

**HALIFAX**

# **Public Hearing**

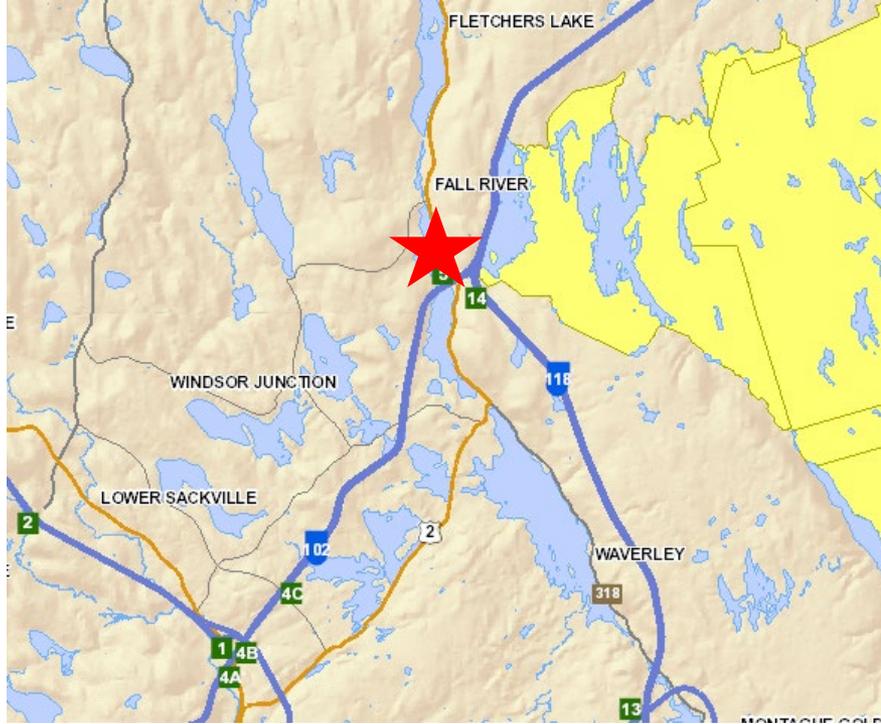
## **Case 23495**

Development Agreement Amendment:  
3009 Highway 2, Fall River  
(Inn on the Lake)

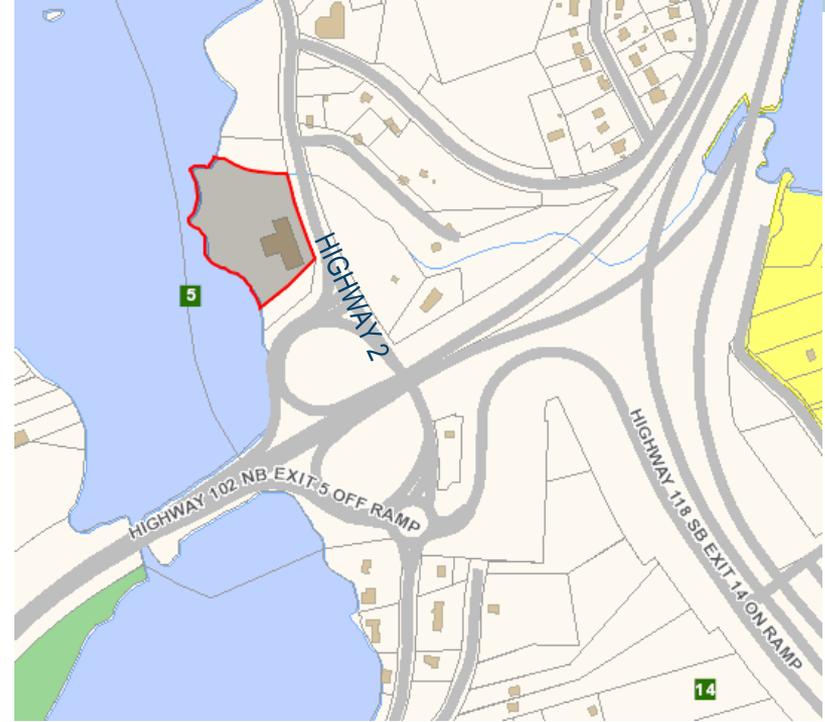
North West Community Council  
September 13, 2021

