



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

Item No. 8.5

Halifax Regional Council
September 1, 2020
September 29, 2020

TO: Mayor Savage Members of Halifax Regional Council

SUBMITTED BY: Original Signed

Councillor Stephen D. Adams, Chair, Halifax and West Community Council

DATE: August 27, 2020

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

ORIGIN

August 26, 2020 special meeting of Halifax and West Community Council, Item 7.1.3.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Part 1, Clause 25(c):

The powers and duties of a Community Council include recommending to the Council appropriate by-laws, regulations, controls and development standards for the community.

RECOMMENDATION

Halifax and West Community Council recommends that Halifax Regional Council:

1. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy (MPS) for Halifax and Land Use By-law (LUB) for Halifax Mainland, as set out in Attachments A and B of the staff report of August 20, 2020, to permit single detached dwellings with modified lot requirements and five townhouse buildings on a portion of the lands identified as PID 00277228, near Parkmoor Avenue, Hayes Street and Charlton Avenue, Halifax, and schedule a public hearing; and
2. Adopt the proposed amendments to the MPS for Halifax and LUB for Halifax Mainland, as set out in Attachments A and B.

BACKGROUND

Halifax and West Community Council received a staff recommendation report dated August 20, 2020 to consider the development of a residential subdivision on a portion of the lands identified as PID 00277228, near Parkmoor Avenue, Haynes Street and Charlton Avenue in Halifax. The proposal includes a request to develop single-detached dwellings in accordance with modified lot requirements (e.g. lot frontage, lot area, lot coverage, setbacks, etc.) and five townhouse buildings.

For further information refer to the attached staff report dated August 20, 2020.

DISCUSSION

Halifax and West Community Council considered the August 20, 2020 staff report and approved the motion as outlined in this report.

FINANCIAL IMPLICATIONS

Financial implications are outlined in the attached staff report dated August 20, 2020

RISK CONSIDERATION

Risk consideration is outlined in the attached staff report dated August 20, 2020.

COMMUNITY ENGAGEMENT

In accordance with the July 29, 2020 direction of the Minister of Municipal Affairs and Housing under section 14 of the Emergency Management Act, Community Council meetings are being held virtually. Community Council agendas and reports are posted on Halifax.ca, and draft minutes of the meeting will be made available on halifax.ca within three business days.

ENVIRONMENTAL IMPLICATIONS

Environmental implications are outlined in the staff report dated August 20, 2020

ALTERNATIVES

Halifax and West Community Council did not provide alternatives.

Alternatives are outlined in the attached staff report dated August 20, 2020.

ATTACHMENTS

Staff recommendation report dated August 20, 2020.

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: Krista Vining, Legislative Assistant, Municipal Clerk's Office 902.490.6520



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

Item No. 7.1.3
Halifax and West Community Council
August 26, 2020

TO: Chair and Members of Halifax and West Community Council

Original Signed

SUBMITTED BY:

Steve Higgins, A/Director of Planning and Development

Original Signed

Jacques Dubé, Chief Administrative Officer

DATE: August 20, 2020

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

ORIGIN

- Application by RMP Development Consulting Ltd.
- October 29, 2019, Regional Council initiation of the MPS amendment process

LEGISLATIVE AUTHORITY

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

RECOMMENDATION

It is recommended that Halifax and West Community Council recommend that Regional Council:

1. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy (MPS) for Halifax and Land Use By-law (LUB) for Halifax Mainland, as set out in Attachments A and B, to permit single detached dwellings with modified lot requirements and five townhouse buildings on a portion of the lands identified as PID 00277228, near Parkmoor Avenue, Hayes Street and Charlton Avenue, Halifax, and schedule a public hearing; and
2. Adopt the proposed amendments to the MPS for Halifax and LUB for Halifax Mainland, as set out in Attachments A and B.

BACKGROUND

RMP Development Consulting Ltd., on behalf of FH Development Group Inc., is applying to develop a residential subdivision on a portion of the lands identified as PID 00277228, near Parkmoor Avenue, Hayes Street and Charlton Avenue in Halifax. This proposal includes a request to develop single-detached dwellings in accordance with modified lot requirements (e.g. lot frontage, lot area, lot coverage, setbacks, etc.) and five townhouse buildings. This type of development cannot be considered on the subject site under existing policies and as such, the applicant is seeking amendments to the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-law.

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	Total Area: 27 Hectares (66.58 Acres); Subdivision Area: 18.9 Hectares (46.7 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 develop a residential subdivision that contains 241 lots (262 units). The major aspects of this proposal are as follows:

- 197 single-detached dwelling lots;
- 21 semi-detached lots (42 units);
- 23 townhouse lots / units;
- Two neighbourhood parks (approximately 0.26 and 0.09 hectares respectively);
- A passive park (approximately 0.77 hectares);
- An undeveloped conservation area; and
- A Parkmoor Avenue extension, second access onto Herring Cove Road, and internal road network.

Staff note that 236 lots (252 units) will be wholly enclosed on the subject site; the remaining lots / units would be developed on the abutting lot, PID 00277194, as per the existing zoning regulations. Of the 236 lots on the subject site, only 33 can be permitted as-of-right without an amendment.

Meet Current 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%
16	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%
Require Modified 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%

MPS Amendment Initiation & Applicant Rationale

Staff's report on the initiation of MPS amendments for this file proceeded to Regional Council on October 29, 2019¹. The applicant's primary rationale for the application is the Provincial Statement of Interest regarding Housing and the proposal's ability to reduce home ownership costs within the immediate neighbourhood. Staff note that the applicant does not intend to provide subsidized housing units, nor is the proposal subject to a Provincial or Federal agreement that requires housing affordability. Instead, they wish to add less costly homes to the housing market by developing smaller lots than would be otherwise permitted.

More recently, the applicant provided additional information on their proposed dwellings (see Attachment D). The attachment outlines that the proposal will add "*gentle density*" to neighbourhood through the relaxation of traditional land use requirements; this, in turn, will help fill what is referred to as the "*missing middle*" in the local housing supply and reduce the costliness of home ownership.

The applicant noted that, according to CMHC, the average absorbed cost of a single-detached dwelling in the Spryfield / Herring Cove Road area was \$431,918 in May 2020 (Attachment D). At the public information meeting, the applicant suggested that the most affordable units in the proposal would likely sell for around \$300,000 (see Attachment E); however, the actual costs could be influenced by numerous variables (i.e., housing market trends, the quality and style of detailing, impacts of COVID-19, etc.).

Housing-related Initiatives

In 2013, HRM began its formal participation with the Housing and Homelessness Partnership (HHP) - a collaboration with three levels of government, the private sector, and non-profit organizations – in an effort to end homelessness in HRM. In 2015, the HHP produced the Halifax Housing Needs Assessment and 5-year Strategic Plan², which identified the Municipality's future housing needs and strategies to address local housing gaps. Both documents speak to the importance of providing diverse housing types, including new residential uses on smaller lots to help reduce overall housing costs.

Regional Plan Context

The Regional Municipal Planning Strategy (RMPS) contains Policy S-30, which states that when amending existing secondary planning strategies to support new development, consideration should be given to reducing lot frontage and size requirements in an effort to improve housing affordability and social inclusion.

The subject site is located within the Urban Settlement Designation of the RMPS. This designation encompasses areas where HRM has approved serviced development and includes undeveloped lands expected to be considered for serviced development during the RMPS lifespan. The RMPS contains several objectives that direct housing and settlement in HRM, including the following: at least 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.

MPS and LUB Context

The subject site contains two designations. The portion of the subject site that would be developed 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-unit and two-unit dwellings in character.

The remaining, rear portion of the subject site is designated Residential Development District, as per the SPS. These areas typically: 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. That being said, these lands are located outside of the Urban Service Area as defined by Schedule B of the Regional Subdivision By-law, and thus, their development potential is limited.

¹ Available at: <https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/191029rc1513.pdf>

² Available at: <https://www.halifax.ca/sites/default/files/documents/city-hall/standing-committees/180719cped151.pdf>

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 and outside of the Urban Service Area - are zoned Holding (H), which permits detached dwellings (with on-site services), parks, and limited recreation uses.

Case 20120

In 2017, the property owner submitted a rezoning application for the subject site. At that time, the owner sought to rezone a portion of PID 00277228 from the R-1 (Single Family Dwelling) Zone to the R-2 (Two-Family Dwelling) Zone and another portion from the R-2 Zone to the R-1 Zone. The proposal would have yielded 309 dwelling units, with the majority being semi-detached dwellings. 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 F).

Concept Subdivision Approval

The applicant has explored the as-of-right development potential of the subject site (and the abutting parcel with PID 00277194). In early 2019, the Municipality issued concept subdivision approval for the properties, which permits 181 lots (202 units) along the same street network depicted in Attachment C. Thus, the subject application before Regional Council would increase the subdivision's residential density by approximately 30% (from 202 to 262 units).

Rapid Transit Strategy

The Municipality's Rapid Transit Strategy (RTS), which was approved by Regional Council in May 2020, outlines a strategy to create a reliable rapid transit system by 2030. The RTS builds on the direction provided by the Integrated Mobility Plan and aims to create sustainable transportation options (bus rapid transit and additional ferries, specifically) and supports population growth. Better aligning land uses with rapid transit options is a core objective of the RTS' implementation strategy.

The RTS holds implications for sections of Herring Cove Road. The RTS shows that the proposed Yellow Line of the bus rapid transit network will extend from downtown Halifax through the Mumford terminal outward to Herring Cove Road, before terminating at Greystone Drive. The Yellow Line would improve the speed of transit by approximately 22%. Further, the Greystone area has been identified as a potential transit-oriented community, where future land use efforts would strive to create affordable housing, amenities, and mixed-use development near the Greystone rapid transit stop.

The nearest lot of the applicant's proposal is approximately a 2.5km walk from the Greystone Drive / Herring Cove Road intersection. The RTS notes that residents are typically willing to walk 800m to access transit, and thus residents of the proposed development may not receive direct benefits from bus rapid transit or the Greystone transit-oriented community, unless residents are able to bike or use another means to reach the transit stop.

Herring Cove Road Residential Density & Street Capacity

When considering issued permits and concept subdivision approvals along Herring Cove, staff anticipate that the area will experience significant residential growth in the coming years. Due to the design of existing infrastructure and anticipated residential growth, some concerns were raised about Herring Cove Road's capacity to support additional traffic during the team review portion of the subject application.

Development Engineering requested that the applicant provide an amended Traffic Impact Statement (TIS) that takes the anticipated residential growth (i.e., a minimum of 2,000 dwelling units) into consideration. The amended TIS stated that the anticipated residential growth in the overall area will cause portions of Herring Cove Road (i.e., at Dentith Road and Sussex Street) to operate over capacity; however, the access points to the proposed development (i.e., Parkmoor Avenue and Margaret Meagher Drive) would meet HRM guidelines. The TIS also noted that the proposed development will have a minimal impact on Herring Cove Road's traffic congestion and anticipated delays. Thus, the amended TIS has been accepted.

