



PLANNING ADVISORY COMMITTEE MEETING

TUESDAY, December 8, 2020, 1:00 pm

Council Chambers, 181 Coldbrook Village Park Drive

A G E N D A

PLANNING ADVISORY COMMITTEE MEETING

Page

1. Meeting to Order
2. Roll Call
3. Introduction of Committee Members
4. Election of Chair
5. Election of Vice Chair
6. Amendments to Agenda
7. Approval of the Agenda
8. Disclosure of Conflict of Interest Issues
9. Approval of Minutes
 - a) November 10, 2020 2
10. Business Arising from the Minutes
11. Planning Advisory Committee Orientation (Laura Mosher)
12. Business
 - a.) Minor MPS Amendment to rezone PID 55071294 from the Rural Mixed Use (A2) Zone to the Rural Industrial (M3) Zone (File#20-16 Laura Mosher) 5
 - b.) LUB Map Amendment to rezone the Grand View Manor, 110 Commercial Street – PID 55141121 (portion of) and PID 55141139 from the Rural Mixed Use (A2) Zone to the Institutional Zone (File# 20-15, Will Robinson Mushkat) 11
13. Other Business
 - a.) Membership Appointments to the Centreville Area Advisory Committee (CAAC) 23
14. Date of Next Meeting – January 12, 2021 - 1:00 p.m.
15. Public Comments
16. Adjournment

PLANNING ADVISORY COMMITTEE Draft Minutes

Meeting, Date and Time A meeting of the Planning Advisory Committee (PAC) was held on Tuesday, November 10, 2020, at 1:17 p.m. in the Council Chambers at 181 Village Park Drive, Coldbrook following a Public Information Meeting at 1:00 p.m.

Attending In Attendance:

PAC Members Councillor Martha Armstrong – District 4 (Chair)
Councillor Jim Winsor – District 7
Councillor Peter Allen – District 9
Annette Veasey – Citizen Member
Emile Fournier – Citizen Member
Aaron Dondale – Citizen Member

Municipal Staff Trish Javorek - Director Planning and Inspections
Laura Mosher - Manager of Planning and Development Services
Mark Fredericks - Planner
Will Robinson-Mushkat – Planner
Chloe Austin – Recording Secretary

Public 8

1. **Meeting to Order**

2. **Roll Call** Roll call was taken.

3. **Approval of the Agenda** **On motion of Councillor Allen and Mr. Fournier, that the agenda be approved.**

The question was called on the motion. Motion carried.

4. **Amendments to Agenda** There were no amendments to the agenda.

5. **Disclosure of Conflict of Interest Issues** There were no conflict of interest issues disclosed.

6. **Approval of Minutes**

a. **October 13, 2020** **On motion of Mr. Fournier and Councillor Allen, that the minutes of the Planning Advisory Committee meeting held on Tuesday, October 13, 2020 be approved.**

The question was called on the motion. Motion carried.

7. **Business Arising from the Minutes** There was no business arising from the October 13, 2020 minutes.

8. **Business**

a. **Application for a development agreement to permit multi-unit dwellings at 77/79 and** Laura Mosher, Manager of Planning and Development, provided a presentation on the application by Caleb Howden on behalf of YL Oilers Holding Corporation to enter into a development agreement to permit multi-unit residential uses consisting of two 6 unit dwellings located at 77/79 and 83/85 Woodworth Road, North Kentville.

**83/85 Woodworth Road,
North Kentville.
(File 20-09, Laura
Mosher)**

Questions of Clarification:

There were questions around the number of exterior doors on the existing semi-detached dwelling and the two unit dwelling currently under construction, the permitted height of the buildings, the number of units permitted as-of-right, and the total number of units that would be allowed if this application is approved. There were questions about the total number of parking spaces being provided and about drainage on the property. There was clarification provided on the differences between a development agreement and a rezoning.

On motion of Councillor Winsor and Councillor Allen, that the Planning Advisory Committee recommend that Municipal Council give Initial Consideration to and hold a Public Hearing regarding entering into a development agreement to permit multi-unit residential uses at 77/79 and 83/85 Woodworth Road (PID 55048805, 55048854), North Kentville, which is substantively the same (save for minor differences in form) as the draft set out in Appendix E of the report dated December 8, 2020.

Debate:

The citizen members expressed dissatisfaction with the number of exterior doors existing on the buildings as constructed and speculated about the intentions of the developer. Councillor Winsor noted that this application meets all the requirements of the by-laws and the development process and should be supported. The Chair reminded committee members that the role of the Planning Advisory Committee is to determine whether the application is supported by the Land Use By-Law and Municipal Planning Strategy. If the application is supported by these documents, it should be moved forward for a decision by Council.

The question was called on the motion, which resulted in a split vote, with Policy xx dictates is to be considered a negative.

Motion defeated

b. Application to amend the text of the Land Use By-law by adding a permitted use to the Rural Commercial (C4) Zone (File 20-10, Mark Fredericks)

Mark Fredericks, Planner, presented the application by Robbie Hiltz, owner of Old Hickory Buildings of South Berwick, to add a permitted use - Outdoor Commercial Display to the Rural Commercial (C4) Zone - which would enable the sale of pre-fabricated buildings to occur without the additional requirements of a permanent business office.

Questions of Clarification:

Clarification was provided around the meaning of "accessory use."

