

Item 10.1.1

HALIFAX

Case 23374

Development Agreement for 246
Waverley Road and 2 - 4 Montebello
Drive, Dartmouth

Harbour East – Marine Drive Community Council
December 2, 2021

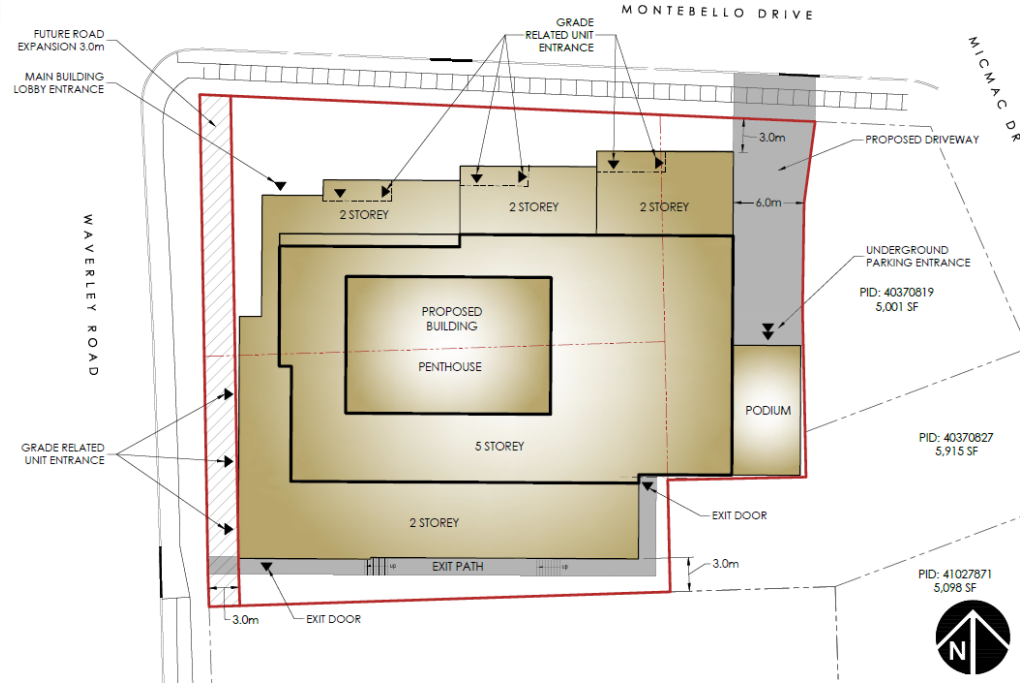
Slide 1

Applicant Proposal

Applicant: Zzap Architecture and Planning on behalf of property owners Yellowstone Commercial Holdings Ltd.

Location: 246 Waverley Road and 2 – 4 Montebello Drive

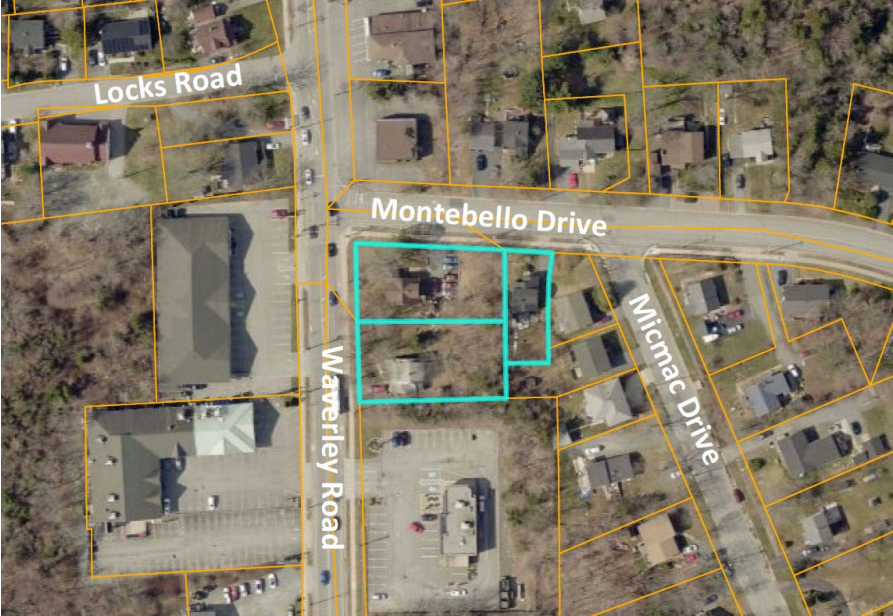
Proposal: A six (6) storey apartment building



Site Context



General Site location in Red



Site Boundaries in Green





Application History

August 2016: HRM received an application to develop this site as an apartment building. It was found that the request did not meet existing policy and an amendment to policy was requested.

