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Public Hearing for Case 22640

Rezoning of 1686 Prospect Bay Road,
1688 Prospect Bay Road, and Lot 4RC,
Prospect

Halifax and West Community Council
Tuesday July 28, 2020

HRM Planner: Jacqueline Belisle, MCIP LPP

Applicant Proposal

Slide 2

Applicant: Brighter Community Planning & Consulting, on behalf of Chris MacDonald

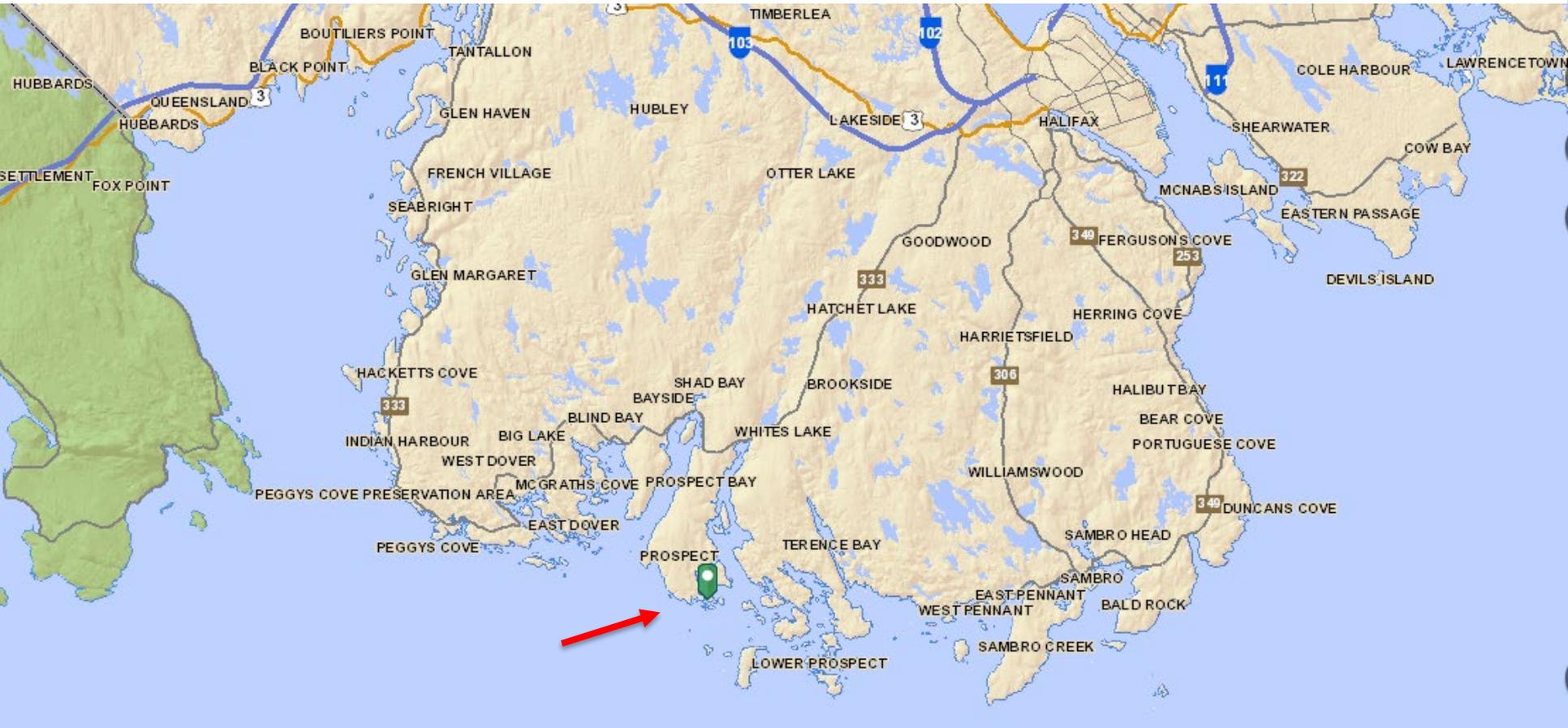
Location: 1686 Prospect Bay Road, 1688 Prospect Bay Road, and Lot 4RC, Prospect

Proposal: Rezone the properties from the P-2 (Community Facility) Zone to the RRB-1 (Rural Residential B-1) Zone to permit the renovation of the former church for a single unit dwelling, and the replacement of the former church hall with a single unit dwelling.

