

Item 13.1.1

**HALIFAX**

# **First Reading**

## **Case 22890**

Rezoning Request for 48- 50 Old  
Sambro Road

Halifax and West Community Council  
November 16, 2021

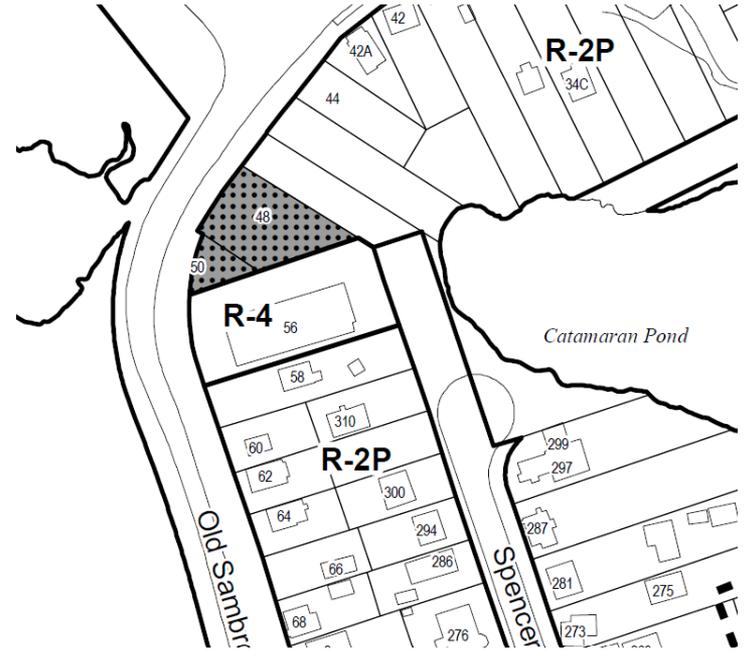
**Slide 1**

# Applicant Proposal

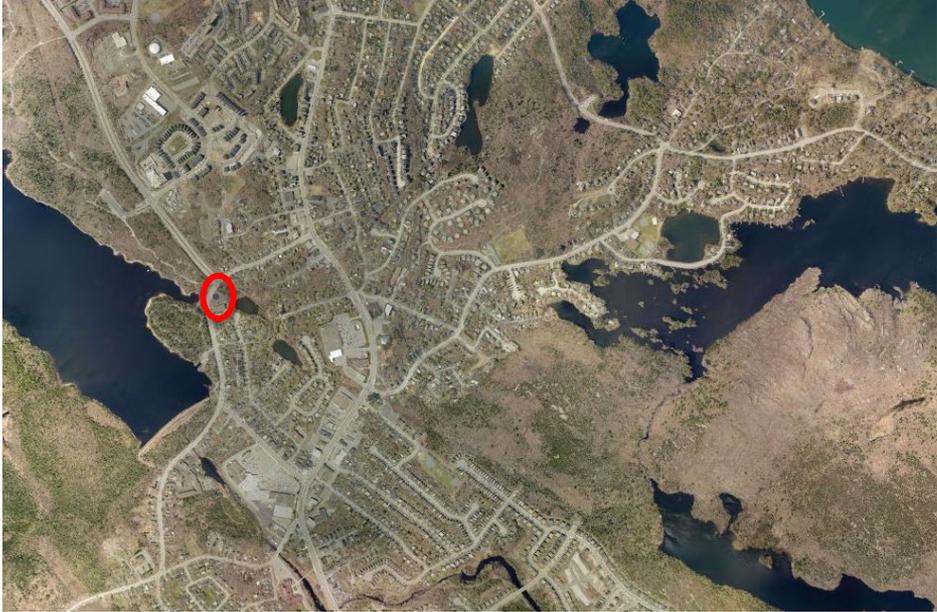
**Applicant:** WM Fares

**Location:** 48-50 Old Sambro Road

**Proposal:** Rezone the land from R-2P to R-3 to enable the development of a multi-unit building



# Site Context



General Site location in Red



Site Boundaries in Red

# Site Photo



# Planning Policy Outline

## Regional Plan & Subdivision Bylaw

Guide where population growth and the investment of services like transit, piped water and sewer should occur

## Community Plan

Outlines where and how different types of development may occur. Particular uses may not be permitted in some areas, other uses may only be allowed by going to Council for approval and getting feedback from the community

## Land Use Bylaw (Zoning)

Specifies what can be approved without going to Council and seeking feedback from the public

# Watercourse setbacks

- (a) No development permit shall be issued for any development within 20m of the ordinary highwater mark of any watercourse.
- (b) Where the average positive slopes within the 20m buffer are greater than 20%, the buffer shall be increased by 1 metre for each additional 2% of slope, to a maximum of 60m.
- (c) Within the required buffer pursuant to clauses (a) and (b), no excavation, infilling, tree, stump and other vegetation removal or any alteration of any kind shall be permitted in relation to a development.
- (d) Within the required buffer pursuant to clauses (a) and (b), activity shall be limited to the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m<sup>2</sup> or a combination of an accessory structure and attached deck not exceeding 20 m<sup>2</sup> , fences, boardwalks, walkways and trails not exceeding 3 metres in width, wharfs, boat ramps, marine dependent uses, fisheries uses, conservation uses, parks on public lands, historic sites and monuments, and public road crossings, driveway crossings and wastewater, storm and water infrastructure, and water control structures.

