



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

**Item No. 13.1.6**  
**Harbour East-Marine Drive Community Council**  
**November 14, 2019**

**TO:** Chair and Members of Harbour East-Marine Drive Community Council

Original Signed

**SUBMITTED BY:**

\_\_\_\_\_  
Kelly Denty, Director of Planning and Development

**DATE:** September 18, 2019

**SUBJECT:** **Case 21982: Land Use By-law amendment to the TH (Town Housing) Zone and Rezone 20 Sea King Drive, Dartmouth from the R-1 (Single Family) Zone to the TH (Town Housing) Zone.**

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**ORIGIN**

Application by WSP Canada Inc.

**LEGISLATIVE AUTHORITY**

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

**RECOMMENDATION**

It is recommended that Harbour East-Marine Drive Community Council:

1. Give First Reading to consider approval of the proposed amendment to the Land Use By-law for Dartmouth, as set out in Attachment A, to amend the lot coverage requirements in the TH (Town Housing) Zone, and schedule a public hearing;
2. Give First Reading to consider approval of the proposed amendment to Schedule 1 of the Land Use By-law for Dartmouth, to rezone lands at 20 Sea King Drive, Dartmouth from the R-1 (Single Family Residential) Zone to the TH (Town Housing) Zone, as set out in Attachment B, and schedule a public hearing; and
3. Adopt the amendments to the Land Use By-law for Dartmouth, to amend the lot coverage requirements in the TH (Town Housing) Zone as set out in Attachments A, and to amend Schedule 1 of the Land Use By-law for Dartmouth, to rezone the lands at 20 Sea King Drive from the R-1 (Single Family Residential) Zone to the TH (Town Housing) Zone, as set out in Attachment B.

## **BACKGROUND**

WSP Canada Inc., on behalf of 3319412 Nova Scotia Limited is applying to amend the TH (Town Housing) Zone to increase the permitted maximum lot coverage requirement for townhouses in the entire Dartmouth plan area and to rezone lands at 20 Sea King Drive from the R-1 (Single Family Residential) Zone to the TH (Town Housing) Zone.

<b>Subject Site</b>	20 Sea King Drive, Dartmouth
<b>Location</b>	Near the southwest corner of Sea King Drive and Lancaster Drive, Dartmouth
<b>Regional Plan Designation</b>	US (Urban Settlement)
<b>Community Plan Designation (Map 1)</b>	Residential
<b>Zoning (Map 2)</b>	R-1 (Single Family Residential) Zone
<b>Size of Site</b>	54,692.4 sq. m (13.5 acres)
<b>Street Frontage</b>	23.6m on Sea King Dr, 23 m on Elmore Dr, 23 m on Brannon Dr. and 193.9 m on Lancaster Dr
<b>Current Land Use(s)</b>	Vacant
<b>Surrounding Use(s)</b>	Low density residential

### **Proposal Details**

The applicant proposes to rezone the lands to enable the development of approximately 98 single storey townhouse units. The major aspects of the proposal are as follows:

- Rezone the subject lands to TH (Town Housing);
- Amend the lot coverage requirement in the Town Housing Zone throughout the Dartmouth Land Use By-law area from 35% to 45%; and
- Amend the lot coverage requirements in the Town Housing Zone throughout the Dartmouth Land Use By-law area to 50% for townhouses not exceeding one storey above grade.

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

The lands are subject to the Dartmouth Municipal Planning Strategy and Policy IP-1© allows for the consideration of amendments to the land use by-law. In addition, the Settlement and Housing Chapter of the Regional Plan states that one of the objectives of the Plan is to design communities to provide housing opportunities for a range of social and economic needs and promote aging in place.

The existing zoning on the property is R-1 which permits a variety of uses including single family dwellings, places of worship and associated halls, schools, colleges, universities, libraries, art galleries, and museums, public parks and playgrounds, tennis clubs, etc. Under the existing zoning, the property could be developed for any of these permitted uses including approximately 60-70 detached single unit dwellings.

The application presently before Council is for zoning amendments to allow the property to be developed for townhouses at a future date. Should Council approve the proposed zoning amendments, any subdivision, road configuration and townhouse construction that complies with municipal regulations would be allowed through a subsequent by-right subdivision and permitting process without further public engagement or Council approval. As noted above, the applicant has indicated an intent to develop the property with 98 single-storey townhouse units. This information has been provided by the applicant in good faith and staff do not question the sincerity of these intentions. However, approval of zoning amendments cannot be conditional on any particular development proposal. Evaluation of rezoning applications should be in the context of the full development potential in the proposed zone and an assessment of whether that potential meets the intent of the MPS policies.

## **COMMUNITY ENGAGEMENT**

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website, signage posted on the subject site, letters mailed to property owners within the notification area and a public information meeting held on June 19, 2019. Attachment D contains a summary of the comments captured at that meeting. The public comments received include the following topics:

- Concerns about existing traffic impacts related to the proposed development;
- Concerns about infilling of the wetland;
- Concerns about existing drainage and how the site will manage stormwater; and
- Concerns about existing water pressure and the potential impacts related to the proposed development.

A public hearing must be held by Harbour East-Marine Drive Community Council before they can consider approval of the proposed LUB amendments. 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 increase the maximum lot coverage for townhouses and Attachment B contains the proposed Land Use By-law amendment which would rezone the subject lands to the TH (Town Housing) Zone.

### **LUB Amendment Review**

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

### **R-1 Zone vs TH Zone**

The R-1 Zone permits a range of recreation and institutional uses in addition to single unit residential development. The TH Zone only permits townhouses, thereby creating a more predictable built form. The zone requirements are different for each of these zones, given the difference in the built form. Lot sizes for townhouses are based on 2,000 sq. ft per unit, with a maximum of 8 units in each building block.

<b>Lot Requirements</b>	<b>R-1 Zone</b>	<b>TH Zone</b>
Lot Area	5,000 sq. ft	2,000 sq. ft/ unit
Lot Frontage	50 feet	20 feet
Lot Coverage	35%	35% (45% within Main St. Designation)
Side Yard Setback	8 ft	10 feet for end units
Front Yard Setback	15-30 ft	15 feet
Rear yard Setback	8 ft	NA
Site Density	NA	15 units/ acre

### **Housing Form**

Townhouses are a higher density building form than single unit dwellings. However, they are still considered to be compatible with a single unit neighbourhood and can be considered within the Residential Designation in Dartmouth. The height of the buildings would be consistent with the surrounding area and the design of the units would be compatible with single unit dwellings.

