

To: Port Hawkesbury Council

From: Planning Staff (EDPC)

Date: February 19, 2014

Reference: Implementing a Site Plan Approval Process for Multiple-Unit Dwelling with Three (3) to Five (5) Units in the Residential Two-Unit (R-2) Zone.

Interest from a potential developer in building a four unit senior's type complex in the Ryans Road area launched a broader consideration of amendments to the Municipal Planning Strategy and Land Use Bylaw. The Town and the Eastern District Planning Commission would like it noted the request did not originate from the property owner on 10 Ryans Road and apologise for any misunderstanding this created.

Recommendation:

THAT Council implement a Site Plan Approval process for multiple-unit dwellings having three (3) to five (5) units in the Residential Two-Unit (R-2) zone by approving:

- An amendment to Policy L-1.3.0 of the Port Hawkesbury Municipal Planning Strategy to add multiple-unit dwellings with three (3) to five (5) units as a permitted use in the Residential Two-Unit (R-2) zone;
- The addition of Section 5.5, with policies I-1.20 and I-1.21, to the Port Hawkesbury Municipal Planning Strategy to enable the Site Plan Approval tool;
- An amendment to Part 5 of the Port Hawkesbury Land Use By-law to add Sections 3 through 7, outlining the requirements and review criteria for Site Plan Approval;
- An amendment to Part 9, Section 1 of the Port Hawkesbury Land Use By-law to add Multiple-Unit Dwellings, subject to Site Plan Approval, as a permitted use in the Residential Two-Unit (R-2) zone;
- An amendment to Part 9, Section 2 of the Port Hawkesbury Land Use By-law to add general lot requirements for multiple-unit dwellings; and,
- An amendment to Part 9 of the Port Hawkesbury Land Use By-law, adding a special requirement as Section 6 that restricts development of a multiple-unit dwelling in a Residential Two-Unit (R-2) zone to properties that have municipal water and sewer services available.

Appendix "A"

A By-law to Amend the Port Hawkesbury Land Use By-law

The Port Hawkesbury Land Use By-law is hereby amended as identified in bolded text below:

Part 5 – Development Agreements and Site Plan Approval

3. Pursuant to Section 231 of the *Municipal Government Act*, the following developments shall be subject to Site Plan Approval:
 - (a) Multiple-unit residential dwellings in the Residential Two-Unit (R-2) zone.
4. The following evaluation criteria shall apply to any development undertaken pursuant to Part 5, Section (3):
 - a. Any development must be in compliance with the requirements of the general regulations and applicable zone, as found in the Land Use By-law;
 - b. Storm and surface water protection plans must be provided.
5. Notwithstanding Part 5, Section (3), the Development Officer may vary the following provisions of the Land Use By-law through Site Plan Approval:
 - (b) The minimum required front yard setback;
 - (c) The minimum required number of off-street parking spaces; and,
 - (d) Visual barrier requirements.
6. A site plan prepared in accordance with Part 5, Section (3) shall include the following, drawn to scale:
 - a. The location of existing (to remain) and proposed structures on the site;
 - b. The location of existing (to remain) and proposed off-street parking and loading facilities;
 - c. The location and width of existing (to remain) and proposed driveway accesses to public or private roads;
 - d. The type, location and height of any retaining walls, fences, hedges, trees, shrubs or groundcover, as well as any retained natural vegetation;
 - e. Any existing (to remain) and proposed grade alteration and storm surface water control infrastructure;
 - f. The location of existing (to remain) and proposed walkways, noting the width and surface materials;
 - g. The type and location of existing (to remain) and proposed outdoor lighting;
 - h. The location and type of any facilities and enclosures for the storage of garbage, recycling and other waste materials;
 - i. The location and type of any amenity area or facilities provided for users of the development;
 - j. The location of existing and proposed easements on the subject property;
 - k. The type, number and size of any existing (to remain) and proposed signs and sign structures; and,

Appendix “A”

I. Any provisions for the maintenance of any of the items referred to in this subsection.

7. The process for granting site plan approval follows the same process as that used for a variance, subject to Section 236 of the *Municipal Government Act*.

Part 9 Residential Two-Unit (R2) Zone

R2 Uses Permitted

1. No development permit shall be issued in a Residential Two Unit (R2) Zone except for the following uses:
 - a) Single unit detached dwellings
 - b) Duplex dwellings
 - c) Semi-detached dwellings
 - d) Converted dwellings to a maximum of two (2) units
 - e) Boarding or rooming houses, to a maximum six (6) boarders/roomers
 - f) Bed and breakfast establishments, to a maximum of four (4) units
 - g) Parks and community centres subject to the Open Space (O1) Zone requirements
 - h) Multiple-Unit Dwellings with three (3) to five (5) units, subject to Site Plan Approval**

General Lot Requirements

2. In any Residential Two Unit (R2) Zone, no development permit shall be issued except in conformity with the following requirements:
 - a) Where municipal water and sewer services are available:

	Single-Detached Dwellings / Duplex Dwellings	Semi Detached Dwellings (For each dwelling unit)	Converted Dwellings, Boarding or Rooming Houses and Bed and Breakfast Establishments	Multiple-Unit Dwellings
Minimum Lot Area	560.0 m ² [6020 ft ²]	280.0 m ² [3014 ft ²]	560.0 m ² [6020 ft ²] for the first 2 units or 3guest rooms and 186.0m ² [2002 ft ²] for eachguest room over 3	930.0 m² [10010ft²]
Minimum Lot Frontage	18.25 m [59.9ft.]	9.00 m [29.5 ft.]	18.25 m [59.9 ft.]	30.05 m. (100 ft.)
Minimum Front Yard	7.65 m [25.1 ft.]		6.10 m. [20.0 ft.]	6.10 m. [20.0 ft.]
Min. Side Yard i) one side ii) other side	2.50 m [8.2 ft.] 3.05 m [10.0 ft.]	3.05 m [10.0 ft.] 0 m [0 ft.]	1.25 m [4.1 ft.] 3.05 m [10.0 ft.]	2.50 m [8.2 ft.] 3.05 m [10.0 ft.]
Minimum Rear Yard	7.65 m [25.1 ft.]		6.10 m. [20.0 ft.]	7.65 m [25.1 ft.]
Maximum Height of Main Building	10.70 m [35.1ft.]			10.70 m [35.1ft.]
Maximum Lot Coverage	35%			35%

Appendix "A"

Special Requirement - Municipal Water and Sewer



- 6. A development permit shall be issued for a multiple-unit dwelling in a Residential Two-Unit (R2) Zone only where municipal water and sewer services are available.**



Port Hawkesbury Town Limits

TOWN OF PORT HAWKESBURY

Inverness County, Nova Scotia

-  Parcels in R2 Zone > 960m2 With > 100ft Frontage
-  R-2 Residential Two-Unit

