

**TO:** Mayor Savage and Members of Halifax Regional Council

**SUBMITTED BY:**

Original Signed by 

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Jacques Dubé, Chief Administrative Officer

**DATE:** November 17, 2022

**SUBJECT:** **Case 23617: Review of the Upper Hammonds Plains Land Use Designation and the GU-1 Zone**

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## **ORIGIN**

On December 14, 2020, North West Community Council passed the following motion:

*Request a recommendation report outlining options for amending the Land Use By-law for the Upper Hammonds Plains designation area with the goal of mitigating conflict between allowable uses in the area.*

On August 17, 2021, Regional Council passed the following motion:

*THAT Halifax Regional Council:*

- 1. Initiate a process to review and amend the land use policies and regulations under the Upper Hammond Plains Land Use Designation within the Municipal Planning Strategy and Land Use By-law for Beaver Bank, Hammonds Plains, and Upper Sackville; and any other planning documents as necessary to mitigate conflict between allowable uses in the area; and*
- 2. Follow the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997.*

## **LEGISLATIVE AUTHORITY**

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

**RECOMMENDATION ON PAGE 2**

## **RECOMMENDATION**

It is recommended that Halifax Regional Council:

1. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Beaver Bank, Hammonds Plains, and Upper Sackville, as set out in Attachments A and B, to amend the Upper Hammonds Plains Designation and the GU-1 (General Use) Zone, and to rezone a portion of lands within the designation from the GU-1 Zone to the R-1 (Single Unit Dwelling) Zone, and schedule a public hearing; and
2. Adopt the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Beaver Bank, Hammonds Plains, and Upper Sackville, as set out in Attachments A and B.

## **EXECUTIVE SUMMARY**

This report responds to a motion of Regional Council to undertake a review of the land use regulations under the Upper Hammonds Plains Designation and the GU-1 Zone at the request of North West Community Council. The land use regulations for Upper Hammonds Plains were initially adopted in 1987 under the Municipal Planning Strategy and Land Use By-law for Beaver Bank, Hammonds Plains, and Upper Sackville. The GU-1 Zone was adopted as a strategy to allow the generation of local employment. In recent years, however, the permissive nature of this zone has led to land use conflicts and the development of a number of multiple unit dwellings. This has caused concern in this historic African Nova Scotian community about its social cohesion and longevity.

Staff has undertaken the public participation program as directed by Regional Council. The proposed amendments contained within this report are intended to reduce land use conflicts through increased setbacks between business uses and residential development and by prohibiting some additional uses from developing as-of-right within the GU-1 Zone. The proposed changes allow future consideration of multiple unit development and larger-scale commercial and industrial development through the provisions of a development agreement. This will not prohibit these developments from consideration in the future. Instead, it will allow the community to have input into the development and allow the Municipality to consider the impacts of the development on the limited infrastructure within the community and important aspects of the natural environment. Rezoning of a portion of the community from the GU-1 Zone to the R-1 Zone is also proposed for a small portion of the community that has developed within a residential subdivision.

## **BACKGROUND**

The Upper Hammonds Plains community is a historic African Nova Scotian community established in 1815. The ancestors of this community were Black Refugees from Chesapeake, Virginia. They fought in the War of 1812 as freed refugees and were granted lands in this area for the development of a community that became known as Upper Hammonds Plains. <sup>1</sup>

In response to the growing concerns within the community about the amount, pace, and type of recent land use development occurring in the area, Regional Council initiated a process to review the land use policies and regulations. This review focussed on land use policies and regulations under the Upper Hammonds Plains Designation and the GU-1 (General Use) Zone. These policies and regulations form part of the of the Municipal Planning Strategy and Land Use By-law for Beaver Bank, Hammonds Plains, and Upper Sackville. Staff has undertaken this review in consultation with the residents and landowners of the Upper Hammonds Plains community and this report brings forward proposed changes to the Upper Hammonds Plains Designation and the GU-1 Zone for Council's consideration.

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<sup>1</sup> Diversity and Inclusion. (28 February 2018). Community Profiles. Halifax.ca.

### Existing Land Use Regulations

The Upper Hammonds Plains Land Use Designation was applied to the portion of the Upper Hammonds Plains community in 1987 (Map 1). The primary objectives of the Upper Hammonds Plains Designation are to:

1. encourage and actively promote locally based labour intensive activities which create jobs for local residents;
2. provide a wide range of housing types, sizes, prices and tenure arrangements; and
3. provide adequate community services and facilities to keep existing residents and attract those who have left the community.

To carry out these objectives, the General Use (GU-1) Zone was applied to the Upper Hammonds Plains Land Use Designation (Map 2). The GU-1 Zone permits all land uses except those specifically prohibited (Attachment C – General Use Zone). Prohibited uses include:

- Industrial Uses over 929 m<sup>2</sup> (10,000 sq. ft.);
- Commercial Entertainment Uses;
- Mobile Home Parks;
- Sanitary Landfill Sites and Dumps; and
- Hazardous Waste Disposal Sites and all C&D uses.

The Upper Hammonds Plains Designation enables consideration of industrial uses over 929 m<sup>2</sup> (10,000 sq. ft.), and commercial entertainment uses by rezoning. Mobile home parks may be considered by a development agreement. Only sanitary landfill sites and dumps, hazardous waste disposal sites, and all C&D uses are entirely prohibited. The GU-1 Zone is currently applied to all properties within the Designation, except for a small area of Halifax Water-owned lands which is zoned Protected Water Supply (PWS).

Where a more restrictive form of land use control is desired to reflect the development of strictly residential areas, the Upper Hammonds Plains Designation enables Council to consider rezoning properties to the Single Unit Dwelling (R-1) Zone or the Rural Residential (R-6) Zone. Currently, there are no properties in the designation which have been rezoned to a residential zone.

### Changing Development Pattern

When the MPS and LUB were initially adopted, the Upper Hammonds Plains Community was a semi-rural community with a mix of land uses, including low-density residential development, resource and agricultural activities, and some small industrial operations. There were significant areas of undeveloped land in the community, and there had been no suburban-type residential development. Any new construction in the community was largely undertaken by area residents who were constructing housing or businesses for their own purposes.

Today, the community is still characterized by a semi-rural development pattern with large parcels of land supporting residential development. Some of those parcels are also used for auto repair, salvage, or storage of business equipment. Most of the businesses are on large lots with the business activities hidden from the view of other properties by forest. Recently, an auto repair business with the storage of a large number of cars used for salvage was developed on one of the smaller lots in the community. This business contained a large number of cars parked in the side yards that were visible from Pockwock Road. According to public submissions, business activity on this property was having an adverse impact on neighbouring properties which has given rise to the community request to undertake this zoning review. The former salvage operation has now ceased as a result of land use compliance efforts; the business is now focused on auto repair.

The area has also been under significant development pressure in recent years which has brought about rapid change in the form and appearance of this community. From 2005 to October of 2022, a total of 114 construction permits were issued for residential and some commercial/industrial developments. Fifty-one

of those permits have been issued since 2018 with 84% of them issued for residential developments. Since 2018, smaller-scale multiple unit dwellings, including townhouses, have been developing in Upper Hammonds Plains. This form of development is expected to continue with buildings containing a larger number of units that can alter the form and impact this historic African Nova Scotian community.

These changing development patterns along with the development of some car sales and repair businesses have created concern within the community prompting North West Community Council to pass a motion requesting a review of the land use regulations. On August 17, 2021, Regional Council initiated this review.

### What We Heard Survey Report

An online survey was undertaken from January 14, 2022 to February 27, 2022, to obtain feedback on preferences for future land use development in the community, current issues, and visions for the future. A newsletter was sent to 397 residents and landowners encouraging individuals to take the survey online. Hard copy surveys were also taken to the Upper Hammonds Plains Community Centre to allow members of the community to complete the survey and return it to staff with the self-addressed envelope provided. A total of 201 surveys were completed, giving the Municipality a clear understanding of the community preferences for future land use development.

The survey contained questions to determine what types of land uses should not be permitted in the community, what type of housing, what size of industrial, commercial, agricultural, and forestry uses should be permitted in the community, what level of community and Council input was appropriate for these various types of uses, and if there was a desire to allow home business uses to operate from a house or within an accessory building. Respondents were also asked to share their thoughts about current issues and opportunities facing the community.

As outlined in the Attachment D - What We Heard Survey Results, respondents indicated the following in response to questions relating to land use preferences:

- desire to disallow future development of salvage yards, mobile home parks, heavy industrial uses, strip malls, car sales, gas stations, and apartments. (Question 1)
- the community should be consulted before 3-unit houses (61%), townhouses (48%), apartments (87%), rooming houses (84%), or mobile home parks (84%) are permitted to develop in Upper Hammonds Plains. (Question 3)
- 40% indicated that home businesses should be permitted in a house or accessory building with no outdoor storage. (Question 4)
- 68% said that auto repair shops, trucking, landscaping, and construction storage should be permitted on a residential property in Upper Hammonds Plains. (Question 5)
- 68% indicated that agricultural uses should be permitted anywhere in Upper Hammonds Plains. (Question 6)
- 73% said that the number of animals should be limited. (Question 7)
- 58% responded that small-scale forestry operations should be permitted on a residential property in Upper Hammonds Plains. (Question 8)
- 74% indicated that a larger-scale industry should not be considered for future development in Upper Hammonds Plains. (Question 9)

When asked if any areas should be zoned R-1 (Single Unit Dwelling), the frequently reported area included the portion of White Hills Run that is currently zoned GU-1. Less frequently reported responses also included all lands along the Pockwock Road. (Question 10)

Respondents articulated a vision for this community as a quiet residential community of African descent that they would like to maintain. Many noted the significance of this community and sought to have the history of Upper Hammonds Plains documented to educate children and new residents about the importance of this Black Heritage Community that was first established in 1815.

From the comments provided, it appears that the community is distressed about the pace and form of development, and some do not see apartment buildings or large industrial developments as an appropriate form of development that fits within the community. Others see the GU-1 zoning as a way to facilitate growth and development. Many noted the need for the development of affordable housing to meet the needs of the community.

Numerous issues both related and unrelated to land use planning were reported including traffic congestion, speeding, the one-way entrance into the community, lack of sidewalks and destruction of the shoulders of the road by ATVs, overcrowding of schools and medical clinics, inadequate fire protection, lack of parking at the Pockwock Falls entrance, and noise and parking issues posed by industrial-type home businesses. Many seem to accept and respect the need for home-based business activities but appeared to want limitations so that they will not adversely affect neighbouring properties. Some also noted that the community assets are being impacted by dog waste and litter and were requesting community action to show greater care for the valued areas of Upper Hammonds Plains.

#### Other Issues

During the review of the land use regulations for Upper Hammonds Plains, a number of general concerns were raised for consideration by Council. A summary of those concerns along with direct quotes from community members is outlined in Attachment E.

#### Culture and Heritage

Within the survey and during public meetings within Upper Hammonds Plains, concern was expressed about the loss of its cultural heritage resulting from development activity. Concerns were expressed that with all of the development occurring, few of the people of African Nova Scotian descent are benefiting from those developments and that newcomers to the community know little about the cultural heritage of Upper Hammonds Plains. Pressure from developers seeking to purchase land from community landowners was also expressed as a concern by some individuals during the consultation. Concerns were also expressed about the impact of litter, and dog waste on the community cemetery and community centre, leaving the community with a feeling that this is a sign of disrespect. At the public meetings, the community expressed concern that they have no control over their future and want to have a say in proposed future development in the community. At the root of these concerns is worry about the impact development may have on the social cohesion and cultural heritage of Upper Hammonds Plains. The descendants of this African Nova Scotian community expressed fear that their cultural heritage and social connections will be eroded if the increased development activity continues unchecked.

#### Transportation and Infrastructure

There were a number of concerns expressed about the present state of infrastructure and transportation in Upper Hammonds Plains. Concerns were expressed about the traffic constraints along Hammonds Plains Road and about traffic congestion at the intersection of Pockwock Road and Hammonds Plains Road. Further comments were also submitted about the limited access to Upper Hammonds Plains with only one road for access into and out of the community via Pockwock Road. Several respondents noted that future road connections should be made available to the future developments taking place in other nearby communities such as Indigo Shores in Middle Sackville, and Westwood Hills in Tantallon for proper traffic circulation and for safe access in the event of an emergency. Speeding was also cited as a concern and the need for traffic calming measures to protect the safety of residents was raised.

Issues were also identified about the need for a proper trailhead, parking, and signage to Pockwock Falls. It was noted that Pockwock Falls has become a popular destination for hikers throughout HRM but there is no parking lot to accommodate the hikers and cars that block the road on occasion. It was also noted that the shoulders of Pockwock Road are beginning to deteriorate due to ATV use and there is a need to repair and enforce ATV restrictions along the road shoulders. There were also concerns raised about the need for sidewalks and adequate fire protection within the community. Overcrowding of schools and access to

medical facilities were also areas of concern.

Some key improvements requested include:

1. the provision of road connections to other neighbourhoods through Waterstone and Indigo Shores to Highway 101 and through Westwood Hills to Highway 103;
2. the provision of sidewalks;
3. a trailhead with parking and signage at the entrance to Pockwock Falls;
4. increase in central water pressure;
5. increase in the number and functionality of the fire hydrants to address concerns relative to the adequacy of fire protection;
6. creation of a centre or program to share the cultural history of Upper Hammonds Plains both within and outside the community; and
7. enforcement of the land use by-law, and of the Motor Vehicle Act concerning the use of the shoulders of the road by ATVs.

#### Public Meeting #1– July 19, 2022

A meeting was held on July 19, 2022, to formally share the results of a survey undertaken in 2022 to obtain community feedback on preferences for a zoning change. Approximately 47 people were in attendance. At the meeting, concerns were expressed about the impacts that rapid growth and development can have on the cultural heritage of this historic African Nova Scotian community. Comments were offered about the rights of current landowners to move forward with planned multiple unit developments and what rights landowners would have to proceed with projects after the zoning has changed. Staff advised that in order for proposed developments to proceed, approved building permit permits would need to be in place before the first notice of the proposed zoning changes was advertised. There was a sense of urgency expressed to move forward with needed zoning changes to ensure that future development respects the culture and heritage of the Upper Hammonds Plains Community. (Attachment F)

#### Public Meeting #2– September 21, 2022

A follow-up meeting was held on September 21, 2022, to present the proposed changes to the GU-1 Zone and the Upper Hammonds Plains Land Use Designation for feedback. Approximately 50 people were in attendance. Comments were provided about the proposal to allow townhouse units as-of-right within the areas serviced by central water. Concerns were raised about the height of multiple unit dwelling development and there was a wish to see the height lowered to a single or two-storey maximum. Questions were also raised about the rights of existing development proposals. Staff again advised that if there is an approved permit in place before the first notice of Council's intention to consider the proposed zoning changes, the proposed development would be able to proceed. Some individuals wanted to explore the possibility of applying more restrictive zoning with the application of either a mixed use zone or a restrictive residential zone. Some expressed concern over the application of more restrictive zoning noting that some flexibility is required to allow the community to grow economically. The community elected to move forward with the proposed zoning changes and expressed a desire to continue working within the ongoing review of the Regional Plan on potential future tools to protect the cultural history of Upper Hammonds Plains. Staff advised the proposed zoning and policy changes would be posted online to give the community an opportunity to review the changes. (Attachment G)

#### Online Proposal – September 29 – October 11, 2022

The proposed policy and zoning changes were posted online on Shape Your City for a period of 12 days. During this time, there were 276 views of the webpage. Seventeen individuals provided comments about the proposed changes to the GU-1 Zone and the Upper Hammonds Plains Community Designation (Attachment H).

The responses to the proposed changes were mixed. Some of the respondents identified that the proposed changes were reasonable and expressed appreciation as they stated they were needed to protect the community. Others were concerned that the proposed changes would affect applications for the development of land for which substantial investments have been made. Respondents with interests about the loss of as-of-right development rights were concerned that not all landowners had participated in the discussions that took place at the Public Information Meetings. One noted that the majority of the landowners in the Upper Hammonds Plains Community to date are not of African Nova Scotian Descent and wanted the Municipality to hold a plebiscite on the proposed changes.

There was some feedback suggesting modifications to the proposed land use policies and regulations. These suggestions and staff recommendation regarding these modifications is provided below.

<b>Suggested Change</b>	<b>Recommended Response</b>
The 100 foot setback of industrial use from a residential unit on an adjacent lot is insufficient to prevent noise impacts.	A setback of 300 feet is proposed for sawmills from a residential use on an adjacent lot or from a residential zone. This type of industry will typically operate within a forested area close to the resource and a setback of 300 feet can be required without prohibiting development on the smaller lots near the Pockwock Road. A setback of 300 feet for other types of industrial uses however, can prohibit this form of development on lots fronting on Pockwock Road. The original proposal for a 100 foot setback from an abutting residential dwelling is maintained.
Request to eliminate the proposed 3-storey height limitation for multiple unit dwellings to be considered by a development agreement.	Building height and form were a major concern for the community throughout the planning process so no changes were made to increase the proposed height limitation.
Allow 10-unit multiple-unit buildings as-of-right under the GU-1 Zone if it is set back from the Pockwock Road.	No change to the proposal to consider multiple unit dwellings by development agreement is recommended. The form and size of 6 to 8-unit buildings currently under development within the community was a concern during the process. The proposed development agreement approach will enable input from the community and will allow staff to assess the compatibility of proposed development within the surrounding land use context. It also gives the Municipality the ability to assess the impact of these developments on the road system and environment and enables controls for on-site design and maintenance.

**DISCUSSION**

The proposed amendments contained in Attachments A and B have been prepared in response to the feedback received from the Upper Hammonds Plains residents and landowners. These proposed changes are brought forward as a measure to help protect the community from potential land use conflicts and to allow the community to have input into future development applications for larger-scale industrial and commercial developments and multiple unit developments. Longer-term planning is recommended to consider the issues and opportunities brought forward during the consultation for this review.

Land Use Policy and Zoning

From this review, it appears that the community values for job creation, the provision of affordable housing, and the provision of services and infrastructure to meet the needs of the community are still valid. The strategy to allow for a mix of land use activities capable of allowing for the creation of labor-intensive jobs for residents through the application of the GU-1 (General Use) Zone is proposed to be maintained as the base zone for the Upper Hammonds Plains Designation. Enhanced performance standards for setbacks between residential and non-residential uses are provided and the permitted size of industrial, forestry, agriculture and commercial land uses is proposed to be reduced. Additional land uses are also proposed to be prohibited from development as-of-right under the GU-1 Zone as outlined below.

Policies have been introduced under the Upper Hammonds Plains Designation to allow future consideration of multiple unit dwellings, including townhouses, and larger-scale forestry, industrial and commercial uses through the development agreement process. The policy enabling consideration of mobile home parks through a development agreement is proposed to be removed. The community continues to support the development of mobile homes on individual lots under the GU-1 Zone but does not desire the future consideration of a mobile home park within the community. The Upper Hammonds Plains Designation is also proposed to be renamed as the Upper Hammonds Plains Community Designation.

Amendments to the GU-1 Zone

The following is a summary of proposed amendments to the GU-1 (General Use) Zone contained in the proposed by-law to amend the Land Use By-law (Attachment B):

1. Additional prohibited uses to the list of uses not permitted under the GU-1 Zone include:

- salvage yards (except existing salvage yards)
- multiple unit dwellings (including townhouses)
- outdoor display courts (e.g. car sales lots)
- industrial uses exceeding 464 m<sup>2</sup> (5,000 sf)
- forestry uses exceeding 464 m<sup>2</sup> (5,000 sf)
- commercial uses exceeding 186 m<sup>2</sup> (2,000 sf)
- mobile home parks
- service stations

2. New GU-1 Zone standards are proposed for the following uses as outlined below:

Land Use	Max Size	Outdoor Storage	Outdoor Display	Landscaping	Setback from Dwelling	Setback from Watercourse	Other
Home Business	92 m <sup>2</sup> (1,000 sf) House/garage combined	28 m <sup>2</sup> (300 sf) screened	18 m <sup>2</sup> (200 sf)	N/A	15 m (50 ft) auto repair	N/A	Must be a resident of the house
Commercial	185 m <sup>2</sup> (2,000 sf)	46 m <sup>2</sup> (500 sf) screened	18 m <sup>2</sup> (200 sf)	Along front to dept of 10 feet and side yard	N/A	N/A	No parking in the side yard abutting a residential use
Industrial	464 m <sup>2</sup> (5,000 sf)	Not in any side or front yard and screening by forest or fence	Not in any side or front yard	N/A	30 m (100 ft.)	90 m (300 ft.)	Minimum 80,000 ff lot
Forestry	464 m <sup>2</sup> (5,000 sf)	Not in any side or front yard	N/A	N/A	90 m (300 ft)	90 m (300 ft.)	Fence if abutting a residential use
Agriculture	50 domestic fowl or 10 other animals 92 m <sup>2</sup> (1,000 sf) barn	N/A	N/A	N/A	N/A	N/A	NA



Land Use	Max Size	Outdoor Storage	Outdoor Display	Landscaping	Setback from Dwelling	Setback from Watercourse	Other
	92 m <sup>2</sup> (1,000 sf) accessory structure						

Rezoning to an R-1 (Single Unit Dwelling) Zone

Amendments to the Use By-law Beaver Bank, Hammonds Plains, and Upper Sackville are proposed to rezone the portion of the White Hills Run subdivision within the Upper Hammonds Plains Land Use Designation from the GU-1 (General Use) Zone to the R-1 (Single Unit dwelling) Zone as outlined in Attachment B. This is an area of continuous residential development that has developed within the White Hills Run Subdivision that is used primarily as a residential area.

Amendments to the Upper Hammonds Plains Designation

The following table provides a summary of proposed amendments to the Upper Hammonds Plains Land Use Designation within the Municipal Planning Strategy of Beaver Bank, Hammonds Plains, and Upper Sackville (Attachment A). These include amendments to allow consideration of future multiple unit dwellings, larger scale industrial and commercial operations through a development agreement.

A development agreement is the recommended approach in Upper Hammonds Plains since it gives the developer the opportunity to address community input about the design of the proposed development to ensure that it is compatible with the surrounding land use context. It also gives the Municipality the authority to assess the impacts of the proposed development on the limited infrastructure and natural assets of the community and the flexibility to ensure that the development is sited to avoid land use conflicts. This is an important aspect of regulation in the Upper Hammonds Plains designation since it permits a mix of land use activities, on irregularly shaped lots, in an important wildlife corridor where flexibility in site design will be required. A development agreement also authorizes the establishment of controls on the maintenance of the development and controls on hours of operation.

Land Use	Policy Approach	Summary of proposed policy requirements
Multiple Unit Dwellings (including townhouses)	Development Agreement	<ul style="list-style-type: none"> <li>• compatibility</li> <li>• adequacy of water and on-site septic</li> <li>• forest retention and wildlife movement</li> <li>• pedestrian movement</li> <li>• traffic impact</li> <li>• landscaping</li> <li>• 3-storey height limitation</li> </ul>
Industrial and Forestry Uses greater than 464 m <sup>2</sup> (5,000 sf)	Development Agreement	<ul style="list-style-type: none"> <li>• compatibility-performance standards</li> <li>• not obnoxious</li> <li>• traffic impact</li> <li>• forest retention for wildlife movement and buffering</li> </ul>
Commercial Uses greater than 185 m <sup>2</sup> (2,000 sf)	Development Agreement	<ul style="list-style-type: none"> <li>• site is located at a commercial/community node</li> <li>• site design</li> <li>• compatibility</li> <li>• Forest retention for wildlife movement</li> <li>• traffic impact</li> </ul>

### Existing Development Rights

Section 253 of the *HRM Charter* sets out the requirements for non-conforming structures, non-conforming uses of land, or non-conforming uses in a structure. Requirements vary based on whether the use or structure is non-conforming. For 'projects that have not yet been fully established, development permits for non-conforming uses and construction permits for non-conforming structures must be in place on or before the first notice of Council's intention to adopt amendments to a land use by-law is advertised. Should Council choose to proceed with consideration of these proposed amendments, all approved permits will be given a period of 12 months from the date the permit was issued to commence construction after the notification of Council's intention to consider adopting these proposed changes appears on the HRM website. The construction of the development then must be completed within a reasonable period of time as determined by the Development Officer.