On motion of Mr. Fournier and Councillor Allen, that the Planning Advisory Committee recommend that Municipal Council give First Reading to and hold a Public Hearing regarding the proposed text amendment to permit Outdoor Commercial Display as a permitted use within the Rural Commercial (C4) Zone as described in Appendix E of the report dated November 10, 2020.

There was no debate.

The question was called on the motion.

Motion carried.

- 9. **Other Business** None
- 10. **Public Comments** None
- 11. **Date of Next Meeting** Tuesday, December 8, 2020 - 1:00 p.m.
- 12. **Adjournment** **There being no further business, Councillor Allen and Mr. Fournier moved for the adjournment of the meeting at 2:41 p.m.**

DRAFT



Municipality of the County of Kings

Request for Decision

TO	Planning Advisory Committee
PREPARED BY	Laura Mosher, MCIP LPP – Manager, Planning and Development Services
MEETING DATE	December 8, 2020
SUBJECT	Request for a Minor MPS Amendment to rezone a portion of PID 55071294 from the Rural Mixed Use (A2) Zone to the Rural Industrial (M3) Zone

ORIGIN

- Application from Kevin Rhodenizer for a rezoning from the Rural Mixed Use (A2) Zone to the Rural Industrial (M3) Zone to establish a scrap and salvage operation
- Policy PLAN-09-01

RECOMMENDATION

That Planning Advisory Committee recommend that Council authorize a minor Municipal Planning Strategy Amendment related to criteria for rezoning rural lands to the Rural Commercial (C4) Zone and the Rural Industrial (M3) Zone in accordance with Policy PLAN-09-001.

INTENT

For Council to consider undertaking a minor Municipal Planning Strategy (MPS) Amendment to enable a review of materials to determine farming activity as part of Council's consideration when reviewing applications to rezone Rural Land to the Rural Commercial (C4) or the Rural Industrial (M3) Zone.

DISCUSSION

Planning and Development Services is in receipt of an application from Kevin Rhodenizer of Rhodenizer Salvage Ent. Ltd. that seeks to rezone a property on Hiltz Road (PID 55071294) from the Rural Mixed Use (A2) Zone to the Rural Industrial (M3) Zone to permit the establishment of a scrap and salvage operation. The applicant has indicated that the materials stored would be bulk steel, dry metals, plastics and wood until such time as they would be recycled. The applicant has indicated that the storage of vehicles is not contemplated, however, this activity would be permitted as part of that use. The use meets the provincial criteria as a Salvage Yard and, in addition to Land Use By-law (LUB) regulations, the use will be subject to provincial regulations related to Salvage Yards.

Rezoning from an Agricultural Zone, except lands in the Agricultural (A1) Zone, or a Resource Zone to the Rural Commercial (C4) Zone or the Rural Industrial (M3) Zone is enabled by policies 2.2.11 and 2.2.12, respectively. These policies are contained in Appendix A of this report. One criteria, contained in both policies, indicates that the application must meet additional criteria within the applicable designation. The subject property is located within the Agricultural Designation. Policy 3.4.23 addresses this requirement as follows:

Council shall:

3.4.23 consider re-zoning from Agricultural (A2) to Rural Industrial (M3) or Rural Commercial (C4). In considering such amendments, Council shall be satisfied that:

- (a) the application applies only to:*
 - (i) **land not identified as being in active agricultural production on Schedule F – 2012 Land Cover Map; and***
 - (ii) **land that involves the conversion of a development in existence on November 21, 2019, including but not limited to a gravel pit, dwelling, barn or church; and***



Municipality of the County of Kings Request for Decision

- (b) *the proposal would not re-zone more land than required for the specific proposal cited in the application;*
- (c) *will not create undue conflict with nearby agricultural uses or rural residents; and*
- (d) *meets the general Land Use By-law amendment criteria set out in section 5.3 Development Agreements and Amendments to the Land Use By-law.*

In performing a preliminary review on the subject property, it was noted that the property has been identified on Schedule F – 2012 Land Cover Map as having been actively farmed in 2012. Schedule F was developed by the Applied Geomatics Research Group (AGRG) as part of the Kings 2050 project and reviewed satellite imagery to determine whether agricultural activity was occurring in 2012.

As Staff have been using the new planning documents and fielding inquiries from parties interested in the development of land, it has been determined that the accuracy of the map, especially in areas where agriculture is not the predominant form of land use, has a degree of inaccuracy. Often, the lands identified have been cleared of forest, however, there is no indication that the land has been farmed, only that it is no longer forested. This would be applicable to portions of both the Agricultural (A1) Zone and the Rural Mixed Use (A2) Zone. The subject property is one of the properties that, in the opinion of Staff, have been incorrectly identified as having been farmed in 2012 as shown in the images below:

Figure 1: Aerial Photo of Subject property (outlined in red)



Schedule F – 2012 Land Cover identifies lands that were in agricultural production by placing a green shape over the area identified. Based on aerial photography, it appears in Figure 1 that the subject property has a portion of land that has been cleared and shows some non-agricultural activity. There does not appear to be any indication that agricultural activity has occurred on the subject property. In the course of day-to-day activities, staff have identified additional properties where it does not appear that agricultural activity was occurring in 2012.

Figure 2 – Forested properties and developed areas identified as having been farmed





Municipality of the County of Kings Request for Decision

Figure 2 shows that the area currently cleared and occupied by buildings in the left portion of the image, as well as forested lands on the east side of the road as having been farmed in 2012.

