

PLANNING APPLICATION FORM

Part 1: Applicant Information

Part 2: Application Details

Part 3: Supporting Information Requirements

Part 4: Fees

PART 1: APPLICANT INFORMATION

Registered Property Owner(s):		
Mailing Address:		
E-mail Address:		
Phone:	Cell:	Fax:
Applicant?* <input type="checkbox"/> Yes <input type="checkbox"/> No		

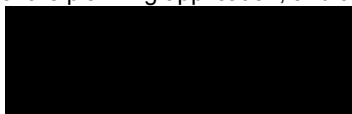
Consultant:		
Mailing Address:		
E-mail Address:		
Phone:	Cell:	Fax:
Applicant?* <input type="checkbox"/> Yes <input type="checkbox"/> No		

*indicates who the applicant of record is and who the contact is for the municipality

I certify that I am submitting this application, including all of the required supporting information, for approval with the consent of the owner(s) of the subject property(s). The owner(s) has/have seen the proposal and have authorized me to act as the applicant for this planning application. * My identification as the applicant means that I am the primary contact with HRM in all matters pertaining to this application.

I understand that all studies or reports submitted in support of this application are public. Once it has been determined that these documents are complete in both the comprehensiveness of the data used and that the analysis methodology is in keeping with HRM standards, they will be available for release to the public for inspection. Upon request by HRM, I agree to provide additional copies of such reports or studies or additional information as may be necessary.

I understand that my planning application will be processed in an expeditious manner by the Municipality, and that the process will require my timely response to feedback provided. It is understood that my failure to respond in a timely manner to requests for additional information, studies, revisions, or questions of clarification provided by the Municipality may result in the closure of the planning application, and the refunding of any unused portion of submitted fees.



Applicant Signature

Application Date

All applications must include the written consent of all registered owners of the subject lands, contain complete and accurate information, and include the appropriate fees. **Incomplete applications will not be processed - applications cannot be processed unless all required information has been provided.**

PART 2: APPLICATION DETAILS

Type of planning application: (please check all that apply)

- ☐ Land Use By-law Map Amendment (Rezoning): _____ Zone to _____ Zone
- ☐ Land Use By-law Text Amendment
- ☐ Development Agreement
- ☐ Substantive Development Agreement Amendment
- ☐ Non-Substantive Development Agreement Amendment
- ☐ Development Agreement Discharge

PROJECT INFORMATION

Attach detailed written description/letter of proposed use/development			
Existing Land Use(s)			
Existing Residential Units		Existing Commercial Floor Area	
Proposed Land Use(s)			
Proposed Number of Residential Units		Proposed Gross Commercial Floor Area	
Gross Floor Area of Other Land Uses (ie. industrial, institutional)			
Number of Proposed Residential Units by Type	Studio:	1-bedroom:	2+ bedrooms:
Proposed Maximum Height (in floors and metres)		Number of Buildings Proposed	
Sanitary Service Type		Water Service Type	
Total # of Proposed Parking Spaces:	Vehicle Spaces Indoor:		Vehicle Spaces Outdoor:

PROPERTY INFORMATION & ENCUMBRANCES

PID	Civic Address	Owner(s) Name
Are there any easements, restrictive covenants or other encumbrances affecting the subject land(s)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, attach details (ie deeds, instruments etc)		

HERITAGE

Is this a registered Heritage Property? <input type="checkbox"/> Municipal <input type="checkbox"/> Provincial <input type="checkbox"/> Federal <input type="checkbox"/> No	Does this property about a registered Heritage Property? <input type="checkbox"/> Yes <input type="checkbox"/> No
Are you aware if the site contains any of the following cultural/heritage resources? <input type="checkbox"/> archaeological sites or resources <input type="checkbox"/> buildings, structures, and landscape features of historical significance or value <input type="checkbox"/> cemeteries or known burials If yes to any of the above, please provide details of any cultural or heritage resources in the written project description as required under 'Project Information' above	

Part 3: SUPPORTING INFORMATION REQUIREMENTS

Applicants are required to meet with staff before submitting an application.

1. Please contact Planning & Development to arrange of meeting with a planner.
2. Staff will review your request, confirm whether or not planning policies enable you to submit an application, and identity all supporting information requirements.
3. After receiving your application, staff will review it for completeness and advise if any further information is required.

