

# Vision New Minas

Draft Secondary Plan Summary – 2022.02.24

## Introduction

The Growth Centre of New Minas Secondary Plan will become part of the Municipal Planning Strategy. The Municipal Planning Strategy is a municipal planning document, subject to the constraints placed on it by the *Municipal Government Act* and the general practices of planning established over decades in Nova Scotia. While we've made every effort to write the Secondary Plan as plainly as possible, the realities of how municipal planning is carried out means that it can be difficult to see how all of the ideas we received during initial public engagement were implemented. This summary is intended to help better understand what are the major outcomes arising from the draft Secondary Plan.

## Basic Structure

Since the Secondary Plan is a chapter within the whole Municipal Planning Strategy, it does not need to cover all topics; many applicable topics are already covered elsewhere in the Municipal Planning Strategy. Instead, the Secondary Plan includes a more-detailed description of New Minas, the Guiding Principles and Key Directions for New Minas, and then context and policies for those issues that are specific to New Minas. A series of maps at the end helps support the policies.

## Approaches to Development Control

Planning in Nova Scotia has three main options for the process of permitting development. This allows for a spectrum depending on the goals and needs for that particular issues:



The following table summarizes these three approaches:

	<b>As-of-right</b>	<b>Site Plan Approval</b>	<b>Development Agreement</b>
<b>Description</b>	Standards are set out in Land Use By-law. Applicant applies to the Municipality for a permit that certifies the proposal complies with the Zoning and Land Use By-law requirements.	Evaluation criteria are established within the Land Use By-law. Applicant and Municipal Staff negotiate to align proposal with evaluation criteria. Once approved, the Site Plan Agreement contains clear requirements to hold the proposal to the negotiated standards.	The Municipal Planning Strategy establishes when development agreements can be used, and the criteria under which they are evaluated. Once approved, the agreement is a legally binding contract that is registered on the property and carries with the land ( <i>i.e.</i> binds future owners). It is in effect until discharged by Council.
<b>Speed</b>	Fast (weeks)	Fast to moderate (Weeks to <6 months)	Slower (6+ months)
<b>Flexibility to Do Something “Different”</b>	Virtually none for a given use, but greater range in terms of permitted uses	Moderate, depending on the flexibility written into the criteria	Generally high, depending on the flexibility written into the criteria
<b>Cost</b>	Low	Low to moderate depending on studies required by evaluation criteria	Higher, depending on the studies required by evaluation criteria
<b>Public Involvement</b>	None	Properties within 30 metres notified upon approval of site plan agreement.	Yes. At a minimum allows for direct presentation to Council at a Public Hearing.
<b>Risk for Proponent</b>	Low	Low	Moderate
<b>Level of Control</b>	Low	Moderate	High
<b>Approval Body</b>	Development Officer	Municipal Staff	Council
<b>Who Can Appeal</b>	Applicant may appeal if the Development Officer refuses a permit	Applicant or owners within an established radius (typically 30 metres) of the site	“Aggrieved persons” (applicant or people with a <i>bona fide</i> interest in the decision, as determined by the Utility and Review Board)
<b>Appeal Body</b>	Utility and Review Board	Council	Utility and Review Board

Most developments in the Municipality of Kings go through the as-of-right process. However, site plan approval is sometimes used where more design control is desired (e.g. around the lakes).

Development agreements are often used where:

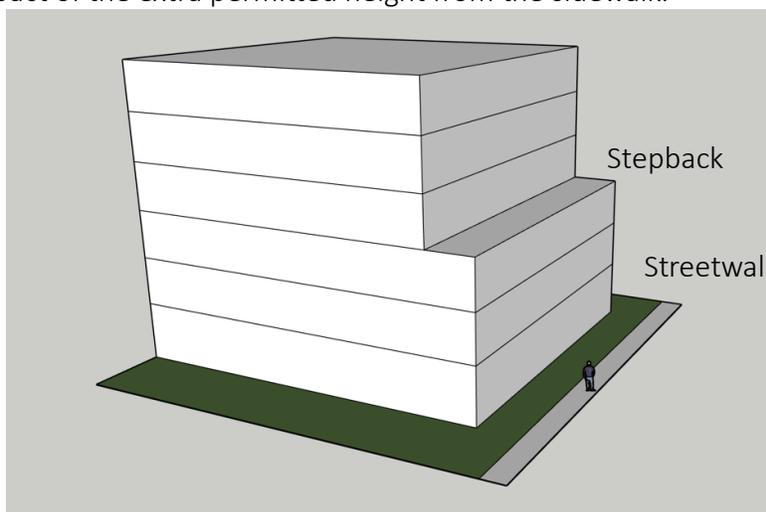
- there is a strong public interest or need for public engagement;
- development is complex (e.g. servicing of multiple properties is involved);
- the suitability of a development depends on operational matters (e.g. the risks of warehousing in a wellfield area depend on what's stored inside); or
- the unique nature of development makes it difficult to write “standard” rules in the Land Use By-law.

## Commercial Street

In general, the approach to development along Commercial Street is an evolution of how things were established in the 2019 municipality-wide plan review, rather than a major overhaul.

However, there are some notable changes, intended to promote investment along Commercial Street, improve the quality of the streetscape, and make Commercial Street a more comfortable place to spend time:

- Basic building massing requirements to contribute to a more pedestrian-oriented, “village” feel:
  - Reduced minimum front yard (the minimum distance between the front lot line and buildings)
  - Implemented a maximum front yard, requiring at least one building on a lot to be located close to Commercial Street
  - Implemented a minimum building height of two storeys
  - Implemented a minimum ground floor height; this creates more flexibility for future use of buildings
  - Increased maximum height from 55 feet to 65 feet; this aligns with building code thresholds and allows for a very cost-effective form of development
  - Implemented a setback requirement for upper floors to reduce the perceived impact of the extra permitted height from the sidewalk.



- Require site plan approval, primarily to control parking lot design and access and encourage shared access between neighbouring properties.
- It is now much easier to do residential development above and behind commercial development (see Wellfields, below)
- The approach to County Fair Mall (see below)

Another major theme that emerged during initial engagement was a desire among residents to see redevelopment of existing vacant commercial spaces along Commercial Street before new commercial spaces are developed. The draft Secondary Plan does provide for enhanced redevelopment opportunities along Commercial Street and on the County Fair Mall site (see below). However, at the direction of the Working Group guiding the draft process, the draft Secondary Plan does not include any specific limitations on new commercial spaces in areas such as New Minas South.

## County Fair Mall

The draft Secondary Plan recognizes the prominence of the County Fair Mall site and the opportunity to significantly revitalize this stretch of Commercial Street through thoughtful redevelopment on this site. The draft Secondary Plan puts the site in the “Comprehensive Commercial Development (CCD) Zone” and includes a site-specific policy that allows for mixed-use, comprehensive development on the site by development agreement. “Mixed-use” in this context includes the possibility of commercial, residential, and community/recreation uses.

Specifically, the policy expects the design of development on the site to:

- have protected or grade-separated pedestrian connections through the site to provide both internal circulation and connections to neighbouring streets and commercial developments;
- “daylight” (un-bury) at least half of the stream that is currently located underneath the property; and
- have a high standard of landscape design and urban design. In particular, it will require building locations and massing that provide a streetwall and building entrances along Commercial Street.

In order to encourage redevelopment and to recognize the increased effort required for a development agreement, the policy enables development here to have high densities and to include a greater proportion of residential uses than would usually be considered on other comprehensive commercial development sites.

## New Minas South

A major component of the Secondary Plan is providing policy to enable development in New Minas South (*i.e.* south of Highway 101). However, in doing so one of the biggest challenges to overcome will be servicing. The shallow soils and slope will require careful planning for

stormwater, and the whole of the area will require brand-new sewer and drinking water networks, as well as roads and active transportation connections.

As a result, the draft Secondary Plan directs that development in most of New Minas South will occur through the development agreement process. This is consistent with many other serviced areas of the Municipality, where lots larger than 5 acres are required to go through the development agreement process.