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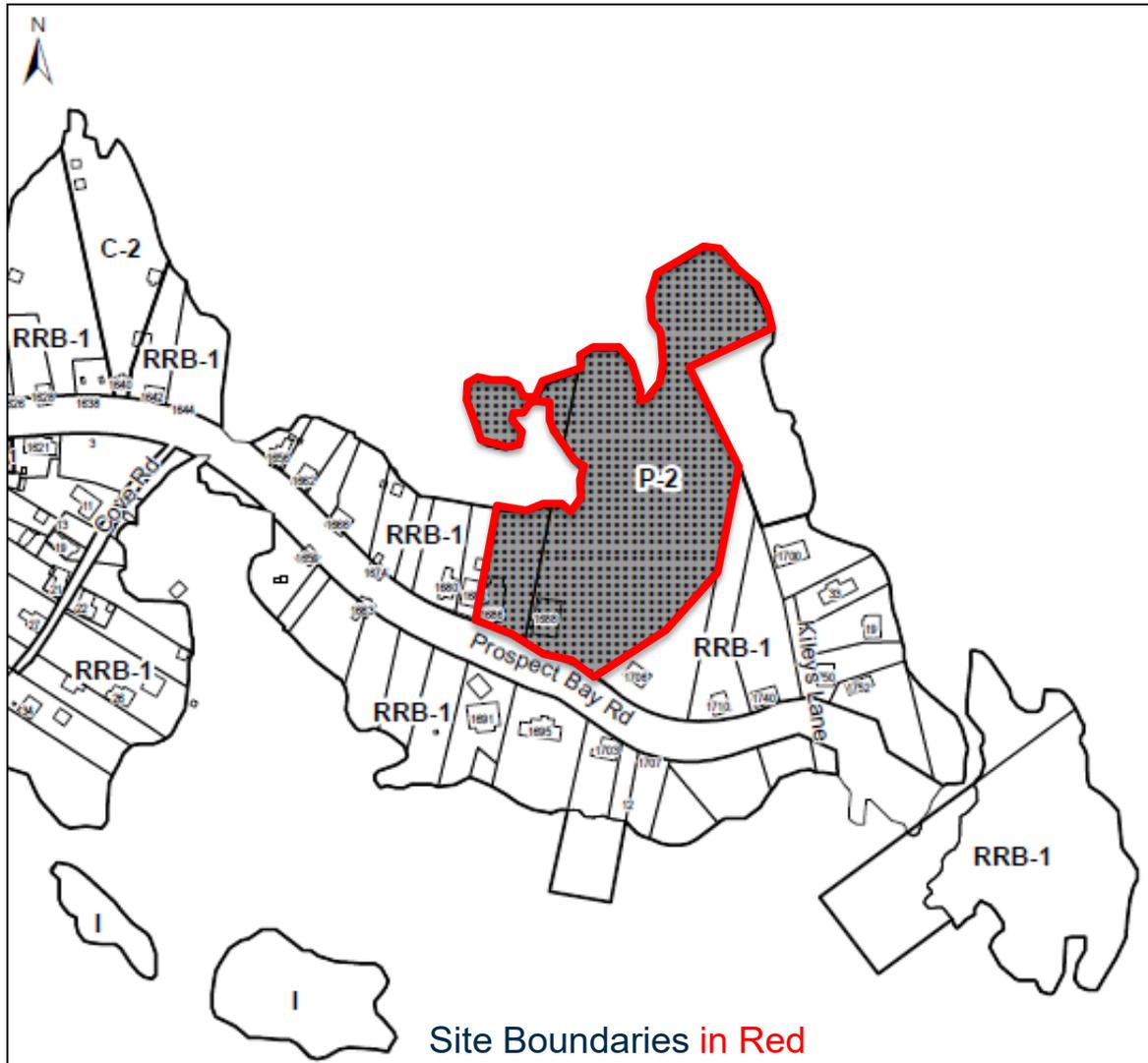
Site Context

