



P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Item No. 10.1.3**  
**Halifax and West Community Council**  
**First Reading June 26, 2018**  
**August 7, 2018**

**TO:** Chair and Members of Halifax and West Community Council

**SUBMITTED BY:** *-Original Signed-*  
\_\_\_\_\_  
Kelly Denty, Director, Planning and Development  
*-Original Signed-*  
\_\_\_\_\_  
Jacques Dubé, Chief Administrative Officer

**DATE:** June 6, 2018

**SUBJECT:** Case 21088: Rezoning for Lands at 20 Tremont Drive (4 PIDs), Halifax.

**ORIGIN**

Application by WSP Canada Inc. on behalf of JMJ Development Ltd.

**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 the Land Use By-law for Halifax Mainland, as set out in Attachment A, to rezone lands at 20 Tremont Drive from the R-1 and R-2 zones to the R-2T 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.

## **BACKGROUND**

WSP Canada, on behalf of JMJ Development Ltd, has applied to rezone lands located at 20 Tremont Drive (4 PIDs), Halifax.

<b>Subject Site</b>	PID #'s 00291294, 41422049, 40884827 and a small portion (approximately 49.5 square metres) of PID 00292771 (20 Tremont Drive)
<b>Location</b>	West of the Bedford Highway, east of Rockingham Elementary School
<b>Regional Plan Designation</b>	Urban Settlement (US)
<b>Community Plan Designation (Map 1)</b>	Residential Environments (RES) within the Halifax Municipal Planning Strategy
<b>Zoning (Map 2)</b>	R-1 Single Family Dwelling Zone, and R-2 Two Family Dwelling Zone within the Halifax Mainland Land Use By-law
<b>Size of Site</b>	104,713 square feet (2.4 acres)
<b>Street Frontage</b>	Approximately 120 feet along Tremont Drive
<b>Current Land Use(s)</b>	Vacant
<b>Surrounding Use(s)</b>	The surrounding area is comprised of mainly residential uses including: <ul style="list-style-type: none"><li>- Single family dwellings along Tremont Drive, and to the north and east of the property</li><li>- A mix of singles, two-unit, townhouse dwellings, and a multi unit apartment to the south, southeast.</li><li>- Rockingham Elementary School across the street along Tremont Drive</li><li>- Mix of single family residential, commercial, and apartment buildings along the Bedford Highway (at the foot of Tremont Drive).</li></ul>

### **Proposal Details**

The applicant proposed to rezone this property from R-1 and R-2 to R-2T (Townhouse) to allow a townhouse development. The major aspects of the proposal are as follows:

- Three properties and a small portion of a fourth, totalling 2.4 acres in size are proposed to be rezoned to R-2T
- A new street and several conceptual lots are included in the proposal.
- Should Council approve the proposed rezoning application, the development of any dwellings, construction of any street, or subdivision of any lots would be considered through the separate as-of-right permitting process.

### **Enabling Policy and LUB Context**

The subject property is designated Residential Environments under the Halifax Municipal Planning Strategy (MPS), and zoned R-1 (Single Family Dwelling Zone) under the Halifax Mainland Land Use By-law (LUB). The R-1 Zone permits single unit dwellings, home occupations, and various institutional and recreational uses. A portion of the lot is zoned R-2 (Two Family Dwelling Zone) under the Halifax Mainland LUB which permits R-1 uses, semi-detached, and duplex dwellings (Map 2).

The Residential Environments designation allows for consideration of a variety of residential unit types provided applicable policy criteria is met. Attachment B contains a copy of the relevant policy from the Halifax MPS, as well as a staff assessment as to how this proposal adheres to this policy.

### **Previous Planning Applications**

A planning application was submitted by the property owner in 2015 requesting an MPS amendment to enable a 46-unit residential apartment building and eight (8) townhouse units (Case 21052). This

application was not supported by staff and it was withdrawn. A new application was submitted in 2017 requesting a re-zoning of 7 properties to allow 24 townhouse units. Staff advised that the proposal was not consistent with the MPS policy because re-zoning of two of the properties along Tremont Drive did not provide an adequate transition from single family housing along Tremont Drive. The applicant has since revised the proposal by removing these two properties from the application.

## **COMMUNITY ENGAGEMENT**

The community engagement process on this file was 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, letters mailed to property owners within the notification area (Map 2) and a public information meeting held on November 29, 2017, at which 91 people attended. Attachment C contains a summary of the meeting. Approximately 6 calls and 91 emails were received from 40 members of the public. A petition has also been submitted to the Municipal Clerk's office by members of the public.

The public comments received include the following topics:

- Traffic and on-street parking during Rockingham Elementary School start and end times will be further impacted;
- Concern over traffic and student safety during construction;
- Construction and blasting will be disruptive and damaging;
- Concern for schoolchildren with extra traffic in area as there is no sidewalk along Tremont Drive;
- Concern that the traffic study does not accurately represent traffic in the area year-round;
- Concern for flooding downhill in result of excavation of trees;
- Concern that the proposed road entrance is in a dangerous location;
- A property line issue between a resident of Tremont Drive and the property owner;
- The proposal is not in keeping with the character of the area;
- Proposed density is too high for such a busy street.

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 land-use by-law amendment which would allow the subject site to be rezoned from R-1 and R-2 to R-2T.

