

# Comprehensive Development Districts

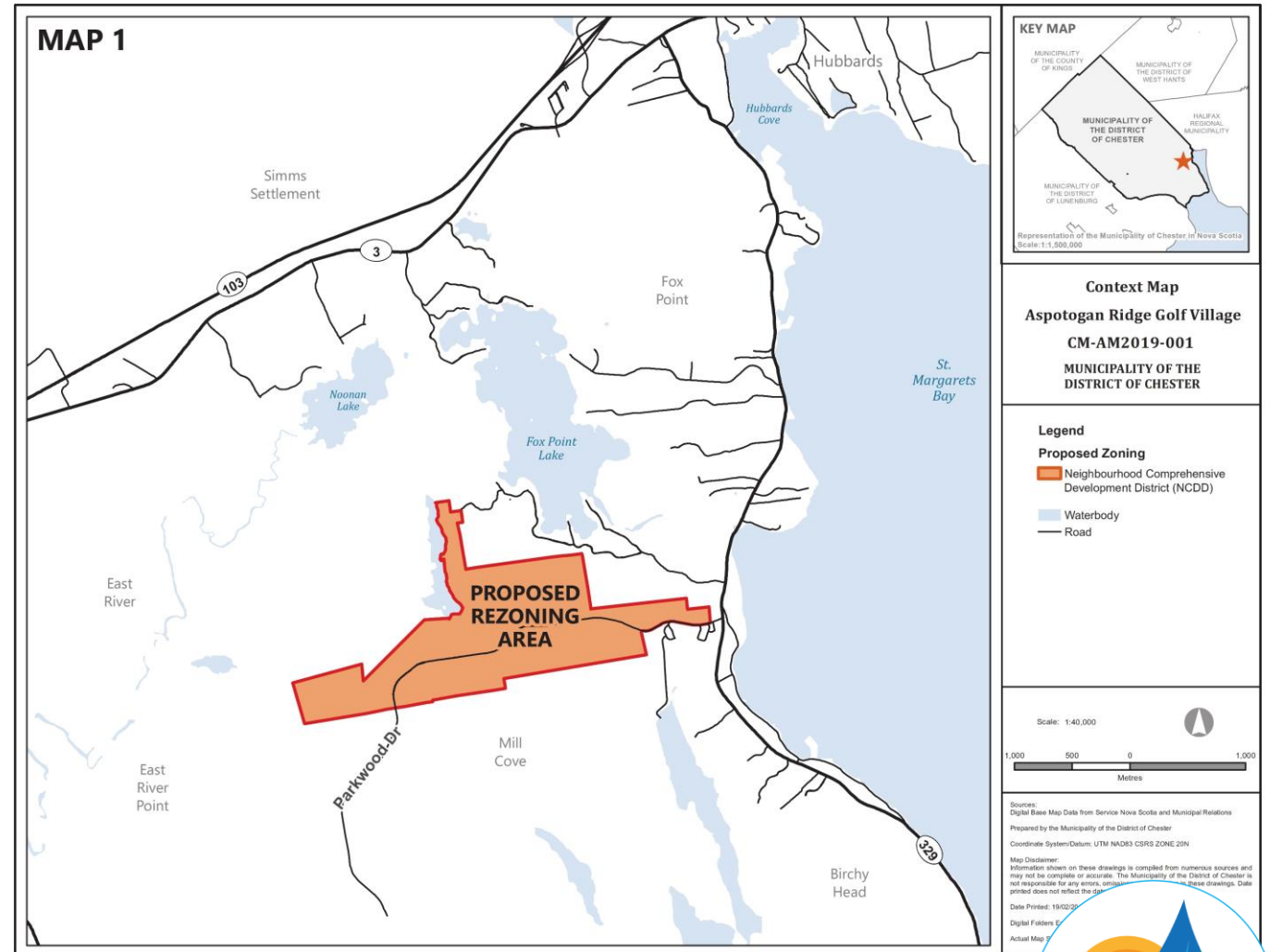
## *A Case Study*

Prepared for MDOANS Spring Conference  
Oak Island Resort & Conference Centre  
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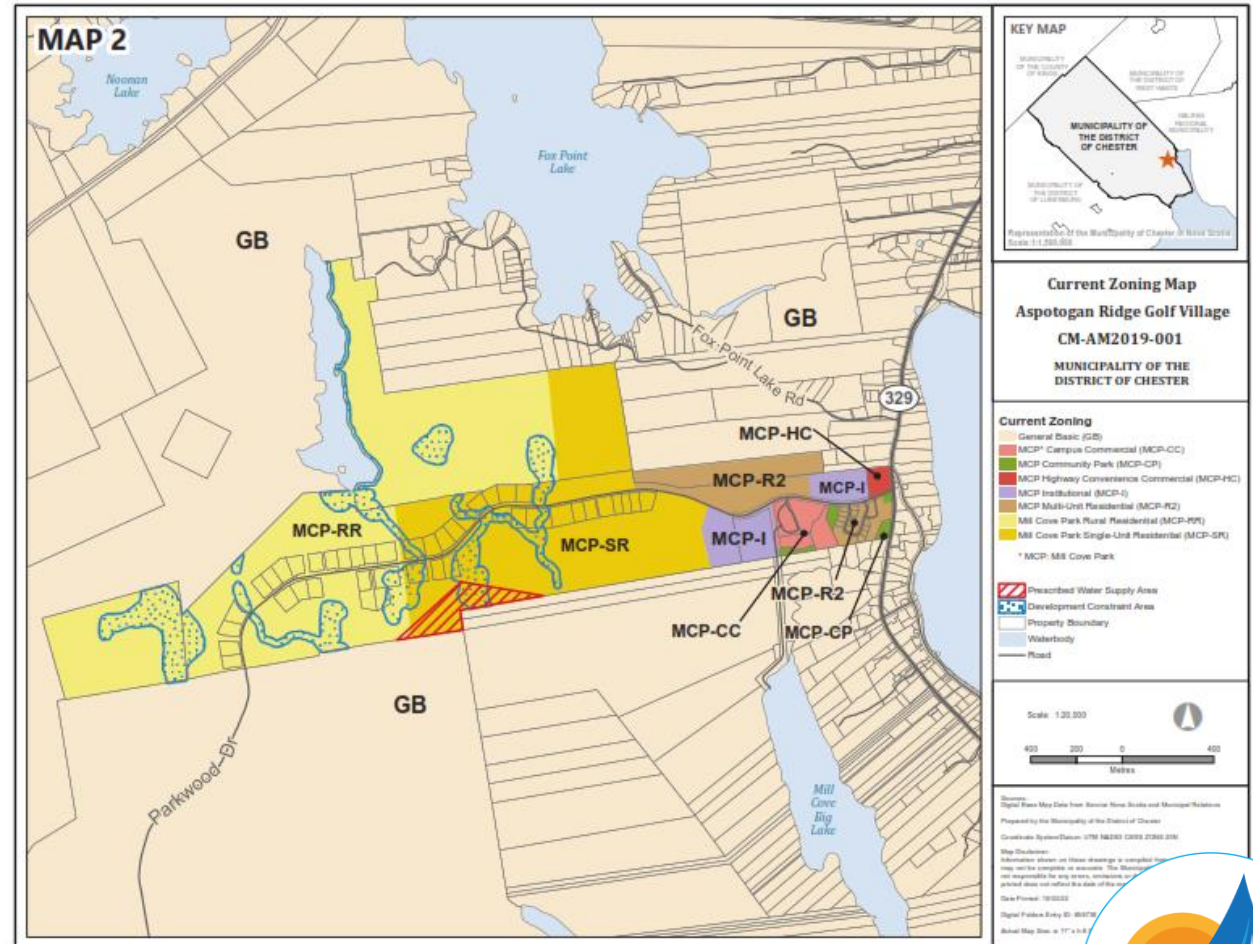
# The Site

- Former Canadian Services Station (Mill Cove Park)
- Multiple PIDs total over 550 acres



# History at Mill Cove Park

- Acquired by Aspotogan Heritage Trust in 1996
- Development Plan completed and request to rezone
- Sold to private developer in 1999
- Properties rezoned to reflect Development Plan