1686, 1688 Prospect Bay Road and Lot 4RC, Prospect



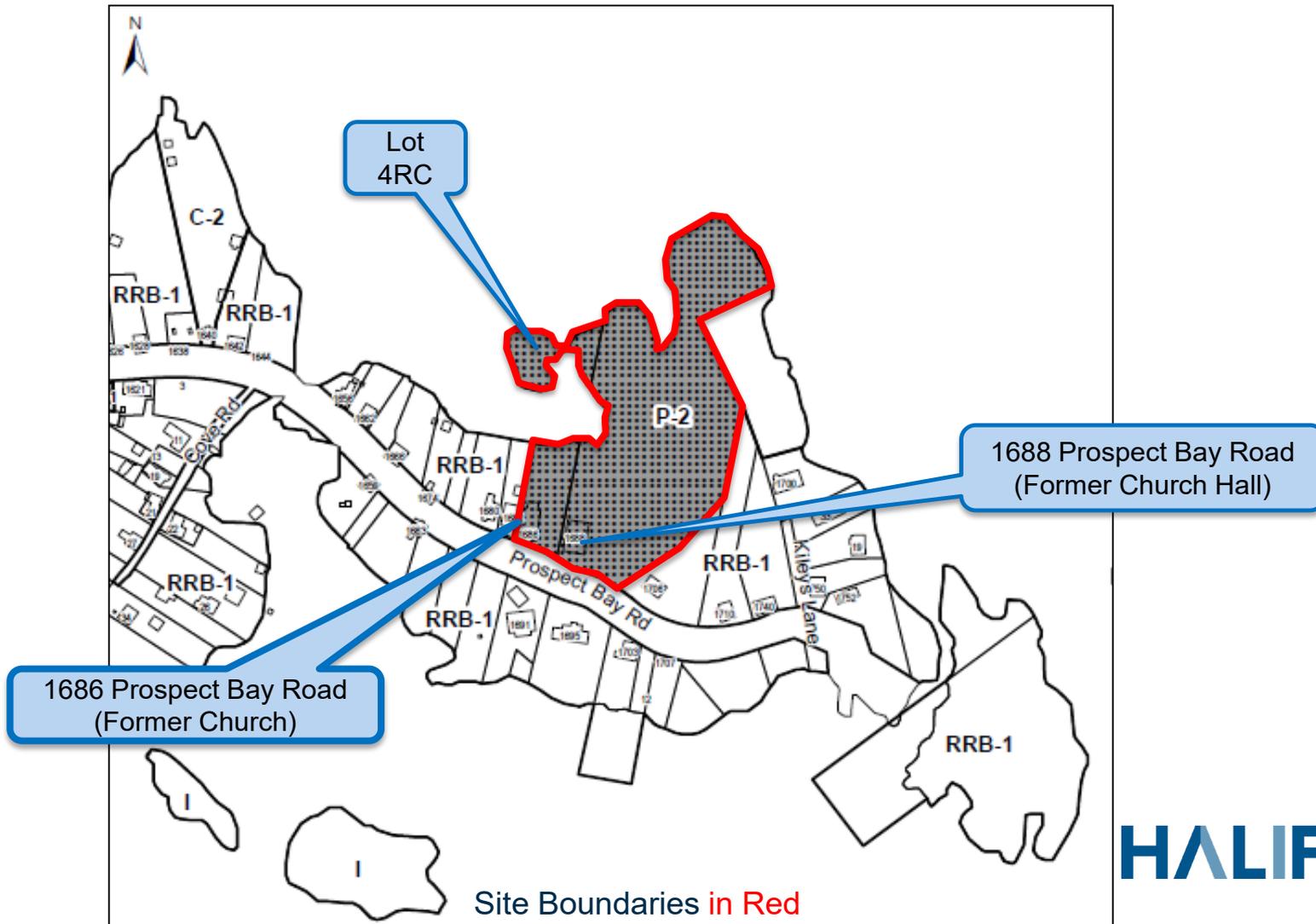
Site Context

1686, 1688 Prospect Bay Road and Lot 4RC, Prospect



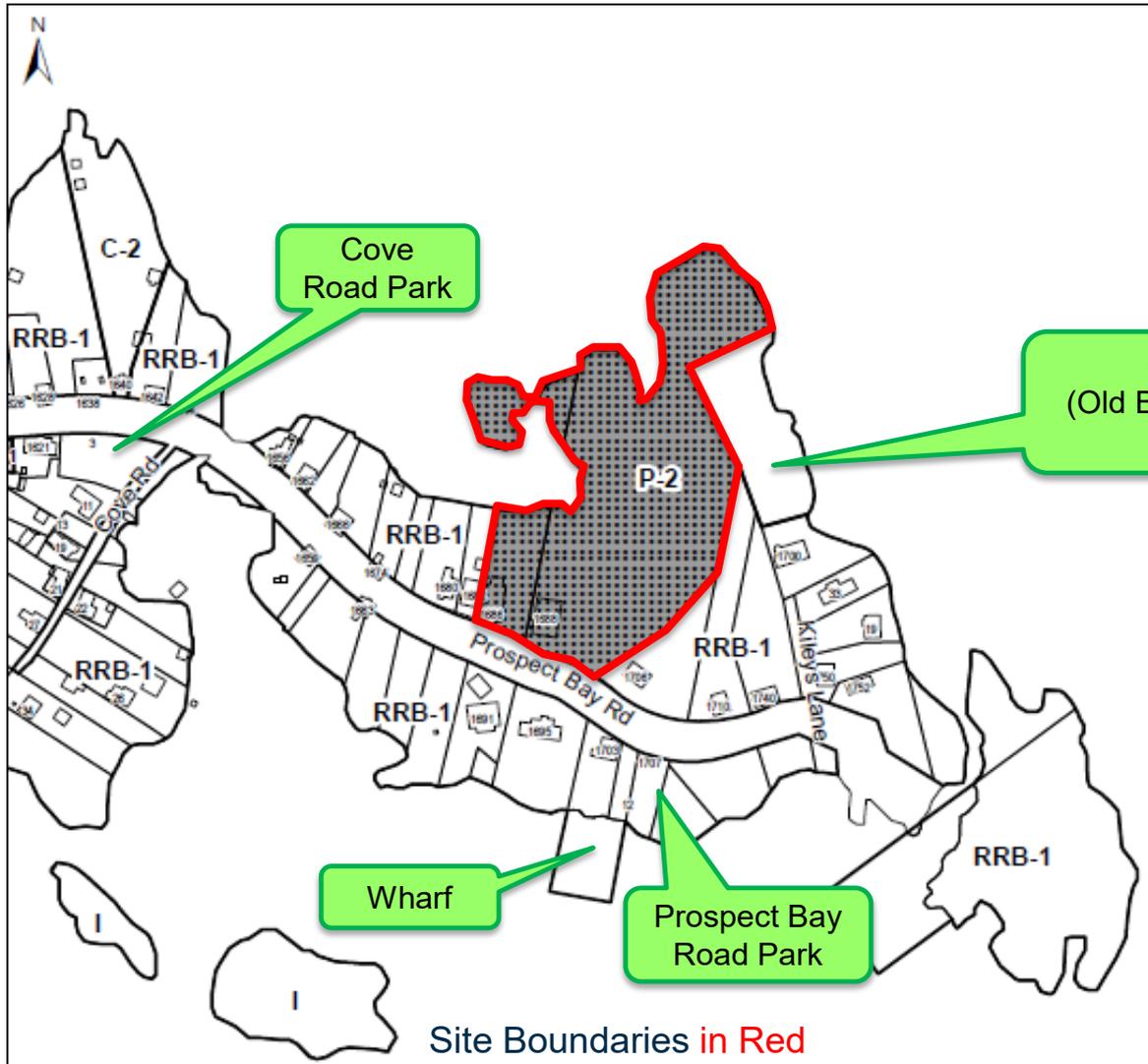
Site Context

1686, 1688 Prospect Bay Road and Lot 4RC, Prospect



Site Context

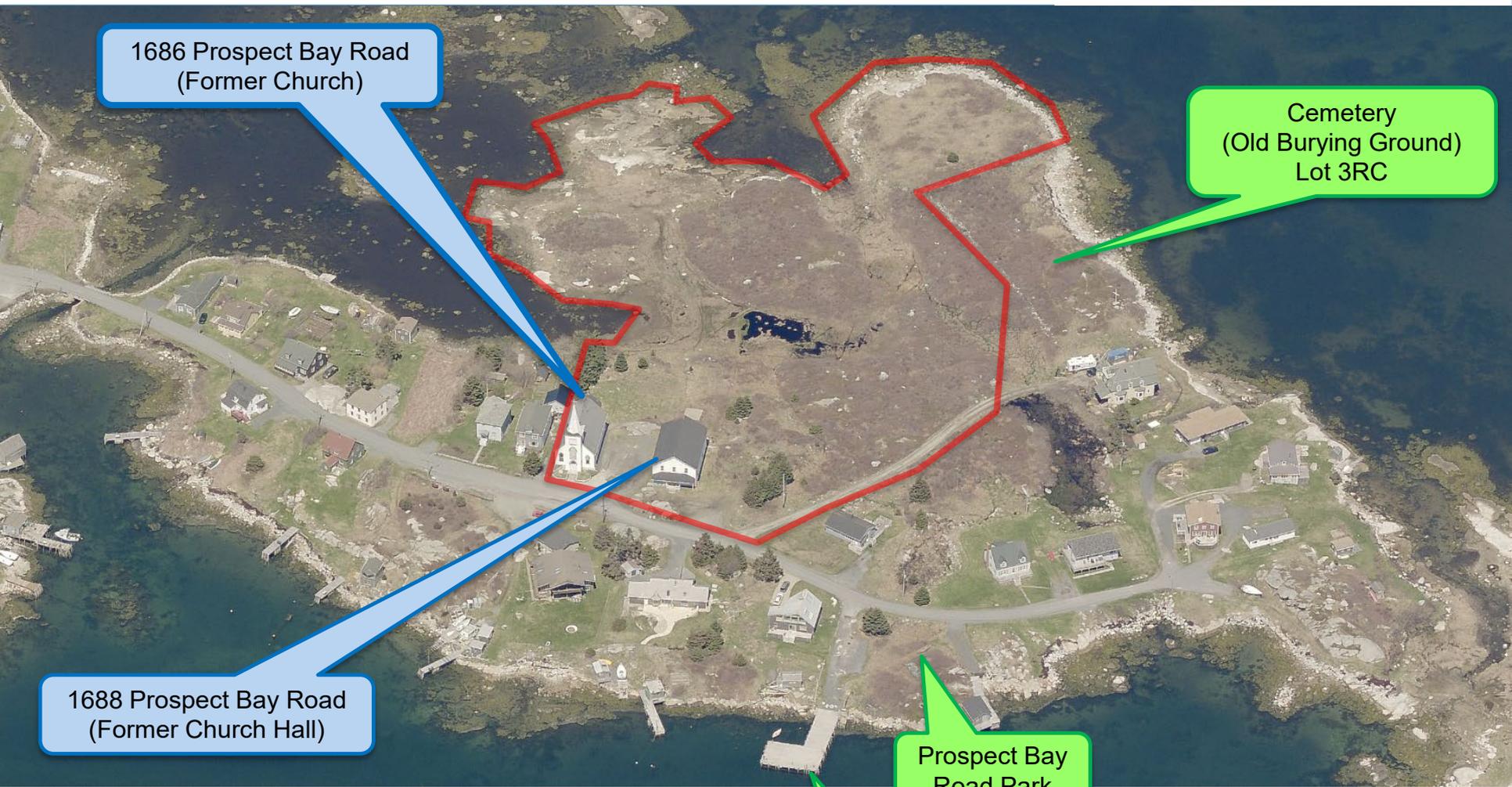
1686, 1688 Prospect Bay Road and Lot 4RC, Prospect



Site Boundaries in Red

Site Context

Slide 7



Subject site as viewed from the south

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Site Context

Slide 8



Subject site as viewed from the Prospect Bay Road
~850 m west (looking east)

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Site Context

Slide 9



Subject site as viewed from Cove Road Park
~ 200 m west (looking east)

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Site Context

Slide 10



