



P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Item No. 10.1.1**  
**Halifax and West Community Council**  
**July 4, 2023**  
**September 19, 2023**

**TO:** Chair and Members of Halifax and West Community Council

**SUBMITTED BY:** - Original Signed -  
Kelly Denty, Executive Director of Planning and Development

**DATE:** May 23, 2023

**SUBJECT:** Case 24532: Development Agreement for 56 Walter Havill Drive, Halifax

**ORIGIN**

Application by Sunrose Land Use Consulting, on behalf of the property owner.

**LEGISLATIVE AUTHORITY**

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

**RECOMMENDATION**

It is recommended that Halifax and West Community Council:

1. Give notice of motion to consider the proposed amending development agreement, as set out in Attachment A, to permit a total of 12 residential units and a fitness centre on the ground floor of an existing building at 56 Walter Havill Drive, Halifax and schedule a public hearing;
2. Approve the proposed amending development agreement, which shall be substantially of the same form as set out in Attachment A; and
3. Require the agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

## **BACKGROUND**

Sunrose Land Use Consulting is applying to amend an existing development agreement to allow a fitness centre and a total of 12 residential units on the ground floor of an existing multi-unit building at 56 Walter Havill Drive, Halifax.

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| <b>Subject Site</b>                       | 56 Walter Havill Drive, Halifax  |
| <b>Location</b>                           | Near the corner of Walter Havill Drive and Osborne Street                          |
| <b>Regional Plan Designation</b>          | Urban Settlement (US)  |
| <b>Community Plan Designation (Map 1)</b> | Residential Development District (RDD)   |
| <b>Zoning (Map 2)</b>                     | Residential Development District (RDD)   |
| <b>Size of Site</b>                       | ~9,257 square metres (~99,641 square feet)   |
| <b>Street Frontage</b>                    | ~100 metres (331 feet)   |
| <b>Current Land Use(s)</b>                | Residential with ground floor commercial (multiple unit dwelling)                  |
| <b>Surrounding Use(s)</b>                 | Commercial and residential (mix of multiple units, townhouses, semis, and singles) |

### **Proposal Details**

The applicant proposes to convert an existing lodging house use into residential units, resulting in a total of 12 residential units on the ground floor of 56 Walter Havill Drive, Halifax. In addition, the applicant wishes to convert an existing fitness centre from an accessory use to a commercial recreation use.

### **Existing Development Agreement**

Stoneridge on the Park (formerly Stanley Park Subdivision) is a planned subdivision development of over 43 hectares (107 acres). It is enabled by a development agreement that was approved in 1990 by the City of Halifax. Several amendments to the original agreement have been made over the years as the community was constructed. The community consists of a mixture of residential uses with commercial uses located at the intersection of Dunbrack Street and Osborne Street. The subject property was constructed in 2014 as a twelve storey 144-unit apartment building with amenity/functional rooms with one of the residential units located on the ground floor of the building. In 2018, the applicant received a building permit (163078) to also allow a lodging house use on the ground floor.

### **Enabling Policy and LUB Context**

The subject site is designated Residential Development District (RDD) within the Mainland South Secondary Planning Strategy (MSSPS) and is zoned RDD within the Halifax Mainland Land Use By-law (Map 1 and 2). Policy 1.5 and 1.5.1 of the Mainland South Secondary Planning Strategy enables Council to consider a residential development by development agreement. The RDD Zone allows single unit dwellings and two-unit dwellings as-of-right. All other development within this zone must be considered through the development agreement process.

## **COMMUNITY ENGAGEMENT**

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website, signage posted on the subject site, and letters mailed to property owners within the notification area. A total of 421 letters were mailed to property owners and tenants within the notification area (Map 2). The HRM website received a total of 220 unique pageviews over the course of the application, with an average time on page of 3 minutes and 20 seconds. Staff received 10 responses from the public. The public comments focussed primarily on traffic safety, compatibility, and impact on neighbours.

A public hearing must be held by Halifax and West Community Council before they can consider approval of the proposed development agreement. Should Community Council decide to proceed with a public

hearing on this application, in addition to the advertisement on the HRM webpage, property owners within the notification area shown on Map 2 will be notified of the hearing by regular mail.

## **DISCUSSION**

Staff has reviewed the proposal relative to all relevant policies and advise that it is reasonably consistent with the intent of the MPS. Attachment B provides an evaluation of the proposed development agreement in relation to the relevant MPS policies.

### **Proposed Development Agreement**

Attachment A contains the proposed amending development agreement for the subject site and the conditions under which the development may occur. The amending development agreement will permit 12 residential dwelling units and a commercial fitness centre on the ground floor of 56 Walter Havill Drive. Of the matters addressed by the proposed development agreement to satisfy the MPS criteria as shown in Attachment B, the following have been identified for detailed discussion.

