

Report to Hantsport Area Advisory Committee

Submitted By: Jeanne Bourque, Planner

Date: January 11, 2017

Subject: Application to rezone 7 Jubilee Lane (PIDs 45192713 and 45192721), Hantsport, West Hants, from Single Unit Residential (R-1) to Two Unit Residential (R-2)

File No. HLUB 16-03

STAFF REPORT

ORIGIN

An application was received from Lorraine McQueen to rezone a property at 7 Jubilee Lane, Hantsport, from Single Unit Residential (R-1) to Two Unit Residential (R-2).

BACKGROUND

The subject property is owned by Becky Corkum, and Lorraine McQueen is the trustee with authority to apply for the rezoning. If the application for rezoning is successful, Ms. McQueen proposes to convert the existing single unit dwelling to a two unit dwelling.



PROPERTY LOCATION AND SURROUNDING USES

The subject property (see **Exhibit 1**) is made up of two separate lots (PID #s45192713 and 45192721) which the applicant is currently having consolidated, so this staff report will treat them as one property. The property has 130 feet of frontage on Jubilee Lane and is approximately 16,300 square feet in area. There is an existing single unit dwelling on the property, and the land is zoned R-1. Lands on either side of the property, # 3 and #9 Jubilee Lane, are also zoned R-1. The property to the south, # 5 Chittick Avenue, is zoned Commercial and contains a dentist office. Another property to the south, #14 Chittick Avenue, is also zoned R-1. Two properties directly across from the subject property, # 11 and #16 Jubilee Lane, are owned by the Nova Scotia Government, are zoned Multiple Unit Residential (R-3), and contain seniors housing.

HANTSPORT MUNICIPAL PLANNING STRATEGY AND HANTSPORT LAND USE BY-LAW CONSIDERATIONS

When considering any amendments to the planning documents, Council must determine whether the proposed amendment reasonably carries out the intent of the Hantsport Municipal Planning Strategy (HMPS) and does not conflict with the Hantsport Land Use By-law (HLUB).

CRITERIA TO CONSIDER FOR ALL AMENDMENTS

Policy IM-3 is the general policy that must be considered for all land use by-law amendments.

11.3 AMENDMENTS OF THE LAND USE BY-LAW

11.3.1 Criteria

*The Strategy is accompanied by a regulatory document known as a Land Use Bylaw. It is intended that the Land Use By-law be amended from time to time usually through a formal application process made to the Town. An application may be received to amend a clause(s) or section(s) of the Bylaw or to **amend the Zoning Map (these latter amendments are also known as rezonings)**.*

Council may only approve amendments to the Land Use By-law if they are consistent with the policies of this Strategy. In addition to policies or statements contained throughout the Strategy the following is a list of general criteria to be followed by Council in its consideration of an amendment.

Policy IM-3

In considering amendments to the Town of Hantsport Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:

(a) whether the proposal is considered appropriate in terms of:

(i) the adequacy of sewer and water services;

The area is serviced with central sewer and water which has the capacity to adequately service increased residential density.

(ii) the adequacy of school facilities;

An increase of one dwelling unit does not substantially impact the ability of the school to provide service.

(iii) the adequacy of fire protection;

An increase of one dwelling unit does not substantially impact the ability of emergency providers to deliver adequate services.

(iv) the impact on adjacent uses;

This is a mixed use area, with a variety of housing options and density, as well as the multiple residential units for seniors, with some commercial in the immediate vicinity. Staff feel that an increase of one dwelling unit will have a negligible impact on adjacent uses.

(iv) the adequacy of road networks adjacent to, or leading to the development; and

Chittick Avenue is considered to be an adequate road network capable of handling minimal increased density.

(v) the financial capacity of the Town to absorb any costs relating to the development.

Increased residential density in an already serviced area helps to use services more effectively. There are no anticipated costs related to the rezoning.

(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;

An increase of one dwelling unit does not substantially impact the movement of auto, rail and pedestrian traffic,

(c) the adequacy of the dimensions and shape of the lot for the intended use;

The minimum lot size for R-2 is 5,005 square feet and 50 feet of street frontage. The size of the subject property exceeds the minimum criteria for R-2 zoning.

(d) the pattern of development which the proposal might create;

As the subject property is located in an area with an established mixed residential density and commercial use, there are no concerns relating to this criteria.

(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;

Not applicable.

(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations;

If the application for rezoning is successful, the owner will have to meet all relevant provincial, federal and municipal regulations.

(g) the impact of not only the use being proposed but all uses permitted in the zone;

The Municipal Planning Strategy clearly supports carefully increasing the residential density in the community, and staff consider that two unit dwellings are compatible with single unit residential development.

(h) the site meets all of the zone requirements for the zone sought; and
There are no concerns relating to this criteria. See item (c) above.

(i) any other matter required by relevant policies of this Strategy.
All other matters have been addressed in this report.

PUBLIC PARTICIPATION PROGRAM

The *Municipal Government Act* requires that Councils adopt a public participation program for the preparation of planning documents, which includes amendments to those documents. West Hants has had such a program since 1988, with the latest revision done in 1999.

Once HAAC has reviewed the application for the Land Use By-law amendment (rezoning), the staff report will be forwarded to the Planning Advisory Committee (PAC) for further review and consideration. A Public Information Session will be held, and surrounding landowners within 300 feet will receive a letter letting them know of this opportunity to voice their comments. After that input is received, PAC may recommend that the application be sent to Council for consideration, and after First Reading a Public Hearing and Second Reading will be advertised and held. After receiving public input in that forum, the decision typically goes to Council immediately following the hearing. If Council approves the application for the rezoning, then an advertisement is published setting out the public's right of appeal.