April 2017: Regional Council agreed to consider amending the policy for this site

September 2017: A public information meeting was held on the original design

September 2020: Regional Council approved policy amendments that would allow consideration of an apartment building on this site through a Development Agreement

February 2021: HRM Planning and Development received an application for a Development Agreement

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

Policy & Bylaw Overview

Dartmouth LUB and MPS



Zone

R-1 (Single Unit Dwelling) Zone



Designation

WR (Waverley Road) Designation
MU (Mixed Use) Sub-designation



Existing Use

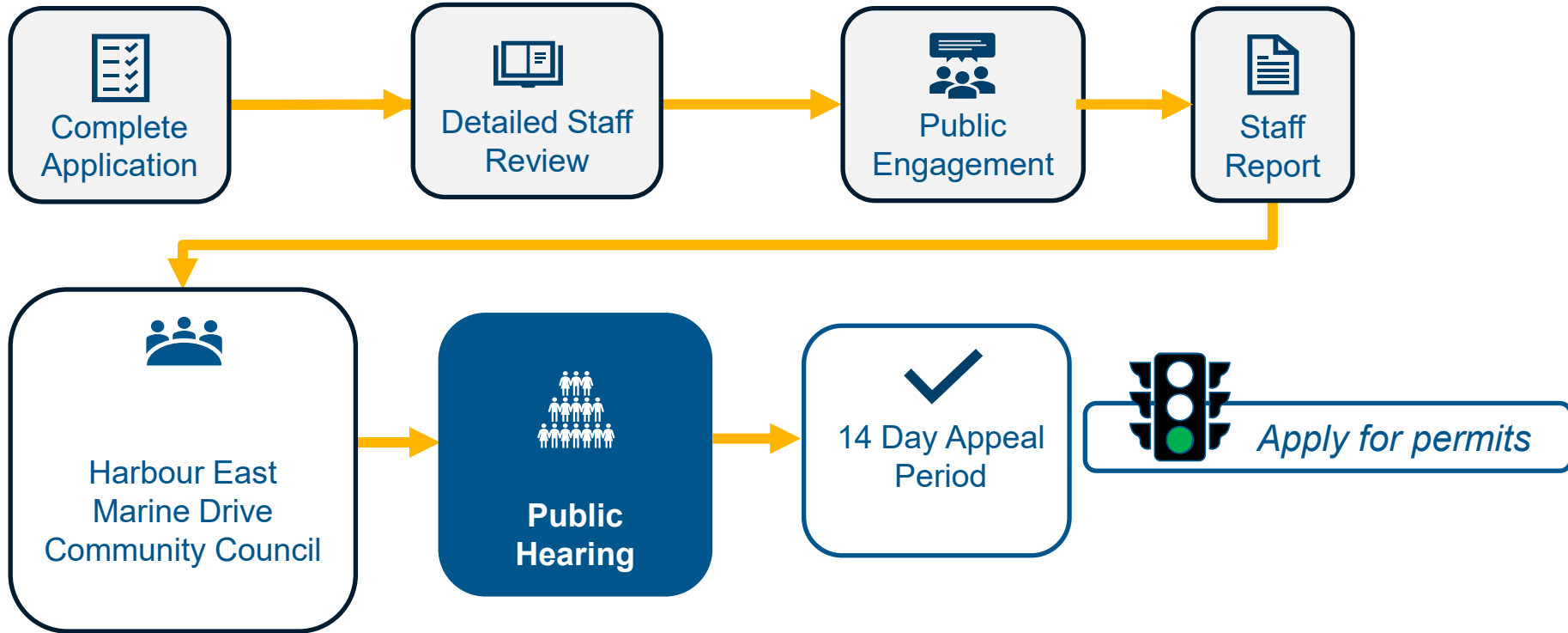
Single Unit Dwellings



Enabling Policy

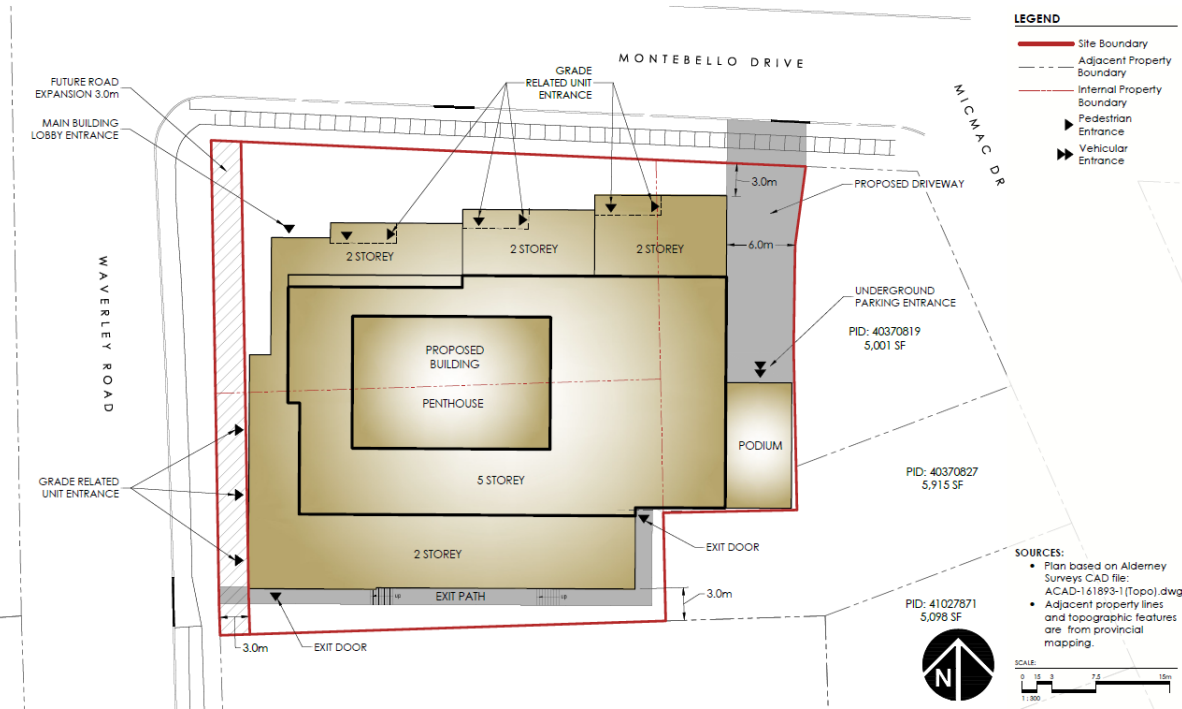
C-41 allows Council to consider apartment building uses by development agreement

Planning Process (without a PAC)