### **Wetland**

The site contains a 0.71-hectare wetland and the owners have been granted a Wetland Alteration permit from the Province of Nova Scotia. This permit allows the wetland to be infilled in exchange for wetland compensation at another location. This compensation can be in the form of restoration of a wetland, enhancement of an existing wetland, creation of a new wetland or expansion of an existing wetland. In this case, compensation is proposed at a ratio of 2:1 in the form of the construction of a 1.42 hectare freshwater wetland at a site to be determined in consultation with the Province in a separate process.

### **Lot Coverage**

The maximum lot coverage requirement for townhouses and detached single unit dwellings in the Dartmouth plan area is 35% except for the Main Street secondary plan area which has a maximum lot coverage requirement of 45%.

The applicant proposes to increase the maximum permitted lot coverage in the TH Zone to 50% for single storey townhouses and 45% for townhouses containing more than 1 storey above grade. These lot coverage increases would be applicable to the current project subject to Council's approval of the proposed rezoning from R1 to TH. It should also be noted that, if approved, the increased lot coverage requirements would also be applicable to any townhouse projects in the Dartmouth Plan area including alterations to existing townhouses originally approved based on a 35% site coverage limit. Maps 3 and 4 show all the lands presently zoned TH that would be affected by the proposed changes.

The townhouse building form is intended to provide options for moderate density increases in a manner that remains generally compatible with traditional detached single unit development. Lot coverage is a direct function of lot size and typical lot sizes in established detached single unit dwelling areas in Dartmouth are approximately twice as large as typical townhouse lots. Application of a 35% lot coverage requirement to a minimum 2,000 square foot townhouse lot allowed in the TH Zone limits the building footprint to 700 square feet. While this is not a prohibitive restriction, it does require a multi-storey design to generate a unit size that would be considered appealing in the marketplace for this housing type.

The applicant is proposing to increase the overall lot coverage requirements for townhouses in the Dartmouth LUB, to allow for the development of single storey townhouses. This form is intended to respond to accessibility issues and meet the needs of an aging demographic. Increasing the lot coverage requirement will allow for a larger building footprint without increasing the lot size. Based on a 2,000 sq. ft lot, a 50% lot coverage would enable the development of a 1,000 sq. ft building footprint, while lot coverage of 45% would enable a 900 sq. ft building footprint. These building sizes are appropriate for residential development in Dartmouth and allow for unit sizes ranging from 1,000 sq. ft to 1,800 sq. ft., exclusive of basement levels.

### **Traffic**

Policy IP-1© requires that the adequacy of transportation networks in adjacent to or leading to the development be considered as part of the rezoning process. While the detailed road network design will be established as a condition of subdivision approval, the applicant has provided a traffic impact statement from a professional engineer concluding that no significant impact to traffic operations on the adjacent streets and intersections is expected as a result of the proposed rezoning. This conclusion has been reviewed and accepted by HRM's Traffic Management division.

### **Conclusion**

Staff has 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 rezoning request from the R-1 Zone to the TH Zone

is consistent with the surrounding community and is a use that exists within the surrounding area. The proposed amendments to the lot coverage requirements support the objectives of the Regional Plan to create a range of housing opportunities to respond to the needs of various communities. The changes to the lot coverage requirements will allow for a greater density of building to be developed, will maintain the surrounding height and residential uses, and is appropriate to consider within the larger Dartmouth context. Therefore, staff recommend that the Harbour East Marine Drive Community Council approve the proposed amendments to the Land Use By-law for Dartmouth.

### **FINANCIAL IMPLICATIONS**

The HRM cost associated with processing this planning application can be accommodated with the approved 2019-2020 operating budget for 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 amendments are contained within the Discussion section of this report.

### **ENVIRONMENTAL IMPLICATIONS**

No environmental implications are identified.

### **ALTERNATIVES**

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

### **ATTACHMENTS**

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

Map 3	Townhousing Zone, Dartmouth
Map 4	Townhousing Zone, Dartmouth
Attachment A	Proposed Text Amendment to the Land Use By-law for Dartmouth
Attachment B	Proposed Zoning Amendment to the Land Use By-law for Dartmouth
Attachment C	Review of Relevant MPS Policies
Attachment D	Public Information Meeting Summary

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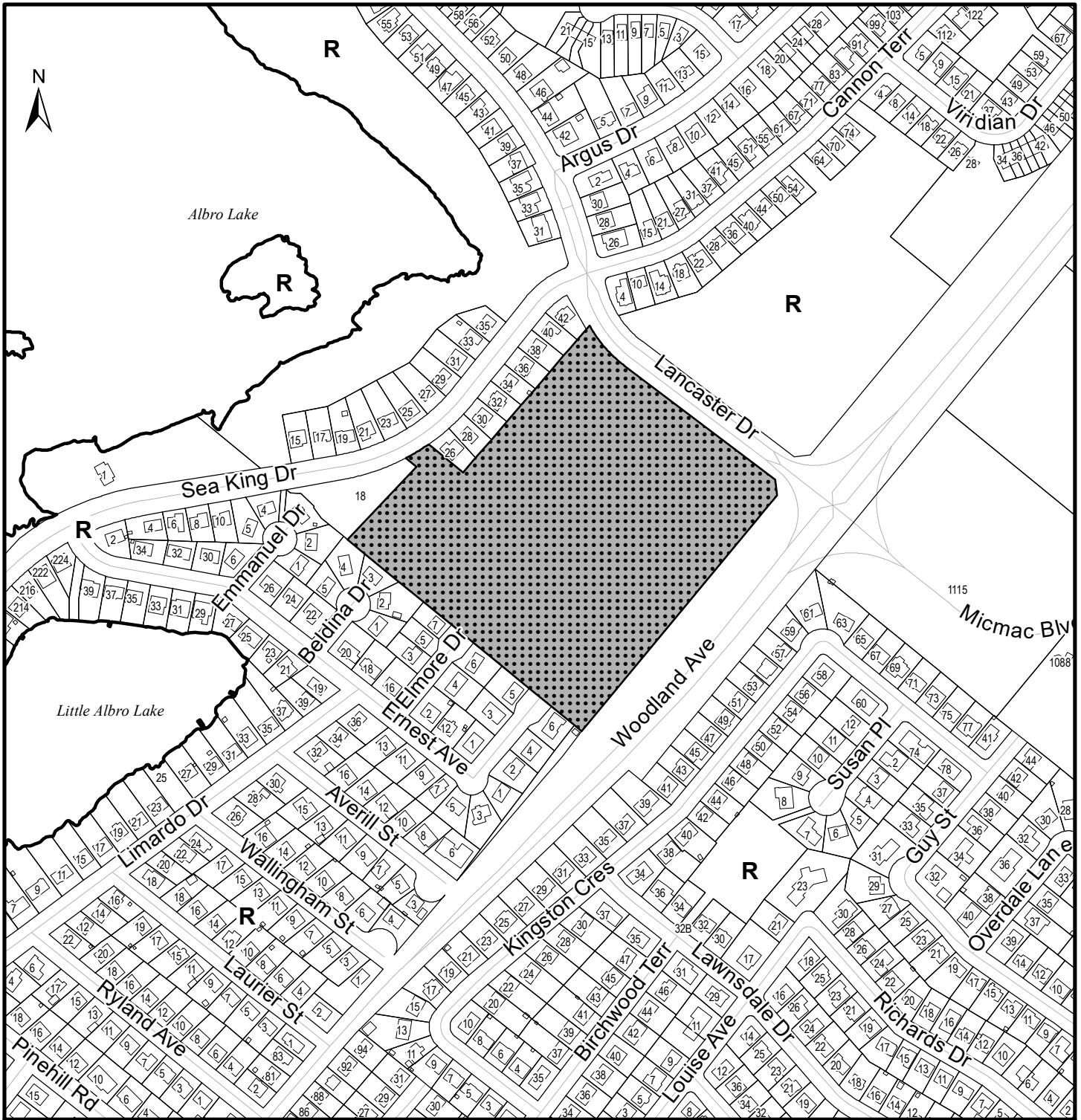
A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Jennifer Chapman, Planner III, 902.490.3999