### **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:

#### **Compatibility with Existing Neighborhood**

The applicable policies within the MPS speak to ensuring new residential uses maintain the integrity, stability, and character of the existing community. The vacant site is contained within a mixed residential neighborhood made up of predominantly single-family homes to the west, while lands to the south and east

include single and two-family homes, a lower-rise apartment building and townhomes (located in R-2T zoning on Wren Street and in R-4 zoning along Pioneer Ave). Also to the west, along the Bedford Highway, are single family homes, offices and commercial buildings containing restaurants and retail uses. The character of this community can be considered mixed with an emphasis on lower density residential. Residential uses in the area generally share similar characteristics including heights, built form, owner-occupation, private yards and proximity to Rockingham Elementary school. Townhouse forms under the proposed R-2T regulations would result in similar characteristics to those in the existing neighborhood including lots with private yards and a similar built form.

Although further multi-unit apartment development would not be appropriate (as determined in the earlier 2015 application), staff advise that the presence of townhouses would not jeopardize the stability or materially alter the overall low-density character in the neighbourhood. It is staff's view that the proposed townhouses represent an appropriate land use within the predominantly low-density neighborhood.

Existing policy encourages a mix of residential uses to provide a range of housing types and affordability. The addition of townhouses at this location would broaden the existing variety of housing types and increase the range of affordability within the area.

#### Comparison of R-1 Zone and the R-2T Zone

Under the existing R-1 and R-2 zoning, the subject site could be developed with approximately seven single unit dwelling lots and one two-unit dwelling lot (depending on the proposed street configuration). Under the proposed R-2T Zone, the property could be developed with approximately 16-17 townhouse units (again, depending on the proposed road configuration). The developer has indicated that the intent is to develop 15-16 townhouse units.

The following table provides a comparison of the existing R-1, R-2, and proposed R-2T zones.

	<b>R-1 Zone</b>	<b>R-2 Zone</b>	<b>R-2T Zone</b>
<b>Maximum Lot Coverage</b>	35%	35%	40%
<b>Maximum Height</b>	35 feet	35 feet	35 feet
<b>Maximum Front Yard</b>	20 feet	20 feet	15 feet
<b>Minimum Rear Yard</b>	8 feet	8 feet	20 feet
<b>Minimum Side Yard</b>	8 feet	8 feet	10 feet

The Townhouse Zone requirements are generally similar to the requirements of existing R-1 and R-2 zones with the following exceptions:

- Site coverage in the R-2T Zone is marginally higher to rationalize building footprints on townhouse lots which are generally smaller than traditional single or two unit lots;
- The rear and side yard setbacks in the R-2T Zone are greater to provide some additional separation between townhouses and internal property boundaries with adjacent lots; and
- Front yard setbacks in the R-2T Zone are marginally lower than those in the R-1 and R-2 zones. However, this requirement would only impact the frontage on the proposed new street which would have no material impact on the existing streetscape.

It should be acknowledged that the R-2T Zone permits approximately double the density allowed in the existing R-1 and R-2 zones. On a site-specific basis, and based solely on unit counts, this is a material increase. However, townhouses are considered low-density development and the building form is compatible with the surrounding neighborhood. The proposal represents efficient use of this infill development opportunity site while maintaining the overall character of the surrounding community. Staff advise that 16-17 townhouse units would be compatible with the existing neighborhood context.

#### Traffic and Pedestrian Connections

Development Engineering staff reviewed a Traffic Impact Statement (TIS) provided by the proponent. The TIS was deemed to be acceptable noting that the estimated trip generation volumes represented minimal

impact and peak movement times are estimated to be earlier than school commencement and later than school dismissal times. HRM Traffic Services completed on-site review of street activity during school dismissal hours and noted that the congestion was typical for local streets abutting a school. Existing parking issues along Tremont Drive were noted and additional parking restrictions have been implemented over the past few years.

A sidewalk exists on the south side of Tremont Drive between Civic #20 and the school site. Northeast of civic # 20 pedestrians, including school aged children, use the street ROW on Tremont Drive. The new street intended to service the proposed townhomes intersects with Tremont Drive immediately north/east of the end of the existing sidewalk. The applicant proposes to connect the existing sidewalk to the proposed new street which would provide pedestrian access to the existing sidewalk system for residents of the new development. In addition, a pedestrian pathway connection from the new street to Tremont Drive at the northeastern end of the subject property is also proposed. This would create an alternative off-street pedestrian route between the end of the existing sidewalk and the northeastern extent of Tremont Drive allowing foot traffic to avoid the area on Tremont Drive that presently has no sidewalk. This would be a marginally indirect route but it does represent an option should pedestrians not feel comfortable on Tremont Drive.

Council should note this application is for rezoning only and the proposed sidewalk and pathway connection are not required by municipal regulation. While it's installation cannot be required as a condition of rezoning, the developer has indicated it will be installed voluntarily through the subdivision process as a connectivity feature for the new development as well as a benefit for the existing community.

### **Conclusion**

Staff have reviewed the proposal in terms of all relevant policy criteria and advise that the proposal is reasonably consistent with the intent of the MPS. The proposed rezoning to R-2T is in keeping with the character and scale of the neighborhood and contributes to the mix of housing types in this area. Therefore, staff recommend that the Halifax and West Community Council approve the proposed LUB amendment as set out in Attachment A.

### **FINANCIAL IMPLICATIONS**

The HRM cost associated with processing this planning application can be accommodated within the approved 2018-2019 C310 Urban and Rural Planning Applications.

### **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 is 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 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*.
2. Halifax and West Community Council may choose to approve the proposed LUB amendment subject to modifications, and such modifications 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*.