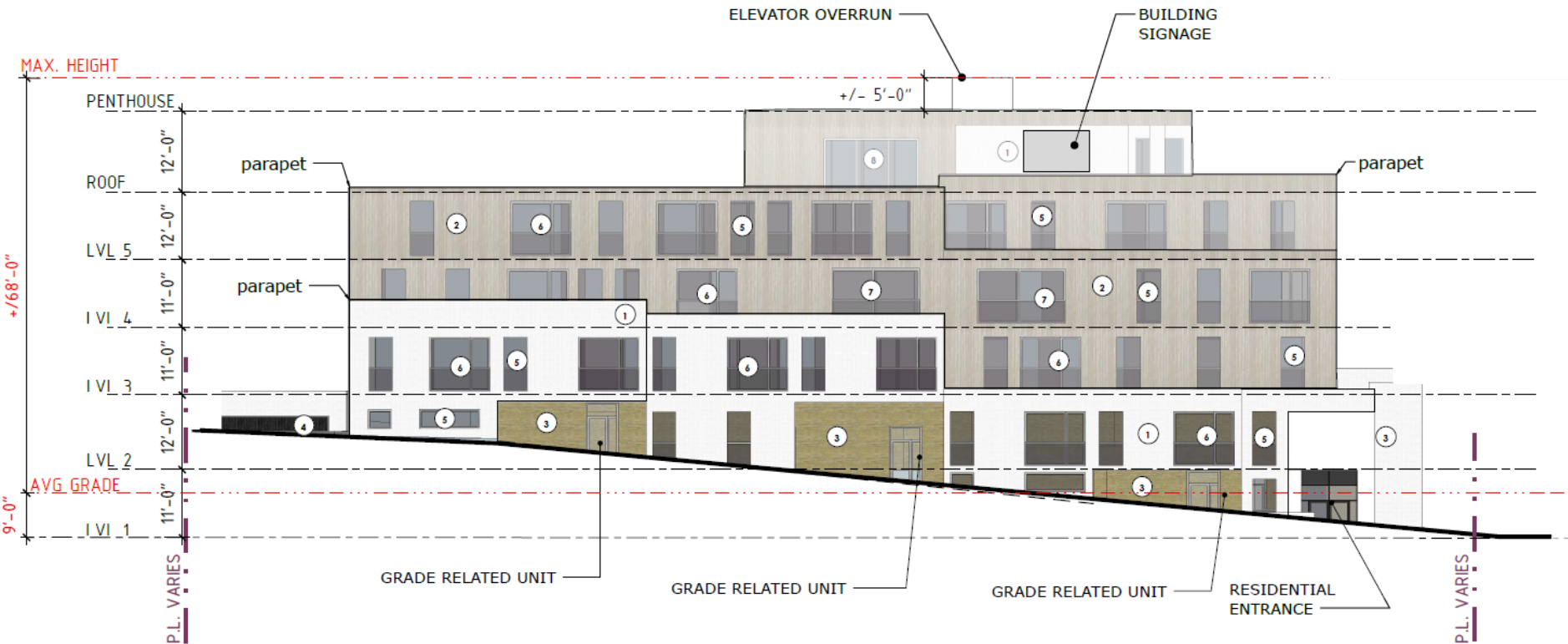


Proposal

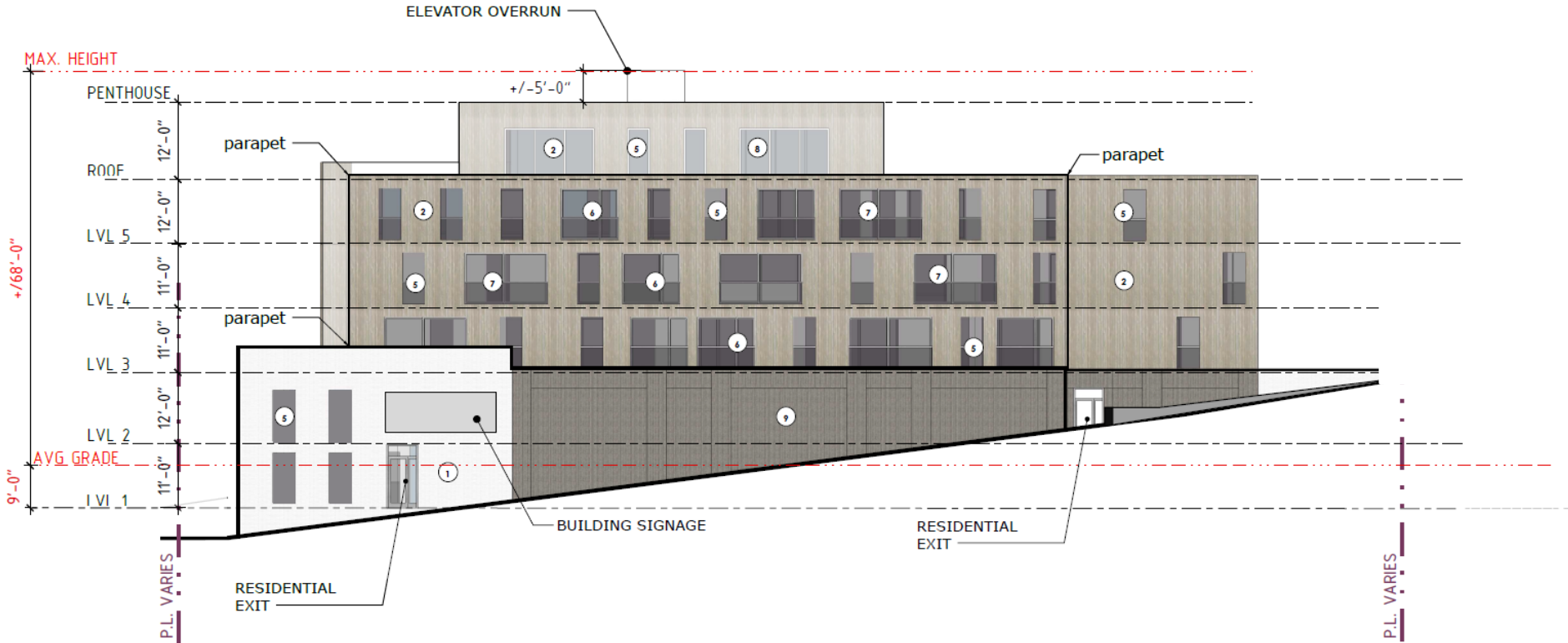
- 6 storey building with a two-storey street wall and a total of three storeys at the rear
- Driveway access on Montebello Dr.
- 3m setback from Waverley Rd.
- 42 residential units, with ground-oriented units along Montebello Drive and Waverley Road, 50% two or more bedrooms
- 40 internal parking spaces over two building levels
- 2,650 square feet of amenity space



