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Item No. 10.1.2
Halifax and West Community Council
First Reading July 10, 2018
July 30, 2018

TO: Chair and Members of Halifax and West Community Council

-Original Signed-

SUBMITTED BY:

Kelly Denty, Director, Planning and Development

-Original Signed-

Dave Reage, Acting Chief Administrative Officer

DATE: June 18, 2018

SUBJECT: **Case 21385: Rezoning request for lands located off Herring Cove Road and Mansion Avenue, Herring Cove**

ORIGIN

Application by Armco Capital Inc. requesting to rezone PIDs 40414831 and 40019028 and a portion of PIDs 00325985, 00330803, 00330811 off the Herring Cove Road, known as the Green Acres Subdivision, from R-1 (Single Family Dwelling) zone to R-2 (Two Family Dwelling) zone.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development.

RECOMMENDATION

It is recommended that Halifax and West Community Council:

1. Give First Reading to consider approval of the proposed amendment to Land Use By-law for Halifax Mainland, as set out in Attachment A, to rezone PIDs 40414831 and 40019028 and a portion of PIDs 00325985, 00330803, 00330811 from the R-1 (Single Family Dwelling) Zone to the R-2 (Two Family Dwelling) Zone, and schedule a public hearing;
2. Adopt the amendment to the Land Use By-law for Halifax Mainland, as set out in Attachment A of this report.

BACKGROUND

Armco Capital Inc. is applying to rezone PIDs 40414831 and 40019028 and a portion of PIDs 00325985, 00330803, 00330811, also known as the Green Acres Subdivision, from the R-1 (Single Family Dwelling) Zone to the R-2 (Two Family Dwelling) Zone. The rezoning would enable a two-unit residential subdivision of the properties. The subject site is currently undeveloped.

Subject Site	PIDs 40019028 and 40414831, and a portion of PIDs 00325985, 00330803, and 00330811 off Herring Cove Road adjacent to Green Acres Road and Mansion Avenue
Location	South side of Herring Cove Road, east of Greystone Drive, on the Halifax Mainland
Regional Plan Designation	Urban Settlement (US)
Community Plan Designation (Map 1)	Lower Density Residential (LDR) Minor Commercial (MNC) Halifax Municipal Planning Strategy (MPS) Section X – Mainland South Secondary Planning Strategy (MSSPS)
Zoning (Map 2)	R-1 (Single Family Dwelling) Zone R-2 (Two-Family Dwelling) Zone C-2A (Minor Commercial) Zone H (Holding) Zone Halifax Mainland Land Use Bylaw (LUB)
Size of Site	Total size of 122 acres within service boundary (39.3 acres proposed for rezoning)
Street Frontage	~308.45 metres (~1,012 feet) on Herring Cove Road and ~141.42 metres (~464 feet on Mansion Avenue)
Current Land Use(s)	Vacant
Surrounding Use(s)	Single unit dwellings, two-unit dwellings, multiple-unit dwellings

Proposal Details

The subject site currently has an active final subdivision application for a multi-lot subdivision for approximately 879 units under the current zoning (R-1 and R-2). This subdivision application is being evaluated under the as-of-right process. The property owner has separately requested to rezone a portion of the proposed subdivision from the R-1 (Single Family Dwelling) Zone to the R-2 (Two-Family Dwelling) Zone, making the entire subdivision zoned R-2. Should the rezoning be successful, it would enable an increase in units of roughly 27%, from approximately 879 units to 1120 units.

Enabling Policy and LUB Context

The Halifax MPS and Mainland South SPS (MSSPS) contain policies that enable consideration of a residential development through the rezoning process. Council may consider rezoning the R-1 portion of the Green Acres Subdivision to the R-2 Zone, in accordance with Policies 1.2 and 1.2.1, as detailed in Attachment B. The MSSPS refers to City-Wide Objectives and the Residential Environments Designation Policies of the Halifax MPS. These policies encourage maintaining the character of residential areas by preserving the scale of existing neighbourhoods and promoting and encouraging development that can be supported by existing and budgeted services.

It is important to acknowledge that the land can currently be developed in accordance with the provisions of the R-1 Zone and R-2 Zone of the LUB and the Regional Subdivision By-law. Under the active subdivision application, items like parkland, storm water management, and servicing capacity are all addressed and are required to satisfy municipal regulations before final approval is given. If Community Council were to approve the proposed rezoning, the subdivision application would need to be amended to reflect the new additional units achieved through the rezoning. Any revision to the active subdivision application would be required to satisfy municipal regulations (i.e. servicing capacity) before final approval is given.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website, signage posted on the subject site, and letters mailed to property owners within the notification area as shown on Map 2. The public comments received include the following topics:

- Increased traffic on Green Acres Road; and
- The state of existing infrastructure (roads, curbs, sidewalks)

A public hearing must be held by Halifax and West Community Council before they can consider approval of the proposed LUB amendment. Should Community Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area shown on Map 2 will be notified of the hearing by regular mail. The HRM website will also be updated to indicate notice of the public hearing.