Information Required for ALL APPLICATIONS.

- ☐ 1 copy - a written Project/Design rationale (explain the proposal and how it satisfies applicable Municipal Planning Strategy policy & relates to adjacent lands)
- ☐ 1 copy - Detailed Site and Floor Plans (*see note 1*)
- ☐ electronic versions of all information consolidated in PDF, MS Word or other specified file format

Other Required Information

Planning staff will advise which items from the following list are required as part of the application, depending on the application nature and scale. Please consult with staff before submitting your application. The need for additional information or printed copies beyond the material listed here may be identified as the application progresses through the review process.

- ☐ Latest survey plan (where available)
- ☐ Preliminary landscape plan (*note 2*)
- ☐ Design rationale (*note 3*)
- ☐ Building drawings (*note 4*)
- ☐ Application summary table (*note 5*)
- ☐ Context map (*note 6*)
- ☐ Traffic Impact Statement or Study (*note 7*)
- ☐ Shadow study (*note 8*)
- ☐ Wind impact assessment or analysis with mitigation strategy (*note 8*)
- ☐ Servicing schematic, if serviced by central sanitary, storm sewer or water systems (*note 9*)
- ☐ Legal description of property (development agreements only)
- ☐ Aerial photograph(s)
- ☐ Preliminary stormwater management plan (*note 10*)
- ☐ Building / site signage plan
- ☐ Building / site lighting plan
- ☐ Material board (*note 11*)
- ☐ Projected population density (must include calculations in accordance with applicable land use by-law)
- ☐ On-site sewage disposal system details
- ☐ Colour perspective drawings, showing proposed development and existing development from pedestrian perspectives
- ☐ Electronic Sketchup model of the proposal
- ☐ Groundwater assessment (Level 1 or 2 as required)

- ☐ Heritage impact statement (where a registered heritage property is part of development site)
- ☐ Environmental assessment (for contaminated sites)
- ☐ Large format versions of any drawings
- ☐ Any other information as deemed required by HRM _____
- ☐ Electronic versions of required materials consolidated in PDF, MS Word or other specified file format

DRAWING STANDARDS

Plans must be prepared by the appropriate qualified professionals (i.e., engineer, architect, landscape architect, surveyor, etc.) who are members in good standing with their professional associations, and are to be based on the best available and most current mapping or aerial photos. All plans are to be scalable, include a north arrow, scale, legend, and drawing/ revision dates. The type of plan (e.g. "Site Plan") must appear in a title block in the lower right portion of the drawing. Site plans, context plans, and landscape plans should be submitted in metric of a legible scale appropriate to the size of the development while imperial scaled plans shall be accepted only for building drawings, elevations, and floorplans

NOTE 1 *Detailed Site/Floor Plans*

The site plan must be at an appropriate scale and print format, and must include:

- Dimensions and area of all subject lands based on the most recent surveys and legal descriptions
- Location and names of all existing and proposed streets, registered easements, and rights-of-way,
- A key plan, compass rose, scale, property identification (PID #, lot number, and/or civic number), and name of property owner, in addition to the date and version number of the plans
- For developments involving new street construction, the same information required in the *Regional Subdivision By-law* (section 94) for Concept Plans
- The location of any municipal service boundary on the site (if applicable)
- Locations of surrounding curbs, sidewalks, and property lines
- The footprint and area of proposed buildings, setbacks from all property boundaries, and the location of any existing buildings or structures to be retained or demolished
- Existing and proposed grades and spot elevations at all building corners; (or a separate grading plan)
- Driveway locations, landscaping, bike parking, and surface parking areas
- Surface type (e.g. asphalt, gravel, sod, woodland etc.) and areas of existing vegetation to be retained
- Proposed ground sign locations

NOTE 2 *Preliminary Landscape Plan*

The preliminary landscape plan must be prepared by a Landscape Architect and provide details on:

- General description of type and location of hard and soft surface materials
- Location, size and species of existing trees (for sites in Urban Service boundary)
- Delineation of areas of existing trees to be retained
- Description or details of proposed method(s) of tree protection
- General description of proposed plant material (e.g. deciduous trees, coniferous shrubs, sod) graphically shown on the plan
- General location and type of fencing, retaining walls and site furnishings

NOTE 3 *Design Rationale*

A submission prepared by the project architect showing the consideration given to existing site conditions, topography, adjacent uses/buildings, creating a sense of place, unique natural features, heritage, etc. which resulted in the proposed site design choices.