### **Fitness Centre**

The fitness centre is not a required amenity area under the existing development agreement. It is a space provided by the property owner of their own accord. Commercializing the fitness centre is supported by policy as it allows the space to be utilized by the surrounding neighbourhood as a local commercial use.

### **Traffic**

A Trip and Parking Generation Study was prepared by the applicant and submitted as part of the application. The study concluded that the traffic volumes generated by the proposal will have an inconsequential effect on the residential street network and local parking demand. HRM Traffic Management, HRM Engineering, and Nova Scotia Public Works have reviewed the analysis and accepted its findings.

### **Density**

The MSSPS establishes a maximum population density within the RDD designation with an allowance for higher densities to be considered based upon sewage capacity. The Stoneridge on the Park development agreement allows a population density of 26 persons per acre, which is equal to 2,793 persons. This proposal will result in a total population of 2,803 persons, an increase of 10 people over the existing maximum permitted density. However, Halifax Water has reviewed the application and advised there is sufficient capacity to service the proposed development, therefore there are no policy concerns with the small increase in density.

### **Priorities Plans**

In accordance with Policy G-14A of the Halifax 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 site-by-site 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 within a specific geographic context. In this case, the following policies were identified to be most relevant to this application, and as such were used to inform the recommendation within this report:

- 1) Increasing housing stock to accommodate the growing population in Halifax (Strategic Objective 1.6 of Halifax's Inclusive Economic Strategy 2022-2027); and
- 2) Integrating climate change implications into land use planning policies and process by reducing sprawl and efficiently using transportation systems (Action 23 HalifACT).

## **Conclusion**

Staff have reviewed the proposal in terms of all relevant policy criteria and advise that the proposal is reasonably consistent with the intent of the MPS. The proposal better utilizes the ground floor of an existing building with minimal impact to the general area. Therefore, staff recommend that the Halifax and West Community Council approve the proposed development agreement.

### **FINANCIAL IMPLICATIONS**

The administration of the proposed development agreement can be carried out within the approved 2023-2024 operating budget for Planning and Development. The applicant will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this proposed development agreement.

### **RISK CONSIDERATION**

There are no significant risks associated with the recommendations contained within this report. This application may be considered under existing MPS policies. Community Council has the discretion to make decisions that are consistent with the MPS, and such decisions may be appealed to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed amending development agreement are contained within the Discussion section of this report.

### **ENVIRONMENTAL IMPLICATIONS**

No environmental implications are identified.

### **ALTERNATIVES**

1. Halifax and West Community Council may choose to approve the proposed development agreement subject to modifications. Such modifications may require further negotiation with the applicant and may require a supplementary report or another public hearing. A decision of Council to approve this development agreement is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Halifax and West Community Council may choose to refuse the proposed development agreement, and in doing so, must provide reasons why the proposed agreement does not reasonably carry out the intent of the MPS. A decision of Council to refuse the proposed development agreement is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

