

HALIFAX

Public Hearing for Case 24022

Harbour East - Marine Drive Community Council,
July 13, 2022

Slide 1

Applicant Proposal

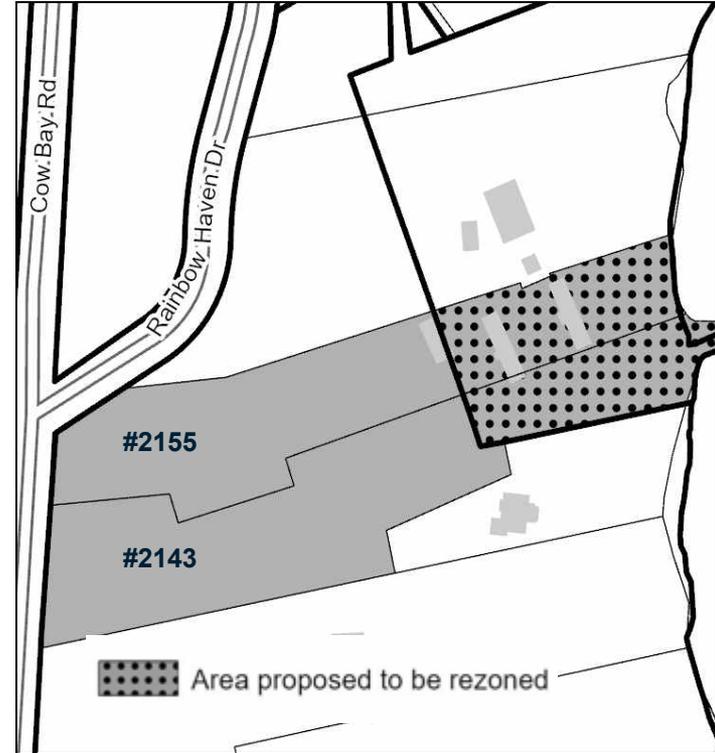
Applicant: Eric Bannerman et al.

Location: the rear portions of PID 41498973 and PID 41498981

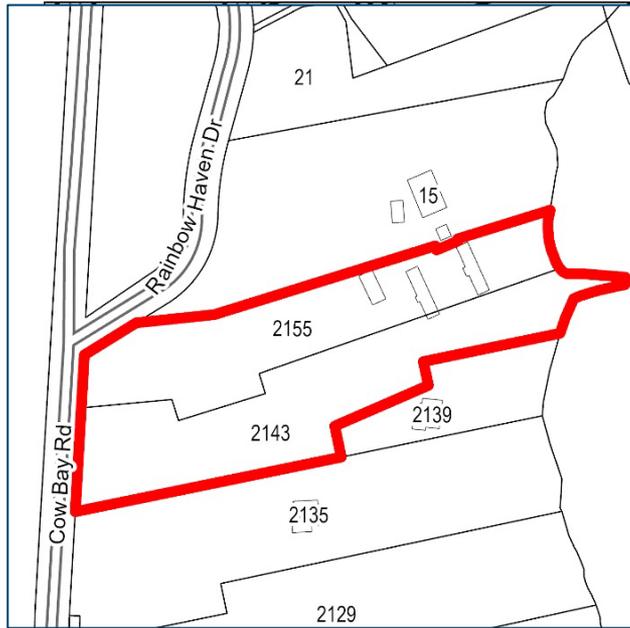
***Site of the old Rainbow Haven Children's Camp, Cow Bay Road*

Proposal:

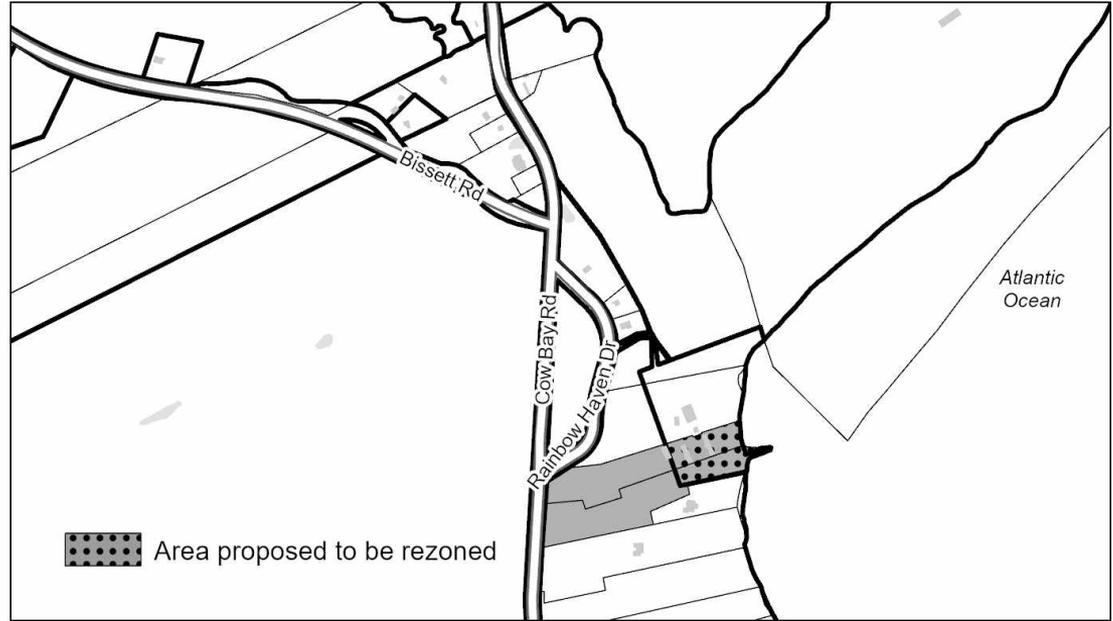
Rezone the rear portions of PID 41498973 and PID 41498981, Cow Bay Road from P-2 (Community Facility) Zone to RA (Rural Area) Zone to enable construction of single detached dwelling closer to the ocean.



