

**HALIFAX**

# **Public Hearing Case 24193**

Development Agreement:  
57 Sanctuary Court, Fall River

North West Community Council  
February 27, 2023

# Applicant Proposal

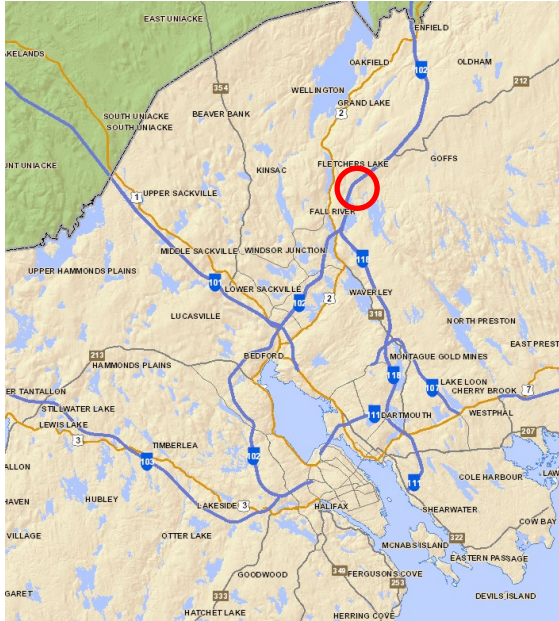
**Applicant:** DesignPoint Engineering

**Location:** 57 Sanctuary Court, Fall River

**Proposal:** To change from an equestrian facility use to a tree service use in the existing horse barn.



# Site Context



General Site location in Red



Site Boundaries in Solid Red and DA boundary in Dotted Red

# Site Photos



# Planning Policy Outline



## Regional Plan & Subdivision Bylaw

Guide where population growth and the investment of services like transit, piped water and sewer should occur

## Community Plan

Outlines where and how different types of development may occur. Particular uses may not be permitted in some areas, other uses may only be allowed by going to Council for approval and getting feedback from the community

## Land Use Bylaw (Zoning)

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

# Policy & Bylaw Overview

## Planning Districts 14 & 17 MPS & LUB



Municipal Services

N/A



Zone

R-1B (Suburban Residential)



Designation

R (Residential)



Existing Use

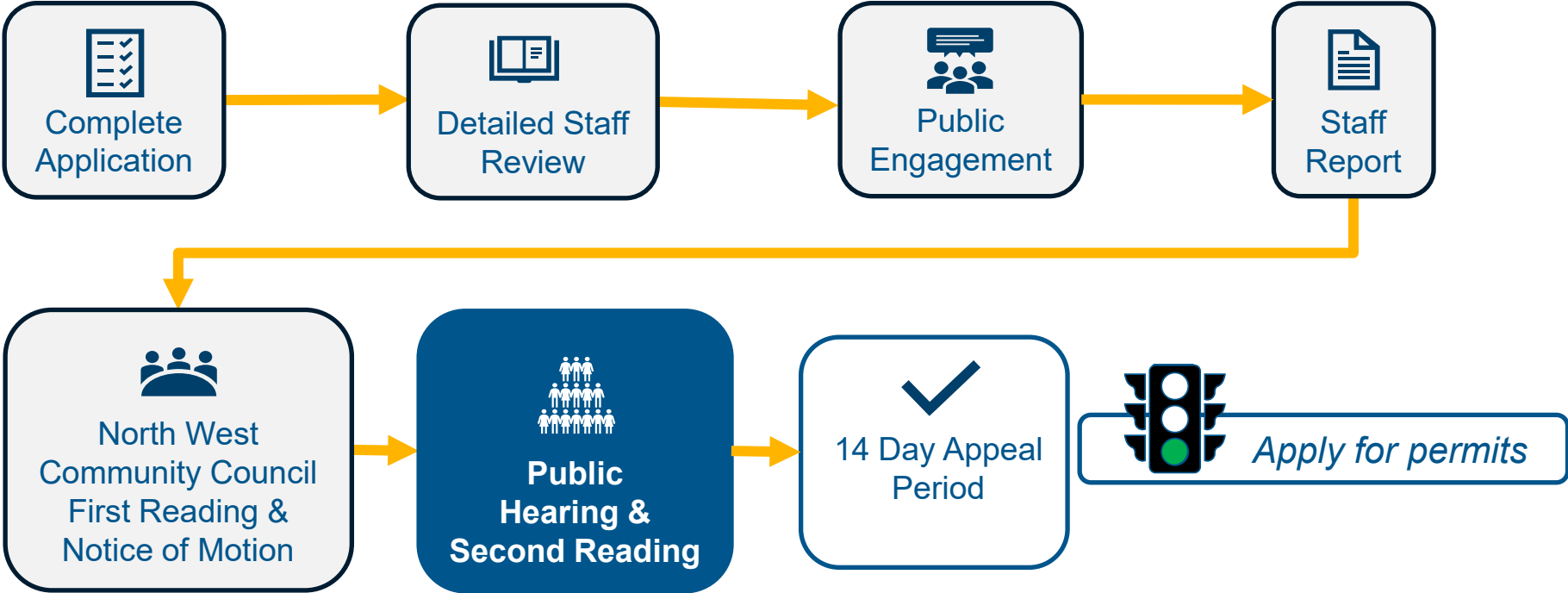
Vacant (formerly an equestrian use)



