

**HALIFAX**

# **Public Hearing Case 23120**

**Land Use By-law Amendment  
R-2 Zone, Mainland South Secondary Plan Area**

Halifax and West Community Council  
February 22, 2022

**Slide 1**

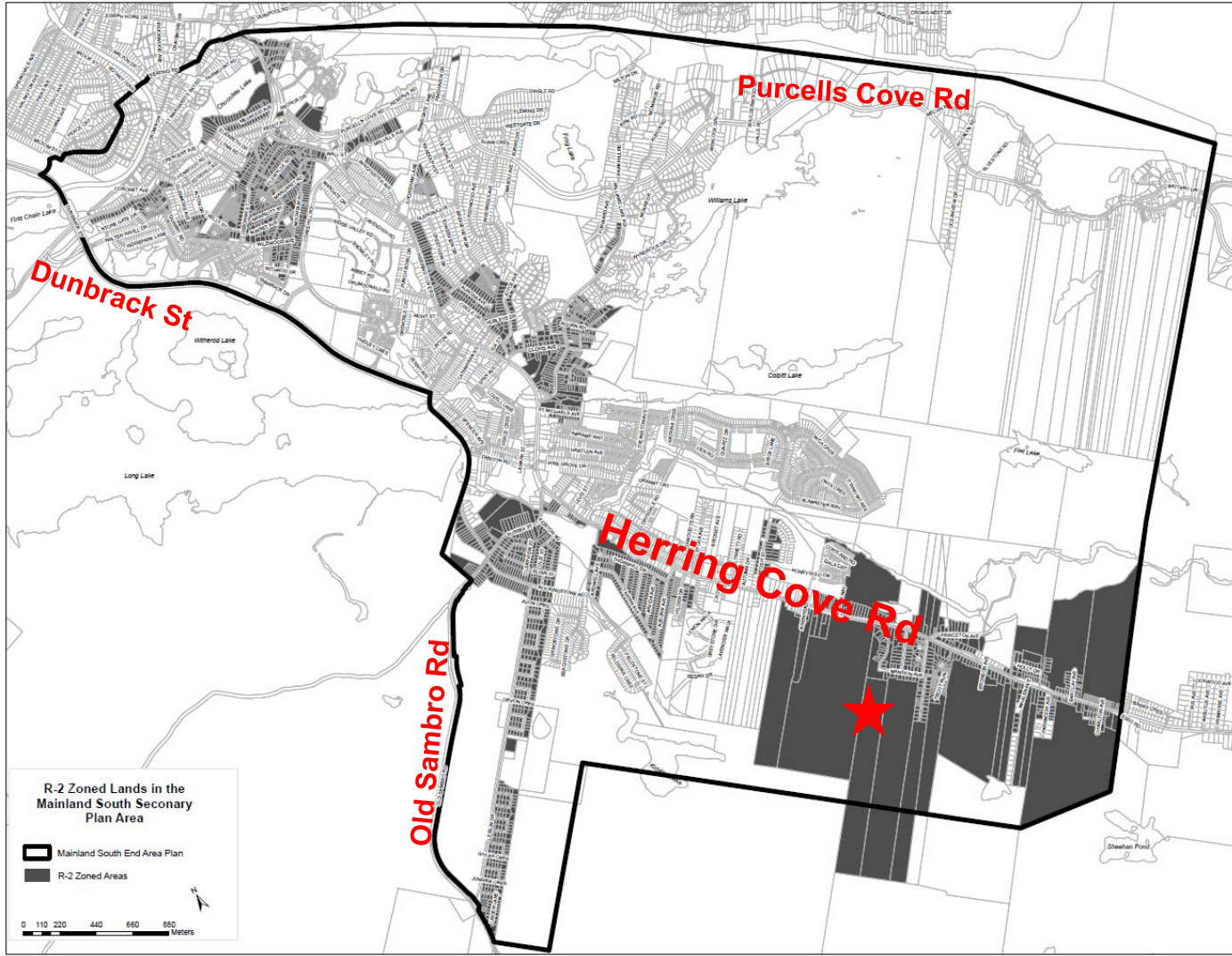
# Applicant Proposal

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**Applicant:** Armco Capital Inc.

**Location:** R-2 Zone, Mainland South Secondary Plan Area

**Proposal:** Reduce the side yard setback and building separation distance requirements for semi-detached dwellings in the R-2 Zone of the Halifax Mainland Land Use By-law for lands within the Mainland South Secondary Plan Area.



# Planning Policy Outline

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## 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)