Original Signed

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

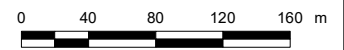
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### Map 1 - Generalized Future Land Use

**HALIFAX**

Sea King Drive,  
Dartmouth



 Subject Property

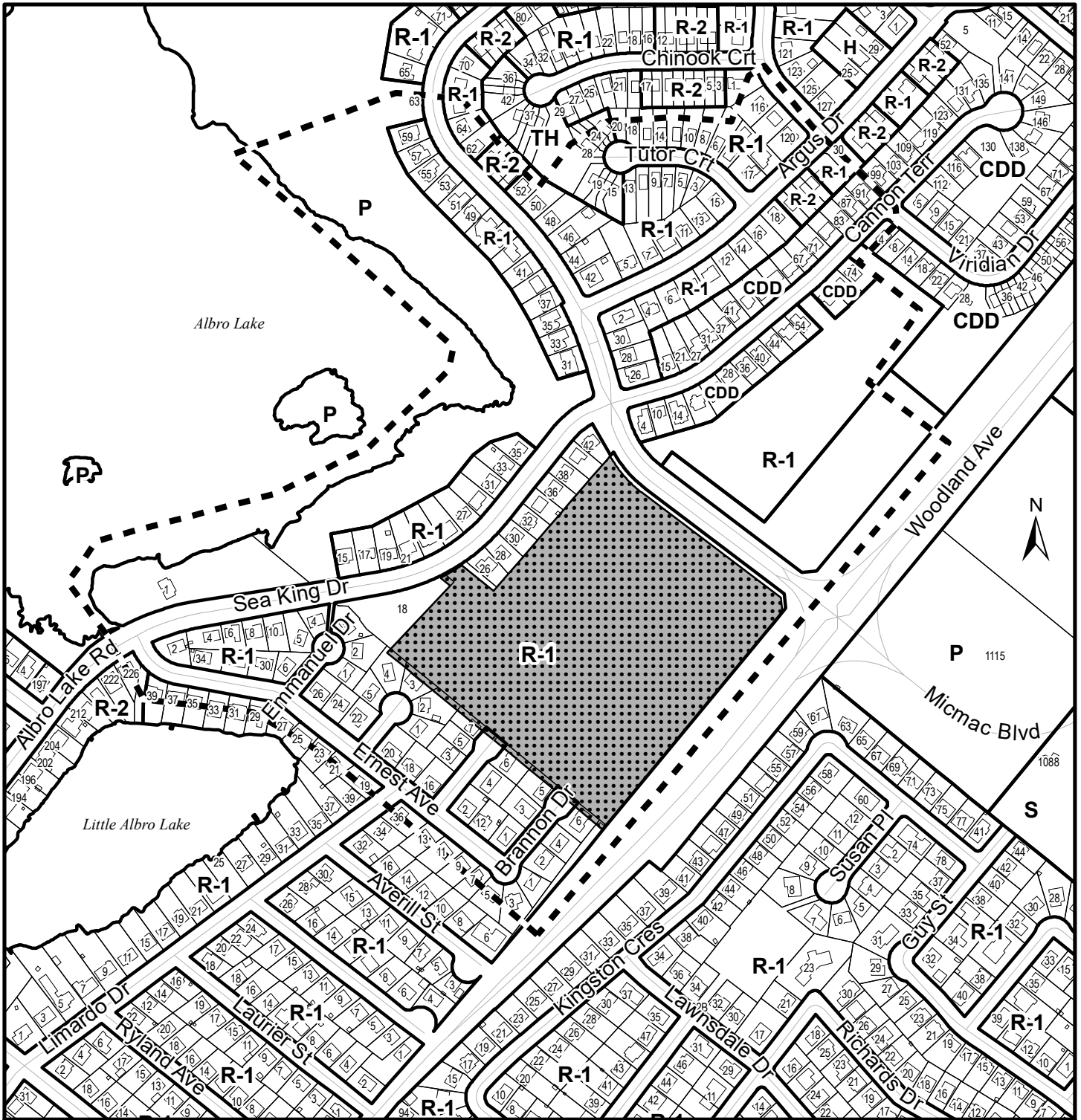
#### Designation

R Residential

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.