# 2000-2018

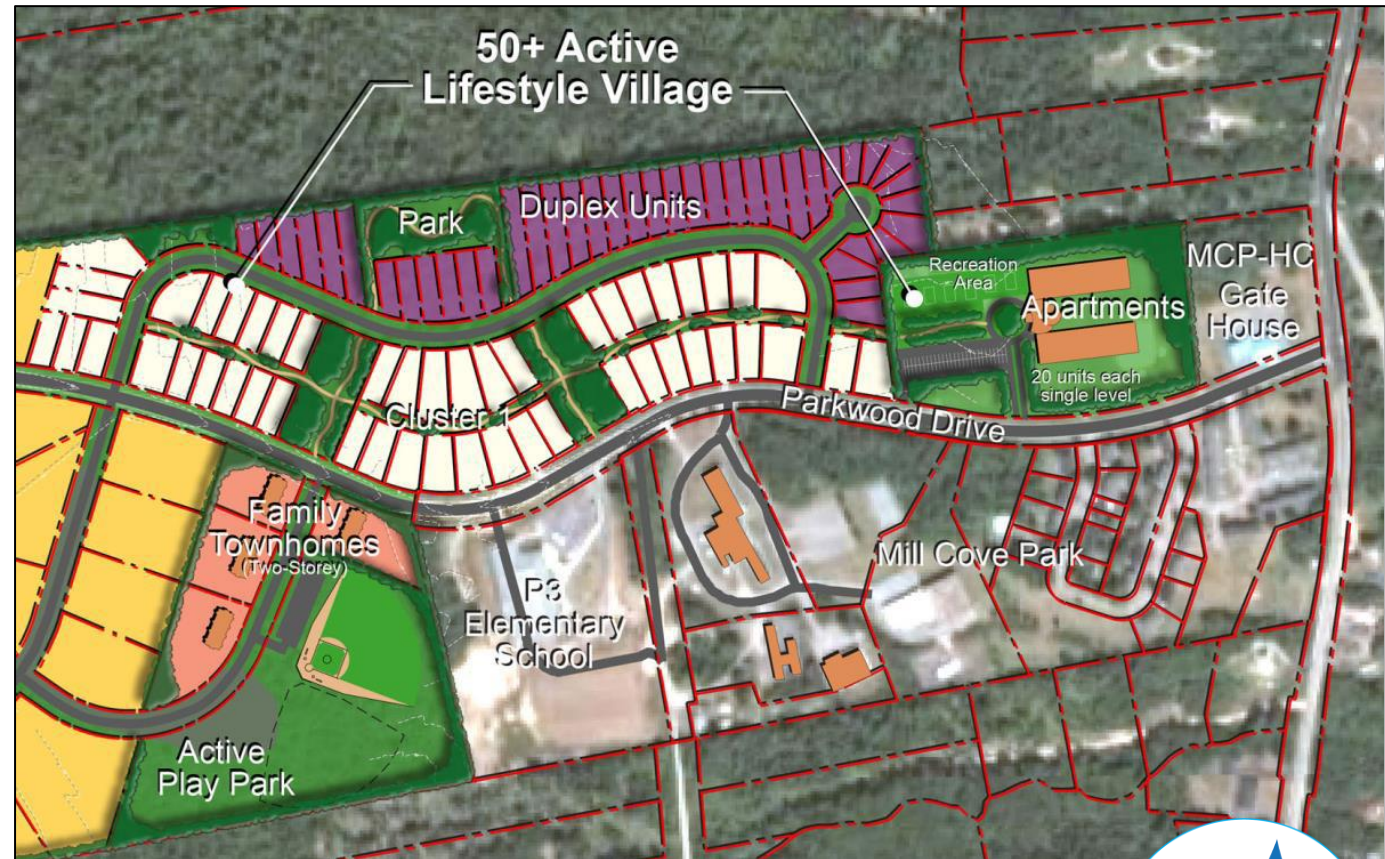
- 9-hole golf course opened in 2018
- 43 lots subdivided (no homes built)
- In 2015 minor changes were requested to the zoning in Mill Cove Park (rezoning was completed)
- No further development or action following rezoning





# Renewed Attempts to Develop

- The Site was sold to a new ownership group
- Project manager approached MOC to discuss renewing interest and activity at the site
- Presented a concept plan to Council



# A New Plan for the Site

- The concept plan requested significant flexibility regarding unit numbers, design, layout and servicing
- Concept Plan did not align with the existing Mill Cove Park zoning created in early 2000's and tweaked in 2016
- Staff proposed the use of a Comprehensive Development District (CDD) as a potential solution



# Comprehensive Development Districts

- CDD's are a tool provided by Section 226 of the Municipal Government Act
- Unless specified, all development requires a Development Agreement
- Specified uses listed by right in policy
- May have unique criteria for consideration before approving a DA

## Comprehensive development districts

**226 (1)** A council may regulate the development of a district by development agreement by establishing a comprehensive development district where the municipal planning strategy identifies

- (a) the classes of uses permitted in a district;
- (b) developments or uses in a district, if any, that are permitted without a development agreement;
- (c) the area or areas where a district may be established; and
- (d) the matters that council shall consider prior to the approval of a development agreement for the development of a district.

**(2)** When a municipal planning strategy provides for a comprehensive development district, the land-use by-law shall include a comprehensive development district zone.

**(3)** No development may occur in a comprehensive development district unless it is consistent with the development agreement or it is a development permitted without a development agreement. 1998, c. 18, s. 226.



