

# HALIFAX

## Public Hearing Case 20795

Rezoning and comprehensive development agreement  
St. Margarets Bay Road, Beechville PID 40143174 (no  
civic address)

Halifax and West Community Council  
May 10, 2022

**Slide 1**

# Applicant Proposal

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**Applicant:** Sunrose Land Use Consulting on behalf of property owner Parkdale Developments Limited

**Location:** St. Margarets Bay Road, Beechville

**Proposal:** Rezone from R-1 (Single Unit Dwelling) to CDD (Comprehensive Development District) and enter into a Comprehensive Development Agreement to allow the construction of the following:

- Up to 39 single unit dwellings on individual lots; and
- A multiple unit dwelling with up to 39 dwelling units.

# Site Context



General site location in red



Property boundaries in red

# What is a Development Agreement?

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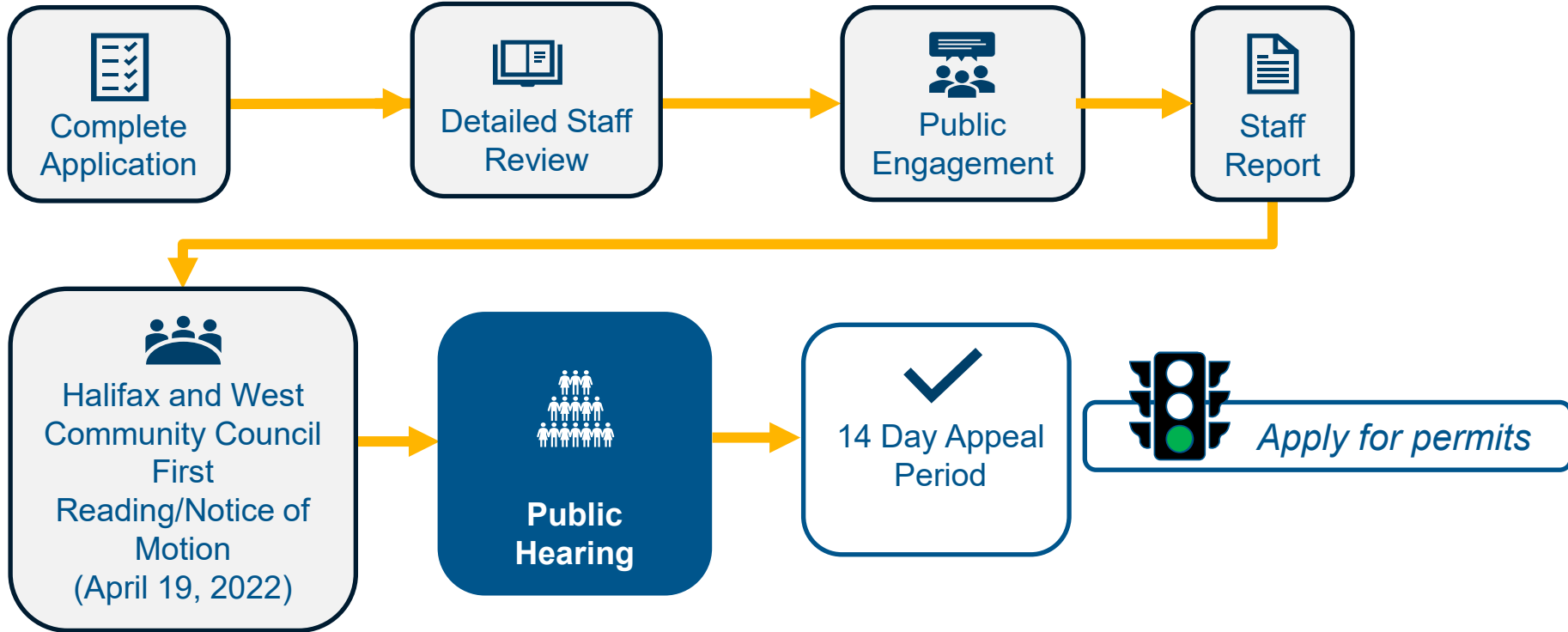
- A binding legal contract between a property owner and HRM;
- Regulates permitted uses, site plan, architecture, landscaping, infrastructure and similar matters;
- Replaces the requirements of the Land Use By-law;
- There usually are separate development agreements for individual properties;
- Detailed review of design of individual buildings;
- Must be “enabled” by the Municipal Planning Strategy – not always possible;
- Can be approved by Community Council if it is “reasonably consistent with the intent of the Municipal Planning Strategy”;

