



**Planning
Development
Project Management**

To: Annapolis Royal Planning and Heritage Advisory Committee
From: Chris Millier
Date: July 6, 2026
Re: Application for Amendment to the Land Use By-law (Rezoning),
Lands of Shelley and Steve Dyet, 52 St. Patricks Lane (PID
05000328)

1 Introduction

The Town has received an application from Shelley and Steve Dyet to rezone lands at 52 St. Patricks Lane from Residential Single Unit to Residential Two Unit (RTU) to permit the development of a dwelling unit within an existing accessory structure at 52 St. Particks Lane (PID 05000328).

The June 3, 2026, application, a site plan and building details relating to the existing accessory structure (garage) are attached for the Committee's information.

The subject property is located on the east side of St. Patricks Lane, north of the intersection with Champlain Drive. The property has a frontage of approximately 86 meters (282 ft.) on St. Patricks Lane and contains an area of approximately .56 hectares (1.39 acres).

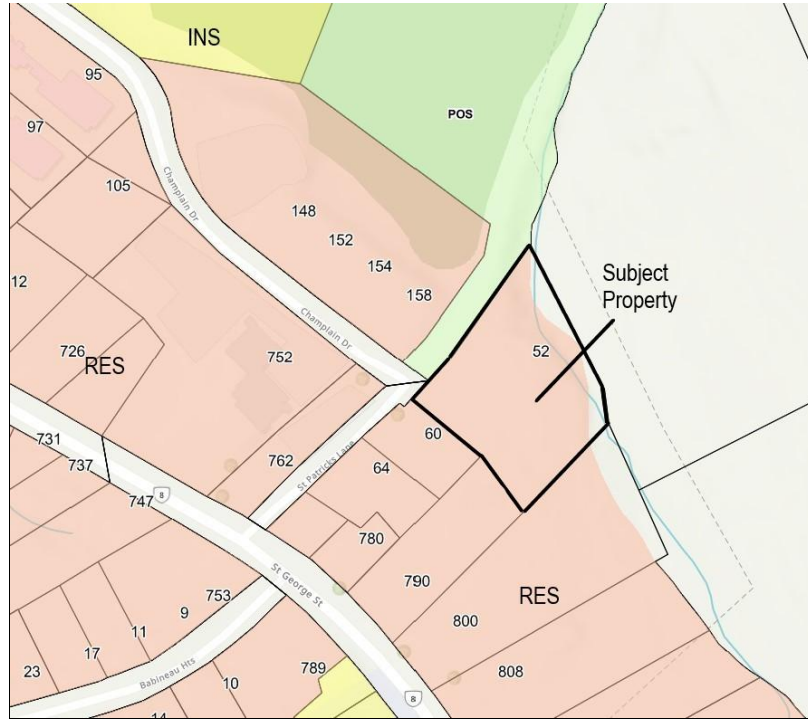
The subject property abuts existing residential uses on the south. Lands to the north are generally undeveloped and located within the adjacent Municipality. St. Patricks Lane to the west of the subject property provides access to sports fields associated with the Annapolis West Education Centre and the Trans Canada Trail further north.

The lot is generally tree covered other than in the vicinity of the dwelling and garage area

