

REVISED - March 18, 2024

**HALIFAX**

Item 10.1.2

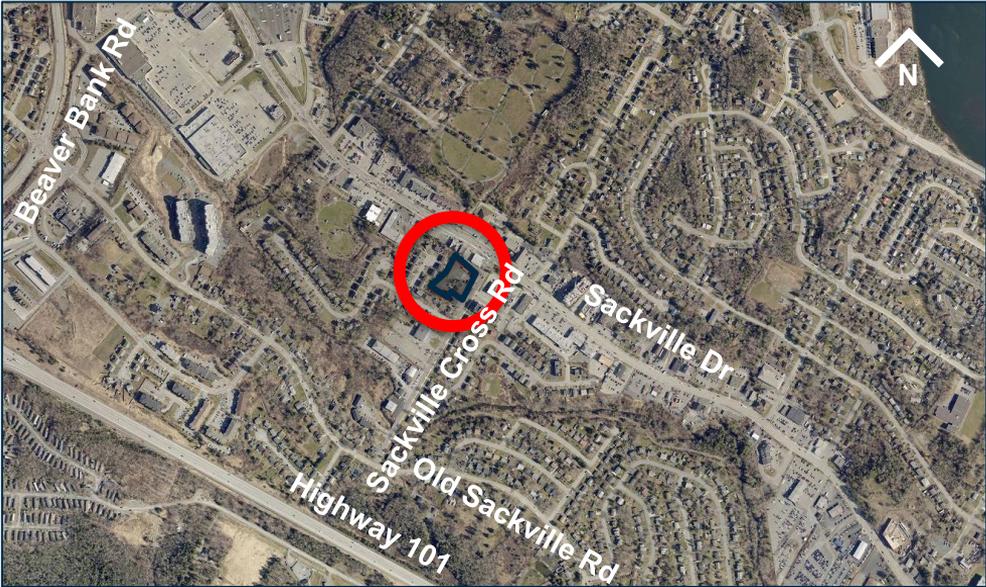
# **Public Hearing PLANAPP-2023-00912**

**Development Agreement**  
15 Sackville Cross Rd, Lower Sackville  
North West Community Council

March 18, 2024



# Site Context



General Site location in Red



Site Boundaries in Red

# Site Photos



# Site Photos



# Planning Policy Overview

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Regional Plan &  
Subdivision By-law

Community Plan

Land Use By-law  
(Zoning)

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

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# Planning Policy Overview

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Regional Plan &  
Subdivision By-law

Community Plan

Land Use By-law  
(Zoning)

Outlines where, how, and which types of development may occur. Some uses may only be allowed after community consultation and Council approval.

# Planning Policy Overview

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Regional Plan &  
Subdivision By-law