Figure 3 – Cleared land identified as farmed



Figure 3 shows cleared land, surrounded by forested areas having been identified as having been farmed but there is no indication that these areas have been farmed; there is scrub and other vegetation growing in these areas while the western most pocket could be marshy. It is possible that these lands were used as pasture areas but that is not certain without a review of the property.

The intent of Schedule F – 2012 Land Cover Map was to identify lands in agricultural production so that protections could be applied to these areas. The protections contained within the MPS limit rezoning, restricting the properties to uses permitted in the current zone. The policies as they are currently written, in combination with mapping inaccuracies, could result in lost opportunities for reasonable commercial and industrial undertakings but could also result in a loss of active agricultural land. Staff have identified a small number of properties that may have agricultural activities occurring that have not been identified on Schedule F – 2012 Land Cover Map. It is possible that these areas were cleared and agricultural activities were established at some point between 2012 and the present day but this cannot be confirmed without a review of the property.

Figure 4 – Actively farmed parcel not identified on Schedule F (farmed area outlined in red)



Figure 4 shows an area that appears to have been plowed and cropped, but is not identified as having been farmed in 2012. A review of this property would assist in understanding the history of agricultural uses on this property.



Municipality of the County of Kings Request for Decision

Figure 5 – Christmas Tree farm not identified on Schedule F



Figure 5 is particularly interesting since the property was used as a Christmas tree farm. Christmas tree farming is included in the definition of farming under the *Income Tax Act* but it was not captured as active agricultural land as part of this exercise. This property is also interesting because there is a small portion of the property identified as having been farmed but this area does not appear to have been used to grow Christmas trees or any other crops.

As previously mentioned, Schedule F fails to identify lands that were cleared for agriculture between 2012 and the present day and therefore could be considered for rezoning to the Rural Commercial (C4) Zone or Rural Industrial (M3) Zone considering the way the policy is currently written. Over time, as more land is brought into agricultural production, this will mean that more land is at risk until Schedule F – 2012 Land Use Cover Map is updated. This disparity will also become more difficult to navigate as aerial photography for mapping applications is updated at different intervals than Schedule F.

Staff are proposing a minor MPS amendment that would enable a more detailed review of the history of a property when it is the subject of a rezoning application to determine the level of agricultural activity, if any, that has occurred on the property such that Council can make a determination on whether it is deemed appropriate to rezone the subject property or not.

Policy PLAN-09-001 outlines the ability to explore minor MPS amendments by stating the following: *“Staff may bring forward minor amendments to the MPS within a report regarding a requested LUB amendment if such amendment provides for a more reasonable or effective LUB amendment. The process for amending the MPS would then be followed, with no additional charges or requirements being placed on the applicant.”*

It is the opinion of Staff that the proposed amendment that would incorporate a review of the agricultural history would result in more reasonable and effective LUB amendments in the future since opportunities for reasonable commercial and industrial uses would not be refused based on inaccurate mapping. The amendment would lead to more effective preservation of agricultural land since a review of the property will give a much more fulsome understanding of the agricultural history a property and may provide information that would not be available by reviewing the mapping on the property.

The MPS amendment would be processed concurrently with the LUB amendment and follows the same process with the exception of a requirement within PLAN-09-001 that Planning Advisory Committee is required to hold a minimum of one Public Participation Meeting to present the amendments to the public and seek comments and feedback, prior to moving the item forward to Council.



Municipality of the County of Kings

Request for Decision

Appendix A – MPS Enabling Policies

Council shall:

2.2.11 consider proposals to rezone lands within the Agricultural Designation or Resource Designation from any other zone, except lands within the Agricultural (A1) Zone, to the Rural Commercial (C4) Zone.

In evaluating such proposals, Council shall be satisfied that the proposal:

- (a) limits the rezoning area to the size reasonably required to accommodate the proposal, including any proposed phasing;
- (b) meets any specific rezoning criteria in the designation applicable to the lot. For the Agricultural Designation, the criteria are in section 3.4 and for the Resource Designation, section 3.6; and
- (c) meets the general criteria for amending the Land Use By-law set out in section 5.3 Development Agreements and Amending the Land Use By-law; and

2.2.12 consider proposals to rezone lands within the Agricultural Designation, except lands within the Agricultural (A1) Zone, or the Resource Designation from any other zone to the Rural Industrial (M3) Zone. In evaluating such proposals, Council shall be satisfied what the proposal:

- (a) will not negatively impact nearby agricultural operations or contribute to undue conflict with rural resident;
- (b) limits the rezoning area to the size reasonably required to accommodate the proposal, including any proposed phasing;
- (c) meets any additional rezoning criteria in the designation applicable to the lot. For the Agricultural Designation, these are in section 3.4 and for the Resource Designation, section 3.6; and
- (d) meets the general criteria for amending the Land Use By-law set out in section 5.3 Development Agreements and Amending the Land Use By-law.



Municipality of the County of Kings
Report to the Area Advisory Committee

Planning application to rezone 108 and 110 Commercial Street (portion of PID 55141121 and PID 55141139) South Berwick, N.S. from Rural Mixed Use (A2) Zone to Institutional (I1) Zone.