## **ATTACHMENTS**

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

Attachment A: Proposed Amendment to the Land Use Bylaw for Halifax Mainland, Schedule A  
Attachment B: Review of Relevant Policies from the Halifax MPS and Halifax Mainland LUB  
Attachment C: Public Information Meeting Summary

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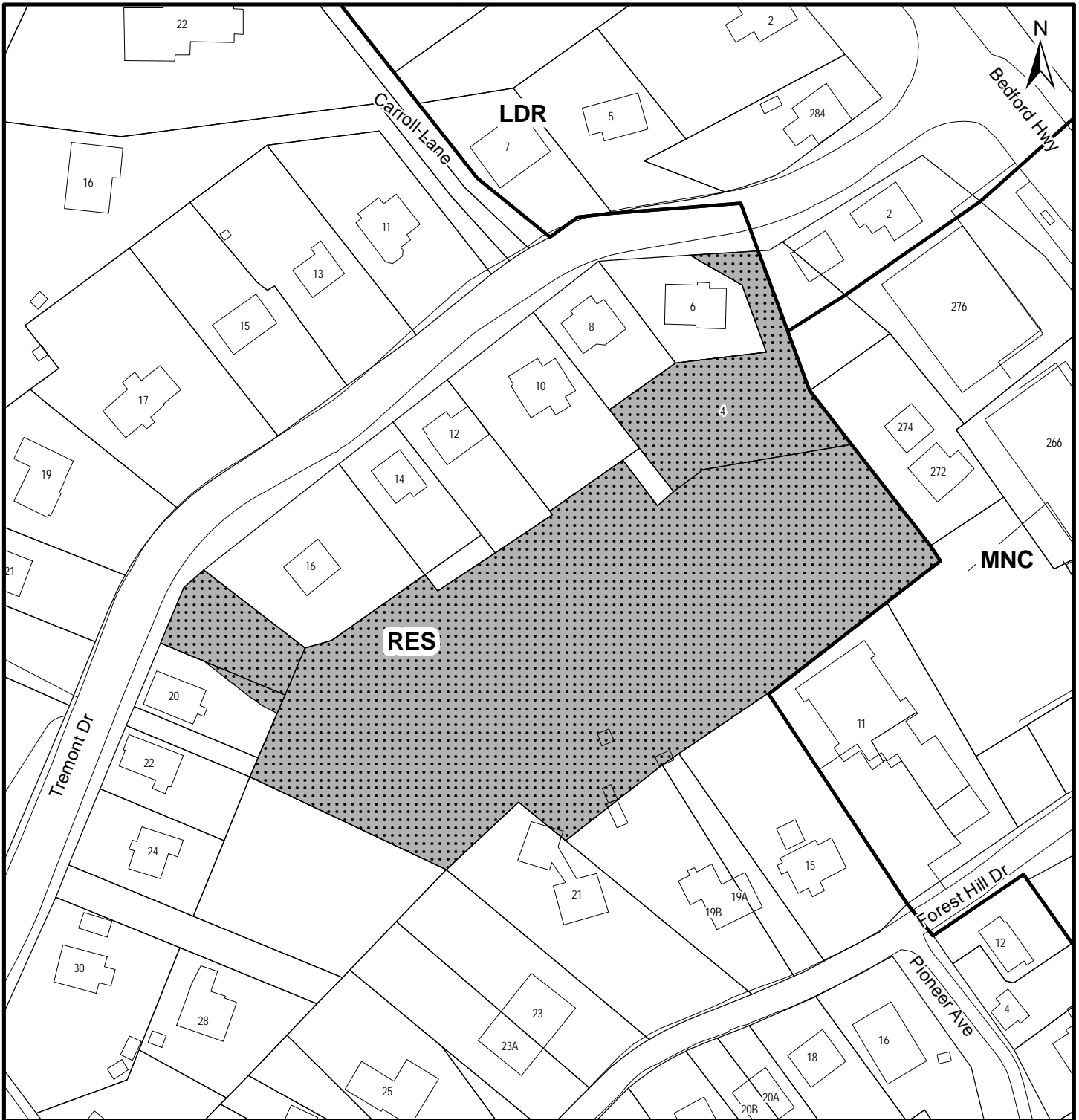
A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Brittney MacLean, Planner II, Current Planning, 902.490.7175

**-Original Signed-**

Report Approved by: Steve Higgins, Manager Current Planning, 902.490.4382

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**Map 1 - Generalized Future Land Use**

