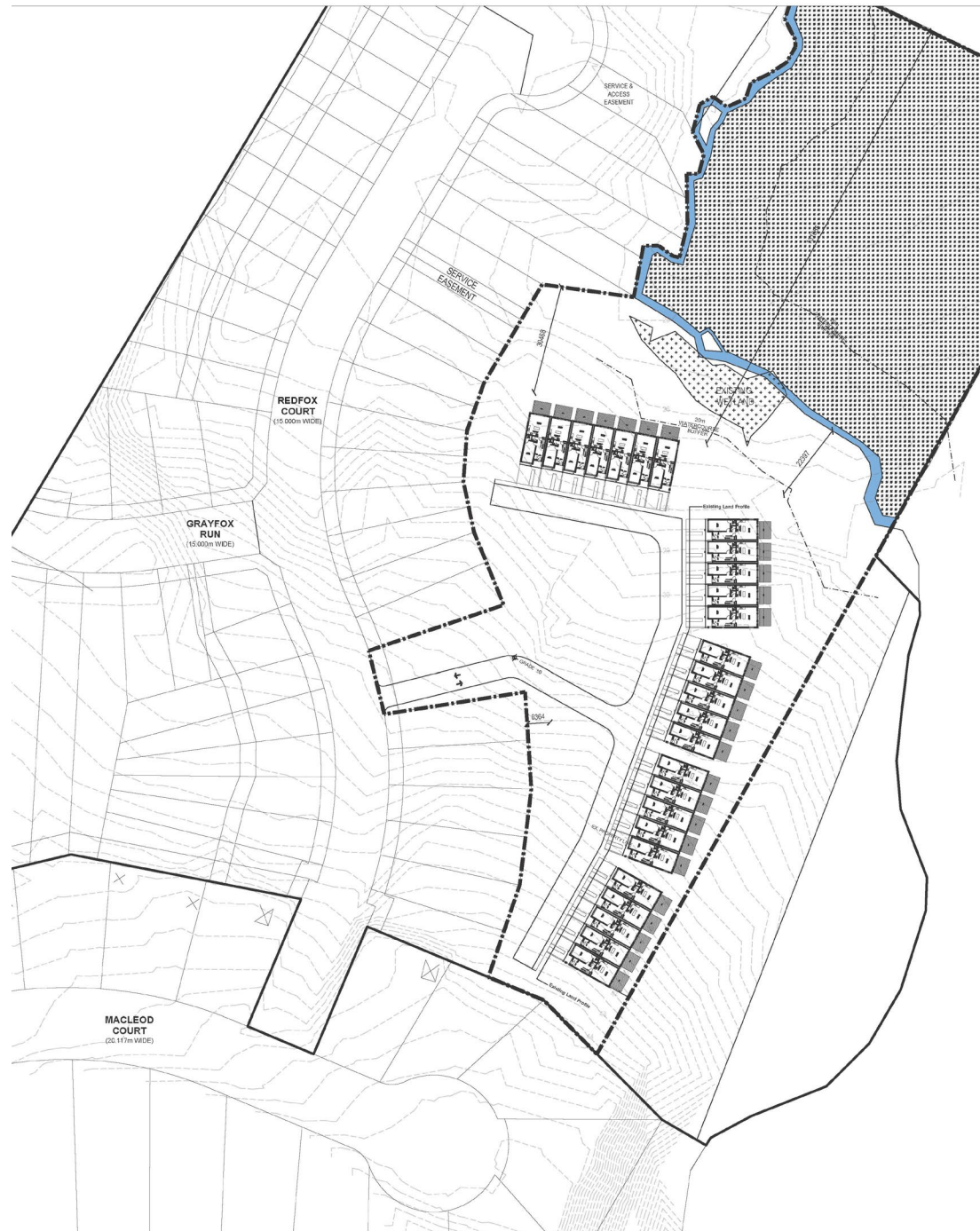
Site Plan

6.5 acre lot

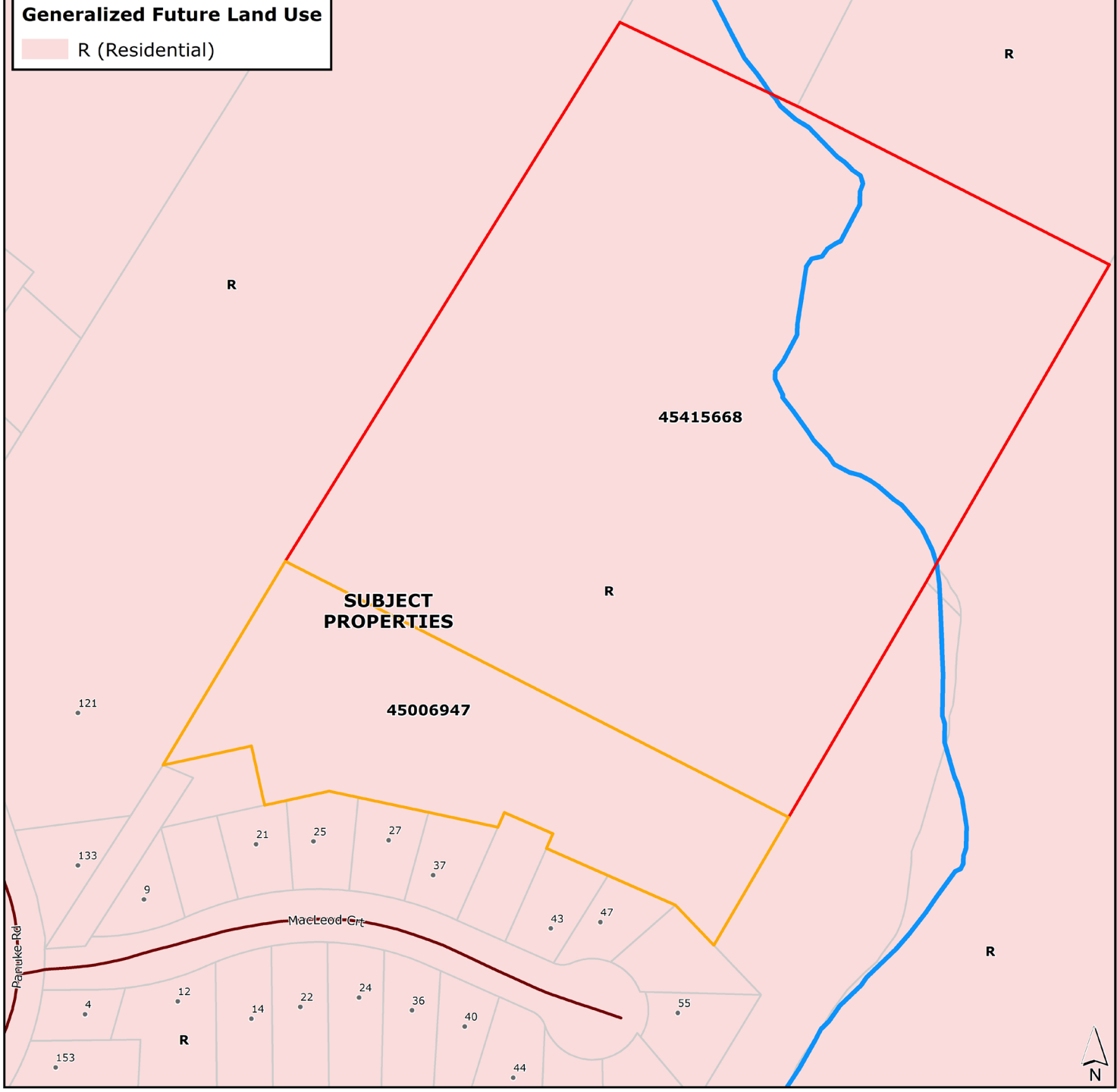
27 townhouse units

Separate entrances, and parking for each unit

Significant open space remaining (approx. 75% of the site)



Generalized Future Land Use
R (Residential)