Council is advised that the approval of an MPS / LUB amendment does not guarantee that a development can be approved by the municipality; the capacity of local infrastructure will be assessed before final subdivision approval and permits can be issued.

Herring Cove Road Functional Plan

The Herring Cove Road Corridor Functional Plan process is currently underway to assess the existing traffic operations and development potential of abutting lands and proposes potential design options for portions of Herring Cove Road, in an effort to improve its level of service. This Functional Plan is not complete at this time, though the proposed design options could have implications for street capacity and future development along Herring Cove Road.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy, the HRM Charter, and the Public Participation Program approved by Council on February 25, 1997. 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 December 2, 2020. Attachment E contains the minutes from the public information meeting, and the comments provided by three speakers are summarized below:

- One speaker believed there is minimal demand for new housing units in the area;
- One speaker was concerned that the proposed units would not be of high quality;
- One speaker was concerned about drainage issues in the subject site;
- One speaker noted that the proposal will magnify the area's existing traffic issues and place strain on the capacity of local schools; and
- One speaker stated that the local lady slipper population and existing forest cover should be protected.

A public hearing must be held by Regional Council before they can consider approval of the proposed MPS and LUB amendments. Should Regional 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 proposal will potentially impact local residents and property owners.

DISCUSSION

The MPS is a strategic policy document that sets out the goals, objectives and direction for long term growth and development in the plan area. Amendments to an MPS are significant undertakings and Council is under no obligation to consider such requests. In this case, staff advise that the proposed amendments should be approved, as the amendments are generally consistent with the Provincial Statement of Interest regarding Housing and municipal planning policy. The following paragraphs review the rationale and content of the proposed MPS and LUB amendments.

Provincial Statement of Interest Regarding Housing

The Provincial Statement requires that municipal planning documents have policies to address affordable housing, special-needs housing, and rental accommodations. 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 the proposal would allow single-detached dwellings on lots with reduced frontage and area requirements, and a larger lot coverage allowance.

Regional Municipal Planning Strategy Policy

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 also is consistent with Policy S-30 which states that consideration should be given to reducing lot frontage and size requirements in an effort to improve housing affordability and social inclusion.

RMPS Policy S-9 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. While the applicant's proposal includes low-to-medium-density residential development, which would be generally consistent with the policy, the subject site is outside of the Centre boundaries. It is possible that the implementation of the Rapid Transit Strategy could lead to a larger Spryfield Urban District Growth Centre boundary in the future.

Halifax Municipal Planning Strategy (MPS) Policy

Staff advise that the applicant's proposal and the proposed amendments are generally consistent with the MPS's City-wide with Policies for Residential Environments. Policy 2.8 notes that housing shall be provided for people with different income levels, in ways that are compatible with existing neighbourhoods. Staff previously determined that the proposal contributes to housing affordability without the application of subsidized housing.

The most pertinent policy is Policy 2.4, which states:

"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."

Most lots within the vicinity of the subject site are located in the R-2 Zone which permits single-detached dwellings and two-unit dwellings; some additional lots are zoned R-1 and can support single-detached dwellings. Staff note that the proposed policy will retain the neighborhood's existing residential character because single-detached dwellings will be the predominate land use and building typology within the proposed subdivision. Of the 203 lots that require an amendment to proceed, 180 will contain single-detached dwellings.

The proposed amendment permits single-detached dwellings on smaller lots within this stable neighbourhood. While this change would create a more-compact residential form, with minor visual changes to the streetscape, staff believe that neighbourhood stability will be largely maintained, as per Policy 2.4:

- Single-detached dwellings will not create adverse land use impacts on existing low-density dwellings;
- The existing stable neighbourhood will be surrounded by new lots that meet traditional lot area and coverage requirements (See Attachment C) as outlined in the LUB. Thus, the existing surrounding stable neighbourhood will effectively be buffered from the less-traditional, smaller lots by standard lots. The side lot line of 16 Charlton Avenue will abut the rear lot lines of several undersized lots, though the existing dwelling at 16 Charlton Avenue is setback roughly 35 metres from the shared lot line.
- Single-detached dwellings will be setback a minimum of 20 feet from the front and rear lot line, while there shall be a minimum separation of 12 feet between each dwelling.

The proposed amendments would introduce small-scale townhouse buildings to the subject site and staff suggest that their inclusion is not expected to negatively impact neighbourhood stability and compatibility. The proposed amendment ensures that this change is compatible with the stable neighbourhood; townhouses would be restricted to the southwestern portion of the subdivision's boundary, over 300 metres

from the nearest existing dwelling. Further, the inclusion of townhouses diversifies housing choices in a new subdivision, outside of an existing stable neighbourhood, which reinforces aspects of Policy 2.4.

Mainland South Secondary Planning Strategy (SPS) Policy

The proposed amendment is generally consistent with the SPS policies pertaining to lands within the Low-Density Residential Designation, which is applied to lands that are predominately used for low-density residential uses, such as single-and-two-unit dwellings. The proposed amendment will not alter the property's designation or zone; instead, it will add several companion policies within the designation to permit single-detached dwellings with modified lots requirements, five townhouse buildings, parks, and conservation areas in defined portions of the subject site. The implementation of these changes will be achieved through the proposed alterations to the LUB.

Herring Cove Road Capacity & Design

As previously noted, more than 2,000 residential units have been approved (either via issued permits or approved concept subdivision plans) for the Herring Cove Road area. When considering this anticipated residential growth in tandem with Herring Cove Road's capacity concerns, staff acknowledge that all of the anticipated units, including the applicant's proposal, may not be immediately viable. The applicant's TIS confirmed that portions of Herring Cove Road will operate over design capacity if the proposed 2,000+ units were all developed, though the access points leading to the proposal subdivision will operate as per HRM guidelines. Thus, the TIS was accepted by Engineering staff.

Staff have insufficient data at this time to confirm the precise capacity of Herring Cove Road or determine if design solutions exist to alleviate current and future traffic concerns. The Herring Cove Road Functional Plan could provide valuable insight into these issues, though the plan is not yet available. Additionally, the Rapid Transit Strategy (RTS) aims to provide faster and more-reliable mobility services throughout HRM, including a portion of Herring Cove Road. If successfully implemented, the RTS will make transit more appealing and help convert automobile users to transit, thus generally reducing traffic congestion in the area.

Staff note that the proposed amendments do not guarantee that the proposed subdivision will be approved by the municipality. The capacity of local infrastructure will be assessed before final subdivision approval or permits are issued. If the applicant's proposal exceeds acceptable infrastructure standards, they may be required to undertake infrastructure upgrades or wait until infrastructure is upgraded independently of their application.

Proposed Amendments

Staff considered the existing MPS policy context and a number of policy approaches when drafting the proposed MPS and LUB amendments. Attachments A and B contain the proposed MPS and LUB amendments. A summary of the proposed amendments is as follows:

Attachment A: MPS Amendment

- New policy within the SPS to consider single detached-dwellings on compact lots and select townhouse buildings on a portion of the subject site. The implementation of which shall be carried out by the LUB; and
- A new map, Map 5 – Parkmoor Avenue (Schedule I), to illustrate the precise location of the subject site.

Attachment B: LUB Amendment

- Include a new map, ZM-33 Parkmoor Avenue, that depicts the location of single-detached dwellings on modified lots, townhouse buildings, and parks on the subject site; and
- New requirements within the existing R-1 Zone to regulate the development of single-detached dwellings and townhouse buildings on portions of the subject site.

Conclusion

Staff have reviewed the application and the existing policy context and advise that the MPS should be amended to permit single-detached dwellings with modified lot requirements and five townhouse buildings

on a portion of the subject site. The proposed amendments are generally consistent with the Provincial Statement of Interest regarding Housing and existing planning policy. Staff advise that the applicant's proposal will generally retain the existing residential character in the area and single-detached dwellings on compact lots will not detract from established low-density residential uses. Therefore, staff recommend that the Halifax & West Community Council recommend that Regional Council approve the proposed amendments to the Municipal Planning Strategy (MPS) for Halifax and Land Use By-law (LUB) for Halifax Mainland.

FINANCIAL IMPLICATIONS

The HRM costs associated with the processing of this planning application can be accommodated within the approved 2020-2021 operating account - C320 Regional Policy 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

The subject site contains a series of wetlands, and the applicant's proposal indicates that some wetlands will be altered to accommodate the proposal, while others will not be disturbed (See Attachment C). Wetland alterations are regulated under the *Environment Act* and Provincial approval is required before proceeding. The necessary wetland alteration approvals have been obtained from the Government of Nova Scotia to proceed with the subdivision. Staff note, however, that if the Provincial approval expires or the conditions of said approval change, a new approval will be necessary. The Development Officer will require confirmation of Provincial approval before the Municipality issues any permits.

ALTERNATIVES

The Halifax and West Community Council may choose to recommend that Regional Council:

1. Modify the proposed amendments to the Municipal Planning Strategy (MPS) for Halifax and Land Use By-law (LUB) for Halifax Mainland, as set out in Attachments A and B of this report. If this alternative is chosen, specific direction regarding the requested modifications is required. Substantive amendments may require another public hearing to be held before approval is granted. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Refuse the proposed amendments to the Municipal Planning Strategy (MPS) for Halifax and Land Use By-law (LUB) for Halifax Mainland. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

