

**HALIFAX**

# **Public Hearing for Case 22748**

Amending Development Agreement for  
30 and 38 Silvers' Lane, Eastern  
Passage

Harbour East – Marine Drive Community Council

April 1, 2021

# Applicant Proposal

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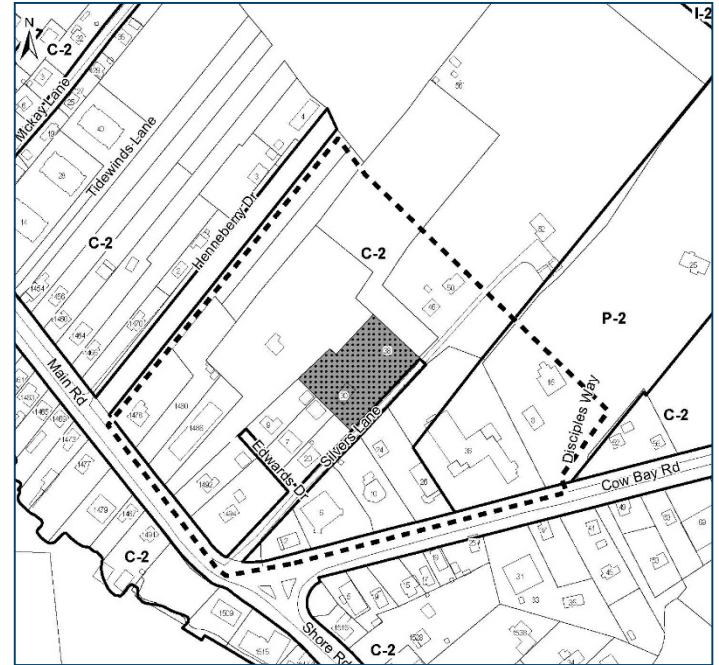
**Applicant:** Gary Edwards

**Location:** 30 & 38 Silvers Lane, Eastern Passage

**Proposal:**

To amend the existing agreement to allow:

- The subdivision of the lands into 3 lots;
- The existing commercial building with access to Silvers Lane;
- The workshop to continue its current use including the sale of vehicles;
- 3 two-unit dwellings; and
- Some commercial uses with access by Silvers Lane.





General site location in red



Site boundaries in red

# Site Context/Photos



# Policy & By-law Overview

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

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



# Development Timeline

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**October 2016:** Community Council approved a development agreement to allow two multiple unit dwellings on the subject site, as well as residential uses for lands at 30-38 Silvers Lane.

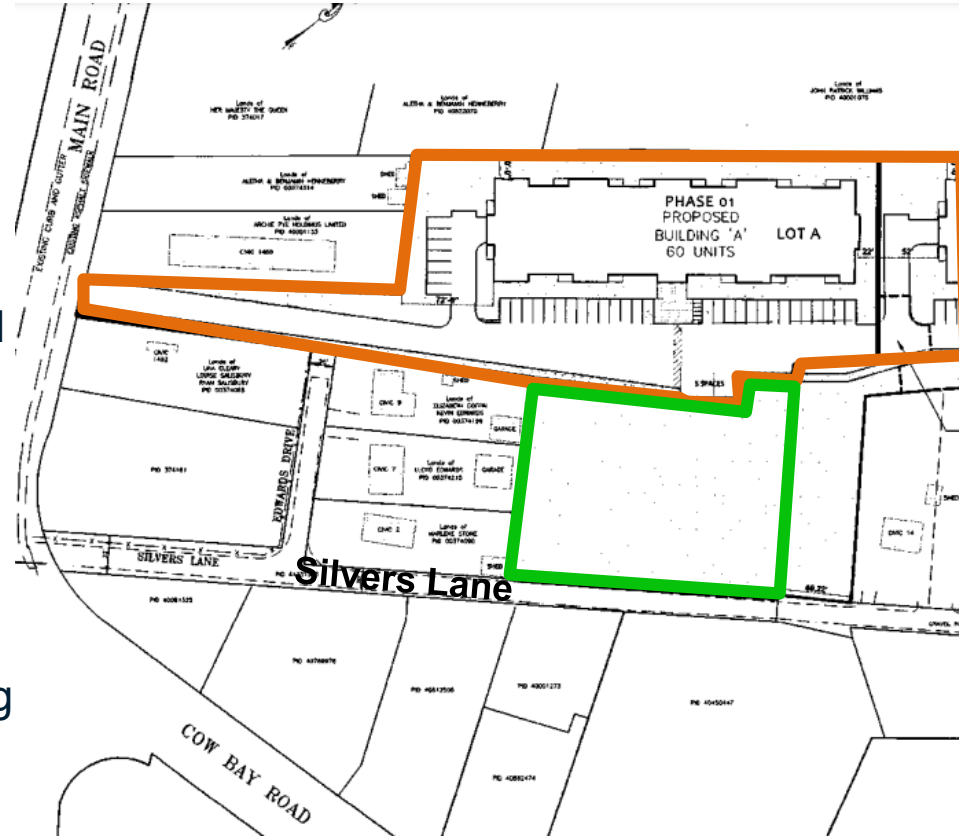
**December 2018:** Community Council approved an amending development agreement, to clarify subdivision and development conditions for the development, and to provide additional time for construction.