### **ATTACHMENTS**

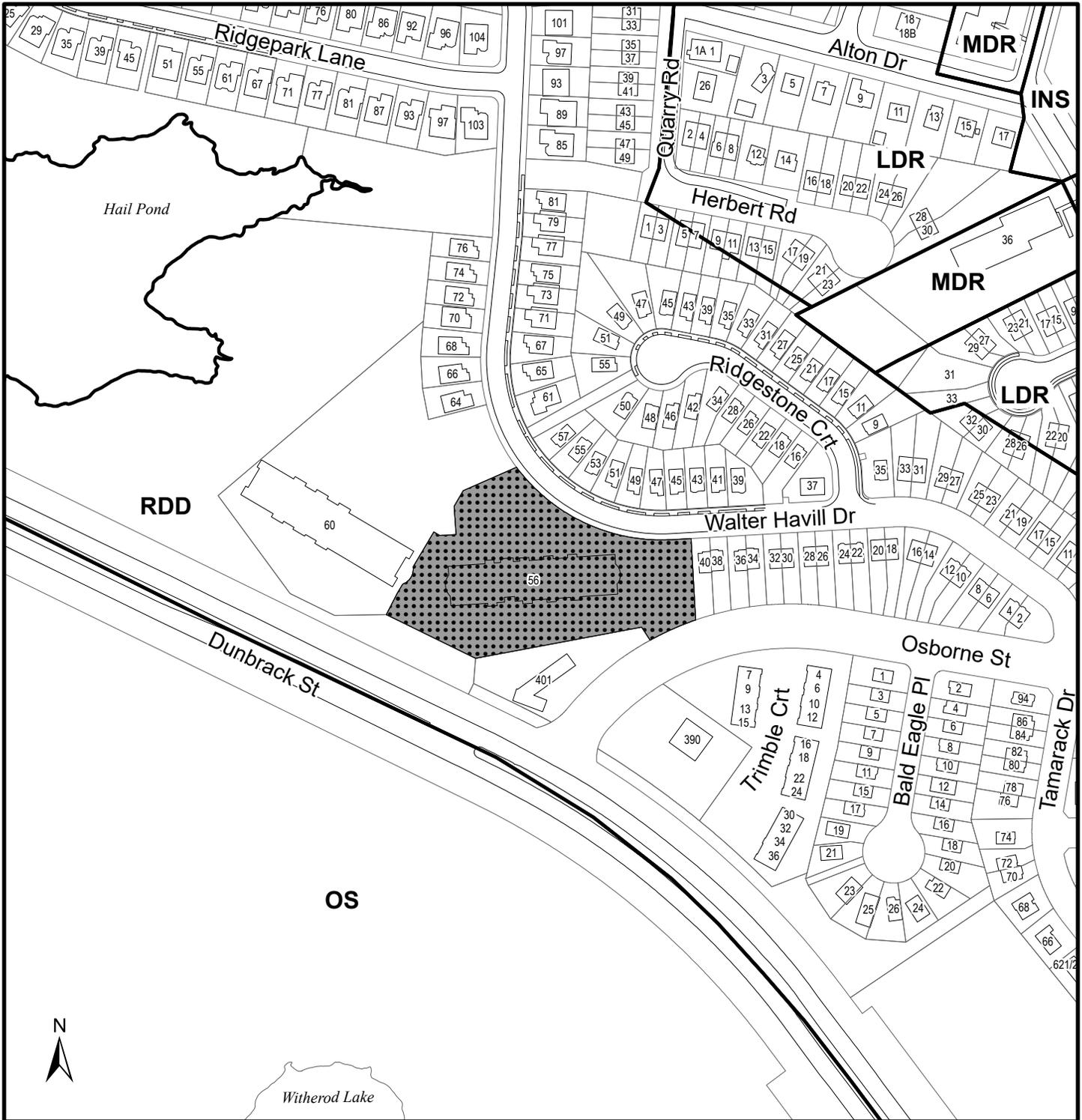
|               |   |
|---------------|---|
| Map 1:        | Generalized Future Land Use             |
| Map 2:        | Zoning and Notification Area            |
| Attachment A: | Proposed Amending Development Agreement |
| Attachment B: | Review of Relevant MPS Policies         |
| Attachment C: | Engagement Summary Report               |

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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: Dean MacDougall - Planner III - 902.240.7085

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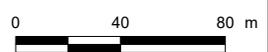
**Map 1 - Generalized Future Land Use**