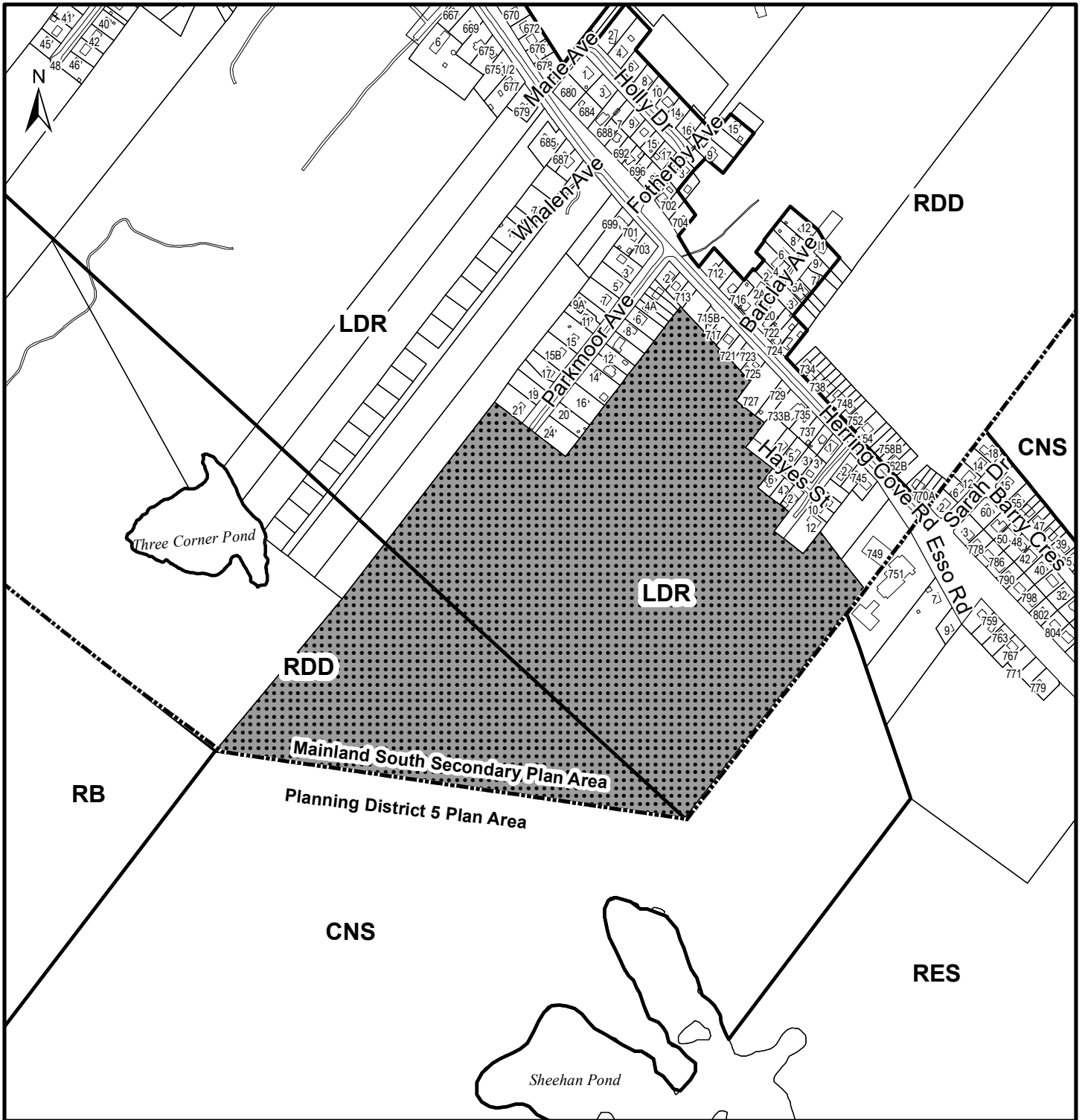
Map 1: Generalized Future Land Use
Map 2: Zoning and Notification Area

Attachment A: Proposed MPS Amendment
Attachment B: Proposed LUB Amendment
Attachment C: Concept Plan
Attachment D: Applicant's Housing Letter
Attachment E: Public Information Meeting (PIM) Minutes
Attachment F: Excerpt from the Halifax Municipal Planning Strategy (MPS)

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, 902.497.7655


Report Approved by: Eric Lucic, Manager of Regional Planning, 902.430.3954



Map 1 - Generalized Future Land Use

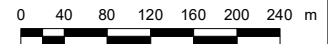
PID: 00277228
Halifax

HALIFAX

 Subject Property

Planning District 5 Designation

- CNS Conservation
- RB Rural B
- RES Residential



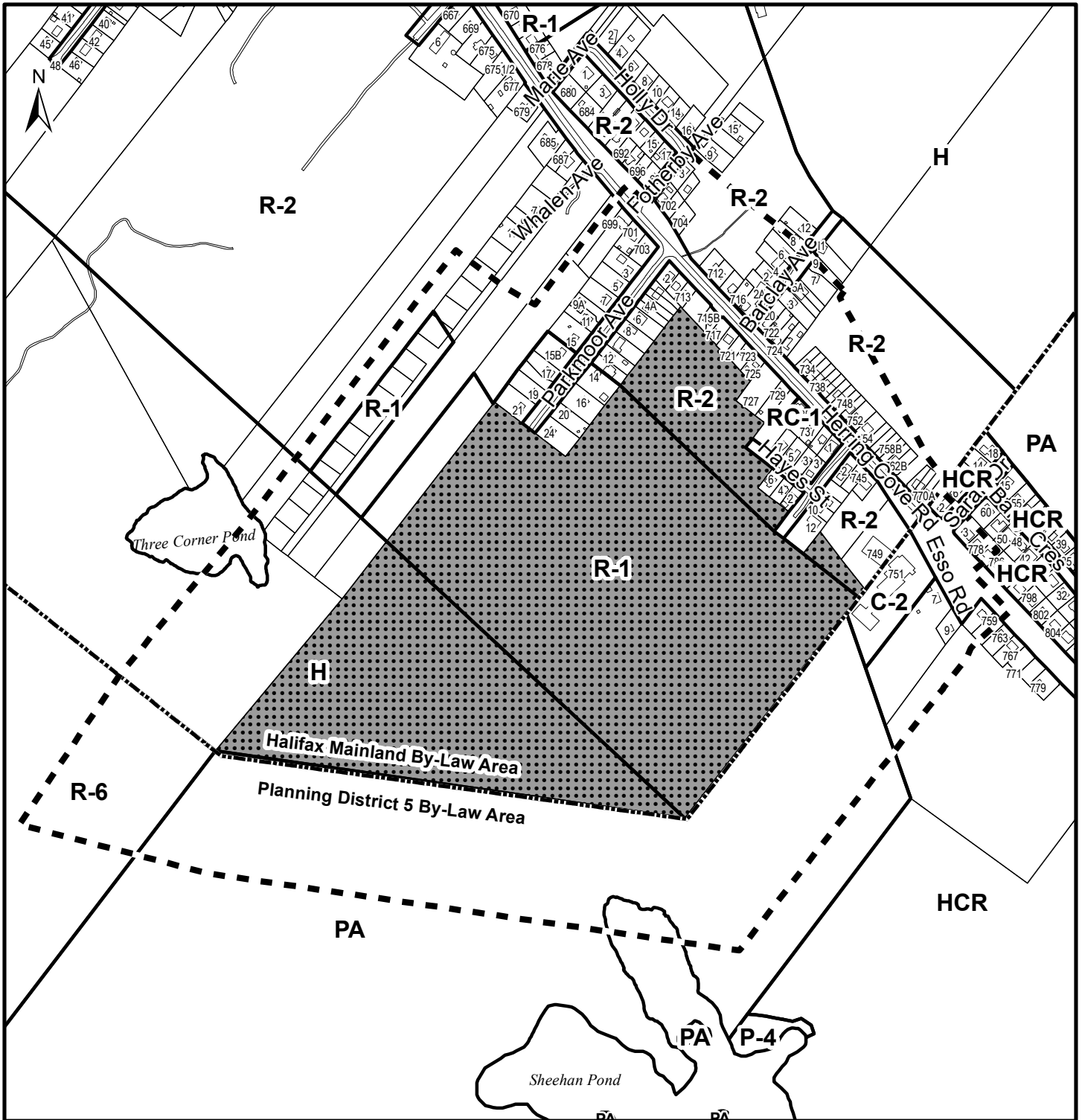
Halifax Mainland South Designation

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

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

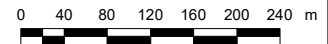
PID: 00277228
Halifax

 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.

ATTACHMENT A:
Proposed Amendment to the Municipal Planning Strategy for Halifax

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Halifax is hereby further amended as follows:

1. Within Table of Contents: Section X: Mainland South Secondary Planning Strategy Objectives and Policies, the text shown in bold shall be added immediately after “Map 4: Policy 1.2.5 Area – Mainland South (Schedule I)” and before “2. Commercial”:

Map 5: Parkmoor Ridge Subdivision (Schedule I)

2. Within Section X: Mainland South Secondary Planning Strategy Objectives and Policies, the text shown in bold shall be added immediately after Policy 1.2.12.1 and before Policy 1.3:

1.2.13 In the “Low Density Residential” designation and on the area shown on Map 5 of Schedule I, near Parkmoor Avenue and Charlton Avenue, Council may permit:

- (a) **single detached dwellings on those compact lots identified on Schedule ZM-33 in the land use by-law, and**
- (b) **townhouse buildings.**

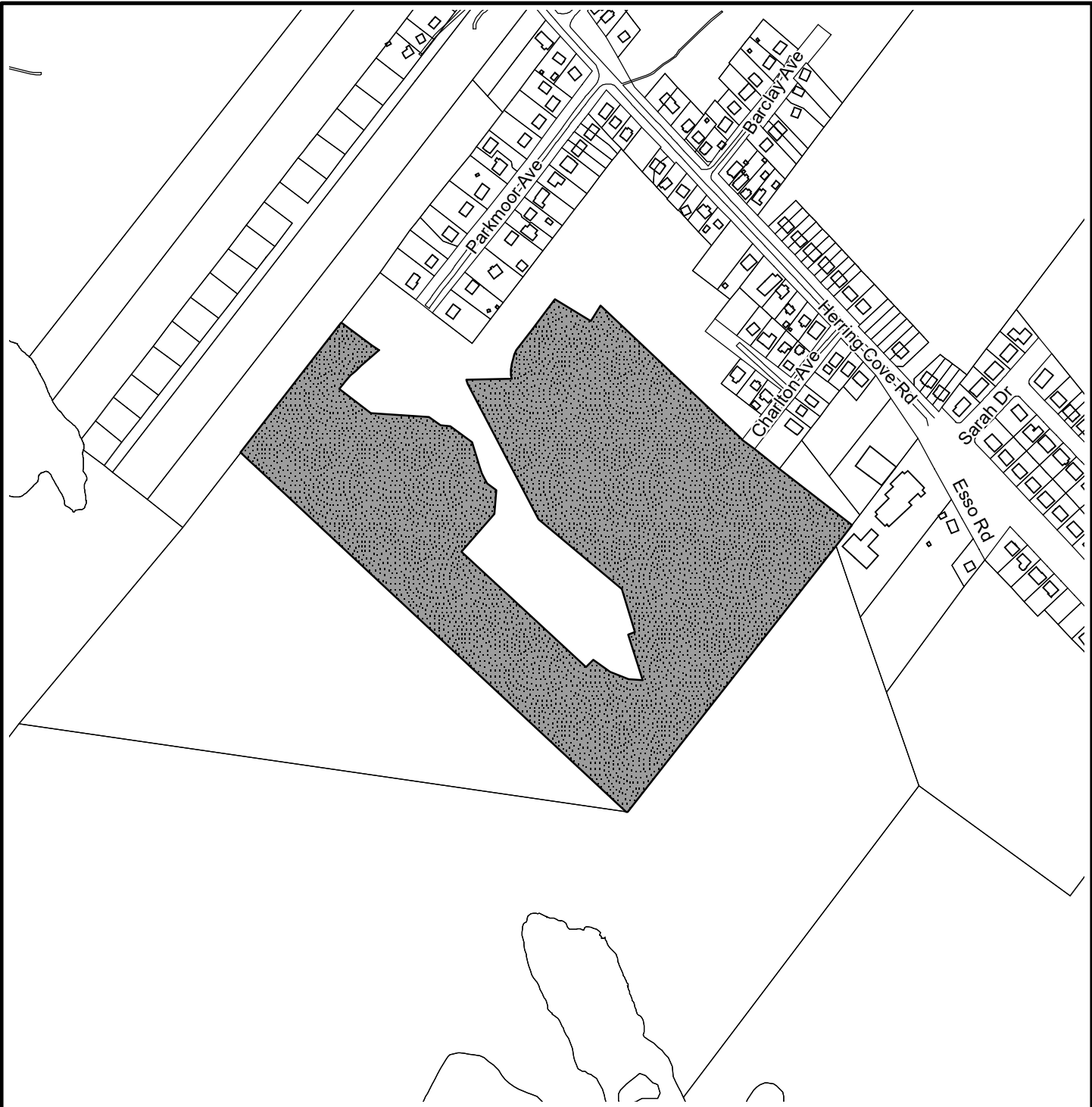
1.2.13.1 A Schedule identified as ZM-33 Parkmoor Ridge Subdivision shall be added to the land use by-law to regulate the location where single detached dwellings and townhouse buildings are permitted within the area identified in policy 1.2.13, provided that all properties have frontage onto a public street.

