

HALIFAX

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

Item No. 15.1.3
Halifax Regional Council
October 29, 2019

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed by 

SUBMITTED BY: _____
Jacques Dubé, Chief Administrative Officer

DATE: October 2, 2019

SUBJECT: **Case 22050: Municipal Planning Strategy and Land Use By-law amendments for Parkmoor Avenue, Hayes Street and Charlton Avenue (PID 00277228), Halifax**

ORIGIN

Application by RMP Development Consulting Ltd.

LEGISLATIVE AUTHORITY

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

RECOMMENDATION

It is recommended that Regional Council direct the Chief Administrative Officer to:

1. Initiate a process to consider amendments to the Municipal Planning Strategy for Halifax and the Land Use By-law for Halifax Mainland to permit a comprehensive residential development with modified lot requirements on a portion of the lands identified as PID 00277228, near Parkmoor Avenue, Hayes Street and Charlton Avenue, Halifax; and
2. Request staff to follow the public participation program as adopted by Council in February, 1997.

BACKGROUND

RMP Development Consulting Ltd., on behalf of FH Development Group Inc., is applying to permit a comprehensive residential development on a portion of the lands identified as PID 00277228, near Parkmoor Avenue, Hayes Street and Charlton Avenue in Halifax. This proposal cannot be considered under existing policies and as such, the applicant is seeking amendments to the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-law. The applicant's preferred amendment includes altering the subject site's existing land use designation and zoning, which would also allow the applicable lot requirements (e.g. lot frontage, lot area, lot coverage, setbacks, etc.) to be modified.

Subject Site	A portion of PID 00277228
Location	Parkmoor Avenue, Hayes Street and Charlton Avenue, Halifax
Regional Plan Designation	Urban Settlement
Community Plan Designation (Map 1)	Low-Density Residential and Residential Development District
Zoning (Map 2)	R-1 (Single Family Dwelling) Zone, R-2 (Two-Family Dwelling) Zone and H (Holding) Zone
Size of Site	27 Hectares (66.58 Acres)
Street Frontage	125.9 metres (413 feet)
Current Land Use(s)	Vacant
Surrounding Use(s)	Low-density residential dwellings to the north and northwest; Ace Lumber Mart and Tremblay Signs Limited to the east; and vacant land elsewhere

Proposal Details

The applicant wishes to build a comprehensive development consisting of low-to-medium-density residential uses. This proposal contains 234 residential lots (248 units) on a 19.6 hectare (48.4 acre) portion of the subject site. Under the existing zones, approximately 194 as-of-right units could be supported. The applicant also intends to develop seven additional lots (14 units) on an abutting site, PID 00277194, in accordance with as-of-right zoning provisions. No lots / units have been approved at this time. In regard to the subject site, the major aspects of the proposal are as follows:

- 197 single-detached dwelling lots;
- 14 semi-detached lots (28 units);
- 23 townhouse lots;
- Two neighbourhood parks (approximately 0.26 and 0.09 hectares respectively);
- A passive park (approximately 0.77 hectares);
- A conservation / undeveloped area; and
- A Parkmoor Avenue extension, second access onto Herring Cove Road and internal road network.

MPS and LUB Context

The Regional Municipal Planning Strategy (RMPS) states that the subject site is located within the Urban Settlement Designation. This designation encompasses areas where HRM has approved serviced development and undeveloped lands that shall be considered for serviced development during the RMPS lifespan. The RMPS contains several objectives that direct housing and settlement in HRM, including the following: 75% of new housing should be developed in the Regional Centre and urban communities; focus new growth in centres where supporting services and infrastructure are already available; and design communities that protect neighbourhood stability and support neighbourhood revitalization.

The subject site contains two designations. The portion of the subject site that would support the proposed development is designated Low-Density Residential in accordance with the Mainland South Secondary Planning Strategy (SPS), which is a subsection of the Halifax Municipal Planning Strategy (MPS). This designation is intended to support areas that are predominately single-family and two-family dwellings in character. The remaining, rear portion of the subject site is designated Residential Development District, as per the SPS. These areas shall: support residential areas that are planned or developed as a whole or

in phases under a unified site plan; and provide a mixture of residential uses and related recreational, commercial and open spaces, with an emphasis on a mix of dwelling types.

The subject site is located in three zones, as per the Halifax Mainland Land Use By-law (LUB). The large midsection of the subject site is located in the Single Family Dwelling (R-1) Zone, which permits detached dwellings, small daycares within dwellings, churches and church halls and limited recreation uses. The northeastern portion of the site is located in the Two-Family Dwelling (R-2) Zone, which permits two-unit dwellings in addition to R-1 Zone uses. The remaining lands - those within the Residential Development District Designation - are zoned Holding (H), which permits detached dwellings (with on-site services) and limited recreation uses.

Case 20120

The property owner submitted a rezoning application for the subject site several years ago. At that time, the owner sought to rezone a portion of PID 00277228 from the R-1 (Single Family Dwelling) Zone to R-2 (Two-Family Dwelling) Zone and another portion from the R-2 Zone to R-1 Zone. The proposal would have yielded 309 units, approximately a 59% increase over what was permitted as-of-right. Community Council refused the rezoning request on February 14, 2017 noting that the proposal did not carry out the intent of MPS City-wide Policy 2.4 (See Attachment C). Community Council's decision was appealed, but ultimately upheld by the Nova Scotia Utility and Review Board.

Herring Cove Road Functional Plan

In 2019, HRM and a consultant team began work on the Herring Cove Road Corridor Functional Plan. A deliverable of the Integrated Mobility Plan (IMP), this project involves the assessment of existing traffic operations and development potential of abutting lands, along with recommended design options. The Herring Cove Road Functional Plan is expected to be finalized in late-2019 or early-2020.

The proposed development is proposed to have two access points onto Herring Cove Road; the existing Parkmoor Avenue and a new street named Margaret Meaghers Drive (near the subject site's easternmost boundary). That noted, the Herring Cove Road Corridor Functional Plan will study Herring Cove Road's ability to support current and future development. At the present time, 2,669 residential units are either being developed or have been approved in concept along Herring Cove Road.

DISCUSSION

The MPS is a strategic policy document that sets out the goals, objectives and direction for long term growth and development in this area of the Municipality. While the MPS provides broad direction, Regional Council may consider MPS amendment requests to enable proposed development that is inconsistent with its policies. Amendments to an MPS are significant undertakings and Council is under no obligation to consider such requests. Amendments should be only considered within the broader planning context and when there is reason to believe that there has been a change to the circumstances since the MPS was adopted, or last reviewed.

Applicant Request

31 of the 234 proposed residential lots can be developed in accordance with the subject site's current zoning: 17 single-detached dwelling lots within the R-1 (Single Family Dwelling) Zone; and 14 semi-detached lots (24 units) within the R-2 (Two-Family Dwelling) Zone. As such, the applicant is seeking amendments to develop smaller lots, thus effectively increasing the subject site's residential density. A summary of the requested lot requirements is provided below, while additional details are included in Attachment A:

Current Zone / Lot Requirements					
Lots	Existing Zone	Min. Lot Frontage	Min. Lot Area	Min. Side Yard	Max. Lot Coverage
17	Single Family Dwellings (R-1)	15.2m (50ft)	464.5m ² (5,000ft ²)	2.43m (8ft)	35%

14	Two-Family Dwelling (R-2)	15.2m (50ft)	464.5m ² (5,000ft ²)	2.43m (8ft)	35%
0	Townhouse Units (R-2T)	5.5m (18ft) per interior unit; 8.5m (28ft) for both exterior units	167.2m ² (1,800ft ²) per unit, plus 185.8m ² (2,000ft ²)	3.05m (10ft)	40%
Amended Zone / Lot Requirements					
Lots	Residential Use	Min. Lot Frontage	Min. Lot Area	Min. Side Yard	Max. Lot Coverage
104	Single-Detached Dwellings	10.36m (34ft)	315.9m ² (3,400ft ²)	1.22m (4ft)	40%
76	Single-Detached Dwellings	12.19m (40ft)	371.6m ² (4,000ft ²)	1.22m (4ft)	40%
23	Townhouse Units	6.1m (20ft) per unit	150m ² (1,615ft ²) per unit	3.05m (10ft)	40%

Preferred Amendment

The applicant is requesting that the subject site be re-designated from the Low-Density Residential Designation to the Residential Development District Designation and rezoned from the R-1 and R-2 Zone to the Residential Development District (RDD) Zone. If approved, the applicant will seek to develop a residential development district via development agreement, in accordance with SPS Policy 1.5.1 (See Attachment D), which allows for the consideration of *other development*, including undersized lots.

Alternative Amendment

Alternately, the applicant suggests that Regional Council could amend the SPS and create new sub-zones that utilize alternate lot frontage, lot area, lot coverage, and setback requirements (See Attachment A).

Applicant Rationale

The applicant provided the following rationale in support of the proposed amendment(s):

- The application contributes to the Provincial Statement of Interest regarding housing;
- The proposal provides homes on smaller lots, which results in reduced costs for potential homeowners (in terms of purchase price, maintenance and taxes);
- The *Halifax Housing Needs Assessment – Final Report 2015* and recent Census data show that housing costs are increasing, and thus there is a need for affordable housing;
- The MPS' City-wide objectives and policies for Residential Environments (See Attachment C) are relevant to the subject application; and
- The subject site is in proximity with the Spryfield potential transit-oriented community, as identified by HRM's Integrated Mobility Plan.

