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## **Planning Advisory Committee Meeting Agenda**

**Thursday, June 22, 2023 – 7:00 p.m.**

**MODL Council Chambers, 10 Allee Champlain Drive, Cookville NS**

**In Person and Via Audio and Video Conference**

- 1. Call To Order**
    - 1.1. Mi'kma'ki Territorial Acknowledgement
  - 2. Review of Procedure for Public to Address the Committee (below)**
  - 3. Changes/Approval of Agenda (as circulated)**
  - 4. Approval of Minutes - Thursday, February 23, 2023**
  - 5. Business Arising from Minutes**
  - 6. Planning Advisory Committee Matters**
    - 6.1. Amendment Application: Lumia Care Centre Side Yard Parking – PID 60631009 ..... 1-8
  - 7. Heritage Advisory Committee Matters**
    - 7.1. New Elm Union Church, replacing the roof material from asphalt shingles to metal -  
Substantial Alteration..... 9-11
  - 8. Added Items**
  - 9. In Camera**
  - 10. Next Meeting Date - Thursday, July 27, 2023**
  - 11. Adjournment**
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### **Procedure for Addressing the Committee**

An opportunity will be provided to all citizens to address the Committee on each agenda item shown on this Agenda or added to the Agenda by the Committee. Individuals who wish to address the Committee are asked to note the following:

- On each matter on the Committee's Agenda, the Chair will seek public comment upon the completion of staff's presentation.
- Each person shall state their name.
- All statements and questions shall be directed to the Chairperson.
- Presentations shall be limited to 10 minutes. Persons wishing to address the Committee a second time will be given opportunity to do so once all others in attendance have had the opportunity to address the Committee. Persons addressing the Committee for a second time shall limit their presentations to 5 minutes.

Anyone wishing to address the Committee on a matter not included on this Agenda can have the matter added to the next meeting's Agenda by contacting Jeff Merrill, Director of Planning, at 902-541-1340 or by email at [planning@modl.ca](mailto:planning@modl.ca)



## Municipality of the District of Lunenburg

### Staff Report

**Report to:** Planning Advisory Committee  
**Submitted by:** Jacob Macpherson, Planner I  
**Date:** June 13<sup>th</sup>, 2023  
**Re:** Amendment Application: Lumia Care Centre Side Yard Parking – PID 60631009

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### Recommendation

That the Planning Advisory Committee respectfully recommend to Council that:

1. Council approve the proposed amendments to the Osprey Village Land Use Bylaw to allow side yard parking in the Institutional (IN) Zone.
2. Council approve the proposed amendments to the Osprey Village Land Use Bylaw to allow the following secondary uses so long as they are in support of a primary Institutional use:
  - a. Office
  - b. Café

### Background

The Lumia Care Centre amendment concerns if and how side yard parking should be permitted in Osprey Village's Institutional (IN) Zone.

On November 1<sup>st</sup>, 2022, The Municipality of the District of Lunenburg's Planning & Development Services department announced that they were partnering with Partners for Care, an independent service partner of Nova Scotia Health (NSH), on the creation of the Lumia Health Collaborative Health Centre and MODL's Community Hub in Osprey Village. The planned two-story, 45,000 square foot facility would feature a mixture of health-related businesses supported by a farmer's market, community kitchen, café, and office space. Open space and community activities such as the farmer's market would be located at the front of this

development, which would require parking space to be relocated to the rear and side yard of the proposed development.

Policy 7.2.7.2, i) of the Osprey Village Land Use By-law states that “Where a lot has frontage on a street, parking and loading areas shall be located in the rear yard”, but this policy does not currently permit side yard parking. Additionally, the Institutional Zone does not currently support the commercial and office uses that accompany a collaborative care centre. Appendix C considers all policies within Osprey Village and their conformity with this amendment. The Analysis section considers how the Osprey Village Land Use By-law can be altered to permit side yard parking in the Institutional Zone.

As the request for amendment is being made by the Municipality, and Osprey Village does not currently maintain an Area Advisory Committee, planning staff is bringing the application directly to the Planning Advisory Committee (PAC) on June 22nd, 2023. Notice of the amendment was sent on June 8th, 2023, public postings were also made on MODL’s website, Facebook page, and engage website.

### **Site Profile**

The subject property is situated on PID 60631009 in Osprey Village at the intersection of Nathan Cirillo Road and Allée Champlain Drive, across from the Stonemont Retirement Lifestyle Community. It is currently zoned Institutional (IN).