Subject site as viewed from the Prospect Bay Road

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Site Context

Slide 11



Subject site as viewed from the Prospect Bay Road

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Subject site as viewed from the Prospect Bay Road



Subject site as viewed from the Prospect Bay Road

Site Context

Slide 14



Subject site as viewed from the rear of 1686 and 1688 Prospect Bay Road (looking north)

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Site Context

Slide 15



Subject site as viewed from the existing driveway at the east of the site

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Site Context

Slide 16



Subject site as viewed from the Lot 3RC (Cemetery)

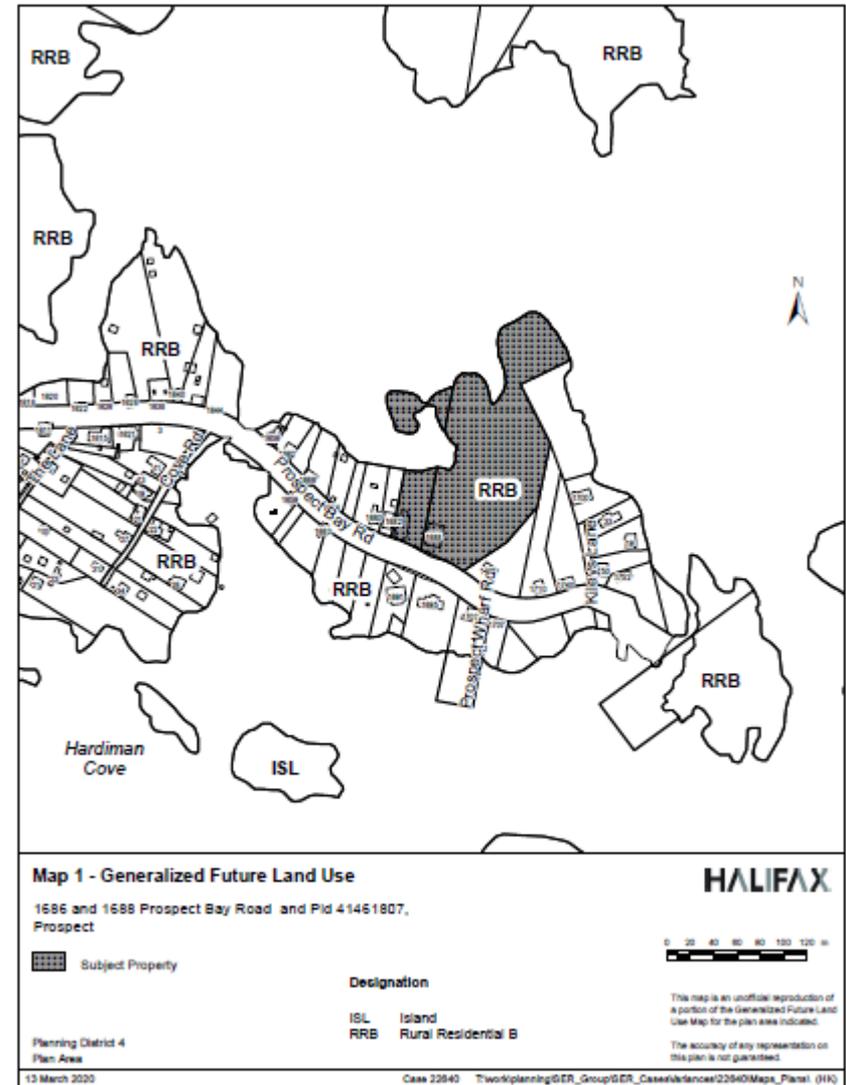
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Planning Policy - Overview