# What is a Comprehensive Development Agreement (CDA)?

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- A Comprehensive Development District is a zone that requires planning at a neighbourhood level:
  - A development agreement is applied to an entire neighbourhood, not to an individual property (“comprehensive development agreement”);
  - Less detailed design review for individual buildings;
  - The comprehensive development agreement is applied before any development takes place;
  - An approved CDA can be amended by community council, after a public process like this one;
- Application is to rezone the site from R-1 (Single Unit Dwelling) to CDD (Comprehensive Development District) which would enable a comprehensive development agreement;
- Test for approval is the same – **“reasonably consistent with the intent of the Municipal Planning Strategy”**;

# Planning Process (without a PAC)



# Policy & Bylaw Overview

Timberlea / Lakeside / Beechville MPS & LUB



Municipal Sewer and Water



Zone

Current: R-1 (Single Unit Dwelling)

Proposed: CDD (Comprehensive Development District)



Designation

UR (Urban Residential)



Existing Use

Vacant



Enabling Policy

IM-9 (Rezoning)

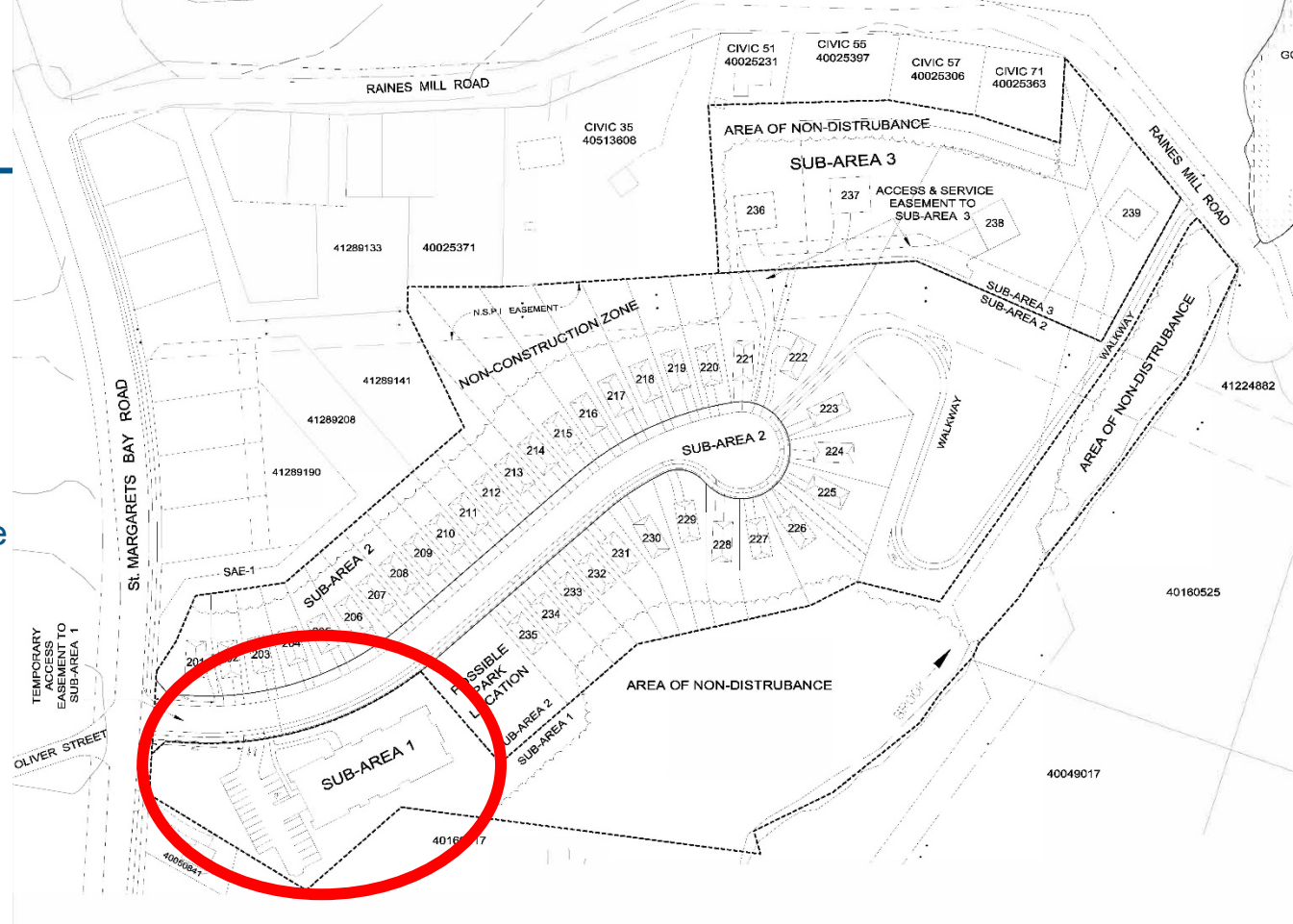
IM-11 (Development Agreement)



