

Item 13.1.2

HALIFAX

Decision of Council Case 23609

**Non-Substantive Amendment to Existing Development
Agreement: Evergreen Drive, Cole Harbour**

Harbour East-Marine Drive Community Council
September 2, 2021

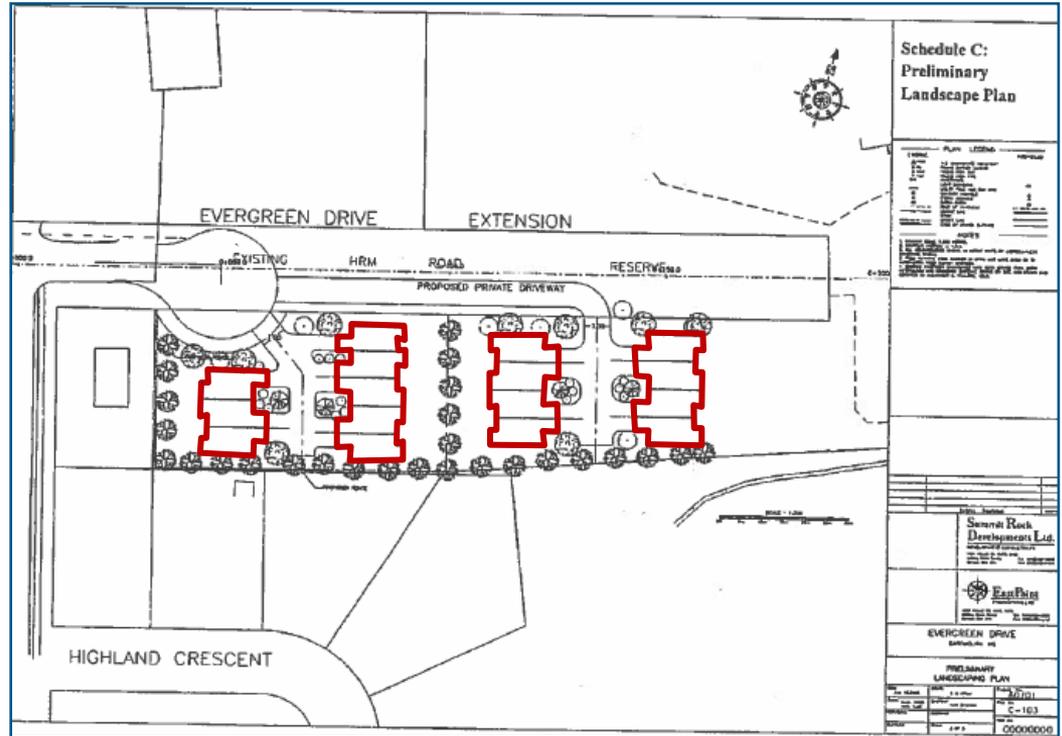
Slide 1

Applicant Proposal

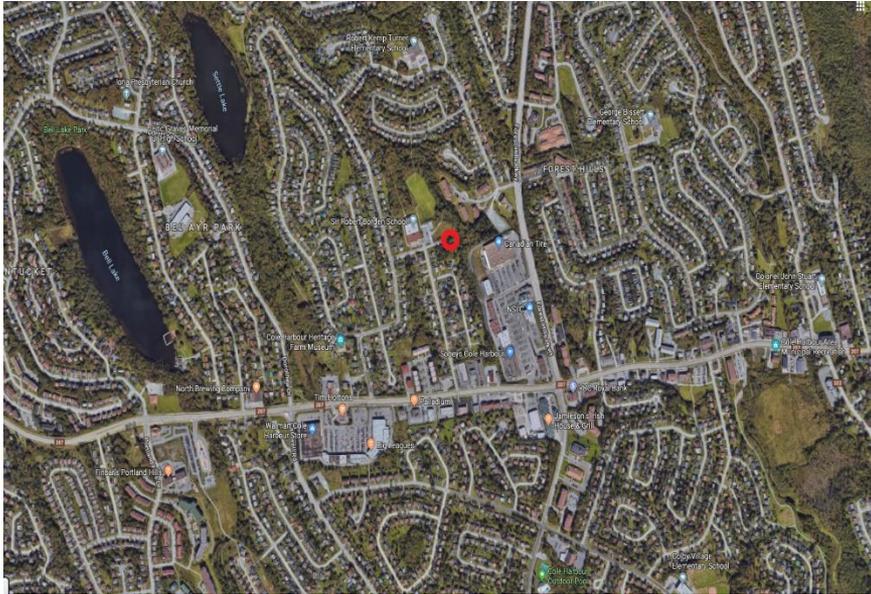
Applicant: Lambie Construction Inc.

Location: Evergreen Drive Extension, Cole Harbour

Proposal: allow two (2) year time extension for commencement of development of 16 townhouse units (outlined in red)



Site Context



General Site location in Red



Site Boundaries in Red

Background

- 2009 – Case 01145 Council approved a 16-unit townhouse development. Construction to commence within 5 years (by March 31, 2014)
- 2014 – Case 19485 Council amended the DA to allow one year extension for commencement (by January 2016)
- 2017 – Case 20260 Council amended the DA to allow one year extension for commencement (by August 2018) and to begin Phase B without returning to Council
- 2020 – Case 22512 Council amended the DA to allow one year extension for commencement (by April 14, 2021)
- Completion date is 20 years from date of original registration (i.e., March 31, 2029). This will remain unchanged.

Planning Policy

Cole Harbour – Westphal MPS and LUB

Municipal Planning Strategy

Designation: Urban Residential (UR)

Enabling Policies:

- UR-8 – Consider townhouse units without direct access to a public street by Development Agreement
- IM-11 – Ensure proposal consistent with intent of planning strategy

Land Use By-law

- Surrounding land uses a mix of residential, commercial and institutional uses
- Site currently vacant
- R-1 Zoning:
 - Single unit dwellings;
 - Home business uses in conjunction with permitted dwellings;
 - Daycare facilities for not more than 14 children; and
 - Open space
- One parking space per unit

Policy Consideration

Existing Development Agreement

Section 6.2 of the Existing Development Agreement establishes the following as non-substantive amendments, and may be approved by resolution of Council, without a public hearing:

- Granting of an extension to the date of commencement of development; and
- Granting of an extension to the length of time for completion of the development.

Recommendation

Staff recommend that Harbour East-Marine Drive Community Council:

1. Approve the proposed amendment to the development agreement as set out in Attachment A of the staff report dated June 10, 2021; and
2. Require the agreement be signed by the property owner within 240 days

HALIFAX

Thank You