

To: **Richmond County Planning Advisory Committee
Richmond County Council**

From: **Planning Staff (EDPC)**

Date: **February 20, 2024**

Reference: **Amendments to the Central Richmond Secondary Plan and Land Use By-law to allow former institutional buildings to be converted into dwelling units.**

Recommendation

That Council **approve** the proposed amendments to the Central Richmond Municipal Planning Strategy and Land Use By-law to allow former institutional buildings to be converted into dwelling units, where the number of units are not otherwise permitted by the zone in effect, subject to provisions of the Land Use By-law (as outlined in Appendices A & B).

Background Information

The Municipality of the County of Richmond owns two lots, which are the site of the former West Richmond Education Centre at 19 School Road, Evanston. Mindful of the lack of availability and range of housing options in the area, Council wishes to inquire into housing opportunities on the site. On 21 December 2021, Council passed the following motion:

THAT information regarding the former West Richmond Education Centre be forwarded to the Planning Advisory Committee and EDPC for further investigation and feedback specific to housing opportunities. Motion carried.

Various options were discussed with the Planning Advisory Committee, including the following:

- Inclusionary zoning policy (staff report dated April 25, 2023)
- A new Institutional Zone (staff report dated May 30, 2023)
- A spot zone for the West Richmond Education Centre (staff report dated June 15, 2023)

The Planning Advisory Committee met on January 16th, 2024, to revisit this item. At that meeting, an adaptive reuse policy was brought forward by staff; the policy could allow as of right conversion of former institutional buildings into residential uses where the number of dwelling units are not otherwise permitted by the zone in the effect. The Committee directed staff to return to a future meeting with a draft policy and staff report.

Analysis

Institutional uses include uses such as schools, government offices, libraries and museums, hospitals, police and fire stations, and other similar uses. There are a couple of institutional uses currently located within the Central Richmond plan area, including the Strait Richmond Hospital, St. Frances de Sales, the Riverdale Community Center, and the West Richmond Education Centre.

The Central Richmond plan currently takes a highly flexible approach to the siting of institutional uses, stating that:

“At the present time there is little demand for additional commercial/institutional uses in this area and given the limitation of available land, it is deemed that no specific separation of these uses is required in the Village General Designation at this time.”

In keeping with this perspective, any institutional use is permitted in any zone within the Central Richmond plan area. Over time, existing institutional uses may cease to operate due to declining population or other factors, as demonstrated by the West Richmond Education Centre. Given the ongoing province-wide housing crisis and limited range of housing options in the area, allowing some flexibility to convert former institutional buildings for residential use would be beneficial.

Given the history of these properties, compatibility of a residential conversion is not a significant concern. Currently, the Village Residential (VR-1) and Village General (VG-2) Zones only permit four or more dwelling units by development agreement. However, the development agreement criteria of the MPS (Appendix C) are generally not applicable for these types of conversions. These buildings typically have a history of higher intensity use and periods of heavier traffic, are already serviced, and the structures themselves and ample parking area are already in place.

For the above reasons, it is reasonable to allow such conversions to be permitted as of right. However, provisions should be included in the Land Use By-law to ensure the conversion does not negatively affect the surrounding neighbourhood. Proposed Land Use By-law provisions are outlined in Appendix B.

Alignment with Statements of Provincial Interest

In accordance with the *Municipal Government Act*, amendments to the Planning Strategy must be reasonably consistent with the statements of provincial interest. These statements relate to housing, infrastructure, drinking water, flood plain risk, and agricultural lands. The proposed amendments are consistent with the provincial interests. In fact, these amendments are supportive of the housing and infrastructure statements; they support the ongoing use of buildings already serviced by municipal water and sewer and will allow higher density residential uses as of right.

Conclusion:

Given the ongoing housing crisis and lack of available housing options in the area, it is beneficial for Council to consider amendments that allow higher density housing in appropriate areas in the Central Richmond plan area as of right. Allowing the conversion of former institutional buildings into residential units as of right would remove unnecessary barriers to the adaptive reuse of these buildings.

Staff recommend that Council adopt the proposed amendments outlined in Appendices A & B to allow the conversion of former institutional buildings into dwelling units, where the number of units are not otherwise permitted by the zone in effect, subject to provisions of the Land Use By-law.

**A By-law to Amend the *Municipal Planning Strategy*
for the Central Richmond Plan Area of the Municipality of the County
of Richmond**

The *Municipal Planning Strategy for the Central Richmond Plan Area of the Municipality of the County of Richmond* is hereby amended by inserting the following text in bold immediately after Policy 3.16:

I. Conversion of Former Institutional Buildings

There are a few existing and former institutional uses located within the plan area including the Strait Richmond Hospital, the West Richmond Education Centre, and the St. Francis De Sales church. Over time, these types of facilities may cease to operate due to declining population or other factors.