# Proposal

## Site plan

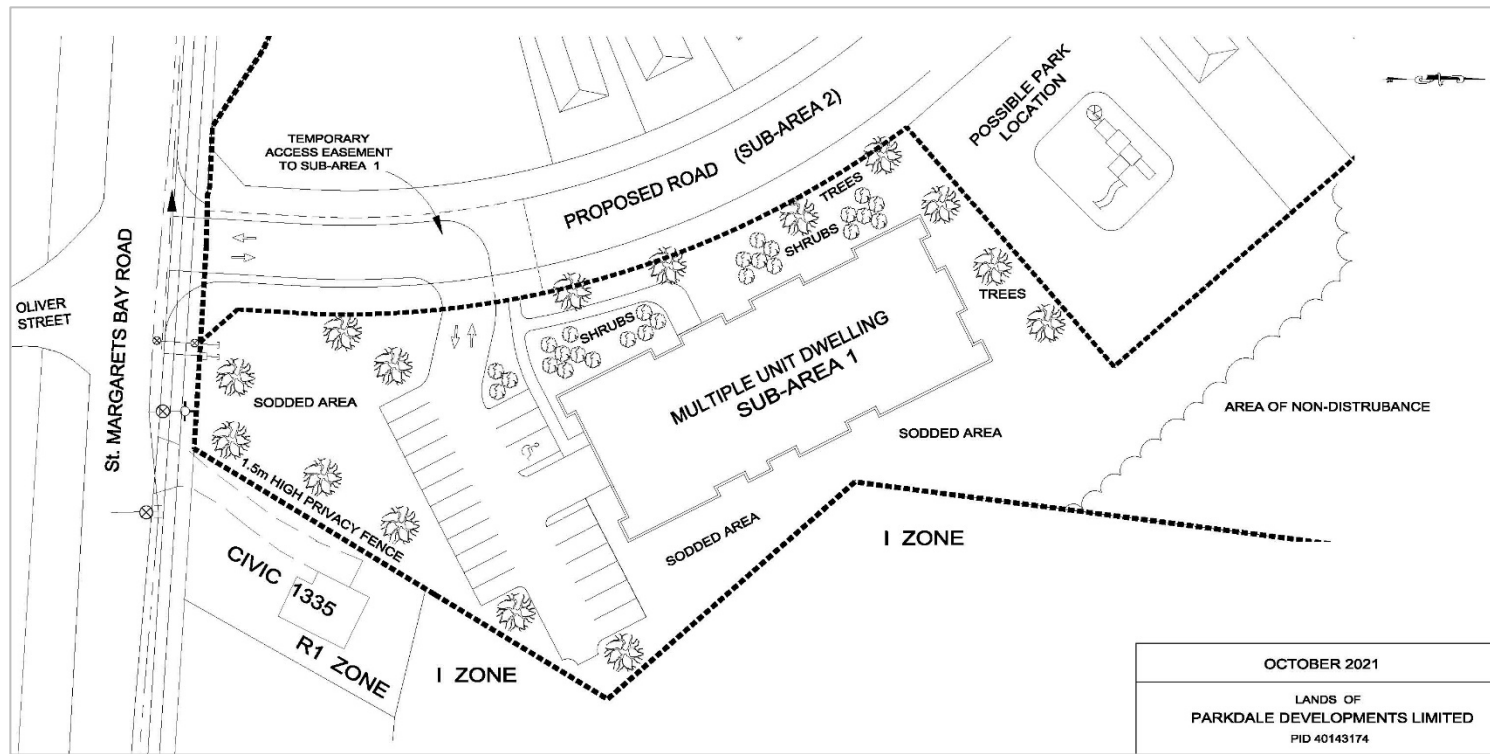
- Up to 39 single unit dwellings and 39 – unit multiple unit dwelling
- Parkland in accordance with Regional Subdivision By-law
- Public walkway in accordance with Municipal Design Guidelines
- New public cul-de-sac with connection to St. Margarets Bay Road
- Not phased