Enabling Policy

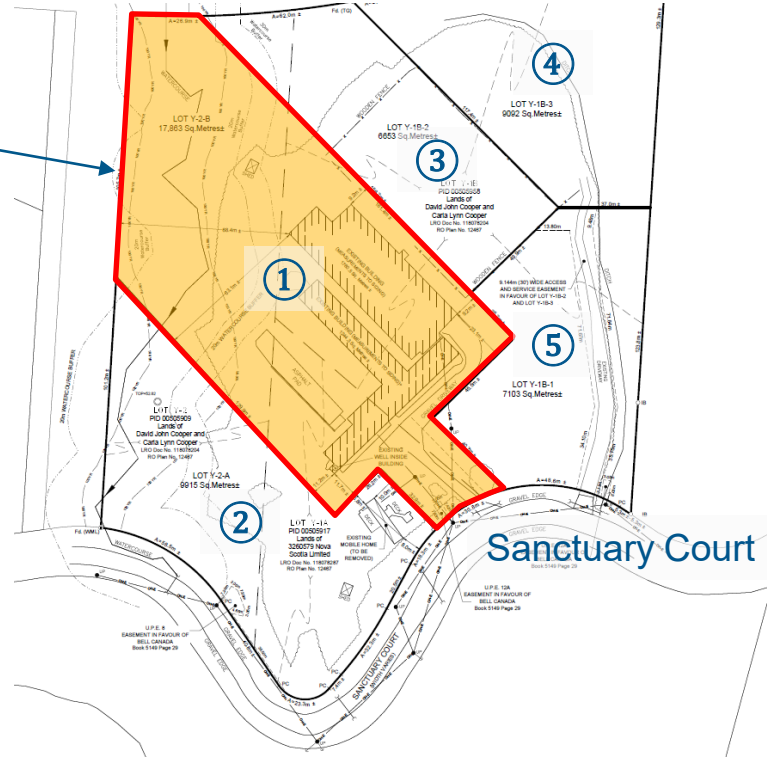
P-76

# Development Agreement Process



# Proposed Subdivision

The new lot that will be subject to the proposed Development Agreement





# Proposal

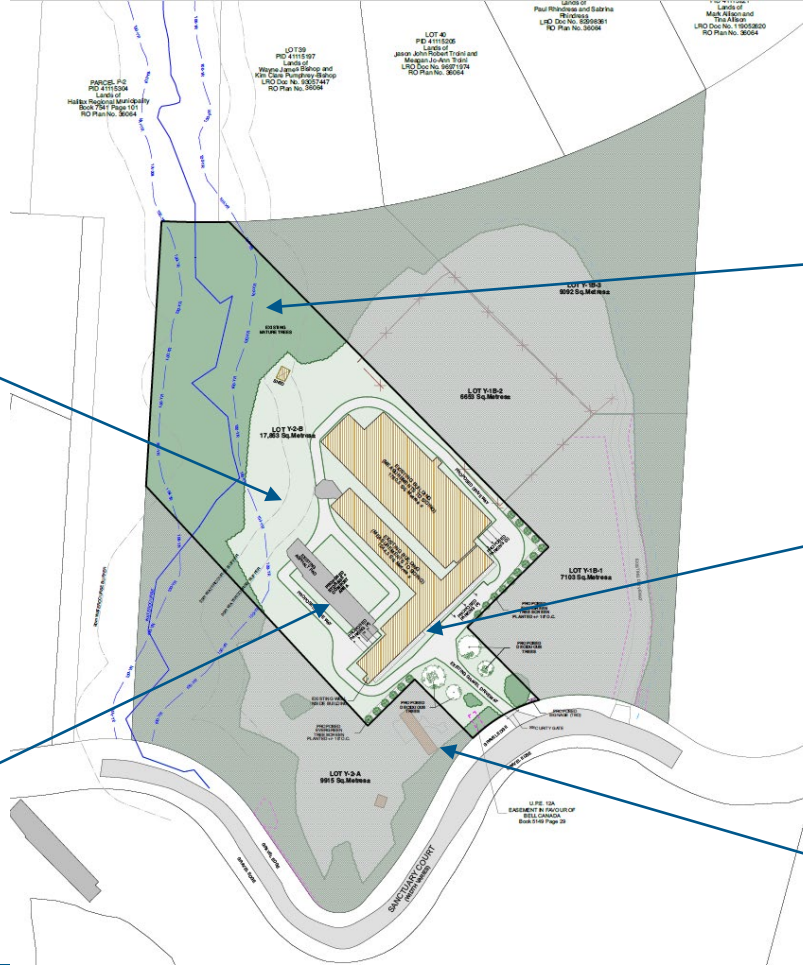
Watercourse  
buffer applied

Non-disturbance area  
(existing forest to be retained)

