



P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Item No. 13.1.2**  
**North West Community Council**  
**December 13, 2021**

**TO:** Chair and Members of North West Community Council

**SUBMITTED BY:** *- Original Signed -*  
\_\_\_\_\_  
Kelly Denty, Executive Director Planning and Development

**DATE:** November 25, 2021

**SUBJECT:** **Case 21639 - Phase 1: Amendments to the Regional Subdivision By-law to remove Growth Management Area Policies from portions of the Indigo Shores Subdivision, Middle Sackville**

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**ORIGIN**

- Requests by Armco Capital Inc. for planning document amendments to enable various development proposals near the Highway 101 and Margeson Drive interchange in Middle Sackville
  
- On February 7, 2017, the following motion of Regional Council regarding a future cultural centre for the Cobequid Cultural Society (CCS) was put and passed:  
*“MOVED by Councillor Blackburn, seconded by Deputy Mayor Craig THAT Halifax Regional Council:*
  1. *Declare 2.0 acres of PID 41287137, Highway 101 and Margeson Drive, Middle Sackville, as shown on revised Attachment “A” as circulated, as no longer required for the purposes of the Municipality and surplus to municipal requirements, and categorize the parcel, as ‘Economic Development’, as per Administrative Order 50;*
  2. *Direct Planning and Development staff to review and advise CCS respecting the planning application approvals required in order to facilitate the development proposal on this site inclusive of addressing land use, subdivision, shared parking, vehicle access and egress, proximity to Provincial right of ways, as well as the size and location of septic fields, and report back to Council as may be required; and*
  3. *Following the resolution and determination of the planning approval process, return to Council with the recommended terms of the shared parking agreement and terms of the property conveyance for final approval by Council.”*
  
- On December 4, 2018, the following motion of Regional Council was put and passed:  
*MOVED by Councillor Blackburn, seconded by Councillor Craig THAT Halifax Regional Council direct staff to:*
  1. *Initiate a process to consider amendments to the Regional Municipal Planning Strategy, the Regional Subdivision By-law, the Secondary Municipal Planning Strategies and Land Use By-laws for Sackville and Beaver Bank, Hammonds Plains and Upper Sackville to enable mixed use residential, commercial, institutional and recreational development on lands surrounding the Highway 101 Interchange at Margeson Drive, Middle Sackville as shown on Maps 1-4 of the staff report dated October 26, 2018; and*
  2. *Follow the public participation program as set out in Attachment D of the staff report dated October 26, 2018.*

**LEGISLATIVE AUTHORITY**

*Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development*

## **RECOMMENDATION**

It is recommended that North West Community Council recommend that Regional Council:

1. Give First Reading to consider the proposed amendments to the Regional Subdivision By-law (RSBL) as set out in Attachment A to remove Growth Management Area restrictions that currently apply to the Indigo Shores subdivision at McCabe Lake North to permit the development of more than 25 lots per year and schedule a public hearing; and
2. Adopt the proposed amendments to the RSBL as set out in Attachment A.

## **BACKGROUND**

On December 4, 2018, Regional Council directed staff to undertake a master planning process for the lands around the Highway 101 Interchange at Margeson Drive in Middle Sackville. This exercise is intended to result in the creation of planning policies and regulations for the area illustrated on Map 1 to allow a mix of residential, commercial, institutional, and recreational uses in a comprehensive fashion. Staff have introduced a phased approach to facilitate the orderly completion of the project. This report is specific to Phase 1 only, pertaining to the review of Growth Management Area (GMA) policies that apply to lands in the Indigo Shore subdivision at McCabe Lake north in Middle Sackville. The GMA policies presently limit the allowable number of lots on a per annum basis to a maximum of 25 (lands shown on Attachment A-Schedule A). This report contemplates removal of that restriction.

<b>Subject Lands</b>	<b>Phase 1 - Portion of PIDs 41453143, 41453135, 40161093</b> Phase 2 PID - 41287137 Phase 3 PIDs - 41287129, 40123606, 41293036, 40281479, 40123598
<b>Location</b>	Highway 101 Interchange at Margeson Drive, Middle Sackville
<b>Regional Plan Designation (Map 1)</b>	Rural Commuter
<b>Community Plans (Map 2)</b>	Rural Residential and Mixed Use C (MUC)
<b>Zoning By-laws (Map 3)</b>	Comprehensive Development District (CDD), Mixed Use 2 (MU2) and R-1 (Single Unit Dwelling) Zone
<b>Size of Area</b>	Approximately 59 hectares (146 acres)
<b>Street Frontage</b>	Margeson Drive north and south of the Interchange
<b>Current Land Use(s)</b>	Vacant – Residential subdivision
<b>Surrounding Use(s)</b>	North quadrant – Residential land uses, Highway 101 South quadrant – Residential subdivision, vacant lands, Highway 101 and Sackville River McCabe Lake

### **Proposed Master Plan in Phases (Map 4)**

The Margeson Drive Master Plan Project (Master Plan Project) is divided into 3 Phase areas as follows:

#### *Phase 1: Growth Control Policies on Indigo Shores Lands*

Indigo Shores subdivision (known as McCabe Lake) is restricted to developing 25 lots per year in accordance with the Growth Management (GMA) policies (Phase 1, Map 4). These policies were put in place during the creation of the 2006 Regional Plan and were intended to restrict growth in areas not serviced with central water and sanitary sewer services. As part of this Master Planning Project, these growth control policies for the Indigo Shores Subdivision are being reviewed to determine if the continued application of the GMA policies appropriately achieve their original intent, given the specific characteristics of these lands. It is this issue which is the central focus of this staff report.