# The NCDD Zone

- The Neighbourhood Comprehensive Development District and corresponding NCDD Zone was proposed
- Benefits to developer:
  - Flexibility in design, layout and unit mix
  - Timelines are flexible
  - Include phasing
- Benefits to the Municipality
  - Guaranteed public input through the DA process
  - Negotiation to connect the development to the central sewer system
  - Increased likelihood the development would be realized.
- NCDD designed to facilitate medium to large scale projects





# NCDD Zone Policies

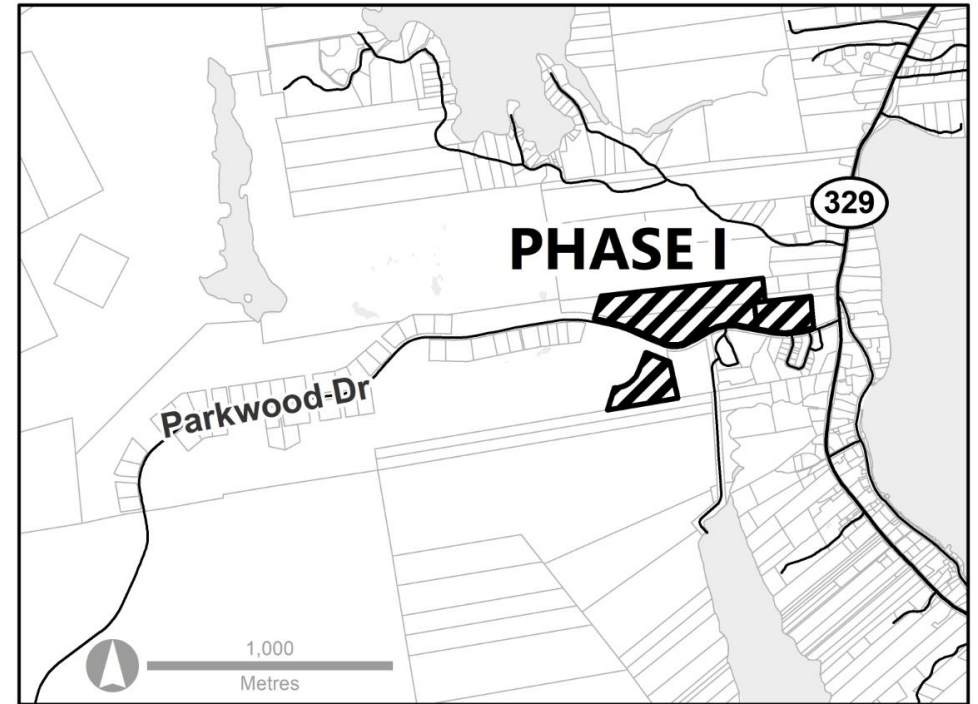
In addition to existing DA policies, the following are specific to a DA in the NCDD Zone:

- The project must be primarily residential in nature
- Applied to one or more contiguous properties of 5 Hectares or greater
- Permit ancillary commercial or light industrial uses, appropriately scaled to match the development
- Subject to existing DA policies, consider flexibility related to density, dwelling type, phasing and timelines and servicing by cluster systems or private water systems
- Control subdivision through Development Agreement