### Priority Plans

In accordance with Policy G-14A of the Regional Plan, this planning application was assessed against the objectives, policies and actions of the priorities plans, inclusive of the Integrated Mobility Plan, the Halifax Green Network Plan, HalifACT, and Halifax's Inclusive Economic Strategy 2022-2027. While these priority plans often contain policies which were originally intended to apply at a regional level and inform the development of Municipal Planning Strategy policies, there are still components of each plan which can and should be considered on a local basis. Where conflict between MPS policy and priority plan policy exists, staff must weigh the specificity, age, and intent of each policy, and consider how they would be applied to a specific geographic context. In this case, the following priority plan considerations were considered in the formation of this report:

- 1) **Halifax Green Network Plan** - Upper Hammonds Plains is within a core area of ecological importance for habitat and is identified as an Essential Corridor for wildlife movement. These values have been incorporated as matters of consideration under the proposed policies for considering multiple unit development, larger-scale industrial development, and larger-scale commercial development by development agreement.
- 2) **Integrated Mobility Plan** – There are no specific policy conflicts between the proposed policy and regulatory changes for Upper Hammonds Plains. Opportunities for the connection of Upper Hammonds Plains to surrounding communities should be considered as part of the Regional Plan Review and under Community Action Planning work outlined below.
- 3) **Halifax's Inclusive Economic Strategy 2022-2027** - There are no conflicts arising between the proposed policy and regulatory changes with the Economic Strategy. The GU-1 Zone allows for the continuation of business development in a traditional form undertaken by this African Nova Scotian community. In keeping with the Strategy's intent to work towards implementation of the five-year African Nova Scotian (ANS) Road to Economic Prosperity Action Plan, further work is recommended to develop a Community Action Plan as outlined below.
- 4) **HalifACT** is one of the most ambitious climate action plans in Canada with a goal to achieve net-zero emissions by 2050. Upper Hammonds Plains is a car-dependent community where growth and development is expected to continue and measures are put in place to retain forest cover which offers a multitude of environmental benefits. As the community continues to grow, it is anticipated that commercial services will follow to provide access to services within the community and offset travel demands.

### Anti-Black Racism Strategy and Action Plan

On June 8, 2021, Regional Council endorsed a framework for the preparation of an Anti-Black Racism Strategy and Action Plan through the ANSAIO. Anti-Black racism is a specific form of racism that reinforces attitudes, beliefs, prejudices, stereotypes, and other forms of discrimination directed towards Black people which are rooted in the legacy of enslavement and colonization. The preparation of this strategy demonstrates Regional Council's priority and commitment to addressing Anti-Black Racism (ABR), in recognition and acknowledgment of the systemic implications of ABR on HRM communities, as well as

within the organization.

The recommendations within this report are intended to help this historic African Nova Scotian Community to have input into the future growth and development of Upper Hammonds Plains. It is also intended to ensure the Upper Hammonds Plains Community retains a voice in the face of development pressures given the changing ownership of land holdings within the community and the impact that rapid development is having on the social cohesion of this community. These measures will give the Municipality time to work with the community to develop a community action plan for the benefit of Upper Hammonds Plains, acknowledging that several development permits already approved will remain valid notwithstanding a potential change to the LUB regulations and policy framework.

### Community Action Plan

The proposed amendments to the Municipal Planning Strategy and Land Use By-law only address community concerns relative to land use development. This process was designed to focus on zoning and land use policy changes to address immediate issues concerning future development. The process, however, did not address the community concerns relative to culture, heritage, transportation and infrastructure, and these proposed zoning changes should only be seen as an interim measure. Further work is needed to preserve the cultural heritage of Upper Hammonds Plains and its social capital, and to examine how the current issues surrounding transportation and infrastructure may be addressed.

The Upper Hammonds Plains community is interested in working with HRM to develop a Community Action Plan to address these issues and opportunities for the future development of programs and services to preserve the cultural heritage of this historic African Nova Scotian community. Community Action Planning has been identified through the African Nova Scotian Road to Economic Prosperity implementation process as a tool to help support changes to land use and infrastructure aligned with community goals. This tool has also been supported by Regional Council, as identified in Policy EC-24 which was approved part of the Regional Plan Review Phase 3 – Quick Adjustments. As part of this larger program, staff intend to bring forward a request for additional staff resources to support this work during the budget and business planning process later this year.

### Conclusion

The proposed amendments presented as Attachments A and B bring forward recommended changes to the Municipal Planning Strategy and Land Use By-law for Beaver Bank, Hammonds Plains and Upper Sackville to address concerns about the potential for land use conflicts and the desire for the Upper Hammonds Plains to have input into the form and scale of multiple unit developments proposed for this area. It also provides for the potential formation of community commercial nodes in select locations as this community grows and provides for the detailed review of larger-scale industrial and forestry operations to avoid land use conflicts. It is thus, recommended that Regional Council give First Reading to adopt the proposed amendments outlined in Attachments A and B; and schedule a public hearing.

The consultation that took place during this planning process built a relationship with the Upper Hammonds Plains community and there is an opportunity to continue this dialogue to address the issues and opportunities to build a strong and resilient African Nova Scotian community for the future. It will be important for HRM to undertake a Community Action Plan to address the ideas and opportunities to support this community for future consideration by Regional Council as resources permit.

### **FINANCIAL IMPLICATIONS**

There are no budget implications with the review of the land use designations in the recommendation. The process to develop the proposed amendments and their administration can be carried out within the approved 2022-2023 operating budget for Planning and Development.

Continuing work on the Upper Hammonds Plains Community Action Plan and supporting engagement in the near term would require additional resources, specifically 2 Planner III positions to carry out the work. Additional budget of approximately \$202K would be needed in order to hire those positions and will have direct tax rate implications. These positions to support the work will be brought forward for Council's consideration as part of the 23/24 Planning & Development operating budget. The estimated impact to the average residential tax bill would be approximately \$0.54 on the 23/24 tax bill.

The 4- year estimated financial implications are summarized as follows:

<b>Fiscal Year</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>
<b>Operating – Cost Centre C320</b>	\$202K	\$205K	\$208K	\$211K

### **RISK CONSIDERATION**

There are no significant risks associated with the land use recommendations contained within this report. Should Regional Council determine through the budget and business planning process to dedicate additional staff resources to the Upper Hammonds Plains Community Action Plan, the Community Action Plan will be brought back to Regional Council for consideration at a later date.

This application involves proposed Municipal Planning Strategy Amendments, which are at the discretion of Regional Council. These amendments are not appealable to the Nova Scotia Utility and Review Board.

### **COMMUNITY ENGAGEMENT**

Community engagement has been consistent with the intent of the HRM Community Engagement Strategy, the *Halifax Regional Municipality Charter*, and the Public Participation Program approved by Council on February 25, 1997. Detailed information concerning community engagement is provided in the Background section of this report.

Staff met with the Upper Hammonds Plains Community Development Association to receive guidance on how to build a relationship with the Upper Hammonds Plains Community and the best approaches to community engagement. The following steps were taken during this process:

- fall 2021 - meeting held with Upper Hammonds Plains Community Development Association to help form a process for community consultation.
- December 2021 - Upper Hammonds Plains Community Development Association sent an introductory communication to residents of Upper Hammonds Plains informing them that Halifax Regional Council had initiated a process to review the zoning and land development policies for Upper Hammonds Plains and that a newsletter would be sent to all residents and landowners in January 2022 to launch an online survey to determine preferences for future zoning and policy changes for land development.
- January 2022 - 397 household newsletters were sent to all residents and landowners advising them about the process and announcing that an online survey was being undertaken to determine preferences for zoning and policy changes for future land use development in Upper Hammonds Plains.
- Online Survey was undertaken from January 14, 2022 to February 27, 2022. 30 additional hard copy surveys were taken to the Upper Hammonds Plains Community Development Association to assist community members who were not comfortable completing an online survey; 201 responses to the survey were received.
- March 2022 - The What We Heard Survey results were posted online to inform the community of the preferences for zoning changes. (Attachment D)

- July 19, 2022 - an open house and public meeting were held at the Upper Hammonds Plains Community Centre to share the results of the survey and to receive community feedback on the need and preferences for a zoning change and other issues facing the community (Attachment F).
- September 21, 2022 - a public meeting was held at the Upper Hammonds Plains Community Centre to present options for proposed changes to the GU-1 (General Use) Zone and the Upper Hammonds Plains Land Use Designation for feedback. (Attachment G).
- September 29, 2022 - the proposed zoning and land use policy changes were posted online to receive feedback till the end of day on October 12, 2022. (Attachment H)

A formal public hearing will also be required before Halifax Regional Council before these amendments may be adopted.

The proposed amendments will potentially impact the following stakeholders: residents, property owners, Upper Hammonds Plains Community Development Association or neighbourhood organizations, HRM Recreation Real Property Management, and HRM Transportation and Public Works.

### **ENVIRONMENTAL IMPLICATIONS**

The proposed amendments require that future industrial developments are setback from watercourses to minimize impact on the natural environment. Applications for the discretionary approval of multiple-unit housing and industrial development will be reviewed with consideration of the requirements of wildlife movement and habitat in this essential environmental corridor under the Halifax Regional Municipality Green Network Priority Plan.

### **ALTERNATIVES**

Regional Council may choose to:

1. Modify the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Beaver Bank, Hammonds Plains, and Upper Sackville, as set out in Attachments A and B of this report. If this alternative is chosen, specific directions regarding the modifications is required. Substantive amendments may require a supplementary report and 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 Municipal Planning Strategy and Land Use By-law for Beaver Bank, Hammonds Plains, and Upper Sackville. 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            Generalized Future Land Use Map

Map 2            Zoning and Location

Attachment A   Proposed Amendments to the Beaver Bank, Hammonds Plains, and Upper Sackville Secondary Municipal Planning Strategy

Attachment B   Proposed Amendments to the Beaver Bank, Hammonds Plains, and Upper Sackville Land Use By-law

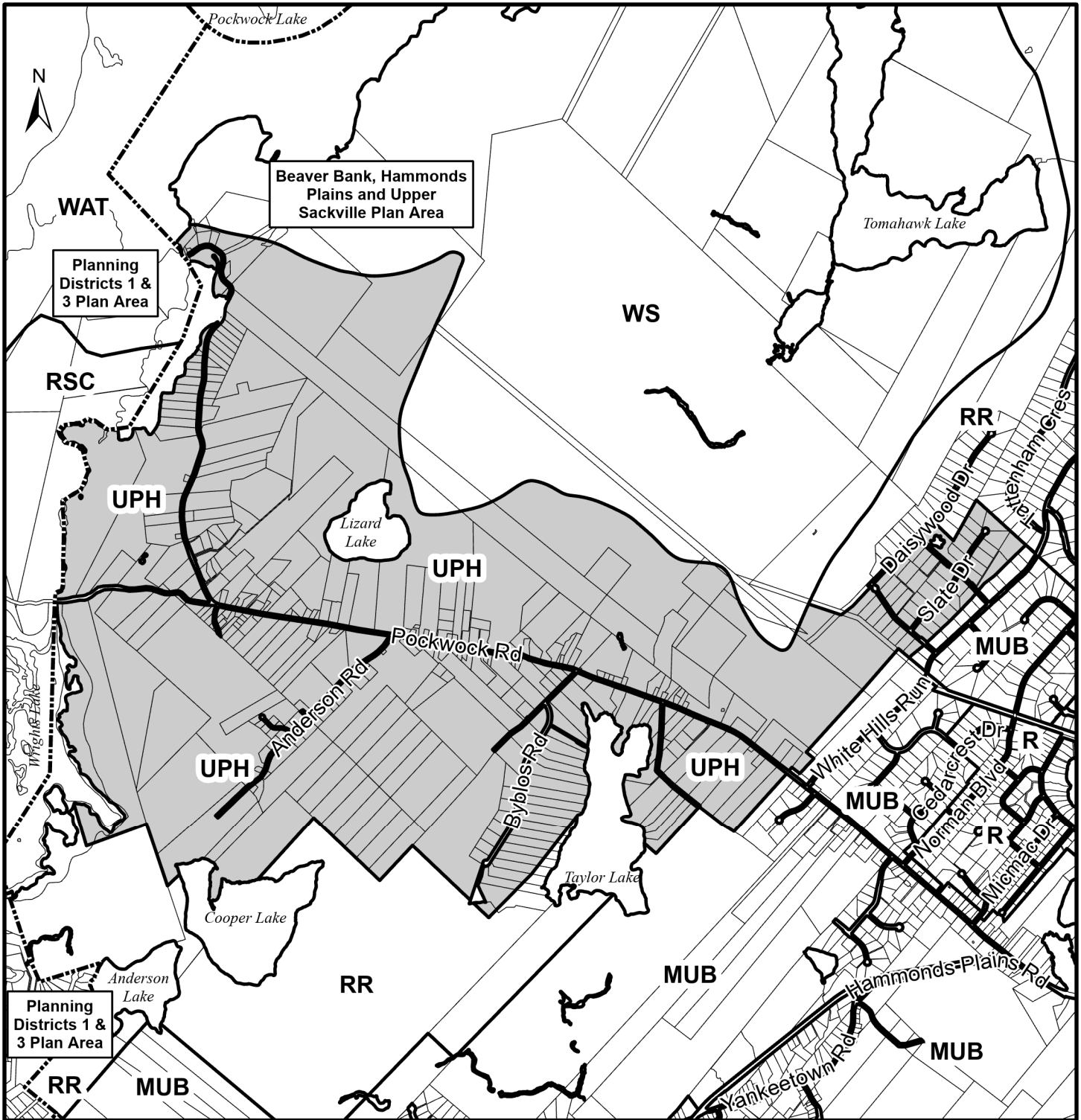
Attachment C   Existing GU-1 (General Use) Zone

Attachment D   What We Heard Survey Results

- Attachment E Summary of Concerns (Culture, Heritage, Transportation, and Infrastructure)
  - Attachment F Public Information Meeting Summary – July 19, 2022
  - Attachment G Public Information Meeting Summary – Sept. 21, 2022
  - Attachment H Response to Proposed Changes to the Upper Hammonds Plains Community Designation and GU-1 Zone
- 

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: Maureen Ryan, Planner III, Planning and Development, 782-640-0592



**Map 1 - Generalized Future Land Use**

Upper Hammonds Plains

Area for Review

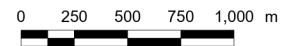
**Designation - HPSBB**

- MUB Mixed Use B
- R Residential
- RR Rural Resource
- UPH Upper Hammonds Plains
- WS Watershed

**Designation - Planning Districts 1 & 3**

- MUA Mixed Use A
- RSC Resource
- WAT Watershed

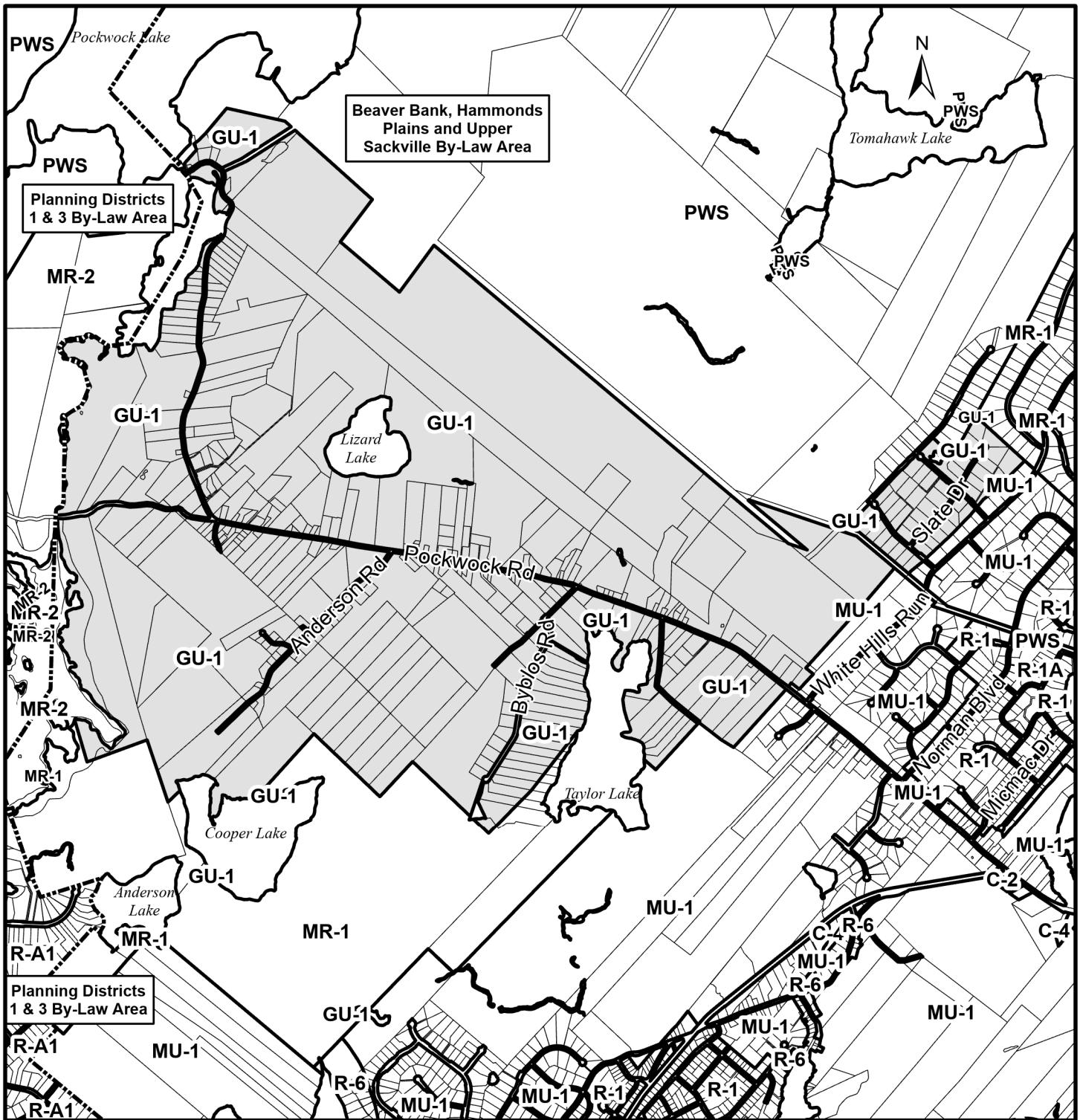
**HALIFAX**



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.

Beaver Bank, Hammonds Plains and Upper Sackville Plan Area



Beaver Bank, Hammonds Plains and Upper Sackville By-Law Area

Planning Districts 1 & 3 By-Law Area

Planning Districts 1 & 3 By-Law Area

**Map 2 - Zoning and Location**  
Upper Hammonds Plains

Area for Review

- Zone - HPSBB**
- C-2 General Business
  - C-4 Highway Commercial
  - GU-1 General Use
  - MR-1 Mixed Resource
  - MU-1 Mixed Use 1
  - PWS Protected Water Supply
  - R-1 Single Unit Dwelling
  - R-6 Rural Residential

- Zone - Planning Districts 1 & 3**
- MR-2 Mixed Resource 2
  - PWS Public Water Supply
  - R-A1 General Residential

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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.

Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-Law Area



# Attachment A

## Proposed Amendments to the Beaver Bank, Hammonds Plains, and Upper Sackville Secondary Municipal Planning Strategy

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Secondary Municipal Planning Strategy for Beaver Bank, Hammonds Plains, and Upper Sackville is hereby amended as follows:

1. Amending the Table of Contents as shown below in **bold**, by inserting the word “COMMUNITY” between the words “Plains Designation”:

UPPER HAMMONDS PLAINS **COMMUNITY** DESIGNATION

2. Amending Section II Land Use Intent as shown below in **bold** by inserting the word “**Community**” after the words “Upper Hammonds Plains” in the list of eleven designations listed in the second paragraph under Section II Land Use Intent:

Residential  
Upper Hammonds Plains **Community**  
Hammonds Plains Commercial Designation

3. Amending Section II Land Use Intent as shown below in **bold** by inserting the word “Community” between the words “Plains Designation” in the fifth paragraph under Section II Land Use Intent:

The Upper Hammonds Plains **Community** Designation covers the community of Upper Hammonds Plains and recognizes that the primary intent of the community is not the development of detailed land use regulation. It supports a wide variety of activities while establishing a number of requirements aimed at reducing the major sources of land use incompatibility.