Attachment A contains the applicant's rationale letter.

Staff Review

Staff have reviewed the submitted rationale in the context of site circumstances and surrounding land uses, and advise that there is some merit to consider the subject request.

Provincial Statement of Interest Regarding Housing

This Provincial Statement requires that municipal planning documents have policies to address affordable housing, special-needs housing and rental accommodations. The application letter (See Attachment A) references a portion of the Provincial Statement that outlines considerations for planning documents, such as *enabling higher densities, smaller lot sizes and reduced yard requirements that encourage a range of housing types* to enhance affordability. Staff note that this site-specific request is consistent with this Provincial Statement, as the applicant is requesting higher residential density and reduced lot sizes. Staff also acknowledge that these measures may be more effectively assessed and applied at a community wide, rather than site-specific, level.

Affordable Housing

The *Halifax Housing Needs Assessment – Final Report 2015* suggests that housing costs throughout HRM are rising. The mounting cost of housing and affordability concerns are the greatest change in circumstance

since the MPS was last reviewed. The applicant states that the proposed development will provide affordable housing options to the community. This is a reasonable assumption; a dwelling constructed on a large lot should be more expensive than the same dwelling constructed on a smaller lot (provided that all other development and market conditions remain constant). Staff caution, however, that the application package does not include projected housing / land costs, nor does it state that the Canada Mortgage and Housing Corporation (CMHC) definition of affordable housing (i.e., housing that costs less than 30% of a household's before-tax income) will be satisfied. The applicant has stated that the property owner does not intend to work with government to provide subsidized (or non-market) housing; instead, they will contribute to affordability by applying additional supply through the housing market.

RMPS & MPS

The applicant's request is generally consistent with the broad intent of the RMPS. The request would contribute to the RMPS' objective of directing new housing to urban communities surrounding the Regional Centre, which contains supporting services and infrastructure. The request is also generally consistent with Policy S-9 of the RMPS, which states that a secondary planning strategy for the Spryfield Urban District Growth Centre should provide opportunities for low-to-medium-density residential development adjacent to established neighbourhoods, subject to key considerations. The objective pertaining to protecting neighbourhood stability may be achieved by a comprehensive residential development, as well.

The applicant believes the request contributes to several MPS city-wide objectives for residential environments; policies that *speak to encouraging well planned development that integrates with existing built form*. Staff note that a comprehensive residential development could be designed in a manner that aligns with the city-wide objectives of the MPS. Staff suggest that initiating a plan amendment process would allow the community and Regional Council to explore the issues of neighbourhood stability and context sensitivity in greater detail.

Case 20120

As discussed, Community Council rejected a rezoning request that would have increased the subject site's residential density from approximately 194 to 309 units through the construction of detached and semi-detached dwellings. The request was rejected in accordance with MPS Policy 2.4 for Residential Environments (See Attachment C), which aims to promote neighbourhood stability and retain existing residential character.

The MPS' city-wide policy for residential environments will be a key consideration in the requested planning process. The current application is a more significant application (MPS amendment versus rezoning request), which would introduce smaller lots and a new residential typology (i.e., 23 townhouse units) into the neighbourhood. Staff acknowledge that the impact of smaller residential lots on the surrounding neighbourhood character must be assessed further, should this request be initiated.

The current proposal includes several characteristics that may aid in facilitating neighbourhood stability and maintaining the established residential character. The proposed development would contain a higher concentration of detached dwellings than the 2017 proposal, thus complementing existing low-density residential uses. The proposed development would create 248 units (61 fewer units than the 2017 proposal). Staff also note that the proposed townhouses would be located at the southern portion of the subject site, a significant distance (over 350 metres) from existing residential dwellings.

SPS Policy 1.5.1

Staff have some concerns about the applicant's preferred amendment. The applicant's preference is to develop a residential development district via development agreement, in accordance with SPS Policy 1.5.1 (See Attachment D). Policy 1.5.1 states that "*other development*", which includes higher density residential uses, institutional uses, neighbourhood commercial uses, and commercial convenience centre uses that can be considered via development agreement within the Residential Development District Designation. The surrounding area is predominately defined by detached and semi-detached dwellings, and as such, staff are cautious about the long-term potential of introducing new land uses – commercial uses and high-density residential uses, in particular – into the established neighbourhood.

Herring Cove Road Functional Plan

The Herring Cove Road Corridor Functional Plan is assessing the existing traffic operations and development potential of abutting lands, which includes 2,669 residential units that are being developed or have been approved in concept. This Functional Plan process is ongoing, and the plan, which should be available in the coming months, should be used to inform the subject application (if initiated).

Staff's Recommended Approach

With these considerations in mind, staff advise that the applicant's preferred amendment (i.e., expanding the Residential Development District Designation) is not the best approach for the neighbourhood as it allows for the consideration of more intensive land uses, which could potentially compromise the MPS' desire to maintain neighbourhood stability. That noted, a comprehensive residential development with modified lot requirements could potentially be viable on the subject site if high-intensity land uses are not an option and careful consideration is given to the MPS city-wide policies for residential environments. As such, staff advise that a site-specific amendment request to consider single-detached dwellings, semi-detached dwellings and townhouses with modified lot requirements should be explored further. A full review would consider the following:

- The scope and appropriateness of different amendments options;
- The scope and appropriateness of different planning tools, such as zoning, development agreements or site plan approvals;
- The feedback received through community engagement initiatives;
- The feedback received from other HRM departments and teams; and
- The findings of the Herring Cove Road Functional Plan.

Conclusion

Staff have reviewed the proposed MPS amendment and advise that there is merit to consider some aspects of the proposal, specifically the development of single-detached dwellings, semi-detached dwellings and townhouses in accordance with modified lot requirements. Staff note that a site-specific amendment to consider such uses is in keeping with the Provincial Statement of Interest Regarding Housing and will likely provide more-affordable housing options, as the applicant is attempting to develop a comprehensive residential development on smaller lots. Staff also note that the amendment is generally consistent with the intent of the RMPS.

Staff note that alternate lot requirements for single-detached dwellings, semi-detached dwellings and townhouses could be generally consistent with the MPS city-wide policies for residential environments, though Community Council has demonstrated a high standard for assessing neighbourhood stability and compatibility during previous Mainland South requests. With these considerations in mind, in addition to the concerns raised in the previous subsection, staff recommend that Regional Council initiate an MPS amendment process to consider permitting a comprehensive residential development with modified lot requirements on a portion of the subject site. This site-specific MPS amendment process will allow the topics of housing affordability, modified lot requirements, residential stability and compatibility to be assessed / discussed in greater detail.

Staff have provided two alternate recommendations for consideration. First, if Regional Council determines that there has been an insufficient change in circumstances since the MPS was last reviewed or a comprehensive residential development cannot adhere to applicable MPS policies, the site-specific MPS amendment process should be denied. Second, Regional Council could decide to initiate a modified amendment process, such as the exploration of a planning framework that allows modified lot sizes and requirements comprehensively, at a community-wide (rather than site-specific) level.

Staff has received several inquiries about potential lot area and frontage reductions in the Spryfield area (Herring Cove Road, in particular) in an effort to increase housing affordability, though to date, only one formal application has been received. The frequency of these inquiries suggests that concerns of housing affordability and LUB lot requirements may be general to the plan area. Thus, a more-comprehensive

amendment process could potentially generate housing affordability benefits throughout the Mainland South plan area.

COMMUNITY ENGAGEMENT

Should Regional Council choose to initiate the MPS amendment process, the *HRM Charter* requires that Regional Council approve a public participation program. In February of 1997, Regional Council approved a public participation resolution which outlines the process to be undertaken for proposed MPS amendments which are considered to be local in nature. This requires a public meeting to be held, at a minimum, and any other measures deemed necessary to obtain public opinion.

The proposed level of community engagement is consultation, achieved through a public information meeting early in the review process, as well as a public hearing, before Regional Council can consider approval of any amendments.

Amendments to the Halifax Municipal Planning Strategy will potentially impact the following stakeholders: residents.

FINANCIAL IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved 2019-2020 operating budget for C320 Regional Planning Program.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. This application involves proposed MPS amendments. Such amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed amendments are contained within the Discussion section of this report.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified at this time.