The proposal will potentially impact local residents and property owners.

DISCUSSION

Staff has reviewed the proposal relative to all relevant policies and advise that it is reasonably consistent with the intent of the MPS. Attachment A contains the proposed rezoning that would allow PIDs 40414831 and 40019028 and a portion of PIDs 00325985, 00330803, 00330811 to be rezoned from the R-1 Zone to the R-2 Zone.

LUB Amendment Review

Attachment B provides an evaluation of the proposed rezoning in relation to relevant MPS policies. Of the matters reviewed to satisfy the MPS criteria, the following have been identified for more detailed discussion:

Policy Context

Both the City-Wide policies of the Halifax MPS and those policies found in the MSSPS promote and encourage residential development as a mechanism to accommodate for future growth in the Municipality, provided that consideration is given to land use compatibility, and servicing and traffic capacities. The Regional Plan 'Urban Settlement' Designation also encourages development, as it in part encompasses undeveloped lands to be considered for serviced development. Growth is somewhat limited along Herring Cove Road by the extents of the servicing boundary and the corresponding H (Holding) Zone, which only allows single unit dwellings on existing lots with on-site services. In this instance, the City-Wide policies in the Halifax MPS give better guidance relative to the rezoning request as the lands in question fall within the servicing boundary.

Land Use Compatibility

The surrounding neighbourhood is a predominantly residential community of different housing types. Approximately 25% of the existing units in the neighbourhood are single detached dwellings, 15% are in two-unit dwellings, and 60% are in multi-unit dwellings. The proposal does not differ in use or intensity of use from the present development pattern as this proposal is continuing the mixed housing type development pattern.

Servicing and Traffic Capacity

Development Engineering has accepted the recommendations of the Traffic Impact Study (and subsequent addendum) that was submitted as part of the subdivision and rezoning applications. Upgrades to the road infrastructure, as outlined in the Traffic Impact Study (TIS), are required and are being dealt with under the active final subdivision application. These upgrades include intersection upgrades at Denith Road and Herring Cove Road and a signalized traffic intersection at Herring Cove Road and the proposed new access

road (Pondfield Drive). The existing intersection at Green Acres Road and Herring Cove Road can accommodate the increased traffic and will remain a two-way stop-controlled intersection. Halifax Water indicates that there is capacity in the system, however, the capacity in the system is not reserved for any particular project and a detailed analysis will happen at the subdivision/permitting stage.

Storm Water Management

Storm water drainage is a concern in this area and the situation was exacerbated when the property owner began clearing and grubbing the land after concept subdivision approval in 2015. The applicant has acknowledged the adverse affect this has caused and has proposed improvements that will enhance storm water conditions at the site. The proposed development will not only protect the existing properties from any adverse effects of the development but will substantially reduce the risk of flooding that those properties experience today. These improvements are currently, and will continue to be required under the active final subdivision application and therefore will happen regardless of this rezoning application.

Adjacent Development

As previously mentioned, this rezoning request is running concurrently with an active final subdivision application under the current zoning, as well as several other planning and subdivision applications for adjacent developments in the area. The TIS took into consideration the future adjacent developments and has made recommendations in accordance with the future site-generated traffic volumes from this development as well as other proposed developments. As previously mentioned, Halifax Water does not reserve capacity for any particular project and a detailed analysis will be conducted at the subdivision/permitting stage to determine if capacity still exists.

Conclusion

Staff have reviewed the proposal in terms of all relevant policy criteria and advise that the proposal is consistent with the intent of the MPS. The property is currently able to be developed under the Halifax Mainland Land Use By-law and the Regional Subdivision By-law with new streets, park dedication, and single and two-unit homes. Policy enables consideration of rezoning to R-2, as long as regard is given to servicing and traffic capacity. The proposal does not differ in use or intensity of use from the present development pattern as this proposal is continuing the mixed housing type development pattern and no concern relative to servicing have been identified. Therefore, staff recommend that the Halifax and West Community Council approve the proposed LUB amendment.

FINANCIAL IMPLICATIONS

There are no budget implications. The applicant will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this proposed development agreement. The administration of the proposed development agreement can be carried out within the approved 2018-2019 budget and with existing resources.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. This application may be considered under existing MPS policies. Community Council has the discretion to make decisions that are consistent with the MPS, and such decisions may be appealed to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed LUB amendment are contained within the Discussion section of this report.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified.

