

**HALIFAX**

# **Public Hearing Case 24038**

**Substantive Amendments to a Development Agreement:  
1715 Sackville Dr, Middle Sackville**

North West Community Council, Oct 17

# Applicant Proposal

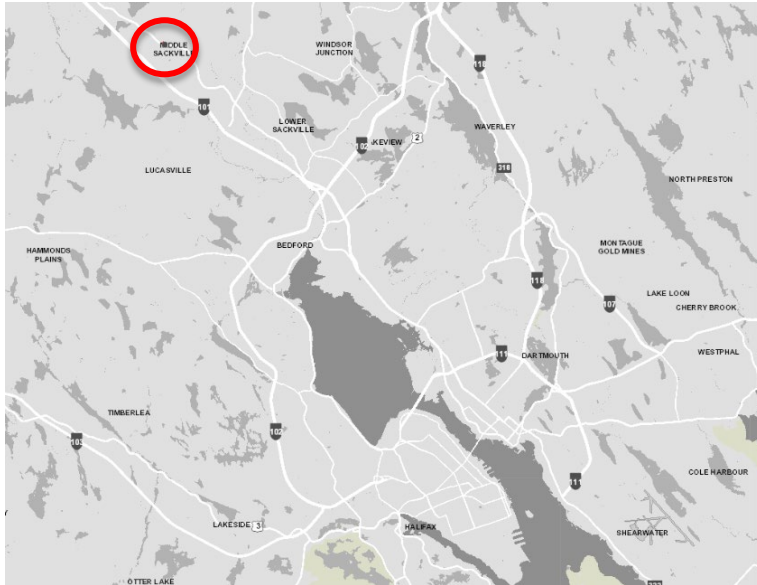
---

**Applicant:** WSP Canada Inc. on behalf of Keizer Properties Limited

**Location:** 1715 Sackville Dr, Middle Sackville

**Proposal:** Application to amend a previously approved Development Agreement to allow a commercial school and provide 4 additional years for construction to take place on the lands.

# Site Context



General Site location in Red



Site Boundaries in Red

# Site Context



Sackville Dr looking west



Sackville Dr looking east



# 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

## SACKVILLE MPS & LUB



Municipal Sewer and Water



Zone

R-6 (Rural Residential)



Designation

UR (Urban Residential) and RR (Rural Residential)