Dartmouth Plan Area



## Map 2 - Zoning and Notification

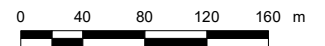
Sea King Drive,  
Dartmouth

**HALIFAX**

-  Subject Property
-  Area of Notification

### Zone

- R-1 Single Family Residential
- R-2 Two Family Residential
- TH Town Housing
- P Park
- S Institutional
- CDD Comprehensive Development District

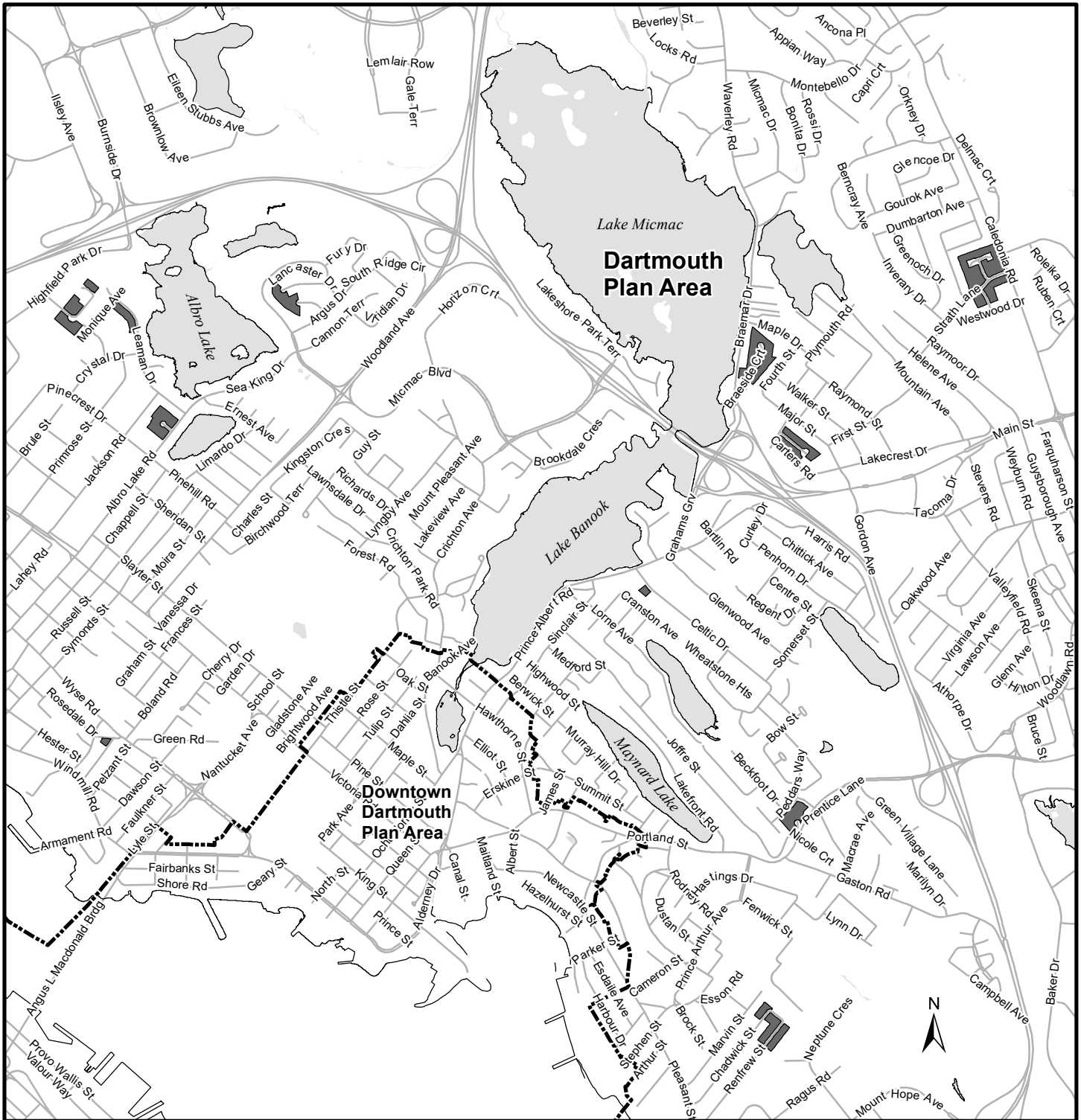


This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

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Dartmouth Plan Area






### Map 3 - Townhousing Zone, Dartmouth

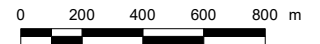
Sea King Drive,  
Dartmouth

 TH (Townhouse) Zone

 Plan Area Boundary

Dartmouth Plan Area

**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.



### Map 4 - Townhousing Zone, Dartmouth

Sea King Drive,  
Dartmouth

 TH (Townhouse) Zone

 Plan Area Boundary

Dartmouth Plan Area

**HALIFAX**



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## ATTACHMENT A

### Proposed Amendment to the Land Use By-law for Dartmouth

BE IT ENACTED by the Harbour East-Marine Drive Community Council of the Halifax Regional Municipality that the Land Use By-law for Dartmouth is hereby further amended as follows:

1. Amend sub-clause 36(2) (c) of Part 6 TH (Town Housing) Zone, by deleting “35% except within the Main Street Designation – 45% (RC-Sep 10/13;E-Nov 23/13)” and adding “45% except for a building containing not more than one storey above grade - 50%”

I, Kevin Arjoon, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Harbour East-Marine Drive Community Council held on [DATE], 2019.

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Kevin Arjoon

Municipal Clerk

## ATTACHMENT B

### Proposed Amendment to the Land Use By-law for Dartmouth – Schedule 1

BE IT ENACTED by the Harbour East Marine Drive Community Council of the Halifax Regional Municipality that the Land Use By-law for Dartmouth is hereby further amended as follows:

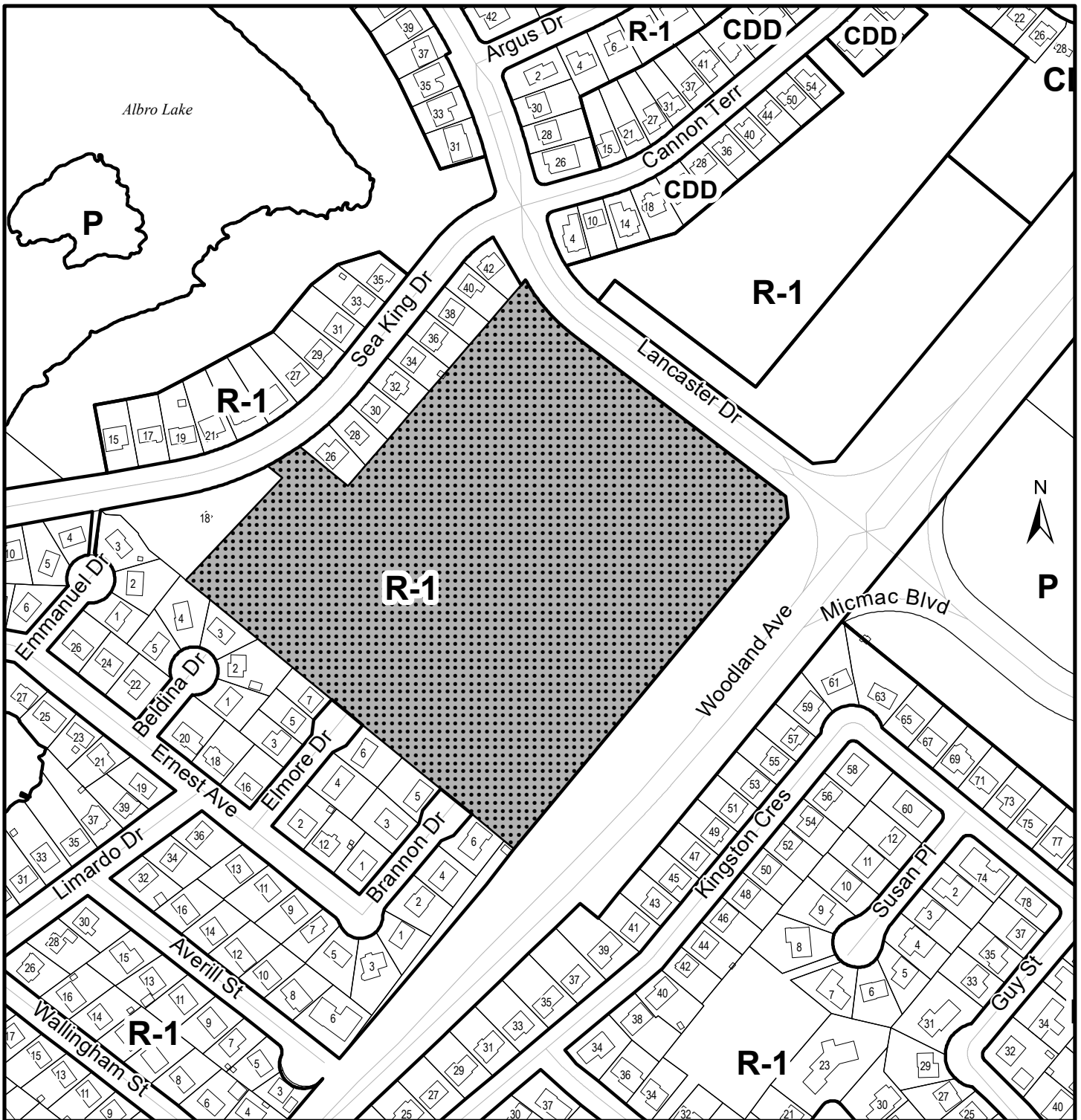
1. Amend Schedule 1, the Zoning Map, by rezoning the property identified as 20 Sea King Drive, from the R1 (Single Family Residential) Zone to the TH (Town Housing) Zone, as shown on the attached Schedule A.

I, Kevin Arjoon, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Harbour East Marine Drive Community Council held on [DATE], 2019.

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Kevin Arjoon

Municipal Clerk



**Schedule A**

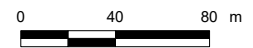
Sea King Drive,  
Dartmouth

 Area to be Rezoned from R-1 to TH (Townhouse)

**Zone**

- R-1 Single Family Residential
- R-2 Two Family Residential
- TH Town Housing
- P Park
- S Institutional
- CDD Comprehensive Development District

**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.

Dartmouth Plan Area

**Attachment C: Review of Relevant MPS Policies**

<b>Dartmouth Municipal Planning Strategy</b>	
<b>Policy</b>	<b>Staff Comment</b>
<p><b>Policy IP-1(c)</b>  <i>In considering zoning amendments and contract zoning, Council shall have regard to the following:</i></p>	
<p><i>(1) that the proposal is in conformance with the policies and intent of the Municipal Development Plan;</i></p>	<p>The Municipal Planning Strategy has designated the lands located at PID 40789323 as Residential. Within the residential designation there are a variety of land uses which are enabled, including single, duplex, low density multiple, medium density multiple, high density multiple, as well as some neighbourhood commercial, home occupation, park, and institutional uses. The townhouse use is consistent with a low to medium density residential use and is appropriate for this area.</p> <p>As stated by the Housing Chapter objective, this development would increase the amount of varied housing stock within the city and help meet the needs of a demographic group. The development would also provide a denser infill in a vacant area of land with existing services and infrastructure, part of the objective for the Directions for Growth chapter.</p>
<p><i>(2) that the proposal is compatible and consistent with adjacent uses and the existing development form in the area in terms of the use, bulk, and scale of the proposal;</i></p>	<p>The subject property is located in a low density neighbourhood. Bound on the northwest and southwest by established single detached residential dwellings, ranging in height from one to two storey. To the northeast and east of the site are two road ways, Woodland Ave is a four-lane arterial road and Lancaster Drive is a four-lane minor collector. Across both roads are established residential neighbourhoods and directly across Lancaster Drive is a vacant lot. The subject lands are currently zoned R-1 and is surrounded by R-1 zones.</p> <p>The proposal is requesting a rezoning from an existing R-1 (single family residential) to a TH (town housing) zone; to increase lot coverage from 35% to 45% for all townhouse dwellings, and to allow a further increase in lot coverage to 50% for single storey townhouse dwellings.</p> <p>The R-1 zone allows single family dwellings, places of worship, education facilities, a number</p>



	<p>of club facilities, and accessory uses to any of the associated uses. The R-1 zone requires a minimum of 5000 sq. ft for lots and allows 35% maximum coverage. The requested TH zone is more restrictive than the R-1 zone. The TH zone allows two or more one family dwellings which are attached vertically, schools, and any accessory uses. The TH zone requires a minimum lot are of 2000 sq. ft, a minimum lot frontage of 20 feet, and 35% maximum lot coverage (except in the Main Street Designation where 45% coverage is permitted).</p> <p>The request also includes an increase to the lot coverage for the TH zone which will enable different forms and styles of Townhouses. The 35% maximum lot coverage which exists in the TH zone, combined with the minimum lot size of 2,000 sq. ft, would create a foot print of 700 sq. ft. At this size most dwellings would need to become multi-level to provide a comparable square footage to that of a standard single detached dwelling.</p> <p>By changing the maximum lot coverage to 50% and combined with the minimum lot size of 2000 sq.ft this would enable a buildable footprint of 1000 sqft, comparable to that of small single detached dwellings. This will create the ability to develop single level town houses which are more accessible to a wider group and can create a more diverse housing stock. This could provide further opportunities to provide varied housing options within the city with larger one story or taller townhouses. It should be noted that this would be the highest lot coverage of town house zones in HRM, with the next closest amount at 45% in Main St Dartmouth. Staff recommend applying the 45% lot coverage to all of Dartmouth.</p> <p>The residential zone is compatible and consistent with the adjacent uses of the area. The proposed zone is residential, and this use is compatible and consistent with the neighbourhood and the residential uses which surround it.</p>
<p><i>(3) provisions for buffering, landscaping, screening, and access control to reduce potential</i></p>	<p>As required under the LUB</p>