ALTERNATIVES

1. Halifax and West Community Council may choose to approve the proposed LUB amendment subject to modifications. Such modifications may require further discussion with the applicant and may require a supplementary report. A decision of Council to approve this proposed LUB amendment is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Halifax and West Community Council may choose to refuse the proposed LUB amendment, and in doing so, must provide reasons why the proposed amendment does not reasonably carry out the intent of the MPS. A decision of Council to refuse the proposed LUB amendment is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

Map 1: Generalized Future Land Use
Map 2: Zoning and Notification Area

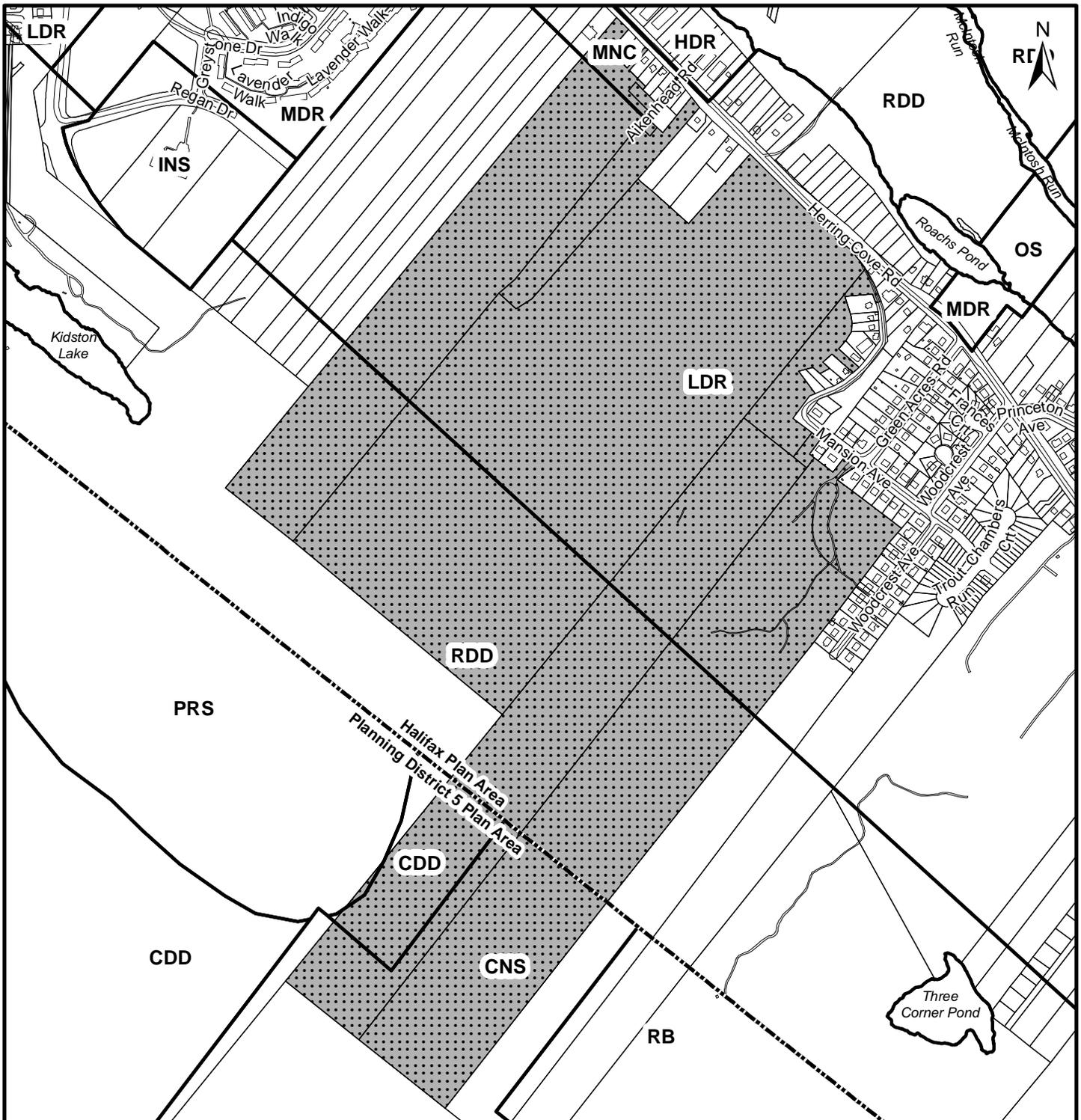
Attachment A: Proposed LUB Amendment
Attachment B: Review of Relevant MPS Policies

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Dean MacDougall, Planner II, Current Planning, 902.490.4193

-Original Signed-

Report Approved by: Carl Purvis, Acting Manager of Current Planning, 902.490.4797



**Map 1 - Generalized Future Land Use
Green Acres – Herring Cove Road
Halifax**

 Subject Site

- Designations - Halifax Plan Area**
- LDR Low Density Residential
 - MDR Medium Density Residential
 - HRD High Density Residential
 - RDD Residential Development District
 - MNC Minor Commercial
 - INS Institutional
 - OS Major Community Open Space