#### *Phase 2: Halifax Transit and Cobequid Cultural Society Lands*

Halifax Transit has identified lands in this area for a Park and Ride facility in the five-year Capital Plan. Adjacent to this potential facility are lands earmarked for The Cobequid Cultural Society. The Society is a

non-profit organization and registered charity that is proposing to build a \$10 - 15 million state of the art visual and performing arts centre. The centre would include a 700-seat purpose-built performance space and concert hall, multi-purpose space, art gallery, dance studio, dinner theatre, and administrative space. Both facilities are intended to be located on an 8.8 acre (3.6 hectare) parcel of land labeled as Phase 2 on Map 4.

#### *Phase 3: Remainder of the Master Plan*

Staff have developed a list of preliminary land use scenarios for each of the parcels in Phase 3. These land uses include commercial and residential buildings, mixed use buildings, recreational land uses and multiple unit residential inclusive of seniors housing. This future development plan is guided by the Community Vision for this area. Infrastructure studies have been commissioned to determine the carrying capacity for the lands for these scenarios. Once the result of these studies is known, staff will assist the Margeson Drive Master Plan Committee in refining the Development Plan for each of the land use scenarios. In early 2019, after the planning process had been initiated, Armco, the main proponent and provider of the studies required to commence the Margeson Drive Master Planning process (Master Plan Project), placed the project in abeyance citing a reordering of their corporate priorities due to changing market conditions. In fall of 2020, staff began a new round of discussions with Armco concerning the Master Plan Project and in December of 2020, Armco indicated that they wished to reconvene the planning process and provided a timeline for when the required studies could be submitted.

As identified previously, this report is specific to Phase #1 only, which is the review of Growth Management Area (GMA) policies that apply to lands in the Indigo Shore subdivision at McCabe Lake north in Middle Sackville. The GMA policies limit the allowable number of lots on a per annum basis to a maximum of 25.

#### **Growth Management History and the Regional Plan Context**

Growth Management commenced prior to 1998 when it was recognized that the non-strategic location of dispersed development was impacting the cost and resource allocations to meet service delivery requirements. Uncontrolled subdivision development located outside of the municipal service boundary within commuting distance to the urban core resulted in overloaded and congested road infrastructure. Long stretches of roads in new subdivisions required substantial maintenance, and long travel distances for provision of services such as garbage collection, which increased time and fuel costs. Overcrowded schools also propelled the need for growth management controls. Increasing impacts to provincial and municipal roads and servicing costs related to un-checked subdivision development lead Council to introduce specific policies into the Municipal Planning Strategies for areas most affected by non-strategic growth.

The Beaver Bank, Upper Hammonds Plains and Upper Sackville Municipal Planning Strategy (MPS) was under review before municipal amalgamation in 1996. The review was concluded in 1998, resulting in Council's adoption of growth management controls. In 2004, Council adopted Interim Growth Management Policies to varying degrees for areas outside of the service area boundaries, in anticipation of the adoption of the Regional Plan. Portions of the Beaver Bank, Hammonds Plains and Upper Sackville area that were contributing to the traffic capacity constraints on the Hammonds Plains Road and the Beaver Bank Road, were placed under a Growth Control Area to restrict new development along central road corridors and remove the ability to request approval of new roads until a solution could be found to manage the traffic conditions. However, in anticipation of the adoption of these Growth Management policies, many developers submitted subdivision applications in advance of the adoption of growth management, effectively grandfathering those applications and protecting them from the pending regulation change. Those developments were held to the previous standard, exempting them from the new restrictions outlined in the new growth management policies and regulations. In many cases, the submission of a concept level subdivision approval was sufficient to achieve grandfathered status.

In 2006, the interim 2004 policies were brought forward in the new Regional Municipal Planning Strategy (RMPS). The intent of the growth management policies was to:

1. Create efficiencies in service delivery so that they would be more cost effective;
2. Manage traffic on municipal roads to ease congestion;

3. Reduce the need to create additional road infrastructure;
4. Disincentivize non-strategic locations from subdivision development; and
5. Identify strategic locations considered appropriate for allocation of future population growth.

With the 2006 adoption of the Regional Plan, Council re-introduced the 2004 Interim Growth Management policies to limit growth of subdivision development outside of the Beaver Bank Hammonds Plains Growth Control Area (Schedule J of the RSBL) and support key strategic growth allocated to specific locations as identified in the Regional Plan. Some areas were designated within the Regional Plan as “Growth Centres”, where secondary planning processes would be undertaken to determine suitable levels of density, appropriate uses, and building forms. To limit unwanted growth outside of these areas, the lands under the growth management policy (Schedule H of the RSBL) limited development to a maximum of 25 lots per calendar year. Within the Schedule H area there were also opportunities to develop up to 8 lots plus a remainder on a new public road and some provisions for flag lot development but the scale and rate of development was limited to reduce impact on services. Regional Plan Policy S-9 and Table 3.1 enable and identify the appropriate characteristics of growth centres in the secondary planning process.

### **Growth Management Tools**

A number of mechanisms were employed to achieve the growth management objectives. The “tools” were employed on a geographic basis. In some instances, more than one tool was applied to the same location.

#### *Schedule H of the Regional Subdivision By-law*

- In areas located in Schedule H, the rate of development to a maximum of twenty-five (25) lots per calendar year is permitted. The subject lands are located within Schedule H designated areas.

#### *Schedule J of the Regional Subdivision By-law*

- In areas located in Schedule J the development of new roads is prohibited.

#### *Conservation Design Development*

- In areas designated for Conservation Design Development, specific form and residential densities are regulated by development agreement, to achieve open space connectivity within a revised style of rural subdivision development.

#### *Other Area-Specific Policies*

- Eastern Passage/ Cow Bay subdivision is limited to the rate of one (1) lot per calendar year.