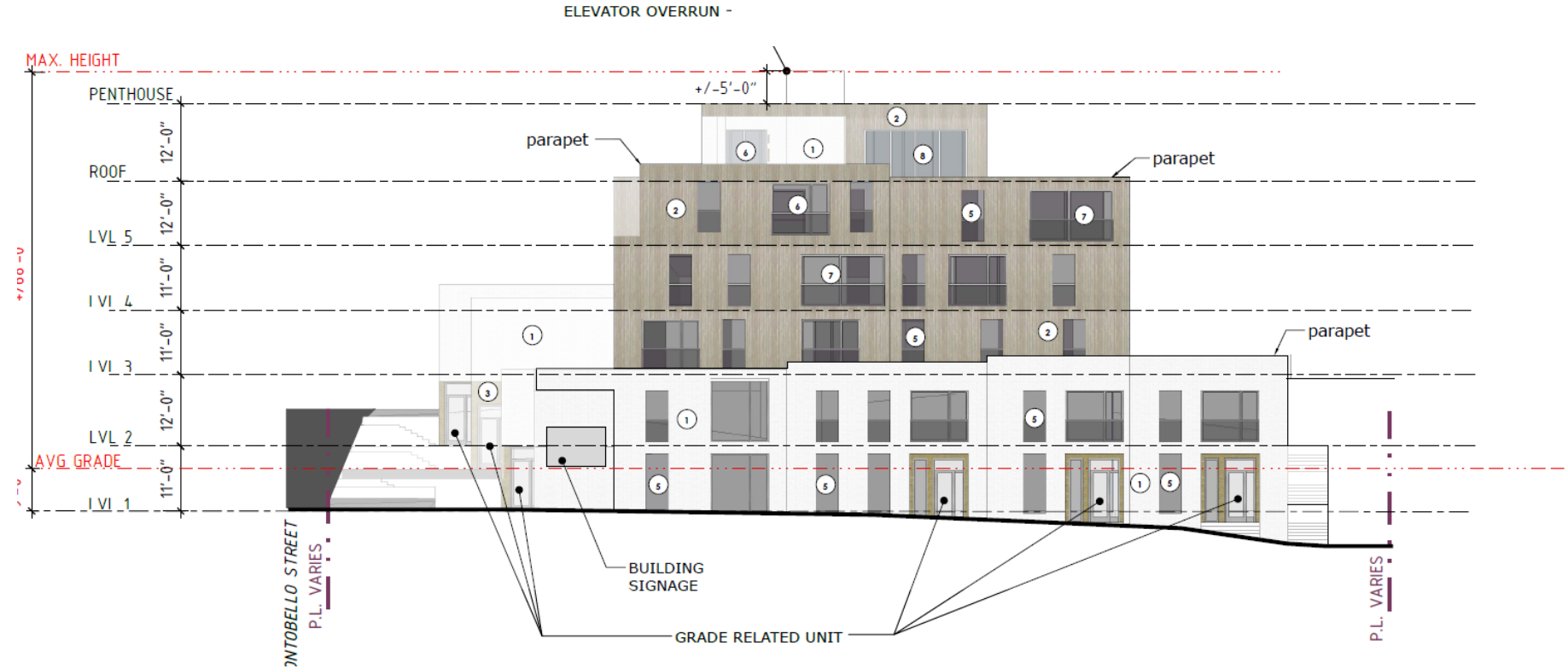
Proposal



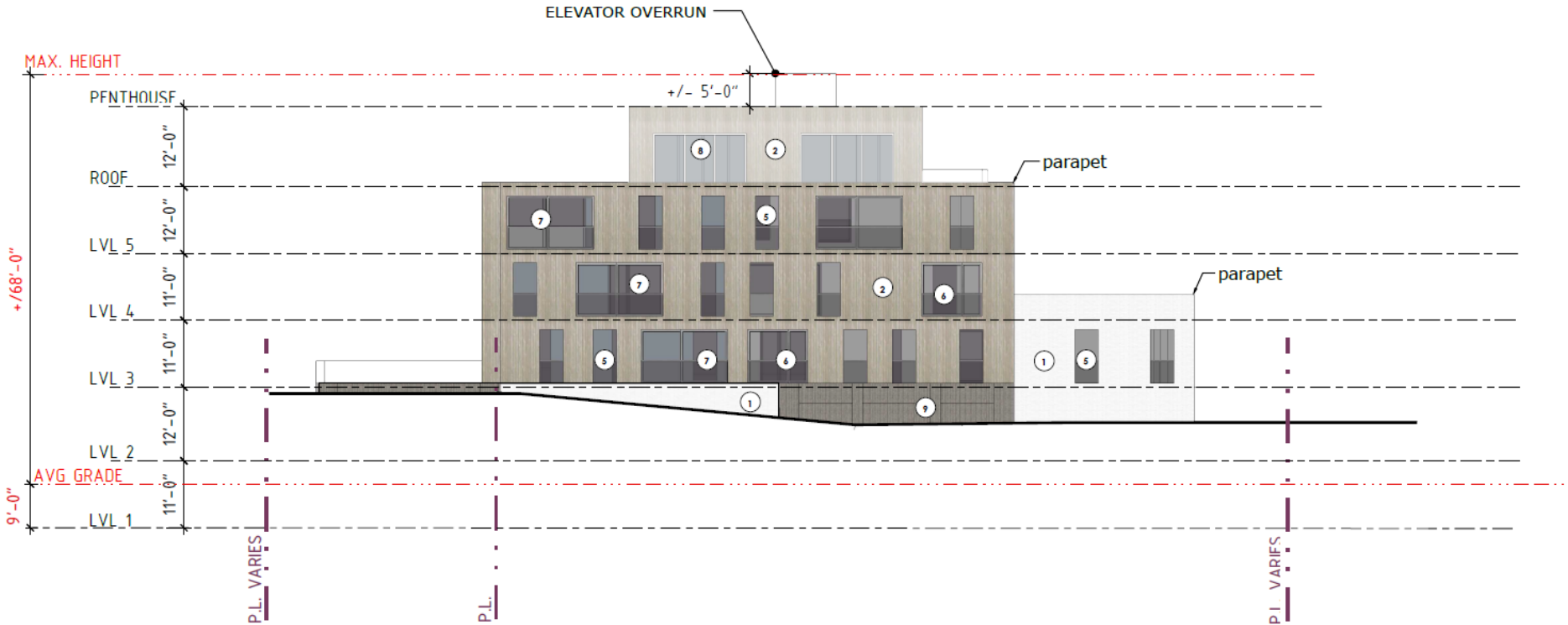
Proposal



Proposal



Proposal



Policy Consideration

Dartmouth Municipal Planning Strategy - Dartmouth LUB

Enabling Policy C-41

The mixed use sub-designation policy for apartment buildings requires Council consider the following in rendering their decision on a Development Agreement:

- R-3 zone (an apartment building zone) as a guide to density
- Policy IP-5 and IP1(c)
 - Compatibility, consistency, and reducing conflict
 - Proximity to amenities and community facilities
 - Adequacy of transportation networks
 - Adequacy of amenity space

Policy Consideration

R-3 Zone Density

Units

- 22 one-bedroom units permitted
- 42 units proposed (50% or more two-bedrooms)

Building Scale

	R-3 Zone Requirement	Proposal
Lot Coverage	25%	70%
Side and Rear Yard Setback	10.4m (34') [4.6m (15') or half the height of the building]	Rear = 0.2m (0.67') Side = 3.3m (10.8')
Front Yard Setback	13.8m (45.3') from Waverley Rd. 7.6m (25') from Montebello Dr.	3m (9.8') from Waverley Rd. (0m after road widening) 3m (9.8) from Montebello Dr.
Amenity Area	817.5m ² (8,800 sq. ft.)	246 m ² (2,650 sq. ft.)

