



Report to West Hants Council

Submitted By: Jeanne Bourque, Planner

Date: September 27, 2016

Subject: Review of Proposed Location - Garlands Crossing Fire Station

File No. 2120-20

PRELIMINARY STAFF REPORT

ORIGIN

In response to the Fire Services Study done by RJ Bartlett Engineering Ltd. and received by the Fire Restructuring Committee, the Municipality of West Hants is considering locating a new fire station in the Garlands Crossing area of the Three Mile Plains Growth Centre. The Chief Administrative Officer of West Hants requested that the Planning department prepare a staff report and hold a public meeting as required by Policy 4.4.1 of the Municipal Planning Strategy (MPS).

RELEVANT POLICIES OF THE MUNICIPAL PLANNING STRATEGY (MPS) AND LAND USE BY-LAW (LUB)

The following are excerpts from the Municipal Planning Strategy (MPS) and Land Use By-law (LUB). These documents determine if the development can be considered by rezoning or by development agreement, and then what criteria must be considered. Fire stations are classified as an Institutional Use.

Municipal Planning Strategy Section 4.4- Development on Municipally-owned land

Institutional, community use and public works development on municipally-owned lands shall be permitted in any zone. For major developments, however, such as a sewage treatment plant, or other public or institutional building or facility, Council feels it is important to consider the impact on the surrounding neighbourhood as well as to provide an opportunity for public input. For this reason, where such developments, if undertaken on privately-owned land, would be subject to a development agreement or rezoning process, Council will take into consideration the relevant policies of the Municipal Planning Strategy prior to commencing construction.

- Policy 4.4.1** *It shall be the policy of Council to allow institutional, community use or public works development on municipally-owned land in any zone; however, where such development involves the construction of a new main building with a gross floor area greater than 2,000 ft² (185.80 square meters) and would require a development agreement or rezoning if undertaken on privately-owned land, it shall be the intention of Council, prior to commencing such development, to consider its potential impact on the community and seek public input by:*
- (a) requesting a staff report reviewing the relevant policies of the Municipal Planning Strategy including Policy 16.3.1; and*
 - (b) holding a public meeting and publishing a notice of the public meeting.*

EXCERPTS FROM LAND USE BY-LAW

Development on Municipally-owned Land

- 5.7 (a) *Municipal buildings and facilities shall be permitted in any zone.*
- (b) *Notwithstanding clause (a), Section 4.4 of the Municipal Planning Strategy shall apply to development on municipally-owned land where such development:*
- (i) involves the construction of a new main building with a gross floor area greater than 2,000 ft² (1.85.80 m²); and*
 - (ii) would require a development agreement or rezoning if the development were undertaken on privately-owned land.*

The following are the planning criteria from Policy 13.1.2 that staff will use to assess the proposed location of a fire station in Garlands Crossing in the final staff report.

Municipal Planning Strategy Section 13.1 - Institutional

The development of adequate institutional facilities is important in creating a strong sense of community. In the Growth Centres, Village and Hamlets, institutional uses act as focal points. Schools, churches, homes for special care, public or non-profit senior citizen accommodation, community halls, arenas and similar uses are considered institutional uses and should be encouraged to locate in a manner which minimizes traffic and parking problems as well as negative effects on nearby properties and land uses. In the Growth Centres, Village and Hamlets, existing institutional uses will be zoned Institutional or recognized as existing permitted uses. New institutional uses will be considered only by development agreement. In most resource zones, new churches, community centres and fire halls will be permitted. Other new institutional uses will be considered by development agreement.

Policy 13.1.1 *It shall be the policy of Council to establish an Institutional (I) zone which shall apply to existing public or non-profit uses such as churches, schools, homes for special care, community halls, fire stations, indoor recreational uses and other public buildings and facilities.*

Policy 13.1.2 *It shall be the policy of Council to consider new institutional uses by development agreement in any designation subject to the following:*

- (a) the development fronts on an arterial or collector street, or on a street that has direct access to an arterial or collector street;*
- (b) the development is serviced, or is capable of being serviced, by a potable water supply and either central sewer or an approved on-site sewage disposal system; (Amendment WHMPS 14-01 Effective January 22, 2015)*
- (c) any proposed structure will not exceed three storeys in height and will be architecturally compatible with neighbouring structures;*
- (d) safe and efficient roadway access is provided;*

- (e) adequate on-site parking is provided;
- (f) adequate open space, landscaping and separation distances are provided;
- (g) the development will not conflict with adjacent existing uses;
- (h) noise and traffic generation of the proposed use is not excessive in relation to the existing development pattern of the area;
- (i) the development is consistent with the development objectives of the designation;
- (j) any other matter which may be addressed in a development agreement; and
- (k) Policy 16.3.1.

In addition to this specific policy, West Hants also has a general policy that sets out criteria to assess all amendments and development agreement. Planning staff use this as a general "check list" to ensure that all criteria have been considered in a staff report:

Municipal Planning Strategy Section 16.3.1 – General Policy for all Development Agreements

Policy 16.3.1 *In considering development agreements and amendments to the West Hants 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 premature or inappropriate in terms of:*
 - (i) *the adequacy of sewer and water services;*
 - (ii) *the adequacy of school facilities;*
 - (iii) *the adequacy of fire protection;*
 - (iv) *the adequacy of road networks adjacent to, or leading to the development; and*
 - (v) *the financial capacity of the Municipality to absorb any costs relating to the development.*
- (b) *whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on-site sewage disposal system;*
- (c) *the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;*
- (d) *the adequacy of the dimensions and shape of the lot for the intended use;*
- (e) *the pattern of development which the proposal might create;*
- (f) *the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding;*
- (g) *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; and*
- (h) *any other matter required by relevant policies of this Strategy.*

DEVELOPMENT AGREEMENTS

A development agreement (DA) is a legal contract between a municipality and a property owner that sets out the type and form of development permitted on a property. While planning staff are using the evaluation criteria set out for development agreements, there is

no requirement that an actual DA be written for a municipal use, such as a fire station, on municipally owned lands.

PUBLIC PARTICIPATION PROGRAM

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

For this proposal, Policy 4.4.1 is being used to direct the public participation process. This policy identifies Councils intention that they will consider the developments potential impact on the community by holding a public meeting. Staff have used the typical process for a development agreement and sent out letters to property owners within 300 feet of the subject property notifying them that a public meeting would be held on September 27, 2016, beginning at 6:00 pm in Council Chambers. An advertisement was also placed in the Valley Journal Advertiser.

CONCLUSION

After public input is received, planning staff will complete a report that takes into consideration any comments or concerns that are relevant to planning policies. Information will also be sourced from the Fire Services Study done by RJ Bartlett Engineering Ltd. and the final report from Stantec Consulting Limited, due to be received shortly. The final planning report will be presented at the October 11 meeting of Council.

Report prepared by Jeanne Bourque, Planner