Site Context



Sites in Red



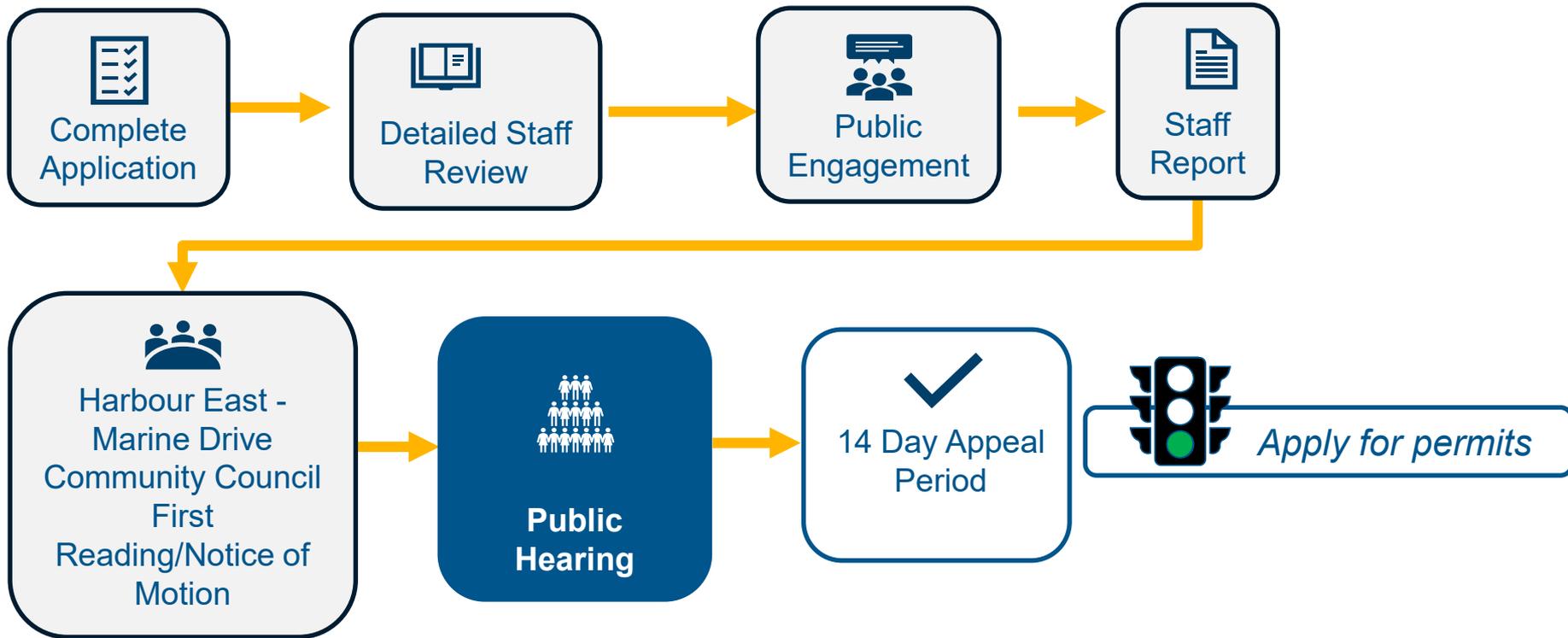
General Site Location

Policy & By-law Overview

Eastern Passage/ Cow Bay Municipal Planning Strategy - LUB

- **Existing Zone - P-2 (Community Facility) Zone**
- **Proposed Zone - RA (Rural Area) Zone**
- **Designation - RA (Rural Area) Designation**
- **Existing Use – Vacant**
- **Enabling Policies - MPS Policies RA-2**

Planning Process for Rezoning



Policy Consideration

Eastern Passage/ Cow Bay Municipal Planning Strategy

The Rural Area (RA) Designation in the MPS (RA-2) establishes the RA Zone to achieve the following:

1. Limited list of low intensity permitted uses in a rural context;
2. Continuation of the existing rural environment built form; and,
3. Larger lot sizes with wider frontages to reflecting the desired rural character along rural transportation routes.