### **Subject Area**

Indigo Shores received subdivision approval in 2005, establishing grandfathered status to most of its lands and excluding it from the GMA policies. However, two other areas interior to the subdivision lands did not receive subdivision approval prior to the Interim Policies and the Regional Plan, and therefore were not grandfathered. As a result, these locations were subject to the 25 lot per year restriction. Indigo Shores has developed and sold the lots in areas where the GMA policy does not apply and in some of the areas where it does (Map 1) on the 25 lots per year schedule. Further details on the Indigo Shores subdivision are as follows:

- The total subdivision contains approximately 475 total lots.
- Excluding the 2021 yearly allowance there are approximately 160 lots subject to the GMA policy of 25 lots per year.
- If the GMA policies were removed, the 160 lots would be able to be developed without a time restriction.
- If the GMA policies were left in place, the remaining 160 lots could be developed over a 7-8 year timeframe based on the provision of 25 lots per year.

## **COMMUNITY ENGAGEMENT**

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy, the *HRM Charter*, and the Public Participation Program approved by Council on August 17, 2021. The level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website, signage posted on the subject site, letters mailed to property owners within the notification area and a public information meeting held on August 18, 2021. Attachment B contains a copy of a summary from the meeting. The public raised concern about the impact of removal of GMA policy on the local school capacity and the ability to absorb additional resulting student populations.

A public hearing must be held by Regional Council before they can consider approval of the proposed RSBL amendments. Should Regional Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, all property owners within the Indigo Shores Subdivision will be notified of the hearing by regular mail.

The proposal will potentially impact residents in the Indigo Shores subdivision, McCabe Lake North, Middle Sackville. The Community Consultation program for Phases 2 and 3 will include a newly created Margeson Drive Master Plan Committee, which will serve as a Public Participation Committee, and be responsible for review of the planning process. The Master Plan Committee will make recommendation to North West Planning Advisory Committee, who will in turn make recommendations to Council. The Committee will form an integral part of the program for the remainder of the master planning process. In addition, public meetings seeking comments from the general public will form part of the program for each phase.

## **DISCUSSION**

The RMPS is a strategic policy document that sets out the goals, objectives and direction for long term growth and development in the Municipality. The RSBL implements the direction of the RMPS. Amendments to the RSBL are significant undertakings and Council is under no obligation to consider such requests. In this case, staff advise that the amendments are recommended on the basis that the lands are located within a Regional Growth Centre and no longer serve to advance the goals of the GMA policies as originally intended.

Phase #1 of the Margeson Drive Master Plan lands are located in an Urban Local Growth Centre, a location which envisions dwelling unit density and population growth beyond that typically found within rural contexts. Accordingly, within the context of the Master Plan and the Indigo Shores development, staff have undertaken thorough analysis to answer the following questions:

### **1) Is it the intention of the Regional Plan to apply the GMA policies to lands within Growth Centres that undertake secondary planning?**

Regional Plan policy S-9 b) directs, where initiated and consistent with desired characteristics, the preparation of secondary planning processes in growth centres to determine the following:

*“specific boundaries, population targets and detailed design policies related to the layout of the centres, range of permitted uses and criteria for conversion of uses, allowable development densities and mechanisms for implementation”.*

The intent of policy is, through a secondary planning study, to define appropriate levels of form and density within the context of the growth centre. The initiation of the planning process is intended to manage these issues within its designation as an area intended to accommodate growth. Therefore, where GMA policies apply within the study area, the purpose of new secondary plan policy is to account for the condition of growth and where appropriate, apply specific policies to manage impacts. Consequently, if a condition exists within the growth centre that conflicts with the policy intent of Growth Management it would be subject to study and addressed through specific policy provisions.

**2) Is the intent of growth management still being met by the continued application of the GMA policies in this area?**

It appears the application of the GMA polices on the Indigo Shores lands no longer meets the intent of Growth Management. To determine this, staff have analysed the objectives of growth management as follows:

*Intent of Growth Management and Indigo Shores Subdivision*

Description of Intent	Explanation - Context of Indigo Shores	Continued Application of GMA Required	Continued Application of GMA Not Required
<i>Control the rate of subdivision activity by disincentivizing leapfrogging development</i>	Indigo Shores lands had already received grandfathered approval for most of their lands so leapfrogging development was not relevant		✓
<i>Remove the burden of excess traffic on secondary road connections</i>	No secondary road connections to Margeson Drive exist No undue impacts to Margeson Drive are anticipated in removing GMA policies		✓
<i>Employ alternative means of subdivision development</i>	Does not apply		✓
<i>Directs population growth to the growth centres strategically</i>	Application of GMA is constraining population growth in the centre		✓

Arguably, the application of growth management policies on the Indigo Shores subdivision does not meet the original intent of growth management particularly as a growth centre had been assigned to this location. As the lands are located within a growth centre undergoing secondary planning, growth management policies no longer serve a purpose to meet original objectives and therefore staff recommend that the policies be removed from these lands.

**Considerations**

When Council initiated the Master Plan process in 2018, the intent was to introduce population through a planning program that reviewed existing land use policy and applied new policies intended to achieve desirable growth outcomes. Limitations on the pace of residential unit development is currently not contemplated in the second and third phases of the Master Plan. It stands to reason that Phase 1 should match these subsequent phases and not be encumbered with policy restrictions on the rate of residential development given the number of lots has already been determined and approved through the subdivision process. Staff advises that applying limitations on the rate of development in the Master Plan to be counter-productive to the intent of Regional Plan Policies that enables the Planning Process within a centre strategically designated for growth.

Of additional consideration is the current demand for housing stock. While the units in the Indigo Shores subdivision would not be considered affordable, increases to the overall housing stock has been a goal referenced repeatedly by both Community Councils and Regional Council. At present, HRM is in the need of housing stock. Therefore, providing growth management controls on lands that no longer meet the intent of growth management is inconsistent with the Regional Plan's policy for growth centres and the urgent demand for housing in HRM.