(File #20-15)

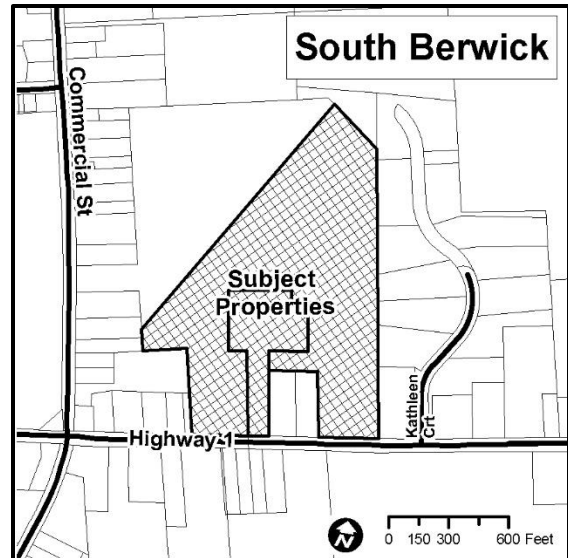
December 8th, 2020

Prepared by: Planning and Development Services

Applicant	Municipality of the County of Kings
Land Owner	Grand View Manor Continuing Care Community – PID 55141121 Province of Nova Scotia Housing Development Corporation – PID 55141139
Proposal	To rezone a portion of PID 55141121 and PID 55141139 from the Rural Mixed Use (A2) Zone to the Institutional (I1) Zone to accommodate future expansions to Grand View Manor
Location	110 Commercial Street (portion of PID 55141121 and 55141139), South Berwick
Lot Area	PID 55141121 (portion of) – 22.2 acres PID 55141139 – 3.9 acres
Designation	Agricultural (A)
Zone	Rural Mixed Use (A2)
Surrounding Uses	Commercial and Residential
Neighbour Notification	Staff sent notification letters to the 50 owners of properties within 500 feet of the subject property

1. SUMMARY

Grand View Manor submitted an application to construct an accessory structure (gazebo) in September 2020. While the accessory structure was permitted to be developed, during the review of the application, it was determined that when the updated Municipal Planning Strategy and Land Use By-law were approved in March 2020, the portion of the Grand View Manor properties located within the Municipality of the County of Kings were placed in the Rural Mixed Use (A2) Zone. This resulted in Grand View Manor becoming a legal non-conforming use as residential facilities are not permitted in the Rural Mixed Use (A2) Zone and further expansion of the facility would not be permitted under the current zoning. To rectify this issue, the Municipality has initiated a land use by-law map amendment process to rezone the subject properties from the current Rural Mixed Use (A2) Zone to the Institutional (I1) Zone.



2. OPTIONS

In response to the application, the Planning Advisory Committee may recommend the following:

- A. Recommend that Council approve the Land Use By-law map amendment, as proposed;
- B. Recommend that Council refuse the Land Use By-law map amendment; or,
- C. Provide alternative direction, such as requesting further information on a specific topic, or making changes to the Land Use By-law map amendment

3. PROPERTY BACKGROUND

The area to be rezoned consists of two separate properties – PID 55141121 and PID 55141139. PID 55141121 has a total area of 38.7 acres. PID 55141139 has a lot area of 3.9 acres. Combined, the total area is 42.6 acres. While PID 55141139 is located entirely within the boundaries of the Municipality of the County of Kings, the boundary between the Municipality of the County of Kings and the Town of Berwick bisects PID 55141121. The proposed rezoning applies only to the portion of PID 55141121 which lies within the Municipality of the County of Kings. The area of this portion is 22.2 acres and the total area being sought for rezoning is 26.1 acres.

The listed civic address for Grand View Manor is 110 Commercial Street. Both parcels are irregularly shaped. PID 55141139 has approximately 100 feet of road frontage along Highway # 1 and extends in a northward direction approximately 425 feet to the bulk of the total area. PID 55141121, the larger of the two properties wraps around PID 55141139, as well as two other properties (PID 55141196 and 55141204) which are residential properties located in the Rural Mixed Use (A2) Zone. PID 55141121 has two separate portions of road frontage along Highway #1 consisting of 290 feet and 300 feet, respectively. PID 55141121 also features approximately 140 feet of road frontage along Commercial Street. This frontage is currently used as the vehicular access to Grand View Manor and is located within the boundaries of the Town of Berwick.

The subject properties straddle the Town of Berwick and South Berwick, a part of the Municipality of the County of Kings. South Berwick is centred around the intersection of Windermere Road and Highway #1. There are a number of properties at this junction and to the west that are in the Rural Commercial (C4) Zone. The subject properties and the properties that front onto Highway #1 are in the Rural Mixed Use (A2) Zone, which allows for agricultural uses and limited residential uses. There is a residential subdivision directly to the east of Grand View Manor which is zoned Country Residential (A4). Windermere Road becomes Commercial Street at the boundary between the Municipality of the County of Kings and the Town of Berwick. Commercial Street runs in a north-south direction from the town boundary to the interchange with Highway 101; acting as the spine of the Town of Berwick. The portion closest to Grand View Manor is primarily residential, however there are other non-residential uses within the immediate vicinity, such as a recreational camp. Further northward there is a significant concentration of commercial uses, along with some residential uses interspersed.

4. INFORMATION

4.1 Subject Property Information

A site visit was conducted on November 4th, 2020 by a Planner. The planner walked the subject properties and discussed the intent behind the planning application with the Chief Executive Officer of the Grand View Manor. The planner took photos of the subject property.