- Designations - Planning District 5
(Chebucto Peninsula) Plan Area**
- CDD Comprehensive Development District
 - CNS Conservation
 - RB Rural B
 - PRS Preservation

HALIFAX

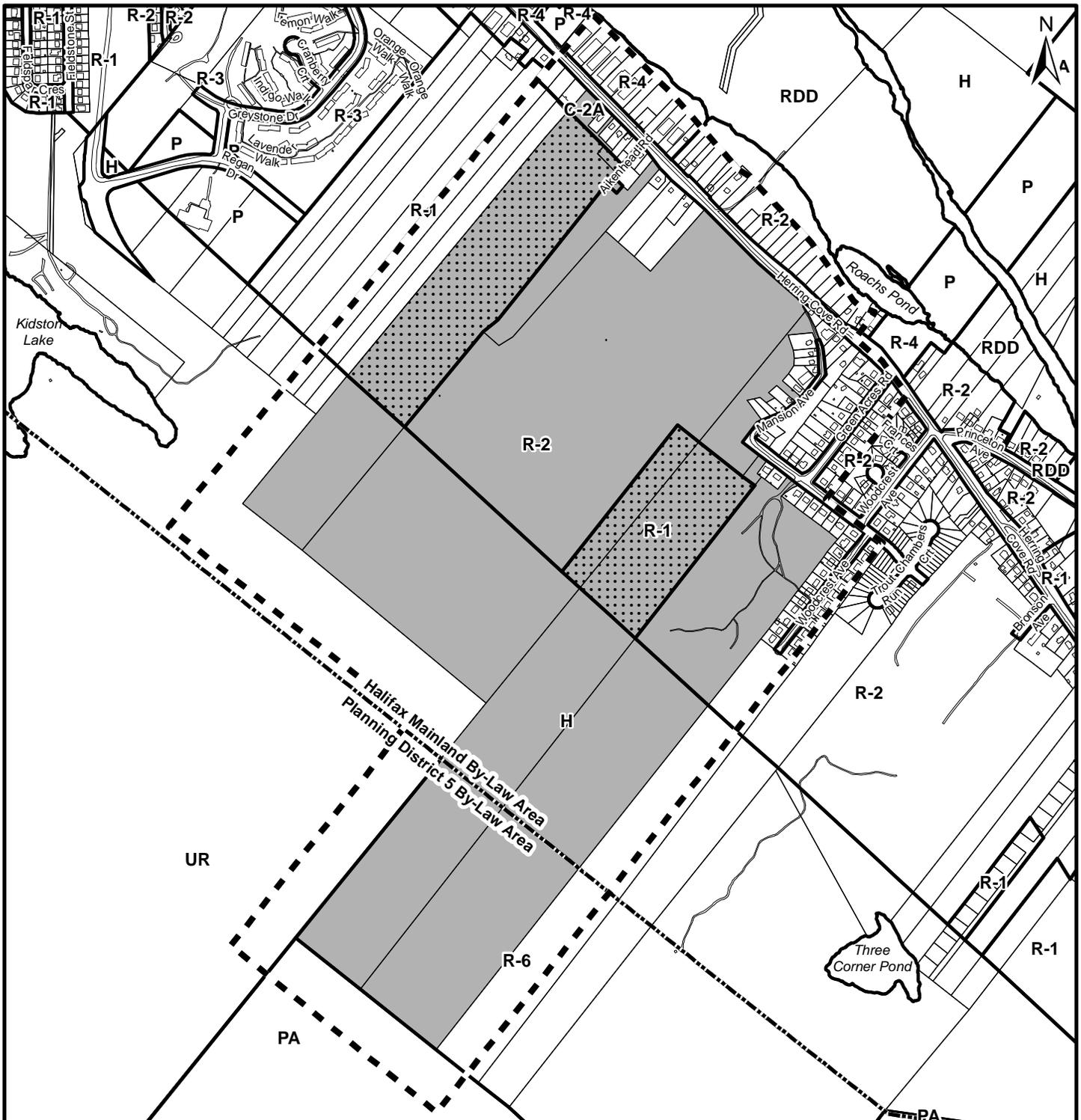
0 100 200 300 m



This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

Halifax Plan Area
Planning District 5 (Chebucto Peninsula) Plan Area



Map 2 - Zoning & Notification
Green Acres – Herring Cove Road
Halifax

-  Subject Site
-  Lands to be Rezoned
-  Area of notification

Halifax Mainland Land Use By-Law Area

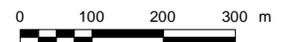
Zone - Halifax Mainland Land Use By-Law Area

- R-1 Single Family Dwelling
- R-2 Two Family Dwelling
- R-3 Low-Rise Apartment
- R-4 Multiple Dwelling
- RDD Residential Development District
- C-2A Minor Commercial
- H Holding
- P Park and Institutional
- PA Protected Area