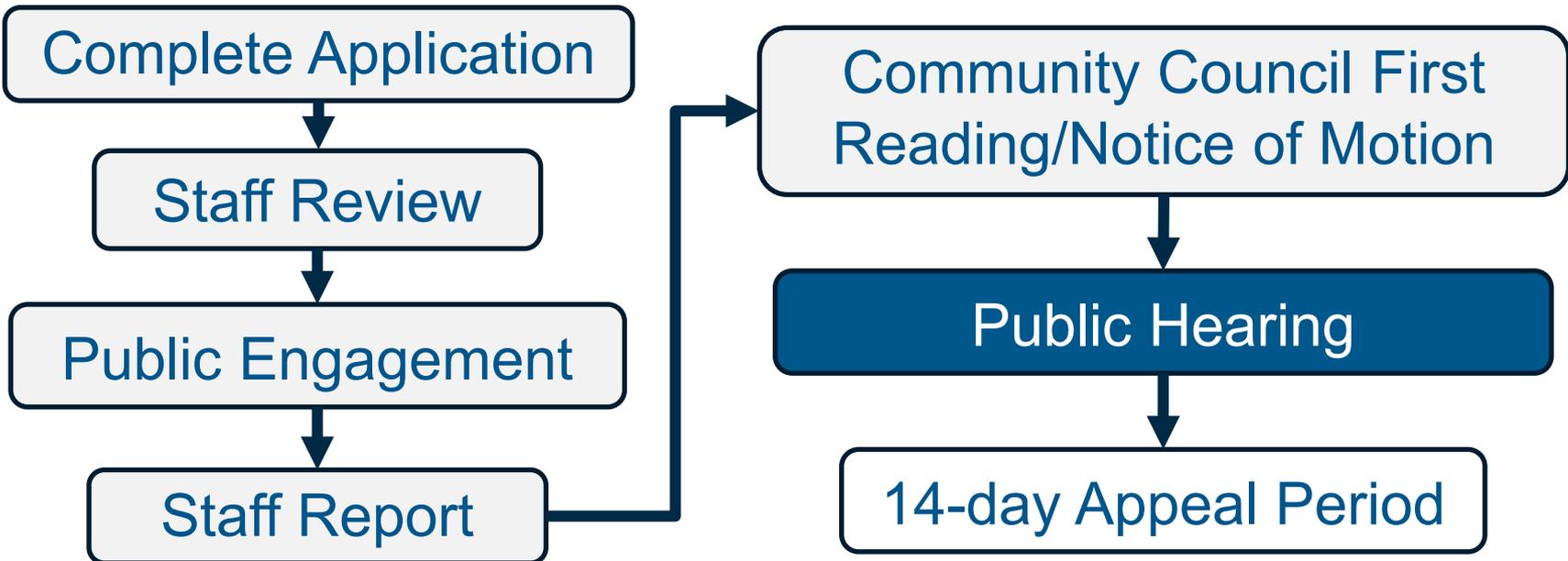
Community Plan

Land Use By-law  
(Zoning)

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

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# Development Agreement Process



# Planning Overview



Municipal Sewer and/or Water: Yes



Zone: PR (Pedestrian Retail)



Designation: (Pedestrian Retail)



Existing Use: Recycling Depot



Enabling Policy: PR-4

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# Policy Consideration

## Enabling Policy PR-4:

This policy enables Council to consider a proposal for an expansion of a commercial building within the Pedestrian Retail Designation that is not otherwise permitted by the applied zone.

Council must consider the following in rendering their decision on a Development Agreement:

- That the use is permitted in the zone;
- That no drive-thru function is proposed;
- That pedestrian movement is safe and comfortable.

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# Policy Consideration

## Enabling Policy PR-4:

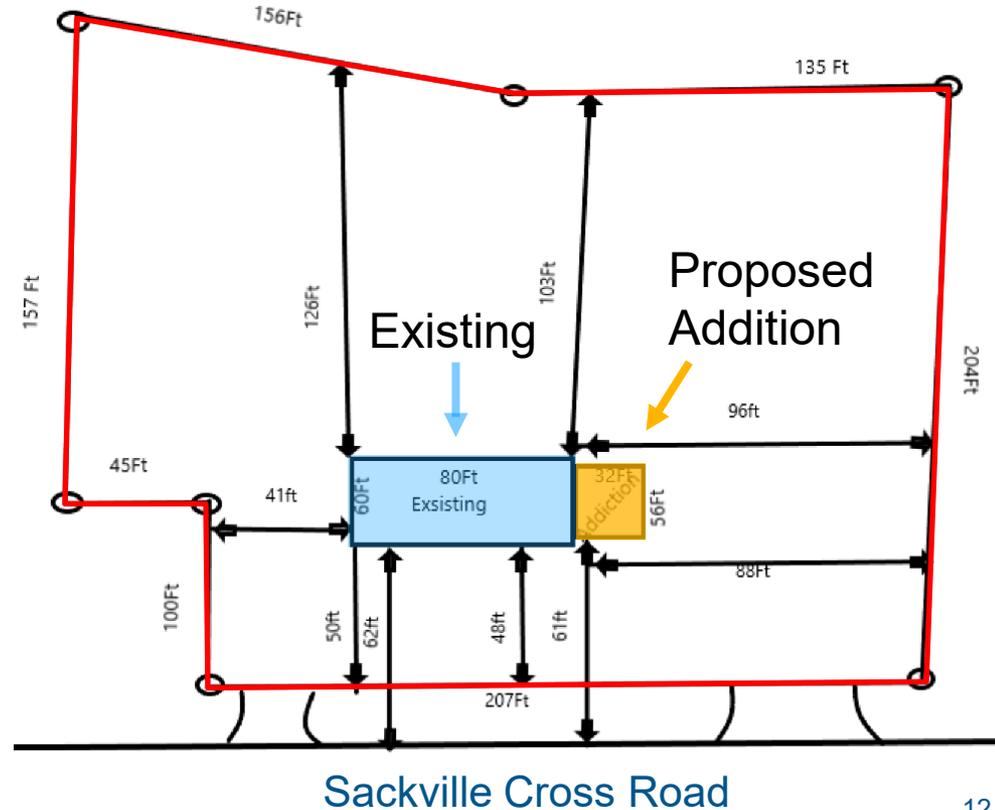
This policy enables Council to consider a proposal for an expansion of a commercial building within the Pedestrian Retail Designation that is not otherwise permitted by the applied zone.