56 Walter Havill Drive,  
Halifax

**HALIFAX**

 Subject Property

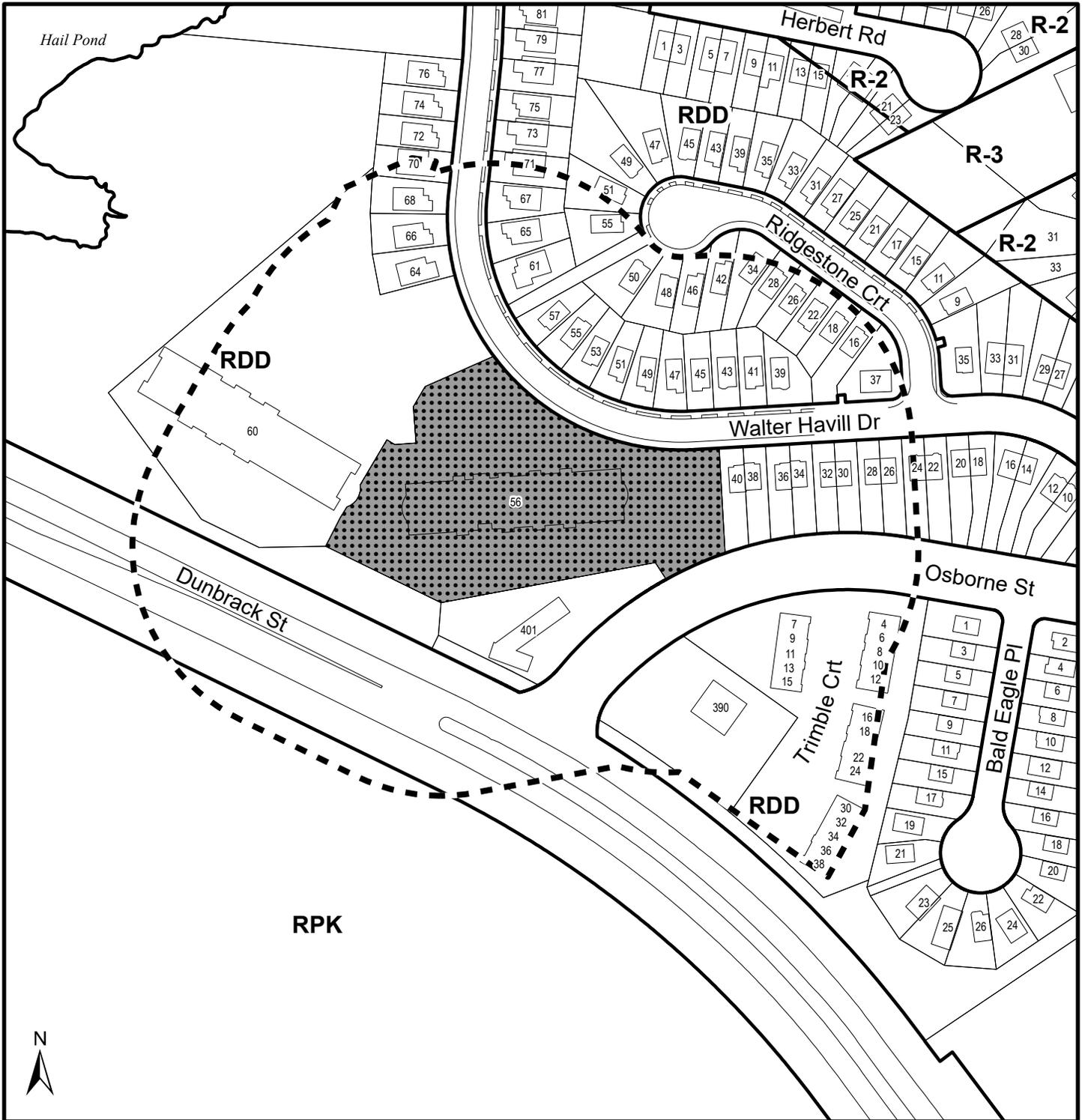
- Designation**
- INS Institutional
  - LDR Low Density Residential
  - MDR Medium Density Residential
  - OS Major Community Open Space
  - RDD Residential Development District



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.

Halifax Mainland  
Land Use By-Law Area



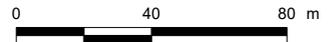
**Map 2 - Zoning and Notification Area**

56 Walter Havill Drive,  
Halifax

**HALIFAX**

-  Subject Property
-  Area of Notification

- Zone**
- RDD Residential Development District
  - RPK Regional Park
  - R-2 Two Family Dwelling
  - R-3 Low-Rise Apartment



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.

Halifax Mainland  
Land Use By-Law Area

## ATTACHMENT A

THIS EIGHTH AMENDING AGREEMENT made this      day of **[Insert Month]**, 20\_\_\_,

BETWEEN:

**[Insert Name of Corporation/Business LTD.]**

a body corporate, in the Province of Nova Scotia  
(hereinafter called the "Developer")

OF THE FIRST PART

- and -

**HALIFAX REGIONAL MUNICIPALITY**

a municipal body corporate, in the Province of Nova Scotia  
(hereinafter called the "Municipality")

OF THE SECOND PART

**WHEREAS** the Developer is the registered owner of certain lands located at 56 Walter Havill Drive, Halifax and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

**AND WHEREAS** on June 28, 1990 the former City of Halifax approved an application to enter into a Development Agreement to allow for the Stanley Park Residential Development (municipal case 5419), which said Development Agreement was registered at the Land Registration Office on September 28, 1990 recorded at the Registry of Deeds in Book 4985 at Page 132 (hereinafter called the "Original Agreement"), and which applies to the Lands;

**AND WHEREAS** on May 11, 1995 the former City of Halifax approved an application to amend the Original Agreement to modify the development regulations for Stanley Park Residential Development (municipal case 5419), which said Development Agreement was registered at the Halifax County Land Registration Office on July 21, 1995 in Book 5749 at pages 1249-1254 (hereinafter called the "First Amending Agreement"), and which does not apply to the Lands;

**AND WHEREAS** on February 14, 2000 the former Chebucto Community Council approved an application to amend the Original Agreement to alter the phasing plan of the development (municipal case 00183), which said Development Agreement was registered at the Halifax County Land Registration Office on April 17, 2000 in Book 6546 at pages 1113-1116 (hereinafter called the "Second Amending Agreement"), and which does apply to the Lands;