1.2.13.2 Within the area identified by policy 1.2.13, single detached dwellings


- (a) **on compact lots, shall have a minimum frontage of 34 feet, except for cul-de-sacs bulbs, and minimum lot area of 3,400 square feet, and**
- (b) **on moderate lots, shall have a minimum frontage of 40 feet, except for cul-de-sacs bulbs, and minimum lot area of 4000 square feet.**

1.2.13.3 Within the area identified by policy 1.2.13, the land use by-law shall permit townhouse buildings with a maximum of four units, and include provisions to ensure the townhouse buildings are appropriately positioned in relation to existing residential uses and adjacent development.

3. Within Section X: Mainland South Secondary Planning Strategy Objectives and Policies, the following map shall be added immediately after Map 4: Policy 1.2.5 Area – Mainland South (Schedule I) and before Section 2: Commercial:



Mainland South Area Plan

 Subject Site

Map 5 – Parkmoor Ridge Subdivision (Schedule I)



0 20 40 60 80 100 m



Effective:

I, Phoebe Rai, Acting Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted amendment was passed at a meeting of the [INSERT COUNCIL NAME] held on [DATE], 201[#].

Phoebe Rai
Acting Municipal Clerk

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

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

1. Within the R-1 Zone: Single Family Dwelling Zone, the text shown in bold shall be added immediately after 20(1)(j) and before 20(1)(k):

(ja) a townhouse building on the lands identified as Townhouse Building on ZM-33, subject to the requirements of Section 23E; and
2. Within the R-1 Zone: Single Family Dwelling Zone, the text shown in bold shall be added immediately after 21(e) and before 21(f):

Single Detached Dwellings in the Parkmoor Ridge Subdivision

(ea) Notwithstanding the requirements specified in Section 21(a) up to and including 21(e), single detached dwellings erected, altered or used within the Parkmoor Ridge Subdivision, as identified on ZM-33, shall:

- (1) for single detached dwellings in the area identified as Single Detached Dwellings - Compact Lots on ZM-33, comply with the following requirements:**

Lot frontage minimum:	34 feet, except on cul-de-sacs bulbs where the minimum frontage may be reduced by a maximum of 20%
Lot area minimum:	3,400 square feet
Lot coverage maximum:	40 percent
Height maximum:	35 feet
Front yard setback minimum:	20 feet
Rear yard setback minimum:	8 feet
Side yard setback minimum:	4 feet, and every building shall be at least 12 feet from any other building

- (2) for single detached dwellings in the area identified as Single Detached Dwellings - Moderate Lots on ZM-33, comply with the following requirements:**

Lot frontage minimum:	40 feet, except on cul-de-sacs bulbs where the minimum frontage may be reduced by a maximum of 20%
Lot area minimum:	4,000 square feet
Lot coverage maximum:	40 percent
Height maximum:	35 feet
Front yard setback minimum:	20 feet
Rear yard setback minimum:	8 feet
Side yard setback minimum:	Side yard setback minimum: 4 feet, and every building shall be at least 12 feet from any other building

3. Within the R-1 Zone: Single Family Dwelling Zone, the text shown in bold shall be added immediately after 23D:

TOWNHOUSE BUILDINGS IN THE PARKMOOR RIDGE SUBDIVISION

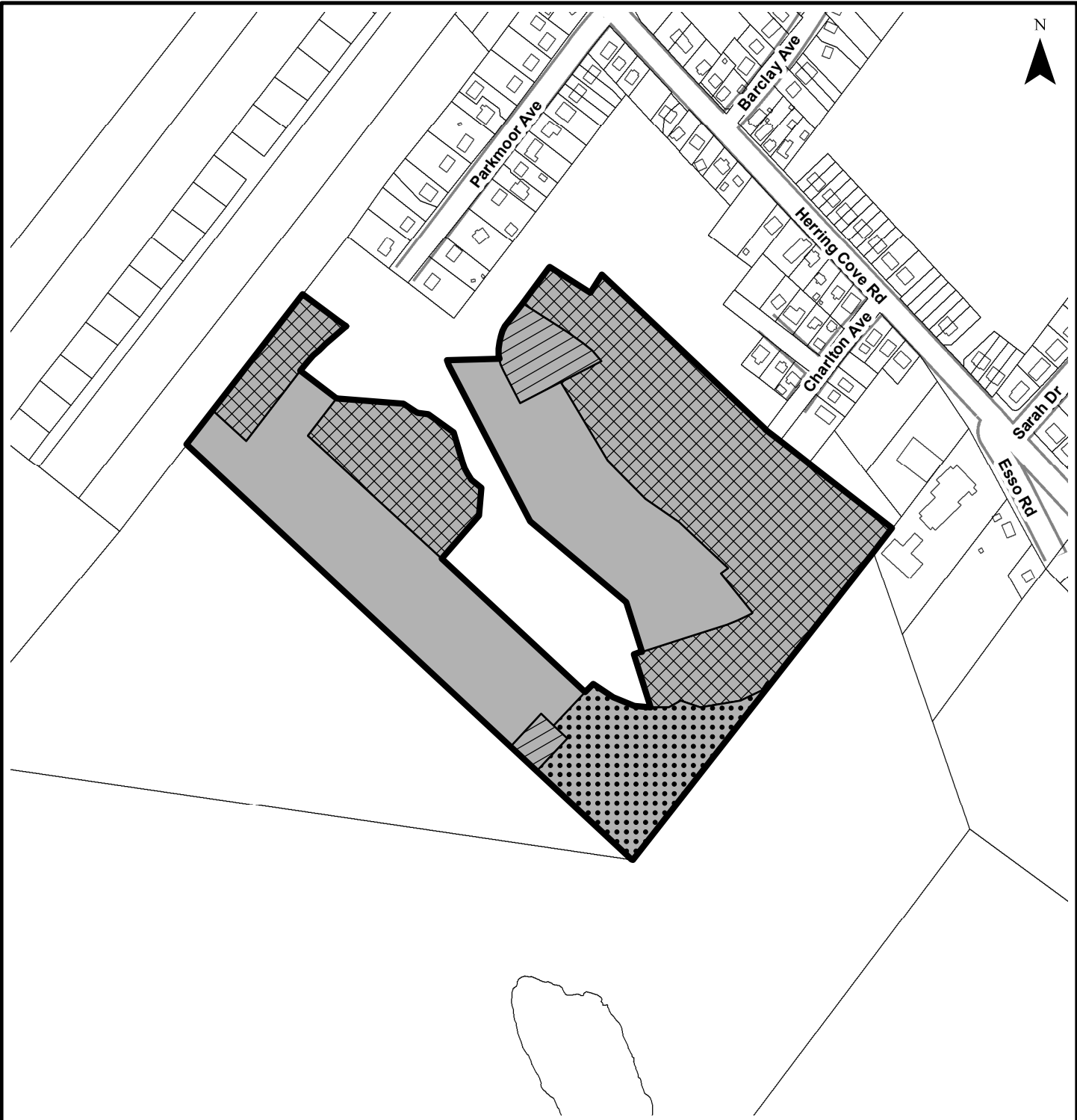
- 23E (1) Notwithstanding Section 21, townhouse buildings erected, altered or used on the lands near Parkmoor Avenue, as identified as Townhouse Buildings on ZM-33, shall comply with the following requirements:**
- (a) A maximum of four units are permitted per townhouse building;**
 - (b) Lot frontage minimum: 20 feet per unit**
 - (c) Lot area minimum: 1,615 square feet per unit**
 - (d) Lot coverage maximum: 40 percent, provided that this regulation shall be applied as if the lot was subdivided into as many lots as townhouses**
 - (e) Height maximum: 35 feet**
 - (f) Front yard setback minimum: 10 feet**
 - (g) Rear yard setback minimum: 25 feet**
 - (h) Side yard setback minimum: 10 feet, or 0 feet where units share a common wall**
 - (i) Building separation minimum: 12 feet between buildings**
 - (j) Unit width minimum: 18 feet**

SUBDIVISION OF A TOWNHOUSE BUILDING






- (2) A townhouse building erected, altered or used on the lands near Parkmoor Avenue, as identified as Townhouse Buildings on ZM-33, may be subdivided so that each townhouse is on its own lot, provided that the minimum requirements of Section 23E are met. Furthermore, no side yard shall be required along the common lot boundary dividing the townhouse building.**

ACCESSORY BUILDINGS ON TOWNHOUSE LOTS

- (3) Any accessory building on the lands near Parkmoor Avenue, as identified as Townhouse Buildings on ZM-33, shall not require any side yard or rear yard, provided such building is located entirely within the rear yard of the lot on which such building is located.**
- (4) Where an accessory building is situated on a corner lot, it shall be at least 10 feet from the flanking street line abutting such lot.**
4. Within Schedules, the following map shall be added immediately after ZM-32: Plan Dutch Village Road Height Map:

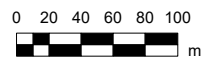


ZM-33 Parkmoor Ridge Subdivision

-  Subject Site
-  Parks
-  Single Detached Dwellings - Moderate Lots
-  Single Detached Dwellings - Compact Lots
-  Townhouse Buildings

HALIFAX

PLANNING & DEVELOPMENT



Note: The precise park boundaries shall be determined through the subdivision approval process

Effective:

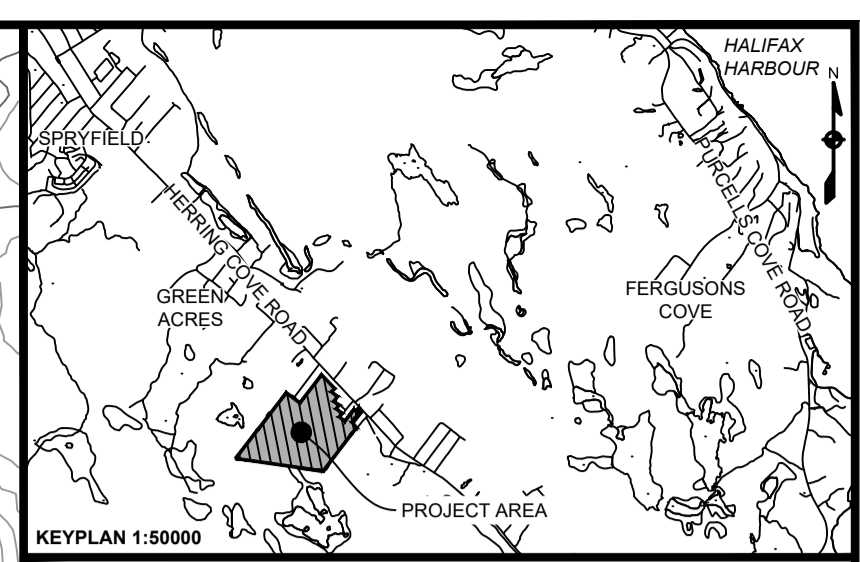
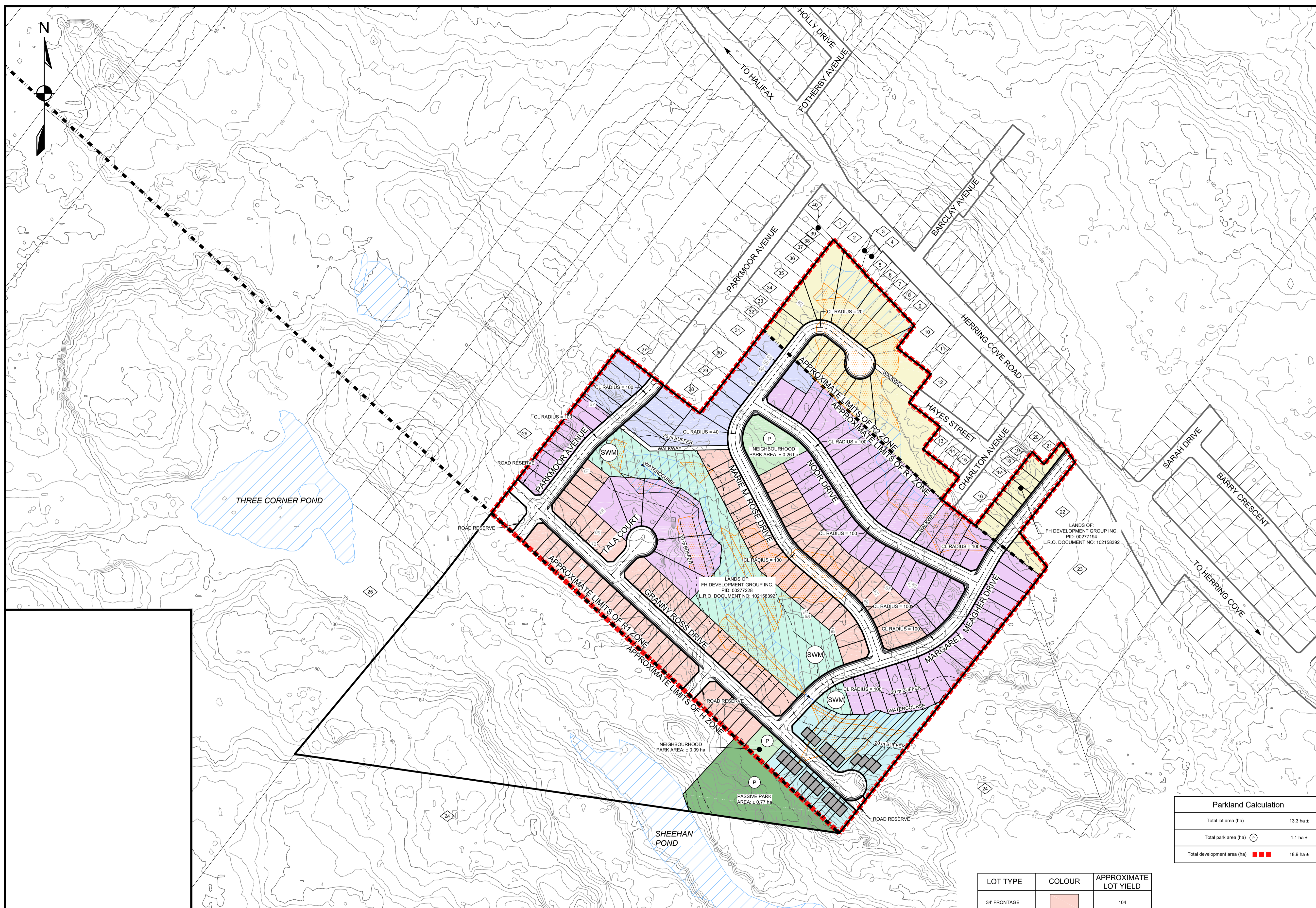
Parkmoor Ridge Subdivision

HRM does not guarantee the accuracy of any representation on this plan.

T:\work\planning\SER_Group\SER_Cases\Variances\2050\Maps_Plan\

I, Phoebe Rai, Acting Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted amendment was passed at a meeting of the [INSERT COUNCIL NAME] held on [DATE], 201[#].

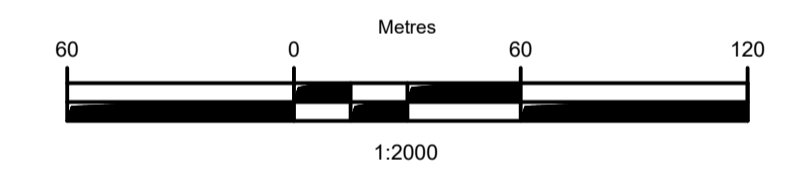
Phoebe Rai
Acting Municipal Clerk



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	—
WETLAND ALTERATIONS (PERMITS OBTAINED AS REQUIRED)	—

ATTACHMENT C: Applicant's 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	40286641	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



June 24rd, 2020

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

RE: Case 22050

HRM Staff have asked for additional information on how Case #22050 can support housing affordability within HRM. This brief is provided as additional context and information.

Provincial Statement of Interest

One of the Provincial Statements of Interest addresses housing by stating, in part:

PROVISIONS

1. Planning documents must include housing policies addressing affordable housing, special-needs housing and rental accommodation. This includes assessing the need and supply of these housing types and developing solutions appropriate to the planning area. The definition of the terms affordable housing, special-needs housing and rental housing is left to the individual municipality to define in the context of its individual situation.
2. 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 SPI is provided as guidance to HRM and other municipalities to promote a range of housing options. One of the tools that the province is encouraging, depending on the community, housing supply and other factors is enabling higher densities, smaller lot sizes and reduced yard requirements. The proposed development is in line with the guidance provided by the Housing SPI.

What is Housing Affordability?

As stated in the original submissions in support of this application: “

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.

The Affordable Housing Working Group Strategic Plan defines affordable housing as:

Affordable Housing: The Partnership recognizes a range of affordability levels. It defines affordable housing as housing which is modest in terms of floor area and amenities, based on household needs and community norms, is priced at or below average market housing rents or prices for comparable housing in a community or area.

In a staff report from July 31, 2018, staff used and appeared to agree with this approach to defining affordable housing:

Affordable housing is a very broad term that can include housing provided by the private, public and non-profit sectors as well as all forms of housing tenure; rental, ownership, and co-operative ownership, as well as temporary and permanent housing. Affordable housing can be geared to both low and moderate-income levels. The HHP recognizes a range of affordability levels and defines affordable housing as housing which is modest in terms of floor area and amenities, based on household needs and community norms, is priced at or below average market housing rents or prices for comparable housing in a community or area. Regional Council July 31, 2018

<https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/180731rc1423.pdf>

CMHC and others use a spectrum to describe different parts of the housing landscape. Non-market housing is often what is thought of when addressing housing affordability issues. However, it is widely recognized from agencies such as CMHC, government, advocacy groups and the private sector that an important component of meeting housing need is done through “market housing”. Market housing that is accessible to those moving from rental or subsidized housing allows people and families to move into home ownership, creating space in subsidized and rental housing. This approach to meeting housing need and moving people through the housing spectrum is demonstrated through CHMC’s many programs over the years that support transition into home ownership.



Other municipalities have grappled with affordable housing within their MPS and LUB. The Town of Wolfville in a White paper on Affordable Housing stated:

The bottom line is that the funding formula in Nova Scotia is not currently robust enough to generate affordable housing on its own, and there is still a lack of coordination between levels of government, governmental agencies, municipalities, and other organisations interested in housing issues. The Housing Nova Scotia Agency funds some specific housing programs, and the Housing Authorities deliver social housing, but social housing is only one piece of the housing continuum, and may not be the only aspect of affordability that needs attention in Wolfville. As such, it is appropriate to consider additional means of encouraging or facilitating the development of more diverse housing options as part of the MPS and LUB update. Wolfville White Paper – Affordable Housing

https://www.wolfville.ca/component/com_docman/Itemid,264/alias,1557-wolfville-white-paper-affordable-housing/category_slug,planning/view/download/

Planning Responses: Housing Affordability

The planning world has turned to the “missing middle” or “gentle density” as one tool to address housing affordability. Increasing the density through smaller lots sizes, reduced setbacks, encouraging accessory units, creative infill, reducing or eliminating single unit dwelling subdivisions by encouraging a mix of lower or mid density housing within a development are common practices.

Government programs do not create a broad range of housing at a variety of price points but planning policy can adapt and respond to create the needed flexibility to allow development that minimizes land costs. This application is seeking that flexibility and proposes to create a development that reduces lot frontages, setbacks and minimize road frontage for each lot to support the construction of housing that is at or below the price point of the area. The inclusion of townhouses and duplexes also creates gentle density that is compatible with single unit dwellings. By gently increasing density, unit costs can be more affordable due to reduced per-unit land costs. With smaller lots usually smaller houses are built which again lowers construction costs.

The CMHC report on new construction activity (attached) shows that the average Absorbed Single-Detached Unit Price for May 2020 for Spryfield/Herring Cove was \$431,918.00. Obviously the developer can not confirm what the ultimate price of the houses will be within the proposed development as there are simply too many variables to account for (market impacts of COVID, finishes of the home, construction timing and costs), but by having smaller lots frontages and smaller homes, input costs will be reduced.

Impact of Transit on Density and Affordability

Housing affordability and density are linked to transit. If housing is near transit, then household costs



GREYSTONE STATION

can be reduced by reducing or eliminating the need for private transportation and reducing transportation costs. The original and supplemental planning rational letter supporting this application addressed transit. Since the original submissions, HRM released the draft Rapid Transit Strategy. Although not finalized, it proposes rapid bus transit near the subject parcel.



The proposed development is not within the 800 metres (shown in yellow) that the draft strategy identifies as within a 10-minute walk of transit stops. However, it is likely this development will be positively impacted by having rapid transit within a 9 minute bike ride, or 2.6 kilometres of the proposed end point of the rapid transit system.

Summary

This development is supportive of housing affordability approaches by:

- Providing lots with reduced lot sizes and frontage, as encouraged in the SPI on Housing.
- Having a mix of singles, semis and townhouses to create housing choice and reduce land and construction costs.
- With smaller lots comes smaller units, again lowering the price point.
- Is geared toward low or moderate income families who are interested in home ownership.