For the purposes of the development agreement process, the policy breaks New Minas South into three separate phases, with the two major ravines as the dividing lines. These are the natural separation points for how stormwater will flow, and how sewer and water networks will be designed. The policy requires that owners of at least 75% of the land within a phase to sign on to the development agreement process; this will allow for holistic design and cost-sharing for the services in that phase. For example, lands at higher elevations will be draining into lands down by Highway 101, so we want to ensure the design of stormwater infrastructure considers this, and that the landowners who have to host that infrastructure (*e.g.* retention ponds) are properly compensated by other landowners who gain development ability because of that infrastructure.

The Municipal Planning Strategy has general policies for considering all development agreements. This includes things like ensuring schools will not be overburdened, traffic impacts will be acceptable, *etc.* However, given the scope of New Minas South, the draft Secondary Plan includes additional, more specific policies for considering development agreements here:

- The final neighbourhood design and land use mix will be proposed by the applicants; however, the Secondary Plan includes an “urban structure map” that guides what types of proposals are acceptable in the different phases. The eastern phase is expected to include highway commercial uses, general commercial uses, and high-density mixed use. The central and western phases are expected to include lower density residential uses (one units, two units, townhouses, and multi-units up to eight units) and neighbourhood commercial uses (*e.g.* corner stores). The exact descriptions of what these mean can be found in Policy 4.7.4 of the draft.
- The development agreement application will need to include comprehensive servicing plans.
- The collector roads within neighbourhoods will need to approximately align with the Road Network Map.
- Local roads will be required to have a high level of connectivity.
- Active transportation facilities will need to approximately align with the Active Transportation Connections Map.
- The major proposed parks will need to be established.
- The Village will be consulted to establish any infrastructure needs (*e.g.* land for a new water tower).
- The Municipality and Village will not be responsible for essential infrastructure development costs that enable development.

The main goal with the development agreements is to ensure an efficient and holistic servicing network. It is not intended to establish detailed controls on things like architectural design. As a result, the policy directs that standard zoning be established and the development agreements should be discharged once matters of servicing have been addressed. This will avoid the need to make future amendments to the development agreements if a developer or homeowner wants to change anything about what they can do with their specific building. In short, the purpose of the development agreement is to deal with the complexities of infrastructure and then turn over the more minor details of building layout, *etc.* to the simpler as-of-right zoning process (in alignment with the Urban Structure Map).

One final important aspect of the draft Secondary Plan in regards to New Minas South is that it proposes applying the Environmental Constraints (O1) Zone to the ravines. This zone prohibits most forms of development other than conservation and low-impact recreation (trails). This zone and prohibition on development is enabled within the *Municipal Government Act* for areas of steep slopes. This is reflected on the Urban Structure Map in the draft.

## Housing Affordability and Diversity

Housing affordability is a topic high on many people’s mind and was frequently mentioned during engagement activities. However, it is not just a New Minas topic; rather, it affects the whole Municipality. The draft Secondary Plan does indirectly provide some assistance with the topic by increasing the supply of residential lands, but deeper approaches should be tackled on a Municipality-wide basis. Two approaches that can be explored from a planning perspective for the whole Municipality are accessory dwelling units (e.g. backyard suites, carriage houses, etc.) and a new power recently given to municipalities to implement “inclusionary zoning”, in which a set percentage of new development must meet affordability standards.

With regard to housing diversity, the draft Secondary Plan makes it easier to develop multi-unit residential buildings within the wellfield areas along Commercial Street (above and behind commercial uses) and to the north. The draft also provides for a wide range of unit types in New Minas South (one units, two units, semi-detached, townhouses, and multi-units).

## Active Transportation

The draft Secondary Plan includes a number of items related to active transportation:

- Bicycle parking will be required for new development in New Minas as follows:

Use	Minimum Required Bicycle Parking Spaces
Business Office	1 space/1,200 sq ft. CFA*
Dwelling – 5 or more dwelling units	0.5 spaces/dwelling unit
Licensed Liquor Establishment	2 spaces
Personal Service Shop	2 spaces
Restaurant	2 spaces
Retail Store	1 space/1,200 sq ft. CFA*

(\*CFA = commercial floor area, which is basically the area available to customers and excludes things like storage areas, *etc.*)

- Sidewalks will be required on both sides of new roads in New Minas.
- The Secondary Plan includes Map 4.7c, the Active Transportation Map. It includes proposed new trails, sidewalks, and multi-use paths. It includes a pedestrian link across/under Highway 101, a multi-use pathway along Commercial Street, more links into the Elderkin Brook Ravine, a link into Lemarchant Drive, and better connectivity throughout various neighbourhoods. This will be used:
  - as guidance for the Municipality and Village when investing in infrastructure; and
  - to require any development by development agreement in these areas to provide the desired infrastructure.

