



PLANNING ADVISORY COMMITTEE **AGENDA**

Wednesday, April 17, 2024 @ 6:30 pm
Council Chambers, Stewiacke, NS

Before we begin our meeting, we would like to acknowledge that Stewiacke is in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq people.

1. Call to Order
2. Attendance
3. Approval of / Changes to Agenda
4. Disclosure of Interest on Agenda Items
5. Approval of Minutes
 - a. PAC Minutes, March 20, 2024
6. Business
 - a. Rezoning Application – 12 Main Street
 - b. Perry Lake Zoning
 - c. Development Proposal – Garden Gate
7. Other Items
8. Next Meeting Date
9. Adjournment



Minutes – Planning Advisory Committee meeting held Wednesday, March 20, 2024

1. Call to Order Meeting

The meeting of the PAC meeting was called to order at 6:30 p.m. by Chairperson Lloy.

2. Attendance

Mayor ...	George Lloy
Councilor ...	Rebecca Rogers Laing
Citizen ...	Denvert Levy
Citizen ...	David LeBlanc
Citizen....	Charlene Deconde
Citizen....	Ron Colpitts
Citizen...	Susan Smith Doucet
Staff	Grant Cooke Kevin Matheson

3. Approval of / Amendments to Agenda

Moved by Denvert Levy and seconded by David LeBlanc to approve the agenda as circulated.

Motion carried

4. Disclosure of Interest on Agenda Items

N/A

5. Approval of Minutes

Moved by David LeBlanc and seconded by Charlene Deconde that the minutes of February 21, 2024 be approved with the following corrections:

Kamie Branch and Renae Verboom be noted as the presenters for Big River Café and Heather Sutherland be noted as a presenter in opposition, and that the civic address of 12 Main St East .be noted in the minutes.

Motion carried

6. Business

a) Perry Lake Rezoning

Staff report from Grant Cooke was discussed.

Moved by Susan Smith Doucet and seconded by Denver Levy to recommend to Council that the next residential phase of Perry Lake be rezoned to the General Residential (R-2) Zone. Also the Generalized Future Land Use Map be redesignated to Serviced Residential.

Motion carried

7. Other items

a) Memo from Interim CAO

Kevin Matheson tabled a report for information purposes of issues considered by the Committee in the past year that may not have been resolved. Agreement to come up with a workplan for the Committee.

b) Communication with Council

Committee members requested a mechanism for better feed back on whether their recommendations are accepted, modified or rejected.

8. Next Meeting Date

April 17, 2024

9. Adjournment

The meeting adjourned at 6:52 p.m.



Proposed Amendments to the Municipal Planning Strategy and Land Use By-law

Rezoning of 12 Main Street

The Municipal Planning Strategy (MPS)

The MPS is amended:

(a) by deleting the following from Section 4.1 the following:

“One of these residential areas deserves special mention, and that is the area along Main Street between the highway commercial uses near the highway and the downtown. Although there will be pressure to convert this area to commercial uses (there are already several commercial uses intermixed with the residential ones), Council feels it is important to maintain the area as residential to provide a buffer between the two commercial areas. If this main entrance of the Town becomes an unbroken commercial strip, the goal of promoting the Downtown area as a vibrant, pedestrian-friendly place to visit will be jeopardized.

Equally important is this area’s proximity to the residential component of the Perry Lake proposal, located just to the south of this area. The proposal consists of a subdivision in excess of 30 lots for the first phase and a mix of residential uses. Maintaining the residential uses on Main Street will solidify this entire area as a stronger residential community. The Serviced Residential designation will include an area on Main Street East up to Riverside Avenue.”;

(b) by adding the following section after **Section 5.2 Highway Commercial**

“5.2A Special Commercial (C-3) Zone

While most of the residential areas of the Town will be zoned primarily for residential uses one area has been chosen for a limited number of commercial uses. This is the area along Main Street between the highway commercial uses near the highway and the downtown.

The Town has received a request to allow the conversion of a house at 12 Main Street into a café in order to expand one that is located on property leased from the Town. The lease is nearly up and the property may be the site of a new library.

Council is in favour of allowing this use at 12 Main Street and will give the other residential properties in the area the same opportunity to have a similar commercial use if the owners decide to do so.

One reason for allowing commercial uses on this section of Main Street is to attract people to continue along Main Street into the downtown. Main Street is the main route into the downtown.

So that Main Street will not in time have the appearance of one long commercial strip the commercial uses in this area will only be permitted in buildings which have a residential "look". There are no significant changes being made to the existing home at 12 Main Street so it will retain its residential appearance. If new construction is proposed for other sites at some point in time the building will be required to look like a residence.

The type of commercial uses will also be controlled. Uses which do not generate a lot of traffic such as cafes, hair salons, small offices, physical therapy clinics, etc will be the kind of commercial use permitted. There will also be other requirements to help maintain the residential character of this area, such as parking lots in the rear yard.