A preliminary site map and rendering can be found in Appendix A and B respectively.

### **Primary Uses**

Medical uses make up the majority of uses within the care centre, including:

- Pharmacy
- Mental Health Services
- Optometrist
- Dietitian
- Physio
- Massage Therapy
- Chiropractor
- Orthopedics
- Naturopath
- Oxygen Therapy
- Sexual Health Clinic
- Cryotherapy/Medi-Spa
- Hearing Therapy
- Senior Health and Home Health Care
- Dentist

### **Supporting Uses**

In addition to the primary medical uses, the care centre will also include the following secondary uses which are intended to support the primary use:

- Farmers' market
- Café
- Offices

## **Analysis**

To accommodate the proposed parking configuration of the Lumia Collaborative Care Centre development, two options are available:

- Option 1: Amending the Osprey Village Land Use By-Law with the following changes:
  1. Permitting the use of side yard parking in the Institutional (IN) Zone.
  2. Allowing the following uses in the Institutional (IN) Zone so long as they are considered to be accessory to the main use:
    - a. Office
    - b. Café
- Option 2: Rezoning of the property from Institutional (IN) to General Commercial (GC) which would permit side yard parking and all proposed secondary uses, along with additional permissions associated with the General Commercial Zone.

Option 2 provides the most direct way of permitting the uses and parking standards of the Lumia Collaborative Care Centre but is also more permissive of uses that fall outside of the scope and identity of the proposed development like warehousing and car sales. A rezoning to General Commercial would also permit front yard parking that would reduce walkability and pedestrian access compared to a front yard dedicated to open space or community use. In comparison, Option 1 requires changes to both parking and land use regulations but maintains the overall intention of the Lumia Collaborative Care Centre as a primarily institutional service supported by light commercial and office use.

### **Relevant Municipal Policies (MPS)**

A table of relevant municipal policies for consideration, and the status of not applicable, satisfied, or pending can be found in Appendix C.

## **Conclusion**

Staff's recommendation to the Osprey Village PAC is to approve the proposed amendments to the Osprey village Land Use Bylaw to allow side yard parking in the Institutional (IN) Zone and approve the proposed amendments to allow office and café use so long as they are in support of a primary Institutional Zone use.

Report Preparation	
<b>Department</b>	Planning & Development
<b>Report Prepared by</b>	Jacob Macpherson, Planner I
<b>Report Approved by</b>	Jeff Merrill, MCIP, LPP, Director of Planning & Development Services

