

Public Hearing for Case 22847

Development Agreement to allow two apartment buildings on lands on Main Road at Silvers' Lane in Eastern Passage

Harbour East – Marine Drive Community Council

April 1, 2021

Applicant Proposal

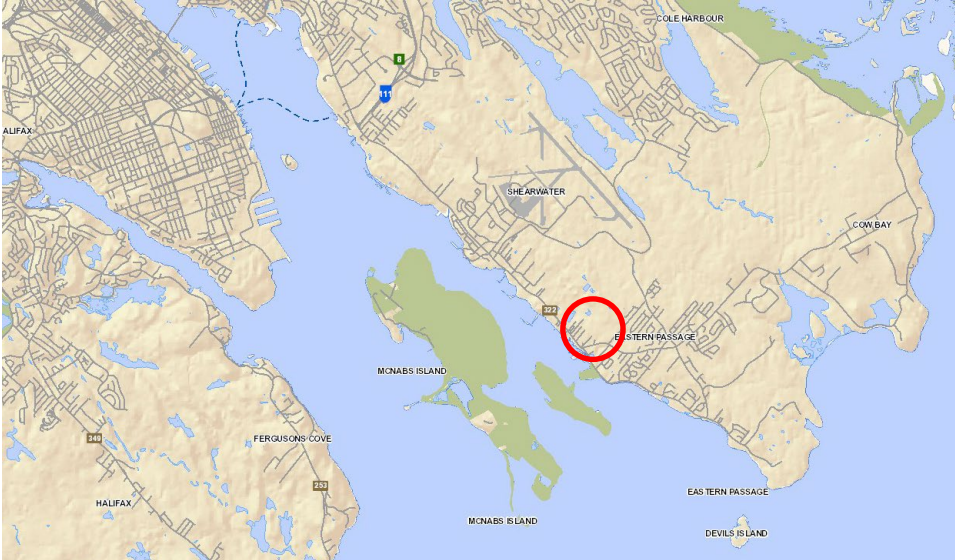
Slide 2

Applicant: Lookout Investments Limited

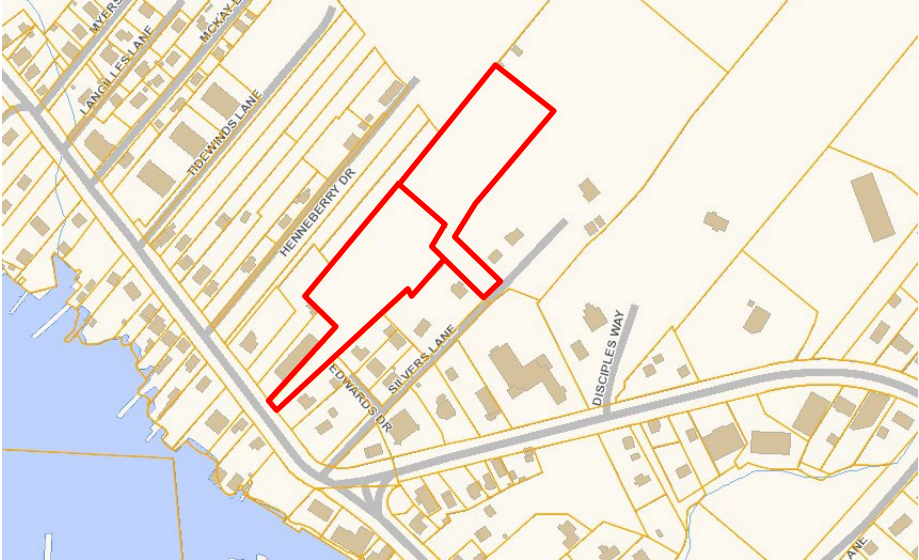
Location: Main Road at Silvers' Lane, Eastern Passage

Proposal:

1. Partially discharge an existing development agreement; and
2. Enter into a new development agreement to allow two four storey, 60-unit apartment buildings on property with PIDs 00374652 and 41466160 on Main Road in Eastern Passage.