Policy Consideration

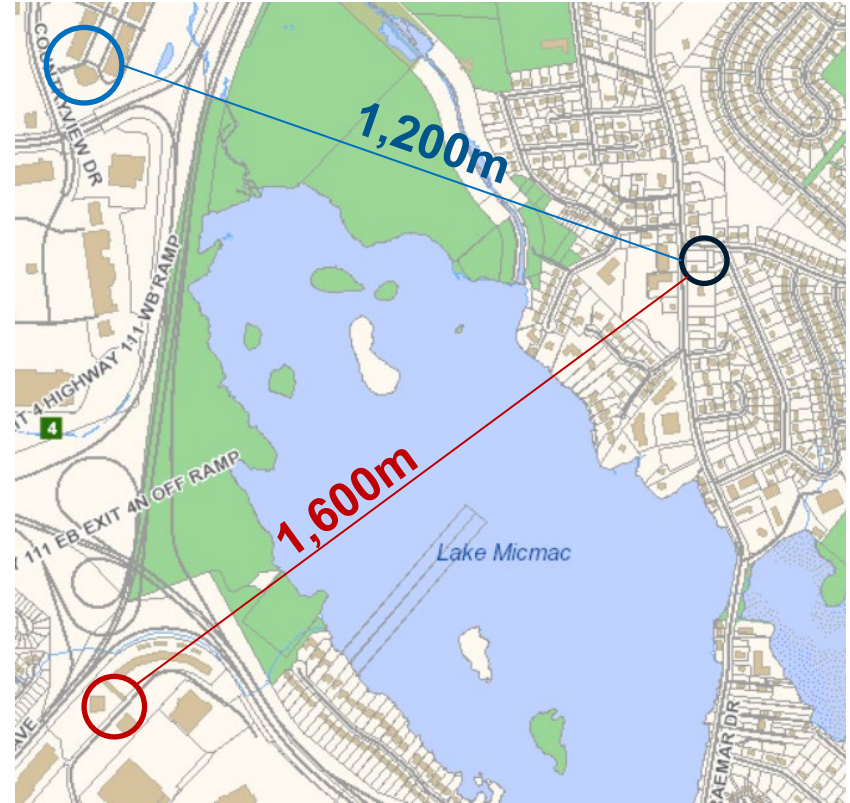
Compatible and Consistent

Consistency and Surrounding Context

- Mostly low single unit dwellings and low density commercial
- Closest apartment building is 350m away, three storeys in height, and 48 units (11 Garshan Road)
- Nearest commercial building of a comparable size is 1,200m away (Dartmouth Crossing)
- Nearest residential building of a comparable size is 1,600m away (Horizon Court)

Compatibility

- A significantly more intense use than what is present in the neighborhood
- Reduced setbacks from adjacent R-1 properties
- Applicant has taken steps to mitigate the impact of the increased scale



Public Engagement Feedback

- Level of engagement completed was consultation achieved through a mail out notification and two virtual public meetings held on June 1st and June 2nd, 2021

Notifications
Mailed



Individual Contacts
(Phone Calls & Email)



Webpage Views



Virtual PIM



Public Engagement Feedback

Feedback from the community generally included the following:

- Overall design improvement
- Negative impacts on traffic and validity of the TIS
- Lack of parking
- Construction Impacts
- Impact on privacy and views
- Supportive of local business and increase residential rental supply
- Lack of public transportation and pedestrian infrastructure
- Offers limited housing option especially for seniors
- Unique building design
- Necessary right-hand turning lane
- Mature tree removal
- Beautify the area

Amendments after Consultation

- **Setback**
 - To accommodate potential future road widening, the building was setback 3m from Waverley Road
- **Commercial Uses**
 - Commercial uses were originally proposed along Waverley Road, these have been eliminated
- **Increased Parking**
 - Parking has been increased from 0.85 to 0.95 spaces per unit (39 spaces to 40 spaces)
- **Decreased Unit Count**
 - The original submission included 46 residential units and the revised proposal includes 42 units