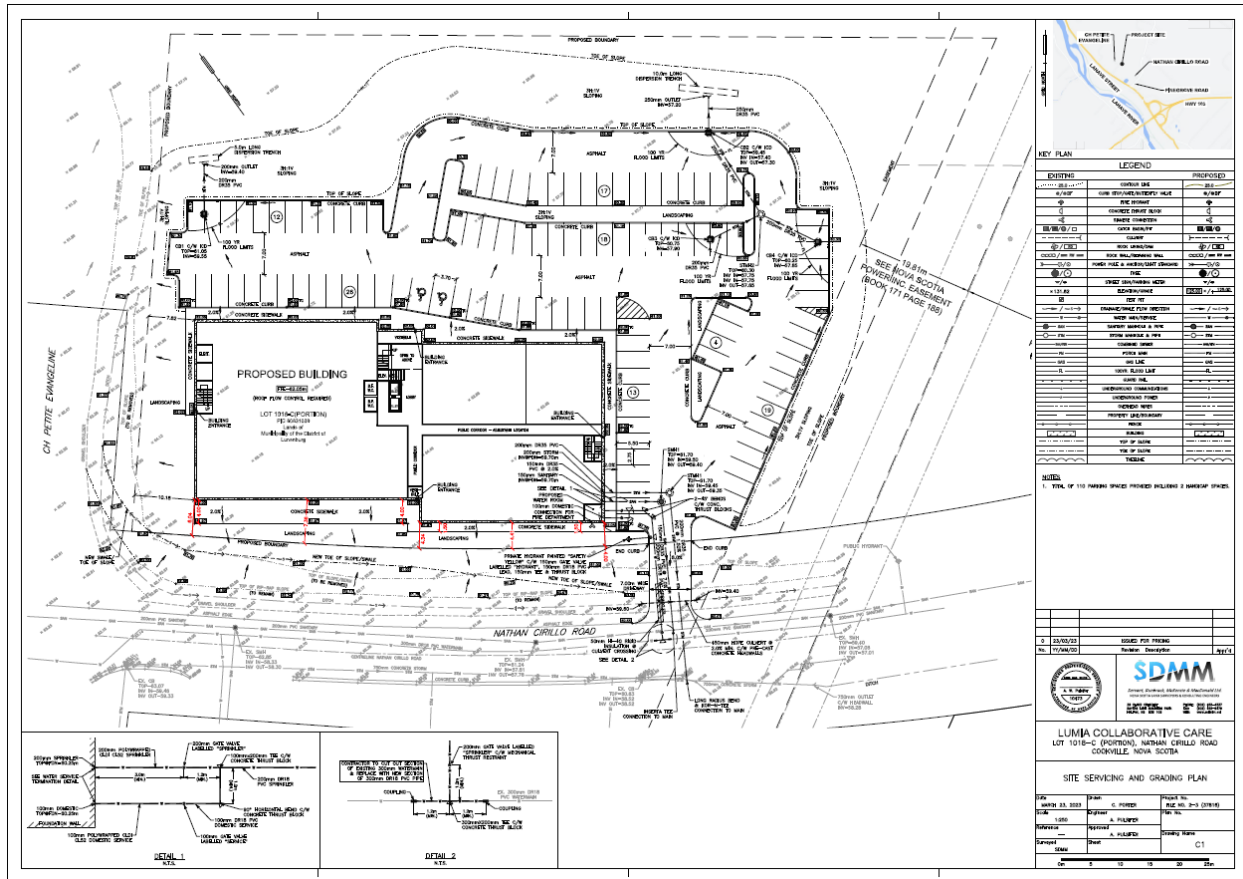
## References

Municipality of the District of Lunenburg. (2020). Osprey Village Secondary Planning Strategy & Land Use Bylaw. Retrieved from

[https://www.modl.ca/index.php?option=com\\_docman&view=download&alias=6688-osprey-sps-lub&category\\_slug=osprey-village-planning-area&Itemid=102](https://www.modl.ca/index.php?option=com_docman&view=download&alias=6688-osprey-sps-lub&category_slug=osprey-village-planning-area&Itemid=102) Municipality of the District of Lunenburg. (2022).

Municipality of the District of Lunenburg. (2022). *MODL Policy 066 – Public Engagement Policy*.

# Appendix A: Preliminary Site Map



**Appendix B: Preliminary Rendering of the Lumia Collaborative Care Centre**





## Appendix C: Table of Relevant Municipal Polices for Consideration

Table 1 <i>General Goals and Objectives of the Osprey Village Secondary Planning Strategy</i>			
<b>Legislative Authority</b>	<b>Considerations</b>	<b>Evaluation</b>	<b>Result</b>
<b>2.2.1</b>	establish land use designations and zones which will encourage economic development activity by providing for a variety of commercial and light industrial lands uses.	Allowing some secondary commercial uses, such as a café, encourages a variety of commercial uses.	<b>Satisfied.</b>
<b>2.2.3</b>	establish site layout and architectural requirements which will manage development in a manner that will promote a sense of community and civic pride, and which is reflective of unique culture and heritage of the Municipality.	The amendment intends to allow side yard parking to open up community-oriented space such as the farmer’s market along the front yard.	<b>Satisfied.</b>
<b>2.2.4</b>	provide for open space and passive recreational opportunities within the Planning Area.	Open space along the front yard necessitates that side-yard parking be used.	<b>Satisfied.</b>
<b>2.2.5</b>	manage land use and development in a manner that will minimize land use conflicts.	Offices and cafés which support primarily institutional uses are not expected to cause additional land use conflict.	<b>Not applicable.</b>
Table 2 <i>Policies of the Institutional (IN) Zone, Osprey Village Secondary Planning Strategy</i>			
<b>3.3.4</b>	permit cultural, educational, medical, recreational, and public institutional uses along with supporting residential institutional, and commercial uses.	Permitting “supportive commercial and institutional uses” supports the prospect of permitting office and café space.	<b>Satisfied.</b>
Table 3 <i>Implementation Policies of the Osprey Village Land Use By-Law</i>			
<b>4.0.7</b>	Council shall adopt no amendment unless the application is for a specific development proposal.	This amendment is attached to the Lumia Collaborative Care Centre proposal.	<b>Satisfied.</b>

a)	the impact of the proposed use and uses permitted in the zone on traffic with respects to traffic hazards, congestion, and pedestrian hazards;	The facing of the parking lot would not pose additional traffic or pedestrian hazards.	Not applicable.
4.0.10	a Public Participation Program (MDL-66) shall be held prior to any proposed amendment to the Secondary Planning Strategy, as well as in conjunction with the review of this Planning Strategy and Land Use By-law.	This amendment would only apply to the Land Use By-law and so does not require this level of public participation.	Not applicable.