ALTERNATIVES

1. Regional Council may choose to initiate the consideration of potential policy that would differ from those outlined in this report. This may require a supplementary report from staff.
2. Regional Council may choose not to initiate the MPS amendment process. A decision of Council not to initiate a process to consider amending the Municipal Planning Strategy for Halifax is not appealable to the NS Utility and 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: Application Letter
Attachment B: Concept Plan
Attachment C: Excerpt from the Halifax Municipal Planning Strategy (MPS) - Section II: City Wide Objectives and Policies - Residential Environments
Attachment D: Excerpt from the Mainland South Secondary Planning Strategy (SPS) - Residential Environments

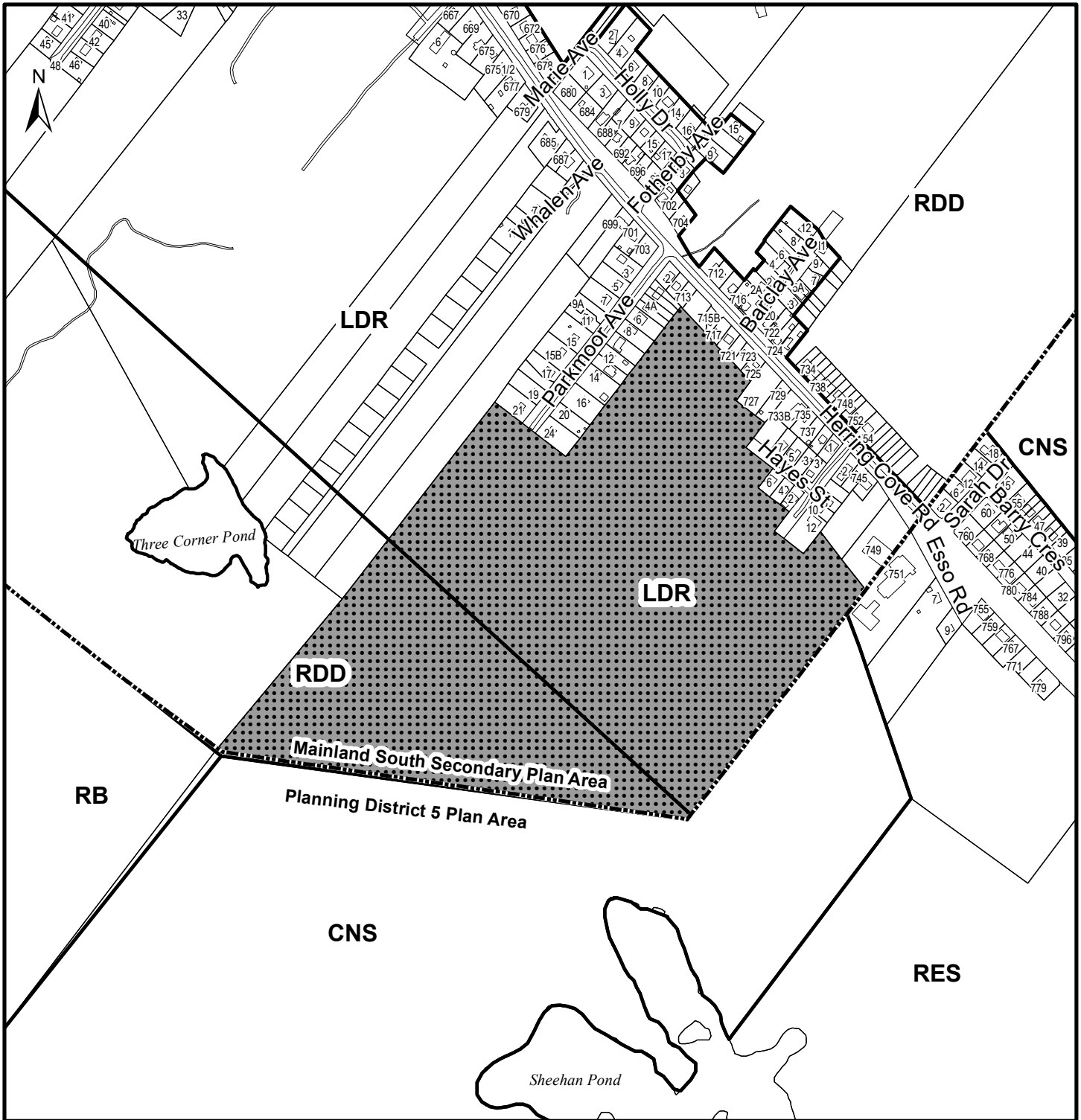
A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Jesse Morton, Planner II, 902.490.4844

Report Approved by: Original Signed
Eric Lucic, Regional Planning Manager, 902.430.3954


Financial Approval by: Original Signed
Jane Fraser, Director of Finance, Asset Management & ICT, 902.490.6308

Report Approved by: Original Signed
Kelly Denty, Director of Planning and Development, 902.490.4800



Map 1 - Generalized Future Land Use

PID: 00277228
Halifax

 Subject Property

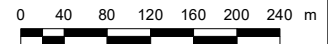
Planning District 5 Designation

- CNS Conservation
- RB Rural B
- RES Residential

Halifax Mainland South Designation

- INS Institutional
- LDR Low Density Residential
- RDD Residential Development District

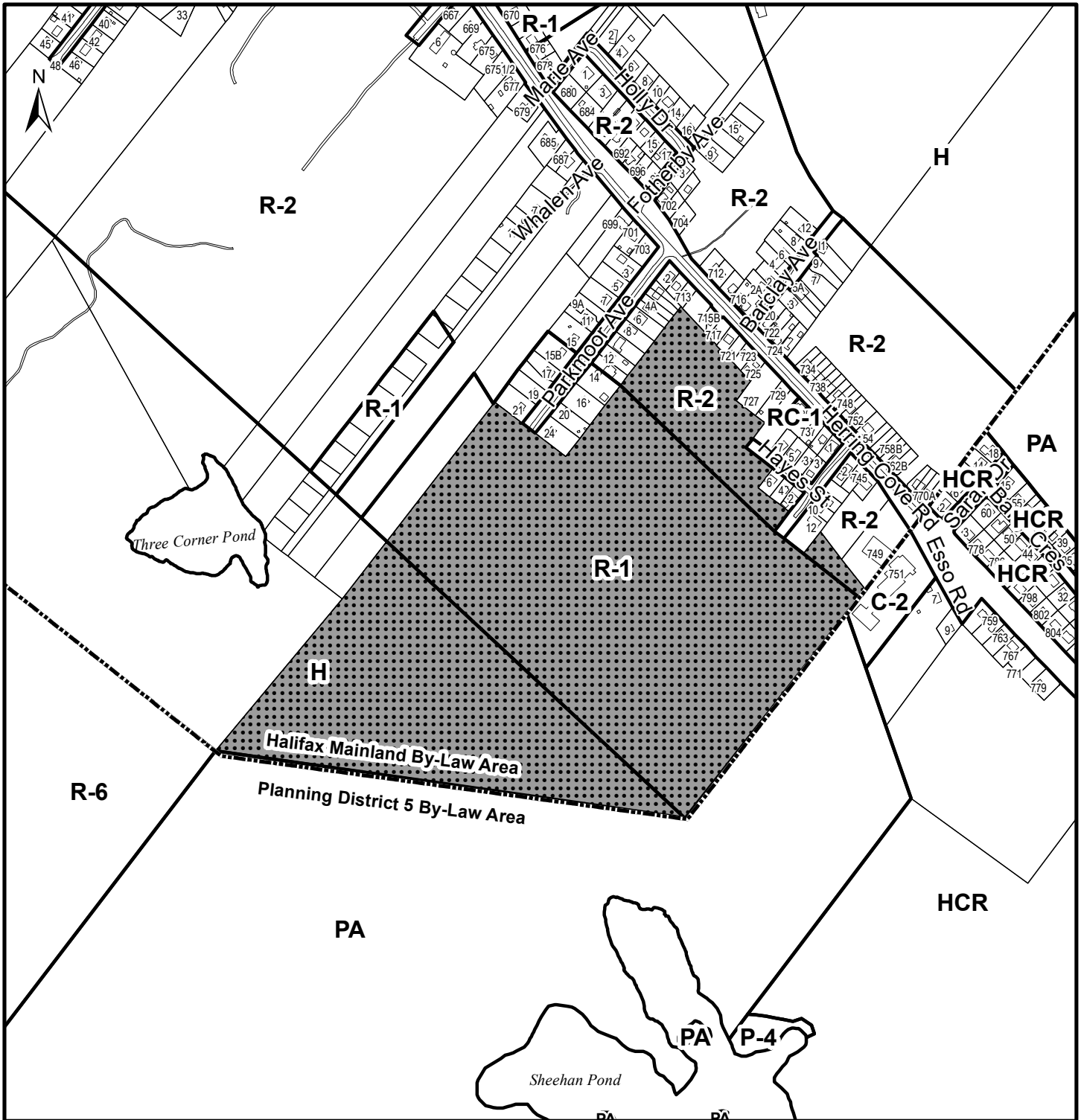
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This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

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

Halifax Plan Area,
Mainland South Secondary Plan Area



Map 2 - Zoning and Notification

PID: 00277228
Halifax

 Subject Property

Halifax Mainland
Land Use By-Law Area

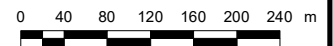
Planning District 5 Zone

- C-2 General Business
- HCR Herring Cove Residential
- P-4 Conservation
- PA Protected Area
- R-6 Rural Residential

Halifax Mainland Zone

- H Holding
- R-1 Single Family Dwelling
- R-2 Two Family Dwelling
- RC-1 Neighbourhood Commercial

HALIFAX



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.



January 22st, 2019

HRM Planning Services
PO Box 1749
Halifax, NS B3J 3A5

Attn: Jesse Morton

Case 22050 - Application to amend the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-law to permit the proposed residential development at PID 00277228.

Dear Jesse,

Please accept this letter as supplementary to the original application provided earlier in the fall. We are providing additional analysis and information to assist HRM in its evaluation of the proposal, and is a companion to the accompanying letter from RMP Consulting.

This letter addresses the following:

- Housing Affordability
- Policy Change: As-of right versus development agreement

1. Housing Affordability

The Halifax Charter establishes a Provincial Statement of Interest on Housing, which states, in part:

Depending upon the community and the housing supply and need, the measures that should be considered in planning documents include: enabling higher densities, smaller lot sizes and reduced yard requirements that encourage a range of housing types.