4. Amending Section II UPPER HAMMONDS PLAINS DESIGNATION as shown below in **bold** by inserting the word “COMMUNITY” in the heading to the Upper Hammonds Plains Designation:

UPPER HAMMONDS PLAINS **COMMUNITY** DESIGNATION

5. Amending Policy P-39A, as shown in **bold** below by adding the words “and the Upper Hammonds Plains Community Designation” between the words “Residential Designation” and “, it shall”:

P-39A Council supports the development of complete communities with housing resources that are appropriate and adequate for current and future residents. Developing shared housing with special care projects will support diversity and inclusion, aging in place or community and housing choice. Within the Residential Designation **and the Upper Hammonds Plains Community Designation**, it shall be the intention of Council to consider, by development agreement, permitting shared housing with special care at larger scale than would be permitted in the underlying zone. In considering a development agreement, Council shall have regard for the following:

6. Amending Section II UPPER HAMMONDS PLAINS DESIGNATION as shown in ~~strikeout~~ below:

~~The community of Upper Hammonds Plains is located within the Hammonds Plains area and includes lands along the Upper Hammonds Plains Road, located within the Upper Hammonds Plains Fire District, between Maplewood and the Pockwock Lake watershed lands. The Upper Hammonds Plains~~

~~Designation includes the entire community of Upper Hammonds Plains. (See Section 1, Plan Area Profile, for a brief account of the history of the area.)~~

~~As with the Mixed Use Designations, this designation has a semi-rural environment characterized by low density residential development on relatively large lots, some traditional agriculture and forestry activities, a small number of service industrial operations, and a scrap yard. The church and community centre provide an important focus for community life. There is also a significant amount of undeveloped land. Unlike the Mixed Use Designations, however, there is no commercial development and there has been no extensive suburban-type residential subdivision activity within the community.~~

~~Historically, the community relied on activities related to the agricultural and the forestry resources, including farms, sawmills and barrel factories. Although at a much reduced scale, some local employment and income is still derived from the community's woodland and agricultural operations.~~

~~In the past, Upper Hammonds Plains has been somewhat isolated. This isolation is lessening as subdivision activity and outside development interests move closer to the community. There is a strongly expressed interest in protecting and improving the existing character of the community and a desire to provide improved housing, community services, and local employment opportunities for present and future generations.~~

7. Amending Section II UPPER HAMMONDS PLAINS DESIGNATION by adding the following paragraphs in **bold** text below after the heading UPPER HAMMONDS PLAINS DESIGNATION in Section II as shown in bold below:

**The community of Upper Hammonds Plains is located within the Hammonds Plains area and includes lands along the Pockwock Road, between Maplewood and the Pockwock Lake watershed lands. The Upper Hammonds Plains Community Designation includes the entire community of Upper Hammonds Plains. (See Section 1, Plan Area Profile, for a brief account of the history of the area.)**

**Historically, the community relied on activities related to the agricultural and the forestry resources, including farms, sawmills and barrel factories. Although at a much-reduced scale, some local employment and income is still derived from the community's woodland and agricultural operations**

**As with the Mixed Use Designations, this designation has a semi-rural environment characterized by low density residential development on relatively large lots, some traditional agriculture and forestry activities, a small number of service industrial operations, and a few scrap yards. The church and community centre provide an important focus for community life. There is also a significant amount of undeveloped land. However, unlike the Mixed Use Designation area, there is no commercial development in the Upper Hammonds Plains area to date. There are industrial operations but no commercial developments such as convenience stores.**

**Large scale subdivision development has been limited in this area since the Hammonds Plains and Upper Hammonds Plains community was placed under growth control in 1999. However, in recent years, an emphasis on residential development has occurred in the form of multiple unit dwellings including townhouses and apartment buildings.**

**In the past, Upper Hammonds Plains has been somewhat isolated. Today the make-up of the community is changing with the recent influx of new multiple unit developments in the form of townhouses and apartments. There have also been a number of new single unit dwellings. These new developments are bringing new members to the community and there is a desire to share and respect the cultural history of this African Nova Scotian Community with new coming residents.**

**Given the local heritage of this community, there is a strong desire to preserve the character and traditions of this historic African Nova Scotian Community of Upper Hammonds Plains. The protection and improvement of the existing community character and a desire to provide local services, housing, and local employment opportunities for future generations is also an important priority.**

8. Amending Section II UPPER HAMMONDS PLAINS DESIGNATION by deleting the following paragraphs after the heading Land Use Policies as shown in ~~strikeout~~ below:

~~The community's priority and the focus of the designation are not the development of detailed land use regulation. The primary objectives are: to encourage and actively promote locally based labour intensive activities which create jobs for local residents; to provide a wide range of housing types, sizes, prices and tenure arrangements; and to provide adequate community services and facilities to keep existing residents and attract those who have left the community.~~

~~In keeping with these objectives, the designation permits a variety of uses which have traditionally occurred in the community as well as most uses which will provide job opportunities, housing or community services for its residents. All uses will be permitted in the designation except sanitary landfill sites and dumps Construction and Demolition Materials Operations (RC-Sep 10/02;E-Nov 9/02) which are not considered to be appropriate or suitable in any location in the community.~~

~~Certain uses will be considered through an amendment to the land use by law or by development agreements in order to establish an increased level of control. These procedures will help to ensure that such uses make a positive contribution to the area rather than negatively affect its overall character.~~

~~Mobile Home Parks—There are no existing mobile home parks in the designation. However, mobile home parks have the potential to form an important component of the housing stock in the area provided that there is an adequate living environment for park residents and that the mobile home park makes a positive contribution to community development. Aspects of mobile home park development which requires close attention involve the overall park design, sewer and water services, transportation concerns, and open space provisions as well as the provision of buffering to reduce the impact on the surrounding community. In keeping with the approach taken in the Mixed Use Designations (P 18 and P 19), such development will be permitted only by development agreement.~~

~~Commercial Entertainment Uses—Commercial entertainment uses such as taverns, night clubs and pool halls have the potential to significantly affect the existing character of the community and to have a detrimental impact on adjacent residential uses, if not suitably located. Therefore, such entertainment uses shall only be permitted by amendment to the land use by law.~~

~~Larger Industrial Uses—Concern with larger industrial operations in excess of 10,000 square feet creates the necessity to establish a greater degree of control over such land uses. Therefore, they will only be considered through an amendment to the land use by law. The amendment procedure will provide the opportunity to assess the impact of the proposed use on adjacent development, the environment and the transportation network.~~

~~Controls over the development details of certain other uses will be established through the use of performance standards in the land use by law. These performance standards are intended to minimize potential conflict with adjacent land uses. They apply to livestock operations, auto salvage yards and industrial uses and include the use of setbacks from highways and watercourses, requirements for fencing or buffering of outdoor storage, and provisions for increased separation distances from adjacent dwellings and community facilities.~~

~~Livestock Operations—There are a number of expressed community concerns with respect to livestock operations. These relate primarily to health hazards and problems of smell, thus adversely affecting the~~

~~enjoyment of neighbouring properties. Therefore, separation distances will be established for all new livestock operations as well as for the expansion of existing operations.~~

~~Salvage Yards—Salvage yards are recognized as legitimate operations providing employment and a necessary service. However, there are several concerns related to appearance, noise, traffic generation and environmental hazards associated with runoff. Performance standards will include the establishment of setbacks from highways and watercourses, separation distances from adjacent dwellings and the requirement for fencing of outdoor storage.~~

~~Industrial Uses Under 10,000 Square Feet—Smaller scale, locally based industrial uses are more likely to result in maximize benefits in local employment and complement the existing character of the community. Small and medium sized industrial operations under 10,000 square feet which are not obnoxious and relate primarily to warehousing, storage, light manufacturing, service uses and the forest resource will be permitted in the designation. Performance standards regulating outdoor storage will help to minimize any negative effects from such industrial operations.~~

9. Amending Section II UPPER HAMMONDS PLAINS DESIGNATION by adding the following paragraphs in **bold** text below after the heading Land Use Policies under the Section II UPPER HAMMONDS PLAINS DESIGNATION:

**The community's priority and the focus of the designation are not the development of detailed land use regulations. The primary objectives of the designation are:**

- 1. to encourage locally based labour-intensive activities which create jobs for local residents;**
- 2. to permit a wide range of housing types, sizes, prices, and tenure arrangements;**
- 3. to improve the quality of life for existing residents; and**
- 4. provide opportunities for those wishing to return to the community by enabling the provision of infrastructure, community services, and facilities uses.**

**In keeping with these objectives, the Upper Hammonds Plains Community designation permits a variety of uses that have traditionally occurred in the community as well as most uses that will provide job opportunities, housing or community services for its residents. All uses will be permitted in the base zone for this designation with the exception of mobile home parks, commercial entertainment uses, industrial uses and forestry operations in excess of 5000 square feet, commercial uses in excess of 2000 square feet, service stations, salvage yards (except existing salvage yards)intensive agricultural operations, sanitary landfill sites and dumps, hazardous waste disposal sites, composting operations and C&D Materials Operations, all of which are not considered to be appropriate or suitable in any location in the community.**

**Certain uses will be considered through an amendment to the land use by-law or by development agreements in order to establish an increased level of control and to allow the community to have input into certain forms of the proposed development. These procedures will help to ensure that such uses make a positive contribution to the area rather than negatively affecting its overall character.**

**Mobile Home Parks - There are no existing mobile home parks in the designation and there is no desire to allow future Mobile Home Parks in the community designation. Mobile homes have the potential to provide an affordable form of housing. Rather than allowing mobile homes to become concentrated in one area of the community, it is the preference of the community to allow mobile homes on individual lots in the existing lot layout of the community as other housing types. Therefore, Mobile Home Parks shall be prohibited from developing in the Upper Hammonds Plains community.**

**Commercial Entertainment Uses** - Commercial entertainment uses such as taverns, night clubs and pool halls have the potential to significantly affect the existing character of the community and to have a detrimental impact on adjacent residential uses, if not suitably located. Therefore, such entertainment uses shall only be permitted by amendment to the land use by-law.

**Commercial Uses Under 2,000 square feet** - The establishment of commercial uses throughout the community can provide a variety of day-to-day needs without impacting the surrounding area. These also provide business development opportunities which are in keeping with the community objectives for the creation of local employment. Commercial uses under 2,000 square feet will be permitted throughout the designation with controls on setbacks, size, and parking.

**Home Businesses up to 1,000 square feet**- Given the semi-rural form of the community, the development of a business from a residential dwelling and/or an accessory structure has occurred traditionally within the community. This form of business development will be permitted to continue with controls on open storage, outdoor display, size, and location of the operation. Requirements shall also be established to ensure that the operator of the home business operation is the resident of the dwelling.

**Larger Commercial Uses over 2,000 square feet** – Larger commercial uses in excess of 2,000 square feet provide services to the community as it evolves, however, should be located near other commercial activity and community services to form a community/commercial node. This can act as a gathering place where residents can conveniently access a variety of services. Currently, the only areas operating as a community node in the community are the Upper Hammonds Plains Community Centre and the Emanuel Baptist Church near the intersection of Pockwock Road and Anderson Road, and around the Kemptown Road junction. These areas have the potential of servicing as community-commercial nodes. Policies to enable larger commercial uses by development agreement shall therefore be established to permit a potential community service location(s) to emerge as the community grows and enables consideration of the aspects of a development that cannot be addressed through a rezoning.

**Industrial Uses Under 5,000 square feet** - Smaller scale, locally based industrial uses are more likely to result in maximizing benefits in local employment and complement the existing character of the community. Small and medium-sized industrial operations under 5000 square feet which are not obnoxious and relate primarily to warehousing, storage, light manufacturing, service uses, and the forest resource will be permitted in the designation. Performance standards regulating outdoor storage will help to minimize any negative effects from such industrial operations. The setbacks of these operations from a dwelling unit on an abutting lot and from watercourses are necessary to allow these uses to exist while minimizing impact.

Controls over the development details of certain other uses will be established through the use of performance standards in the land use by-law. These performance standards are intended to minimize potential conflict with adjacent land uses. They apply to commercial, agriculture, forestry, and industrial uses and include the use of setbacks from highways and watercourses, requirements for fencing or buffering of outdoor storage, and provisions for increased separation distances from adjacent dwellings and community facilities.

**Industrial and Forestry Uses Over 5,000 square feet** – Larger scale industrial and forestry uses can result in the generation of local employment opportunities that can benefit the community. Given the large land areas throughout the community and the historical reliance on industrial and forestry development for local employment, opportunities may arise where these operations may need to be larger than the small-scale operations permitted within the designation. Controls, however, are needed to ensure that separation distances are adequate

to minimize impact on residential uses within the community. To achieve this, outdoor storage areas should be adequately screened, hours of operation, traffic, noise and operational aspects of the development should all be considered and managed. Larger-scale industrial and forestry operations will be considered through the provisions of a development agreement which enables consideration of the aspects of a development that cannot be addressed through rezoning.

10. Amending Policy P-42, as shown in **bold** below by adding the word “Infrastructure” between the words “improved” and “, community”:

P-42 It shall be the intention of Council to establish the Upper Hammonds Plains Community Designation as shown on the Generalized Future Land Use Maps (Map 1A, 1B, 1C, 1D, 1E). Within this designation, it shall be the intention of Council to support measures to protect and improve the existing character of the community. In keeping with this intention, Council shall support the objectives of the community to encourage and promote locally based labour-intensive developments; to encourage a wide range of housing types; and to provide improved **infrastructure**, community services, and facilities.

11. Deleting and replacing Policy P-43 with the following:

**P-43 Within the Upper Hammonds Plains Community Designation, it shall be the intention of Council to establish a GU-1(General Use) Zone which permits all uses with the exception of mobile home parks; commercial entertainment uses, industrial uses, and forestry operations in excess of 5000 square feet, commercial uses in excess of 2000 square feet, service stations, outdoor display courts, multiple unit dwellings, mobile home parks, salvage yards not including legally existing salvage yards, intensive agricultural operations, sanitary landfill sites, C&D Materials Operations, (RC-Sep 10/02;E-Nov 9/02) and dumps. To minimize conflicts between land uses and to ensure that developments are compatible with the community, controls shall be established on outdoor storage, outdoor display, signage, and parking and requirements shall be established for landscaping and fencing under the land use by-law. Separation distances shall also be required between residential and some non-residential land uses and between some non-residential land uses and watercourses to also minimize land use conflicts.**

Amending Policy P-44 by deleting the strikethrough text as shown below:

~~P-44 Notwithstanding Policy P-43 within the Upper Hammonds Plains Community Development Designation, it shall be the intention of Council to consider permitting mobile home parks by development agreement and according to the provisions of the Municipal Government Act. In considering such agreements, Council shall have regard to the following:~~

- ~~(a) the adequacy of proposed park services including sewer and water systems, recreation facilities, and street lighting;~~
- ~~(b) the ability of education facilities, protection services, and recreation facilities to adequately service the increased demands of the additional development or to respond with the provision of additional services;~~
- ~~(c) the provision of landscaping or buffering from adjacent land uses and the public road to which it has access;~~
- ~~(d) stormwater planning;~~
- ~~(e) the impact of the development on external traffic circulation patterns;~~
- ~~(f) park layout and design including the design of the internal road network and separation distances from maintenance buildings and sewage treatment plants;~~
- ~~(g) the location and level of treatment of the sewage treatment plant;~~
- ~~(h) the provisions of the Mobile Home Park By-law; and~~
- ~~(i) the provisions of Policy P-137.~~

12. Amending by insert a new policy (P-44A) the following the ~~strikeout~~ P-44 as shown in **bold** below:

**P-44a** Within the Upper Hammonds Plains Community Designation, commercial uses in excess of 2,000 square feet shall be considered around the intersections of Old Annapolis Road and Pockwock Road; Anderson Road and Pockwock Road; and Kemptown Road junction through a development agreement. These intersections are situated in areas that may act as future commercial community nodes as the community continues to evolve over time. When considering a development agreement for larger commercial use within the Upper Hammonds Plains Community Designation, Council shall have regard to the following:

- (a) the commercial use shall not exceed 10,000 square feet and shall not include a service station or outdoor display court;
- (b) the site exhibits characteristics that make the location particularly suitable for the proposed use;
- (c) that the site is adjacent to the intersection(s) or contiguous to an existing commercial development at the intersection(s);
- (d) the height, bulk, lot coverage, and appearance of any building is compatible with adjacent land uses and that adverse impacts on adjacent residential and community facility uses are minimized;
- (e) the site design features, including signage, landscaping, outdoor storage and display, parking areas, loading areas, and driveways are of adequate size and design to address potential impacts on adjacent developments;
- (f) the impact on traffic circulation, the suitability of access to and from the site as well as the impact on the surrounding road network;
- (g) that forest cover is retained to provide for wildlife movement through the essential corridor and important ecological area as identified under the Halifax Green Network Plan;
- (h) grading, sedimentation and erosion control, and stormwater management;
- (i) general maintenance of the development and hours of operation; and
- (j) the provisions of Policy P-137.

13. Amending Policy P-46 by adding the words shown in **bold** text and deleting the ~~strikeout~~ text as shown below:

P-46 Notwithstanding Policy P-43, within the Upper Hammonds Plains Community Designation it shall be the intention of Council to consider permitting industrial and forestry uses in excess of **5,000** ~~40,000~~ square feet **through the provisions of a development agreement.** ~~by amendment to the schedules of the land use by law to a I-1 (Mixed Industrial) Zone (Policy P-28) and with regard to the following:~~ **When considering a development agreement for larger industrial and forestry operations, within the Upper Hammonds Plains Community Designation, Council shall have regard to the following:**

- (a) that the industry is not obnoxious and does not create a nuisance for adjacent residential or community facility development by either the nature or scale of the proposed operation and in particular by virtue of noise, dust, or smell.
- (b) **that there are adequate setbacks from watercourses and from a residential use on an adjacent lot;**
- (c) **that landscaping measures including the retention of forest cover are used to minimize impacts on the community and adjacent uses;**

- (d) **that buildings and outdoor storage areas are sited to minimize the impact on the community and surrounding land uses;**
- (e) **that forest cover is retained to provide for wildlife movement through the essential corridor and important ecological area as identified under the Halifax Green Network Plan;**
- (f)(b) that the use can be serviced by an on-site sewage disposal system and does not involve the use of dangerous chemicals;
- (g)(e) the impact of the use on traffic circulation and in particular sighting distances and entrance and exit to the site;
- (h) **general maintenance of the development and hours of operation;** and
- (h)(d) the provisions of Policy P-137.

14. Amending the preamble to Policy P-47 and Policy P-47 by adding the words as shown in **bold** text below.

As the community of Upper Hammonds Plains continues to grow and evolve, there may be a need to establish a more detailed system of land use control. In particular, some areas will develop a rural residential environment, characterized by contiguous low density residential development and the use of residential properties for small scale home business and resource activities. Any evolution to more strictly residential environments will be accommodated within the designation through the application of a rural residential **or single unit dwelling** zone with a more restrictive range of permitted uses than are found elsewhere within the community.

15. Inserting the following pre-amble and policy as shown in bold text after Policy P-47:

**One such subdivision includes the portion of the White Hills Run subdivision within the Upper Hammonds Plains Community Land Use Designation along Daiseywood Drive, Tomahawk Run, Rockcrest Drive and Slate Drive. Since this subdivision has already been developed for a low density residential development, the previous requirement that lands proposed to be rezoned contain a maximum of 20 lots per 4 year period shown on an approved tentative plan of subdivision under Policy P-47 is no longer applicable. This subdivision was developed to support a low density suburban-style residential development that shall be zoned residential to protect this development for residential use.**

**P-47A Notwithstanding Policy P-47 and Policy P-137, the portion of the White Hills Run subdivision within the Upper Hammonds Plains Community Land Use Designation, that has been developed along Daiseywood Drive, Tomahawk Run, Rockcrest Drive and Slate Drive shall be zoned R-1 (Single Unit Dwelling) Zone.**

16. Inserting a new policy after Policy P-47A as shown in **bold** below:

**Multiple Unit Dwellings in the form of low-rise multiple unit buildings and townhouses have been developing throughout the community at a rapid rate since 2016. This development activity has raised concerns within the community given the traffic constraints along the Hammonds Plains Road, the limited one-way access road into the community, and possible environmental impacts. There is also concern about the potential for impact on this historic African Nova Scotian Community and the need for the community to have input into these developments.**

**To ensure the community has a range of housing forms available, provisions will be made to allow single and two-unit dwellings and shared housing with 10 or fewer bedrooms within the General Use (GU-1) Zone.**

**Given the concerns with the compatibility of multiple unit dwellings including townhouses with the traditional community form and the impacts these developments may have on the community, such residential housing forms shall be considered by development**



agreement. Consideration needs to be given to ensure that these proposed developments do not exceed the traffic capacity of the road system. There is also a need to ensure that the densities of the proposed development are compatible with the surrounding land use context and that these developments do not exceed sustainable groundwater supplies outside of the area serviced with central water. There is also a need to ensure the proposed development can be adequately serviced and maintained with onsite wastewater systems and that forest cover is maintained to allow for wildlife movement through this important ecological area and essential corridor as identified under the Halifax Green Network Plan.

**P-47B** Within the Upper Hammonds Plains Community Designation multiple unit dwellings including townhouses may be considered through the provisions of a development agreement. In considering a development agreement, Council shall have regard to the following:

- (a) the maximum height does not exceed three stories above average grade, excluding rooflines;
- (b) that adequate separation distances are maintained from low-density residential developments and that landscaping measures are carried out to reduce visual effects
- (c) the height, bulk, lot coverage, and appearance of any building are compatible with adjacent land uses and the architectural design is compatible with adjacent land uses;
- (d) that landscaping, amenity areas, walkways and parking areas are adequate to meet the needs of the residents of the development and that they are attractively landscaped;
- (e) that forest cover is retained to preserve natural open space and provide for wildlife movement through the essential corridor and important ecological area as identified under the Halifax Green Network Plan;
- (f) that a transportation study is undertaken to assess the impacts of the proposed development together with other proposed and existing developments in Upper Hammonds Plains on the road network system;
- (g) grading, sedimentation and erosion control, and stormwater management;
- (h) that a hydrogeological assessment is conducted by a qualified professional to determine if there is an adequate supply of groundwater to service the development without adversely affecting groundwater supply in adjacent developments;
- (i) the adequacy of wastewater facilities and water systems;
- (j) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses and wetlands and susceptibility to flooding; and
- (k) general maintenance of the development; and the provisions of Policy P 137

17. Amending Policy P-134 (e) by adding the words shown in **bold** text and delete the ~~strikeout~~ as shown below:

- (e) within the Upper Hammonds Plains **Community** Designation:
  - (i) commercial entertainment uses according to Policy P 45; **and**
  - ~~(ii) industrial uses with a gross floor area in excess of ten thousand (10,000) square feet according to Policy P 46; and~~
  - (ii)** ~~(iii)~~ residential (R 1, R 6) zones according to Policy P 47.

18. Amending Policy P-135 (c) by adding the words shown in **bold** text and deleting the ~~strikeout~~ text as shown below:

- (c) Within the Upper Hammonds Plains **Community** Designation:
- ~~(i) mobile home parks according to Policy P-44.~~
  - (i) commercial uses exceeding 2000 square feet according to Policy P-44A**
  - (ii) industrial and forestry uses exceeding 5,000 square feet according to Policy P-46**
  - (iii) multiple unit dwellings including townhouses according to Policy P-47B.**
  - (iv) Shared housing with special care at a larger scale than permitted in the underlying zone according to Policy P-39A and P-39B;**

I, Iain MacLean, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council of the Halifax Regional Municipality for held on [DATE], 202[#].

---

Iain MacLean  
Municipal Clerk

## Attachment B

### Proposed Amendments to the Beaver Bank, Hammonds Plains, and Upper Sackville Land Use By-law

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Beaver Bank, Hammonds Plains, and Upper Sackville is hereby amended as follows:

1. Amending Section 3.6 OTHER USES CONSIDERED BY DEVELOPMENT AGREEMENT by adding the following **bold** text after Section 3.6 (e):
  - (f) **industrial uses in excess of 5000 square feet (464.5 m<sup>2</sup>) in the Upper Hammonds Plains Community Designation.**
  - (g) **commercial uses in excess of 2000 square feet (185.8 m<sup>2</sup>) around the intersection of Old Annapolis Road and Pockwock Road; Anderson Road and Pockwock Road; and Kemptown Road junction in the Upper Hammonds Plains Community Designation.**
  - (h) **forestry uses in excess of 5000 square feet (464.5 m<sup>2</sup>) in the Upper Hammonds Plains Community Designation.**
  - (i) **multiple unit dwellings, including townhouses in the Upper Hammonds Plains Community Designation.**
2. Amending Section 3.6 Other Uses Considered by Development Agreement, subsection (a), by adding the following **bold** text:

Shared Housing with Special Care Use within greater than ten (10) bedrooms in the Residential **and Upper Hammonds Plains Community** Designation (RC-Aug 9/22;E-Sep 15/22)
3. Amending Part 15: GU-1 (GENERAL USE) ZONE, as shown in **bold** and ~~strikeout~~ by:
  - a. repealing Subsections 15.1 through to 15.9; and
  - b. inserting the new zone provisions immediately following the title Part 15: GU-1 (GENERAL USE) ZONE

#### ~~15.1 GU-1 USES PERMITTED~~

~~A development permit shall be issued for ALL USES in a GU-1 Zone except for the following:~~

~~Industrial Uses (including cannabis production facilities) (RC-Sep 18/18;E-Nov 3/18)  
over 10,000 sq. ft.~~

~~Commercial Entertainment Uses~~

~~Mobile Home Parks~~

~~Sanitary Landfill Sites and Dumps~~

~~Hazardous Waste Disposal Sites~~

~~**C&D Materials Transfer Stations, C&D Materials Processing Facilities and C&D  
Materials Disposal Sites (RC-Sep 10/02; E-Nov 9/02)**~~

#### ~~15.2 GU-1 ZONE REQUIREMENTS: RESIDENTIAL USES~~

~~In any GU Zone, where uses are permitted as Residential uses, no development permit shall be issued except in conformity with the following:~~

~~Minimum Lot Area \_\_\_\_\_ 29,064 square feet (2700 m<sup>2</sup>)~~

~~Minimum Frontage \_\_\_\_\_ 100 feet (30.5 m)~~

~~Minimum Front or Flankage Yard \_\_\_\_\_ 20 feet (6.1 m)~~

Minimum Rear or Side Yard	$\frac{1}{2}$ the height of the main building, but in no case shall it be less than 8 feet (2.4 m)
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

### 15.3 GU-1 ZONE REQUIREMENTS: SALVAGE YARDS

In any GU-1 Zone, where salvage yards are permitted no development permit shall be issued except in conformity with the following:

Minimum Lot Area	80,000 square feet (7432 m <sup>2</sup> )
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	50 feet (15.2 m)
Minimum Rear or Side Yard	50 feet (15.2 m)
Maximum Lot Coverage for Structures and Storage	75 per cent

### 15.4 GU-1 ZONE REQUIREMENTS: OTHER USES

In any GU-1 Zone, no development permit shall be issued for uses other than residential uses and salvage yards except in conformity with the following:

Minimum Lot Area	29,064 square feet (2700 m <sup>2</sup> )
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	15 feet (4.6 m)
Maximum Lot Coverage	50 per cent
Maximum Height of Main Building	35 feet (10.7 m)

### 15.5 OTHER REQUIREMENTS: SERVICE STATIONS

Where service stations are permitted in any GU-1 Zone, the provisions of Section 17.6 shall apply.