<i>incompatibilities with adjacent land uses and traffic arteries;</i>	
<i>(4) that the proposal is not premature or inappropriate by reason of:</i>	There is no anticipated cost to the City relating to this development.
<i>(i) the financial capability of the City is to absorb any costs relating to the development;</i>	
<i>(ii) the adequacy of sewer and water services and public utilities;</i>	Halifax Water has reviewed and is ok.
<i>(iii) the adequacy and proximity of schools, recreation and other public facilities</i>	<p>The site is located between John MacNeil Elementary School and Crichton Park School and is within bussing distance to a number of other schools.</p> <p>The site is located next to the Cyril Smith Golden Acres park, Maybank Sport Fields, and Albro Lake Beach, as well as a number of small local parks.</p> <p>The adequacy and proximity of local services should be sufficient for the anticipated development.</p>
<i>(iv) the adequacy of transportation networks in adjacent to or leading to the development;</i>	The area is serviced by the 66, 72, 56, and 10 bus lines. Traffic Management agrees with the TIS conclusion that there is not expected to be any significant impact to traffic operations on the adjacent streets and intersections.
<i>(v) existing or potential dangers for the contamination of water bodies or courses or the creation of erosion or sedimentation of such areas;</i>	The site had a wetland of 1.75 hectares and the applicant has received an alteration agreement with the Nova Scotia Department of Environment (NSE) to alter the lands and provide compensation at a ration of 2:1.
<i>(vii) the presence of natural, historical features, buildings or sites;</i>	Not applicable to the site. There are no registered heritage properties within or adjacent to the subject land.
<i>(viii) create a scattered development pattern requiring extensions to truck facilities and public services while other such facilities remain under utilized;</i>	Contained residential development within existing service areas
<i>(ix) the detrimental economic or social effect that it may have on other areas of the City.</i>	No detrimental impacts are expected in other areas.
<i>(5) that the proposal is not an obnoxious use;</i>	No obnoxious use.
<i>(6) that controls by way of agreements or other legal devices are placed on</i>	Regulated through the zoning standards.



<p><i>proposed developments to ensure compliance with approved plans and coordination between adjacent or near by land uses and public facilities. Such controls may relate to, but are not limited to, the following:</i></p> <p><i>(i) type of use, density, and phasing;</i></p>	
<p><i>(ii) emissions including air, water, noise;</i></p>	Regulated through the zoning standards.
<p><i>(iii) traffic generation, access to and egress from the site, and parking;</i></p>	Regulated through the zoning standards.
<p><i>(iv) open storage and landscaping;</i></p>	Regulated through the zoning standards.
<p><i>(v) provisions for pedestrian movement and safety;</i></p>	Regulated through the zoning standards.
<p><i>(vi) management of open space, parks, walkways;</i></p>	Regulated through the zoning standards.
<p><i>(vii) drainage both natural and sub-surface and soil-stability;</i></p>	Regulated through the zoning standards.
<p><i>(viii) performance bonds.</i></p>	Regulated through the zoning standards.
<p><i>(7) suitability of the proposed site in terms of steepness of slope, soil conditions, rock out-croppings, location of watercourses, marshes, swamps, bogs, areas subject to flooding, proximity to major highways, ramps, railroads, or other nuisance factors.</i></p>	<p>The site contained a wetland that received an alteration permit from the Province and has been infilled.</p> <p>Generally, this site is suitable for development, it is a generally flat parcel of land, free of major obstacles, and is not located near any major nuisance factors. With the approval of the removal of the wetland from NSE, there are limited obstacles to the development of this site.</p>
<p><i>(8) that in addition to the public hearing requirements as set out in the Planning Act and City by-laws, all applications for amendments may be aired to the public via the "voluntary" public hearing process established by City Council for the purposes of information exchange between the applicant and residents. This voluntary meeting allows the residents to clearly understand the proposal previous to the formal public hearing before City Council</i></p>	A public meeting was held June 19, 2019.
<p><i>(9) that in addition to the foregoing, all zoning amendments are prepared in sufficient detail to provide:</i></p>	

<i>(i) Council with a clear indication of the nature of proposed development, and</i>	Satisfied.
<i>(ii) permit staff to assess and determine the impact such development would have on the land and the surrounding community</i>	Satisfied.
<i>(10) Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy IC-6", Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the "Infrastructure Charges" Policies of this MPS. (RC-Jul 2/02;E-Aug 17/02)</i>	N/A

**Regional Municipal Planning Strategy**

<b>Policy</b>	<b>Staff Comment</b>
<p>3.1 OBJECTIVES</p> <p>1. Direct growth so as to balance property rights and life-style opportunities with responsible fiscal and environmental management; communities;</p>	<p>Proposal is an infill site within the Regional Centre and is located within the Mic Mac Mall Regional District Grow Centre. The Regional Plan anticipates the redevelopment of sites within this Centre and describes a low to medium density residential form as the surrounding context. This proposal is consistent with this form and is an appropriate form of infill in this area.</p>
<p>2. Target at least 75% of new housing units to be located in the Regional Centre and urban communities with at least 25% of new housing units within the Regional Centre over the life of this Plan;</p>	<p>This is located within the Regional Centre, contributing to this growth.</p>
<p>3. Focus new growth in centres where supporting services and infrastructure are already available;</p>	<p>Located in the Mic Mac Mall Regional District growth centre, which has existing services and infrastructure suited to the development.</p>
<p>4. Design communities that:</p>	
<p>(a) are attractive, healthy places to live and have access to the goods, services and facilities needed by residents and support complete</p>	<p>Proposal is located within an existing residential area that is well located on transit and other transportation routes. Offering a range of housing choice supports complete neighbourhoods.</p>

neighbourhoods as described in 6.2.2 (v) of this Plan;	
(b) are accessible to all mobility needs and are well connected with other	Allowing for the creation of single level living provides housing for those with accessibility needs
(c) promote energy efficiency and sustainable design;	NA
(d) protect neighbourhood stability and support neighbourhood revitalization;	This is a sensitive infill proposal that is generally consistent with the surrounding context. The built form will allow for approximately 35 more units on the 5.4 hectare site than if the site was to be developed under the R-1 zoning, allowing for subtle density increases that provide an appropriate transition to the surrounding community.
(e) preserve significant environmental and cultural features;	NA
(f) promote community food security;	NA
(g) provide housing opportunities for a range of social and economic needs and promote aging in place;	The proposal to rezone to the TH zone will provide additional housing choice in this community. The lot coverage amendment provides additional incentive to create accessible single level units that are intended to accommodate aging in place.
5. Maintain the character of rural communities;	NA
6. Preserve agricultural and resource lands;	NA
7. Provide opportunities to establish a network of interconnected greenbelts and open spaces; and	NA
8. Support housing affordability.	The requested TH zone only permits townhouse dwellings, which are generally more affordable than single unit detached dwellings. The current R-1 zoning requires larger lots and more road frontage which results in development that is less dense, and is thus more expensive to develop.