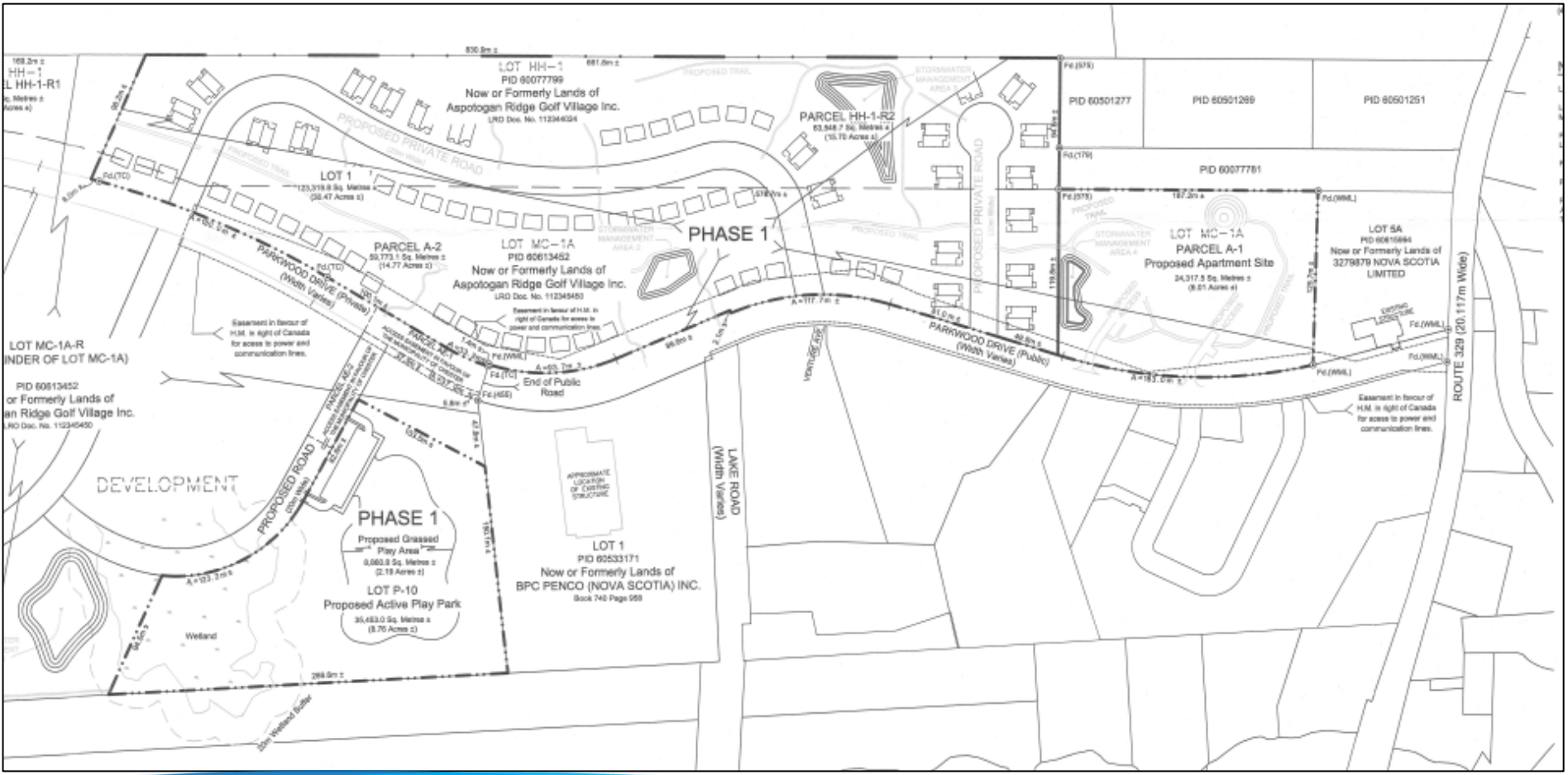


# The Development Agreement

- A Development Agreement, registered in 2021, is in effect to regulate development of Phase 1
- Phase 1 includes:
  - One multi-unit building max. 52 units, including ancillary commercial uses on ground floor
  - 120 additional dwelling units comprised of a mix of single unit and multi unit dwellings (max 4 per structure)
  - Construction of a sports field (replacement for existing field on the proposed site of the multi-unit building)
- Site Plan attached to DA shows a general location of structures and DA includes setbacks for individual structures



# The Development Agreement



# The Development Agreement

- Approved Development Agreement (2021) provides for build-out of Phase 1. Each additional Phase will require a new DA (or substantial amendment to existing)
- Expected build-out of Phase 1 will occur over several years
- DA offers flexibility in how and when 1–4 unit structures are constructed
  - Calls for submission of a “localized site plan” to address setbacks, landscaping requirements and all other relevant criteria
  - A localized Site Plan will be required in order to obtain a Development Permit for each structure





# Lessons Learned

- The use of a CDD for this rural site saw benefits for the developer and Municipality
- With flexibility in unit mix being a primary driver for the developer, use of a DA was the most appropriate and viable planning tool, while also ensuring public input at each stage of development
- Negotiation led to an agreement to extend Municipal sewer, with the developer building a system to Municipal spec to be turned over



# Lessons Learned

- Developer transferred 8+ acre parcel to the Municipality and create a grass play field
- Replacement for existing ball field on site of proposed apartment building. Existing field has a long history of community use
- Securing the field was a key component of receiving community buy-in
- Informal solution to outstanding open space contribution for lots subdivided by a previous owner. No formal recourse to obtain funds or lands for these lots, this was an improvement



# Concluding Thoughts

- Use of a CDD positioned the site for residential development (aligns with original development plan and public input)
- The CDD and resulting DA facilitated the needs of the developer, the Municipality and members of the public
- Built-in flexibility regarding unit mix, construction timelines and servicing provided the best opportunity for a successful development to be realized



# Thank you!

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