GFLUM



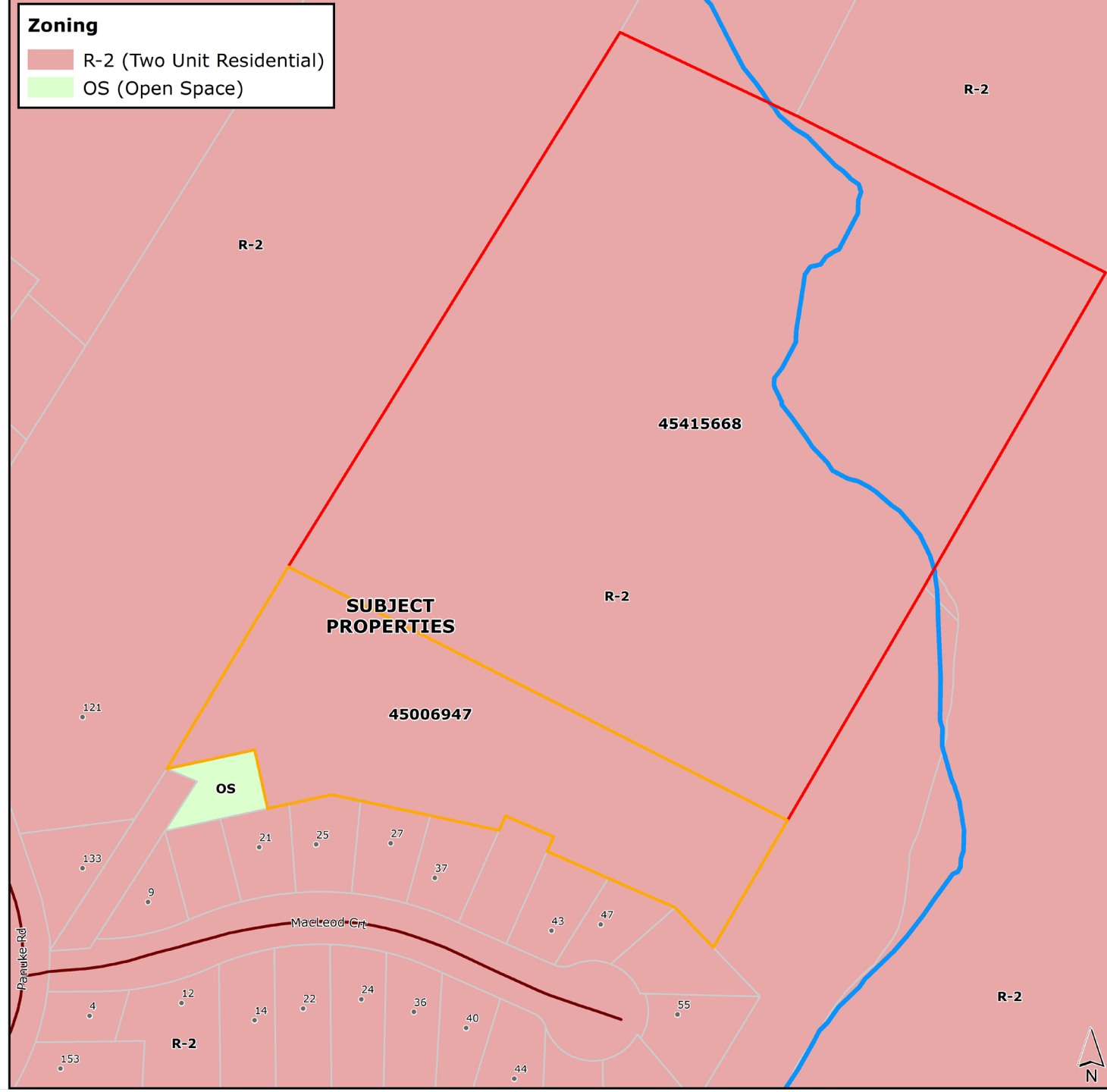
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Zoning

- R-2 (Two Unit Residential)
- OS (Open Space)

Zoning



Consideration

- Ability to have a development agreement for a specific purpose must be established in the LUB
- Requests for development agreements are “measured” against the policies of the MPS



Development Agreements

- A development agreement is a legal contract between the Municipality and a property owner to permit a use that is not usually permitted in the underlying zone
- Grouped dwellings consisting of six or more dwelling units in the Three Mile Plains Growth Centre are only considered by development agreement



West Hants Land Use By-law

- Part 6.1, Development Agreements, states that *“The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy:*
 - ...
 - (c) grouped dwellings consisting of six or more dwelling units in the Three Mile Plains Growth Centre in accordance with Policy 5.3.10 of the Municipal Planning Strategy;*
 - ...