### **Proposed Amendments**

Staff considered the existing RMPS policy context and a number of policy approaches when drafting the proposed amendment to the RSBL, contained in Attachment A. The proposed amendments remove Indigo Shores from the GMA policy as identified on Schedule H of the RSBL.

### **North West Planning Advisory Committee**

On September 1, 2021, the North West Planning Advisory Committee (PAC) recommended the following:

*“...not removing the growth management policies, that limit development of the Indigo Shores Subdivision to 25 lots per calendar year, at this time due to the lack of information provided around the impacts on schools and traffic, as well as the lack of valid reasoning to remove the growth management policies.”*

The Committee recommended not removing the GMA policies on the basis that there was a concern over perceived overcrowding of local school in addition to traffic impacts. Since the meeting of NWPAC on September 1, 2021, staff have conferred with Halifax Regional Centre for Education (HRCE). In correspondence to HRM dated September 22, 2021 (after the September 1, 2021 NWPAC meeting and recommendation), HRCE indicated that there is current capacity to absorb the accelerated development of the remaining 160 single lots at Indigo Shores, resulting in an estimated 99 more students entering the school system. This is based on enrollment projections at Sackville Elementary. At the junior high-level, enrollments are within acceptable range, and the high school enrollment projection is marginally over capacity. However, irrespective of these ranges, it is worth noting that the HRCE is provincially mandated to provide access to education for all children within HRM.

#### *Traffic*

A traffic study was undertaken along with a review of the Indigo Shores subdivision approvals. It was determined that there would be no undue impacts to Margeson Drive as the result of removing the Growth Management Policies.

### **Conclusion**

It was contemplated during the creation the 2006 Regional Plan that new Secondary Plan policies (such as the Margeson Drive Master Plan) would provide the necessary conditions to remove the growth management policies in affected Growth Centre areas where population growth is meant to occur. As the intended benefits of growth control are no longer realized within Indigo Shores, and because the restriction does not achieve its intent, staff recommend that Council remove the growth management policies application to the Indigo Shores subdivision at McCabe Lake North.

Therefore, having reviewed the existing policy context, staff advise that the RSBL should be amended to exclude Indigo Shore subdivision of McCabe lake North from Schedule H of the Regional Subdivision By-law to enable the rate of development on these lands to exceed 25 lots per year. Staff recommend that the North West Community Council recommend that Regional Council approve the proposed amendments to the Regional Subdivision By-law for this purpose.

### **FINANCIAL IMPLICATIONS**

There are no financial implications. The HRM costs associated with the processing of this planning application can be accommodated within the approved 2021-2022 operating C310 Urban and Rural Planning Applications.

### **RISK CONSIDERATION**

There are no significant risks associated with the recommendations contained within this report. This application involves proposed MPS amendments. Such amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Utility and Review Board. Information concerning risks

and other implications of adopting the proposed amendments are contained within the Discussion section of this report.

### **ENVIRONMENTAL IMPLICATIONS**

No environmental implications are identified.

### **ALTERNATIVES**

The North West Community Council may choose to recommend that Regional Council:

1. Modify the proposed amendments to the RSBL, as set out in Attachment A of this report. If this alternative is chosen, specific direction regarding the requested modifications is required. Substantive amendments may require another public hearing to be held before approval is granted. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Refuse the proposed amendments to the RSBL. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

### **ATTACHMENTS**

Map 1:	Regional Generalized Future Land Use
Map 2:	Generalized Future Land Use
Map 3:	Zoning
Map 4:	Master Plan Study Area in Phases
Attachment A:	Proposed Amendment to the Regional Subdivision By-law
Attachment B:	Public Information Meeting (PIM) Notes
Attachment C:	Excerpts from the Regional Plan and RSBL

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Shayne Vipond, Planner III, 902.237.5395


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**Map 1 - Regional Plan Generalized Future Land Use**