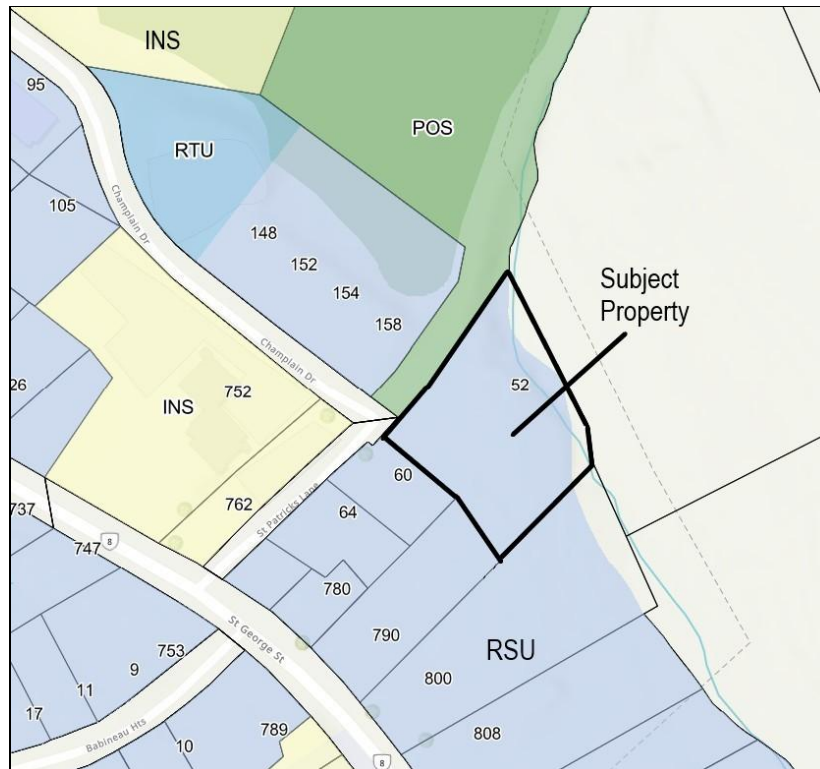
2 Current Municipal Planning Strategy Provisions

The subject property is designated as Residential (R) on the Municipal Planning Strategy's Generalized Future Land Use Map and is currently zoned Residential Single Unit (RSU) pursuant to the Town's Land Use By-law.

Generalized Future Land Use Map



Zoning Map



The Annapolis Royal Municipal Planning Strategy contains the following provisions which are relevant to the current application.

Part 1 *Residential Development Policies*

1.1 *Residential Designation, Generalized Future Land Use Map*

1.1 *Council shall designate those areas shown on Map 1, the Generalized Future Land Use Map, as Residential and their use shall be primarily for residential development. The Residential Designation shall recognize existing residential areas and permit a variety of new housing, including affordable housing of various types. Criteria for new development within the Residential Designation shall ensure that it is compatible with existing residential neighbourhoods.*

1.2 *Uses Permitted within the Residential Designation*

1.2.1 *Designated residential areas shall be developed and maintained primarily for residential purposes. Residential zones shall be established to create and regulate a broad variety of type of residential uses and a range of non-residential uses which are compatible with residential uses and areas, including but not limited to home-based business uses, day nurseries, bed and breakfast establishments, inns and short-term accommodations.*

1.3 *Residential Zones*

1.3.1 *The Land Use By-law shall establish the following zones to regulate residential development within the Residential Designation: the Residential Single Unit (RSU) Zone; the Residential Two Unit (RTU) Zone; the Residential Medium Density (RMD) Zone; the Residential Mixed Use (RMU) Zone; and the Residential Prince William Zone (RPW).*

1.5 Residential Two Unit (RTU) Zone

- 1.5.1 Permitted uses within the Residential Two Unit (RTU) Zone shall include the construction of new two-unit residential dwellings and the conversion of existing single unit dwellings to two-unit dwellings.*
- 1.5.2 The development of new two-unit dwellings, the conversion of existing single unit dwellings to two-unit dwellings or the conversion of an accessory building for residential use pursuant to Policy 1.5.3 within the Residential Designation will be considered by amendment to the Land Use By-law (rezoning).*
- 1.5.3 The conversion of an existing accessory building to a dwelling unit or the construction of a dwelling unit within an existing accessory building shall be permitted within the Residential Two Unit (RTU) Zone. The maximum number of dwelling units on a lot shall be two (2). In addition to criteria contained in this Strategy the development of a dwelling unit within an existing accessory building shall be subject to the provision of adequate on-site parking and that no addition to the accessory building shall be constructed to accommodate the residential use.*

Part 17 Implementation

- 17.6.1 In considering amendments to the zoning in the By-law or entering into Development Agreements, Council will, in addition to all other criteria as set out in various policies of this planning strategy, take into consideration the following matters:*
 - (a) that the proposal is in conformance with the intents of this Strategy and with the requirements of all other Town By-laws and regulations;*
 - (b) that the proposal will be sympathetic to the existing Colonial, Georgian, Victorian and early 20th Century architectural styles in the Town and will not damage or destroy historic buildings or sites;*
 - (c) that the proposal may appropriately represent and be sympathetic with First Nations building form and the embodiment and expression of culture;*

