



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Will Hong, Planner

Date: March 13, 2025

Subject: WHLUB Map Amendment: 33 Lakewood Drive, Brooklyn (PID 45017183); File # 24-25

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210

RECOMMENDATION

Staff recommend that the PAC/HAC forward a positive recommendation by passing the following motion:

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending Schedule A of the West Hants Land Use By-law to rezone PID 45017183 at 33 Lakewood Drive in Brooklyn from the split zone of Two Unit Residential (R-2) and Highway Commercial (GC) zone to the Two Unit Residential (R-2) zone entirely as shown in the report #24-25 to the Planning and Heritage Advisory Committee dated March 13, 2025.

BACKGROUND

Property X	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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A completed application was received from Michael Redmon on behalf of Diane Saunders on November 5, 2024. The application was to rezone the subject lot from a split zone of Highway Commercial and Two Unit Residential to Two Unit Residential (R-2) entirely in order to subdivide three different residential lots after rezoning.

DISCUSSION

The subject lot is 20 acres with frontage on both Highway 215 and 33 Lakewood Drive, which contains a single unit dwelling fronting the Lakewood Drive and a derelict, old barn located on the eastern side of the property.

The subject lot is currently designated Village on the Generalized Future Land Use Map (GFLUM) of the West Hants Municipal Planning Strategy (WHMPS) (Figure 1). The subject lot is split into two zones, with a portion zoned Two Unit Residential (R-2) and another portion zoned Highway Commercial (HC) on Schedule A of the West Hants Land Use By-law (WHLUB) (Figure 2).

All properties surrounding the subject lot are designated Village. Adjacent uses primarily consist of low-density residential dwellings, and a self-storage facility on Highway 215. These properties have a mix of zoning including the Two Unit Residential (R-2) zone, Highway Commercial (HC) zone, Resource Industrial (M-1) zone

Municipal Planning Strategy Review

Policy 6.2.3 is the primary enabling policy to be considered for this application. This policy provides Council with the ability to consider rezoning land to Single Unit Residential (R-1) or Two Unit Residential (R-2) within the Village designation. The policy also includes criteria which must be considered in relation to the proposal. The evaluation of the full list of criteria is included in Attachment A. In summary, the proposal meets the criteria since:

- the subject lot is not conflict with adjacent existing uses.

Policy 16.3.1 establishes the general criteria that must be considered for all amendments to the West Hants Land Use By-law. The full list of criteria is included in Attachment A. In summary, the proposal meets the criteria as:

- the proposal is not considered premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Area Manager of the Nova Scotia Department of Public Works, and Public Works Engineering Division have no concerns which have not been addressed in this report.

Public Comment Response

Staff did not receive any responses during the 14 days comment period. Staff received one response from resident in the area before the Public Information Meeting including concerns regarding safe road access on potential new driveway on Highway 215.

In response to this concern, staff contacted Nova Scotia Public Works Department (NSDPW), who has the jurisdiction of Highway 215. The initial response from NSDPW confirmed that the subject property has safe roadway access to both Lakewood Drive and Highway 215.

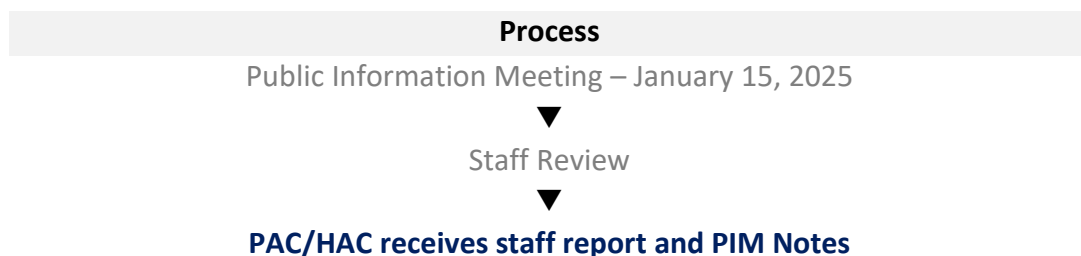
A Public Information Meeting was held on January 15, 2025. There was one question from the member of public to better understand what is being proposed on the lot. The applicant provided further details about their development plans to subdivide into 3 lots for personal use after rezoning.