NOTE 4 *Building Drawings*

Building drawings must be prepared by a qualified professional and include the following details:

- Height and number of storeys
- Location and measurements of all setbacks at grade and all stepbacks of upper floors
- Building materials and colours
- Pattern and size of windows
- Roof lines
- Angle controls (if applicable)
- View plane locations, where applicable
- Signage (if applicable)
- Elevation drawing of each building face
- Floor Plans with uses labelled, location, type & number of unit with uses labelled, dimensioned, and areas calculated

NOTE 5 *Application Summary Table*

A table indicating a summary of quantitative data for the project potentially inclusive of but not limited to the number of residential units broken down by their bedroom count, total commercial gross floor area, total residential gross floor area, total building gross floor area, property area, lot coverage, project floor area ratio, landscape open space, interior amenity space, vehicle parking, and bicycle parking.

NOTE 6 *Context Map*

A plan which shows the immediate context of the development site inclusive of development on adjacent lots labeled with the use and height (in storeys) of the buildings, names/addresses of existing or approved surrounding buildings, surrounding streets, registered easements, and rights-of-way, and any natural features such as lakes, rivers, ocean, ravines, etc.

NOTE 7 *Traffic Impact Statement/Study*

The traffic impact statement/study must be prepared and stamped by a Professional Engineer in accordance with the current version of HRM's *Guidelines for the Preparation of Transportation Impact Studies*. These studies may require input from the NS Department of Transportation and Infrastructure Renewal. Copies of these requirements are available upon request.

NOTE 8 *Micro Climate Conditions*

- Shadow Study which evaluates the shadow impact for various times during the day on each of the following dates: March 21, June 21, September 21 & December 21
- Wind Assessment Study/Model and a Mitigation Strategy which predicts wind impacts and advises of methods to reduce such impacts.

NOTE 9 Schematics

The Preliminary Servicing Plans must be prepared by a Professional Engineer in accordance with the *Regional Subdivision By-law, Municipal Design Guidelines, and Streets By-law* and must contain at a minimum:

For Development not requiring street construction:

- Lot layout and building footprint
- Preliminary lot grading showing grading/drainage directions (general intent)
- Driveway location(s) including dimensions as per the *Streets By-law*
- Sewer lateral locations including size
- Water lateral locations including size
- Existing trunk services that will service the property
- Preliminary sanitary flow calculations
- Preliminary storm flow calculations (pre and post development)

For Development requiring street construction:

- Proposed street and lot layout
- Proposed central services size and location & direction of flow (water, sanitary and storm)
- Proposed forcemain and pumping station locations (if required)
- Existing trunk services that will service the project
- Existing street network abutting the project
- Preliminary lot grading showing grading/drainage directions (general intent)
- Preliminary sanitary flow calculations
- Preliminary storm flow calculations (pre and post development)

The level of detail shown on servicing schematics must be relative to the scale of the development. The above represents minimum standards acceptable for typical planning applications. Any requested variances from the requirements of the Municipal Design Guidelines or Streets By-law must be identified and explained.

NOTE 10 Preliminary Stormwater Management Plan/Drainage Plan

These plans must be prepared and stamped by a Professional Engineer in accordance with the *Municipal Service Systems Design Guidelines*, any applicable provincial requirements, and HRM's *Regional Subdivision By-law*.

NOTE 11 Material Board

A board 11x17 in size including samples (or, where impractical, pictures of materials) of all proposed building materials as well as glazing inclusive of colour and tint.

PART 4: FEES

Fee Description	Application Fee	Advertising Deposit*	Total Application Cost Submission
Land Use By-law Amendment	\$3,000	\$2,000	\$5,000
Land Use By-law Amendment along with a Development Agreement	\$4,000	\$2,500	\$6,500
Development Agreement	\$3,000	\$2,500	\$5,500
Discharge of a Development Agreement (in whole or in part)	\$500	N/A	\$500
Amendments to Development Agreements unless all the amendments are listed as non-substantive in the development agreement	\$4,000	\$2,500	\$6,500
Amendments to Development Agreements where all the amendments are listed as Non-Substantive	\$3,000	\$2,000	\$5,000

*Where advertising costs differ from the deposit, the balance will be charged or refunded to the applicant.