**Planning Advisory Committee**

Item: # 7.1

Date: June 22, 2023

Authorization: J. Merrill



## **Municipality of the District of Lunenburg**

### **Report to Council**

**Report To: Planning Advisory Committee/Heritage Advisory Committee**

**Submitted By: Ella R. Gindi, Planner I**

**Date: June 7, 2023**

**Re: New Elm Union Church, replacing the roof material from asphalt shingles to metal- Substantial Alteration**

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#### **Recommendation:**

Staff recommends the Heritage Advisory Committee consider making a positive recommendation to Council, permitting the proposed alteration as requested by the applicant. This would be in keeping with past applications of a similar nature.

#### **Motion:**

That the Heritage Advisory Committee recommends to Council that Council approve the alteration to the municipal registered heritage property New Elm Union Church, to permit the installation of a metal roof.

#### **Background:**

- Following By-law 043 subsection 10 (1), on June 6, 2023, planning staff received a letter from the committee of New Elm Union Church in New Elm that indicates the committee is planning on replacing the asphalt shingle roof with a new metal roof.
- The building currently has an asphalt-shingled roof. Yet, the current roof material was not original when the building was erected. Hence the roof material is not considered to be a character-defining element. The current asphalt shingled roof has severely deteriorated and is leaking.
- Staff reviewed the proposal against Council's policy for the review of alterations to Municipal Heritage Properties and as per section 5 subsection e(ii), alterations that change

the building's original style to a municipally registered heritage property, is deemed to be **substantial alterations** to the property due to the change of the roof's material. Hence, it requires the review and recommendations of the Heritage Advisory Committee and Council's approval.

- The question for the Advisory Committee is whether the proposed alteration negatively impacts on the heritage aspect of the building's exterior architecture, by replacing the asphalt shingled roof with a metal roof. Moreover, does the use of the building as an historical community focal point holds a higher value than the architectural elements of the building.

### **Discussion:**

New Elm Union Church, New Elm (PID #60318136) was registered in June 2007 as a Municipal Heritage Property. The reasons provided for heritage designation at that time were associated with:

- **Age:** of the structure (erected in 1906)
- **Local historical significance:** the church has a local significance as it is the only church built in area.
- **Building architectural style:** 'Greek Revival' style, but the style was simplified and was only partially decorated. character-defining elements includes:
  - Temple-plan
  - Symmetrical façade
  - Simplifies corner boards.
  - Window ornaments
  - Wooden shingles

As such the roof is not considered to be a character defining element.

- While many Union churches within the municipality were taken down in favour of building new and larger churches or cease to exist due to lack of attendance, the New Elm Union Church continues to hold service. The building is important to the local community as this is the only building in the local community for community gatherings.

### Standards and guidelines:

The process involving any alterations request is for staff to review the acknowledged **Standards** associated with the *Rehabilitation* project affecting the conservation of a Heritage Property. The staff has noted that most statements under the Standards and Guidelines for Conserving Historic Places in Canada refer to character-defining elements. Since the roof is not considered a character-defining element, the standards do not apply to this application and review process.

### **Conclusion:**

It has been determined upon careful evaluation that no substantial prior modifications have been made to the structure since its designation as a municipal heritage property. Based on the staff's assessment, the roof is not regarded as a character-defining element, and in accordance with the Standards and Guidelines for the Conservation of Historic Places in Canada, replacing the current shingled asphalt roof with a metal roof may not compromise the property's heritage significance. Choosing not to replace the roof due to material considerations could result in losing a vital community gathering place. Given the church's current operational status and its role as a focal point within the community, setting it apart from other cultural sites that have experienced a decline, the planning staff recommends that the Heritage Advisory Committee consider making a positive recommendation for the proposed alteration and by prioritizing the cultural and community aspects over the architectural elements.

<b>Report Preparation</b>	
<b>Department</b>	
<b>Report Prepared by</b>	Ella R. Gindi, Heritage Planner
<b>Report Approved by</b>	
<b>Date Reviewed by C.A.O.</b>	