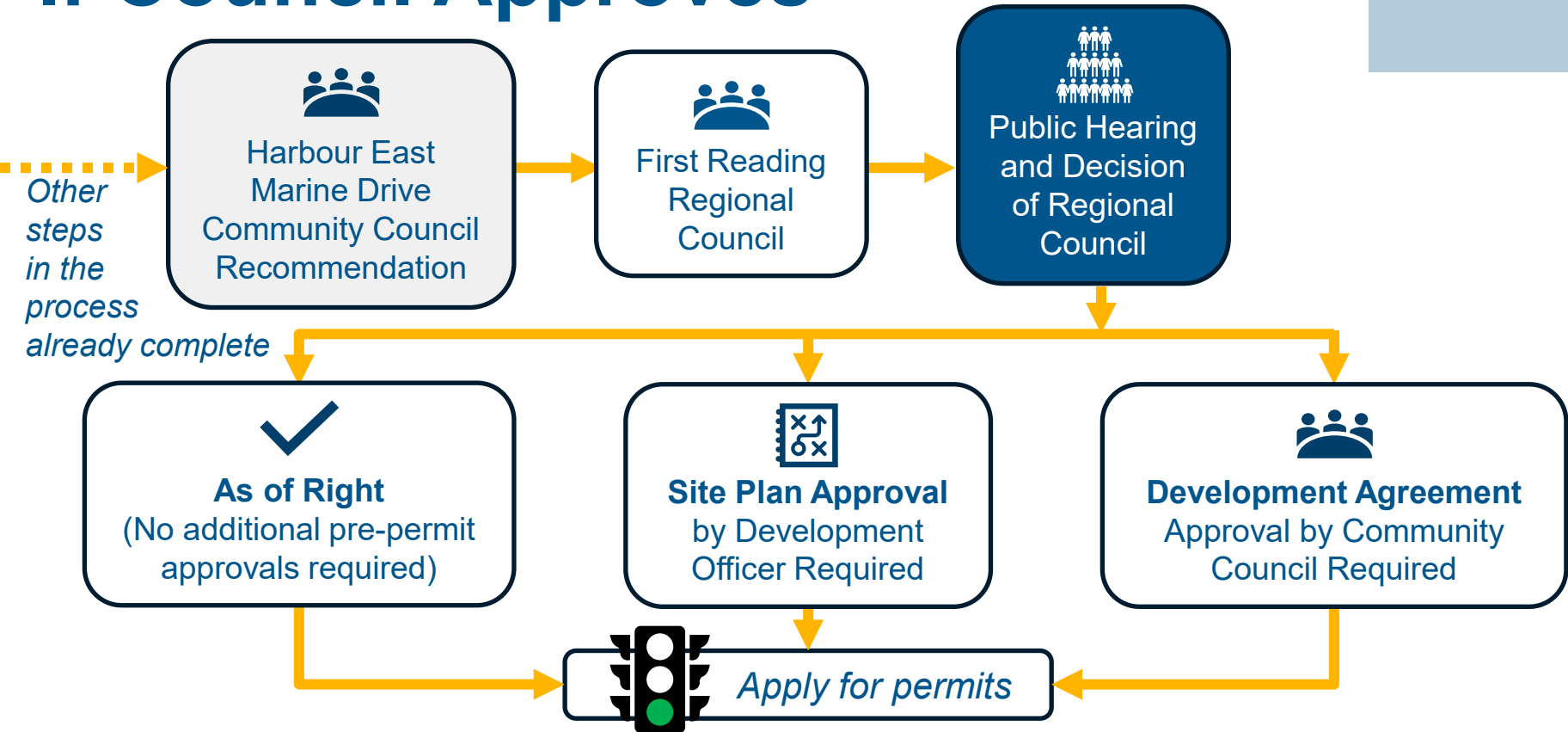
Non-Substantive Amendments

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:

- (a) Changes to the landscaping requirements;
- (b) Changes to the architectural requirements that do not impact the massing of the building;
- (c) Changes to the number of two (2) bedroom units required as identified in Section 3.3.1;
- (d) Changes to the number of parking spaces required;
- (e) The granting of an extension to the date of commencement of construction as identified in Section 7.3.1 of this Agreement; and
- (f) The length of time for the completion of the development as identified in Section 7.4.3 of this Agreement.

If Council Approves



Staff Recommendation

Staff recommend that Harbour East – Marine Drive Community Council:

- Refuse the proposed development agreement enabling the development of a six (6) storey multi-unit dwelling at 246 Waverley Road and 2 & 4 Montebello Drive, as set out in Attachment A the staff report dated September 27, 2021

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Thank You

Melissa Eavis



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