All fees are to be made payable to Halifax Regional Municipality.

Please submit your application to the following location

By Mail:	Planning Applications Planning & Development Alderney Gate Office PO Box 1749 Halifax, NS B3J 3A5
By Courier / In Person:	HRM Customer Service Centre 40 Alderney Drive, 1st Floor Dartmouth tel: (902) 490-4472

Project Information

The purpose of this application is to amend the Dartmouth Land Use By-law text. The text that is being proposed for amendment is as follows:

32(6) For any R-1 zoned lot abutting Green Bank Court, Cove Lane, or Basinview Drive, no new single family dwellings shall be permitted; but existing single family dwellings and accessory uses may be replaced, repaired, and additions made to in accordance with the R-1 Zone and any other general provision of this By-law. (RC-May 26/09;EJul 25/09)

I am proposing to change the By-Law that “no new single family dwellings shall be permitted” on Greenbank Court, to allow for a single family dwelling to be built on land that does not have an existing dwelling. I am seeking to amend this text as I own a vacant lot; 16 Greenbank Court that I wish to build a single family residential home on.

The property that I own is located on the inner portion of Wright’s Cove and is located between 14 Greenbank Court which has a single family dwelling, and 17 Greenbank Court which is a vacant lot. The land is 8195ft². The maximum proposed house given Land Use By-law setbacks and room for septic disposal field would be a home measuring 34ft x 68ft. The home is not subject to abide by the setback of a riparian buffer as the lot predates the 2006 By-Law. Any and all laws will be followed in terms of preserving coastline and not infilling the water if a dwelling is permitted to be constructed on the property. Sanitary services will be provided by a septic system for which approval has been previously granted. The dwelling will be serviced with water through an existing municipal water line.

Below features a letter of support written by previous land owner Harvey Adams which provides context and history on 16 Greenbank Court and the surrounding area.

October 24,2021

Hi Bryanna:

For disclosure purposes, I am providing you information to assist you, in your endeavors to seek a variance within the Municipal Planning Strategy (MPS) and the Dartmouth Land Use by-law. As you are aware prior to me and your Grandmother, Barbara Schmeisser, gifting you lot # 16, PID #00098665 Greenbank Court, Dartmouth Nova Scotia, the lot was surveyed and approved for a ST 500 Septic Disposal System. On June 13,2013, Mac Williams Engineering Limited completed the land survey and the design for the septic disposal system. I have been advised that due to a time expiry (four years) non construction, the Septic Field approval will have to be renewed, by Mac Williams Engineering.

In the line of heritage, it was decided by your Grandmother and I, you, Neil and Keith Beazley (our grandchildren) would inherit lots # 16-17-and 18. As you are aware that transaction was legally completed in September of this year.

About thirty-five or forty years ago the management of MPS was hopeful that a Marine Container Terminal could be constructed in the vicinity of Navy Island and Wrights Cove. When the risk/suitability studies were completed, it was determined that due to the prevailing winds and the shoal water east of Navy Island the project would not be feasible. Eventually, the Container Terminal was located and constructed in Fairview Cove on the Western side of Bedford Basin. Due to the Halifax Harbor Bridges (height restrictions) it is unlikely that additional Marine Industrial related ventures will be located in Bedford Basin, especially Wrights Cove. The 1978 Municipal Development plan for potential Bedford Basin Harbor-orientated industrial use is long dead and should not be used as justification to deny you a variance.

The shallow water in Wrights Cove is only suitable for yacht club and recreational boating purposes. During the past thirty years, on several occasions, I have witnessed DND Clearance Divers conduct bottom searches for possible live ammunition in Wrights Cove (1945 Bedford Basin Magazine Ammunition Depot Explosion) however, no ammunition was found near Greenbank Court and Cove Lane.

It is well known that during the past thirty-five years, Greenbank Court, Cove Lane, Basin View Drive and Wrights Cove has been rezoned from Marine Commercial to Holding and for the past twenty-five years, Residential. Since 2000, it is estimated 350-400 residential units have been constructed about half a nautical mile (3,040 feet) from 16 Greenbank Court. I have confirmation that the people who occupy the apartments and condominiums in Wrights Cove are privy to joyful living. From my point of view, it would be morally wrong and perhaps illegal for officials within the Dartmouth MPS to deny you the fundamental right to live and enjoy where you were born and brought up. Perhaps a bit of a stretch to call it your ancestral home, however Wrights Cove, Greenbank Court and North End Dartmouth has been a big part of your upbringing. It is reasonable that you are motivated by the potential enjoyment and intent of constructing a single-family dwelling. The reality is you did not buy 16 Greenbank Court, you inherited it.