MUNICIPAL CLIMATE CHANGE ACTION PLAN

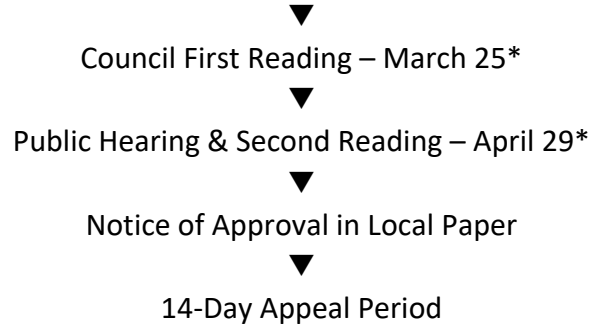
The Municipal Climate Change Action Plan (MCCAP) Coastal Flooding map does not show any risks of coastal flooding on the subject lot. The MCCAP Inland Flooding map shows the property as having both 0-0.10 m and 0.11 - 0.50m depth to water table. Section 4.3.2 of the MCCAP (pg. 40-41) explains the Inland Flooding map in more detail. It states “The Depth to Water Table categories, as seen on the map, indicate quality of drainage: the 0-0.10 m class is generally associated with poor drainage and the 0.11-0.50 m class with imperfect drainage. These areas can be used to infer where water will naturally flow and/or accumulate in the landscape. Therefore, property owners are responsible for ensuring that their lot is suitable for the proposed uses.

NEXT STEPS

As noted above, the proposed amendment has been considered within the context of the general policies of the WHMPS, and is consistent with the intent, objectives, policies and criteria of the WHMPS. As a result, it is reasonable to amend the zoning of PID 45017183 to the Two Unit Residential (R-2) zone.



Review and Recommendation – March 13, 2025



*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality with regard to the filing of this report.

ALTERNATIVES

In response to this application, the PAC/HAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the amendment as drafted or as specifically revised by direction of PAC/HAC;
- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1	West Hants GFLUM Extract
Figure 2	West Hants Zoning Map Extract
Figure 3	West Hants Proposed Zoning Map Extract
Attachment A	Policy Summary for WHLUB Amendments
Attachment B	Public Information Meeting Notes

Report Prepared by: _____
Will Hong, Planner

Report Approved by: _____
Kari Fougere, Acting Director of Planning and Development