4.2 Comments from Public

Under the Planning Policies of the Municipality of the County of Kings (PLAN-09-001), a Public Information Meeting was required because the application concerns a Land Use By-law Map Amendment for a portion of a property with a total lot area in excess of 1 acre. A letter was sent to 50 property owners within a 500 foot radius of the subject property seeking comments and feedback on the proposed Land Use By-law Map amendment. One member of the public contacted Municipal Staff regarding further information on the application and was supportive of the rezoning. A Public Information Meeting was held on November 10th, 2020 before Planning Advisory Committee's meeting at the Municipal Complex. A board member of the Grand View Manor offered comments on the benefits of the facility and the need to expedite the rezoning process. A summary of Public Information Meeting is included as Appendix B to this report.

4.3 Requests for Comments

Staff requested comments from both internal and external departments on the application, where necessary. Development Control noted that the properties would meet the lot area requirements for the Institutional (I1) Zone. The portion of PID 55141121 being considered for rezoning meets setback requirements of the Institutional (I1) Zone. The existing buildings located on PID 55141139 do not meet the setback requirement and would remain non-conforming. The Town of Berwick confirmed that the portion of PID 55141121, which lies within the boundaries of the town, is designated and zoned Institutional. Any future redevelopment or expansion of the Grand View Manor would be considered as-of-right by the Town of Berwick under their current planning documents.

A full summary of the comments received can be found in Appendix D of this report.

5. POLICY REVIEW – LAND USE BYLAW AMENDMENTS

5.1 Enabling MPS Policies

This application seeks to rezone of land currently zoned Rural Mixed Use (A2) to the Institutional (I1) Zone. The policies contained within the Municipal Planning Strategy (Municipal By-law #105) enable Council to consider the application.

Municipal By-Law #105

3.0.33 *“zone land within any designation as Institutional (I1). It is intended to include lands that contain or are intended to contain institutional uses including but not limited to schools, fire halls, and hospitals;*

3.0.34 *“permit in the Institutional (I1) Zone:*

(a) institutional uses, including but not limited to schools, hospitals, government offices, and community facilities, in a broad range of building sizes and configurations;

(b) retail and commercial service uses accessory or complementary to institutional uses to serve visitor and employee needs; and

(c) residential uses supportive to institutional uses, including but not limited to residences associated with a school and residential care associated with hospital;”

The subject properties are designated Agriculture on the Future Land Use map of the Municipality. The current use of Grand View Manor – residential facility – is a permitted use in the Institutional (I1) Zone. Should the amendment be approved, future expansions of the facility including related accessory uses and structures, will be permitted provided the lot requirements of the Institutional (I1) Zone can be met.

3.0.35 *“regulate the location of driveways and parking and loading areas to facilitate efficient traffic flow within the Institutional (I1) Zone;”*

Vehicular access to Grand View Manor is off Commercial Street, located within the Town of Berwick; vehicles travel across the portion of PID 55141121 which lies within the boundaries of the Town to the buildings located on the portion of PID 55141121 and PID 55141139 within the Municipality of the County of Kings. The Town of Berwick has confirmed the portion of PID 55141121 that lies within the town’s boundaries is designated and zoned Institutional and any future development would be considered as-of-right by the Town.

3.0.36 *“regulate setbacks and buffering to reduce potential land use conflicts with adjacent Residential Zones within the Institutional (I1) Zone; and*

Given the location of the existing buildings and the total lot area of the subject properties, it is not anticipated that any future expansions to Grand View Manor would create land use conflicts with the existing adjacent residential zones. Development Control has confirmed that the existing building(s) located on PID 55141139 do not meet the setback requirements of the Institutional (I1) Zone.

3.0.37 *“regulate lot standards, setbacks and landscaping to encourage the development of an attractive streetscape within the Institutional (I1) Zone.”*

The existing access to Grand View Manor is not anticipated to be changed, altered, or relocated. Its location is within the Town of Berwick and outside of the Municipality of the County of Kings.

5.2 General LUB amendment Policies

Section 5.3 of the Municipal Planning Strategy (By-law #105) contain a number of general criteria for applications for a map amendment to the Land Use By-law (Appendix C). These criteria consider the impact of the proposal on the road network, services, development pattern, environment, finances, and wellfields, as well as the proposal's consistency with the intent of the planning strategy. In terms of the other general development criteria contained in the Municipal Planning Strategy there are no additional costs to the Municipality related to the rezoning and development of the subject property. There are no concerns regarding storm drainage, road networks leading to the subject property, or traffic generation.

6. CONCLUSION

The proposed rezoning is in keeping with the intent of the enabling policies found in the Municipal Planning Strategy. The proposed amendment meets the objectives outlined in the Municipal Planning Strategy. The proposal meets all of the general criteria to permit the rezoning of the subject property. As a result, a positive recommendation with regard to the application is being made to the Planning Advisory Committee.

7. STAFF RECOMMENDATION

Staff recommend that the Planning Advisory Committee forward a positive recommendation to Municipal Council by passing the following motion.

The Planning Advisory Committee recommends that Council give First Reading to and hold a Public Hearing regarding the application to rezone a portion of the property at 108 and 110 Commercial Street (PID 55141121 and 55141139), South Berwick, from the Rural Mixed Use (A2) Zone to the Institutional (I1) Zone, as described in Appendix E of the report dated December 8th, 2020.