West Hants Municipal Planning Strategy

- Section 5.0 contains the overall intention for Growth Centres in WH
- Section 5.3 residential policies for the Three Mile Plains Growth Centre
- ***Policy 5.3.10*** establishes Council's intention to consider development of grouped dwellings consisting of six or more dwelling units in the Three Mile Plains Growth Centre by development agreement
 - Frontage on a public street
 - Buildings are clustered to conserve existing natural features
 - Access to sewer/water services
 - Compatible with surrounding area
 - Adequate open space
 - Adequate parking



Specific Criteria for DA

Policy 5.3.10 establishes specific criteria to be considered by Council.

- In summary, the criteria are met since:
 - ✓ The property will have frontage on a public street
 - ✓ The buildings are grouped to conserve existing natural features
 - ✓ The lot will have municipal water and sewer
 - ✓ the proposed development is compatible with the surrounding existing uses
 - ✓ Adequate open space and individual back yard spaces are provided
 - ✓ the Development Officer, Public Works Engineering Division, Fire Chief, Manager of Building and Fire Inspection Services, and the Municipal Traffic Authority have no concerns which have not otherwise been addressed in the DA.



General Criteria for DA

Policy 16.3.1 states general criteria to be considered by Council

- In summary, the criteria are met since:
 - ✓ the proposal is not considered premature or inappropriate for the area; provided MacLeod Court is paved and pending NS PW approvals.
 - ✓ no municipal costs related to the proposal are anticipated; and
 - ✓ the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Public Works Engineering Division, and Municipal Traffic Authority have no concerns which have not been addressed in the DA. The Provincial Department of Public Works has indicated that upgrades including paving of MacLeod Court will be required as part of the developer's new road construction.



Development Agreement Details

Requirements

- Permits: up to 27 townhouse units
- Water and sewer servicing required and to be approved by Municipal Engineer
- Maximum height: 3 storeys (35 feet)
- A minimum of 1 vehicle parking space per dwelling unit. (2 proposed)
- A minimum of 500 sq feet back yard space per unit
- Site drainage stormwater management plan to be approved by Municipal Engineer



Public Information Meeting Notes

- A Public Information Meeting was held on September 7, 2023. The meeting was broadcast live on the Municipal Facebook page.
- 7 members of the public attended the Public Information Meeting
- The deadline for comments was September 21, 2023
- Comments during the Public Information Meeting included:
 - Traffic, condition of MacLeod Court and regular truck traffic from quarries. Other concerns related to flooding potential, water and sewer servicing, the lack of sidewalks, crosswalks and streetlights and other amenities.



Public Information Meeting – Sept 7

Staff Review

PAC/HAC Review and Recommendation – Oct 12

Council First Reading – Oct 24

Public Hearing & Second Reading – Nov 28

Notice in Paper

14 Day Appeal period

Process

Ads in the paper:
Nov 7 and Nov 14

All statutory
requirements have
been met.



Comments or Questions from Public



Public Hearing Comment Period

- The Public Hearing was advertised:
 - in the paper November 7 and 14;
 - letters were sent to property owners within 500 ft of the subject lot; and
 - a sign was posted on the lot.
- The deadline for comments was Friday, November 24.
- Staff received no written correspondence.

Recommendation (1 of 2)

...that Council gives Second Reading and approves entering into a development agreement to permit 27 townhouse units grouped on PID 45006947 and 45415668 in Three Mile Plains which is substantively the same as the draft set out in Attachment C of the report File #22-23 to the Planning and Heritage Advisory Committee dated October 12, 2023.

Recommendation (2 of 2)

- ...that Council requires that the development agreement with Faisal Al-Hammadi of FH Development Group Inc. for PID 45006947 and 45415668 in Three Mile Plains be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.



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