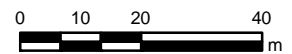
20 Tremont Drive, Halifax

**HALIFAX**

 Subject Site

**Designations**

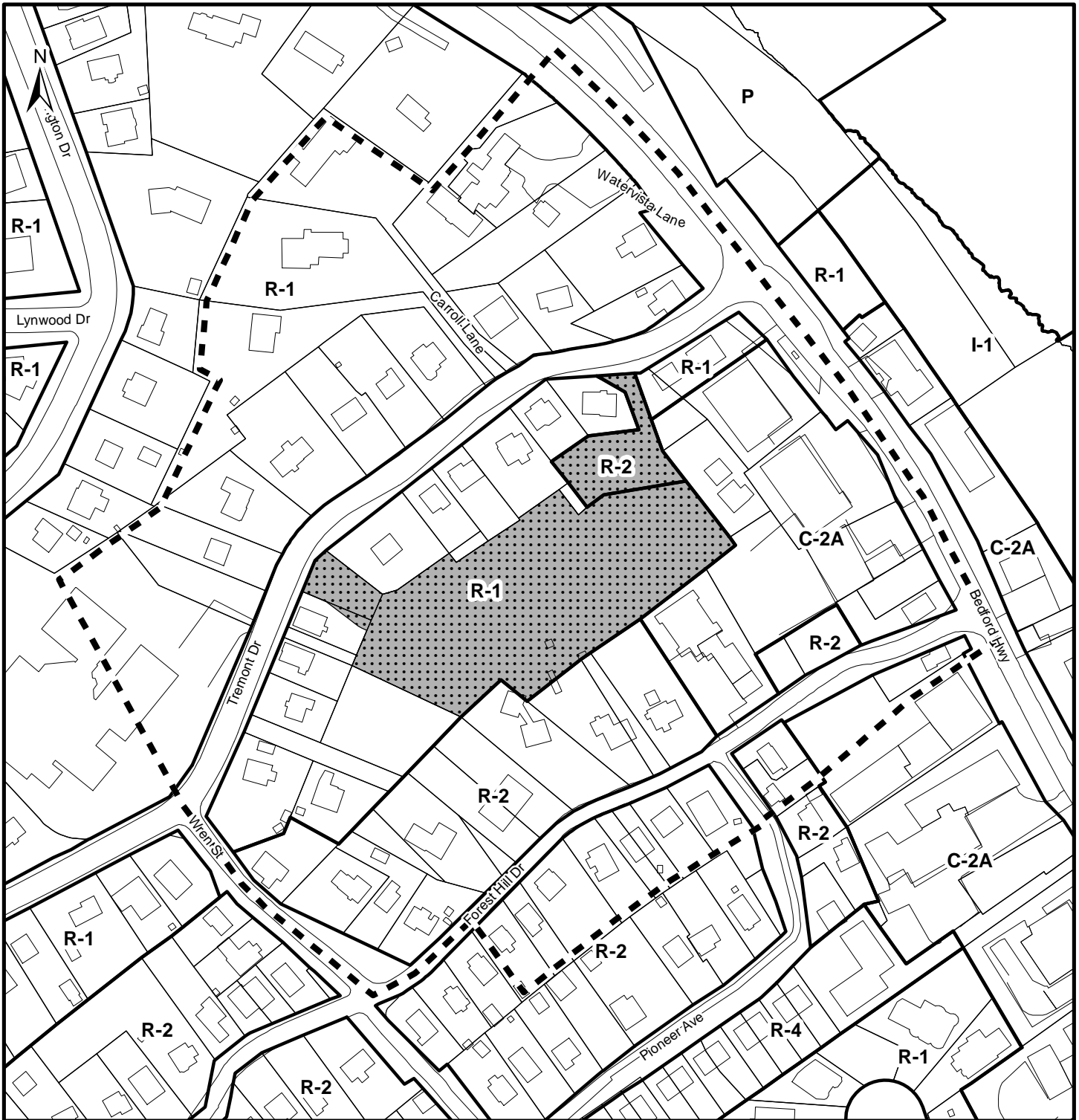
- RES Residential Environments
- LDR Low Density Residential
- MNC Minor Commercial



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  
Bedford Highway  
Secondary Planning Strategy



## Map 2 - Zoning and Notification

20 Tremont Drive, Halifax

**HALIFAX**

-  Subject Site
-  Area of Notification

### Zones

- R-1 Single Family Dwelling
- R-2 Two Family Dwelling
- R-4 Multiple Dwelling
- C-2A Minor Commercial
- I-1 General Industrial
- P Park and Institutional



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

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

Halifax Mainland  
Land Use By-Law Area



**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:

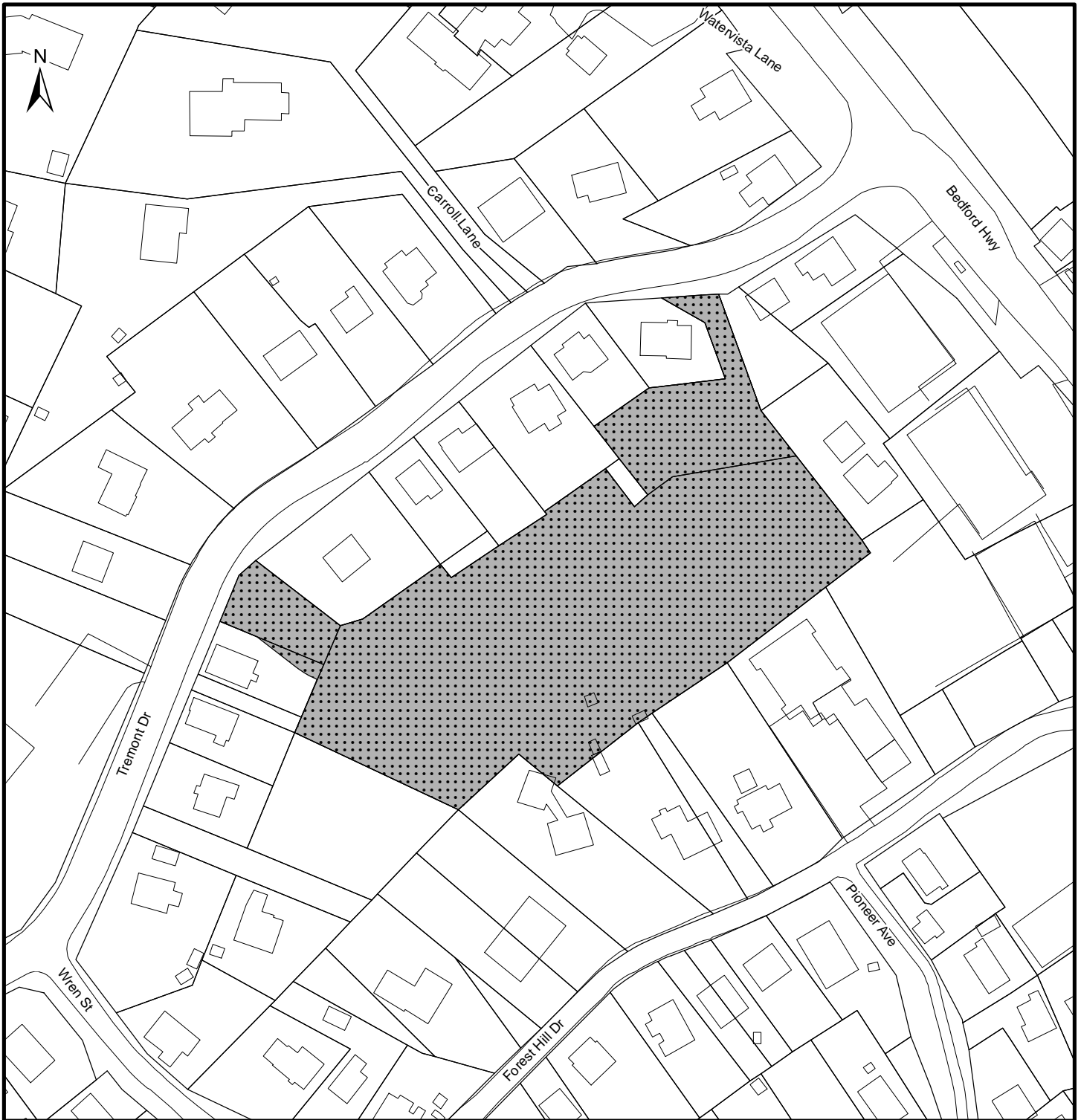
1. Amend Map ZM-1, the Zoning Map, by rezoning PID's 00291294, 41422049, and a portion of PID 00292771 (identified as 20 Tremont Drive, Halifax) from the R-1 (Single Family Dwelling) Zone to the R-2T (Townhouse) Zone; and rezoning PID 40884827 from the R-2 (Two Family Dwelling) Zone to the R-2T (Townhouse) Zone, as shown on Schedule A of this Attachment.