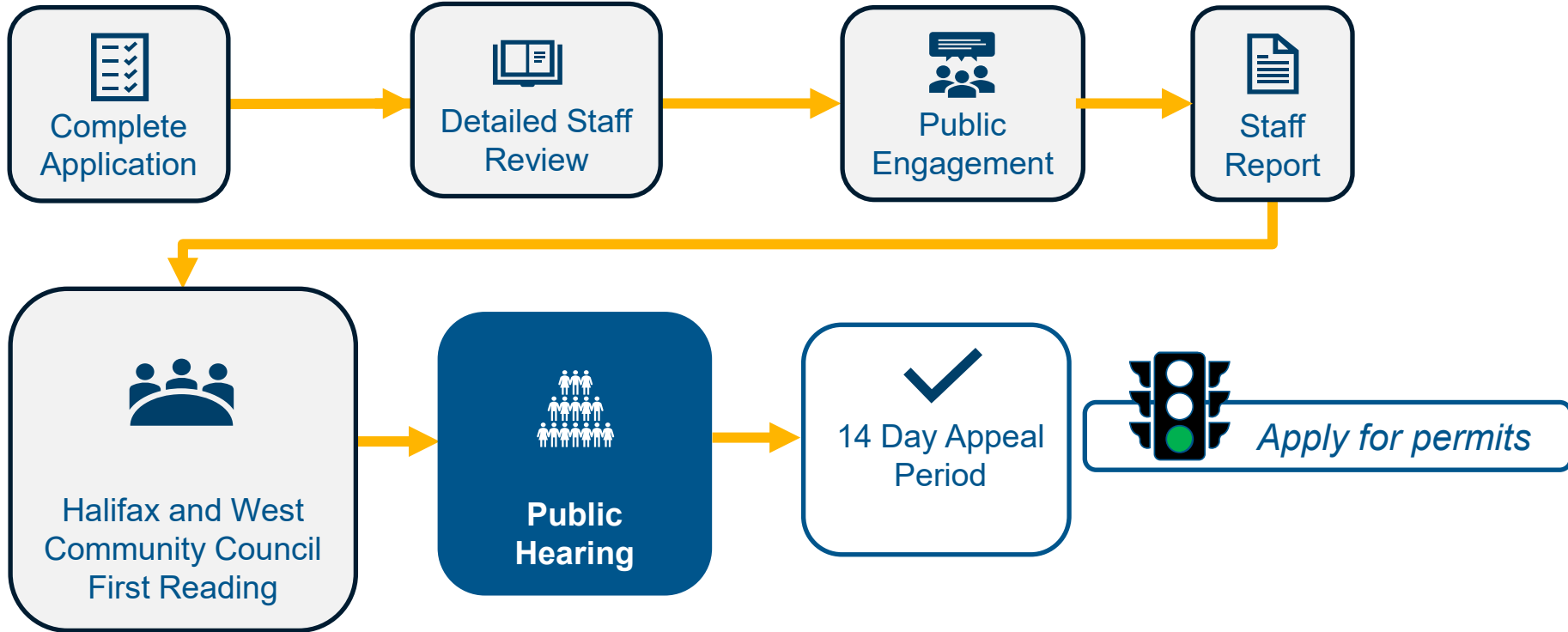
Specifies what can be approved without going to Council and seeking feedback from the public

# Policy & Bylaw Overview

## Halifax Municipal Planning Strategy & Halifax Mainland Land Use By-law

	<b>Zone</b>	R-2
	<b>Designation</b>	Primarily LDR, some RDD
	<b>Existing Use</b>	Primarily single and two-unit dwellings
	<b>Enabling Policy</b>	Implementation Policy 3.1.1

# Planning Process



# Proposal

	Current Requirements	Proposed Requirements
Min. lot area per unit	2,500 square feet	2,500 square feet
Min. lot frontage per unit	25 feet	25 feet
Max. lot coverage	35%	35%
Min. front yard setback	20 feet	20 feet
Min. rear yard setback	8 feet	8 feet
<b>Min. side yard setback</b>	<b>8 feet</b>	<b>4 feet</b>
<b>Min. building separation</b>	<b>12 feet</b>	<b>8 feet</b>
Max. building height	35 feet	35 feet

# Policy Consideration

## Halifax Municipal Planning Strategy

Implementation Policy 3.1.1: The City shall review all applications to amend the zoning by-laws or zoning map in such areas for conformity with the policies of this Plan with particular regard in residential areas to Section II, Policy 2.4.

Section II, Part 2, Policy 2.4: Retain the character of existing neighbourhoods and control change so it is compatible with the neighbourhood.

Section X, Part 1, Policy 1.6: Maintain zoning regulations that encourage stability and maintenance of the prevalent character and integrity of residential neighbourhoods.



# Public Engagement Feedback

- Level of engagement completed was consultation achieved through a mail out notification and an online presentation.

**Notifications  
Mailed**



**3,574**

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



**167**

**Unique  
Webpage Views**



**677**

# Public Engagement Feedback

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- The most common comments from the public included:
  - Concerns there could be increased risk of fire;
  - Financial benefit to the developer;
  - Negatively affect on the quality of life/liveability of the area;
  - Negatively affect the existing character of the established neighbourhood;
  - The scope is too significant in terms of the size of the affected area and significance of changes; and
  - Loss of privacy.

# Public Concerns

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- Increased risk of fire
  - NS Building Code still applies
- Affect on neighbourhood character
  - 1) The changes will only apply to one type of dwelling in the R-2 Zone;
  - 2) The changes will only apply to lands in Mainland South;
  - 3) The rest of the requirements will remain the same;
  - 4) No additional density can be achieved; and
  - 5) The side yard can still be used for access to the rear yard and the side of the dwelling, for landscaping, and for storage of infrastructure and utilities.
- Scope of proposed amendment
  - MPS versus LUB amendment

# Summary: Key Aspects of the Proposed Development

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- **Side Yard Setbacks**

- Change from a minimum of 8 feet to 4 feet

- **Main Building Separation Distance**

- Change from a minimum of 12 feet to 8 feet

# Staff Recommendation

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Staff recommend that Halifax and West Community Council:

- Adopt the amendment to the Land Use By-law for Halifax Mainland, as set out in Attachment A of the Staff Report.

# HALIFAX

## Thank You

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