Zone - Planning District 5 (Chebucto Peninsula) Land Use By-Law Area

- R-6 Rural Residential
- UR Urban Reserve
- PA Protected Area

HALIFAX



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

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ATTACHMENT A

Proposed Amendment to the Land Use By-law for Halifax Mainland

BE IT ENACTED by the Halifax and West Community Council of the Halifax Regional Municipality that the Land Use By-law for Halifax Mainland is hereby further amended as follows:

1. Amend Map ZM-1, the Zoning Map, by rezoning PIDs 40414831 and 40019028 and rezoning a portion of PIDs 00325985, 00330803, 00330811 from the R-1 (Single Family Dwelling) Zone to the R-2 (Two-Family Dwelling) Zone, as shown on the attached Schedule A.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax and West Community Council of Halifax Regional Municipality held on the _____ day of _____, 20__.

GIVEN under the hand of the municipal clerk and under the Corporate Seal of the said Municipality this ____day of _____, 20__.

Municipal Clerk



Schedule A

**Green Acres – Herring Cove Road
Halifax**

- Subject Site
- Lands to be Rezoned from R-1 (Single Family Dwelling) Zone to R-2 (Two Family Dwelling) Zone

Halifax Mainland Land Use By-Law Area

Zone - Halifax Mainland Land Use By-Law Area

- R-1 Single Family Dwelling
- R-2 Two Family Dwelling
- R-3 Low-Rise Apartment
- R-4 Multiple Dwelling
- RDD Residential Development District
- C-2A Minor Commercial
- H Holding
- P Park and Institutional
- PA Protected Area

**Zone - Planning District 5 (Chebucto Peninsula)
Land Use By-Law Area**

- R-6 Rural Residential
- UR Urban Reserve
- PA Protected Area



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

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ATTACHMENT B

Excerpts from the Halifax Municipal Planning Strategy and the Mainland South Secondary Planning Strategy: Policy Evaluation

Halifax Municipal Planning Strategy (MPS) Section II – City Wide Objectives and Policies	
Applicable Policies	Staff Comments
<u>Part 2: Residential Environments</u>	
<u>Objective:</u> The provision and maintenance of diverse and high quality housing in adequate amounts, in safe residential environments, at prices which residents can afford.	
<p>Policy 2.1: Residential development to accommodate future growth in the City should occur both on the Peninsula and on the Mainland, and should be related to the adequacy of existing or presently budgeted services.</p>	<p>A service analysis (water, stormwater and sanitary capacity, traffic network impacts, school and recreation facilities, police, fire, etc.) was completed and this residential development proposal may be accommodated within the capacity of existing services.</p> <p>The traffic impact study (TIS) completed for the subdivision application has identified several upgrades to the traffic network that will be required by full build out. The addendum to the TIS submitted as part of this rezoning application states that the additional traffic resulting from the proposed rezoning can be accommodated under the original recommendations of the TIS. Our Engineering Department has confirmed this.</p> <p>Police and Fire stations are located on Herring Cove Road near Old Sambro Road and Circle Drive, approximately 3.5 kms away. Several schools service the site including Central Spryfield Elementary School, Elizabeth Sutherland School, Rockingstone Heights School, and J.L. Ilsley High School, the furthest of which is 3.5 kms away from the development. The nearest recreation facility is Captain William Spry Community Centre, which is 2.4 kms away.</p>
<p>Policy 2.2: The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</p>	<p>The area is in a predominantly residential community of different housing types. Approximately 25% of the existing units in the neighbourhood are single detached dwellings, 15% are in two-unit dwellings, and 60% are in multi-unit dwellings.</p> <p>The proposal does not differ in use or intensity of use from the present development pattern as this proposal is continuing the mixed housing type development pattern. There is no concern relative to this policy.</p> <p>IM Policy 3.1 was repealed, and IM Policy 3.2 is not applicable to this site.</p>