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 \_\_\_\_\_, 201\_\_.


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Municipal Clerk



**Schedule A**  
20 Tremont Drive, Halifax

**HALIFAX**

 Lands to be rezoned from R-1 (Single Family Dwelling) Zone and R-2 (Two Family Dwelling) Zone to R-2T (Townhouse) Zone

**Zones**

- R-1 Single Family Dwelling
- R-2 Two Family Dwelling
- R-4 Multiple Dwelling
- C-2A Minor Commercial
- I-1 General Industrial
- P Park and Institutional

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

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

Halifax Mainland  
Land Use By-Law Area

**Attachment B – Review of Relevant Policies from the Halifax MPS & Halifax Mainland LUB**

**SECTION II CITY-WIDE OBJECTIVES AND POLICIES**

<b>Part 2: Residential Environments</b>	
<b>Policy</b>	<b>Staff Comment</b>
<p>2.1 <i>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.</i></p>	<p>The proposal has identified connections to existing services of water and sewer within Tremont Drive. Halifax Water has reviewed and have made no comments regarding issues at this time, however noted more plans are required during permitting.</p>
<p>2.2 <i>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.</i></p>	<p>Policy 3.1 was repealed in June 1990; however, Policy 3.1.1 requires proposed rezonings to conform with the policies of the plan with particular regard to Policy 2.4 of Section II.</p> <p>Policy 3.2 discusses the creation of secondary plans in certain areas of the Halifax Planning Area. The subject property is not included within a secondary plan.</p>
<p>2.4 <i>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.</i></p>	<p>The subject lands are vacant, and located within a mixed residential neighborhood. To the west is predominantly single-family homes, while lands to the south and east are mixed in type, made up of single and two-family homes, a lower-rise apartment building, and townhomes (located in R-2T zoning on Wren Street and in R-4 zoning along Pioneer Ave).</p> <p>Also to the west, along the Bedford Highway, are commercial buildings filled with restaurants, retail stores, and offices. As such, the character of this community can be considered mixed but with an emphasis on low density residential. The mix of low-density residential homes share similar characteristics including similar heights and built form, being generally owner-occupied, having private yards.</p> <p>Townhouse form residential permitted under the R-2T regulations would result in similar characteristics including heights and forms to those in the existing neighborhood. Townhouse units would be located on lots with private yards, sharing a similar built environment to the existing neighborhood. The built form does not differ in use nor intensity of use.</p> <p>Townhouse development would not impact the stability of the neighborhood nor would it change the</p>

	<p>overall low-density residential character. The proposal for townhouses (R-2T) use would not result in significant change to intensity of the existing use as it offers appropriate land use within the predominantly low-density residential neighborhood.</p> <p>The Regional Plan encourages residential infill of vacant lots. Townhome form is similar in intensity of use to the existing neighborhood, while also generally being a more efficient type of housing form than single or two-unit dwellings. As-of-right potential for the site would result in approximately seven single family lots and one two-family lot, or 9 dwelling units. Rezoning to R2-T would increase the number of lots/units to a maximum possible buildout of 16 to 17 units.</p>
<p>2.4.1 <i>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.</i></p>	<p>Policy 3.1 – Repealed Policy 3.2 – N/A</p>
<p>2.4.2 <i>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 by-law to control the intensity of such uses to ensure compatibility to surrounding residential neighbourhoods.</i></p>	<p>The regulations for land uses under the R-2T zone are the same as those permitted in the R-1 and R-2 zones.</p>
<p>2.4.2.1 <i>Pursuant to 2.4.2 the land use by-law may regulate the number, size, height, illumination and location of signs.</i></p>	<p>N/A</p>
<p>2.6 <i>The development of vacant land, or of land no longer used for industrial or institutional purposes within existing residential neighbourhoods shall be at a scale and for uses compatible with these neighbourhoods, in accordance with this Plan and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</i></p>	<p>See 2.2, 2.4 above.</p> <p>Policy 3.1 – Repealed Policy 3.2 – N/A</p>

