

HALIFAX

Public Hearing Case 23247

Sackville Dr. LUB Amendments

North West Community Council
April 17, 2023

Proposal

Request by: North West Community Council

Location: All properties within the Sackville Drive Secondary Planning Strategy area.

Proposal: To amend the Sackville Drive Land Use By-law to allow for the height of a building to be based on the mean grade of the building, not the lowest grade of the curb

Area Context



**Sackville Drive
Plan Area**

(light brown)

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 a Council approval and after getting feedback from the community



**Land Use Bylaw
(Zoning)**

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

Policy & Bylaw Overview

SACKVILLE DRIVE MPS & LUB



Height Limitation

50 feet (as-of-right)



Zones

PC, PR, LS, DC-1, DC-2, DC-3



MPS Designations

PC (Pinehill-Cobequid), PR (Pedestrian Retail), DB (Downsview-Beaverbank)



Applicable Uses

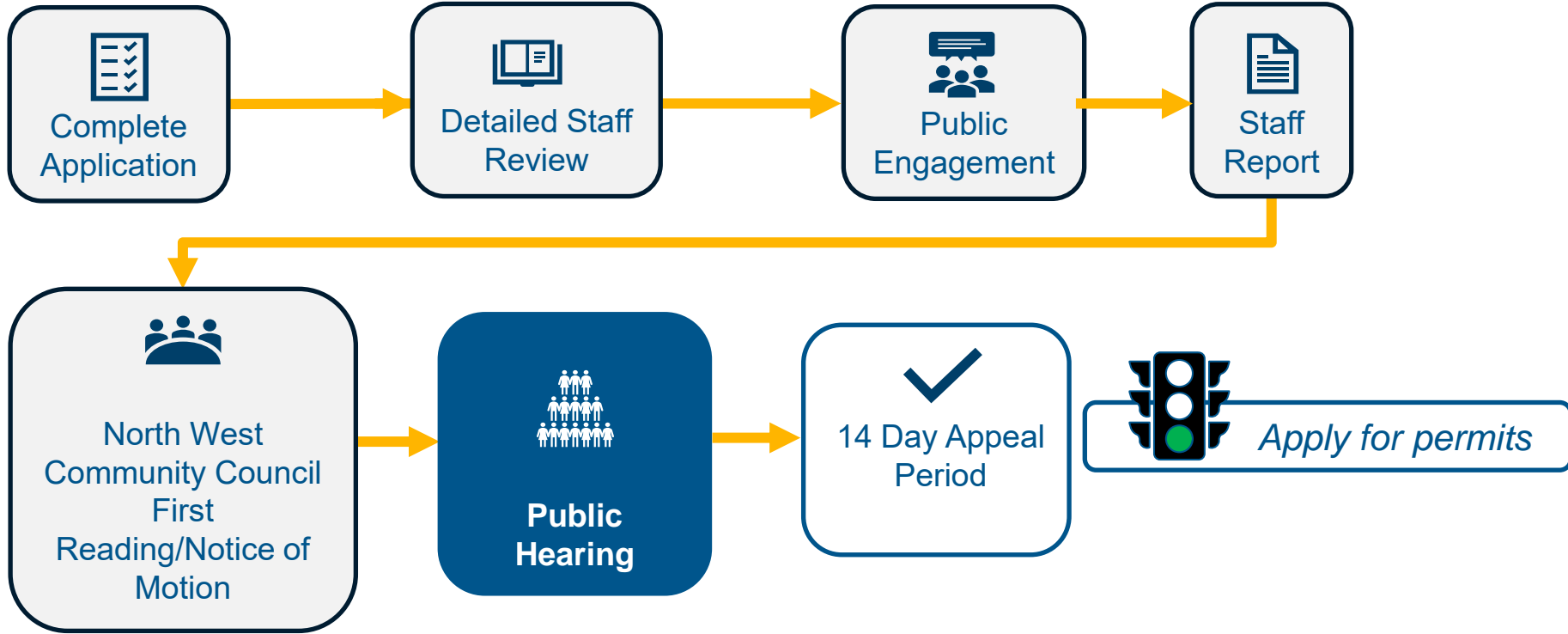
Commercial/ residential uses



Enabling Policies

SS-4 a), I-4 (e)