Council will accomplish this by establishing a special commercial zone which will initially only apply to the area on Main Street between the Downtown Commercial (C-1) Zone and the Highway Commercial (C-2).

The zone will also allow residential uses so a building may contain both a dwelling unit and a commercial use.

Policy CP-6A

It shall be a policy of Council to establish the Special Commercial (C-3) Zone which will permit a limited number of commercial uses which do not generate a significant amount of traffic and have less of an adverse effect than other commercial uses on adjacent residential uses.

Policy CP-B

It shall be a policy of Council to zone the property at 12 Main Street (PID#20122750) to the C-3 Zone.

Policy CP-6C

It shall be a policy of Council to consider a rezoning to the C-3 Zone in the area along Main Street between the Downtown Commercial (C-1) Zone and the Highway Commercial C-2 Zone.

Policy CP-6D

The C-3 Zone shall contain requirements designed to help maintain the residential appearance of the area.”; and

(c) by deleting the following from the first paragraph of **Section 5.3:**

“Council has identified one step in Section 4.1 to achieve this goal. Instead of having a continuous commercial strip along the street, the residential area that currently exists near Highway 2 will be preserved for the long term.”

Land Use By-law

The Land Use By-law is amended:

(a) by adding in Section 3.1 **Zones** “Special Commercial C-3” below “Highway Commercial (C-2)”

(b) by adding to the end of **Part 9** the following:

“9.3 Special Commercial (C-3) Zone

9.3.1 Permitted Uses

The following uses are permitted in this zone:

- cafes
- hair salons
- business or professional offices
- flower sales
- physical therapy establishments
- uses permitted in the General Residential (R-2) Zone

9.3.2 Lot Specifications

The following minimum specifications apply to all lots in the Special Commercial (C-3) Zone

	MINIMUM SPECIFICATIONS
Minimum Lot Area	460 m ² (4952 sq. ft.)

Minimum Lot Frontage	15 m (49.2 ft.)
Required Front Yard	6 m (19.7 ft.)
Required Rear Yard	6 m (19.7ft.)
Required Flanking Yard	3.5 m (11.4 ft.)
Required Side Yard	1m (3.3 ft.) on one side and 3 m (9.8 ft) on the other
Maximum Height	11 m (36 ft.)

9.3.3 Lot Specification Exceptions

A conversion of an existing residence to a commercial or partial commercial uses need not meet the yard specifications above.

9.3.4 Residential Appearance

Any building which is used for a commercial use will, either by the conversion of an existing residence or by the redevelopment of a residential property, shall have the appearance of a residence.

9.3.5 Drive- thrus Not Permitted

Drive-thrus are not permitted in this zone.

9.4.5 Buffer required

A buffer consisting of a hedge or fence sufficient to screen from adjacent residential uses the parking lot and garbage receptacles shall be required.

9.4.6 Maximum size of Commercial Use

The size of the commercial use shall be restricted to 120 sq. metres (1291 sq. feet).

9.4.7 Signage

Notwithstanding Part 7, one sign with a maximum size of 1 square metre (10.8 sq. ft.) shall be permitted and shall not be a flashing or digital sign.

Suggested wording for Motions

Rezoning – 12 Main Street

"I move that PAC recommend that Council begin the process of rezoning the property at 12 Main Street the new C-3 Zone to accommodate the relocation of the Big River Cafe and to provide for similar opportunities for other residential properties in the area through the rezoning process".