In the late 1980's most all the residents of Greenbank Court and Cove Lane attended the civic meetings pertaining to changing the zoning to residential. All were in agreement the zoning change would

be beneficial to the household and landowners. Unfortunately, no discussions took place with regards to the known vacant lots. Consequently, when city council approved the Residential Zoning, we were quite surprised to learn that all vacant lots were designated as non-building lots. The fact of the matter is, the now vacant lots cannot be utilized for commercial purposes, nor can they be used for residential purposes.

Whoever made the decision to exclude the vacant lots from being residential building lots; it effectively made them practically valueless to most people. On the other hand, I have been offered substantial sums of money from housing developers who feel that if they owned the vacant lots, obtaining a building permit would not be a big problem. I think it would though, because the residents of the community would be adamantly opposed to apartment or condominium type housing.

I made inquiries as to why the vacant lots were exempted from residential zoning . I was given vague answers about possible marine potential etc. but nothing made any sense. The most honest answer that I received was that, if too many people live in Wrights Cove, Greenbank Court and Cove Lane, they would likely want city water, along with sewage disposal. Such senseless logic reminded me of Africville in the early sixties. The residents in that community did not have central water and sewage. So, the Mayor of Halifax and council, instead of providing water and sewage set an unprecedented example of unthinking and un- caring. The council barged blindly ahead and spent millions of dollars demolishing the Africville dwellings, their heritage and culture. The citizens were relocated to an area in the City of Halifax where it eventually turned into a ghetto like community. Poverty and crime has ruled there for years, perhaps even today?