Submitted by:

Chrystal Fuller, LPP, MCIP
Brighter Community Planning & Consulting

New Housing Construction Activity — Spryfield/Herring Cove



Housing Starts by Dwelling Type				
	May-20	May-19	YTD-20	YTD-19
Single	11	12	34	35
Semi-detached	20	0	34	8
Row	0	4	0	9
Apartment	0	0	0	0
All	31	16	68	52

Under Construction by Dwelling Type				
	Feb-20	Mar-20	Apr-20	May-20
Single	71	67	82	87
Semi-detached	36	36	32	48
Row	14	14	9	9
Apartment	134	134	134	134
All	255	251	257	278

Housing Completions by Dwelling Type				
	May-20	May-19	YTD-20	YTD-19
Single	6	5	35	27
Semi-detached	4	0	12	24
Row	0	0	5	0
Apartment	0	48	0	48
All	10	53	52	99

Single-Detached (Homeowner/Condominium) Unit Absorptions				
	Feb-20	Mar-20	Apr-20	May-20
Total Absorptions	17	10	6	5
Unabsorbed Inventory	11	5	4	5

Absorbed Single-Detached Unit Prices				
	Feb-20	Mar-20	Apr-20	May-20
Median	310,000	325,000	**	**
Average	329,485	407,355	329,100	431,918

** - Data Suppressed
N/A - Data not available

Source: CMHC Starts and Completions Survey / Market Absorption Survey

Notes:

Seasonally adjusted annual rates (SAAR) are monthly figures adjusted to remove normal seasonal variation and multiplied by 12 to reflect annual levels. The trend is a six-month moving average of the monthly seasonally adjusted annual rates (SAAR).
Year-to-Date (YTD) numbers are calculated using the sum of the individual months. There may be slight differences due to rounding when these are compared to quarterly or annual data in other CMHC tables or publications.
For more detailed definitions, please see refer to: <https://www03.cmhc-schl.gc.ca/hmiportal/en/TableMapChart/ScsMasMethodology>
The information contained in this document is a printable version of information originally contained on CMHC website application <https://www03.cmhc-schl.gc.ca/hmiportal/>. CMHC makes considerable effort to ensure that the information and analysis on this application is reliable, but cannot guarantee that it is accurate or complete. The content of the application is general in nature and is not intended as a substitute for professional advice when making significant financial decisions. You understand and agree that by using this document and the information it contains, you will be bound by the terms of use of the CMHC website (http://cmhc.ca/en/imno/imno_003.cfm), and in particular, you agree that you may not hold CMHC liable for any consequences that arise if you choose to rely on this information and analysis to make a financial decision.

ATTACHMENT E:
Public Information Meeting Minutes - Case 22050

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

Monday, December 02, 2019
6:30 pm @ Captain William Spry Community Centre

STAFF IN

ATTENDANCE: Jesse Morton, Planner, HRM Planning and Development
Iain Grant, Planning Technician, HRM Planning and Development
Genevieve Hachey, Planning Controller, HRM Planning and Development

ALSO IN

ATTENDANCE: Councillor Steve Adams, District 11
Chrystal Fuller, Applicant,
Robert MacPherson, Applicant,

PUBLIC IN

ATTENDANCE: Approximately 10

The meeting commenced at approximately 6:35pm.

1. Call to order, purpose of meeting - Jesse Morton

Jesse Morton is the Planner for Case 22050 and the facilitator of the Public Information Meeting (PIM). Jesse welcomed attendees to the PIM and introduced the area Councillor, HRM staff, and the applicant.

Case 22050 is an application to amend the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-law to permit the proposed residential development at PID 00277228 in accordance with modified lot requirements.

The purpose of the PIM is to:

- Identify the proposal site, highlight the proposal and explain the process;
- Give the Applicant an opportunity to present the proposal; and
- Receive public feedback and input regarding the proposal that will be used to prepare the staff report and go forward with this application.

No decisions are made at the PIM, nor have been made up to this point.

2. Presentation of Proposal - Jesse Morton

Jesse Morton - Gave a brief presentation of the Case, including a brief description of the applicant's proposed development, the requested amendments to the Halifax Municipal Planning Strategy (MPS) and Halifax Mainland Land Use By-Law (LUB), and the status of the application. The application was submitted by RMP Development Consulting Limited, on behalf of the property

owner FH Development Group, to redevelop a significant portion of PID 00277228 – a large lot near Parkmoor Avenue, Hayes Street and Charlton Avenue.

The applicant requested changes to the MPS and LUB to new permit residential lots in accordance with modified lot requirements: reduced minimum lot frontage, minimum lot area, and minimum setback requirements; and greater lot coverages. If approved, the site-specific amendment could yield approximately 20-30% more lots than are permitted under current regulations (for a total of approximately 234 lots).

The subject site currently contains three zones, the R-1 Zone, R-2 Zone, and Holding Zone. The subject site is designated Low-Density Residential and Residential Development District; there is no existing policy that allows Regional Council to consider this application. Regional Council directed staff to consider amendments that permit new residential lots on the subject site.

3. Presentation of Proposal - Chrystal Fuller, Brighter Community Planning & Consulting

Chrystal Fuller - Delivered a presentation that provided background information on the subject site and an overview of the proposed development. Chrystal spoke about a previous application for the subject site (Case 20120) that was denied by Regional Council in 2017, and highlighted the differences between the previous and current proposal.

4. Questions and Comments

Karl, Parkmoor Avenue - Karl was involved in the previous application that was rejected by Regional Council. They feel that there are many units (single unit and duplexes) in the area that are not selling as expected; there are subdivisions that were approved, but either nothing has been built or few lots have been sold. Karl believes that there is no demand for the homes that are being proposed. There will also be issues with profitability - people will not buy homes (like those shown in the applicant's presentation) that sell for \$500,000. Further, Karl feels that the subject site's actual homes may be of low quality, and designed for quick sale or rent. They would like more information – What type of construction is being proposed? What kind of siding? Will houses be two storeys? What will the quality be? Will the land be bulldozed?

Karl believes that these properties will have significant drainage problems; there are already drainage issues on this site. There are also wetlands – how will the bog be maintained and protected? Is all of this drainage basin to be mitigated by a pumping station? There is a significant lady slipper population on the subject site, which is a protected species; lady slippers are supposed to be protected and maintained. They're also concerned that the old growth trees will be stripped from the land if the site is developed. This old growth should also be protected.

Karl, believes that the traffic issues will be aggravated: the schools are at capacity, the bus service is being reduced, recreation facilities are lacking. Lastly, they feel like a buffer area, which the Municipal Review Board mentioned during the previous Case's appeal, has not been incorporated. Overall, they feel that the proposal is inadequate.

Chrystal Fuller, Applicant - The original re-zoning application would have produced 345 units, we are now talking about roughly 248 units - 79% of them are single-unit dwellings. The Utility and Review Board reviews decisions of council to see if it is consistent with the Municipal Planning Strategy; the Board does not direct what items must be included in an applicant's proposal. The previous application for the subject site was rejected by Council and the Utility and Review board upheld Council's decision.

Karl - The developer's initial request was for roughly 300 duplex units, which was significantly more than was permitted as-of-right (roughly 180 to 194 units). That is a significant difference in density. Karl asked what was at the top of the map, it looks like outlet streets - what is planned at the triangle at the top of the development?

Chrystal Fuller - In the 2017 staff report, HRM stated that 194 units were permitted as-of-right. The triangle at the edge of the development is green space. The proposal also contains road reserves. HRM requires that new subdivisions are designed with road reserves so that streets can be connected in the future; even if the streets are never connected you must build them as if they will be. The lot sizes here are consistent with what we are seeing in other nearby developments, like Governor's Brook.

Stephen, Granby Court - Stephen asked a series of questions: What is your target market – will homes be targeted towards first-time home buyers or seniors? Will homes contain 2 or 3 bedrooms? Will dwellings be built on slabs or have full basement? What is your intent for the greenspaces? Will existing trees be left standing or will they be cut down? Have any environmental studies been complete, and if so, are they available to the public?

Chrystal Fuller - Yes, an environmental study done by a wetland specialist; this is required when a property owner wishes to modify a wetland. Chrystal does not know if that report is available to the public, but they will look into it. In regard to the green space, there are two parks here and those are regulated by HRM. HRM will decide what goes here, the rest of the green space would remain natural.

Robert MacPherson, Applicant - The developer has spent a lot of time researching the market and they feel that the entry level homes here would start at \$250,000 - 300,000. The developer is aiming for a mix of housing costs and variety of people; they believe that the starting price of \$250,000 - 300,000 works for many people, especially first time home buyers.

Construction details (e.g., basements or slabs) will be dictated by the property owner and the lot they're placed on. Homes could utilize a walk-out basement if the property is on a slope, a slab if there is a lot of rock, or a split-entry design. Market research suggests that three bedrooms are preferred, so the developer will likely aim for that; however, some custom houses could have more or less bedrooms.

Karl - The development on Chambers Hill, which includes duplexes, has experienced declining prices because they aren't selling. Karl believes that lots / homes on the subject site will likely be too expensive – the \$250,000 - 300,000 range won't happen because you could have bidding wars. Is there a way to make sure some of these properties remain at a lower price? What will the cost of the duplexes be? Karl is also concerned about housing quality - What will the quality of these properties be?

Robert MacPherson - Robert noted that they've completed market research and they're providing a product that will move on the market. They also clarified that these properties will not be subsidized (affordable) housing, but they will be more cost effective than many other lots / homes on the market.

Robert explained that it is important to have a certain standard and consistency in terms of construction quality and streetscape design. The interiors will range in quality depending on the purchasers and how they choose to customize the interior. Duplexes will likely range from \$250,000 - 300,000 and they will be located in the existing R-2 Zone (meaning that they can be pursued on an as-of-right basis; modified lot requirements are only being requested for single-unit dwellings and townhouse units).

Karl - What will happen with the foliage?

Robert MacPherson - The developer understands the value of maintaining existing trees. They will keep as many trees as possible, while also meeting the necessary engineering standards.

Karl – Is the developer selling lots or lots and homes?

Robert MacPherson - The latter.

Stephen - How many parking spots will be available on these properties and will the smaller lot sizes impact street parking and snow removal?

Robert MacPherson - At this point we aim to have a minimum of one parking space per property, though some may have two. The applicants are willing to discuss this and are here to receive feedback about issues like parking.

Karl - Wanted to know how far the furthest lot is from the street and to transit service.

Chrystal Fuller - The furthest lot is about 350 meters away from Herring Cove Road, and there are walkways that allow people to get to the street.

5. Closing Comments

Jesse Morton - Thanked everyone for coming and expressing their comments. Attendees were encouraged to complete assessment cards and reach out to staff if they have further questions.

6. Adjournment

The meeting adjourned at approximately 7:50 p.m.

ATTACHMENT F:

Excerpt from the Halifax Municipal Planning Strategy (MPS)

CITY-WIDE OBJECTIVES AND POLICIES

2. 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.
- 2.5.1 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.