## Attachment D: Public Information Meeting Summary

HALIFAX REGIONAL MUNICIPALITY  
Public Information Meeting  
Case 21982

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

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Wednesday, June 19, 2019  
6:30 p.m.

Dartmouth North Community Centre - Multipurpose Room - 105 Highfield Park Dr, Dartmouth, NS

### STAFF IN

**ATTENDANCE:** Jennifer Chapman, Planner, Planner III, HRM Planning  
Holly Kent, Planning Technician, HRM Planning  
Tara Couvrette, Planning Controller, HRM Planning

### ALSO IN

**ATTENDANCE:** Councillor, Sam Austin, District 5  
Jenny Lugar – Applicant, WSP Canada  
Christina Lovitt – Applicant, WSP Canada  
Helen & Bill Craig, Helen's Brother David & Kim, Carl & Michelle Monk

### PUBLIC IN

**ATTENDANCE:** Approximately: 63

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## 1. Call to order, purpose of meeting – Jennifer Chapman

Ms. Chapman introduced himself as the Planner and Facilitator for the application. They also introduced; Councillor Sam Austin, Tara Couvrette – Planning Controller, Holly Kent - Planning Technician, Jenny Lugar and Christina Lovitt – Applicant.

Case 21982 - Application by WSP Canada Inc, to rezone lands at 20 Sea king Drive to TH (Townhouse) Zone from R-1 (Single Family Dwelling) Zone and to amend the lot coverage requirement for the TH Zone, in Dartmouth.

Ms. Chapman explained; the purpose of the Public Information Meeting (PIM) is: a) to identify that HRM has received a proposal for the site; b) to provide information on the project; c) to explain the Planning Policies and the stages of the Planning Process; d) an opportunity for Staff to receive public feedback regarding the proposal. No decisions are made at this PIM.

### 1a) Presentation of Proposal – Jennifer Chapman

Ms. Chapman 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 applicants request. Ms. Chapman outlined the context of the subject lands and the relevant planning policies.

### 1b) Presentation by Jenny Lugar - Applicant

Ms. Lugar explained the reason for the application showing the site. Ms. Lugar showed the greater context of the site, current zoning, and proposed zoning.

## 2. Questions and Comments

**Public** – Concerns with the volume of units.

**Glen Rafuse, 3 Emmanuel Dr.** – Between 2 and 3 Emmanuel there is a little stream that only runs when it rains. Sense the land preparation has begun it hasn't stopped running. How is that being addressed,

that water runoff, is it going to stop or increase? **Helen Craig** – The wetland has been approved by the Department of Environment to have it infilled, for the past 7 years now, and it has to be completed by the end of 2019. They do not anticipate that there will be any runoff onto Emmanuel Dr. at all once this is done. The infill will be all finished by the end of July beginning of August. **Carl** – believes the water that Mr. Rafuse is seeing is the water that is being pumped out of there right now and once the wetland is infilled it will stop. Offered that if anyone would like to meet him at the subject property to go over any concerns and address any issues, he would be willing to do that.

**Rosette McEwen, Sea King Dr.** – has concerns about this changing to townhouses. Sees other properties, i.e. Gram's Grove / Prince Albert Rd. area – not being what was proposed, they distrust the whole process completely. Will there be greenbelt left between Sea King and the townhouses? How many feet of trees? **Helen** – yes, there will be trees of at least 20 feet. **Jennifer Chapman** – In the Land Use Bylaw (LUB) there are requirements for buffering. **Ms. McEwen** – does the change in the rezoning allow for a higher density development – i.e. condo's apartments etc.? **Jennifer Chapman** – no. What is permitted in the new zoning would be the townhouse forms and schools. **Ms. McEwen** stated their neighbour was approached to sell their home to put in a road. Is that correct? **Helen** - No **Ms. McEwen** – their whole feeling about this is mistrust and that is why people are not supportive of changes like this. We have to protect what we have. How can you profile a community by age saying it is 55 plus? **Jennifer Chapman** stated that is not something HRM has any control over. HRM would simply allow the form. **Ms. McEwen could the proposed driveways be changed after the rezoning.** **Jennifer Chapman** – yes, these are only concept plans. As the planning department we are only looking at the uses, does the use make sense. **Ms. McEwen** – The city/province can't maintain the infrastructure now, potholes & water pressure, how could 100 more homes in that area be supported? **Jennifer Chapman** stated there is a pothole reporting spot of HRM's website. **Ms. McEwen** not against development but they moved into this area for the greenspace and community not this. Fix land bylaws so what is happening at Grams Grove doesn't happen anywhere else.

**Councillor Austin** spoke to what is happening at the corner of Prince Albert and Glenwood.

**Cal Ross, Sea King Dr.** – Would there be a covenant on everyone deeds saying they can't cut down the trees or clear that buffer zone? **Helen** – stated they and their partners would prefer more trees than lawn as it would require less maintenance and stated there would be covenants for greenspace. **Jennifer Chapman** just wanted to clarify that a covenant would not be enforced by HRM however, there is a requirement for buffering in the LUB and that would be enforced. **Cal Ross** the presentation of the development is senior friendly, and it would be impossible to walk to any banks, malls, shopping in the area. Suggests maybe a corner store in the development would be beneficial. Will the common areas, streets, parks be maintained by the city or the developer? **Jennifer Chapman** stated it would all be public infrastructure and maintained by the city.

**Cathy Merriman, Ernest Ave** – Sad to see the wetland and woods go. They already have inadequate storm drainage. Whatever does happen they can't see how it would be possible for them to stop the water from coming and when the land gets paved and the water has no where to go, it will come down their streets and into their properties. **Jenny Lugar** stated because this is just about rezoning they can't speak to the construction right now. The issues would be looking at in the permitting stage if this was to be approved.

**Tim Skidmore, Beldina Dr.** – Wanted to know what the little green cone behind his house was. **Helen** – undeveloped greenspace.