Figure 1 – West Hants GFLUM Extract

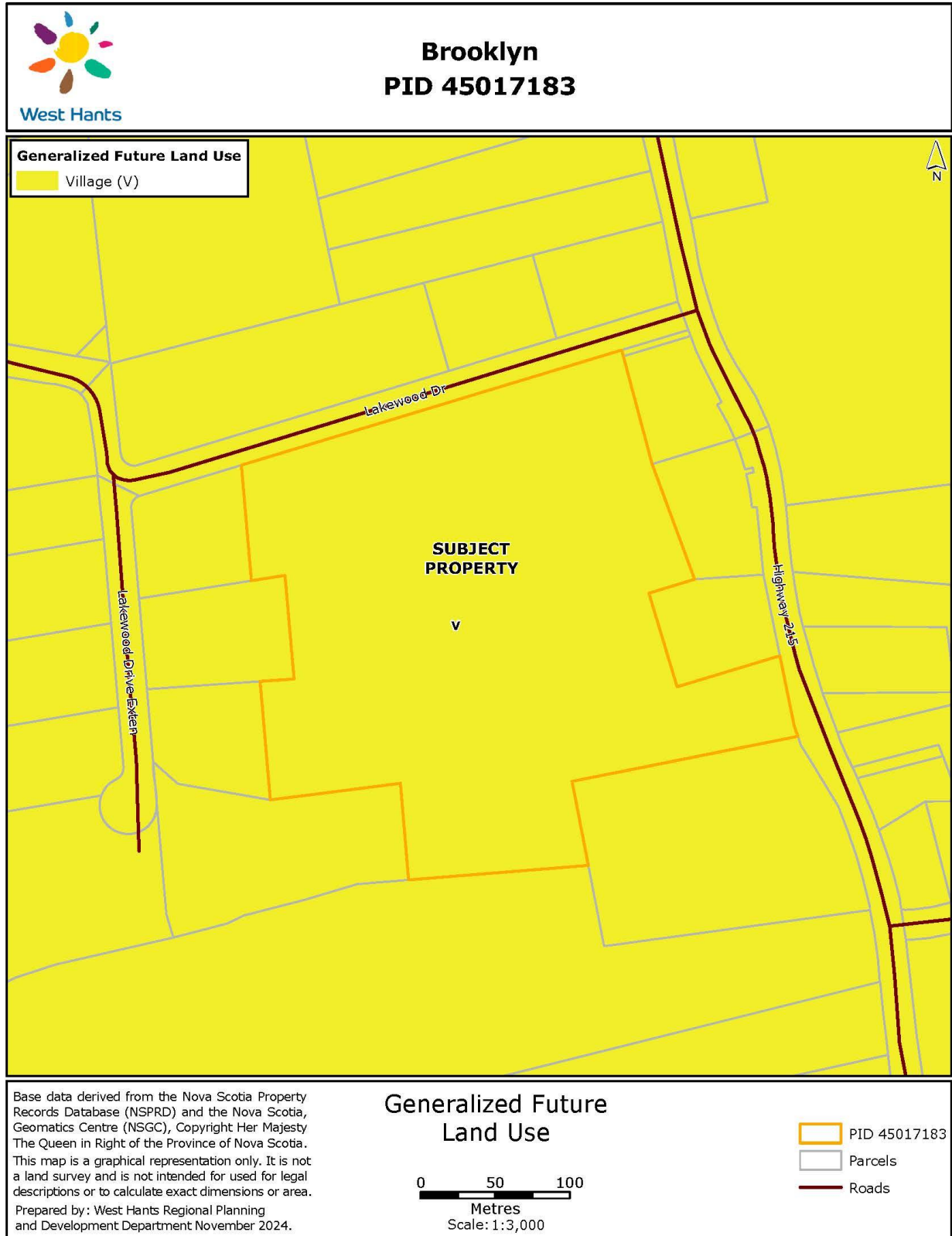


Figure 2 – West Hants