**HALIFAX**

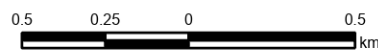
 Subject Area

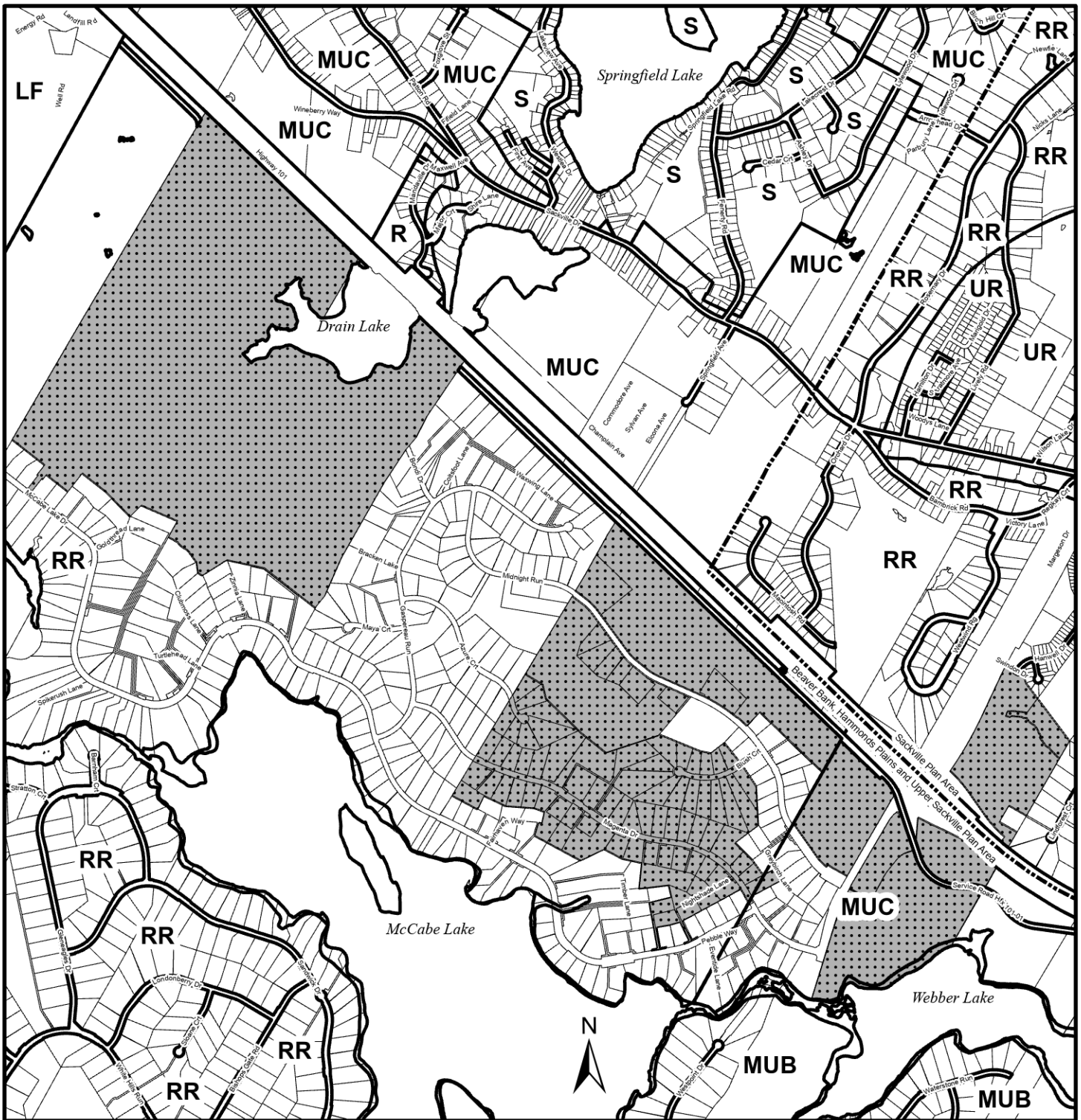
**Designation**

- RC Rural Commuter
- US Urban Settlement
- OS Open Space and Natural Resources

This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.





**Map 2 - Generalized Future Land Use**

**HALIFAX**

 Subject Area

**Beaver Bank, Hammonds Plains and Upper Sackville Designations**

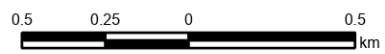
- MUB Mixed Use B
- MUC Mixed Use C
- RR Rural Resource
- S Springfield Lake
- LF Former Sanitary Landfill Site

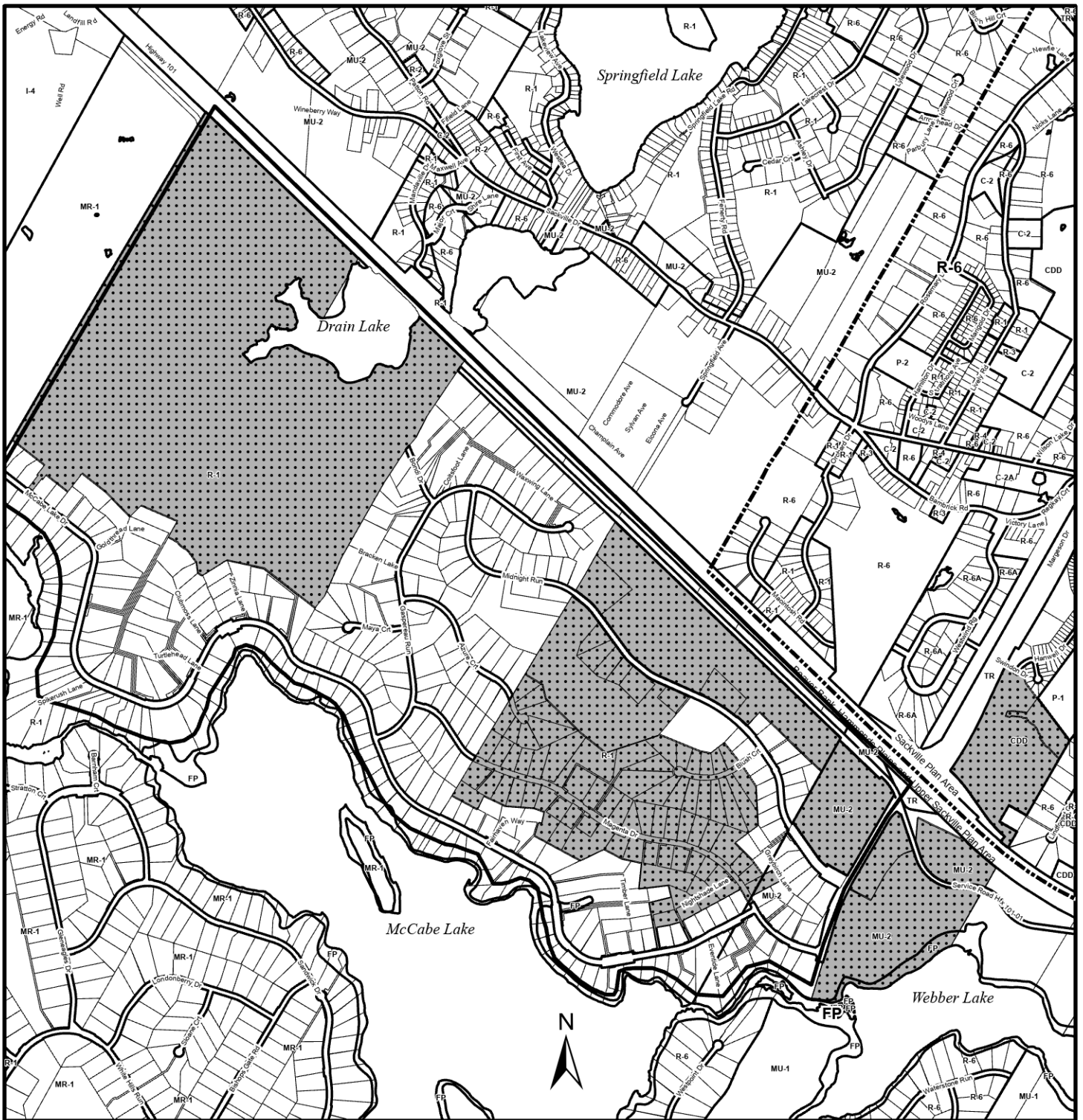
**Sackville Designations**

- UR Urban Residential
- RR Rural Residential

This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.