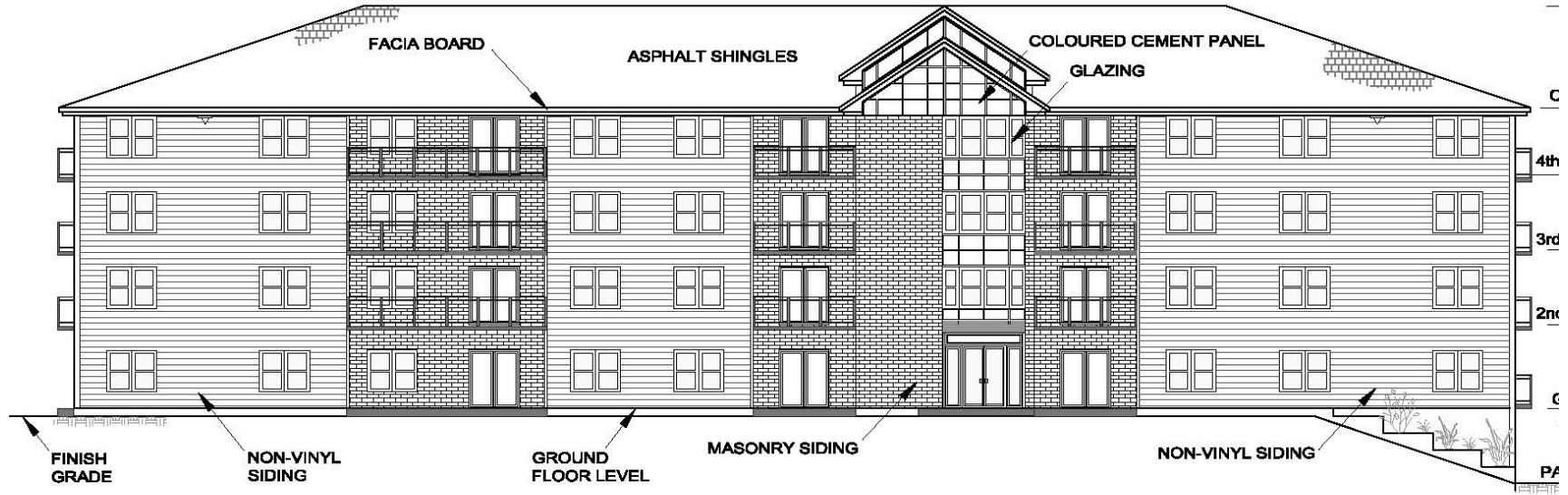
# Proposal

## Site plan – multiple unit dwelling



# Proposal

Multiple-unit dwelling



# Policy Consideration

## Timberlea / Lakeside / Beechville Municipal Planning Strategy

### Policy UR-11

Council should consider the following criteria in evaluating the proposal:

- That the development can use existing municipal sewer and water services;
- The site is at least 5 acres;
- The proposed development provides for a housing mix of 50% lower density and 50% higher density;
- There are adequate and useable lands for community facilities;
- The development has at least 2 accesses to the public road network;
- The impact on traffic circulation St. Margarets Bay Road; and
- That the development is consistent with the general policies of the MPS and furthers its intent;

# Policy Consideration

## Timberlea / Lakeside / Beechville Municipal Planning Strategy

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### Policy IM-12

Council should also consider:

- Conformity with the intent of the MPS;
- That available sewer and water services are adequate;
- Proximity to school, recreation and other community facilities;
- That road networks around the site are adequate;
- That proposed drainage and stormwater management is adequate;
- That the proposed use, height and lot coverage are compatible with the surrounding neighbourhood; and
- Traffic generation, access to and egress from the site, and vehicle parking;

# Public Engagement Feedback

Level of engagement completed was consultation achieved through a mail out notification and a public information meeting (February 8, 2018). Feedback from the community generally included the following:

- Questions regarding the development agreement process, including the process for future amendments;
- Concerns that trees and non-disturbance areas should be maintained pre and post development;
- Concerns that tree removal will increase flooding on the site and on adjacent lots;
- Concerns that tree removal will allow water damage to Raines Mill Road;
- Concerns that tree removal will reduce privacy to adjacent lots;
- Request for a crosswalk from the new public street across St. Margaret's Bay Road; and
- Concerns over disruption to current residents caused by blasting.