Zoning Map Extract

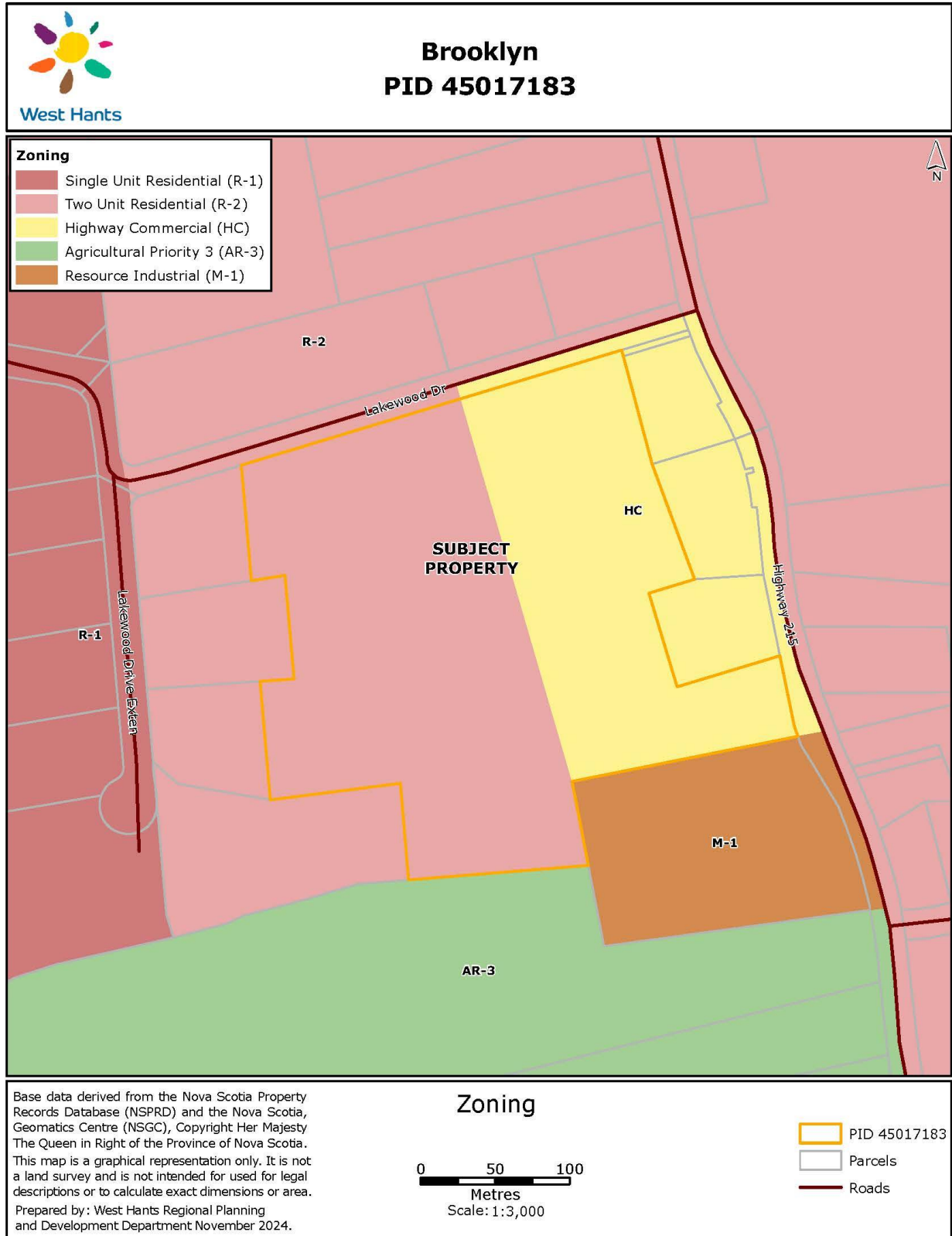
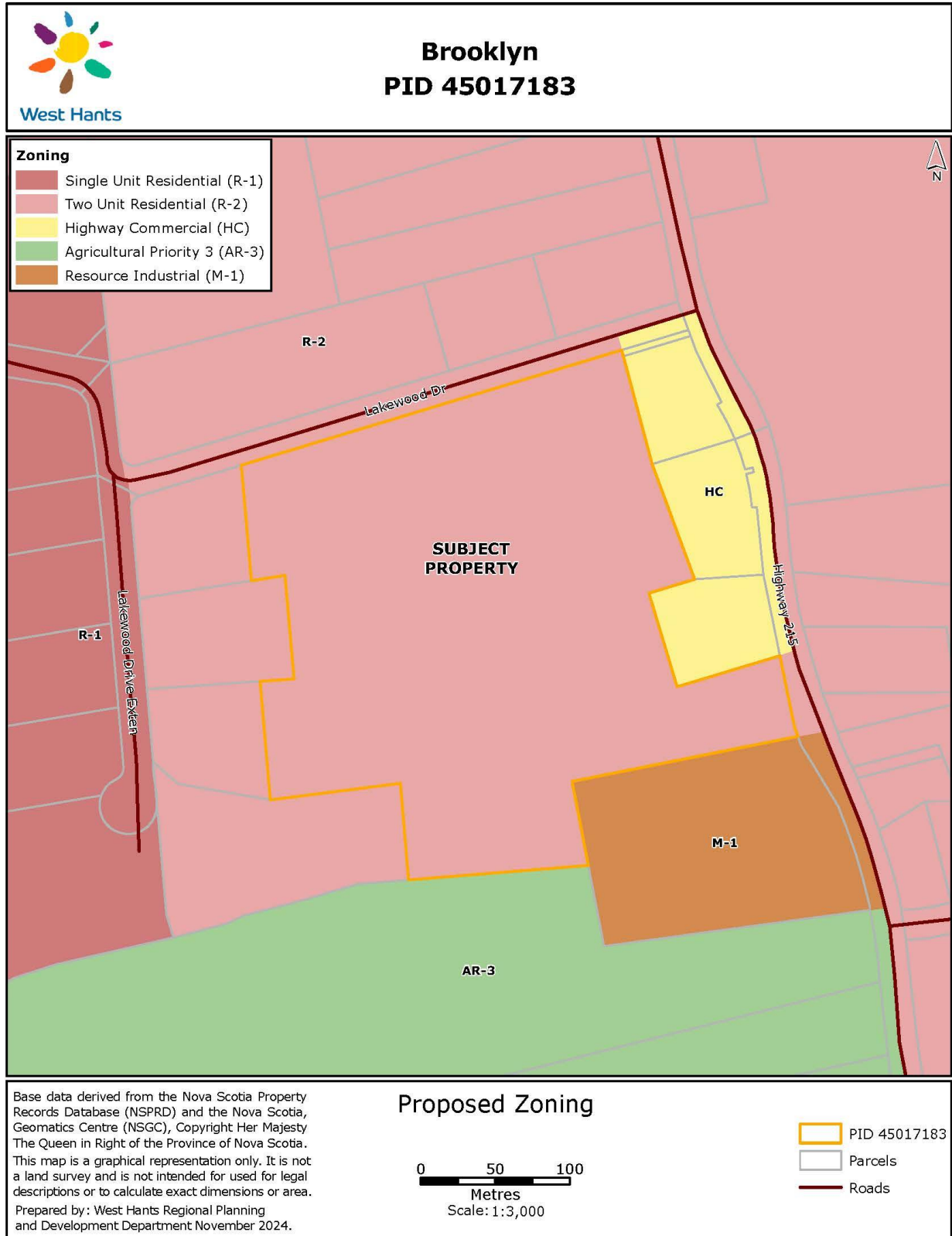