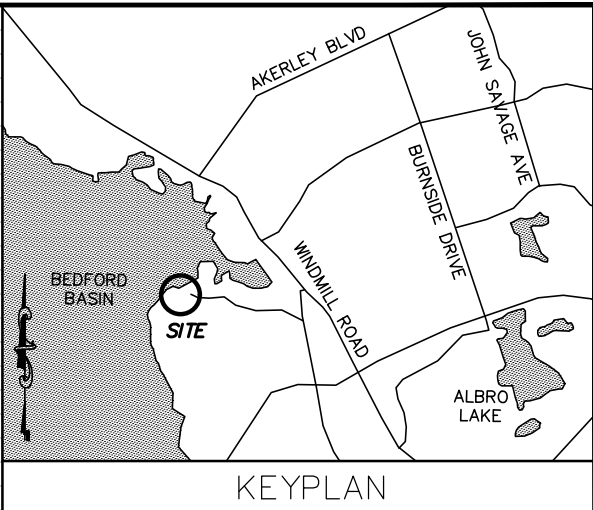
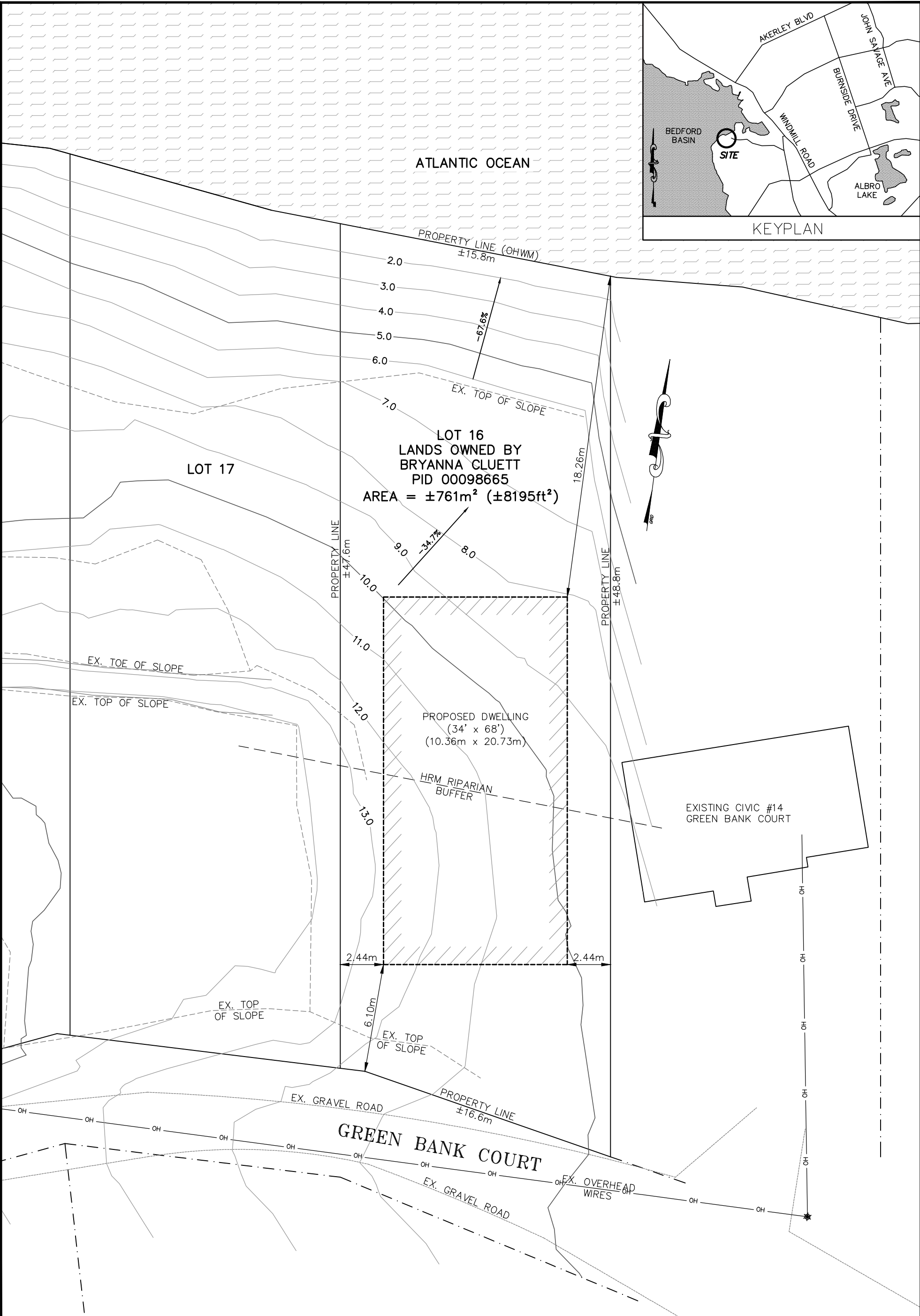
At the present time, our fresh water supply for Greenbank Court and Cove Lane is obtained through the HRM Water Commission. However, I have been told the delivery of our water is through the kindness of the National Gypsum's water main. I can foresee that eventually this benevolent act of kindness might change and that HRM will have no choice but to provide water and sewage to the residence of Greenbank Court and Cove Lane.


In this case it will be no cost to HRM to approve a variance for you to comply with the zoning regulations to construct a dwelling at 16 Greenbank Court. I fail to understand why you would be expected to pay a considerable sum of money to apply for a variance. You are not in the same category as a housing developer applying for a variance to construct three or four hundred housing units, where it must take into consideration the impact on city services such as vehicle traffic, policing, fire, schooling etc.

I wish you well in your endeavors. I sincerely believe it will only be a matter of time when all the residents of Greenbank Court and Cove lane will have the services of HRM water and sewage disposal.

Sincerely,

Harvey Adams
30 Greenbank Court
Dartmouth NS.
B3B1E8



<p>NOTES:</p> <ol style="list-style-type: none"> 1. TOPOGRAPHIC INFORMATION PROVIDED BY THOMPSON CONN LIMITED. 2. ALL BOUNDARY INFORMATION IS TO BE VERIFIED BY A NOVA SCOTIA LAND SURVEYOR. 3. TO OUR KNOWLEDGE, LOT 16 DOES NOT HAVE ANY MUNICIPAL SERVICES. 4. RIPARIAN BUFFER SHOWN IS APPROXIMATE. SETBACK DETERMINED AS REQUIRED IN DARTMOUTH LAND USE BY-LAW, SECTION 32A(1)(b) 		<p>0 2 4 6 8 10 metres</p> <p>Scale 1:200</p>	
 <p>STRUM CONSULTING 1355 BEDFORD HIGHWAY BEDFORD, NOVA SCOTIA B4A-1C5 PHONE: 902-835-5560 FAX: 902-835-5574 WEB: www.Strum.com</p>	<p>SITE PLAN 16 GREEN BANK COURT DARTMOUTH, NOVA SCOTIA</p>		DATE: 2021-11-17
			PROJECT #21-8318
			REVISION 0

