

MINUTES OF THE PLANNING ADVISORY COMMITTEE MEETING
November 28, 2019

Present: Anna Ashford-Morton, Chair
Mayor Don Clarke
Mike Payne, CAO
Chris Millier, 4 Site Group (via conference call)
Councillor Barry Corbin
Councillor Rod Reeves
Chantal Pineo-Atwood, Executive Coordinator
Joan Levack, PAC Citizen Representative
Kelly Branton, PAC Citizen Representative

In Attendance: Carol Tobin, 127 Willow Avenue
Mike Morse, 122 Willow Avenue
Frank Peters, 182 Willow Avenue

1. Call to Order

The PAC Meeting was called to order at 6:37pm by Councillor Anna Ashford-Morton, Chair.

2. Approval of the Agenda

The Agenda was approved as circulated.

3. Previous Minutes

The previous PAC Minutes were approved as circulated.

4. Willow Avenue “Residential Zone”

Mr. Millier provided comments to the committee summarizing the current provisions with the Town’s Municipal Planning Strategy and Land Use Bylaw relating to policies and development control provisions within the Willow Avenue area. (See attached report)

There is an interest within the community to alter the zone standard in this area. Ten acres with a 400 foot road frontage is the current standard for a residential use. The policy prohibits onsite septic services. To create a “new zone”, onsite septic would be required, lot size change and the introduction of residential not having to be tied to agricultural uses.

Unserviced lots have the requirement to be large enough to accommodate an on-site septic. Nova Scotia Environment uses a 250 foot road frontage and two acres as a minimum threshold. The committee agreed this may be a comfortable threshold for this area.

General discussion ensued with regard to current and possible new zone standards.

This will be placed on the December Council Agenda for discussion. Mr. Millier confirmed that with any MPS amendments, the matter must go to a public consultation. The committee agreed that January/February would be an appropriate time to hold same.

7. Status Report

The Status Report was reviewed by committee members. There were no questions of same. Mr. Millier noted that there was an increase in permit activity for 2019, which is a great thing for Berwick.

8. Adjournment

The PAC Meeting was adjourned at 7:41pm.



**Planning
Development
Project Management**

To: Berwick Planning Advisory Committee
From: Chris Millier
Date: June 4, 2019
Re: MPS/LUB Provisions Relating to the Willow Avenue Area

The following provides the Committee with a summary of the current provisions with the Town's Municipal Planning Strategy and Land Use By-law relating to policies and development control provisions within the Willow Avenue area.

From the Berwick Municipal Planning Strategy

2.3 Development and Land Use Control Principles and Objectives

In identifying specific planning policies and development control provisions contained in this Strategy and the Land Use By-law the following high level objectives have been established for development within the Town.

Residential Principles and Objectives

To protect and maintain the character of existing residential areas while providing for new residential growth through the utilization of underdeveloped areas and the expansion of residential development to larger undeveloped properties. New residential development should provide for a wide range of housing options which meet the varied needs of all Town residents. To this end, development within residential areas should promote affordability, choice and options for accommodation, be respectful of the character of existing neighbourhoods and accommodate the need for growth.

Agriculture Principles and Objectives

To ensure the ability for existing agricultural activities located within the Town to continue and provide specific opportunities for new uses to locate while understanding that residential and commercial development requirements and the presence of municipal services make serviced urban-type development more suitable in the long term.

Infrastructure Principle and Objectives

To ensure that all new development is serviced by appropriate municipal infrastructure and services and that both public and private investments in infrastructure upgrading or the development of new infrastructure be managed in a coordinated, cost efficient and environmentally responsible manner.

2.4 Residential Development Policies

- R3 *It shall be the intention of Council to create a Future Residential Generalized Future Land Use Designation on the Generalized Future Land Use Map and promote new comprehensively planned residential development as municipal infrastructure can be extended to service these lands.*
- R4 *It shall be the intention of Council to designate unserviced lands generally located south of South Street and east of Ron Smith Drive, lands located at the west end of Orchard Street in the vicinity of the Town boundary and lands located south of the Cornwallis River adjacent to Willow Avenue as Future Residential on the Generalized Future Land Use Map.*
- R 13 *It shall be the intention of Council to include in the Land Use By-law a Residential Comprehensive Development District (RCDD) Zone. This zone shall permit a variety of residential types including low, medium and high density residential uses within comprehensively planned development. This zone will be applied to vacant lands within the Future Residential Generalized Future Land Use Designation. Development within the Residential Comprehensive Development District will be considered only by Development Agreement. When considering approval of a Development Agreement for lands within the Residential Comprehensive Development District Zone Council shall give consideration to:*
- (a) The provision for and integration of trunk wastewater and storm water into the existing municipal systems;*
 - (b) The provision for and integration of collector and local road systems into the existing municipal road network;*
 - (c) Criteria contained in Policy IM7.*