### 15.6 OTHER REQUIREMENTS: AGRICULTURE USES

Notwithstanding the provisions of Section 15.4, where any barn, stable or other building intended for the keeping of more than fifty (50) domestic fowl or ten (10) other animals is erected in any GU-1 Zone, no structure shall:

- (a) be less than fifty (50) feet from any side lot line;
- (b) be less than one hundred (100) feet from any dwelling or potable water supply except a dwelling or supply on the same lot or directly related to the agricultural use;
- (c) be less than three hundred (300) feet from any watercourse or water body;
- (d) be less than five hundred (500) feet from any residential (R-1) zone.

### 15.7 OTHER REQUIREMENTS: SALVAGE YARDS

Notwithstanding the provisions of Section 15.4, where any salvage yard is erected in any GU-1 Zone, the following shall apply:

- (a) Any materials associated with the salvage yard operation shall be contained within a building or otherwise enclosed by a fence, vegetation, or other means which provide a visual and physical barrier.
- (b) No outdoor storage shall be located within any required yard.
- (c) No salvage yard operation shall be located within five hundred (500) feet of a community facility use or a residential (R-1) zone.
- (d) No outdoor storage shall be located within three hundred (300) feet of a watercourse.

#### 15.8 OTHER REQUIREMENTS: INDUSTRIAL USES

~~Where industrial uses are permitted in a GU-1 Zone, the provisions of Part 19 shall apply.~~

#### 15.9 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) ~~A cannabis production facility shall comply with the provisions of Section 19.2 and 19.3.~~
- (b) ~~Where a lot containing a cannabis production facility abuts a lot~~
- ~~(i) zoned or used for residential purposes, or~~
  - ~~(ii) that is used for a daycare, community centre, school, religious institution, public park or playground,~~
- ~~such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.~~

#### **15.1 GU-1 USES PERMITTED**

No development permit shall be issued in any GU-1 (General Use) Zone except for the following:

##### **RESIDENTIAL USES**

Single unit dwellings;

Two-unit dwellings;

Shared Housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;

Home Business Uses; and

Uses accessory to the foregoing.

##### **COMMERCIAL USES**

Any commercial use not exceeding 2,000 square feet of gross floor area except:

- Commercial entertainment uses
- Outdoor display courts
- Service stations

##### **INDUSTRIAL USES**

Any industrial use not exceeding 5,000 square feet of gross floor area except:

- Sanitary Landfill Sites and Dumps
- Hazardous Waste Disposal Sites
- C&D Materials Transfer Stations
- C&D Materials Processing Facilities
- C&D Materials Disposal Sites
- Salvage Yards (except existing salvage yards)
- Composting Operations

##### **RESOURCE USES**

Any resource use except:

- Forestry uses exceeding 5000 square feet
- Intensive Agricultural Uses

#### **15.2 GU-1 ZONE REQUIREMENTS: RESIDENTIAL USES**

In any GU-1 Zone, where uses are permitted as Residential uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	29,064 square feet (2700 m <sup>2</sup> )
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	20 feet (6.1 m)
Minimum Rear or Side Yard	½ the height of the main building, but in no case shall it be less than 8 feet (2.4 m)
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

**15.3 GU-1 ZONE REQUIREMENTS: EXISTING SALVAGE YARDS**

In any GU-1 Zone, where existing salvage yards are permitted no development permit shall be issued except in conformity with the following:

Minimum Lot Area	80,000 square feet (7432 m <sup>2</sup> )
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	50 feet (15.2 m)
Minimum Rear or Side Yard	50 feet (15.2 m)
Maximum Lot Coverage for Structures and Storage	75 per cent

- (a) Any materials associated with the existing salvage yard operation shall be contained within a building or otherwise enclosed by a fence, vegetation, or other means which provide a visual and physical barrier.
- (b) No outdoor storage shall be located within any required yard.
- (c) No salvage yard operation shall be located within five hundred (500) feet of a community facility use or a residential zone.
- (d) No outdoor storage shall be located within three hundred (300) feet of a watercourse.

**15.4 GU-1 ZONE REQUIREMENTS: HOME BUSINESS USES**

Where home business uses are permitted in any GU-1 Zone, the following shall apply:

- (a) Any home business shall be wholly contained within either the dwelling or an accessory building on the property which comprises the principal residence of the operator of the home business.
- (b) No more than one thousand (1,000) square feet (92.9 m<sup>2</sup>) of the combined gross floor area of any structure shall be devoted to a home business use.
- (c) No materials or mechanical equipment shall be used which is obnoxious or creates a nuisance by virtue of noise, vibration, glare, odour or dust.
- (d) Any structure used for the repair or work on vehicles or mechanical equipment shall be located a minimum of 50 feet away from a dwelling on the property or on an abutting lot.
- (d) All outdoor storage of materials, goods, supplies, or equipment related to the operation of the business shall not exceed 300 square feet (91.4 m<sup>2</sup>), cannot be located in any required front or side yard and must be effectively screened by a fence.
- (e) Outdoor display shall not exceed 200 square feet (18.5 m<sup>2</sup>).
- (f) No more than one (1) sign shall be permitted for any home business and no such sign shall exceed three (2) square feet (0.3 m<sup>2</sup>) in area.
- (g) Two (2) off-street parking spaces other than that required for the dwelling shall be provided.

**15.5 GU-1 ZONE REQUIREMENTS: COMMERCIAL USES**

In any GU-1 Zone, where commercial uses are permitted, no permit shall be issued except in conformity with the following:

- (a) a maximum of 500 square feet (46.4 m<sup>2</sup>) of open storage shall be permitted if it is screened by an opaque fence.
- (b) a maximum of 200 square feet (18.5 m<sup>2</sup>) of outdoor display shall be permitted.
- (c) Except where any commercial use abuts another commercial use, no portion of any parking space shall be located within any required side yard.
- (d) Landscaping shall be provided along the front and side of the property to a minimum depth of 10 feet (3.0 m).

#### **15.6 GU-1 ZONE REQUIREMENTS: INDUSTRIAL USES**

In the GU-1 Zone, where industrial uses are permitted, no permit shall be issued except in conformity with the following:

- (a) Any building or structure shall conform to the following requirements:

Minimum Lot Area	80,000 square feet (7432 m <sup>2</sup> )
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	25 feet (7.6 m)
Maximum Height of Main Building	35 feet (10.7 m)
- (b) No outdoor storage of materials shall be located within the minimum yard requirements specified under clause (a) and any outdoor storage of materials shall be enclosed within a fence or otherwise screened so as to provide a visual and physical barrier.
- (d) No building or outdoor storage area shall be located within 100 hundred feet (30.5 m) of any dwelling on an abutting lot.
- (e) No building or outdoor storage area shall be located within 300 hundred feet (91 m) of a watercourse.
- (f) The combined area of all buildings and outdoor storage areas shall not exceed seventy-five (75) per cent of the lot area.
- (g) No outdoor display shall be located within 10 feet (1.5 m) of any front lot line and where a residential or community use is established on the abutting lot, no outdoor display shall be located within 25 feet (7.6 m) of the common lot line unless a visual barrier is provided, in which case the required setback from the lot line may be reduced to 5 feet (1.5 m).
- (h) Where a residential or community use is established on the abutting lot, no parking or loading area shall be located within 25 feet (7.6 m) of the common lot line unless a visual barrier is provided, in which case the required setback from the lot line may be reduced to 5 feet (1.5 m).
- (i) Landscaping shall be provided along the front and sides of the property to a minimum depth of 10 feet (3.0 m).
- (j) Where an industrial use abuts a residential or community use, a visual and physical barrier in the form of an opaque fence or landscaping shall be provided.

#### **15.7 GU-1 ZONE REQUIREMENTS: OTHER USES**

In any GU-1 Zone, no development permit shall be issued for uses other than residential uses, salvage yard uses, industrial uses and forestry uses except in conformity with the following:

Minimum Lot Area	29,064 square feet (2700 m <sup>2</sup> )
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	15 feet (4.6 m)

Maximum Lot Coverage	50 per cent
Maximum Height of Main Building	35 feet (10.7 m)

**15.8 OTHER REQUIREMENTS: AGRICULTURE USES**

- (a) No more than fifty (50) domestic fowl or ten (10) of any other animals confined to a barn, stable, or other structure shall be permitted.
- (b) No more than one thousand (1000) square feet (92.9 m<sup>2</sup>) of floor area of any structure shall be used for retail use accessory to agriculture uses.

**15.9 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES**

- (a) A cannabis production facility shall comply with the provisions of Section 19.2 and 19.3.
- (b) Where a lot containing a cannabis production facility abuts a lot
  - (i) zoned or used for residential purposes, or
  - (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,
 such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

**15.10 GU-1 ZONE REQUIREMENTS: FORESTRY USES**

In the GU-1 Zone, where forestry uses are permitted, no permit shall be issued except in conformity with the following:

- (a) Any building or structure shall conform to the following requirements:
 

Minimum Lot Area	80,000 square feet (7432 m <sup>2</sup> )
Minimum Frontage	200 feet (60 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	15 feet (4.6 m) or 25 feet (7.6 m) if abutting a residential use
Maximum Height of Main Building	35 feet (10.7 m)
- (b) Open storage shall not be permitted in a required side or front yard.
- (c) No sawmill or other industrial mill related to forestry shall be located less than fifty (50) feet from any lot line nor less than 300 hundred feet (30.5 m) from any dwelling on an abutting lot.
- (d) No sawmill or other industrial mill related to forestry shall be located within 300 hundred feet (91.4 m) of a residential or rural residential zone.
- (e) Where any sawmill or other industrial mill related to forestry abuts a residential or community use, a visual and physical barrier in the form of an opaque fence or landscaping shall be provided.

**15.11 GU-1 ZONE REQUIREMENTS**

In any GU-1 Zone, where a combination of uses is permitted in the GU-1 Zone, the combined gross floor area of all structures devoted to a non-residential use shall not exceed 5000 square feet (464 m<sup>2</sup>) and in no case can the gross floor area of any of the non-residential use exceed the maximum gross floor area permitted for each non-residential use as specified under these Sections.

- 4. Amending Schedule 1-B Zoning Map to rezone the lands from GU-1 (General Use) Zone to R-1 (Single Unit Dwelling) Zone as shown on Schedule A attached hereto.

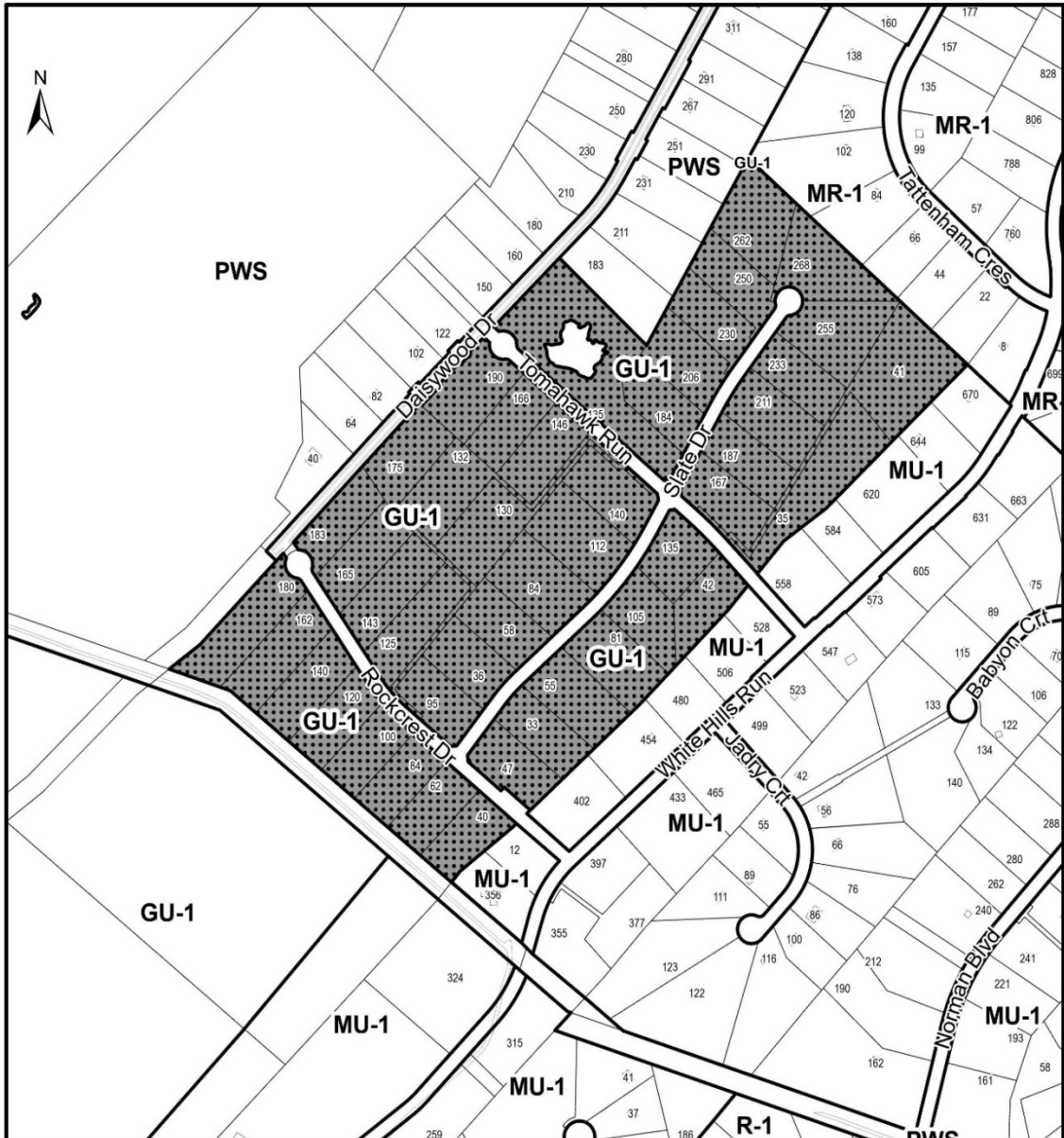


I, Iain MacLean, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Regional Council of the Halifax Regional Municipality for held on [DATE], 202[#].

---


Iain MacLean

Municipal Clerk



**Schedule A**

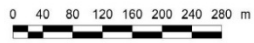
White Hills Run Subdivision,  
Upper Hammonds Plains

 Area proposed to be rezoned  
from GU-1 to R-1

Beaver Bank, Hammonds Plains and  
Upper Sackville By-Law Area

**Zone - HPSBB**

- MU-1 Mixed Use 1
- MR-1 Mixed Resource
- R-1 Single Unit Dwelling
- GU-1 General Use
- PWS Protected Water Supply



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.



**Attachment C**  
**Existing GU-1 (General Use) Zone**

PART 15: GU-1 (GENERAL USE) ZONE

15.1 GU-1 USES PERMITTED

A development permit shall be issued for ALL USES in a GU-1 Zone except for the following:

Industrial Uses **(including cannabis production facilities) (RC-Sep 18/18;E-Nov 3/18)**  
over 10,000 sq. ft.  
Commercial Entertainment Uses  
Mobile Home Parks  
Sanitary Landfill Sites and Dumps  
Hazardous Waste Disposal Sites  
**C&D Materials Transfer Stations, C&D Materials Processing Facilities and C&D Materials Disposal Sites (RC-Sep 10/02; E-Nov 9/02)**

15.2 GU-1 ZONE REQUIREMENTS: RESIDENTIAL USES

In any GU Zone, where uses are permitted as Residential uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	29,064 square feet (2700 m <sup>2</sup> )
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	20 feet (6.1 m)
Minimum Rear or Side Yard	½ the height of the main building, but in no case shall it be less than 8 feet (2.4 m)
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

15.3 GU-1 ZONE REQUIREMENTS: SALVAGE YARDS

In any GU-1 Zone, where salvage yards are permitted no development permit shall be issued except in conformity with the following:

Minimum Lot Area	80,000 square feet (7432 m <sup>2</sup> )
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	50 feet (15.2 m)
Minimum Rear or Side Yard	50 feet (15.2 m)
Maximum Lot Coverage for Structures and Storage	75 per cent

15.4 GU-1 ZONE REQUIREMENTS: OTHER USES

In any GU-1 Zone, no development permit shall be issued for uses other than residential uses and salvage yards except in conformity with the following:

Minimum Lot Area	29,064 square feet (2700 m <sup>2</sup> )
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	15 feet (4.6 m)
Maximum Lot Coverage	50 per cent
Maximum Height of Main Building	35 feet (10.7 m)

15.5 OTHER REQUIREMENTS: SERVICE STATIONS

Where service stations are permitted in any GU-1 Zone, the provisions of Section 17.6 shall apply.

15.6 OTHER REQUIREMENTS: AGRICULTURE USES

Notwithstanding the provisions of Section 15.4, where any barn, stable or other building intended for the keeping of more than fifty (50) domestic fowl or ten (10) other animals is erected in any GU-1 Zone, no structure shall:

- (a) be less than fifty (50) feet from any side lot line;
- (b) be less than one hundred (100) feet from any dwelling or potable water supply except a dwelling or supply on the same lot or directly related to the agricultural use;
- (c) be less than three hundred (300) feet from any watercourse or water body;
- (d) be less than five hundred (500) feet from any residential (R-1) zone.

15.7 OTHER REQUIREMENTS: SALVAGE YARDS

Notwithstanding the provisions of Section 15.4, where any salvage yard is erected in any GU-1 Zone, the following shall apply:

- (a) Any materials associated with the salvage yard operation shall be contained within a building or otherwise enclosed by a fence, vegetation, or other means which provide a visual and physical barrier.
- (b) No outdoor storage shall be located within any required yard.
- (c) No salvage yard operation shall be located within five hundred (500) feet of a community facility use or a residential (R-1) zone.
- (d) No outdoor storage shall be located within three hundred (300) feet of a watercourse.

15.8 OTHER REQUIREMENTS: INDUSTRIAL USES

Where industrial uses are permitted in a GU-1 Zone, the provisions of Part 19 shall apply.

15.9 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- (a) A cannabis production facility shall comply with the provisions of Section 19.2 and 19.3.
- (b) Where a lot containing a cannabis production facility abuts a lot
  - (i) zoned or used for residential purposes, or
  - (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

## Attachment D

### What We Heard Survey Results

#### Upper Hammonds Plains Zoning and Land Use Policy Review

##### Introduction

Halifax Regional Council has initiated a process to review the Upper Hammonds Plains Land Use Designation and the GU (General Use) 1 Zone. A newsletter was sent out to 397 residents and landowners on 14 January 2022. This was to notify them that an on-line survey was available on Shape Your City (this webpage). The purpose of this survey was to gather your thoughts and opinions on the types of land uses you think should be permitted in Upper Hammonds Plains in the future. It was also intended to better understand your goals and aspirations for the future of your community and any issues or concerns you may have.

The on-line survey was open until 27 February to receive on-line responses. Paper copies of the survey were also delivered to the Upper Hammonds Plains Community Development Association to assist members of the community that were not comfortable with an on-line survey to respond in writing.

A total of 201 surveys were completed during this survey. And there have been 678 visitors to this website as of 31 March 2022.

Our sincere thanks to those who participated. Your collective views will help shape the future of your community!

The following report contains your feedback.

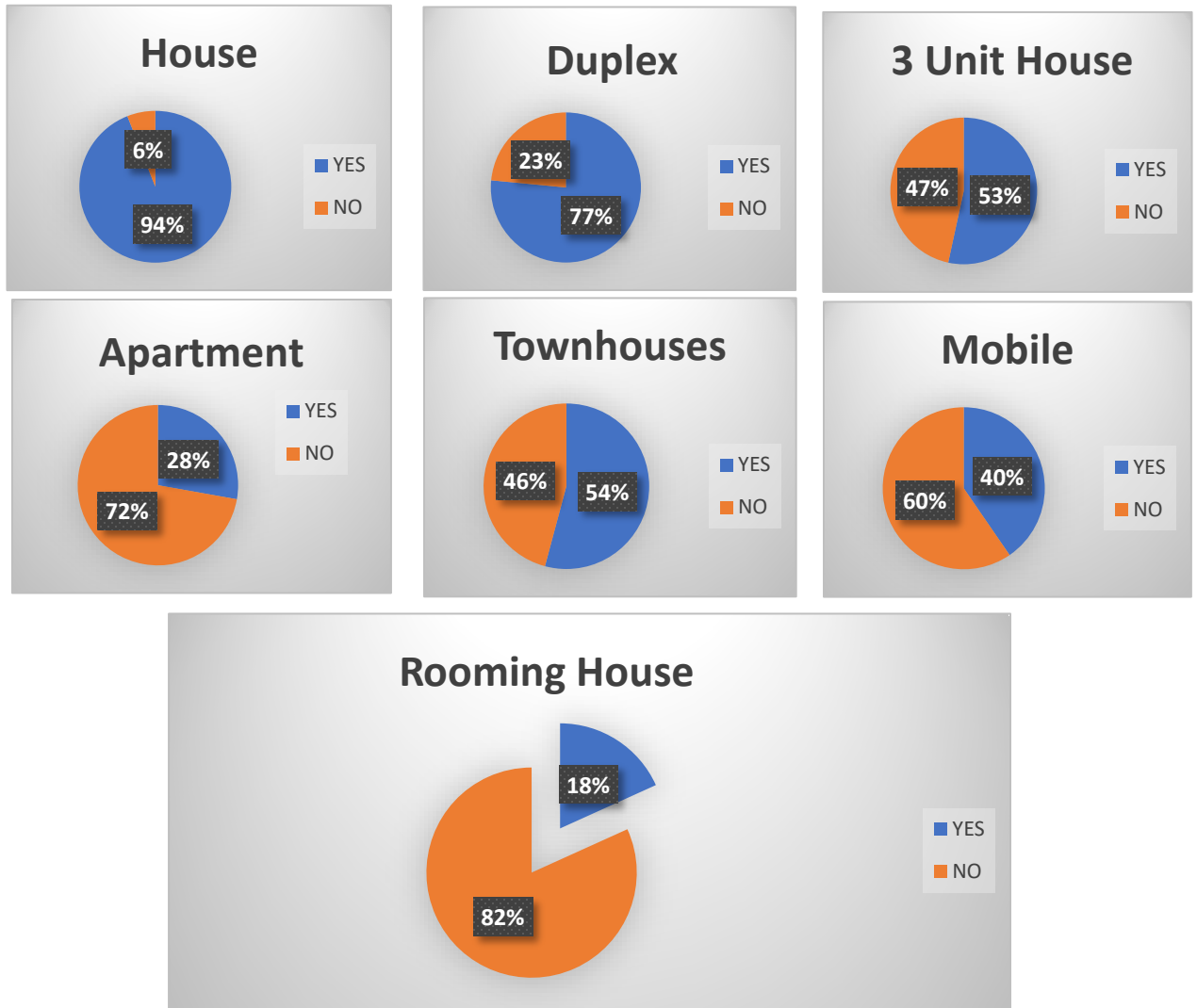
##### Your Survey Response . . .