- (d) *that development within the National Historic District be compatible with Character Defining Elements relating to the architectural design or external appearance of a proposed structure, in particular its compatibility with adjacent structures;*
- (e) *that the proposal is not premature or inappropriate by reason of:*

 - (i) *the financial capability of the Town to absorb any costs relating to the development;*
 - (ii) *the adequacy of sewer, storm sewer and municipal water services to support the proposed density of development;*
 - (iii) *the adequacy and proximity of school, recreation and other community facilities;*
 - (iv) *the adequacy of road networks adjacent to, or leading to the development;*
 - (v) *the potential for the contamination of water courses or the creation of erosion or sedimentation; and*
 - (vi) *stored water capacity for fire protection.*
- (f) *that controls are contained in a Land Use By-Law or a Development Agreement so as to reduce conflict between the development and any other adjacent or nearby land use by reason of:*

 - (i) *architectural compatibility and character;*
 - (ii) *type of use;*
 - (iii) *emissions, including air and water pollutants and noise;*
 - (iv) *height, bulk, and lot coverage of the proposed building;*
 - (v) *traffic generation, access to and egress from the site, and parking;*
 - (vi) *open storage;*
 - (vii) *signs; and*
 - (viii) *similar matters of planning concern.*
- (g) *that the proposed site meets suitability and development cost criteria in terms of steepness of grades, soil and geological conditions, marshes, swamps, or bogs and proximity of highway ramps, rights-of-way and other nuisance factors;*
- (h) *that provisions are made for buffering, landscaping, screening and access control to reduce potential incompatibility with adjacent land uses and traffic;*

- (i) *that the development is located so as not to obstruct any natural drainage channels or watercourses;*
- (j) *that provisions are made to mitigate the risk and impacts of sea level rise.*

The Annapolis Royal Land Use By-law contains the following provisions which are relevant to the current application.

Part 8 Residential Two Unit (RTU) Zone

8.1 Uses Permitted

No development permit shall be issued in a Residential Two Unit (RTU) zone, except for one or more of the following uses:

*Two Unit Semi-detached and Duplex Dwellings
Converted Dwellings to a maximum of two (2) units*

8.2 Zone Requirements

In a Residential Two Unit (RTU) Zone, no development permit shall be issued except in conformity with the following requirements:

<i>Minimum Lot Area</i>	<i>400 m² (4,305 sq. ft.) for each dwelling unit</i>
<i>Minimum Lot Frontage</i>	<i>14 m (45.9 ft.) for each dwelling unit</i>
<i>Minimum Front Yard</i>	<i>6 m (19.68 ft.)</i>
<i>Minimum Rear Yard</i>	<i>8 m (26.24 ft.)</i>
<i>Minimum Side Yards</i>	<i>3 m (9.8 ft.) one side; 3 m (9.8 ft.) other side</i>
<i>Maximum Height of Structures</i>	<i>11 m (36 ft.)</i>

8.3 Minimum Side Yard for Common Boundary

There is no minimum side yard for the common boundary for a semi-detached dwelling. It is 0 ft.

3 Planning Considerations and Analysis

The proposed conversion of an accessory structure containing for residential use is addressed in specifically addressed in Patr 1.5 of the Municipal Planning Strategy. Rezoning to Residential Two Unit (RTU) is required pursuant to Policy 1.5.3.

The following comments and analysis are presented in the context of evaluating the current application in light of relevant provisions of the Strategy and By-law.

Generalized Future Land Use Designation

The subject property is located within the Residential Generalized Future Land Use Designation (Policies 1.1 – 1.3) and according to its current use is zoned Residential Single Unit (RSU). The proposed use is a permitted use in the Residential Two Unit (RTU) Zone, which is a zone permitted within the Residential Generalized Future Land Use Designation.