**AND WHEREAS** on January 15, 2001 the former Chebucto Community Council approved an application to amend the Original Agreement to revise the side yard requirements for single detached lots within the development (municipal case 00317), which said Development Agreement was registered at the Halifax County Land Registration Office on February 20, 2001 in Book 6708 at pages 1003–1005 (hereinafter called the "Third Amending Agreement"), and which does not apply to the Lands;

**AND WHEREAS** on August 25, 2003 the former Chebucto Community Council approved an application to amend the Original Agreement to allow for the transfer of allowable unit density permitted in the development (municipal case 00582), which said Development Agreement was registered at the Halifax County Land Registration Office on September 12, 2003 in Book 7475 at pages 395-397 (hereinafter called the "Fourth Amending Agreement"), and which does apply to the Lands;

**AND WHEREAS** on April 10, 2006 the former Chebucto Community Council approved an application to amend the Original Agreement to alter parkland boundaries and allow for additional residential lots (municipal case 00852), which said Development Agreement was registered at the Halifax County Land Registration Office on June 22, 2007 as Document Number 88147005 (hereinafter called the "Fifth Amending Agreement"), and which does apply to the Lands;

**AND WHEREAS** on November 6, 2006 the former Chebucto Community Council approved an application to amend the Original Agreement to convert a commercial site to a residential site and allow for townhouse dwelling units (municipal case 00871), which said Development Agreement was registered at the Halifax County Land Registration Office on March 21, 2007 as Document Number 87449840 (hereinafter called the "Sixth Amending Agreement"), and which does not apply to the Lands;

**AND WHEREAS** on November 2, 2009 the former Chebucto Community Council approved an application to amend the Original Agreement to revise development standards for Site C multiple unit dwelling (municipal case 00956), which said Development Agreement was registered at the Halifax County Land Registration Office on June 4, 2010 as Document Number 96062782 (hereinafter called the "Seventh Amending Agreement"), and which does apply to the Lands;

**AND WHEREAS** the Original Agreement, the First Amending Agreement, the Second Amending Agreement, the Third Amending Agreement, the Fourth Amending Agreement, the Fifth Amending Agreement, Sixth Amending Agreement and the Seventh Amending Agreement together comprise the Existing Development Agreement (hereinafter called "the Existing Agreement");

**AND WHEREAS** the Developer has requested that further amendments to the Existing Agreement to allow for additional ground floor dwelling units and a commercial gym within the existing multiple unit dwelling on the Lands pursuant to the provisions of the *Halifax Regional Municipality Charter* and pursuant to Policies 1.5 and 1.5.1 of the Halifax Municipal Planning Strategy and Section 62A of the Halifax Mainland Land Use By-law;

**AND WHEREAS** the Halifax and West Community Council approved this request at a meeting held on [Insert - Date], referenced as Municipal Case 24532;

**THEREFORE**, in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree as follows:

- 
1. Except where specifically varied by this Eighth Amending Agreement, all other conditions and provisions of the Existing Agreement as amended shall remain in effect.

2. The Developer agrees that the Lands shall be developed and used only in accordance with and subject to the terms and conditions of this Eighth Amending Agreement, and the Existing Agreement.
3. Section 2 of the Seventh Amending Agreement shall be amended by inserting the following text as shown in bold:
  - 2.1 Notwithstanding any requirements of the Existing Agreement and all other amending agreements, the permitted land use for Site "C" shall be an apartment building and accessory uses with a maximum of 299 dwelling units and a maximum population of 624 persons.
  - 2.2 **Notwithstanding Section 2.1 above and Section 3(l) of the Original Agreement, the ground floor of 56 Walter Havill Drive, Halifax is permitted to have 12 residential units (18.25 persons) and a 6,000 square foot fitness centre.**
4. Section 3 of the Seventh Amending Agreement shall be amended by deleting the text shown in strikeout, and inserting the text shown in bold as follows:
  - (a) a minimum of 270 underground parking spaces for vehicles;
  - ~~(a)~~**(b)** surface parking pursuant to **as generally shown** on plan no. 00956-001; and
  - (c) bicycle parking pursuant to the requirements of the Halifax Land Use Bylaw.

**IN WITNESS WHEREAS** the said parties to these presents have hereunto set their hands and affixed their seals the day and year first above written.

**SIGNED, SEALED AND DELIVERED** in the presence of:

**(Insert Registered Owner Name)**

\_\_\_\_\_  
Witness

Per: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date Signed: \_\_\_\_\_

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**SIGNED, DELIVERED AND ATTESTED** to by the proper signing officers of Halifax Regional Municipality, duly authorized in that behalf, in the presence of:

**HALIFAX REGIONAL MUNICIPALITY**

\_\_\_\_\_  
Witness

Per: \_\_\_\_\_

MAYOR

Date Signed: \_\_\_\_\_

\_\_\_\_\_  
Witness

Per: \_\_\_\_\_

MUNICIPAL CLERK

Date Signed: \_\_\_\_\_

PROVINCE OF NOVA SCOTIA  
COUNTY OF HALIFAX

On this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_, before me, personally came and appeared \_\_\_\_\_, the subscribing witness to the foregoing indenture who having been by me duly sworn, made oath and said that \_\_\_\_\_ of the parties thereto, signed, sealed and delivered the same in his/her presence.