<p>Policy 2.3: The City shall investigate alternative means for encouraging well-planned, integrated development.</p>	<p>There is an approved subdivision concept plan on these lands for a residential development of R-1 and R-2 zoned lands. The intent of this subdivision concept plan process is to ensure the subdivision layout will results in a well coordinated pattern of development that considers servicing requirements, parkland, and road design.</p> <p>The subdivision concept plan process is required, regardless of this rezoning request, and the approval or refusal of the rezoning request won't change the requirement to have an approved concept plan before subdivision occurs.</p>
<p>Policy 2.3.1: The City should restrict ribbon development which does not conform to the policies of this document and should seek ways to remove any such development which may become obsolete.</p>	<p>This proposal is an infill type development where lands beyond the site are developed and services are already available at the site.</p>
<p>Policy 2.3.2: Ribbon development along principal streets should be prohibited in order to minimize access points required by local traffic.</p>	<p>This proposal is infill type development. Herring Cove Road is a principal street, as shown on Map 8 of the MPS. The proposed secondary access point to Herring Cove Road exists today (Green Acres Road). A new primary access is proposed via a new street (Pondfield Drive) off of Herring Cove Road near Roaches Pond Park. This new intersection will be developed as a signalized intersection. There is no concern relative to this policy.</p>
<p>Policy 2.4: Because the differences between residential areas contribute to the richness of Halifax as a city, and because different neighbourhoods exhibit different characteristics through such things as their location, scale, and housing age and type, and in order to promote neighbourhood stability and to ensure different types of residential areas and a variety of choices for its citizens, the City encourages the retention of the existing residential character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.</p>	<p>The existing residential character is a mix of housing type and scale. There exists a mixture of single unit dwellings, duplex dwellings, and multi-unit dwellings.</p> <p>The proposal does not seek to alter the existing residential character of the established neighbourhood as the proposed rezoning will introduce similar uses in scale. The change will be compatible with the existing neighbourhood and may contribute an alternative tenure type within the larger residential market.</p>
<p>Policy 2.4.1: Stability will be maintained by preserving the scale of the neighbourhood, routing future principal streets around rather than through them, and allowing commercial expansion within definite confines which will not conflict with the character or stability of the neighbourhood, and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</p>	<p>The proposal is to zone a portion of lands adjacent to the existing neighbourhood to R-2. The lands surrounding the site are R-1, R-2, R-4, and some C-2A zoned lands along Herring Cove Road. There are neither proposed principal streets nor commercial expansion of uses include in this proposal, therefore there are no concerns relative to this policy.</p> <p>IM Policy 3.1 was repealed, and IM Policy 3.2 is not applicable to this site.</p>

<p>Policy 2.4.2: In residential neighbourhoods alternative specialized housing such as special care homes; commercial uses such as daycare centres and home occupations; municipal recreation facilities such as parks; and community facilities such as churches shall be permitted. Regulations may be established in the land use bylaw to control the intensity of such uses to ensure compatibility to surrounding residential neighbourhoods.</p>	<p>Special care homes, daycare centres, home occupations, parks, and community facilities are permitted within both the R-1 Zone and the R-2 Zone and the regulations that control the intensity of such uses are embedded within the existing zoning regulations of the Land Use Bylaw. The rezoning would not change this.</p>
<p>Policy 2.7: The City should permit the redevelopment of portions of existing neighbourhoods only at a scale compatible with those neighbourhoods. The City should attempt to preclude massive redevelopment of neighbourhood housing stock and dislocations of residents by encouraging infill housing and rehabilitation. The City should prevent large and socially unjustifiable neighbourhood dislocations and should ensure change processes that are manageable and acceptable to the residents. The intent of this policy, including the manageability and acceptability of change processes, shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</p>	<p>The lands are currently vacant and undeveloped. The rezoning would permit a development that is compatible with the existing neighbourhood and will introduce similar uses in scale. It also will contribute an alternative tenure type within the larger residential market.</p> <p>IM Policy 3.1 was repealed, and IM Policy 3.2 is not applicable to this site.</p>
<p>Policy 2.8: The City shall foster the provision of housing for people with different income levels in all neighbourhoods, in ways which are compatible with these neighbourhoods. In so doing, the City will pay particular attention to those groups which have special needs (for example, those groups which require subsidized housing, senior citizens, and the handicapped).</p>	<p>This rezoning will provide greater options for alternative housing type and tenure. For example, the option to build a single unit dwelling (SUD) or a two-unit dwelling (TUD) based on the housing demand or if a SUD is built, the option to convert that SUD to a TUD (basement apartment or secondary suite). The option for the TUD, or the conversion to a TUD, could provide alternative housing options for people with different income levels or those who have special needs while maintaining compatibility with the existing neighbourhood as there is already a mix of housing type and tenure.</p>
<p>Policy 2.10: For low and medium density residential uses, controls for landscaping, parking and driveways shall ensure that the front yard is primarily landscaped. The space devoted to a driveway and parking space shall be regulated to ensure that vehicles do not encroach on sidewalks.</p>	<p>This requirement is covered under the regulations of the Land Use Bylaw and will be applied to the individual lots at the permit stage.</p>
<p>Policy 2.11: For all residential uses the parking and storage of vehicles such as trailers, boats and mobile campers, shall be restricted to locations on the lot which create minimal visual impact from the street.</p>	<p>This requirement is covered under the regulations of the Land Use Bylaw and will be applied to the individual lots at the permit stage.</p>
<p><u>Part 8: Environment</u></p> <p>Objective: The preservation and enhancement, where possible, of the natural and man-made environment, and especially of those social and cultural qualities of particular concern</p>	