Slide 17

RMPS and MPS for Planning District 4 (Prospect)

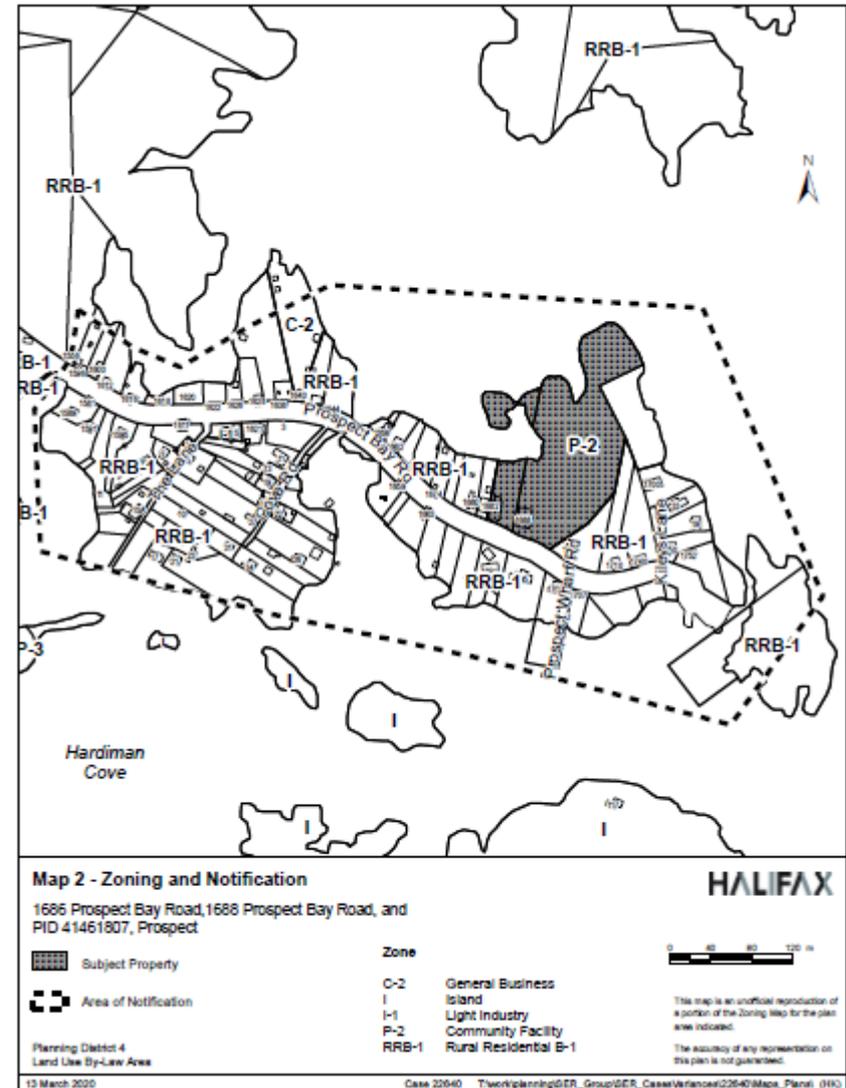
- **RMPS Designation**
 - Rural Commuter
- **MPS Designation**
 - Rural Residential B
- **Enabling Policy**
 - Policy RRB-2 enables the consideration of the RRB-1 Zone.
- **Implementation Policy**
 - Policy IM-11 directs consideration be given to specific criteria for all LUB amendments.



Land Use By-law

Land Use By-law for Planning District 4 (Prospect)

- **Current Zone**
 - P-2 (Community Facility) Zone
- **Proposed Zone**
 - RRB-1 (Rural Residential B-1) Zone



P-2 (Community Facility) Zone Permitted Uses

Slide 19

Land Use By-law for Planning District 4 (Prospect)