8. APPENDICIES

Appendix A: Zoning Map

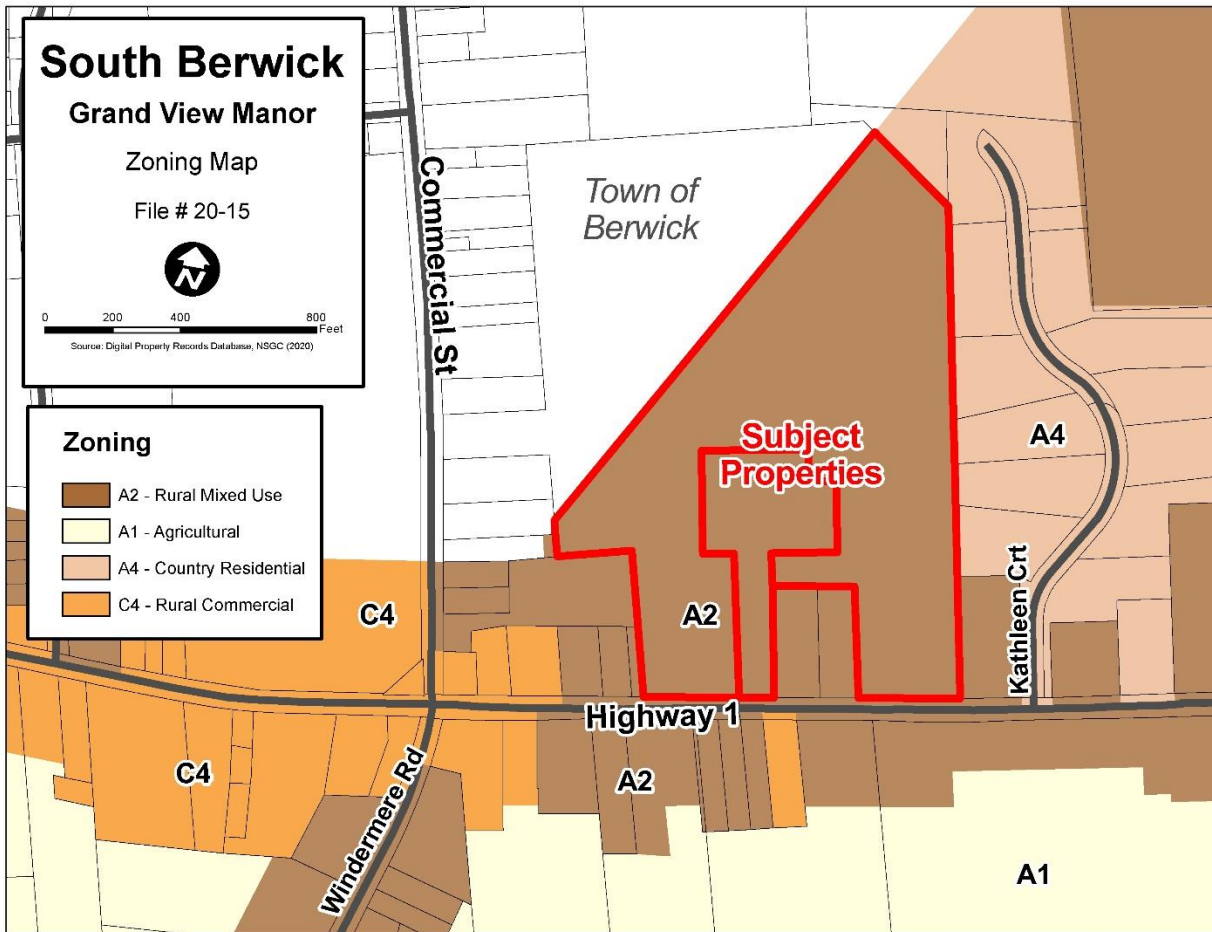
Appendix B: Public Information Meeting Notes – November 10th, 2020

Appendix C: Municipal Planning Strategy (By-law 105), Section 5.3-4 – General Criteria to Consider for all Development Agreements and Land Use By-law Amendments

Appendix D: Request for Comments (Summary)

Appendix E: Proposed Land Use By-law Map Amendment (By-law 106)

Appendix A: Reference Zoning Map



Appendix B: Public Information Meeting Notes

MUNICIPALITY OF THE COUNTY OF KINGS

PLANNING AND DEVELOPMENT SERVICES

PUBLIC INFORMATION MEETING NOTES

Planning application for a land use by-law map amendment to rezone a portion of PID 55141121 and PID 55141139 – 110 Commercial Street, South Berwick

Meeting, Date and Time A Public Information Meeting was held on November 10th, 2020 at 1:00 p.m. at the Municipal Complex, 181 Coldbrook Village Park Drive, Coldbrook, N.S.

Attending In Attendance:

Council and PAC Members Councillor Martha Armstrong (PAC Chair)
Councillor Peter Allen
Councillor Jim Winsor
PAC Member Aaron Dondale
PAC Member Annette Vessey
PAC Member Emile Fournier

Planning Staff Will Robinson-Mushkat – Planner, Planning and Development Services
Laura Mosher – Manager, Planning and Development Services
Mark Fredericks – Planner, Planning and Development Services
Patricia Javorek – Director, Land Use Planning and Inspection Services
Chloe Austin – Administrative Assistant, Planning and Development Services

Applicant The Municipality of the County of Kings

Public 12 Members

Welcome and Introductions The Chair, Councillor Martha Armstrong, called the meeting to order, introductions were made and the members of the public were welcomed to the meeting. The Public Information Meeting provides an opportunity for the public to express concerns and/or receive clarification on any aspect of the proposal. No evaluation has been completed and no decisions have been made at this point.