General Criteria for Amendments to the Land Use By-law (Rezoning), Policy 17.6.1,

Policy 17.6.1(a), General Conformity with Strategy

The Municipal Planning Strategy permits the development of an accessory dwelling within an accessory structure in the Residential Two Unit (RTU) Zone. The proposed use is permitted within the proposed zone and Generalized Future Land Use Designation.

Policy 17.6.1(b), Impact on Heritage Resources

Not applicable.

Policy 17.6.1(c), First Nations Considerations

Not applicable.

Policy 17.6.1(d), National Historic District

Not applicable.

Policy 17.6.1(e)(i), Financial Impact on Town

The proposed development will not require any direct expenditure by the Town.

Policy 17.6.1(e)(ii), Adequacy of Infrastructure

The subject property is serviced with Municipal sewer and water and the existing services are capable of accommodation the proposed development.

Policy 17.6.1(e)(iii), Adequacy and Proximity of Community Facilities

The subject property is located in an established residential neighbourhood and is in generally close proximity a variety of community facilities and services. The proposed development will not create any undue demands on existing community facilities or services.

Policy 17.6.1(e)(iv), Adequacy of Road Network

St. Patricks Lane is a local street, connecting providing access from a modest number of lots as well as connecting Champlain Drive to St. George Street. St. Patricks Lane provides residential access only to the subject property north of the Champlain Drive intersection. The travel surface of the street at this point is modest and is not paved, it is however capable of accommodating traffic flows generated by the proposed development.

Policy 17.6.1(e)(v), Erosion and Sedimentation Control

There is a small water course located on the eastern side of the subject property. The proposed development will not impact existing vegetation cover and does not represent a risk to potential erosion or sedimentation.

Policy 17.6.1(e)(vi), Fire Protection Capacity

The Towns existing fire protection capacity is adequate to provide for the proposed development. The proposed development will be required to comply with all relevant by-laws and codes.

Policy 17.6.1(f)(i), Land Use By-law Provisions – Architectural Control

Not applicable.

Policy 17.6.1(f)(ii), Land Use By-law Provisions – Land Use

The proposed development is permitted with the Residential Two Unit (RTU) Zone. The proposed new residential use will be consistent with adjacent uses and the subject property's size and location afford privacy for existing adjacent uses.

Policy 17.6.1(f)(iii), Land Use By-law Provisions – Emissions

Not applicable.

Policy 17.6.1(f)(iv), Land Use By-law Provisions – Proposed Structure

The proposed development will occupy an existing accessory structure (garage) which was development pursuant to a permit issued by the Town. No exterior alterations are being proposed to the existing structure.

Policy 17.6.1(f)(iv), Land Use By-law Provisions – Traffic Generation and Access

See comments re: Policy 17.6.1(e)(iv) above.

Policy 17.6.1(f)(vi), Land Use By-law Provisions – Open Storage

The proposed development does not include any open storage

Policy 17.6.1(f)(vii), Land Use By-law Provisions – Signage

The proposed development does not include any signage.

Policy 17.6.1(f)(viii), Land Use By-law Provisions – Matters of Planning Concern

Not Applicable.

Policy 17.6.1(g), Environmental Suitability of the Site

See comments re: Policy 17.6.1(e)(v) above.

Policy 17.6.1(h), Buffering

See comments re: Policy 17.6.1(f)(ii) above.

Policy 17.6.1(i), Drainage Channels and Water Courses

See comments re: Policy 17.6.1(e)(v) above.

Policy 17.6.1(j), Impacts of Sea Level Rise

Not applicable.

4 Recommendation

A review of the application in light of the relevant policies identifies that the proposal is consistent with the general intent of the policies and is not inconsistent with any of the specific criteria contained in Policies 1.5.2 or 17.6.1.

It is therefore recommended that:

The Town amend the Land Use By-law to rezone lands of Shelley and Steve Dyet located at 52 St. Patricks Lane (PID 05000328) from Residential Single Unit (RSU) to Residential Two Unit (RTU) to permit the development of dwelling unit within an existing accessory structure pursuant to the application, site plan and building design details dated June 3, 2026.