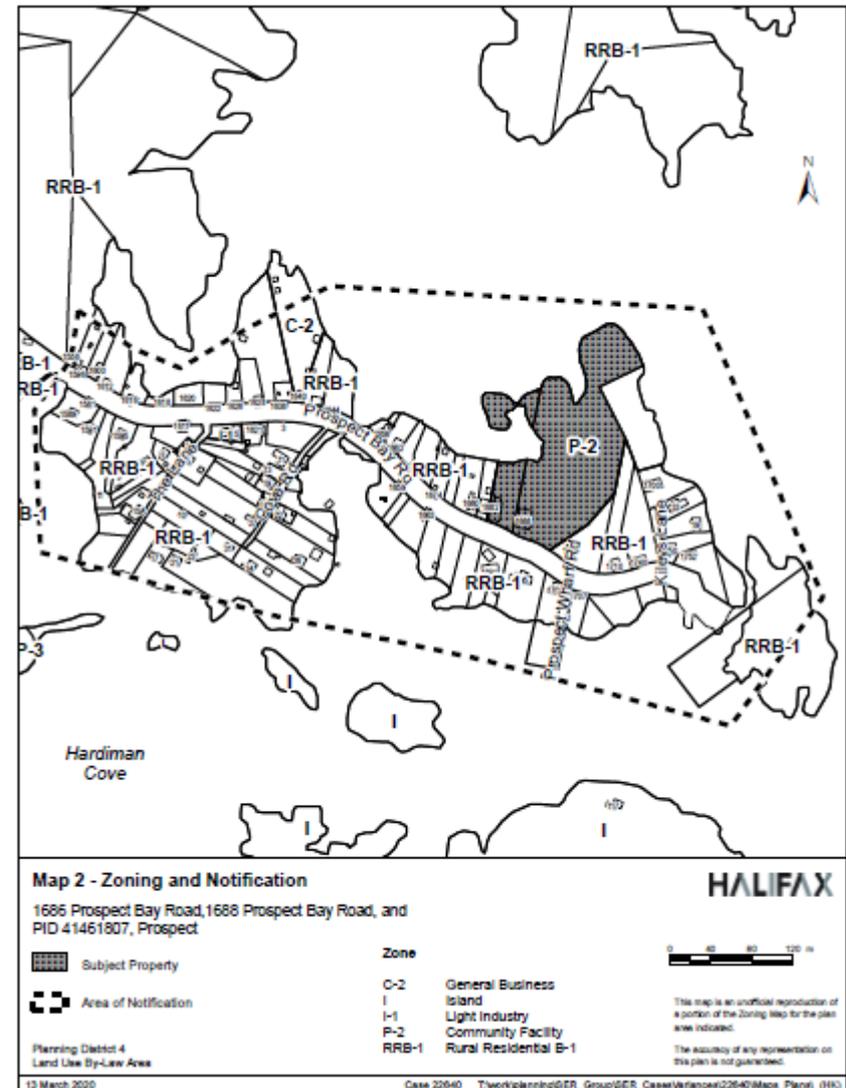
Institutional Uses

- Educational institutions
- Denominational institutions
- Day care facilities
- Fire and police stations
- Government offices and public works
- Hospitals, medical and veterinary clinics
- Public libraries, museums and galleries
- Existing fraternal halls and centres
- Recreation uses
- Day camps

Open Space Uses

- Public and private parks and play grounds
- Cemeteries
- Historic sites and monuments
- Aids to marine navigation
- Tennis courts
- Lawn bowling greens

- Single Unit Dwellings are NOT a permitted use in the P-2 Zone



RRB-1 (Rural Residential B-1) Zone Permitted Uses Slide 20

Land Use By-law for Planning District 4 (Prospect)

Residential Uses

- Single unit dwellings
- Home business uses

Community uses

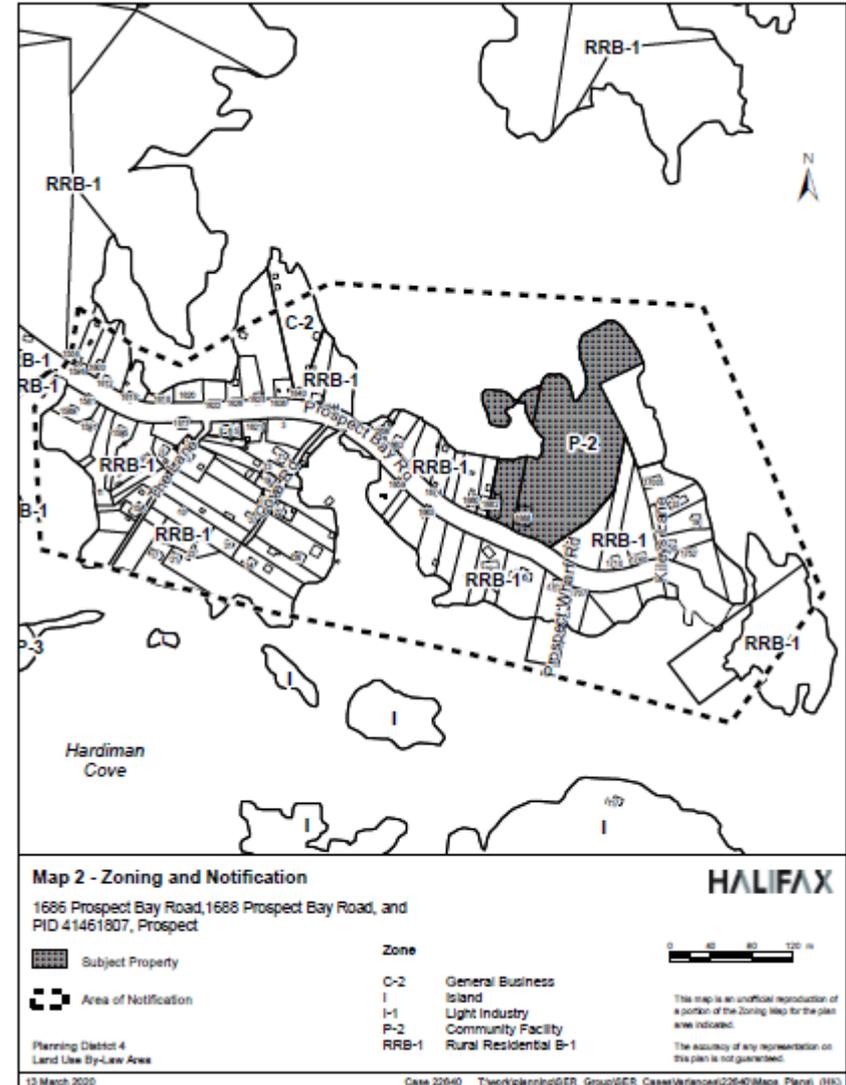
- Open space uses

Resource Uses

- Fishery support uses
- Agricultural uses

Other Uses

- Bed and breakfast outlets
- Existing business uses including the existing kennels on LIMS No. 40309932
- All existing dwellings



Proposal – Site Plan

Slide 21

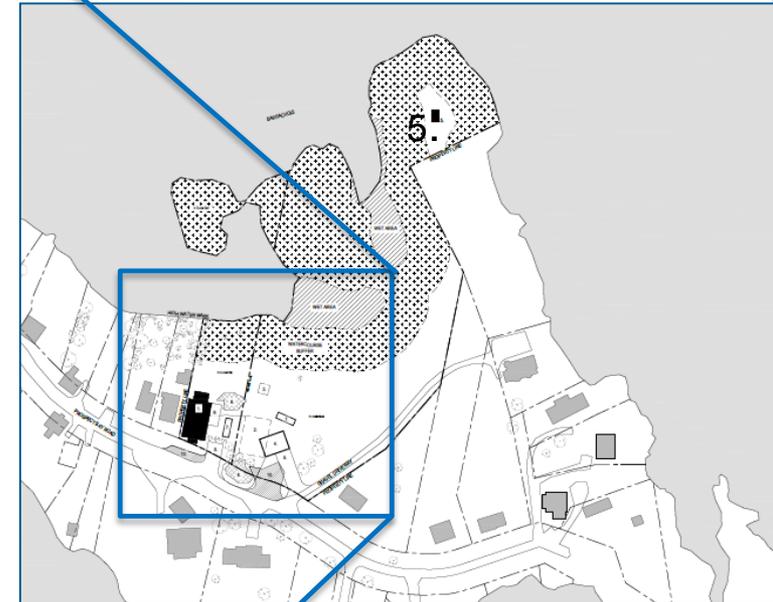


Proposed Site Plan

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Proposal – Site Plan

Slide 22



LEGEND:

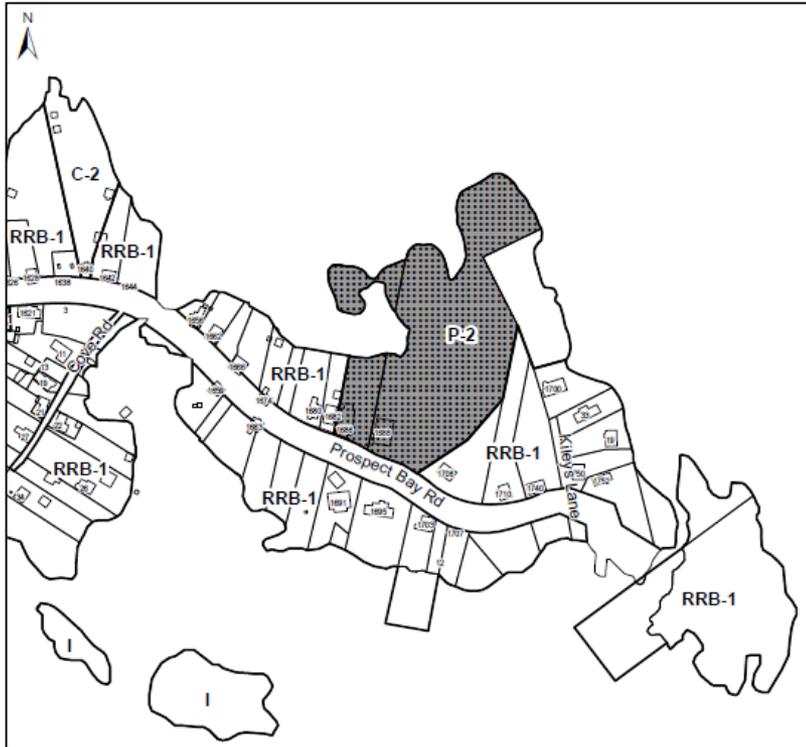
1. EXISTING CHURCH TO REMAIN AND BE RENOVATED
2. EXISTING HALL TO BE DEMOLISHED
3. EXISTING CISTERN TO BE REMOVED
4. PROPOSED CARRIAGE HOUSE (40' X 30' FOOTPRINT)
5. BOATHOUSE (15' X 24' FOOTPRINT)
6. APPROXIMATE LOCATION OF ROCK OUTCROPPINGS
7. PROPOSED SEPTIC SYSTEMS (30' X 10' FOOTPRINT)
8. PROPOSED PARKING AREAS
9. PROPOSED DECK
10. EXISTING DRIVEWAYS TO BE REMOVED

Proposed Site Plan

Proposed By-law Amendments

Slide 23

- A rezoning is a Land Use By-law Amendment to amend the Zoning Map (Schedule A of the LUB)



- If approved, any permitted use under the RRB-1 zone could be established subject to meeting requirements of the LUB

Policy Consideration (RRB-2)

Slide 24

The primary intent of the Rural Residential B Designation is to support the low density residential environment with its associated home business, small scale resource, open space uses and bed and breakfast outlets. Within this designation, provision will also be made for the gradual integration of a wider variety of housing types, commercial activities intended to service the surrounding area, community facility uses and resource uses which are compatible with this coastal environment.

RRB-2 Within the Rural Residential B Designation, it shall be the intention of Council to establish a rural residential B-1 zone which permits the development of single unit dwellings, home businesses, limited fishery support and aquaculture uses, limited agricultural uses, bed and breakfast outlets, open space uses and all existing businesses including the existing kennel of William and Donna Giles (LIMS No. 40309932) and all existing dwellings. In order to address compatibility concerns, provisions within the zone will place controls on the size and location of fishery support, aquaculture support and limited agricultural uses and on the size, location, parking, signage, outdoor display, the use of mechanical equipment and the open storage aspects of home business uses. Provisions within the zone will also stipulate that home business uses and bed and breakfast outlets must be operated by a resident of the dwelling.

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Policy Consideration (IM-11)

Slide 25

IM-11 In considering development agreements or amendments to the land use bylaw, in addition to all other criteria as set out in various policies of this Planning Strategy, Council shall have appropriate regard to the following matters:

- (a) that the proposal is in conformity with the intent of this Planning Strategy and with the requirements of all other municipal by-laws and regulations;
- (b) that the proposal is not premature or inappropriate by reason of:
 - (i) the financial capability of the Municipality to absorb any costs relating to the development;
 - (ii) the adequacy of on-site sewerage and water services;
 - (iii) the proximity of the proposed development to schools, recreation or other community facilities and the capability of these services to absorb any additional demands;
 - (iv) the adequacy of road networks leading to or within the development; and
 - (v) the potential for damage to or for destruction of designated historic buildings and sites.
- (c) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:
 - (i) type of use;
 - (ii) height, bulk and lot coverage of any proposed building;
 - (iii) traffic generation, access to and egress from the site, and parking;
 - (iv) open storage;
 - (v) signs; and
 - (vi) any other relevant matter of planning concern.
- (d) that the proposed development is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding.
- (e) 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)

Highlights of Policy Review

Slide 26

- Compatibility with Surrounding Uses and Community
 - Proposal seeks to retain the church structure and replace church hall structure for single unit dwelling purposes
 - Surrounding community is primarily zoned RRB-1