**Map 3 - Zoning**

**HALIFAX**

 Subject Area

**Beaver Bank, Hammonds Plains and Upper Sackville Zones**

- R-1 Single Unit Dwelling
- R-6 Rural Residential
- MU-1 Mixed Use 1
- MU-2 Mixed Use 2
- FP Floodplain

**Sackville Zones**

- R-1 Single Unit Dwelling
- R-6 Rural Residential
- R-6A Rural Residential Single Unit Dwelling
- CDD Comprehensive Development District
- C-2 Community Commercial
- P-1 Open Space
- P-2 Community Facility
- TR Transportation Reserve

This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.





**Map 4 - Proposed Margeson Drive and Highway 101 Master Plan Study Area**

■ Subject Area

⋯ Plan Area Boundary

▨ Urban Service Area

⋯ Water Service Area

▩ Serviced (Sewer Only)

① Phase One

② Phase Two

③ Phase Three



The accuracy of any representation on this plan is not guaranteed.

**Beaver Bank, Hammonds Plains and Upper Sackville Area Plan & Sackville Area Plan**

## ATTACHMENT A

### Proposed Amendment to the Regional Subdivision By-law

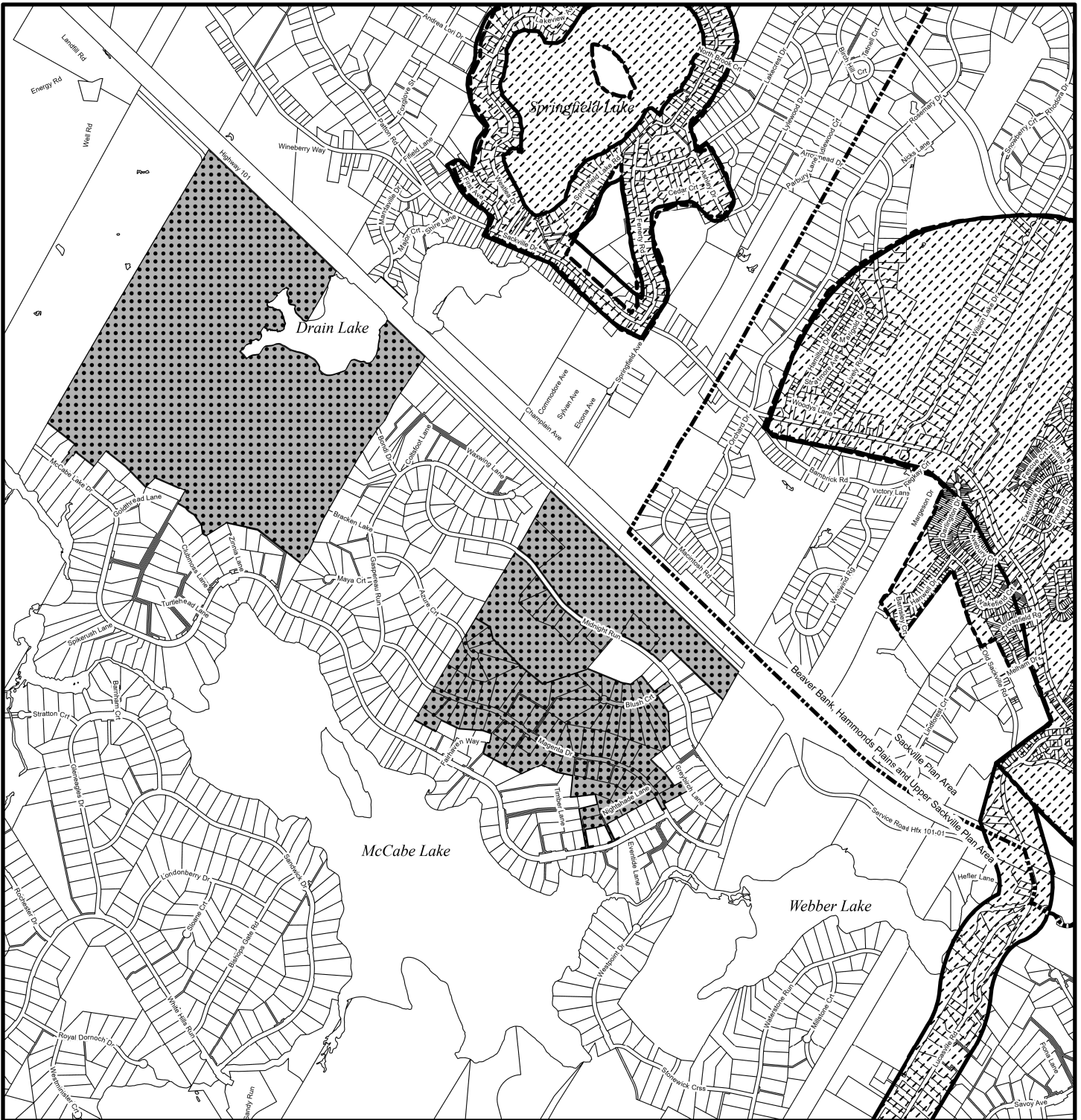
BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Regional Subdivision By-law is hereby further amended as follows:

1. Amend Schedule H – Interim Growth Management Area Map of the Regional Subdivision By-law as shown on Schedule A attached hereto to remove the lands of Indigo Shores, Middle Sackville.