to the citizens of Halifax.	
<p>Policy 8.5: The City shall establish standards, insofar as it has the power, for maintaining lake systems and their watersheds in a healthy state. These standards should address the infilling of lakes or their tributaries, the preservation of natural resources which are visually or ecologically complementary to those lakes and their tributaries, the control of discharges into lakes or tributaries resulting from public or private developments which would cause long-term degradation of the water quality, and the prevention of any other environmentally damaging effects.</p>	<p>With the adoption of the Regional Plan there are requirements for watercourse buffers relative to adjacent development. In order to comply with land use by-law requirements a minimum 20 metre (66 feet) wide buffer is required. In addition, a Site Disturbance Plan, a Site Grading and Stormwater Management Plan, and an Erosion and Sedimentation Control Plan is required prior to any subdivision approval.</p>
<p>Policy 8.10: The City should protect existing green areas and attempt to create new green areas. Every effort should be made to protect existing boulevards, tree-lined streets, and small parks.</p>	<p>See Policy 7.3 below for protection of existing green areas.</p> <p>The applicant is currently proposing a tree buffer located between Herring Cove Road and the proposed development. This buffer is largely a result of the steep grades and is not required by our regulations and therefore this zoning request cannot require it.</p> <p>Pursuant to the policies of the Regional Subdivision Bylaw, the developer must provide park dedication to the Municipality prior to a final subdivision. This development proposes three programmed green spaces (community parks) as well as passive open space through a storm water retention pond.</p>
<p><u>Part 9: Transportation</u></p>	
<p><u>Objective:</u> The provision of a transportation network with special emphasis on public transportation and pedestrian safety and convenience which minimizes detrimental impacts on residential and business neighbourhoods, and which maximizes accessibility from home to work and to business and community facilities.</p>	
<p>Policy 9.1: The City shall encourage an efficient transit system linking major employment areas and community facilities with community centres and neighbourhoods.</p>	<p>Halifax Transit has indicated that they might be able to service the proposed development by re-routing the existing transit route on Herring Cove Road. The re-route will enter the proposed development via the proposed new access road off Herring Cove Road and exit through Green Acres Road back onto Herring Cove Road. However, Halifax Transit has requested some modifications to increase serviceability. Unfortunately, these requests cannot be required through the rezoning process. Please note that Halifax Transit is examining servicing this development regardless of this rezoning request.</p>
<p><u>Part 10: Environmental Health Services</u></p>	

Objective:	The provision of adequate sewer and water systems within a metropolitan context and the encouragement of only that growth for which the City can afford to provide these services.
Policy 10.2:	In order to ensure that critical sewer and water problems will not be created within or beyond development areas, the amount of development shall be related to capacity of existing (including potential rehabilitation) and planned sewer, water and pollution control systems, by drainage area, and shall not exceed the capacities of those systems as determined by the standard practises of the City. This shall be accomplished by Implementation Policy 5 (IP 5).
	Sanitary and water capacity will be evaluated at the time of subdivision, as per the regulations of the Reginal Subdivision Bylaw (IP 5). Halifax Water has provided input on this rezoning request and has not identified any concerns.

Section X - Mainland South Secondary Planning Strategy (MSSPS)

Applicable Policies	Staff Comments
<u>Part 1: Residential Environments</u>	
Objective:	The development and maintenance of Mainland South as a predominantly residential area with a diverse mixture of family and non-family housing.
Policy 1.2:	In areas designated "Low-Density Residential" on the Generalized Future Land Use Map, which are predominantly single-family dwellings in character, residential development consisting of detached (single-family) dwellings shall be permitted, and neighbourhood commercial uses may be permitted pursuant to Policies 2.1.1 and 2.1.2 of this Plan.
	The immediate surrounding area is not predominantly single-family dwellings. The character is a mix of housing type. There are no concerns relative to this policy. No commercial uses proposed therefore Policies 2.1.1 and 2.1.2 are not applicable.
Policy 1.2.1:	In areas designated "Low-Density Residential" on the Generalized Future Land Use Map, which are predominantly two-family dwellings in character, residential development consisting of detached (single-family) dwellings, semi-detached dwellings and duplex dwellings shall be permitted, and neighbourhood commercial uses may be permitted pursuant to Policies 2.1 and 2.1.2 of this Plan.
	The immediate surrounding area is not predominantly two-family dwellings. The character is a mix of housing type. There are no concerns relative to this policy. No commercial uses proposed therefore Policies 2.1 and 2.1.2 are not applicable.
<u>Part 2: Commercial</u>	
Objective:	A variety of commercial and business uses in convenient and accessible locations to serve the area and the City, compatible with adjacent residential neighbourhoods.
Policy 2.3:	The designated "Minor Commercial" areas along the Herring Cove Road and Dentith Road are the primary retail and business areas in Mainland South; and minor commercial uses shall be restricted to areas so designated.
	A small portion of the lands along Herring Cove Road are designated Minor Commercial. However, they are currently zoned R-1 and are proposed to be rezoned to R-2. The Minor Commercial designation will remain, thus protecting the commercial development rights.
<u>Part 5: Transportation</u>	
Objective:	Sufficient, effective, and efficient transportation to serve the Mainland South area and the City.
Policy 5.3:	The City shall maintain pedestrian crosswalks on arterial and collector streets, and
	There is an existing zebra/overhead illuminated cross walk by Roached Pond Park on Herring

