



Report to Hantsport Area Advisory Committee

Submitted By: Jeanne Bourque, Planner

Date: December 14, 2016

Subject: **Amendment to Hantsport Municipal Planning Strategy (HMPS) to enable rezoning Single Unit Residential (R-1) to Two Unit Residential (R-2)**

File No. **HMPS 16-02**

STAFF REPORT

ORIGIN

Internal Review by Staff and Citizen Application

Amendments to the municipal planning documents fall under two broad categories – housekeeping amendments undertaken to correct substantial errors or gaps; and amendments that are considered in response to a specific application. The amendments considered by this report fall into both categories.

RECOMMENDATION

It is moved that:

THE HANTSPORT AREA ADVISORY COMMITTEE RECOMMENDS THAT THE PROPOSED HMPS AMENDMENTS, AS CONTAINED IN THE PLANNING STAFF REPORT OF DECEMBER 14, 2016, BE SENT TO WEST HANTS PLANNING ADVISORY COMMITTEE FOR FURTHER CONSIDERATION AND ACTION.

BACKGROUND

During a recent amendment to the Hantsport Land Use By-law (HLUB), it became evident that no provisions exist to enable a rezoning from Single Unit Residential (R-1) to Two Unit Residential (R-2). The need for an amendment was first brought to the attention of the Hantsport Area Advisory Committee (HAAC) in July of 2016 and was in the “queue” to have a staff report done when resources were available. Before this was started, an application was received from a Hantsport resident that moved the report into a higher priority.

DISCUSSION

The HMPS does allow Council to consider rezoning land from R-1 to Multiple Unit Residential (R-3), so the omission of policies enabling a rezoning to R-2 is puzzling. Staff reviewed the Integrated Community Sustainability Plan (ICSP) which forms part of the HMPS and serves as a vision for the community. ICSP Goal #5 is, "Provide housing opportunities to encourage new residents to the Town." Goal #6 is, "More fully utilize Town services." These two goals form the basis for Section 2.2.5 Growth Strategy of the ICSP. The preamble to HMPS Section 4.0 Residential Policies also states a very clear desire on Council's part to increase residential density and use existing central services more efficiently.

However, these sound planning principles appear to be negated by the findings of the Hantsport Household Survey.

HANTSPORT HOUSEHOLD SURVEY

The Hantsport Household Survey was undertaken by the 4Site Group consultants who had been hired in 2008 to write the ICSP and carry out the review of the planning documents. The survey was mailed out to 600 households, and 206 were returned, an approximate 33% response rate, which is good for a survey that takes some effort to fill in. There were a few other types of public consultation carried out, such as advertisements and public meetings, but overall attendance was low at the meetings, with repeat attendees. In the absence of more extensive public consultation, the survey results were used as support for new policies.

The preamble to the HMPS says that, "*the information from the (survey) responses has been used extensively in the preparation of this Strategy*", (HMPS p. 6). This is problematic, as it must always be kept in mind that the survey responses are only 33% of the total households in the community, so when a numbers collation says that half the households had a particular opinion, it was only one half of 33%, or 16% of the total households.

4.1 Residential Low Density

*Most of the residential area of the Town consists of detached single unit development. **The survey revealed that most residents support** this type of development and were not in favour of allowing the conversion of existing housing into two or more residential units.*

*While Council is in favour of increasing residential density it will **respect the wishes of most residents** and maintain a single unit zone on the existing single unit residential development in the Town. (Emphasis added)*

We cannot extrapolate to say that "most residents" have provided their opinion. What we can say is that the majority of the residents **who responded** to the survey hold a particular opinion. This is a very common error, and it is unfortunate that the results from this one public consultation tool took precedence over sound planning practices such as increasing residential density and making the best use of existing central services.

PROPOSED AMENDMENTS

Planning staff recommend a simple approach to enable Council to consider the rezoning of land to Two Unit Residential. In the attached **Exhibit 1**, text that refers to the results of the Household Survey are deleted, one paragraph explaining Council's intent to increase residential density is added, and a new policy is added, Policy RP-2A.

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 in 1999.

Once HAAC reviews these proposed amendments and provide their recommendation, the staff report will be forwarded to the Planning Advisory Committee (PAC) for review and consideration. A Public Information Session would be held at that time. PAC may choose to recommend that the proposed amendments be sent to Council for consideration, and after First Reading, a Public Hearing will be advertised and held. After receiving public input in that forum, the matter typically goes to Council immediately following the hearing for a decision. Council is the only body with authority to make a decision. If Council approves the amendments, then an advertisement is published setting out the public's right of appeal to the Nova Scotia Utility and Review Board.