CONCLUSION

This report has reviewed the proposed amendment against relevant policies and requirements of the HMPS and the HLUB, and Planning staff feel that the proposed amendment reasonably carries out the intent of the HMPS, and does not conflict with the HLUB. Staff therefore recommend that the application be sent to the Planning Advisory Committee for further review and consideration.

OPTIONS

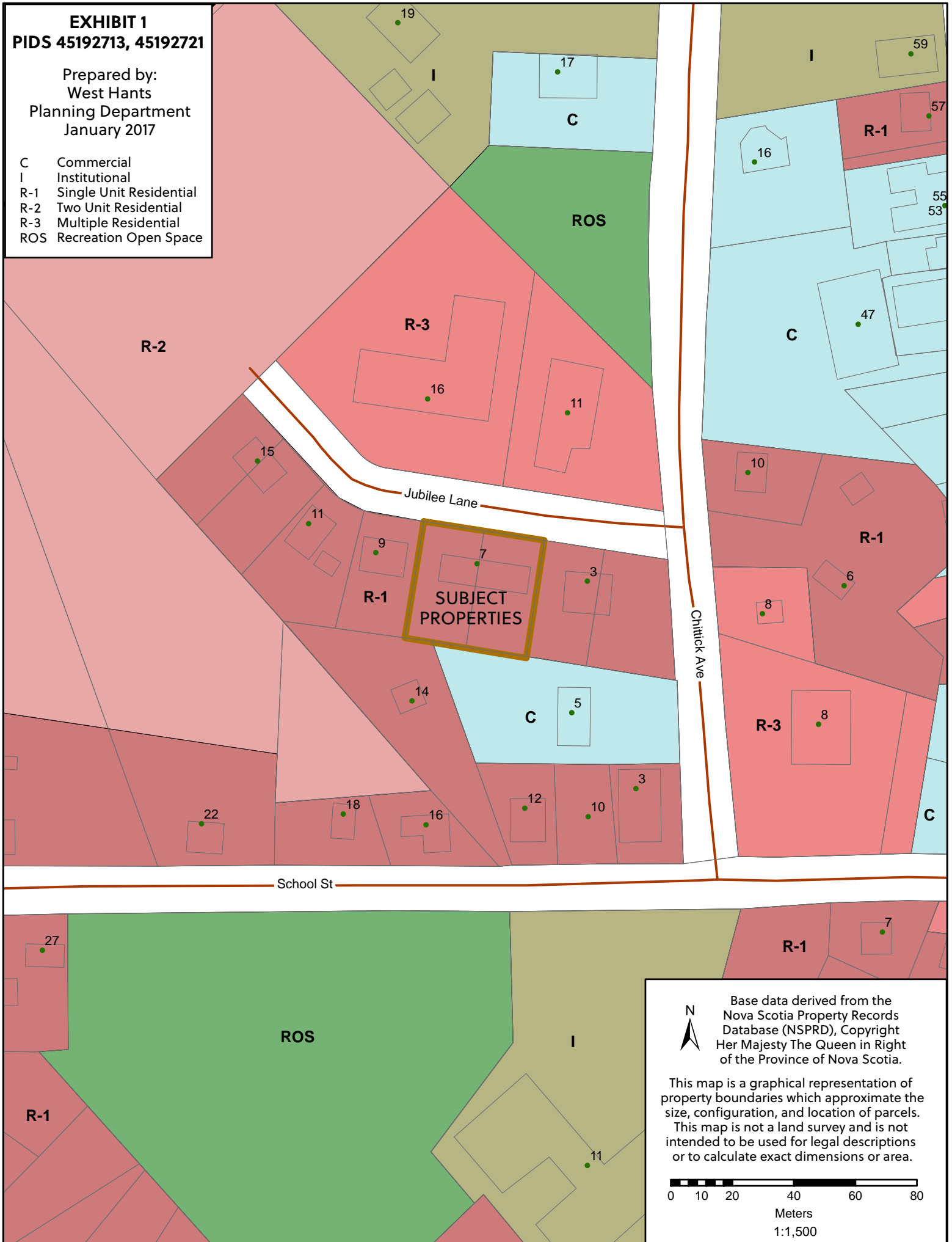
Any of the following options could form a motion:

1. Hantsport Area Advisory Committee could send the proposed application to rezone 7 Jubilee Lane to the Planning Advisory Committee for further consideration and action. This is the option recommended by staff.
2. HAAC could recommend that the rezoning not be considered. If this is the option chosen, then then the HAAC may provide written comments specifying their objection to the application, and these comments would be forwarded to PAC with the staff report.

EXHIBIT 1
PIDS 45192713, 45192721

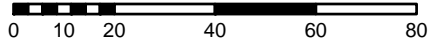
Prepared by:
 West Hants
 Planning Department
 January 2017

- C Commercial
- I Institutional
- R-1 Single Unit Residential
- R-2 Two Unit Residential
- R-3 Multiple Residential
- ROS Recreation Open Space



Base data derived from the Nova Scotia Property Records Database (NSPRD), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia.

This map is a graphical representation of property boundaries which approximate the size, configuration, and location of parcels. This map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area.



Meters

1:1,500