or

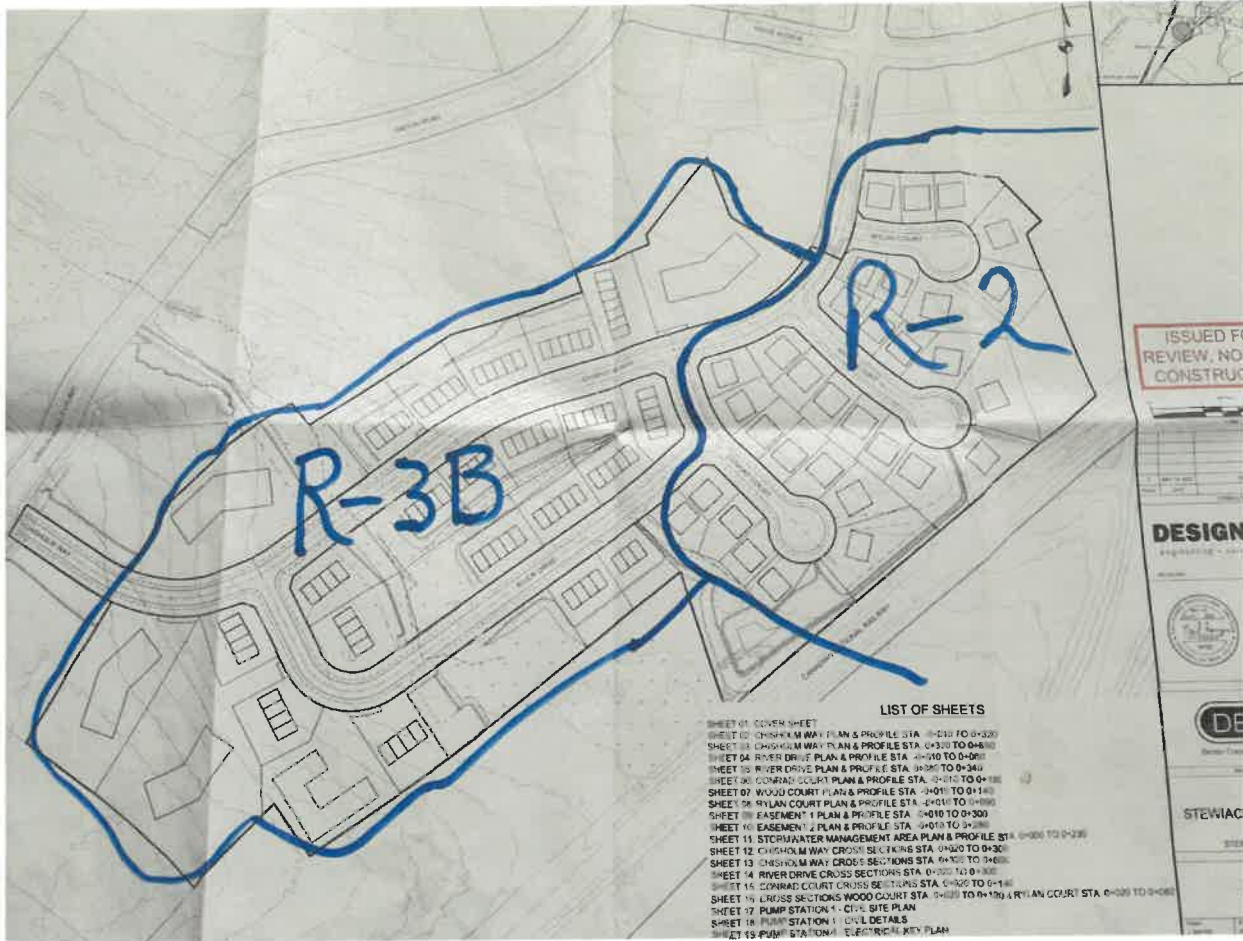
"I move that the PAC reject the rezoning application for 12 Main Street and leave this area as residential"

or

"I move that PAC recommend to Council to create the Special Commercial (C-3) zone and to zone all the properties on Main Street between the C-1 and C-2 to this C-3 Zone."

Perry Lake Rezoning

I move that PAC recommend that Council begin the process of amending Generalized Future Land Use Map of the MPS by redesignating the area shown on the attached to Serviced Residential and by rezoning part of this area the General Residential (R-2) and the other part Multiple Mid Rise Residential (R-3B) as shown on the attached.



ISSUED FOR REVIEW, NOT FOR CONSTRUCTION

DESIGN



DE

STEWART



Draft Planning Report

To: Planning Advisory Committee (PAC), Town of Stewiacke

From: Grant Cooke and Kevin Matheson

Date: April 12, 2024

Subject: Perry Lake – Phase 3 Revisited

Background

Perry Lake Developments has always maintained that their 2007 Concept Plan which shows all of the phases was formally approved by the Council of the day. There is no evidence of this. The Municipal Planning Strategy refers to Phase 1 and prezones two sites to the R3B zones (one site was subsequently rezoned to C-2). There is no mention of Phase 3 which shows a number of lots for multiple unit development.

Some time ago an email was sent to Perry Lake explaining why the 2007 Concept Plan was not formally approved. The MPS indicates that serviced residential development will be zoned R-2 and future multiple unit development (except for the aforementioned two sites and the site on KelRy Drive) will occur through the rezoning process. Once Town services have been upgraded there is every reason to believe that the multiple unit sites shown on Phase 3 will be rezoned and that the 2007 Concept Plan will in time be followed. In the meantime we plan to proceed with the R-2 Zoning. This zoning was recommended by the Committee at its last meeting.

Recent Information

Just before the last Council meeting Perry Lake emailed the Town strongly objecting to the R-2 Zone and insisting that Council follow the 2007 Concept Plan which shows a number of multi unit development lots.

The CAO and I have been discussing the possibility of middle ground with Perry Lake. There is some merit in having substantial part of Phase 3 zoned multi unit. Most if not all federal cost sharing programs stipulate that a municipality must provide for high density residential development in order to receive federal grants.

Also, having a mix of residential uses as shown on the 2007 Concept Plan shows a head of time what lots will be R-2 and which are multi family, most likely the R-3B zone. There should be no surprises for anyone moving to this subdivision.

The main issue is whether the Town will be able to service all of the subdivision. In the long run there should be no problem given the upgrades being planned by the Town. Through dialogue with Perry Lake we hope to reach an understanding about the timing of the multi unit development.

Recommendation

That the PAC recommend MPS/LUB amendments rezoning Phase 3 to reflect the 2007 Concept Plan. (see below for proposed rezoning).