1. Are there any other land uses that you think **should NOT be allowed** in the GU-1 Zone in Upper Hammonds Plains in the future?

Uses that people said should not be allowed under the future zoning for Upper Hammonds Plains included:

ADDITIONAL USES THAT SHOULD NOT BE PERMITTED IN UPPER HAMMONDS PLAINS	
<ul style="list-style-type: none"><li>• Salvage yards</li></ul>	<ul style="list-style-type: none"><li>• Casinos</li></ul>
<ul style="list-style-type: none"><li>• Car tow yards</li></ul>	<ul style="list-style-type: none"><li>• Commercial entertainment uses or mobile home parks event through a development agreement.</li></ul>
<ul style="list-style-type: none"><li>• Junk yards</li></ul>	<ul style="list-style-type: none"><li>• Heavy industrial uses</li></ul>
<ul style="list-style-type: none"><li>• Car sales lots</li></ul>	<ul style="list-style-type: none"><li>• Strip malls</li></ul>
<ul style="list-style-type: none"><li>• Apartments</li></ul>	<ul style="list-style-type: none"><li>• Quarries</li></ul>
<ul style="list-style-type: none"><li>• Townhouses</li></ul>	<ul style="list-style-type: none"><li>• Gas stations</li></ul>
<ul style="list-style-type: none"><li>• Amusement parks</li></ul>	<ul style="list-style-type: none"><li>• Cannabis farms</li></ul>
<ul style="list-style-type: none"><li>• Businesses involving heavy equipment storage</li></ul>	

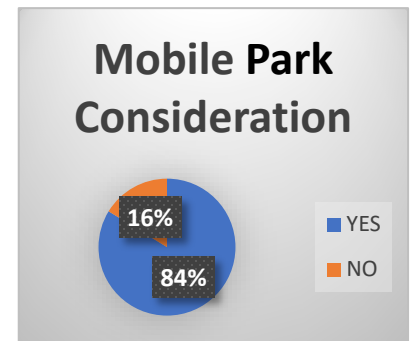
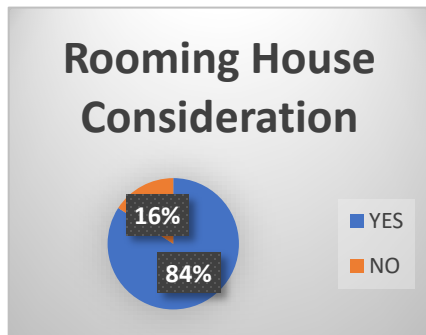
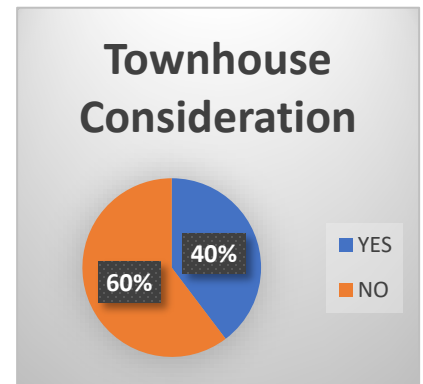
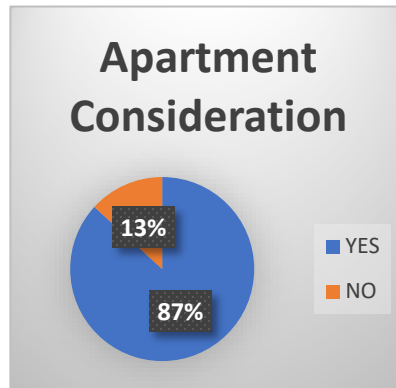
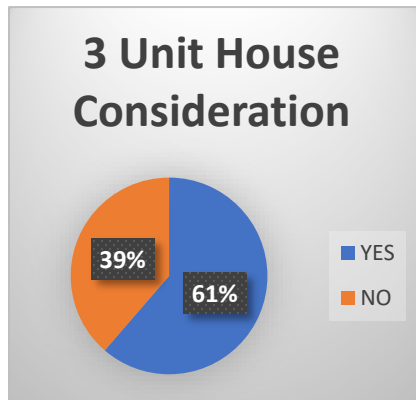
2. What types of **residential land uses** do you think should be allowed to develop in Upper Hammonds Plains?



From the above series of charts, people selected houses (single unit dwellings), and duplexes (two-unit dwellings) as the preferred form of housing for Upper Hammonds Plains. For Townhouses 54% of the people said this was an acceptable form of housing. However, 46% of the people said that townhouses should not be permitted.

Apartment buildings, mobile home parks, and boarding houses were the least preferred from of housing - 72% did not think that apartments should be permitted; 59% did not think mobile homes should be permitted; and 82% said that boarding and rooming houses should not be permitted in Upper Hammonds Plains.

3. Do you feel the community should be consulted before the development of any of the following residential uses?



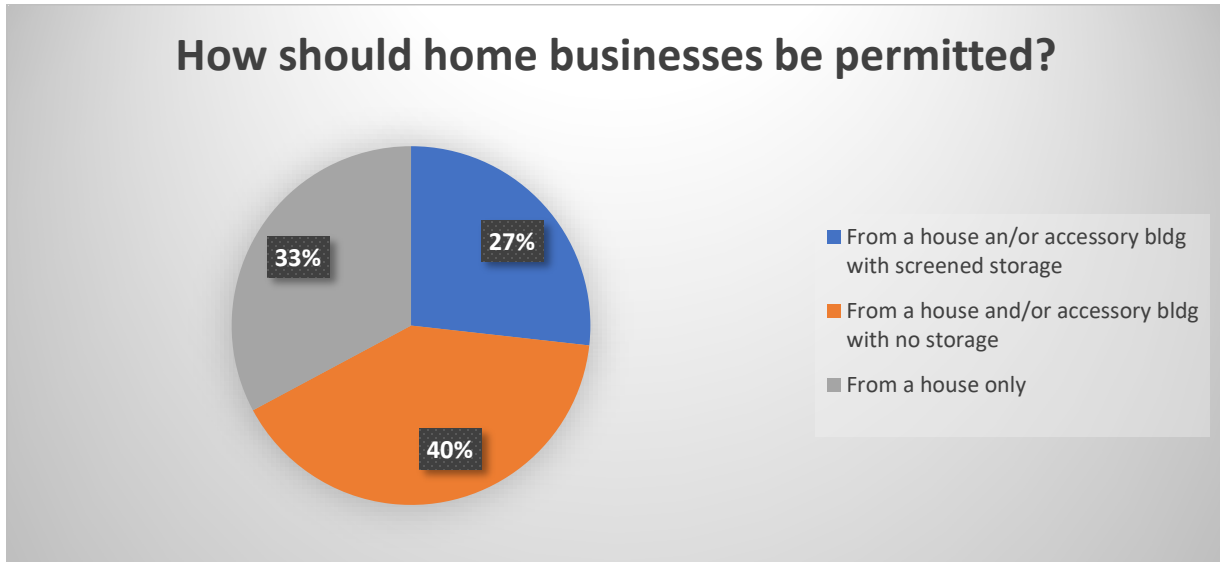
The majority of the people indicated that the community should be consulted before 3 unit houses (61%), apartments (87%), rooming houses (84%) or mobile home parks (84%) are permitted to develop in Upper Hammonds Plains. Only 40% of the people said that the community should be consulted before townhouses are developed.

This could be a couple of things: 1) that the majority of the people are indicating that three unit dwellings, apartments, rooming houses or mobile home parks are not acceptable forms of housing in Upper Hammonds Plains; or 2) that these forms of housing may be acceptable if carefully considered through policy that is designed to ensure that community concerns are addressed before development takes place.

Options will be brought forward for community consideration through this zoning review.

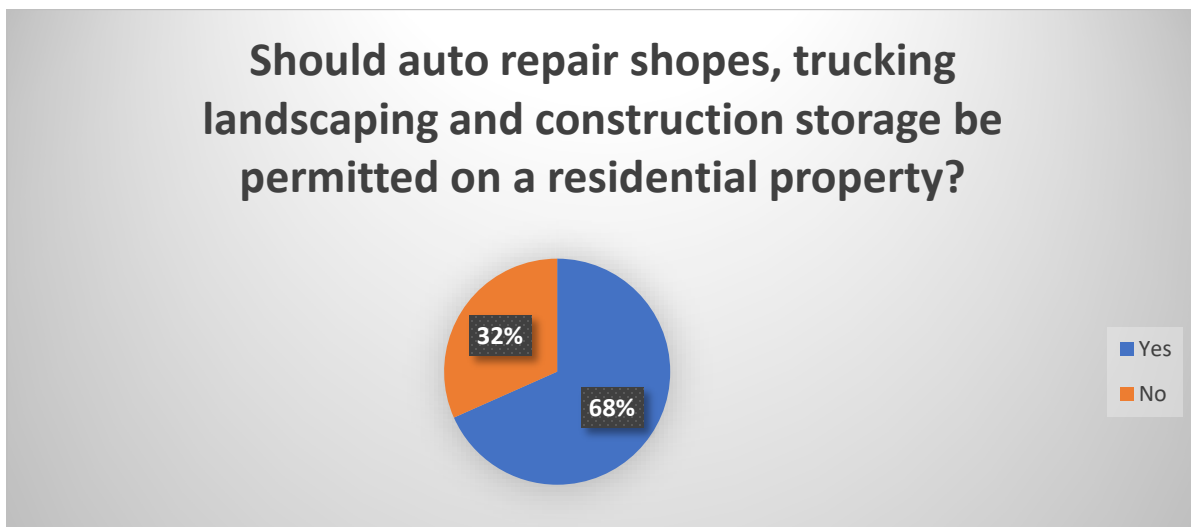


4. What type of home business should be permitted? Please select only one of the following:



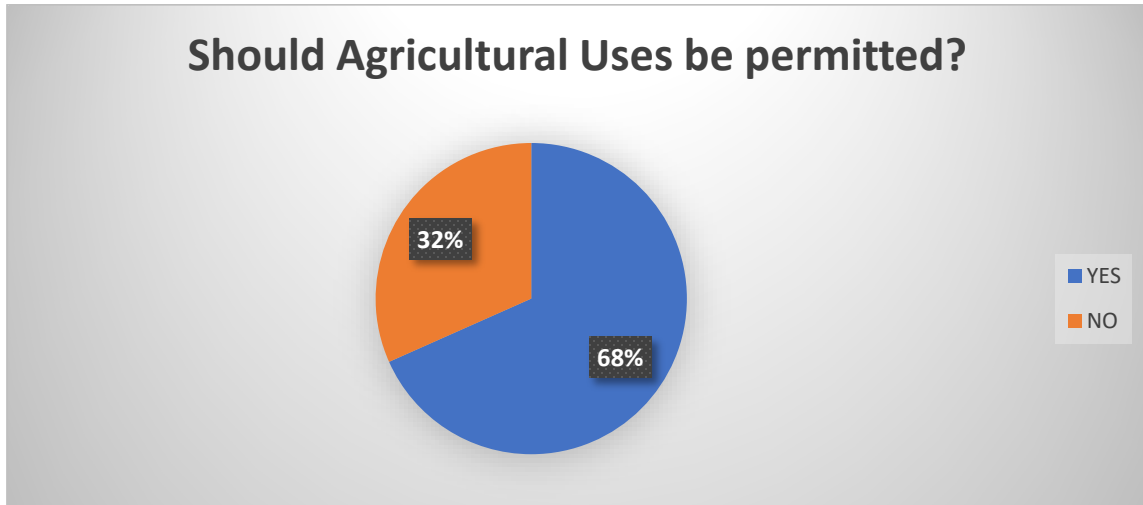
A majority of the people (40%) said that home businesses should be permitted in a house or accessory building with no outdoor storage. Next 33% of the people selected home business from a house only as the second form of home business development. And 27% selected home business as a permitted use in a house or accessory building with outdoor storage permitted if it is screened.

5. Currently industrial businesses such as auto repair shops, trucking, landscaping and construction can operate from a property that contains a house anywhere in Upper Hammonds Plains. Should these be allowed on a property that contains a house?



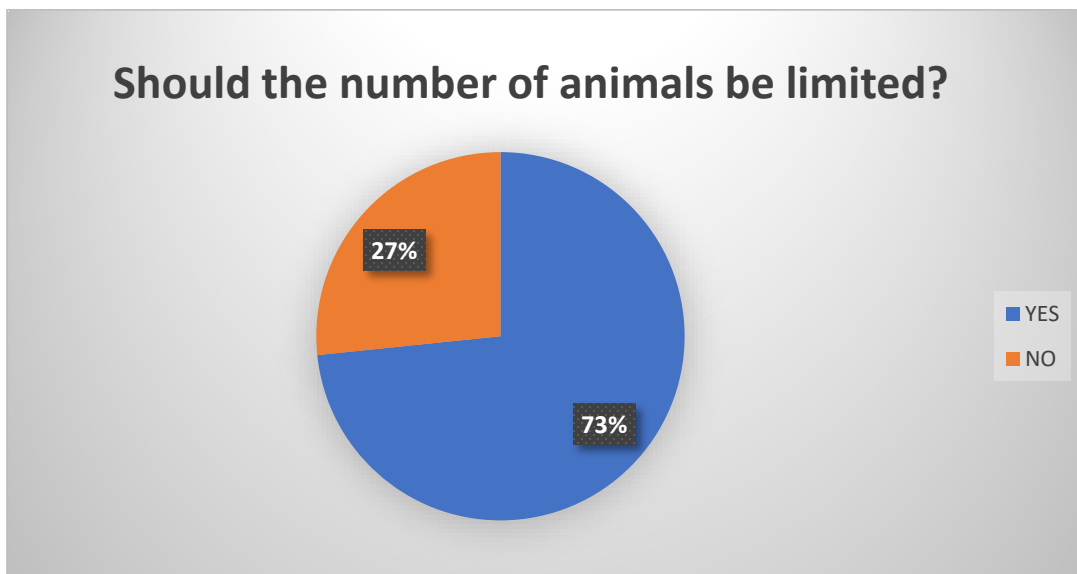
The majority of the people (68%) said that auto repair shops, trucking, landscaping and construction storage should be permitted on a residential property in Upper Hammonds Plains.

6. Agricultural uses such as farms with animals are currently permitted anywhere in Upper Hammonds Plains. Should farms be allowed to develop anywhere in Upper Hammonds Plains?



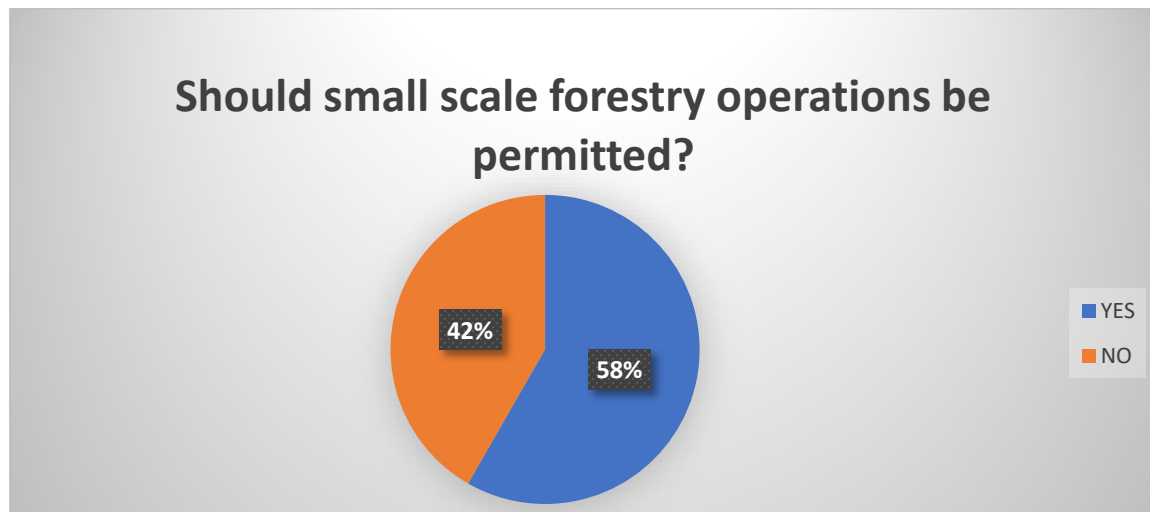
The majority of the people (68%) indicated that agricultural uses should be permitted anywhere in Upper Hammonds Plains.

7. Do you think it is important to limit the number of animals that can be kept on a farm in Upper Hammonds Plains?



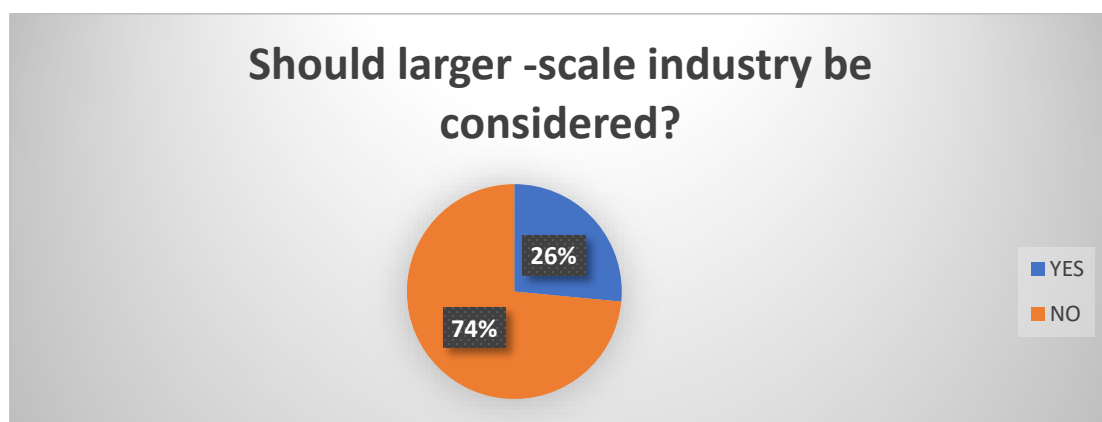
The majority of the people (73%) also indicated that the number of animals permitted on a farm in Upper Hammonds Plains should be limited in number.

8. Should small scale forestry (sawmills) operations (185 square metres which is 2000 square feet which is about the size of a basketball court) be allowed to develop in Upper Hammonds Plains on a property that contains a house?



A smaller majority of people (58%) indicated that small scale forestry operations should be permitted on a residential property in Upper Hammonds Plains. This is an industry that is traditional to the Upper Hammonds Plains Community forming the traditional employment base since the inception of the community. Currently there are limitations on size (2000 square feet) and requirements are in place to reduce impact on adjacent properties. These provisions will be reviewed through this zoning review.

9. Should large industrial operations (factories, warehouses, etc.) that are over 929 square metres which is 10,000 square feet (about the size of the Hammonds Plains Fire Hall or Kynock Resources Building on Hammonds Plains Road) be considered for development in Upper Hammonds Plains after the community has been consulted?



A large majority of the people (74%) indicated that larger -scale industry should not be considered for future development in Upper Hammonds Plains.

10. Are there any areas in Upper Hammonds Plains that you think should be zoned exclusively for residential use with some limited home business uses that can be operated only from the home?

### **SUGGESTED RESIDENTIAL AREAS**

Responses to this question were varied. Some people suggested that all areas in Upper Hammonds Plains should be zoned residential. Some suggested that residential zoning should be applied to residential subdivisions. Some suggested that residential zoning be applied to specific areas. Below is a summary of suggestions:

- Any area that is already developed in a subdivision should be strictly used for residential use only or any area close to an established residential area. Anything joining up to Daisywood etc.
- I think from 21 Pockwock Rd on should be residential only. I do see residents that have a few acres of land that have big trucks going in and out of their driveway and I think because of the length of the land , I don't think it's a bother to the community.
- Glen Arbour. White Hills
- I don't think any one area should be designated
- From 421 to 1243 Pockwock Rd., Anderson Rd, Anderson Court
- To satisfy the concerns of the community. maybe a solution would be to create a limited development zone, to include properties from the church parking lot up to the entrance to Pockwock waterfalls. and Anderson rd. This could be a designated area, possibly, from the center line of the road going back 200ft in both directions, that could be zoned R1. This would keep all the existing community intact. Any properties 200ft from the centerline of the road and beyond would keep the current GU1 zone.
- Emanuel Baptist Church
- Anywhere in the White Birch Hills Subdivision.
- Slate Drive, Rockcrest, Tomahawk, Daisywood
- Subdivisions should remain just that houses no commercial building
- The entire Upper Hammonds Plains should be residential use only. Home businesses should be allowed if they are a part of a house.
- Anything that is not a main thoroughfare should be residential only. . .
- Where there are car lots close to homes, where there are young children present
- Pockwock Road, Anderson Road, Anderson Court
- All of Upper Hammonds Plains.
- Pockwock Road and all that are joined to it
- Pockwock past White Hills Run
- Perry Pond, White Hills
- Where there are car lots close to homes, where there are young children present
- There should be limited uses for properties that abut the Pockwock Road from approximately 547 Pockwock Road to just beyond Valentine Road
- From 852 Pockwock Road through to 1238 Pockwock Road
- There shouldn't be any industrial area in any of our neighborhoods.
- The entire area should be zoned residential
- Exclusive residential zoning should be avoided. Mixed use, with single family homes, duplexes, triplexes, low rise apartment building with street level businesses, should all be permitted and encouraged.

- All addresses on Slate, Rockcrest and Tomahawk should be allowed to operate businesses from a house and/or an existing accessory building BUT no outdoor storage should be permitted (Equipment/materials/large vehicles). Expansion/or size of accessory buildings should also be restricted. Community consultation must be required for the use of a business in an accessory building for noise, lighting, visual appearance, signs, emissions and traffic in this area.

11. Anything else you would like to share with us? Such as: thoughts about your vision for Upper Hammonds Plains; key issues/concerns you have for this area; what you would like to see happen here in the future?

### **“IN YOUR WORDS” VISION FOR UPPER HAMMONDS PLAINS AND ISSUES**

Comments from individual responses to this question are copied below. Each dot represents a comment from an individual. Some of the text has been redacted to protect the privacy of the individual.

- Green house farm so the community can benefit from it and be a source of income.
- I feel Upper Hammonds Plains as well as Hammonds plains in general have been under developed for decades. I feel we as residents of Hammonds Plains are at the forefront of a prime opportunity to grow into an inclusive and sustainable local community. I feel the current zoning fits the stage of growth as well as making the community attractive to potential investors. I believe a zoning change would make the community undesirable to such investors, given the current housing crisis in the HRM I don't personally see the benefit of making zoning changes to hinder housing developments.
- I've noticed that the deplorable things that are being considered acceptable in the Upper Hammonds Plains predominately black community are being ignored by bylaw and law enforcement but these same issues would not be an acceptable practice in a predominately white subdivision.
- At some point in time things have to change for everyone. Just imagine how you'd feel to look over your well maintained property to see a junk yard or an auto body repair shop which is open 'all hours of the day' adjacent to your home which is keeping your family from enjoying their property and getting a good nights sleep. . .
- If you want to add more industrial areas and business to attract more people then something needs to be done about the traffic congestion on Hammonds plains road to accommodate the influx of vehicles this may attract.
- Upper Hammonds Plains was a very clean and respectful community. Now we have all kinds of different building coming up all around us. We take pride in our community and have respect for each other. With all the new buildings being built and people coming into the community they are disrespecting our community. They throw garbage out the windows, dogs running around and using the bathroom and not picking up after them. Disrespectful to our cemetery and community centre
- The community should remain mainly small scale residential as it has historically. Small businesses owned by homeowners are a great way to build the community economy and relationships. The larger scale business that are owned or leased by individuals that do not have the best interest of the historical identity of the community are not ideal for this area. Some business need more oversight as legally they can operate but at a closer look do not meet the current criteria. The history and pride of

the community should be the main goal future development and not profit for individuals who do not respect it or contribute to its prosperity.