**April 1, 2021:** Community Council considers both Case 22847 and Case 22748 (the subject application).

# Existing Context

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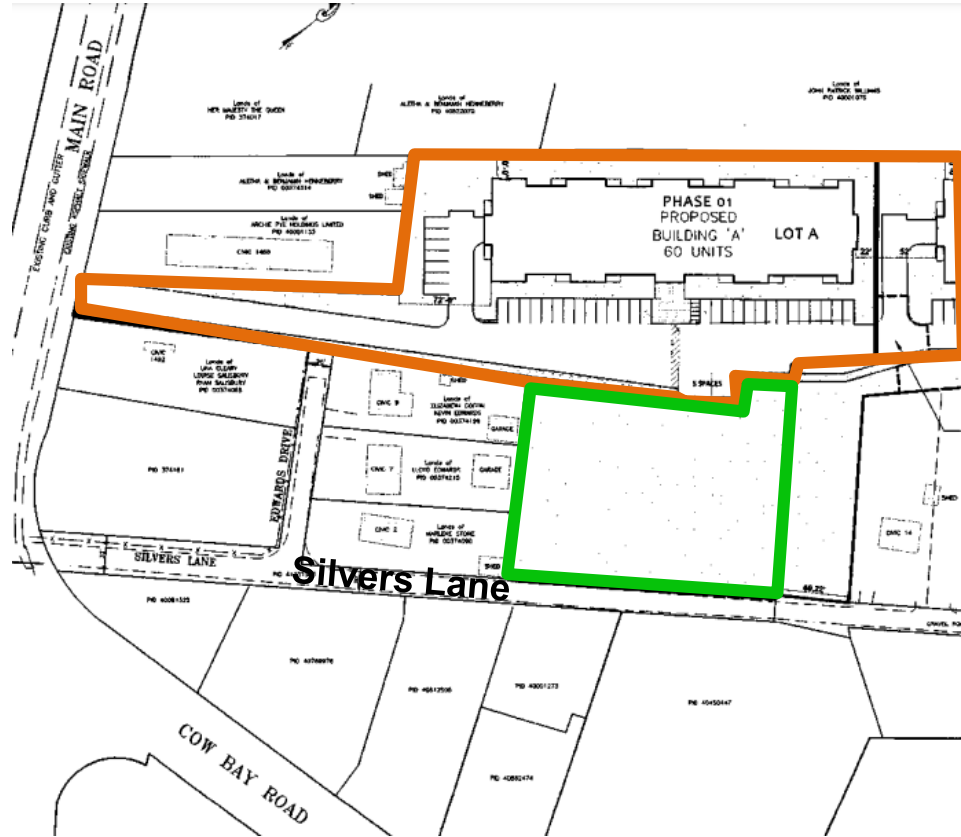
- The **abutting properties** intended to contain the two 60-unit apartment buildings were conveyed to a new property owner.
- The existing development agreement only allows single unit dwellings to be subdivided and developed **at 30-38 Silvers Lane.**
- The agreement further requires that these single unit dwellings must directly access Silvers Lane.
- The proposed amendments have no bearing or impact on the abutting properties or application.