2.8 Agricultural Lands and Uses

In light of the goals and objectives contained in the Strategy and in particular the Residential principles and objectives identified in Part 2.3 the following policies are intended to regulate the development of agricultural uses within the Town.

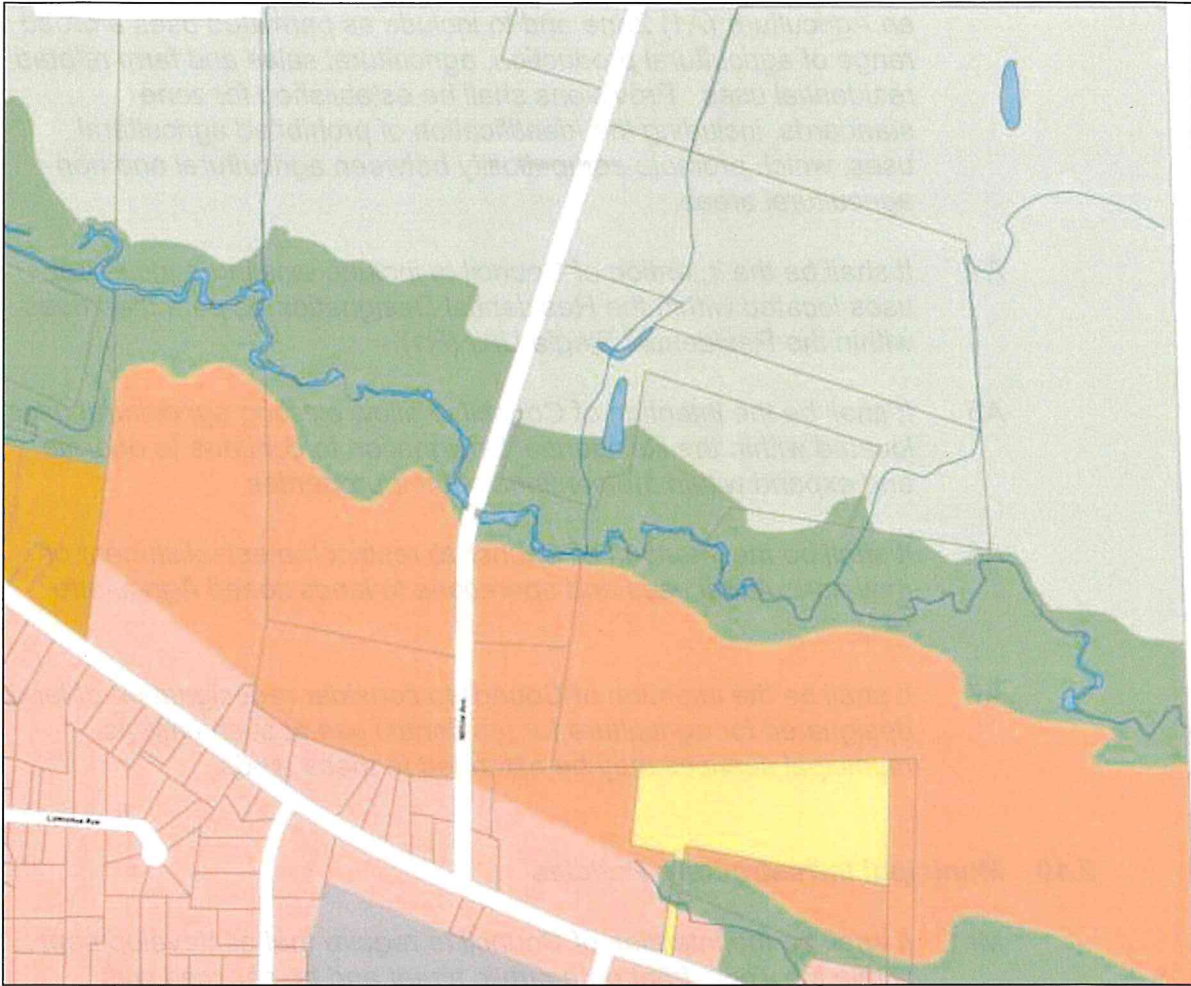
- A1 *It shall be the intention of Council to create an Agriculture Designation on the Generalized Future Land Use Map in order to recognize existing commercial agricultural uses and activities located within the Town.*