- Needs more small commercial store fronts and restaurants.
- I'm concerned about traffic in and out of the community. It's becoming very busy with very limited entry/exit points
- Tow yards and car dealers are a major health and wellness concern for my family. In the future I would like to our community consulted before any major developments are approved. I would like to see our community get back to being family oriented and a business opportunity for developers.
- Increasing traffic is a danger to all residents off Pockwock dr., only one exit., if there is a fire we are all trapped so please don't add more congestion with packed condos. Also the traffic light is already a km long to leave during rush hour so if you actually care about what we have to say you would not add congestion with multi family/packed mobile home areas
- I would like to see the tow yard/salvage yard removed from the community. I do not want to see any more apartment buildings in the community. I would like to see the community members included if multi unit homes are put into the community
- Would love to see more community resources and opportunities to celebrate the rich diversity and history of the community.
- Need to improve roadways and infrastructure before anymore growth. Traffic is horrible
- More residential homes.
- Traffic volume and speed on Pockwock is starting to be an issue. Especially bad for pedestrians since shoulders are narrow and no sidewalk. Increasing traffic yearly. Makes entry onto Pockwock from side streets more hazardous. Sightlines are sub-optimal. In addition, exit onto Hammonds Plains Rd at Pockwock Road intersection seems overwhelmed by traffic at times. Especially with school bus storage in UHP creating additional pressure and significant truck traffic on Pockwock. HPR is of course a very busy road...and it takes very little to screw it up royally with resulting big jam ups. Need to get through traffic off HPR.
- It is a waste of time only to focus attention on the Upper Hammonds Plains area. There needs to be development considered from Hammonds Plains Rd to Highway 101, North East of the area currently under consideration.
- Considering the best use of this entire area will not only make for a stronger community in Upper Hammonds Plains but will work to strengthen the appearance of that HRM wants to put forward as a green city by increasing path the traffic can efficiently travel, potentially including public transit as an option in the Hammonds Plains / Indigo Shores area, and allowing for real affordable and dense housing.
- In my opinion the area is very scenic and not very populated. It could be a great way to add some new residents to a city that desperately needs new housing stock.
- I'm concerned that we are losing our rich history of upper hammonds plains. This is a black settlement community. But none of our people are benefiting from the urban sprawl that is happening in our community future develop is required to continue to grow the community
- Stop development until proper infrastructure in place 1- HP rd is a nightmare
- I'd like to see those with commercial business in their backyard cease. It's driving my property values down. Nobody wants to hear dump trucks and backup beepers all day, let alone see ugly white domes they park their equipment in, from their windows looking into their backyard.

- traffic is a big concern, too much development that is not accessible from current residents, rent too high, would like to see affordable housing
- affordable housing, no apartment buildings, traffic concerns
- More affordable housing both residential and rentals and limited business construction with a zoning that requires the community be consulted before construction is approved. The residents in UHP currently have no say in what go on in their community.
- I definitely would like to see community consultation. My vision is to protect / preserve the historic ANS Community of UHP - as a residential community.
- Upper Hammonds Plains is a beautiful community and always has been. I do not like the new development in the community. The multi unit complexes do not belong. Multi units belong closer to the city, not in the "country". People move to the country for peace, quiet land and privacy! If there are fully run businesses in the community, I'm not sure how any resident would find that peaceful or quiet. And most importantly is the history of the community and those that have been there for generations and have built the community that it is today.
- Please connect White Hills subdivision to Indigo Shores.
- Please work on Hammonds Plains Road. Lucasville connection to White Hills and rotary installation at Lucasville and HP road.
- Concerns are apartment buildings, row houses, duplexes, trailer parks being allowed. Brings down the value of homes in the area.
- There should be more inclusivity in the community and less segregation. The developments at the end of Pockwock and around Lizard lake cannot be prevented by changing the zoning. Therefore changing zoning will only impact the remaining land parcels that have yet to apply for development permits which those parcels are mostly owned by descendants of the community. We would really be only restricting ourselves for greater profits by restricting our land use and devaluing our land because the development and damage will be already done. In the future, I'd like to see every resident in the community educated on the history of UHP. With a state of the art facility that's privately owned and funded through community initiatives. A tuition endowment fund where all children of residents/descendants of the community can receive free education anywhere in NS.
- Would like to see the hand written signs that say "no parking" removed at the trail head to Pockwock Falls. People used to park at the entrance, left room for UTVs to get by and didn't clutter the road by parking all along the street. It's not really safe, right in a blind corner with many more people that live in the community and the uptick in vehicle traffic, including folks test driving vehicles from that car lot up the road.
- Children don't seem to know which side of the road to walk or ride their bikes on. Perhaps the police or HRFE could run a road safety jamboree in the church parking lot to better educate the youth, and some adults.
- Not sure how to do it, but something really needs to be done to deter people from dumping garbage all along the ditches of Upper Hammonds Plains all the way to the water shed!
- Development is essential regardless of where we live. People coming to our community are coming here for a reason living or business. To forbid n prohibit building to satisfy a select few us not the majority.
- Development IS NECESSARY, unfortunately the long time residents of this community do not want to see this happen. They think it is detrimental to the community. In fact many of these residents that are against development are in fact ones that are selling property too. Of course there is going to be development if there is selling/buying

happening. If the residents of this community do not want to see development happen then why are they selling their property. The majority of the property in this area is owned by the residents, they are choosing to sell. They are ok with taking the money but then they are putting up a fuss when there is development happening. The zoning should not be changed just to appease the residents in my opinion. If a piece of property is for sale and I buy it and the zoning allows I should be able to put on it what I want (with some exceptions)

- As a newer resident to the area . . . I bought because it is quiet and residential. I would be extremely disappointed to have a property near by have large trucks, extra traffic, and business within my subdivision. I believe this would make me consider moving and leaving a community I thoroughly enjoy.
- Residential area with small businesses in homes. Would like to see recreational areas or parks
- As for this survey, I was under the understanding that there was going to be door to door surveys, a newsletter sent out to the community but this did not happen. There will be a number of residents in the community will not be able to do this survey because they do not have computers or cell phones to do this survey. How is HRM going to get in contact with those residents?
- Upper Hammonds Plains is a historically significant part of Nova Scotia history. It should not allow businesses such as car lots or apartment dwellings to be placed amongst its residents.
- no more apartment buildings. Clean up of run down, vacant homes. No more businesses that cause major traffic such as used car dealerships. This should be maintained as a residential area for families to grow.
- This is a residential area with small home based businesses. Larger businesses should be kept to the main road (Hammonds Plains Road). This is how it should stay. Multi unit buildings 6 or less units per property are ok, anything bigger does not fit the community.
- The amount of rental properties that have been built are concerning. I am worried about by resale value with the "pop up over night" businesses that make our community look trashy. The large growth of development in the area has significantly increased the traffic and associated noise that comes with it. Speeding is an issue and deep ditches make it difficult to walk with speeding traffic. We only have one way in and out of the road. In an emergency and that is concerning. Businesses should be monitored in the distance they will be from other residential NON business properties. For instance a car lot should not be run from an old house and cars able to be parked on the property line of the neighboring house. Noise levels from businesses should only be permitted in a particular timeframe of the day. For existing junk yards the owners should need to place a privacy fences. Upper Hammonds Plains has lots of green space that is being taken over by development and it should remain a green space. I am concerned as a historic African Canadian community it is losing this identity. More should be done to visibly identify the communities history.
- There is only one road in and out of the community this is a safety issue. Speeding in Upper Hammonds Plains is an issue. The Melvin should be slated for community development as it may eventually be expropriated if the community has not made appropriate use of it and there is no protection from eminent domain. Financial records accounting for the proceeds generated from the wind farm should be public and transparent to the community. Halifax water commission should be approached and potential projects ,partnerships, scholarship opportunities should be up for discussion as a means of addressing the expropriation of lands that the community was grossly



under paid for and currently represents property worth millions of dollars and profits in the tens of millions

- Would not like to see apartment blocks or large industrial developments. Encourage more centralized commercial developments instead of the ribbon development currently.
- I think the fact that we are even considering a rezone the area is absolutely ridiculous. We are in a housing crisis we are not in a position to be picky and disadvantage others
- Larger scale operations such as sawmills should be dependent on property size/distance from neighbours and noise/pollution. Animals, including horses, should be permitted within reason
- Better bus service - no buses come this way at all, we have to go to Hammonds Plains Road and the service is not good as there are very few times and no weekend service.
- No more apartment buildings, which produce so much traffic for such a small place, and only one way to get out of the community.
- Upper Hammonds Plains is an historically African Nova Scotian community with rich heritage that must be preserved. GU1 Zoning is being leveraged (not by community, but by private developers) for economic gain. The community is permanent fragmented and fractured by largescale housing developments and businesses that do not serve the community. My vision is that proper consultation, the community can still engage with, and encourage developments that support and enrich the community. Additionally, I would like to see properties owned by non-profit organizations like the UHPCDA and UHPCLT (who are managed by and serve the community) continue to have GU1 zoning or more open uses for properties they own.
- Speed limits and or speed bumps
- I think we need transit service, there are no fire hydrants on Anderson Road which we need desperately our lives and homes matter. We need another exit should there be a disaster we are in trouble .We cannot accommodate any more development without better roads they are narrow ect.
- Litter/garbage/dumping/dog poo is a MAJOR problem up here. I'd like to see a regular litter clean up of the roads. Noise of the wind turbines at the water facility can be loud at times too. Anti-social behaviour at Little Pockwock Lake (used condoms thrown out, litter). Give the Pockwock Trail a signpost and official parking (i.e. not on the road, as the Trail entrance is on a corner and dangerous at the minute).
- Get rid of the used car lots on lawns and the apartment buildings.
- With the number of new homes that are being built, Upper Hammonds Plains needs exit. If there were a forest fire or any other disaster, the citizens would have not way to exit. Also, consider the traffic during the morning and evening commutes.

Off leash trails

- Wow.... I can't honestly believe that this survey was put out and supported by HRM and our counsellor. It is an extremely targeted survey that blantly targets several businesses in the area, going so far as to name them specifically. More focus should be placed on infrastructure and supporting growth of Hammonds Plains and not increasing the amount of red tape placed on low to middle class citizens trying to make a living. And no, I don't work at, or own, any businesses in the Hammonds Plains area. It's disgusting the amount of red tape I've seen come into play with the new council. I know where my vote will not be going next time. Transparency does not come from developing very pointed surveys to fuel policy.
- Only those surveys from individuals living in Upper Hammonds Plains should be considered.

- Another connecting road to the Hammonds Plains Rd. Perhaps that goes south east towards Tantallon. The area is a mix of new and old and existing businesses are okay but adding anything else to this area will start to take away from the neighbourhood feel. As well large apartment complexes or dwellings that have more than 2 units (i.e. duplex) add traffic to an already busy roadway that becomes congested at the Pockwock/Hammonds Plains Rd intersection. The building at 586 Pockwock for example doesn't have ample parking for the tenants there and often 1-2 cars are parked on the Pockwock Rd. Large amounts of debris in yards is also a concern as it is unsightly and appears to me not to have any purpose other than needing to be properly disposed of. Pockwock Road should have some other exits from it to the other main road. Right no it has to go to Hammonds Plain Road.
- I envision this area as a future trail walking, hiking and nature lovers community with a relatively sized community plaza that would have a grocery store, and 7-9 other small shops between 1000-2000 sqft that way we do not need to drive out of our community to receive amenities
- Walkability, protected pathways, convient bus routes
- The presence of affordable housing across the HRM is a huge issue. We need to make sure rezoning allows for better access to housing and necessary services. please don't destroy the environment around the lakes!
- Any further development in Upper Hammonds Plains should be required to include affordable housing options, long term rental options (month-to-month or yearly leasing vs AirBNB), parks and recreation space, environmental buffering, and connectivity to other neighbourhoods. One of the biggest challenges is that the neighbourhoods only have limited connections to the Hammonds Plains Road, and not to each other. From an emergency response/evacuation/commuting planning perspective this is incredibly shortsighted. Development should include multiple access points to HPRoad and neighbourhoods.
- White hills must be connected to the other subdivisions - specifically Waterstone, and across Macabe lake. This is an egress/safety issue.
- It should be kept as residential area with a focus on houses, community developments like White Hills, and EXPANDING White Hills subdivision. Connecting this community to Waterstone would be extremely beneficial and make residents feel like they had a larger sense of community and connections to others. Further, more parks are essential for keeping residents and providing them with safe places to walk, play, and provide kids with safe and local areas to be. Walking trails near new playgrounds and parks have been a long desire of residents of Hammonds Plains. We should not have to drive out of the community to find such amenities.
- I would like to see all of White Hills forbid large commercial business and allow only residential and small home based businesses in the neighbourhood. I love to support local small home based businesses and truly hate going out of the subdivision for certain services. It would be so disheartening to see a large commercial building ruin the natural beauty of our neighbourhood.
- [REDACTED] excavation business out of a home in the White Hills area. Big trucks on residential streets and continuous dumping of materials around [REDACTED] property with large machinery is not appropriate for a subdivision. HRM bylaw will not help says you need a lawyer. Important to not allow outdoor storage to stop this type of business in a residential area.
- Finish connector infrastructure to alleviate traffic on Hammonds Plains Road. Development Plans should be developed to improve the appearance of businesses along HPR.

- Bigger community centre with an outdoor park and playground. And a curling rink! There are tons of ice sheets around for hockey but not enough for community curling.  
Would be nice to have closer access to grocery and entertainment
- More focus on community spaces and infrastructure ... find a way to make sidewalks work here and for trails to be developed that connect to other trail systems.
- The school is already at a max for students I do not think this area can handle multi unit buildings on top of the single residential homes population wise
- Insufficient recreational spaces - walking trails, public access to lakes for low impact activities.
- Commuting concerns - backup traffic in and out of community.
- Community resources such as medical clinic, small scale businesses.  
Don't let it look like the apartment jungle of Larry Utech
- Until adequate infrastructure i.e roads is put in place there should not be any further development in Hammonds Plains.
- HRM is getting bigger but no infrastructure to handle the gross amount of traffic. It's past the point of ridiculous
- Multi family dwellings, secondary buildings on properties, businesses in outbuildings on private property, tree clearing, blocking of waterways. We need more trees, community parks, and sidewalks for safe walking.
- Arterial routes are badly needed before any more density buildings can occur. Hammonds Plains Rd. cannot be the only road in/out of this area. Multiple accidents along HP road last year support my view.
- When my family moved to the area it was for the quiet community and because it was almost entirely residential. I would love to see the continued development of family-friendly amenities (parks, walking trails / multi-use trails, community lakefront recreation areas, etc.).
- While the development of these amenities would enrich our neighbourhood, adding commercial spaces and multi-unit residential spaces would be a detriment to the area.
- Please please please don't let our little community explode like we've seen in neighbouring areas.
- This part of the HRM has been over-developed because of the NIMBY people that voted for growth but don't want to deal with the disruption of expansion. We need to slow or halt development here for a while.
- Pockwock is already very busy, as is HPR. Providing additional infrastructure will be key to keep up with any new development which may include an additional link to Sackville to alleviate pressure on HPR.
- Enforce the OHV Act and stop ATVs from using residential streets. The RCMP are not enforcing ATVs are being permitted to ride along roadways destroying the shoulder. The result being the erosion of the shoulder, creating an unsafe walking surface for children. Children end up walking on the roadway. ATVs are permitted to cross a roadway under Legislation but not to operate along the roadway. I realize not a zoning issue please pass on the appropriate Councillor/alderperson... and authority.
- How about we start with proper cross walks at schools. So children don't need to dodge between cars and risk getting hit by other vehicles.
- And repairing the roads that can't even handle the amount of traffic that are currently on them.
- And maybe invest some tax payers money into the massive water issues into the infrastructure so we can move water away from people's houses.
- Let's actually look into fixing the ditches and culverts that we pay a tax for, which there is no service provided for them.

- Let's look into the trees over hanging the power lines that are suppose to be removed during warmer months to Minimize damage to power lines, power cuts to houses and business etc. Let's also look into this great speed humps that were installed they need more and more maintenance every year as the signs are knocked down by the plows so you don't know where they are they also have no paint left on them to indicate that your coming up to them and some of them are already starting to fall apart that again will be coming out of the tax payers pockets to fix time after time after time. For the amount of taxes the HRM charges us for, compared to the services that the HRM provides, it's not comparable. We have one fire hall to deal with fires, car accident, 103 the 102 and I'm going to guess on a very minimal staff, there is only one bus stop I believe up in our area that if people don't drive would have to walk 5-10kms just to get access to it. Basically what I'm saying is instead of proposing to build more homes, businesses, condo, apartments, that we won't be able to maintain. How about we look into some of the issues that have been brought up and start with maintaining what we already have. Thanks again for your time.
- Who has taken traffic flow and control into consideration, and no to speed bumps, they're only good at destroying cars. Expanding the road, turning lanes, will be necessary Infrastructure needs to be improved, development needs to stop until it can be supported.
- Affordable living for descendants of the African Nova Scotian community in upper Hammonds plains
- There is excessive speeding along Pockwock rd. people use private driveways to u turn.
- Non residents bring their dogs to relieve themselves on the side of Pockwock road and the cemetery
- More planning for traffic. Transit does not work well out here, not a good option. Hammonds Plains road should be a minimum 3 lane road. The bicycle lane was a waste of tax payers money. No commercial business
- Multi unit homes are completely out of keeping for the area. There is a tremendous amount of nature and wildlife which needs to be preserved. Roads need to be widened for more traffic if development starts especially Hammonds Plains road
- There seem to be a lot of home business. I don't think this is necessarily a problem but it does create a lot of traffic and noise at times. For example there is an auto shop [REDACTED] [REDACTED]...they park cars along the road and [REDACTED] engines revving, often at night. [REDACTED] could at least be restricted to operation during normal business hours.
- Community means keeping families, extended families and likeminded people together to work toward a happy life. Individuals who own million dollar homes near by probably don't have the original members of upper Hammonds plains best interests at heart, so please, ensure that those are the people you are asking for your answers.
- How about road infrastructure upgrades? This does not include woke measures such as speed bumps or bike lanes but actual road improvements that increase the flow of traffic.
- I have concerns about the ability of Hammonds Plains Road and Pockwock Road to handle any more traffic from further development. These roads should be improved to mitigate the impact of further load from more development.
- I do not want to see big industrial places going up in U.H.P. And no apartment buildings; the one that is there is ugly and out of character with the community, as a trailer park would be. Small in-home businesses such as a hairdresser or bookstore would be fine. And I am looking forward to the development of the old firehall into a new youth (and others?) centre.
- I have major concerns about traffic. Traffic on the Pockwock road is heavy at peak driving times and now sidewalks for pedestrians. Traffic is also slow and frustrating on the Hammonds Plains road better access from Upper Hammonds Plains. There needs to be

a Highway from the 103 to Larry Uteck with access from the subdivisions below Upper Hammonds Plains

- As mentioned above in Question 1: You should consider different land use based on traffic volume/main arteries . Having some minor commercial activities along main arteries is consistent with community development, however you cannot apply the same rules to the residential neighbourhoods behind those arteries. This just continues the same community conflicts. Keep the residential areas residential, and commercial commercial-  
-minimize land use conflict. I recommend the land use designation for the White hills area (Slate, Rockcrest and Tomahawk) should be changed to the zoning such as residential parts of Daisywood/Maplewood/Glen Arbour and bylaw permission required for home based businesses that use an accessory building.
- To have a residential only neighbourhood. No used car lots/garages
- There is a need for speed bumps/humps. Construction workers and new people have no concern for the safety of pedestrians or the children waiting at the bus stop. There needs to be side walks. People need to be made responsible for picking up after their dogs. Less rental properties - tenants do not respect what is not theirs. Stopping the gentrification - if there is nothing that can be done with the current plans, there should be affordable housing for those who are descendants of Upper Hammonds Plains.
- “Test driving” of cars frequenting the dead end side of the pockwock road is often dangerous for residents out walking. Have had several issues in past.
- Key issues are the infrastructure and highways desperately need to be upgraded to support the current population in the Hammonds Plains area. Developing upper HP will result in an increase in the population and more vehicles on the roads. The schools are overloaded now, the Doctors are at full capacity, and the Hammonds Plains Road is regularly gridlocked; the junction with Lucasville Road is a nightmare.
- If Upper HP is developed then major investment on highway upgrades, schools and local amenities is needed. Public transport between HP and other communities (Bedford, downtown Halifax etc) should also be upgraded.
- We would like consideration to be given for taller buildings for seniors housing and multiple unit buildings. There is a growing need for multiple unit buildings (both with care and without care) in rural and suburban areas to accommodate the downsizing of seniors who want to stay in their community. The GU-1 Zone of Upper Hammonds Plains allows for these types of housing, but they are limited in height to 35 feet, which is the typical low height limit for single unit dwellings. We are asking that HRM consider allowing taller buildings for multiple unit buildings so that they can be designed to be more cost effective and energy efficient than if they were to be designed as low rise with a larger footprint. We are asking for the consideration of allowing mid-rise multiple unit buildings, which are typically in the range of 6 - 8 stories. We would like to discuss what height may be appropriate for this community. To maintain the rural and suburban nature of these communities, the community could establish larger setbacks and landscaping requirements for mid-rise buildings. There could also be step back requirements from the street frontage so that the height at the front of the building is maintained at the current maximum of 35 feet. This area of Upper Hammonds Plains differs from many other rural and suburban areas in HRM, in that the properties located along Pockwock road are within the water service boundary of HRM. This could be appropriate rationale to allow taller buildings in this suburban area without allowing it in other suburban areas. Also, the GU-1 zone is not used in other HRM plan areas so that may also be a rationale to allow it here without opening up the discussion for other areas. Buildings taller than three storeys are usually required to be sprinklered under the National Building Code and having municipal water service provides a reliable water source for fire protection. We own two properties:

PID [REDACTED]. We are not sure of the postal code, but we posted what we think it is in question 14 below.

- Would like this to continue to be a residential community, with individual homes. Increase and worsening issues with dumping and dog fouling in the area from the waterfall trail head upto the watershed, especially dumping around the lake area
- A car park for the trail head, as the road continues to be congested, often with cars parked between the no parking signs! A bin too, as sadly the litter is increasing with the popularity of the trail.
- Finally no more condominium buildings please, the dog fouling is especially bad between lifestyles and equestrian lane. Thank you for the opportunity to participate.
- Affordable housing for African Nova Scotians from the community.  
Developing affordable housing for African Nova Scotians from our community.
- If there could be a stop to the dirt bike riders driving from Pockwock Road into Upper Hammonds Plains during the spring and esp. the summer. Most of these bikes are driven very fast and have loud noises (sounds).

#### What we heard . . .

People responding to this question articulated a vision for this community as a quiet residential community of African Decent that they would like to maintain. Many noted the significance of this community and sought to have the history of Upper Hammonds Plains documented to educate children and new residents about the importance of this Black Heritage Community that was first established in 1815.