General site location in red



Site boundaries in red



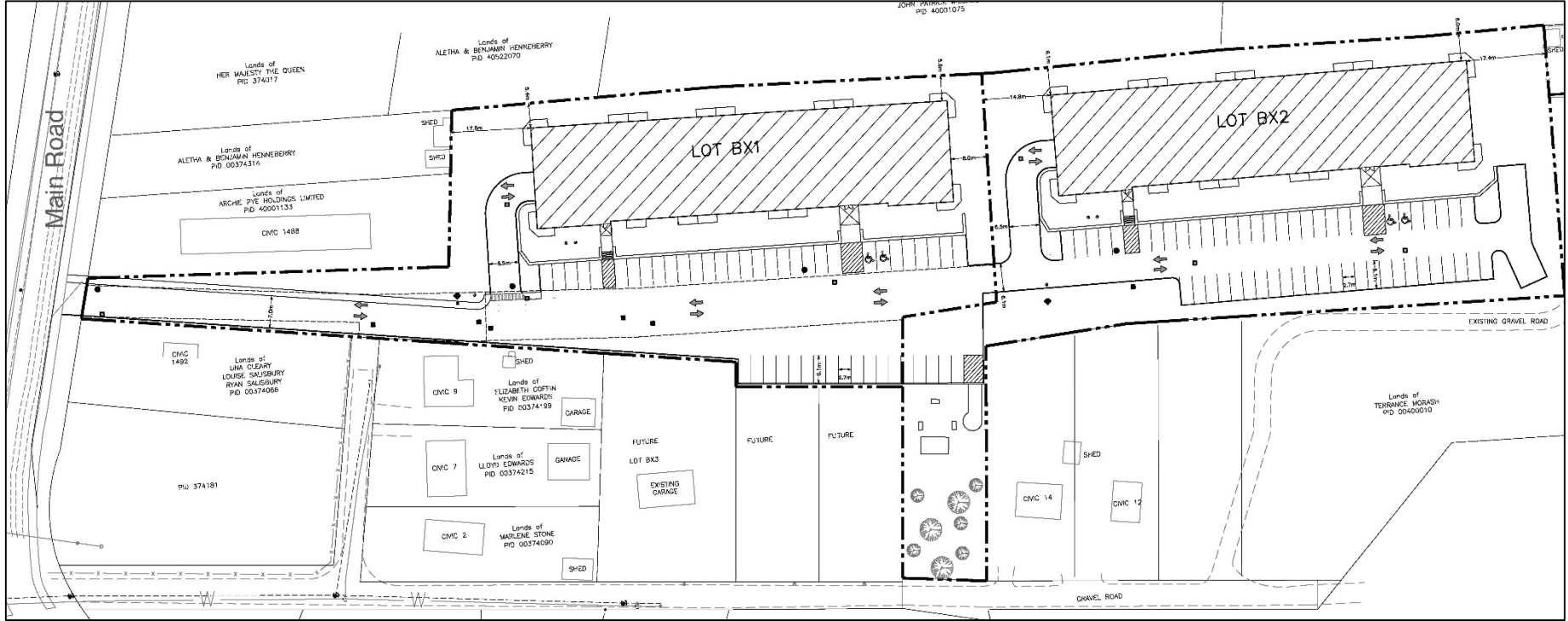
Policy & By-law Overview

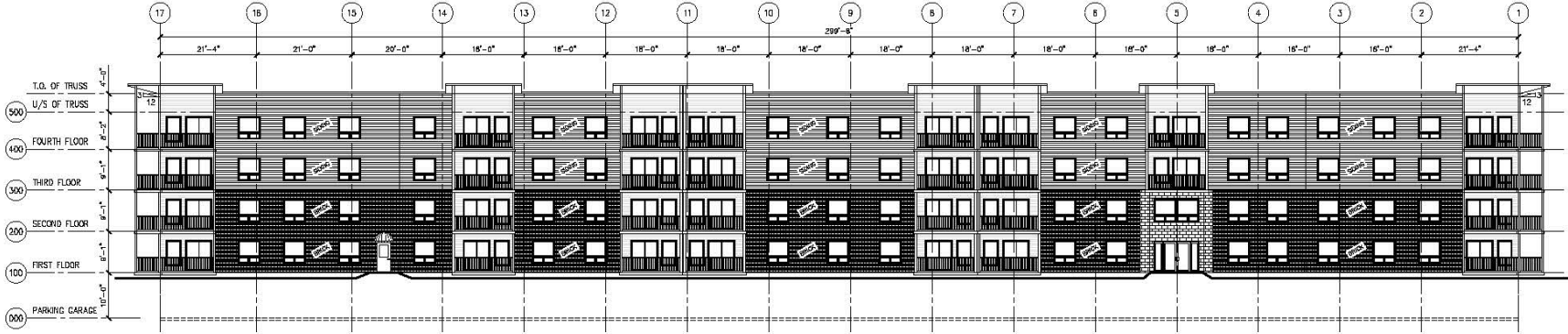
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Eastern Passage/Cow Bay Municipal Planning Strategy – Eastern Passage/Cow Bay LUB