The need for affordable housing is supported by the study¹ conducted in 2015 by HRM which stated:

Average house prices in the Municipality have steadily increased from 2007 to 2014 and this trend is expected to continue. House prices saw an average year-over-year increase of 3.7% compared to the consumer price index which shows an average increase of 1.7% from 2007 to 2014. The average sale price of existing homes (more than half of which are single detached homes) in 2014 was \$279,294 while the average for new homes was \$375,847.

The recent Census data further supports the need for affordable housing, both market and non-market, in Halifax. Core housing need in Halifax is above the national average according to the census data from 2016.² Core housing need is defined by Stats Canada as, "...one whose dwelling is considered unsuitable, inadequate or unaffordable and whose income levels are such that they could not afford alternative suitable and adequate housing in their community".

By providing smaller houses on smaller lots costs will be reduced for the homeowner, both in terms of initial purchase price but also in maintenance costs and property taxes. By allowing more flexibility in lot coverage and setbacks, developers can create more dense residential forms that allow additional entrants into the housing market.

2. Policy Change – As of right development

In our original submission, we suggested that a policy to allow for a RCDD is in keeping with the existing policies and is well supported by other HRM studies. However, we understand that HRM is looking to reduce its administrative burden and move toward as-of-right development as much as possible. If HRM wishes to do this, then the following approach may be useful.

To accommodate the proposed development, HRM could create a new subzone in both the R-1 and R2T zones that include reduced lot provisions. In the R-1 zone, these provisions would allow for smaller lots and homes, thereby encouraging more housing affordability. In the accompanying letter, RMP Consulting outlines the lot requirements for the proposed development. The following chart compares these requirements with the existing lot provisions.

¹ Halifax Housing Needs Assessment Final Report 2015

² <https://www12.statcan.gc.ca/census-recensement/2016/dp-pd/chn-biml/index-eng.cfm>



Proposed alterations to R-1 provisions if as-of-right option is chosen

R-1 Lot Provisions	Existing provisions in LUB	Proposed to accommodate this development
Minimum lot frontage	50 feet	34 feet
Minimum lot area	5000 square feet	3400 square feet
Maximum lot coverage	35 %	40%

The proposed development also includes an area of townhouses, which is generally consistent with the existing zoning R-2T provisions in the LUB. The only requested change to this zone would be a reduction of 10% in the minimum lot area from 1800 sq. feet per townhouse plus an additional 2000 feet to a lot area of 1615 square feet per unit.

Other than the minimum lot area, the proposed lot configuration in the R2 zone will meet existing land use bylaw regulations.

Summary:

The proposed lot configuration does vary from existing lot provision standards. However, given the SPI on Housing, recent studies completed by HRM, the 2016 census data and the general trend in municipal planning to provide increased flexibility to encourage innovative and affordable subdivision development, these changes are reasonable.

The requested changes to the zoning provisions, if HRM chooses this option, are relatively minor in nature, requiring a 10-20% reduction to the existing lot provisions.

If you have any questions, please feel free to contact me directly.

Sincerely,

Chrystal Fuller, LPP, MCIP



January 2, 2019

HRM Planning Services
PO Box 1749
Halifax NS B3J 3A5

Attention: Jesse Morton

Dear Jesse,

Re: Supplemental and Amending Information for Case 22050: Application to Amend the Halifax Mainland South Secondary Planning Strategy and Land Use By-Law and to Enter in to a Development Agreement to allow the Development of Single Family Dwellings, Two-Family Dwellings and Townhouses.

On behalf of our client FH Development Group Inc, we have requested an amendment to the Halifax Mainland South Secondary Planning Strategy (MSSPS) for a portion of the lands identified by PID 00277228 at Parkmoor Avenue, Hayes Street and Charlton Avenue Halifax. The requested amendment is to enable residential development on a portion of the lands by development agreement.

The subject property, PID 00277228, is a vacant parcel which has a total area of 27 hectares and 50.5 meters of street frontage. It is designated Urban Settlement in the Regional Plan and portions are designated Residential Development District (RDD) and Low Density Residential (LDR) in the Mainland South Secondary Planning Strategy. The Halifax Mainland Land Use By-Law applies three zones on portions of the property which are noted as R-1 (Single Family Dwelling), R-2 (Two-Family Dwelling) and H (Holding).

To meet market demand and address affordability the application proposes to amend the MSSPS to designate the portion of the lands designated LDR to RDD, amend the Land Use By-Law to rezone from R-1 and R-2 to CDD and enter a development agreement to allow single family lots with minimum frontages/areas of 34ft/3,400sqft, 40ft/40,000sqft and 50ft/50,000sqft, and two family lots with minimum frontages/areas of 50ft/50,000sqft as well as townhouses and parkland as illustrated on the enclosed revised concept plan, issue 2 dated November 14, 2018, and explained in the enclosed planning rationale letter.

The lots illustrated on the concept plan as 50 foot frontage single family and 50 foot frontage semi detached are conforming uses with the current respective zones of R1 and R2 in Land Use By-law for the subject property. The proposal for the remaining portion of the land illustrated on the concept plan as 34 foot frontage single family, 40 foot frontage single family and townhouse would meet the following requirements.

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For lots designated on the concept plan as 34 foot frontage:

(a)	Minimum lot frontage	10.36 metres (34 feet) On cul-de-sac bulbs or streets with radius less than 100 metres (328 feet), the frontage requirement may be reduced no more than 20%
(b)	Minimum lot area	315.9 square metres (3,400 square feet)
(c)	Maximum Height	10.67 meters (35 feet)
(d)	Minimum front yard	6.1 metres (20 feet)
(e)	Minimum rear yard	6.1 metres (20 feet).
(f)	Minimum side yard	1.22 metres (4 feet) and no less than 3.65 meters (12 feet) between buildings
(g)	Maximum lot coverage	40%

For lots designated on the concept plan as 40 foot frontage:

(a)	Minimum lot frontage	12.19 metres (40 feet) On cul-de-sac bulbs or streets with radius less than 100 metres (328 feet), the frontage requirement may be reduced no more than 20%
(b)	Minimum lot area	371.61 square metres (4,000 square feet)
(c)	Maximum Height	10.67 meters (35 feet)
(d)	Minimum front yard	6.1 metres (20 feet)
(e)	Minimum rear yard	6.1 metres (20 feet).
(f)	Minimum side yard	1.22 metres (4 feet) and no less than 3.65 meters (12 feet) between buildings
(g)	Maximum lot coverage	40%

For lots designated on the concept plan as townhouse:

(a)	Minimum lot frontage	6.1 metres (20 feet) per unit
(b)	Minimum lot area	150.04 square metres (1,615 square feet) per unit
(c)	Maximum height	10.67 metres (35 feet) per unit



Development Consulting Ltd.

(d)	Minimum front yard	6.1 metres (20 feet) where parking is provided, in the front yard. This may be reduced to no less than 3.05 metres (10 feet) if parking is located in the building or the rear yard.
(e)	Minimum rear yard	7.62 metres (25 feet). Where parking is located in the rear yard, the minimum rear yard setback shall be 9.14 metres (30 feet).
(f)	Minimum side yard	3.05 metres (10 feet) per block, 0 on common boundary between units
(g)	Maximum number of units per building	5 units
(h)	Minimum Unit Width	5.5 metres (18 feet)
(g)	Maximum lot coverage	40%

As an alternative to the above proposal it would also be acceptable to our Client for an amendment to the Halifax Mainland South Secondary Planning Strategy to create a residential zone for the property that would allow the requested uses. This option may be more desirable for the Municipality as it would reduce the administrative burden of administering a development agreement.

We trust the information provided is sufficient to move forward with the application. Please contact me should you require any additional information or clarification.

Sincerely

RMP Development Consulting Limited

Robert MacPherson, P.Eng.
President

cc Client



October 4th, 2018

HRM Planning Services
 PO Box 1749
 Halifax, NS B3J 3A5

RE: Planning Analysis regarding application to amend the HMSSPS and LUB and enter into a Development Agreement – Parkmoor Ridge.

As referred to in the cover letter from RMP Development Consulting, FH Development Group Inc. is requesting an amendment to the MSSPS and the rezoning of the subject property (a portion of PID 00277228) to a residential development district (RDD). Concurrent to the Plan amendment and rezoning, the applicant is seeking approval of a development agreement to permit a range of low and medium residential dwellings which will complement the existing neighbourhood and encourage a development form that supports a complete community approach.

1 Planning Designations and Zones

	Current	Proposed
Regional Plan Designation	Urban Settlement	Urban Settlement
MSSPS Designation	RDD and Low Density Residential	RDD for all lands
Zone	R1, R-2 and Holding Zone	All R1 and R2 lands rezoned to a comprehensive development district, a small portion (.8 ha) of the Holding zone to be included in the CDD to provide a passive park
Transit Service Boundary	Within urban transit service boundary. Sub-boundary - suburban	Within urban transit service boundary. Sub-boundary - suburban.

2 Description of the development

The vacant 27-hectare site is bounded to the east by residential and some commercial uses. Although the subject site is designated Low Density Development, lands to the east of Herring Cove Road are designated RDD, and there have been at least two recent instances of upzoning in the immediate area of the development. This demonstrates the market need for “gentle density” and the consistency of the proposed development with what is around it.

The proposed development, named Parkmoor Ridge, will have 270 units, equaling 19.4 people per acres (ppa) based on 3.35 people per unit (ppu). The breakdown of the lots is as follows:

- 202 Single unit dwellings or 75% of units.
- 48 Semi detached dwellings or 18% of units.
- 20 Townhouse units or 7% of units.