From the comments provided it appears that the community is distressed about the pace and form of development and some do not see apartment buildings or industrial developments as an appropriate form of development that fits within the community. Some on the other hand see the GU-1 Zoning as a way to facilitate growth and development. Many noted the need for the development of affordable housing to meet the needs of the community.

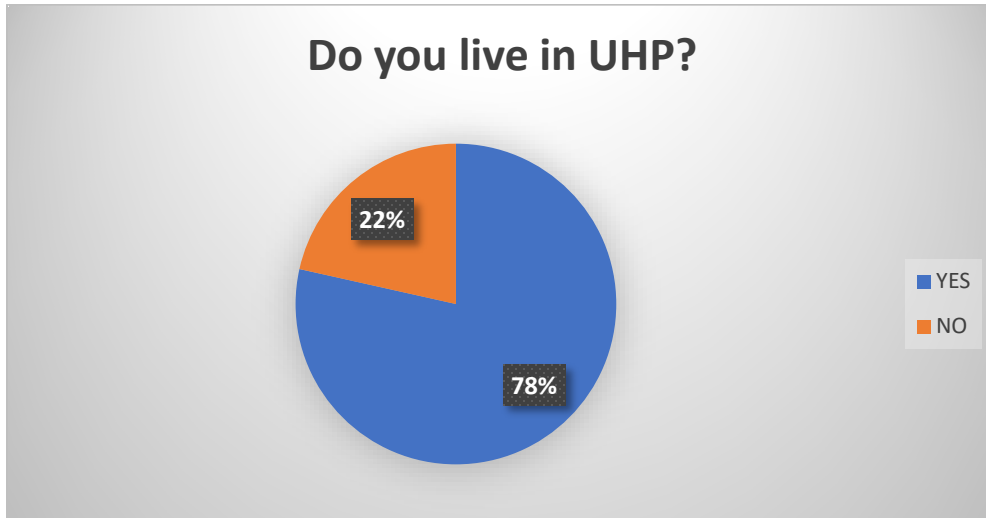
Numerous issues were reported including traffic congestion, speeding, the one-way entrance into the community, lack of sidewalks and destruction of the shoulders of the road by ATVs, overcrowding of schools and medical clinics, inadequate fire protection, lack of parking at the Pockwock Falls entrance, and noise and parking issues posed by industrial type home businesses. Many seem to accept and respect the need for home-based business activities but appeared to want limitations so that they will not adversely affect neighbouring properties. Some also noted that the community assets are being impacted by dog waste and litter and were requesting community action to show greater care for the valued areas of Upper Hammonds Plains.

Some key improvements requested include:

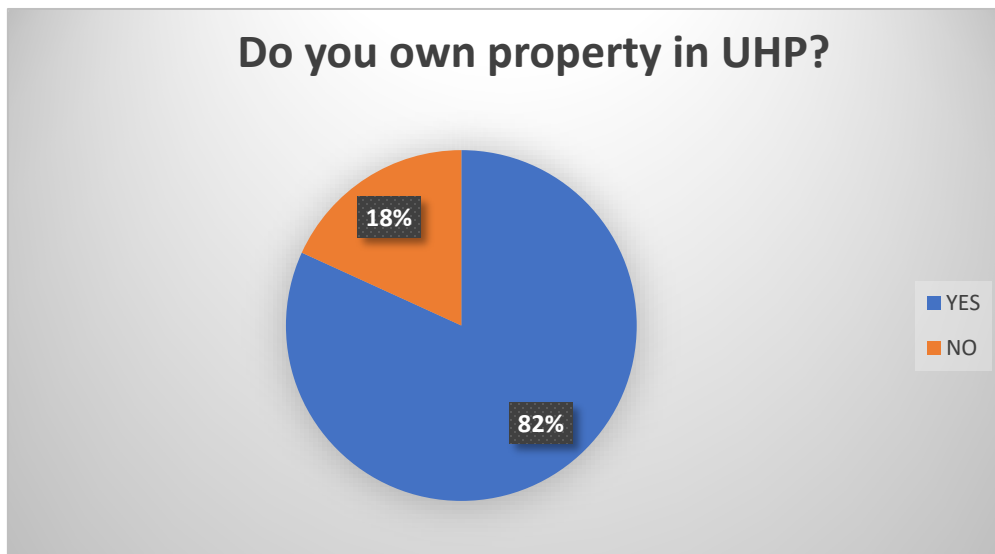
1. the provision of road connections to other neighbourhoods through Waterstone and Indigo Shores to Highway 101 and towards Highway 103;
2. the need for sidewalks;
3. the need for parks and the need for parking at the trail to Pockwock Falls;
4. the need for adequate fire protection;
5. the need for the creation and reporting of the cultural history and significance of Upper Hammonds Plains and cultural activities that could carry forward the importance of the history and culture of this community to others; and

6. the need for the enforcement of the land use by-law and enforcement of the Motor Vehicle Act with respect to the use of the shoulders of the road by ATVs.

12. Do you live in Upper Hammonds Plains?



13. Do you own property in Upper Hammonds Plains?



Thank-you very much for your input. HRM will now start working on some zoning options to bring forward to the community for future consideration. Please stay informed by checking this webpage on Shape Your City:

[https://www.shapeyourcityhalifax.ca/upper-hammonds-plains?tool=map#tool\\_tab](https://www.shapeyourcityhalifax.ca/upper-hammonds-plains?tool=map#tool_tab)

**Attachment E**  
**Summary of Concerns**  
**Culture, Heritage, Transportation, and Infrastructure**

Direct Quotes	Summarization of Concerns	Direct Quotes
<p>“I’m concerned that we are losing our rich history of Upper Hammonds Plains. This is a black settlement community. But none of our people are benefiting from the urban sprawl that is happening in our community.”</p> <p>“The area is a mix of new and old and existing businesses are okay but adding anything else to this area will start to take away from the neighbourhood feel.”</p> <p>“I am concerned as a historic African Canadian community it is losing this identity. More should be done to visibly identify the communities history.”</p> <p>“In the future, I'd like to see every resident in the community educated on the history of UHP. With a state of the art facility that's privately owned and funded through community initiatives. A tuition endowment fund where all children of residents/descendants of the community can receive free education anywhere in NS.”</p> <p>“The community should remain mainly small scale residential as it has historically.”</p>	<p><b>History</b></p> <ul style="list-style-type: none"> <li>• Heritage African Nova Scotian Settlement needs to be preserved</li> <li>• Concern that African Nova Scotian history is being lost</li> </ul> <p><b>Community Concerns</b></p> <ul style="list-style-type: none"> <li>• Littering/dog littering</li> <li>• Speeding</li> <li>• Disrespect in community</li> <li>• Urban sprawl</li> <li>• Destruction of cemetery and community centre</li> <li>• Loss of neighbourhood feel</li> </ul> <p><b>Community Initiatives and Goals</b></p> <ul style="list-style-type: none"> <li>• Affordable housing for African Nova Scotian descendants</li> <li>• Desire to preserve heritage through education and visual representation (signage)</li> <li>• Regular garbage clean-ups</li> <li>• Community greenhouse farm</li> <li>• Opportunity for development</li> </ul>	<p>“Upper Hammonds Plains is an historically African Nova Scotian community with rich heritage that must be preserved.”</p> <p>“With all the new buildings being built and people coming into the community they are disrespecting our community. They throw garbage out the windows, dogs running around and using the bathroom and not picking up after them. Disrespectful to our cemetery and community centre.”</p> <p>“The community is permanent[ly] fragmented and fractured by largescale housing developments and businesses that do not serve the community.”</p> <p>“I envision this area as a future trail walking, hiking and nature lovers community.”</p> <p>“Developing affordable housing for African Nova Scotians from our community.”</p> <p>“I feel Upper Hammonds Plains as well as Hammonds plains in general have been under developed for decades. I feel we as residents of Hammonds Plains are at the forefront of a prime opportunity to grow into an inclusive and sustainable local community.”</p>



**Attachment E**  
**Summary of Concerns**  
**Culture, Heritage, Transportation, and Infrastructure**

Direct Quotes	Summarization of Concerns	Direct Quotes
<p>“Increasing traffic is a danger to all residents off Pockwock Dr .. only one exit .. if there is a fire we are all trapped so please don't add more congestion with packed condos. Also the traffic light is already a km long to leave during rush hour so if you actually care about what we have to say you would not add congestion with multi family/packed mobile home areas.”</p> <p>“Traffic volume and speed on Pockwock is starting to be an issue. Especially bad for pedestrians since shoulders are narrow and no sidewalk. Increasing traffic yearly. Makes entry onto Pockwock from side streets more hazardous. Sightlines are sub- optimal. In addition, exit onto Hammonds Plains Rd at Pockwock Road intersection seems overwhelmed by traffic at times...”</p> <p>“... home business. I don't think this is necessarily a problem but it does create a lot of traffic and noise at times...they park cars along the road and I hear engines revving, often at night. I feel like they could at least be restricted to operation during normal business hours.”</p> <p>“A car park for the trail head, as the road continues to be congested, often with cars parked between the no parking signs!”</p>	<p><b>Road Connections and Access</b></p> <ul style="list-style-type: none"> <li>• Provide more than one access in and out of UHP</li> <li>• Connections to other communities and between neighbourhoods</li> </ul> <p><b>Infrastructure Improvements</b></p> <ul style="list-style-type: none"> <li>• Sidewalks/multi-use pathways</li> <li>• Road widening</li> <li>• Ditch and culvert maintenance</li> <li>• Traffic calming measures</li> <li>• Crosswalks at schools</li> </ul> <p><b>Traffic Concerns</b></p> <ul style="list-style-type: none"> <li>• Speeding</li> <li>• Congestion at peak hours</li> <li>• Volume of cars</li> <li>• Heavy trucks</li> </ul> <p><b>Pockwock Trail</b></p> <ul style="list-style-type: none"> <li>• Remove 'no parking' sign</li> <li>• Provide adequate parking</li> <li>• Provide trash cans</li> <li>• Trailhead signage</li> </ul>	<p>“Better bus service - no buses come this way at all, we have to go to Hammonds Plains Road and the service is not good as there are very few times and no weekend service.”</p> <p>“White hills must be connected to the other subdivisions - specifically Waterstone, and across Macabe Lake. This is an egress/safety issue.”</p> <p>“Key issues are the infrastructure and highways desperately need to be upgraded to support the current population in the Hammonds Plains area. Developing upper HP will result in an increase in the population and more vehicles on the roads. The schools are overloaded now, the Doctors are at full capacity, and the Hammonds Plains Road is regularly gridlocked; the junction with Lucasville Road is a nightmare.”</p> <p>“The large growth of development in the area has significantly increased the traffic and associated noise that comes with it. Speeding is an issue and deep ditches make it difficult to walk with speeding traffic. We only have one way in and out of the road. In an emergency and that is concerning.</p>



**Attachment F  
Public Information Meeting Summary  
Case 23617**

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

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Tuesday, July 19, 2022  
6:45 p.m.

Upper Hammonds Plains Community Center (711 Pockwock Rd, Upper Hammonds Plains)

**STAFF IN**

**ATTENDANCE:** Maureen Ryan, Planner, Planner III, HRM Rural Planning  
Claire Tusz, Planner, Planner II, HRM Rural Planning  
Bryan Maponga, Planning Controller, HRM Planning  
Jared Cavers, Planning Information Analyst  
Byungjun Kang, Planner, Planner II, HRM Rural Planning  
Mapfumo Chidzonga, Advisor Diversity & Inclusion, HRM Planning  
Thea Langille, Principal Planner, HRM Rural Policy  
Peter Nightingale, Principal Planner

**ALSO IN**

**ATTENDANCE:** Pam Lovelace (District 13) - Deputy Mayor and Councillor for Hammonds Plains - St. Margarets  
Honorable Ben Jessome - MLA for Hammonds Plains-Lucasville

**PUBLIC IN**

**ATTENDANCE:** Approximately: 47

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**1. Call to order and Introductions – Mrs. Gina Jones-Wilson**

Case 23617: Upper Hammonds Plains Land Use Designation Review.

Mrs. Jones Wilson, introduced herself and welcomed to HRM staff to their community, and gave a synopsis of our presentation and community meeting. She then handed things over to Mapfumo Chidzonga who then introduced the staff and Maureen Ryan as the planner on the case. The area Councillor for District 13, Deputy Mayor Pam Lovelace, and the Honourable Ben Jessome were also in attendance.

**2. Presentations**

2a) Presentation by HRM Staff – Maureen Ryan

Ms. Ryan's presentation included information on the following:

- (a) the purpose of the meeting including to share the results of the survey that was conducted and collecting further feedback on potential rezoning opportunities.
- (b) the role of HRM staff through the planning process;
- (c) a brief description of the Land-Use and Zoning history and scope of Upper Hammonds Plains land designation;
- (d) and provide a platform to discuss current community goals regarding the zoning stipulations set out in the 1987 documents. Precisely, staff was present to help determine if these zoning laws are still valid and suggest potential amendments to the current zones about community goals.

### 3. Questions and Comments

After the presentation, Mr. Chidzonga proceeded with opening the floor for questions and comments.

#### I. Zhang Xu

- Mr. Xu asked for information on the location of the website where the survey was and if he can still provide feedback.
- The website link was put on the screen and Ms. Ryan encouraged attendees to take pictures and confirmed to Mr. Xu that the Shape Your City Webpage will have more information

#### II. Allison – no last name provided.

- Allison asked for clarification on whether or not development will be put on hold whilst the process of changing the zoning occurs.
  - Ms. Ryan reconfirmed the legal mandate that HRM holds regarding the issuance of permits, if the application falls within the current requirements – before we place a notice signifying that the Regional Council is holding a public hearing for any zoning changes – the developer has a right to continue with development if they have an approved building permit in place. Ms. Ryan affirmed that legally, the building permit is effective for one year and construction has to commence in that timeframe. Ms. Ryan further articulated that when the changes appear in the paper and/or on the HRM Website, if the developer did not have an approved building permit at the time of the advertisement, they will not be issued another building permit if the proposal is contrary to the proposed zoning changes.
- A comment from the crowd confirmed this by informing everyone else in the room the 2-year timeline process will not stop developers from buying land and continuing with development. Are there any measures to restrict this?
  - Ms. Ryan acknowledged the concern and confirmed the process is traditionally lagging- however, given the nature of the case, all municipal staff involved will work to expedite the process if a mandate to change the zoning is provided by the Community of Upper Hammonds Plains.
  - Mr. Nightingale was asked to speak on the role of the Province in the process and how that can affect timelines; Peter confirmed and reiterated Mrs. Ryan's words above regarding the legal requirement to issue permits under the current land use by-law.
  - Mr. Nightingale further assured the Community that the sooner the mandate is given to change the current land-use bylaws, the sooner the Municipality can regulate development in the way that the Community wants.
- Another resident expressed concern over the road access and safety issues within the Pockwock Area; stating, that more development will result in more traffic which will subsequently lead to more safety concerns.
  - Ms. Ryan confirmed the ongoing long-term planning team is working on this issue and, they will be looking at how to address the connectivity between communities in this area.
  - Ms. Ryan further advised that currently, this shorter-term planning process has been initiated by Regional Council to address the zoning issues to ensure future development is representative of the community's wants and needs.
  - Ms. Ryan, further explained that each application has a requirement to submit a traffic impact statement; however, this statement does not address safety-related issues but rather, is there enough capacity within the road to handle the anticipated traffic from the proposed development where the driveway intersects with the road. A transportation study for the whole of the area would be required to determine the need and opportunity for overall transportation improvements.

### III. Myles Simms

- Mr. Simms is a long-time resident of the area and is worried that the rezoning will not protect older local businesses within the community that has operated for decades. If the zoning was to change would that affect local businesses? What steps are there to protect these businesses?

Ms. Ryan stated that an existing business that was developed with the issuance of permits or that existed before zoning was put in place in this area (1974) that business would have the right to continue if the business does not conform to the requirements of the by-law after the zoning for the area changes. Further, your business will be allowed to continue if:

  1. The business does not discontinue operating for more than six consecutive months;
  2. The business is not destroyed by fire for more than 75% of the assessed value.
  - She also noted that these non-conforming use provisions can be expanded if the community asks for them to say extend the time frame that a business may be discontinued.
- Mr. Simms also asked for clarification on the voting process if the LUB was to change; is it a council decision or is put to a community vote?
- Ms. Ryan confirmed that the decision to change the by-law rests with Regional Council under the Halifax Regional Municipality Charter but that Council will be taking the views of the Community into account.
- Further, Mr. Simms asked for clarity on the environmental regulations associated with existing development requirements; Mr. Simms is concerned about the health implications of some proposed businesses in the area.
  - Ms. Ryan advised that approvals for on-site septic systems are the responsibility of the Nova Scotia Department of Environment and Climate Change and that the responsibility to monitor the maintenance of those systems rests with this Department.
- Lastly, he wanted to affirm and reassure all stakeholders present that, the community is not against development, they are against development that does not respect the cultural heritage of the community and the resource needs.

### IV. Kieran –

- Asked for clarity on whether the current or future zoning will allow for mobile homes or mobile home parks.
  - Ms. Ryan confirmed it is mobile home parks that the survey respondents did not want to allow in the future.

### V. Max

- Max asked Ms. Ryan to speak on the process of notifying the public and the different channels we use.
  - Ms. Ryan confirmed that HRM will post this notice in the newspaper and on the HRM website as well.
  - Further, community members that have been working closely with us will also be informed of the change and asked to pass it on.
  - Ms. Langille also reaffirmed that a Public Hearing will be done before anything gets voted on and regarding communication, they will follow a similar process to today.

### VI. Jennifer Tsang

- Her inquiry was in-regards to senior housing and the lack of long-term care-specific senior housing. 'She wasn't clear on the list of uses as they did not explicitly mention seniors housing, whether that be seniors with care or seniors housing with partial care or active living seniors. Her concern is that these categories are often in apartment-style buildings.
- Ms. Tsang's question prompted comments around the room and these were centered around the lack of senior-specific housing. Apartment buildings are built with the guise of housing for senior citizens but later switch and offer accommodation to any willing party.
- The comments from the floor hinged on the need for senior housing amongst the African Nova

Scotian older community to adhere to the original purpose of the GU1 Zone;

- Ms. Ryan acknowledged that originally most of the rural areas did not have the provision for apartment buildings when we started to develop these plans however, exceptions for seniors housing were made because they wanted seniors to remain within the community where they live.
- Mr. Nightingale introduced himself and his role as a Development Officer in the case. He narrated the planning history and current implications it has on senior housing and the policy tools being used. The term “senior citizens housing” is being proposed to be replaced with the term “shared housing with special care”. If the community opts to allow this change this will mean that applications have to specify and include plans for special care

VII. Dan Vanderberg and Rev Lennette Anderson

- Mr. Vanderberg is a resident of the area and believes there needs to be community oversight in the approval process of projects. Besides engagement, the community should have a vote on whether a project can proceed.
  - Ms. Ryan explained that the community can influence the approval process for development applications for a development agreement or a rezoning process. Both these processes require a public information meeting and a public hearing before development can be considered for approval by the North West Community Council. She explained that only the North West Community Council has the authority to approve a rezoning or development agreement under the Halifax Regional Municipality Charter. Public Information Meetings and a Public Hearing have to be held before a rezoning application or a development agreement can be considered for approval and this is where the Community can have a say on how the development should take place.
- The committee will help alleviate the problem that you have developed that is disembodied from the rest of the community and the place they represent, and this deflates the natural spirit of the community.
- Rev Anderson shared an experience, a few community members recently had over a business call that confirmed the lack of cultural and historical preservation when it comes to development. The increased clear-cutting and heavy traffic deflate the community spirit and the meeting confirmed the lack of regard for the deep history that represents the Upper Hammonds Plains Area.
- Rev Anderson asked if there are any recommendations HRM can make based on the community feedback you have received from the survey and from us to address this situation concerning rapid development and the story the survey represents.
  - Ms. Ryan recommended the community give the staff mandate to proceed with zoning changes for the area based on the feedback from the Survey. The survey tells its own story and staff can use those responses to compile a list of specific suggestions – return for the community’s input and approval – and then make a recommendation to the HRM Regional Council to formalize the changes.

VIII. Kisa Munroe Anderson

- She expressed how such meetings happen regularly and each time, the African Nova Scotia Community expresses concerns about development not respecting the deep history that defines these communities. The resident asked for clarity on the role of HRM in permit applications, specifically, their ability to deny applications based on information collected during the consultation process. Intently, the resident asked HRM staff to explain the role of the municipality in standing up for the African Nova Scotia community given information collected over previous years.
  - As a community she believes there is to articulate concerns and the municipality acts as the mediator between the developer and the community. However, increasingly she has seen community members take personal responsibility to contact developers and intercede. The resident expressed discomfort with this and asked HRM staff to give an overview of the role they play as a municipality.
  - In response Ms. Ryan reiterated the mandate for tonight’s meeting; that being, to

reassure that the need for a zoning review was heard and staff is committed to providing Regional Council with a direction that is rooted and reflective, of the communities needs and sentiments.

- Ms. Ryan informed the resident that the long-range planning team is currently looking at creating community benefits action plans to adequately reflect community needs. One of the matters that this team will have to address is the need for a Cultural Landscape Assessment so that these important values can be taken into account in future planning decisions affecting the Community.
- Furthering her previous comments on the legal obligation the Municipality has to issue permits, Ms. Ryan reconfirmed that currently, the first step to halting area-specific development, is to review the zoning laws and that is why the team is here to listen and learn. As a representative of the community, you determine the direction and we will escalate that to the powers that be. In the meantime, she urged the community members to actively make their opinions heard with all stakeholders at the table.
- The resident expressed discomfort with the endearing similarities the current development boom in Upper Hammonds Plains has to the Africville situation and most recently Beechville and North End Gottingen street; African Nova Scotian communities have been ignored and forced to conform with municipal decisions regardless of survey results and community needs.
  - The resident further expressed that despite the results showing community needs, developers are not respecting/owning up to their promises.
- The resident expressed how current policies and laws are neglecting the historical and cultural significance of historically black communities to the current history and identity of the community. A reoccurring phenomenon, the resident suggested that the Municipality create an umbrella policy that protects the cultural significance and history of African Nova Scotians.
  - Deputy Mayor Lovelace thanked Kisa for her comments noting that there is a motion she has put forward to the council concerning this. The AO2021004 calls for an advisory committee whose sole purpose is to establish a committee that will advise the Municipality on the impact of municipal policies programs and services on African Nova Scotian communities.
- In response, the resident further suggested HRM use and apply an anti-racist lens to their review process.
  - Mr. Chidzonga chimed in and informed Kisa that this was his aisle of expertise and work has commenced on formalizing this process. The anti-black racism strategy has been commissioned to review the policy with this lens.
- This topic paved way for a discussion on the possibility of conferring heritage status to some historically black communities to ensure their preservation and respect.
  - The Honorable Ben Jessome gave a synopsis of the intricacies of this process and the potential avenues the community can take to achieve this. He, however, cautioned that given the timelines and his lack of hands-on experience, it's best to undertake the zoning review in the interim with a long-term goal.
  - The Honorable member asked for clarity from HRM staff on different options that are there currently that the community can take now to slow down or halt the influx of building permits based on the current zoning.
  - Further, the honorable member brought to the table the need for a conversation on affordable housing and the need for it in the city and asked for clarity if this is a priority item when it comes to development permits.
    1. Ms. Ryan informed the MLA that currently, the staff is looking at density bonusing, specifically, how it can be applied to rural communities.

#### 4. Closing Comments

Ms. Ryan and Mr. Chidzonga thanked everyone for their participation in the meeting and assured the room that staff will be back with a zoning change that is based on tonight's comments on the results of the survey.