**Notifications  
Mailed**



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



**Webpage Views  
(June 2017-May 2022)**



**PIM**



# Summary: Key Aspects of the Proposed Development

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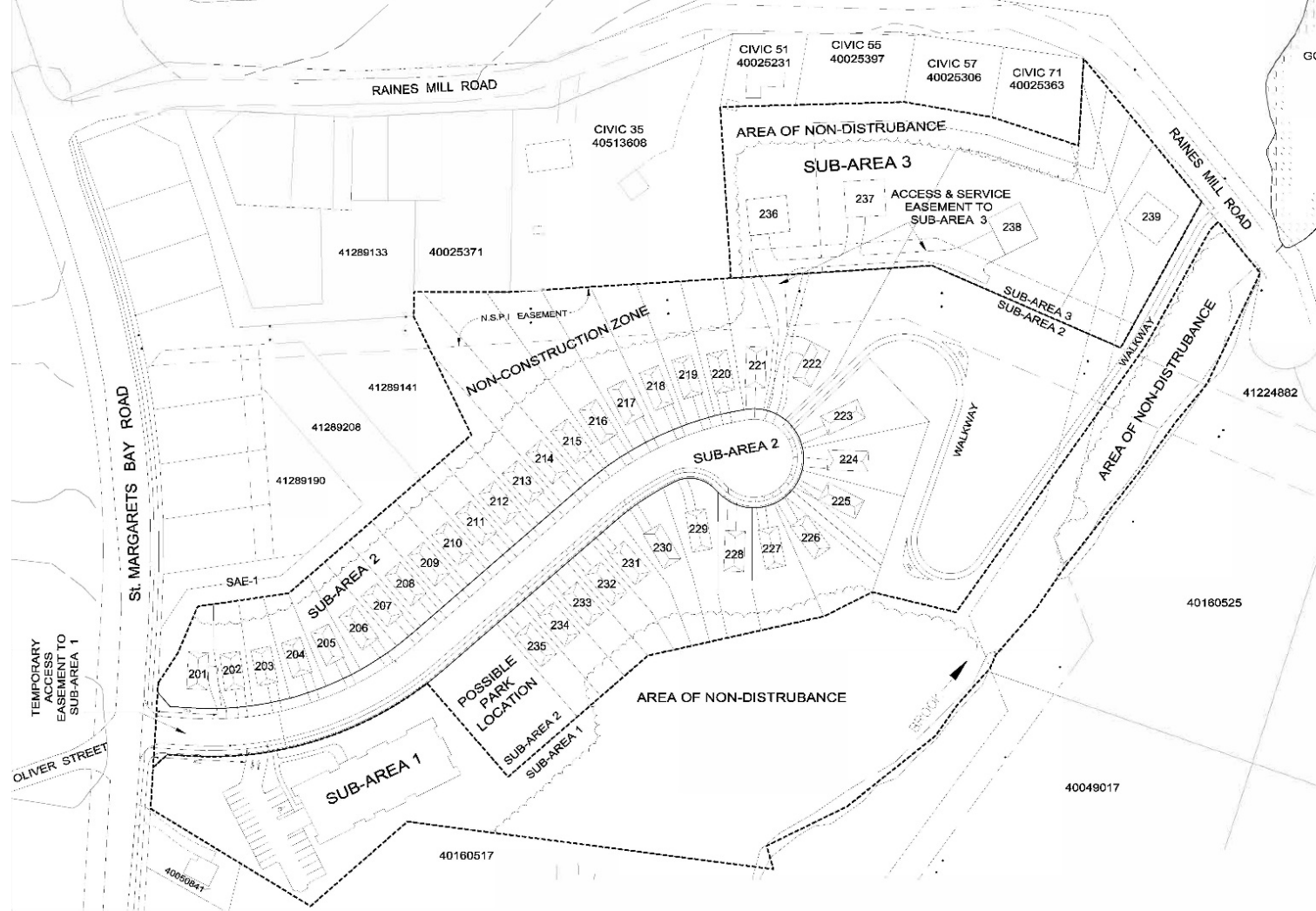
- Permits the following land uses:
  - One multiple unit dwelling with up to 39 dwelling units;
  - Up to 35 single unit dwellings fronting on a new public street
  - Up to 4 single unit dwellings with frontage on Raines Mill Road and access from the new public street;
  - Secondary and backyard suites would be permitted in accordance with the Land Use Bylaw;
- Includes requirements for plans addressing site disturbance, grading and stormwater management on the DA area prior to site work;
- A public walkway connecting the new cul-de-sac and Raines Mill Road must be constructed and conveyed to HRM with the new public street as part of the subdivision process in accordance with the *Regional Subdivision By-law*;
  - Walkway must adhere to the Municipal Design Guidelines

# Summary: Key Aspects of the Proposed Development

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- Vehicle and bicycle parking for the multiple unit dwelling;
- Indoor and outdoor amenity space for residents of the multiple unit dwelling;
- Regional Subdivision By-law requires Concept Plan of Subdivision for developments with a new public street;
- Concept Plan will ultimately decide:
  - Size and location of parkland;
  - Design of the intersection of the new public cul-de-sac with St. Margarets Bay Road;
  - Proposed DA would not supersede the Regional Subdivision By-law;
- Proposed multiple unit dwelling would have direct access to St. Margarets Bay Road → no new street required → Concept Plan not required;





# Non-Substantive Amendments

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A 'Non-Substantive Amendment' is a change to the agreement which could be made without a public hearing.

As proposed, Non-Substantive Amendments within this agreement include the following:

- Changes to parking, circulation, and access;
- Changes to landscaping;
- Extending the date of commencement of construction;
- Changes to the length of time given for the completion of the development;
- Changes to architectural requirements for the multiple unit dwelling that do not impact its massing; and
- Changes to the Schedules of the proposed Agreement required to be consistent with any other non-substantive amendment.

# Staff Recommendation

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Staff recommend that Halifax and West Community Council:

- Rezone the subject site from R-1 to CDD, as set out in Attachment A of the staff report dated February 15, 2022; *and*
- Provisionally approve the proposed development agreement as set out in Attachment B of the staff report dated February 15, 2022.

**Due to recent amendments to the *HRM Charter*, staff recommendations are different than what are shown in the staff report.**

# HALIFAX

## Thank You

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