# Green Network Plan

Amend Municipal Planning Strategies and Land Use By-laws to consolidate, clarify and refine the Municipality's variable approach to watercourse buffers. Specific measures to consider include:

- » Consolidating environmental protection zones and applying these zones to sensitive riparian areas and wetlands, such as coastal marshlands, floodways and large wetland complexes, based on detailed mapping and analysis
- » Increasing the minimum required riparian buffer around drinking water supply sources, established under the Protected Water Supply Zone, from 30.5 to 100 m
- » Establishing a consistent watercourse buffer requirement for industrial zones and uses, which currently range from 20 to 100 m for some zones and specific uses

# Green Network Plan

- » Increasing the standard watercourse buffer requirement from 20 to 30 m for watercourses that are greater than 50 cm wide
- » Maintaining a watercourse buffer requirement of 20 metres for watercourses that are intermittent or less than 50 cm wide
- » Maintaining special watercourse buffering requirements established for vulnerable areas, such as the special requirements that apply to Cow Bay
- » Removing the formula to increase the buffer requirements based on slope for inland watercourses (not marine coast), as the requirement is rarely applicable and adds unnecessary complexity to the permitting process

# Policy & Bylaw Overview

## Halifax MPS & Halifax Mainland LUB



### Zone

R-2P (General Residential)



### Designation

Medium Density Residential (MDR) and located in the Mainland South Secondary Plan Area



### Existing Use

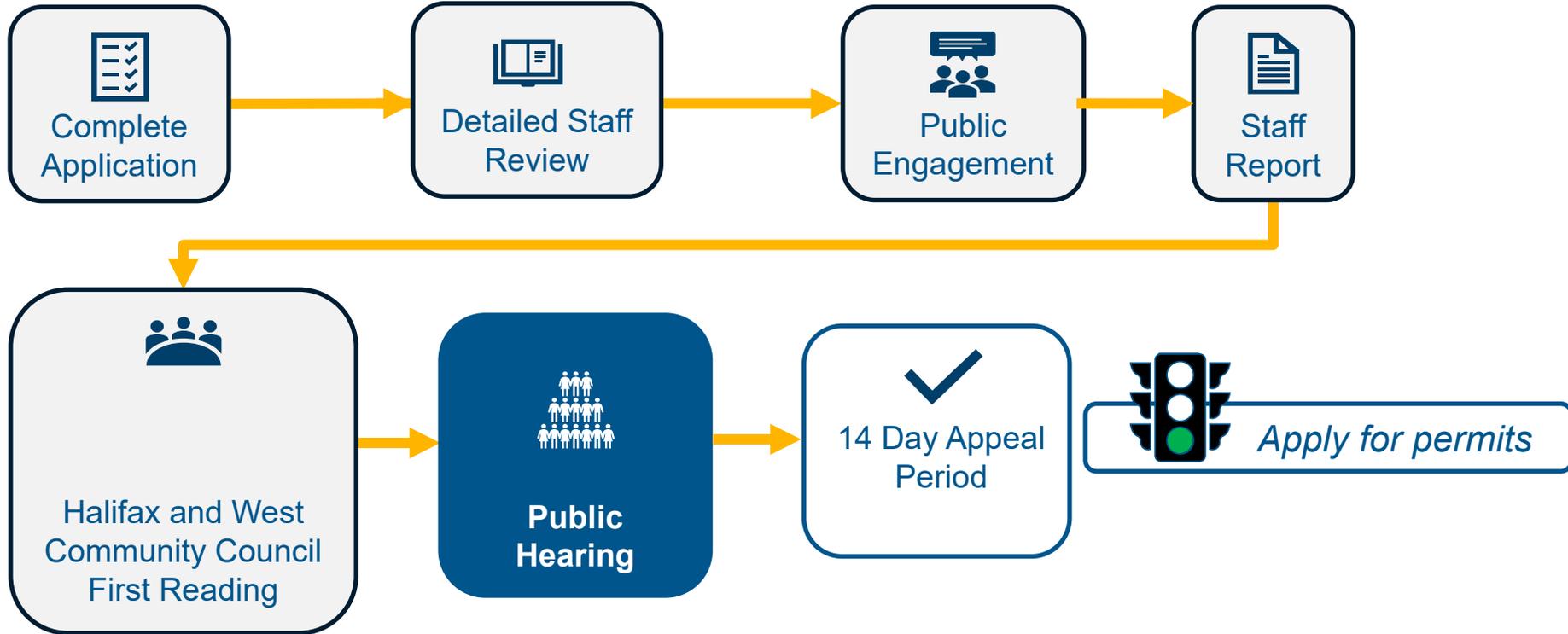
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### Enabling Policy

Policy 1.3.1 enables the consideration of the R-3 Zone

# Planning Process



# Policy Consideration

## Halifax Municipal Planning Strategy – Halifax Mainland LUB

### Enabling Policy 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.

# Staff Recommendation

Staff recommend that Halifax and West Community Council:

- Give First Reading to consider approval of the proposed amendment to Schedule ZM-1 of the Land Use By-law for Halifax Mainland, as set out in Attachment A, to rezone the lands at 48 and 50 Old Sambro Road, Halifax from the R-2P (General Residential) zone to the R-3 (General Residential and Low-Rise Apartment) zone, and schedule a public hearing

# HALIFAX

## Thank You

**Jennifer Chapman**



[chapmaje@halifax.ca](mailto:chapmaje@halifax.ca)



902-225-6742

# Watercourse setbacks

- 29 m from OHWM to rear property line
- OHWM elevation 58 m
- Property line elevation 64 m
- $64 - 58 = 6 / 20 = 0.3 \times 100\% = 30\%$
- $30\% - 20\% = 10\%$
- Additional 1m of setback required for each additional 2% of slope
- $10\% / 2\% = 5m + 20m =$  Required setback of 25m.
- No part of the property is within 25m of the Catamaran Pond.