Planning Process



History

- Prior to the adoption of the Sackville Drive LUB and MPS (pre-2006) - no height restrictions under Sackville MPS/LUB;
- September 2006 – Regional Council adopts Sackville Drive MPS/LUB with 50 foot height limit as-of-right (additional height via development agreement (DA));

Height Measurement

Current height measurement
taken from street level



Proposal

- Initial motion by North West CC:

“That North West Community request a staff report for an amendment to the Sackville Land Use Bylaw, Part 6, section 27(a) to allow for the height of a building to be based on the mean grade of the building, not the lowest grade of the curb.”

Proposal - Modelling



Existing

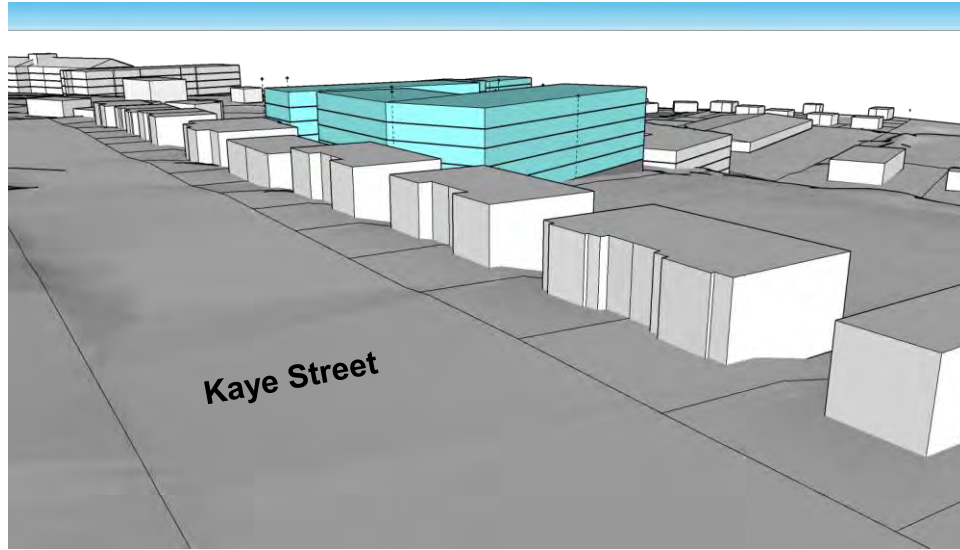


Proposed

Proposal - Modelling

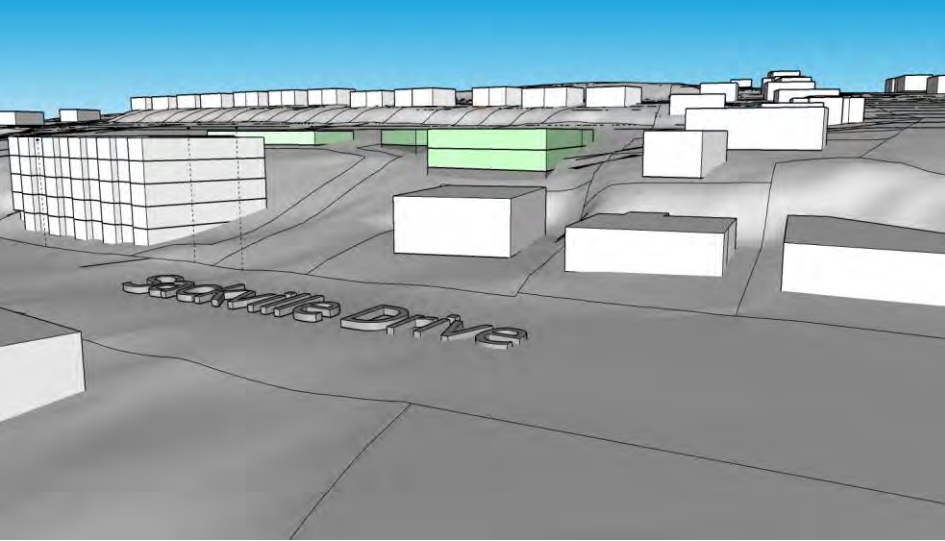


Existing

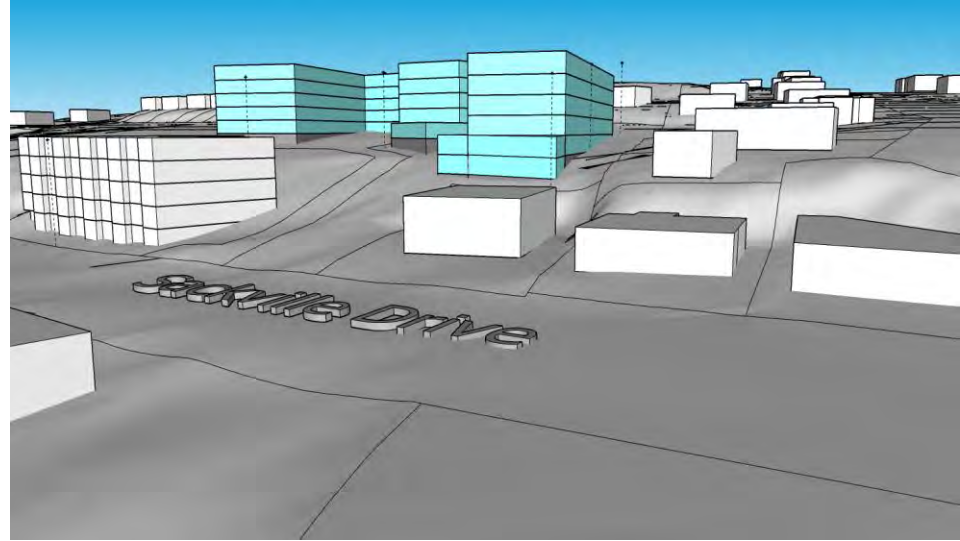


Proposed

Proposal - Modelling



Existing



Proposed

Policy Consideration

SACKVILLE DRIVE SPS & LUB - *(Attachments B and C of Staff Report)

Sackville Drive SPS Policy SS-4 a) and I-4 e):

- Development over 50 feet in height requires Development Agreement;

LUB requirements related to building height:

- Definitions (Part 2);
- Section 27 (a) related to building heights.

Public Engagement Feedback

- Level of engagement completed was consultation achieved through a mail out notification and webpage with narrated presentation in May of 2022.
- Feedback from the community generally included the following:
 - Impact on houses: height, proximity, lack of privacy, impact on views (5 persons);
 - General comments in favour of proposal (7 persons).

**Notifications
Mailed**



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



Webpage Views



PIM (if applicable)