Figure 3 – West Hants Proposed Zoning Map Extract



Attachment A – Policy Summary for Amendments

Policy 6.2.3 <i>It shall be the policy of Council to consider rezoning land within the Village designation to Single Unit Residential (R-1) or Two Unit Residential (R 2) subject to the following:</i>	
<i>(a) the proposed use will not conflict with adjacent existing uses;</i>	The proposed residential use is compatible with the surrounding properties, which are primarily residential. Only one adjacent property is zoned Resource Industrial (M-1) and is currently used as a commercial self-storage facility. No conflicts are anticipated between the proposed residential use and this property, as residential use is also permitted in the Resource Industrial (M-1) zone, and the property is subject to a more restrictive setbacks and buffering requirements.
<i>(b) any other matter which may be addressed in a Land Use By law; and</i>	See Policy 16.3.1 below.
<i>(c) Policy 16.3.1.</i>	See Policy 16.3.1 below.

Policy 16.3.1 <i>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:</i>	
<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	The Public Works Engineering Division commented that no central sewer or water services are available in Brooklyn or the other designated Village. In this case, on-site water and sewer will be required. See Policy 16.3.1 (b) below.

<p><i>(ii) the adequacy of school facilities;</i></p>	<p>The Regional Executive Director of the Annapolis Valley Regional Centre for Education stated that “We have a responsibility to provide public education for students living in the catchment areas served by these schools. We therefore expect our facilities to accommodate any new development.”</p>
<p><i>(iii) the adequacy of fire protection and other emergency services;</i></p>	<p>The Manager of Building and Fire Inspection Services commented that they had no concerns regarding the adequacy of fire protection. The local Fire Chief commented that they also had no concerns.</p>
<p><i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i></p>	<p>The Area Manager of the Nova Scotia Department of Public Works commented that they had no concerns regarding the adjacent road network.</p>
<p><i>(v) the financial capacity of the Municipality to absorb any costs relating to the development.</i></p>	<p>There are no anticipated costs to the Municipality regarding this development.</p>
<p><i>(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;</i></p>	<p>The subject property has adequate lot area to meet the minimum standard for un-serviced lots. This indicates the lot should be capable of accommodating an on-site well and septic system.</p> <p>The existing on-site systems may be adequate or may require upgrades, but these details are determined at the time of permitting, with the approval coming from Nova Scotia Department of Environment and Climate Change who has jurisdiction over septic systems and wells.</p>