<p>2.7 <i>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.</i></p>	<p>The R-2T zone includes similar provisions concerning building placement and massing provisions as requires in the R-1 and R-2 zones. When comparing the building placement and massing provisions between the zones the R-2T zone:</p> <ul style="list-style-type: none"> <li>- Allows for a slightly larger lot coverage</li> <li>- Requires a larger building setback form adjacent properties</li> <li>- Allows for a smaller front yard building setback from the street</li> <li>- Requires a larger setback from the rear property line</li> <li>- Requires the same maximum height</li> </ul> <p>It is considered that the scale of the building that can be built under the R-2T zone is compatible with the existing neighborhood.</p> <p>Policy 3.1 – Repealed Policy 3.2 – N/A</p>
<p>2.8 <i>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).</i></p>	<p>The addition of townhomes to this area would increase affordability and add to the mix of residential housing types within the area.</p>
<p>2.9 <i>The City shall actively seek to influence the policies and programs of other levels of government in order to implement the City's housing policies and priorities, and shall also actively seek taxation preference as one method of encouraging rehabilitation of existing housing stock.</i></p>	<p>N/A</p>
<p>2.10 <i>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.</i></p>	<p>Controls for landscaping, parking, and driveways are regulated under the R2-T Zone in the Halifax Mainland LUB.</p>
<p>2.11 <i>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.</i></p>	<p>Controls for landscaping, parking, and driveways are regulated under the R2-T Zone in the Halifax Mainland LUB.</p>

<b>Part 9: Transportation</b>	
<b>Policy</b>	<b>Staff Comment</b>
<p>9.4 <i>The transportation system within residential neighbourhoods should favour pedestrian movement and discourage vehicular through traffic in both new and existing neighbourhoods. A pedestrian system that utilizes neighbourhood streets and paths to link the residents with the commercial and school functions serving the area will be encouraged.</i></p>	<p>HRM Development Engineering staff deemed the Traffic Impact Statement addendum acceptable, commenting that the estimated trips generated were of minimal impact. Cul de sac design discourages through traffic to connecting streets.</p> <p>Pedestrian sidewalks do not continue the length of Tremont Drive, causing school children to walk along the street with school hour congestion and parked cars. The application proposes a sidewalk connection on the proposed street to the section of existing sidewalk that discontinues at 20 Tremont Drive, as well as a pathway connection from the proposed street to the bottom of Tremont Drive, encouraging a pedestrian system available for residents to connect to both commercial and school functions. There is intent in this application, however it is important to note that HRM does not have regulations in place to ensure this pathway connection, or connection of sidewalk along Tremont Drive as this application is for a re-zoning.</p>

<b>IMPLEMENTATION POLICIES</b>	
<b>Policy</b>	<b>Staff Comment</b>
<p>3.1.1 <i>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.</i></p>	<p>The application is consistent with Policy 2.4 (see 2.4 above).</p>
<p>4. <i>When considering amendments to the Zoning By-laws and in addition to considering all relevant policies as set out in this Plan, the City shall have regard to the matters defined below.</i></p>	
<p>4.1 <i>The City shall ensure that the proposal would conform to this Plan and to all other City by-laws and regulations.</i></p>	<p>Staff are of the opinion that the proposal conforms with the intent of the HRM policies as outlined above.</p>
<p>4.2 <i>The City shall review the proposal to determine that it is not premature or inappropriate by reason of:</i></p>	
<p><i>i) the fiscal capacity of the City to absorb the costs relating to the development; and</i></p>	<p>There is no cost to the Municipality related to this proposed development as all costs will be borne by the developer.</p>

<i>ii) the adequacy of all services provided by the City to serve the development.</i>	The proposal has identified connections to existing services within Tremont Drive.
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**HALIFAX REGIONAL MUNICIPALITY  
Public Information Meeting  
Case 21088**

***The following does not represent a verbatim record of the proceedings of this meeting.***

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**Wednesday, November 29, 2017  
7:00 p.m.**

**Rockingham United Church Hall, 12 Flamingo Drive, Halifax**

**STAFF IN**

**ATTENDANCE:** Brittney MacLean, Planner, HRM Planning  
Iain Grant, Planning Technician, HRM Planning  
Genevieve Hachey, Planning Controller, HRM Planning

**ALSO IN**

**ATTENDANCE:** Councillor, Russell Walker, District 10  
Connor Wallace, WSP

**PUBLIC IN**

**ATTENDANCE:** Approximately 91

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The meeting commenced at approximately 7:00 p.m.

**Call to order, purpose of meeting – Ms. MacLean**

Ms. MacLean introduced herself as the Planner for the application. She also introduced; Russell Walker - Councillor (District 10); Carl Purvis – Planning Applications Program Manager, Genevieve Hachey – Planning Controller, Iain Grant - Planning Technician, Connor Wallace, applicant with WSP

Case 21088 - Application by WSP Canada Inc. to rezone lands at 20 Tremont Drive (3 PID's), Halifax from R-1 (Single Family Dwelling) Zone and R-2 (Two-Family Dwelling) Zone to R2-T (Townhouse) Zone.

Ms. MacLean explained; the purpose of the Public Information Meeting (PIM) is: a) to provide information on the project; b) to clarify any confusion surrounding the application; c) to explain the Planning Policies and the stages of the Planning Process; d) an opportunity for Staff to receive public feedback and answer questions regarding the proposal. This feedback is recorded and helps Planning Staff make recommendations. No decisions are made at this PIM.