Given the ongoing housing crisis in the province and limited range of housing options in the area, it is desirable to allow additional flexibility for the adaptive reuse of these types of buildings once the use ceases operating, for residential purposes. These buildings are often suitable for conversion into higher density residential uses, due to the typical scale of the buildings and their history of higher intensity use and traffic. Therefore, the conversion will not be limited by the number of dwelling units permitted by the zone in effect.

Policy 3.17 It shall be the policy of Council to permit former institutional buildings to be converted into dwelling units where the number of dwelling units are not otherwise permitted by the zone in effect.

Policy 3.18 It shall be the policy of Council to include provisions in the Land Use By-law to ensure conversions pursuant to Policy 3.17 do not negatively impact the surrounding neighbourhood.

This is to certify that the By-law, of which this is a true copy, was passed at a duly called meeting of the Council for the Municipality of the County of Richmond on _____, 2024.

Given under the hand of the Chief Administrative Officer and under the corporate seal of the said Municipality this ____ day of _____, 2024.

Troy MacCulloch
CAO

**A By-law to Amend the *Land Use By-law*
for the Central Richmond Plan Area of the Municipality of the County
of Richmond**

The *Land Use By-law for the Central Richmond Plan Area of the Municipality of the County of Richmond* is hereby amended by inserting the following text in bold immediately after ss. 39 Temporary Uses:

CONVERSION OF FORMER INSTITUTIONAL BUILDINGS

- 40. The conversion of former Institutional buildings into dwelling units is permitted, where the number of dwelling units is otherwise not permitted by the zone in effect, subject to the following:**
- a) The conversion shall be undertaken without any additions to the building except for modifications required to meet fire safety or building code requirements.**
 - b) Any solid waste receptacles, utility structures, or new parking area containing space for parking of four or more vehicles, shall be screened by landscaping or opaque fencing, or located in a manner in which they are visually buffered from any adjacent residential dwellings.**
 - c) Any new parking area must be setback a minimum of 6.1m (20 feet) from a property boundary which abuts the Village Residential (VR-1), Village General (VG-2) zone, or an existing residential use.**
 - d) Existing landscaped area and vegetation shall be retained except where such removal is necessary to accommodate the development or ancillary components such as driveways or parking area.**

This is to certify that the By-law, of which this is a true copy, was passed at a duly called meeting of the Council for the Municipality of the County of Richmond on _____, 2024.

Given under the hand of the Chief Administrative Officer and under the corporate seal of the said Municipality this ____ day of _____, 2024.

Troy MacCulloch
CAO

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F. Development Agreements

The following condition shall apply as deemed necessary when entering into a Development Agreement, in accordance with the Municipal Government Act:

Policy A-5 As a condition for approval of a Development Permit request for a use other than a permitted use authorized elsewhere in this Strategy, it shall be the intention of Council to require the applicant to enter into a Development Agreement, specifically setting out conditions under which the development may proceed.

A Development Agreement shall not require an amendment to the Land Use By-law but shall be binding upon the property until the agreement or part thereof, is discharged by Council. In considering Development Agreements, in addition to all other criteria as set out in various policies of this Strategy, Council shall have regard to the following matters:

That the proposed agreement is in conformance with the intent of this Municipal Planning Strategy and the requirements of all other Municipal By-laws and regulations.

Further that the proposal, which is subject to the Development Agreement, is not premature or inappropriate by reason of:

- i) the financial capability of the Municipality to absorb any costs related to the development;
- ii) the adequacy of the physical site conditions for private on-site sewer and water systems;
- iii) the adequacy of the street or road networks, adjacent to and leading to the development;
- iv) the adequacy of municipal fire protection, service and equipment;
- v) the inability to satisfy conditions as required by the Department of Environment, where considered appropriate;
- vi) the adequacy of the physical site conditions to protect areas where species are deemed to be at risk, in accordance with guidelines established by the Nova Scotia Department of Natural Resources

Further that controls are placed on the proposed development to reduce conflict with any adjacent or nearby land uses by reason of:

- i) the type of use;
- ii) the height, bulk and lot coverage of any proposed building or structure;
- iii) traffic generation;
- iv) access to and egress from the site and the distance of these from street intersections; parking;
- v) landscaping;
- vi) open storage;
- vii) signs;
- viii) hours of operations;
- ix) maintenance of any building(s) and property; and
- x) any other relevant matters of planning concern;

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- xi) the suitability of the proposed site with respect to steepness of grades, soil and for geological conditions, and to the relative location of watercourses, marshes, swamps, or bogs;
- xii) the terms of the agreement provided, as appropriate for the discharge of the agreement or parts thereof upon the successful fulfillment of its terms.