## Wellfields

New Minas gets its drinking water from a series of wells, mostly located near the Cornwallis River. These wells are protected from contamination by “wellfield protection overlays” that restrict the types of development that can occur within the recharge areas of the wells. During engagement we heard requests to update the wellfield overlay restrictions based on the fact that technologies have changed and some activities that used to be considered risky to drinking water supplies are no longer risky. The draft Secondary Plan includes two notable items with regard to wellfields:

- Multi-unit residential development in the wellfield areas currently requires a development agreement. However, the draft Secondary Plan proposes removing this requirement. This will streamline approvals of residential uses, particularly along Commercial Street and on the north side of New Minas.
- The text acknowledges the desire to consider enabling other uses within the wellfields and includes policy consideration for doing so once an updated Source Water Protection Plan is developed.

## Stormwater Management

During engagement we heard concern about stormwater management and flooding in New Minas.

The 2019 municipality-wide plan review greatly strengthened policies around stormwater management in the Municipality of Kings. Development is required to provide a drainage plan and to use natural drainage features, rather than “hard” infrastructure, whenever possible. Upon review, there is no need to actually change these policies. Rather, we just need to wait to see them go into effect as new development occurs.

## Parks and Recreation

The Secondary Plan includes Map 4.7d, the Parks Map. This shows existing parks and proposed major parks. Policy in the draft Secondary Plan directs Council to prioritize acquiring lands in the specified proposed major parks both through the land dedication process that occurs during subdivision and through proactive purchases of lands. Small neighbourhood parks would still occur within new neighbourhoods as part of the subdivision process. The two proposed major parks are:

- The “view park” located at the top of the Granite Drive Interchange

- The nature park located at the highest point of New Minas South. This park would be a regional destination serving the whole Municipality

We also reviewed the existing zones and determined that there is significant flexibility to accommodate new recreation facilities within New Minas. Most zones allow recreation facilities and there is no need to make any specific changes to what is already permitted.

## Industrial Lands

The wellfields present challenges for industrial expansions and new industrial development. In light of this, we reviewed the industrial lands in New Minas to see if they could be better repurposed for other uses. In this review we determined that Wellfield C and D still allow a reasonable range of industrial development, so any industrial lands that fell within these wellfield zones were left as-is. Wellfield B creates heavy restrictions on industrial uses though, so we looked for better options:

- In some cases, there are industrial lands that are within Wellfield B and the Environmentally Sensitive Area (ESA) Overlay, which is intended to identify the flood risk from the Cornwallis River. In these cases, we left them industrial since we do not want to promote development that could risk human life (*i.e.* residential development) in these areas.
- In one case, the lands were zoned industrial, but remain undeveloped. In this case, we re-designated and re-zoned those lands to residential uses. This case was PID 55286090 on Jones Road, adjacent to the old gravel pit. The draft Secondary Plan places it into the Residential Mixed Density (R3) Zone in line with the zoning on neighbouring properties to the south.
- In one case, the lands were zoned industrial and developed with an industrial business. In this case, we kept them in an industrial zone but re-designated them on the Future Land Use Map of the Municipal Planning Strategy. This will make it easier to re-zone them to a residential zone in the future if the industrial business is ever removed. This case was PID 55206239, the concrete plant on Cornwallis Avenue. The draft Secondary Plan puts it into the Residential Designation but keeps the Heavy Industrial (M2) Zone.

## Boundary Changes

The draft Secondary Plan adjusts the boundary for the Growth Centre of New Minas to include the Highbury Campground. Another small boundary change on the eastern end better aligns the boundary with a stream.