2.5.2 and 2.5.3 - Repealed (RC-Sep 18/19;E-Nov 30/19)

- 2.5.4 Repealed 6 June 1990.

- 2.5.5 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.
- 2.5.6 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.
- 2.5.7 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 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, 2.14.1 and 2.15 - Repealed (RC-Sep 18/19;E-Nov 30/19)

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)

MAINLAND SOUTH SECONDARY PLANNING STRATEGY

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.

1.1.1 "Residential Environments" in terms of this secondary strategy means:

- (a) Low-Density Residential;
- (b) Medium-Density Residential;
- (c) High-Density Residential;
- (d) Residential Development District.

1.1.2 Forms of residential development which may be permitted in Mainland South are:

- (a) conversions;
- (b) detached dwellings;
- (c) semi-detached dwellings;
- (d) duplex dwellings;
- (e) townhouses; and
- (f) apartments.

1.2 In areas designated "Low-Density Residential" on the Generalized Future Land Use Map, which are predominantly single-family dwellings in character, residential development consisting of detached (single-family) dwellings shall be permitted, and neighbourhood commercial uses may be permitted pursuant to Policies 2.1.1 and 2.1.2 of this Plan.

1.2.1 In areas designated "Low-Density Residential" on the Generalized Future Land Use Map, which are predominantly two-family dwellings in character, residential development consisting of detached (single-family) dwellings, semi-detached dwellings and duplex dwellings shall be permitted, and neighbourhood commercial uses may be permitted pursuant to Policies 2.1 and 2.1.2 of this Plan.

1.2.2 In areas designated "Low-Density Residential" on the Generalized Future Land Use Map, which are unserved by municipal sewer and/or water, the City may permit detached, single-family dwellings with individual on-site sewer and water services.

1.2.3 Notwithstanding the Low Density Residential designation of Block F, Kelly Street, LRIS PID No. 40724973, the Municipality may permit a residential complex by development agreement. Such complex shall consist of an apartment building, townhouses or other ground related innovative housing forms, parkland and two assisted living facility apartment buildings.

1.2.3.1 Any development permitted pursuant to Policy 1.2.3 shall be compatible with the surrounding area. This shall be achieved by attention to a variety of factors for which conditions may be set out in a development agreement, such as but not limited to:

- (a) Architectural Design, Scale, Building Height and Mass
 - i) The height of the apartment building and buildings containing assisted living facilities shall not exceed four residential storeys, exclusive of an underground parking garage, and may not exceed 50 feet in height.
 - ii) The apartment building shall be located adjacent to the existing apartment building, shall not exceed 70 dwelling units and shall comply with the requirements of the R-3 Zone.
 - iii) Buildings containing assisted living facilities shall be located adjacent to the existing nursing home, shall not contain more than 190 assisted living units and shall comply with the requirements of the R-3 zone.
 - iv) Notwithstanding (iii), the calculation of density and the requirement for parking for the buildings containing assisted living facilities may be determined on the basis of similar facilities in urban settings.
 - v) The townhouses or other ground related innovative housing forms shall be located adjacent to the existing low density housing, shall not exceed a total of 50 dwelling units and shall comply with the provisions of the R-2T zone.
 - vi) Building materials shall be compatible with the community.
- (b) Site Design and Landscaping
 - i) Provision shall be made for adequate recreation, vehicular and pedestrian circulation, site lighting and open areas to address the needs of the residents of all the buildings and in particular those containing assisted living facilities.
 - ii) The layout and design of the buildings, services and site grading shall provide for the retention of healthy mature trees.
 - iii) No building shall be constructed within 50 feet of properties fronting on Osborne Street, Stonehaven Road, Walter Havill Drive and Street B, Stanley Park, as shown on plan P200/20332 of City of Halifax Case 5419.
 - iv) The area of Block F abutting properties fronting on Osborne Street, Stonehaven Road, Walter Havill Drive and Street B, Stanley Park, as shown on plan P200/20332 of City of Halifax Case 5419, shall be maintained as a buffer area for a depth of 40 feet within which only limited construction activity will be permitted with minimal removal of existing trees and only in order to accommodate support infrastructure for the development (e.g. stormwater management, recreation infrastructure). The buffer may be reduced in width to 20 feet where site grading, servicing or support infrastructure must be accommodated and in those locations a visually obscuring fence shall be provided. Where the apartment building or assisted living buildings abut existing one or two unit dwellings the forty foot buffer will be maintained.
 - v) Any agreement made pursuant to policy 1.2.3 shall include provisions for the continued maintenance and upkeep of the buffer areas and fencing as required by clause (b)iv.

- vi) The ravine at the west end of Block F shall be maintained in a natural state.
 - vii) Planting and screening of air conditioners, dumpsters, propane tanks, service areas, driveways, parking areas, etc. is required.
 - viii) Adequate and safe vehicular and pedestrian accesses to the site and buildings shall be provided.
 - ix) The parking areas shall be located such that they do not interfere with the safe access of pedestrians and are able to be screened from the public street.
- (c) Additional Considerations
- i) Every effort shall be made to reduce traffic impacts on the adjacent neighbourhood.
 - ii) An assessment of the adequacy of municipal servicing systems available to the site shall be undertaken and any required improvements shall be addressed to the satisfaction of the Engineer prior to development.
 - iii) Assisted living facilities shall be defined as residential buildings that may include a range in uses from full care nursing homes to facilities which provide personal and/or medical care and have a common dining area. Assisted living facilities shall form part of future development proposals.
 - iv) The development may be phased but no more than 25% of the development shall be permitted to proceed prior to rehabilitation and completion of Kelly Street.

1.2.4 Further to the Low Density Residential objective and policies of this section, for those municipally and privately owned lands known as the Fleming Park / Williams Lake Road lands (PID # 00310342 and 00284885) and designated “Low-Density Residential” on the Generalized Future Land Use Map, Council shall zone these lands Single Family Dwelling (R-1) zone and shall not consider future zoning amendment requests for these lands.

1.2.5 In order to promote the integration of appropriately scaled and well-designed apartment house uses within a specific node along Herring Cove Road, that being the stretch of Herring Cove Road between Circle Drive and Williams Lake Road, and to prevent conflict between new and existing uses, the Municipality shall identify properties fronting on the eastern side of Herring Cove Road between Circle Drive and Williams Lake Road as shown on Map 4 Schedule I. (RC-Jun 10/14; E-Jul 26/14)

1.2.6 A Schedule shall be applied through the land use by-law to private properties within the area identified in policy 1.2.5, provided the properties have frontage on Herring Cove Road. Apartment house developments may be considered in the area identified by this Schedule by development agreement in accordance with the Halifax Regional Municipality Charter. (RC-Jun 10/14; E-Jul 26/14)

1.2.7 Within the area identified by policy 1.2.6, no more than three apartment house developments shall be permitted. Each apartment house

development may incorporate non-residential uses permitted by the zoning on the property and shall:

- (a) contain no less than 190 feet of frontage on Herring Cove Road;
- (b) contain no less than 60,000 square feet of lot area;
- (c) contain no more than 42 dwelling units, a minimum of 50 percent of which must contain 2 or more bedrooms;
- (d) be limited to a maximum of height of 55 feet;
- (e) be contained within a single building, which contains no more than 4 storeys; and
- (f) be limited to no more than 3 storeys at the rear (eastern) portion of the building.

(RC-Jun 10/14; E-Jul 26/14)

1.2.8 In considering development agreements pursuant to policies 1.2.6 and 1.2.7., Council shall consider the following:

- (a) the architectural design of the building includes high quality building materials, articulation of and variation to the building facades, and fine-grained architectural detailing;
- (b) the creation of high quality design detail at street level through attention to such matters as site landscaping, conspicuous building entrances, appropriate lighting and co-ordinated signage, and no surface parking between the building and the street;
- (c) the relationship of the building to the street, adjacent properties and uses; and, the mitigation of impacts on the amenity, convenience and development of adjacent properties through effective urban design and landscape treatment;
- (d) appropriate separation of residential and commercial uses;
- (e) provision for vehicular and pedestrian access and egress patterns;
- (f) the adequacy of the servicing capacity of the site;
- (g) the majority of vehicular parking is provided underground;
- (h) the development provides adequate indoor and outdoor amenity space for residents on site;
- (i) the development provides a lighting plan;
- (j) where the development is located at an intersection, architectural treatments are incorporated to emphasize the building's relationship to the corner;
- (k) where a cemetery is present on the development site, the provision of appropriate protection and access; and
- (l) the provisions contained in policy 7.3 of this Section.

(RC-Jun 10/14; E-Jul 26/14)

1.2.9 Within the area identified by policy 1.2.6, the land use by-law shall permit one 3 unit dwelling, provided the 3 unit dwelling is located at 292 Herring Cove Road. The land use by-law shall identify the site where the 3 unit dwelling is permitted and shall limit the 3 unit dwelling to 2 storeys and include provisions to ensure the building is appropriately positioned in relation to adjacent development. (RC-Jun 10/14; E-Jul 26/14)

- 1.2.10** Notwithstanding the Low-Density Residential designation of the HRM park located at the intersection of Herring Cove Road and Williams Lake Road, identified as ‘Pocket park’ on Map 4 Schedule I, the Park and Institutional Zone shall be applied to this property. (RC-Jun 10/14; E-Jul 26/14)
- 1.2.11** Notwithstanding policy 3.1, the land use by-law shall identify the HRM park located at the intersection of Herring Cove Road and Williams Lake Road, identified as ‘Pocket park’ on Map 4 Schedule I, and shall limit the use of the site to public park uses. (RC-Jun 10/14; E-Jul 26/14)
- 1.2.12** For the properties at 348 Purcell’s Cove Road (PID #00270975, 41158452 and 00633511), in order to recognize the longstanding land uses and existing building locations and sizes, the Halifax Mainland Land Use By-law shall be amended to permit the existing uses and buildings to remain at their present locations as of the effective date of this provision, notwithstanding that building setbacks and other By-law requirements may not be met, subject to the following: (RC-Aug 2/16;E-Sep 3/16)
- a) A dwelling and an accessory building shall be permitted on Lot G2 (PID #41158452) and a portion of a water lot (PID #00633511) in their existing locations; (RC-Aug 2/16;E-Sep 3/16)
 - b) On Lot G1 (PID #00270975), one existing building which is accessory to the dwelling on Lot G2 shall be permitted at a height of three storeys. Two additional existing accessory buildings shall be permitted at a height of one storey in their existing locations on Lot G1; (RC-Aug 2/16;E-Sep 3/16)
 - c) No additions to existing buildings which would increase the floor area nor any new buildings shall be permitted on any lot, with the exception of accessory buildings on Lot G1 which do not exceed one storey in height; and (RC-Aug 2/16;E-Sep 3/16)
 - d) Nothing shall prevent repairs and renovations to or the replacement of any existing building. (RC-Aug 2/16;E-Sep 3/16)
- 1.2.12.1** The provisions of Policy 1.2.12 shall not exempt the existing buildings from any associated approvals from agencies which may be necessary in order to obtain development and construction permits for the existing buildings. (RC-Aug 2/16;E-Sep 3/16)
- 1.3** In areas designated as "Medium-Density Residential" on the Generalized Future Land Use Map, detached dwellings, semi-detached dwellings, duplex dwellings, townhouses and apartments containing a maximum of four units two of which must be family-type, shall be permitted and neighbourhood commercial uses may be permitted pursuant to Policies 2.1.1 and 2.1.2 of this Plan.
- 1.3.1** In areas designated as "Medium-Density Residential" on the Generalized Future Land Use Map Council may zone to permit apartments provided that their height is limited to a maximum of four storeys and in assessing such

rezonings Council shall consider compatibility with the existing neighbourhoods and the adequacy of municipal infrastructure.