\_\_\_\_\_  
A Commissioner of the Supreme Court  
of Nova Scotia

PROVINCE OF NOVA SCOTIA  
COUNTY OF HALIFAX

On this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_, before me, personally came and appeared \_\_\_\_\_, the subscribing witness to the foregoing indenture who having been by me duly sworn, made oath and said that Mike Savage, Mayor and Iain MacLean Clerk of the Halifax Regional Municipality, signed the same and affixed the seal of the said Municipality thereto in his/her presence.

\_\_\_\_\_  
A Commissioner of the Supreme Court  
of Nova Scotia

**Attachment B**  
**Review of Relevant MPS Policies**

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| <b>Halifax Municipal Planning Strategy</b>  |  |
| <b>Section X: Mainland South Secondary Municipal Planning Strategy (SMPS)</b>   |  |
| <b>Part 1: Residential Environments</b>   |  |
| <b>Policy</b>   | <b>Comment</b>   |
| <p><b>Policy 1.5</b><br/><i>Areas designated as "Residential Development District" on the Generalized Future Land Use Map shall be residential development areas planned and developed as a whole or in phases under a unified site design, providing a mixture of residential uses and related recreational, commercial and open space uses, with an emphasis on a mix of dwelling unit types.</i></p>   | <p>The Stanley Park/Stoneridge development is primarily residential with community facility uses permitted within certain locations. A mix of residential uses is provided in the form of single unit dwellings, two-unit dwellings, townhouse units, and multiple unit dwellings. The amendment will not alter that and will provide additional commercial recreation uses to the community.</p>  |
| <p><b>Policy 1.5.1</b><br/><i>Pursuant to Policy 1.5, the Land Use By-law shall provide a new zone, the Residential Development District, within which "Low-Density Residential" development and public community facilities shall be permitted and other development shall be permitted only under the contract development provisions of the Planning Act and the requirements in Schedule I.</i></p>   | <p>See Schedule I - Guidelines for Residential Development Districts below.</p>  |
| <b>Schedule I – Guidelines for Residential Development District (RDD)</b>   |  |
| <i>Pursuant to Policy 1.5.1, contract development in any area designated "Residential Development District" on the Generalized Future Land Use Map must conform with the following guidelines:</i>  |  |
| <b>Schedule I Development Standards</b>   | <b>Comment</b>   |
| <p><i>Uses which may be permitted:</i></p> <ol style="list-style-type: none"> <li>1. Residential Uses</li> <li>2. Community Facilities</li> <li>3. Institutional Uses</li> <li>4. Neighbourhood Commercial Uses</li> <li>5. Commercial Convenience Centres</li> </ol>   | <p>The proposal consists of residential uses and neighbourhood commercial uses.</p>  |
| <b>Site Development Guidelines</b>  | <b>Comment</b>   |
| <p><b>5. Residential</b></p> <ul style="list-style-type: none"> <li>• <i>a density of twenty-two persons per gross acre shall be permitted. Proposals in excess of twenty-two persons per gross acre may be considered provided that no development shall exceed the capacity of existing or proposed sewers. In calculating the permissible density of any project, the capacities available to the drainage area shall be considered.</i></li> <li>• <i>no more than 15 percent of any area covered by a development agreement may be developed for apartment uses including the building(s), ancillary parking, open space, and landscaping.</i></li> <li>• <i>the design and layout of the portion of new residential developments abutting existing</i></li> </ul> | <p><b>Density</b><br/>The MSSPS establishes a population density within the RDD designation of 22 persons per acre, with an allowance for higher densities to be considered based upon sewage capacity. The Stoneridge on the Park development agreement allows a higher density, a population density of 26 persons per acre, which is equal to 2,793 persons. This proposal to add an additional 12 residential units will result in a total population of 2,803 persons, an increase of only 10 people over the existing maximum permitted density. Halifax Water has reviewed the application and advised there is sufficient capacity to service the proposed development.</p> <p><b>Coverage</b></p> |