I, Iain MacLean, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted amendment was passed at a meeting of the [INSERT COUNCIL NAME] held on [DATE], 201[#].

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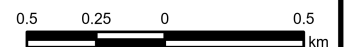
Iain MacLean  
Municipal Clerk




**Attachment A – Amendment to the Regional Subdivision By-law  
Schedule H – Interim Growth Management Area**

**HALIFAX**

McCabe North



 Lands to be changed from the Interim Growth Management Area to the Rural Area under the RSBL Schedule H Interim Growth Management Area.

Designation

 Area within the Serviceable Boundary

 Interim Growth Management Area

 Rural Area

This map is an unofficial reproduction of a portion of the Schedule H of the Subdivision By-law Interim Growth Management Plan.

The accuracy of any representation on this plan is not guaranteed.

**Attachment B - Public Information Meeting (PIM) Notes**



**NORTH WEST PLANNING ADVISORY COMMITTEE  
PUBLIC INFORMATION MEETING  
MINUTES  
AUGUST 18, 2021**

**PRESENT:** Ann Merritt, Chair  
Councillor Cathy Deagle Gammon  
Stacey Rudderham  
Jacqueline LeVert  
Donalda MacIsaac

**OTHERS PRESENT:** Councillor Lisa Blackburn

**REGRETS:** Deputy Mayor Tim Outhit  
Jordan Foster  
Nick Horne, Vice Chair  
Gina Jones-Wilson  
Ryan Donato

**STAFF:** Andrea Lovasi-Wood, Legislative Assistant  
Alicia Wall, Legislative Support

*The following does not represent a verbatim record of the proceedings of this meeting.*

*The agenda, reports, supporting documents, and information items circulated are online at [halifax.ca](http://halifax.ca).*

*The meeting was called to order at 7:12 p.m. and the meeting adjourned at 8:11 p.m.*

## 1. CALL TO ORDER

The Chair called the meeting to order at 7:12 p.m.

The Chair acknowledged members of the Committee and introduced HRM staff in attendance.

The Chair welcomed members of the public and reviewed the process for the Public Information Meeting.

## 2. Case 21639 – Middle Sackville Master Plan – Phase 1, Regional Subdivision By-law Amendment, a review of the Growth Management Area policies that restrict the limit of development of the Indigo Shores Subdivision to 25 lots per calendar year.

The following was before the Committee:

- Staff presentation dated August 18, 2021
- Applicant presentation dated August 18, 2021
- Correspondence from Jo-Anna Halfyard dated August 17, 2021

Stephanie Salloum, Planner III, Rural Policy & Applications, presented case 21639 and spoke to the process for Phase 1, indicating the project will occur in three phases. Salloum further spoke to the existing growth management policies in place and stated the area of Middle Sackville around Highway 101 and the Margeson Drive Interchange is designated as an Urban Local Growth Centre.

Public engagement for Phase 1 is open until August 25, 2021 and comments can be provided through the Shape Your City Halifax webpage. A copy of the staff presentation is on file.

Marc Ouellet, of Armco, spoke to the proposal and the benefits of removing the growth controls which would allow for fewer disruptions to residents during construction, a more efficient completion time and eliminate the need to submit multiple applications. A copy of the presentation is on file.

The Chair opened the floor to members of the public to speak and reviewed the rules for speakers.

**Walter Reagan, of the Sackville Rivers Association**, stressed the importance of protecting the watercourses in the area indicating that each watercourse should have an appropriate buffer. Turtle habitats in the area also need to have the proper protections in place. There should be no direct discharge of stormwater into watercourses, and water quality testing should be done until all construction is completed.

**Jo-Anna Halfyard, of Indigo Shores**, expressed concerns around the impacts additional density will have on Sackville Heights Elementary. The intended capacity for the school is 375 students, and currently the school has over 500. The addition of six portables to the school grounds has resulted in loss of physical recreational space for the children to play. They also noted that a development of this size will affect more than just Indigo Shores Residents.

In response to the speakers, Salloum indicated that the Halifax Regional Centre for Education has been consulted but these concerns will be brought back the HRCE for further comment.

**Heather Shwaykowski, of Sackville**, works with the Excel Recreation Program at Sackville Heights Elementary and indicated the existing infrastructure at the school cannot support the additional people and traffic. There is not enough physical space for the kids as it stands, and the washrooms are barely supporting the current number of students. They also noted that Sackville Heights Junior High and Millwood High are also overloaded.

## 3. ADJOURNMENT



**North West Planning Advisory Committee  
Public Information Meeting Minutes  
August 18, 2021**

The Chair thanked people for attending and providing feedback.

The meeting adjourned at 8:11 p.m.

Alicia Wall  
Legislative Support

**Attachment C**  
**Excerpts from the**  
**Regional Municipal Planning Strategy and**  
**Regional Subdivision By-law**

**Policy S-9**

S-9 HRM shall prepare secondary planning strategies for the centres outlined in Tables 3-1 and 3-2 and generally illustrated on Map 1 with consideration given to:

- a) the objectives presented in section 3.1 and the general characteristics presented in Tables 3-1 and 3-2;
- b) the specific boundaries, population targets and detailed design policies related to the layout of the centres, range of permitted uses and criteria for conversion of uses, allowable development densities and mechanisms for implementation;
- c) the recommendations of any plans and studies identified by this Plan that have been accepted or endorsed by Regional Council; and
- d) any other relevant objectives and policies of this Plan.