Presentations Will Robinson-Mushkat provided an overview of the planning process and the application at hand.

Comments from the Public Pauline Raven – Delhaven

- Identified herself as a member of the Board of Grand View Manor
- Noted that the zoning had been placed on Grand View Manor during the process to adopt new planning document in the Municipality

- Stated that the rezoning took the form of a housekeeping amendment to the new Municipal Planning Strategy and Land Use By-law

Adjournment

There being no further discussion, the Chair thanked those in attendance and adjourned the meeting at 1:19 p.m.

Will Robinson-Mushkat
Recording Secretary

APPENDIX C: By-law 105 - Municipal Planning Strategy, Policy 5.3.7 General Criteria to Consider for all Development Agreements and Land Use By-law Amendments

Policy 5.3.7

Council expects to receive applications to amend the Land Use By-law or enter into a development agreement for development that is not permitted as-of-right in the Land Use By-law. Council has established criteria to ensure the proposal is appropriate and consistent with the intent of this Strategy.

Council shall be satisfied that a proposal to amend the Land Use By-law or to enter into a development agreement:

Criteria	Comments
<i>a. is consistent with the intent of this Municipal Planning Strategy, including the Vision Statements, relevant goals, objectives and policies, and any applicable goals, objectives and policies contained within a Secondary Plan;</i>	The proposed land use by-law map amendment is consistent with the intent of the MPS, and the applicable goals, objectives and policies contained within the MPS
<i>b. is not in conflict with any Municipal or Provincial programs, By-laws, or regulations in effect in the Municipality;</i>	The proposed amendment is not in conflict with any Municipal or Provincial programs, By-laws, or regulations.
<i>c. that the proposal is not premature or inappropriate by reason of:</i>	
<i>i. the Municipal or village costs related to the proposal;</i>	The proposal does not involve any development costs to the Municipality.
<i>ii. land use compatibility with surrounding land uses;</i>	The proposed land use would be compatible with the surrounding land uses
<i>iii. the adequacy and proximity of school, recreation and other community facilities;</i>	The subject properties are within close proximity to recreation and other community facilities with the ability to serve the subject properties.
<i>iv. the creation of any excessive traffic hazards or congestion due to road or pedestrian network adequacy within, adjacent to, and leading to the proposal;</i>	Not applicable – the current use (residential facility) remains unchanged.
<i>v. the adequacy of fire protection services and equipment;</i>	Not applicable given that no changes to the existing use are proposed as part of this application.
<i>vi. the adequacy of sewer and water services, including but not limited to on-site services;</i>	Not applicable given that no changes to the existing use are proposed as part of this application.
<i>vii. the potential for creating flooding or serious drainage problems either within the area of development or nearby areas;</i>	Property owners are required to contain all post-development storm water flow on site in the event of a future expansion to the facility.
<i>viii. negative impacts on identified wellfields or other groundwater supplies for the area;</i>	The existing use is permitted within the wellfield area.

<p><i>ix. pollution, in the area, including but not limited to, soil erosion and siltation of watercourses; or</i></p>	<p>In the event future development occurs, the property owner will be required to follow NSE regulations regarding soil erosion at the time of construction.</p>
<p><i>x. negative impacts on lake water quality or nearby wetlands;</i></p>	<p>Not applicable as there are no lakes or identified wetlands in the vicinity of the subject properties.</p>
<p><i>xi. negative impacts on neighbouring farm operations;</i></p>	<p>Not applicable as there are no identified agricultural activities on neighbouring properties.</p>
<p><i>xii. the suitability of the site regarding grades, soils and geological conditions, location of watercourses, marshes, bogs and swamps, and proximity to utility rights-of-way.</i></p>	<p>The subject property is suitable in terms of grades, soils, geological conditions, and proximity to natural features and rights-of-way.</p>

Appendix D: Request for Comments

Municipality of the County of Kings Development Control

- Development Control has confirmed that the subject properties would meet lot area requirements for the Institutional (I1) Zone.
- Development Control noted that the portion of PID 55141121 being applied for rezoning meets the setback requirements for the Institutional (I1) Zone. PID 55141139 does not meet the setback requirements for the Institutional (I1) Zone.

Town of Berwick

- The Town of Berwick confirmed that the subject properties are designated and zoned Institutional, which matches the proposed rezoning
- Any redevelopment or future expansion of Grand View Manor which would occur on the portion of PID 55141121 which lies within the Town of Berwick would be considered as-of-right development.

Appendix E: Proposed Land Use Bylaw Map Amendment (By-law 106)