CONCLUSION

This report has reviewed the proposed amendments against relevant policies and requirements of the Hantsport Integrated Community Sustainability Plan and the Hantsport Municipal Planning Strategy, and Planning staff feel that the proposed amendments reasonably carry out the overall intent of the ICSP, the HMPS, and do not conflict with the HLUB. Staff therefore recommend that the proposed amendments be sent to the next step of the review process.

OPTIONS

1. HAAC could recommend sending the proposed amendments to PAC for further consideration and action. This is the option recommended by staff and a suggested motion is on page 1 of this report.
2. HAAC could request that staff make changes to the recommended amendments and prepare a supplementary staff report on those changes.
3. HAAC could recommend that the amendments not be considered. If this is the option chosen, then the HAAC may provide written comments specifying their objection to the amendments, and these comments would be forwarded to PAC with the staff report and proposed amendments.

EXHIBIT 1

PROPOSED AMENDMENTS TO THE HANTSPORT MUNICIPAL PLANNING STRATEGY

Text to be deleted is struck through

Text to be added is highlighted

4.1 Residential Policies

Hantsport has a total of 532 dwelling units most of which are single unit residential owner occupied. There is a small number of two unit residential buildings fewer still multiple unit residential buildings. The largest multi-unit buildings are for senior citizens, Jubilee Lodge on Jubilee Avenue and Jubilee Court on Chittick Street. These two buildings are owned by the Nova Scotia Housing Authority.

The housing stock is in very good condition and is located for the most part on large lots which are serviced by the Town's water and wastewater system. Statistics Canada reports that the average value of a dwelling is \$147,983 compared to the provincial average of \$158,000.

The residential areas of the Town are more or less distinct from the commercial and industrial areas of the Town. Some homes contain a business use and there are a few commercial buildings located within the residential areas.

~~The survey asked if residents are opposed to home based businesses. Most respondents indicated that home based businesses are acceptable by a 47% to 32% margin.~~

Many municipalities are looking at increasing residential density as a way to increase sustainability both environmentally and economically. Having more housing units in an area to which the municipality already provides services such as recreational, library, and educational services means more people will be able to walk or bike to these services. In addition more people living near a commercial area will lead to a reduction in the use of the automobile to access goods and services.

Economically, a greater density will improve a municipality's fiscal position as municipal services (water, wastewater, solid waste collection, recreational programs, etc.) will be more efficiently provided. Such additional development will increase the tax revenue of the Town without leading to a corresponding increase in expenditures to provide services if there is sufficient capacity in these system, as is the case in Hantsport.

Policy RP-1

It shall be the policy of Council to designate an area as "Serviced Residential" as shown of the Generalized Future Land Use Map. Council shall establish three residential zones in the Land Use By-law which shall apply to this designation, the Residential Single Unit (R-1) Zone, the Two Unit Residential (R-2) Zone, and the Residential Multiple Unit (R-3) Zone.

4.1 Residential Low Density

Most of the residential area of the Town consists of detached single unit development. The survey revealed that most residents support this type of development and were not in favour of allowing the conversion of existing housing into two or more residential units.

While Council is in favour of increasing residential density it will respect the wishes of most residents and maintain a single unit zone on the existing single unit residential development in the Town. However, in the adjacent vacant areas shown as “Future Development Areas” on the Opportunities Map Council will establish a two unit residential zone. Residents who locate in these areas should have knowledge that the zone permits two units and will make their decision accordingly. The two unit zone will also apply to the existing two unit development in the Town.

While a majority of the residential area of the Town consists of detached single unit development, Council is in favour of increasing residential density in order to provide housing opportunities to encourage new residents, as well as to more fully utilize central water and sewer services. In the adjacent vacant areas shown as “Future Development Areas” on the Opportunities Map Council will establish a two unit residential zone. Council may consider rezoning additional land to R-2 as demand requires.

Policy RP-2

It shall be a policy of Council to establish the Single Unit Residential (R-1) and apply the zone to existing single unit residential development and adjacent areas shown as “infill” areas of the Opportunities Map. Permitted uses in the zone shall include single unit dwelling units, residential daycare facilities (accommodates more than three but less than 9 children) and home based businesses.

Policy RP-2A

It shall be a policy of Council to consider rezoning land within the Residential Designation to R-2 subject to the following:

- (a) the area to be rezoned is serviced, or capable of being serviced, with municipal water and sewer.
- (b) the proposed use will not conflict with adjacent existing uses;
- (c) any other matter which may be addressed in a Land Use By-law;
- (d) Policy IM-3.

Policy RP-3

It shall be a policy of Council to establish the Two Unit Residential (R-2) Zone and to apply this zone to the areas shown as “Future Development Areas” on the Opportunities Map. Uses permitted in the R-1 zone and two unit residential development shall be permitted in the R-2 Zone.