An approximately 7 hectare portion of the site is zoned Holding and FH is not seeking any zoning or designation change to this portion of the property. (see attached site plan).

The provision of open spaces in and around this proposed developed is provided through a traditional neighbourhood park. A unique element of this development is the conservation area along the existing watercourse which will provide passive recreational opportunities and a feeling of space and nature within the neighbourhood. Finally, the 0.77 ha passive park will provide additional outside opportunities for the community.

3 Policy Review

The Halifax MPS allows for amendments through policy 7, which requires a Plan amendment for any proposed zoning change that does not conform to the GFLUM. To assist in the evaluation of this Plan amendment application, we are providing an analysis of other relevant policies that may guide Council when considering FH Development’s request.

The rezoning of the lands is guided by the policies in the Implementation Section of the Halifax MPS. Of note are the requirements to consider “all relevant policies as

set out in this Plan” and to consider the fiscal capacity of the City to absorb the costs relating to the development and the adequacy of all services.

The Land Development Distribution Strategy is referred to as a criterion for rezoning. However, this document is no longer relevant, and this rational letter does not provide any analysis of this.

As with any Plan Amendment, Council must examine the reasons why a change should occur outside a comprehensive Plan review process. What has occurred to warrant Council allowing a policy change? With the approval of the Integrated Mobility Plan (IMP), Council has set a new course regarding strengthening strategic growth centres to encourage the development of complete neighbourhoods while respecting established ones. I respectfully submit that the existing policies do not fully support this approach, and therefore policy changes are required. The IMP has criteria to evaluate projects, one of which examines if the project supports the design of complete communities. This Plan amendment will allow for project that supports the IMP’s goals, and objectives (see Section 4 for a closer examination of the IMP).

3.1 The Regional Plan Policies

The Regional Plan has designated this property within the Urban Settlement, which encourages growth in serviced areas. Objective 4 provides guidance for how communities are to be designed. These objectives focus on creating “attractive, healthy places to live” near goods and services, facilities and support complete neighbourhoods. Neighbourhood stability, accessibility to all mobility needs and connection with other communities are other stated objectives.

The proposed designation and zoning change will comply to this intent of these objectives by creating low and medium density development that is in proximity to trails, sidewalks, bus routes, recreational and community facilities and retail outlets. Additional analysis is provided later in this letter under the Integrated Mobility Plan analysis.

The Regional Plan also identifies Spryfield as a Regional Local Growth Centre, that encourages a mix of medium to high density residential development, and specifically encourages low to medium density near established residential uses. Transit services and access to AT routes is also envisioned for these types of Growth Centres.

3.2 MSSPS Policies

The General policies of the Halifax MPS are particularly relevant to this application. Policies 2.2, 2.1.2 and 2.4 all speak to encouraging well planned development that integrates with existing built form. 2.4.1 speaks to the need to routing future principal streets around existing neighbourhoods, instead of through them.

The proposed re-designation and rezoning will allow for improved integration with existing development by permitting flexibility and site-specific controls through the development agreement. This will allow landscaping and buffering requirements designed specifically for this situation that are not enabled in the land use bylaw. These could include fencing requirements, lighting, and other specific ideas that are identified by the public during the required public consultation. The proposed development also creates principle access on a new street (Street D), with the secondary access on Charlton Ave itself to access a small area consisting of 9 lots that could be subdivided to provide up to 18 units. Parkmoor Ave will be extended to provide a secondary access but it is anticipated that Street D will provide the main access to the development.

The proposed development is a natural infill site, surrounded by lands that are slated for similar development forms, that supports the adjacent growth centre and makes use of existing water and sewer capacity. There is not any additional financial burden on HRM and thus meets the requirement of Policy 10.2 of the Halifax Plan

The MSSPS in policy 1.5.1 enables Residential Development Districts so that “residential development areas planned and developed as a whole or in phases under a unified site design, providing a mixture of residential uses and related recreational, commercial and open space uses, with an emphasis on a mix of dwelling unit types.”

Policy 1.51 requires that a new zone, called Residential Development District be established to enable the comprehensively planned development area. The Parkmoor Ridge development area will require this rezoning.

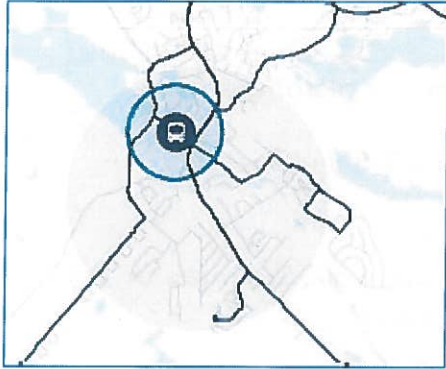
Schedule 1 establishes specific policy guidance for development agreements within the Residential Development Districts zone. The Plan does not provide specific criteria for the re-designation to RDD, but the policies for the RDD zone provide guidance regarding the future development and if the Parkmoor Ridge development can comply with these policies.

	RDD Policy Guidance	Proposed Development
Permitted uses	Residential Uses, community facilities Institutional uses Neighbourhood Commercial Uses Commercial Convenience Centre	<ul style="list-style-type: none"> Residential uses include (singles, semis and town houses) Parks Passive Open Space total number of units: 270
Gross Density	22 persons per gross acres. More may be considered	19.4 people per acre
Maximum area covered for apartment uses	15%	0
Transition between new residential development abutting existing -	Protect character and scale of these areas through open space, landscaping and traditions of differing building forms and densities.	<ul style="list-style-type: none"> Townhouse development will not abut existing R-1 development Two entrances to development. One on Parkmoor and a new Street D, which is anticipated to provide the main point of entry to the development. Site specific landscaping and buffering may be included in the DA. RDD zone is located nearby the proposed development area, thereby creating consistency with the general urban form of the area.
useable, landscaped open space	At least 5%	Development meets this requirement
Proximity to lakes or waterbodies	No residential building within 50 feet and no commercial within 100 feet	20 metre buffer from watercourses
Community facilities or institutional use proximity to watercourse	Special requirements within 100 feet	No community facility or institutional use proposed.

Landscape plan	Require a landscape plan	Landscape plan will be submitted as part of the development agreement.
Access	Access to arterial or collector streets should be such that additional traffic along local streets in residential neighbourhoods adjacent to the development is minimized	Herring Cove Road is an arterial road. A new street will be created to absorb most of the access to the site. Parkmoor Ave. will be extended to provide a secondary access.
Common parking areas	Where common parking areas are provided, they should be so aligned as to restrict through traffic	No common parking will be required
Minimum size for a DA within this area	3 acres	27 hectares (66 acres) – Total developable area is 19.9 hectares.
Adequacy of municipal infrastructure	Within the ability of HRM to provide services	Existing services are adequate.

4 Other policies and Plans

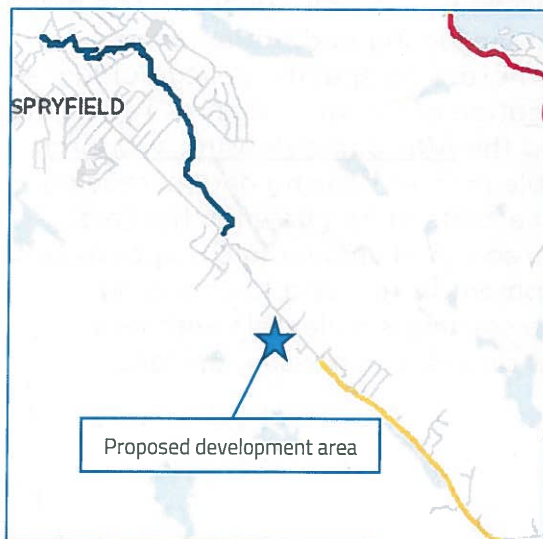
The Integrated Mobility Plan (IMP) provides guidance when considering the re-designation and zoning request for Parkmoor Ridge. The intention, in part, of the IMP is to coordinate HRM decision making to encourage complete communities, move people, and manage congestion. Of relevance for this proposal is the IMP stated direction to improve transit and mobility by focusing development around strategic corridors and areas that facilitate walking and biking.



The IMP (see reference 1) identifies Spryfield as a potential transit-oriented community. However, the boundaries of each of the identified community are not defined yet. The Parkmoor Ridge development is in proximity or perhaps, upon further study by HRM, within the potential transit-oriented community. The area near proposed development currently receives a high level of bus services and is located within 800 metres of the MacIntosh Trail entrance.

Reference 1 - Excerpt from Figure 10 IMP

Figure 16 of the IMP shows existing bike infrastructure in the area of the proposed development. Of note, Spryfield is designated as a priority location for the installation of a multiuse pathway by 2020.



Reference 2 - Portion of Figure 16 of the IMP

The property is served by regular and frequent bus service (Routes 9A and B). Although sidewalks are not along Herring Cove Road, there are trails and bike lanes close by. The area is served by several schools that are within biking distance

(William King Elementary, Herring Cove Junior High, and J.L. Ilsley). There are numerous community and recreational facilities located nearby, many within easy biking distance and bus distance. These include:(examples of distances from Parkmoor Ave. are provided for reference)

- A swimming beach at Long Pond (5-minute bike or 20-minute walk)
- Roaches Pond Ballfield Park
- Roaches Pond Park (14-minute walk, 4-minute bike)
- Spryfield Lions Club Arena (12-minute bike, 39-minute walk, 5-minute drive)
- Captain Will Spry Centre(15-minute bike, 16-minute bus)
- Elizabeth Sutherland School Park

The proposed development clearly supports many of the policies of the IMP by providing additional density to areas where transit and active transportation corridors either exist or are planned. The proximity of Parkmoor Ridge to existing retail and commercial along Herring Cove Road will only encourage more retail and commercial development that supports a complete streets approach.