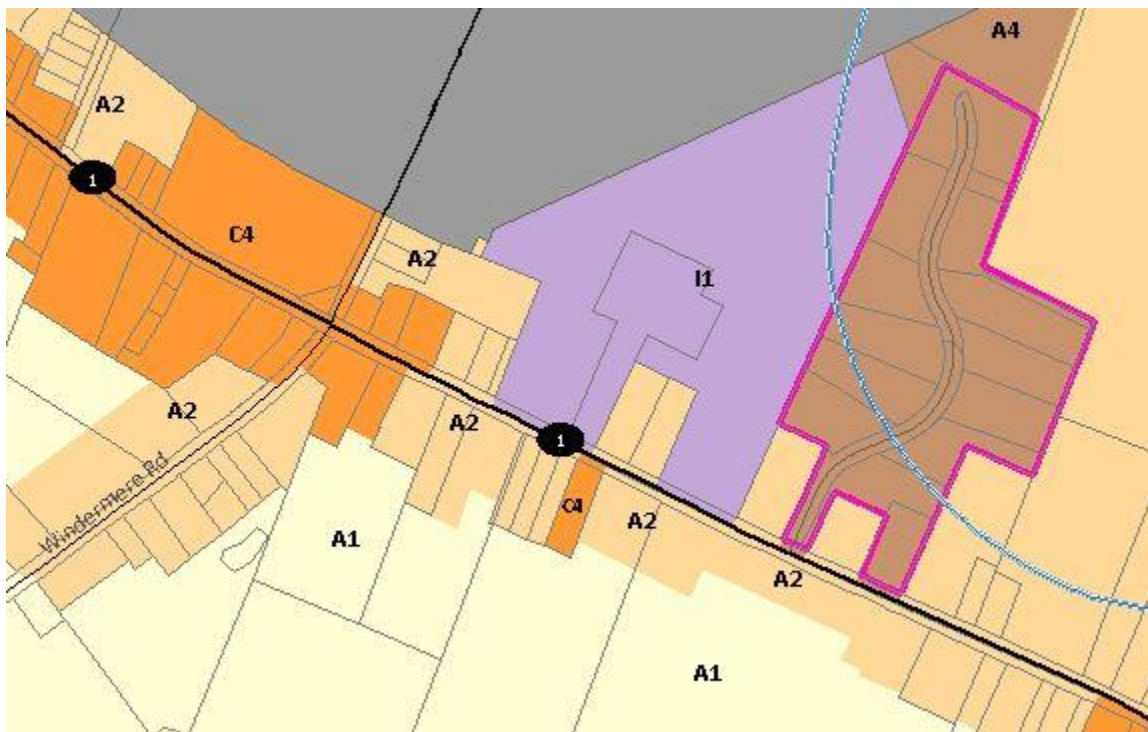
THE MUNICIPALITY OF THE COUNTY OF KINGS

**AMENDMENT TO BY-LAW 106
COUNTY OF KINGS LAND USE BYLAW**

Land Use Bylaw Map Amendment to rezone the properties at 108 and 110 Commercial Street, (portion of PID 55141121 and 55141139), South Berwick from the Rural Mixed Use (A2) Zone to the Institutional (I1) Zone.

BY-LAW 106 Land Use By-law

1. Amend Map 13, Rural Zoning, by rezoning PID 55141121 (portion of) and PID 55141139, South Berwick from the Rural Mixed Use (A2) Zone to the Institutional (I1) Zone, as shown on the inset copy of a portion of Map 13 below.



THE MUNICIPALITY OF THE COUNTY OF KINGS

REPORT TO PLANNING ADVISORY COMMITTEE

Subject: Appointment of Responsible Organization Members and Citizen Members to the Centreville Area Advisory Committee

From: Planning and Development Services

Date: December 8, 2020

Issue

The Centreville District Community Development Association (CDCDA) is requesting the appointment of two of its members, Logan Morse and Geof Turner to sit on the Centreville Area Advisory Committee and that the following two members-at-large begin a new term of office: Beverley Greening and Polina Dondale. The letter from the Centreville District Community Development Association is attached.

Recommendation

The Planning Advisory Committee recommends that Council appoint Logan Morse and Geof Turner, members of the Centreville District Community Development Association, to sit on the Centreville Area Advisory Committee for a one (1) year term and that Beverley Greening and Polina Dondale be appointed Members-at-Large for a two (2) year term.



Centreville
Kings County
Nova Scotia
A Good Place to
Live and Grow

Centreville District Community Development Association
P.O. Box 3
Centreville NS B0P 1J0

November 15, 2020

Planning and Development Services
Municipality of the County of Kings
181 Coldbrook Village Park Drive
Coldbrook NS B4R 1B9

To Whom It May Concern:

Due to COVID-19 restrictions, our annual meeting was not held on May 27/20 as scheduled. Following our meeting held November 4, 2020, the Centreville District Community Development Association (CDCDA) requests that the Planning Advisory Committee recommend to Municipal Council the appointment of the following to sit on the Centreville Area Advisory Committee:

CDCDA members 2020-2021
(1-year term)

Logan Morse
Geof Turner

Member-at-Large 2019-2021
Member-at-Large 2020-2022
(2-year term)

Beverley Greening
Polena Dondale

Sincerely,

Anne-Marie Waterbury,
Secretary CDCDA

**Centreville AAC Membership and CDCDA Executive 2020-21
Contact Information**

At the Annual Meeting of the CDCDA held September 23, 2020, the following were elected:

Centreville District Community Development Association (CDCDA):

President: Kimberley Foote k.foote@hotmail.com
V-President: Aaron Dondale adondale@gmail.com
Secretary: Anne-Marie Waterbury annemariewaterbury@gmail.com
Treasurer: Marilyn Kennedy velken@eastlink.ca

At our meeting held November 4, 2020, the following were elected:

Centreville Area Advisory Committee (AAC) membership:

CDCDA: Logan Morse loganmorse@live.ca
Geof Turner geofturner2020@gmail.com
(1-yr term)

Members-at-Large: Beverley Greening beverleygreening@bellaliant.net
(2-yr term) Polena Dondale pdondale@gmail.com

Anne-Marie Waterbury,
Secretary CDCDA and AAC
Nov 15, 2020