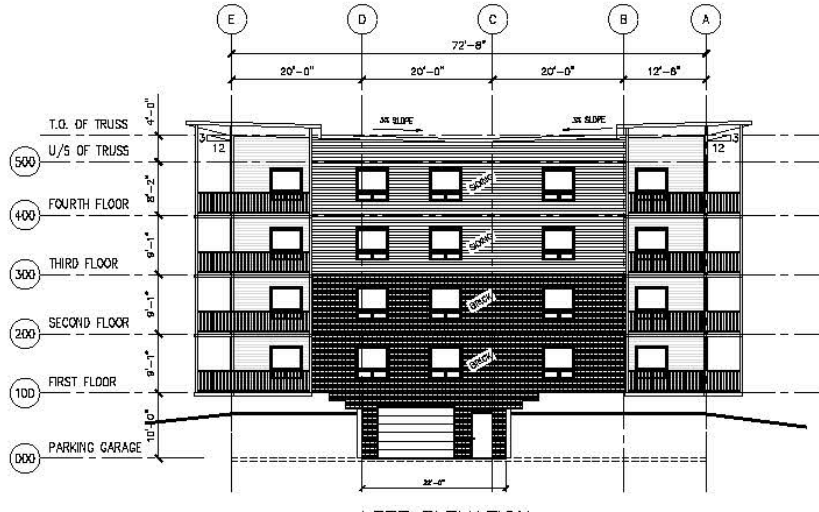
- **Zone**
 - C-2 (General Business)
- **Designation**
 - CC (Community Commercial)
- **Existing Use**
 - Vacant
 - 2 apartment buildings permitted by existing DA not constructed
- **Enabling Policy**
 - COM-12