**Slide 1**

# Site Context



General Site location in Red



Site Boundaries in Red

# Site Context / Photos



# Existing Agreement

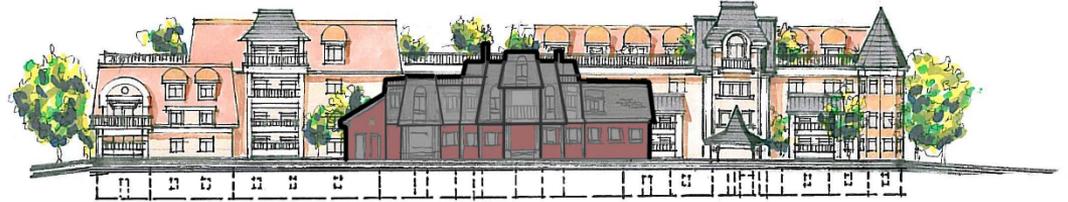
The existing development agreement allows:

- Construction of an addition on the rear of the existing building;
- Options to either retain the existing hotel use and add 75 residential units or convert the entire property to residential resulting in 91 residential units;
- Addition of a dwelling unit to a detached garage building; and
- 1,395 square feet of commercial area in the main building.



# Existing Agreement

- Original Application March 2012
- Public Information Meeting May 2012
- Review & Revisions 2012 - 2015
- Public Hearing & Council Approval May 2015
- Effective Date of DA March 2016
  
- External Review by:
  - Halifax Waters Advisory Board
  - NS Environment
  - NS Transportation & Infrastructure Renewal



East Elevation (View from Highway 2)



West Elevation (View from Lake Thomas)

# Proposed Amendment

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- Existing agreement required construction to commence by March 16, 2021
- Proposed amendment would allow a five-year extension to the construction commencement and completion dates.
- No changes to the approved development have been requested.



# Policy & Bylaw Overview

## Planning Districts 14 & 17 MPS & LUB



### Zone

Village Gateway (VG) Zone



### Designation

River Lakes Village Centre (RLVC)



### Existing Use

Hotel, Restaurant



### Enabling Policy

P-68 – multiple unit residential on lands served by existing private sewage treatment plants

# Policy Considerations

## Planning Districts 14 & 17 MPS & LUB

### Enabling Policy P-68:

New multiple-unit dwellings may be considered within any designation on lands which are served by private sewage treatment plants which were in existence prior to July 19, 1989. Council shall have regard to the following:

- the means by which solid and liquid waste will be treated;
- provisions for the continuing maintenance of the proposed development;
- that the architectural design and scale of any building(s) is compatible with nearby land uses;
- provisions for landscaping;
- the location, size and number of access points and parking areas.

# Policy Considerations

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## Planning Districts 14 & 17 MPS & LUB

- Does the requested change create a conflict with the applicable policies?
- Have any external factors changed that would affect the development's conformity with the applicable policies?

# Public Engagement Feedback

- Level of engagement completed was consultation achieved through a mail out notification and public comment period.
- Feedback from the community generally included the following:
  - Water quality of Lake Thomas;
  - Traffic impacts on Highway 2
  - Impacts of construction activity on adjacent properties
  - Concern that the development is out of scale with the surrounding community

**Notifications  
Mailed**



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



**Webpage Views**



# Public Engagement Feedback

## Water Quality of Lake Thomas

- Sewage Treatment Plant - discharge into Lake Thomas
  - Private Sewage Treatment Plant must be approved by NS Environment and Climate Change (NSECC) before construction could begin
  - A qualified operator and regular reporting to NSECC is required
- Impact of construction on the lake
  - DA requires stormwater management plan and a erosion and sedimentation control plan in accordance with NSECC guidelines for construction sites
- Increase motorized crafts on the lake
  - The municipality does not regulate recreational use of lakes

# Public Engagement Feedback

## Required Upgrades to Highway 2

- Traffic on Highway 2
  - Existing agreement requires a left turn lane to be created on Highway 2
  - Approval must be received from HRM Engineering (HRM owned road)
  - Approval must be received from NS Public Works (due to proximity to highway interchange)
  - These approvals must be received before permits can be issued

# Process

## Development Agreement Amendment Process

✓ Internal Staff Review

✓ Public Information / Consultation

→ Public Hearing

Appeal Period (NSUARB)

Agreement Signed & Registered



## Permit Process

Construction Permit Application (if all steps above successfully completed)

Review by Development Officer, Building Official, Engineer, Halifax Water



Permit Issuance (If all steps above successfully completed)

✓ Completed

→ In Progress

Outstanding

## Other Required Approvals

On-site Sewage Treatment Plant Approval (NSECC)

Highway 2 upgrades (HRM Engineering, NS Public Works)



## Subdivision Process

Application to consolidate lots



# Staff Recommendation

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Staff recommend that North West Community Council:

- Approve the proposed amending development agreement, which shall be substantially of the same form as set out in Attachment A; and
- Require the amending development 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

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