The Housing Affordability Workplan, recently passed by Council, speaks to the many initiatives that are to occur to support housing affordability and promote the provision of adequate housing for all. Although there is no specific policy guidance from this document, it does provide a clear indication of Council's desires regarding housing. I would point to both the Workplan and the Affordable Housing Working Group – Strategic Plan which speaks to affordable market housing and increasing flexibility to allow for "soft" approaches to reduce costs of homeownership (e.g. secondary suites, laneway development). The creation of smaller lots responds both to affordability issues and the desire for development to respond to changing demographic needs (older populations often are seeking smaller lots with less maintenance, for example) by providing greater diversity in housing options.

5 Summary

The proposal to re-designate and rezone the subject property and to enter into a DA to permit a comprehensively planned low and medium residential development is supported by many of HRM's policies and plans.

- The proposal is context sensitive – There is a large RDD area to the east. The proposed housing mix is mainly low density, with limited townhouse development and mirrors the housing typology nearby. By permitting the development by a development agreement, site specific regulations may be established that responds to any community issues that may arise through the consultation process.

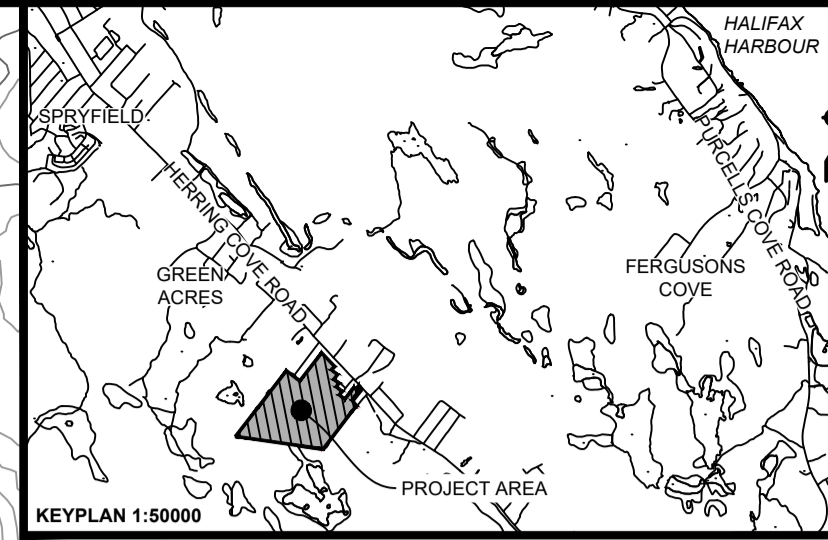
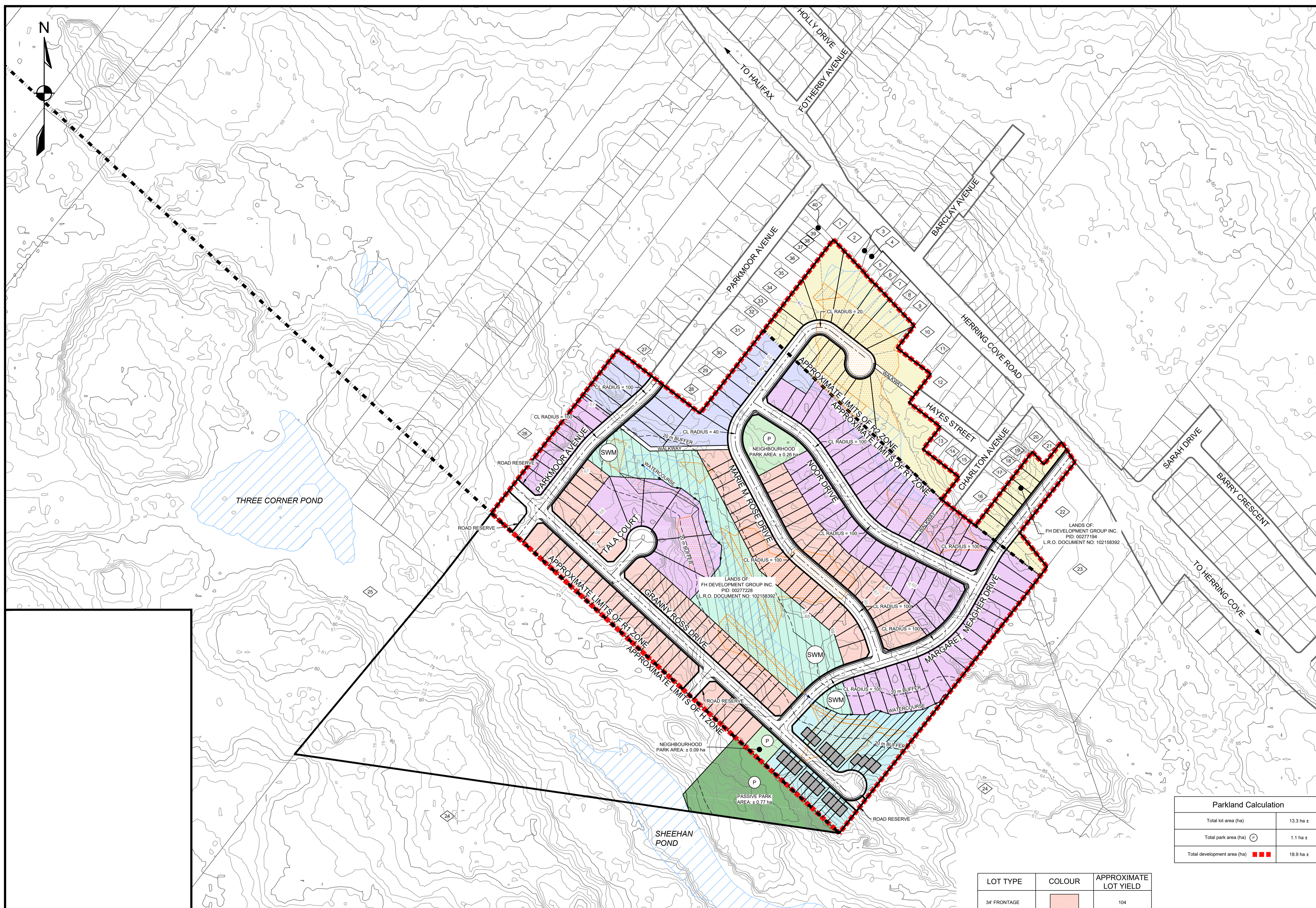


- The development is located near or potentially within a future Transit Oriented Community. There are many amenities and community resources within walking, biking or transit distance. The development is located to support the IMP's vision of reducing car dependence. The development is within the Urban Transit Boundary.
- The proposed development is able to meet the policy requirements for a development agreement within an RDD zone and will provide lower cost market-based housing near peninsular Halifax.

If you have any questions, please contact me at chrystal@brighterplanning.ca or by phone at 902-790-0664.

Sincerely,

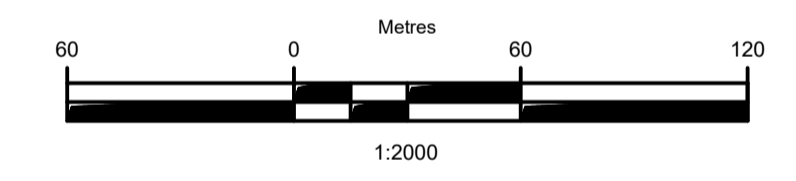
Chrystal Fuller, LPP, MCIP
Brighter Community Planning and Consulting



LEGEND	
EX. CONTOUR (MAJOR)	—
EX. CONTOUR (MINOR)	- - -
PROPERTY LINE	—
SEMI DIVIDING LINE	- - -
ZONING BOUNDARY	—
PROP. PROJECT BOUNDARY	—
RIGHT OF WAY	—
EDGE OF CURB	—
WATER BUFFER ZONE	—
WATER COURSE	—
STORMWATER MANAGEMENT AREA	(SWM)
WETLAND	(Blue hatched)
WETLAND ALTERATIONS (PERMITS OBTAINED AS REQUIRED)	(Orange hatched)

**ATTACHMENT B:
Concept Plan**

PRELIMINARY



ISSUE	DATE	DESCRIPTION
2	NOV. 14, 2018	REISSUED
1	SEP. 21, 2018	ISSUED

CONSULTANT

PHONE: 902.832.5597 www.designpoint.ca

CLIENT

DEVELOPMENT GROUP
BUILDING A LEGACY OF QUALITY

PROJECT DESCRIPTION

PARKMOOR RIDGE

HALIFAX, NOVA SCOTIA

SHEET DESCRIPTION

CONCEPT PLAN
SHOWING PROPOSED LOT LAYOUT

Parkland Calculation	
Total lot area (ha)	13.3 ha ±
Total park area (ha) (P)	1.1 ha ±
Total development area (ha) (■ ■ ■)	18.9 ha ±

LOT TYPE	COLOUR	APPROXIMATE LOT YIELD
34' FRONTAGE	(Light Orange)	104
40' FRONTAGE	(Light Purple)	76
50' FRONTAGE	(Light Blue)	17
50' FRONTAGE SEMI	(Light Yellow)	21 (42 Units)
TOWNHOUSE	(Light Cyan)	23
NEIGHBOURHOOD PARK LAND	(P)	TOTAL APPROXIMATE LOT YIELD 241 (262 Units)
PASSIVE PARK LAND	(P)	
CONSERVATION	(Light Green)	

- NOTES:
- WETLANDS AND WATERCOURSES DELINEATED BY WSP (2013). NSE PERMITS FOR REQUIRED ALTERATIONS TO BE OBTAINED PRIOR TO CONSTRUCTION.
 - CONTOURS FROM LIDAR DATA. CONTOUR INTERVAL = 1 m.
 - ADJACENT PROPERTY LINES ARE BASED ON PROPERTY MAPPING AND ARE APPROXIMATE. ALL LOT LINES AND BOUNDARIES ARE SUBJECT TO SURVEY.
 - ROAD LAYOUT SUBJECT TO DETAIL DESIGN.
 - MARIE M. ROSE DRIVE HAS A LENGTH OF 336 m BETWEEN NOOR DRIVE AND MARGARET MEAGHER DRIVE AND IS CONSIDERED A LOCAL CRESCENT WITH LENGTH LESS THAN 400 m.