**Attachment B**  
**Review of Relevant MPS Policies**

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| <p><i>residential areas shall endeavour to protect the character and scale of these areas by attention to such matters as use of open space, landscaping, and ensuring adequate transition between areas of differing building forms and densities.</i></p>  | <p>This proposed amendment is not adding additional coverage for a multi-unit building. The additional units will be located within the ground floor of an existing multi-unit building.</p> <p><i>Design and Layout</i><br/>The height and massing of the proposed multiple unit dwelling is not changing under this proposal.</p> |
| <p><b>6. <u>Commercial</u></b></p> <ul style="list-style-type: none"> <li>• <i>neighbourhood commercial uses are permitted at or near the intersection of local streets, and on the ground floor of high-density residential buildings. In addition, consideration may be given for a commercial convenience centre, except in the RDD areas generally west of the Herring Cove Road and south of Leiblin Drive. The amount of gross leasable space may be limited to ensure that the development primarily serves the adjacent neighbourhoods. The intent is to provide for a range of uses such as retail, rental and personal service, household repair shops, service stations, restaurants and office uses. The additional matters to be considered are found in the guidelines of Policy 3.7 of Section II.</i></li> </ul> | <p>The neighbourhood commercial use (fitness centre) will be located on the ground floor of an existing multi-unit building. Policy 3.7 of Section II has been repealed.</p>  |
| <p><b>Landscaping and Open Space</b></p>   | <p><b>Comment</b></p>   |
| <p>7. <i>At least 5 percent of the area of the district development must be useable, landscaped, open space.</i></p>   | <p>Addressed and satisfied under the original development agreement and no change proposed under this amendment.</p>  |
| <p>8. <i>No residential or accessory building shall be constructed within 50 feet of any lake, watercourse, or water body. No commercial or accessory structure shall be constructed within 100 feet of any lake, watercourse, or water body.</i></p>  | <p>Addressed and satisfied under the original development agreement and no change proposed under this amendment.</p>  |
| <p>9. <i>Any proposal to construct a community facility or institutional use within 100 feet of the water's edge should ensure, through the use of landscaping or other means, that adverse effects on water quality will be avoided or ameliorated during and after construction.</i></p>   | <p>Addressed and satisfied under the original development agreement and no change proposed under this amendment.</p>  |
| <p>10. <i>A landscape plan shall be submitted as part of the approval process and the preservation of natural amenities, including rock outcroppings, groves of trees, mature trees, ponds, streams, shores, and wetlands should be preserved whenever possible.</i></p>   | <p>Addressed and satisfied under the original development agreement and no change proposed under this amendment.</p>  |
| <p><b>Circulation</b></p>  | <p><b>Comment</b></p>   |
| <p>11. <i>Access to arterial or collector streets should be such that additional traffic along local streets in residential neighbourhoods adjacent to the development is minimized.</i></p>   | <p>A Trip and Parking Generation Study was prepared by the applicant and submitted as part of the application. The study concluded that the traffic volumes generated by the proposal will have an inconsequential effect on the residential street network and local parking demand. HRM Traffic</p>                               |

**Attachment B**  
**Review of Relevant MPS Policies**

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|   | Management, HRM Engineering, and Nova Scotia Public Works have reviewed the analysis and accepted its findings.   |
| 12. <i>Where common parking areas are provided, they should be so aligned as to restrict through traffic.</i> | Addressed and satisfied under the original development agreement and no change proposed under this amendment. Parking areas do not permit through traffic.  |
| <b>General</b>  | <b>Comment</b>  |
| 13. <i>The minimum required site size for a contract within this area shall be three acres.</i>               | Addressed and satisfied under the original development agreement and no change proposed under this amendment.   |
| 14. <i>Municipal infrastructure must be adequate to service any proposed development.</i>                     | Halifax Water has reviewed the application and advised there is sufficient capacity to service the proposed development. Halifax Water did not identify any significant issues. The developer will be required to provide evidence at the building permit stage that sufficient capacity exists in the local wastewater system though no immediate issues have been identified at this time. Any necessary upgrades to the wastewater system will be the responsibility of the developer. |

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| <b>Halifax Municipal Planning Strategy</b><br><b>Section II: City Wide Objectives and Policies</b>   |  |
| <b>Policy</b>  | <b>Comment</b>   |
| 2.1 <i>Residential development to accommodate future growth in the City should occur both on the Peninsula and on the Mainland, and should be related to the adequacy of existing or presently budgeted services.</i>  | This development is located on the Mainland and will be utilizing existing services.   |
| 2.2 <i>The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</i> | The existing neighborhood is a mix of residential uses including multiple unit dwellings, semi detached dwellings, townhouse units, and single unit dwellings. It also includes several commercial businesses located near Dunbrack Street. The proposed amendment would be adding similar residential uses to an existing building. This does not differ in use or intensity. |