**Table 3-1: Future Characteristics of Urban Settlement Growth Centres**

<b>Centre Type</b>	<b>Centre Name</b>	<b>Land Use and Design</b>	<b>Transit, AT and Parking</b>	<b>Open Space</b>	<b>Cultural Heritage</b>
Urban Local Growth Centre	Herring Cove Lakeside/Beechville Timberlea Village Clayton Park West Birch Cove Kearney Lake Bedford Mill Cove Lower Sackville Main Street <b>Middle Sackville</b> Morris Lake North Westphal Cole Harbour Eastern Passage	<ul style="list-style-type: none"> <li>• Mix of low, medium and high density residential, small office, small institutional and convenience commercial uses</li> <li>• In established residential neighbourhoods, low to medium density residential uses</li> <li>• Encourage infill or redevelopment of large parking lots into traditional blocks with streetwalls and step-backs</li> <li>• Pedestrian oriented facades</li> </ul>	<ul style="list-style-type: none"> <li>• Transit to connect to other centres and Regional Centre</li> <li>• Pedestrian oriented transit stops</li> <li>• Enhanced pedestrian linkages</li> <li>• Street, or rear yard parking wherever possible</li> <li>• Access to AT routes</li> <li>• Short interconnected blocks for ease of walkability</li> </ul>	<ul style="list-style-type: none"> <li>• Streetscaping featuring landscaped pocket parks and tree-lined streets</li> <li>• Interconnected private and public open space</li> <li>• Improved quality and quantity of parkland</li> <li>• Focus on waterfront parks and trails</li> <li>• Private and public realm urban forest canopy cover to be maintained and improved</li> <li>• Provisions for food security</li> </ul>	<ul style="list-style-type: none"> <li>• Built and natural heritage to be maintained and improved</li> <li>• Heritage features integrated with new development</li> <li>• Public art integrated with new development</li> <li>• Scenic public views preserved</li> <li>• Cultural heritage corridors</li> </ul>

**Policy S-20**

S-20 HRM shall, through the Regional Subdivision By-law, establish restrictions on future development resulting from concept applications which were approved pursuant to the Interim Growth Management Controls. Subdivision pursuant to any completed concept application on file prior to January 22, 2004 may be considered for approval subject to the following:

- (a) a maximum of 25 lots per year where a completed tentative or final subdivision application, for the initial phase of subdivision construction, pursuant to the completed concept plan application has been filed prior to April 29, 2006; and
- (b) where a tentative or final subdivision application, for the initial phase of subdivision construction has not been filed prior to April 29, 2006, subdivision may only be granted in accordance with the provisions of this Plan.

### Policy S-23

S-23 HRM shall, through the Regional Subdivision By-law establish provisions to allow the approval of a maximum of eight lots on new public streets, per area of land with public street frontage in existence on August 26, 2006:

- (a) within the **Rural Commuter Designation**, where the proposed road intersects with a local road; and
- (b) within the **Rural Resource Designation**, where the proposed road intersects with a local road or non-local road.

Until transportation infrastructure capacity is increased within the Hammonds Plains and Beaver Bank areas, residential subdivision activity shall be limited.

### Policy S-25

S-25 HRM shall, through the Subdivision By-law, allow subdivision approvals from concept applications which were filed prior to April 29, 2006 on **lands outside of the portions of the Hammonds Plains and Beaverbank communities** identified pursuant to Policy S-24 and within the Beaver Bank, Hammonds Plains and Upper Sackville Secondary Planning Strategy subject to the following restrictions:

- (a) a maximum of 25 lots per year shall be permitted; and
- (b) where a completed tentative or final subdivision application, for the initial phase of subdivision construction has not been filed by April 29, 2007, no subdivision approvals shall be granted under this exemption.

### Regional Subdivision Bylaw Regulations

- 10 (1) Within the Interim Growth Management Area identified on Schedule "H", a subdivision which creates lots for residential uses involving new public streets or highways or private roads shown on a **completed application for concept approval** on file prior to January 22, 2004, shall be permitted subject to meeting the following requirements: **(RC-Jun 21/16;E-Jul 30/16)**
  - (a) no more than 25 lots plus a Remainder lot shall be approved per one year period; and
  - (b) the proposed lots must be contiguous and be designed to maximize the lot frontage of the street based on the applicable minimum required lot frontage.
- (2) Where in the opinion of the Development Officer, it is necessary to provide for efficient street connections, the requirements of clause (1)(b) may be relaxed.
- (3) Where a tentative or final subdivision application, for the initial phase of subdivision construction, pursuant to subsection (1) has not been submitted prior to April 29, 2006, any subsequent subdivision application for these lands shall comply with the requirements of this by-law.
- 11 (2) Notwithstanding section 9, within the portions of the Beaver Bank, Hammonds Plains and Upper Sackville Plan Area outside of the areas identified on Schedule "J", a subdivision which creates lots for residential uses involving new public streets or highways shown on completed concept plan applications on file prior to April 26, 2006, shall be permitted subject to meeting the following requirements: **(RC-Jun 21/16;E-Jul 30/16)**
  - (a) no more than 25 lots plus a Remainder shall be approved per one year period; and **(RC-Jun 21/16;E-Jul 30/16)**
  - (b) the proposed lots must be contiguous and be designed to maximize the lot frontage of the street based on the applicable minimum required lot frontage.

- (3) Where in the opinion of the Development Officer, it is necessary to provide for efficient street connections, the requirements of clause (2)(b) may be relaxed. **(RC-Jun 21/16;E-Jul 30/16)**
  
- (4) Where a tentative or final subdivision application, for the initial phase of subdivision construction, pursuant to subsection (2) **was** not submitted **on or before** April 26, 2007, any subsequent subdivision application for these lands shall conform to the requirements of sections 9 and 12 of this by-law. **(RC-Jun 21/16;E-Jul 30/16)**