Existing Use

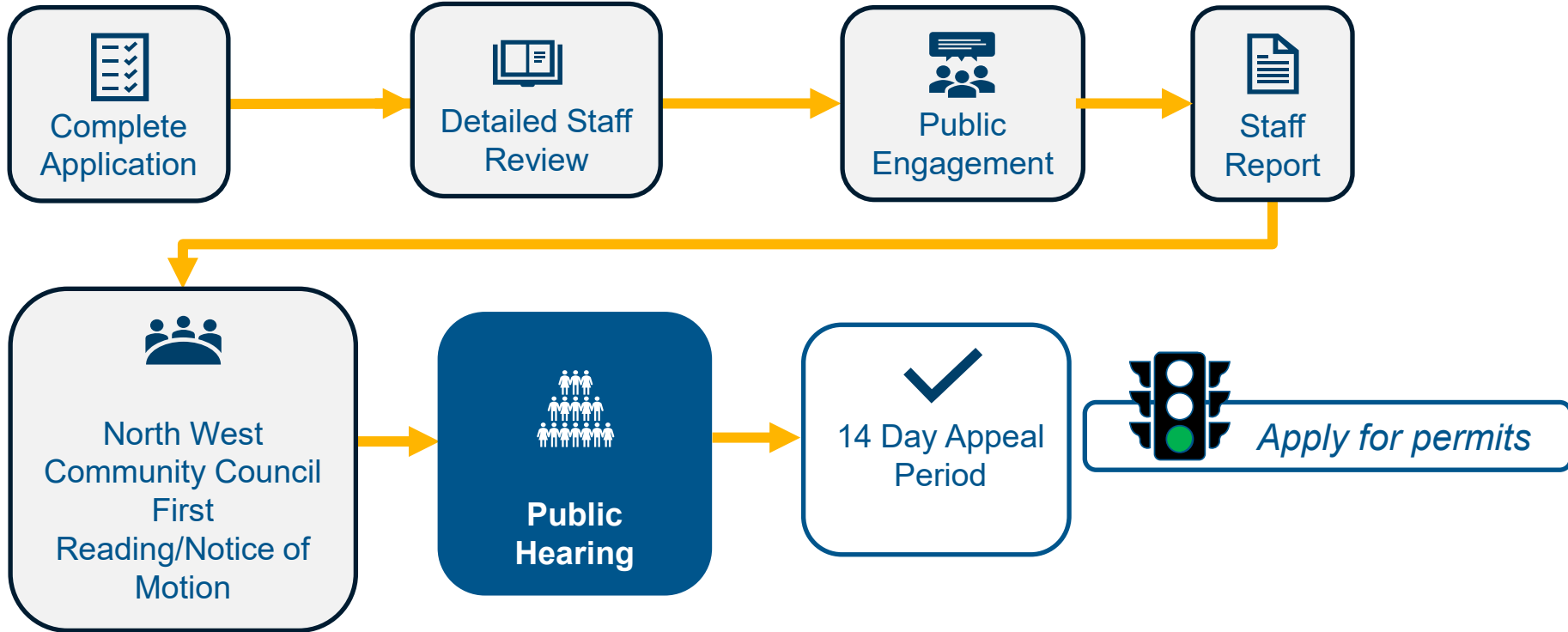
Vacant



Enabling Policy

UR-31 and IM-13

# Planning Process



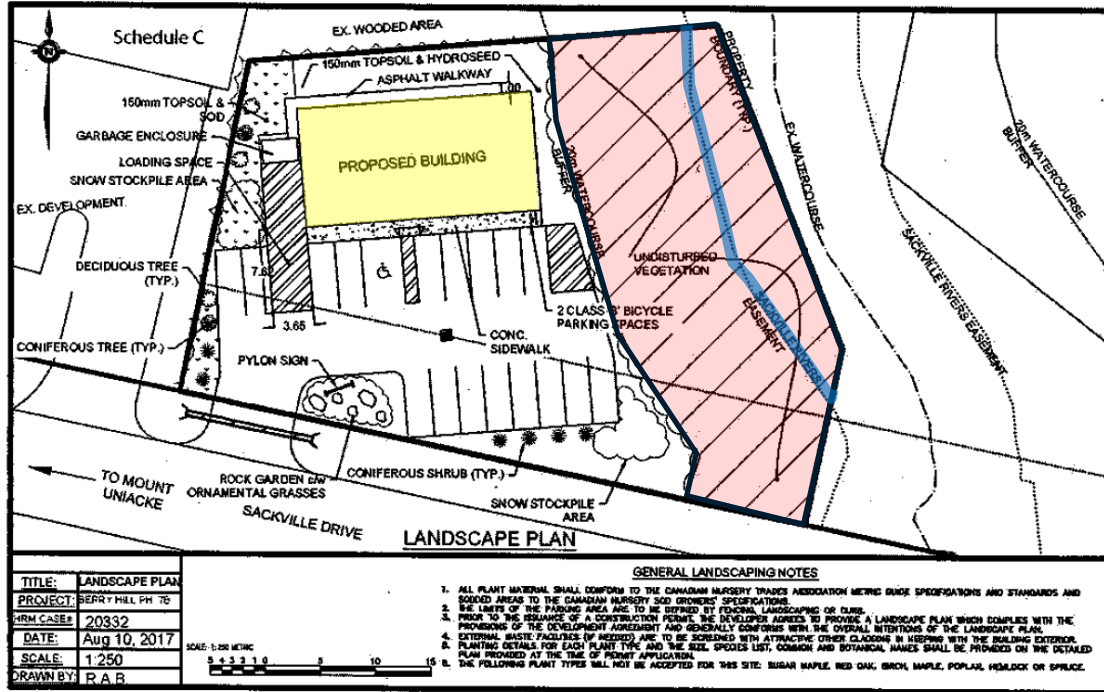
# Existing Development Agreement

- 2-storey commercial building
- Permitted uses:
  - Retail stores;
  - Service and personal service uses; and
  - Offices





# Existing Development Agreement



# Proposed Amendments

---

- Requesting to:
  - Add ‘Commercial School’ to the list of permitted uses
  - Allow four more years for construction
- No other changes proposed
  - Including no changes to the previously approved size and location of the building

# Policy Consideration

---

## Enabling Policy UR-31:

Council may consider Community Commercial (C-2) Zone land uses and auto body shops on lands not currently zoned for such uses on properties on Sackville Drive between Rosemary Drive and the Atlantic Gardens Properties.

This policy requires Council consider the following in rendering their decision on a Development Agreement:

- Building Size
- Site Design
- Traffic Generation and Parking

# Public Engagement Feedback

---

- Level of engagement completed was consultation achieved through a mailed out fact sheet and information provided on the planning application webpage.
- No feedback was received from the community.

**Notifications  
Mailed**



**33**

**Webpage Views**



**87**

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



**0**

# Staff Recommendation

---

Staff recommend that Staff recommend that the North West Community Council

- Approve the proposed development agreement as set out in Attachment A of the staff report dated August 11, 2022

# HALIFAX

## Thank You

**Taylor MacIntosh** (She/Her)



[macintta@halifax.ca](mailto:macintta@halifax.ca)



902-219-0836

# Commercial School Use

---

- No definition for commercial school, so application of this use is subject to the customary meaning.
- Common elements looked for during review of a proposal to permit a commercial school use may include:
  - that the use is reasonably distinct from other uses such as a day care or institution use;
  - that there are reasonable elements of a school such as classrooms and a curriculum/defined educational focus.
- Examples of Commercial School uses can include Success College or Sylvan Learning Centre, although the definition is not limited to these entities.

# Parking

---

- Currently minimum of 16 parking spaces, which is consistent with the land use by-law requirement for retail use.
- No land use by-law parking requirement specific to commercial school uses
  - if the requirement for ‘school use’ were to be applied, the number of spaces would likely be much lower as the requirement is 3 spaces per classroom.
- To ensure the development includes adequate parking for any use enabled by the agreement, it is proposed that the minimum parking requirement remain 16 parking spaces for the building regardless of its occupied use.



# Time Extension

---

- Existing commencement requirement: within 4 years of registration (March 26, 2022)
- The agreement states that Council may consider granting an extension of the commencement of development time period through resolution if a written request from the developer is received at least 60 days to the expiry. A request for extension was received January 13, 2022 which satisfies this requirement.