# Existing Issue

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- 30-38 Silvers Lane previously benefitted from an access easement over the **abutting properties** intended to contain the two 60-unit apartment buildings.
- This access easement was removed when the **abutting properties** were sold to a different owner.
- HRM Development Engineering have expressed concern for traffic volumes entering Cow Bay Rd. and Main Rd. via Silvers Lane.

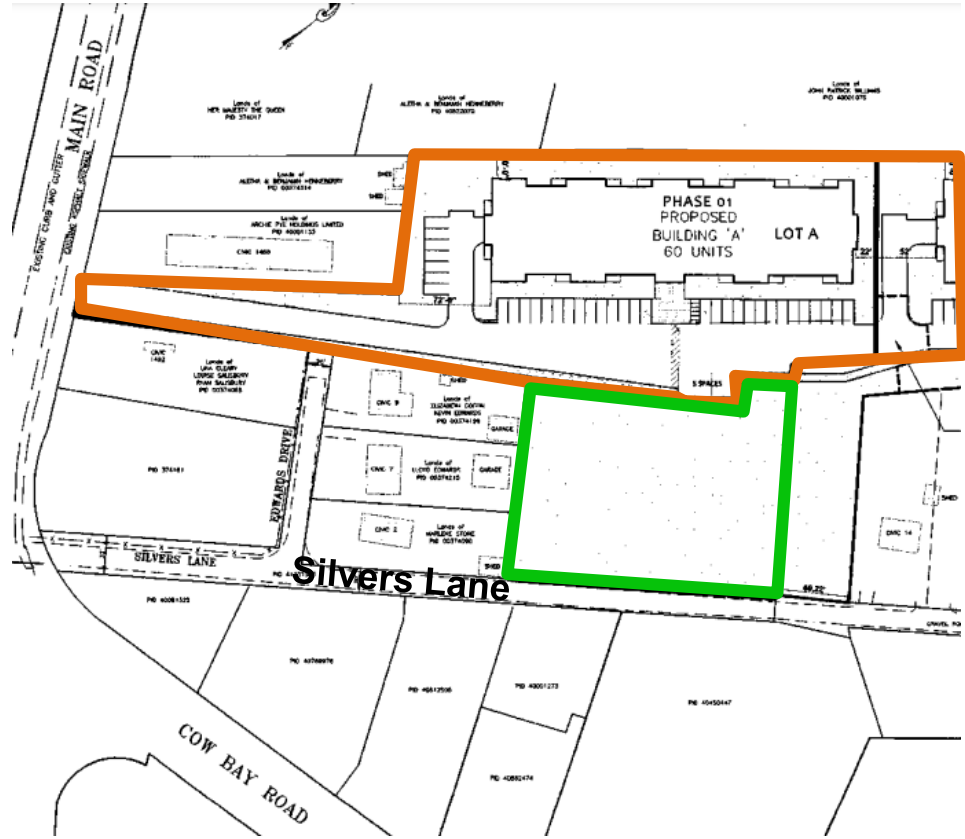




# Proposed Solution

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- The proposed amending agreement limits the permitted uses at 30-38 Silvers Lane only to those that can safely access the property by way of Silvers Lane.
- Proposed permitted uses at 30-38 Silvers Lane include 2 two-unit dwellings, the existing workshop use (car dealership) as well as eleven other C-2 uses.



Enabling Policies COM-12, COM-2, and IM-11:

The Municipal Planning Strategy requires Council consider the following in rendering their decision on a Development Agreement:

- Lot size
- Access to a public street
- A focus on reducing conflict with adjacent properties due to proposed use, size of building, traffic generation, vehicle access to site, etc.

These policies remain identical to those in place when the first Development Agreement was approved by Council

- Level of engagement completed was consultation achieved through a mail out notification, signage on the property, and a planning application website.
- Feedback from the community generally included the following:
  - A question about water servicing in the area
  - Clarification as to what changes were proposed in this specific amendment application

**Notifications  
Mailed**



**54**

**Individual Contacts  
(Phone Calls & Email)**



**2**

**Letters/Emails Received**



**3**

Staff recommend that Harbour East Marine Drive Community Council Approve the proposed development agreement as set out in Attachment A of the staff report dated February 12, 2021

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## Thank You

**Carl Purvis**



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902-292-30451

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