- Archaeological Protection
 - NS Dept of Communities, Culture and Heritage recommends an Archaeological Resource Impact Assessment prior to site work adjacent to the Cemetery
 - Reporting requirement if human remains are found, and NSDCCH may require the preparation of a site specific Human Remains Protocol

- Road Network, Traffic Generation, Parking, Access/Egress
 - Prospect Bay Rd is owned and maintained by NS Dept of Transportation and Infrastructure Renewal
 - Driveway must meet NSTIR access management guidelines, any work requires a work-within the right-of-way permit

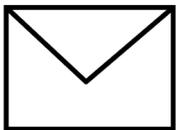
- Geographic Site Suitability
 - Watercourses and Coastal Elevation requirements of the Land Use By-law

Public Engagement

Slide 27

- Level of engagement completed was consultation achieved through:
 - a mail out notification;
 - a public information meeting held on January 29, 2020
 - Application webpage on Halifax.ca

Notifications
Mailed

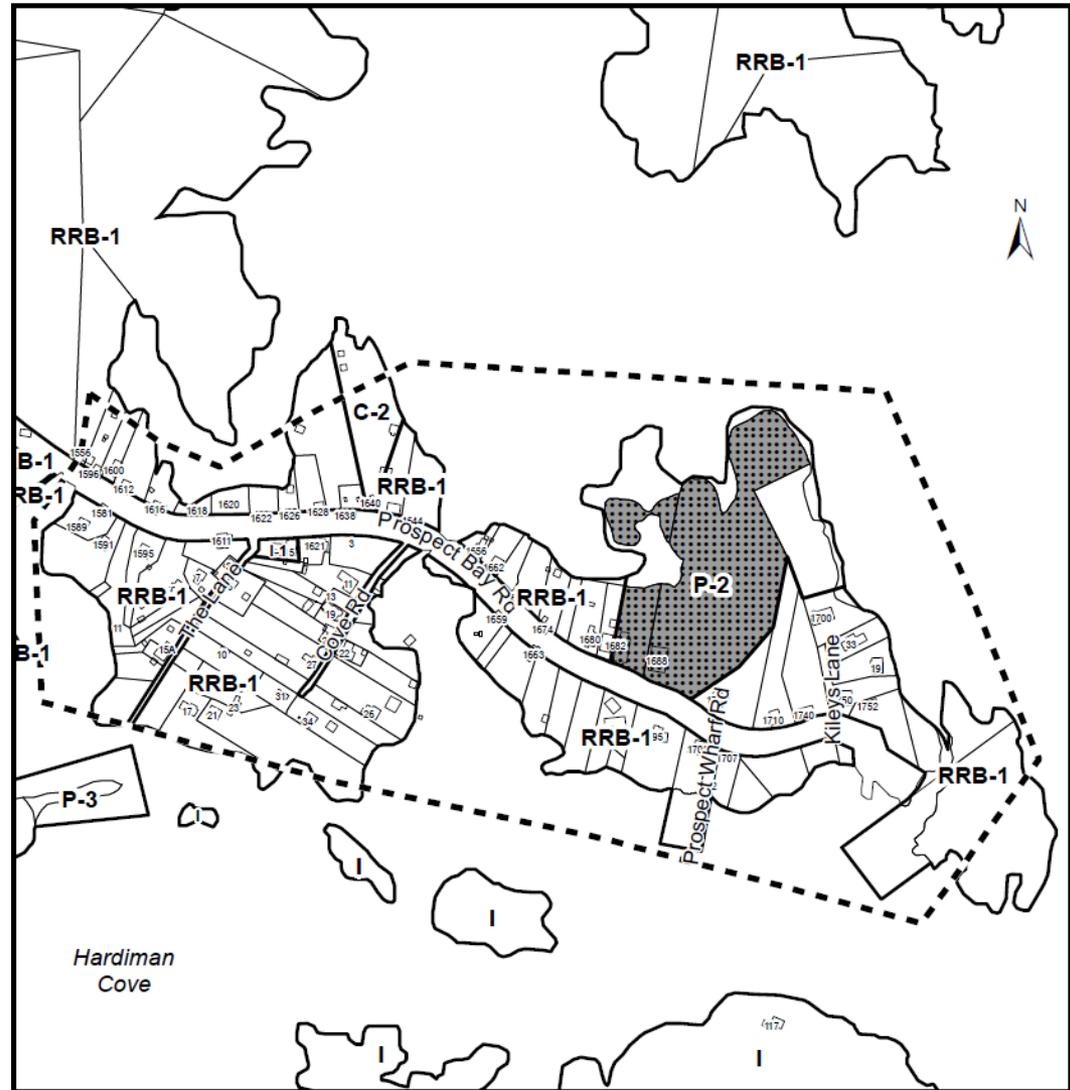


82

Meeting
Attendees



21



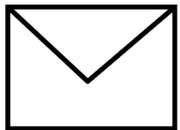
Hardiman
Cove

Public Engagement Feedback

Slide 28

- Feedback from the community generally included the following:
 - Concern regarding the disturbance of human remains;
 - Concern regarding the disposal of the stained glass windows;
 - Location of property lines in relation to onsite services and driveways;
 - Timing of construction; and
 - The potential for future subdivision

Notifications Mailed



82

Meeting Attendees



21

Individual Contacts (Emails/ Phone Calls)



4

Webpage Visits (Nov 22 – July 21)



Page Views: 526
Unique Views: 464
Avg. Time: ~6 min

Staff recommend that Halifax and West Community Council:

- ✓ Give First Reading to consider approval of the proposed amendment to Schedule A, the zoning map, of the Land Use By-law for Planning District 4, to rezone 1686 Prospect Bay Road, 1688 Prospect Bay Road, and Lot 4RC, Prospect from the P-2 (Community Facility) Zone to the RRB-1 (Rural Residential B-1) Zone, and schedule a public hearing; (First Reading given by HWCC on June 17, 2020)
- 2. Adopt the amendment to Schedule A, the zoning map of the Land Use By-law for Planning District 4, as set out in Attachment A of the staff report dated March 24, 2020.

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Thank You

- End of HRM Staff Presentation -