Application History

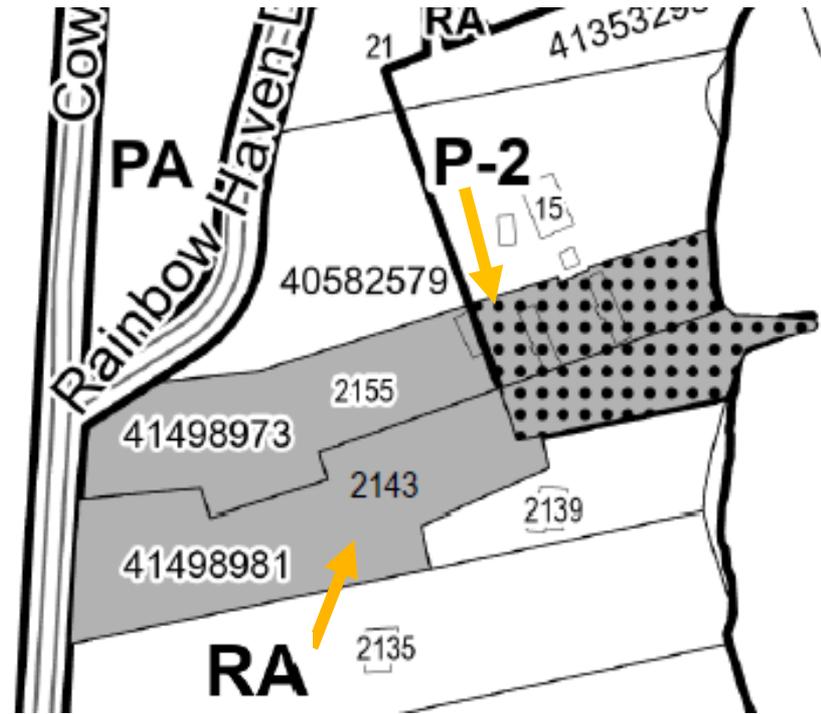
- January 2022, owners of #2155 Cow Bay Road submitted Planning Application for a partial rezoning of their land from P-2 to RA;
- Shortly thereafter owners of #2143 Cow Bay Road (abutting to the south), indicated interest in a similar rezoning;
- Conditions are very similar between the two properties, so the rezoning application was expanded.

Application History

- owners of lands to the north (15 and 21 Rainbow Haven Rd) that also contained the P-2 zone were also considered for the rezoning application. However, unlike the subject properties both of these lots can achieve a legal means of access to a public road.
- Ultimately, they were excluded from the rezoning process.

Driveway Constraints - P2 Zone

- A driveway access for a P-2 permitted land use cannot cross the RA Zone unless that use is also permitted in the RA zone
- Most of the land uses permitted in the P-2 zone are not permitted in the RA Zone



Rural Area (RA) Zone

Eastern Passage/ Cow Bay Land Use By-law

Permitted Uses:

- Single Unit Dwellings;
- Existing mobile dwellings;
- Mobile dwellings at Silver Court, Cow Bay;
- Bed and breakfast establishments in conjunction with permitted dwellings;
- Home business uses;
- Forestry uses;
- Agriculture uses;
- Fishing and fishing related uses; and,
- Open space uses excluding commercial recreation uses.

P-2 (Community Facilities) Zone

Eastern Passage/ Cow Bay Land Use By-law

- **Permitted Uses:**
- **Educational institutions and uses;**
- **Denominational institutions and uses;**
- Day care facilities;
- A single dwelling unit in conjunction with a daycare facility;
- Senior citizen housing;
- Existing residential care facilities;
- **Fire and police stations;**
- **Government offices and public works except transportation maintenance yards;**
- **Hospitals and medical clinics;**
- **Public libraries, museums and galleries;**
- **Fraternal centres and halls;**
- Community centres and halls;
- Public and private parks and playgrounds;
- Recreation uses excluding golf courses;
- Cemeteries except crematoriums;
- Day camps; and,
- Historic sites and monuments.

Public Engagement Feedback

- Level of engagement completed was consultation achieved through a mail out notification.
Notification response period was four weeks
- Feedback from the community generally included the following:
 - Clarifications but no concerns with the proposal; and
 - One individual concerned about lack of PIM and noted other concerns is located in a different geographic location of Cow Bay.

**Notifications
Mailed**



12

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



3

Webpage Views



70

Rationale to Recommend Approval

- RA Zone contains low intensity land uses consistent with the intent of the MPS.
- Inability to achieve a legal driveway access for many of the permitted land uses in the P-2 zone.
- **Therefore, staff recommend the rezoning of a portion of these lands from P-2 to RA.**

Staff Recommendation

Staff recommends that Harbour East - Marine Drive Community Council:

- Approve the proposed rezoning as set out in Attachment A of the staff report dated April 25, 2022

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Thank You



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