Changes Responding to Consultation/ Review

(Following Consultation, Staff Review & Discussion with Area Councillor)

- **Height Calculation**

- Option to measure from mean (“established”) grade, if setbacks (below) are met;

- **Setbacks**

- Introduced maximum building setbacks from the street & minimum setbacks from residential house lots;

- **Housekeeping edits**

- To correct / clarify discrepancies in By-law.

Summary: Key Aspects of the Proposal

- **Height Definition**

- Changed to align with 'Established Grade' definition, removed references to 'curbs' of streets, but still measured from street level;

- **Section 27 a) through e)**

- For alternate option, require buildings to be placed close to street (within 50 ft/ 70 ft.) and minimum setbacks from residential houses (25 ft.);
- Edits to terminology, consolidated the rooftop height exemptions & deleted 10-foot limitation on rooftop features.

First Reading - Notification Change

Following First Reading:

- **Notification Area**

- Expanded to include properties on both sides of adjacent streets;
- Resulted in letters to 2,250 residents, instead of 1,350 residents previously.

Council Alternatives

Community Council may:

- Approve proposed LUB amendments (Attachment A);
- Request changes to the LUB amendments (Attachment A):
 - will likely require supplementary staff report; and
 - may require additional public hearing (depending on extent of changes)
- Refuse the proposed LUB amendments

Staff Recommendation

Staff recommend that North West Community Council:

- Approve the proposed LUB amendments as set out in Attachment A of the staff report dated March 15, 2023

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Thank You

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