Note 3: Design Rationale

Written by Property Owner: Bryanna Cluett

The proposed Land Use By-Law text amendment is aligned with Municipal Planning Strategy and congruent with adjacent land in a number of ways. The Wright's Cove Land Use Plan and Transportation Study (Cantwell & Associates, January 2006) noted that the inner portion of Wright's Cove, due to its shallow nature, is best suited for residential, recreational and commercial purposes. The current By-Law text that restricts the construction on lot 16 Greenbank Court is therefore not aligned with the recommended planning strategy of the Municipality.

In 2009, the zoning along Wright's Cove was changed with the support of local residents from Marine Industrial to R-1. With this change came the By-Law amendment that no new residential dwelling would be permitted. The April 3rd, 2009 meeting minutes are vague and the only justification for this restriction is that new housing development may conflict with marine industrial uses. However, there is no industrial activity present in the inner portion of Wright's cove where 16 Greenbank Court is located along with other homes. As Cantwell & Associates explained in their study, this portion of the cove is not suitable for marine industrial use as it is too shallow. This By-Law is contradictory in its nature as it was put into place to protect marine industrial activities that do not exist in the area and are unsuitable to be located there in the future. Based on the above mentioned, I request that the By-Law should be changed to allow for the construction of a residential home on 16 Greenbank Court.

At the head of Wright's Cove is a Gypsum plant that mines and loads gypsum onto ships. The homes that are located along this inner portion of Wright's Cove have never impacted the industrial activities that take place, nor would the addition of a new residential dwelling, that is farther away from the gypsum port than other homes in the area. It is unlikely that Greenbank Court and Cove Lane will ever house industry since it is unsuitable for marine activities, and almost all of the land on this portion of the cove already have homes that have been passed down for generations.

The addition of a new residential dwelling on Greenbank Court is already in alignment with existing uses of the land. Along Greenbank Court there are eight existing residential homes. To my knowledge there are only three parcels of vacant land on the street. One of which is under my ownership, and the other two are owned by my family members. I have known almost all of the residents of Green Bank Court since my childhood years as it is where I spent the majority of my life. The residents are supportive of a new residential home being constructed as they do not want to see the land fall into the hands of commercial developers. 16 Greenbank Court is right beside and across from residential homes. Given the Municipality's need to expand housing development for its growing population, it is in alignment with planning strategy to allow for the construction of a residential home on this vacant parcel of land.

The construction of a new dwelling would not be a burden for the Municipality. No new water lines would have to be constructed as one already runs along Greenbank Court. The property was also previously assessed and approved for a septic system so no further services would be requested by the property owner. In fact, if a home is to be constructed on the land it would raise the property value and the Municipality would receive a much larger portion of Property Tax than it currently receives from a vacant property.

Allowing the addition of a new residential dwelling on Greenbank Court is within the best interest of the Municipality. Council would correct an error by amending this text that unduly limited residential

land development. It has already been recommended that the inner portion of Wright's Cove on which Greenbank Court is located, is best suitable for residential use (Cantwell & Associates). Along with this, and the fact that this part of the cove has been deemed unsuitable for marine industrial activities, it is within the best interest of Council to allow this small portion of land on Greenbank Court to be developed into a residential dwelling. Any said development would not impact industry in the area and no further services from the Municipality will be required. Greenbank Court is already home to residential dwellings and the addition of a new dwelling would align with both the current land use and the Municipality's Planning Strategy.

References

Halifax Regional Municipality, Municipal Planning Strategy Dartmouth 1-187 (2019). Halifax, NS; Halifax Regional Municipality. Retrieved from https://www.halifax.ca/sites/default/files/documents/about-the-city/regional-community-planning/Dartmouth-MPS-Eff-19Nov30-RegionalCentrePlan-PackageA-TOCLinked_0.pdf