NO.	PID	CURRENT OR FORMER OWNERS
1	00277525	STEPHEN HANS OLSEN
2	00277517	STEPHEN HANS OLSEN
3	00277509	BARRY ARTHUR WHITE
4	40180358	BARRY ARTHUR WHITE
5	00277491	FRANCES CHARTLAND
6	00277483	LYYOD ROBERT LYNCH
7	00277475	KEVIN SINCLAIR HARTLING
8	00277467	KEVIN SINCLAIR HARTLING
9	00277459	EVERETT OAKLEY
10	00277442	FH DEVELOPMENT GROUP INC.
11	00277434	LAURA MAE MURPHY
12	40288641	E & G SAFATLI INVESTMENTS LIMITED
13	40795700	DONALD PAUL DOWNEY

NO.	PID	CURRENT OR FORMER OWNERS
14	00277319	DONALD PAUL DOWNEY
15	00277301	SPRYFIELD HOUSING CO-OPERATIVE LIMITED
16	00277244	THOMAS ARTHUR LYNCH
17	00277293	REBECCA HELEN WELLS
18	00277285	SHAWN MICHAEL CORMIER
19	00277277	ANDREW KUDRIJANU
20	00277251	RUDOLPH JOSEPH SKINNER
21	00277202	NAOMI DAWN RUDOLPH
22	40288136	LINDA DICKS
23	40074593	SPRYFIELD LUMBERMART LIMITED
24	00649012	PROVINCE OF NOVA SCOTIA
25	00277913	3218739 NOVA SCOTIA LIMITED
26	00277780	KENNETH CAINES

NO.	PID	CURRENT OR FORMER OWNERS
27	00277657	EDWARD MICHAEL COSTEN
28	00277640	MELISSA THERESA ROBERTS
29	00277632	CRYSTAL JOANNE PURCELL
30	00277624	LALONA MARIE PRIEST
31	00277616	BRIAN ARTHUR JOLLMORE
32	40773475	WILLIAM RONALD NORMAN
33	00277608	SCOTT MATTHEW MORRISON
34	00277590	TOM PATRICK NOWE
35	00277582	WILLIAM ALEXANDER ROSS
36	00277574	LINDA DICKS
37	40884165	DEBRA LEE HAAN
38	00277566	BRENT W. POOLE
39	41286691	AMANDA MAY MCPHEE
40	41286709	CHRISTOPHER PIERCE

ATTACHMENT C:
Excerpt from the Halifax Municipal Planning Strategy (MPS)

SECTION II: CITY-WIDE OBJECTIVES AND POLICIES

1. RESIDENTIAL ENVIRONMENTS

Objective: The provision and maintenance of diverse and high quality housing in adequate amounts, in safe residential environments, at prices which residents can afford.

- 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.
 - 2.1.1 On the Peninsula, residential development should be encouraged through retention, rehabilitation and infill compatible with existing neighbourhoods; and the City shall develop the means to do this through the detailed area planning process.
 - 2.1.2 On the Mainland, residential development should be encouraged to create sound neighbourhoods through the application of a planned unit development process and this shall be accomplished by Implementation Policy 3.3. It is the intention of the City to prepare and adopt a planned unit development zone subsequent to the adoption of this Plan.
 - 2.1.3 Repealed.
 - 2.1.4 In accordance with Policy 2.1.3, the City shall permit only limited development with on-site services in that portion of the Mainland South area indicated on Map 1 and this shall be accomplished by Implementation Policy 3.6.
 - 2.1.5 Development in the area shown on Map 1 to the west of the Bicentennial Drive shall be limited due to environmental sensitivity and a lack of municipal services. Only detached single unit residential dwellings and community facilities with on-site services shall be permitted.
 - 2.1.6 Development with on-site services shall be permitted on lots which abut the existing public street network for the area surrounding Kearney Lake Road and currently designated "Residential Environments" on Map 9.
- 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.
- 2.3 The City shall investigate alternative means for encouraging well-planned, integrated development.
 - 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.
 - 2.3.2 Ribbon development along principal streets should be prohibited in order to minimize access points required by local traffic.

- 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.
- 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.
- 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 by-law to control the intensity of such uses to ensure compatibility to surrounding residential neighbourhoods.
- 2.4.2.1 Pursuant to 2.4.2 the land use by-law may regulate the number, size, height, illumination and location of signs.
- 2.4.3 Further to city-wide residential and heritage policies which recognize the diversity of residential neighbourhoods and encourage the retention of existing structures which reflect the City's heritage, the City recognizes that areas designated and zoned residential-commercial provide opportunities for conversions to residential tourist accommodations uses. To encourage the reuse of buildings in these areas for these purposes, the land use by-law shall establish provisions which permit these uses in existing buildings subject to special controls.
- 2.5 The City shall prepare detailed area plans for predominantly unstable neighbourhoods or areas. The priorities and procedures by which the City shall prepare these plans shall conform to the official City report entitled Areas for Detailed Planning and subsequent amendments which may be made by the City thereto as set forth in Part III, Section I of this document.
1. The City views the neighbourhood as the foundation for detailed area planning. In the process of detailed area planning, residents shall be encouraged to determine what they consider to be their neighbourhoods, and to work with City Council and staff in arriving at an acceptable definition of their neighbourhood and a neighbourhood plan.
 2. For the areas identified below and on Map 3, the City should prepare detailed area plans, adopt them and submit them to the Minister as amendments to this Plan.
 9. Simpson's/Eaton's Shopping Area
 3. Detailed area plans may deviate from the boundaries shown on Map 3 when justified to accommodate a neighbourhood's characteristics or at the request of the residents of the area.
 4. Repealed 6 June 1990.
 5. For those areas identified in Policy 2.5.2 above, which are not predominantly residential in use, the City shall use the appropriate policy guidance in this Plan.

6. The City shall develop detailed policies which reflect its position with regard to the future disposition of the Watershed lands. These policies shall define the City's position with respect to: (a) ownership; (b) public and private land uses; (c) land use distribution; (d) environmental standards which will guide land use distribution; and (e) types(s) and location(s) of access at the boundaries and internally. The City shall place primary importance on public control of these lands and on the provision of extensive public parklands, particularly around all lakes and water courses in the Watershed area.
7. The City shall develop appropriate policies and seek any legislation that may be necessary to affirm its proprietary right to air spaces over City-owned buildings, land and open spaces.
- 2.6 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.
- 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.
- 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).
- 2.9 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.
- 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.
- 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.
- 2.12 Council may permit, by development agreement, new residential uses on lots which do not abut a city owned or maintained street. In considering such proposals, Council shall not approve such a development unless:
 - (i) the proposed use is permitted by the zoning by-law;
 - (ii) the lot was in existence prior to the adoption of this provision;
 - (iii) the lot can be adequately serviced by municipal water or sewer or, where permitted by the by-law, an acceptable well and septic system;

- (iv) the development complies with all other requirements of the by-law with the exception that Council may consider modification to the frontage, area, setback and coverage requirements in accordance with the policies of the plan;
 - (v) the lot abuts an existing recognized travelled way and that the said travelled way provides reasonable passage of motor vehicles, especially emergency apparatus and police protection;
 - (vi) the location and setback of the proposed dwelling does not adversely affect adjacent uses or watercourses, including the North West Arm.
- 2.12A **A The development agreement requirements of section 2.12 shall not apply to any lot zoned Urban Reserve and subdivided pursuant to section 38 of the Subdivision By-law and a development permit may be granted provided that the development conforms with all other applicable requirements of this By-law. (RC-Jun 25/14; E-Oct 18/14)**
- 2.13 The properties identified as 7 Vimy Avenue; Lot A-1B (at the end of Stoneybrook Court); and 45 Vimy Avenue (Granbury Place Apartments); shall permit high density residential development, however, Lot A-1B shall be limited to a maximum of four storeys due its proximity to the existing low density residential neighbourhood on Laurentide Drive.
- 2.14 **For the property at 6955 Bayers Road (PID # 40824005) the Municipality may permit the development of multiple unit residential buildings by development agreement. (RC-Aug 12/08; E-Oct 11/08)**
1. **Any development permitted pursuant to Policy 2.14 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, and shall include:**
- a) **the adequacy of the servicing capacity of the site;**
 - b) **the architectural design of the building including building materials;**
 - c) **the adequacy of parking facilities;**
 - d) **preservation and/or enhancement of the function of the larger site which includes the existing Cemetery and Community Centre;**
 - e) **provide opportunities for public access to the existing indoor and outdoor components of the larger site;**
 - f) **provision for vehicular and pedestrian access and egress patterns from the surrounding area;**
 - g) **the provision of open space; and**
 - h) **adequate site landscaping and buffering; and scale, height and massing of the buildings. (RC-Aug 12/08; E-Oct 11/08)**
- 2.15 Pursuant to policies 2.4 and 2.6, residential development may be considered on the former Petro Canada lands between Kencrest Avenue and Barrington Street (LIMS No. 34058) in accordance with the development agreement provisions of the Municipal Government Act. When deciding whether to enter into such an agreement, consideration shall be given to the following matters:
- 1. A mix of housing types is provided for varying accommodation needs;
 - 2. The development can be integrated with the surrounding neighbourhood, without causing any unreasonable loss of enjoyment or convenience;
 - 3. The development will not adversely affect municipal service levels in the surrounding neighbourhood and or cause the need for upgrading existing municipal infrastructure.