**Doug Gray, Elmore Dr.** – the wetland is so swampy and soft and even after filling it in the water has to go somewhere.

**Ron Stuart, Blackbear Cir** – is in favor of the development and believes there is a need for this type of housing in the area.

**Tracy Miller, Sea King Dr.** – has concerns with water pressure now and believes adding 100 homes will make that worse. Something needs to be done to take care of that first. Parking will be an issue as there doesn't seem to be room in the driveways or on the street for visitor parking. Where is the exit to Sea King Dr.? **Jennifer Chapman** – The exit is not part of what is being discussed right now. That would be coming at a later stage. If the zoning was to get approved a permit would be applied for and that is when

the roads would be looked at as well as the infrastructure.

**Donna Spencer, Elmore Dr.** - Also concerned about the water problem and would like to make sure that is addressed. Who would they call about the water issue. **Jennifer Chapman** – provided her contact info.

**Derek Vallis, Sea King Dr.** – wanted to know how the marsh was assessed. **Jennifer Chapman** stated wetlands are regulated by the province and explained how that worked. Stated it is 1 for 1 so a wetland of this size will be constructed somewhere else. **Derek Vallis** - has done a few years on the Regional Watershed Advisory board and would like to know why something like with was not brought to them for consideration. **Jennifer Chapman** stated that is with the province because it is a provincial review and HRM doesn't get consulted on it. **Derek Vallis** – has concerns with the entrances and exits. Wanted to know if the boulevard on Landcaster Dr. was going to be cut out. **Jennifer Chapman** stated there may be a boulevard cut to coordinate the access with the other development across the street. The engineering department is exploring. **Derek Vallis** the increase in volume is significant on top of the existing traffic. One community group should not be affected anymore than another and the entrances and exits must take that into account. It is a great plan and they generally like the idea/concept. Restricted covenants are only as good as the community and very difficult to manage. If you are going to have a greenbelt along the back of the buildings their suggestion is that the municipality takes that section of greenbelt and make it a municipal piece, so it can be guaranteed that it is a greenbelt and there is no destruction of woods.

**Rob Bonnar, Sea King Dr.** – stated all the surrounding homes are single family homes not townhouses. Would like to know if a tax study was done.

**Gerald Pring, Albro Lake Rd.** – is skeptical of the planning of this city. One thing is presented and something else if built. Has concerns with traffic once this and the development across the street gets built. What happens if this doesn't get approved for the 55%, what does that do for the price per unit? **Jennifer Chapman** – stated they are not at that level of detail right now. Right now, they are talking about what makes sense for the site and does it make sense to allow buildings that cover up more space.

**Norm Vatour, Portland Estates** – Will there be follow-up meetings to answer all the questions that haven't been answered. Price? **Jennifer Chapman** – nothing is planned. Provided her contact information. HRM will not be involved in the price, whether it is rental, or owner occupied.

**Janet Porter, Ernest Ave.** – Can you put in townhouses without an increase to 55% lot coverage? **Jennifer Chapman** – that is something for council to decide. **Janet Porter** at the current 35% lot coverage how many units would be permitted. **Jenny Lugar** – has not looked at what it would be for townhouses only singles which would be 50-60. **Janet Porter** – considering that there are several concerns with traffic and the increase in population, it needs to be looked at in those two pieces. One being the townhouse rezoning and the other being the increase in coverage. 60 additional homes with cars is different from 100 homes with cars. There is wildlife in the area, raccoons, squirrels, birds etc. and hopes that there was consideration give for them making sure they have other options for go to.

**Tracy Miller, Sea King Dr.** – was there any consideration given to putting an entrance on Woodland instead of Sea King? **Jennifer Chapman** – thinks that part is controlled by the province and is a controlled access road which they will not allow driveways. **Tracy Miller** was there ever a proposal made for it? **Jennifer Chapman** – it is a no starter with the province.

**Valarie Blaire, Beldina Dr.** – What is the urgency in going at the wetlands and putting in the surface road when you don't even know if this proposal is going to be approved. Does it expire and if so why? **Jennifer Chapman** – the time associated with there provincial approval for the wetlands. The wetland piece was approved in 2014 and expires in 2019. **Valarie Blaire, Beldina Dr.** – so in the event this does not get approved this was all done for nothing and the wetland was infilled. **Carl Monk** – stated whether it gets approved or not something is going to be built on this land. They see the potential there.

**Bob Jollota, Sea King Dr.** – Has the city approved any other places from 35% to 55%. **Jennifer Chapman** – this would apply to all the townhouse zones within the Dartmouth LUB. Right now, the standard is 35% lot coverage and the ask in this application is for 55% lot coverage. **Bob Jollota** the current entrance on Sea King is on a bit of a curve and a bit of a blind hill. People are speedy on that section on the road, is there any talk about making it a 3-way stop and a crosswalk to get across? Down

Sea King on the opposite side there is no sidewalk, is there any talk of adding one? **Jennifer Chapman** stated engineering would be involved if this was approved to review sidewalks, crosswalks etc. **Bob Jollota** would the roads in this development be taken care of by the city? **Jennifer Chapman** – yes, it would be public infrastructure.

**Rob Bonnar, Sea King Dr.** – the zoning change will be carte blanc across the whole city? **Jennifer Chapman** – the zoning request would be on this one parcel but the change to the townhouse lot coverage requirement would be a LUB amendment. **Rob Bonnar** – who gets to vote on that? **Jennifer Chapman** – Harbour East – Marine Drive Community Council which Councillor Austin sits on and the five members of that council would vote. If you received notice of this meeting you will also receive notice of the public hearing which you can speak to council then. **Rob Bonnar** once this is rezoned they could potentially put up whatever they want. **Jennifer Chapman** pointed out there are only 2 things they could put up, townhouse or a school. **Rob Bonnar** there is no consideration of taxes implications because of this? **Jennifer Chapman** – no. The tax rate would be the same for everybody in the urban residential area.

**Public** – could somebody purchase 4-5 townhouses and start renting them? **Jennifer Chapman** – yes. The city does not regulate land ownership.

**Public** – are there bylaws with new developments to ensure greenspace? **Jennifer Chapman** – As the lots get divided (subdivision) HRM takes 10% of the property value. It is either 10% in land or 10% in cash. That money is used to buy parks, playground equipment etc. **Public** – but not necessarily within that area. **Jennifer Chapman** – It could be. It would be accessed by HRM's Parks Department when they come in for subdivision.

### **3. Closing Comments**

**Mr. Chapman** thanked everyone for coming and expressing their comments.

### **4. Adjournment**

The meeting adjourned at approximately 8:11 p.m.