1.3.2 Pursuant to Policy 1.3.1, the Land Use By-law shall be amended to include regulations which limit the height, density and unit size.

1.3.3 For the purposes of Policies 1.3 family-type units shall mean those with two or more bedrooms conducive to family-type living.

1.3.4 In areas designated as “Medium Density Residential” on the Generalized Future Land Use Map Council may consider townhouse style residential developments according to the development agreement provisions of the *Halifax Regional Municipality Charter*. This form of development is appropriate where subdivision regulations for townhouses can not be met, due to lack of frontage on a public street, or where developments are located on major collector or arterial streets, and direct access to the street is undesirable. In considering such an agreement, Council shall have regard for the following:

- (a) that the development includes a minimum lot area of 20,000 square feet, with access provided to a public street;**
- (b) that each unit has access to an internal private driveway which services the development;**
- (c) that municipal central services are available and capable of supporting the development;**
- (d) that the site design features including landscaping, screening, fencing, parking areas, and driveways are of an adequate size and design to meet the needs of residents of the development and to address potential impacts on adjacent development;**
- (e) that the height, bulk, lot coverage and appearance of any building is compatible with adjacent uses; and,**
- (f) the general maintenance of the development. (RC-Feb 2/10; E-Apr 17/10)**

1.4 In areas designated as "High-Density Residential" on the Generalized Future Land Use Map, uses permitted in the low-density and medium-density designation and apartments exceeding four storeys shall be permitted. Apartments in excess of four stories shall be regulated as to size and scale by appropriate regulations in the By-law. Apartment dwellings may be composed of both family and non-family type. Neighbourhood commercial uses shall be permitted in apartment dwellings of 100 units or greater.

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.
- 1.5.3 For the area designated as "Residential Development District" known as Melville Ridge as shown on Map 1 of Schedule I, the City may by an amendment to the existing development agreement permit a change in use of and/or an addition to the existing building at 15 Shoreham Lane and a sign on Ramsgate Lane near Purcell's Cove Road.
- 1.5.3.1 Any change in use permitted pursuant to Policy 1.5.3 shall be **limited to: neighbourhood commercial uses; appropriate local commercial uses, including restaurant uses; and health care related uses. A significant portion of the existing building shall continue to be used for health care related uses. (RC- Sep 19/17; E- Nov 11/17)**
- 1.5.3.1.1 Any addition permitted pursuant to Policy 1.5.3 shall not include any type of residential accommodation such as but not limited to dwelling units, residential care/retirement facility or nursing home.
- 1.5.3.2 Any addition permitted pursuant to Policy 1.5.3 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors such as but not limited to:
- (i) architectural design
 - (ii) height
 - (iii) setbacks
 - (iv) buffering
 - (v) access
 - (vi) materials
 - (vii) lighting
- 1.5.3.3 Any sign permitted pursuant to 1.5.3 shall be non-commercial in nature.
- 1.5.3.4 Any sign permitted pursuant to Policy 1.5.3 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors such as but not limited to:
- (i) architectural design
 - (ii) heights
 - (iii) setbacks
 - (iv) materials
 - (v) lighting

- 1.5.3.5 For the area designated as “Residential Development District” known as Melville Ridge as shown on Map 1 of Schedule I, notwithstanding that the site is less than three acres and does not provide a mixture of residential uses nor a mix of dwelling unit types, the Municipality may, by development agreement pursuant to Schedule I, permit residential care and retirement facility on Lot 4 Ramsgate Lane. **(RC- Feb 19/08; E- March 29/08)**
- 1.5.3.5.1 Any development permitted pursuant to Policy 1.5.3.5 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors such as but not limited to:
- (i) architectural design
 - (ii) screening of air conditioners, dumpsters, propane tanks, driveways, etc
 - (iii) service entrances
 - (iv) building materials
 - (v) lighting
 - (vi) parking
 - (vii) accesses to the site and building
- 1.5.3.5.2 Without limiting the generality of the foregoing, the Municipality shall have regard for the following:
- i) The height of the building shall not exceed four storeys nor elevation 174.5.
 - ii) the building shall comply with the size of building requirements of the R-4 Zone (angle controls) from Melville Avenue.
 - iii) No portion of the building shall be closer to Melville Avenue than 40 feet.
 - iv) Vehicular access shall not be permitted from Melville Avenue.
 - v) The footprint of the building shall not exceed 14,200 square feet.
 - vi) The area of Lot 4 abutting Melville Avenue for a depth of 35 feet shall be maintained as a buffer area within which no construction activity is to take place nor any existing trees removed except as required to install a water line or as required for safety reasons.
 - vii) Any agreement made pursuant to policy 1.5.3.5 shall include provisions for the continued maintenance and upkeep of the buffer area as required by clause vi.
 - viii) The layout and design of the building and services shall follow for the retention of mature trees.
- 1.5.3.5.3 Because certain residences on Melville Avenue are serviced with individual wells, and as any development permitted pursuant to policy 1.5.3.5 could impact on the source of the supply of the said wells, it shall be the intention of council to ensure that an acceptable quality of water in sufficient amounts is maintained by:
- i) Requiring that municipal water be provided to those properties now served by wells except where the owners do not want to connect to municipal water.

- ii) Requiring that municipal water is available prior to any blasting or any other activity on Lot 4 which could effect the supply of well water.
- iii) Requiring that as part of any permit application, the developer supply site development details including methods of excavation, methods of reducing impacts of construction on adjacent residences and the time schedule for construction.
- iv) If deemed necessary, requiring a performance security to ensure that any conditions made pursuant to 1.5.3.5.3(iii) are carried out.

1.5.4 For the area designated as "Residential Development District" known as Regatta Point as shown on Map 2, of Schedule I, notwithstanding that the site is less than three acres and will result in greater than 15% of the land being used for apartment uses, the City may, by development agreement, permit a maximum of four townhouses on lot RP-7 Spinnaker Drive and an apartment building containing a maximum of 48 units on lot RP-6 Purcell's Cove Road.

1.5.5 Any development permitted pursuant to policy 1.5.4 shall be compatible with the surrounding area and consistent with Regatta Point and this shall be achieved by having regard for the following:

- i) The development shall be subject to Design Review Guidelines which shall be approved by the Design Review Board and registered as a restrictive covenant on the lands.
- ii) The height of the apartment building shall not exceed four storeys.
- iii) The development shall comply with the provisions of the R-4 zone.
- iv) Vehicular access shall not be permitted from Purcell's Cove Road.
- v) The areas abutting Purcell's Cove Road shall be well landscaped including hard and soft elements and trees.
- vi) The developer shall retain established buffer areas.
- vii) The layout and design of the buildings shall allow for the retention of mature trees.

1.5.5.1 For the area designated as "Residential Development District" known as Regatta Point, as shown on Map 2 of Schedule I, notwithstanding that the site is less than three acres, does not provide a mixture of residential uses, and will result in greater than 15% of the land being used for apartment uses, the Municipality may, by development agreement, permit the consolidation of Lot RP-1 (PID 40396699) with Lot RP-2 (16 Anchor Drive; PID 40396681), and the expansion of the existing apartment building to a maximum of 118 units on the consolidated lot.

1.5.5.2 Any development permitted pursuant to Policy 1.5.5.1 shall be compatible with the surrounding area and consistent with Regatta Point and this shall be achieved by having regard for the following:

- i) The height of any expansion shall not exceed seven storeys;**
- ii) Vehicular access shall not be permitted from Purcell's Cove Road;**
- iii) The areas abutting Purcell's Cove Road shall be well landscaped including hard and soft elements and trees; and**

- iv) **The layout and design of the buildings shall allow for the retention of mature trees.**

1.5.5.3 For the purposes of calculating population density for any development permitted pursuant to Policies 1.5.5.1 and 1.5.5.2, the following population allocations shall apply:

- i) **Bachelor units shall be assigned 1 person per unit;**
- ii) **One-bedroom units shall be assigned 2 persons per unit; and**
- iii) **All other dwelling units shall be assigned 2.25 persons per unit.**
(RC-Jan 19,10/E-Apr 17,10)

1.5.6.4 Any development permitted pursuant to Policy 1.5.3.5 may be exempt from guideline 8 of Schedule I of this Section provided that adequate measures are taken to ensure water quality and flow are not diminished and that such measures receive approval from the Nova Scotia Department of the Environment.

1.5.7 For the area designated as “Residential Development District” known as the former BC Silver School site as shown on Map 3 of Schedule I, notwithstanding that policy 1.5 calls for, “an emphasis on a mix of dwelling types,” the Municipality may by development agreement pursuant to Schedule I, permit a subdivision of single detached dwellings with development specifications that differ from those of the R-1 and R-2 zones. (RC-Feb 19/08; E-Mar 29/08)

1.5.8 Lots N1, N2 and N3A, Long Lake Village (RC-Oct 2/18;E-Nov 3/18)

The area designated as ‘Residential Development District’ known as Long Lake Village, at Cowie Hill Road and North West Arm Drive, contains a compact form of mixed-use development containing single-family, townhouse, multiple-unit residential and commercial uses combined with open space, which includes parkland and conservation land.

Notwithstanding Schedule I (Guidelines for Residential Development District), which restricts the land area being used for apartment uses to a maximum of 15%, the Municipality may consider by development agreement multiple-unit residential (apartment) uses with ground floor commercial uses on Lots N1, N2 and N3A (PID 41352022, 41352030, and 41394024), Cowie Hill Road with those 3 lots encompassing up to 17.5% of the land area covered by the development agreement. Adequate controls shall be placed on the building height and location on lot N3A in order to reduce impacts on abutting residential uses.

Furthermore, notwithstanding Policy 1.5 of the Mainland South SMPS, which calls for a mix of dwelling unit types, the development agreement may allow for a single unit type (bachelor-type unit counting as 1 person per unit) on Lot N3A.

- 1.6 The City shall maintain zoning regulations which encourage stability and maintenance of the prevalent character and integrity of residential neighbourhoods.
- 1.7 It is the intent of the City to encourage energy efficient and energy conserving residential development and may adopt regulatory controls through the Land Use By-law in order to further this intent.
- 1.8 The Land Use By-law shall permit the reconstruction of any non-conforming residential building existing on the date of adoption of this Strategy to the original size and density in the event that said building is destroyed by fire or otherwise.