- A2 *It shall be the intention of Council to Designate as Agriculture those lands fronting on Willow Avenue north of the Cornwallis River.*
- A3 *It shall be the intention of Council to include in the Land Use By-law an Agriculture (A1) Zone and to include as permitted uses a broad range of agricultural production, agricultural sales and farm related residential uses. Provisions shall be established for zone standards, including the identification of prohibited agricultural uses, which promote compatibility between agricultural and non-agricultural areas.*
- A4 *It shall be the intention of Council to include existing agricultural uses located within the Residential Designation as permitted uses within the Residential Single Unit (R1).*
- A5 *It shall be the intention of Council to allow existing agricultural uses located within the Residential Designation to continue to operate and expand within the confines of their properties.*
- A6 *It shall be the intention of Council to restrict the establishment of new agricultural uses and operations to lands zoned Agriculture (A1).*
- A7 *It shall be the intention of Council to consider redesignation of lands designated for agriculture for residential use at such time as municipal services may be extended to these lands.*

2.10 Municipal Infrastructure Policies

- MI 1 *It shall be the intention of Council to require that all development within the Town front on a public street and be serviced with municipal wastewater services.*
- MI 2 *It shall be the intention of Council that a property owner be responsible for the construction of all proposed extensions of municipal road, sanitary sewer, storm sewer and related infrastructure for the purposes of enabling development of private property and that all construction be in conformity with the provisions of the Town Subdivision By-law and related regulations and servicing specifications.*
- MI3 *It shall be the intention of Council to undertake the necessary studies to identify a strategic approach to upgrading existing and the extension of new municipal services to lands within the Future Residential Designation and where appropriate cooperate with the property owners to coordinate the development of trunk wastewater, storm water and public street infrastructure.*

Generalized Future Land Use Map



From the Land Use By-law

6.5. Residential Comprehensive Development District (RCDD) Zone

6.5.1 RCDD Uses Permitted

No development shall be issued in a Residential Comprehensive Development District (RCDD) Zone, except for one or more of the following uses:

*Residential Single Unit (R1) Uses
Residential Two Unit (R2) Uses
Residential Three Unit (R3) Uses
Multiple Unit Dwellings containing four (4) or more units
Recreation and Open Space Uses*

6.5.2 Development by Development Agreement

No development shall be permitted in the Residential Comprehensive Development District (RCDD) Zone except in conformity with the provisions of a Development Agreement approved pursuant to the Municipal Planning Strategy.

6.5.3 Development Standards

Minimum Lot Requirements as established pursuant to this By-law may be varied of any permitted use within the Residential Comprehensive Development District (RCDD) Zone subject to the terms and conditions of a Development Agreement approved pursuant to the Municipal Planning Strategy.

Part 10 Agriculture (A1) Zone

10.1 A1 Uses Permitted

No development permit shall be issued in an Agriculture (A1) Zone except for the following uses:

*Agriculture
Animal Hospitals
Animal kennels and stables
Apiaries
Commercial Greenhouses
Dwelling units accessory to the main permitted use
Existing Dwellings
Existing Intensive Livestock Operations
Livestock Operations*

10.2

General Lot Requirements

In an Agriculture (A1) Zone, no development permit shall be issued except in conformity with the following requirements:

| | |
|------------------------------|---------------------------------|
| <i>Minimum Lot Area:</i> | <i>4.04 Hectares (10 acres)</i> |
| <i>Minimum Lot Frontage:</i> | <i>121.9 meters (400 ft.)</i> |
| <i>Minimum Front Yard:</i> | <i>7.6 meters (25 ft.)</i> |
| <i>Minimum Rear Yard:</i> | <i>7.6 meters (25 ft.)</i> |
| <i>Minimum Side Yard:</i> | <i>7.6 meters (25 ft.)</i> |

Zoning