**1. Presentation of Proposal – Brittney MacLean**

Ms. MacLean provided a brief introduction to the application and then made a presentation to the public outlining the purpose of the meeting, status of the application and the developer's request. Ms. MacLean outlined the context of the subject lands and the relevant planning policies. Ms. MacLean explained the process that this planning application will go through and how decisions are made.

**Applicants Presentation – Connor Wallace**

Mr. Wallace explained what they were looking to do on this site, the studies that they have done in regards to the property, including a traffic study and where they currently stand in the planning process. Mr. Wallace explained the history of this application and how it has changed since 2015. Under current zoning this property could accommodate 7 to 8 single family homes, the purpose of this application is to change the zoning to allow for townhouses to be built.



### **Questions asked during the presentation (unknown persons):**

1. What dates were the data from the traffic study collected – A: During 7 days, from the 13<sup>th</sup> to the 18<sup>th</sup> of June 2012 (Connor will have to confirm this as this is not 7 days)
2. Who did this study – A: The Engineer was Kevin O'Brien, his name is on the traffic study located on the HRM website
3. What were the peak hours that were recorded? – A: they were identified during the drop off and pickup times for the school
4. Were the cars on Wren Street counted? – A: Mr. Wallace stated that Wren street was not included in the count and that they would consider including it if it was warranted.

## **2. Questions and Comments**

**Brian Jessop – Tremont Drive** - You talked about the zoning and the area, the access to and from this development will be on Tremont Drive. Everything around here is R1 Zone. They would like to know who owns the property that juts out where the sidewalk comes across near the North side of the property. The traffic study was done in June of 2012, this study does not reflect the activity on this street, more people walk in June than in the winter. This project does not align with the neighborhood, the square footage or structural design of the property in this R1 zone.

**Ms. MacLean – Planner** - HRM is investigating who owns this property. They also explained what the lot requirements for the R2T zone.

**Barbara Clow – Tremont Drive** - Barbara agrees with everything that Brian said, please come by when the garbage trucks come through, when Christmas shoppers are out or any day in February to see the traffic. They have concerns about what this property will look like, how much of the top of the hill be removed, how big will the retaining walls be? They have a home based business and don't want to have to listen to blasting and drilling for two years. They also have concerns about the blasting and potential damage that could be done to people's private property.

**Wendy Luciano – Tremont Drive** - Ms. Luciano's property is L shaped and next to the property in question, the developer has taken part of her property and put their survey markers 5 feet inside the area that her survey markers where they are located. They have concerns that this project will take some of her property without her permission. What will HRM do about this, they feel that HRM is dismissing this?

**Ms. MacLean - Planner** - HRM is aware of this, is looking into it and we can discuss it at another time.

**John Bingham – Tremont Drive** - I was appalled by the traffic report that does not capture in any way what goes on on that street between 8:15 and 8:45. The data should be taken at another time of year, perhaps in the winter months, there are many children that also walk on the street, there are no sidewalks here. This is not a safe street, it has many issues now and this proposal will not make it any better. The density of this project does not fit this neighborhood. They have concerns about transparency during the planning process, does the public have access to everything that goes on during the process? How is the compatibility of this proposed plan assessed?

**Ms. MacLean – Planner** - we do have guiding principles in regards to compatibility. Ms. MacLean showed the principles on the power point presentation and spoke to the different compatibility points. They explained that during the process the website is updated with any additional information, they are also available to speak to residents or email with residents at any point.

**Tara Imlay – Tremont Drive** - They have a 2 year old daughter at home and are very concerned about the noise and truck traffic. They work from home and feel that the noise will interfere with that work. There are overcrowding issues in the school, adding more people will not help. They are concerned about what this will do to property values, this development is not in keeping with the rest of

the area. If this zoning request goes through it is their understanding that there is little to no oversight on what the development will look like and what the developers will do with the landscape.

**Ms. MacLean** – HRM did request mapping showing what the development would look like and that is taken into accordance however they are correct.

**Miles McGehee – Tremont Drive** - They agree with everything that people have said. It seems as if only 10% of the vegetation would remain and they would like to see more.

Ms. MacLean – The Land Use By-Law does not have requirements for trees, we cannot require that a certain number of trees need to be present. The trees are currently in the plan, the developer has said they want to keep the trees there.

**Connie Wanlin-Iskra – Tremont Drive** - They also agree with what has been said tonight. They have two children that are walked to and from school in the morning, at lunch and in the afternoon. We take our lives in our hands every time. They have nearly been hit more than once, when there is snow it can be one single lane on this street. This street is a hill, it goes up at a 45 degree angle. This is a very steep property, how will they be able to build this, they will have to remove the top of the hill. The blasting will directly impact the entrance to the school.

Ms. MacLean – They wanted to advise the residents that they have gone out to see the location on a weekday afternoon and have seen the lack of a sidewalk, the traffic and the children weaving in and out of the vehicle traffic.

**Uchenna Ezurike – Carroll Lane** - Their biggest concern is the lack of sidewalks. Only Rockingham school in HRM has no sidewalk. This is a safety concern.

**Eric Stotts – Nightingale Drive** - They are an architect and has witnessed the implementation of HRM by Design and the Centre Plan. They have witness the rampant development of development on the Mainland. There is no oversight on the construction in this area. The urban sprawl is now coming back on itself to reclaim any pockets of wilderness within the city. They are concerned of the long term implications of developments like this one, the effect it will have on the system that currently has issues. The flash flooding on the Bedford Highway is an example of this. They are concerned that this will set a precedence and threaten the remainder of the undeveloped pockets in neighborhoods. They recommend that HRM reject this rezoning application until a viable site strategy plan is advanced that looks at the negative short and long term impacts of projects like these. These remaining pockets of nature are a valuable asset and they should be acknowledged and treated as such.