- 2.16 Pursuant to Policies 2.1, 2.2 and 2.4 a multi-unit building may be considered for civic numbers 7, 9, 11, and 13 Springvale Avenue (LRIS PID Nos. 207019, 207027, 207035 and 207043) by development agreement.
- 2.16.1 Any development permitted pursuant to Policy 2.16 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:
- a) the adequacy of the servicing capacity of the site;
 - b) architectural design of the building including building materials;
 - c) the scale, height, and massing of the building;
 - d) the adequacy of parking provided;
 - e) safe accesses to the site and building;
 - f) site landscaping including buffering;
 - g) location, form and function of open space
- 2.17 **For the property at 6430 Oak Street, Halifax and further to Policies 2.4, 2.4.1, 2.4.2 and 2.4.2.1 of Section II of this Plan, the City may permit, by development agreement, the establishment of a residential pet care facility within a detached one family dwelling house. (RC-Apr 21/09; E-Jun 20/09)**
- 2.17.1 **In considering approval of such development agreement for a residential pet care facility, Council shall consider the following:**
- a) **that limitations be placed on the number of pets (dogs, cats) permitted within the facility, and in no case shall the number of pets exceed twelve, exclusive of those of the operator;**
 - b) **the hours of operation (for pet drop-off / pick-up and outdoor socialization/play) shall be such that adverse impacts of noise and traffic movements on adjacent residential uses are minimized;**
 - c) **that limitations are placed on the floor area devoted to the pet care facility within the dwelling;**
 - d) **the lot on which such facility may be operated shall be of a size which allows for adequate separation distance between the facility and abutting properties;**
 - e) **that any outdoor activity area associated with such facility be restricted to dogs only, be located within the rear yard, be enclosed by a solid, view-obstructing fence and be adequately set back from abutting residential properties;**
 - f) **a maximum of one employee, in addition to the operator of the facility, may be permitted;**
 - g) **signs for the facility shall be of a size, design and placement on the lot which reduces impacts on adjacent residential uses;**
 - h) **all other relevant policies of the municipal planning strategy with particular reference to the Residential Environments section. (RC- Apr 21/09; E-Jun 20/09)**
- 2.18 **The property at Lady Hammond Road and Bright Place (PID# 41402884) is a portion of a former municipal street right-of-way which was surplus to municipal needs, excepting a walkway parcel linking Lady Hammond Road with Bright Street. There are benefits in allowing for the property's redevelopment in combination with the adjoining properties at 3631 and 3639 Bright Place (PID#s 00026849 and 00026856) and 6100 Normandy Drive (PID# 00026864) for multi-unit residential development. However, given the site's location, configuration and proximity to adjacent low- density residential development, there is a need for specific attention to matters such as appropriate scale, siting and massing of a new multi-unit building. Notwithstanding the Residential Environments objectives and policies of this Section, a new multi-unit residential building at Lady Hammond Road and Bright Place, in conjunction with the adjoining properties at 3631 and 3639 Bright Place and 6100**

Normandy Drive, may be permitted by development agreement in accordance with the *Halifax Regional Municipality Charter*. (RC-Apr 5/16;E-May 14/16)

2.18.1 Any development permitted pursuant to Policy 2.18 shall comply with the following building heights and setback requirements:

- a) **Facing Lady Hammond Road, the maximum building height shall be six storeys above the residential lobby and parking level. The low-rise portion of the building facing Normandy Drive shall be limited to three storeys in height above the lobby and parking level;**
- b) **The six-storey portion of the building shall be set back a minimum of 50 feet from the Normandy Drive street line, a minimum of 60 feet from the nearest abutting property line of 6092 Normandy Drive and a minimum of 75 feet from the nearest abutting property lines of 3612 High Street and 3618/3620 High Street; and**
- c) **The three-storey portion of the building shall be set back a minimum of 20 feet from the nearest abutting property line of 6092 Normandy Drive. (RC-Apr 5/16;E-May 14/16)**

2.18.2 In considering a development agreement pursuant to Policies 2.18 and 2.18.1, Council shall consider the following additional matters:

- a) **Adequate site landscaping features shall be provided at the ground and podium levels to allow for visual screening of portions of the building from abutting residential properties and useable open space areas for building residents shall be provided;**
- b) **Ground-level dwelling units along the portions of the building facing Normandy Drive and the public walkway between Normandy Drive and Lady Hammond Road shall have direct pedestrian access to the exterior of the building and adequate site landscaping shall be provided in these areas;**
- c) **High quality exterior building materials shall be utilized;**
- d) **Safe vehicular and pedestrian access and egress shall be provided;**
- e) **Sufficient vehicular and bicycle parking shall be provided for the development;**
- f) **There shall be suitable solid waste facilities; and**
- g) **There shall be adequate servicing capacity for the site. (RC-Apr 5/16;E-May 14/16)**

ATTACHMENT D:
Excerpt from the Mainland South Secondary Planning Strategy (SPS)

1. RESIDENTIAL ENVIRONMENTS

Objective: The development and maintenance of Mainland South as a predominantly residential area with a diverse mixture of family and non-family housing.

- 1.5 Areas designated as "Residential Development District" on the Generalized Future Land Use Map shall be residential development areas planned and developed as a whole or in phases under a unified site design, providing a mixture of residential uses and related recreational, commercial and open space uses, with an emphasis on a mix of dwelling unit types.
- 1.5.1 Pursuant to Policy 1.5, the Land Use By-law shall provide a new zone, the Residential Development District, within which "Low-Density Residential" development and public community facilities shall be permitted and other development shall be permitted only under the contract development provisions of the Planning Act and the requirements in Schedule I.
- 1.5.2 Notwithstanding Policy 1.5.1, Policy 2.1.4 of Section II shall remain in force and the City shall maintain a Holding Zone until such time as municipal services are available.

SCHEDULE I: GUIDELINES FOR RESIDENTIAL DEVELOPMENT DISTRICT

Pursuant to Policy 1.5.1, contract development in any area designated "Residential Development District" on the Generalized Future Land Use Map must conform with the following guidelines:

Uses Which May be Permitted

1. Residential Uses
2. Community Facilities
3. Institutional Uses
4. Neighbourhood Commercial Uses
5. Commercial Convenience Centres.

Site Development Guidelines

5. Residential
 - a density of twenty-two persons per gross acre shall be permitted. Proposals in excess of twenty-two persons per gross acre may be considered provided that no development shall exceed the capacity of existing or proposed sewers. In calculating the permissible density of any project, the capacities available to the drainage area shall be considered.
 - no more than 15 percent of any area covered by a development agreement may be developed for apartment uses including the building(s), ancillary parking, open space, and landscaping.

- the design and layout of the portion of new residential developments abutting existing residential areas shall endeavour to protect the character and scale of these areas by attention to such matters as use of open space, landscaping, and ensuring adequate transition between areas of differing building forms and densities.

6. Commercial

- neighbourhood commercial uses are permitted at or near the intersection of local streets, and on the ground floor of high-density residential buildings. In addition, consideration may be given for a commercial convenience centre, except in the RDD areas generally west of the Herring Cove Road and south of Leiblin Drive. The amount of gross leasable space may be limited to ensure that the development primarily serves the adjacent neighbourhoods. The intent is to provide for a range of uses such as retail, rental and personal service, household repair shops, service stations, restaurants and office uses. The additional matters to be considered are found in the guidelines of Policy 3.7 of Section II.

Landscaping and Open Space

7. At least 5 percent of the area of the district development must be useable, landscaped, open space.
8. No residential or accessory building shall be constructed within 50 feet of any lake, watercourse, or water body. No commercial or accessory structure shall be constructed within 100 feet of any lake, watercourse, or water body.
9. Any proposal to construct a community facility or institutional use within 100 feet of the water's edge should ensure, through the use of landscaping or other means, that adverse effects on water quality will be avoided or ameliorated during and after construction.
10. A landscape plan shall be submitted as part of the approval process and the preservation of natural amenities, including rock outcroppings, groves of trees, mature trees, ponds, streams, shores, and wetlands should be preserved whenever possible.

Circulation

11. Access to arterial or collector streets should be such that additional traffic along local streets in residential neighbourhoods adjacent to the development is minimized.
12. Where common parking areas are provided, they should be so aligned as to restrict through traffic.

General

13. The minimum required site size for a contract within this area shall be three acres.
14. Municipal infrastructure must be adequate to service any proposed development.