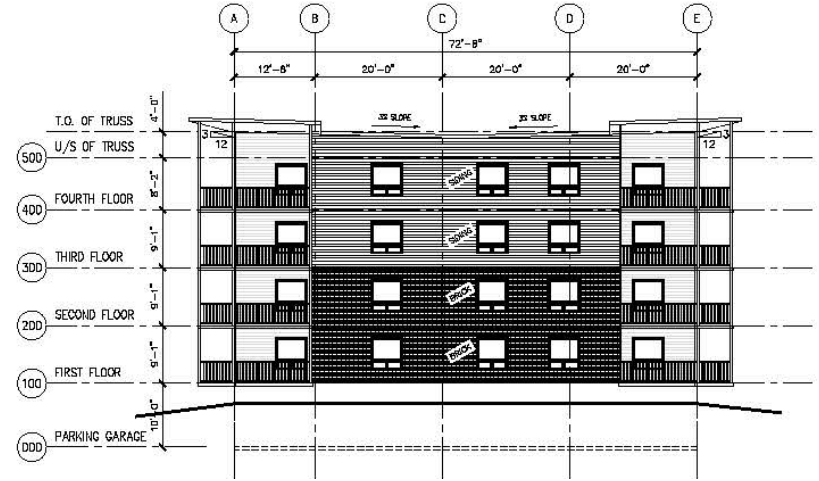




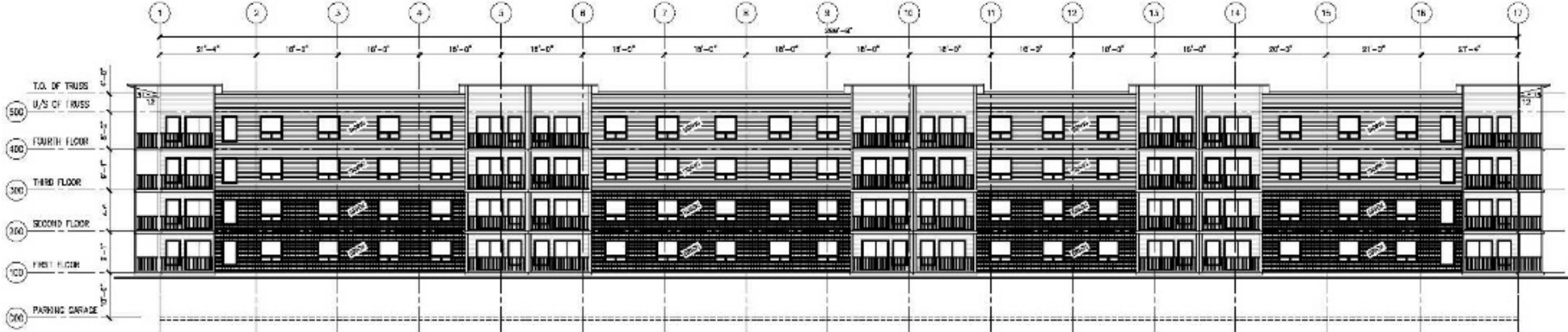
Front Elevation



Left Elevation



Right Elevation



Rear Elevation

Eastern Passage/Cow Bay Municipal Planning Strategy and LUB

Enabling Policy COM-12 requires that HEMDCC consider the following in when making their decision on a Development Agreement:

- Lot area of at least 1,858 square metres;
- Frontage on a public street;
- Maximum 4 storeys plus a penthouse;
- Minimum setback from interior lot lines a distance that is equal to half the height of the building, with greater setbacks and buffering to address impacts on adjacent residential uses;
- Complementary building design;
- A mixture of dwelling unit types and sizes;
- Maximum density of 36 units per acre;
- Landscaping; and
- Open space and amenity areas;

Eastern Passage/Cow Bay Municipal Planning Strategy and LUB

Additional policy criteria are found in Policy IM-11:

- That the proposal is not premature or inappropriate by reason of:
 - Adequacy of sewerage and water services;
 - Adequacy of school, recreation or other community facilities; and
 - Adequacy of road networks;
- That controls are placed on the proposed development reduce conflict by reason of:
 - Type of use, height, bulk and lot coverage;
 - Traffic generation, access and egress, and parking;
 - Open storage and signs;
- That the proposed site is suitable in terms of:
 - Steepness of grades, soil and geological conditions; and
 - Locations of watercourses, marshes or bogs and susceptibility to flooding.

- Level of engagement completed was consultation achieved through a mail out notification sent on May 27, 2020 and an HRM case website;
- No public comments were received in response to these activities.

Notifications Mailed



33

Individual Contacts (Phone Calls & Email)



0

Webpage Views



133

Letters/Emails Received



0

Summary: Key Aspects of the Proposed Development

- Permitted uses: 2 four-storey apartment buildings;
 - No penthouses
 - Up to 60 dwelling units in each building;
 - 32 dwelling units *in each building* with at least 2 bedrooms;
- At least 185 parking spaces (including underground and surface parking);
- Bicycle parking;
 - 12 Class B spaces
 - 20 Class A spaces
- No phasing;
- Landscaping in accordance with the preliminary plan, detailed landscaping plan required prior to permitting;
- Outdoor lighting and signage;
- At least 140 square metres of amenity space;

A 'Non-Substantive Amendment' is a change to the agreement which could be made without a formal Public Hearing. Instead, Community Council could authorize this change by resolution.

As proposed, Non-Substantive Amendments within this agreement include the following:

- Extension to the dates of commencement and completion of the development;
- Changes to the exterior design of the buildings;
- Changes to the required unit mix;
- Changes to the site layout; and
- A reduction in the number of parking spaces by up to 20%

Staff recommend that Harbour East Marine Drive Community Council:

1. Give notice of motion to consider the proposed Development Agreement, as set out in Attachment A of the report dated January 13, 2021, to construct two four-storey multiple unit dwellings on Lands in Eastern Passage and schedule a public hearing;
2. Approve the proposed Development Agreement, which shall be substantially of the same form as set out in Attachment A of the report dated January 13, 2021, with the exception that the second recital deletes the words "the Developer" and replaces them with "Garmar Investments Limited" ; and
3. Approve, by resolution, the Discharging Agreement, which shall be substantially of the same form as set out in Attachment B of the report dated January 13, 2021, with the exception that the second recital deletes the words "the Developer" and replaces them with "Garmar Investments Limited"; and
4. Require that both the Development Agreement and Discharging Agreement be signed by the property owner within 240 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

HALIFAX

Thank You

Planners Name



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902-476-8361

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