**Mark Robins – Canary Cres.** - Their main concern is how dangerous this road is, especially in the winter, it is also a blind curve. Could HRM not develop it from Forest Hill as opposed to Tremont?

**Nate Selig – Tremont Drive** - The traffic study was done in 2012, there are 100 more students that go to this school now. Parking has been taken away on half of the road because it was deemed to be too narrow. Resident is concerned that the developers can change their minds once the zoning change has come into effect, remove more of the landscape, add more townhouses, etc. Will there be enough parking for this project, there is no more room on Tremont to have parking.

**Ms. MacLean** – The developers would be able to change certain aspects of the project as long as they fall within the current Land Use By-Law, they explained where to find this on the HRM website. There are regulations within the By-Law in regards to parking.

**Larry Nicholson – Tremont Drive**- They have taken pictures of the street and traffic and would like them to be included in the public record.

**Mr. Purvis** explained how to get the information circulated to the coucillors that will be making decisions.

**Henry Hintze – Tremont Drive** - It is a very steep hill at this property going down to Tremont, how will the snow be taken care of on this sidewalk? They have once had major water damage due to blasting, about

30 000\$. If this happens again, will the developer reimburse him? They would like the developer to know that there is underground water on this property as well.

**Mr. Wallace** – The maintenance of this pathway would be something that would be discussed with HRM as we go forward with this application. This will be looked at with more detail. The developer has the current intent of not doing any blasting.

Ms. MacLean – The engineering department would be looking at this project and the blasting that may be required. You can contact 311 to request contact from someone in regards to blasting. During the permit application process is when they would have to show more detail in regards to the road and potential blasting that may have to be done.

**Fran Murdoch – Torrington Drive** - Their area has also become congested with traffic. Their main concerns are that they will have to cut the top of the hill off, this will cause all the noise that comes from the Fairview Container lands to come directly through to the school and their property. The noise is currently blocked by the hill and the vegetation. What impact will this project have on the current sewage system that is there for the 1 to 20 Tremont addresses. The sewage system that is here is very old. Any damage received by blasting is not covered by house insurance.

**Ms. MacLean** – Halifax water will review this case and provide information in regards to their system.

**Ruth Roussy – Tremont Drive** - Resident is concerned with the excavation and what impacts it will have on the property values. They have consulted with an Engineer that has managed rock quarries for 30 years. His feedback states that this is a mass excavation and is of high risk, it will require blasting, they can expect extreme vibration tremors and noise and they do not know how HRM can approve this so close to houses. Surrounded property values will be in jeopardy from excavation alone. Even if the developer offers property insurance that home owners should purchase their own insurance. They are confident that there will be property damage due to the proximity of the project. They have brought a handout with this information and circulated it to the people in attendance.

**Kelsey Green – Falcon Place** - They have 3 kids that attend the school here. It is very difficult in this area getting children to school and getting out of the area. The other day the principal and other teachers had to go out to direct traffic so children wouldn't get hit by vehicles. In the afternoon the kids used to come out at two different times and now they all come out at once. On the website it talks about the Bedford Highway Secondary plan however this property is not near that. The road will have to be so steep here to get up this hill, they would have to take at least 4 meters off the top of the hill in order to have an acceptable grade. There will be blasting. Are the Integrated Mobility Plan, low impact design and HRM's Forest Management plan being considered? Half of the cars on this street are teachers, they are on the street all day. The only available parking on the street is sometimes a few spots at the bottom. If this project goes through any excess vehicles will have to park on Tremont and will contribute to all the vehicle issues. Does the Traffic Study include other modes of transportation or just vehicle? How is the traffic studied? They feel that there is not enough up to date information available to make a decision about this application.

**Ms. MacLean – Planner** - will look into question of the Bedford Highway Secondary Plan and get back to the resident.

**Carl Purvis** – (Carl has stepped in to answer this question because Ms. MacLean lost their voice due to a cold). Council assesses these questions. They look at this project through the lenses of the various plans and criteria that come into play in this area. The traffic study looks at vehicles only however HRM staff look at the traffic integration as a whole, including busses, pedestrians and cyclists. HRM engineers will assess all these issues and see if lights and crosswalks would be necessary. HRM Traffic Services received comments from the Traffic Study from WSP engineers and Halifax Water and is reviewed by internal HRM Engineers.

**Molly Rogers – Falcon Place** - They work in the area at a daycare. They agree with all the traffic issues spoken about tonight. For the past three years they have been walking children as young as 4 years old to and from 22 Carroll Lane to and from the school with up to 15 children between 8:15 and 8:45 and 2:45 and 3:15. They feel as if HRM and the developers are not considering that there is a

preschool in this area. There is also a preschool at the bottom of the street where they walk kids on this street every day. The children will be affected by the blasting as they play in the yard.

**Megan Stevans – Starling Street** - I grew up in this neighborhood, this neighborhood is made up of the people that live here and the strength of the community. This property will be developed, it should be developed as single family homes not townhouses. This street is unsafe and HRM needs to put in a sidewalk.

**Heather Lynch – Rockhaven Drive** - This project does not fit in this neighborhood, the traffic data from 2012 is too old and doesn't take into account all the development and changes that have happened since then. There are more houses, more children going to the school.

**Dennis Decker – Carroll Lane** - One question has not been answered tonight, why is the applicant intent on rezoning this property? During the construction period there will be lots of truck traffic, for up to two years, the traffic study must include this information in the study.

### **3. Closing Comments**

**Ms. MacLean** thanked everyone for coming and expressing their comments.

### **4. Adjournment**

The meeting adjourned at approximately 9:12 p.m.