<p>should ensure, provide, and maintain overhead illuminated signs at uncontrolled zebra crosswalks, particularly in commercial and high-density residential areas.</p>	<p>Cove Road and Woodcrest Avenue. As the subdivision will trigger a signalized intersection at the new road (Pondfield Drive) this will be the most appropriate place for a formalized crossing, as confirmed by our Engineering Department.</p>
<p>Part 6: Municipal Services</p>	
<p><u>Objective:</u> Adequate sanitary and storm water disposal systems to maintain environmental quality.</p>	
<p>Policy 6.2: The City shall discourage the practice of disposing uncontrolled and unmanaged storm water directly into inland lakes and waterways.</p>	<p>Approval of the storm water management system by Nova Scotia Environment (NSE) will be required at the subdivision stage. The proposed controlled and managed discharge directly into the watercourse is achievable with approval by NSE.</p>
<p>Policy 6.2.1: The City shall investigate alternative measures for flooding and drainage control, and erosion and sedimentation control with regard to the disposal of storm water, and shall develop appropriate regulations or legislation to implement such measures.</p>	<p>The applicant has provided storm drainage improvements so that the proposed development will not only protect the existing properties from any adverse effects of the development but will substantially reduce the risk of flooding that those properties experience today. These improvements are proposed under the active final subdivision application and therefore will happen regardless of this rezoning application.</p>
<p>Part 7: Environment</p>	
<p><u>Objective:</u> Identify and protect environmentally sensitive and ecologically valuable natural features.</p>	
<p>Policy 7.3: Where development proposals are being considered through rezoning or development agreement, the City shall protect environmentally sensitive areas.</p>	<p>The front portion of the lands are identified as having environmentally sensitive area (slopes ranging from 16% to greater than 25%). No development is proposed on these areas, as per the approved concept plan. Furthermore, the rear portion of the lands is identified as having a significant natural feature (exposed bedrock). However, the land is able to be developed under the current zoning, and there is no increased risk of resulting impact on that feature resulting from the proposed rezoning.</p>
<p>Implementation Policies</p>	<p>Staff Comments</p>
<p>Policy 3.1.1: The City shall review all applications to amend the zoning by-laws or the zoning map in such areas for conformity with the policies of this Plan with particular regard in residential areas to Section II, Policy 2.4</p>	<p>The development proposal conforms to the plan, and with Section II, Policy 2.4 (see above). There is no concern relative to this policy.</p>
<p>Policy 4.1: The City shall ensure that the proposal would conform to this Plan and to all other City by-laws and regulations.</p>	<p>The development proposal conforms to the plan, and detailed review by staff has not indicated any conflict with other by-laws or regulations. There is no concern relative to this policy.</p>

<p>Policy 4.2: The City shall review the proposal to determine that it is not premature or inappropriate by reason of:</p> <ul style="list-style-type: none"> i) the fiscal capacity of the City to absorb the costs relating to the development; and ii) the adequacy of all services provided by the City to serve the development. 	<p>No Municipal costs are anticipated.</p> <p>No servicing concerns have been identified. The traffic network will be upgraded to service the development and the water and sewer capacity exists but will be re-evaluated at the permitting stage.</p>
<p>Policy 4.3: More specifically, for those applications for amendments to the zoning bylaw in Mainland South as defined on Map 1, the City shall require an assessment of the proposal by staff with regard to this Plan and the adopted Land Development Distribution Strategy, and that such assessment include the potential impacts of the proposal on: (a) the sewer system (including the budgetary implications); (b) the water system; (c) the transportation system (including transit); (d) existing public schools; (e) existing recreation and community facilities; (f) the provision of police and fire protection services; and any other matter deemed advisable by Council prior to any final approval by City Council.</p>	<p>The proposal has been considered in accordance with policies of the MPS.</p> <p>The Land Development Distribution Strategy was authored in 1976 and is outdated, therefore is not relevant to the current development environment.</p> <p>No concerns have been identified by Halifax Water regarding sewer or water systems, other than to caution that capacity is not reserved. The traffic network will be upgraded to service the development to the satisfaction of our Engineering Department. Halifax Transit has stated the site could potentially be serviced. No comment was received from the School Board regarding capacity and potential impact but they have been made aware of the application. Fire Services has no concerns with the proposal and the site is adequately serviced by Police and existing recreation and community facilities.</p>