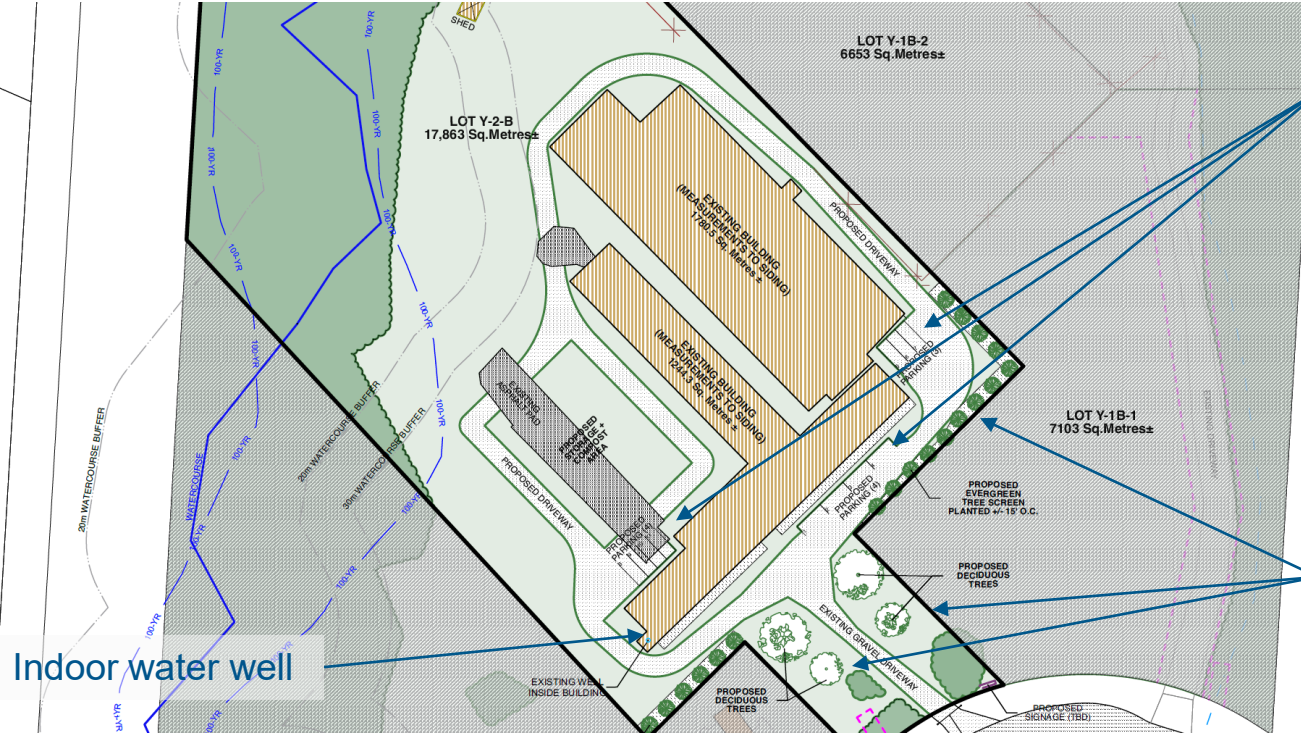
The main gate

Outdoor  
compost area

A manufactured home  
(to be removed)



# Proposal



11 parking spaces

Proposed landscaping by the entrance for screening

Indoor water well

# Policy Consideration

## Planning Districts 14 & 17 MPS & LUB

### **Policy P-76 (paraphrased)**

Where the proposed use is entirely enclosed within a structure and the use does not involve the processing, production, or storage of hazardous, toxic, or dangerous materials, Council may consider either a change of use or an expansion of the existing commercial or industrial use by considering the following:

- that the change of use be accommodated on the existing site;
- that the expansion or change of use maintains an acceptable level of compatibility with surrounding lands in terms of traffic generation, noise, outdoor storage, and scale and intensity of operation;
- the provision of adequate measures for the long term maintenance of the proposed development; and
- the provisions of Policy P-155.

# Public Engagement Feedback

- Level of engagement was consultation achieved through a mailout notification
- 3 in support, 3 against, 1 concerned but not opposed
- Feedback from the community generally included the following:
  - Aesthetic
  - Noise
  - Traffic
  - Wood chip pile
  - Water quality
  - Equestrian use

**Notifications  
Mailed**



39

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



7

**Webpage Views**



91

# Summary: Key Aspects of the Proposal

- **Permitted uses**

- Those supporting a tree services business, including a repair shop, storage space, office, and greenhouse
- Equipment and fleet vehicles stored indoor
- Outdoor wood chip piles behind the existing building and away from Sanctuary Court

- **Hours of operation**

- Limited from 7 a.m. to 7 p.m.
- Extension allowed up to 10 p.m. as non-substantive

- **Landscaping**

- Non-disturbance area at the back for noise buffering and screening
- Minimum of 6 parking spaces (11 proposed)



# Policy Consideration

## Planning Districts 14 & 17 MPS & LUB

### Eligibility to Enter into a Development Agreement

- The proposed use is entirely enclosed within a structure.
- The use does not involve the processing, production, or storage of hazardous, toxic, or dangerous materials.
- This is a change of use of the existing commercial use.

### Points of Consideration

- The change of use is accommodated in the existing structure
- The proposed use is compatible with the surrounding use of a rural residential use
- There will be adequate measures for the long-term maintenance
- There are controls to reduce conflicts such as signs, open storage, and parking

# Staff Recommendation

Staff recommend that North West Community Council:

- Approve the proposed development agreement as set out in Attachment A of the staff report dated December 12, 2022

# HALIFAX

## Thank You

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