**Attachment B**  
**Review of Relevant MPS Policies**

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| <p><i>2.4 Because the differences between residential areas contribute to the richness of Halifax as a city, and because different neighbourhoods exhibit different characteristics through such things as their location, scale, and housing age and type, and in order to promote neighbourhood stability and to ensure different types of residential areas and a variety of choices for its citizens, the City encourages the retention of the existing residential character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.</i></p> | <p>The proposed development includes a variety of dwelling unit types and commercial uses. This proposal will not compromise the existing residential character.</p>  |
| <p><i>2.4.1 Stability will be maintained by preserving the scale of the neighbourhood, routing future principal streets around rather than through them, and allowing commercial expansion within definite confines which will not conflict with the character or stability of the neighbourhood, and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</i></p>  | <p>No new streets proposed. Commercial activity will be placed within an existing building and does not conflict with the character or stability of the neighbourhood.</p> <p>Policy 3.1 &amp; 3.2 – Repealed</p> |
| <p><i>2.8 The City shall foster the provision of housing for people with different income levels in all neighbourhoods, in ways which are compatible with these neighbourhoods. In so doing, the City will pay particular attention to those groups which have special needs (for example, those groups which require subsidized housing, senior citizens, and the handicapped).</i></p>   | <p>The variety of housing types proposed could increase affordability as more units are being introduced into the market.</p>   |
| <p><i>2.10 For low and medium density residential uses, controls for landscaping, parking and driveways shall ensure that the front yard is primarily landscaped. The space devoted to a driveway and parking space shall be regulated to ensure that vehicles do not encroach on sidewalks.</i></p>   | <p>Addressed and satisfied under the original development agreement and no change proposed under this amendment.</p>  |

## Attachment C Summary of Public Engagement



HRM Planning Application Website



Signage Posted on the Site



Mailout to residents and property owners



Future Public Hearing Prior to a Decision

### Information Sharing

Information on Case 24532 was shared through the HRM planning applications webpage, signage posted on the subject site, and notices mailed to property owners within approximately 250 feet surrounding the subject site.

As the proposal involves adding uses to an existing building, and no new structures are proposed, the only information submitted as part of this application was a written request along with a traffic impact statement and floor plans of the subject building.

#### Public Engagement Statistics:

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|--|------|
| <b>Halifax.ca Planning Applications Website</b>                    |      |
| Number of unique website views up to February 22, 2023             | 140  |
| Average time spent on the website (minutes: seconds)               | 3:33 |
| <b>Notices Mailed to Area Residents</b>                            |      |
| Number of notices mailed within notification area                  | 421  |
| <b>Direct Communication with the HRM Planner</b>                   |      |
| Number of calls received (unique callers)                          | 2    |
| Number of emails received from the public (unique email addresses) | 8    |
| <b>Response Rate</b>   |      |
| Percentage or responses based on notifications sent.               | 2.3% |

### Responses to Public Questions and Concerns

Of the ten persons who contacted us, eight people expressed that they do not support the proposal, or had reservations about the proposal, and two people supported the proposal.

HRM planning staff compiled all the public comments and questions provided to date. Broadly, these concerns fell into four categories:

### Traffic Safety

- Parking and traffic are already an issue for the site and surrounding streets. Adding commercial uses and residential units will only worsen it further.
- Street parking on Walter Havill Drive is constant and impedes traffic flow, especially the transit buses.

- The users of these additional units and commercial business will have nowhere to park. Visitor parking is limited and already results in people parking in places that cause disruptions to traffic and pedestrian flow as well as safety issues.

### **Compatibility (Noise, Hours of Operation, etc.)**

- The gym is very loud and there is no controlled access. People will use the gym over night between 11pm and 5am. There is also no staff present for most of the day.
- Type of commercial uses and hours of operation are a concern. Need to ensure they are compatible with the residential buildings and neighbourhood.

### **Good For the Neighbourhood**

- Having a public small fitness facility, café, and salon are great for this community and this area. There is not much close by, and it would great to have options available locally.
- Having local commercial uses are convenient and can allow people to walk somewhere to get something small instead of driving.

### **Relationship between 56 and 60 Walter Havill**

- 56 and 60 Walter Havill Drive have a Shared Services Easement Agreement that includes cost sharing provisions. These additional uses are not reflected in the existing Agreement. There are concerns about the impact of additional uses and users on the shared infrastructure and facilities covered by this Agreement. Any additional strain and use on these items will be an increase to the expenses for 60 Walter Havill Drive. e.g. More traffic = more maintenance, more problems with snow removal, etc.
- More residents and users mean more garbage removal is required. There are already complaints from residents about the ineffective garbage removal for 56 and 60 Walter Havill Drive. There are piles of abandoned furniture at the back parking entrance to 56 on a regular basis. There is a potential for health hazards/issues.