#### 5. Adjournment

The meeting adjourned at approximately 9:05 p.m.



## ATTACHMENT G

### Public Information Meeting Case 23617

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

Wednesday, September 21, 2022

6:30 p.m.

Upper Hammonds Plains Community Centre (711 Pockwock Road, Upper Hammonds Plains)

#### STAFF IN

##### ATTENDANCE:

Maureen Ryan, HRM Planner III, Project Lead, HRM Development Services  
Claire Tusz, HRM Planner, HRM Development Services  
Byungjun Kang, HRM Planner, HRM Development Services  
Cara McFarlane, Planning Coordinator, HRM Development Services  
Jared Cavers, Technical Coordinator, HRM Regional Planning  
Thea Langille, HRM Principal Planner, HRM Development Services  
Carl Purvis, HRM Program Manager, HRM Development Services  
Anne Totten, HRM Planner, HRM Regional Planning

#### ALSO IN

##### ATTENDANCE:

Gina Jones-Wilson, Host  
Curtis Whiley, Host  
Deputy Mayor Pam Lovelace, District 13

#### PUBLIC IN

##### ATTENDANCE:

Approximately 50

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#### 1. Call to order – Curtis Whiley, Descendent of Upper Hammonds Plains

**C. Whiley** introduced himself as a descendent of Upper Hammonds Plains and working as a community advocate with HRM and the Upper Hammonds Plains Community Development Association (UHPCDA). The land of Mi'kma'ki was acknowledged as well as the International Decade for People of African Descent. An acknowledgement to people of African Nova Scotian Descent was also delivered.

#### 2. Introductions / Presentation – Maureen Ryan

**M. Ryan** is the Planner and Project Lead guiding this application through the planning process. Staff members, the hosts for this application and Deputy Mayor Lovelace were introduced.

#### 3. Questions and Comments

**M. Ryan** invited the community to ask questions to staff and provide their feedback about the proposal.

**Brandon David, Valentine Lane** – Is this proposal amending the uses that are permitted under the GU-1 Zone and if so, what happens to the buildings that wouldn't meet these requirements due to the change? **M. Ryan** – The proposal is to make changes to the GU-1 Zone to encourage economic development to bring people back to the community. Existing legal operations prior to the public hearing notice appearing on the website are protected as well as approved building



permits for a period of one year. **B. David** – Would an existing non-conforming building be grandfathered? **M. Ryan** – Yes, as long as it exists legally. Only new buildings would need to comply with the new requirements. **B. David** – What is the difference between commercial and industrial? **M. Ryan** – Industrial operations involve the processing and manufacturing of goods whereas a commercial operation is when distribution of goods and services are involved.

**Jeanne David, Pockwock Road** assumes that if the townhouse development where there are four different phases with a total of 120 townhomes receives a permit prior to the proposed changes going into effect, then the development can continue. **M. Ryan** – An approved building permit for the entirety of a development entitles construction for a period of up to one year. Some construction times may be extended if the development is happening at a reasonable pace.

**Joseph Conway** – If there was a development agreement in place would those 15-unit buildings not be permitted? **M. Ryan** – If there is not an approved building permit and the policies change, the developer could make an application for a development agreement which would be subject to a public engagement process and approval by North West Community Council (NWCC). If the proposed development is consistent with the intent of the Municipal Planning Strategy (MPS), NWCC would most likely approve it. If NWCC did not approve it and the developer felt it met the criteria, they could appeal Council's decision and go before the Nova Scotia Utility and Review Board (NSUARB). The developer has the opportunity to work with the community to ensure that the proposed building/development is compatible with the surrounding land use context. **Thea Langille** – The development agreement tool that is being discussed tonight, is not currently available. If the changes are approved, it will allow future opportunity for the community. **J. Conway** – What is the timeframe for a development agreement application? **T. Langille** – Development agreement applications typically take six to eight months depending on the complexity of the application.

**Kisa Anderson, Slate Drive** referenced the slide about changing the area around Daisywood to R-1 Zone from GU-1 Zone. What is the rationale to change that area to R-1 Zone and to just amend the current GU-1 Zone for the rest of Hammonds Plains? **M. Ryan** – That area consists of a suburban-style form of development with lots and houses that are close together which is where R-1 restrictive residential zoning would typically go. In the remainder of the Upper Hammonds Plains community, staff were mindful of the objectives of the community to generate opportunities for local employment to re-attract people to the community and remain flexible. **K. Anderson** does not trust the amendments and believes there are still loopholes that will allow for the community to continue going down the trend that the community has been afraid of and spoke to in prior public meetings. Safety has become a concern as well. **M. Ryan** – Due to increased potential for development in the area, staff was asked to do a zone review. Long range planning will continue working with the community to develop a Community Action Plan where requests for adjustments and change can be made. Staff is proposing to move forward with a zoning proposal to protect the community in the meantime. **K. Anderson** thanked M. Ryan and appreciates the work staff has done to date.

**Sabrina Allison, Pockwock Road** – How many permit applications were submitted after the July 19, 2022 meeting? **M. Ryan** wasn't able to answer. M. Ryan explained that Planning and Development try to maintain an arm's length distance during a community planning process, but understands that a number of applications have been made and that they will compile a list of applications when planning brings the proposal to Regional Council. There were a number of applications made but M. Ryan understands from colleagues in Development Services that there are bigger applications on the horizon. **S. Allison** is not happy with the changes taking place and would rather see two storeys as opposed to three for the townhouses. S. Allison would like to see more ground-oriented structures. The GU-1 Zone was put in place for the people within this community to provide and make a living for their families. It wasn't intended for developers to come in and take advantage of the land. S. Allison is concerned that developers will find loopholes. Also, this community has never been considered for affordable housing. **M. Ryan** – Strong policy makes developments compatible with surrounding land use context. Three storeys are the height restriction put in place for multiple unit dwellings. **S. Allison** – How many units will be allowed in the townhouses? **M. Ryan** – Four units per block is proposed for a townhouse. **S. Allison** hopes

that when staff refers to community, they are referring to the original descendents of this community. **M. Ryan** – The community refers to the residents and land owners of Upper Hammonds Plains.

**Tracey McGrath, Pockwock Road** – With these new proposed restrictions, what would that do for the applications for developments on the horizon? How do these new restrictions help us now knowing that in the future we could go more towards R-1 Zoning? **M. Ryan** – If you give Staff the mandate to proceed with these zoning changes and when Council gives first reading, the notice is posted and the clock stops for any application being submitted and the developments would then have to comply with the proposed changes going forward. Regional Planning will be working with the community on an Action Plan. If the zoning rules do not change, application for buildings permits will continue to be submitted. **T. McGrath** asked about the historic forestry. What happened with the 20 acres that were cleared? **M. Ryan** – The historic forestry that was referred to happened years ago and is really important for wildlife movement. The Regional Plan requires that all development has to be assessed against the values for forest retention under the HRM Green Networks Plan along this essential wildlife corridor. This will be in place on September 27, 2022. The 20 acre was permitted to be cleared under the current regulations with the requirement of matching pre and post flows.

**Mary Catherine** – The three-storey townhouses are not affordable for the majority of families which could result in shared housing. This will increase the traffic. Is Pockwock Road going to have another exit? **M. Ryan** – The roads are built by the developers. There is a valid need for a second access for the community which would need to be considered by Regional Council. There is no road development occurring in the area within the foreseeable future. With current development proposals, the impact of traffic on the road network would be considered. **M. Catherine** is concerned about the new 80 to 120-unit development drawing from the water table and affecting the wells in the area. **M. Ryan** – Currently, there is no requirement for a hydrogeological assessment but that change is what is being proposed.

**Myles Simms, Pockwock Road, original descendent of Upper Hammonds Plains** – Is the MU-1 Zoning a possibility for this community as well? What does that entail? **M. Ryan** – There was a lot of trepidation from the survey and the last meeting about losing the GU-1 Zone. The proposed changes are similar to the requirements in the MU-1 Zone. The GU-1 Zone is there to accommodate the anticipated local employment creation. **M. Simms** – The recent developments are right up to the road and litter everywhere. If we were MU-1 or R-1 Zone, is there a way to apply for an application to put a secondary building to have a business in the yard? What is the timeframe to rezone from GU-1 to a MU-1 Zone? **M. Ryan** – A secondary building would not be permitted in an R-1 Zone. To consider applying an MU-1 Zone instead of the proposed changes to the GU-1 Zone would add substantial time to this process. **M. Simms** – Presently, there would be a small percentage of residents that would have a business in their backyard.

**Gina Jones-Wilson, Pockwock Road, President of the Community Development Association** – The community cannot put too much restriction on zoning if it intends to grow. Developers can be approached to change the look of their development. Delaying these proposed changes allows developers more time to apply for building permits. Community members are looking to have some input as to what is going into the community. As of right developments does not allow that option and the history of the community is being lost. Four and five-unit buildings are not in the landscape of the community and people are emotional because the community is changing. **Carl Purvis** – A building permit could take up to four months to be approved depending on the complexity of the project. **M. Ryan** – If the community required more time and changes, it would be approximately two to three more months to prepare for another meeting. If staff moved forward with the proposed changes, approval of permits would be approved under the proposed regulations until the public hearing notice is posted.

**Pastor Leonard Anderson** is concerned about not rezoning from GU-1 (with conditions) to MU-1 Zone. **M. Ryan** – With the conditions for development under the proposed GU-1 Zone it is very close to a MU-1 Zone. The proposed changes will be posted to the website and members of the

community can submit their input. In the meantime, staff will continue with the proposal. If this is not what the community wants, staff could potentially come back with another proposal.

**M. Simms** – If these proposed changes are implemented, can the community be rezoned in the future? **Anne Totten** gave a brief explanation of the Community Action Plan and what is taking place with the Beechville Action Plan. **M. Ryan** – These proposed changes can give the community some protection while working with Regional Planning on a Community Action Plan. **C. Purvis** – The zone can be revised, but the community has to be consulted, and in the end, approved by Council.

**K. Anderson** – None of the zones capture the needs of this African Nova Scotian community without compromise. Would HRM consider a new zone that would take into consideration the heritage, history and values of African Nova Scotian communities? This land is holy and sacred ground. There has to be some respect for heritage. **M. Ryan** advised that zoning is not the only tool available to understand, protect and preserve those cultural values. Regional Planning will have those conversations with the community by way of the Community Action Plan. **A. Totten** – Through the Action Plan, staff would be working with the community to possibly create a new zone or tools for the preservation of the cultural heritage.

**S. Allison** - Would staff come back to the community if developers proposed to change the zoning?  
**C. Purvis** – Staff listen to feedback from the residents and land owners within the community and take that back to Council who will make the decision.

**T. McGrath** – How is the community notified of planning applications happening in the area? **M. Ryan** – If the proposed land use and policy changes take place, a notice would be posted on the website that an application has been submitted and the application would follow the public engagement process. A sign is posted on the subject property, there is a detailed webpage for the planning application and property owners within 500 feet of the subject property would be notified of public meetings.

**P. Conway** – Permits are accessible on ExploreHRM. **M. Ryan** – The information is not always current and doesn't contain as much information.

**Deputy Mayor Pamela Lovelace** thanked staff for their continued work and community engagement on this proposal. Developments were happening without notification as it was not a requirement. The proposed changes are not perfect but the more time that passes, the less the community will be involved in the development. D. M. Lovelace would like for this to be approved by the attendants at the meeting and be in public discussions as to what the community is going to look like. It's important to build relationships within the community so it can continue to grow and have opportunity to bring family home. D. M. Lovelace asked for a show of hands for moving the proposal forward and about 90% said yes.

**M. Ryan** thanked everyone for coming and invited the community to fill out feedback forms. The majority in attendance would like to proceed with the presented proposed changes. The presentation, proposed policy changes to the GU-1 Zone and the Upper Hammonds Plains Land Use Designation will be posted to the website for consideration.

#### 4. **Closing Comments**

**M. Ryan** thanked everyone for their participation in the meeting.

#### 5. **Adjournment**

The meeting adjourned at approximately 8:33 p.m.

## Attachment H

### Response to Proposed Changes to the Upper Hammonds Plains Community Designation and GU-1 (General Use) Zone October 12, 2022

#### Introduction

The proposed changes to the Upper Hammonds Plains Community Designation and GU-1 (General Use) Zone were posted on the Shape Your City Website on September 29, 2022, for comments. The survey was open until October 12, 2022. During this period there were 276 visitors to the site. A total of 19 individuals made comments on the proposed changes to the Upper Hammonds Plains Community Land Use Designation and the GU-1 Zone as outlined in the tables below.

Please tell us what you think about the proposed changes to the <u>Upper Hammonds Plains Community Land Use Designation</u> under the Municipal Planning Strategy.	
1	These are good, thank you.
2	Most of the changes are reasonable, except as described below.  The maximum square footage proposed for commercial and industrial uses is too low. Where did these numbers come from? A 2000 square foot building is not a typical commercial space. This should be a maximum of 10,000 square feet...why change the original MPS?
3	My issue with zoning change we have a housing crisis in Canada. There are people who have invested millions n now the municipality is taking that right away
4	These changes are just what the ANS Community of UHP needs to protect our historical preservation.
5	The proposed changes to the Upper Hammonds Plains Community Land Use Designation under the Municipal Planning Strategy is long overdue. It is needed to preserve our historical black community. Since the increase of development, there has been an increase in speeding, of garbage all over the community, the children are not safe on the playground, basketball court. Children were playing basketball and 2 men were sitting in their car smoking weed and were asked to leave. Later on the 2 men came back and threw garbage cans on the basketball court. The development has caused a total disrespect for our community.
6	I am in favour of the proposed changes to the Upper Hammonds Plains Community Land Use Designation . Our community is a historical black community and it must be preserved.
7	The proposed changes to the Upper Hammonds Plains community land use designation is what our community needs. If it doesn't change our community will disappear as of all of the development. Our community has been here since 1812 and we are proud. We will not have our community wiped out.

**Please tell us what you think about the proposed changes to the Upper Hammonds Plains Community Land Use Designation under the Municipal Planning Strategy.**

8	<p>Community Land Historically iconic Community Land</p> <p>The Strategy, that should be in development is that of the COMMUNITY of Upper Hammonds Plains!</p>
9	<p>I'm going to be directly effected by these development changes. Please allow neighboring residents to have a say in infrastructure going in. Three and four level residential living arrangements or large capacity business operations would completely impact the community and surrounding residential single unit living. I've been in my home and property for 40 plus years. I have not seen so many changes as it has in the last 8 years of three and four story buildings. The speed of traffic up and down the road. Children not walking up and down the street as prior. This is an original black settlement community and that field has been wiped away with disrespect, change to dynamics. When we asked for permissions we did not receive, and now I see big companies coming through and doing the same thing I asked but ripping things apart.</p>
10	<p>The land zoning changes should be a community based strategy to help the people in the community prosper and provide for the family without restrictions to the residents in this community</p>
11	<p>I agree with the changes to the Upper Hammonds Plains community land use GU-1</p>
12	<p>I would say that the changes should benefit the community and its residents and try to remain as a community and stop all of this new construction that takes away from community.</p>
13	<p>Restrict height of multi units/townhouses to fit with the community look – NOT 2-3 stories.</p> <p>100 feet from industrial use is not far enough. Noise travels further.</p> <p>More checks on traffic volume. There is going to be too much. Safety is an issue and speeding.</p>

**Please tell us what you think about the proposed changes to the Upper Hammonds Plains Community Land Use Designation under the Municipal Planning Strategy.**

14	<p>I wanted to write you in regards to all the new info that was provided at your last meeting. I sell real estate (in the area &amp; have been involved or aware of a lot of the recent transactions that have taken place).</p> <p>My issue is, people have spent LARGE amounts of money on this land.</p> <p>1.2 million, 1.3 million , 800,000, 650,000 for land only based on the zoning &amp; what could be developed. And some of these deals happened with some of the people in the room that don't like what is happening to the community. So while they don't like it, some have also capitalized greatly with profit. So all I am asking, is for the people who have spent great amounts of money to purchase in the community to also be considered. Can you imagine the potential loss some of those people may have, if what they intended to build isn't approved under development agreement?</p> <p>I am understanding of rules moving forward on new transactions. But I feel like ones that have happens in the last 3 years should almost be exempt for the next 12 months. When someone doesn't know they need to spend massive amounts of money getting their approvals in, it's possibly they didn't have that plan in motion soon enough.</p> <p>It also makes it very difficult for myself as a realtor, banks, appraisers to understand what the value is in pricing now in the area. We will almost be at a stand still to "see how it goes" with development approvals to see what things might be worth. But I am unaware what to do in the meantime should someone approach me to list something in the area. So perhaps you could give me some more information in that regard on what to actually expect, to be approved.</p>
15	<p>In regards to the zoning change for Upper Hammonds Plains I believe that each property owner should have a vote and cast a ballot.</p> <p>I don't believe these changes are beneficial.</p> <p>I understand that you are consulting the community but the community also has other members who were not consulted. A great deal of people who are advocating for the change of the zoning do not live in the area, nor do they own any properties there currently. This process is too informal and doesn't represent the entire community.</p> <p>On the same topic a lot of people who do live in the area did not attend the meetings nor did they have a vote or a say in the proposed changes.</p>
16	<p>From what I can gather, and I admit that this is only a rough calculation, the GU1 area comprises of roughly 3200 acres with an additional 120 acres in the Daisywood area. Of the 3200 acres in the Upper Hammonds Plains area, I have counted roughly 52 properties that would have African Nova Scotian residents (or descendants) as occupants. Also, from what I can gather, it appears that of the 3200 acres in Upper Hammonds Plains, only 500 acres (or so) are owned by African Nova Scotia's. The remaining 2700 acres appear to have owners that are not original members or</p>

**Please tell us what you think about the proposed changes to the Upper Hammonds Plains Community Land Use Designation under the Municipal Planning Strategy.**

	<p>descendants of the Upper Hammonds Plains community. It also appears that these mentioned properties comprise 170 PID's.</p> <p>Reading the compiled results of the September 21<sup>st</sup> meeting, it appears that 47 people attended the meeting. Of the 47 people, a majority of hands (of those who chose to vote) voted to proceed with the proposed zoning changes. I feel this is only a fraction of the affected landowners that, in the future, will have to abide by any changes to the current zoning. All this being said, I would ask that you strongly consider a fair and competent way to calculate each property owner's vote. I would like to see a mail-out ballot sent to every PID owner, asking for a " Yes or NO" vote to the proposed changes. I feel that the proposed zoning changes are catering to the wishes of a small percentage of landowners, and does not reflect the wishes of the majority.</p> <p>Thank you in advance for considering my request.</p>
18	<p>I believe this zoning review has happened only because the community has expressed disappointment in the development of their community. There would have been no Development in this community unless the people of the community sold their properties vacant land houses et cetera. There has been a huge investment by the developers, builders et cetera in this community. As a matter of fact, I know several people who are living in some of these buildings. We understand, you understand, there is a housing crisis in Nova Scotia. Once these buildings are erected they are full, signifying there is need for development. The more Units on a property the cheaper it is to develop it. In my opinion, there should be an as-of-right in the GU1 zoning to accommodate 10 units. I believe that is where the cut-off should be before having to go to a development agreement. Thanks for all the work that you have done but again if there are no sellers, there are no buyers therefore the community does not get developed.</p>
19	<p>On behalf of my Client who owns land in the area, I would like to request that the development agreement criteria for multiple unit buildings include the ability to consider buildings taller than 35 feet. (revise draft policy P47A (a))</p> <p>There are instances where a taller building on a smaller building footprint can be more environmentally sensitive and provide larger setbacks and buffers from the road and adjacent properties. The development agreement process is intended to allow for site specific design to encourage options that are suitable under the right conditions. These conditions could include architectural guidelines that require a taller multiple unit building to have complementary features to homes in the area.</p> <p>Multiple unit housing provides an alternative for people who want to downsize from their single family dwelling and stay in their community rather than having to move to the urban area. Allowing flexibility in building design will allow for more land area to be preserved in its natural state or to be used for amenity area for the residents such as community gardens, which is often a desirable addition to a community.</p>

Please tell us what you think about the proposed changes to the <u>GU-1 Zone</u> under the Land Use By-law.	
1	These changes give the community voice on developments
2	The proposed changes with respect to eliminating multi-unit buildings, as-of-right, are ill-advised, given the housing shortage. Although a DA does allow for a proposal to be submitted, community members at the public information meeting were clear in that they did not want multi-unit buildings in their community. Community members are concerned that apartment-type buildings will take away from the community. However, none have been built as-of-yet. Many of those proposed are well off Pockwock Road, and will be obscured by existing trees/buffers or will have buffers put in place. I appreciate the concern; however, it is too early to tell if there will be any detrimental effects.
3	This document is a mess. GU-1 permits development of 4 units on a common water source, as of right. This must not be changed. The community needs smaller units and density to survive and be affordable. Commercial uses shall be 10,000 square feet. Agree completely with new salvage yards being frowned upon in the area. Forestry uses and intensive agricultural uses should be permitted. Townhouses should be as-of right, with parameters to ensure they fit within the community. Service stations should be permitted. This would be a welcome addition to the community and provide stable employment. Agriculture uses should not have a maximum square footage for retail.
4	I believe development can n should happen I think 6 unit should be permitted all others go to development agreement
5	These changes are needed as some of the developers do not live here and have No Connection to the community therefore their main focus is monetary not caring about what effort the development may have on those who have lived in this community over 200+ years. The changes doesn't stop development it just gives the residents some say in what is being proposed. This happens in All other communities so I think it is only Fair that the residents of UHP get the same chance / treatment.
6	We are putting in the changes in the community because it is needed to protect home owners. The GU-1Zone was originally required for the original descendants to provide for their families when they were unable to get employment outside of the community. The GU-1 Zone does not work now. Developers are coming into the community and putting in garages that are destroying the community. The businesses/buildings are too close to the neighbours, there has been an overwhelming increase in traffic. The motorists are not concerned about the safety or welfare of children/adults waiting at the bus stop/walking on the road. There is no respect for the community and they have no idea that it is a historical black community. Their only concern is building wealth for themselves. They are not employing any trades people from the community when they are building. The rent is not affordable for any lifelong residents in Upper Hammonds Plains. There is absolutely no contribution from the developers at all.



**Please tell us what you think about the proposed changes to the GU-1 Zone under the Land Use By-law.**

7	The proposed changes will help reduce the amount of development taking place . There is no consideration of families' well being when they put in car shops, garages. The apartment buildings are too high. No consideration of the noise, speed or safety. The developers do not live in the community and are taken advantage of a zone that should have been changed years ago. For them it is all about greed and not preservation.
8	The developers have no respect for community members' safety or well being. They are too close to homes The zoning needs to be changed. The developers are building and do not live in the community. These buildings are out of place.
9	Community Land Historically iconic Community Land  The strategy, that should be in development is that of the COMMUNITY Of Upper Hammonds Plains!
10	I believe there should be a bit of hold back to some of the restrictions or availabilities. I don't believe there should be any more casinos large infrastructure over to 2,000 ft. We are a community that has had a lot of small businesses active to date and past. Please ensure that there is some availability to the small man and limit the large infrastructure and multi-family dwellings over two story unlimited 10 families.
11	Well the Gu-1 zone it should be designed and put in place for the community so we can build a better community and create business to help us provide for our families and help the economy in Nova Scotia
12	I think the changes for the GU-1 Zone is because this has been always been a safe family oriented community .a place you could raise your children safely people who cared about their community and the people in it .there is nothing wrong with new people moving into the community but they should respect the community's heritage
13	If the changes are beneficial to the community and stop all this unnecessary construction then I agree.