	For any other future subdivision, the owners will have to determine the suitability of water and sewer services during the permitting process.
<i>(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	The Area Manager of the Nova Scotia Department of Public Works commented that they had no concerns regarding this criteria.
<i>(d) the adequacy of the dimensions and shape of the lot for the intended use;</i>	The Development Officer commented that they had no concerns regarding the adequacy of the dimensions and shape of the lot for residential uses.
<i>(e) the pattern of development which the proposal might create;</i>	The Development Officer commented that they had no concerns regarding the pattern of development which the proposal might create.
<i>(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, wetlands, and susceptibility of flooding;</i>	The majority of the subject lot appears to be flat. No waterbodies or wetlands appear to be present on the mapping for the subject lot.
<i>(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</i>	All Municipal, Provincial, and Federal regulations will have to be met.
<i>(h) any other matter required by relevant policies of this Strategy.</i>	All relevant matters have been addressed in this report.

Attachment B – Public Information Meeting Notes

January - 15, 2025

WHLUB Map Amendment: 33 Lakewood Drive, Brooklyn (PID 45017183); File # 24-25

Meeting date and time	A Public Information Meeting was held on January 15, 2025 beginning at 6:00 p.m. The meeting was broadcast live on the Municipal YouTube Channel.
Attending	<p>In attendance for the meeting:</p> <p>One (1) Chair:</p> <ul style="list-style-type: none"> • Mayor Zebian <p>Four (4) members of staff:</p> <ul style="list-style-type: none"> • Acting Director Fougere • Senior Planner Dunphy • Planner Hong • Planning Assistant Lake <p>Approximately 9 members of the public.</p>
<p>Applicant Michael Redmon on behalf of Diane Saunders</p> <p>Property PID 45017183, 33 Lakewood Drive, Brooklyn</p>	Planner Hong outlined the application to rezone the subject lot entirely to the Two Unit Residential (R-2) zone.
Comments	<p>Comments from the public could be submitted by mail, e-mail and telephone between January 15-29, 2025.</p> <p>Staff did not receive any phone calls or written submissions during the comment period.</p> <p>1 member of the public spoke during the Public Information Meeting. Applicant responses are in purple.</p> <ul style="list-style-type: none"> • Liam McNeil, who lives adjacent to the subject property, was curious about what was going on. • Michael Redmond, applicant, explained that the intention after rezoning is to subdivide into 3 lots for personal use: one for the property owner’s son, the other two for the owner or possible future sale. Property needs to be rezoned to be able to build residential.

Adjournment	The Public Information Meeting was adjourned at approximately 6:20 p.m.
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Public Email Responses Submitted for the Application

From: Kevin Arenburg

Date: January 7, 2025

To: Will Hong and Vanessa Lake

Thank you for the notice on the proposed rezoning of the above mentioned property. We would like to offer our support in favour of the rezoning so long as the driveway access is restricted to and from Lakewood Drive. The vehicular speeds observed on Highway 215, despite posted speed limits, are often well above safe levels. The RCMP devote most of their attention to the school zone on Hwy 14 during the school year and drivers evidently make up for their lost time in all directional routes from this "speed trap". We would not encourage any additional driveway access points on Highway 215. This stretch of road has had many vehicle accidents. A near fatality occurred May 2013 as a school bus was stopped loading children in the morning at the intersection of Murdock Harvey Road and Highway 215 very close (within 500ft) to where a portion of this land parcel abuts Highway 215. Four months ago another school bus incident occurred near Sterling Road.

By copy of this email to Vanessa Lake, can you send us the registration link via Zoom.

Sincerely,

Kevin and Julia Arenburg