Council must consider the following in rendering their decision on a Development Agreement:

- That primary facade(s) facing Sackville Drive do not exceed 40 feet in width; and
- That vegetation is retained where possible;

# Proposal Details

- A 9.8 m x 17 m (166 square metre) building addition (32 ft x 56 ft, 1792 square feet); and
- The addition is proposed to be 7.6 m (25 ft) in height.

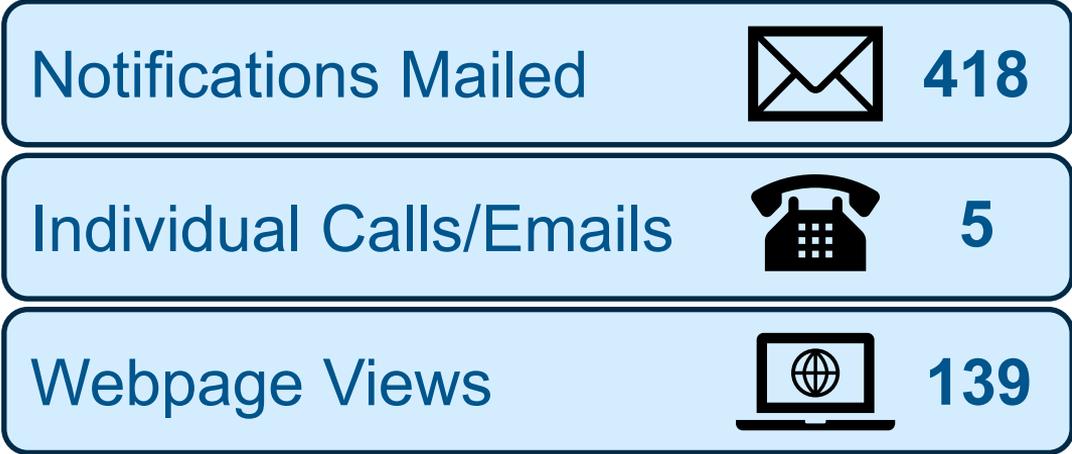


# Key Aspects

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- No change in type of use;
- The proposed agreement allows a maximum total building footprint of 650.3 square metres (7000 square feet).
- The proposed agreement allows a maximum height of 10.7 metres (35 ft); and
- All other aspects continue to be regulated by the applicable land use by-law (lot coverage, setbacks, parking, etc.)

# Public Engagement Feedback



Level of engagement completed was consultation achieved through a mail out notification containing a fact sheet about the proposal, and a website.

# Public Engagement Feedback

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Feedback included :

- Concern about recent removal of vegetation along the rear property line;
- Concern regarding land use compatibility with surrounding residential neighbourhood;
- Concern regarding land use conflict due to increase of noise, smell, dust, and visual unsightliness; and
- Question regarding hours of operation and schedule during construction of the addition;

# Public Engagement Feedback



# Changes Made in Response

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- To reduce land use conflict, the proposed agreement requires the rear and side property lines to be screened with opaque fencing.

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# Non-Substantive Amendments

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A 'Non-Substantive Amendment' is a change to the agreement which can be made without a formal Public Hearing. The Development Officer or Community Council could authorize this change by resolution.

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# Non-Substantive Amendments

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- Allowing the building to expand an additional 93 square metres (1000 sqft);
- Changes to the required fencing material provided privacy is still achieved;
- The granting of an extension to the date of commencement of construction; and
- The granting of an extension to the length of time for the completion of the development.

# Staff Recommendation

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The staff recommendation contained in the staff report was arrived at after a detailed analysis of all relevant policies in the Regional and local Municipal Planning Strategies.

Staff recommend North West Community Council:

1. Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A; and
2. Require the agreement be signed by the property owner within 120 days.

March 18<sup>th</sup>, 2024

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# Thank You

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